



**Regular Meeting of Council  
Monday, April 10 2017 at 7:00 PM  
Council Chambers, City Hall**

**Deputy Mayor Mike Duffy presiding**

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

**Also:**                 **Peter Kelly, CAO**                                     **Paul Smith, PC**  
                              **Randy MacDonald, FC**                            **Paul Johnston, PWM**  
                              **Scott Ryan, FM**                                     **Alex Forbes, PM**  
                              **Mandy Feuerstack, HRM**                        **Frank Quinn, PRM**  
                              **Richard MacEwen, AUM**                         **Wayne Long, EDO**  
                              **Ramona Doyle, SO**                                **Jen Gavin, CO**  
                              **Jesse Morton, PDO**                               **Karen Campbell, CS**  
                              **Tracey McLean, RMC**

**Regrets:**             **Mayor Clifford Lee**                                **Ron Atkinson, EconDO**

Deputy Mayor Duffy called the meeting to order.

**Minutes of the previous meetings were by motion adopted:**

**Regular Meeting – March 13, 2017**  
                              **Public Meeting – March 27, 28 & 29, 2017**  
                              **Committee of Council Meetings (open) – March 14 & April 6, 2017**

The Deputy Mayor introduced poet, Deirdre Kessler, who read a poem titled Strange Roots in recognition of National Poetry Month.

By request, the Parks & Recreation and Planning & Heritage Committee reports were moved to the beginning of the agenda.

**REPORTS OF COMMITTEES / RESOLUTIONS**

**1. 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 April is Bobby Kenny. Councillor Tweel congratulated Brad Richards on his induction into the Quebec Major Junior Hockey League Hall of Fame.

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

**RESOLVED:**

That the City of Charlottetown accepts the following bids for playground equipment from:

- Tessier in the amount of \$23,508.30 (HSTI) for Penny Lane Park
- Tessier in the amount of \$23,391.30 (HSTI) for Johnston Park
- PlayPower in the amount of \$23,367.38 (HSTI) for Orlebar Park
- PlayPower in the amount of \$23,367.38 (HSTI) for Parkman Park
- Jambette in the amount of \$10,724.30 (HSTI) for Shell Court Park
- Henderson in the amount of \$11,399.95 (HSTI) for Bridle Path Park
- PlayPower in the amount of \$11,121.27 (HSTI) for Bonnie Blink Park
- PlayPower in the amount of \$12,199.21 (HSTI) for six swing sets for MacPhail,
- Joseph A. Ghiz Memorial, Madeline, Parkman, Orlebar and Highland View Parks.

And that in addition, \$104,000.00 be approved for playground removal, installation and contingency costs under the Parks Playground Projects as noted above,

And further that this amount be expensed to the approved 2017 Parks and Recreation Capital Budget.

**CARRIED 9-0**

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

**RESOLVED:**

That the City of Charlottetown accepts the following bids for playground equipment for Hillsborough Square.

- PlayPower in the amount of \$2,112.73 (HSTI) for two swing sets
- Henderson in the amount of \$21,023.16 (HSTI) for medium play structure
- Jambette in the amount of \$23,884.27 (HSTI) for medium play structure

And that in addition, \$38,000.00 be approved for playground removal, installation and contingency costs under the Heritage Square Projects, as noted above,

And further that this amount be expensed to the approved 2017 Parks and Recreation Capital Budget.

**CARRIED 9-0**

**2. Planning & Heritage – Councillor Greg Rivard**

Councillor Rivard indicated his Committee's report was included in the weekend package. Councillors MacLeod and Tweel left the Chambers as they were in conflict regarding the following motion and bylaw reading on the properties located at Cumberland and Grafton Streets.

