



**Regular Meeting of Council
Monday, March 14, 2011 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 Jason Coady
Councillor Terry Bernard Councillor Edward Rice

Also: Roy Main – Chief Administrative Officer
Phil Handrahan - Director of Fiscal & Development Services
Paul Johnston – Public Works Manager
Sue Hendricken – Parks and Recreation Manager
Don Poole – Planning Manager
Dan Hughes – Human Resources Manager
Scott Ryan – Finance Manager
Paul Smith – Police Chief
Randy MacDonald – Fire Chief
Craig Walker – Utilities Manager
Ron Atkinson – Economic Development Officer
Beth Johnston – Communications Officer
Wendy Reid – City Solicitor
Sharon MacKinnon – City Clerk

Regrets: Councillor Melissa Hilton
Councillor Mitchell Tweel
Joseph Coady – Director of Public Services
Donna Waddell – Director of Corporate Services
Wayne Long – Events Development Office

Mayor Lee called the meeting to order and welcomed everyone to the Council Chambers. He expressed condolences, on behalf of Council, staff and residents, to the citizens of Japan during their turbulent time through the recent earthquake and tsunami.

**Minutes of the previous meetings were by motion adopted:
Regular Meeting – February 14, 2011
Public Meeting – February 16, 2011**

REPORTS OF COMMITTEES / RESOLUTIONS**1. Urban Beautification & Forestry – Deputy Mayor Stu MacFadyen**

Deputy Mayor Stu MacFadyen indicated his Committee's report was included in the weekend package.

2. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated his Committee's report was included in the weekend package. He reported a one-year pilot project has been arranged with Island EMS at no cost to the City to post one staffed emergency unit at the Fire Station on Kent Street commencing April 01 in order to provide faster response times to the southern areas of the City.

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

Councillor MacDonald, on behalf of Councillor Hilton, indicated the Committee's report was included in the weekend package. The Volunteer of the Month Award for March was presented to the 2011 '55 Plus' Provincial Winter Games Organizing Committee and Society.

Councillor Redmond thanked the Parks and Recreation Department and the Civic Centre for addressing a concern from adjacent residents of the Civic Centre in regards to moving snow from the parking lot.

4. Public Works & Street Lighting – Councillor Terry Bernard

Councillor Bernard indicated his Committee had not met since the last Council Meeting. He thanked Public Works management and staff for their tireless efforts dealing with snow removal during the month of February.

5. Integrated Community Sustainability Plan – Councillor Rob Lantz

Councillor Lantz indicated his Committee's report was forwarded electronically to Council the latter part of the previous week. He highlighted the prospect of the City entering into a Green Energy partnership with Bullfrog Power, Canada's 100% green energy provider, which will reduce the City's emission footprint.

Moved by Councillor Rob Lantz

Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown enter into a one-year agreement with Bullfrog Power, as attached, in keeping with the City's commitment to the goals and actions of its Integrated Community Sustainability Plan and in particular the goal to reduce the City's emission footprint.

CARRIED 8-0

6. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. He indicated the Utility organizational review had been presented to the Committee of the Whole

Council and was then deferred to the Utility Committee for an action plan and implementation to be brought back to Council. He further reported the Water Conservation program has been receiving good media coverage and the survey results have been quite successful.

Moved by Councillor Edward Rice
Seconded by Councillor Cecil Villard

RESOLVED:

WHEREAS the City of Charlottetown passed a policy resolution of April 10, 2000 “that City Council confirm its policy not to entertain applications for water service to properties outside the municipal boundary of the City of Charlottetown” without first receiving approval from City Council to do so.

BE IT RESOLVED that City Council approves Miltonvale Park connecting to the City’s water and sewer service for servicing existing properties fronting along the Royalty Road, Sleepy Hollow Road and Heather Drive excluding water service to the Provincial Correctional Facility and the Meadowvale Trailer Park subject to approval being granted by the Community of Miltonvale Park for the City of Charlottetown to develop a public utility water supply on lands being purchased by the City in Miltonvale Park.

BE IT FURTHER RESOLVED an agreement be negotiated between the City and Miltonvale Park which would include but not be limited to, ownership and operation of water and sewer systems, 100% of the costs to be paid by Miltonvale Park and/or the Province of Prince Edward Island, water and sewer services to be constructed in accordance with the City’s Minimum Standards for water distribution and sewer collection systems, user rates will be as approved from time to time by City Council for non-residents.

CARRIED 8-0

7. Planning & Heritage – Councillor Rob Lantz

Councillor Lantz indicated his Committee’s report was included in the weekend package. In response to a concern raised regarding a new resolution being introduced at this evening’s meeting, it was noted the resolution was more of a formality to approve the designs of two buildings being built by the Province, the nursing home on Maypoint Road and the BioScience building in Upton Farm.

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to proceed to the public meeting phase to consider an amendment to Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Parking and an amendment to Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 186 Belvedere Avenue (PID# 395285) from Low Density Residential (R-2) Zone to Parking (P) Zone be rejected.

Councillor Lantz noted an application in 2009 from the dental clinic to rezone this lot to Commercial had been rejected by Council. Subsequently, a portion of the lot had been rezoned to Parking to allow for eight parking spaces which then doubled the parking required under the Bylaw. Planning Board felt the rezoning would negatively impact the residential corridor on this street.

CARRIED 8-0

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

RESOLVED:

That the request for a variance to the frontage requirement from 72.2 feet to approximately 44 feet and a variance to the lot area requirement from 6,996.8 sq ft to approximately 3,256 sq ft to permit a duplex dwelling to be constructed on the lot at 230-232 King Street (PID# 336420) be approved.

