



**Regular Meeting of Council
Monday, June 13, 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 Terry Bernard **Councillor Mitchell Tweel**
 Councillor Melissa Hilton **Councillor Cecil Villard**

Also: **Roy Main – CAO** **Donna Waddell – DCS**
 Phil Handrahan – DFDS **Paul Johnston – PWM**
 Sue Hendricken – PRM **Don Poole – PM**
 Dan Hughes – HRM **Allan MacKenzie – SFO**
 Paul Smith – PC **Randy MacDonald – FC**
 Ron Atkinson – EDO **Beth Johnston – CO**
 Karen Campbell – CP **Sharon MacKinnon – CC**

Regrets: **Joseph Coady – DPS** **Craig Walker – UM**
 Wayne Long – EDO **Scott Ryan – FM**

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers. He requested Planning & Heritage be moved to the beginning of the Committee Reports to accommodate residents in attendance for some Planning items.

Minutes of the previous meetings were by motion adopted:
 Regular Meeting – May 09, 2011
 Public Meeting – May 25, 2011

REPORTS OF COMMITTEES / RESOLUTIONS

1. Planning & Heritage – Councillor Rob Lantz

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

In response to questions, Councillor Lantz indicated a meeting was held with the developers of the Homburg Hotel regarding the City's concerns on the exterior finish of the upper portion of the building. City representatives were advised many of the original stones were in poor condition and/or stolen which resulted in a recreated heritage façade rather than a restored heritage façade. It was suggested further discussion should be held at a Committee of the Whole Council meeting.

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

RESOLVED:

That the request for a deck for 92 Queen Street (TA-KE Sushi) to be located along the side of their building on Sydney Street, 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 10-0

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

RESOLVED:

That the request for a home occupation for a Massage Therapy Business to be operated from the dwelling at 11 Maplewood Crescent (PID# 408328) be approved.

Councillor Lantz indicated the applicant had revised his original application to a less intensive use; however, there was still strong opposition from residents in the area with concerns relating to traffic increase, property values decreased, neighbourhood character, business growth potential, etc.

DEFEATED 9-1

(Councillors MacFadyen, Bernard, Redmond, MacDonald, Rice, Tweel, Villard, Lantz and Coady registered “nay” votes)

**Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Mitchell Tweel**

RESOLVED:

That the request for a home occupation for a Massage Therapy Business to be operated from the dwelling at 11 Maplewood Crescent (PID# 408328) be rejected.

CARRIED 9-1

(Councillor Hilton registered a “nay” vote”)

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

RESOLVED:

That the request for off-lot parking for Holland College for 132 spaces, with the City of Charlottetown entering into a Lease Agreement for the City’s land with Holland College, be 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 request to amend Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Concept Planning Area and to 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, subject to signing a Development Agreement, be 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 request for a variance to the required front yard setback from 50 feet to approximately 39 feet to permit a garage addition to the dwelling at 64 Oak Drive (PID# 391441) be approved.

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown approve Downtown Charlottetown Inc’s application for the development of a Farmer’s Market, and that the parking spaces on the east side of Queen Street be closed between Richmond Street and Dorchester Street, and extending north to Grafton Street upon further request, for 12 consecutive Sundays between July 3, 2011 and September 18, 2011, with the signing of a Pedestrian Mall Agreement, as per Section 3.1 of the Pedestrian Mall Bylaw. This closure will not disrupt traffic on Queen Street and the sidewalks between the closed parking spaces and adjacent businesses will remain unobstructed for use by all pedestrians. The hours of operation shall be from 9:00am to 6:00pm which includes time permitted for set up and site clean up.

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 request for a lot consolidation of two parcels of land located on Spencer Drive and Malpeque Road (PID#s 388140 and 1040583) as shown on the Locus Surveys Ltd. Drawing No. 09096D dated May 27, 2011, be approved.

CARRIED 10-0

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

RESOLVED:

That the request to extend the use of two temporary structures for housing horses and equipment at the Charlottetown Driving Park for a period of up to one year from date of approval be approved.

In response to a question raised whether Police Services had been consulted regarding sight lines exiting Exhibition Drive on to Kensington Road, it was noted that would have been addressed when the original application was approved. It was further noted this is the last renewal for the temporary structures and a long-term plan for this area is being developed.

