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**PLANNING BOARD AGENDA  
NOTICE OF MEETING**

*Monday, March 02, 2020 at 4:30 p.m.  
Council Chambers, 2nd Floor, City Hall, (199 Queen Street)*

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- 1. Call to Order**
- 2. Declaration of Conflicts**
- 3. Approval of Agenda** – Approval of Agenda for Monday, March 02, 2020
- 4. Adoption of Minutes** - Minutes of Planning Board Meeting on Monday, February 03, 2020
- 5. Business arising from Minutes**
- 6. Reports:**
  - a) Rezoning**
    1. 9 Pine Drive (PID #393322) Laurel  
Request to rezone the subject property from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone in order to consolidate with 13 Pine Drive (PID #393314) in order to construct a 41-unit apartment building with underground parking.
    2. 178 Lower Malpeque Road (PID #'s444687, 388439 7 388389) Laurel  
Request to rezone the subject property from the Single-Detached Residential (R-1S) Zone to the Highway Commercial Zone (C-2) Zone and amend Appendix “A” the Official Land Use Map from Low Density residential to Commercial in order to develop a commercial shopping centre.
  - b) Variances**
    3. 132 St. Peters Road (PID #278168) Greg  
Request to increase the maximum building height from 49.2 ft to approximately 59.0 ft in order to construct a 38-unit apartment dwelling
    4. 152 King Street (PID #336024) Greg  
Request for six (6) variances in order to construct a 4-unit apartment dwelling.
    5. 197 Minna Jane Drive (PID #469841) Greg  
Request to decrease the required lot area from 146,179 sq ft to approximately 91,469 sq ft in order to construct a 97-unit apartment dwelling.
  - c) Other Business**
    6. 550 University Avenue (PID #373126) Greg  
Request for a site specific exemption in order to allow a 9-storey (35.0 m) residence to be constructed which exceeds the maximum building height in the Institutional Zone.



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7. Amendments to the Zoning & Development By-law (Bylaw PH-ZD.3) *Robert*

Proposed amendments to the Zoning & Development Bylaw pertaining to decrease the minimum lot size area for a Garden Suite to 0.30 acre, permit Mobile Canteens to start operations in April, creation of a Manufactured Housing Residential (MHR) Zone, insert Dormitory into the Institutional (I) as a permitted use, insert Storage Facility into the Light (M1), Heavy (M2), Business Park (M3) Industrial Zone(s), Parking Space Standards, adding Dormitory and Storage Facility to Appendix A: Definitions.

**7. Introduction of New Business**

**8. Adjournment of Public Session**

*Winter/Storm Day Reminder: In case of office closure on Monday, March 02, 2020, the new meeting schedule will be on Tuesday, March 03, 2020 at 4:00 pm. Thank you!*

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES  
MONDAY, FEBRUARY 03, 2020, 4:30 P.M.  
COUNCIL CHAMBERS, 2<sup>nd</sup> FLOOR, CITY HALL**

<b><u>Present:</u></b> <b>Councillor Greg Rivard, Chair</b> <b>Deputy Mayor Jason Coady, Vice-Chair</b> <b>Councillor Bob Doiron</b> <b>Councillor Julie McCabe</b> <b>Bobby Kenny, RM</b> <b>Basil Hambly, RM</b> <b>Kris Fournier, RM</b> <b>Reg MacInnis, RM</b>	<b>Rosemary Herbert, RM</b> <b>Shallyn Murray, RM</b> <b>Alex Forbes, PHM</b> <b>Laurel Palmer Thompson, PII</b> <b>Greg Morrison, PII</b> <b>Robert Zilke, PII</b> <b>Ellen Faye Catane, PH IO/AA</b>
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**Regrets:**    **Mayor Philip Brown**

**1. Call to Order**

Councillor Rivard called the meeting to order at 4:31 pm.

**2. Declaration of Conflicts**

Councillor Rivard asked if there are any conflicts and there being none, moved to the approval of the agenda.

**3. Approval of Agenda**

Moved by Reg MacInnis, RM, and seconded by Bobby Kenny, RM, that the agenda for Monday, February 03, 2020, be approved.

CARRIED

**4. Adoption of Minutes**

Moved by Councillor Julie McCabe and seconded by Shallyn Murray, RM, that the minutes of the meeting held on Monday, January 06, 2020, be approved.

CARRIED

**5. Business arising from Minutes**

There was no business arising from minutes.

**6. 213 Kensington Road (PID #385849)**

This is a request to change the Official Plan designation from Mature Neighbourhood (Single-Detached dwellings in the East Royalty Master Plan) to Medium Density and the Zoning from Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone in order to convert the existing single-detached dwelling located at 213 Kensington Road (PID #385849) into a two-unit (semi-detached) dwellings. Robert Zilke, Planner II, presented the application. See attached report.

The subject property is fairly large in area and surrounded by woods. There is also a buffer between the property and the modular home park. The subject property is currently not serviced with municipal water or sewer services and is currently serviced through the mini-home park. If

this application were to be approved by Council, a condition of that approval would require that the owner satisfy the requirements of Water and Sewer Utility with regards to having full municipal sewer and water services to the property.

The application went through public consultation on January 28, 2020 and at that meeting, no one spoke on behalf of or in opposition to the proposed rezoning. Staff is recommending approval of the application.

Councillor Rivard asked what other types of dwelling are they permitted to build if the property was rezoned to an R-2 zone and the building was eventually torn down. Mr. Zilke responded that they are only permitted to build up to two (2) units. Anything above two units will have to go through the process of rezoning again.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

**Moved by Shallyn Murray, RM, and seconded by Bobby Kenny, RM, that the request to:**

- **Amend Appendix “A” – Future Land Use Map of the Official Plan from Mature Neighbourhood to Medium Density Residential; and**
- **Amend Appendix “G” – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone;**

**for the property located at 213 Kensington Road (PID #385849), in order to convert the existing single-detached dwelling into a two-unit dwelling, be recommended to Council for approval, subject to adhering to the City of Charlottetown Water and Sewer Utility Department Terms and Conditions stated below:**

- **That the owner hire a professional plumber to trace their existing infrastructure services for both water and sewer services and provide this analysis to the Water and Sewer Utility Department for review;**
- **That the owner to make application to the Water and Sewer Utility Department for installation of services. All servicing must comply with the standards and requirements of the Water and Sewer Utility Department for required water and sewer installation. All plans and work are subject to review by the City Water and Sewer Utility Department; and**
- **That prior to a Building Permit being issued to convert the single detached dwelling into a two-unit dwelling that the Water and Sewer Utility Department provide confirmation that the property is fully serviced and in compliance with their standards.**

**CARRIED  
(9-0)**

#### **7. Kensington Road (PID #278895)**

This is a request to rezone the subject properties at Kensington Road (PID #278895) from the Light Industrial (M-1) Zone to the Mixed-Use Corridor (MUC) Zone in order to construct two (2) apartment dwellings. This request also includes a lot consolidation with Lot 19-1 Kensington



Road (PID #278754, PID #278762 & PID #278770). Greg Morrison, Planner II, presented the application. See attached report.

Letters were sent out to residents within 100 meters of the subject property and staff have not received any comment or feedback for or against the proposed rezoning. The application went through public consultation on January 28, 2020 and at the meeting, questions, comments and recommendations were received from residents and Council member. Some of the questions were on parking spaces, visitor parking, buffer between the adjacent industrial zone and property, number and rates of affordable housing units, garbage enclosure locations and drainage concerns. The applicants indicated that there would be a 6ft berm and a 6-8ft fence above it. Council members also recommended that future residents in the area should be made aware of the existing industrial area adjacent to the property and that noise and dust are expected from the activities in the industrial area. There were also concerns on potential increase in traffic along Kensington Road especially along the intersection of Kensington Road and Exhibition Drive. The comments were forwarded to the Police and Public Works Department and Public Works have indicated that should this application be approved, a traffic study would be required. Staff is recommending approval of the application, subject to a development agreement.

Councillor Rivard commented that he is concerned that residential developments are moving closer to the industrial area where aggregates are currently located. Mr. Rivard mentioned that aggregate is an important business for the City and the City needs to be careful and respectful of the existing industrial uses in the area as new residential developments are being proposed by providing significant buffers between industrial and residential areas. Mr. Morrison responded that the report states that, "Industrial uses are permitted in the area and they are permitted to continue and are not required to move or reduce their operation due to the construction of a residential apartment dwelling. The applicants need to ensure that the residents are made aware of potential conflicts with dust and noise from adjacent properties that may negatively affect the proposed resident development."

Rosemary Herbert, RM, asked if there are any greenspaces available especially for families with children. Mr. Morrison responded that the development requires at least 10% of green space and the greens spaces would be located in front, sides and back of the property. The green space is very minimal but it would be meeting the requirements of the bylaw. Councillor Rivard also added that there is a park land close to the property as well.

Shallyn Murray, RM, asked if all the buildings will be built all at the same time and Mr. Morrison responded that the first building is currently being constructed and the other two buildings may or may not be built at the same time. Steve Jackson, applicant, responded that the first building is at the foundation phase and depending on the clients, it is still early to determine whether the both buildings will be constructed at the same time or if it will be built one at a time.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

**Moved by Kris Fournier, RM, and seconded by Reg MacInnis, RM, that the request to:**

- Amend Appendix “A” – Future Land Use Map of the Official Plan from Industrial to Commercial for the properties located at Kensington Road (PID #278895);
- Amend Appendix “G” – Zoning Map of the Zoning & Development By-law from the Light Industrial (M-1) Zone to the Mixed-Use Corridor (MUC) Zone for the properties located at Kensington Road (PID #278895); and
- Consolidate the properties located at Kensington Road (PID #278895) with Lot 19-1 Kensington Road consisting of PID #s 278754, 278762 and 278770,

be recommended to Council for approval, subject to the applicant entering into a Development Agreement that includes:

- A traffic study for the proposed development that includes traffic impacts in front of this development and how it will impact the nearby signalized intersections and Spring Lane;
- A design review approval due to the fact that the development contains affordable housing;
- The requirements for a land use buffer (berm & fence) along the northern and eastern boundary lines abutting adjacent industrial uses;
- The requirements for a land use buffer (fence only) along the southern boundary line abutting adjacent industrial uses; and
- The requirements for screened trash storage and handling areas on the property.

**CARRIED  
(9-0)**

#### **8. 9 Pine Drive (PID #393322)**

This is a request to amend Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential, amend Appendix “G” – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and consolidate 9 Pine Drive (PID #393322) with 11-13 Pine Drive (PID #393314) in order to construct a 41-unit apartment dwelling on the consolidated property. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

This application was to go before the board in October of 2019 but the applicant asked at that time that their application be postponed prior to the October Planning Board meeting to allow them to make changes to their application. The applicant has requested it proceed this month to the board but the only changes made to the proposal was by adjusting the side yard setbacks from 10’-6” to 14’-10” to meet the current bylaws.

Both the single detached dwelling at 9 Pine Drive and the existing 5-unit apartment dwelling at 11-13 Pine Drive (PID #393314) would be demolished and a 41-unit apartment dwelling constructed in its place. The property is located along Pine Drive between Blythe Crescent and MacMillan Crescent. With the exception of 11-13 Pine Drive, all other properties in this residential neighborhood is zoned Single-Detached Residential (R-1L) or Low Density Residential Single (R-2S) Zone. The neighbourhood consists of 1 and 2 unit dwellings.

Similar applications for this property have been before the board on various occasions. An application for this property was originally before the board in March of 2012 for a 24-unit apartment building and again on March of 2013 for a request to rezone to CDA for a townhouse development. The CDA amendment was for both properties while the application in 2012 was to construct the 24-unit apartment building on the existing R-3 lot. An application was also submitted to the Planning Department in 2016 to construct a 27-unit apartment building on the R-3 lot.

Although the previous apartment building proposals were considered as-of-right development, there were concerns about the bulk, mass and scale of a 3-story apartment building in relation to the streetscape. In 2012, the project was advanced to a public meeting and there was a great deal of opposition and concerns from the public. In response to the public's concerns, the developer redesigned his project to a two-storey townhouse development that was more appropriate in scale for the neighbourhood. A traffic study was also completed by the developer at that time to address the neighbourhood's concerns. On June 11, 2013, the concept plan and architectural renderings for the proposed townhouse development was advanced to a public meeting and presented to Council and the public. In 2013, Planning Board recommended for approval of the townhouse application but the developer withdrew his application for a townhouse development prior to it advancing to Council.

In 2016, the developer submitted an application to construct a 27-unit apartment building. However, staff refused to issue a building permit because they felt it was out of scale for surrounding neighbourhood. The applicant appealed staff's decision to IRAC to refuse a building permit. They also subsequently applied for a reconsideration of the Development Officer's decision to Council and were denied a permit for a 27-unit apartment building by City Council. The developer then continued their appeal with the Island Regulatory and Appeals Commission (IRAC) and the appeal was denied with the City's original decision being upheld. IRAC agreed with the City's not to issue a building permit for a 27-unit apartment building as the bulk, scale and mass of the development was not in keeping with the surrounding neighbourhood. Excerpts from the transcript of the IRAC ruling were included within the October 2019 Planning Board Report.

The Official Plan supports infill development within existing neighbourhoods. However, it also clearly states that infill development must be at a scale and density that would not cause adverse impacts to adjoining neighbours. The applicants are trying to address the streetscape by having a T-shaped structure where the front portion of the building is lower rise and smaller in scale and the larger portion of the building is set back so it is not as visible from the street. It is staff's opinion that this design does not achieve a suitable mass or scale for an infill development in this existing neighbourhood. A means of achieving an appropriate scale would be to design a building or buildings that are lower rise and have design features that fit into the existing streetscape and neighbourhood. Moderately higher densities are encouraged as infill within established neighbourhoods but they must be designed so that they are an appropriate scale and density that do not cause impacts to existing residents.

The Official Plan supports mixed forms of housing within existing neighbourhoods to allow for housing choices. Housing choices within neighbourhoods are important as they provide housing options for people at various stages of their lives. However, it clearly states that new development must be physically related to its surroundings and that there should be an appropriate relationship between height and density for new development in existing neighbourhoods. It is not clear why this property was rezoned to R-3, but it is staff's interpretation that the original rezoning may have occurred at amalgamation as a part of an overall Zoning Bylaw review process. This process did not require adjacent property owners to be notified of a zoning change. Prior to the zoning change the property would have been deemed legal non-conforming. The intent for the zone change may have been to allow the 5-unit apartment building to become conforming.

Regardless, the IRAC ruling determined that whatever is approved on this property must be compatible in bulk, scale and mass with other buildings in this low density neighbourhood. If the bulk and scale of a 27-unit apartment building was deemed by IRAC to be too large on the existing R-3 property, it is staff's opinion that a 41-unit apartment building that requires another property to be spot rezoned from R-1 to R-3 would be significantly out of context for this area. Staff is recommending that Planning Board reject the request to proceed to a public hearing.

Councillor Julie McCabe mentioned that there are a number of applications related to the application and asked if the townhouse development proposal was supported by staff. Ms. Thompson responded that staff supported the request for a 19-unit townhouse development that was proposed to be constructed on the both properties under the CDA zone. That proposal would have required a development agreement to assure the neighbours that what was presented at the public meeting is what would be built on the property. Ms. Thompson mentioned that she is not aware as to why the developers decided to withdraw the application and come back with another application for an apartment building. The applicants are here and may be able to provide more details about why they withdrew their town house proposal. Councillor Rivard asked if the townhouse development application was voted on by Council and Ms. Thompson answered that it did not advance to Council since it was withdrawn prior the scheduled Council meeting.

Cain Arsenault, developer, answered the question as to why the townhouse development was withdrawn. Mr. Arsenault mentioned that the townhouse project was originally suggested by Planning but the developers are going to lose money if they went ahead with the proposed development. It is a numbers game and density is king.

Mr. Arsenault presented details of the proposed development. Pine Heights is a 41-unit, upscale seniors' friendly housing development in the neighborhood of Sherwood, planned for the aging community who have raised their family in this area and consider it home. Sherwood is well known for its green space, churches, schools and proximity to shopping but lacks the type of quality housing these seniors are looking for that enables them to stay in their community. With an abundance of amenities, underground parking, quality finishes and harmonious exterior materials, Pine Heights is sure to fill this void for seniors and the aging community. It is the perfect catalyst to begin revitalizing an otherwise aging and dormant neighborhood.

The site is located close to Mount Edward Road, Brackley Point Road, Maple Ave and Pine Drive which are considered collector roads. The site is also close to many amenities throughout the area and considered to be a walkable neighbourhood.

The request is to rezone the R-1 lot to R-3 and consolidate it with the existing R-3 land adjacent to allow for more density than the original 27 units that was proposed. The property would be allowed a total of 45 units but the proposal is only for 41 units. The proposed building is set back significantly from the street from what is permitted. The proposed building would be three storeys at the front and stepping back to four storeys behind. There would be a significant landscaped area in the front and along the sides of the property. There will be two access entering and exiting the building, one and two bedroom units and parking will be underground parking. Mr. Arsenault also presented other projects in established low density residential neighbourhoods in Charlottetown along Falconwood Drive, Harley Street, Green Street and Goodwill Avenue. Mr. Arsenault summarized the project's facts and benefits before opening up the floor for questions.

Councillor Rivard commented that he liked the concept of the senior friendly type of housing in the community. He said when planning was done in East Royalty the master plan in that area of the City allowed for multi-unit density in specific areas. Councillor Rivard supports the idea that when residents decide to downsize and sell their property, they would still want to stay within their neighbourhood but the concern is on the density of the current application. The application a few years ago was for a 24 unit which is almost half the size of the current proposal at 41. The applicant appealed to IRAC who eventually supported staff's decision to refuse issuing a building permit because the building did not fit the bulk and scale of the neighbourhood. Mr. Arsenault responded that there are lots of changes with the proposal. The original proposal had the building oriented right up to the street but the current proposal would see it further back on the property which can be achieved with the larger parcel of land. There would be significant cost to the project's current design. The building could go up to 45 units but it will bring the building closer to the street for which the developers are compromising on. Mr. Arsenault felt that this is a totally different proposal from the previous applications.

Councillor Rivard added that he just wanted to point out the concerns of the scale being bigger than what was originally proposed and was turned down by staff and the decision was upheld by IRAC at that time and Mr. Arsenault noted that he totally understood and commented that the City did not have the vacancy rate back then as well.

One of the residents at the meeting asked if she could ask a question and Councillor Rivard responded that residents are usually allowed to ask questions or give their comments at the Public Meeting. Councillor Rivard explained that if the application is approved to proceed to a public meeting then residents would have an opportunity to speak at the public meeting. The resident clarified though, that staff is recommending that this do not proceed to a public meeting and Councillor Rivard confirmed.

Rosemary Herbert, RM, asked how many public meetings did the property go through and what was the reaction of the public. Ms. Thompson responded that there were two public meetings,

one for the apartment building and the other for the townhouse dwelling. The third application for the 27-unit apartment building was rejected to advance to a public meeting. For the first public meeting, the application did not receive positive feedback from the residents. The second public meeting which was for the townhouse was received more positively. Staff was working with the developer to determine a project that was more appropriate for the neighbourhood in order to balance the developer's rights and the neighbourhood rights.

Bobby Kenny, RM, commended Mr. Arsenault for the presentation and mentioned that the project talked about feasibility. Mr. Kenny then asked if Mr. Arsenault felt that the project had to be this large to make it feasible and Mr. Arsenault confirmed. Mr. Kenny asked if there could be anything more or less than the proposed development and Mr. Arsenault said no, not with the quality of the proposed project. Mr. Arsenault added that the underground parking would not be cheap and would add a significant cost to the development. What the developer felt would be the expectations of the future tenants would be very high so it will require a higher cost to meet those expectations without compromising the area. It will be considered upper scale development for potential retirement homes.

Basil Hamly, RM, asked if all the units are going to be apartment units or would it have condos and Mr. Arsenault confirmed that these are all one and two-bedroom apartment units.

*Councillor Bob Doiron commented that he has two properties along Pine Drive and would declare himself in conflict with the application and has stepped out for the motion/vote.*

Rosemary Herbert, RM, asked what would be the benefits to the application if it was approved or rejected to proceed to a public consultation. Councillor Rivard responded that if the application advanced to a public meeting, the public would have an opportunity to provide comments or feedback. On the negative side, if the board already knew that the public is not interested in this application, then residents would voice their opinion or opposition to the proposed application. At this point, this will be a recommendation to Council who will provide a decision to send it to a public meeting or not.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

*Moved by Councillor Shallyn Murray, RM, and seconded by Reg MacInnis, RM, that the request to:*

- Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential;*
- Amend Appendix "G" – Zoning Map of the Zoning and Development Bylaw from the Single-Detached Residential (R-1L) to Zone to the Medium Density Residential (R-3) Zone; and*
- Consolidate 9 Pine Drive (PID #393322) with 13 Pine Drive (PID #393314);*

*for the property located at 9 Pine Drive (PID #393322), in order to construct a 41-unit apartment dwelling on the consolidated property, be recommended to Council to reject the request to proceed to public consultation.*

*MOTION LOST  
(3-5)*

*Councillor J. McCabe, K. Fournier, B. Hambly, R. Herbert and B. Kenny opposed*

**Moved by Rosemary Herbert, RM, and seconded by Bobby Kenny, RM, that the request to:**

- **Amend Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential;**
- **Amend Appendix “G” – Zoning Map of the Zoning and Development Bylaw from the Single-Detached Residential (R-1L) to Zone to the Medium Density Residential (R-3) Zone; and**
- **Consolidate 9 Pine Drive (PID #393322) with 11-13 Pine Drive (PID #393314);**

**for property located at 9 Pine Drive (PID #393322), in order to construct a 41-unit apartment dwelling on the consolidate property, be recommended to Council to approve the request to proceed to public consultation.**

**CARRIED  
(5-3)**

*Deputy Mayor J. Coady, R. MacInnis and S. Murray opposed*

*Ms. Herbert commented that this property has had two public meetings already for the proposed developments in the past but noted that if the City doesn't hear from the public for this application, then how will the board know what the residents' thoughts are. Ms. Herbert asked if there should be another consultation again. Councillor Rivard responded that he cannot vote on this application but his personal opinion is that public meeting should be almost as-of-right to give the applicant an opportunity to speak to the public and the public to address their concerns before Council decides on the application. There are advantages and disadvantages to any type of application.*

**9. 152 King Street (PID #336024) and a portion of 21-23 Prince Street (PID #336008)**

This is a request to consolidate the vacant lot at 152 King Street (PID #336024) with a portion of 21-23 Prince Street (PID #336008). Both properties are located in the Downtown Neighborhood (DN) Zone and 21-23 Prince Street (PID #336008) is a Designated Heritage Resource. Greg Morrison, Planner II, presented the application. See attached report.

The purpose of the lot consolidation is to construct a residential apartment building on 152 King Street (PID # 336008). Variances may be required for the construction of the building depending on the number of proposed dwelling units and the proposed setbacks.

Since the application involves a designated heritage resource on 21-23 Prince Street, the application to subdivide the property was reviewed by the Heritage Board on January 27, 2020. At the meeting, the subdivision application was approved, subject to the proposed development meeting at 152 King Street to go through the Design Review Process and meet all other Planning requirements.

According to the Bylaw, any consolidations that are not R-1 or R-2 are required to go through Planning Board and Council for approval. Consolidations of this property would ensure that any development on 152 King Street has to go through the Design Review Process to ensure conformance with the 500 Lot Design Standards and Guidelines. Staff is recommending approval of the consolidation subject to a final pinned survey and any future development would require design review.

Mr. Morrison presented the conceptual drawings for the vacant lot. There is additional work to be done on the design. One of the concerns raised at the Heritage Board meeting was regarding the number of garage doors on the front of the building. The applicants are proposing five units at this time but the plans are conceptual at this time. Again, any development would require design review and potentially some variances.

Shallyn Murray, RM, asked if the building on 21-23 Prince Street stays as is and Mr. Morrison responded that since the property line is going to be closer to the property and the fire escape at the back may have to be redesigned. Ms. Murray also asked where the new building backs out on and Mr. Morrison responded that it will back out onto King Street.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

**Moved by Councillor Julie McCabe and seconded by Kris Fournier, RM, that the request to consolidate the vacant lot at 152 King Street (PID #336024) with a portion of 21-23 Prince Street (PID #336008) in order to construct a residential apartment building at 152 King Street, be recommended to Council for approval, subject to:**

- **A pinned final survey plan;**
- **A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels; and**
- **Design Review approval for any new construction on 152 King Street (PID #336024).**

**CARRIED  
(9-0)**

**10. New Business**

There are no new businesses discussed.

**11. Adjournment of Public Session**

**Moved by Councillor Julie McCabe and seconded by Reg MacInnis, RM, that the meeting be adjourned. The meeting was adjourned at 5:19 p.m.**

**CARRIED**

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**Councillor Greg Rivard, Chair**





**Public Meeting of Council  
Tuesday, February 25, 2020, 7:00 PM  
Provinces Room, Rodd Charlottetown Hotel  
75 Kent Street**

**Mayor Philip Brown presiding**

**Present:**

**Councillor Greg Rivard  
Councillor Mike Duffy  
Councillor Kevin Ramsay  
Councillor Julie McCabe**

**Councillor Terry MacLeod  
Councillor Alanna Jankov  
Councillor Mitchell Tweel**

**Also:**

**Alex Forbes, PHM  
Laurel Palmer Thompson, PII  
Ellen Faye Ganga, PH IO/AA**

**Bobby Kenny, RM  
Basil Hambly, RM  
Rosemary Herbert, RM  
Shallyn Murray, RM  
Reg MacInnis, RM**

**Regrets:**

**Deputy Mayor Jason Coady  
Councillor Terry Bernard  
*Councillor Robert Doiron  
(declared conflict)***

**Greg Morrison, PII  
Robert Zilke, PII**

**1. Call to Order**

Mayor Brown called the meeting to order at 7:00 p.m.

**2. Declarations of Conflict of Interest**

There were no declarations of conflict.

**3. Approval of Agenda**

Mayor Brown opened the meeting, explained the purpose of the meeting and turned the meeting over to Councillor Rivard, Chair of Planning Board, who explained the Public Meeting process and then proceeded to introduce the application.

This a request to rezone the subject property from a Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and to amend the Official Plan from Low Density Residential to Medium Density Residential in order to consolidate with 11-13 Pine Drive and construct a 41-unit apartment building with underground parking. Cain Arsenault of APM, developers for Pinecone Holdings, presented the application.

#### **4. 9 Pine Drive (PID #393322)**

Mr. Arsenault is hoping that the third time is a charm for this application. The project is known as Pine Heights. It is a 41-unit upscale senior's friendly housing with underground parking in Sherwood planned for the ageing community who have raised their families in the area. Sherwood is known for green space, churches, schools, proximity to shopping but lacks the type of quality housing these seniors are looking for that enables them to stay in their community. With an abundance of amenities, underground parking, quality finishes and harmonious exterior materials, Pine Heights is sure to fill this void for seniors and the ageing community. It is the perfect catalyst to begin revitalizing an otherwise aging and dormant neighborhood. Mr. Arsenault presented the location of the proposed development.

The property backs into some green space owned by the City. Mr. Arsenault presented the site plan from the previous proposal which he agreed that it was obtrusive to the neighbours. Mr. Arsenault hopes that this proposal will mitigate those concerns. The property is set back farther from the street compared to the previous proposal. The applicants are proposing a three storey building contrary to the media indicating that there are two buildings on the property. There would only be one building with a common entrance between the front and the back of the building with a four storey massing. There will be considerable landscaping to buffer the development from the adjoining development. There will be two accesses to the property. The applicants are also considering and suggesting to convey the landscape area at the front to the City as a kind gesture if the community wanted to build a public plaza.

The proposed development will be high quality finishes and not look obtrusive about the property. There will be a variety of one and two bedroom units, common areas, community rooms, fitness room and underground parking with garbage facility within the building. Mr. Arsenault also presented other proposals in other established neighborhoods such as Falconwood Drive, Harley Street and Green Street.

Mr. Arsenault also presented some of the project's facts and benefits: Contributes to the cities alarming vacancy rate and provides more housing choices in the area thus increasing property values; Fills the void of limited seniors quality housing in the area; Reduces the need for further sub-urban sprawl which has an adverse effect on our environment and traffic patterns. Mr. Arsenault addressed the additional traffic on to the arterial streets and felt that if the project does not move forward, it would create more traffic. Mr. Arsenault explained that if infill projects are not approved in these areas, it encourages more growth outside of the city and other rural areas which would

double the number of cars driven by residents living outside the city. Mr. Arsenault felt **that traffic won't be an issue** with the proposed development; Lowers infrastructure costs by **increasing the area's tax base. Mr. Arsenault added this proposed development** will not require new infrastructure and the taxes that the developers pay provide stability for infrastructure; Close to parks, schools, churches, health care and shopping; A major setback from the street, considerable landscaping and a stepped roof all disguise the scale of the building from the street. Mr. Arsenault hoped that they did the best they can to disguise the scale of this. They are also working with the City to create an area out front for the community; Exterior materials and styling harmonious to the neighbourhood; Has underground Parking and dual access points from the street; Located on the periphery of Sherwood away from more established and quiet streets; and City owned property directly behind the development also ensures no negative impact to the area.

Mr. Arsenault also presented the densification facts and benefits, not just for this specific project but for projects in general: Provides more housing choices and affordability; Helps create walkable neighbourhood; Relieves traffic congestion within the City; Stabilizes infrastructure costs and helps protect the environment. With very little to no land available within the city, it is more important now than ever to take advantage of these limited opportunities, which not only enrich our city but also mitigates the pressure of rising housing costs and challenging suburban growth. Stop being afraid of what could go wrong and start being excited about what could happen. Mr. Arsenault ended his presentation by thanking the residents for attending the meeting and hope and feel that the developers are able to come up with a compromise that will benefit the neighbourhood.

Peter Poirier, resident, commented that when you say there is a need, with the old miniature golf area being developed with a new 81-unit building and Mr. Banks announcing that the whole west side of Mount Edward Road will have 300 more units, and in the next year or so, the tight rental market will be eased up. Mr. Poirier **mentioned that he doesn't understand the need for a 41-unit building** in the middle of a residential area. Mr. Poirier took offense when Mr. Arsenault called the neighbourhood ageing and dormant. Mr. Poirier indicated that he and the neighbourhood take pride in **their houses. The property is a beautiful property. Mr. Poirier asked why can't the** developer funnel the traffic to Mount Edward Road instead of driving to Pine Drive and turn left or right which he considered as a blind hill. Mr. Poirier felt that the traffic **issues were considered and doesn't believe that it would only be the 40 vehicles but will** continue to increase the traffic on Pine Drive.

Mr. Arsenault responded to the concerns on the access to Mount Edward Road (panhandle type of driveway). Utilizing that would mean pushing the building closer towards the street. To mitigate the scale, the building has been step back and created more green space to the front of the property. In terms of ageing and the vacancy rate, urban sprawl has been encouraged. This is revitalizing the inner portion of the City. Mr.

Arsenault that this is a unique situation and there will be no harm on the property values and could increase it by stimulating growth in the area. To provide the quality of development, there is extensive capital associated with the project. And in order to mitigate that, additional density and units would allow this project to work. Mr. Arsenault also noted that the reason why the townhouses were not pursued at the time was because of the capital cost and the developers would not be successful with the project.

Hara Kempton, resident, commented that almost all the slides were the front view of the **three storey building. It doesn't provide a lot of information that focuses on the four storey building** which she felt was a little deceptive. Mr. Arsenault commented that it was the point of the presentation. Ms. Kempton asked if Mr. Arsenault has slides to show the side of the building to show the actual height compared to the other buildings in the area. Mr. Arsenault responded that there are no slides to show that. Ms. Kempton added that providing that would be more honest of Mr. Arsenault to present. For the other successful projects that were mentioned, she noted that they are all three or three and a half basement and that none of them are four storeys. Mr. Arsenault confirmed. Ms. Kempton indicated that while Mr. Arsenault mentioned that those are comparable and successful project, those samples are shorter than the proposed project. Ms. Kempton stated that there is dishonesty on that note and asked what their definition of success for the other projects, if it is successful for the developer or the community. Mr. Arsenault responded that it would be for both. Ms. Kempton also added that their definition of success is for APM and not about the community.

Ms. Kempton commented that the property was not intended to be developed and that there was an error on the part of the City and some development with regards to the zoning of the property. **The developers are now trying to develop a property that wasn't** intended to be developed, taking what was a mistake and building on it. Ms. Kempton indicated that the community is not happy. Mr. Arsenault responded that the area was originally intended for single family homes but times change and change could be difficult. Ms. Kempton also suggested that the property be resold to someone who would honour the neighbourhood. Ms. Arsenault responded that the intent was to redevelop it and provide a stimulating project to the neighbourhood. Ms. Kempton commented that it is APM's intent is to develop it and make money and felt like the proposal is to develop a 41-unit dwelling so the neighbourhood would settle for 26 units. Mayor Brown clarified that the proposal is for 41 units and if the proposal changes, it will have to go back and repeat the process again. Mayor Brown also clarified that the zoning of the property was done during the amalgamation and there are other properties in the City that went through the same process again. Ms. **Kempton then asked why can't the City revert** to the previous zone and Mayor Brown indicated that the property is currently zoned R-3.

Ms. Kempton also asked about the size of the land at the front portion that APM would like to donate to the City. Mr. Arsenault responded that it would be a small portion of the property.

Lillian Mead, resident, asked the following questions from her letter that will be submitted to the Planning Department: Will the land be elevated causing runoff on to my property? Will the four storey building have windows overlooking my property? If yes, it would make me feel like a fish in a bowl with no privacy. Is parking allowed next to my property? Ms. Mead also added that she will have to deal with lights, noise and fumes on her property. Will my property be devalued because of the zoning change or the building? What would the extra traffic on an already busy and dangerous street cause? There have been several accidents (including injuries involving dogs/wildlife) on Pine Drive.

