



**Regular Meeting of Council
Monday, November 14, 2016 at 7:00 PM
Council Chambers, City Hall**

Deputy Mayor Mike Duffy

Present: Deputy Mayor Mike Duffy
Councillor Edward Rice
Councillor Terry Bernard
Councillor Greg Rivard
Councillor Bob Doiron
Councillor Mitchell Tweel
Councillor Melissa Hilton
Councillor Jason Coady
Councillor Kevin Ramsay
Councillor Terry MacLeod

Also: Peter Kelly, CAO
Paul Smith, PC
Scott Ryan, FM
Alex Forbes, PM
Ron Atkinson, EconDO
Donna Hurry, TO
Jen Gavin, CO
Karen Campbell, CS
Randy MacDonald, FC
Paul Johnston, PWM
Frank Quinn, PRM
Richard MacEwen, AUM
Jesse Morton, PDO
Ramona Doyle, SO
Scott Adams, PC
Tracey McLean, RMC

Regrets: Mayor Clifford Lee
Wayne Long, EDO
Mandy Feuerstack, HRM

Deputy Mayor Duffy called the meeting to order.

Minutes of the previous meetings were by motion adopted:
Regular Meeting – October 11, 2016
Special & Public Meetings – October 19 & November 1, 2016
Committee Meetings of Council (open) – October 12 & 18, 2016

REPORTS OF COMMITTEES / RESOLUTIONS

1. Intergovernmental Affairs & Event Attraction – Councillor Kevin Ramsay

Councillor Ramsay indicated his Committee's report was included in the weekend package. He reported that the City will host the World Sledge Hockey Challenge December 4-10, 2016 and the 2017 Stihl Timbersports Canadian Champions Trophy on Canada Day weekend, Wintertide Holiday Festival and Tree Lighting kicks off on Friday, November 18 and Victoria Christmas Weekend is in early December.

Several questions were raised regarding the decision by the Provincial Government to dissolve the Charlottetown Area Development Corporation (CADC). Councillor Ramsay indicated that the City recently received a letter from the Premier giving notice of their intentions with respect to CADC. He further indicated that the questions raised will be brought back to Committee for discussion and follow-up.

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Bob Doiron**

RESOLVED:

That the City of Charlottetown enter into an agreement (as attached) with STIHL TIMBERSPORTS to host the 2017 STIHL TIMBERSPORTS Canadian Champions Trophy, and

That the Mayor and CAO are hereby authorized to execute the agreement to implement this resolution.

CARRIED 9-0

2. Planning & Heritage – Councillor Greg Rivard

Councillor Rivard indicated his Committee's report was included in the weekend package.

Concern was raised regarding challenges and restrictions presented to potential developers and home owners in the 500 Lot Area and it was suggested that the Planning & Heritage Committee review the matter. Councillor Rivard indicated the Committee would take the suggestion under consideration. It was noted that both Councillor Tweel and Councillor Rice wish to be included in any discussions.

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request for a variance to decrease the side yard setback to permit the construction of an addition on the southwest side of the building from 3 m (9.8 ft) to 0.3 m (1 ft) for the property located at 342 Grafton Street (PID# 341404) be approved.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the variance request to allow an offsite electronic sign on the kiosk located on the City's right-of-way at the corner of Great George Street and Richmond Street from May 1, 2017 to October 31, 2017 be approved.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to proceed to the public consultation phase in order to consider amending Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw in order to rezone the two properties at 4 Linden Avenue (PID#

