



**Regular Meeting of Council
Monday, September 8, 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 Melissa Hilton
Councillor David MacDonald Councillor Rob Lantz
Councillor Edward Rice Councillor Terry Bernard
Councillor Mitchell Tweel Councillor Danny Redmond (arr. 5pm)

Also: Roy Main, CAO Donna Waddell, DCS
Paul Smith, PC Craig Walker, UM
Randy MacDonald, FC Scott Ryan, FM
Paul Johnston, PWM Alex Forbes, PM
Sue Fraser, PRM Ramona Doyle, SC
Ron Atkinson, EconDO Laurel Palmer Thompson
Jen Gavin, CO David Hooley, CS
Tracey McLean, RMC

Regrets: Mandy Feuerstack, HRM Wayne Long, EDO
Donna Hurry, TO

Mayor Lee welcomed the evening's Pages – Al Karfoul and Nick Scott

Minutes of the previous meetings were by motion adopted:

Regular Meeting – August 11, 2014

Public Meeting – August 26, 2014

Special Meeting – August 27, 2014

REPORTS OF COMMITTEES / RESOLUTIONS

1. Economic Development & Culture – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council meeting. He remarked on his recent visit to Quebec City to commemorate the 150th anniversary of the conferences that lead to the creation of the Canadian federation with the unveiling of a statue of Étienne-Paschal Taché and an inaugural garden in honor of the City of Charlottetown.

2. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated his Committee had not met since the last Council meeting. As follow-up to a question raised at August's Council meeting, Councillor MacDonald indicated there are 54 designated disabled parking spaces within the city (51 spaces in 2012).

A question was raised regarding a formula or process that determines the allocation of disabled parking spaces, Councillor MacDonald indicated he will follow-up and advise.

Moved by Councillor David MacDonald

Seconded by Councillor Cecil Villard

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. Existing building material with deteriorating blue tarps will be removed or placed neatly at the rear of the property out of the sight of all neighbors. Back fill the area around the foundation at the rear of the residence, remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on the property located at 224 East Royalty (PID# 192484) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown, and

That the resolution will include any other clean up, repairs or inspections deemed necessary by a City Building Inspector, a Planning /Development Officer or City Fire Inspector.

CARRIED 9-0

Moved by Councillor David MacDonald

Seconded by Councillor Cecil Villard

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, repair or replace shingles of the residence and accessory building, repair or replace the roof and eaves, paint entire structures and any other repairs deemed necessary by a City Building Inspector or Planning/Development Officer, and

Remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 82 Andrews Court (PID# 586933) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

3. Advanced Planning & Priorities – Councillor Jason Coady

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

4. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. He noted that low flow toilet and clothes washer rebates will be reintroduced.

A question was raised with respect to federal infrastructure funding for the Miltonvale Wellfield project. Councillor Rice indicated it is one of the City's top five priorities on the Expressions of Interest for the Provincial, Territorial Infrastructure Components Small Communities Fund.

Moved by Councillor Edward Rice
Seconded by Councillor Jason Coady

RESOLVED:**COMPENSATION FOR EXPROPRIATED LANDS**

WHEREAS on the 16th day of July, 2014, a public utility easement over the lands delineated in red, on Schedule "A", annexed to this Resolution, was Registered in the Queens County Registry Office on the 16th day of July, 2014 (the "Easement");

AND WHEREAS the purpose of the Easement is to allow for installation and maintenance of the new combined sewer line;

AND WHEREAS the lands over which the Easement runs form a portion of Provincial Parcel Number 368191 owned by Mr. E. Brian Johnston (the "Landowner");

AND WHEREAS the City and the Landowner have been unable to arrive at an agreement as to the compensation to be paid by the City for the Easement;
AND WHEREAS Section 56 of the Charlottetown Area Municipalities Act, requires the City to, by resolution, determine the appropriate amount of compensation, if no agreement can be reached with the landowner;

AND WHEREAS the City has obtained an opinion from a duly certified property appraiser as to the appropriate amount of compensation to be paid to the Landowner for the Easement (the "Appraisal");

AND WHEREAS after review of the Appraisal, the City has determined that the amount of Ten Thousand Dollars (\$10,000.00 (CDN)) is the appropriate amount of compensation to pay to the Landowner for the Easement;

BE IT RESOLVED that pursuant to Section 56 of the Charlottetown Area Municipalities Act, the City shall pay to the Landowner the amount of Ten Thousand Dollars (\$10,000.00 (CDN)) in full and final compensation for the Easement.

BE IT FURTHER RESOLVED that pursuant to Section 56 of the Charlottetown Area Municipalities Act, that the Chief Administrative Officer shall mail by registered letter a copy of this resolution to the Landowner.

CARRIED 9-0

Moved by Councillor Edward Rice
Seconded by Councillor Jason Coady

RESOLVED:

That the City of Charlottetown Water and Sewer Utility Policy Statement W&S #1 regarding capital cost recovery charges as approved by City Council on December 11, 1995, be amended as shown on the attached.

CARRIED 9-0

5. Urban Beautification & Sustainability – Councillor Rob Lantz

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

Councillor Melissa Hilton declared a conflict and left the Chambers during the vote.

