



**Regular Meeting of Council
Monday, May 12, 2014 at 4:30 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

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

Also: Roy Main, CAO Donna Waddell, DCS
Paul Johnston, PWM Scott Ryan, FM
Alex Forbes, PM Paul Smith, PC
Randy MacDonald, FC Sue Fraser, PRM
Craig Walker, UM Ron Atkinson, EconDO
Donna Hurry, TO Laurel P. Thompson, PDO
Greg Morrison, PDO Ramona Doyle, SC
Lorenda MacEachern, EA Tracey McLean, RMC

Regrets: Wayne Long, EDO

Minutes of the previous meetings were by motion adopted:

**Regular Meeting – April 14, 2014
Committee of Council (open) – April 17, 2014
Public Meetings – April 30 and May 8, 2014**

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 a question raised concerning the vacant property at the corner of Prince Street and Grafton Street, Councillor Lantz indicated he is not aware of when the developer intends to begin the proposed development. He further indicated that when a building permit is issued, it is valid for one year. The Mayor directed the CAO to follow-up and advise Council.

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

RESOLVED:

That the request to proceed to the public consultation phase to consider rezoning the property located at 53 Kensington Road (PID #277046) from Low Density Residential (R-2) Zone to Institutional (I) Zone be approved.

Councillor Lantz indicated that Staff considers this spot rezoning and there are some concerns regarding the application.

DEFEATED 10-0

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

RESOLVED:

That the request for a variance to the flankage yard setback requirement from 40 feet to 22 feet and rear yard setback requirement from 24.9 feet to 23.2 feet to facilitate the construction of a commercial building at 61 Thompson Drive (PID# 387522) be approved.

CARRIED 10-0

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

RESOLVED:

That the request for a variance to the side yard setback from 6 feet to 4 feet to permit the existing building at 52 Sydney St (PID #337873) to be converted from 3 units to 4 units be approved.

Councillor Lantz noted that Council previously approved the variance however the time had lapsed therefore the applicant had to reapply.

CARRIED 10-0

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

RESOLVED:

That the request to permit a temporary use of a food trailer on the property located at 83 University Avenue (PID #344044) for the 2014 season, be rejected.

CARRIED 10-0

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

RESOLVED:

That the request to locate a French fry wagon on the property adjacent to 4 Prince Street (PID #841536) for the 2014 season only, with the building to be removed from the site at

the end of October, be approved.

Councillor Lantz believed this application should have been handled similarly as the French fry wagon (4 Prince Street) application and indicated he would not support the resolution.

DEFEATED 8-2

Councillors Redmond and Tweel registered “aye” votes

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

RESOLVED:

That the request to consolidate a portion of PID# 508432 with PID# 134114 for lands owned by the Charlottetown Airport Authority, subject to the receipt of pinned survey plans, be approved.

CARRIED 10-0

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

RESOLVED:

That the request for a rooftop deck at 136 Richmond Street (Fishbones Restaurant), PID# 339143, be approved.

CARRIED 10-0

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

RESOLVED:

That the request for cash-in-lieu of parking for 14 spaces for the Welsh Owen Development located at 65 Water Street (PID #335653), at the rate of \$4,500.00 per required space, be approved.

CARRIED 10-0

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

RESOLVED:

That the request for temporary signage for the 2014 Celebration Zone at Confederation Landing Park for events being held July 1 to September 7, 2014, with setup/dismantle time frame June 21 to September 09, 2014, be approved.

CARRIED 10-0

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

RESOLVED:

That, pursuant to the requirements of Sections 31 and 34 of the Zoning and Development

Bylaw, Council approve the appointment of a Design Review Roster consisting of the following design professionals (five primary contacts and five alternates) for the period June 2014 to June 2016 to review substantive development applications within the 500 Lot Area, Waterfront Zone and Port Zone:

Robert Matthews
Robert Haggis
Morgan Lanigan
Peter Fellows
Roman Halitzki
Gordon Kraushaar
Aaron Stavert
Thomas Gribbin
Steffen Kaeubler
Ole Hammarlund

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That, pursuant to the requirements of Section 31 and 34 of the Zoning and Development Bylaw, Council approve a Design Reviewer honorarium at a rate of \$1,500 per substantive development application along with an additional \$250 for supplementary review as requested by the City.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application for temporary banners to be located at 130 Queen Street (PID#340422), Confederation Centre of the Arts, from May to October 31, 2014 for show banners and May to December 31, 2014 for anniversary banners, as presented to Heritage Board, exclusive of the signage on the side wall of the box office, be approved.

CARRIED 9-1

Councillor Edward Rice registered a “nay” vote

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application to replace cedar shingle cladding with vinyl siding at 139 Weymouth Street, PID#343210, as presented to Heritage Board, be rejected.

