



**Regular Meeting of Council
Monday, December 13, 2010 at 7:00 PM**

Mayor Clifford Lee presiding

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

Also: Roy Main – Chief Administrative Officer
Joseph Coady – Director of Public Services
Donna Waddell – Director of Corporate Services
Paul Johnston – Public Works Manager
Sue Hendricken – Parks and Recreation Manager
Dan Hughes – Human Resources Manager
Scott Ryan – Finance Manager
Paul Smith – Police Chief
Randy MacDonald – Fire Chief
Craig Walker – Utilities Manager
Don Poole – Planning Manager
Ron Atkinson – Economic Development Officer
Wayne Long – Events Development Officer
Beth Johnston – Communications Officer
Karen Campbell – City Solicitor
Sharon MacKinnon – City Clerk

Regrets: Councillor Mitchell Tweel
Phil Handrahan – Director of Fiscal and Development Services

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers.

Minutes of the previous meetings were by motion adopted:
Regular Meeting – November 08, 2010
Public Meeting – December 07, 2010

REPORTS OF COMMITTEES / RESOLUTIONS

1. Intergovernmental Affairs, Transit & Communications – Councillor Danny Redmond

Councillor Redmond indicated that due to recent restructuring of the Council Standing Committees, his Committee had not met.

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

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

Moved by Councillor Cecil Villard

Seconded by Councillor Melissa Hilton

RESOLVED:

That the City of Charlottetown accepts the quote from Cowan Insurance for our 2011 insurance at \$817,697.

CARRIED 9-0

Moved by Councillor Cecil Villard

Seconded by Councillor Melissa Hilton

RESOLVED:

That the City of Charlottetown provide additional subsidy to Trius Transit in the amount of \$15,000 per month effective January 2011, on an interim basis for up to three (3) months to allow Council an opportunity to review the Transit Strategic Plan.

CARRIED 9-0

Moved by Councillor Cecil Villard

Seconded by Councillor Melissa Hilton

RESOLVED:

That the Water/Sewer Utility Committee be permitted to transfer \$86,000 as per the attached documentation, within the Water/Sewer Utility 2010 Capital Budget.

This transfer represents no overall increase in the 2010 Water/Sewer Utility Capital Budget.

CARRIED 9-0

Moved by Councillor Cecil Villard

Seconded by Councillor Melissa Hilton

RESOLVED:

That the Intergovernmental Affairs/Transit/Communications Committee be permitted to transfer \$5,000 as per the attached documentation, within the 2010 City Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

Moved by Councillor Cecil Villard

Seconded by Councillor Melissa Hilton

RESOLVED:

That the Protective & Emergency Services Committee be permitted to transfer \$31,600 as per the attached documentation, within the Fire 2010 Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

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

RESOLVED:

That the Urban Beautification & Forestry Committee be permitted to transfer \$28,300 as per the attached documentation, within the Urban Beautification & Forestry 2010 Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

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

RESOLVED:

That the Advanced Planning, Priorities and Special Events Committee be permitted to transfer \$14,500 as per the attached documentation, within the Event Attraction 2010 Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

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

RESOLVED:

That the Protective & Emergency Services Committee be permitted to transfer \$11,900 as per the attached documentation, within the Police 2010 Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

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

RESOLVED:

That the Parks, Recreation & Leisure Activities Committee be permitted to transfer \$20,000 as per the attached documentation, within the Parks, Recreation & Leisure Activities 2010 Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

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

RESOLVED:

That the Human Resources, Pension & Administration Committee be permitted to transfer \$30,000 as per the attached documentation, within the City Government 2010 Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

Moved by Councillor Cecil Villard
Seconded by Councillor Melissa Hilton

RESOLVED:

That the Public Works & Street Lighting Committee be permitted to transfer \$80,000 as per the attached documentation, within the Public Works 2010 Budget.

This transfer represents no overall increase in the 2010 Budget.

CARRIED 9-0

Moved by Councillor Cecil Villard
Seconded by Councillor Melissa Hilton

RESOLVED:

That the City of Charlottetown accept cash-in-lieu of parkland in the amount of \$53,440 for the Sandlewood Subdivision Phase 4 off the Upton Road to be paid on a per-lot basis.

These funds are to be credited to the Parkland Reserves.

CARRIED 9-0

3. Urban Beautification & Forestry – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated that due to recent restructuring of the Council Standing Committees, his Committee had not met.

4. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated that due to recent restructuring of the Council Standing Committees, his Committee had not met; however updates from both Police Services and Fire Services were included in the weekend package. He congratulated Jack Arsenault who was recently chosen as one of Canada's Favourite Crossing Guards for his 33 years of exemplary service at Parkdale Elementary School.

