



**Regular Meeting of Council  
Monday, July 11, 2011 at 4:30 PM**

**Mayor Clifford Lee presiding**

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

**Also:** Roy Main – CAO                              Donna Waddell – DCS  
Joseph Coady – DPS                              Phil Handrahan – DFDS  
Paul Johnston – PWM                              Don Poole – PM  
Sue Hendriken – PRM                              Craig Walker – UM  
Dan Hughes – HRM                                Allan MacKenzie – SFO  
Paul Smith – PC                                    Randy MacDonald – FC  
Ron Atkinson – EconDO                        Beth Johnston – CO  
David Hooley – CP                                Sharon MacKinnon – CC

**Regrets:** Councillor Terry Bernard              Scott Ryan – FM  
Wayne Long – EvenDO

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers. He noted one Planning resolution dealing with accessory buildings had been withdrawn.

**Minutes of the previous meetings were by motion adopted:  
Regular Meeting – June 13, 2011**

Councillor Redmond referenced the two City appointments approved for the Charlottetown Area Development Corporation at the June 13 Council Meeting and questioned if a formal process could be established for board appointments to provide Council with background information and terms of the appointees. Mayor Lee explained the practice has been that appointments are nominated by the Mayor and forwarded to Council for confirmation. More information will be provided to Council in advance of future appointments.

**REPORTS OF COMMITTEES / RESOLUTIONS**

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

Councillor Lantz indicated his Committee's report was forwarded electronically to Council. The scheduled meeting had to be postponed to later this week.

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

Councillor Rice indicated his Committee's report was included in the weekend package. He indicated City representatives had met with Federal officers to discuss the effluent problem at the Treatment Plant with further meetings to be held. Water conservation continues to be promoted with initiatives implemented including a water retaining flowerbed and a rain collecting barrel at City Hall.

Councillor Tweel reported he had met with a representative from the Fisheries Association who had requested the following questions be presented to Council:

1. Given the rash of recent closures in the Charlottetown harbour due to excess sewage overflow, what's the plan for the City to fix the problem?
2. Is it true that the City has set aside a sum of money to separate the combined storm/sanitary sewer system for the Spring Park combined system?
3. If the Mayor and City Council is concerned about the health and safety risk of excess sewage going into the harbour, what's our duty to inform the public?

Mayor Lee indicated he would provide responses to the Fisheries Association.

**3 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 request from Hunters Ale House, 185 Kent Street (PID# 344390), to extend their deck to the corner behind the sidewalk be approved.

**CARRIED 9-0**

**Moved by Councillor Rob Lantz**

**Seconded by Councillor Jason Coady**

**RESOLVED:**

That the request for a patio for 142 Richmond Street with proper paving stones, rail, and retention of a green space and shrubs be approved.

**CARRIED 9-0**

**Moved by Councillor Rob Lantz**

**Seconded by Councillor Jason Coady**

**RESOLVED:**

That the request to permit a temporary storage building to be located on the Airport Authority Lands (PID# 134114), under Section 4.61 of the City of Charlottetown Zoning and Development Bylaw, be approved.

**CARRIED 9-0**

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

**RESOLVED:**

That the request for two canopies to be located over the City right-of-way for the Holman Hotel, 123-125 Grafton Street (PID# 342311), subject to the signing of an Encroachment Agreement, be approved.

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

**CARRIED 9-0**

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

**RESOLVED:**

That the design drawings for the new Analytical Lab Building to be located in the BioScience Park off Upton Road, as submitted to Planning Board, be approved.

**CARRIED 9-0**

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

**RESOLVED:**

That the request to locate a Pizza Delight Trailer on the vacant lot at 31 Queen Street (PID# 335638), for the summer months, be rejected.

**CARRIED 8-1**

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

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

**RESOLVED:**

That the request for a text amendment to Section 4.15 of the Zoning and Development Bylaw to permit a Day Spa to be operated from a Bed & Breakfast establishment be rejected.

Councillor Lantz noted this home, operating as a bed and breakfast, also contained a public day spa business and was essentially operating two businesses from the same household which contravenes the home occupation section of the Bylaw.

In response to a question, the applicants had requested an amendment to the bylaw which requires a public consultation process. Planning Board had recommended it not proceed to the public meeting.

**CARRIED 7-2**

**(Councillors Tweel and Redmond registered “nay” votes)**

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

**RESOLVED:**

That the application for exterior renovations and construction of a two storey deck at 84 Fitzroy Street, PID#344135, as presented to Heritage Board, be approved.

**CARRIED 9-0**

**3<sup>rd</sup> 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 238 Norwood Road (PID# 191726) from Low Density Residential (R-2S) Zone to Comprehensive Development Area (CDA) Zone.

