



**Regular Meeting of Council
Tuesday, April 10, 2012 at 7:00 PM**

Mayor Clifford Lee presiding

Present: Deputy Mayor Stu MacFadyen Councillor Edward Rice
Councillor Terry Bernard Councillor Rob Lantz
Councillor Danny Redmond Councillor Melissa Hilton
Councillor Jason Coady Councillor Mitchell Tweel
Councillor Cecil Villard

Also: Roy Main – CAO Donna Waddell – DCS
Scott Ryan – FM Paul Smith - PC
Paul Johnston – PWM Sue Fraser – PRM
Craig Walker – UM Richard MacEwen – UAM
Randy MacDonald – FC Laurel Palmer Thompson – PDO
Ron Atkinson – EconDO Wendy Reid – CS
Tracey McLean- RMC

Regrets: Councillor David MacDonald Phil Handrahan – DFDS
Dan Hughes – HRM Wayne Long – EvenDO

Mayor Lee called the meeting to order.

Minutes of the previous meeting were by motion adopted:

**Regular Meeting – March 12, 2012
Public Meeting – March 15, 2012
Public Meeting – March 28, 2012**

REPORTS OF COMMITTEES / RESOLUTIONS

1. Advanced Planning, Priorities & Special Events – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package. He noted two national events were held in the City over the past weekend; Canadian Wheelchair Basketball League (CWBL) Open Finals and Skate Canada Adult Figure Skating Championships.

In response to a question raised at the Regular Council Meeting in March regarding travelling costs associated with hosting the Dallas Stars in 2010 and 2011, Deputy Mayor MacFadyen indicated the City's contribution over two years was \$35,000. He further indicated that according to an industry model (S.T.E.A.M.), the economic spinoff in Charlottetown was \$550,000 in each year.

Deputy Mayor MacFadyen extended condolences to family members on the loss of a former City of Charlottetown employee, Louis Doyle. A moment of silence was held.

In response to a previous suggestion regarding the creation of an events policy, Deputy Mayor MacFadyen indicated the current process for someone to hold an event in Charlottetown works well however the Committee will follow-up.

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Mitchell Tweel

RESOLVED:

That the City of Charlottetown support and endorse a bid submission to host the 2015 Acadian Games.

CARRIED 9-0

2. Urban Beautification & Forestry – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package. He noted Friday, May 18, 2012 is Arbour Day and Charlottetown Area grades five and six students will take part in event activities.

3. Protective & Emergency Services – Councillor David MacDonald

Councillor Redmond, on behalf of Councillor MacDonald, indicated the Committee's report was included in the weekend package.

Concern was raised with regard to speeding in the Spring Park Road area. Councillor Redmond indicated the Committee will take it under advisement.

In response to a question regarding the traffic calming pilot project, Councillor Redmond indicated citizen engagement would be considered with respect to any proposed changes to streetscapes.

It was suggested again that a survey be distributed to residents in the neighbourhoods where traffic calming measures took place so they can provide feedback concerning the project.

Councillor Tweel suggested that a presentation by Sergeant Brad MacConnell previously made to the Protective & Emergency Services Committee be offered to City Council as well and he moved for a resolution on the issue.

Moved by Councillor Mitchell Tweel
Seconded by Councillor Danny Redmond

RESOLVED:

That the Street Crime Presentation made to the Protective Services Committee be presented to all of Council at an in camera Committee of the Whole Meeting.

CARRIED 5-4

Deputy Mayor MacFadyen, Councillors Bernard, Lantz and Villard registered "nay" votes

4. Parks, Recreation & Leisure Activities – Councillor Melissa Hilton

Councillor Hilton indicated her Committee had not met since the last Council Meeting. Volunteer of the Month Award for April was presented to the Organizing Committee for the Canadian Wheelchair Basketball League Open Finals.

Moved by Councillor Melissa Hilton

Seconded by Councillor Mitchell Tweel

RESOLVED:

That the City of Charlottetown authorizes the use of Confederation Landing for the 2012 Charlottetown SummerFest, by Cavendish Beach Music Festival Inc, subject to the terms and conditions in a mutually agreed upon licensing agreement to be executed.

A question was raised concerning consultation with downtown residents with respect to the activities taking place at Confederation Landing during the event. Councillor Hilton indicated there will be ongoing communication with local residents throughout the event.

