



**Regular Meeting of Council
Monday, May 8, 2017 at 7:00 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

Present: Deputy Mayor Mike Duffy
Councillor Mitchell Tweel
Councillor Melissa Hilton
Councillor Terry Bernard
Councillor Kevin Ramsay

Councillor Edward Rice
Councillor Jason Coady
Councillor Terry MacLeod
Councillor Bob Doiron

Also: Peter Kelly, CAO
Randy MacDonald, FC
Frank Quinn, PRM
Scott Adams, APWM
Ramona Doyle, SO
Laurel P. Thompson, PDO
Christopher Drummond, PC
David Hooley, CS
Tracey McLean, RMC

Paul Smith, PC
Paul Johnston, IAMM
Richard MacEwen, UM
Wayne Long, EDO
Ron Atkinson, EconDO
Jesse Morton, PDO
Allan MacKenzie, SFO
Alicia Packwood, CA

Regrets: Councillor Greg Rivard
Mandy Feuerstack, HRM
Jen Gavin, CO

Scott Ryan, FM
Alex Forbes, PM

Mayor Lee called the meeting to order.

Minutes of the previous meetings were by motion adopted:

Regular Meeting – April 10, 2017

Special Meeting – April 21, 2017

REPORTS OF COMMITTEES / RESOLUTIONS

1. Public Works & Urban Beautification – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package. He informed Council that arrangements have been made with the contractor to get the streets paved in the downtown core before the July 1st holiday season and upcoming Canada 150 celebrations.

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

RESOLVED:

That, as per the conditions of the Tender for "Asphalt Resurfacing of Streets – Package A", the low submission of The Island Construction Ltd. in the amount of \$1,660,013.50

(all taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, as per the conditions of the Tender for “Asphalt Resurfacing of Streets – Package B”, the low submission of The Island Construction Ltd. in the amount of \$1,766,569.05 (all taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, as per the conditions of the Request for Quote on “Supply of Hot Mix Patching Asphalt” for the 2017 season, the only submission of The Island Construction Ltd. in the amount of \$159,615.40 (all taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, as per the conditions of the Request for Quote on “Asphalt Testing Services” for the 2017 season, the low submission of EastTech Engineering Consultants Inc. in the amount of \$44,850.00 (all taxes included) be accepted.

CARRIED 9-0

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

RESOLVED:

That, as per the conditions of the Request for Quote on “Ready Mix Concrete Supply” for the 2017 season, the low submission of CRM Ready Mix in the amount of \$170,895.95 (all taxes included) be accepted,

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

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

CARRIED 9-0

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

RESOLVED:

That, as per the Request for Quotations on “Fire Department Vehicles” amended before close to include similar standard trucks, the low submission of Hillside Motors for a 3/4

ton Regular Cab 4x4 Heavy Duty Truck with 8ft long box and extended comprehensive warranty in the amount of \$41,917.50 (all taxes included) be accepted.

CARRIED 9-0

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

Councillor Ramsay indicated his Committee did not meet since the last Council meeting. He reported that May 7-13, 2017 is “Emergency Preparedness Week” with this year’s theme being “Plan. Prepare. Be Aware.”

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

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

4. Environment & Sustainability – Deputy Mayor Mike Duffy

Deputy Mayor Duffy indicated his Committee’s report was included in the weekend package. He reported that 23 of the 27 micro-grant applications received were eligible for funding.

It was suggested that the east/west connector of Kirkwood Drive and Allen Street be considered when the cycling routes design process begins. Deputy Mayor Duffy indicated the Committee would take this under advisement.

Concern was raised with respect to the intensity/brightness of some LED street lighting. It was noted that Maritime Electric has the inventory and are responsible for replacing street lights as they burn out; both this Committee as well as Public Works will follow-up and advise.

In response to a question raised regarding new bus shelters, Deputy Mayor Duffy referred to the Sustainability Officer who indicated Charlottetown will receive 17, Cornwall 5 and Stratford 5. She further indicated that the transit operator was asked to recommend ideal locations for shelters and she also recommended that Council forward their suggestions as well.

