



**Regular Meeting of Council  
Monday, January 09, 2012 at 7:00 PM**

**Mayor Clifford Lee presiding**

**Present:** Deputy Mayor Stu MacFadyen      Councillor Edward Rice  
Councillor Terry Bernard      Councillor Rob Lantz  
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      Sue Fraser – PRM  
Paul Johnston – PWM      Dan Hughes – HRM  
Don Poole – PM      Craig Walker – UM  
Richard MacEwen – UAM      Richard Collins – DPC  
Randy MacDonald – FC      Ron Atkinson – EconDO  
Wayne Long – EvenDO      David Hooley – CP  
Sharon MacKinnon – CC

**Regrets:** Paul Smith – PC

Mayor Lee called the meeting to order.

**Minutes of the previous meeting were by motion adopted:  
Regular Meeting – December 12, 2011**

In response to a question regarding available funding options for the Spring Park Combined Sewer Separation project, Councillor Villard indicated that negotiations with both the Provincial and Federal Governments are ongoing; however he would followup with the Finance Committee to review other funding options.

By request, Intergovernmental Affairs was moved to the beginning of the Committee Reports to accommodate those in attendance from the shellfish industry.

**REPORTS OF COMMITTEES / RESOLUTIONS**

**1. Intergovernmental Affairs – Councillor Cecil Villard**

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

The request made at last month's meeting for the Hansard transcript on the discussion between Sean Casey MP and the Federal Minister regarding Federal Gas Tax funding for the City was reiterated. Councillor Villard indicated he would follow up on this.

Councillor Tweel asked, on behalf of the shell fishers, the following questions:

1. For the past six months at nearly every Council Meeting, I have voiced the concern that the shell fishers have been calling on this Council to develop a visible and sustained public warning system in regards to the safety of people and pets that may unsuspectingly swim, drink, or come in contact with contaminated harbour water. Has the City prepared an action plan to deal with this particular request before we have a serious health issue on our hands and a possible liability issue?
2. Gail Shea, our Federal representative in Ottawa, has publically confirmed that there will be no new federal funding to assist fixing the Charlottetown sewer issue. Has the Committee (which consists of yourself, the Mayor and Councillor Hilton) been negotiating over the past several weeks and would you be able to give us a status report on the efforts thus far in getting additional federal funding?

Councillor Villard indicated a meeting had been held in Ottawa with the Minister and he is optimistic a positive response will be forthcoming in the next month or two.

In response to questions as to when the sewer separation project might commence, Councillor Villard along with Councillor Rice indicated certain aspects of the project would be moving forward in 2012. In terms of roles, the Intergovernmental Affairs Committee will be securing the funding arrangements and the Water and Sewer Utility Committee will be following through with the project.

## **2. Advanced Planning, Priorities & Special Events – Deputy Mayor Stu MacFadyen**

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package. He highlighted a few events held recently and noted the Cultural Capital events will conclude with the Gene MacLellan tribute on January 14, 2012.

## **3. Bylaws, Policies, Transit & Communications – Councillor Mitchell Tweel**

Councillor Tweel indicated his Committee had not met since the last Council Meeting. He noted the revamped transit system will roll out January 30, 2012.

## **4. Finance, Audit, Tendering & Public Property – Councillor Cecil Villard**

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

A request was forwarded for a financial breakdown of costs associated with hosting the Dallas Stars in 2010 and 2011. Councillor Villard agreed to provide this information.

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

**RESOLVED:**

That the City of Charlottetown accepts the quote from Cowan Insurance for our 2012 insurance at \$817,532.

**CARRIED 10-0**

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

**RESOLVED:**

That the City of Charlottetown approve to release that portion of the sanitary sewer easement that is no longer required over 18 Madison Avenue (PID#995076).

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

**CARRIED 10-0**

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

**RESOLVED:**

That the City of Charlottetown agree in principle to enter into the attached agreements to transfer ownership of the Brighton Beach Front Range Lighthouse (PID# 347609) to the City.

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

It was noted the Department of Fisheries and Oceans is divesting the Brighton lighthouse which is a significant heritage structure in the City. The Federal Government has agreed to repair the structure before transferring to the City.

**CARRIED 9-1**

**(Councillor Coady registered a “nay” vote)**

**5. Urban Beautification & Forestry – Deputy Mayor Stu MacFadyen**

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council Meeting. Thanks were extended to those involved with Wintertide.

**6. Protective & Emergency Services – Councillor David MacDonald**

Councillor MacDonald indicated his Committee had not met since the last Council Meeting. He reported the new fire truck is now operational. He further reported the traffic calming pilot project has now been completed; once the report including recommendations is completed by Police Chief Smith, it will be forwarded to Council.

As a followup to the traffic calming project on Ambrose Street, it was suggested a questionnaire be distributed to residents in the neighbourhood to obtain their feedback on the project.

In response to a recent Guardian editorial regarding the increase in traffic accidents and the decrease in speeding tickets alluding to less enforcement, Councillor MacDonald reviewed statistics on accidents, speeding tickets and Criminal Code infractions for 2010 and 2011 which discredited the information reported in the editorial.

He reported Charles Archer, Commissionaire, had retired as of December 31, 2011.

