



**Regular Meeting of Council
Monday, June 13, 2016 at 4:30 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

Present: Deputy Mayor Mike Duffy
Councillor Melissa Hilton
Councillor Jason Coady
Councillor Greg Rivard
Councillor Terry MacLeod

Councillor Mitchell Tweel
Councillor Edward Rice
Councillor Terry Bernard
Councillor Bob Doiron
Councillor Kevin Ramsay

Also: Peter Kelly, CAO
Randy MacDonald, FC
Paul Johnston, PWM
Frank Quinn, PRM
Scott Ryan, FM
Donny Hurry, TO
Alicia Packwood, AC
Tracey McLean, RMC

Paul Smith, PC
Richard MacEwen, AUM
Alex Forbes, PM
Mandy Feuerstack, HRM
Ramona Doyle, SO
Laurel P. Thompson
David Hooley, CS

Regrets: Wayne Long, EDO
Jen Gavin, CO

Ron Atkinson, EconDO

Mayor Lee called the meeting to order. The Mayor announced that binders which contain Committee reports to Council are now provided to Media and will be available at the beginning of each Regular Monthly meeting.

Minutes of the previous meetings were by motion adopted:
Regular Meeting – May 9, 2016
Committee of Council Meeting (open) – May 30, 2016

REPORTS OF COMMITTEES / RESOLUTIONS

1. 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 Natal Day 'Afternoon Fun in the Park' event which was scheduled for Sunday, June 12 was cancelled due to rain, wind and the possibility of lightning.

It was suggested that the Committee look at scheduling this event later into June so the weather is more seasonal. Councillor Doiron took this suggestion under advisement.

2. 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 the City of Charlottetown make application through the Clean Water Wastewater Fund for \$40,320,000 in estimated project cost for the attached projects.

And further that the City of Charlottetown understands and commits that it will be responsible for its designated share of the total eligible cost of each project and will assume responsibility for any/all operating and maintenance costs resulting from these projects.

Councillor Hilton indicated that if the application is approved, the City's funding portion would be \$10 million.

CARRIED 10-0

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

Councillor MacLeod indicated his Committee's report was included in the weekend package. He noted that the Citizens Recognition Awards along with the recognition of long-serving employees of the City of Charlottetown were handed out at a ceremony on June 9, 2016.

4. Intergovernmental Affairs & Event Attraction – Councillor Kevin Ramsay

Councillor Ramsay indicated his Committee had not met since the last Council meeting.

5. Planning & Heritage – Councillor Greg Rivard

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

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

RESOLVED:

That Council approve the request from the Charlottetown Harbour Authority Inc. to rename the section of Hillsborough Street (south of Water to the Harbour Authority entrance) to Stan MacPherson Way,

And further that the effective date of implementation be June 20, 2016.

CARRIED 10-0

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

RESOLVED:

That the request to locate a ticket kiosk and bus stop for Turf n' Surf Tours Inc. on the

City right-of-way adjacent to Founders Hall subject to the signing of a Development/Encroachment Agreement and provision of the necessary liability insurance be approved for the 2016 summer season only;

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

CARRIED 10-0

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

RESOLVED:

That the request to locate a ticket kiosk and bus stop for Turf n' Surf Tours Inc. on the City right-of-way adjacent to Confederation Centre subject to the signing of a Development/Encroachment Agreement and provision of the necessary liability insurance be approved until July 31, 2016.

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

CARRIED 10-0

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

RESOLVED:

That the request to decrease the minimum rear yard setback from 19.7 ft to 6.5 ft in order to construct a 2,000 sq ft building footprint for a single family dwelling on the subdivided vacant lot adjacent to 2 Richmond Street (PID# 338962) be approved subject to the proposed new dwelling being located 6 ft from the existing eastern side property boundary.

Councillor Rice was excused by Mayor and Council and he left the room.

Councillor Rivard indicated the property is zoned Downtown Neighbourhood and a single family dwelling is permitted in this zone. He further indicated that a number of letters from concerned area residents have been received noting lack of detail for the whole structure, environmental matters, streetscape, snow removal and parking. Councillor Rivard advised Council that Planning Board recommended approval however Planning staff recommended rejection of the variance.

After some discussion, it was suggested that the motion be deferred as to allow the applicant more time to address all outstanding concerns. Moved by Councillor Tweel and Seconded by Councillor Hilton to defer the motion. Motion was Carried 8-1 with Councillor MacLeod opposed.

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request for a variance to increase the residential density from 15 to 16 dwellings units and a variance to reduce the minimum side yard setback from 14.8 ft to 10.75 ft in order to construct a 16-unit apartment building at 286-288 University Avenue (PID# 359794), 290 University Avenue (PID# 359778) and the vacant lot (PID# 359786) be approved.

