



**Regular Meeting of Council  
Tuesday, November 14, 2017 at 7:00 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee presiding**

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

Councillor Terry Bernard  
Councillor Kevin Ramsay  
Councillor Mitchell Tweel

**Also:** Peter Kelly, CAO  
Randy MacDonald, FC  
Richard MacEwen, UM  
Amanda Cheverie, AFM  
Bethany Kauzlarick, HRC  
Scott Adams, APWM  
Jen Gavin, CO  
Cindy MacMillan, AA

Paul Smith, PC  
Paul Johnston, IAMM  
Alex Forbes, PM  
Frank Quinn, PRM  
Ron Atkinson, EconDO  
Jesse Morton, PDO  
Steven Forbes, CS  
Tracey McLean, RMC

**Regrets:** Wayne Long, EDO  
Laurel Lea, TO

Ramona Doyle, SO

Mayor Lee called the meeting to order. He welcomed students from the Holland College Journalism program, Young Voters of PEI and the PEI Coalition for Women in Government.

**Minutes of the previous meetings were by motion adopted:**  
**Regular Meeting – October 10, 2017**  
**Public Meeting – November 2, 2017**

Mayor Lee moved the Planning & Heritage Committee to the first of the Committee reports.

**REPORTS OF COMMITTEES / RESOLUTIONS**

**1. 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 the request for a variance to decrease the required buffer zone setback from 23 m (75 ft) to 10 m (32.8 ft) in order to construct an addition on the property located at 12 Milky Way (PID# 673038) as shown on the submitted site plan be approved.

**CARRIED 7-0**

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

**RESOLVED:**

That the request to amend Appendix “A” - Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential, and Appendix “H” - Zoning Map of the Zoning & Development Bylaw from the Low Density Residential (R-2) Zone to the Medium Density Residential (R-3) Zone in order to rezone the property at 57 Orlebar Street (PID# 362236) to construct an addition (approximately 840 sq ft) and convert the existing duplex into a three unit apartment building be approved subject to the signing of a Development Agreement,

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

It was noted that local area residents raised numerous concerns regarding the application at a Public Meeting held November 2, 2017 and a motion to defer was suggested. Councillor Tweel moved a deferral; however, there was no seconder.

**DEFEATED 5-2  
Councillors MacLeod and Coady in favour**

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Greg Rivard**

**RESOLVED:**

That the request to amend Appendix “A” - Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential, and Appendix “H” - Zoning Map of the Zoning & Development Bylaw from the Low Density Residential (R-2) Zone to the Medium Density Residential (R-3) Zone in order to rezone the property at 57 Orlebar Street (PID# 362236) to construct an addition (approximately 840 sq ft) and convert the existing duplex into a three unit apartment building be rejected.

**CARRIED 6-1  
Councillor Coady opposed**

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

**RESOLVED:**

That the request to proceed to the public consultation phase 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 & Development Bylaw from the Low Density Residential (R-2) Zone to the Business Office Commercial (C-1) Zone in order to rezone the property at 213 Belvedere Avenue (PID# 395053) be approved.

**CARRIED 7-0**

**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);
- To enter into a 10 year off-lot parking agreement with CADC for 12 parking spaces + 1 accessible parking space at the Pownal Parkade (100 Pownal Street);
- Obtain a site specific bylaw amendment to the Downtown Neighbourhood (DN) Zone (including a minor variance to reduce the minimum frontage from 82 feet to 74.5 feet, a major variance to reduce the minimum grade level height from 13 feet to 9.5 feet);

in order to permit a four storey, 23-unit apartment dwelling on the consolidated property 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.

A deferral on the application was suggested to allow further review and consideration of moving the building's proposed footprint; this would provide more space between the development and Rochford Condominium. Moved by Councillor Bernard and Seconded by Deputy Mayor Duffy to defer the motion. **Motion to defer was defeated 4-3 with Tweel, Duffy and Bernard in favour.**

**CARRIED 5-2**

**Deputy Mayor Duffy and Councillor Tweel opposed**

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

**RESOLVED:**

That the request to subdivide a portion of PID# 387506 and consolidate it with the abutting property at 92 Capital Drive (PID# 537993) be approved subject to the receipt of final pinned survey plans.