Andrea Carr MacNeil, resident of Cornwall, expressed her opposition to the application. Ms. MacNeil and her two brothers have a vested interest in this proposed development. This development was before Council and IRAC three years ago where this application was denied. The developer is now back with a new proposal. Ms. MacNeill requested that this be considered beyond the tax dollars and return of investments at the expense of others. The position of Pine Drive residents since 2017 has not changed. The current proposal is to add 41 units to that street. With 1.5 vehicles per unit, there would be an increase of 60 extra vehicles attempting to access Pine Drive multiple times on a daily basis. There is an elementary school that is in close proximity to Pine Drive. It has become difficult to turn left on to Mt Edward Rd from Pine Drive. Traffic has been an issue raised with the smaller development proposed three years ago. Even if the developer has acquired an additional parcel of land, the traffic **issue won't go away. It** would even double the potential traffic impacts. The traffic impact alone raises the question of why the development has gotten this far. Ms. MacNeil also shared her opinion that with a development this size, there will be potential issues with excess parking, noise, snow clearing removal, garbage storage, residual odours and light pollution. Ms. MacNeil also mentioned that the developers spoke about addressing apartment inventories and asked if this development is an affordable housing project that working class can afford or would it be high end apartments. Ms. MacNeil also mentioned that the developers also suggested that it is geared towards accessible **quality seniors' housing and asked what the range of rentals would be.** She also added that accessible would mean that seniors with fixed incomes can afford to live there. Ms. MacNeil also commented that property values would diminish if a 41 unit apartment building is built in a very well established neighbourhood. Regardless if the additional **parcel of land is purchased by the developer, it doesn't suit the streetscape** or the community and should be rejected by Council. Ms. MacNeil mentioned that she trusts and asks Council to think long and hard about their decision as it will have a lasting effect on the neighbourhood. You are the stewards of this City. Please do not make short sighted, potentially revenue strained decisions that you and future generations will regret.

Councillor Rivard clarified that the application that was rejected three years ago was not voted on by Council. The application at that time was recommended for rejection by Staff and was appealed through IRAC. Council reviewed this application back around 2012 for a townhouse dwelling. However, that application was withdrawn by the applicant before it went to Council for a decision.

Joanne MacRae, resident, commented that the package indicated that there were no letters in opposition and that she received several phone calls from residents who are **unable to attend tonight. Ms. MacRae also asked why their Councillor isn't able to** represent the residents on this application and requested if Councillor Rivard could then represent on his behalf. Mayor Brown confirmed that the planning department received letters but that was after the package has been sent out. There were two letters of opposition and two letters in support as of Tuesday, February 25, 2020. Councillor Rivard explained that Councillor Doiron declared conflict of interest and based on the legal opinion given by the City solicitor as well, it was confirmed that Councillor Doiron is indeed in conflict due to owning properties near the proposed development. Ms. MacRae then asked if Councillor Rivard could be their advocate and Councillor Rivard responded that all of Council could be their advocates.

Ms. MacRae thanked all residents for attending the public meeting to show that they care about the community. Sherwood is a vibrant community. She is one of the holders of the history of the property. On March 3, 2012, a 24-unit apartment building was proposed at 11-13 Pine Drive and the application was rejected by Council. Contrary to the article posted in the Guardian on February 21, 2020, Bevan Enterprises purchased 9 Pine Drive in 2013 and applied for CDA Zoning. Councillor Lantz at the time explained the application at the public meeting for a townhouse development for 9-11-13 Pine Drive. Councillor Lantz also explained that the developer would enter into a development agreement with details of what would be permitted on the property. This development would somehow be more compatible with the neighbourhood compared to an apartment building. The residents were willing to accept it but the developer then withdrew the application.

In 2016, the developer applied for a 27-unit apartment building. The City Council (should be Planning Staff) rejected the application and went to IRAC and IRAC rejected it as well because the bulk, scale and mass of the development was not in keeping with the surrounding neighbourhood.

The Planning Department rejected the 41-unit proposal **because it doesn't meet** identified sections of the Zoning & Development Bylaw. Ms. MacRae also noted several sections in the Bylaw that was not met and cited examples such as - concerns about trees, water runoff, sewage and wildlife; surface water and drainage were not included in the plan; location of water and sewer lines were not shown; traffic. Ms. MacRae noted that if the planning department stated that the bulk and scale of a 27-unit

apartment building was deemed by IRAC to be too large for the existing property zoned R-3, the implication is that a 41-unit apartment building would significantly be out of **context for the area and asked that Planning Board and City Council accept staff's** recommendation to reject the proposal. Ms. MacRae also recommended further that any future development on the property have a written comprehensive development plan that the City can work with and the residents could accept.

Phillip Carr, resident, spoke against the proposed development. There would be negative impacts to residents of Pine Drive and immediate areas. They see this move by the developers as a biased approach to sound, thoughtful consideration of the property they are developing. It is a plan that goes against the streetscape. Most, if not all of the houses are single family dwellings. Mr. Carr cited sections of the bylaw for which this proposal does not align with, such as – parking, appropriate snow removal and surface water drainage, permanent green spaces, harmonious building form and sympathetic overall design compatible with adjacent landscape. Mr. Carr emphasized on bulk, scale and mass and asked if Mr. Arsenault is aware of what scale means. Mr. Carr **noted that the scale doesn't suite the neighbourhood** and most of the residents felt that this is not a good fit for the neighbourhood. Residents are concerned about cars, garbage and snow removal. The neighbouring properties that have had their privacy, will lose that privacy. Even though it is considered to be senior-friendly units, these are still temporary rental units and would all be about money.

Mr. Carr reminded everyone that a 26-unit was proposed three years ago and at that **time, it did not fit the neighbourhood. It doesn't fit** now and how would a 41-unit fit the neighbourhood. It is not fair that the residents get muscled out of their properties **because of profit for the developers. It's all about strategy.** If it **wasn't** a good idea three years ago, why are residents here again. Mr. Carr felt that this is wrong. Council needs to look at this and consider what happened with the density mistake and should not let this happen again. The 41-unit apartment building is unacceptable even if the zone allowed it and would have to note that the zoning that happened during amalgamation was wrong, therefore wanted to make it right this time.

Mayor Brown reminded **everyone that the minutes of tonight's meeting will become** public record and that the Planning Board is scheduled on Monday, March 2, 2020 at 4:30pm and is an open meeting.

Joanne MacRae, resident, requested that residents who took their time to drive to attend the public meeting to send an email to the Planning Department ([planning@charlottetown.ca](mailto:planning@charlottetown.ca)) to voice their opposition or comments. Councillor Rivard reminded everyone that letters should be sent before noon, February 26, 2020.

Mr. Arsenault addressed the concerns raised by residents. With regards to drainage, there will be multiple engineers to design the drainage plan. The issue on property **values going down has also been raised and Mr. Arsenault commented that it couldn't**

be farther from the truth. Mr. Poirier asked how Mr. Arsenault can say that the property values are not going to be affected when the small houses will be overshadowed by the building. Mr. Arsenault responded that such issues do not affect the property values **and talked about the Official Plan and said, "The City will remain secure because of our commitment to sustainable growth which utilizes existing resources and consolidates development". Mr. Arsenault also mentioned that growth should be spread equitably** across the city. The developers have done their best to curb the scale of the development and that they are not going to lie that it is a lot larger than anything in the area but there are going to be benefits to the neighbourhood for flexible types of housing. Mr. Poirier commented that the developers acknowledged the scale of the property being too large. Mr. Poirier **reiterated that the scale doesn't** fit the neighbourhood and requested for Council to listen to the residents and agree that the **scale doesn't fit. Mr. Poirier also shared that he moved to the community of Sherwood** because he believes that it is a community for single family homes and not for apartment buildings.

Sarah Armstrong, resident, commented that it is not so much on the property value that is an issue but is more on the quality of life that concerns her. **You can't just move into** a neighbourhood and take over and expect people to accept it without trying to work with people and listen to what they have to say.

Donna Desroches, resident, mentioned that she lives directly adjacent to the property being developed. The property has been owned by her parents before the streets were even developed. She plans to continue to live there, consider it as her retirement home. Ms. Desroches is concerned about the overshadowing because her property is very close to the proposed development. She felt that it is not right to accept a change as drastic as what is being proposed.

Anna Carr, resident, asked what is the footprint or dimensions of this building and Mr. Arsenault responded that the property is 100 feet from the front property line and meets the setback requirements of the bylaw. The building would be 120 by 125. Mayor Brown asked what the square footage would be and Mr. Arsenault responded that because of the tight form of the front and side, the square footage would be reduced but confirmed that it would be more than 10,000 square feet.

Hara Kempton, resident, talked about sustainability, environmental concerns and green spaces and square footage of the building and other similar developments. Ms. Kempton mentioned that there is very limited community space with those types of developments and would be similar to what is being proposed. She asked if there could be a plan to have more community public spaces around it instead of just the crumb at the front. **People don't want to be** inside the buildings all the time and is not good for the environment as well. There is also a lot of pavement and that is not good for storm water runoff, environment, water usage, etc. There is nothing that looks like a sustainable design in this project or promoting beautification within the city. It looks like



a business not a home. Ms. Kempton if this is something the developers could look at and Mr. Arsenault commented that they can definitely look at the sustainability portion such as providing low flow toilets, LED lighting, etc. Sustainability is more about equitable growth through the city and not pushing development out to East Royalty where more traffic is happening. Mr. Arsenault also felt that there is enough green space provided on the property.

Tammy White, resident, commented about the rentals and while it is great that the developers are creating seniors housing, she felt that the proposed development is not going to be affordable type of housing. Mr. Arsenault corrected Ms. White by saying that the development is not going to be subsidized for affordable housing. It is early to predict the rental rates at this time but this is going to be a higher end type of housing. It's very early planning at this stage hence drainage plans is not provided at this time. However, if this moves forward, all these requirements will be incorporated in the development agreement to mitigate all the concerns raised. Mayor Brown also explained that if an application is an affordable housing, it will be part of the application. This development is considered market value apartment units.

Monty Hennessy, resident, asked how many parking spaces will be provided. Mr. Arsenault responded that the underground parking will be just short of the total number which is why additional parking spaces will be onsite and buffered with landscaping. Mr. Hennessy shared that his mother lives in a senior only complex and their building does not have enough underground parking for the seniors that are there. He felt that the developers are trying to shove something without doing it the proper way. The number of times **that Mr. Arsenault wasn't able to provide the answers to people's** questions is a red light. There are a lot of things that are not resolved yet. Mr. Hennessy talked about the street that runs between Mount Edward Road, Maple Ave and Brackley Point Road. Mr. Hennessy mentioned that the City Council plans to put flashing lights at the corner of Maple and Pine because of the amount of traffic and speeding violations. Adding additional units will not fix the traffic issues. Mr. Hennessy also noted that they have no plans of leaving their property unless their kids drag him down to Whisperwood. Mr. Hennessy also added that he felt insulted and thought that there is a lot of misinformation provided tonight or information that residents did not receive. Mayor Brown reminded the residents of the Planning Board meeting scheduled on Monday, March 2, 2020 at the Parkdale Room.

Mr. Arsenault stated that residents who are looking for statistical information about the project, to include those requests in their email and they are more than willing to provide that information.

Lillian Mead, resident, asked if there are windows on the side of the building directly adjacent to her property. Mr. Arsenault confirmed that there will be windows on that side and people would be able see her property. Ms. Mead strongly indicated that she does not like it and felt like there is no common sense here. She also mentioned about

the suggestion earlier of creating a back alley so that the cars don't go out of Pine Drive. Considering the traffic on Pine, to her side, the lights, privacy on her property, and potential shops, she mentioned that she doesn't like the change.


Anna Carr, resident, mentioned that she sent a letter last night and she got a confirmation that it was received by the Planning Department at 1:46pm on February 25, 2020. Ms. Carr asked if there would be any proof that the emails that will be sent tonight will be acknowledged before noon time tomorrow. Staff confirmed that the email was received. Mayor Brown asked staff if there is any way to acknowledge that their emails were received by the department. Staff confirmed that they will be responding to emails that will be received by the department.

Joanne MacRae, resident, indicated that Terry Myers and Bev Bets, Val Hendrin, Sara Armstrong and Anna Carr sent their emails to the Planning Department and was wondering if they were received. Councillor Rivard noted that Ms. Armstrong sent her email to Councillor Rivard and Councillor Rivard forwarded the email to the planning department. Mayor Brown also noted that staff can double check the emails that were received by Planning Department.

Mayor Brown asked for any further comments; there being none, the meeting proceeded to the next agenda item.

## **5. Adjournment of Public Session**

Moved by Councillor Julie McCabe and seconded by Councillor Greg Rivard, that the meeting be adjourned. Meeting adjourned at 8:15 p.m.

<b>TITLE:</b> <b>REZONING APPLICATION</b> <b>FILE: PLAN-2020-2-MARCH-6A-1</b> <b>9 PINE DRIVE (PID #393322)</b> <b>OWNER: PINE CONE DEVELOPMENTS INC.</b> <b>APPLICANT: APM COMMERCIAL</b>		
<b>MEETING DATE:</b> March 2, 2020		<b>Page 1 of 9</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Site Plan C. Rendering	
<b>SITE INFORMATION:</b> <b>Context:</b> Single-Detached Dwelling in Sherwood <b>Ward No:</b> 6 – Mount Edward <b>Existing Land Use:</b> Single-Detached Dwelling <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Single-Detached Residential (R-1L) Zone		
<b>PREVIOUS APPLICATIONS:</b> See 'Property History' below.		

**RECOMMENDATION FOLLOWING PUBLIC CONSULTATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to reject the request to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential;
2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone; and
3. Consolidate 9 Pine Drive (PID #393322) with 11-13 Pine Drive (PID #393314),

in order to construct a 41-unit apartment dwelling on the consolidate property.

**BACKGROUND:*****Request***

The applicant, APM Commercial, is applying on behalf of the property owner, Pine Cone Developments Inc., to rezone 9 Pine Drive (PID #393322) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone.

The purpose of the rezoning would be to consolidate 9 Pine Drive (PID #393322) with 11-13 Pine Drive (PID #393314), demolish the existing single-detached dwelling at 9 Pine Drive (PID #393322), demolish the existing 5-unit apartment dwelling at 11-13 Pine Drive (PID #393314), in order to construct a 41-unit apartment dwelling.

***Development Context***

The subject property is located along Pine Drive between Mount Edward Road and MacMillan Crescent. With the exception of 11-13 Pine Drive (PID #393314) and City owned Institutional zoned property to the north, all properties in the residential neighborhood are located in the Single-Detached Residential (R-1L) Zone or the Low Density Residential Single (R-2S) Zone and contain one or two unit dwellings.

***Property History***

An application for this property was originally before the Board in March of 2012 and was again before the Board in March of 2013 for a request to CDA Zoning. An application was also submitted to the Planning Department in 2016 to construct a 27-unit apartment building. The developer's original proposal in February 2012 was for a 24-unit apartment building. Although the apartment building proposal was considered as-of-right development, there were concerns about the bulk, character and scale of a 3-story apartment building in relation to the streetscape. The project was advanced to a public meeting and there were concerns from the public. In response to the public's concerns the developer redesigned his project to a two story townhouse development that more appropriately met the character and scale of the neighbourhood. A traffic study was also completed. The concept plan for the proposed townhouse development was advanced to a public meeting on June 11, 2013. In addition to the concept plan the developer provided architectural renderings of the buildings proposed for the site. These renderings were also presented to the public and Council at the public meeting. In 2013 Planning Board recommended for approval of the town house application but the developer withdrew his application for a town house development prior to it advancing to Council. In 2016 the developer submitted an application to construct a 27-unit apartment building however, staff refused to

issue a building permit without going to Planning Board and Council for approval. The applicant appealed the decision of staff to refuse them an as-of-right building permit. The applicant subsequently applied for Reconsideration of the Development Officers decision and was denied a permit for a 27-unit apartment building by City Council. The developer then pursued their appeal with the Island Regulatory and Appeals Commission (IRAC) and the appeal was denied with the City's original decision being upheld. IRAC agreed with the City's decision to not issue a building permit for a 27-unit apartment building as the bulk, scale and mass of the development was not in keeping with the surrounding neighbourhood.

#### **LEGISLATIVE REQUIREMENTS:**

##### ***Notification***

In accordance with Section 3.10 of the Zoning & Development By-law, on February 12, 2020 notice was sent to 25 residents located within 100 meters of the subject property advising them of the request to rezone and the date, time and location of the public meeting. The letter solicited their written comments for or against the proposed rezoning request and stated the deadline to submit written comments on the application. The public notification also included the proposed lot consolidation in the Medium Density Residential (R-3) Zone.

##### ***Public Feedback***

In response to the City's notification letter thirty one (31) letters were received in opposition and eighteen (18) letters were received in support.

The Public meeting was held on February 25, 2020 at the Rodd Charlottetown Hotel. At the public meeting Cain Arsenault from APM the property owner's consultant presented the details of the application including parking, building design, building elevations, building materials and site/landscape design. He also talked about neighbourhood demographics and the need for housing within Sherwood. When Mr. Arsenault finished his presentation residents were invited to ask questions and make comments.

Several residents spoke at the public meeting in opposition to the application (see the minutes from the public meeting, attached).

Comments received in opposition to the development both written and at the public meeting included:

- Concerns about additional traffic on and around Pine Drive.

- Concerns about the mass, scale and density of the building within a low rise low density neighbourhood.
- Concerns regarding sunlight being blocked to adjacent properties.
- Concerns regarding loss of privacy in back yards living next to such a high building.
- Concerns that the building would not be maintained over time.
- Concerns that the building would overpower the street scape.
- Concerns regarding lack of detail in the plans.
- Concerns regarding lack of landscaping and parking.

Comments received in support of the development through written submission.

- The building is in close proximity to schools, shopping and churches.
- The City is in a housing crisis and the development will provide much needed housing for seniors within the city and the neighbourhood.
- The project will bring in tax dollars into the community.

#### **ANALYSIS FOLLOWING PUBLIC CONSULTATION:**

The R-3 portion of this proposal has been the subject of a number of development applications over the last 7 years. In May of 2016 the city refused a building permit for a 27-unit apartment on the existing R-3 zoned property citing a number of reasons why the bulk and scale of that proposed apartment building was inappropriate in a low density neighbourhood. Please see the following transcript in italic and bold from the IRAC ruling below:

***(15) The City presented two witnesses, Laurel Palmer-Thompson and Alex Forbes. Ms. Palmer-Thompson is a professional land use planner and is employed by the City as a planning and development officer. Mr. Forbes is also a professional land use planner and serves as the City's manager of planning and heritage. The testimony of Ms. Palmer-Thompson and Mr. Forbes was presented at the hearing as a panel. It was helpful to the Commission.***

***(16) Ms. Palmer-Thompson has worked with the City's planning department for approximately 13 years. She testified about the two prior applications by Pine Cone for development of the Property. Neither application is the subject of this appeal. This evidence was therefore presented as background information only.***

***(17) Ms. Palmer-Thompson testified that the first application for a 24 unit apartment building was filed in 2012. The application proceeded to a public meeting where concerns were raised about traffic, property values, overpowering adjacent dwellings, and surface***

*water drainage. Letters from concerned residents were also filed with the City. Ms. Palmer-Thompson testified that there was a great deal of public opposition. The application was withdrawn by Pine Cone before the matter could go back to Planning Board for consideration.*

*(18) Ms. Palmer-Thompson testified that the second application was filed in 2013, and it proposed a 19 unit townhouse development for the Property and the adjacent provincial parcel number 393322. This proposal also involved a request to re-zone the Property and provincial parcel number 393322 to the Comprehensive Development Area zone. A public meeting was held. The Planning Board recommended approval of this proposal, contingent on Pine Cone entering into a development agreement with the City. A draft development agreement was then prepared. Pine Cone had questions about the development agreement and requested that the proposal not proceed to Council for consideration.*

*(19) Mr. Forbes has worked with the City for approximately three and a half years. He testified that he took responsibility for Pine Cone's current application, which is the subject of this appeal. Mr. Forbes testified that he met with the principals of Pine Cone, reviewed the application, and discussed the matter with planning staff at the City. He was concerned that the application was in conflict with some of the policies expressed in the Official Plan. Mr. Forbes' letter to Mr. Bevan on June 28, 2016 (Exhibit R1, Vol.3, Tab 105) sets out those concerns.*

*(20) Mr. Forbes referred to section 1.3 of the Official Plan, noting that the Official Plan articulates policies which preserve existing residential low density neighbourhoods and ensures that new residential development is physically related to its surroundings. He also acknowledged section 3.1 of the Official Plan, which encourages efficient compact urban form while sustaining existing character and identity. Mr. Forbes also testified that, pursuant to section 3.2.2 of the Official Plan, moderately higher densities are encouraged so long as such initiatives do not adversely affect existing low density housing. To summarize, Mr. Forbes testified that the Official Plan requires new development to be physically related to its surroundings in order to be harmonious and to maintain the distinct character of the City's neighbourhoods.*

*(21) Mr. Forbes also testified that Pine Cone's proposal conflicts with sections 4.54.4(c), 4.54.6(f), and 4.62.3(a) of the Bylaw. He testified that a development officer at the City may refuse an application if the conditions in the Bylaw are not met. He also noted that the application did not contain a written statement with graphic descriptions that addressed the compatibility and integration of the proposed development with existing adjacent land uses, as required by section 4.62.2(c) of the Bylaw. Mr. Forbes stated that he refused the application on the ground of compatibility. He testified that he was not trying to prevent the exercise of Pine Cone's right to development.*

*.....*

***(58) Ms. Palmer-Thompson's report dated September 6, 2016 (Exhibit R1, Volume 3, Tab 109) also provided an extensive review of the application and the various bases for the original decision made by Mr. Forbes. That report provided, in part, as follows:***

***It is staff's opinion that these policies and objectives reinforce the Planner/Development Officer's rationale for rejecting the application for a building permit for a 27 unit apartment building at this location. It is clear that the Official Plan supports infill development within existing neighbourhoods. However, it also clearly states that infill development must be at a scale and density that would not cause adverse impacts to adjoining neighbours. A means of achieving this would be to design a building or buildings that are lower rise and that fit into the existing streetscape. In other areas of the City such as the 500 Lot area, new infill development is required to go through a design review process. Whereby the proposed design of buildings are reviewed by an independent consultant and the building design, bulk and scale are considered within the environment that it is to be constructed. Although the design review process is not required in this area of the City, the Planner/Development Officer would still apply similar principles when reviewing the site, massing, placement, bulk and scale of a development within an existing neighbourhood.***

***The Official Plan supports mixed forms of housing within existing neighbourhoods to allow for housing choices. Housing choices within neighbourhoods are important as they provide variety for people at various stages of their lives. Notwithstanding, it clearly states that new development must be physically related to its surroundings and that there should be an appropriate relationship between height and density for new development in existing neighbourhoods. "Our Policy shall be to ensure that the footprint, height, massing and setbacks of new residential, commercial, and institutional development in existing neighbourhoods is physically related to its surroundings."***

***Although 11-13 Pine Drive is zoned R-3 and typically an apartment building is considered an as of right use in this zone, an apartment building of this size, bulk, scale and density immediately adjacent to low rise single detached dwellings is not consistent with good planning principles. In respect to the streetscape it would be difficult for a building with this bulk, mass and scale to fit into the surrounding streetscape.  
[emphasis added]***

***(59) Ms. Palmer-Thompson's testimony before the Commission was also consistent with her report to Planning Board.***

***(60) The reasons provided by Mr. Forbes and Ms. Palmer-Thompson must be read together with the minutes of Planning Board and Council. As the Commission explained in Atlantis Health Spa Ltd. v. City of Charlottetown, Order LA12-02 at paragraph 23, "[w]hen Council follows Planning Board's recommendation, it may fairly be said that in so doing, Council is adopting the reasoning and analysis used by Planning Board." That principle is also applicable***



*in this case. When the record is read as a whole, the Commission is satisfied that the City discharged its obligation to provide substantive reasons for its decision to refuse the application filed by Pine Cone.*

*(61) Reconsideration is a strategic decision made by a developer and may, in appropriate circumstances, result in a different outcome. However, reconsideration also provides an opportunity for a municipality to revisit its original decision and address any alleged deficiencies. In this case, Pine Cone decided to request reconsideration and, by doing so, the application was reviewed by a professional planner, Planning Board, and Council. All of this evidence was contained in the record filed before the Commission. No objection was raised by Pine Cone. When that evidence is reviewed and considered, the Commission is satisfied that Planning Board and Council evaluated the application fairly and in accordance with its Bylaw and Official Plan.*

*(62) The law recognizes that, in some cases, a subsequent hearing or reconsideration exercise may remedy or cure procedural defects in the original proceeding. Pine Cone argues that its initial application was required to be placed before Planning Board. The City, on the other hand, stresses that Pine Cone itself wanted a swift "yes" or "no" decision from the City and that, as part of the reconsideration process, the matter did go before both Planning Board and Council. According to the City, the practical effect of this process was to "cure" any procedural irregularity in the treatment of the application. The Commission recognizes that there will be cases where nothing less than full compliance with all procedural requirements at all stages of the development process will satisfy the duty of fairness in certain circumstances. However, in the context of this particular case, and the evidence before the Commission as to the history of this Property and the expectations of Pine Cone regarding this particular application, the Commission is satisfied that the City considered the proposal from Pine Cone in a fair and reasonable manner. After an independent review of all the surrounding circumstances, the Commission has decided not to interfere with the decision made by the City.*

*(63) For these reasons, the appeals are denied and the City's decisions on June 28, 2016 and September 12, 2016, which denied the application by Pine Cone for a building permit for the Property, are hereby confirmed.*

Staff would note that the property zoned R-3 has had a complicated history with regard to how it was applied to this property. Prior to the application of the R-3 zoning, the property was deemed legal non-conforming because it contained a 5-unit apartment building in the R-2 zone. This property was rezoned as a part of an overall Zoning By-law review process which did not require adjacent property owners to be notified of a zoning change. It is hard to determine after the fact the rationale for changing the zoning on this property from R-2 to R-3 residential. The intent may have been to allow the 5-unit apartment building to become conforming. Staff could not find a

rationale in our records for why the property was up zoned. Regardless, the IRAC ruling determined that whatever is approved on this property must be compatible with regard to bulk, mass and scale of any building in relation to the low density neighbours.

In this particular proposal the developers have indicated that they have attempted to hide the mass and scale of the proposed 41 unit apartment building by consolidating both 9 and 11&13 Pine Drive together to form a larger parcel. The current proposal has an increased front yard setback with a 3 story building in front stepping back to a 4 story building. There is also additional landscaping on the property than was proposed for the previous applications. The applicant indicated at the public meeting that the front portion of the property would be landscaped and could be given to the City as a public space. This parcel of land is not large enough for any form of parkland and it is unlikely that Parks and Recreation would accept such a piece of property. In addition it is likely this piece of property is needed for the development to meet the frontage requirement in the Bylaw.

Although an attempt has been made on behalf of the property owner to disguise the bulk, mass and scale of the proposed apartment building by setting it farther back on the property, providing underground parking and additional landscaping. However, the fact remains that if the bulk, mass and scale of a 27-unit apartment building was deemed by IRAC to be too large on the existing property zoned R-3, the implication is that a 41-unit apartment building (that requires another property to be rezoned from R-1L to R-3) would be significantly out of context for this area. As a result, staff is suggesting that Planning Board reject the request to rezone the subject property and reject the request to consolidate 9 Pine Drive with 11 & 13 Pine Drive.

Below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>Higher density using existing underground services to its fullest practical capacity.</li> <li>New residential development near a centre of employment.</li> <li>New housing in a fully</li> </ul>		<ul style="list-style-type: none"> <li>The proposed apartment building has the potential to negatively impact the existing adjacent low density housing.</li> <li>The bulk, mass and scale of the building is out of</li> </ul>

served area of the City.

- Additional density when the vacant rate is less than 1%.
- The development is located close to schools, shopping, churches and health centres.

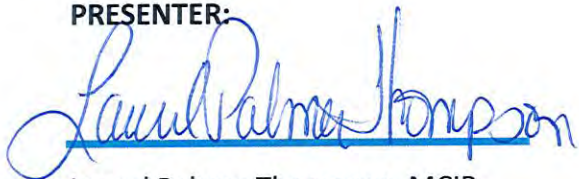
context for the surrounding mature neighbourhood.

- Rezoning 9 Pine Drive would increase an existing spot zone.

### **CONCLUSION:**

The Planning & Heritage Department recommends that the rezoning and lot consolidation application be rejected.

**PRESENTER:**



Laurel Palmer Thompson, MCIP  
Planner II, Planning & Heritage

**MANAGER:**

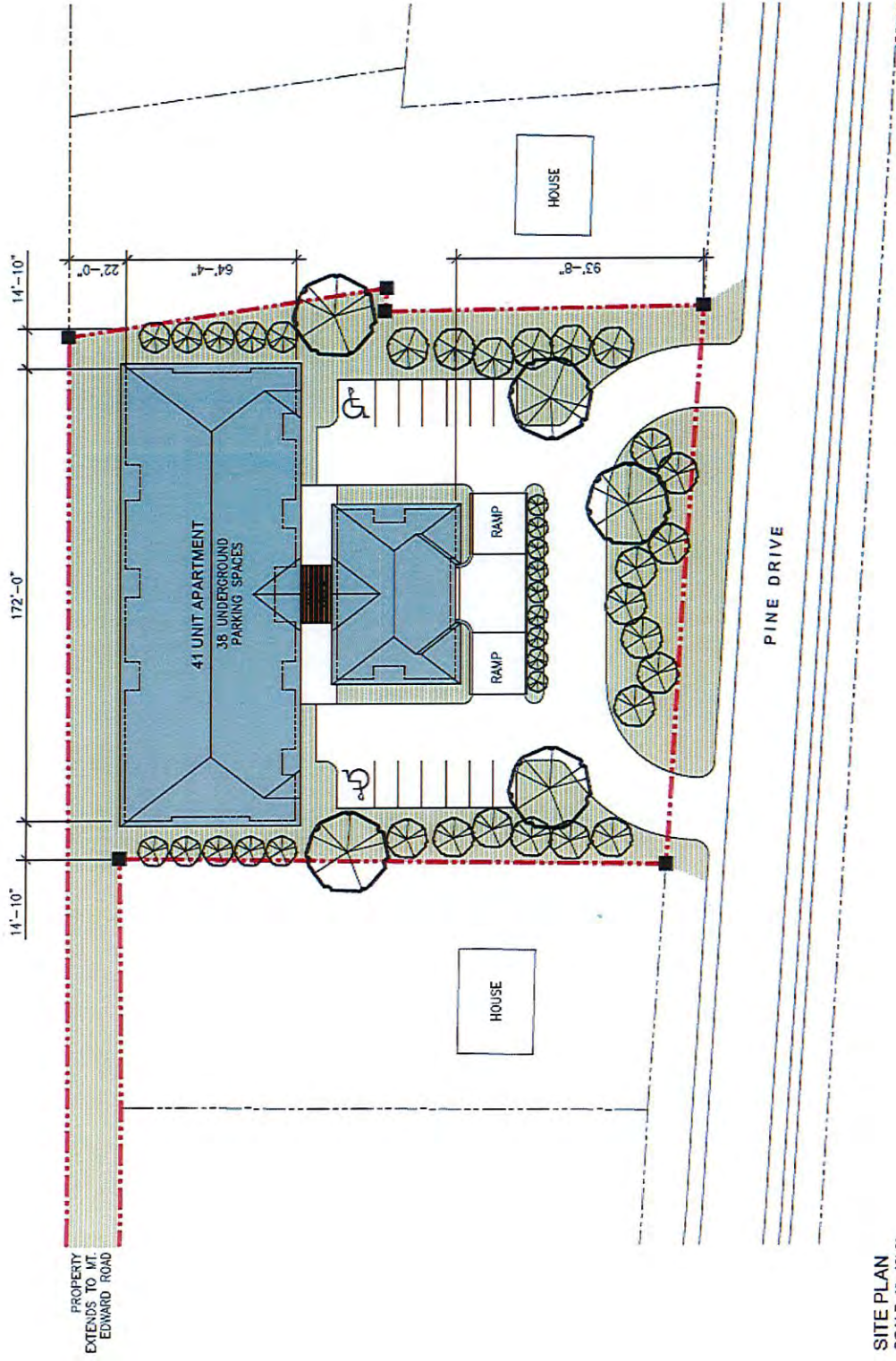


Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage









SITE PLAN  
SCALE: 1"=40'-0"

SP1

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**APM** ROYAL LEPAGE  
COMMERCIAL

**PINE DRIVE APARTMENT**  
Charlottetown, PE - January 29, 2020



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## PINE HEIGHTS - PROPOSED EXTERIOR



**APM** ROYAL LEPAGE **COMMERCIAL**

*in*





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## Thompson, Laurel

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**From:** Forbes, Alex  
**Sent:** Friday, February 28, 2020 11:43 AM  
**To:** Catane, Ellen; Thompson, Laurel  
**Subject:** FW: Consolidate of 9 Pine Dr

FYI

Alex Forbes, MBA, FCIP  
Manager of Planning and Heritage  
City of Charlottetown  
P O Box 98, 233 Queen Street  
Charlottetown, PEI  
C1A 7K2  
(P) 902-629-6108



**"Every time history repeats itself – the price goes up"**

**From:** [notification@civiclive.com](mailto:notification@civiclive.com) [<mailto:notification@civiclive.com>]  
**Sent:** Friday, February 21, 2020 11:54 AM  
**To:** Forbes, Alex <[forbes@charlottetown.ca](mailto:forbes@charlottetown.ca)>  
**Subject:** Consolidate of 9 Pine Dr

The following email message was generated by a user filling in a contact form on your website. It was sent from the following IP address: 156.34.179.139

Dear Mr. Forbes

We are writing to you, not quite sure if this is the right place to be addressing this concern. We are very opposed to rezoning #9 pine dr. to consolidate from a single detached residential zone to a R-3, medium density residential for the following reasons. We live at 7 pine dr. and there now is a lot of traffic on this road, to change the zoning and build a 41 unit building in a single detached area is to much. There are children walking back and forth from Sherwood school, which is only a half block away, all the time and what they don't need is more traffic. this was very short notice, we received this notice from the city on the 19th of Feb., and the meeting is on the 25th of Feb., we are going to be out of province and won't be able to attend. Thank you for your time. Bev Betts & Terry Myers

Sent By: Beverly Betts

Sent From: [bjbetts@hotmail.com](mailto:bjbetts@hotmail.com)



## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:23 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Pine Drive, PID 393314 (R-3) and PID 393322 (R-1)

---

**From:** Rivard, Greg  
**Sent:** February 25, 2020 6:42 PM  
**To:** Planning Department  
**Subject:** Fwd: Pine Drive, PID 393314 (R-3) and PID 393322 (R-1)

Greg Rivard  
Charlottetown City Councillor - Ward 7  
(902) 388-7031 (cell)

Begin forwarded message:

**From:** Garnet Taylor <[getaylor@gov.pe.ca](mailto:getaylor@gov.pe.ca)>  
**Date:** February 25, 2020 at 2:55:30 PM AST  
**To:** "Rivard, Greg" <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>  
**Subject:** Pine Drive, PID 393314 (R-3) and PID 393322 (R-1)

Good afternoon Mr. Rivard,

I am writing in regard to the proposed development by Bevan's on Pine Drive, being PID 393314 (R-3) and PID 393322 (R-1).