CARRIED 10-0

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

RESOLVED:

That the application for a “2014” sculpture to be located at 6 Prince Street (PID#739128) on the north side of Founder’s Hall, be approved.

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 May was presented to Allison MacDonald.

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

RESOLVED:

That the City of Charlottetown receives the Simmons Sports Centre Complex Master Plan (2013 -2022) as a guiding document to advance, for Council’s consideration, any/all short, medium and long term plans for this property.

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown accepts the bid of \$ 21,979.20 (HSTI) from Jambette for equipment at George Smith Park and the bid of \$28,550.71 (HSTI) from PlayPower for the replacement of wheelchair accessible equipment at Centennial Park and for equipment at Macpherson, Queen Elizabeth, Lewis Point and Doncaster Park, and

That in addition, \$55,000.00 be approved for playground installation and contingency costs for the City’s 2014 playground projects,

And further that this amount is within the approved 2014 Parks and Recreation Capital Budget.

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown accepts the low bid of \$40,052 (HSTE) from Atlantic Private Protection Services for the park patrol services for 2014, and

That the contract can be extended for an additional two years, if successfully implemented,

And further that this amount will be drawn from the 2014 Parks and Recreation Operating Budget.

Councillor Hilton noted her Committee's recommendation was to accept the second lowest bid however the Administrative Services Committee recommended the lowest bid.

Concern was raised with regard to the RFQ award process. Councillor Villard, Chair of Administrative Services Committee (ASC), noted that the top two companies met all the criteria and conditions which were outlined in the RFQ; when a situation such as that occurs, the decision from ASC would be to recommend the lowest bid.

CARRIED 8-2

Councillors MacDonald and Tweel registered "nay" votes

3. Administrative Services – Councillor Cecil Villard

Councillor Villard indicated his Committee's report was included in the weekend package. He announced that both the HR Manager and HR Services Officer positions have been filled and the successful candidates will begin in June.

A question was raised regarding tax relief requests from organizations in Charlottetown. Councillor Villard indicated that during the 2014 budget process, a small contingency fund was established as to deal with funding requests.

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown accepts the following Financial Statements as presented by ArsenaultBestCameronEllis for the year ended December 31, 2013 (copies attached to this resolution).

- City of Charlottetown Consolidated Financial Statements
- Charlottetown Water & Sewer Corporation Financial Statements
- City of Charlottetown Superannuation Plan
- Charlottetown Water & Sewer Corporation Superannuation Plan

CARRIED 10-0

Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown provide the Upper Room Hospitality Ministry a 2014 Municipal Property tax relief for their property at 101 Richmond Street (PID# 936419) in the amount of \$1,769.47 and at 33 Belmont Street PID# 364950 in the amount of \$854.92

CARRIED 10-0

**Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard**

RESOLVED:

That, per the publicly advertised tender for “Two (2) 2014 4-Door, Full Size 4x2 Cab and Chassis Vehicles”, the lowest submission of Fair Isle Ford in the amount of \$49,057.62 (taxes included) per vehicle be accepted, and

That “One (1) 2014-Full Size 2 Door REG CAB 4x4 Cab and Chassis” the lowest submission of Fair Isle Ford in the amount of \$38,937.84 (taxes included) be accepted,

And further that, “One (1) 2014 Sport Utility Vehicle AWD”, the lowest submission of Hillside Motors in the amount of \$25,872.30 (taxes included) per vehicle be accepted.

CARRIED 10-0

**Moved by Councillor Cecil Villard
Seconded by Councillor Terry Bernard**

RESOLVED:

That the City of Charlottetown agree to dispose of a portion (up to 40 feet wide by 85 feet deep) of green space adjacent to 41 Westcombe Crescent (PID# 732875) subject to the purchaser paying fair market value and all costs associated with the transfer, and

That the Mayor and CAO be hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 10-0

4. Economic Development & Culture – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee’s report was included in the package. He noted that the Committee continues to work on 2014 Celebration activities with events such as a Youth Council, Charlottetown Tulip Festival, 1864 Week anniversary celebrations, Seven Signature Gardens Project and Canada Day.

**Moved by Deputy Mayor Stu MacFadyen
Seconded by Councillor Terry Bernard**

RESOLVED:

That the City of Charlottetown appoint Bill McFadden as Town Crier effective immediately.

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown accepts the lowest bid of \$128,331.08 + HST from Red Oak Landscaping to carry out the 2014 Seven Signature Garden Project.

And further that low bid will be within budget. This amount will be drawn from the 2014 Fund.

CARRIED 10-0

5. Protective & Emergency Services – Councillor David MacDonald

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

It was suggested that a communication strategy be considered with the community regarding the proper disposal of syringes found on city streets. Councillor MacDonald indicated it will be taken under consideration.