**CARRIED 7-0**

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

**RESOLVED:**

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

- Appendix "H" – Zoning Map of the Charlottetown Zoning and Development Bylaw from CDA (Comprehensive Development Area) to M-3 (Business Park Industrial Zone);

- Section 3 – “Definitions” of the Charlottetown Zoning and Development Bylaw to include a definition for Research and Development Facility;
- Section 27.1 Permitted Uses in the Business Park Industrial Zone to include a “Research Development Facility”;
- Appendix “G” – Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw;
- Appendix “A” of the City of Charlottetown Official Plan Map from Concept Planning Area to Industrial;

In order to rezone the PEI Bio Commons Park (PID#s 386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885) and to repeal the approved Development Concept Plan that was adopted by Council on August 10, 2009 be approved.

**CARRIED 7-0**

**1<sup>st</sup> & 2<sup>nd</sup> reading of the Zoning & Development Bylaw** - For a site specific bylaw amendment to the Downtown Neighbourhood (DN) Zone (including a minor variance to reduce the minimum frontage from 82 feet to 74.5 feet, a major variance to reduce the minimum grade level height from 13 feet to 9.5 feet) to permit a four storey, 23-unit apartment dwelling on the consolidated property at 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929).

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

**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 Terry MacLeod**

**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 Terry MacLeod**

**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 Terry MacLeod**

**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**

**3rd reading of the Zoning & Development Bylaw** - consolidate 18 Passmore Street (PID# 361683), 26-30 Passmore Street (PID# 361675), 32 Passmore Street (PID# 361667) and 34 Passmore Street (PID# 361659) into one property; and obtain a site specific amendment to the Medium Density Residential (R-3) Zone (which includes one variance) as it pertains to 18 Passmore Street (PID# 361683), 26-30 Passmore Street (PID# 361675), 32 Passmore Street (PID# 361667) and 34 Passmore Street (PID# 361659), in order to permit a 16 unit apartment building be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement.

**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 7-0**

**3rd reading of the Zoning & Development Bylaw** - That the request to amend Appendix “A” – Future Land Use Map of the Official Plan from Recreational to Industrial and amend Appendix “H” – Zoning Map of the Zoning & Development Bylaw from the Open Space (OS) Zone to the Light Industrial (M-1) Zone in order to rezone a portion of the property located at 45 Dowling Lane (PID #279091) and further that this application also includes a request to consolidate a portion of the property located at 45 Dowling Lane (PID #279091) and 17 Walker Drive (PID #279083).

**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 7-0**

**3rd reading of the Zoning & Development Bylaw** - consolidate 49 Chestnut Street (PID# 357756), 51 Chestnut Street (PID# 361519), 57 Chestnut Street (PID# 361527), 59 Chestnut Street (PID# 584755) and 61 Chestnut Street (PID# 361535) into one property; and obtain a site specific amendment to the Medium Density Residential (R-3) Zone (which includes five variances) as it pertains to 49 Chestnut Street (PID# 357756), 51 Chestnut Street (PID# 361519), 57 Chestnut Street (PID# 361527), 59 Chestnut Street (PID# 584755) and 61 Chestnut Street (PID# 361535), in order to permit a 27 unit apartment building be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement.

**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 7-0**

Mayor Lee and Councillor MacLeod were in conflict regarding the following bylaw reading and left the Chamber.

**3rd reading of the Zoning & Development Bylaw** - That the request to amend Appendix “A” – Future Land Use Map of the Official Plan from Downtown Neighbourhood to Institutional and Appendix “H” – Zoning Map of the Zoning & Development Bylaw from the Downtown Neighbourhood (DN) Zone to the Institutional (I) Zone in order to rezone the properties at 271 Kent Street (PID #344853), 275 Kent Street (PID #344861), 277 Kent Street (PID #344879), 281 Kent Street (PID #344887), 285 Kent Street (PID #344895), and 295 Kent Street (PID #344911)

**Moved by Councillor Greg Rivard  
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 5-0**

Mayor Lee and Councillor MacLeod returned to the Chamber.

**2. Intergovernmental Affairs & Event Attraction – Councillor Kevin Ramsay**  
Councillor Ramsay indicated his Committee’s report was included in the weekend package.