Moved by Councillor Rob Lantz
Seconded by Deputy Mayor Stu MacFadyen

RESOLVED:

That the Province of Prince Edward Island amend the Charlottetown Area Municipalities Act to enable municipalities to regulate cosmetic pesticides.

CARRIED 9-0

6. Planning & Heritage – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was included in the weekend package. He noted he had preliminary discussions with Downtown Charlottetown Inc. regarding their proposal to rename a portion of University Avenue (between Euston and Grafton Streets) back to Great George Street. He further noted that the majority of business owners in that area are in support of the name change.

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 "G" – List of Approved Properties in the Comprehensive Development Area Zone and Their Permitted Uses – to permit the construction of a Dental Office on the property at 369 Grafton Street (PID# 408062) be approved.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for variances to the required lot area requirement from 7,492 square feet to 4,791.6 square feet and to the lot frontage from the required 72.2 feet to 50 feet to permit the addition of a second unit to the existing single family dwelling at 7 Summer

Street (PID# 368175) be approved.

A question was raised with regard to possible opposition from area residents. Councillor Lantz indicated there were no responses to the notices sent out by the Planning Department concerning the application.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the proposed amendment to Section 32.9.1 – Green Roofs - of the City of Charlottetown Zoning and Development Bylaw (as attached), as well as the addition of a definition for “Green Roof” be approved.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the proposed amendments to the City of Charlottetown Zoning and Development Bylaw to remove the words “(See Licensed Premises below)” following “Eating and Drinking Establishments” under the List of Permitted Uses for Section 18 (Highway Commercial Zone), Section 19 (Shopping Centre Commercial) and Section 21 (Mixed Use Corridor Zone) be approved.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the proposed amendments to the City of Charlottetown Zoning and Development Bylaw and Official Plan (as attached) be approved.

Clarification was requested concerning the reference to ‘adversely affected’ within the Official Plan. It was noted that initially the Consultant’s recommendation was to add ‘adversely affected’ therefore it was adopted into the Official Plan. However after further review by Planning staff, it was decided to remove the reference because ‘adversely affected’ never existed prior to the 500 Lot Area and is considered subjective language.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for variances to the average front yard setback requirement from 39 feet

to 25 feet and the required rear yard setback from 25 feet to an average of 22 feet to permit the construction of a self-storage building at the corner of Thompson Drive and Sandstone Road (PID# 387779) be approved.

CARRIED 10-0

1st & 2nd readings of the Zoning and Development Bylaw - remove the words “(See Licensed Premises below)” following “Eating and Drinking Establishments” under the List of Permitted Uses for Section 18 (Highway Commercial Zone), Section 19 (Shopping Centre Commercial) and Section 21 (Mixed Use Corridor 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

1st & 2nd readings of the Zoning and Development Bylaw- to amend Section 32.9.1 – Green Roofs as well as the addition of a definition for “Green Roof”.

**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

1st & 2nd readings of the Zoning and Development Bylaw – to amend the City of Charlottetown Zoning and Development Bylaw (Waterfront and 500 Lot Area).

**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

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

Councillor Hilton indicated her Committee’s report was included in the weekend package. Volunteer of the Month for September was presented to Darren Riggs.

8. Administrative Services – Councillor Cecil Villard

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

It was noted that the 2014 Canadian Capital Cities Conference was well organized. Councillor Villard agreed and acknowledged Donna Hurry and her hosting committee for their hard work on the event.

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

RESOLVED:

That the City of Charlottetown accept cash-in-lieu of parkland in the amount of \$38,807.85 for the development of Salisbury Ave. to be paid on a per-lot basis as lots are developed to a maximum of two and a half (2.5) years, and

That these funds are to be credited to the Parkland Reserves,

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

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown agree to dispose of the green space easement in the North East corner of 160 St. Peter's Road (PID# 385641) subject to purchaser paying fair market value and all associated costs to effect this sale,

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

CARRIED 10-0

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

Councillor Bernard indicated his Committee's report was included in the weekend package. He announced the City will engaged in a 12 week trial starting in October whereby some parking meters will be retrofitted to accept smart cards along with the current coin option. T3 Transit has partnered with the Heart and Stroke Foundation to raise money for the Strike Back at Stroke campaign; T3 Transit will donate fare proceeds back to the Foundation for passengers that ride the bus on Fridays from September 19 until the end of November 2014. The City of Charlottetown, Town of Cornwall and Town of Stratford have challenged the Federal and Provincial governments to see who can get the most employees riding the bus for charity.

10. New Business

There was no New Business.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Cecil Villard**

RESOLVED:

That this Committee meeting of Council move into an 'in-camera' session

CARRIED 10-0

After a short recess at 5:30 PM, Council proceeded with the 'in-camera' session to discuss contract matters. The Regular Meeting of Council reconvened following the 'in-camera' session to present the following resolution.

Moved by Councillor Cecil Villard

Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown ratify and adopt the attached negotiated Collective Agreement with Local Union No. 501 Employees of the Waste Water Treatment Plant for the period January 1, 2013 to December 31, 2015.

CARRIED 10-0

The meeting adjourned at 6:30 PM