



**Regular Meeting of Council
Monday, September 10, 2012 at 4:30 PM**

Mayor Clifford Lee presiding

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

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

Regrets: **Councillor Terry Bernard** **Dan Hughes – HRM**

Mayor Lee called the meeting to order.

Councillor Coady requested clarification from the Regular Meeting of Council minutes of August 13, 2012 regarding water and sewer services on Fox Run Drive. Councillor Rice referred the question to the Utility Manager who advised Council that once services have been completed, residents will be immediately notified indicating they have a six month window to connect to the service. The Utility Manager further advised that the project is expected to be completed by the end of December 2012.

Minutes of the previous meeting were by motion adopted:

Regular Meeting – August 13, 2012
 Public Meeting – August 16, 2012
 Public Meeting – September 6, 2012

REPORTS OF COMMITTEES / RESOLUTIONS

1. Water & Sewer Utility – Councillor Edward Rice

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

In response to a question concerning monies being redirected from Ditch In-Filling and applied towards the Water Source project, Councillor Rice indicated his Committee will request to meet with the Administrative Services Committee to discuss the matter.

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

That W.M. &M. (1993) Ltd. be awarded the Spring Park Combined Sewer Separation Phase 1C –Sewage Pumping Stations tender in the amount of \$1,362,921.00, 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.

In response to a question, Councillor Rice indicated there was only one tender submitted.

CARRIED 9-0

Moved by Councillor Edward Rice
Seconded by Councillor Jason Coady

RESOLVED:

Whereas the City of Charlottetown Council has approved General Rules and Regulations for the operation of the Charlottetown Water and Sewer Utility.

Be it resolved that the City of Charlottetown approve amendments to the General Rules and Regulations, Part 3 – General, Section 3.11 as shown on the attached.

CARRIED 9-0

Councillor Rice left the meeting at 4:40 pm.

2. Planning & Heritage – Councillor Rob Lantz

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

Clarification was requested with respect to Planning Board minutes of September 7, 2012 concerning 207 Mount Edward Road. Councillor Lantz advised that Council does not make decisions at Planning Board. He noted a motion was moved and seconded at that meeting and Planning Board voted in favour to defer the application.

It was suggested the Committee review the Zoning and Development bylaw to see where amendments can be made with regard to allotment of green space with apartment developments. Councillor Lantz indicated the Committee will take this under consideration.

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 566 Malpeque Road

(PID# 145805) from Single-detached Residential (R-1L) Zone to Highway Commercial (C-2) Zone be rejected.

CARRIED 8-0

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 Industrial to Commercial and to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 20-22 Garfield Street (PID#s 279034, 279042 & 691477) from Light Industrial (M-1) Zone to Mixed Use Corridor (MUC) Zone be approved, subject to the signing of a Development Agreement with regards to the development of a walking trail on the adjacent City right-of-way, and to approve the request for a lot consolidation of PID#s 279034, 279042 & 691477, subject to the receipt of pinned survey plans.

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

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That Council rescind the following resolution of August 3, 2012:

“That the request to amend 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 Downtown Mixed Use (DMU) Zone and to consolidate two parcels PID 369108 and PID 369199 subject to receipt of a pinned survey plan, to permit a parking lot be recommended to Council for approval.”

CARRIED 8-0

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 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 and to consolidate two parcels PID# 369108 and PID# 369199, subject to receipt of a pinned survey plan, to permit a parking lot be approved.

CARRIED 7-1

Councillor Tweel registered a “nay” vote

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

RESOLVED:

That the request for a variance to the lot area requirement from 3,982.8 square feet to approximately 3,049.2 square feet to permit an existing second unit to remain in the dwelling at 190 Cumberland Street (PID# 347138) be approved.

CARRIED 8-0

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

RESOLVED:

That the Heritage component of the application for renovations and an addition to 52 Sydney Street, PID#337873, as presented to Heritage Board and as per Brehaut Architecture Drawings dated August 31, 2012 be approved.

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 20-22 Garfield Street (PID#s 279034, 279042 & 691477) from Light Industrial (M-1) Zone to Mixed Use Corridor (MUC) 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 8-0

**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 8-0

**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 8-0

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 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 11 Young Street (PID# 369108) from Medium Density Residential (R-3) Zone to Mixed Use Corridor (MUC) 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 7-1

Councillor Tweel registered a “nay” vote

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 7-1

Councillor Tweel registered a “nay” vote

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 7-1

Councillor Tweel registered a “nay” vote

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 7-1
Councillor Tweel registered a “nay” vote

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 located at 414 Lower Malpeque Road and Lyne Avenue (portion of PID# 145359) from Single-detached Residential (R-1) Zone to Institutional (I) 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 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 properties at 450, 460 and 466 Malpeque Road (PID#s 135004, 134999 & 134981) from Single-detached Residential (R-1) Zone and Low Density Residential Single (R-2S) Zone to Highway Commercial (C-2) Zone.

