



**Regular Meeting of Council  
Monday, March 13, 2017 at 7:00 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee presiding**

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

**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**                                      **Ron Atkinson, EconDO**  
                         **Ramona Doyle, SO**    **Jen Gavin, CO**  
                         **Jesse Morton, PDO**    **Steven Forbes, CS**  
                         **Tracey McLean, RMC**

**Regrets:**        **Councillor Greg Rivard**                                      **Wayne Long, EDO**

Mayor Lee called the meeting to order.

**Minutes of the previous meetings were by motion adopted:**  
                         **Regular Meeting – February 14, 2017**  
                         **Public Meeting – February 28, 2017**  
                         **Committee of Council Meetings (open) – February 7 & March 2, 2017**

By request, the Planning and Heritage Committee report was moved to the beginning of the agenda.

**REPORTS OF COMMITTEES / RESOLUTIONS**

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

Councillor MacLeod, on behalf of Councillor Rivard, indicated the Committee's report was included in the weekend package. He recognized Lou Barry for his years of service on Planning Board and past career as Chief Building Inspector; Mr. Barry is moving to Ontario to be closer to his family. Councillor MacLeod noted that the resolution pertaining to the public consultation with respect to rezoning properties on Cumberland and Grafton Streets, will be brought forward under New Business.

**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 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 Terry MacLeod  
Seconded by Councillor Jason Coady**

**RESOLVED:**

That the request to amend Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; 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); and to consolidate Lot 2016-1 (PID# 338629) with the property located on Upton Road (PID# 338629), 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.

**CARRIED 9-0**

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

**RESOLVED:**

That the request for a variance to extend a legal non-conforming use (i.e., laundromat) into the former convenience store area of 19 Hillsborough Street (PID# 898551) be rejected.

In response to question raised regarding the rejection, Councillor MacLeod referred to the Planning Manager who indicated that the Board was not in support of the proposed venting for five (5) new dryers (first floor level above foundation wall). Preferably, the option is that the dryer exhaust exit above the second floor.

**CARRIED 8-1  
Councillor Tweel opposed**

**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 Low Density Residential to Commercial and 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); and

- Consolidate PID# 276964 a landlocked parcel with 49 Kensington Road (PID# 276964), subject to the receipt of final pinned survey plans, be approved.

**CARRIED 9-0**

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

**RESOLVED:**

That the request to proceed to public consultation in order to consider 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.

**CARRIED 9-0**

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

**RESOLVED:**

That the request to:

- Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);
- Accept cash-in-lieu payment of \$78,000 for 13 required parking spaces; 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,

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

Concern was raised regarding the option of cash-in-lieu for required parking spaces. After a brief discussion, it was suggested that the resolution be deferred so the developer can further explore the matter of providing adequate parking. **Moved by Deputy Mayor Duffy and Seconded by Councillor Rice to defer the motion. Motion was Carried 6-3 with Councillors MacLeod, Coady and Tweel opposed.**

**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 Downtown Neighbourhood to Downtown Mixed Use Neighbourhood and 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) 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.

**CARRIED 9-0**

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

**RESOLVED:**

That the variance request to decrease the right and left side yard setbacks from 14.8ft to 9.9ft to permit the construction of a 12 unit apartment building at 17 Capital Drive (PID# 387654) be approved.

**CARRIED 9-0**

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

**RESOLVED:**

That the request for a site specific amendment to the Highway Commercial Zone (C-2) Zone as it pertains to 300 Capital Drive (PID# 386557) in order to permit a six storey (73ft in height) hotel 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.

**CARRIED 9-0**

**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 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 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 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 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 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 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 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 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**

**3<sup>rd</sup> reading of the Zoning & Development Bylaw** - To amend to the Business Office Commercial (C-1) Zone as it pertains to 33-35 Longworth Avenue (PID# 600411) in order to permit a crematorium in the existing funeral establishment.

**Moved by Councillor Jason Coady**  
**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 9-0**

**3<sup>rd</sup> reading of the Zoning & Development Bylaw** - To amend the definition of funeral establishments, as outlined in Section 3.114 of the Zoning & Development Bylaw, to include crematoriums as a permitted use of funeral establishments.

**Moved by Councillor Jason Coady**  
**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 9-0**

**2. 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 Melissa Hilton**

**RESOLVED:**

That Greatario Engineering Storage Systems Limited be awarded the Miltonvale Reservoir tender in the amount of \$3,312,500.00, taxes included,

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

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

**CARRIED 9-0**

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

Councillor Bernard indicated his Committee's report was included in the weekend package. He noted that tenders will be issued soon for storm management and street resurfacing.

An update was requested regarding the synchronization of traffic lights in the downtown and its effect on traffic flow. Councillor Bernard noted that a Provincial employee manages the synchronization however he further noted that the Committee would follow-up and advise.

Concern was raised with regard to the condition of the pavement on Queen Street, University Avenue, Eden Street, Summer Street and Orlebar Street as a result of the storm sewer separation project. Councillor Bernard indicated that the rehabilitation of these streets is the responsibility of the Utility Department. It was also noted that due to frequent freezing and thawing during this time of year, the roads become venerable to the elements (heaving, cracking and potholes).