My wife and I are both very concerned about the proposed rezoning of PID 393322 from R-1 to R-3.

We are also concerned about the intensified development planned for this parcel.

It is my understanding that Bevan's previously proposed a 27 unit development for this property in 2017, and both Planning Board and IRAC turned down that proposed development.

Why would it be acceptable to allow a 41 Unit Development in 2020?

Thanks,

Garnet Taylor, 27 MacMillan Cres.

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:12 AM  
**To:** Doiron, Bob; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine Drive Development Feb 2020

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
233 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 4B9  
Office: 902-629-4112  
Fax: 902-629-4156

[ecatane@charlottetown.ca](mailto:ecatane@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

Best Regards,  
Ellen

---

**From:** Doiron, Bob  
**Sent:** Wednesday, February 26, 2020 8:43 AM  
**To:** Planning Department  
**Subject:** Fwd: Pine Drive Development Feb 2020

Bob Doiron  
Sent from my iPhone

Begin forwarded message:

**From:** Garnet Taylor <[getaylor@gov.pe.ca](mailto:getaylor@gov.pe.ca)>  
**Date:** February 25, 2020 at 11:12:52 AM AST  
**To:** "Doiron, Bob" <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)>  
**Subject: Re: Pine Drive Development Feb 2020**

Morning Bob,

I am writing in regard to the proposed development by Bevan's on Pine Drive, being PID 393314 (R-3) and PID 393322 (R-1).

Nancy and I are both very concerned about the proposed rezoning of PID 393322 from R-1 to R-3.

We are also concerned about the intensified development planned for this parcel.

It is my understanding that Bevan's proposed a 24 unit development just two years ago for this property, and both Planning Board and IRAC turned down that proposed development.

Why would it be acceptable to allow a 41 Unit Development in 2020?

We don't agree with you not representing your constituents in the area based on the notion that you are in conflict.

Please represent your constituents concerns at council.

Thanks Bob for your anticipated representation in this matter.

Thanks,  
Garnet

>>> "Doiron, Bob" <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)> 5/29/2019 3:40 PM >>>

Hi Garnet

No problem at all , if you ever have any concerns please feel free to contact me at any time .  
That is what I am here for .

Thank you

Bob

On May 29, 2019, at 3:37 PM, Garnet Taylor  
<[getaylor@gov.pe.ca](mailto:getaylor@gov.pe.ca)<[mailto:getaylor@gov.pe.ca](mailto:mailto:getaylor@gov.pe.ca)>> wrote:

Thanks for asking Scott to look into this issue!

>>> "Doiron, Bob" <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)<[mailto:rdoiron@charlottetown.ca](mailto:mailto:rdoiron@charlottetown.ca)>> 5/29/2019  
3:31 PM >>>

Thanks for sending this Garnet !

Bob Doiron  
Sent from my iPhone

On May 29, 2019, at 3:22 PM, Garnet Taylor  
<[getaylor@gov.pe.ca](mailto:getaylor@gov.pe.ca)<[mailto:getaylor@gov.pe.ca](mailto:mailto:getaylor@gov.pe.ca)><[mailto:getaylor@gov.pe.ca](mailto:mailto:getaylor@gov.pe.ca)>> wrote:

Hi Scott,

As requested.  
Please let me know if you require anything further.

Thanks,  
Garnet



>>> Garnet Taylor 5/24/2019 1:27 PM >>>

Hi Bob,

Please see attached PDF of Scott Steven's lot (PID 392431).  
Ask the Manager of PW to call me for further clarification if he likes.

Water is holding on east side of PID 392431 and holding on east side of MacMillan along property labeled as "000000".  
Water flows towards Oak but can't get over the high point, being the frontage of PID 392431 along Oak.  
If you eliminate the high point, the water will flow down hill to Mt. Edward.

Scott's ditch on Oak Dr. is the whole problem. It's too high

Hope this helps explain further.

Thanks Bob.

Regards,  
Garnet

Garnet E. Taylor, SR/WA  
Property Agent  
Land and Environment Division - Properties Section  
Department of Transportation, Infrastructure and Energy  
Phone 902-368-5142  
Fax 902-368-5395  
E-mail [getaylor@gov.pe.ca](mailto:getaylor@gov.pe.ca)<<mailto:getaylor@gov.pe.ca>><<mailto:getaylor@gov.pe.ca>>

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>>> "Doiron, Bob"

<[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)<<mailto:rdoiron@charlottetown.ca>><<mailto:rdoiron@charlottetown.ca>>  
a>> 5/24/2019 12:48 PM >>>

Good afternoon Garnet

Thank you very much for writing and for your kind comments .

I am going to copy our manager of public works so he understands what you are referring to .

I did ask about Maple to be paved this year as this street is in desperate need of repair .

I am not sure if anything else is being paved this year other than the streets mentioned .

Hopefully our manager can someone to look at the issue of the pooling water. I believe it is on the right hand side of MacMillan Crescent coming from Oak Drive .

Thank you Garnet

Bob

On May 24, 2019, at 12:15 PM, Garnet Taylor

[<getaylor@gov.pe.ca>](mailto:getaylor@gov.pe.ca)[<mailto:getaylor@gov.pe.ca>](mailto:mailto:getaylor@gov.pe.ca)[<mailto:getaylor@gov.pe.ca>](mailto:mailto:getaylor@gov.pe.ca)[<mailto:getaylor@gov.pe.ca>](mailto:mailto:getaylor@gov.pe.ca) wrote:

Hi Bob,

Hope all is well with you?

I just read the list of roads that will be paved this season and I was surprised that Oak Drive from Maple to Brackley Pt. was not on the list.

This section is in poor shape.

The City did pave the section of Oak from Mt. Edward to Maple a few years ago. We all assumed that the next section would be done the next year.

Can this be looked at?

Also, MacMillan Crescent ditching from Oak Drive into my driveway has been holding water for years and I have requested this be addressed for years.

This section doesn't need to be in-filled, the issue seems to be the surface water can't make it by Scott Steven's property on Oak (ditch is too high) to run down hill to Mt. Edward.

Can this be looked at by Public Works?

Feel free to give me a call if you want to discuss further.

Thanks for your continued fine representation on Council.

Thanks,  
Garnet

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<getaylor-May242019011749.pdf>

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## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:26 AM  
**To:** Thompson, Laurel  
**Subject:** FW: 41 Unit- Pine Drive

**From:** Megan Murnaghan [<mailto:meganmurnaghan@gmail.com>]  
**Sent:** February 25, 2020 9:07 PM  
**To:** Planning Department  
**Subject:** 41 Unit- Pine Drive

Good evening,

I am emailing to express my concern with the 41 unit apartment building on Pine Drive. I am a resident at 28 pine and the traffic on this road is far too busy already. Trying to access mount Edward road especially in peak hours is difficult and adding an additional 80 vehicles (average 2 per household) will be a huge safety concern. I won't rant on too long as I'm sure you are aware of all the concerns, I just wanted to state I am strongly against this proposal.

Thank you,

Megan Murnaghan  
28 Pine drive



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:26 AM  
**To:** Thompson, Laurel  
**Subject:** FW: 9-13 Pine Dr (PID#393322)

**From:** Kim Hennessey [<mailto:kimdhennessy@gmail.com>]  
**Sent:** February 25, 2020 9:09 PM  
**To:** Planning Department  
**Subject:** 9-13 Pine Dr (PID#393322)

This letter is to acknowledge our opposition to rezoning of 9 Pine Dr in order to consolidate with 11-13 Pine Dr. We have lived on Pine Dr for 34 years and are vehemently against the construction of a 41 unit apartment building for the following reasons:

- 1) the traffic will be increased in a school zone and in an already busy area
- 2) it does not fit in our current "streetscape" as majority of homes are single family dwellings
- 3) the proposed apartment building is not in scale and does not fit in our neighbourhood
- 4) it will definitely reduce our property value
- 5) it was insulting to be called an aging and dormant neighbourhood when we take great pride in our properties and the vitality of the community...we are certainly not dormant!
- 6) there will be an excessive amount of garbage, light and noise pollution, insufficient parking onsite which will lead to excessive street parking
- 7) increased traffic congestion to turn onto Mt. Edward Road , Maple Av and Brackley Point Rd
- 8) it does not make sense to be entertaining a 41 unit building when a 26 unit building was rejected several years ago.

We would like city counsel to support the protection of our neighbourhood and vote against this proposal.

Respectfully,

Monty and Kim Hennessey  
27 Pine Dr

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:27 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Pine Drive Apartment Development

**From:** Janice MacKinnon [<mailto:janicemackinnon370@gmail.com>]  
**Sent:** February 25, 2020 9:35 PM  
**To:** Planning Department  
**Subject:** Pine Drive Apartment Development

Good evening,

Thank you for the opportunity to attend the open meeting this evening.

I reside at 26 Pine Drive. The area has so many positive qualities for me as expected in a typical single-family residential area.

Although the site and building plan presented was preliminary I felt it was a poor representation of the scale of the project. It totally lacked green space and common space. The footprint was stated to be 120 x 125 ft however the site plan shows the building is 172 ft long. Which was misstated? Is the building the full width of available land? Are Fire and emergency access requirements met? Parking space is understated for surface tenant/guest parking. This will increase on-street parking which will increase traffic congestion and endanger public safety.

The proposed 41 unit, 4-storey development will be another high demand on the sewer/water systems. It has no green energy features. It just doesn't fit in this single/duplex residential area. There is already traffic congestion due to the schools and rink and the cut-through traffic from Brackley Point Rd to Mt. Edward. It took me 3.5 minutes to turn left at 6:40 p.m. this evening. I often use Maple to avoid the left turn onto Mt. Edward Rd.

Is there a high demand for rental units at \$2,000/month market rent?

Development on a much smaller scale with modest rent and accessible units with appropriate planning and approval may be more suitable for this area.

Thank you,  
Janice MacKinnon

Good evening,

. My name is Philip Carr & I have been a resident, on and off, of Mac Millan cres for the past 40 yrs. It has come to my attention that there is a proposal to join lots 9, 11 & 13 Pine drive into one large lot to accommodate the development of a 41 unit apartment building.

I come here to speak out against this development. Also, the negative impact it would have on the residents of Pine dr & the immediate area. We are here again to bring forth our objections to this development.

I see this move by the developers as a biased approach to sound thoughtful consideration of the neighbourhood space they're trying to build on. It is a plan which goes against the surrounding neighbourhood. All the houses are single resident dwellings, save for a few duplexes. This proposal goes against everything the Sherwood area of Charlottetown represents.

#### Article 4.62 SITE DEVELOPMENT PRINCIPLES subsection

.8d. permanent green spaces for urban planting and Maintenance of mature trees, shrubs and other suitable vegetation;

g. **harmonious Building form** compatible with surrounding or adjacent Buildings and **in scale** with the natural or built elevations of the site;

h. **sympathetic overall Design compatible with any adjacent urban or natural landscape, natural environment. Building forms and architectural features:**

I personally don't feel that this is a good fit for the neighborhood. Where will all the cars go? Where will all the garbage go without lining it up against the other property lines for safe storage? What about snow removal? What about the already congested Pine dr? The residents of the surrounding properties have the most to lose. Both financially and emotionally. Their properties have been quiet PRIVATE spaces. They will now be looked at from above by a temporary resident who happens to be out on their deck enjoying the sun. It's not right that these existing residents get muscled out of their personal private spaces because someone sat down with an architect and laid a plan to squeeze as much rental money as possible from what they saw in the zone bylaws as a completely acceptable action. They took the total space and did some multiplication and came up with a number. 41

I pose this question to you. If you lived in a detached house and everyone around you lived in similar type housing. Would you be ok with a 41 unit apartment building going up next door to you? I know I wouldn't be.

If it was a good idea 3 years ago then do you think we would be here again? No. It's still not a good fit. Council needs to look very hard at this again. The thought of having a 41 unit apartment in this space is completely unacceptable. The zoning allows it at this time, sure, BUT therein lies the issue. Regardless of the intent of the property owners considerations before purchasing this property. The reality is, a 4 story apartment building does not belong amongst a plethora of single detached residential houses. Let's make this right and change the zone back to what it was pre amalgamation. Put a 4 unit townhouse in there as was originally intended.

Thanks for reading this.

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:29 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Objections to proposal for 41 units on Pine Drive  
**Attachments:** 2020 apartment building 41 unit.pdf

---

**From:** Gordon MacRae [<mailto:gimacrae@bellaliant.net>]  
**Sent:** February 25, 2020 9:50 PM  
**To:** Planning Department  
**Subject:** Fwd: Objections to proposal for 41 units on Pine Drive

Dear Planning Board:  
This is a copy of our objections to the proposal for a 41 unit apartment building for Pine Drive.  
Regards,  
Joanne and Gordon MacRae  
11 MacMillan Crescent

>



In March 3, 2012, a 24 unit apartment building was rejected by City Council for the property at 11-13 Pine Drive for many reasons outlined at a Public Meeting in response to the concerns of City residents.

Contrary to the newspaper article in the Guardian February 21, 2020 , Bevan Enterprises purchased 9 Pine Drive and applied to the City in April, 2013 for CDA Zoning whereby Rob Lantz, chair of the Planning Committee of Council, explained the proposal was for a town house development for 9, 11-13 Pine Drive. Lantz explained that the City would enter into a Comprehensive Development Agreement and spell out in detail what it would or wouldn't allow on the property. Councillor Lantz explained that the City would get something more compatible with the neighbourhood and the density was actually less than the proposed apartment building. The developer also provided the architectural renderings of the buildings proposed for the site and they were presented at a public meeting in June, 2013. All was approved, but the developer withdrew this proposal before it went to City Council for final approval.

In 2016, the developer applied to build a 27 unit apartment building on the Pine Drive properties and it was rejected by the City's Planning Department. The developer appealed to IRAC . IRAC agreed with the City as the "bulk, scale, and mass of development was not in keeping with the surrounding neighbourhood." The City stated, the proposal was not appropriate in light of the neighbourhood, the Official Plan, and the by-law.

On January 17, 2018, Bruce MacDougall was president of the Federation of PEI Municipalities and he stated, "Municipal land use planning helps protect homeowners against incompatible development that could negatively impact the value of their home. It helps preserve the character and lifestyle of communities."

The Planning Board of the City of Charlottetown rejected this proposal for a 41 unit apartment building because it doesn't meet the Site Development Principles as outlined in 4.62 of the City's By-laws.

Subsection, 4.62a.vi states that the developer should state how compost and waste would be stored and removed from the site. This was not addressed.

My concerns include: Would those areas be properly screened? Would there be stench? Would the crows, raccoons, skunks, and wildlife from the City's Water Reservoir get into this garbage and litter the neighbourhood?

Subsection 4.62a.iii states that details for the surface water and drainage should be included in the plan. The location of sewer and waterlines should be shown. These details were not provided by the developer.

In 2012, the late Doris Boulet asked if an environmental study had been done addressing the existing treed area and water and sewer supply on the proposed 24

unit apartment building. In 2020, this proposed apartment building is for 41 units. I'm concerned about the trees, the water run-off, and the amount of sewage flowing into the lines. Subsection 4.62.3 e stated that the suitability of water and sewer services and their connections should be explained. Subsection 4.62.3 f stated that the adequacy of storm water drainage should be provided. This was not done by the developer.

Other residents have written submissions to you with their concerns about increased traffic to the area. Children walk to school along Pine Drive and cross the street to their homes. The intersection of Pine Drive and Maple Avenue is already a grave concern for the area residents.

"If the bulk and scale of a 27 unit apartment building was deemed by IRAC to be too large on the existing property zoned R-3, the implication is that a 41 unit apartment building would be significantly out of context for this area." On February 3, 2020, the Planning and Heritage Department of the City of Charlottetown rejected this proposed 41 Unit apartment building.

I urge the Planning Board and City Council to accept the recommendations of the City's Planning Department and reject this proposal for a 41 unit apartment building.

I would recommend any future development for this property should have a written Comprehensive Development Plan.

Joanne E. MacRae and Gordon A. MacRae  
11 MacMillan Crescent  
Charlottetown,  
February 25, 2020

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:30 AM  
**To:** Thompson, Laurel  
**Subject:** FW: 9, 11 and 13 Pine Dr development

**From:** Robert Stavert [<mailto:restavert@gmail.com>]  
**Sent:** February 25, 2020 10:15 PM  
**To:** Planning Department; Doiron, Bob; Rivard, Greg  
**Subject:** 9, 11 and 13 Pine Dr development

Councillors Rivard and Doiron, as well as the members of the planning committee, I am sending an email to voice my opposition to the proposed 41 unit development planned for Pine Dr. I reside on Macmillan Crescent in the immediate vicinity of this development that will overlook my backyard and certainly affect the current sense of privacy that I have, as well as adversely affecting the wonderful community feel that my family and neighbors very much value.

A large development of 4 stories, resided in by temporary 'renters' certainly changes the feel of a low density neighborhood - concerns that I understand were already brought forward by city planning professionals Laurel Palmer-Thompson and Alex Forbes regarding a previous proposal that was a smaller 27 unit building which was defined as a poor fit for the neighborhood. I don't understand how a larger 41 unit building can somehow suddenly be a better fit for a neighborhood that consists of single unit housing of one and two storey homes.

Another issue that I have with such a large development is the extra traffic that it will bring to the surrounding area. I have witnessed cars running through the intersection of Pine and Maple which is at the front of an elementary school. I have three young children who walk along this already troublesome intersection - adding more traffic to the street is certainly something that I do not agree with.

I and other residents of Charlottetown who invest in homes that are located in single dwelling residential subdivisions should not have to fear the development of 4 storey apartment buildings that if built would completely change the feel of the neighborhoods that we reside in and value.

If I could have confirmation from someone that this email has been received by the deadline, it would be greatly appreciated.

sincerely,  
Robert Stavert  
23 Macmillan Crescent



## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:31 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Pine Drive Proposal

**From:** Mark Rooney [<mailto:markwrooney@gmail.com>]  
**Sent:** February 25, 2020 10:17 PM  
**To:** Planning Department  
**Subject:** Pine Drive Proposal

Hello,

This is Mark and Stephanie Rooney, residents of Pine Drive for the past twenty years. We are bringing up two young boys in this neighborhood, and have had opportunities to move over the course of time. However, we have opted to stay due to the relatively quiet environment that this neighborhood provides.

We are speaking out against this proposal, as we did against the initial one three years ago. We strongly feel that such a monstrosity of a building is simply not suitable for this area. While we were not residents in 1995 when amalgamation took place, we were shocked to learn three years ago about the zoning loophole that slipped past everyone at the time. What it is time for, and what a suitable resolution would be, is for that rezoning situation to be corrected.

There are hardly 41 families on all of Pine Drive as it stands now, and this proposal suggests that there is room for 41 more? While the developers have their right to earn money, their claim that this is for the benefit of the community seems like a thinly-veiled disguise to capitalize. We don't appreciate that!

Could the property be more developed? Sure it could - how about a few townhouses or duplex-style residences of a reasonable number. This is not a densely populated area, nor an area with a transient population, such as what large apartment complexes have the potential to create. Why are we trying to make something fit that simply doesn't? Greed would be one suggestion.

Please make the right decision on this project.

Respectfully submitted,

Mark and Stephanie Rooney



## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:31 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Proposal 9-13 Pine Drive (PID #393322)

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**From:** Tammy White [<mailto:tammydwhite@hotmail.ca>]  
**Sent:** February 25, 2020 10:20 PM  
**To:** Planning Department  
**Subject:** Proposal 9-13 Pine Drive (PID #393322)

I am writing this letter to strongly oppose the above listed proposal for 9-13 Pine Drive in Sherwood. We live at 12 Pine Drive and feel that this is not the appropriate location, just not fitting to the neighborhood. This is a long standing family, single dwelling community which was a deciding factor when we were looking to purchase.

Here are only a few reasons why we feel that this proposal should be rejected. We are very concerned regarding safety of the current residents (including children) with the great increase in traffic, added noise pollution, privacy of existing residents, environmental impact as well as concerns over decrease in the overall property value. The sheer scale of this building does not suit/fit within its surroundings and doesn't adhere to the building codes.

Thank you for taking the time and I hope this letter will further stress the need to refuse this project.  
Tammy White, Robert and Samantha Allan

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## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:12 AM  
**To:** Doiron, Bob; Planning Department; Thompson, Laurel  
**Subject:** RE: Proposed 41 unit apartment on Pine Dr.

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
233 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 4B9  
Office: 902-629-4112  
Fax: 902-629-4156

[ecatane@charlottetown.ca](mailto:ecatane@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Doiron, Bob  
**Sent:** Wednesday, February 26, 2020 8:42 AM  
**To:** Planning Department  
**Subject:** Fwd: Proposed 41 unit apartment on Pine Dr.

Bob Doiron  
Sent from my iPhone

Begin forwarded message:

**From:** Rory Beck <[beckrory@gmail.com](mailto:beckrory@gmail.com)>  
**Date:** February 25, 2020 at 10:38:39 PM AST  
**To:** "Doiron, Bob" <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)>, "Coady, Jason" <[jecoady@charlottetown.ca](mailto:jecoady@charlottetown.ca)>  
**Subject:** Fwd: Proposed 41 unit apartment on Pine Dr.

Hello Bob and Jason,

Please see the message below regarding the proposed apartment on Pine Dr., which I believe is fairly clear and self-explanatory.

I would also add that this is an issue I have discussed with a number of my neighbours in Ward 6, as well as fellow parents at my son's hockey who are residents of Ward 8. I can tell you that



the sentiment I had expressed to me over and over was clear, universal and unequivocal disapproval of such an inappropriate development occurring in the area.

As you are both no doubt well-aware, there are few issues at the municipal level that elicit as much interest from voters as development, as it has such clear and direct impact upon peoples lives and homes. Speaking personally, this is the first issue that has ever prompted me to write a letter such as the one I am forwarding to you. I trust you will both take the concerns of your constituents to heart in making your decision on whether to support this development.

Thanks for your time,

Rory

Begin forwarded message:

**From:** Rory Beck <[beckrory@gmail.com](mailto:beckrory@gmail.com)>  
**Subject:** Proposed 41 unit apartment on Pine Dr.  
**Date:** February 25, 2020 at 10:26:14 PM AST  
**To:** [planning@charlottetown.ca](mailto:planning@charlottetown.ca)

Hello,

It has recently come to my attention that there was a meeting held to discuss a proposal to merge 9, 11 and 13 Pine Dr. into one property to allow for the construction of a 41 unit apartment complex. Unfortunately I was unable to attend that meeting, but have been advised that public comment can be provided via email, which is why I am writing.

I am the owner of the house at 37 Pine Dr., and to be frank I am completely opposed to this project, for a number of reasons. The first, and most obvious, is that it is completely and totally not in keeping with the overall character and structure of the neighbourhood, which as you know is comprised primarily of single-unit homes. The placement of a 41 unit apartment complex on Pine Dr. is ludicrous, and would be akin to approving a 1200 square foot bungalow beside MacDonald's on University Avenue - it would stick out like a sore thumb, and then some.

My second primary concern relates to traffic. I was home from work today, and there was a police car posted across from my house for almost the entire day, observing the Maple/Pine intersection that has caused so much trouble of late with people not stopping. I think it's fair to assume that more than doubling the number of residents on the block would only exacerbate this issue significantly, and I cannot understand how Council or the City Planning officials could ignore these safety concerns given the number of children on foot in the area on a daily basis.

The other point I wish to make relates to the alternatives available to the developers, namely to build this complex in the "Towers" development up the road that Mr. Banks/APM recently announced. Given that he will be starting with a blank slate there, all parties purchasing in the area will be doing so knowing that it will be a mixed development, so the deleterious effects on the shape of the neighbourhood would not be present to the degree that they would be on Pine Dr.

Moreover, given that the Towers development is less than a minute away by car from Pine Dr., it would still allow APM to meet their “vision” as quoted in The Guardian, namely for the building to provide “a place to go for people who want to move out of their homes but not out of the community.” In other words, the arguments put forth by Cain Arsenault of APM at the meeting for why the Pine Dr. complex is needed are undercut and made moot by the other options already available to his organization.

Thank you for taking the time to read this, and if you’d care to discuss it further I’d be happy to make myself available.

Regards,

Rory Beck

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:32 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Pine Drive

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**From:** Margaret Collins [<mailto:margaretcollins002@hotmail.com>]  
**Sent:** February 25, 2020 10:38 PM  
**To:** Planning Department  
**Subject:** Pine Drive

Dear planning committee

This evening I attended the meeting regarding the proposed apartment building on Pine Drive.

It was a very interesting pitch that APM proposed . But something in the presentation had no bearing on this development. The impression that he attempted to make that if they didn't build here then they will build in East Royaly and therefore there will be more cars and emissions is plainly insulting. I'm sure East Royaly will be expanded anyway. And because people live in Sherwood doesn't mean that they won't want another car.

Also I don't understand how building a 41 unit building can add to the property value of the area.

The building may look lovely on paper and for the first few years after it is built but when the roof starts to leak are they going to put another blue tarp on it for a few years without repair?

The residents who spoke this evening had some interesting comments and valid concerns over rezoning this property.

I hope the city of Charlottetown will listen to the residents and reject this idea of building an apartment building in our neighborhood.

Sincerely

Margaret Collins



## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:33 AM  
**To:** Thompson, Laurel  
**Subject:** FW: 41 units

-----Original Message-----

From: mark steele [<mailto:mrsteele5446@hotmail.com>]  
Sent: February 26, 2020 6:58 AM  
To: Planning Department  
Subject: 41 units

My name is Mark Steele and I live at 23 Pine dr. I would like to raise my voice in opposition of this proposal for a 41 unit building on my street. There are many issues. Garbage, traffic, putting my house in a shadow for half of the day, on & on. None of the neighbours want this. Please reject it.

Thanks-Mark

Sent from my iPhone

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:34 AM  
**To:** Thompson, Laurel  
**Subject:** FW: 9 pine dr

**From:** andrew maclean [<mailto:jedwolfie@gmail.com>]  
**Sent:** February 26, 2020 7:12 AM  
**To:** Planning Department  
**Subject:** 9 pine dr

A four story 41 apartment building does not fit in that neighborhood.

andrew maclean

Sherwood

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:34 AM  
**To:** Thompson, Laurel  
**Subject:** FW: 9, 11 and 13 Pine Dr proposed development

-----Original Message-----

From: Patti Cheverie [<mailto:patticheverie@yahoo.com>]  
Sent: February 26, 2020 7:46 AM  
To: Planning Department; Doiron, Bob; Doiron, Bob; Rivard, Greg; Rivard, Greg  
Subject: 9, 11 and 13 Pine Dr proposed development

Councillors Rivard and Doiron, and members of the planning committee,

I am writing to voice my opposition to the proposed 41 unit development at 9, 11 and 13 Pine Dr. I currently reside on MacMillan Cres in the immediate vicinity of this planned developed and have concerns with the impact that a development of this size would have on our neighborhood that is currently single unit housing of 1 or 2 stories. It would change the character and feel of the neighborhood, increase traffic flow and potentially add to the light in the area as 4 stories high will be towering over the homes in the area.

Not only would the 4 storey building not fit in with our current landscape of our neighborhood but the increased traffic that would come with this size a building is also concerning for me. I have children that walk to Sherwood school and the intersection of Maple and Pine is worrying enough without adding the additional volume of traffic that would come with this proposed development.

I strongly feel that this development is not a good fit for our neighborhood.  
Thank you,

Patti Stavert  
23 MacMillan Cres



## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:34 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Follow-up to Public Meeting re: Rezoning of 9 Pine Dr

**From:** Peter Poirier [<mailto:petepe@gmail.com>]  
**Sent:** February 26, 2020 8:13 AM  
**To:** Planning Department; Mayor of Charlottetown (Philip Brown); Doiron, Bob; Rivard, Greg; Coady, Jason; McCabe, Julie L.  
**Subject:** Follow-up to Public Meeting re: Rezoning of 9 Pine Dr

Good Morning,

Just a follow-up to the comments I made last night at the public meeting.

In the past when city planners zoned a parcel of property, one can assume that thought went into the zoning process. 9 Pine Dr was Zoned R-1L (Single Detached Residential) for a reason, it matched the rest of the neighborhood.

The official plan for the City of Charlottetown lists this area as Low Density Residential. Again, one would assume that a lot of time and money was put into this level of zoning, whether it was before or after amalgamation.

The meeting last night got a bit more hung up on the end result of proposing the rezoning of 9 Pine (it does not match the rest of the neighborhood). Let's just look at 9 Pine.

Why does the city not just follow its official plan when it comes to residential neighborhoods? The overall neighborhood is single residential units (save for 11-13 Pine) and it needs to stay that way. There is a lot of development going on in other areas of the city and Sherwood. There are other higher density areas in the city that are already established or are in the process. This does not need to happen in a predominately single residential neighborhood. The old Sherwood Greens - how many units will be there once it is completed, the other side of Tower Road that Tim Banks announced a few days ago, 300 units. In the next 12 months, there will be a ton of units coming on the market and then suddenly the developers will be dealing with an excess of units instead of shortage.

This is the 3rd issue in the last year with developers coming in and requesting to change the official plan. I get it though, these developers need to get a return on their investment and the only way they can do that is to cram as many units into a lot as possible and maximize their revenues.

Let's go back to the end result of the zoning request. A four story building, whether set back or not, just does not fit in this land holding. The existing neighbors on either side of this development will lose their right of enjoyment of their property. How do you enjoy a sunrise/sunset when you do not have an opportunity to experience one any more due to the large building next store, that is 3-4 times the height of your home?

I could go on and on here, but I believe you get my point.

Please deny the request to rezone 9 Pine and leave it as R-1L.

Thank you,

Peter Poirier  
902-940-2147

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:35 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Proposed Development by Bevan's on Pine Drive

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**From:** Taylor, Nancy (VAC/ACC) [<mailto:nancy.taylor@canada.ca>]  
**Sent:** February 26, 2020 8:27 AM  
**To:** Planning Department  
**Subject:** Proposed Development by Bevan's on Pine Drive

Good morning Planning Department,

I am writing in regard to the proposed development by Bevan's on Pine Drive, being PID 393314 (R-3) and PID 393322 (R-1).

My husband and I are both very concerned about the proposed rezoning of PID 393322 from R-1 to R-3.

We are also concerned about the intensified development planned for this parcel.

It is my understanding that Bevan's previously proposed a 27 unit development for this property in 2017, and both Planning Board and IRAC turned down that proposed development.

Why would it be acceptable to allow a 41 Unit Development in 2020?

Thanks,

Nancy Taylor, 27 MacMillan Cres.



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:35 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Proposed Development

---

**From:** Isaac Taylor [<mailto:ictaylor@gov.pe.ca>]  
**Sent:** February 26, 2020 8:34 AM  
**To:** Planning Department  
**Subject:** Proposed Development

Good morning Planning Department,

I am writing in regard to the proposed development by Bevan's on Pine Drive, being PID 393314 (R-3) and PID 393322 (R-1).

My family and I are both very concerned about the proposed rezoning of PID 393322 from R-1 to R-3.

We are also concerned about the intensified development planned for this parcel.

It is my understanding that Bevan's previously proposed a 27 unit development for this property in 2017, and both Planning Board and IRAC turned down that proposed development.

Why would it be acceptable to allow a 41 Unit Development in 2020?

Thanks,

Isaac Taylor,  
27 MacMillan Cres.

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## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Tuesday, February 25, 2020 1:46 PM  
**To:** Thompson, Laurel; Forbes, Alex  
**Subject:** FW: Document1  
**Attachments:** Doc1.docx

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**From:** Anna Carr [<mailto:acwcarr@eastlink.ca>]  
**Sent:** February 25, 2020 9:17 AM  
**To:** Planning Department  
**Subject:** Document1

Please find our submission of objection to the proposed development at #9 - #13 Pine Drive as submitted by Pine Cone Developments.