Moved by Councillor David MacDonald
Seconded by Councillor Danny Redmond

RESOLVED:

That the Public Works Manager be authorized to repair and shingle roof of accessory building, remove any other materials or debris, clean up and properly dispose of same at the owners expense on property located at 108 Spring Park Road (PID #356741) in the City of Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw.

CARRIED 9-0

5. 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 Award for December was presented to Alex Godfrey of the Sherwood Parkdale Rangers Soccer Club.

6. Public Works & Street Lighting – Councillor Terry Bernard

Councillor Bernard indicated his Committee's report was included in the weekend package. He reported a building near the City's downtown has been leased to store winter services equipment which will improve cleanup in the downtown core. As well, the new lights installed on University Avenue north of

Belvedere Avenue are LED direct lighting which will provide 70% energy savings.

A question was raised concerning the poor condition of the bricked street right-of-way areas on the lower section of Queen Street as well as the size of the trees planted in this area. Councillor Bernard indicated a manufacturer's defect was detected in the brick; however, Shaw Brick and the Charlottetown Area Development Corporation will replace all defective material.

Moved by Councillor Terry Bernard
Seconded by Deputy Mayor Stu MacFadyen

RESOLVED:

That \$285,000 of the 2010 Public Works Capital Budget be allocated to the purchase of a replacement Sweeper machine.

This represents no overall increase to the 2010 Public Works Capital Budget.

CARRIED 9-0

7. Integrated Community Sustainability Plan – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was forwarded electronically to Council members the latter part of the previous week.

8. Water & Sewer Utility – Councillor Edward Rice

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

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 to proceed to the public consultation phase to consider an amendment to Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 81 Royalty Road (PID# 948208) from Low Density Residential Single (R-2S) Zone to Low Density Residential (R-2) Zone be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

To approve in principle the change in use and the concept plan Option 1, subject to the City approving the final concept plan and the developer entering into a Development Agreement with the City of Charlottetown prescribing the usual terms and conditions for this change in use in this Comprehensive Development Area (CDA) Zone. Maximum density in the final concept plan is to be substantially as follows: Commercial/Medical Office Space 20,000 sq. ft., Assisted living/apartment building with maximum 60 units, two Continuing Care Buildings (maximum 80 beds - 60 units each), maximum of 76 units as semi-detached and single family buildings and density to meet Medium Density Residential (R-3) Zone density and building height requirements

for the property located at 207 Mount Edward Road (PID# 390468).

A concern was raised regarding the presentation of three concept plans by the developer during the recent public meeting. It was noted one plan was primarily referenced during the meeting which complied with the requirements of the bylaw. Councillor Lantz indicated that a final concept plan would come back to Planning Board for review with a recommendation forwarded to Council.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a variance to the lot area requirements from the required 14,532 sq ft to approximately 12,226 sq ft to permit an additional unit in the building located at 155 Cumberland Street (PID# 345009) be approved as per the survey plan showing lot consolidation.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a Heritage Inn under Section 4.51.2 of the Zoning and Development Bylaw for a total of 11 units for the Heritage Inn located at 155 Euston Street (PID# 358820), given existing parking on site remain, be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a variance to the lot area requirements from 11,475 sq ft to approximately 4,032 sq ft to permit an eighth unit in the building located at 43 Pownal Street (PID# 336610) be approved.

CARRIED 9-0

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 Commercial and to amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of open space property adjacent to PID# 404731, #1 Lower Malpeque Road, from Open Space (OS) Zone to Highway Commercial (C-2) Zone be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property located at 51-73 Watts Avenue (South Mall) PID# 469726 from Heavy Industrial (M-2) Zone to Business Park Industrial (M-3) Zone be approved.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to hold the 2011 Jack Frost Festival as a temporary use under Section 4.61.6 of the City of Charlottetown Zoning and Development Bylaw on the property at 207 Mount Edward Road (PID# 390468) be approved.

It was suggested the temporary site be monitored during the festival to determine if similar locations outside of the downtown core would be as successful in hosting events.

CARRIED 9-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to operate a Café/Bakery as a Discretionary Use in the Business Commercial (C-1) Zone from only the ground floor units facing Prince Street of the building located at 252 Prince Street (PID# 346445) be approved.

CARRIED 9-0

1st and 2nd readings of Zoning and Development Bylaw

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property located at 51-73 Watts Avenue (South Mall) PID# 469726 from Heavy Industrial (M-2) Zone to Business Park Industrial (M-3) 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 9-0

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 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 without amendment.

