



**Regular Meeting of Council
Monday, February 8, 2016 at 7:00 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

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

Also: Donna Waddell, CAO
Randy MacDonald, FC
Paul Johnston, PWM
Frank Quinn, PRM
Mandy Feuerstack, HRM
Ron Atkinson, EconDO
Richard MacEwen, UAM
Tracey McLean, RMC
Paul Smith, PC
Craig Walker, UM
Alex Forbes, PM
Scott Ryan, FM
Wayne Long, EDO
Donny Hurry, TO
Steven Forbes, CS

Regrets: Councillor Terry Bernard
Jen Gavin, CO
Ramona Doyle, SO

Mayor Lee called the meeting to order. He congratulated Brad McConnell on being the successful candidate as Deputy Chief of Police. Mayor Lee along with Councillor Coady, Chair of Protective and Emergency Services, presented Mr. McConnell with his new badge.

Minutes of the previous meetings were by motion adopted:
Regular Meeting – January 8, 2016
Public Meeting – January 25, 2016
Committee of Council – January 14 & February 2, 2016

REPORTS OF COMMITTEES / RESOLUTIONS

1. Water & Sewer Utility – Councillor Edward Rice

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

In response to an update requested regarding the possibility of a standby crew during inclement weather, Councillor Rice indicated the Committee will be looking at this matter during budget talks.

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

Councillor Ramsay indicated his Committee did not meet since the last Council meeting.

3. Intergovernmental Affairs & Event Attraction – Councillor Terry Bernard

Councillor Ramsay, on behalf of Councillor Bernard, indicated the Committee had not met since the last Council meeting.

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That the City of Charlottetown enter into an agreement (as attached) with Hockey Canada to host the 2016 World Sledge Hockey Challenge,

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

CARRIED 9-0

4. Environment & Sustainability – Councillor Robert Doiron

Councillor Doiron indicated his Committee's report was included in the weekend package. He noted that there were over 200 participants who attended the Inspired City sessions held Thursday, February 4, 2016 where participants were engaged in facilitated roundtable discussions to reflect on the progress made so far and to identify what the priorities are for the next phase of community sustainability.

The Committee was requested to look at possible health effects with respect to open recreational fires within the city. Councillor Doiron indicated he would consult with the Chair of Protective and Emergency Services, follow-up and advise.

5. Finance, Audit & Tendering – Councillor Melissa Hilton

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

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Eddie Rice**

RESOLVED:

That Council adopt the 2016 Capital Program in the amount of \$11.26 million for the City based upon an allocation of \$690,500 for Parks & Recreation; \$70,000 for Victoria Park; \$62,500 for Heritage Squares; \$150,000 for Advanced Planning; \$2,400,000 for Fire and Emergency Preparedness (subject to partner funding); \$1,500,000 for Transit (subject to partner funding); \$410,000 for Community Sustainability; \$200,000 for Urban Beautification; and \$11,780,000 for Public Works (subject to partner funding),

And that Council adopt the 2016 Capital Program for the Water & Sewer Utility in the net contribution amount of \$10.7 million subject to Federal and/or Provincial Government participation where appropriate,

And further that staff be authorized to tender projects that are solely City funded in advance of consideration of the City's operation program.

Councillor Hilton noted that the resolution is mostly subject to federal funding from sources such as the New Build Canada Program.

CARRIED 9-0

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Mitchell Tweel**

RESOLVED:

That the following resolution of March 10th, 2014 be renewed:

“That the City of Charlottetown accept cash-in-lieu of parkland in the amount of \$53,420 for the development of PID# 348458 to be paid on a per-lot basis as lots are developed to a maximum of 5 years, at which time any outstanding balance is due and payable, and

That these funds are to be credited to the Parkland Reserves,

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

CARRIED 9-0

Councillor Hilton advised that the wrong resolution was rescinded at the Regular Council meeting in February 2016 therefore the following needed to be brought forward.

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Mitchell Tweel**

RESOLVED:

That the following resolution of September 8th, 2014 be rescinded:

“THAT the City of Charlottetown accept cash-in-lieu of parkland in the amount of \$38,807.85 for the development of Salisbury Ave. to be paid on a per-lot basis as lots are developed to a maximum of two and a half (2.5) years. These funds are to be credited to the Parkland Reserves.

The Mayor and CAO be hereby authorized to execute standard contracts/agreements to implement this resolution.”

CARRIED 9-0

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

Councillor MacLeod indicated his Committee’s report was included in the weekend package. He congratulated Mr. Brad McConnell on being the successful candidate for Deputy Chief of Police (Administration and Support Services).