CARRIED 8-0

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

RESOLVED:

That the request for a variance to the lot frontage requirement from 72.2 feet to approximately 61 feet to permit the addition of a second unit to the dwelling located at 25 Fitzroy Street (PID# 345611) be approved.

CARRIED 8-0

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

RESOLVED:

That the request to encroach on the City right-of-way at 19 Hillsborough Street (PID# 898551) to permit a deck, seasonal patio tables and chairs, subject to the signing of an Encroachment Agreement, be approved.

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 the request to extend the existing non-conforming use at 35 Prince Street (PID# 337089) to permit two (2) additional washers and six (6) dryers be rejected.

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to proceed to the public consultation phase to consider amendments to Section 4.7.2 and Section 20 (as attached) of the City of Charlottetown Zoning and Development Bylaw be approved.

CARRIED 8-0

Councillor Villard declared a conflict of interest and abstained from the discussion and vote on the following resolution.

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That, as per the Development Agreement between the City and PEI BioCommons Inc. and Minister of Transportation and Infrastructure Renewal, it is agreed:

That the buildings are to be reviewed during the phases of the Concept Plan; and
That the Concept Plan for the new Prince Edward Home building replacement on Maypoint Road be approved; and

That the new building in the BioScience Park be approved, as designed, as both buildings meet proposed Green Globes and/or LEEDS design criteria.

CARRIED 7-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application to demolish the existing Artemis Lord Building and Coast Guard Utility Building at the Queen Street Wharf (PID#335158), as presented to Heritage Board, be approved.

CARRIED 8-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the application for a projecting sign to be located at 92 Queen Street (PID#339200), as presented to Heritage Board and with the signing of an Encroachment Agreement, be approved.

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 the application for renovations to 164 Sydney Street, (PID# 336933,) as per N46 drawings dated January 27, 2011 and as presented to Heritage Board, be approved.

CARRIED 8-0

8. Economic Development & Tourism – Councillor Jason Coady

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

3rd reading of "Tourism Accommodation Levy Bylaw"

To amend Section 3.1 by increasing the accommodation levy from two percent (2%) to three percent (3%) effective June 01, 2011.

Moved by Councillor Jason Coady
Seconded by Councillor Edward Rice

RESOLVED:

That the "Tourism Accommodation Levy Bylaw" be read a third time and that the Bylaw do now pass.

CARRIED 8-0

9. Human Resources, Pension & Administration – Councillor Danny Redmond

Councillor Redmond indicated his Committee's report was included in the weekend package. He acknowledged recent hirings of J.D. Gallant, Kristi MacKay, Phil Miller and Justin Young as Police Constables and Jill Stewart as Administrative Assistant for Mayor and Council.

Moved by Councillor Danny Redmond
Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown ratify and adopt the attached Collective Agreement between the City of Charlottetown and CUPE Local Union 830 (Utility) for the period of January 1, 2010 until December 31, 2012.

CARRIED 8-0

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

Deputy Mayor MacFadyen indicated his Committee's report was included in the weekend package. He advised the recent Scotties Tournament of Hearts had generated an estimated \$15 million in economic spinoff in the City and the Tournament had the highest television viewing in its 25-year history. He also reminded members that the official launch of the 2011 Cultural Capital of Canada programs would coincide with the opening of the East Coast Music Awards (ECMA) on April 14.

In light of the ongoing discussions with the Dallas Stars, a question was raised regarding the possibility of bringing in another team for an exhibition game. The Committee will take this suggestion under consideration.

11. Intergovernmental Affairs, Transit & Communications – Councillor Mitchell Tweel

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

Appreciation was expressed for the inclusion of funds in this year's budget to resolve the accessibility issue on the transit buses.

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

Councillor Villard indicated his Committee's report was included in the weekend package. He thanked all involved with the preparation of the budget.

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

RESOLVED:

That the City of Charlottetown enter into the attached Loan Agreement with Canada Mortgage and Housing Corporation of 700 Montreal Road, Ottawa, Ontario.

This loan is to finance the \$8,513,324 in capital works undertaken by the City of Charlottetown in 2010 as are more particularly described in Schedule A to the attached Loan Agreement and the loan will be repaid over a 20 year non-renewable term with an interest rate of 4.12%.

The Mayor and CAO are hereby authorized to execute the Loan Agreement and any such other necessarily incidental documents as may be necessary to implement this Resolution.

CARRIED 8-0

13. New Business

**Moved by Councillor Jason Coady
Seconded by Councillor Edward Rice**

RESOLVED:

That the appointment of Barbara Bovaird and the reappointment of B J Sandiford to the Board of Directors for Ars Longa Inc, Board responsible for the management of the Arts Guild, as nominated by His Worship Mayor Clifford Lee, be approved.

CARRIED 8-0

**Moved by Councillor Jason Coady
Seconded by Councillor Edward Rice**

RESOLVED:

That the appointment of Councillor David MacDonald as the City representative on the Federation of PEI Municipalities, as nominated by His Worship Mayor Clifford Lee, be approved.

CARRIED 8-0

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

RESOLVED:

That the City of Charlottetown representatives on the Capital Area Recreation Inc (CARI) Board for the term 2011 – 2014, as nominated by His Worship Mayor Clifford Lee, be as follows:

Allan Stewart, Chair (reappointed)
Donna Profit (reappointed)
Dave Hilchey
Sue Hendricken (reappointed)

CARRIED 8-0

Meeting adjourned at 7:40 PM.