CARRIED 10-0

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

RESOLVED:

That the request to consolidate two parcels of land (parts of PID#s 344077 & 344028) with PID# 344150, 222 Queen Street, subject to the receipt of pinned survey plans, to permit an expansion to the existing Queen Parkade be approved.

CARRIED 10-0

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

RESOLVED:

That the application for exterior alterations at 187 Dorchester Street, PID#338442, as presented to Heritage Board, be approved.

CARRIED 10-0

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

RESOLVED:

That the application for a revised accessible entry at 275 Kent Street, PID#344861, as presented to Heritage Board, be approved.

CARRIED 10-0

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

RESOLVED:

That the application for exterior alterations at 24-36 Longworth Avenue, PID#364000, as presented to Heritage Board, be rejected.

Councillor Lantz indicated Heritage Board had made its recommendation based on the Heritage guidelines. Several Councillors expressed their objections to the recommendation for rejection and felt the bylaw guidelines should be reviewed. Even though it was the original PEI Hospital, it was felt the improvements to the building although not sympathetic to heritage standards, outweighed the

dilapidated condition in which the building had existed. It was emphasized there needs to be an mechanism to make potential property purchasers aware of heritage designations and/or the heritage area; it was suggested via the real estate industry. Information is available in the heritage database on the City website.

Councillor Redmond presented the Chief Administrator Officer with a number of letters and a petition supporting the renovations being carried out on the property. He recommended an overall review of the Planning Department; and all Advisory Board/Committee members names and terms be publicized. In response, it was mentioned Council had indicated interest in reviewing all departments at some point; differing views were expressed on the publication of Advisory Board/Committee members names.

DEFEATED 9-1

(Councillors MacFadyen, Bernard, Redmond, MacDonald, Rice, Tweel, Villard, Hilton and Coady registered “nay” votes)

**Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Danny Redmond**

RESOLVED:

That the application for exterior alterations at 24-36 Longworth Avenue, PID#364000, as presented to Heritage Board, be approved.

CARRIED 9-1

(Councillor Lantz registered a “nay” vote)

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 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 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

Councillor Redmond was out of the room during the following bylaw readings.
2nd & 3rd readings of the "City of Charlottetown Building Code Bylaw"
To amend the City of Charlottetown Building Code Bylaw.

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.

It was noted that since the first reading on May 09, 2011, the effective date for the Bylaw had been amended to July 10, 2011.

CARRIED 9-0

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 as amended.

CARRIED 9-0

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 Building Code Bylaw" and that it be read a third time.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

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

CARRIED 9-0

2. Public Works & Street Lighting – Councillor Terry Bernard

Councillor Bernard indicated his Committee’s report was included in the weekend package. He reported that resurfacing of City streets has begun with concentration on the section of University Avenue from Nassau Street to Euston Street.

In response to a question regarding the City’s recent loss of the Provincial plow contract for 25 kms in the City, Councillor Bernard reported he met with the Minister of Transportation and Infrastructure Renewal who indicated the Province intends to increase the number of plows on provincial roads and needs the extra equipment; however, the Minister will meet with his staff on the matter.

It was suggested the City of Charlottetown consider an arrangement with Maritime Electric to bury any new electrical wire installations as an alternative to erecting power poles. Councillor Bernard indicated the Committee would take this under advisement.

A question was raised concerning new catch basins and base improvements being included in the University Avenue resurfacing project. Councillor Bernard noted that only milling and resurfacing is taking place at this time.

3. Integrated Community Sustainability Plan – Councillor Rob Lantz

Councillor Lantz indicated his Committee’s report was forwarded electronically to Council. He mentioned the well attended sustainability presentation by Ken Melamed, Mayor of Whistler, held June 01 and noted additional speakers will be brought to the Island. He also advised Council that Wednesday, June 15 has been designated by the City as “Bike to Work Day” to promote active transportation.

4. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee’s report was included in the weekend package. He noted meetings have been held with staff on the Organizational and Operational Review Study. He indicated his Committee and Mayor Lee met with two Provincial Ministers regarding the effluent problem in the harbour and discussed the possibility of infrastructure funding to correct the issue. The toilet replacement rebate program is being well received.

