



**Regular Meeting of Council
Monday, July 09, 2012 at 4:30 PM**

Mayor Clifford Lee presiding

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

Also: **Roy Main – CAO** **Donna Waddell – DCS**
 Phil Handrahan – DFDS **Paul Smith – PC**
 Randy MacDonald – FC **Paul Johnston – PWM**
 Scott Ryan – FM **Sue Fraser – PRM**
 Craig Walker – UM **Dan Hughes – HRM**
 Richard MacEwen – UAM **Ron Atkinson, EconDO**
 Wayne Long – EvenDO **Laurel Thompson – PDO**
 Jennifer Gavin – CO **David Hooley – CS**
 Tracey McLean- RMC

Mayor Lee called the meeting to order.

Mayor Lee recognized Jennifer Gavin as the new Communications Officer and welcomed her to the City of Charlottetown.

**Minutes of the previous meeting were by motion adopted:
Regular Meeting – June 11, 2012**

By request, Planning & Heritage was moved to the beginning of the Committee Reports.

REPORTS OF COMMITTEES / RESOLUTIONS

1. Planning & Heritage – Councillor Rob Lantz

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

In response to questions of the process regarding Heritage Incentive Grants, Councillor Lantz indicated the Committee forwarded a request to the Finance Committee to consider allocating additional funds for the program and since the request is over \$10,000 it requires a resolution of Council. He further indicated the City's Heritage Officer makes the decision of who receives funding from grant applications.

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for off-lot parking for the Convention Centre, Lower Queen Street (PID# 1045343), to be located at the Peake's Quay Parking Lot (PID# 335372), subject to the signing of a Parking Agreement, and with the number of off-lot parking spaces to be determined by the Planning & Heritage Committee, approved.

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

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the following resolution of June 11, 2012 be rescinded:

“That Section 4.19.12 of the Zoning & Development Bylaw be deleted.”

Councillor Lantz noted the cost imposed on Home Occupation applicants to advertise in the newspaper is an obstacle and there are sufficient obligations placed on small businesses already in the City of Charlottetown.

CARRIED 6-4

Councillors Lantz, Coady, Hilton and Villard registering “nay” votes

Councillor Lantz moved a resolution from the floor to have the City of Charlottetown pay all costs associated with newspaper advertisements with respect to Home Occupation applicants. After discussion on the matter, it was then suggested the motion be deferred.

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

Whereas our Goal is to encourage home occupations as a platform for new economic growth and community development, and;

Whereas the costs imposed on Home Occupation applicants are more of an obstacle than form of support; therefore

Be it resolved, that the City of Charlottetown pay all costs associated with newspaper advertisements serving public notice as the receipt of the Home Occupation applicants, as per section 4.19.12 of the Zoning & Development Bylaw, be deferred.

CARRIED 7-3

Councillor Lantz, Coady and Tweel registered “nay” votes

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

RESOLVED:

That the request for a reduction to the average rear yard setback requirement from 24.6 feet to an average of approximately 21 feet to permit a 16ft by 16ft addition to the rear of the house at 27 Sheffield Crescent (PID# 994459) be approved.

CARRIED 10-0

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

RESOLVED:

That the request to proceed to the public consultation phase to consider an amendment to Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Commercial and to amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 554 Malpeque Road (PID# 145763) from Single-detached Residential (R-1L) Zone to Highway Commercial (C-2) Zone be approved.

CARRIED 10-0

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

RESOLVED:

That the request to proceed to the public consultation phase to consider an amendment to Appendix "A" – Future Land Use Map of the Official Plan from Medium Density Residential to Commercial and to amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 11 Young Street (PID# 369108) from Medium Density Residential (R-3) Zone to Mixed Use Corridor (MUC) Zone be approved.

CARRIED 10-0

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

RESOLVED:

That the Heritage component of the application for exterior restoration of 45-49 Queen Street, PID# 335653 (former Kays Bros. Building), as presented to Heritage Board, be approved.