Further that the request for a lot consolidation of the three properties located at 286-288 University Avenue (PID# 359794), 290 University Avenue (PID# 359778) and the vacant lot (PID# 359786) be approved subject to the receipt of signed pinned survey plans.

CARRIED 9-0
Councillor Rice out of the room during vote

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request for a variance to increase the maximum building height from 39.4 ft to 44.25 ft in order to construct an apartment building at 286-288 University Avenue (PID# 359794), 290 University Avenue (PID# 359778) and the vacant lot (PID# 359786) be rejected.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request for variances to decrease the minimum lot frontage from 82 ft to approximately 41.7 ft and to decrease the minimum lot area from 4,359.6 sq ft to approximately 3,397 sq ft for the property at 5 Chestnut Street (PID# 356030) in order to convert the existing boarding house into a three-unit apartment building be approved.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request for variances to decrease the minimum frontage from 72.2 ft to 22.9 ft and the minimum lot area from 6,996.8 sq ft to approximately 2,309 sq ft in order to

convert the existing single-detached dwelling into a duplex at 76 Douglas Street (PID# 361337) be rejected.

A deferral was suggested so that the applicant would have an opportunity to further examine the matter and work with the Planning Department. It was Moved by Councillor Tweel however there was no Seconder.

CARRIED 9-1
Councillor Tweel opposed

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request to decrease the minimum required building height from 24.6 ft to 21.6 ft and to decrease the side yard setback from 6 ft to 5 ft in order to construct an outdoor eating plaza at the corner of Prince and Kent Streets (PID# 343004) be approved subject to the signing of a Development Agreement.

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

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request for a lot consolidation of the two properties at 160 Prince Street (PID# 343012) and the corner of Prince and Kent Streets (PID# 343004) be approved subject to the receipt of signed pinned survey plans.

CARRIED 10-0

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 "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a the property at 305 Kent Street (PID #345140) from the Downtown Neighbourhood (DN) Zone to the Institutional (I) Zone be approved.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request to proceed to the public consultation phase for the request to amend the

Downtown Neighbourhood (DN) Zone as it pertains to 275 Kent Street (PID #344861), 281 Kent Street (PID #344887), 285 Kent Street (PID #344895), 291 Kent Street (PID #344903) and 295-297 Kent Street (PID #344911) in order to permit an Educational Institution Use, be approved.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the request for a lot consolidation of the two properties located at 291 Kent Street (PID #344903) and 295-297 Kent Street (PID# 344911) be approved subject to the receipt of signed pinned survey plans.

CARRIED 10-0

3rd reading of the Zoning & Development Bylaw – To amend Sections 3.244, 4.62 and 4.75 and to replace all test references of the term “veiwscapē” to “View Plane” within the Zoning & Development Bylaw.

Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod

RESOLVED:

That the “City of Charlottetown Zoning and Development Bylaw” be read a third time and that the said Bylaw do now pass.

CARRIED 10-0

6. 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 June is Allan Clark. Councillor Tweel advised Council that playground equipment from the 2015 inventory is expected to be installed by June 24 and installation work on 2016 equipment starts June 27.

Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton

RESOLVED:

That, as per the recently advertised tender for the Confederation Trail Pathway Lighting – Phase 3 & 4, the City of Charlottetown accepts the bid of \$120,600.00 (HST included) from Hansen Electric for the installation,

And that the 2014 standing offer from Hansen Electric to supply the poles at a total of \$109,457.22 (HST included) be accepted, and in addition the bid from Richardson Associates of \$7,410 (HST included) for the engineering and contingency for this project be accepted,

And further that this amount is within the approved 2016 Parks and Recreation Capital Budget.

CARRIED 10-0

7. Protective & Emergency Services – Councillor Jason Coady

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

In response to questions raised regarding speed bumps, Councillor Coady indicated that Police can setup a speed radar to determine if a speed bump is warranted on a particular street and if needed, Public Works would be requested to install it.

A question was raised regarding priority of line painting on city streets. It was stated that the first priority is school zones (including crosswalks).

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That Reliable Motors be awarded the vehicle tender for the supply of two (2) marked 2016 Dodge Charger Police Package vehicles for tendered price of \$56,478.00 (plus applicable taxes).

CARRIED 10-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That Hillside Motors be awarded the vehicle tender for the supply of one (1) unmarked 2015 Chev Impala vehicle for the tendered price of \$20,900.00 (plus applicable taxes).

CARRIED 10-0

3rd reading of the City of Charlottetown Traffic Bylaw – to amend Schedule “B” – Penalties – Fine increase for parking.

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

RESOLVED:

That the “Traffic Bylaw” be read a third time and that the said Bylaw do now pass.