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

**RESOLVED:**

That the City of Charlottetown enter into an agreement (as attached) with the Hotel Association of Prince Edward Island, Discover Charlottetown and Meetings & Conventions Prince Edward Island with respect to the Tourism Accommodation Levy,

And that the Mayor and CAO are hereby authorized to execute the agreement to implement this resolution.

**CARRIED 7-0**

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

**RESOLVED:**

That the City of Charlottetown agrees to provide a \$3,000 grant to support the efforts of Music PEI on Credit Union Music PEI Week 2018 scheduled to take place in Charlottetown in January 2018, and that this grant make up part of the City's 2018 Operational Budget.

**CARRIED 7-0**

**3. Parks, Recreation & Leisure Activities – Councillor Mitchell Tweel**

Councillor Tweel indicated his Committee did not meet since the last Council meeting. Volunteer of the Month for November is David Harrison.

In response to a question raised regarding locations of outdoor skating rinks, Councillor Tweel indicated rink sites will be discussed at the next Committee meeting.

**Moved by Councillor Mitchell Tweel  
Seconded by Deputy Mayor Mike Duffy**

**RESOLVED:**

That, as per the recent Request for Quotations for "Snow Clearing of Municipal Properties", the City of Charlottetown accepts the low bid from Lea MacDonald Construction Ltd for Cody Banks Arena at \$3,852.50 (HST included) and the low bid from Landmark Group for Simmons Sport Centre at \$5,031.25 (HST included).

**CARRIED 7-0**

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

Councillor Coady indicated his Committee's report was included in the weekend package. He noted that the most recent recruitment campaign for firefighters has closed with 15 applicants scheduled to take the written portion of the testing. He congratulated Glen McGrath and Joanna Weatherbie who were the successful candidates for positions of Crime Analyst and Dispatcher, respectfully.

Concern was raised with respect to safety at pedestrian crosswalks and it was suggested that the Committee review the matter. Councillor Coady indicated this would be taken under consideration.

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

**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 24 East Royalty Road, PID# 430843 in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

**CARRIED 7-0**

**5. Water & Sewer Utility – Councillor Terry Bernard**

Councillor Bernard indicated his Committee met earlier that day however the full report was not included in the package.

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

**RESOLVED:**

That the City of Charlottetown agree to sell a 20 ft. wide strip of land from the Fitzroy Lift Station parcel PID #345512 as requested by the neighboring property owner,

And that the sale be at fair market value, all costs associated with the transaction are the responsibility of the purchaser(s),

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

**CARRIED 7-0**

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

**RESOLVED:**

That Eastern Trenchless Ltd. be awarded the Colonel Gray Sewer Rehabilitation Phase 2 (Package A – Manhole Rehabilitation) tender in the amount of \$247,250 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 contracts or agreements to implement this resolution.

**CARRIED 7-0**

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

**RESOLVED:**

That Clean Waterworks Inc. be awarded the Colonel Gray Sewer Rehabilitation Phase 2 (Package B – Sewer main Rehabilitation) tender in the amount of \$300,219 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 contracts or agreements to implement this resolution.

**CARRIED 7-0**



Moved by Councillor Terry Bernard  
Seconded by Deputy Mayor Mike Duffy

**RESOLVED:**

That Canada Colors & Chemicals be awarded the CPCP Chemicals tender in the amount of \$58,451.05 taxes included,

And that this be expensed out of the Utility Budget,

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

**CARRIED 7-0**

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

Councillor Bernard indicated his Committee's report was included in the weekend package. He indicated that a Notice of Motion to amend the Traffic Bylaw will be brought forward later in the meeting to request snow hauling in the downtown begin at 11:00 pm as opposed to 1:00 am. He noted that the City and Downtown Charlottetown Inc. have partnered in the purchase of new Christmas decorations.

Moved by Councillor Terry Bernard  
Seconded by Deputy Mayor Mike Duffy

**RESOLVED:**

That per the Request for Quotations on "Snow Clearing of Municipal Properties", the following low submissions be accepted subject to receipt of required insurance certificates:

		Season Price (HST included)
Sherwood Civic Bldg	Landmark Group	\$4,800.10
West Royalty Civic Bldg	Landmark Group	\$3,132.60
East Royalty Civic Bldg	W M (1993) Ltd	\$3,151.00
Hillsborough Park Civic Bldg	Steve's Snow Removal	\$2,530.00
J E Blanchard Building	W M (1993) Ltd	\$1,552.50
Kirkwood Police Station	Steve's Snow Removal	\$5,175.00

Portions of these expenditures will be accounted against the 2018 operational budget.