277202) from the Single Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone be approved.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw in order to rezone Phase II to Phase IV of Horseshoe Hills Estates Subdivision (PID# 746164) from R-2S (Low Density Residential Single Zone) to R-1S (Single Detached Residential Zone) be approved.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to amend Section 4.26 of the Zoning & Development Bylaw in order to extend the operational period for mobile canteens outside of the 500 Lot Area from six months to twelve months be approved.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to subdivide a portion of PID# 700195 and consolidate it with 425 Mount Edward Road (PID# 704288) be approved, subject to the receipt of final pinned survey plans.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request for a variance to decrease the minimum side yard setback for an exterior staircase from 1.2 m (3.9 ft) to approximately 0.38 m (1.25 ft) to permit the construction of a fire escape on the property at 315 Richmond Street (PID# 341206) be approved.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request for a variance to decrease the minimum side yard setback for an exterior staircase from 1.2 m (3.9 ft) to approximately 0.46 m (1.5 ft) to permit the construction of

a fire escape from the second storey on the property located at 9-11 Euston Street (PID# 351890) be approved.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to reduce the front yard setback requirement of 19.7 ft to approximately 12.8 ft on the property located at 104 Greenfield Avenue (PID# 915181) in order to construct a garage addition, be rejected.

**CARRIED 8-1
Councillor Tweel opposed**

1st and 2nd reading of the Zoning & Development Bylaw - To amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw in order to rezone Phase II to Phase IV of Horseshoe Hills Estates Subdivision (PID #746164) from R-2S (Low Density Residential Single Zone) to R-1S (Single Detached Residential Zone).

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the bylaw to amend the "City of Charlottetown Zoning and Development Bylaw" be read a first time.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to Committee of the Whole Council and the Mayor be Chairman of the Committee.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the "City of Charlottetown Zoning and Development Bylaw" and that it be read a third time at the

next Public Meeting of Council.

CARRIED 9-0

1st and 2nd reading of the Zoning & Development Bylaw - to amend Section 4.26 of the Zoning & Development Bylaw (as attached) in order to extend the operational period for mobile canteens outside of the 500 Lot Area from six months to twelve months.

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to Committee of the Whole Council and the Mayor be Chairman of the Committee.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

CARRIED 9-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “City of Charlottetown Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

CARRIED 9-0

Councillor Rivard was in conflict and refrained from voting on the following two resolutions and bylaw readings

**Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady**

RESOLVED:

That the request to amend Appendix “A” – Future Land Use Map of the Official Plan from Port Area to Waterfront Area; to amend Appendix “H” – Zoning Map of the City of

Charlottetown Zoning and Development Bylaw to rezone the property located at 8 Stan MacPherson Way (portion of PID #841528) from the Port (PZ) Zone to the Waterfront (WF) Zone, and to provide eleven (11) standard parking spaces on the remaining portion of PID #841528 and to subdivide the property subject to the receipt of the signed pinned survey plans be approved subject to Design Review, the signing of a Development Agreement.

Further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

Concern was expressed that the waterfront area is being overdeveloped and greenspace is being encroached upon.

In response to a question, the Planning Manager indicated that the developers have a right to build on this property but is subject to the Design Review process.

CARRIED 7-1
Councillor Doiron opposed

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request to amend the Waterfront (WF) Zone as it pertains to 8 Stan MacPherson Way (portion of PID# 841528) in order to permit Automobile Sales and Services (car rental only) as a permitted use for a maximum of 15 rental vehicles; and to provide off-lot parking for (15) standard parking spaces on the remaining portion of PID# 841528 while the car rental outlet is operational subject to the applicant entering into a Development Agreement with the City,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 7-1
Councillor Doiron opposed

1st and 2nd reading of the Zoning & Development Bylaw - To amend Appendix “A” – Future Land Use Map of the Official Plan from Port Area to Waterfront Area; to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property located at 8 Stan MacPherson Way (portion of PID #841528) from the Port (PZ) Zone to the Waterfront (WF) Zone.

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

CARRIED 7-1
Councillor Doiron opposed

**Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady**

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to Committee of the Whole Council and the Mayor be Chairman of the Committee.

**CARRIED 7-1
Councillor Doiron opposed**

**Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady**

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

**CARRIED 7-1
Councillor Doiron opposed**

**Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady**

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “City of Charlottetown Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

**CARRIED 7-1
Councillor Doiron opposed**

1st and 2nd reading of the Zoning & Development Bylaw - To amend the Waterfront (WF) Zone as it pertains to 8 Stan MacPherson Way (portion of PID #841528) in order to permit Automobile Sales and Services (car rental only) as a permitted use for a maximum of 15 rental vehicles.

**Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady**

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

**CARRIED 7-1
Councillor Doiron opposed**

**Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady**

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to Committee

of the Whole Council and the Mayor be Chairman of the Committee.

CARRIED 7-1
Councillor Doiron opposed

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

CARRIED 7-1
Councillor Doiron opposed

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “City of Charlottetown Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

CARRIED 7-1
Councillor Doiron opposed

Councillor Rivard returned to the Chambers

3. Parks, Recreation & Leisure Activities – Councillor Mitchell Tweel

Councillor Tweel indicated his Committee’s report was included in the weekend package. The Volunteer of the Month for November is the Organizing Committee for the Sherwood Falcon’s Early Bird Tournament.

Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton

RESOLVED:

That the City of Charlottetown renews the Lease agreement with the Province of Prince Edward Island for the management responsibilities of the Confederation Trail within City limits, under the terms and conditions as set out in the attached agreement,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreement to implement this resolution.

CARRIED 9-0

Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton

RESOLVED:

That the City of Charlottetown enters into an agreement with the Province of Prince Edward Island, Mr. John Andrew and MacKay Construction Ltd., which identifies their respective rights and obligations upon which the footbridge will be constructed and

maintained, under the terms and conditions as set out in the attached agreement,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreement to implement this resolution.

CARRIED 9-0

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton**

RESOLVED:

That, as per the recent Request for Quotations for “Snow Clearing of Municipal Properties”, the City of Charlottetown accepts the low bid from Lea MacDonald Construction Ltd for Cody Banks Arena at \$3,910 (HST included) and Simmons Sport Centre at \$6,440 (HST included).

In response to a question raised regarding pricing, Councillor Tweel referred to the Parks & Rec Manager who indicated the cost to plow Simmons is higher because the area is larger.

CARRIED 9-0

4. Protective & Emergency Services – Councillor Jason Coady

Councillor Coady indicated his Committee’s report was included in the weekend package. He reported that the Volunteer Firefighter campaign has ended resulting in 13 applications. Charlottetown Police and Holland College Hurricanes football team joined ‘forces’ on Halloween night to pass out candy to trick or treaters in City neighbourhoods. He introduced a Notice of Motion to amend the City of Charlottetown Alarm Bylaw

An update was requested with respect to the Provincial Police Review. Councillor Coady indicated his Committee has not heard anything as yet but once information becomes available, it will be shared with Council.

**Moved by Councillor Jason Coady
Seconded by Councillor Greg Rivard**

RESOLVED:

That the Public Works Manager be authorized to renovate sheds, and/or remove sheds and remove subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 94 Oak Drive (PID# 515890) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown. Resolution will include any other clean up, repairs or inspections deemed necessary by a City Building Inspector, a Planning /Development Officer or City Fire Inspector.

CARRIED 9-0

5. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee’s report was included in the weekend package. He informed Council that the Committee will be pursuing a potential water conservation awareness and support program which targets lower income homes (LIFT Assistance Program).

It was expressed that residents have become quite frustrated with the lack of paving of roads in the area of Ashburn Crescent, Rosemount Drive and Trafalgar Street as a result of the storm sewer separation project. Councillor Rice indicated he misunderstood the Councillor's question from the previous Regular Meeting of Council and apologized; he will follow-up and advise immediately.

Moved by Councillor Eddie Rice
Seconded by Councillor Mitchell Tweel

RESOLVED:

WHEREAS, the City of Charlottetown is committed to improved water resource management in accordance with the Integrated Community Sustainability Plan; and

WHEREAS, the City of Charlottetown has committed to having all Water and Sewer Utility customers metered,

THEREFORE, be it RESOLVED, that the City of Charlottetown approve the implementation of a Refundable Non-Meter Surcharge effective June 1, 2017.