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

Councillor Ramsay indicated his Committee did not meet since the last Council meeting. He reported that a RFP for Property Acquisition for New Fire Station #2 was recently issued.

**5. 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 Committee recently met and was provided with updates from its working



partners - Charlottetown Chamber of Commerce, Discover Charlottetown Inc., Charlottetown Harbour Authority, Downtown Charlottetown Inc., Charlottetown Area Development Corporation and the Charlottetown Airport Authority.

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

**RESOLVED:**

That the City of Charlottetown approve the attached Partnership Agreement with the Charlottetown Islanders of the Quebec Major Junior Hockey League,

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

**CARRIED 8-1**  
**Councillor Coady opposed**

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

Deputy Mayor Duffy indicated his Committee's report was included in the weekend package. He reported that the Community Micro-Grant program is being offered once again; the program is designed to engage the community in sustainability which relate to the environment, economy, culture and social areas. The Rain Barrel Promotion is being reintroduced to residents to promote and encourage outdoor water conservation; \$60 is the cost of a barrel.

An update with regard to the issue of foxes within the City was requested. Deputy Mayor Duffy indicated the Committee will be revisiting the matter in the spring.

**Moved by Deputy Mayor Mike Duffy**  
**Seconded by Councillor Jason Coady**

**RESOLVED:**

WHEREAS the 2017 Integrated Community Sustainability Plan (ICSP) provides a framework of tangible goals and actions to strive toward in the City of Charlottetown,

AND WHEREAS the City of Charlottetown recognizes its role as a leader in sustainable practices to benefit the community,

AND WHEREAS areas of focus of sustainability in the ICSP include water; energy; transportation; food; economy; infrastructure; public spaces; arts, culture and heritage; active living; and nature,

BE IT RESOLVED that City Council adopts the attached 2017 Integrated Community Sustainability Plan.

**CARRIED 9-0**

**7. 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 proposals received from the Request for Proposals for Corporate Financial Services which closed February 15, 2017, the City of Charlottetown award Banking Services to National Bank,

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

**CARRIED 9-0**

**Moved by Councillor Melissa Hilton**

**Seconded by Councillor Eddie Rice**

**RESOLVED:**

That the City of Charlottetown request the Province of PEI to collect an additional \$0.18 per \$100 of assessment on all commercial properties within the Business Improvement Area (BIA) as per the attached map for the period of January 01, 2017 to December 31, 2017, and

That the monies collected from this shall be transferred to Downtown Charlottetown Inc. for the purpose of marketing and enhancing the downtown core of the City of Charlottetown.

**CARRIED 9-0**

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

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

An update was requested concerning two Custodial permanent positions within CUPE 501 which have been vacant for an extended period of time. Councillor MacLeod deferred to the Human Resources Manager who indicated that it is the department that determines what vacancies are filled.

**Moved by Councillor Terry MacLeod**

**Seconded by Deputy Mayor Mike Duffy**

**RESOLVED:**

That the City of Charlottetown ratify and adopt the attached Memorandum of Settlement between the City of Charlottetown and the Voluntary Association of Charlottetown Employees (V.A.C.E.) for the period January 1, 2016 to December 31, 2019.

**CARRIED 9-0**

**Moved by Councillor Terry MacLeod**  
**Seconded by Deputy Mayor Mike Duffy**

**RESOLVED:**

That the City of Charlottetown approves the following Draft Policies (attached):

- Corrective Discipline
- Drivers Licenses and Abstracts
- Electronic Communications & Social Media
- Prevention of Family Violence
- Safe Handling of Sharps
- Working Alone
- Benefit Policy for Employees on Leave

**CARRIED 9-0**

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

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

**10. 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 March is Bob Doyle.

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

**RESOLVED:**

That the City of Charlottetown approves implementing a rental fee structure for "private for profit" groups, using a City park for a special event, at the following rental fee structure:

<u>Number of Participants at Event</u>	<u>Rental Fee (per day/ per event)</u>
Under 250	\$100
251 - 500	\$150
501 - 1000	\$250
1001 and over	\$500

And that the rental fee structure be effective immediately.

**CARRIED 9-0**

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

Councillor Coady indicated his Committee's report was included in the weekend package. He served a Notice of Motion to introduce the Fortification of Land Bylaw.

In response to a question raised with respect to carbine rifles, Councillor Coady indicated that the matter is under a New Initiative as part of the 2017 budget.

It was suggested that the monies collected from a fundraiser ("Big Don") by the PEI Brewing Company be directed to the restoration of the antique fire truck(s). Councillor Coady indicated he will take the suggestion back to the Committee for discussion.

**12. New Business**

Due to a conflict of interest, Mayor Lee and Councillor MacLeod left the Chambers and refrained from voting on the following motion. Deputy Mayor Duffy presided over the meeting.

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

**RESOLVED:**

That the request to proceed to public consultation in order 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) be approved.

**CARRIED 7-0**

**The meeting adjourned at 8:10 PM**