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

RESOLVED:

That Daytech Limited be awarded the Transit Shelter tender in the amount of \$228,522 including taxes as part of the Phase II project under the Public Transit Infrastructure Fund,

And that the City’s portion of the transit shelter costs, being \$42,850, 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

5. Finance, Audit & Tendering – Councillor Melissa Hilton

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

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

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

7. Intergovernmental Affairs & Event Attraction – Councillor Kevin Ramsay

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

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 May is Chanelle MacIsaac.

Several concerns were raised with regard to the lack of parking in and around Victoria Park, vandalism at City parks and adequate lighting at J. Frank McAulay Park. Councillor Tweel indicated all matters will be taken under consideration.

Moved by Councillor Mitchell Tweel

Seconded by Councillor Melissa Hilton

RESOLVED:

That the City of Charlottetown accepts the following bid of \$40,022.30 (HST included) from Atlantic Private Protection Services (APPS) for Security Patrol of City Parks for 2017, and

That the contract can be extended for an additional two years, if successfully implemented,

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

CARRIED 9-0

Moved by Councillor Mitchell Tweel

Seconded by Councillor Melissa Hilton

RESOLVED:

That the City of Charlottetown accepts the bid of \$50, 255 (HST included) from The Island Construction Limited for the J. Frank McAulay Park Tennis Court Reconstruction project,

And that the bid from CBCL of \$3,220 (HST included) for engineering and contingency for this project be accepted,

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

Councillor Tweel advised Council that the upgrades will add the necessary infrastructure to accommodate basketball, ball hockey, ice hockey along with tennis.

CARRIED 9-0

9. Protective & Emergency Services – Councillor Jason Coady

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

Concern was raised once again regarding all-day parkers particularly north of Euston and it was suggested that a 'plan of action' be developed. Councillor Coady indicated that since October 1,

2016, there has been 397 calls for parking and other traffic related issues with seven (7) calls coming from the noted area(s).

It was suggested the next time the Taxi Bylaw is reviewed, the Committee consider a discount for seniors who use the taxi service. Councillor Coady indicated the suggestion would be taken under advisement.

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

That the Public Works Manager be authorized to cut grass, 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 40 Centennial Drive (PID# 394700) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown,

And to include any other clean up, repairs or inspections deemed necessary by a City Building Inspector, a Planning /Development Officer or City Fire Inspector.

CARRIED 9-0

Moved by Councillor Jason Coady
Seconded by Councillor Terry Bernard

RESOLVED:

That, as per the conditions of the Request for Quotations on "Fire Department Vehicles - March 2017" in respect to the One (1) Three Quarter Ton 4x4 Extended Cab And Chassis, the submission of Hillside Motors in the amount of \$44,341.70 (extended warranty and taxes included) be accepted.

That, as per the conditions of the Request for Quotations on "Fire Department Vehicles- March 2017" in respect to the Two (2) Half Ton 4x4 Extended Cab and Chassis, the submission of Reliable Motors Ltd. in the amount of \$72,344.20 (extended warranty and taxes included) be accepted.

CARRIED 9-0

10. Planning & Heritage – Councillor Greg Rivard

Councillor MacLeod, on behalf of Councillor Rivard, indicated the Committee's report was included in the weekend package. He advised Council that the application for the proposed development located at 55-59 Richmond Street was withdrawn recently by the applicant.

Moved by Councillor Terry MacLeod
Seconded by Councillor Jason Coady

RESOLVED:

That the request to enter into an off-lot parking agreement with the Charlottetown Area Development Corporation (CADC) for five (5) parking spaces at 3 Prince Street (PID#s 825935, 335398, 335406, 335364, 335380 and 335372) in order to provide parking for a

restaurant at 83 Water Street (PID# 335737) be approved, subject to the signing of a 10 year lease with CADC,

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

CARRIED 6-3

Deputy Mayor Duffy, Councillors Rice & Bernard opposed

**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 "H" City of Charlottetown Zoning Map 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 at Lot 101 on Oak Drive (PID# 392936) and the lot adjacent to the east of Lot 101 be approved.