CARRIED 8-1
Councillor Hilton opposed

6. Public Works & Urban Beautification – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package. He reported that 96 trees have been identified with Dutch Elm Disease; half of these trees have been removed. 125 large trees and 423 smaller trees and shrubs have been planted along city streets, parks and woodlands. At the National Communities in Bloom Awards Ceremony held recently in Regina, SK, the City of Charlottetown won the Class of Champions – Medium Category. Councillor Bernard thanked the Beautification Committee and Staff for their hard work to make the city look as beautiful as it does each year.

In response to questions raised regarding the mini roundabout at Brackley Pt. Road and Oak Drive, Councillor Bernard indicated that the final cost was approximately \$750,000 and because it was not a requirement, a public meeting was not held.

Moved by Councillor Terry Bernard
Seconded by Councillor Melissa Hilton

RESOLVED:

That, as per the Request for Proposals on 'Pick Up And Disposal Of Compost, Recyclables, And Waste For Municipal Buildings' from December 2016 to December 2017 inclusive, the low submission of Label Construction & Sanitation in the amount of \$14,935.05 (15% HST included) be accepted.

CARRIED 9-0

Councillor Doiron was in conflict and refrained from voting on the following resolution.

Moved by Councillor Terry Bernard
Seconded by Councillor Melissa Hilton

RESOLVED:

That per the Request for Quotations on “Snow Clearing of Municipal Properties, Fire Hydrants and Lift Stations”, the following low submissions in regard to Municipal Properties be accepted subject to receipt of required insurance certificates;

		Season Price (HST included)
Sherwood Civic Bldg	Landmark Group	\$4,801.25
West Royalty Civic Bldg	Landmark Group	\$3,133.75
East Royalty Civic Bldg	W M M (1993) Ltd	\$3,151.00
Hillsborough Park Civic Bldg	Landmark Group	\$2,558.75
J E Blanchard Building	Lea MacDonald Construction	\$1,495.00
Kirkwood Police Station	W M M (1993) Ltd	\$5,428.00

Portions of these expenditures to be accounted against the 2017 operational budget.

CARRIED 8-0

Councillor Doiron returned to the Chambers

7. Advanced Planning, Priorities & Special Projects – Councillor Kevin Ramsay

Councillor Ramsay indicated his Committee’s report was included in the weekend package. He reported that several more Memorandums of Understanding (MOUs) have been established which create a very important relationship between the City and the community prior to an emergency or disaster.

8. Economic Development, Tourism, Arts & Culture – Councillor Bob Doiron

Councillor Doiron indicated his Committee’s report was included in the weekend package. He reported that the Canadian Federation of Independent Business recently ranked Charlottetown highly as an Entrepreneurial City in Canada. He recognized Donna Hurry, Tourism Officer, who will retire on November 30, 2016 and thanked Ms. Hurry for 27 years of dedicated service she provided to the citizens of Charlottetown.

9. Environment & Sustainability – Deputy Mayor Mike Duffy

Councillor Coady, on behalf Deputy Mayor Duffy, indicated the Committee’s report was included in the weekend package.

10. Finance, Audit & Tendering – Councillor Melissa Hilton

Councillor Hilton indicated her Committee’s report was included in the weekend package.

**Moved by Councillor Melissa Hilton
Seconded by Councillor Eddie Rice**

RESOLVED:

That, as per the Request for Proposals closing November 14, 2016, the City of Charlottetown borrow \$9,000,000 from the Royal Bank of Canada Bank at the fixed rate of 2.25% for 20 years, and

That the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 9-0

11. Human Resources, Communications & Administration – Councillor Terry MacLeod

Councillor MacLeod indicated his Committee's report was included in the weekend package. He reported that the Picture Charlottetown Photo contest closed on October 31 and over 300 submissions were received. Top 10 photos will be exhibited at City Hall for two weeks with the winners being announced late November or early December.

An update was requested concerning the City's hiring policies. Councillor MacLeod indicated the policies are still being reviewed however he will bring it back to the Committee for discussion.

12. New Business

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Jason Coady**

RESOLVED:

That City Council recognize November 24, 2016 as Accessible Parking Awareness Day.

CARRIED 9-0

The meeting adjourned at 8:45 PM