CARRIED 9-0

5. Public Works & Street Lighting – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package. He noted the City is working with Maritime Electric with regard to trials using LED street lights in particular areas of the city.

Moved by Councillor Terry Bernard

Seconded by Councillor Cecil Villard

RESOLVED:

That, as per the conditions of the March 2012 public quotation for "Backhoe & Truck Hire for Culvert Services", including possible extension to the 2013 season, the low submission of Lea MacDonald Construction at a combined hourly price of \$74.00 per hour (all taxes extra) be accepted.

CARRIED 9-0

Moved by Councillor Terry Bernard

Seconded by Councillor Cecil Villard

RESOLVED:

That, per the quote for Ready Mix Concrete Supply, the low submission of CRM Ready Mix at a 32 MPa price of \$220.94 per cubic meter (all taxes extra) be accepted.

CARRIED 9-0

6. Integrated Community Sustainability Plan – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was forwarded electronically to Council. He acknowledged Laura MacPherson, ICSP Sustainability Coordinator, on organizing the City Hall Energy Challenge 2012. He reported that the Committee met with urban watershed groups to discuss collaboration concerning public awareness projects, zoning and development bylaw review and other matters.

7. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. He noted negotiations continue with respect to a draft agreement on services with Miltonvale Park. He further noted 105 applications have been submitted thus far in 2012 for the Toilet Replacement Rebate Program and a Rain Barrel Promotion will soon be introduced to residents as part of the City's Water Conservation program.

In response to a question regarding policies, Councillor Rice indicated a formal policy will be created for Utility operations to consistently follow-up on receipt of damage claims.

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown accepts the proposal for consulting services from GENIVAR in the amount estimated at \$989,460 (taxes extra) for the Consulting Engineering Services on the Spring Park Combined Sewer Separation project.

Further that this will be expensed out of the 2012 to 2014 Utility Capital Budgets.

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

A question was raised concerning the evaluation process of the proposals. Councillor Rice indicated a committee comprised of the Utility Manager, Public Works Manager, Assistant Utility Manager and City Controller was responsible for evaluating the submissions.

CARRIED 9-0

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That Campbell's Concrete Ltd be awarded the 2012 Utility Inventory tender in the amount of \$100,583.54 GST included.

Further that this will be expensed out of the 2012 Utility Operating Budget.

CARRIED 9-0

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That DNS Grass Cutting be awarded the 2012 Utility Grass Cutting tender in the amount of \$10,867.50 GST included.

Further that this will be expensed out of the 2012 Utility Operating Budget.

CARRIED 9-0

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That Lee MacDonald be awarded the 2012 Utility Equipment Rental tender in the amount of \$41.60 per hour for a Backhoe and \$15.00 per hour for a Tamper, GST extra.

Further that this will be expensed out of the 2012 Utility Operating Budget.

CARRIED 9-0

8. Planning & Heritage – Councillor Rob Lantz

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

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the Heritage Grant Guidelines, as attached, be approved.

Councillor Lantz noted the Heritage Grant Program provides both monetary and non-monetary incentives for development of designated properties located in the Heritage Preservation Area and that the proposed amendments would be beneficial to both the property owners and the city.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Melissa Hilton

RESOLVED:

That the request to renew the Development/Encroachment Agreement for the outdoor patio to be located in the parking spaces in front of St. James Gate, 129 Kent Street (PID# 343707), for the 2012 season only, be approved.

The Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this Resolution.

CARRIED 8-1

Councillor Coady registered a "nay" vote

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the Street Vending Bylaw (including the permitted uses, locations and fees), and other related policies and Bylaws currently administered by the Planning Department be included along with the review of the Zoning and Development Bylaw this year for report back to Council.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application be reconsidered through the public consultation phase to consider the revised Development Concept Plan as submitted, including: commercial, semi-detached dwellings, townhouse dwellings, apartments/assisted living buildings, and community care type uses; and to amend Appendix “G” of the Zoning and Development Bylaw – List of Approved Properties in the Comprehensive Development Area and Their Permitted Uses for the property located at 207 Mount Edward Road (PID# 390468) be approved. The public meeting will not be scheduled until the final concept plan has been revised to meet minimum development standards of the City.