Yours truly,

Anna Carr

7 MacMillan Crescent

Charlottetown, PEI C1A 8G3

February 25, 2020

February 24, 2020

7 MacMillan Crescent  
Charlottetown, PEI C1A 8G3

City of Charlottetown  
Planning and Heritage Department  
233 Queen St.  
Charlottetown, PEI C1A 4B9

**RE: Rezoning Application**  
**File: Plan-2020-6A3-February**  
**9 Pine Drive (PID #393322)**

Dear Members of the Planning and Heritage Department:

An application is before you to rezone the subject property from the Single-Detached Residential (R-1L) to the Medium Density Residential (R-3) Zone and to amend the Official Plan from Low Density Residential to Medium Density Residential in order to consolidate 9 Pine Drive (PID 393322) with 11-13 Pine Drive (PID #393314) and construct a 41-unit apartment building with underground parking.

On behalf of myself, Anna Carr, and my husband, Charles W. Carr, I wish to express our strong objections to that part of the application as it relates to the construction of a 41-unit apartment complex. My parents before me and subsequently our family have been residents in close proximity to the property referenced above for what is now only days short of 80 years and have a very strong attachment to it. The area adjacent and within many blocks of it is a residential neighbourhood consisting mainly of single family dwellings some of which do have small subsidiary apartments. A large percentage of these homes are single storey buildings and, to the best of my knowledge, none would be 3-storey buildings.

On several occasions applications have come before your Department for approval, been withdrawn and resubmitted after changes. However, the developer insists the applications should have been approved and permits issued on the "as of right" but your Department has denied the applications and IRAC (aka Island Regulatory and Appeals Commission) has upheld your decisions.

Applications have requested approvals for 24-unit apartments, 27-unit apartments, 19-unit apartments on the 11-13 Pine Drive property and now before you is a request for a 41-unit building on the two properties – 9 Pine Drive and 11-13 Pine Drive. There is some ambiguity in just what is being proposed as an informational article printed in the *'Guardian'* newspaper on February 21, 2020 suggests the proposal is for two buildings with no reference to underground parking while the public meeting notification in the *'Guardian'* newspaper on February 22, 2020 indicated it is a request to permit the construction of "A" 41-unit apartment with underground parking. The developer requests the consolidation of #9 Pine Drive (PID 393322) with 11-13 Pine Drive (PID 393314). The property at 9 Pine Drive has a land area of approximately 15,000 sq. feet. This amount added to the land area of approximately 30,492 sq. feet at 11-13 Pine gives an amount of about 45,500 square feet on which it is proposed to have 41 units or little more than 1,100 square feet per unit.

The issues of increased traffic, garbage containers and collection, parking availability for tenants and visitors, parking lot lighting, spring water run-off, snow removal, etc. must also be considered when making the decision.

Much evidence was offered by both Laurel Palmer-Thompson, Planning and Development Officer and employee of the City of Charlottetown and Alex Forbes, Professional Land Use Planner and who serves as the City of Charlottetown's Manager of Planning and Heritage at the hearing called and heard by IRAC in November 2017 to deal with the appeal of the decision made by Charlottetown City Council in September 2016 to deny the application.

Mr. Forbes noted the Official Plan of the City *"articulates policies which preserve existing resident low density neighbourhoods and ensures that new residential development is physically related to its surroundings."*

Ms. Palmer-Thompson said the Pine Cone proposal is an infill project. She further added *"Pine Drive is an older, established stable residential neighbourhood"*. She identified bulk mass and scale as factors that made it difficult for Pine Cone's proposal to fit into the existing streetscape.

I would bring to the attention of the Planning and Heritage Department again the decision and order LA 17-08 rendered by IRAC in November 2017 and specifically those sections #51 - #63.

Truly, what has changed as far as the neighbourhood is concerned? Closer to the Charlottetown Mall on Mount Edward Rd. there have been constructed numerous single storey units numbering from 4 or more attached to one another and these units, for the most part, are occupied by seniors. The Mount Academy has been constructed and it is 5-storeys in height but is on sufficient land mass that its large size is compatible to its surroundings. A very large 5-storey apartment complex has been constructed on Rte. 2 near to the former Sears Department store but again I would suggest it has sufficient land mass to mask its large size and certainly has no other residential neighbourhood in close proximity.

The proposal before you is completely incompatible with the surrounding neighbourhood of single family residential dwellings. This project, if allowed to proceed, will negatively affect neighbours living adjacent to it and detract from their right to enjoy their property. It would 'loom' over its adjacent neighbours and even over those not so close. The proposed building(s) would detract from the streetscape which is well established.

Any new construction in the neighbourhood under question must be esthetically pleasing and physically related to the community and there is no doubt this proposal does not meet that criterium. There has to be a way to develop this property in such a way that it would truly be a 'part of the neighbourhood' but a 4-storey monstrosity behind a 3-storey with its (i.e. – the 3-storey building) sole purpose being to 'disguise the scale of the building' is not the answer.

Yours truly,

Anna Carr

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:05 PM  
**To:** Doiron, Bob; Planning Department; Thompson, Laurel  
**Subject:** RE: Proposed development on Pine Drive

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
233 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 4B9  
Office: 902-629-4112  
Fax: 902-629-4156

[ecatane@charlottetown.ca](mailto:ecatane@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Doiron, Bob  
**Sent:** Wednesday, February 26, 2020 10:36 AM  
**To:** Planning Department  
**Subject:** Fwd: Proposed development on Pine Drive

Bob Doiron  
Sent from my iPhone

Begin forwarded message:

**From:** Sarah Armstrong <[sjarm50@gmail.com](mailto:sjarm50@gmail.com)>  
**Date:** February 23, 2020 at 9:06:50 AM AST  
**To:** "Doiron, Bob" <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)>  
**Subject:** Proposed development on Pine Drive

Good morning Councillor Doiron,  
I am writing to add my family's opposition to the large apartment development proposed for Pine Drive. This is adjacent to one of the city's precious few remaining wildlife havens to foxes, rabbits, owls and birds of prey, not to mention the increased demand on traffic exiting Pine Drive on to the heavily used Mount Edward Road.

The proposed larger size is grossly inappropriate, and indicative of a profit-seeking motive.

Contrary to what the developers are stating, there has been significant recent apartment development in Sherwood, in the property behind the mall, to the discontent of many in the immediate area.

We will be counting on your attendance and support at the meeting on Tuesday night.

Thank you for your time and attention to this urgent matter.

Regards,

Sarah Armstrong

MacMillan Crescent resident

Sent from my iPhone



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 8:25 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Proposed development on Pine Drive

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**From:** Rivard, Greg  
**Sent:** February 25, 2020 6:42 PM  
**To:** Planning Department  
**Subject:** Fwd: Proposed development on Pine Drive

Greg Rivard  
Charlottetown City Councillor - Ward 7  
(902) 388-7031 (cell)

Begin forwarded message:

**From:** Sarah Armstrong <[sjarm50@gmail.com](mailto:sjarm50@gmail.com)>  
**Date:** February 23, 2020 at 1:43:43 PM AST  
**To:** "Rivard, Greg" <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>  
**Subject:** Proposed development on Pine Drive

Dear Councillor Rivard,

I am writing to add my family's opposition to the large apartment development proposed for Pine Drive. This is adjacent to one of the city's precious few remaining wildlife havens to foxes, rabbits, owls and birds of prey, not to mention the increased demand on traffic exiting Pine Drive on to the heavily used Mount Edward Road.

The proposed larger size is grossly inappropriate, and indicative of a profit-seeking motive. Contrary to what the developers are stating, there has been significant recent apartment development in Sherwood, in the property behind the mall, to the discontent of many in the immediate area.

We will be counting on your attendance and support at the meeting [on Tuesday night](#).

Thank you for your time and attention to this urgent matter.

Regards,

Sarah Armstrong

MacMillan Crescent resident

Sent from my iPhone

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Monday, February 24, 2020 8:25 AM  
**To:** Thompson, Laurel; Forbes, Alex  
**Subject:** FW: Meeting re: proposed Pine Drive development

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**From:** Sarah Armstrong [<mailto:sjarm50@gmail.com>]  
**Sent:** February 22, 2020 8:54 PM  
**To:** Planning Department  
**Subject:** Meeting re: proposed Pine Drive development

Dear committee:

I no longer subscribe to the Guardian but happened to see the article in the paper recently regarding the proposed apartment development for Pine Drive, and I was very alarmed. That area is a sanctuary for urban wildlife - owls, foxes, rabbits, birds of prey. This will greatly disrupt the ecosystem, not to mention the nightmare of getting more cars onto the heavily congested Mount Edward Road from Pine Drive.

For these reasons, my family and I do not support this development.

Thank you for your time and consideration.

Regards,

Sarah Armstrong

MacMillan Crescent resident  
Charlottetown-Sherwood

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:13 AM  
**To:** Tom Fitzpatrick; Planning Department; Thompson, Laurel  
**Subject:** RE: 9 Pine Dr Rezoning  
**Attachments:** TOm Fitzpatrick 9 Pine Dr.pdf

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Tom Fitzpatrick [<mailto:twfitzoffice@gmail.com>]  
**Sent:** Wednesday, February 26, 2020 8:42 AM  
**To:** Planning Department  
**Subject:** RE: 9 Pine Dr Rezoning

Attention Greg Rivard  
Greg Please find attached my letter regarding the rezoning application for 9 Pine Drive.

Thank you,  
Tom Fitzpatrick

**February 26, 2020**  
**City of Charlottetown**  
**Planning and Heritage Committee**  
**Attention Greg Rivard**

**Re: Pine Drive Rezoning application**

Greg, I attended the public meeting last evening at the Charlottetown Hotel.  
I object to this proposed rezoning based on the size and scope of the project.

We purchased our property on 3 MacMillan Crescent in June 2009. We had searched for some time for a property in Sherwood. Our intention was and is to raise our children (3), have them attend the local schools and sports facilities.

This is a quiet street where we know our neighbors from not only MacMillan Crescent, but Pine Drive and Oak Drive as well.

In this area we are well aware of the traffic issues on Pine Drive. The city police do a great job of patrolling the Pine Drive and Maple area during school hours, but these are growing busier each year.

There are currently 24 dwellings facing Pine Drive between Mount Edward Road and Maple Avenue.

This project would see an addition of 41 units added to that street. I have concerns now with our daughter walking to Sherwood school. I believe this would increase this concern.

The back (West side) of my property borders onto 21 Pine Drive. We have a very private back yard that is well developed. We know both our neighbors and enjoy "chatting over the fence" whenever we see each other. The eastern elevation of this project would be my new western view. This would block the late afternoon and evening sun for both 21 Pine Drive and myself.

We currently enjoy our deck and backyard privacy and if this project were to move forward this would be gone.

This property is an odd ball as a result of amalgamation of the city. If a project were to fit in with the local properties it would have to be on a small scale. I understand the developer wants to maximize the project on this property, but that is the reason all previous proposals were either rejected by city staff or the public outright. One previous proposal did not move forward because Pine Cone Investments decided not to move forward.

Thank you for your attention to this matter,

**Tom Fitzpatrick**

3 MacMillan Crescent



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:13 AM  
**To:** Doiron, Bob; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine Drive

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Doiron, Bob  
**Sent:** Wednesday, February 26, 2020 8:42 AM  
**To:** Planning Department  
**Subject:** Fwd: Pine Drive

Bob Doiron  
Sent from my iPhone

Begin forwarded message:

**From:** Bethany Collicutt <[bethanycollicutt@gmail.com](mailto:bethanycollicutt@gmail.com)>  
**Date:** February 26, 2020 at 7:32:18 AM AST  
**To:** "Doiron, Bob" <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)>  
**Subject:** Pine Drive

Hi Bob

I'm just listening to CBC radio about the proposed development on Pine Drive. This would for sure increase traffic at the Maple/pine corner. The developer said it would "stimulate" the neighbourhood.....we dont need to be stimulated. It's an awful idea.

Thanks  
Bethany

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:45 AM  
**To:** Valerie Handren; Planning Department; Thompson, Laurel  
**Subject:** RE: Proposal for 9-13 Pine Drive

Hi Valerie,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer / Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Valerie Handren [<mailto:valeriehandren@live.com>]  
**Sent:** Wednesday, February 26, 2020 9:39 AM  
**To:** Planning Department  
**Subject:** Proposal for 9-13 Pine Drive

I am sending this Email as I was unable to attend the public meeting last night due to my husbands' dementia. I did attend & speak at the meeting held in 2012. I must say there is a feeling of deja-vu as I express the same concerns again; however am not overly surprised to see Bevan Enterprises submit another proposal as they have chosen to place a blue tarp over the roof the last 2 years rather than put on a new roof.

My husband & I purchased our house at 35 Pine Drive 31 years ago because it was located in a single family residential zone, close to 2 schools. Except for the property in question, it was zoned appropriately. How & why 9-11 managed to be zoned R3 "way back when", is not clear & obviously was the responsibility of the City Council of the time. In my opinion, that does not negate the fact that it was an obvious mistake & one that now belongs to the present Council. to handle, & hopefully rectify.

The traffic situation that would be created by a multi-unit apartment is obvious. Vehicles will impact significantly 2 intersections that already have problems, one accessing a very busy Mt. Edward Road, & one based at an Elementary School.

There are even more obvious concerns about garbage disposal, sewer, & I would like to hear from the planners on these issues, especially now that the proposal is for 41 units.

In summary, nothing has changed since the last proposal, other than it is even more concerning.

I found it interesting that the present housing shortage was mentioned in the newspaper article as the reason the proposal was brought back, as if that that would make the wrong, right.

Sincerely,  
Valerie Handren  
35 Pine Drive



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:46 AM  
**To:** Elaine S; Planning Department; Thompson, Laurel  
**Subject:** RE: Feb.25th meeting on request for 41 unit apt complex on Pine Drive

Hi Elaine,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer / Administrative Assistant**

**City of Charlottetown**  
233 Queen Street  
Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Elaine S [<mailto:estravel48@hotmail.com>]  
**Sent:** Wednesday, February 26, 2020 9:40 AM  
**To:** Planning Department  
**Subject:** Fw: Feb.25th meeting on request for 41 unit apt complex on Pine Drive

We previously sent this letter to Bob Doiron. Hopefully, you have already seen this. After reading the newspaper today, we also are concerned of the water off flow as the area below Pine Street gets basement flooding at times. Please know that the residents did not purchase homes there to have a 41 unit apt. building as their future view, let alone all of the things listed below. This had already been denied 3 years ago. How many times does it have to go to council? Support our residents in this area, please.

Sincerely

Elaine Somerville and Jason Moffatt

---

**From:** Elaine S <[estravel48@hotmail.com](mailto:estravel48@hotmail.com)>  
**Sent:** February 21, 2020 4:28 PM  
**To:** [rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca) <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)>  
**Cc:** jwest <[rjwest@pei.sympatico.ca](mailto:rjwest@pei.sympatico.ca)>; Elaine S <[estravel48@hotmail.com](mailto:estravel48@hotmail.com)>  
**Subject:** Re: Feb.25th meeting on request for 41 unit apt complex on Pine Drive

As we are vacationing out of the country presently, we shall not be able to attend this very important meeting. We request that our concerns be brought forward to this meeting.

1). For over 3 years our view from most of our back yard on Greenleaf Drive is the view of a tarp on top of the developer's present apartment building. This residential area is home to residents who take great pride in their properties. How can we trust someone to develop a much larger building when he does not appreciate the residents and decor of the current area? What kind of repairs can we expect of another building if he cannot afford to replace the roof of his current apartment building or is this a "wait for a while and the council will eventually approve another building so why repair the present one" kind of deal?

2). It is common knowledge that the development between Mt. Edward Road and the back of the Charlottetown Mall changed as it was built. What happened to the green space among the duplexes? Can we expect the same lack of the well-being of the environment and residents in the area if this unit is built?

3). If the 27 unit proposal was turned down for this area, why would council even begin to think of allowing a 41 unit building, even with 2 extra properties? Even with the need for accommodations in Charlottetown, why ruin the decor of the already developed area? Perhaps annexing more land to Charlottetown might prove a better plan.

4). The land in this area was not developed to handle the traffic of 41 more families in a very small area.

Thank you for taking our concerns seriously, Bob.

Sincerely,

Elaine Somerville and Jason Moffatt  
16 Greenleaf Drive

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:08 PM  
**To:** Heather Thompson; Planning Department; Thompson, Laurel  
**Subject:** RE: 9,11,13 Pine drive

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Heather Thompson [<mailto:larter502@hotmail.com>]  
**Sent:** Wednesday, February 26, 2020 10:50 AM  
**To:** Planning Department  
**Subject:** 9,11,13 Pine drive

I attended the meeting last night

I would like to go on record that I oppose the project this is a single dwelling neighborhood and should remain the same

The presenter did not have the information that people wanted, if you are coming into our single dwelling neighborhood they should have all the answers

things may change in cost but they should have an estimate the rent cost, the fact that he did not know how many feet between their project and the houses next door or how much green space in front, or where the garbage would be. There were more questions than answers.

Heather Thompson Sherwood



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:27 PM  
**To:** Joe Kimpinski; Planning Department; Thompson, Laurel  
**Subject:** RE: Meeting last night re apartment building on Pine Drive

Hi Joe,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

Ellen Faye Catane  
Intake Officer/Administrative Assistant

City of Charlottetown  
233 Queen Street  
Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)

-----Original Message-----

From: Joe Kimpinski [<mailto:jandjimpinski@aol.com>]  
Sent: Wednesday, February 26, 2020 11:13 AM  
To: Planning Department  
Subject: Meeting last night re apartment building on Pine Drive

I was present at the meeting and must admit I am not knowledgeable about this issue. I live nearby on Blythe Crescent. However, I have attended similar meetings.

I found the presentation lacking in information.

There were no pictures of the look of the four storey part of the building which would be visible to the neighbours. No mention of a traffic study being done. There is already a problem with the corner of Pine and Maple in regards to traffic. I believe I have heard the city is putting in lights. May I remind you we have Sherwood school at this intersection. I believe the amount of traffic a building of this size will generate puts a great strain on an area which has existing problems.

Even when the question of what rents would be there was no answer. We need affordable housing.

I am not against developing this area but a structure of this size will dwarf the homes in this area. A smaller more appropriate building that doesn't add to the traffic problems would be much more suitable.

It was

Hard to watch the ladies talk who would be living on either side of this extremely over sized building. These are are long time members of our community. Their views need to be respected. Jean Kimpinski



## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:28 PM  
**To:** Don Spence; Planning Department; Thompson, Laurel  
**Cc:** Doiron, Bob  
**Subject:** RE: New Apartment on Pine Drive

Hi Don,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Don Spence [<mailto:ds.js@islandtelecom.com>]  
**Sent:** Wednesday, February 26, 2020 11:49 AM  
**To:** Planning Department  
**Cc:** Doiron, Bob  
**Subject:** New Apartment on Pine Drive

Charlottetown City Planning Department:

I would like to add several items/thoughts that weren't brought up at last night's meeting.

One, a safety concern for those senior residents who have to go cross Pine Drive to pick up their mail at the top of Blythe Crescent. If mail isn't delivered to the building will a crosswalk with lights be added for those seniors?

What happens to 100 mm of rain that would come from the land surrounding this apartment complex after snow and ice pellets block the intakes to the clear water sewer line? Could it be on to Blythe it comes!

Two, the environment for seniors, sunshine and noise levels. Seniors as I know them love Vitamin D. On the front side of the building lots of sunshine and different sights, people walking, kids playing & coming home from school. On the other three sides, little to no sunshine.

Then there are the high noise levels, especially on the upper floors. I speak first of those 5am summer jet flights that take place each morning then two more at six. Then the late night flights. By the way people living on lower side of Pine and MacMillan will get a double wammy, first from the jet plane and then milliseconds later noise bouncing off that four story building. Another but essential service; it will wake you at about 90db, EMS.

Three, Electric service to the building, not discussed.

Lastly, was there a city study on increased traffic patterns in this area? I speak of the dozens of service vehicles that will deliver groceries and prepared food e.g. Subway, pizza, Ronnies and online shopping to these 41 apartments and other residences over the next ten/twenty/thirty years.

In conclusion open the door to this one and the floodgates will open forever in Sherwood. Don Spence at 45 Blythe Crescent, Charlottetown, P.E.

PS It is near time that the city review the road signage at the top of Pine & Oak. It is my opinion that in court the city wouldn't have a leg to stand on if a driver is charged with passing on the right.

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:29 PM  
**To:** hara@bellaliant.net; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine Drive proposal

Hi Hara,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** hara@bellaliant.net [mailto:hara@bellaliant.net]  
**Sent:** Wednesday, February 26, 2020 12:21 PM  
**To:** Planning Department  
**Subject:** Pine Drive proposal

Re: Proposal for 41 unit Apartment building at #9/11/13 Pine Dr.

To the Charlottetown Planning Commission and the Town Council,

As a resident of Charlottetown I would like to express my concerns regarding a proposal to build a four storey, 41 unit building on Pine Drive. While recognizing that there is a housing shortage in Charlottetown and that development is good for the growth of the City this specific proposal/application is not acceptable.

My concerns are:

- this proposal is not complete enough to have an application approved ie: no specifics regarding stormwater drainage, rainwater drainage and garbage concerns as put forth by the community at the meeting on Feb 25/2020.
- this site was never intended to be zoned R3 mid-sized apartment building, and to allow this proposal to go through is compounding an error instead of fixing an error. Mistakes, or illegal/non-conforming apartments by the owners, that were present during Amalgamation should not be allowed to stand, and especially not be allowed to be pushed further. They should have been penalized, not rewarded.



- traffic is already an issue on Pine Dr, towards Maple and Mt Edward. The developers claim that this will not worsen is wrong with a minimum of 41-60+ new cars travelling at least once a day. Accidents, or near misses, are common at present.
- this is not a dormant community, and will continue to be vibrant as the seniors that live there age in place (with minimal help from the province and City through established programs). Once they move out, younger families will flock to move in. The seniors that live in that area will NOT move into this apartment building which they are fighting against, thereby negatively affecting the community.
- the proposal does not fit in visually or esthetically into the neighbourhood. It does not address environmental concerns either.
- the developer was not transparent in the photos presented, did not know details of the proposal when asked and was unable to answer questions completely. Why then would the Commission and Council even be able to properly look at the incomplete application?

#### Further Questions:

This proposal is hinging on a need for seniors friendly housing, which there is not a proven need for in this community. Where is the research to back up this claim?

The developer mentioned other “successful” builds nearby, what is the definition of successful? For the community or the developer? Have studies been done by the developer on traffic flow and local residents feelings about the builds? All of these examples were also 3 storeys only, which is NOT what is being proposed. This is a misleading argument. Please request appropriate further information.

The underground Parking being proposed does not meet the needs of the proposal and so the 41 units should not be allowed as an extension of lot square footage related to Apt numbers. Underground parking is a red herring, trying to fool the Commission and to conceal the outdoor parking that would also be needed.

What is the developer providing in terms of green outdoor space for Apt residents? What is the size of the possible “Public Area”? And do these meet Beautification and Environmental concerns for the City of Charlottetown? Shouldn’t this be addressed before any decision is made?

Why would the developer not provide accurate information of how this building would fit into the community visually? Is it because they know it does not fit? How could the commission be able to make a decision without this info?

Lastly, the owners, Bevan family, do not do appropriate upkeep on their building that is present now. They have been known to delay repairs extensively. They obviously have the money to build new. The present structure is not kept up well now, how can we trust that they are going to do better in the future?

There are better ways to address housing shortages in an established community while protecting beautiful neighbourhoods, addressing environmental concerns and building communities than proposing to erect a four story building in a community that doesn’t want it; a building that doesn’t meet all bylaws and standards and is being proposed based on an error which should be corrected (not compounded). Improving and helping to build beautiful and sustainable neighbourhoods is one of the goals of Charlottetown and should not be swept aside for the financial needs of a developer.

Thank you,



Hara Kempton  
Resident of Charlottetown

## Thompson, Laurel

---

**From:** Catane, Ellen  
**Sent:** Thursday, February 27, 2020 9:15 AM  
**To:** willislj@icloud.com; Thompson, Laurel  
**Cc:** Planning Department; City of Charlottetown  
**Subject:** RE: Apartment building in Sherwood.

Hello Lisa,  
Thank you for your email. While the deadline for submission of reports was at noon today, I am looping in our Development Officer in this email for her reference.

Best Regards,  
Ellen

Ellen Faye Catane  
Intake Officer/Administrative Assistant

City of Charlottetown  
233 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 4B9  
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[www.charlottetown.ca](http://www.charlottetown.ca)

-----Original Message-----

From: Carmichael, Maureen On Behalf Of City of Charlottetown  
Sent: Thursday, February 27, 2020 7:59 AM  
To: Catane, Ellen  
Subject: FW: Apartment building in Sherwood.

-----Original Message-----

From: Lisa Willis [<mailto:willislj@icloud.com>]  
Sent: February-26-20 5:08 PM  
To: City of Charlottetown  
Subject: Apartment building in Sherwood.

I am a resident of Sherwood and do not want a 40 unit apartment building around the corner from my house. I already have to deal with the extra traffic from the units behind Charlottetown mall. Please build somewhere else!!!!  
Lisa Willis

Sent from my iPhone

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Thursday, February 27, 2020 9:23 AM  
**To:** Thompson, Laurel  
**Subject:** FW: NOT SUPPORTING SHERWOOD DEVELOPMENT

---

**From:** Amanda Francis [<mailto:am.francis@hotmail.com>]  
**Sent:** February 26, 2020 4:34 PM  
**To:** Planning Department  
**Subject:** NOT SUPPORTING SHERWOOD DEVELOPMENT

Hi,

I have seen multiple times online today people spamming to "send your support" to planning at city of Charlottetown for the 41 unit apartment monstrosity you're trying to pluck down in the middle of our residential neighborhood.

I want to express I am NOT in support of this.

My husband and I paid a good amount and invested in a home in Sherwood BECAUSE it was residential. and now you want to devalue our homes because the right person is asking? "Sherdale" was already created with no infrastructure surrounding in order to handle the traffic,

How come some rich men with the right connections can get approval, yet we couldn't legally rent out our basement because we were told our area is "SINGLE FAMILY." We had to agree when purchasing the home that we wouldn't have anyone in the apartment, nor could we get insurance for it.

I truly hope it doesn't come to knowing the right people. The city has set the precedent that Sherwood is single family, you've told residents and people investing in homes this for years.

I did not purchase in this area to have huge apartments set up beside me and devalue my property, and take away the privacy that I paid a lot for.

I AM 100% against this building.

Amanda  
Resident of Sherwood

Sent from [Outlook](#)

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Thursday, February 27, 2020 9:24 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Pine Drive apartments

-----Original Message-----

From: Kelly Fougere [<mailto:kellyfougere@gmail.com>]  
Sent: February 26, 2020 5:46 PM  
To: Planning Department  
Subject: Pine Drive apartments

I am writing because I am concerned with the proposed development on Pine Drive. I have lived on Pine Drive and am currently living on Hillside Drive. The increased traffic On Mount Edward Road in the last 5-10 years is a concern. Especially since the Mount has expanded. Are you planning to address the traffic issues on Mount Edward Road and the surrounding areas before approving the new development. I am also concerned will the extra traffic on a school road. There are already safety issues with the traffic around Sherwood school.

Thank you  
Kelly Fougere

Sent from my iPhone



**Thompson, Laurel**

---

**From:** Planning Department  
**Sent:** Thursday, February 27, 2020 3:11 PM  
**To:** Thompson, Laurel  
**Subject:** FW: 9 Pine Drive Proposed Development

**From:** Gordon Ellis [<mailto:laserboypei@gmail.com>]  
**Sent:** February 27, 2020 3:08 PM  
**To:** Planning Department  
**Subject:** 9 Pine Drive Proposed Development

Good Afternoon,

I have lived on Pine Drive for almost 30 years. I attended a planning meeting when the 20 plus unit building was proposed a number of years ago. Residents then made it clear that they felt that the scale of the proposed development was too large. So, I find it difficult to understand why council members would think it reasonable to expect that a building twice as large would be suitable to residents now. The area consists primarily of bungalows - a large building with 4 floors would be way out of scale. A grouping of townhouses would be far more appropriate and perhaps something residents would find acceptable.

Regards,  
Gordon Ellis



To Planning + Heritage Committee Laurel Thompson  
MCIP

Concerns from Lillian Mead 7 Pine Dr  
Re 41 Unit Apartment building  
Will the land on #9 be higher elevation  
causing water run onto my property?

Will this 4 story building have  
windows overlooking my property?

If yes it will make me feel like  
I'm living in a fish bowl with no privacy.

Will any part of the area at back  
of my property be used by people,  
pets, tenant vehicles or service vehicles?

If yes this affects my privacy and  
quality of life.

Is parking or garbage cans  
anywhere around my property  
which will cause fumes, light, noise  
etc to come into my windows

i.e. sleeping rooms? And everytime I  
go out my front or back door I'm  
face to face with people, vehicles,  
exhaust light and noise 24/7

Will my property be devalued because  
of zoning change or the new building?

Will there be shops? if yes how many?

With 41 apartments will sharply  
increase population and traffic  
sharply each unit could have between  
1 to 6 or more people in each unit plus  
extra vehicles and traffic on this already  
busy, fast, dangerous street.

Pine drive has had many injuries  
and deaths of pets, car crashes  
and dangerous drivers.

This is not the place for this size building.

I say NO to this proposal.

Lillian Mead Feb. 25 2020

PLANNING

Rec'd Feb 25 2020 Int ofc



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Monday, February 24, 2020 8:43 AM  
**To:** Thompson, Laurel; Forbes, Alex  
**Subject:** FW: Proposed apartment building for Pine Drive

---

**From:** Kim MacPhail [[mailto:kim\\_macphail2@hotmail.com](mailto:kim_macphail2@hotmail.com)]  
**Sent:** February 24, 2020 6:21 AM  
**To:** Planning Department  
**Subject:** Proposed apartment building for Pine Drive

Good morning,

I've seen in the media that a new apartment building is being proposed for Pine Drive in Sherwood. I am 100% in favour of this proposal!!! With the current housing shortage in the city it would be a welcome option!!

I hope your committee will support this new apartment building and it can proceed asap!!

Sincerely  
Kim MacPhail  
22 Garfield Street  
Charlottetown

*Sent from my LG Mobile*

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Tuesday, February 25, 2020 12:12 PM  
**To:** Thompson, Laurel; Forbes, Alex  
**Subject:** FW: 9-13 Pine Drive , 41 unit apartment building

**From:** lokesh Garg [<mailto:lokeshgarg201@gmail.com>]  
**Sent:** February 25, 2020 11:22 AM  
**To:** Planning Department  
**Subject:** 9-13 Pine Drive , 41 unit apartment building

I am and my family is very supportive of this project. It will add some nice building in the neighbourhood which is also in very need of rental units. It will add some more units close to school and shopping for seniors.

My name is Lokesh Garg and we live on 3 Greenleaf drive and my wife is retired teacher from Sherwood Elementary school.

Lokesh Garg,

3 Greenleaf Drive  
Charlottetown, PEI  
C1A 8E7

Tel. 902-566-5456  
email [lokeshgarg201@gmail.com](mailto:lokeshgarg201@gmail.com)



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:09 AM  
**To:** Morning Glory; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine Dr.

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
233 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 4B9  
Office: 902-629-4112  
Fax: 902-629-4156

[ecatane@charlottetown.ca](mailto:ecatane@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Morning Glory [<mailto:morningglory750@yahoo.com>]  
**Sent:** Wednesday, February 26, 2020 8:54 AM  
**To:** Planning Department  
**Subject:** Pine Dr.

I am writing to express my support of the project on Pine Dr. I have been searching for years for a place to live in the Sherwood area, but unfortunately due to the outright rejection of the residents to allow new construction this has not been possible. I respect their opinion, but they should not be able to control construction in the entire neighborhood. They are unwilling to compromise on anything. Why should these developers lose money on their properties for 40 odd people wanting to keep the neighborhood single family. Sherwood is an old neighborhood and some properties are in disrepair, I personally would like to see some new life allowed into this area I support the project at Pine Dr. I pay taxes just like they do.. why should I have to live outside the city because they don't want me in it.. it is your job to do what is right for the people. All the people, not just this select few..

Thank you

Rick Saunders

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:12 AM  
**To:** Neila Roberts; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine Dr. proposed unit

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
233 Queen Street  
Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)

Best Regards,  
Ellen

---

**From:** Neila Roberts [[mailto:Neila\\_Roberts@hotmail.com](mailto:Neila_Roberts@hotmail.com)]  
**Sent:** Wednesday, February 26, 2020 8:43 AM  
**To:** Planning Department  
**Subject:** Pine Dr. proposed unit

To whom it may concern,

I am writing in favor of the 41 Unit proposed for Pine Dr. PEI is in a housing crisis and rental units are in demand in the Charlottetown area. I grew up in the community of Sherwood and still reside today. People can be narrow minded when it comes to change. The community has an aging population and I believe that the units would be an opportunity for people to stay within their own communities.

Neila Roberts

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:37 AM  
**To:** Carman; Planning Department; Thompson, Laurel  
**Subject:** RE: Re development on mt Edward road for 41 units

Hi Carman,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

Ellen Faye Catane  
Intake Officer/Administrative Assistant

City of Charlottetown  
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[www.charlottetown.ca](http://www.charlottetown.ca)

-----Original Message-----

From: Carman [<mailto:carman@macarthurapp.pe.ca>]  
Sent: Tuesday, February 25, 2020 8:10 PM  
To: Planning Department  
Subject: Re development on mt Edward road for 41 units

Just a note, as I can not make this meeting, we are not opposed to this 41 unit development . Thank you !