CARRIED 10-0

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

RESOLVED:

That the Heritage component of the application to reconstruct 43 Queen Street, PID# 335646, with floor elevations realigned and with the addition of a fourth floor as outlined in APM Concept Plan dated June 8, 2012, as presented to Heritage Board, be approved with

the signing of a Development Agreement which will ensure the upper masonry portion of the façade is retained.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application for an outdoor seating area for Mavor's Restaurant to be located on the Grafton Street Plaza, at 130 Queen Street, PID# 340422, as presented to Heritage Board, be approved.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application to install public art in the side door opening at 92 Queen Street, PID# 339200, as presented to Heritage Board be approved.

CARRIED 10-0

The CAO advised that Section 4.19.12 is not contained in the following bylaw amendments.

1st and 2nd readings of the "Zoning and Development Bylaw"

To amend the City of Charlottetown Zoning and Development Bylaw, as attached.

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 10-0

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 10-0

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 10-0

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 10-0

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

Councillor Hilton indicated her Committee’s report was included in the weekend package. Volunteer of the Month Award for July was presented to the Board of Directors for Cycling PEI.

Moved by Councillor Melissa Hilton
Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown adopts the 2012 Regional Active Transportation Plan as a guiding document to advance programs, services and infrastructure that will create a more walkable and cycling friendly city, as well as enable the City to incorporate design principles that support active transportation as part of sustainable development.

Councillor Hilton provided a brief overview of the plan and thanked the Province of PEI and the Towns of Cornwall and Stratford for their cooperation and involvement.

CARRIED 10-0

Moved by Councillor Melissa Hilton
Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown adopts the 2012 Conceptual Master Plans and Design Guidelines for the Four Heritage Squares as a guiding document to protect and enhance these four historic properties in downtown Charlottetown.

Councillor Hilton provided a brief overview of the plan and thanked Parks Superintendent, Nancy McMinn, for her involvement.

CARRIED 10-0

By request, Urban Beautification and Forestry was moved to the third item on the Agenda.

3. Urban Beautification & Forestry – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his report was included in the weekend package. He noted the deadline for the 2012 Make Charlottetown Bloom program, in association with Communities in Bloom, is Monday, July 16.

It was suggested trees be planted in the vicinity of the newly realigned intersection at Euston and Prince Streets. Deputy Mayor MacFadyen indicated the Committee would take it under advisement.

4. Public Works & Street Lighting – Councillor Terry Bernard

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

5. Integrated Community Sustainability Plan – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was forwarded electronically to Council.

6. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his report was included in the weekend package. He provided an update report with respect to water conservation and requested city residents and businesses as well as all City departments to refrain from activities that involve unnecessary water use. He further reported that water use restrictions may be needed to protect against water shortages if the hot, dry weather continues.

**Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard**

RESOLVED:

That Island Excavators (1985) Ltd. be awarded the Spring Park Combined Sewer Separation Phase 1a – Gravity Trunk Sewer tender in the amount of \$864,134.06, all taxes included.

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

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

A question was raised regarding the supervision of the project. Councillor Rice referred the question to the Utilities Manager who indicated a resolution was passed earlier in the year which awarded GENIVAR, a consulting engineering firm, to oversee the sewer separation project.

CARRIED 10-0

7. Intergovernmental Affairs – Councillor Cecil Villard

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

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

RESOLVED:

Whereas, job cuts announced in the 2012 federal budget represent 4.8% of the permanent federal workforce;

Whereas, a recent study prepared by McInnes Cooper for the Province of PEI, the City of Charlottetown, PSAC and PIPSC estimates federal job cuts will represent approximately 10% to 12% of the current permanent federal workforce in Prince Edward Island;

Whereas, the direct and indirect impact of these cuts are expected to result in an economic loss of between of \$50.46 and \$61.02 million, or about 1.01 to 1.22% of the provincial GDP

