



**Regular Meeting of Council
Monday, July 10, 2017 at 4:30 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

Present: Deputy Mayor Mike Duffy
Councillor Mitchell Tweel
Councillor Melissa Hilton
Councillor Bob Doiron
Councillor Kevin Ramsay

Councillor Edward Rice
Councillor Jason Coady
Councillor Terry MacLeod
Councillor Terry Bernard

Also: Peter Kelly, CAO
Randy MacDonald, FC
Richard MacEwen, UM
Alex Forbes, PM
Scott Adams, APWM
Wayne Long, EDO
Laurel P. Thompson, PDO
Laurel Lea, TO
Alicia Packwood, CA
Tracey McLean, RMC

Brad MacConnell, DPC
Paul Johnston, IAMM
Mandy Feuerstack, HRM
Scott Ryan, FM
Ron Atkinson, EconDO
Ramona Doyle, SO
Frank Quinn, PRM
Karen Campbell, CS
Cindy MacMillan, AA

Regrets: Councillor Greg Rivard

Mayor Lee called the meeting to order.

Minutes of the previous meetings were by motion adopted:
Regular Meeting – June 12, 2017
Public Meeting – June 27, 2017

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 Canada Day celebrations were a success and extended thanks to those who assisted with the event.

2. Environment & Sustainability – Deputy Mayor Mike Duffy

Deputy Mayor Duffy indicated his Committee did not meet since the last Council meeting. He was pleased to report that the transit system had an increase of 14.3% (approx. 5000 people) in June 2017 compared to June 2016. He also discussed a Cinch bug matter and the fee for treating a property that has been infected. Sustainability Officer clarified that the initial property inspection is free and that a resident would only be required to pay the \$50 charge if the infestation requires a pesticide not on the approved list as outlined in the bylaw.

3. Finance, Audit and Tendering – Councillor Melissa Hilton

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

Moved by Councillor Melissa Hilton

Seconded by Councillor Eddie Rice

RESOLVED:

That, as per the Request for Proposals for Professional External Legal Services which closed January 20, 2017, the City of Charlottetown accept the proposal from Cox & Palmer effective August 1, 2017,

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

CARRIED 9-0

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

Councillor MacLeod indicated his Committee's report was included in the weekend package. He noted that Communications staff was very busy leading up to Canada Day 150 and thanked all those involved with making it a success. Twitter followers and Facebook likes are both up.

5. Intergovernmental Affairs & Event Attraction – Councillor Kevin Ramsay

Councillor Ramsay indicated his Committee's report was included in the weekend package. He acknowledged what a success Canada Day celebrations were and that the Tall Ships seen about 50,000 visitors.

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 July is Foch McNally.

An update regarding the overflow parking area near City Diamond at Victoria Park was requested. Councillor Tweel indicated there are issues with water run-off in that particular area; however, he indicated the Committee will follow up and advise.

7. Protective & Emergency Services – Councillor Jason Coady

Councillor Coady indicated his Committee's report was included in the weekend package. He congratulated Michael MacRae from Station 1 and Josh Morrison from Station 2, they were the successful candidates for the Lieutenant position. Councillor Coady introduced a Notice of Motion to amend the City of Charlottetown Nuisance Bylaw.

Concern was raised with respect to speeding, parking and truck routes in the Ward 2 (Belvedere) area and it was suggested that more resources be allocated for additional patrols, speed bumps, speed sentries and other traffic calming devices.

It was suggested that the Nuisance Bylaw be amended to more effectively deal with ongoing panhandling issues which continue to occur within the city. Councillor Coady indicated an amendment dealing with solicitation (aggressive & captive audience definitions) was included in the bylaw in the spring of 2016.

Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton

RESOLVED:

That as per the conditions of the “Fire Department Request for Quotations Fire Equipment Vehicle Installation – June 2017”. The submission of G. LeBlanc Fire Truck Repair Ltd. in the amount of \$32,741.10 (applicable taxes included) be accepted.