Sent from my iPhone  
Thanks  
Carman MacArthur



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 9:45 AM  
**To:** Holly Noel; Planning Department; Thompson, Laurel  
**Subject:** RE: Housing development on Pine Drive

Hi Holly,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

Ellen Faye Catane  
Intake Officer/Administrative Assistant

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[www.charlottetown.ca](http://www.charlottetown.ca)

-----Original Message-----

From: Holly Noel [<mailto:hbnoel@upei.ca>]  
Sent: Wednesday, February 26, 2020 9:39 AM  
To: Planning Department  
Subject: Housing development on Pine Drive

To whom it may concern, I see once again that a small number of residents with minor complaints are able to veto a much needed housing project. If you are going to continue to allow explosive population growth you are going to have to start allowing development at the same rate. People have been priced out of single family dwellings, which had previously been very affordable, so there was no need for as many new developments. Your reticence to allow for new apartments is short sighted and outdated. If you are going to continue on this path, development must be allowed in the outskirts of the city supported by a robust public transportation system.

Thank you,

Holly Noel

Sent from my iPhone



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 10:24 AM  
**To:** tracey mcdonald; Planning Department; Thompson, Laurel  
**Subject:** RE: Housing Project

Hi Tracey,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** tracey mcdonald [<mailto:neenamcd@yahoo.ca>]  
**Sent:** Wednesday, February 26, 2020 10:20 AM  
**To:** Planning Department  
**Subject:** Housing Project

I believe it is time for city councilors to make a decision on some of these housing projects based on needs, rather than a select few who are opposed. We are in a crisis and it needs to be addressed now. People should be entitled to live in the city, close to shopping, schools and public transportation, even though it has been suggested these units should go outside the city. Why is it that Parkdale residents object, but units go ahead in this neighborhood. Sherwood residents have had their say and it is more than clear they want absolutely no development in their neighborhood, but their opinion should not influence the opinion of the hundreds begging for housing. The public meetings are to get public opinion, they should not be able to control the entire process with their objections. Not one person can object we need housing, time to move on and make it happen..

not to mention the addition tax dollars new construction would bring into an old community. I support the housing project on Pine Dr.

Tracey McDonald

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:06 PM  
**To:** Doiron, Bob; Planning Department; Thompson, Laurel  
**Subject:** RE: Apartment

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Doiron, Bob  
**Sent:** Wednesday, February 26, 2020 10:37 AM  
**To:** Planning Department  
**Subject:** Fwd: Apartment

Bob Doiron  
Sent from my iPhone

Begin forwarded message:

**From:** maureenagarrity <[maureenagarrity@gmail.com](mailto:maureenagarrity@gmail.com)>  
**Date:** February 21, 2020 at 11:18:45 AM AST  
**To:** "Doiron, Bob" <[rdoiron@charlottetown.ca](mailto:rdoiron@charlottetown.ca)>  
**Subject:** Apartment

Sherwood needs this type of housing. I lived in Sherwood for 45 years but could not find a place in Sherwood when I sold my house.  
Maureen Nantes Garrity

Sent from my Samsung Galaxy smartphone.

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:08 PM  
**To:** Courtney Birt; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine drive Sherwood

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Courtney Birt [<mailto:roxysummer902@gmail.com>]  
**Sent:** Wednesday, February 26, 2020 11:02 AM  
**To:** Planning Department  
**Subject:** Pine drive Sherwood

Hello I am from Charlottetown, born and raised and I am in favor of the apartment building built on pine drive

There is a very large shortage of housing here all over Prince Edward Island and we need as many affordable housing as possible . Please approve the the project .



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:25 PM  
**To:** Kari Kruse; Planning Department; Tweel, Mitchell; Thompson, Laurel  
**Cc:** Mayor of Charlottetown (Philip Brown); Doiron, Bob  
**Subject:** RE: Support for Pine Drive Building

Hi Kari,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

Ellen Faye Catane  
Intake Officer/Administrative Assistant

City of Charlottetown  
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[www.charlottetown.ca](http://www.charlottetown.ca)

-----Original Message-----

From: Kari Kruse [<mailto:kkruse@upei.ca>]  
Sent: Wednesday, February 26, 2020 11:06 AM  
To: Planning Department; Tweel, Mitchell  
Cc: Mayor of Charlottetown (Philip Brown); Doiron, Bob  
Subject: Support for Pine Drive Building

Good morning,

My name is Kari and I am a citizen/resident of Charlottetown in Ward 4 and I support the decision to go forward with the 41-unit apartment building in Sherwood on Pine Drive. I read the recent CBC article that reported on the arguments from the residents and I do not think their arguments are strong enough to stop this from going forward. As we all know Charlottetown is growing and with the housing crisis we need to continue to build according to the demand. Housing is a human right and these residents are being very selfish. I call on you Councillor Mitch Tweel who is my representative to keep my interest in housing for all in mind. I call on Councillor Bob Doiron who I understand is a lifelong resident of Sherwood to open the community to new residents so they too can experience the lovely neighbourhood of Sherwood. And I call on Mayor Philip Brown to hold these councillors accountable.

Thank you for your consideration,



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:25 PM  
**To:** ambermaclauchlan; Planning Department; Thompson, Laurel  
**Subject:** RE: In support of the Pine Drive project

Hi Amber,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** ambermaclauchlan [<mailto:ambermaclauchlan@gmail.com>]  
**Sent:** Wednesday, February 26, 2020 11:13 AM  
**To:** Planning Department  
**Subject:** In support of the Pine Drive project

As a current resident of Sherwood, I fully support the project planned for 41 units to be built on Pine Drive. Housing of all types is needed in all communities and Sherwood is an amazing place to raise a family. Everyone needs options in this housing crisis, not everyone can afford a mortgage. Everyone should support this great development for the residents and future residents of Sherwood. We all need housing and APM does a wonderful job on these projects !  
Amber MacLauchlan & Family

Sent from my Samsung Galaxy smartphone.

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:27 PM  
**To:** Susan Davison; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine Drive Development

Hi Susan,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Susan Davison [<mailto:susanmd724@gmail.com>]  
**Sent:** Wednesday, February 26, 2020 11:17 AM  
**To:** Planning Department  
**Subject:** Pine Drive Development

Just writing in response to the proposed development on Pine Drive. I was born in Charlottetown and have lived here most of my life. I am so tired of all these narrow minded people who oppose everything. With the housing shortage the way it is, I cannot believe the selfishness of homeowners. But..it will continue. Our family is leaving PEI, and this is a big reason.



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:28 PM  
**To:** jim macneill; Planning Department; Thompson, Laurel  
**Subject:** RE: Pine st. housing project.

Hi Jim,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer / Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** jim macneill [<mailto:jimmacnei126@gmail.com>]  
**Sent:** Wednesday, February 26, 2020 11:33 AM  
**To:** Planning Department  
**Subject:** Pine st. housing project.

Its pretty bad when communities don't want seniors, here's a suggestion, any neighborhood that rejects these projects should have there taxes doubled

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:28 PM  
**To:** Alexander Evans; Planning Department; Thompson, Laurel  
**Subject:** RE: Apartment building decision

Hi Alexander,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Alexander Evans [<mailto:alexander@evansfamily.ca>]  
**Sent:** Wednesday, February 26, 2020 11:35 AM  
**To:** Planning Department  
**Subject:** Apartment building decision

To whom it may concern,

As a citizen of Charlottetown I strongly support building additional apartments, like the proposed one on Pine drive. I feel that it's crucial for the island that we focus on creating more housing, especially vertical and affordable options such as apartments

Regards,

Alexander

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:28 PM  
**To:** Alexander O'Neill; Planning Department; Thompson, Laurel  
**Subject:** RE: Comment on proposed Pine Drive development

Hi Alexander,

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

Ellen Faye Catane  
Intake Officer/Administrative Assistant

City of Charlottetown  
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[www.charlottetown.ca](http://www.charlottetown.ca)

-----Original Message-----

From: Alexander O'Neill [<mailto:aloneill@gmail.com>]  
Sent: Wednesday, February 26, 2020 12:02 PM  
To: Planning Department  
Subject: Comment on proposed Pine Drive development

Hi,

I want to register my support for the proposed development on Pine Dr. In sherwood, and to urge the city of Charlottetown's council and planning staff to remember of your responsibility to make decisions to keep our community a vibrant and living one. This means not letting your decisions be held hostage by a few people who express outsized concerns rooted in self-interest and often misplaced fear of living around other people.

All the best,

Alexander O'Neill  
Ward 4 resident



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 12:29 PM  
**To:** kathy rand; Planning Department; Thompson, Laurel  
**Subject:** RE:

Hi Kathy,  
Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** kathy rand [[mailto:kathy\\_rand@hotmail.com](mailto:kathy_rand@hotmail.com)]  
**Sent:** Wednesday, February 26, 2020 12:13 PM  
**To:** Planning Department  
**Subject:**

I'm really disappointed I missed last night's meeting on the proposed complex on Pine Dr. In Sherwood. I am a resident and I live on Mt Edward Rd.

Personally I am in favour of this. We need more housing for young families. The school is so handy plus shopping. University so close. This complex is placed back off the road therefore not looking in anyone's back yard.

What other city in Canada bans apartment buildings. It's a city after all,,,,,not country. If you want luxuries of country space please go to the country. If you want city convenience stay but as with anything.....there are pros and cons to both.

Families have moved back home to PEI only to find they cannot access affordable housing or any housing. I know for fact of some who heavily contemplate moving back. It sure is not all it promised to trades people who did move back.

It won't be long before they go back and we are crying again about labour shortage, no one to fill the jobs. Can't have it both ways .....

Get [Outlook for Android](#)



## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Wednesday, February 26, 2020 3:23 PM  
**To:** Jenna Arsenault; Planning Department; Thompson, Laurel  
**Subject:** RE: Sherwood building project

Hi Jenna,  
Thank you for your email. While the deadline for submission of reports was at noon today, I am looping in our Development Officer in this email for her reference.

Best Regards,  
Ellen

**Ellen Faye Catane**  
**Intake Officer/Administrative Assistant**

**City of Charlottetown**  
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Charlottetown, Prince Edward Island  
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[www.charlottetown.ca](http://www.charlottetown.ca)



**From:** Jenna Arsenault [<mailto:jenna.arsenault.91@gmail.com>]  
**Sent:** Wednesday, February 26, 2020 3:12 PM  
**To:** Planning Department  
**Subject:** Sherwood building project

I support the housing project!

## Thompson, Laurel

---

**From:** Planning Department  
**Sent:** Thursday, February 27, 2020 9:24 AM  
**To:** Thompson, Laurel  
**Subject:** FW: Sherwood development

**From:** Robert McSweeney [<mailto:bwmcsweeney@gmail.com>]  
**Sent:** February 26, 2020 6:10 PM  
**To:** Planning Department  
**Subject:** Sherwood development

Dear Charlottetown Planning Committee,


As I long time resident of charlottetown and a current resident of Hillsborough street I would like to extend my support of latestest 41 unit apartment building proposed in Sherwood by APM. I believe the development would add much needed density and housing growth in the main area of Charlottetown already supported by services. I believe the points of concern to be over stated and dramatic, Charlottetown is a growing city and apartment buildings are a part of the needed smart growth.

I believe this project should move forward along with fewer restrictions placed on developers for planning purposes so more medium density projects are developed like duplexes, town homes or triplexs'. Charlottetown needs housing of all types and density only benefits residents when done properly like the developers of this project have tried to do, they took residents concerns and changed their plans to accommodate and only now do their true colours show. This group of ten residents that voiced opposition at the public meeting I doubt would be appeased by any development other then single family homes. I hope you seriously consider this development and choose to move forward.

Kind regards

Robert McSweeney  
85 Hillsborough Street



<b>TITLE:</b> <b>FUTURE LANDUSE MAP AMENDMENT AND ZONING</b> <b>AMENDMENT (PID#’S 444687, 388439 &amp; 388389) 178 Lower</b> <b>Malpeque Road</b> <b>FILE: PLAN-2019-04-March-6A2</b> <b>OWNERS: CLIFFORD MCQUAID</b> <b>APPLICANT: PAN AMERICAN PROPERTIES</b>		
<b>MEETING DATE:</b> March 2, 2020		<b>Page 1 of 10</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Concept Plan	
<b>SITE INFORMATION:</b> <b>Context:</b> Vacant woodland containing a single detached dwelling adjacent to a watercourse and a subdivision consisting of single detached dwellings. <b>Ward No:</b> 8 – Highfield <b>Existing Land Use:</b> existing single detached dwelling wooded lots. <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Low Density Residential (R-1S) Zone		

#### **RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to defer the request to proceed to public consultation to amend Appendix “A” the Official Land Use Map of the City of Charlottetown from Low Density Residential to Commercial and a request to amend Appendix “G” – Zoning Map of the Charlottetown Zoning and Development Bylaw from R-1S (Single Detached Residential) zone to C-2 (Highway Commercial) zone for the properties located at 178 Lower Malpeque Road, PID #’s 444687, 388439 & 388389.

#### **BACKGROUND:**

##### ***Request***

An application has been submitted for a request to amend the Future Land Use Map from Low Density Residential to Commercial and to rezone three properties located at 178 Lower Malpeque Road PID #’s 444687, 388439 & 388389 from R-1S, Single Detached Residential Zone to C-2, Highway Commercial Zone.

### ***Development Context***

The subject properties are located at 178 Lower Malpeque Road. To the north is land zoned institutional and R-1S (Single Detached Residential). To the east is a Maritime Electric utility easement and land zoned C-2 Highway commercial. To the south is the Charlottetown Arterial Highway with R-1L zoned land on the opposite side of the highway and to the west is Low Density Residential zoned land designated R-1L, R-1S and R-2S.

### **ANALYSIS:**

This is an application to rezone approximately 24.19 acres of land located north of the Charlottetown Arterial Highway. The land is currently zoned R-1S (Low Density Residential) and the applicant is proposing to rezone the land to C-2 (Highway Commercial) to expand a retail shopping centre. The subject property abuts existing low density residential development. A watercourse (part of the Ellen's Creek Watershed) separates the subject property from the existing low density developed land. The applicant has provided a site plan of the proposed development showing approximately 136,000.00 sq. ft. of retail space on the subject property. If the property were rezoned to Highway Commercial the overall total retail space within the shopping centre would be approximately 475, 000 sq. ft. plus a storage facility, bank, office space, and multi-unit residential.

The site plans shows a series of internal private streets within the development. The primary access to the site is Daniel Drive located off of Malpeque Road. Daniel Drive was a private road but has recently been taken over by the City as a public road. There is also a small portion of Minna Jane Drive that is public. However the balance of roads will be privately maintained. The development has a signalized intersection on Malpeque Road that is controlled by the Province. The site plan also shows two additional accesses/egress to the site. 1) A right out only off ramp from the development to the arterial highway and 2) a road marked as new road leading from the shopping centre to Sherwood Road.

The arterial highway is a Provincial road and therefore is regulated by the Provincial Department of Transportation and Infrastructure Renewal (TIR). The applicant has provided a copy of a technical memo on traffic from WSP Canada to accompany their application. This technical memo was submitted to PEI Department of Transportation, Infrastructure and Energy.



Staff consulted with the Department of TIR regarding this proposed off ramp and the applicant has provided a letter from the Minister representing the Provincial Department of TIR confirming that, “a right out only access onto the arterial highway will be permitted subject to the conditions of the letter written by the Minister dated February 1, 2020 and the design alternatives as outlined in WSP’s report dated January 22, 2020”.

The new road access shown to Sherwood Road is not located where there is low density residential development. This portion of Sherwood Road is zoned for commercial and industrial development. However, it is located within approximately 650 feet of the intersection of Malpeque Road and Sherwood Road therefore; staff would recommend that a traffic study be completed to determine the effects this access may have on the signalized intersection. Also, further west along Sherwood Road near Lower Malpeque Road is low density residential development. The traffic assessment should also consider impacts on the intersection of Sherwood Road and Lower Malpeque Road.

An easement/land owned by Maritime Electric separates the subject property from the existing C-2 zoned shopping center. The easement is approximately 100 ft. in width and contains a power line corridor. The easement currently provides a separation and defines a boundary between the existing C-2 zoned land that forms part of the shopping centre and the subject property. Staff spoke to Maritime Electric in the summer of 2019 to determine if they granted approval for the applicant to cross the powerline easement with access roads. At that time Maritime Electric indicated that the applicant has not approached them to seek approval. They indicated there would be a process for the applicant to go through to seek approval. Maritime Electric also indicated that if they allowed them to cross the easement more than likely it would result in infrastructure having to be moved at a significant cost to the applicant. A further update from the applicant has not been provided to staff on this matter. Staff would also note that if Maritime Electric chooses to not allow access across their land then the only access to the subject parcels would be from Lower Malpeque Road through a low density residential neighbourhood. Staff does not support funneling traffic from an intensive commercial development through a low density residential neighbourhood.

A portion of Ellen’s Creek watershed backs onto this proposed commercial development. The applicant has shown a 100 ft. landscape buffer along Ellen’s Creek. A minimum 75 ft. buffer is required by Provincial standards therefore the proposed buffer exceeds this requirement by 25%. Ellen’s Creek Watershed Management group has done a significant amount of work in

maintaining this watershed over the years. If development were to occur adjacent to this watercourse an engineered storm water management plan for the entire subdivision would have to be provided to ensure that damage is not incurred to the water shed by storm water runoff. It is possible that such a development would be subject to an environmental impact assessment as per Provincial requirements. It is unclear at this time if the Provincial Department of Environment has been consulted regarding this proposal.

Commercial and industrial development has been designated along Malpeque Road. The subject properties were designated as Low Density Residential on the Future Land Use Map in 1999 and remain this land use to present day. The low density residential land is currently separated from the commercial zoned land in the Royalty Power Centre by the 100 ft. powerline easement owned by Maritime Electric. If these parcels were rezoned to C-2 there essentially would be the same separation with the new buffer along Ellen's Creek between the commercial development and the existing residential development along Lower Malpeque Road as there would be using the Maritime Electric easement as a buffer between the commercial and potential future residential development if these parcels were to remain R-1S. Therefore, if rezoned the location of adjacent land uses will not change but will shift westward toward existing built dwellings. Allowing commercial development of this nature to shift westward closer to existing low density residential development may raise concerns from the residents of this residential neighbourhood.

The Board may also consider that development began on the Royalty Power Centre in the early to mid 2000s. Approximately 1/3 of the land has been developed to date. The balance still remains vacant. Given that land within this shopping centre is not currently "built out" it may be considered premature to rezone these properties at this time.

Staff has examined sections of the Official Plan and the Official Plan supports a major commercial suburban centre to be located in the area around the Charlottetown Mall and Buchanan Drive area. Although the Official Plan was originally adopted in 1999 the area around the Charlottetown Mall continues to grow northward toward John Yeo Drive and the Royalty Power Centre. The Official Plan does not support scattered commercial development throughout the City.

There are various sections of the Official Plan that apply to this proposal (see below)

***The Environment for Change***

*One of the primary thrusts of the **CHARLOTTETOWN PLAN** is to promote efficient growth and development, and compact urban form. The designations of the major commercial suburban centre and the suburban neighbourhood commercial centre are designed to reduce the land-use conflicts which arise from scattered commercial development throughout the City, and to encourage the establishment of a mixed-use centre which will serve the needs of residents in Charlottetown's suburban and rural neighbourhoods.*

***Section 4 Encouraging Prosperity:***

*4. Our **objective** is to ensure that economic development is focused in those areas of the City where it will provide long-term benefit as well as result in optimal use of our physical and financial resources.*

- Our **policy** shall be to establish commercial and industrial land-use categories in which specific types of activities will be permitted. The boundaries of these zones will generally be established in accordance with previous or projected land-use patterns, the City's policy to promote compact urban form, the ability of the location to support the use and/or provide necessary services, as well as the need to address the various land-use requirements of our commercial and industrial sectors.*

***4.3 Creating Suburban Centres***

*Given the size and established nature of the Charlottetown Mall, the developing Wal-Mart site and the lands in that vicinity yet to be developed, this plan recognizes the importance of the area as a defined suburban commercial centre with a regional focus. While the downtown core will continue to remain as the principal focus of commercial and institutional growth and development in Charlottetown, the Charlottetown Mall and surrounding lands will continue to develop as a mixed-use area supporting a range of commercial, institutional, and residential facilities. The Charlottetown Mall/Wal-Mart suburban centre as shown on the Future Land-Use Map will require concept plans.*

Given that development along Lower Malpeque Road is low density residential staff does have concerns with allowing commercial development of this intensity to expand west from Malpeque Road toward Ellen's Creek into land that is designated for future low density residential development. The Official Plan supports efficient growth and development, and compact urban form and looks to direct commercial development toward a suburban centre that is designed to reduce land use conflicts with low density residential development.

The subject properties were designated under the Official Plan as an area for residential growth and at the time were not intended for commercial development.

Conversely Charlottetown has seen in recent years increased expansion of economic growth and demand for specific retail services to accommodate the growth that is occurring within our City. If this commercial development were permitted to expand westward Ellen's Creek and the adjoining buffer zone would provide a separation between the commercial uses in the Royalty Power Centre and the residential development on Lower Malpeque Road.

Therefore, it may be appropriate to refer this application to public consultation to gauge the public's opinion. However, it is staff's view that before advancing to public consultation some additional information should be provided so the public and Council are able to make an informed decision.

Without an environmental impact assessment it is unclear about the impacts the expansion of this development may have on the Ellen's Creek watershed. The Provincial Department of Environment and the Ellen's Creek Watershed Group should be consulted to determine the level of review required. As well the site plan shows streets crossing the Maritime Electric easement that separates the Royalty Power Centre from the subject properties. The applicant has not provided confirmation to the City that Maritime Electric will permit the applicant to build streets over their land. If access is not granted to the applicant over Maritime Electric land than the only means of accessing the subject properties is through the residential subdivision on Lower Malpeque Road. This would not be supported by staff. A traffic impact assessment should also be provided for the access onto Sherwood Road addressing any effects the development may have on the intersection of Sherwood Road and Malpeque Road and the intersection of Sherwood Road and Lower Malpeque Road.



It is staff's view that these issues have to be resolved prior to this application proceeding to public consultation.

Below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>▪ The proposal would provide additional tax dollars to the municipality.</li> <li>▪ The proposal may attract retailers that are not otherwise currently available within this market area thus providing additional services and products to the residents.</li> <li>▪ The proposal makes the highest efficient use of existing underground services.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The existing Maritime Electric Easement provides a buffer between the C-2 Highway Commercial development and the R-1S Low Density Residential development.</li> <li>▪ The new environmental buffer would provide the same separation between the current residential uses as the Maritime Electric easement and future residential dwellings.</li> <li>▪ An egress from the site has been approved by the Province onto the Charlottetown Arterial Highway.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There is still vacant land within the Royalty Power Centre. This may be considered premature development.</li> <li>▪ Concerns surrounding impacts this development may have on the watershed. Destruction of habitat and surface water runoff from parking lots.</li> <li>▪ There may be concerns from area residents about incompatibility of land use with neighbouring low density residential development.</li> <li>▪ Maritime Electric has not indicated whether they will grant access over their easement to the subject properties.</li> </ul>

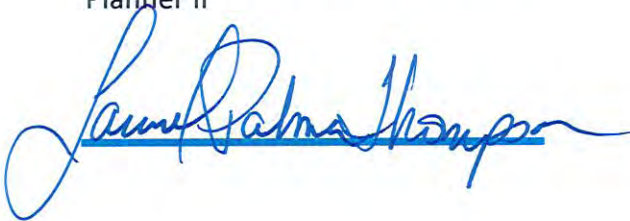
### **CONCLUSION:**

Therefore, the Planning & Heritage Department encourages Planning Board to recommend to defer the request to proceed to public consultation for the application to amend the Future Land Use map from Low Density Residential to Commercial and to rezone the properties located at 178 Lower Malpeque Road from R-1S to C-2 Highway Commercial PID #'s 444687, 388439 & 388389 until access over the Maritime Electric land is granted and a legal agreement signed

giving the applicant access over Maritime Electric land, a traffic assessment is completed for the access onto Sherwood Road and the Provincial Department of Environment is consulted to determine if an environmental impact assessment is required.

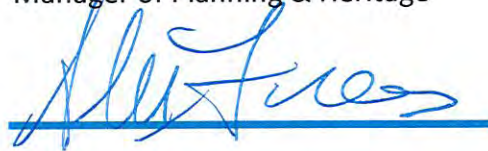
**PRESENTER:**

Laurel Palmer Thompson, MCIP  
Planner II

A handwritten signature in blue ink, reading "Laurel Palmer Thompson", written over a horizontal blue line.

**MANAGER:**

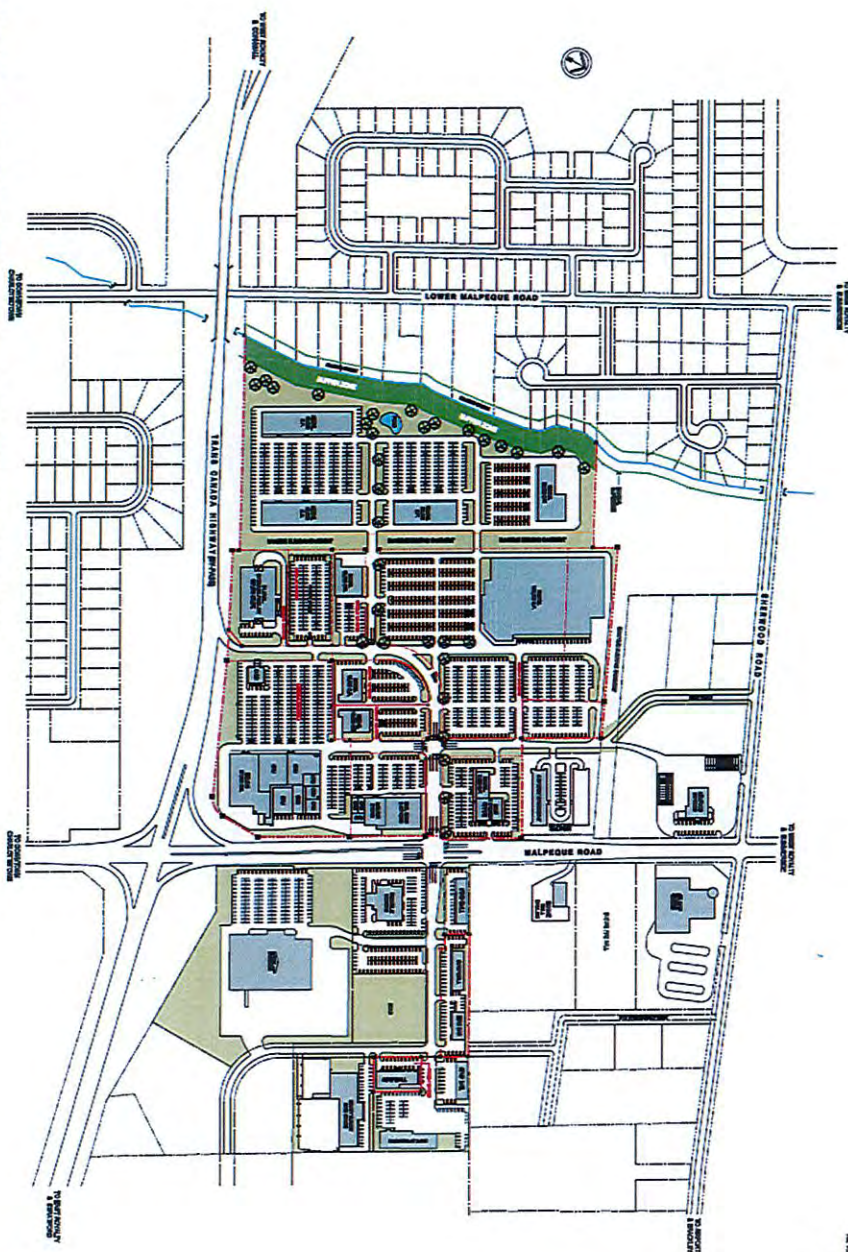
Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

A handwritten signature in blue ink, reading "Alex Forbes", written over a horizontal blue line.






**APM** ANALYTICAL  
PRACTICE



ROYALTY POWER CENTRE - MASTER PLAN  
 CHARTERED, P.C. - November 27, 2018

SPT



<b>TITLE:</b> <b>BUILDING HEIGHT VARIANCE</b> <b>FILE: PLAN-2020-2-MARCH- 6B-3</b> <b>132 ST. PETERS ROAD (PID #278168)</b> <b>OWNERS: 102253 PEI INC</b>		
<b>MEETING DATE:</b> March 2, 2020		<b>Page 1 of 8</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Site Plan C. Elevation Drawings D. Letter of Support E. Letter of Opposition	
<b>SITE INFORMATION:</b> <b>Context:</b> Vacant Property in Parkdale <b>Ward No:</b> 2 – Belvedere <b>Existing Land Use:</b> Vacant <b>Official Plan:</b> Commercial <b>Zoning:</b> Highway Commercial (C-2) Zone		
<b>PREVIOUS APPLICATIONS:</b> Building permit issued for Phase I – site & foundation for 38-unit apartment dwelling.		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to increase the maximum building height from 49.2 ft to approximately 59.0 ft in order to construct a 38-unit apartment dwelling at 132 St. Peters Road (PID #278168).

**BACKGROUND:**

***Property History***

A subdivision was approved on June 3, 2019 for Lot 19-1 (134 St. Peters Road – PID #1113224) and Lot 19-2 (132 St. Peters Road – PID #278168) as per ISE Drawing No. 19151 dated May 17, 2019.

A building permit was then issued on January 20, 2020 for Phase I – site & foundation for a 38-unit apartment dwelling being constructed on the vacant property.

***Request***

On February 4, 2020, a variance application was submitted to increase the maximum building height of the proposed 38-unit apartment dwelling to approximately 59.0 ft.

***Development Context***

The existing vacant property is located on St. Peter's Road between Falconwood Drive and Woodward Drive. The subject property is adjacent to the former Leon's Furniture and across the street from Vogue Optical / Scotiabank. The subject property also abuts two properties to the south which each contain 2-unit dwellings. All properties in this block are either located in the Mixed-Use Corridor (MUC) Zone or the Highway Commercial (C-2) Zone.

**LEGISLATIVE REQUIREMENTS:*****Notification***

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property on February 6, 2020 soliciting their written comments for or against the proposed variance. The deadline to submit written comments on the application was Monday, February 24, 2020.

***Public Feedback***

The Planning & Heritage Department received one (1) letter of support and one (1) letter of opposition.

The letter of support was from the adjacent property owner to the north which indicated that I *"have no objection to the request for the increase height variance. 9 ft ceilings are common place now and will only provide a nicer apartment for the tenants."*

The letter of opposition was from the adjacent property owner who owns the two abutting properties to the south who indicated that the reasons for this opposition are as follows:

- (1) *It appears to me that the construction was granted to do the apartment building bring 49.2 feet by rules and regulations. I think that this suggested that you change the rules and regulations. I think that this is wrong.*

The applicant submitted a Building & Development Permit application for the site and foundation work for a 38-unit apartment dwelling on December 24, 2019. At the time, professional drawings were submitted for the site work and foundation; however, only concept plans were submitted for the remainder of the building.

Staff sent an email to the applicant on December 9, 2019 following a review of the concept plans which indicated that the maximum building height is 49.2 ft but *“The submitted plans illustrate a building height of 49.5 ft from the bottom of the main floor to the top of the parapet. The height is calculated from the average finished grade to the height point of the roof surface in the case of a flat roof. The parapet can be excluded but we would need scaled drawings of all four elevations to determine the average building height of the proposed building.”*

In light of the foregoing, the applicant likely would be able to achieve the maximum average building height of 49.2 ft with 8 ft ceilings; however, has elected to apply for a variance to provide 9 ft ceilings to the tenants.

- (2) *I can not understand the Mathematical values, i.e.: if you increase the height from 8 feet to 9 feet for a 5 story building, this is an increase of 5 feet, not the 10 feet requested. The thickness of each floor remains constant. The height of the ceiling in my own home, is not quite 8 feet.*

The maximum building height in the Mixed-Use Corridor (MUC) Zone is 49.2 ft. That being said, the definition of height *means the vertical distance measured from average finished Grade to the highest point of the roof surface in the case of a Flat Roof, or the ridge of a gable, hip, or gambrel roof, and excluding such Structures as antennas, municipal water storage tanks, skylights, cupolas, elevator penthouses, mechanical penthouses, solar panels, chimneys, silos, smoke stacks, steeples and spires.* Therefore, the average building height of a building may meet the average building height of 49.2 ft even though the building is taller than 49.2 ft at the highest point.

In this circumstance, the applicant have indicated that the average building height of the proposed 38-unit apartment dwelling is 57.0 ft while the highest point of the building will be 59.0

ft. In the absence of elevations drawings that can be scaled by staff to confirm the building height, staff have elected to apply the variance to 59.0 ft to avoid any issues at the time that the architectural elevation drawings are submitted to staff for approval.

Finally, the applicants also indicated that they would be looking at adjusting the grades of the property slightly so it is difficult to provide a detailed response justifying the increase from an average of 49.2 ft to an average of 57 ft without knowing the proposed change in grades.

*(3) I don't know the square footage of each apartment but let's say 1000 sq. ft., so with one extra foot of height, there is going to be 1000 cu. ft. of extra volume. That will have to be heated during the winter months and the same volume will have to be cooled during the hot summer days. As you can understand this is a complete waste of ENERGY.*

*(4) You have not explained how this new proposed height of 59 feet is going to compare to the height of the surrounding buildings. If the building is extra height, therefore, the proposed new height would be out of balance with the neighboring apartments, buildings, homes and / or properties.*

It is difficult to determine the exact height of the surrounding buildings; however, using Pictometry it appears as though the apartment dwellings along Falconwood Drive and Lions Court are between 28 ft and 32 ft while the warehouse for the former Leon's Furniture is approximately 35 ft.

