



Regular Meeting of Council Monday, December 12, 2011 at 7:00 PM

Mayor Clifford Lee presiding

Present: Deputy Mayor Stu MacFadyen Councillor Edward Rice
Councillor David MacDonald Councillor Danny Redmond
Councillor Jason Coady Councillor Melissa Hilton
Councillor Cecil Villard Councillor Mitchell Tweel

Also: Roy Main – CAO Donna Waddell – DCS
Joseph Coady – DPS Phil Handrahan – DFDS
Scott Ryan – FM Craig Walker – UM
Paul Johnston – PWM Dan Hughes – HRM
Randy MacDonald – FC Paul Smith – PC
Ron Atkinson – EconDO Laurel Palmer-Thompson – PDO
Karen Campbell – CP Sharon MacKinnon – CC

Regrets: Councillor Rob Lantz Councillor Terry Bernard
Sue Hendriken – PRM Don Poole – PM
Wayne Long – EvenDO

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers. Condolences were extended, on behalf of Council and staff, to Councillor Terry Bernard and family on the passing of his mother. A moment of silence was held.

Minutes of the previous meetings were by motion adopted:

Regular Meeting – November 14, 2011
Public Meeting – November 16, 2011
Public Meeting – December 05, 2011

Due to a number of residents in attendance for Planning issues, Planning and Heritage was moved to the beginning of the Committee Reports.

REPORTS OF COMMITTEES / RESOLUTIONS

1. Planning & Heritage – Councillor Rob Lantz

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

In response to a question on the parking requirements for downtown development, Councillor Coady indicated Planning staff will be reviewing this matter in the new year and reporting back to the Committee.

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the request to amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Commercial and an amendment to Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the rear portion of the property at 223 Belvedere Avenue (PID #395103) from Low Density Residential (R-2) Zone to Parking (P) Zone, pending the receipt of a pinned survey plan for the re-subdivision of this portion of the lot which is to be consolidated with the adjacent parcel (PID #396432), be approved.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the request for a variance to the side yard setback from the required 6 feet to approximately 4 feet to permit the addition of an attached garage at 26 Skyview Drive (PID# 374058) be approved.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the request for a variance to the side yard setback from the required 6 feet to approximately 3 feet to permit the addition of a partially enclosed carport at 213 Kensington Road (PID# 385849) be approved.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the request to amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 246 Norwood Road (PID# 661611) from Single-detached Residential (R-1L) Zone to Low Density Residential (R-2) Zone be approved.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the request for a temporary structure under Section 4.61 of the Zoning and Development Bylaw at 4 Sydney Street (PID # 335463) to allow a greenhouse at the Culinary Institute until May 31, 2012, be approved.

In response to a question regarding the resolution withdrawal at last month's Council Meeting, it was noted the applicant had since met with Planning Board to explain the intentions for the greenhouse.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the application for a Home Occupation to operate a Wedding Planning and Rental Business for the property located at 14 Beach Street (PID # 365338) be approved.

As a followup to the deferral of this resolution at last month's Council meeting, it was reported several residents had met with Planning Board to discuss their concerns and were provided with a better understanding of the application

CARRIED 6-2

(Councillors Tweel and Redmond registered "nay" votes)

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the request for a variance to the front yard setback from the average 97 feet to approximately 175 feet to permit the construction of a single family dwelling at 42 Bridle Path Lane (PID# 1044130) be approved.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the request to amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of the property (PID# 773051) located at Upton Road and the Bypass Highway from Single-detached Residential (R-1S) Zone to Low Density Residential (R-2) Zone be approved.

Concern was expressed that this is the fourth application to rezone this property and residents had expressed the same concerns during each application process; particularly that residents were of the understanding that the area would remain single family. In response, it was noted each application has been less intrusive with the latest rezoning application for semi-detached dwellings. It was suggested the Committee consider creative and innovated approaches for new developments in future to ensure the wishes of both the developers and the residents are addressed. It was further suggested subdivision densities be identified up front versus being identified during phase development.

DEFEATED 5-3

(Councillors Villard, Tweel, MacDonald, Rice and Hilton registered "nay" votes)

**Moved by Councillor Cecil Villard
Seconded by Councillor Mitchell Tweel**

RESOLVED:

That the request to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of the property (PID# 773051) located at Upton Road and the Bypass Highway from Single-detached Residential (R-1S) Zone to Low Density Residential (R-2) Zone be rejected.

CARRIED 5-3

(Councillors Redmond, Coady, and Deputy Mayor MacFadyen registered “nay” votes)

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the application for exterior renovations at 185 King Street, Brecken House, PID# 337246, as presented to Heritage Board and with final details to be approved by the Heritage Officer, be approved.