Whereas, the proposed federal workforce reduction will disproportionately impact the economy of Prince Edward Island as compared to the balance of Canada;

Whereas, Prince Edward Island has historically had one of the highest rates of unemployment in the country with an economy unable to absorb further negative impacts on employment; and

Whereas, the projected negative economic impact of the Federal budget has and will be felt within the City of Charlottetown as well as province-wide;

BE IT RESOLVED THAT

The City of Charlottetown call on the Government of Canada to ensure that the proposed reduction in the federal workforce does not have a disproportionate negative impact on the economy of either the City of Charlottetown or Prince Edward Island,

That the City of Charlottetown voice its opposition to the Prime Minister, our Member of Parliament, our Members of the Legislative Assembly, on the negative impact the Federal Budget has within Charlottetown and the Province of Prince Edward Island,

And Further, that the City's Task Force continue to actively seek the involvement of local community leaders to assist in delivering the message to the Federal Government.

It was again suggested that a meeting take place between Minister Gail Shea and the working group reviewing potential federal job losses in PEI.

CARRIED 10-0

8. Economic Development & Tourism – Councillor Jason Coady

Councillor Coady indicated his report was included in the weekend package. He extended thanks to the Canada Day Committee and City Staff for their efforts during the Canada Day festivities at Victoria Park.

In response to a question regarding low cruise ship traffic in the summer as opposed to the fall season, Councillor Coady indicated he would forward the concern onto the Charlottetown Harbour Authority.

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

Councillor Redmond indicated his report was included in the weekend package.

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

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

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

Councillor Villard indicated his report was included in the weekend package. He noted that the auditor's management letter for the 2011 financial statements which was previously requested was included in the package.

Moved by Councillor Cecil Villard
Seconded by Councillor Melissa Hilton

RESOLVED:

That, per the publicly advertised tender for “Half Ton 2012 4-Door, Full Size 4x4 Cab Vehicle”, the lowest submission of Reliable Motors in the amount of \$23,555.00 (taxes extra) be accepted.

CARRIED 10-0

Moved by Councillor Cecil Villard
Seconded by Councillor Melissa Hilton

RESOLVED:

That, per the publicly advertised tender for “Three Quarter Ton 2012, Regular Cab 4x4 Vehicle”, the lowest submission of Fair Isle Ford in the amount of \$35,700.00 (taxes extra) be accepted.

CARRIED 10-0

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

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

13. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated his report was included in the weekend package.

It was requested that efforts be increased to deter speeding on Walthen Drive. Councillor MacDonald indicated a speed sensor will be employed on that street as well as other problematic areas.

A comment was made concerning the large number of foxes within the city and it was suggested that a strategy be considered to deal with the issue. Councillor MacDonald indicated the Committee would take it under advisement.

Concern was raised with respect to speeding on McGill Avenue and it was requested the Police Department review and provide justification for the removal of the stop sign from the intersection at McGill Avenue and Ambrose Street. Councillor MacDonald indicated that due to ongoing road construction in the area, the traffic count was skewed. He further indicated sight lines have been improved with tree trimming and once the construction is completed, data would be collected.

Moved by Councillor David MacDonald
Seconded by Councillor Danny Redmond

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 vehicles that display an expired inspection sticker thus being considered a derelict vehicle. Remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 10 York Lane PID# 349142 in the City of Charlottetown in

accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 85 Westcomb Cres. (PID #571505) in the City of Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 3 Carvell Court (PID# 607804) in the City Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

Councillor MacDonald recognized Sgt. Gordie McMurrer who will retire on July 31, 2012. He thanked Sgt. McMurrer for 38 years of dedicated service he provided to the citizens of Charlottetown.

14. New Business

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

RESOLVED:

That Shane Ross be appointed as a City of Charlottetown representative on the Board of Ars Longa, Inc. (The Guild) as nominated by his Worship Mayor Clifford Lee, be approved.

CARRIED 10-0

Meeting adjourned at 5:50 PM