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

Whereas the City of Charlottetown is moving forward in the implementation of the goals and actions of the Integrated Community Sustainability Plan (ICSP);

Whereas the ICSP states Improved Water Resource Management through the implementation of water conservation practices, is a goal;

Whereas the City of Charlottetown has taken steps to develop a Water Conservation Plan;

Whereas the Province of Prince Edward Island regulates plumbing within the City of Charlottetown and throughout PEI through enforcement of A Code for Plumbing Services Regulations;

Be It Resolved That the City of Charlottetown write to the Province of Prince Edward Island requesting the Province make water efficiency and conservation a central part of their mandate and that the Province reflect this mandate in amendments to Codes, Policies and Regulations on Prince Edward Island.

CARRIED 10-0

5. Economic Development & Tourism – Councillor Jason Coady

Councillor Coady indicated his Committee's report was included in the weekend package. He thanked City staff for their participation in successful Natal Day activities held over the past weekend.

In response to a question concerning outstanding issues with regard to the Transient Traders Bylaw, Councillor Coady indicated since most Committee members are new, they are going to review the bylaw as a whole before bringing it to Council.

An update was requested regarding concerns of a resident who corresponded with the Mayor and Council in May with respect to the SummerFest events scheduled for the Canada Day weekend. Councillor Coady indicated the Committee had not addressed the matter but would take it under advisement.

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

Councillor Redmond indicated his Committee's report was included in the weekend package. He congratulated Shelley Donnelly as the successful candidate for City Hall Receptionist and Gerard McMahon as the successful candidate for Volunteer District Deputy Chief, District 2 Fire Station. Long-serving and recently retired employees were recognized during a recent awards ceremony.

In response to a question concerning Marathon's Human Resources Plan, Councillor Redmond advised the Human Resources Manager is working on an action plan for the Committee's review and staff engagement. As far as the Plan being released to the public, the Committee will determine an appropriate time for release in the future.

A request was forwarded for a list of filed grievances and details of same. Councillor Redmond indicated that information is confidential and remains within the respective department.

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

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

8. Intergovernmental Affairs, Transit & Communications – Councillor Mitchell Tweel

Councillor Tweel indicated his Committee's report was included in the weekend package. He indicated several recommendations for the transit strategy will be brought forward to a Committee of

the Whole meeting in the very near future. As well, the Committee is seeking Federal and Provincial funds for the Spring Park combined sewer and the Water Supply projects.

In response to a question, it was noted the Dillon Report is still being discussed by the Committee and is not public at this time.

Moved by Councillor Mitchell Tweel
Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown congratulate Honorable Steven Blaney, Minister of Veterans Affairs Canada, for his commitment to keeping the Department of Veterans Affairs headquarters located in the City of Charlottetown and recognizing the importance of DVA to the economy of Prince Edward Island.

CARRIED 10-0

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

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

10. Urban Beautification & Forestry – Deputy Mayor Stu MacFadyen

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

The Committee was requested to consider the placement of more old fashioned lights along Fitzroy Street.

Councillor Lantz indicated he had attended a session during the recent Federation of Canadian Municipalities Conference related to growing trees in urban areas and he would forward the information to Council. He further noted the representative from Deep Root Canada had offered to come to Charlottetown for a presentation.

11. Protective & Emergency Services – Councillor David MacDonald

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

Councillor Rice commended the City firefighters for their professionalism during a recent incident he was involved in and asked the Fire Chief to relay his thanks.

12. 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 June was presented to Chris Halliwell, President of the West Royalty Girls Softball Association.

Moved by Councillor Melissa Hilton
Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown grant Tourism Charlottetown Inc special permission for the sale of goods in Victoria Park for the purpose of the 2011 Canada Day celebrations in the Park, pursuant to Article 6.15 of the Victoria Park and Promenade Bylaw.

In response to inquiries, it was noted the permit would be valid for all vendors selected by TCI.

CARRIED 9-1
(Councillor Lantz registered a “nay” vote)

Moved by Councillor Melissa Hilton
Seconded by Councillor David MacDonald

RESOLVED:

That the City of Charlottetown dedicate the Maplewood Room at the Cody Banks Arena in memory of the late James McInnis, a long time volunteer in the hockey community.

CARRIED 10-0

The Committee was requested to consider naming the City arena dressing rooms after former NHL hockey legends from the area to honour their contributions. As well, the Parks and Recreation Department was thanked for participating in the Disability Lens program.

13. New Business

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown appoint Martha Ellis and Albert Fogarty to the Charlottetown Area Development Corporation Board for an additional term.

CARRIED 9-1
(Councillor Redmond registered a “nay” vote)

The meeting adjourned at 6:30 PM.