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 Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

CARRIED 9-0

1st and 2nd readings of Zoning and Development Bylaw

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of open space property adjacent to PID# 404731, #1 Lower Malpeque Road, from Open Space (OS) Zone to Highway Commercial (C-2) 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 9-0

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 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 without amendment.

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 Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

CARRIED 9-0

Councillor Lantz renewed the Notice of Motion to amend the Building Code Bylaw.

10. Economic Development & Tourism – Councillor Jason Coady

Councillor Coady indicated that due to recent restructuring of the Council Standing Committees, his Committee had not met. He thanked all involved for their assistance with the very successful Charlottetown Christmas Parade. He also encouraged everyone to attend the 11th annual Capital New Year’s Eve in the Park event on December 31. Councillor Coady brought forward a Notice of Motion to amend the Tourism Accommodation Levy Bylaw.

Concern was raised with regard to potential flooding and increased traffic in the Grafton Street area where the entertainment/concert venue parking lot is proposed. Mayor Lee indicated these issues would be dealt with by the Planning and Public Works Departments during the permit process.

11. Human Resources, Pension & Administration – Councillor Mitchell Tweel

Councillor Bernard, on behalf of Councillor Tweel, indicated the Committee’s report was included in the weekend package.

Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard

RESOLVED:

That the City of Charlottetown ratify and adopt the attached agreement with CUPE 501 Wastewater Treatment Plant.

CARRIED 9-0

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

Deputy Mayor MacFadyen indicated the new Committee was established during the restructuring of the Council Standing Committees. He noted the Committee’s mandate includes such matters as establishing a Provincial Museum in Charlottetown, overseeing the 2011 Cultural Capitals Program, planning/promoting the 150th anniversary of the 1864 Charlottetown Conference in 2014, etc. Deputy

Mayor MacFadyen congratulated Wayne Long, Events Development Officer, on receiving the Alumni Distinction Award from Loyalist College in Ontario.

13. New Business

Moved by Deputy Mayor Stu MacFadyen

Seconded by Councillor Terry Bernard

RESOLVED:

That the following appointments, as nominated by His Worship Mayor Clifford Lee, be approved effective January 01, 2011:

PLANNING BOARD

Ritchie Simpson	Pat Langhorne
Lee MacDonald	Lou Barry
Joan MacKinnon	Lynn MacLaren
Greg Rivard	Roger Doiron
David Archer	Pat Thompson

HERITAGE BOARD

Ian MacLeod	Bobby Shepherd
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PARKS, RECREATION & LEISURE ACTIVITIES ADVISORY BOARD

Angus Birt	Jim Clow
Ted Kitson	Maurice McCabe
Dorothy Pound	Lori Richard

CIVIC BOARD FOR PERSONS WITH DISABILITIES ADVISORY COMMITTEE

Councillor Jason Coady, Chair	Jessie Campbell
Paul Cudmore	Edgar Doucette
Lori Loggie	Jacalyn MacAulay
Helena Reeves	

SENIORS ADVISORY COMMITTEE

Deputy Mayor Stu MacFadyen, Chair	Red Cheverie
Glenda Gallant	Shirlee McGee
Jack Stewart	Norma Lee Storey
Freeman Whitty	

URBAN BEAUTIFICATION & FORESTRY ADVISORY BOARD

Carol Blanchard	Barb Dingwell
Cyndy MacCormac	Jack MacDonald
Roger Younker	Nora Jenkins

YOUTH ADVISORY COMMITTEE

Councillor Terry Bernard, Chair	Cory Gaudet
Roger Duffy	Gary MacDonald
Kory MacDougall	Wilf McKenna
Harry Toombs	

ECONOMIC DEVELOPMENT ADVISORY BOARD

Charles Curley
Allan MacLeod
Debra Wellner

Cindy Harris
Ryan Pineau
Bud Whelan

CHARLOTTETOWN COMMUNITY CONSULTATIVE COUNCIL

Ron Carragher
Marilyn Harrison
Scott MacIsaac
Lorne MacKinnon
Garth Staples

Pat Dorsey
Harry Kennedy
Angela MacDonald
Jim McQuaid
Linda Webber

CHARLOTTETOWN CIVIC CENTRE JOINT MANAGEMENT BOARD

Jeff Ready

CONFEDERATION CENTRE OF THE ARTS

Councillor Rob Lantz

CANADIAN CAPITAL CITIES ORGANIZATION

Councillor Cecil Villard

CARRIED 9-0

Mayor Lee wished all a happy holiday season and a successful 2011.

The meeting adjourned at 7:55 PM