*(5) Another question is how this extra height will affect the sunlight reaching the other apartments, buildings, homes, and / or properties.*

#### **ANALYSIS:**

When an applicant submits building plans which appear to adhere to the height requirements of the Zoning & Development By-law, it is difficult for staff to justify the additional height being requested; however, approving a variance to allow an apartment dwelling above the maximum building height of 49.2 ft has occurred on a number of occasions in the past few years:

- March 13, 2017 – 300 Capital Drive – site specific amendment to 73.00 ft in height (hotel)



- October 10, 2017 – 197 Malpeque Road – variance to 65.25 ft in height (apartment dwelling)
- April 9, 2018 – 494 Queen Street – variance to 74.00 ft in height (apartment dwelling)
- April 8, 2019 – 197 Minna Jane Drive – variance to 69.75 ft in height (apartment dwelling)
- December 9, 2019 – Lot 2014-6 Towers Road – CDA amendment to 62.00 ft in height (apartment dwelling)

The request for an additional 10 ft in building height could be considered a minor request when considering that other apartment dwellings which have received larger variances in the past and the subject property is located near additional apartment dwellings and commercial development.

Arterial roads by nature are generally categorized as high capacity urban roads. Their primary function would be to deliver traffic from collector roads to the by-pass or highways at the highest level of service possible. Arterial roads typically contain higher densities than collector or local streets but generally have less access points for residential development. In addition, higher densities should be located along bus routes. The bus runs down Gordon Drive which is approximately 200m from the subject property.

### ***Official Plan***

Constructing a 38-unit apartment dwelling on the vacant property would be categorized as compact urban form and would maximize the use of existing underground services near centres of employment. Because of this, the following objectives of the Official Plan would be satisfied:

*Section 3.1.2 - Our **objective** is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.*

*Section 3.1.2 - Our **policy** shall be to use existing underground services to its fullest practical capacity before public funds are used to extend new water and wastewater lines into areas that are essentially undeveloped.*

*Section 3.3.1 - Our **objective** is to encourage development in fully serviced areas of the City, to promote settlement and neighbourhood policies as mechanisms for directing the location of new housing, and to encourage new residential development near centres of employment.*

Further, the Official Plan promotes moderately higher densities in neighbourhoods which are harmonious and do not adversely affect existing low density housing:

*Section 3.1.2 - Our **policy** shall be to allow moderately higher densities in neighbourhoods, ... and multiple-family dwellings in suburban centres and around these centres provided it is development at a density that will not adversely affect existing low density housing.*

*Section 3.2.1 - Our **objective** is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surroundings*

*Section 3.2.1 - Our **policy** shall be to ensure that the footprint, height, massing, and setbacks of new residential, commercial, and institutional development in existing neighbourhoods are physically related to its surroundings.*

*Section 3.2.1 - Our **policy** shall be to establish an appropriate relationship between the height and density of all new development in mixed-use residential areas of existing neighbourhoods.*

*Section 3.2.2 - Our **policy** shall be to ... permit multiple unit developments in suburban areas provided that it is development at a density which will not unduly adversely affect existing low density housing.*

The proposed development is located in an employment centre which contains a mix of residential and commercial uses. The proposed apartment dwelling would be out of scale in comparison to the two (2) low density residential dwellings to the south; however, those properties are located in the Mixed-Use Corridor (MUC) Zone which would allow an apartment dwelling to be constructed should the properties have 82 ft of lot frontage. While 126 St. Peter's Road (PID #278143) may be undersized for an apartment dwelling, 124 St. Peter's Road has a lot

area of approximately 73,000 sq ft which would allow for 59 residential dwelling units to be constructed without any bonuses (underground parking or affordable housing) being applied.

Currently there is a demand for dwelling units in the City of Charlottetown and this development would help to help to satisfy this demand:

*Section 3.3.1 - Our **policy** shall be to provide medium density housing styles to meet future housing needs.*

The Official Plan supports in-fill development through flexible zoning provisions (i.e., variances):

*Section 3.1.2 - Our **policy** shall be to encourage in-fill development through public land assembly initiatives, flexible zoning provisions and the reduction or waiver of development fees for small or irregularly shaped lots and, when warranted, the use of tax incentives within fully serviced areas of the City.*

Finally, medium density residential is encouraged along St. Peter's Road between the Sherwood Shopping Center and the CN Rail Corridor which would be applicable in this instance:

*Section 4.4.1. - Our **policy** shall be to allow incremental growth of medium sized highway commercial, medium density residential, and residential uses along both sides of St. Peter's Road between the Sherwood Shopping Centre and the CN Rail corridor.*

Below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>▪ The subject property is located on an arterial street within 200m of the bus route.</li> <li>▪ The subject property is near centres of employment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A number of apartment dwellings have received height variances in the previous three (3) years.</li> <li>▪ Currently a demand for dwelling units in the City of Charlottetown.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Is not compatible with adjacent two (2) unit dwellings; notwithstanding, they are located in the MUC Zone which would also allow for an apartment dwelling.</li> </ul>

- The proposed apartment dwelling is compact urban form.
- The proposed apartment dwelling is an efficient use of existing underground services.
- Located along St. Peter's Road which encourages medium density residential.
- The applicant has illustrated the ability to satisfy the maximum building height in the C-2 Zone.

**CONCLUSION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to increase the maximum building height from 49.2 ft to approximately 59.0 ft in order to construct a 38-unit apartment dwelling at 132 St. Peters Road (PID #278168), be approved.

**PRESENTER:**

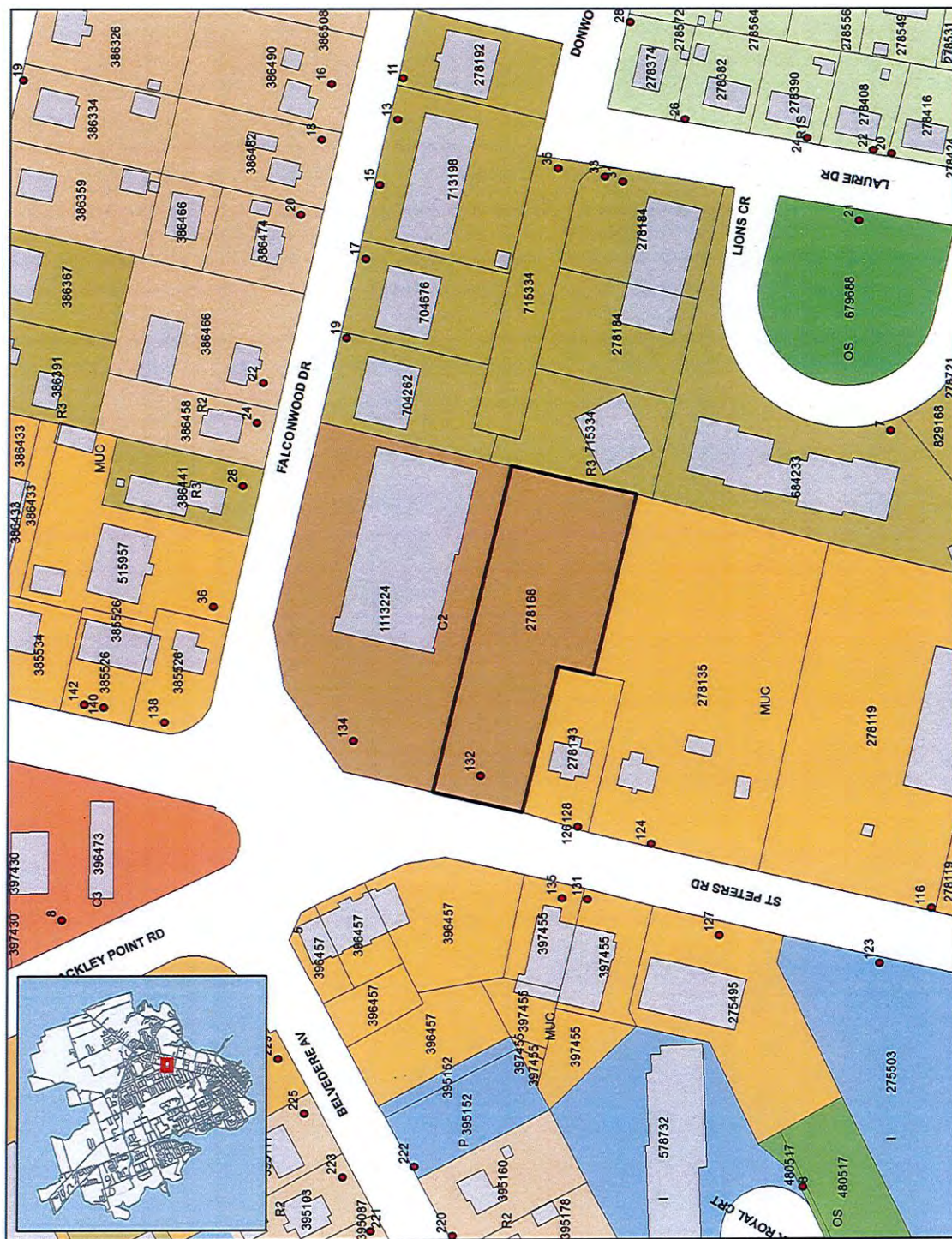
Greg Morrison, MCIP  
Planner II

**MANAGER:**

Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



# Attachment A



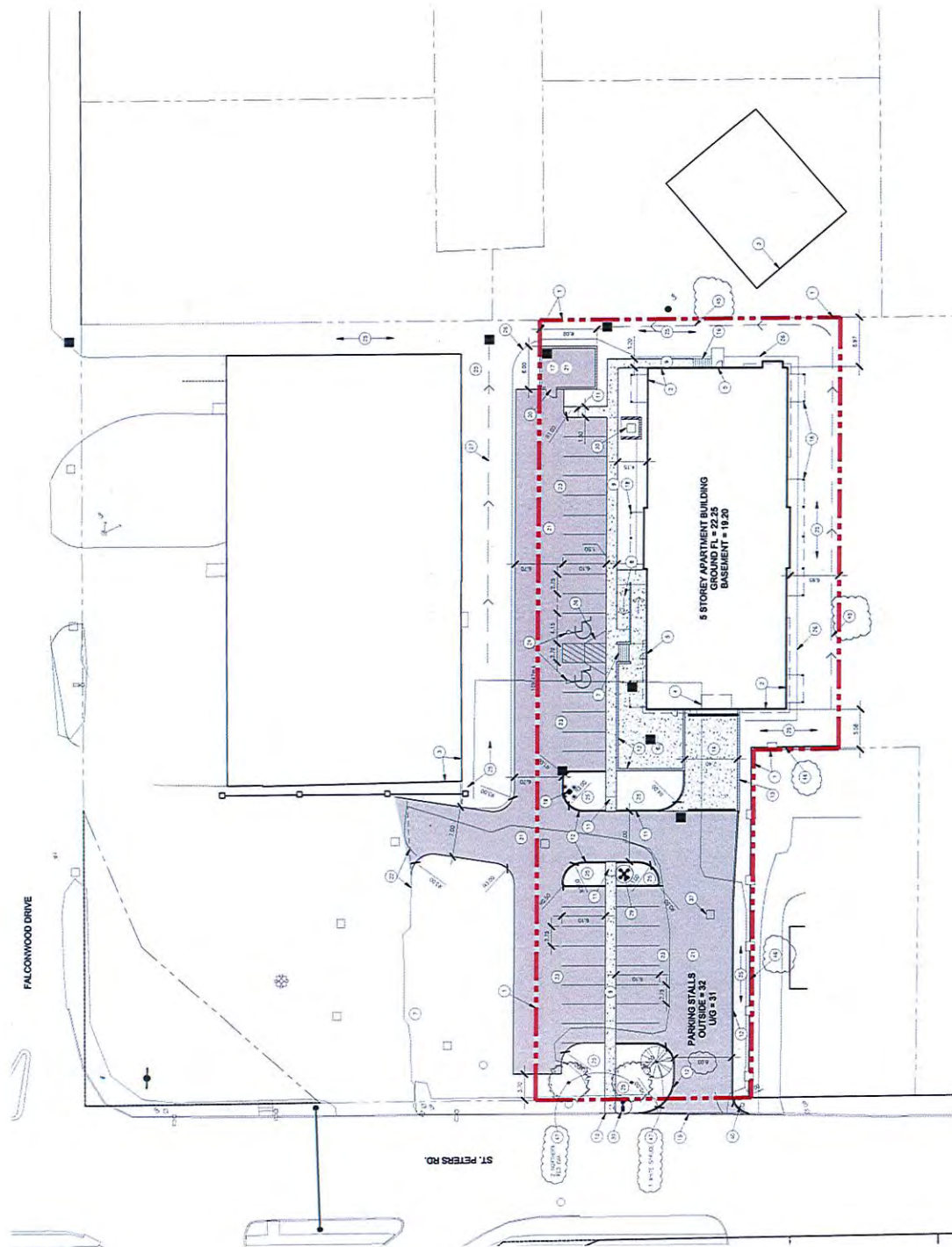
Attachment A: GIS Map  
 File: PLAN-2020-2-MARCH-68-3  
 132 St. Peters Road (PID #278168)  
 Owner: 102253 PEI Inc.

  
**CHARLOTTETOWN**  
 Planning & Heritage  
 Department





# Attachment B

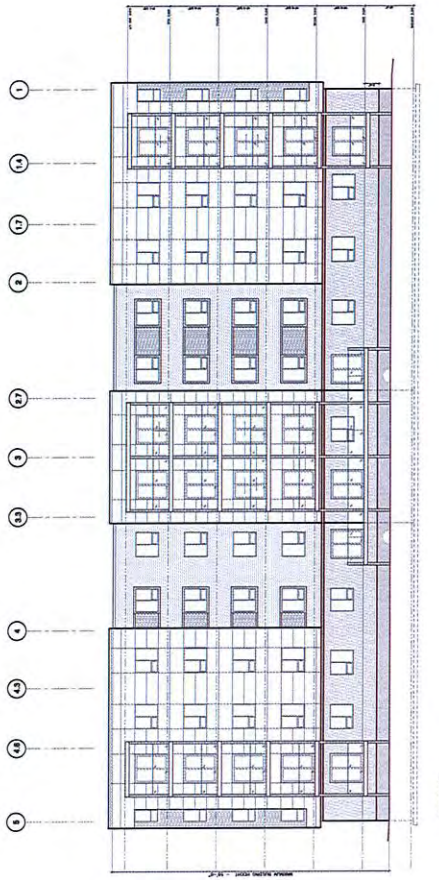
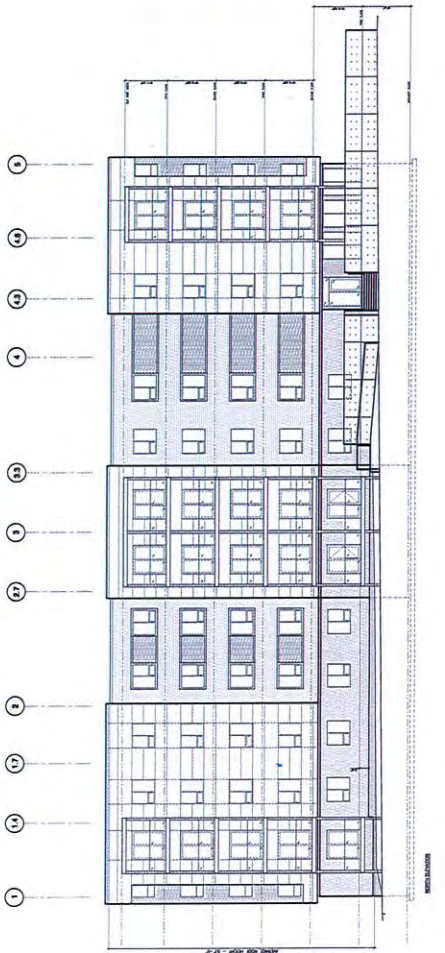
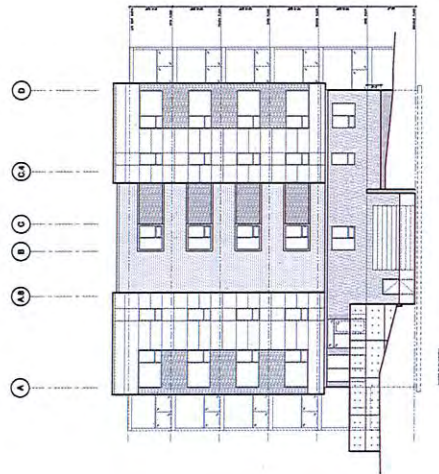
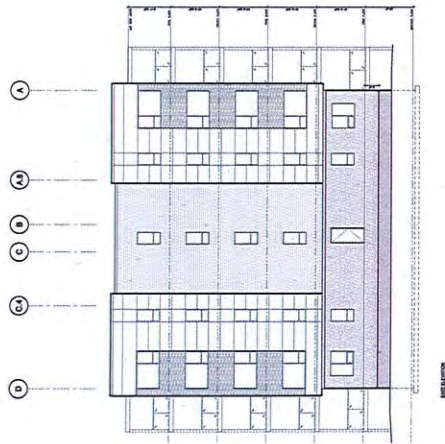


Attachment B: Site Plan  
 File: PLAN-2020-2-MARCH- **6B-3**  
 132 St. Peters Road (PID #278168)  
 Owner: 102253 PEI Inc.

  
**CHARLOTTETOWN**  
 Planning & Heritage  
 Department



# Attachment C



Attachment C: Elevation Drawings  
File: PLAN-2020-2-MARCH- 60-3  
132 St. Peters Road (PID #278168)  
Owner: 102253 PEI Inc.

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



## Attachment D

From: Greg Butler [<mailto:christmasdiscounters@gmail.com>]  
Sent: Tuesday, February 11, 2020 6:01 PM  
To: Planning Department  
Subject: Re 132 st Peters road pid 278168

To planning dept

I own the property at 134 st Peters road, the former Leons location and have no objection to the request for the increase height variance. 9 ft ceilings are common place now and will only provide a nicer apartment for the tenants.

Greg Butler  
GBI Investments

Attachment D: Letter of Support  
File: PLAN-2020-2-MARCH- **GB-3**  
132 St. Peters Road (PID #278168)  
Owner: 102253 PEI Inc.





# Attachment E

**From:** Earl Foster [\[mailto:edfoster@eastlink.ca\]](mailto:edfoster@eastlink.ca)

**Sent:** February 20, 2020 8:37 PM

**To:** Planning Department

**Subject:** Re - Variance for 132 St. Peter's Rd.

Dear Greg Morrison, MCIP,

Attached you will find my response to the requested of variance for the construction of a five storey apartment building at 132 St. Peter's Rd.

If you have any questions or comments about this variance, you can either phone me (902-892-1383) and/or email me at [edfoster@eastlink.ca](mailto:edfoster@eastlink.ca).

Sincerely,  
Earl Foster

Mr. Greg Morrison,  
Planner.

Dear Sir,

I am opposed to the requested variance to increase the maximum height of the proposed building at 132 St. Peter's Rd. (PID #278168) from 49.2 feet to approximately 59 feet in order to construct a 5 story, 38 unit apartment dwelling with underground parking.

The reasons for this opposition are as follows:

- (1) It appears to me that the construction was granted to do the apartment building bring 49.2 feet by rules and regulations. I think that this suggested that you change the rules and regulations. I think that this is wrong.
- (2) I can not understand the Mathematical values, i.e.: if you increase the height from 8 feet to 9 feet for a 5 story building, this is an increase of 5 feet, not the 10 feet requested. The thickness of each floor remains constant. The height of the ceiling in my own home, is not quite 8 feet.
- (3) I don't know the square footage of each apartment but let's say 1000 sq. ft., so with one extra foot of height, there is going to be 1000 cu. ft. of extra volume. That will have to be heated during the winter months and the same volume will have to be cooled during the hot summer days. As you can understand this is a complete waste of ENERGY.
- (4) You have not explained how this new proposed height of 59 feet is going to compare to the height of the surrounding buildings. If the building is extra height, therefore, the proposed new height would be out of balance with the neighboring apartments, buildings, homes and / or properties.
- (5) Another question is how this extra height will affect the sunlight reaching the other apartments, buildings, homes, and / or properties.

My suggestion is that to defer the increase of height above the ground and increase the depth of the building. At the present time, it is about 5 feet below the ground level. Could not this be increase to 10 ft to 15 ft below ground level. This might allow the ground floor apartments to be close to ground level.

I appreciate you reading and considering my opposition to the change in the request variations.

Would you please, acknowledge the receipt of the opposition: my e-mail is: [edfoster@eastlink.ca](mailto:edfoster@eastlink.ca). Would you please tell me when this goes before COUNCIL.

Sincerely,  
Earl Foster


Attachment E: Letter of Opposition

File: PLAN-2020-2-MARCH- ~~68-3~~

132 St. Peters Road (PID #278168)

Owner: 102253 PEI Inc.



<b>TITLE:</b> <b>SIX (6) VARIANCE APPLCIATIONS</b> <b>FILE: PLAN-2020-2-MARCH- 6B-4</b> <b>152 KING ST (PID #336024)</b> <b>OWNER: DAVID &amp; LUCAS ARSENAULT and ANDREW HARDING</b>		
<b>MEETING DATE:</b> March 2, 2020		<b>Page 1 of 9</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Site Plan C. Proposed Building Drawings D. Letter of Opposition	
<b>SITE INFORMATION:</b> <b>Context:</b> Two (2) properties in the 500 Lot Area <b>Ward No:</b> 1 – Queens Square <b>Existing Land Use:</b> Vacant <b>Official Plan:</b> Downtown Neighbourhood <b>Zoning:</b> Downtown Neighbourhood (DN)		
<b>PREVIOUS APPLICATIONS:</b> Council passed a resolution on February 10, 2020 approving the request to consolidate the vacant lot at 152 King Street (PID #336024) with a portion of 21-23 Prince Street (PID #336008).		

### **RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request for six (6) variances to:

- Reduce the minimum lot frontage from 65.6 ft to approximately 48.17 ft;
- Reduce the minimum front yard setback abutting the King Street right-of-way from approximately 2.61 ft to 0.00 ft;
- Reduce the minimum side yard setback abutting 142-144 King Street (PID #336032) from 6.0 ft to approximately 4.00 ft;
- Reduce the minimum side yard setback abutting 27 Prince Street (PID #336016) from 6.0 ft to approximately 4.00 ft;

- Reduce the minimum side yard setback abutting 21-23 Prince Street (PID #336008) from 6.0 ft to approximately 0.99 ft; and
- Reduce the minimum side yard setback for a fire escape abutting 21-23 Prince Street (PID #336008) from 3.9 ft to approximately 0.00 ft subject to the entire fire escape including the stairs being located entirely on 152 King Street (PID #336024)

in order to construct a four (4) unit apartment dwelling on the vacant property located at 152 King Street (PID #336024).

### **BACKGROUND:**

#### ***Request***

The property owners, David & Lucas Arsenault and Andrew Harding, have made an application to for six (6) variances in order to construct a four (4) unit apartment building on the vacant property located at 21-23 Prince Street (PID #336008). The subject property is located in the Downtown Neighbourhood (DN) Zone and the six (6) variances include:

- Request to reduce the minimum lot frontage from 65.6 ft to approximately 48.17 ft.
- Request to reduce the minimum front yard setback abutting the King Street right-of-way from approximately 2.61 ft to 0.00 ft.
- Request to reduce the minimum side yard setback abutting 142-144 King Street (PID #336032) from 6.0 ft to approximately 2.50 ft.
- Request to reduce the minimum side yard setback abutting 27 Prince Street (PID #336016) from 6.0 ft to approximately 2.67 ft.
- Request to reduce the minimum side yard setback abutting 21-23 Prince Street (PID #336008) from 6.0 ft to approximately 0.99 ft.
- Request to reduce the minimum side yard setback for a fire escape abutting 21-23 Prince Street (PID #336008) from 3.9 ft to approximately 0.00 ft.

#### ***Development Context***

The surrounding neighbourhood contains a mix of residential and commercial buildings located in the Downtown Neighbourhood (DN) Zone as well as the Downtown Mixed-Use Neighbourhood (DMUN) Zone. The abutting properties include a semi-detached dwelling at 142-144 King Street (PID #336032), a single-detached dwelling at 27 Prince Street (PID #336016), and a 5-unit apartment dwelling at 21-23 Prince Street (PID #336008). Eat & Enjoy Restaurant is also located

at 35 Prince Street (PID #337089) while Water Prince Corner Shop is located at 139 Water Street (PID #335984).

**Property History**

A Zoning Inquiry was completed in January 2017 when the property was recently purchased which stated that:

*The property is located in the Downtown Neighbourhood (DN) Zone and the uses and regulations of the DN Zone are attached. We have no building permit records for this property. Any future development on this property will be subject to meeting all City of Charlottetown Bylaws or Codes. Further, the property is located in the Heritage Preservation Area and as such, must comply with the regulations relating to the 500 Lot Area.*

The applicants requested to subdivide a portion of 21-23 Prince Street (PID #336008) in order to consolidate it with 152 King Street (PID #336024). In light of the fact that this application involves a subdivision of the designated heritage resource located at 21-23 Prince Street (PID #336008), the request went to the Heritage Board on January 27, 2020. At the meeting, the following motion was passed:

*Moved and seconded that the application to subdivide the rear portion of 21-23 Prince Street (PID# 336008), subject to the proposed development meeting Design Review and all other Planning requirements, be approved.*

Finally, Charlottetown City Council passed the following resolution at the monthly meeting of Council held on Monday, February 10, 2020:

*That the request to consolidate the vacant lot at 152 King Street (PID #336024) with a portion of 21-23 Prince Street (PID #336008) in order to construct a residential apartment building at 152 King Street, be approved, subject to the terms and conditions as outlined in the Planning Board Minutes dated February 03, 2020.*

The terms and conditions from the Planning Board minutes include:



- A pinned final survey plan;
- A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels; and
- Design Review approval for any new construction on 152 King Street (PID #336024).

### **LEGISLATIVE REQUIREMENTS:**

#### ***Notification***

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding the proposed variances was sent to owners of property within 100 metres (328.1 ft) of the subject property on February 12, 2020 which soliciting their written comments for or against the proposed variances. The deadline to submit written comments on the application was Thursday, February 27, 2020.

#### ***Public Feedback***

At the time of writing this report, the Planning & Heritage Department received one (1) letter of opposition (see attached) in relation to the proposed development.

### **ANALYSIS:**

#### ***Zoning & Development By-law***

Staff conducted an analysis of the DN Zone requirements below:

	DN Requirements	Proposed
Lot Frontage (3-units)	min 34.8 ft	approx. 48.17 ft
Lot Frontage (4-units)	min 65.6 ft	approx. 48.17 ft
Front Yard Setback	min 2.61 ft (within the min and max range of the existing buildings on the block)	approx. 0.0 ft
Rear Yard Setback	min 0.0 ft (within the min and max range of the existing buildings on the block)	approx. 17.65 ft

Side Yard Setback (Building) abutting 142-144 King Street	min 6.0 ft	approx. 2.50 ft
Side Yard Setback (Building) abutting 27 Prince Street	min 6.0 ft	approx. 2.67 ft
Side Yard Setback (Building) abutting 21-23 Prince Street	min 6.0 ft	approx. 0.99 ft
Side Yard Setback (Fire Escape) abutting 21-23 Prince Street	min 3.9 ft	approx. 0.00 ft

As per Section 43.1.7 of the Zoning & Development By-law, a four (4) unit apartment dwelling would require four (4) standard parking spaces to be provided. The applicants are proposing three (3) garages in the building which would satisfy the parking requirement for three (3) units. In light of the foregoing, the applicants would be required to pay cash-in-lieu of parking for the fourth unit which would cost \$6,000.

### ***Design Review***

As per Section 3.14.1 of the Zoning & Development By-law the design review process is required for:

- *New construction of any non-residential use or of a Multi-unit Residential Building; and*
- *A Development application that involves a Subdivision/Consolidation, Major Variance, Bonus Height and/or a Site Specific Exemption.*

In light of the foregoing, the design review process will be required for this project due to the fact that a subdivision / lot consolidation was approved by Council on February 10, 2020.

The purpose of the design review process is to have an external architect conduct a review of the proposed development for conformance with the intent of the Zoning & Development By-law,

including the Design Standards for the 500 Lot Area and the criteria for evaluation for Design Review.

### ***National Building Code***

Due to the proximity of the propose building to the adjacent property lines, staff forwarded the plans to the Building Inspector who indicated that:

- 1- *The building would be less than 1.20m to the property line on 3 sides and there would be permitted 0% of openings on these sides (Front would face street and would be accepted.) Opening can be protected with Fire Closures.*
- 2- *The Exterior walls would have to be non-combustible construction with non-combustible cladding (Front would be exempt)*
- 3- *Any projections as such balcony would be required to be non-combustible if within 1.2m of property line.*
- 4- *The exit stairs serving the back upstairs suite would not be accepted as it is the main means of exit to the outside and ways from the property. Your exit stairs cannot be located on adjacent property.*
- 5- *There may be other items not discussed at this time, but unit we receive a full set of stamped plans, I cannot comment further.*

In light of the comments above, staff would suggest the following changes be made to the proposed variances:

	Proposed Variance	Recommended Variance
Side Yard Setback (Building) abutting 142-144 King Street	approx. 2.50 ft	4.00 ft
Side Yard Setback (Building) abutting 27 Prince Street	approx. 2.67 ft	4.00 ft

**Official Plan**

Constructing a 4-unit apartment dwelling on the vacant property with the approval of a number of variances for setbacks and density would be categorized as compact urban form and would maximize the use of existing underground services near centres of employment. Because of this, the following objectives of the Official Plan would be satisfied:

*Section 3.1.2 - Our **objective** is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.*

*Section 3.1.2 - Our **policy** shall be to use existing underground services to its fullest practical capacity before public funds are used to extend new water and wastewater lines into areas that are essentially undeveloped.*

*Section 3.3.1 - Our **objective** is to encourage development in fully serviced areas of the City, to promote settlement and neighbourhood policies as mechanisms for directing the location of new housing, and to encourage new residential development near centres of employment.*

Notwithstanding, the development must be harmonious with its surroundings. The purpose of the Design Review process is to ensure that the Design Standards for the 500 Lot Area are satisfied.

*Section 3.2.1 - Our **objective** is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surroundings*

*Section 3.2.1 - Our **policy** shall be to ensure that the footprint, height, massing, and setbacks of new residential, commercial, and institutional development in existing neighbourhoods are physically related to its surroundings.*

*Section 3.2.1 - Our **policy** shall be to establish an appropriate relationship between the height and density of all new development in mixed-use residential areas of existing neighbourhoods.*

*Section 3.2.2 - Our **policy** shall be to permit moderately higher densities in new neighbourhoods and ... to make provision for higher density residential projects located in*



*the Downtown Core Area and the Waterfront (located in the 500 Lot Area) and to permit multiple unit developments in suburban areas provided that it is development at a density which will not unduly adversely affect existing low density housing.*

Currently there is a demand for dwelling units in the City of Charlottetown and this development would help to help to satisfy this demand.

*Section 3.3.1 - Our **policy** shall be to provide medium density housing styles to meet future housing needs.*

The Official Plan supports in-fill development through flexible zoning provisions (i.e., variances).

*Section 3.1.2 - Our **policy** shall be to encourage in-fill development through public land assembly initiatives, flexible zoning provisions and the reduction or waiver of development fees for small or irregularly shaped lots and, when warranted, the use of tax incentives within fully serviced areas of the City.*

Below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>▪ The subject property is located in the 500 Lot Area near centres of employment.</li> <li>▪ The proposed apartment dwelling is compact urban form.</li> <li>▪ The proposed apartment dwelling is an efficient use of existing underground services.</li> <li>▪ The proposed apartment dwelling will have to follow the Design Review process</li> </ul>	<ul style="list-style-type: none"> <li>▪ Currently a demand for dwelling units in the City of Charlottetown.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The request for six (6) variances can be seen as excessive as the only setback it is conforming to is the rear – also conforms to the height. Notwithstanding, the subject property is located in the 500 Lot Area where most buildings do not comply with current setback requirements.</li> </ul>

to ensure it is harmonious  
with its surroundings and  
meets the Design Standards.

**CONCLUSION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request for six (6) variances to:

- Reduce the minimum lot frontage from 65.6 ft to approximately 48.17 ft;
- Reduce the minimum front yard setback abutting the King Street right-of-way from approximately 2.61 ft to 0.00 ft;
- Reduce the minimum side yard setback abutting 142-144 King Street (PID #336032) from 6.0 ft to approximately 4.00 ft;
- Reduce the minimum side yard setback abutting 27 Prince Street (PID #336016) from 6.0 ft to approximately 4.00 ft;
- Reduce the minimum side yard setback abutting 21-23 Prince Street (PID #336008) from 6.0 ft to approximately 0.99 ft; and
- Reduce the minimum side yard setback for a fire escape abutting 21-23 Prince Street (PID #336008) from 3.9 ft to approximately 0.00 ft subject to the entire fire escape including the stairs being located entirely on 152 King Street (PID #336024)

in order to construct a four (4) unit apartment dwelling on the vacant property located at 152 King Street (PID #336024).

**PRESENTER:**

Greg Morrison, MCIP  
Planner II

**MANAGER:**

Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



The map displays a street grid in Charlotte Town, with King Street running diagonally from the bottom left to the top right. Prince Street runs horizontally across the top. Water Street runs vertically on the right side. The map shows various lots with their respective numbers and some with specific labels like 'DN' or 'DMUN'. A red dot is placed on lot 152, which is part of a larger lot 336024. An inset map in the bottom left corner shows the location of the main map area within the town of Charlotte Town. A north arrow is located in the bottom right corner.