**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 third time and that the said Bylaw do now pass.

**CARRIED 9-0**

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

Councillor Coady indicated his Committee’s report was included in the weekend package. He advised the Tourism Centre is now open seven days per week for the summer months.

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

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

**Moved by Councillor Danny Redmond**  
**Seconded by Councillor Cecil Villard**

**RESOLVED:**

That the City of Charlottetown ratify and adopt the attached negotiated Collective Agreement with the Voluntary Association of Charlottetown Employees (VACE) for the period January 1, 2010 to December 31, 2012.

**CARRIED 9-0**

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

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

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

Councillor Tweel indicated his Committee’s report was included in the weekend package. He reported the Committee will be forwarding more transit strategy recommendations to a Committee of the Whole Council in the near future.

In response to an inquiry regarding clarification on the responsibility for policies within this revamped Standing Committee (Bylaws, Policies, Transit & Communications), it was confirmed policies dealt with by this Committee would be those outside the realm of other Standing Committees.

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

Councillor Villard indicated his Committee's report was included in the weekend package. He advised a status report of the New Initiatives approved in the budget will be forwarded to a Committee of the Whole Council meeting in the near future for review.

A question was raised regarding the tendering process used for painting recently carried out at City Hall and other facilities. This will be looked into and a response provided.

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

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

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

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

It was noted parking spaces on the south side of Grafton Street between University Avenue and Queen Street are still marked 'no parking'. Police Services will follow up on this matter.

In response to a question regarding expansion of the trial traffic calming measures being tested within the City, it was noted this is a pilot project and it is hoped to move the mechanisms around to various areas of the City. It was further noted a much broader review of traffic measures is being reviewed.

Appreciation was extended to Police Services and Parks and Recreation for their efforts during the Canada Day festivities.

**11. 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 for July was presented to Dave MacIsaac, President of the Charlottetown Area Minor Baseball Association.

An inquiry was made as to a long term plan for bicycle routes in the City and also if bicycle paths are considered during the development of new streets. It was noted several streets are being considered for the "share the road" project and Public Works is completing the appropriate street markings.

In response to a question regarding the recent request for proposals for the Regional Active Transportation Plan, it was noted 11 bids were submitted with the successful bidder to be announced in the near future.

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

**RESOLVED:**

That the City of Charlottetown accept the bid of \$51,800 (GST extra) from Milton Jenkins Construction Ltd. for the renovation and repair of the Victoria Park Maintenance Shed.

Further it is recommended that the architectural costs of \$6,575 (GST extra) from N46 Architecture and Interior Design be accepted.

This amount is within the approved 2011 Parks and Recreation Capital Budget.

In response to questions, it was noted significant safety repairs are required to the interior of the building and the architectural costs are associated with preparing specifications and drawings utilizing appropriate materials and meeting all Codes. The building footprint is not being changed.

**CARRIED 9-0**

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

**RESOLVED:**

That the City of Charlottetown accept the bid from Milton Jenkins Construction Limited and N46 Architecture and Interior Design for a revised scope of work for up to \$24,125 (GST extra) to carry out the renovation of the East Royalty Maintenance Building.

This amount is within the approved 2011 Parks and Recreation Capital Budget.

**CARRIED 9-0**

**Moved by Councillor Melissa Hilton  
Seconded by Councillor David MacDonald**

**RESOLVED:**

That the City of Charlottetown approve the increased rental rates and liquor prices at City-owned community centres, namely West Royalty Community Centre, Hillsborough Hall, Sherwood Recreation Hall, James (Jim) McInnis Meeting Room (Cody Banks Arena), and Malcolm Darrach Centre, as attached, effective September 01, 2011.

**CARRIED 9-0**

**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.

A concern was expressed regarding the slower response this year with the spring plow damage reinstatement program. It was noted the delay was partially due to the weather conditions.

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

**RESOLVED:**

That, per the publicly advertised tender for “2011 Major Projects – Package A” regarding ditch infilling, the low submission of Curran & Briggs Ltd. in the amount of \$775,118.55 (GST extra) be accepted.

This will be an expenditure of New Deal funds as previously approved in the 2011 budget.

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

Councillor Lantz expressed his concern regarding the dollars spent on ditch infilling and felt storm water management works better with open ditches suggesting the infilling was more for aesthetic purposes.

Other Councillors offered opposing opinions with one reference made to the funding dollars needed to correct the effluent problem at the Treatment Plant.

**CARRIED 7-2  
(Councillors Lantz and Tweel registered “nay” votes)**

**13. New Business**

There was no new business.

**The meeting adjourned at 5:40 PM.**