CARRIED 8-0

3rd reading of the “Zoning and Development Bylaw”

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the 15 remaining lots on Wright Circle in the Love Subdivision (PID# 191783) from Low Density Residential Single (R-S2) Zone to Low Density Residential (R-2) Zone.

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

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

CARRIED 8-0

3rd reading of the “Zoning and Development Bylaw”

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of the property at 412 St. Peters Road (PID# 1004100) from Single-detached Residential (R-1S) Zone to Low Density Residential (R-2) Zone.

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

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

CARRIED 8-0

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

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 246 Norwood Road (PID# 661611) from Single-detached Residential (R-1L) Zone to Low Density Residential (R-2) Zone.

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

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 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton**

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 8-0

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

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the rear portion of the property at 223 Belvedere Avenue (PID #395103) from Low Density Residential (R-2) Zone to Parking (P) Zone.

Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

CARRIED 8-0

Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton

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 8-0

Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

CARRIED 8-0

Moved by Councillor Jason Coady
Seconded by Councillor Melissa Hilton

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 8-0

Concern was expressed that building(s) were recently moved on to the vacant property adjacent to 4 Prince Street and the Planning Department was requested to look into this matter and confirm proper documentation has been filed.

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

Councillor Redmond indicated his Committee’s report was included in the weekend package. He advised Beth Johnston, Communications Officer, resigned effective December 02, 2011. He recognized and thanked the Human Resources Department for their work carried out in 2011, particularly in terms of new policies.

In response to a question raised on the status of the contract negotiations, Councillor Redmond referred the question to the Human Resources Manager who reported PANS is going to interest arbitration in January 2012 and CUPE 501 going to conciliation in January 2012.

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

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

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

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

Moved by Councillor Mitchell Tweel

Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown approve new rates for transit fares effective January 30, 2012 as follows:

	Cash	10-ride Pass	Pass (monthly)
Adult	\$2.25	\$20.00	\$65.00
Senior	\$2.25	\$18.00	\$45.00
Student	\$2.25	\$18.00	\$45.00
Child under 6 yr	Free	Free	Free
U-Pass	\$26.00/semester *		

* effective January 01, 2012

CARRIED 8-0

Moved by Councillor Mitchell Tweel

Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown enter into the attached agreement with the Town of Stratford, the Town of Cornwall and Trius Transit (2007) Inc to provide regional transit services for the three municipalities for the period January 30, 2012 to September 30, 2015 with two options of renewal for periods of ten (10) years each.

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

Councillor Tweel briefed Council on the process to arrive at the agreement proposed which incorporated many recommendations from the Dillon Report. The new agreement is based on revenue service hours; government subsidies will provide approximately 57% of the hourly base service cost; 15 minute service will be provided on University Avenue throughout the day; and the seamless region wide accessible transit system will be continued. The new system will roll out in January 2012 with new routes being introduced and a marketing plan; all with an effective date of January 30, 2012. He expressed thanks to the Provincial Government, Stratford and Cornwall, Trius Transit, and in particular to Donna Waddell, Director of Corporate Services.

In response to an observation and a question, Councillor Tweel confirmed a bus accessibility requirement was written into the agreement and further indicated meetings with Holland College regarding the introduction of a C-Pass will begin in the new year.

In response to a question regarding the current bus depot on Queen Street and bus parking on Richmond Street, it was noted when the system is fully implemented on January 30, buses will operate on a stop and go basis in the downtown core with the bus depot located at the Charlottetown Mall.

CARRIED 8-0

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

Councillor Villard indicated his Committee's report was included in the weekend package. He advised a draft budget process will be forwarded to the Committee of the Whole Council for discussion and approval.

In response to a question requesting a copy of the 2012 – 2013 financial statements, Councillor Villard requested the Finance Manager provide the documents as requested.

A request was again forwarded for a short summary of which departments received budget increases or decreases in 2011.

**Moved by Councillor Cecil Villard
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the City of Charlottetown transfer \$105,887 from Parkland Reserves to the Operating Revenue Fund as per the 2011 Budget.

In response to a question, Councillor Villard confirmed that if the City incurs a surplus at year end, the money transferred from Reserves to the Operating Fund will be put back into Parkland Reserves.

CARRIED 8-0

**Moved by Councillor Cecil Villard
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the City of Charlottetown purchase Lot # 2009-1 on Skyline Drive (PID #437723) at a price of \$32,000 (GST) for use as parkland.

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

Concern was expressed that the park on Belmont Street which the City had been given first option to purchase had been closed and the property sold to another party. A question was raised as to who ultimately made the decision to close the park and not entertain the purchase option. The Finance and Parks and Recreation Departments were asked to review this matter and provide a response.