**Attachment A: GIS Map**  
**File: PLAN-2020-2-MARCH-GB-4**  
**152 King Street (PID #336024)**  
**Owner: David & Lucas Arsenault and Andrew Harding**

**CHARLOTTETOWN**  
 Planning & Heritage  
 Department

**Owner:** David & Lucas Arsenault and Andrew Harding





[illegible]

**CHARLOTTETOWN**  
Planning & Heritage  
Department



# Attachment C

## Attached Plans:

1. Cover
2. Foundation
3. First Floor
4. Second Floor
5. Third Floor
6. Elevation 1 & Elevation 2
7. Elevation 3 & Elevation 4
8. Renderings

**Attachment C:** Proposed Building Drawings

**File:** PLAN-2020-2-MARCH- **GB-4**

152 King Street (PID #336024)

**Owner:** David & Lucas Arsenault and Andrew Harding





NUMBER	DATE	DESCRIPTION

**LEVEL**  
Drafting & Consulting

KING ST. MULTI-UNIT

**Arsenault & Bros.**  
PREPARED FOR:

DATE:

2020-02-06

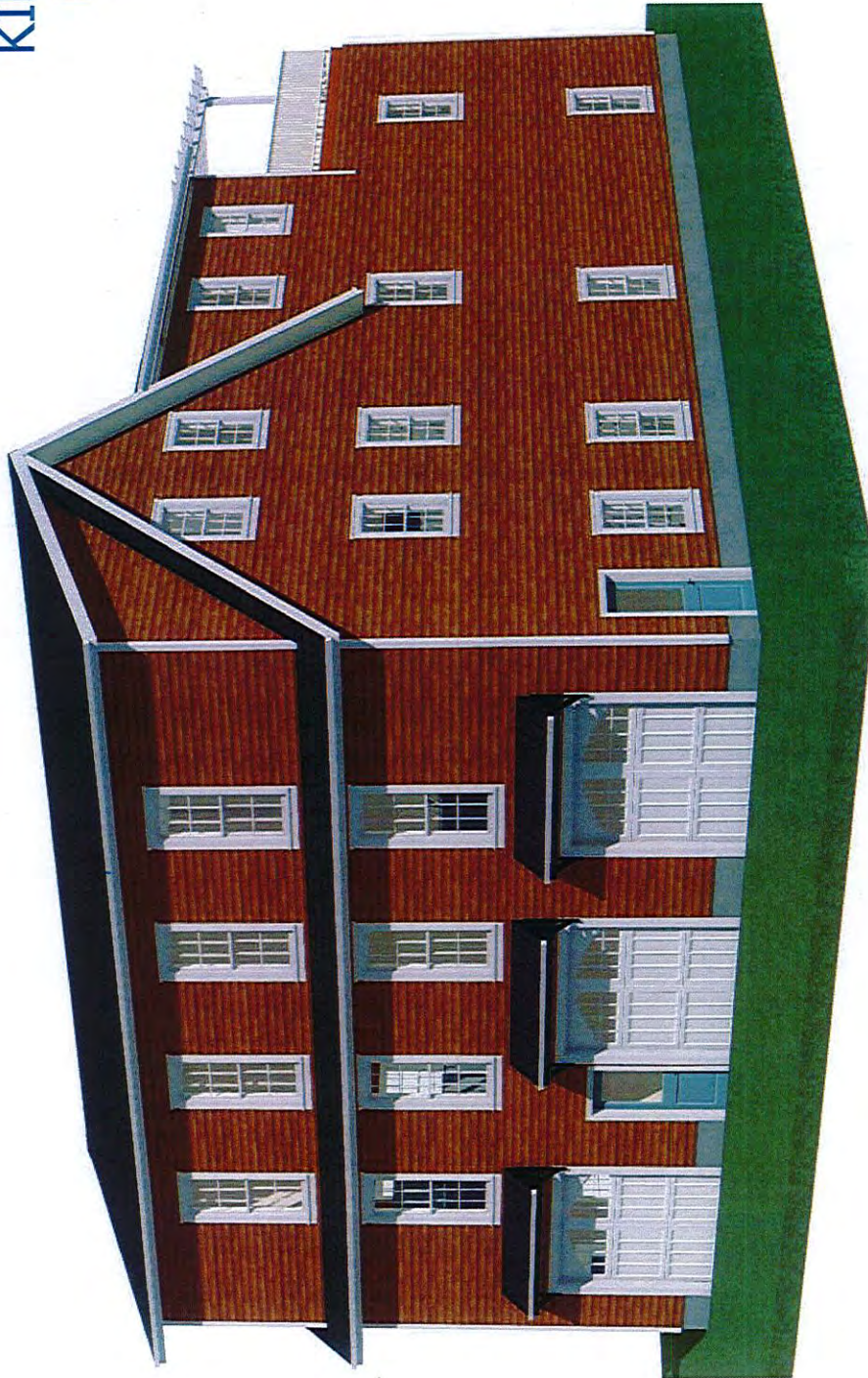
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1/8" = 1'-0"

SHEET:

COVER

# KING ST. 5-UNIT PROPOSAL





REVISION TABLE	NUMBER	DATE	DESCRIPTION

**LEVEL**  
Drafting & Consulting

KING ST. MULTI-UNIT

**Arsenault & Bros.**  
PREPARED FOR:

DATE:

2020-02-06

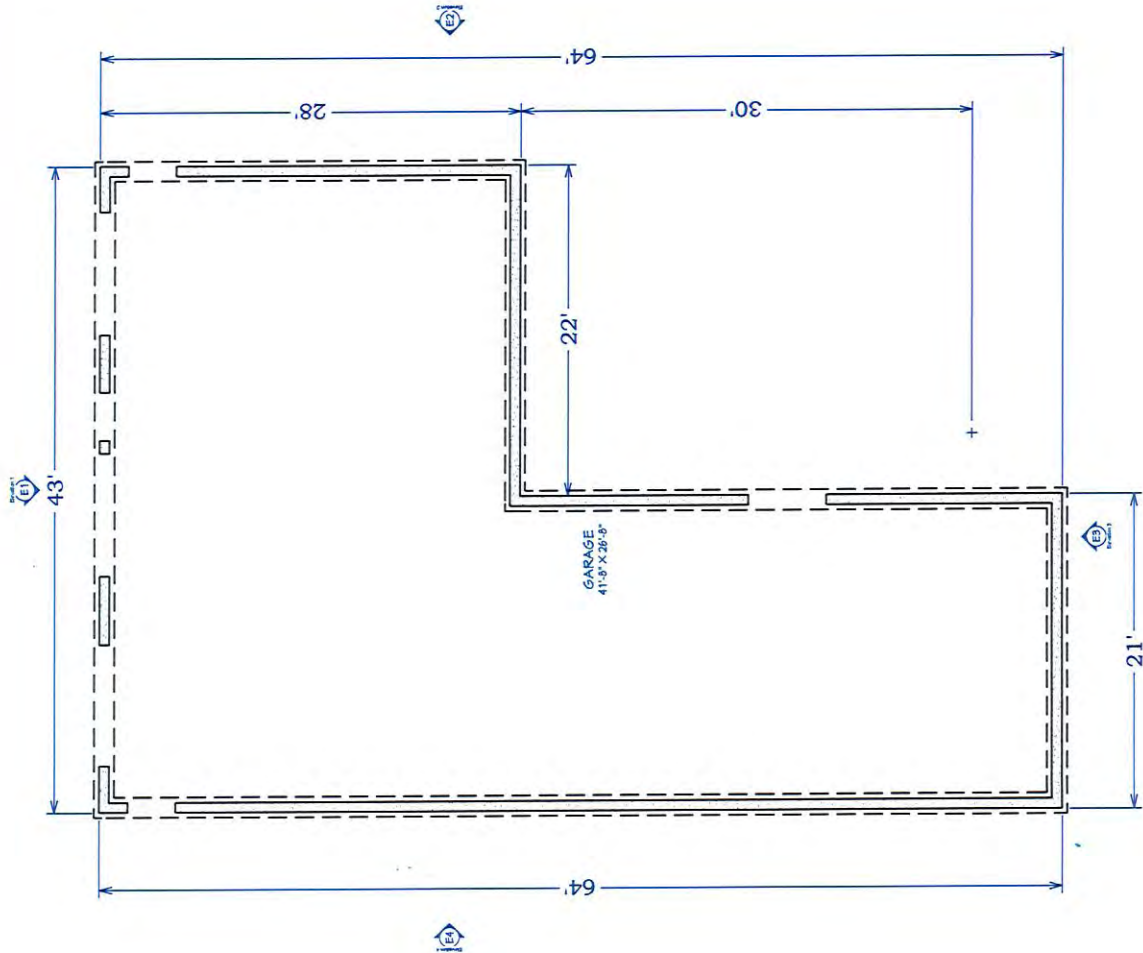
SCALE:

1/8" = 1'-0"

SHEET:

1

# Foundation

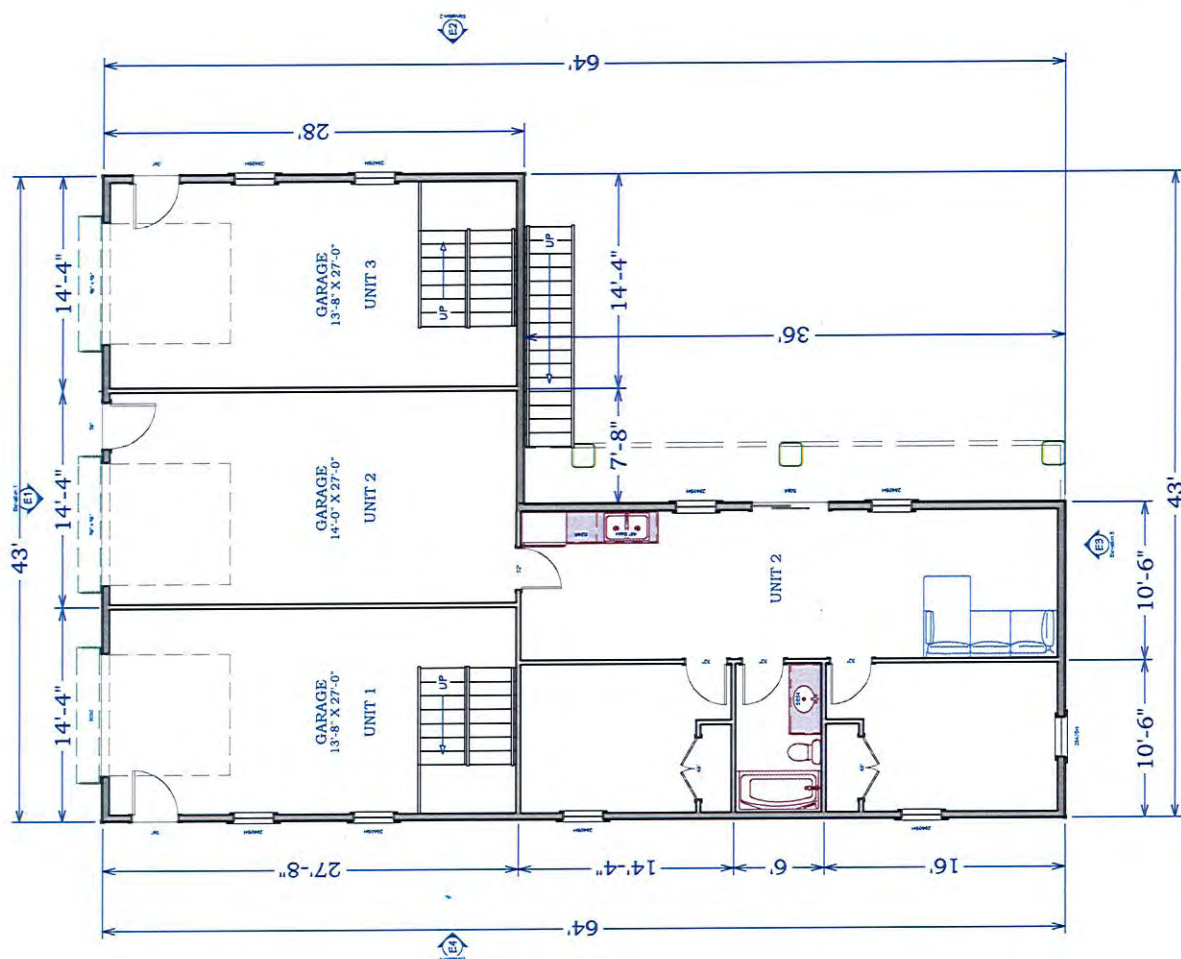




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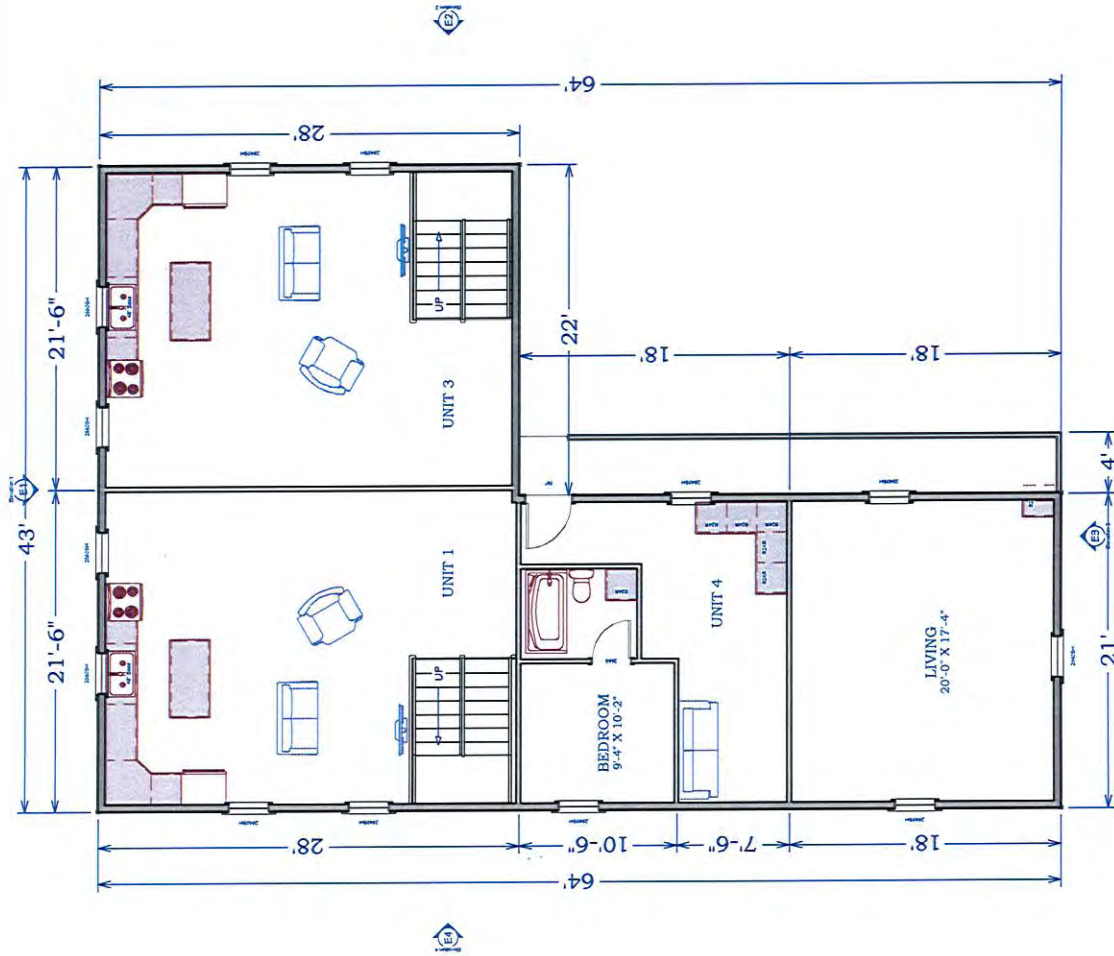
## 1st Floor






DATE:	2020-02-06
SCALE:	1/8" = 10'
SHEET:	3

## 2nd Floor





REVISION TABLE	
NUMBER	DATE / DESCRIPTION

**LEVEL**  
Drafting & Consulting

KING ST. MULTI-UNIT

**Arsenault Bros.**

PREPARED FOR:

DATE:

2020-02-06

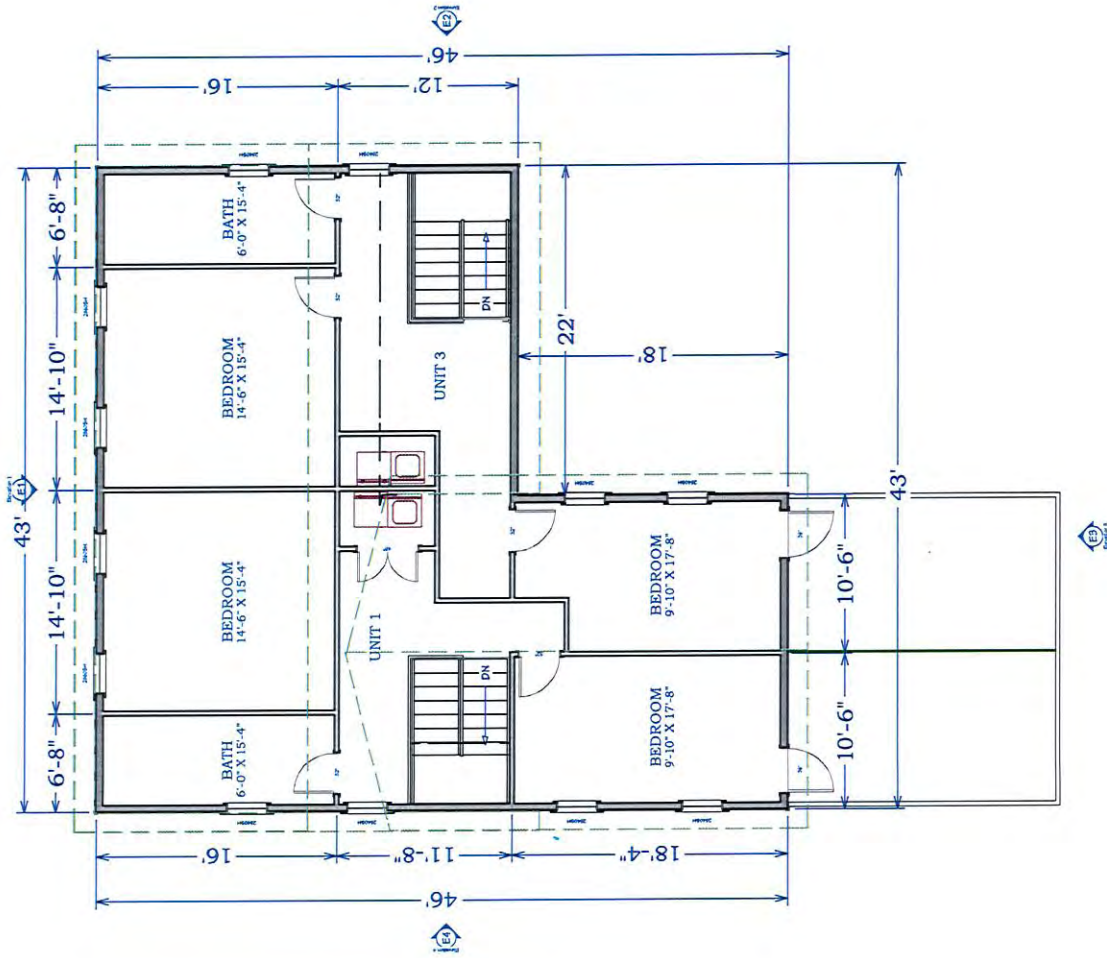
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SHEET:

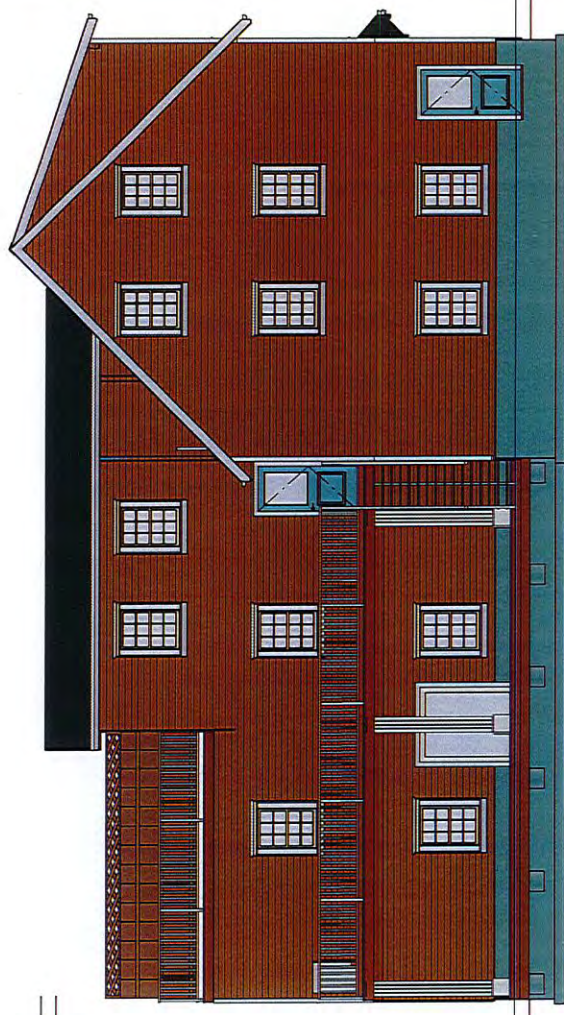
4

# 3rd Floor



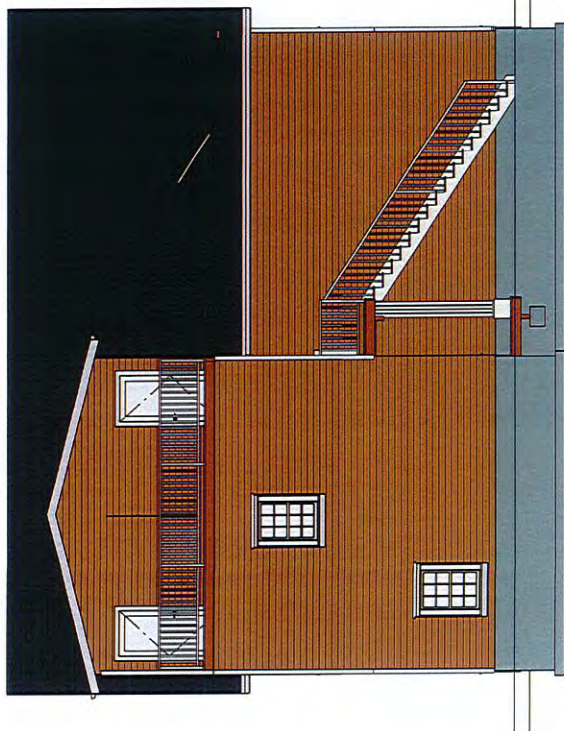


Elevation 1

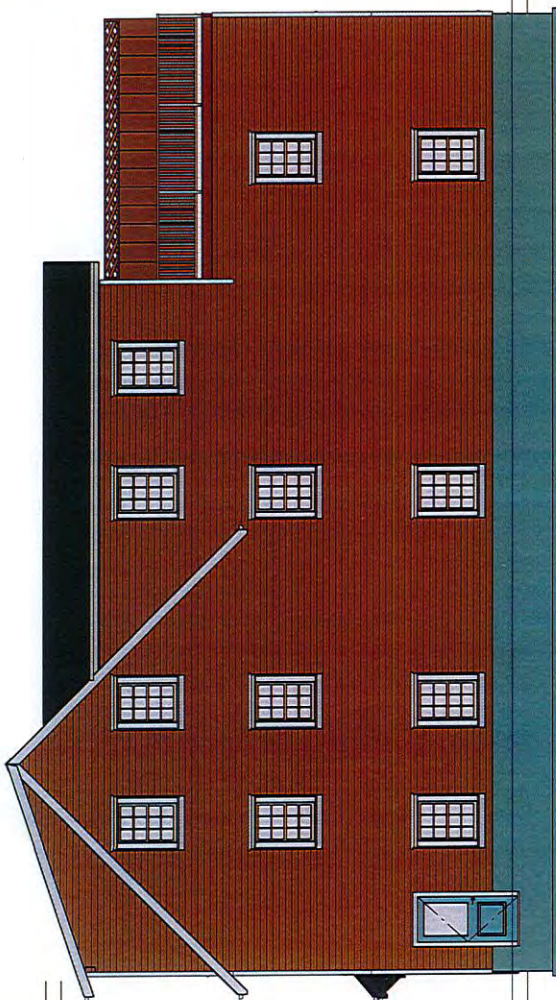


Elevation 2





### Elevation 3



## Elevation 4





NUMBER	DATE	DESCRIPTION

**LEVEL**  
Drafting & Consulting

KING ST. MULTI-UNIT

**Arsenault Bros.**  
PREPARED FOR:

DATE:

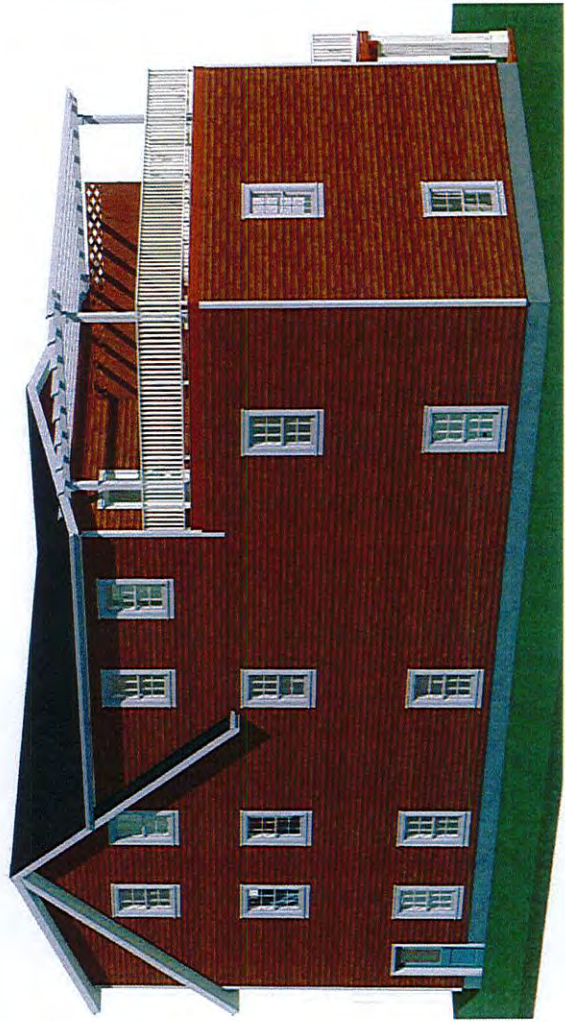
2020-02-06

SCALE:

1/8" = 1'-0"

SHEET:

7



# Attachment D

From: Honey Landry [[mailto:honey\\_bee770@hotmail.com](mailto:honey_bee770@hotmail.com)]

Sent: Wednesday, February 26, 2020 11:04 AM

To: Planning Department

Cc: Mayor of Charlottetown (Philip Brown); Jankov, Alanna; MacLeod, Terry; Duffy, Mike;

Ramsay, Kevin; Doiron, Bob; Rivard, Greg; Coady, Jason; McCabe, Julie L.; Bernard, Terry

Subject: New property

Planning and Heritage Department

I am writing about 152 King street PiD #336024.

Heritage area::

As a home owner for 30 years annd we try and keep our house up in this heritage area.I dont think they should be able to build there apartment building on the property line to make the building larger.

Also we live in a heritage area and what they want to build with a 3 car garage on the main level does not look heritage to me.The building would look out of place.

Garbage;;

Another issue is the garbage with the exciting apt building they let it pile up and throw blue bags out all the time.I I have called about the garbage build up ever second month.Not enjoyable to look out your window and see so much garbage.Another 4 unit will just add more garbage to it.

Parking;;

Where they are building this apt building is where the existing apt building parks now .Where will the park?Parking is a problem in the city core.

Fire;;

If they building on the property lines does this cause a problem for firefighters to fight a fire there.And would it pass fire code?

Thank you

(Honey) Elizabeth Landry.

153 king street

902 626-5112

Attachment D: Letter of Opposition


File: PLAN-2020-2-MARCH-

152 King Street (PID #336024)

Owner: David & Lucas Arsenaault and Andrew Harding





<b>TITLE:</b> <b>LOT AREA VARIANCE APPLICATION</b> <b>FILE: PLAN-2020-2-MARCH- 6B-5</b> <b>197 MINNA JANE DRIVE (PID #469841)</b> <b>OWNER: CORDOVA REALTY LTD.</b>		
<b>MEETING DATE:</b> March 2, 2020		<b>Page 1 of 9</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Subdivision Plan C. Building Plans D. Public Feedback	
<b>SITE INFORMATION:</b> <b>Context:</b> 3.0 Acre property containing Dr. McManaman's Orthodontist Practice <b>Ward No:</b> 8 – Highfield <b>Existing Land Use:</b> Medical, Health and Dental Office <b>Official Plan:</b> Commercial <b>Zoning:</b> Highway Commercial (C-2) Zone		
<b>PREVIOUS APPLICATIONS:</b> Council passed a resolution on April 8, 2019 to rezone the property from the CDA Zone to the C-2 Zone as well approve a variance to increase the maximum height from 49.2 ft to approximately 69.75 ft.		

### **RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to reject the request to decrease the required lot area from 146,179 sq ft to approximately 91,469 sq ft in order to construct a five storey, 97-unit apartment dwelling with underground parking at 197 Minna Jane Drive (PID #469841).

### **BACKGROUND:**

#### ***Request***

The property owners, Cordova Realty Ltd, are applying for a variance to reduce the required lot area from 146,179 sq ft to approximately 91,469 sq ft for the property located at 197 Minna Jane

Drive (PID #463841). The purpose of the variance is to construct a 97-unit apartment dwelling with underground parking.

### ***Development Context***

The subject property abuts three streets – Minna Jane Drive (Private), Daniel Drive, and Malpeque Road. The subject property and adjacent development is bordered by Maritime Electric property and the Charlottetown Arterial Highway.

Within the development area identified above, a 60-unit apartment building is located at 215 Minna Jane Drive and it is anticipated that an additional 60-unit apartment building will be constructed at 219 Minna Jane Drive. The rest of the surrounding lands identified above is being used for commercial establishments.

### ***Property History***

A building permit was issued on October 12, 2007 to renovate the existing building to be used as a professional office space (i.e., dentist office). The rest of the property has remained vacant.

Charlottetown City Council passed the following resolution at the monthly meeting of Council held on Monday, April 8, 2019:

*That the request to:*

- 1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Concept Planning Area to Commercial;*
- 2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone; and*
- 3. Increase the maximum height for an apartment dwelling in the C-2 Zone from 15.0m (49.2ft) to approximately 21.26m (69.75 ft),*

*for the property at 197 Minna Jane Drive (PID #469841), be approved, subject to the existing access between the Dental Office and the lower parking lot be removed as per the Department of Transportation regulations.*



**LEGISLATIVE REQUIREMENTS:*****Notification***

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property on February 6, 2020 which solicited their written comments for or against the proposed variance. The deadline to submit written comments on the application was Monday, February 24, 2020.

***Public Feedback***

The Planning & Heritage Department received 10 responses in opposition, one (1) petition containing 74 signatures, and two (2) responses in relation to the proposed access onto the private street, Minna Jane Drive.

Two (2) responses were received from APM in relation to the proposed access onto Minna Jane Drive which is a private street. The proposed development proposes an access onto Minna Jane Drive as well as an access onto Daniel Drive which is a public street. The concerns from APM were brought to the attention of the applicant and staff has been made aware of the ongoing discussions between the two parties. Whether or not the proposed development will have to be amended to remove the access onto Minna Jane Drive, the proposed development has an access onto Daniel Drive which would be permitted.

While the full letters of opposition are attached to this report, the opposition stated from the public is summarized as follows:

**Construction of a Five (5) Story Building / Proximity to Adjacent Apartment Dwelling**

*“five stories of another building built so close to us would totally block not only the view but the sunlight and privacy of both buildings”*

Charlottetown City Council passed a resolution on Monday, April 8, 2019 to allow the construction of a 69.75 ft apartment dwelling on the subject property. With this approval, the applications are permitted to construct an apartment dwelling which is 69.75 ft in height; however, they are proposing to decrease the proposed height and in doing so, increase the building footprint. The purpose of the current variance is not for height or setbacks, rather

density. The applicant would be permitted to construct the proposed building as-of-right if the number of tenants were reduced.

*“those on the south side will be able to share meals and the Guardian by way of their balcony with the new neighbours”*

The proposed apartment building is setback approximately 76' 3" from the shared property line with 215 Minna Jane Drive (PID #1095678). The existing apartment dwelling is set back approximately an additional 28 ft from said property line.

#### Sufficient Parking / Limited Landscaped Open Space

The request is to construct a 97 unit apartment dwelling which would require 97 standard parking spaces and four (4) mobility disabled parking spaces to be provided on the property. The applicants are proposing 60 standard parking spaces to be provided underground and 77 standard parking spaces above ground. While sufficient parking is provided, some of the standard parking spaces would have to be converted into mobility disabled parking spaces.

*“the outdoor area is sparse, but we deal with it and cannot give up green space”*

The applicants will be required retain 10% of the property as landscaped open space. Due to the fact that the property is currently vacant does not establish it as landscaped open space, it is private property which is permitted to be developed.

#### Increase in Traffic

*“the traffic alone from the tenants of this new building would present a real problem especially when there are several new retail businesses coming into the area”*

The proposed apartment dwelling will increase the traffic at the Daniel Drive intersection and if so desired, Council may wish to make the proposed variance contingent on a traffic study being completed. That being said, the master plan for Minna Jane Drive (PID #388280) would likely increase the traffic demand on the intersection significantly more than the proposed apartment dwelling.

Significance of Variance Request

*“never have I seen more of a needed decrease in lot size to construct such a big building on such a small lot”*

*“such blatant disregard for the rules that other developers must live within is not acceptable”*

*“once an exception is made to allow such a variance, from 146,179 sq ft to approximately 91,469 sq ft, how can other developers be denied”*

Staff concur that the proposed variance is significant and may set a precedent for additional developments to seek similar variances.