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

**RESOLVED:**

That the request:

- To amend Appendix “A” City of Charlottetown Future Land Use Map from Commercial and Medium Density Residential to Institutional and Appendix “H” City of Charlottetown Zoning Map from the Mixed Use Corridor (MUC) Zone and Medium Density Residential (R-3) Zone to the Institutional (I) Zone to rezone 302-304 Grafton Street / 92 Cumberland Street (PID# 341453), 306 Grafton Street (PID# 341446), 310 Grafton Street (PID# 341420), 90 Cumberland Street (PID# 341461), 84-86 Cumberland Street (PID# 341479), 78-82 Cumberland Street (PID# 341487), and 74 Cumberland Street (PID# 341495);
- To consolidate the properties at 302-304 Grafton Street/ 92 Cumberland Street (PID# 341453), 306 Grafton Street (PID# 341446), 310 Grafton Street (PID# 341420), 90 Cumberland Street (PID# 341461), 84-86 Cumberland Street (PID# 341479), 78-82 Cumberland Street (PID# 341487), and 74 Cumberland Street (PID# 341495) subject to the receipt of final pinned survey plans;
- For a variance to increase the maximum permitted height from 12m (39.4ft) to approximately 14.5m (47.57ft) in order to construct a student dormitory; and
- To enter into an off-lot parking agreement with CADC to the parking at 361 Grafton Street subject to the signing of a 10 year lease with CADC,

Be approved subject to the signing of a Development Agreement,

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

Councillor Rivard indicated that the City’s role is to ensure that Planning policies highlight and support affordable housing where possible. The planning policy of the Waterfront Zone was recently amended to support provision of affordable housing by including it as one of the criteria for bonusing in the area which allows more building density (more units) if developers wish to provide this kind of housing. He further indicated that the City does work with both the Provincial and Federal governments to help fund these types of projects.

**CARRIED 7-0**

**1<sup>st</sup> & 2<sup>nd</sup> reading of the Zoning & Development Bylaw** - To amend Appendix “H” City of Charlottetown Zoning Map from the Mixed Use Corridor (MUC) Zone and Medium Density Residential (R-3) Zone to the Institutional (I) Zone to rezone 302-304 Grafton Street / 92 Cumberland Street (PID# 341453), 306 Grafton Street (PID# 341446), 310 Grafton Street (PID# 341420), 90 Cumberland Street (PID# 341461), 84-86 Cumberland Street (PID# 341479), 78-82 Cumberland Street (PID# 341487), and 74 Cumberland Street (PID# 341495).

**Moved by Councillor Greg Rivard**  
**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 7-0**

**Moved by Councillor Greg Rivard**  
**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 7-0**

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

**RESOLVED:**

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

**CARRIED 7-0**

**Moved by Councillor Greg Rivard**  
**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 7-0**

Councillors MacLeod and Tweel returned to the Chambers

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

**RESOLVED:**

That the request to operate a home occupation (i.e., barbershop) at 78 Upper Prince Street (PID# 360479) be approved subject to providing the required three (3) parking spaces.

**CARRIED 9-0**

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

**RESOLVED:**

That the request for a site specific amendment to the Medium Density Residential (R-3) Zone as it pertains to 355 Queen Street (PID# 356485) in order to permit a take-out restaurant (maximum of 75 sq. ft in area) to operate within the existing convenience store be approved.

**CARRIED 9-0**

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

**RESOLVED:**

That the request to decrease the minimum side yard setback on the west side of the property from 6.0 ft to 4.9 ft; decrease the minimum side yard setback on the east side of the property from 6.0 ft to 3.9 ft, and to decrease the minimum rear yard setback from 24.6 ft to 16.7 ft at 27 Esher Street (PID# 364588) in order to construct a 16.0 ft x 23.0 ft addition to the rear of the dwelling and a 6.0 ft x 17.25 ft addition to the west side of the dwelling at 27 Esher Street (PID# 364588) be approved.

