



**Regular Meeting of Council
Monday, August 09, 2010 at 4:30 PM**

Mayor Clifford Lee presiding

Present: **Deputy Mayor Stu MacFadyen** **Councillor David MacDonald**
 Councillor Kim Devine **Councillor Mitchell Tweel**
 Councillor Rob Lantz **Councillor Peter McCloskey**
 Councillor Melissa Hilton **Councillor Cecil Villard**

Also: **Joseph Coady – Director of Public Services**
 Donna Waddell – Director of Corporate Services
 Phil Handrahan – Director of Fiscal and Development Services
 Paul Johnston – Public Works Manager
 Sue Hendricken – Parks and Recreation Manager
 Dan Hughes – Human Resources Manager
 Scott Ryan – Finance Manager
 Gary McGuigan – Deputy Police Chief
 Randy MacDonald – Fire Chief
 Don Poole – Planning Manager
 Wayne Long – Events Development Officer
 Beth Johnston – Communications Officer
 Wendy Reid – City Solicitor
 Tracey McLean – Records Management Clerk

Regrets: **Councillor Terry Bernard**
 Councillor Danny Redmond
 Roy Main – Chief Administrative Officer
 Craig Walker – Utilities Manager
 Ron Atkinson – Economic Development Officer
 Sharon MacKinnon – City Clerk

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers.

Minutes of the previous meetings were by motion adopted:

Regular Meeting – July 12, 2010
 Public Meeting – July 23, 2010
 Public Meeting – August 03, 2010

1. Water/Sewer Utility & Environment – Councillor Danny Redmond

Councillor Tweel, on behalf of Councillor Redmond, indicated the Committee had not met since the last Council Meeting.

2. Planning/Heritage & Arts/Culture – Councillor Kim Devine

Councillor Devine indicated her Committee's report was included in the weekend package.

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request to proceed to the public consultation phase to consider an amendment to Appendix "G" of the Zoning and Development Bylaw – List of Approved Properties in the Comprehensive Development Area and Their Permitted Uses – to permit a dentist's office and three apartment units (two on the second floor and one on the third floor) as a permitted use for the property located at 140 Water Street (PID# 335349) be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request for a variance to the front yard setback from the average 32 feet to approximately 22 feet to permit the construction of an attached garage at 32 Vista Street (PID# 373183) be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request for variances to the lot area from the required 7,492 sq ft to approximately 6,060 sq ft and for a reduction to the lot frontage requirement from 72.2 feet to approximately 60.2 feet to permit the construction of a semi-detached dwelling at 438 Queen Street (PID# 368381), subject to the parking being located to the rear of the property, be approved.

A question was raised regarding some area residents concerns of parking and access to Queen Street. Councillor Devine indicated the Charlottetown Police Services reviewed the application and agreed with the recommendation put forward in the resolution.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request for a height variance from the required 39.4 feet to approximately 58.6 feet to permit the construction of a new UPEI School of Nursing Building to be located at 550 University Avenue (PID# 373126) be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request to rezone 18 lots in the Gwenwood Subdivision (PID# 392936) from Low Density Residential Single (R-2S) Zone to Low Density Residential (R-2) Zone be rejected.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request to operate a Hair Salon as a Home Occupation out of a portion of the dwelling at 18 Cedar Avenue (PID# 1000116) be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That Don Poole be appointed as Licensing Inspector and that Laurel Palmer Thompson and Hope Gunn be appointed as Deputy Licensing Inspectors for the Pedestrian Mall Bylaw and the Street Vending Bylaw.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the request to proceed to the public consultation process to designate 11 Richmond Street, PID# 339713, as a Heritage Resource, as presented to Heritage Board, be approved.

CARRIED 8-0

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the application to demolish the detached garage located at 25 Hillsborough Street, PID# 337261, as presented to Heritage Board, be approved.

CARRIED 8-0

3rd reading of the “City of Charlottetown Zoning and Development Bylaw”

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion (3.4 acres) of the Horseshoe Hills Subdivision (PID# 746164), as shown on the attached map, from Low Density Residential Single (R-2S) Zone to Narrow Single Detached Residential (R-1N) Zone.

**Moved by Councillor Kim Devine
Seconded by Councillor Peter McCloskey**

RESOLVED:

That the “City of Charlottetown Zoning and Development Bylaw” be read a third time and that the said Bylaw do now pass.

CARRIED 7-1

Councillor Tweel registered a “nay” vote

Councillor Devine renewed the Notice of Motion to amend the Building Code Bylaw.

3. Economic Development & Tourism – Councillor David MacDonald

Councillor MacDonald indicated his Committee's report was included in the weekend package. He noted the Committee is working on a Memorandum of Understanding to formalize relations between Tourism Charlottetown Inc and the City.

In response to questions concerning the sale and use of the Dominion Building, Councillor MacDonald indicated that the Halifax-based development company would have submitted general plans for the building prior to the sale by Canada Lands Company; however, the final plans are still in discussion stages.

Moved by Councillor David MacDonald

Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown approve the proposed downtown Charlottetown convention centre expansion as owned by CADC as an eligible project under the City's Tax Incentive Strategy.

A question was raised with regard to government agencies being permitted to apply for tax incentive programs. Councillor MacDonald confirmed that the new strategy allows Council flexibility to consider tax incentives for projects of an extraordinary nature, such as the convention centre.

CARRIED 8-0

Councillor MacDonald brought forward a Notice of Motion to introduce a Transient Traders Bylaw.