A question was raised regarding the communication system for City Police patrol cars. Councillor MacDonald indicated more equipment testing is forthcoming and is hopeful the system is in full operation in three or four months.

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the three (3) parking spaces in front of St. James Gate, 129 Kent Street, Charlottetown (PID# 343707), be approved to the end of the 2015 season, subject to annual permit applications,

And that the Mayor and CAO are hereby authorized to execute the standard agreement to implement this resolution.

CARRIED 10-0

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) parking spaces in front of the Gahan House, 126 Sydney Street, Charlottetown (PID# 338137), be approved to the end of the 2015 season, subject to annual permit applications,

And that the Mayor and CAO are hereby authorized to execute the standard agreement to implement this resolution.

Councillor MacDonald indicated additional information from a safety perspective emerged recently and he suggested a deferral. Moved by Councillor MacDonald and Seconded by Councillor Redmond to defer the original resolution. Motion Carried 10-0.

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

RESOLVED:

That Hillside Chevrolet be awarded the vehicle tender for the supply of one unmarked 2013 Chev Impala for the tendered price of \$18,094.00 (price includes applicable taxes).

CARRIED 10-0

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

RESOLVED:

That Fair Isle Ford Lincoln be awarded the vehicle tender for the supply of one marked 2014 E250 Cargo Van for the tendered price of \$28,411.94 (price includes applicable taxes).

CARRIED 10-0

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) parallel parking spaces adjacent to Piatto Neapolitan Pizza, 45 Queen Street (PID# 335653), be approved to the end of the 2015 season, subject to annual permit applications,

And that the Mayor and CAO are hereby authorized to execute the standard agreement to implement this resolution.

CARRIED 10-0

1st and 2nd readings of the “Horsedrawn and Rickshaw Vehicle Bylaw”

To amend the City of Charlottetown Horsedrawn and Rickshaw Vehicle Bylaw to better define pedicab, rickshaw, vehicle and operating/equipment requirements of those vehicles.

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

RESOLVED:

That the bylaw to amend the “Horsedrawn and Rickshaw Vehicle Bylaw” be read a first time.

CARRIED 10-0

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

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 David MacDonald
Seconded by Councillor Cecil Villard**

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 Cecil Villard**

RESOLVED:

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

CARRIED 10-0

6. Advanced Planning & Priorities – Councillor Jason Coady

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

In response to a question raised with regard to neighbourhood meetings concerning the Official Plan, Councillor Coady indicated consultations are intended to take place in the fall.

7. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee’s report was included in the weekend package. He noted that 260 homeowners have taken advantage of the Voluntary Metering Program thus far and Phase 3 of the Combined Sewer Separation Project has begun. He referenced a congratulatory letter from the Winter River-Tracadie Bay Watershed Association which acknowledged the City for taking steps in significantly reducing water consumption by way of universal water metering.

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

RESOLVED:

That Island Coastal Services Limited be awarded the Spring Park Combined Sewer Separation Phase 4 tender in the amount of \$2,505,063.70, all taxes included, and

That this be expensed out of the 2014 Utility Capital Budget,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 10-0

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

Councillor Bernard indicated his Committee’s report was included in the weekend package. He advised Council that Transit passenger fares for April 2014 have increased from April 2013, sweeper trucks and street sweepers are operational and paint crews are now remarking crosswalks throughout the city.

It was requested that some city streets be taken under consideration with regard to repaving – Chestnut Street, Douglas Street, Reserve Street, Lapthorne Avenue, Orlebar Street, Eden Street and Williams Lane. Councillor Bernard indicated the streets are rated *worst-first* along with other determining factors like traffic, etc. however he will follow-up with the Supervisor of Asphalt.

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the quote for Ready Mix Concrete Supply, the low submission of Schurman’s Concrete at a 32 MPa price of \$244.00 per cubic meter (all taxes extra) be accepted.

CARRIED 10-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender for Supply of Hot Mix Asphalt 2014, the submission of Island Construction Ltd. in the amount of \$143,681.50 (all taxes included) be accepted.

CARRIED 10-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender for Contracted Asphalt Patching of Streets 2014, the low submission of Chapman Bros Construction Ltd. in the amount of \$168,606.00 (all taxes included) be accepted.

CARRIED 10-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised tender for “Topsoil Supply”, the low submission of

Shea's Bulldozing Ltd. at a prices of \$124.26 per 15 cubic yard load Common an \$169.86 per 15 cubic yard load Screened (all taxes included) be accepted.

CARRIED 10-0

9. Urban Beautification & Sustainability – Councillor Rob Lantz

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

It was suggested the Committee review a matter with respect to Waste Watch receptacles along city sidewalks and streets.

10. New Business

There was no New Business

The meeting adjourned at 6:00 PM