**CARRIED 9-0**

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

**RESOLVED:**

That the request to:

- Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);
- Enter into an off-lot parking agreement with the Charlottetown Area Development Corporation (CADC) to provide thirteen (13) required parking spaces at the Pownal Parkade, subject to the signing of a 10 year lease with CADC ; and
- Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23-unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft),

be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement,

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

Councillor Rivard advised Council that the applicant under the current zoning is permitted, as of right, to build a three (3) storey structure 40 ft high. The applicant is asking for a height variance to the first floor from 13 ½ ft to 9 ft so he is able to construct a four (4) storey structure. He further advised that if the application is approved, it is required to go through the Design Review process.

There was considerable discussion and concerns raised relating to parking and the close proximity of the balconies located on the west side of the proposed development; adjacent to Rochford Condominiums. It was suggested that the motion be deferred.

**Moved by Councillor Mitchell Tweel**  
**Seconded by Councillor Eddie Rice**

**RESOLVED:**

Move to defer pending a signed agreement for 13 parking spaces at Pownal Parkade and to receive a report on rectifying the balcony placement.

**CARRIED 5-4**

**Councillors Bernard, Coady, Doiron and Hilton opposed**

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

**RESOLVED:**

That the request for a site specific amendment to the Downtown Neighbourhood Zone (DN) as it applies to 246 Sydney Street (PID# 338608) in order to permit three fascia signs and to permit short and long term rental of 22 apartment units be approved subject to the signing of an amended Development Agreement.

**CARRIED 8-0**

**Councillor Rice out of the room**

**1<sup>st</sup> & 2<sup>nd</sup> reading of the Zoning & Development Bylaw** - To amend the Medium Density Residential (R-3) Zone as it pertains to 355 Queen Street (PID #356485) in order to permit a take-out restaurant (maximum of 75 sq. ft in area) to operate within the existing convenience store.

**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 9-0**

**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 9-0**

**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 9-0**

**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 9-0**

**1<sup>st</sup> & 2<sup>nd</sup> reading of the Zoning & Development Bylaw** - To amend the Downtown Neighbourhood Zone (DN) as it applies to 246 Sydney Street (PID# 338608) in order to permit three fascia signs and to permit short and long term rental of 22 apartment units.

**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 9-0**

**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 9-0**

**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 9-0**

**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 9-0**

**3rd reading of the Zoning & Development Bylaw** - To amend Appendix “H” City of Charlottetown Zoning Map from the Single-Detached Residential (R-1S) Zone to the Medium Density Residential (R-3) Zone in order to rezone the properties located on Upton Road (PID #388629).

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

**RESOLVED:**

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

**CARRIED 9-0**

**3rd reading of the Zoning & Development Bylaw** - To amend Appendix “H” – Zoning Map of the Zoning and Development Bylaw from Low Density Residential (R-2) Zone to Business Office Commercial (C-1) Zone as it pertains to PID #276964, a landlocked parcel at the rear of 49 Kensington Road (PID #276964).

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

**RESOLVED:**

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

**CARRIED 9-0**

**3rd reading of the Zoning & Development Bylaw** -To amend Appendix “H” – Zoning Map of the Zoning and Development Bylaw from the Downtown Neighbourhood (DN) Zone to Downtown Mixed Use Neighbourhood (DMUN) Zone in order to rezone the property at 15 Hillsborough Street (PID# 336198).

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

**RESOLVED:**

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

**CARRIED 9-0**



**3rd reading of the Zoning & Development Bylaw** - To amend the Highway Commercial Zone (C-2) Zone as it pertains to 300 Capital Drive (PID #386557) in order to permit a six storey hotel (73ft in height).