**CARRIED 7-0**

Moved by Councillor Terry Bernard  
Seconded by Deputy Mayor Mike Duffy

**RESOLVED:**

That, as per the conditions of the publicly advertised quote, the following submissions for

“Supply of Hire Equipment - Snow Clearing of Sidewalks” be accepted for the 2017/2018 season:

		Standby (HST extra)	Daily Operating (HST extra)	Hourly Deicing (HST extra)
Label Construction & Sanitation	3 units	\$49.53	\$67.67	\$63.63
Landmark	4 units	\$60.00	\$95.00	\$135.00

**CARRIED 7-0**

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

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

**8. Economic Development, Tourism, Arts & Culture – Councillor Greg Rivard**

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

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

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

**10. Finance, Audit and Tendering – Deputy Mayor Mike Duffy**

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

It was suggested that the Committee review the option of holding a community/city-wide meeting to showcase the budget from a Capital & Operational perspective. Deputy Mayor Duffy took this suggestion under advisement.

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

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

**12. New Business**

The following two Notice of Motions were duly submitted by Deputy Mayor Mike Duffy:

- 1) Take notice that, at the next meeting of Charlottetown City Council to be held on December 11, 2017, I propose to introduce an amendment to the *Charlottetown Dangerous, Hazardous and Unsightly Bylaw* by amending Section 5.4, from:

**5.4** Any Vehicle that does not display on the windshield affixed to the motor vehicle, a valid unexpired motor vehicle inspection approved sticker issued under the Highway Traffic Act, R.S.P.E.I. 1988, Cap. H-5, as amended, and is

- (a) inoperative by reason of removed wheels, battery, motor, transmission or equipment necessary for its operation or
- (b) in a state of disrepair or is unsightly by reason of missing doors, glass or bony parts, shall not be parked, stored or left on any property unless duly authorized by a permit

issued pursuant to the Automobile Junk Yards Act, R.S.P.E.I. 1988, Cap. A-26, as amended.

**To the following:**

**5.4** Any Vehicle that does not display **on** the windshield affixed to the motor vehicle, a valid motor vehicle inspection approval sticker issued under the Highway Traffic Act, R.S.P.E.I. 1988, Cap. H-5, as amended, or is

(a) inoperative or

(b) in a state of disrepair or is unsightly shall not be parked, stored or left on any property unless duly authorized by a permit issued pursuant to the Automobile Junk Yards Act, R.S.P.E.I. 1988 Cap. A-25, as amended.

- 2) Take Notice that, at the next meeting of Charlottetown City Council to be held on December 11, 2017, I propose to introduce an amendment to the *Charlottetown Nuisance Bylaw* by amending Section 3.18 from;

**3.18** "Notwithstanding Section 3.17 (a) and (b), no person shall solicit on a street, sidewalk or other public place *within 5 meters* of what is considered a captive audience which Includes:

**To the following;**

**3.18** "Notwithstanding Section 3.17 (a) and (b), no person shall solicit on a street, sidewalk or other public place *within 15 meters* of what is considered a captive audience which includes

**And further amend by adding sub Section:**

3.18 (vii) a person who is proceeding to a place of worship.

The following Notice of Motion was duly submitted by Councillor Jason Coady:

- 3) "Take Notice that, at the next meeting of Charlottetown City Council to be held on December 11, 2017, I propose to amend to the *City of Charlottetown Traffic Bylaw*, Part 10, Section 10.11 from:

PART X: GENERAL PARKING

**10.11** No person shall park or leave any vehicle on the travelled portion of any street or square between the hours **1:00 a.m.** and 6:00 a.m. from the 15th day of November to the 15th day of April, both dates inclusive or such other dates as City Council may approve;

TO:

*10.11* "No person shall park or leave any vehicle on the travelled portion of any street or square between the hours of **11:00 p.m.** and 6:00 a.m. from the 15th day of November to the 15th day of April, both dates inclusive or such other dates as City Council may approve;"

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