CARRIED 10-0

8. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. He reported that Phase 6 of the Spring Park Sewer Separation Project continues; asphalt

reinstatement has been completed on University Avenue and work on Nassau Street is ongoing. Utility has applied for funding for ten projects under the Clean Water Wastewater Fund with some of those projects being the completion of the Miltonvale well, work on the Wastewater Treatment Plant and work on water and wastewater infrastructure.

Moved by Councillor Eddie Rice
Seconded by Councillor Melissa Hilton

RESOLVED:

That Hansen Electric Ltd. be awarded the CPCP Power Factor Correction tender in the amount of \$24,000.00 HST excluded,

And that this be expensed out of the 2016 Utility Capital Budget.

CARRIED 10-0

Moved by Councillor Eddie Rice
Seconded by Councillor Melissa Hilton

RESOLVED:

That Bevan Bros. Limited be awarded the CPCP Sludge Valve Replacement tender in the amount of \$47,557.00 HST excluded,

And that this be expensed out of the 2016 Utility Capital Budget.

CARRIED 10-0

Moved by Councillor Eddie Rice
Seconded by Councillor Melissa Hilton

RESOLVED:

That WSP Limited be awarded the East Royalty Lagoon Diversion to the CPCP Engineering Services RFP,

And that expenses be drawn from the 2016 Utility Capital Budget.

CARRIED 10-0

Moved by Councillor Eddie Rice
Seconded by Deputy Mayor

RESOLVED:

That a Memorandum of Agreement be entered into with Environment Canada to provide stream flow and groundwater monitoring related to wellfields in Winter River and Miltonvale,

And that expenses be drawn from the 2016 Utility Operating Budget.

CARRIED 10-0

Moved by Councillor Eddie Rice
Seconded by Councillor Melissa Hilton

RESOLVED:

That Campbell's Concrete Ltd be awarded the 2016 Utility Inventory tender in the amount of \$64,859.04 HST included,

And that this be expensed out of the 2016 Utility Operating Budget.

CARRIED 10-0

9. Public Works & Urban Beautification – Councillor Terry Bernard

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

Concern was raised regarding the quality of how some streets are left after being pulverized and repaved by contractors; parts of Gerald Street, Hillcrest Avenue, Upper Prince Street and Walthen Drive. Councillor Bernard indicated he would take this under advisement.

Moved by Councillor Terry Bernard
Seconded by Councillor Melissa Hilton

RESOLVED:

That, as per the conditions of the Tender for "Storm Pipe Construction – 2016 Package B", the low submission of Island Coastal Services Ltd in the amount of \$512,930.46 (taxes included) be accepted.

CARRIED 10-0

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

Councillor Ramsay indicated his Committee had not met since the last Council meeting.

11. Environment & Sustainability – Deputy Mayor Mike Duffy

Deputy Mayor Duffy indicated his Committee's report was included in the weekend package.

Moved by Councillor Jason Coady
Seconded by Councillor Eddie Rice

RESOLVED:

That, as per the conditions of the Request for Quotations on "Parking Garage LED Lighting", the low submission of Hansen Electric in the amount of \$243,291.11 (taxes included) be accepted.

CARRIED 10-0

1st & 2nd reading of the City of Charlottetown Cosmetic Pesticides Bylaw – to regulate the use of non-domestic pesticides for the control of landscape pests within the City of Charlottetown. Bylaw effective January 1, 2017.

Councillor Hilton was in conflict and left the meeting.

**Moved by Councillor Jason Coady
Seconded by Councillor Eddie Rice**

RESOLVED:

That the Cosmetic Pesticides Bylaw be introduced and read a first time.

CARRIED 5-4

Councillors Bernard, Doiron, MacLeod & Rivard opposed

**Moved by Councillor Jason Coady
Seconded by Councillor Eddie Rice**

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 5-4

Councillors Bernard, Doiron, MacLeod & Rivard opposed

**Moved by Councillor Jason Coady
Seconded by Councillor Eddie Rice**

RESOLVED:

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

CARRIED 5-4

Councillors Bernard, Doiron, MacLeod & Rivard opposed

**Moved by Councillor Jason Coady
Seconded by Councillor Eddie Rice**

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the "Cosmetic Pesticides Bylaw" and that it be read a third time at the next Public Meeting of Council.

CARRIED 5-4

Councillors Bernard, Doiron, MacLeod & Rivard opposed

12. New Business

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Mitchell Tweel**

RESOLVED:

That Alex Youland be appointed to the Youth Retention Advisory Board, as nominated

by his Worship Mayor Clifford Lee, effective June 13, 2016.

CARRIED 9-0

The meeting adjourned at 6:10 PM