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

**RESOLVED:**

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

**CARRIED 9-0**

**3. Water & Sewer Utility – Councillor Edward Rice**

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

**Moved by Councillor Eddie Rice**  
**Seconded by Councillor Mitchell Tweel**

**RESOLVED:**

That City Council adopt the amended attached "Conditional Management Plan (CMP)" for the management of shellfish harvesting in conditionally-managed harvest areas adjacent to the Wastewater Treatment Plant and Collection System located in Charlottetown,

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

**CARRIED 9-0**

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

**RESOLVED:**

That Oyster Bed Liquid be awarded the 2017 Utility Biosolids Receiving, Transportation, Storage and Disposal tender in the amount of \$37.95 per tonne, taxes included, for a contract term of 2 years, with an option to renew for an additional two years,

And that this will be expensed out of the Utility Operating Budget,

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

**CARRIED 9-0**

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

**RESOLVED:**

That the City of Charlottetown accepts the proposal for Engineering Services from WSP

Ltd. in the amount estimated at \$230,937.25 (taxes included) for the East Royalty Lagoon Interconnection Project,

And that this will be expensed out of the 2017 Utility Capital Budgets,

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

**CARRIED 9-0**

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

**RESOLVED:**

That the City of Charlottetown accepts the proposal for Engineering Services from WSP Ltd. in the amount estimated at \$151,719.50 (taxes included) for the Infrastructure Rehabilitation Project,

And that this will be expensed out of the 2017 Utility Capital Budgets,

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

**CARRIED 9-0**

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

**RESOLVED:**

That the City of Charlottetown accepts the proposal for Engineering Services from CBCL Ltd. in the amount estimated at \$804,965.50 (taxes included) for the Charlottetown Pollution Control Plant Upgrades Project,

And that this will be expensed out of the 2017 Utility Capital Budgets,

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

**CARRIED 9-0**

**4. Public Works & Urban Beautification – Councillor Terry Bernard**

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

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

Councillor Ramsay indicated his Committee's report was included in the weekend package. He reported that additional Memorandums of Understanding (MOUs) regarding emergency shelters have been established with Kirk of St. James, Murchison Centre and the Murphy Centre.

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

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

**7. Environment & Sustainability – Deputy Mayor Mike Duffy**

Councillor Coady, on behalf of Deputy Mayor Duffy, indicated the Committee's report was included in the weekend package. He reported that a nine week series of free noon time activities will take place in Rochford Square during July and August; the goal is to encourage use of greenspaces, active lifestyles and social activity.

A question was raised regarding a damaged bus shelter on Northridge Parkway. The Sustainability Officer was referred to and she indicated that the Committee would follow up and advise.

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

**RESOLVED:**

That Cudmore R Electric Limited be awarded the City Hall Lighting Upgrade tender in the amount of \$44,666.20 taxes included,

And that this be expensed out of the 2017 City Capital Budget,

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

**CARRIED 9-0**

**8. Finance, Audit & Tendering – Councillor Melissa Hilton**

Councillor Hilton indicated her Committee did not meet since the last Council meeting.

**9. Human Resources, Communications & Administration – Councillor Terry MacLeod**

Councillor MacLeod indicated his Committee's last meeting was held as 'in-camera'.

**10. Intergovernmental Affairs & Event Attraction – Councillor Kevin Ramsay**

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

**11. Protective & Emergency Services – Councillor Jason Coady**

Councillor Coady indicated his Committee's report was included in the weekend package. He recognized and commended the Charlottetown Police Services Street Crime Unit on a recent drug seizure which had a street value in excess of \$500,000.

An update was requested regarding a proposed plan to deal with all day parkers particularly north of Euston Street. Councillor Coady indicated that the matter will be revisited at the next Committee meeting.

Concern was raised with respect to speeders on Laphorne Avenue; it was suggested that speed bumps be installed and the area be patrolled by police more often. Councillor Coady indicated this would be taken under consideration.

**12. New Business**

**Moved by Councillor Eddie Rice  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the following be reappointed by Mayor Clifford Lee as the City of Charlottetown representatives on the Capital Area Recreation Inc. (CARI) Board:

Allan Stewart, Chair  
Dave Hilchie  
Donna Profit

**CARRIED 9-0**

**The meeting adjourned at 8:45 PM**