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any under growth that would lead to the existence of animal life and make any repairs deemed necessary by a City Building Inspector or Planning/Development Officer to secure the building from outside influence. Remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 142 Prince Street (PID# 343053) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

That the Public Works Manager be authorized to cut grass, cut, trim and remove any fallen trees and 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 13 Chelsey Circle, (PID# 496018) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

That the Public Works Manager be authorized to cut grass, cut, trim and remove any fallen trees and 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 70 Maypoint Road, (PID# 748228) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

That the Public Works Manager be authorized to cut grass, cut, trim and remove any fallen trees and 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 112 Meadowvale Drive, (PID# 441428) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton

RESOLVED:

That as per the Request for Quotations – Police Vehicles which closed June 28, 2017 the City accept the quotation from Reliable Motors for the supply of two (2) marked 2018 Dodge Charger Police Package vehicles for the quoted price of \$70,260.40 (after trades, HST included) and two (2) unmarked 2016 Chrysler 200 LX vehicles for the quoted price of \$43,470 (after trades, HST included),

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

CARRIED 9-0

1st & 2nd reading of the Alarm Bylaw - To amend Part I – Definitions – to update definition of “Alarm Site” and revise Section 4.3 to include “owner, lessee, occupier, etc.”

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

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

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

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 Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

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

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

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

CARRIED 9-0

8. Planning & Heritage – Councillor Greg Rivard

Councillor MacLeod, on behalf of Councillor Rivard, indicated the Committee’s report was included in the weekend package.

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request to renew the Encroachment Agreement signed July 8, 2014 for an outdoor patio on the City right-of-way at 125 Sydney Street (PID# 339069) be approved to the end of the 2019 season subject to annual building permit applications,

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

CARRIED 9-0

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the variance request to reduce the average flankage yard setback from 42 ft. to 20 ft. and the average front yard setback from 46.5 ft. to 35ft in order to construct a semi-detached dwelling at the corner of Kirkwood Drive and Spring Park Road (PID #369009) be approved.

It was noted that a resident who neighbours this lot is concerned with the allowance of the front yard setback (35ft) and its effect on his/her property. It was suggested that the motion be amended to increase the front yard setback. After discussion and with advice from the City Solicitor, it was determined that Council could not make this arbitrary decision in such a forum.

In response to a question raised regarding the front yard setback of the apartment building

located near the above noted property, the PDO stated that the setback of that building is 35 feet.

CARRIED 7-2
Councillors Tweel & Doiron opposed

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request to proceed to the public consultation phase for a site specific amendment to the Institutional (I) Zone of the Zoning & Development Bylaw as it pertains to 141 Mount Edward Road (PID# 1068584) to permit an addition, which includes 18 residential apartment units, be approved.

CARRIED 9-0

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a variance to decrease the required lot frontage from 72.2 ft to approximately 60 ft in order to convert the existing single-detached dwelling into a duplex at 223 North River Road (PID# 855577) be rejected.

CARRIED 9-0

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a variance to decrease the lot frontage requirement from 23.2 m (76.1 ft) to 19.393 m (63.6 ft) and to decrease the lot area requirement from 790 sq m (8,503.8 sq ft) to 573 sq m (6,168 sq ft) in order to construct a semi-detached dwelling on the corner of Queen Street & Summer Street (PID# 368142 and PID# 368159) be approved.

CARRIED 9-0

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request to proceed to the public consultation phase in order to consider an amendment to Appendix "A" – Future Land Use Map of the Official Plan from Industrial to Commercial and an amendment to Appendix "H" – Zoning Map of the Zoning & Development Bylaw from the Light Industrial (M-1) Zone to the Mixed-Use Corridor Commercial (MUC) Zone for the property located at 3 Walker Drive (PID# 524017) be approved.

CARRIED 9-0

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request to proceed to the public consultation phase in order to amend Appendix “G “(Comprehensive Development Area Zone Lands and Uses) of the Zoning & Development Bylaw and the Development Agreement for the property at Lot 2014-5 (PID# 1076702) Towers Road in order to increase the permitted height for a 60 unit apartment building from 39.4ft to approximately 54.3 ft be approved.

CARRIED 9-0

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a reconsideration of a building permit issued on May 31, 2017 for 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 rejected.

For clarification, the Planning Manager indicated this is a request to review the application under the reconsideration component of the Zoning & Development Bylaw and not an application for the electronic sign.

