



**Regular Meeting of Council
Monday, August 12, 2013 at 4:30 PM
Council Chambers – City Hall**

Mayor Clifford Lee presiding

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

Also: Donna Waddell – DCS Paul Smith – PC
Tim Mamyne - DFC Sue Fraser – PRM
Paul Johnston – PWM Richard MacEwen - UAM
Laurel P. Thompson - PDO Hope Parnham – PDO
Allan MacKenzie – FO Belinda Rogers - FC
Ron Atkinson – EconDO Wayne Long – EDO
Donna Hurry, TO Alicia Packwood – PCC
Greg Morrison - PDO Bria Brown – CS
Tracey McLean- RMC

Regrets: Councillor Terry Bernard Roy Main – CAO
Dan Hughes – HRM

Minutes of the previous meetings were by motion adopted:

Regular Meeting – July 08, 2013

Public Meetings – July 24, 2013

Business Arising out of the Minutes

Reference was made to the Victoria Row concert series resolution which passed at the Regular Meeting of Council on July 8, 2013. A question regarding event hosting criteria was raised. Councillor MacDonald, Chair of Protective & Emergency Services, indicated existing City policies and procedures were followed by Public Works, Fire, Police, Planning and Events.

Concern was raised with regard to properly accommodating user groups of the Charlottetown Civic Centre once the Storm of the National Basketball League move into the facility. Deputy Mayor MacFadyen indicated there are adequate ice surfaces throughout Charlottetown that will provide the necessary accommodations.

By request, the first four noted Committees were moved to the beginning of the meeting.

REPORTS OF COMMITTEES / RESOLUTIONS

1. Economic Development & Culture – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package. He noted on upcoming August events such as Old Home Week, Gold Cup & Saucer Parade, Mi'kmaq Confederacy of PEI Pow Wow and the U18 Women's Fast Pitch Canadian Championships.

In response to a question regarding the Jack Frost Children's WinterFest, Deputy Mayor MacFadyen indicated that the City may become responsible for owning and protecting the brand and its assets however the City would not be responsible for directly delivering the event.

In response to a request for a list of events concerning the 2014 Celebrations, Deputy Mayor MacFadyen advised that the City submitted several applications and received funding for one.

2. Urban Beautification & Sustainability – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee had not met since the last Council meeting.

It was requested that more waste receptacles be provided along University Avenue. Deputy Mayor MacFadyen indicated the Committee would take this under advisement.

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

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

Moved by Deputy Mayor Stu MacFadyen

Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised tender for "2013 Storm Pipe Construction - Package C", the low submission of Curran & Briggs Limited in the amount of \$789,100.00 (taxes included) be accepted, and

That this expenditure has been previously approved in the 2013 Capital budget,

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

CARRIED 7-2

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 “Malpeque Road / Irwin Drive Storm, Sidewalk & Turn Lanes”, the low submission of Birt & MacKay Backhoe Services Ltd in the amount of \$136,051.05 (taxes included) be accepted, and

That this expenditure has been previously approved in the 2013 Capital budget,

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

CARRIED 8-1

Councillor Redmond registered a “nay” vote

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

Councillor Hilton indicated her Committee had not met since the last Council meeting. She noted The City of Charlottetown and the Charlottetown Yacht Club officially opened the new paddle launch area in front of the Yacht Club today. Volunteers of the Month for August are Tracy and Kevin MacLean.

5. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee’s report was included in the weekend package. He advised that water restrictions continue to be in place until September 30 and the 2013 Toilet Rebate Program was a success however applications are no longer being accepted. He also provided a brief update on the progress of the Combined Sewer Separation Project.

It was suggested that the City work with the Charlottetown Harbour Authority Inc. (CHAI) to encourage the cruise ship industry to use less water once they dock in Charlottetown.

A question was raised with respect to the provision of wastewater treatment by the City to the Town of Stratford. Councillor Rice indicated the matter has not been discussed yet at Committee level.

6. Administrative Services – Councillor Cecil Villard

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

A question was raised with regard to the City’s process of attaining annual insurance. Councillor Villard indicated that a broker is contracted to negotiate the best policy for the City. He further indicated the Committee will meet with the broker next month and he invited Council members to attend.

It was suggested the awarding of an annual insurance contract go to tender.

Updates regarding the City’s hiring process and in-house legal services were requested. Councillor Villard indicated a copy of the Staffing Bylaw will be circulated for review and if

necessary, a meeting could be arranged with the HR Manager to provide more information; the legal services matter would be taken under advisement.

Moved by Councillor Cecil Villard
Seconded by Deputy Mayor Stu MacFadyen

RESOLVED:

That the City of Charlottetown accept cash-in-lieu of parkland in the amount of \$101,255 for the Royalty Power Center Phase II off John Yeo Drive to be paid on a per-lot basis as lots are developed to a maximum of 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 9-0

Moved by Councillor Cecil Villard
Seconded by Deputy Mayor Stu MacFadyen

RESOLVED:

That the City of Charlottetown borrow by way of Swap Agreements from TD Bank ten million dollars (\$10,000,000) for 20 years,

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

CARRIED 8-1

Councillor Tweel registered a “nay” vote

Deputy Mayor MacFadyen left the meeting at 5:10 PM

7. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated his Committee’s report was included in the weekend package. He announced that the City reached an agreement with Colonel Gray High School, Charlottetown Rural High School and the English Language School Board to provide a police officer on a full time basis to each school from September 3 - November 8, 2013. Subsequently, each school will have an officer assigned to four (4) hours/wk. until the end of the 2013-14 school year. Councillor MacDonald noted the Charlottetown Fire Department is hosting a fundraising event on August 23-24 to help celebrate the arrival of their newest truck and raise funds for the Canadian Cancer Society.