7. Economic Development, Tourism, Arts & Culture – Deputy Mayor Mike Duffy

Deputy Mayor Duffy indicated his Committee’s report was included in the weekend package. He noted that the City is hosting Islander Family Fun Day on Monday, February 15, 2016 with activities such as a pancake breakfast, family swims, bowling, skating and performances by The Music Man – Michael Pendergast.

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

Councillor Tweel indicated his Committee's report was included in the weekend package. Volunteer of the Month for February is Laurie Godfrey.

As follow-up to a question raised at February's Regular Meeting, Councillor Tweel indicated there is free access for seniors to indoor walking facilities at both Holland College (Monday-Friday 1:30 pm to 2:30 pm) and UPEI Field House (Mon-Thurs 9:00 am to 10:00 am).

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Bob Doiron**

RESOLVED:

That the City of Charlottetown amend the Helmet Use Policy at City-Owned and/or Operated Arenas, as per the attached, with implementation effective on September 1, 2016.

CARRIED 9-0

9. Planning & Heritage – Councillor Greg Rivard

Councillor Rivard indicated his Committee's report was included in the weekend package. As part of the Heritage Day events, Councillor Rivard invited Council to attend the annual Heritage Awards at 12 Noon on Tuesday, February 16 at City Hall.

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

RESOLVED:

WHEREAS the City of Charlottetown is the Authority having jurisdiction over land use matters within the City of Charlottetown;

AND WHEREAS the City rejected an application on July 14, 2014 to amend Appendix "A" – Future Land Use Map of the Official Plan from Recreational to Medium Density Residential and an amendment to Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Open Space (OS) Zone to Medium Density Residential (R-3) Zone in order to rezone a portion of the property at 1 Greensview Drive (PID #279091).

AND WHEREAS an appeal was filed by Hanmac Inc. with the Island Regulatory and Appeals Commission on August 04, 2014.

AND WHEREAS the Island Regulatory and Appeals Commission, in Order LA15-06 dated December 18, 2015 ordered the City to approve amending Appendix "A" – Future Land Use Map of the Official Plan from Recreational to Medium Density Residential and an amendment to Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Open Space (OS) Zone to Medium Density Residential (R-3) Zone in order to rezone a portion of the property at 1 Greensview Drive (PID #279091).

AND WHEREAS the City of Charlottetown is now required to pass the within Resolution to bring the decision of the Island Regulatory and Appeals Commission into effect:

THEREFORE BE IT RESOLVED that the request to amend Appendix “A” – Future Land Use Map of the Official Plan from Recreational to Medium Density Residential and an amendment to Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Open Space (OS) Zone to Medium Density Residential (R-3) Zone in order to rezone a portion of the property at 1 Greensview Drive (PID #279091) subject to the signing of a Development Agreement be approved,

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

In response to a question raised, Councillor Rivard indicated that City Solicitors thoroughly reviewed this file and their advice was not to appeal the decision of IRAC.

CARRIED 9-0

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

RESOLVED:

That the request for the property at 184 Belvedere Avenue (PID #669796 and 751701) – to amend Appendix “A” Future Land Use Map of the Official Plan from Commercial to Institutional and an amendment to Appendix “H” Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the properties from Business Office Commercial (C-1) to Institutional (I); and for the portion of adjacent vacant property PID #395285 – to amend Appendix “A” Future Land Use Map of the Official Plan to that portion identified as Parking to Institutional and to amend Appendix “H” Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the portion zoned Parking (P) to Institutional (I), be rejected.

There was some discussion in support and in opposition with respect to the application. It was noted that some Planning Board members agreed that limiting the permitted uses in the Institutional Zone would address residents’ concerns; however, the majority of Board members agreed with staff’s recommendation to reject the application as it was in their opinion that the applicant was not able to come to an agreement with concerned residents.

CARRIED 5-4

Deputy Mayor Duffy, Councillors Hilton, Ramsay & Rice recorded “nay” votes

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

RESOLVED:

That the request to amend Section 4.22.2 of the Zoning & Development Bylaw, as it pertains to who can operate a daycare in a dwelling unit be approved.

CARRIED 8-1

Councillor Tweel recorded a “nay” vote

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

RESOLVED:

That the request to amend the City of Charlottetown Official Plan to include a new section regarding Administration & Implementation which outlines how the City of Charlottetown Official Plan and Zoning & Development Bylaw can be amended, be approved.