CARRIED 9-0

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

RESOLVED:

That the request for a temporary use for a shipping container as a part of an outdoor patio at 52 Water St. (PID# 1018787) be approved for the 2017 summer season.

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 the Development Concept Plan and Development Agreement 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. be approved.

In response to a question raised, it was noted that the current greenspace is actually in excess of the 10% requirement for the development.

CARRIED 9-0

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

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 be approved for the 2017 summer season, subject to:

- The signing of a Development/Encroachment Agreement;
- The provision of the necessary liability insurance; and

- The kiosk's exterior being finished with a natural stain (i.e., honey oak) before operations commence,

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

It was noted that the Confederation Centre of the Arts Board of Directors continue to express their displeasure with the location of the kiosk and the noise, smell and dust which comes from the Harbour Hippo. It was suggested that the motion be deferred so the applicant and the Board of Directors can work together on another arrangement.

Moved by Deputy Mayor Duffy and Seconded by Councillor Rice to defer the motion. Motion was Lost 5-4 with Councillors Hilton, Tweel, Coady, MacLeod and Doiron opposed.

After some discussion, Mayor Lee then called for a vote on the original resolution. The motion Carried 7-2 with Deputy Mayor Duffy and Councillor Rice opposed.

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

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 be approved for the 2017 summer season only, subject to the signing of a Development/Encroachment Agreement and the provision of the necessary liability insurance,

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 Terry MacLeod
Seconded by Councillor Jason Coady**

RESOLVED:

That the request for a one lot subdivision at 52 Douglas St. (PID# 361394) with a frontage of 50 feet be approved subject to the receipt of final pinned survey plans.

CARRIED 9-0

**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 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) with a variance to decrease the minimum required grade to second floor level height from 13ft to 9.5 ft., a variance to reduce the minimum rear yard setback from

29 ft. to 10 ft., a variance to reduce the frontage requirement from 82 ft. to 65 ft. and a lot consolidation be approved.

CARRIED 9-0

3rd 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 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 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 City of Charlottetown Zoning and Development Bylaw be read a third time and that the said Bylaw do now pass.

CARRIED 9-0

11. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. He encouraged residents to book an appointment for water meter installation before any additional charges come into effect. He noted that the Committee plans to work with Efficiency PEI to implement LIFT - Low Income Financial and Technical Assistance Program and the Rain Barrel program has approximately 30 barrels remaining which are available at cost (\$60).

Concern was raised once again regarding the condition of the roads in the area of Ashburn Crescent, Rosemount Drive and Trafalgar Street as a result of the storm sewer separation project. Councillor Rice referred to the Utility Manager who indicated there is a one year warranty period with the work that has been completed by the contractor and the project consultant is to review those areas and the matter will be addressed. Mayor Lee requested that the CAO take the lead to resolve this ongoing issue.

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

RESOLVED:

Whereas, the City of Charlottetown passed a policy resolution of April 10, 2000 "that City Council confirm its policy not to entertain applications for water service to properties outside the municipal boundary of the City of Charlottetown" without first receiving approval from City Council to do so.

Be it resolved that City Council approves the request for service received from Rachel Boone for water and sewer service to 815 Malpeque Road, within the Community of Miltonvale Park.

Be it further resolved that the costs associated with making the connections be paid by the property owner and services be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.

CARRIED 9-0

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

RESOLVED:

Whereas, the City of Charlottetown passed a resolution to exchange lands with Mr. Roy Birt on August 13, 2007, and

Whereas, Mr. Roy Birt has requested an additional approximately 1.5 acres of land be added to the parcel exchanged.

Be it resolved, that City Council approves the request for additional land, with the restrictive covenants on the original parcel continuing with the additional parcel, including limiting any use of the land to ensure water quality protection. Furthermore, the additional lands may be reverted back to the City upon the disposition of the land by the current owners.

Be it further resolved, that all costs associated with the land transaction are to be paid by Mr. Roy Birt including the appraised value of the land.

CARRIED 9-0

12. New Business

There was no New Business

The meeting adjourned at 8:25 PM