Moved by Councillor Rob Lantz
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 5-3
Councillors Coady, Redmond and Tweel registered “nay” votes

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 554 Malpeque Road (PID# 154763) from Single-detached Residential (R-1) Zone to Highway Commercial (C-2) Zone.

Moved by Councillor Rob Lantz
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 7-1
Councillor Coady registered a “nay” vote

3. Administrative Services – Councillor Cecil Villard

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

It was suggested that City Council meet with Minister Gail Shea to discuss potential federal job losses in Charlottetown. Councillor Villard indicated such a request would need to go through the Mayor's Office and not his Committee.

Mayor Lee extended condolences, on behalf of Council and staff, to Councillor Villard and family on the passing of his mother-in-law.

4. Economic Development & Culture – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his report was included in the weekend package. He thanked the many people, organizations and businesses who contributed to the successful Art in the Open festival which was held on August 25, 2012.

It was requested the Committee provide an overview of both the SCORE! program and SERF (Special Events Reserve Fund). Deputy Mayor MacFadyen indicated the Committee would take it under advisement.

**Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor David MacDonald**

RESOLVED:

That the appointment of Paul Connolly to the Economic Development Advisory Board, as nominated by His Worship Mayor Clifford Lee, be approved effective September 10, 2012.

CARRIED 8-0

5. Advanced Planning & Priorities – Councillor Jason Coady

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

6. Urban Beautification & Sustainability – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his report was included in the weekend package. He noted the 2012 Make Charlottetown Bloom Awards night will be held Wednesday, September 12 at the Rodd Charlottetown.

7. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated his report was included in the weekend package. He informed Council that Cst. Tim Keizer was the successful candidate as Resource Officer at Colonel Gray High School.

An update was requested regarding the Street Crime presentation which was previously made to the Protective Services Committee. Councillor MacDonald indicated the Chief and Deputy Chiefs of Police would make the decision of when to present it to Council.

In response to a question concerning how many new police officers have been hired since amalgamation (1995), Councillor MacDonald indicated he would follow up and advise.

An update was requested regarding the matter of all-day parkers in the downtown. Councillor MacDonald indicated Police Services continue to identify problem areas and address the issue.

Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised Request for Proposal for a “100’ Aluminum Rear-Mount Platform”, the submission of Micmac Fire Safety Source Ltd. in the amount of \$1,156,491.00 (taxes extra) be accepted.

The lease financing will be as arranged by the Finance Department at the end of the year.

CARRIED 8-0

8. 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 September was presented to the organizers of the Island Fringe Festival. Councillor Hilton presented a brief slideshow to Council showing the recent retrofit of two dressing rooms and a production room at the Charlottetown Civic Centre. She noted that the changes are necessary to help attract larger scale shows/events.

Councillor Lantz respectfully requested that he have an opportunity to provide input on the Terms of Reference relating to the Victoria Park Master Plan RFP. Councillor Hilton indicated the Committee would take it under advisement.

9. Public Works, Street Lighting & Transit – Councillor Terry Bernard

Deputy Mayor MacFadyen, on behalf of Councillor Bernard, indicated the report was included in the weekend package.

A question was raised regarding specifications for cycling lanes. Deputy Mayor MacFadyen referred the question to the Public Works Manager who indicated that lane widths can vary however he would follow up and advise.

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for “2012 Malpeque Road Widening”, the low submission of Birt & MacKay Backhoe Services Ltd. in the amount of \$434,411.71 (pst included, gst extra) be accepted.

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

CARRIED 8-0

Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for “2012 Storm Pipe Construction, Package C”, the low submission of Birt & MacKay Backhoe Services Ltd. in the amount of \$310,414.14 (pst

included, gst extra) be accepted.

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

CARRIED 6-2

Councillors Redmond and Tweel registered “nay” votes

Moved by Deputy Mayor Stu MacFadyen

Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for “2012 Storm Pipe Construction, Package D”, the low submission of Curran & Briggs Ltd. in the amount of \$356,700.00 (pst included, gst extra) be accepted.

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

CARRIED 6-2

Councillors Redmond and Tweel registered “nay” votes

Moved by Deputy Mayor Stu MacFadyen

Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for “Supply & Install - 2012 Special Crosswalk Overhead Signals”, the submission of Hansen Electric Ltd. in the amount of \$19,690.53 (taxes extra) be accepted.

CARRIED 8-0

Moved by Deputy Mayor Stu MacFadyen

Seconded by Councillor Cecil Villard

RESOLVED:

That City Council approve the ‘Transit Coordinating Committee Terms of Reference and Operating Agreement’ as attached with the communities of Stratford and Cornwall.

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

CARRIED 8-0

10. New Business

There was no new business.

Meeting adjourned at 5:45 PM