CARRIED 9-0

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

RESOLVED:

That the following motion approved by Council on January 11, 2016 be rescinded:

“That the request to proceed to the public consultation phase to amend the Medium Density Residential (R3) Zone as it applies to 51 Chestnut Street (PID# 361519), 57 Chestnut Street (PID# 361527), 59 Chestnut Street (PID# 584755), 61 Chestnut Street (PID# 361535), 18 Passmore Street (PID# 361683), 26-30 Passmore Street (PID# 361675), 32 Passmore Street (PID# 361667) and 34 Passmore Street (PID# 361659) to permit a four storey apartment building with up to 57 units and commercial use on the ground floor be approved.”

For clarification purposes, Councillor Rivard indicated that 49 Chestnut Street was missing from the initial resolution dated January 11, 2016 therefore the motion needs to be rescinded.

CARRIED 9-0

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

RESOLVED:

That the request to proceed to the public consultation phase to amend the Medium Density Residential (R3) Zone as it applies to 49 Chestnut Street (PID# 357756), 51 Chestnut Street (PID# 361519), 57 Chestnut Street (PID# 361527), 59 Chestnut Street (PID# 584755), 61 Chestnut Street (PID# 361535), 18 Passmore Street (PID# 361683), 26-30 Passmore Street (PID# 361675), 32 Passmore Street (PID# 361667) and 34 Passmore Street (PID# 361659) to permit a four storey apartment building with up to 57 units and commercial use on the ground floor, be approved.

CARRIED 9-0

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

RESOLVED:

That the request for a lot consolidation of two properties located at 385 Queen Street (PID# 356923) and 387 Queen Street (PID#356931) be approved subject to the receipt of

signed pinned survey plans.

CARRIED 9-0

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

RESOLVED:

That the request for a lot consolidation of two properties located at 174 Sherwood Road (PID# 573451) and 190 Sherwood Road (PID# 390799) be approved, subject to the receipt of signed pinned survey plans.

CARRIED 9-0

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

RESOLVED:

That the request to proceed to the public consultation phase to consider an amendment to Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential and to rezone the property located at 51 Emerald Drive (PID# 372250) from Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone to accommodate a three (3) unit townhouse 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 to consider an amendment to Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Commercial and to rezone the properties located at 185 Belvedere Avenue (PID# 394973) and 187 Belvedere Avenue (PID# 508192) from Low Density Residential (R-2) Zone to Mixed-Use Corridor Commercial (MUC) Zone be approved.

CARRIED 5-4

Councillors Hilton, Ramsay, Rice & Rivard recorded "nay" votes

1st and 2nd reading of the Zoning & Development Bylaw – amend Appendix "H" from Open Space (OS) Zone to Medium Density Residential (R-3) Zone in order to rezone a portion of the property at 1 Greenview Drive (PID# 279091).

**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 - amend Section 4.22.2 (as attached) as it pertains to who can operate a daycare in a dwelling unit.

**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 8-1
Councillor Tweel opposed**

**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 8-1
Councillor Tweel opposed**

**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 8-1
Councillor Tweel opposed**

**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 8-1
Councillor Tweel opposed**

10. Protective & Emergency Services – Councillor Jason Coady

Councillor Coady indicated his Committee’s report was included in the weekend package. He reported that four new volunteer firefighters have started with the department – Adam Upward and Johnathan Bell (Station 1) and Shane Young and Jared Schellen (Station 2). Also, the Healthy Me program which focuses on drug abuse and mental health, developed by Charlottetown Police Services and student services workers, is being introduced this week to elementary schools. He noted that this program has replaced the DARE program.

Safety concerns were raised regarding the crosswalk on North River Road by Waterview Heights. Councillor Coady indicated he would take this under advisement.

11. Public Works & Urban Beautification – Councillor Terry Bernard

Councillor Hilton, on behalf of Councillor Bernard, indicated the Committee had not met since the last Council meeting.

It was suggested that Public Works make it a priority to open up the sidewalks which lead into the entrances of the city (Longworth Avenue, Queen Street, University Avenue and North River Road) after there is a significant snowfall. Councillor Hilton indicated school zones have priority however she will take it back to the Public Works Committee for discussion.

12. New Business

Councillor Coady was in conflict regarding the following resolution and left the Chambers during the vote.

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That Maria MacAulay be appointed to the Board of Ars Longa, Inc (The Guild) as nominated by his Worship Mayor Clifford Lee, be approved.

CARRIED 8-0

The meeting adjourned at 8:15 PM