4. Human Resources & Pension – Councillor Mitchell Tweel

Councillor Tweel indicated his Committee's report was included in the weekend package. He reported the Occupational Health and Safety Audit has been completed with the written report expected by the end of August. He congratulated Sharon MacKinnon and Tracey McLean as successful candidates in the City Clerk and Records Management Clerk competitions respectively effective July 26, 2010.

5. Parking & Transit – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package.

6. Executive Policy & Event Attraction – Councillor Peter McCloskey

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

Moved by Councillor Rob Lantz

Seconded by Councillor Peter McCloskey

RESOLVED:

That the City of Charlottetown request Elections PEI to oversee and run the City of Charlottetown Municipal Elections set for November 01, 2010, and that Lowell Croken be appointed the Chief Electoral Officer for this election.

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Peter McCloskey

RESOLVED:

That the City of Charlottetown accept the proposal from the Institute of Island Studies in the amount of \$28,492.50 to conduct an information and education campaign for the 2010 Election.

This will be an expenditure of the 2010 Elections Reserve Fund.

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Peter McCloskey

RESOLVED:

That the City of Charlottetown request the Federal Government to reconsider its decision to discontinue the mandatory long-form census questionnaire and furthermore support a review of the questions contained in the long-form census questionnaire.

CARRIED 8-0

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

Councillor Villard indicated his Committee's report was included in the weekend package. He provided Council with a handout indicating the progress made on a number of initiatives that were listed in the 2010 budget.

Moved by Councillor Cecil Villard
Seconded by Councillor Peter McCloskey

RESOLVED:

That the City of Charlottetown provide additional subsidy to Trius Transit in the amount of \$15,000 per month effective June 01, 2010, on an interim basis until the completion and City review of the Transit Strategic Plan;

That City MLAs be advised of the financial status of the transit system.

It was noted Council had, at its August 03, 2010, Committee of the Whole Council meeting, committed funding to December 31, 2010. The mover and seconder agreed with this friendly amendment.

Motion to properly read:

Moved by Councillor Cecil Villard
Seconded by Councillor Peter McCloskey

RESOLVED:

That the City of Charlottetown provide additional subsidy to Trius Transit in the amount of \$15,000 per month effective June 01, 2010, on an interim basis until December 31, 2010;

That City MLAs be advised of the financial status of the transit system.

CARRIED 8-0

Moved by Councillor Cecil Villard
Seconded by Councillor Peter McCloskey

RESOLVED:

That the City fund up to \$2,500 toward hosting the Edmonton Eskimos subject to it being understood that the City will be first to be reimbursed if and when other fund raising efforts of the organization result in a positive cash balance.

This represents a potential \$2,500 increase to the City's 2010 budget.

CARRIED 8-0

Moved by Councillor Cecil Villard
Seconded by Councillor Peter McCloskey

RESOLVED:

That the Parks, Recreation & Leisure Activities Committee be permitted to transfer \$71,995 as per the attached documentation, within the Parks, Recreation & Leisure Activities 2010 Capital Budget.

This transfer represents no overall increase in the 2010 Capital Budget.

CARRIED 8-0

Councillor Villard renewed the Notice of Motion to introduce the 2010 Borrowing Bylaw.

8. Urban Beautification & Forestry – Councillor Kim Devine

Councillor Devine indicated her Committee had not met since the last Council Meeting.

9. Fire & Emergency Measures – Councillor Melissa Hilton

Councillor Hilton indicated her Committee had not met since the last Council Meeting.

10. Parks, Recreation & Leisure Activities – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council Meeting. He recognized Rickey Burns on his upcoming retirement and thanked him for his 29 years of service. The Volunteer of the Month Award for August was presented to Barb Carmichael, long-time volunteer with field hockey both locally and provincially.

11. Police & Bylaw Enforcement – Councillor Rob Lantz

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

In response to a question concerning noise from motorcycles, Councillor Lantz indicated several officers are trained on motorcycle noise monitoring equipment and enforcement in this area has increased.

Moved by Councillor Rob Lantz
Seconded by Deputy Mayor Stu MacFadyen

RESOLVED:

That the quote of Fair Isle Ford in the amount of \$29,300 (plus applicable taxes) for the supply of a 2010 Ford F150 half-ton for use by the canine unit be accepted.

This will be an expenditure of the Police Services Budget.

CARRIED 8-0

12. Public Works & Street Lighting – Councillor Terry Bernard

Deputy Mayor MacFadyen, on behalf of Councillor Bernard, indicated the Committee's report was included in the weekend package.

An update was requested regarding recommendations from a recent traffic study completed by ADI. Deputy Mayor MacFadyen indicated the Committee would follow up and advise.

**Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard**

RESOLVED:

That the City contract Island Coastal Services to construct a paved walkway along Riverside Dr in association with the Province's road widening project, with a value not to exceed \$150,000 (gst extra).

This will be expensed out of the 2010 New Deal funding.

CARRIED 8-0

**Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender of the Provincial Department of Transportation & Infrastructure Renewal, J.A. Larue Inc be awarded the purchase of a new Model D60 Loader Mounted Industrial Blower in the amount of \$148,948 (taxes extra).

This will be expensed out of the 2010 Public Works Capital Budget line for Fleet Replacement.

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

CARRIED 8-0

13. Integrated Community Sustainability – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was included in the weekend package. He noted that through Federal-Provincial funding, the City completed an Integrated Community Sustainability Plan which not only addressed the environment but also looked at economic, social and cultural sustainability areas. Councillor Lantz further noted Laura MacPherson will begin as Implementation Coordinator for this project on September 07, 2010.

14. New Business

There was no new business.

The meeting adjourned at 5:15 PM.