Concern was raised with respect to heavy truck traffic specifically on Spring Lane. Councillor MacDonald indicated trucks are permitted to make deliveries on streets which are designated “No Truck Route”. He further indicated the Police do patrol those areas of concern and have fined violators and the Department routinely visits local trucking companies to educate them of the trucking routes.

It was suggested that an entrance to an industrial pit off Kensington Road be closed as it may help ease heavy truck traffic in the area near Spring Lane.

In response to a question relating to police officers in the schools, Councillor MacDonald indicated that due to the lack of funding partners, the most ideal option was to implement the original pilot project.

Concern was raised once again regarding all-day parkers in the downtown particularly in the area north of Euston Street. Councillor MacDonald indicated the Committee brought forward an extensive plan to Council earlier in 2013 however Council has not made a decision as yet of when to move forward with the recommendations.

Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard

RESOLVED:

That, per the publicly advertised request for proposals for a “New 6000 psi High Pressure Breathing Air Compressor System”, the submission of Connors Breathing Air Systems in the amount of \$45,597.72 (taxes included) be accepted, and

That lease financing be arranged by the Finance Department.

CARRIED 8-0

8. Advanced Planning & Priorities – Councillor Jason Coady

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

9. 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 for a lot consolidation of PID#s 361881 and 361873 and a variance to the lot area to allow an increase in the number of beds permitted per lot area for a Community Care Facility from 37 to 50 beds on the property at 78-80 Walthen Drive (PID#s 361881 and 361873) be approved.

Concern was raised with respect to existing garbage containers at the rear of the facility near Upper Hillsborough Street. Councillor Lantz indicated the property owner is aware of the matter and it will be taken care of through the new proposal.

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to construct an accessory building to permit an additional 6 bedrooms in the Heritage Inn located at 230 Prince Street, PID# 346320, (Fairholm) be approved.

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a variance for a reduction of the lot area requirement for a converted dwelling from 7,728.9 square feet to approximately 4,007.52 square feet to increase the allowable density of the building at 46-48 Longworth Avenue (PID# 364166) from a three-unit to a five-unit be approved.

Concern was raised regarding the small lot area and how it will accommodate additional parking, waste receptacles, etc. and it was suggested the motion be deferred to a public meeting. Councillor Lantz noted the application was deferred in July and after further review of the floor/parking plans, Planning Board agreed to recommend approval of the variance.

Moved by Councillor Danny Redmond and Seconded by Councillor Mitchell Tweel that the motion be deferred to proceed to a public meeting. Motion Carried 7-1 with Councillor Lantz opposed.

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to extend the existing legal non-conforming use at 19 Hillsborough Street (PID# 898551) to permit the addition of a Laundromat with a maximum of six (6) washers and six (6) dryers be approved.

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Melissa Hilton

RESOLVED:

That the request for a variance to the average front yard setback from 52 feet to 40.9 feet to permit the construction of a single family dwelling at 276 Mount Edward Road (PID# 1059930) be approved.

CARRIED 7-1

Councillor Coady registered a “nay” vote

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

RESOLVED:

That the request for a variance to the average front yard setback from 57.5 feet to approximately 50 feet to permit the construction of a 15-unit apartment building at 586 North River Road (PID# 1030642) be approved.

**CARRIED 7-1
Councillor Tweel registered a “nay” vote**

Councillor Tweel was in conflict of interest and abstained from the vote on the following resolution.

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

RESOLVED:

That the request for a lot consolidation at 297-299 University Avenue (PID# 358374) and 301 University Avenue (PID# 358382), subject to the receipt of pinned survey plans, be approved.

CARRIED 7-0

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

RESOLVED:

That the request for a temporary mural to be installed on the Richmond Street side of The Guild, 115 Richmond Street (PID# 340182) for a period of two months, be approved.

**CARRIED 7-0
Councillor Tweel out of the room during vote**

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

RESOLVED:

That the request from Discover Charlottetown Inc. to locate temporary Special Events signage for Fall Flavours at five pre-approved locations for a 30-day period on an annual basis, subject to annual permit applications, be approved.

CARRIED 8-0

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

RESOLVED:

That the Development Agreement (as attached) which incorporates the terms and

conditions of the Development Concept Plan as previously approved by Council on November 13, 2012, for the mixed use development at 207 Mount Edward Road (PID# 390468), be approved.

CARRIED 8-0

3rd reading of the “Zoning and Development Bylaw”

To amend the City of Charlottetown Zoning and Development Bylaw to implement the 500 Lots Area Development Standards and Design Guidelines.

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 from Low Density Residential (R-2) Zone to Parking (P) Zone to rezone the property at 17 First Street (PID# 276667).

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 “A” of the City of Charlottetown Zoning and Development Bylaw to designate the property at 77 Upper Prince Street (PID# 359539 as a Heritage Resource and to make an amendment to Appendix “H” Zoning Map of the City of Charlottetown to rezone the property from Low Density Residential (R-2) 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

10. New Business

There was no new business.

Meeting adjourned at 6:10 PM