As some Councillors were unable to attend the Police GPS demonstration on December 30, 2011, another demonstration will be arranged.

As a followup to a previous request for a report on the types of calls police officers address, the time spent to respond to these calls and the time needed for followup paperwork, Councillor MacDonald indicated this report would be available for the February Council Meeting.

**1<sup>st</sup> and 2<sup>nd</sup> readings of the “Fire Prevention Bylaw”**

To amend the Fire Prevention Bylaw to adopt the 2010 Edition of the National Fire Code of Canada.

**Moved by Councillor David MacDonald  
Seconded by Councillor Danny Redmond**

**RESOLVED:**

That the bylaw to amend the “Fire Prevention Bylaw” be read a first time.

**CARRIED 10-0**

**Moved by Councillor David MacDonald  
Seconded by Councillor Danny Redmond**

**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 10-0**

**Moved by Councillor David MacDonald  
Seconded by Councillor Danny Redmond**

**RESOLVED:**

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

**CARRIED 10-0**

**Moved by Councillor David MacDonald  
Seconded by Councillor Danny Redmond**

**RESOLVED:**

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “Fire Prevention Bylaw” and that it be read a third time at the next Public Meeting of Council.

**CARRIED 10-0**

**7. Parks, Recreation & Leisure Activities – Councillor Melissa Hilton**

Councillor Hilton indicated her Committee's report was included in the weekend package. The Volunteer of the Month Award for January was presented to the Organizing Committee for the 2011 George Trainor Holiday Classic Hockey Tournament.

In response to a question on the removal of the trophy case at Cody Banks Arena, Councillor Hilton indicated the case was removed to accommodate a mural; however a new trophy case will be built upstairs in the James (Jim) McInnis Room this year.

**8. Public Works & Street Lighting – Councillor Terry Bernard**

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

Concern was raised regarding the slow response time for snow clearing in the downtown following the last snowstorm. Councillor Bernard indicated downtown snow removal procedures are currently being put into place to resolve the matter.

In response to a question concerning the lack of snow removal at a bus shelter at the corner of University Avenue and Allen Street, Councillor Bernard referred the question to Councillor Tweel who indicated the concern would be addressed.

**9. Integrated Community Sustainability Plan – Councillor Rob Lantz**

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

**10. Water & Sewer Utility – Councillor Edward Rice**

Councillor Rice indicated his Committee's report was included in the weekend package. He noted that the Toilet Replacement Rebate Program was a huge success in 2011 and plans are to continue the program in 2012. Councillor Rice reported the City has obtained a copy of the "Blue Gold World Waters Wars" documentary which was shown at City Cinemas and is now available to anyone who wishes to borrow it.

A question was raised on a proposed time frame for the permanent connection of Miltonvale Park to the City's water system. Councillor Rice indicated that once the agreement between the City and Miltonvale Park is finalized, the matter will proceed to a Committee of the Whole Council Meeting for discussion.

**11. Planning & Heritage – Councillor Rob Lantz**

Councillor Lantz indicated his Committee had not met since the last Council Meeting; however email polls were carried out with Committee members for two variance requests. He noted the 2011 building permit values totaled over \$105 million; a 15% increase over 2010.

**Moved by Councillor Rob Lantz**

**Seconded by Councillor Jason Coady**

**RESOLVED:**

That the request for a variance to the side yard setback from the required 6 feet to approximately 3.6 feet, and a reduction to the average front yard setback from 40.8 feet to

approximately 34.5 feet to permit the construction of an attached garage at 7 Smallwood Crescent (PID# 366146) be approved.

**CARRIED 10-0**

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

**RESOLVED:**

That the request for a variance to the rear yard setback from the required 19.7 feet to approximately 11.1 feet to permit an addition to the building at 6 Richmond Street (PID# 338954) be approved.

**CARRIED 10-0**

**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 property at 246 Norwood Road (PID# 661611) from Single-detached Residential (R-1L) Zone to Low Density Residential (R-2) Zone.

**Moved by Councillor Rob Lantz**  
**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 10-0**

**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 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 Rob Lantz**  
**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 10-0**

**12. Economic Development & Tourism – Councillor Jason Coady**

Councillor Coady indicated his Committee’s report was included in the weekend package. He noted the Minister of State for ACOA, Bernard Valcourt, had announced over \$1 million funding would be injected into the cruise industry over the next three years in Atlantic Canada. He further noted that cruise ship visitations to Charlottetown will increase from 39 visits in 2011 to 56 in 2012 and 66 in 2013.

An update was requested regarding the status of Tourism Charlottetown Inc (TCI) with respect to the City. Councillor Coady indicated his Committee will meet with TCI on Tuesday, January 17 to

discuss the organization's mandate and future plans. An explanation of the Board composition and roles was requested.

**Moved by Councillor Jason Coady  
Seconded by Councillor Edward Rice**

**RESOLVED:**

That the City of Charlottetown provide \$8,000 in support of the 2012 Jack Frost Children's Winterfest.

**CARRIED 10-0**

**13. Human Resources, Pension & Administration – Councillor Danny Redmond**

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

Mayor Lee recognized and welcomed the City's new Assistant Manager of Water and Sewer Utility, Richard MacEwen.

**14. New Business**

There was no new business.

**Meeting adjourned at 8:15 PM**