CARRIED 6-3

Councillors Tweel, Hilton & Ramsay opposed

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

Whereas at Council’s public meeting on May 8th, 2017 through an inadvertent oversight by staff a determination as to the disposition of the application for 55-59 Richmond Street was not made. As a result, a decision regarding the withdrawal request from the applicant was not made by Council;

And Whereas under section 4.29.7 it is mandatory that Council exercise its discretion as to whether or not to allow the application to be withdrawn and re-submitted at a later date before the expiration of one (1) year and make a determination as to the disposition of the application;

And Whereas the issue relating to a shortfall with regard to the prescribed public street frontage was identified very late in the Bylaw amendment process leading up to Council’s May 8th meeting;

BE IT RESOLVED that pursuant to section 4.29.7 it be recommended that Council:

1. Approve the Applicant’s request of May 8, 2017 to withdraw its application;

2. Allow the Applicant to re-submit his application afresh together with a further variance request regarding the street frontage before the expiry of one (1) year; and,
3. Upon receipt of the re-submitted application, Council hereby directs Planning Staff to proceed to process the application in the manner prescribed by the Bylaw.

CARRIED 9-0

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

RESOLVED:

That the request to amend Sections 3 and 10 of the Zoning and Development Bylaw to clarify the obligations of property owners who wish to subdivide property with frontage on the various types of streets that exist within the City be approved.

CARRIED 9-0

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

RESOLVED:

That the request for a lot consolidation as per the addendum to the Development Agreement for PID#s 386524 and 1074905 in the Bio Commons Research Park be approved subject to the receipt of a final pinned survey plan.

CARRIED 5-4

Councillors MacLeod, Doiron, Coady & Tweel opposed

3rd reading of the Zoning & Development Bylaw - To amend Appendix "H" City of Charlottetown Zoning Map by rezoning Lot 101 Oak Drive (PID #392936) and the adjacent lot to the east (PID #392936) from the Low Density Residential Single (R-2S) Zone to the Low Density Residential (R-2) Zone in order to permit a semi-detached dwelling or duplex.

**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 Downtown Mixed Use Neighbourhood Zone (DMUN) Zone in order to permit an eleven (11) unit four (4) storey apartment building at 94, 96 & 98 King St. (PID# 335851 and 335844).

**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 "G" of the Zoning and Development Bylaw for the property located at Lot 2014-6 (PID# 1076728) on Towers Road to permit one 64 unit apartment building with underground parking and a maximum height of 50 ft. and one 24 unit apartment building with a maximum height of 39.4 ft.

**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

1st & 2nd reading of Zoning & Development Bylaw – To amend Sections 3 and 10 of the Zoning and Development Bylaw to clarify the obligations of property owners who wish to subdivide property with frontage on the various types of streets that exist within the City.

**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

9. Water & Sewer Utility – Councillor Eddie Rice

Councillor Rice indicated his Committee’s report was included in the weekend package. He reported that the water supply from the Miltonvale wellfield is now online with initial testing expected to be completed by the fall and there are only 400 customers left to have water meters installed.

10. Public Works & Urban Beautification – Councillor Terry Bernard

Councillor Bernard indicated his Committee’s report was included in the weekend package. He reported that there has been positive public feedback regarding street paving by the department and acknowledge staff for their efforts.

As a deterrent to speeders, it was suggested that rumble strips be considered as an alternative to speed bumps. Councillor Bernard indicated his Committee would take this under consideration

**Moved by Councillor Terry Bernard
Seconded by Councillor Melissa Hilton**

RESOLVED:

That, as per the conditions of the Tender for “Queens Arms Culvert Replacement”, the submission of Island Coastal Services Ltd. in the amount of \$1,722,642.50 (all taxes included) be accepted, and

That this expenditure has been previously approved in the 2017 Capital budget,

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

CARRIED 9-0

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

Councillor Ramsay indicated his Committee’s report was included in the weekend package.

There was some discussion with respect to retaining Station 2 once the new fire hall is constructed in West Royalty. Mayor Lee indicated that Council can revisit the matter but suggested they review the Fire Station Location Study to fully understand the implications of operating three stations.

12. New Business

There was no New Business.

The meeting adjourned at 6:00 PM