Councillor Lantz indicated the revised concept plan is substantially different from the initial concept plan and still under review by the Planning, Police and Fire Departments and suggested the public meeting be scheduled after all the details of the plan have been considered.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to amend Appendix “G” of the City of Charlottetown Zoning and Development Bylaw – List of Approved Properties in the Comprehensive Development Area Zone and Their Permitted Uses, to add “Offices” as a permitted use for the property located at 119 Water Street (PID# 335927) be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to amend Appendix “G” of the City of Charlottetown Zoning and Development Bylaw – List of Approved Properties in the Comprehensive Development Area Zone and Their Permitted Uses, to add “Retail Store” as a permitted use for the property located at 100 1/2 Water Street (PID# 335208), be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for an extension of the existing non-conforming use to permit an addition as proposed to the front of the building located at 201 Buchanan Drive (PID# 721506), be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to consolidate three parcels of land located on Spencer Drive (PID#s 388140, 388215 & a portion of 390740), subject to the receipt of pinned survey plans, be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the Heritage component of the application to replace the existing doors with a window, at 100 ½ Water Street (PID# 335208) as presented to Heritage Board, be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application for a street canopy with a 7 ft. “roll back” to be located on the City right-of-way in front of 136 Richmond Street (Fishbones) PID#339143, as presented to Heritage Board, be rejected.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application for maintenance and repairs at 165 Richmond Street (Province House) PID# 340430, as presented to Heritage Board, be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application for fencing at 63 Longworth Avenue, Old Catholic Cemetery (PID# 363366) as presented to Heritage Board, be approved.

CARRIED 9-0

1st and 2nd readings of the “Zoning and Development Bylaw”

To amend Appendix “G” of the City of Charlottetown Zoning and Development Bylaw – List of Approved Properties in the Comprehensive Development Area Zone and Their Permitted Uses, to add “Offices” as a permitted use for the property located at 119 Water Street (PID# 335927).

**Moved by Councillor Rob Lantz
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 Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to a Committee of the Whole Council and the Mayor be Chairman of the Committee.

CARRIED 9-0

**Moved by Councillor Rob Lantz
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 Rob Lantz
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

1st and 2nd readings of the “Zoning and Development Bylaw”

To amend Appendix “G” of the City of Charlottetown Zoning and Development Bylaw – List of Approved Properties in the Comprehensive Development Area Zone and Their Permitted Uses, to add “Retail Store” as a permitted use for the property located at 100 ½ Water Street (PID# 335208).

**Moved by Councillor Rob Lantz
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 Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to a Committee of the

Whole Council and the Mayor be Chairman of the Committee.

CARRIED 9-0

Moved by Councillor Rob Lantz

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 Rob Lantz

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. Intergovernmental Affairs – Councillor Cecil Villard

Councillor Villard indicated his Committee had not met since the last Council Meeting.

10. Economic Development & Tourism – Councillor Jason Coady

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

In response to an inquiry regarding a proposed indoor playground, Councillor Coady noted an application came through the Planning Department but has not been discussed; however, he was hopeful there would be more information at the next Advisory Board for Persons with Disabilities meeting. He further noted the facility would accommodate children of all abilities.

11. Human Resources, Pension & Administration – Councillor Danny Redmond

Councillor Redmond indicated his Committee had not met since the last Council Meeting.

12. Bylaws, Policies, Transit & Communications – Councillor Mitchell Tweel

Councillor Tweel indicated his Committee had not met since the last Council Meeting.

A question was raised concerning the release date of the Customer Service Tracking System. Councillor Tweel indicated the matter will be discussed at the next Committee meeting then Council would be advised.

In response to questions regarding bus shelters, Councillor Tweel noted the Operator receives the revenue from advertisements placed within the shelters and further noted that the City owns the shelters.

13. Finance, Audit, Tendering & Public Property – Councillor Cecil Villard

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

Moved by Councillor Cecil Villard

Seconded by Councillor Melissa Hilton

RESOLVED

That the City of Charlottetown borrow by way of Swap Agreements from TD Bank \$3,342,900 for 10 years and \$7,389,680 for 20 years.

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

CARRIED 9-0

14. New Business

There was no new business.

Meeting adjourned at 8:35 PM