CARRIED 8-0

6. Urban Beautification & Forestry – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council Meeting.

Councillor Rice indicated the Guardian had agreed to prepare a front page article (VIP article) on the recent Communities in Bloom award presented to the City.

7. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated his Committee's report was included in the weekend package. He mentioned the Committee will be looking at Emergency Management software in the 2012 budget which would allow automated phone messages to be directed to specific City areas and receipt confirmations in emergency situations.

He noted the traffic calming measures have been removed from Ambrose Street and a full report will be provided to Council in January along with recommendations. During the traffic calming project, sight line issues were identified in several areas which will be considered during bylaw reviews.

The Police GPS system is now in operation thereby reducing the need for police radios which in turn provides a greater degree of privacy for dispatchers, police officers and the public. A system demonstration is being arranged for Council on December 30.

Councillor Hilton extended her appreciation for the placement of the mobile speed radar on Pope Avenue and requested the results from this placement be forwarded to her.

A request was forwarded for an audit on the number and types of calls placed to Crime Stoppers versus those placed to Police Services. It was noted calls to Crime Stoppers are generally related to unsolved or outstanding crimes whereas calls to Police Services require a responsive action. Councillor MacDonald indicated a review of the calls received by Police Services has been initiated from a request at last month's Council meeting with a report to be presented to Council in January or February.

Councillor MacDonald introduced a Notice of Motion to amend the Fire Prevention Bylaw to adopt the 2010 Edition of the National Fire Code of Canada to coincide with the Building Code Bylaw's recent adoption of the 2010 Edition of National Building Code of Canada.

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

Councillor Hilton indicated her Committee's report was included in the weekend package. As a result of concerns expressed at the recent Urban Planning sessions regarding the slow progress of the Routes for Nature and Health expansion, she reviewed the latest extensions on a displayed map (map located on the City's website). The Volunteer of the Month Award for November was presented to the 2011 Early Bird Tournament Organizing Committee.

It was suggested that the Routes for Nature and Health progress should be presented at a public forum at some point so the public is aware of the work being carried out.

9. Public Works & Street Lighting – Councillor Terry Bernard

Deputy Mayor MacFadyen, on behalf of Councillor Bernard, indicated the Committee had not met since the last Council Meeting.

Councillor Rice requested a map identifying the street snow removal schedule for the downtown core area by the next Council Meeting.

In response to a question if a Public Works plan has been developed to address catch basin clearing, etc prior to potential flooding, it was confirmed a plan is in place.

10. Integrated Community Sustainability Plan – Councillor Rob Lantz

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

11. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. The Committee will be meeting with the Winter River Tracadie Bay Watershed Association in January. As a 2012 New Initiative under Water Conservation, the Committee will be looking at using the grey water for ice making, flower watering and street washing; these functions currently use three million litres of water per year.

Councillor Rice indicated the new Assistant Water and Sewer Utility Manager, Richard MacEwen, started employment today and he welcomed him to the position.

He reported a response to the directive from the Environment Canada's Enforcement Division regarding the sewer effluent into the Charlottetown Harbour has been forwarded and a copy of the letter will be forwarded to Council members.

12. Intergovernmental Affairs – Mayor Clifford Lee

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

In response to a suggestion to review options for the Gas Tax funding over the next few years to reduce a potential utility rate increase, Councillor Villard indicated a protocol has to be followed to solidify the money. All options will be brought forward to a Committee of the Whole to determine the best value for the City's money. An opposing opinion was presented that based on the costs of the upcoming sewer separation project, sewer and water utility rates would have to increase.

A question was raised on the discussion in the Federal Legislature between Sean Casey MP and the Federal Minister recently regarding the federal funding commitment for the sewer separation project, and the CAO was requested to obtain a copy of the Hansard transcript for that exchange. He indicated that positive discussions had taken place between the Federal Minister and the City on this issue.

13. Economic Development & Tourism – Councillor Jason Coady

Councillor Coady indicated his Committee's report was included in the weekend package. He advised Charlottetown Area Development Corporation's independent consultant's structural review of the former Kays Building on Queen Street had reported the building could be restored economically. He further noted Downtown Charlottetown Inc has initiated a new winter campaign "Shop Downtown" and is giving away \$100 prepaid Mastercards during the 23 days leading up to Christmas. The recent Christmas Parade was very successful with over 1,000 participants and the Committee was thanked. Along the parade route, over \$3,800 was collected and food donation collections tripled in aid of the Food Bank.

Thanks were extended for the inclusion of the Seniors Advisory Board and the Advisory Board for Persons with Disabilities minutes. It was noted Good Taxi now has an accessible taxi in the City.

14. New Business

There was no new business.

The meeting adjourned at 8:40 PM.