Staff has determined that there are two options which would reduce the variance requested for this property:

1. The applicants are proposing to subdivide the subject property - Lot 20-1 (91,469 sq ft) would contain the proposed apartment dwelling while the existing dental office would remain on Lot 20-2 (34,038 sq ft). If the applicants elected to keep the property as one parcel and divide the buildings through a condo association, the total lot area of the property would increase from 91,469 sq ft to 125,507 sq ft resulting in a 14.1% variance instead of a 37.4% variance.
2. As per Section 43.4.1. of the Zoning & Development By-law, where underground parking is located under the main footprint of the building, the density of units permitted on the property would be increased by 20%. That being said, 75% of the required parking must be located underground in order to receive this density bonus.

The proposed property being 91,469 sq ft would allow for 61 residential units without the density bonus and 73 residential dwelling units with the underground parking. The required parking for a 97 unit apartment dwelling would be 97 standard parking spaces and four (4) mobility disabled parking spaces, meaning 76 parking spaces would have to be located underground. The applicants are only proposing 60 parking spaces underground, making them illegible for the density increase.

If the additional parking spaces can be provided underground, then the 20% density increase (61 unit to 73 units) would be permitted. Subsequently the required lot area for the additional 24 residential dwelling units would be 36,168 sq ft resulting in a 24.7% variance instead of a 37.4% variance.

### **ANALYSIS:**

Malpeque Road would be categorized as an arterial road or highway. Arterial roads by nature are generally categorized as high capacity urban roads. Their primary function would be to deliver traffic from collector roads to the by-pass or highways at the highest level of service possible. Arterial roads typically contain higher densities than collector or local streets but generally have less access points for residential development.

### ***Official Plan***

Constructing a 97-unit apartment dwelling on the vacant property would be categorized as compact urban form and would maximize the use of existing underground services near centres of employment. Because of this, the following objectives of the Official Plan would be satisfied:

*Section 3.1.2 - Our **objective** is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.*

*Section 3.1.2 - Our **policy** shall be to use existing underground services to its fullest practical capacity before public funds are used to extend new water and wastewater lines into areas that are essentially undeveloped.*

*Section 3.3.1 - Our **objective** is to encourage development in fully serviced areas of the City, to promote settlement and neighbourhood policies as mechanisms for directing the location of new housing, and to encourage new residential development near centres of employment.*

Further, the Official Plan promotes moderately higher densities in neighbourhoods which are harmonious and do not adversely affect existing low density housing:



*Section 3.1.2 - Our **policy** shall be to allow moderately higher densities in neighbourhoods, ... and multiple-family dwellings in suburban centres and around these centres provided it is development at a density that will not adversely affect existing low density housing.*

*Section 3.2.1 - Our **objective** is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surroundings*

*Section 3.2.1 - Our **policy** shall be to ensure that the footprint, height, massing, and setbacks of new residential, commercial, and institutional development in existing neighbourhoods are physically related to its surroundings.*

*Section 3.2.1 - Our **policy** shall be to establish an appropriate relationship between the height and density of all new development in mixed-use residential areas of existing neighbourhoods.*

*Section 3.2.2 - Our **policy** shall be to ... permit multiple unit developments in suburban areas provided that it is development at a density which will not unduly adversely affect existing low density housing.*

While there are no low density residential development in the area, this development would be categorized as high density which would be compatible with commercial development and other apartment dwellings.

Currently there is a demand for dwelling units in the City of Charlottetown and this development would help to help to satisfy this demand:

*Section 3.3.1 - Our **policy** shall be to provide medium density housing styles to meet future housing needs.*

The Official Plan supports in-fill development through flexible zoning provisions (i.e., variances):

*Section 3.1.2 - Our **policy** shall be to encourage in-fill development through public land assembly initiatives, flexible zoning provisions and the reduction or waiver of*

*development fees for small or irregularly shaped lots and, when warranted, the use of tax incentives within fully serviced areas of the City.*

Notwithstanding, the proposed variance is significant and may exceed “flexible zoning provisions.”

Below is a quick summary of the subject application’s positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>▪ The subject property is near centres of employment.</li> <li>▪ The proposed apartment dwelling is compact urban form.</li> <li>▪ The proposed apartment dwelling is an efficient use of existing underground services.</li> </ul>	<ul style="list-style-type: none"> <li>▪ While the building is above the maximum building height for the C-2 Zone, it is lower than the approved variance.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Significant variance request which would set a precedent for the development of other apartment dwellings.</li> <li>▪ The density bonus for underground parking is not being satisfied.</li> <li>▪ The significant variance request is due to the proposed subdivision by the applicant.</li> </ul>

### **CONCLUSION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to reject the request to decrease the required lot area from 146,179 sq ft to approximately 91,469 sq ft in order to construct a five storey, 97-unit apartment dwelling with underground parking at 197 Minna Jane Drive (PID #469841).

Notwithstanding, staff would be in a position to support a variance to the required lot area if:


1. The applicants elect not to subdivide the property which would increase the total lot area from 91,469 sq ft to 125,507 sq ft resulting in a 14.1% variance instead of a 37.4% variance; or
2. The applicants increase the underground parking provided so that 76 parking spaces (75% of the required parking) can be provided underground which would allow a 20% density increase (61 unit to 73 units permitted). Subsequently the required lot area for the additional 24 residential dwelling units would be 36,168 sq ft resulting in a 24.7% variance instead of a 37.4% variance.

**PRESENTER:**



Greg Morrison, MCIP  
Planner II

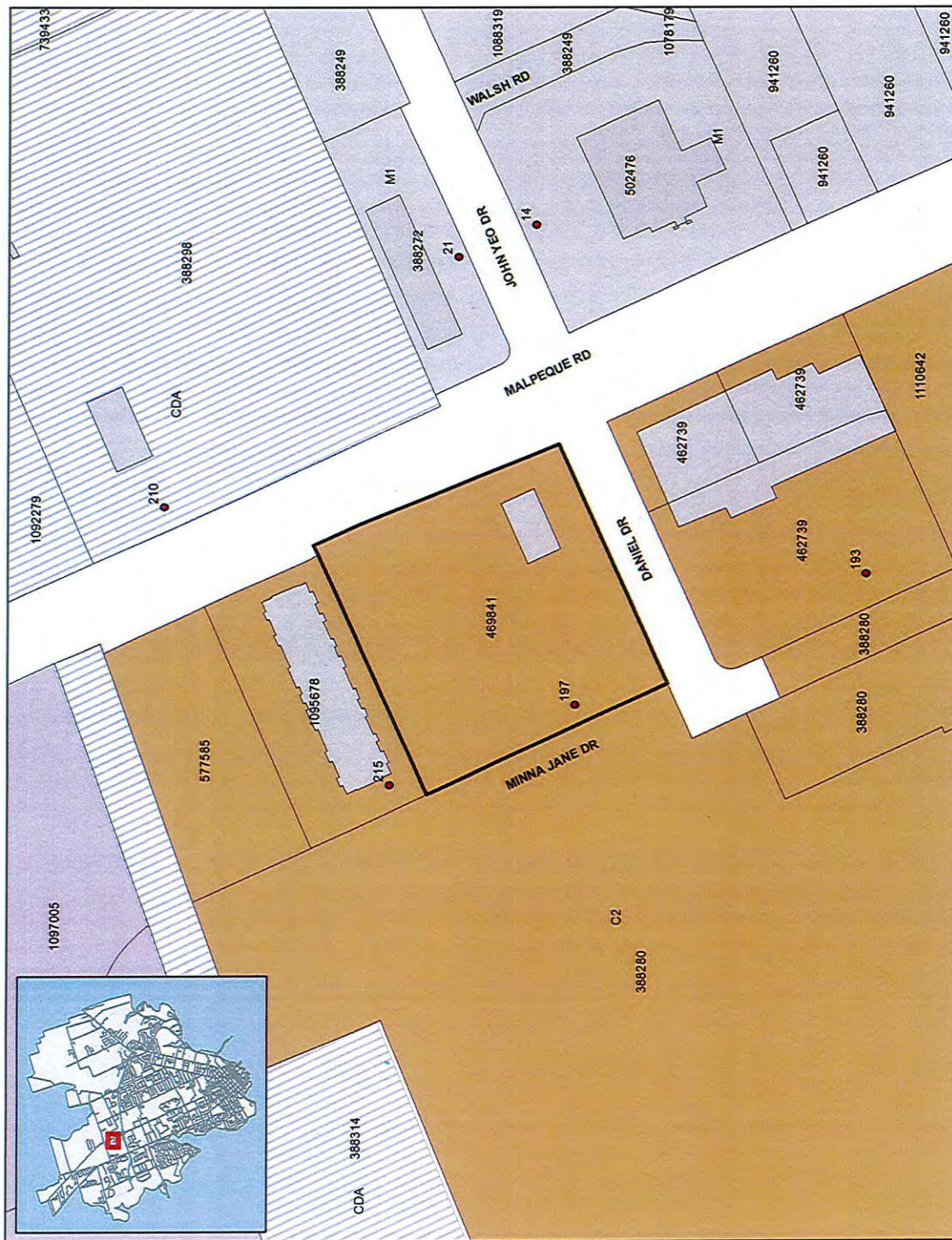
**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



# Attachment A



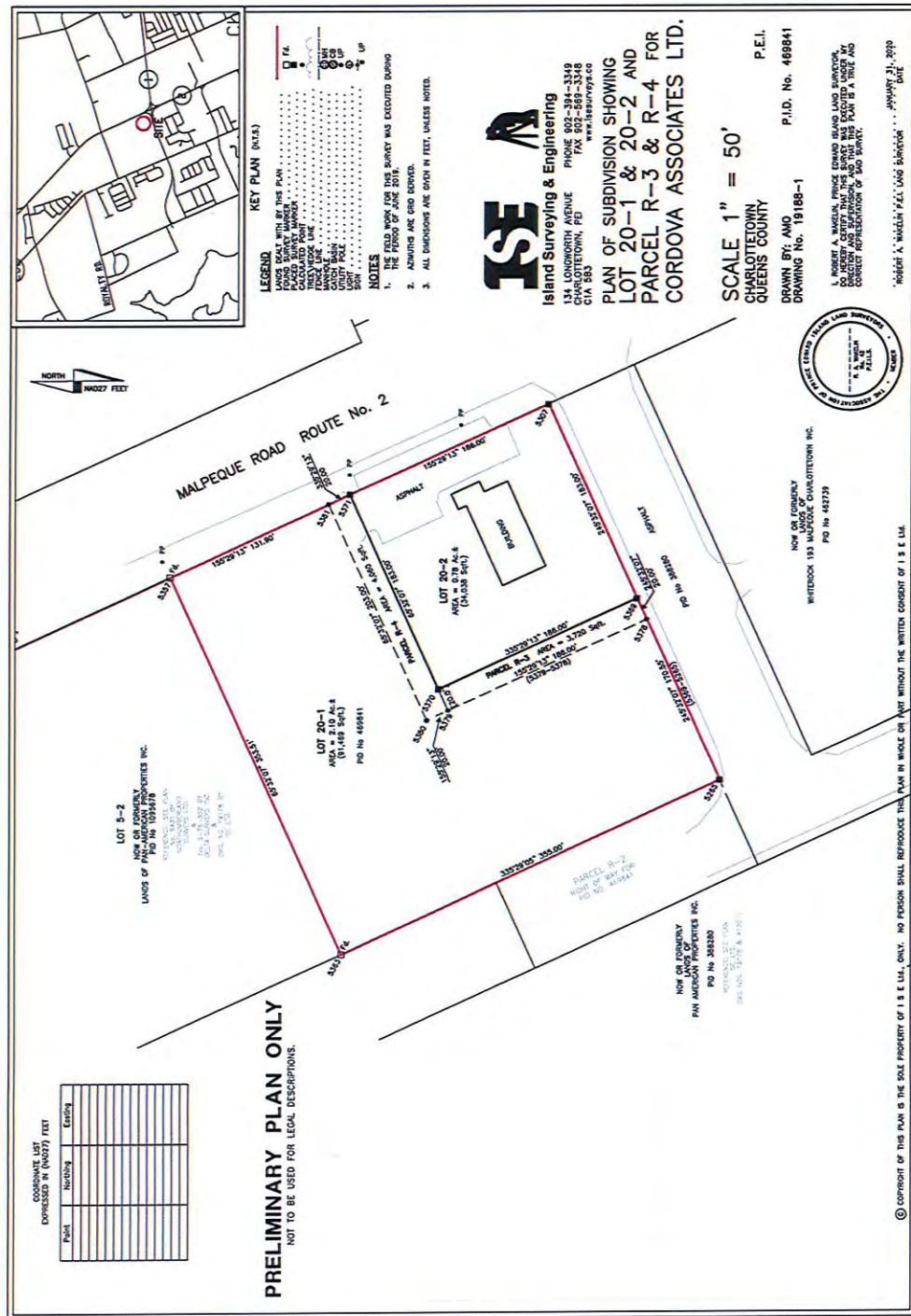
Attachment A: GIS Map  
 File: PLAN-2020-2-MARCH-**GB-5**  
 197 Minna Jane Drive (PID #469841)  
 Owner: Cordova Realty Ltd.

  
**CHARLOTTETOWN**  
 Planning & Heritage  
 Department





**Attachment B:** Subdivision Plan  
**File:** PLAN-2020-2-MARCH-~~08-5~~  
 197 Minna Jane Drive (PID #469841)  
**Owner:** Cordova Realty Ltd.



# Attachment C

## Building Plans:

1. Front Entrance Perspective
2. Site Plan
3. Underground Parking Plan
2. Tim Banks

Attachment C: Building Plans  
File: PLAN-2020-2-MARCH- **68-5**  
197 Minna Jane Drive (PID #469841)  
Owner: Cordova Realty Ltd.







## **West Royalty Suites**

Charlottetown, PEI

**Lydon Lynch Architects**

401-1668 Barrington Street, Halifax, Nova Scotia, B3J 2A2

## **Front Entrance Perspective**

Scale: NTS

16.01.2020

# LYDON LYNCH

Client  
CORONA REALTY

Project  
WEST ROYAL SUITES  
CHESBURN, PEI

Consultants  
Lupton Lupton Architects Limited  
Architect  
2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

Pine Engineering Limited  
Electrical Engineering  
2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

M. Lyndon Engineering Limited  
Mechanical Engineering  
2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

Electric Engineering  
2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

By and for the Client  
1500 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

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Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

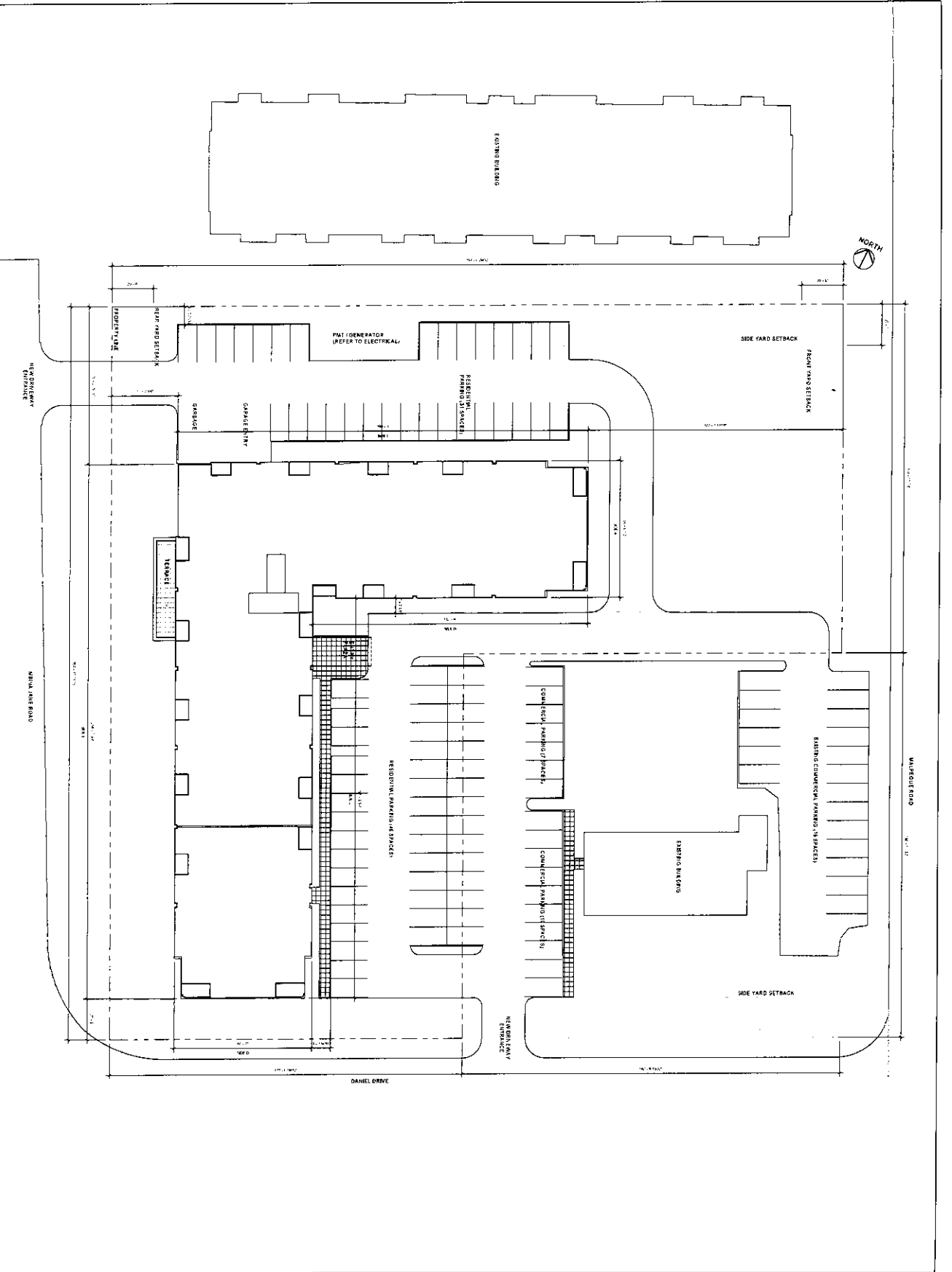
2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

2000 Highway 100, Suite 100  
Chesbourn, PEI C0A 1A0  
Tel: (847) 425-1234

A100





Client  
CORBOVA REALTY

**Project**  
**WEST ROYALTY SUITES**  
Charlottesville, PEI

## Consultants

**Lyden Lynch Architects Limited**  
Architect  
1656 Barington Street, Unit 401  
Napier, North Island, N.Z. 4101  
Tel (067) 422-1446

**Police Engineering Limited**  
5 New Street, London EC2A 3DB

2427 Joseph Henry Drive, Unit 40  
Hawthorne, Nova Scotia B3L 4H7  
Tel (902) 473-9266

M. Lawrence Engineering Limited  
Mechanical Engineers

210 Main Ave.  
Hafers, Nova Scotia B3M 1B5  
Tel (902) 222-5364

## Electrical Engineering

Engineering Consulting  
253 Sixth Ave.  
Lower Sackville, Nova Scotia B4C 2N  
Tel (902) 252-2331

## By and Large S

**Interior Design**  
35 Portland Street, Suite 5  
Dartmouth, Nova Scotia B2Y 2H4  
Tel: (902) 404-0155

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthal and Whistler (1973). The total chlorophyll content was determined by the method of Arar and Cook (1977). The carotenoid content was determined by the method of Lichtenthal and Whistler (1973). The total carotenoid content was determined by the method of Lichtenthal and Whistler (1973). The total carotenoid content was determined by the method of Lichtenthal and Whistler (1973).

NOT FOR CONSTRUCTION

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2019-12-13 ISSUED FOR JIN REVIEW

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**BASEMENT**

Drawing Set  
Project No.  
Drawn By  
Checked By

A101

# Attachment D

## Two Letters Commenting on the access onto the private street, Minna Jane Drive, attached:

1. Ian Harper
2. Tim Banks

## 10 Letters of Opposition & One Petition Attached:

1. John Moore
2. Bill McInnis
3. Violet & Eric Darrach
4. Marvin & Norma MacDonald
5. Barbara & Brian Prowse
6. Murilla & Robert Horobin
7. Kornelis & Klaassiena Hamming
8. Ron & Donna Saunders
9. Wayne & Marjorie MacDonald
10. Jeff & Maureen Cofran
11. Petition with 74 Signatures

**Attachment D:** Public Feedback  
**File:** PLAN-2020-2-MARCH-  
197 Minna Jane Drive (PID #469841)  
**Owner:** Cordova Realty Ltd.



## Morrison, Greg

---

**From:** Ian Harper <iharper@apm.ca>  
**Sent:** February 13, 2020 10:48 AM  
**To:** Morrison, Greg  
**Cc:** Tim Banks; Cain Arsenault  
**Subject:** 197 Minna Jane Drive - Storm Drainage on Private ROW  
**Attachments:** Draft Survey.pdf; 2020.01.16 West Royalty Suites - Rendering - Front entrance.pdf; 19006 West Royalty Suites - Site Plan Basement - 2020 02 05\_Page\_1.jpg; GIS Map.jpg

Hi Greg,

We have been provided a copy of the preliminary drawings for the proposed Apartment Building, and have concerns related to the storm water drainage.

As you may be aware, the developer on the adjacent (McInnis) property infilled a ditch on our private ROW without our permission. Further they revised the grades on their property to deposit their storm water onto the shoulder of our private road causing damage to the road bed. This private road is the primary access to the Seafood Express building, so the undermining of the road caused much concern for their business. We have had the road bed repaired and have been coordinating with the McInnis's to have this issue rectified. The final condition is improved but still less than ideal.

Our private road and property are downgradient from the proposed development, which appears to be more dense than the McInnis apartment.

Please be advised that we do not provide a blanket agreement to allow modifications to our existing private ROW or the road on it. Any proposal to route storm sewer over our property, and/or other modifications on our private road, must be approved by APM.

Please have the developer's consultant contact us to discuss their plans for storm water management.

Regards,  
Ian H

**Ian Harper, P.Eng**  
VP Engineering Services • APM MacLean

17 Union Rd.  
Brackley, PE  
C1E 3B2  
tel [902-569-8400](tel:902-569-8400)  
cel [902-626-5489](tel:902-626-5489)  
email [iharper@apm.ca](mailto:iharper@apm.ca)  
**APM.ca**

Since 1946 **APM MacLean** has provided construction and design-build services that include construction management, engineering and general contracting. Our principles of Service, Trust and Value are our foundation for the delivery of every aspect of your new building or renovation project. **APM MacLean** operate across Canada providing a host of construction services to local, regional and national clients.



OVER  
**95**  
YEARS | COMBINED  
EXPERTISE



## Morrison, Greg

---

**From:** Tim Banks <tim@apm.ca>  
**Sent:** February 13, 2020 11:53 AM  
**To:** Morrison, Greg; Forbes, Alex  
**Cc:** Ian Harper; Duane Lamont; APM-Team  
**Subject:** FW: Former Coles Associates  
**Attachments:** Coles ROW.PDF; 197 Minna Jane - Locus Plan (Schedule-B).pdf; 197 Minna Jane - Site Plan.pdf

Greg,

The Cordova Realty development plan as shown doesn't have access on to our private land for their entrance and exit. We are also concerned about storm drainage so could you have their engineers address these issues with us prior to the date we have to respond back to the City with our comments. They can contact Ian Harper directly.

Thanks  
Tim

---

**From:** James Travers [\[mailto:jtravers@stewartmckelvey.com\]](mailto:jtravers@stewartmckelvey.com)  
**Sent:** Thursday, February 13, 2020 11:36 AM  
**To:** Tim Banks; Cain Arsenault; Ian Harper  
**Cc:** Duane Lamont  
**Subject:** FW: Former Coles Associates

Tim, I have reviewed the grant of ROW for PID 469841 (the former Coles Associates property). The ROW only extends for the length of Parcel R-2 on the attached Locus plan. The Lydon Lynch site plan shows an entrance onto Minna Jane Drive (a private road), but such entrance is located beyond the end of Parcel R-2. PID 469841 has no legal right of way to access or travel over Minna Jane Drive at the location of such entrance.

**James C. Travers, Q.C.\***

Partner  
Stewart McKelvey  
D: 902.629.4504  
\*Law Corporation

---

**From:** Tim Banks [\[mailto:tim@apm.ca\]](mailto:tim@apm.ca)  
**Sent:** Thursday, February 13, 2020 11:15 AM  
**To:** James Travers <[jtravers@stewartmckelvey.com](mailto:jtravers@stewartmckelvey.com)>  
**Cc:** APM-Team <[apmteam@apm.ca](mailto:apmteam@apm.ca)>; Duane Lamont <[dlamont@apm.ca](mailto:dlamont@apm.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>  
**Subject:** Fwd: Former Coles Associates

**This is an external email.**

Jim

Will you please review Cain's drawing against the developers plan and confirm they do not have the right to exit on to our property as shown on their development drawing

Thanks



Tim Banks  
CEO - APM group

21 John Yeo Drive, Unit 2  
Charlottetown, PE  
Canada  
c1e 2a1  
tel 902.569.8400  
cel 902.628.7313  
tim@apm.ca  
www.apm.ca

Begin forwarded message:

**From:** Cain Arsenault <[carsenault@apm.ca](mailto:carsenault@apm.ca)>  
**Date:** February 13, 2020 at 10:09:55 AM EST  
**To:** Tim Banks <[tim@apm.ca](mailto:tim@apm.ca)>, Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>  
**Subject:** RE: Former Coles Associates

Tim,

Schedule "B" of agreement encompasses highlighted area of attached Locus Survey which is about 2/3 of the way to the entrance they are showing on the Lyndon Lynch Site Plan.

See attached.

Cain Arsenault  
[carsenault@apm.ca](mailto:carsenault@apm.ca)  
902-569-8400 ext 313

---

**From:** Tim Banks  
**Sent:** Thursday, February 13, 2020 10:26 AM  
**To:** Cain Arsenault; Ian Harper  
**Subject:** Fwd: Former Coles Associates

Cain can you review this and show me ROW on a drawing

Thanks

Tim Banks  
CEO - APM group

21 John Yeo Drive, Unit 2  
Charlottetown, PE  
Canada  
c1e 2a1  
tel 902.569.8400  
cel 902.628.7313  
tim@apm.ca  
www.apm.ca

## Morrison, Greg

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**From:** Planning Department  
**Sent:** February 14, 2020 8:13 AM  
**To:** Morrison, Greg  
**Subject:** FW: Planning and Heritage variance

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**From:** [moorewelldrilling@pei.aibn.com](mailto:moorewelldrilling@pei.aibn.com) [<mailto:moorewelldrilling@pei.aibn.com>]  
**Sent:** February 13, 2020 3:59 PM  
**To:** Planning Department  
**Subject:** Planning and Heritage variance

Hi Greg,

I guess I'm a little confused as to why they can have 30%-40% less land than what is required, and it's okay. I'm just not sure why we have these rules in the first place. I couldn't believe when I read that the council passed the resolution to allow a 70' high building. I remember last year when somebody wanted to put up a food stand on an empty lot. I remember one of the councillors saying "we have rules in place for a reason. Without them, this would be the wild west." I guess that only applies when it's convenient. This is supposed to be a commercial/industrial area, and I have an issue with the fact that they are residential, and are not even close to having the amount of land required. I could see it if they were 4,000-5,000 sq ft short, but they are 54,710 sq ft short. I also have a problem with the fact that they will get permission to do what they want, and I am trying to get a permit to build another work building on my own commercial/industrial property, and you people are giving us a hard time. They shouldn't be allowed to build a 97 unit apartment, but they will, because really, nobody in there cares what we think, and I can't build a work building in a commercial/industrial zone on an 8 acre piece of land. There seems to be something wrong with the system.

John Moore

**Stavert, Robert**

---

**From:** Admin @ McInnis Group <admin@mcinnisgroup.ca>  
**Sent:** February 21, 2020 12:04 PM  
**To:** Planning Department  
**Subject:** FW: City of Ch'tn Planning & Heritage Re-zoning 197 Minna Jane  
**Attachments:** Bill's Letter Re Zoning of 197 Minna Jane.docx

197 Minna Jane Drive PID # 469841

Bill McInnis, President  
McInnis Group (1993) Ltd  
[admin@mcinnisgroup.ca](mailto:admin@mcinnisgroup.ca)  
195 Pope Road  
Summerside, PEI  
C1N 5C6  
(902) 436-3577

City of Charlottetown Planning & Heritage Department

Re-Zoning property located at 197 Minna Jane Drive

PID 469841

To whom it may concern:

First of all I want to state that I am a developer and sympathize with other developers who find themselves needing a slight variance to make a project work. I myself have been in before with needing a small variance on heights, especially concerning the 4<sup>th</sup> floor of a building. This 4<sup>th</sup> floor allows more green space and allows the developer to build an attractive building without impacting surroundings. I feel this should be a 'standard' not an exception now that Charlottetown and all of PEI is growing as it has.

After saying this I also strongly feel that we have a required lot size for a reason. In our frantic attempt to catch up with our much needed housing, more and more requests requiring a variance of an ever increasing amount are coming through.

Concerning 197 Minna Jane Drive ( PID 469841 ) never have I seen more of a needed decrease in lot size to construct such a big building on such a small lot! This I am not in favor of at all! I could see a few %'s or even 10% max, but this is something like 60% allowance. Unacceptable!!

When this rush to build anywhere, at any size on any lot has subsided, how is the City going to look, with these monstrous buildings on small lots with very limited trees or green space. Plus creating a substantial increase in traffic in an already busy area this creates a less than desirable area for our tenants who have chosen this area to live and retire.

I think we really need to look at why the by-laws were put in originally. A limit to a variance should be applied.

In closing, thank-you for an opportunity to express my displeasure of this allowance, and I trust that whoever makes this decision stands up for Charlottetown and will make the right decision not to allow these Mega Buildings on lots that are not suited for them.

Thank You, Bill McInnis  
McInnis Group (1993) Ltd.



**Stavert, Robert**

---

**From:** Violet Darrach <vjd1942@telus.net>  
**Sent:** February 23, 2020 7:44 AM  
**To:** Planning Department  
**Subject:** New Apartment Building for Minna Lane

We are **strongly** opposed to the construction of a 5-story building proposal to be constructed next to 215 Minna Jane Drive. The traffic alone from the tenants of this new building would present a real problem especially when there are several new retail businesses coming into the area. Between Bed Bath and Beyond and the liquor store we have a high volume of traffic already and on top of that there is a lot of Seafood Express truck traffic in front of our building.

We live on the fourth floor of Chesapeake Haven and **five** stories of another building built so close to us would totally block not only the view but the sunlight and privacy of tenants in both buildings. I assume the tenants planned for this building would not be seniors, as I am and therefore their life style would be much different than ours, **may** include children, loud music, parties, lots of company etc. Just the amount of driving a parent does for their children in todays world is extensive. Does the new planned apartment have tenant parking for all of the tenants and if not where would they be parking vehicles?

Please do not approve a FIVE story building next to us, respectfully Violet and Eric Darrach

## Stavert, Robert

---

**From:** Marvin MacDonald <marvennorma@eastlink.ca>  
**Sent:** February 23, 2020 12:52 PM  
**To:** Planning Department  
**Cc:** Mayor of Charlottetown (Philip Brown); Coady, Jason  
**Subject:** City of Ch'town Planning & Heritage Re-zoning 197 Minna Jane Drive

Please refer to proposed re-zoning PID 469841

Almost 1 year ago we were fortunate to move to 215 Minna Jane Drive. ( Chesapeake Haven )  
Bill McInnis built this lovely,extremely well maintained, comfortable senior complex that is "home " to us who occupy 60 units here.Most of us, who paid high taxes on our greater Charlottetown homes now are paying high taxes included in our rent. We have become a family and meet regularly in the well equipped common room.Many friendships have been made and we were all happy until we received this letter of proposal of re-zoning. Now we are all disgusted and stressed.Although we are living independently, there are some who don't drive cars and are not able to be out on the go.All these people have is the sunlight and vision of the great outdoors.

The outdoor area is sparse , but we deal with it and cannot give up any green space.There is a lot of traffic with the present businesses--- Seafood Express( 80 trucks daily);Timber Mart, Leon's etc. and there are more businesses opening in the spring.This is no problem as we still have" breathing" space and can see the sunlight.The proposal to build a 5 storey, 97 unit square box in this small area is unacceptable. This developer obviously has no respect for anyone and lacks any common sense !  
Some of us will be moving elsewhere if this monstrosity is constructed.Why do we have to move as seniors who are just getting settled in our new home and those with disabilities have to even consider this ?  
Those on the south side will be able to share meals and the Guardian by way of their balcony with the new neighbors. Is this not disgraceful ? ( A slight exaggeration.)

We might as well be in downtown Toronto, China , Korea etc. Is this how the City of Charlottetown wishes for us to feel ? We don't think so.

There is lots of land for him to build on that won't interfere with anyone and there would be lots of parking space for his future tenants as well.

We strongly disagree with you even CONSIDERING this proposal for re-zoning this land.Our opinion here is that the planning and heritage department has no business even looking at this request. Have a heart !!!

Regards,  
Marven & Norma MacDonald

**Stavert, Robert**

---

**From:** Barbara Prowse <barbara.prowse@gmail.com>  
**Sent:** February 24, 2020 12:27 PM  
**To:** Planning Department

To: The Planners for the city of Charlottetown

We read, with concern, the proposal for 197 Minnna Jane Drive development. And at this time, we would name a couple of concerns:

1. When this property at 197 was bought and sub-divided, the buyer knew the exact size of the lot and what would be permissible according to the by-laws of the city planning commission. Such blatant disregard for the rules that other developers must live within is not acceptable.
2. Parking: - We are residents of 215 Minna Jane Drive. As a Seniors complex, the McInnis Group work hard at planning and developing space that is safe, clean and well landscaped. Parking is clearly laid out and was planned before contracts were signed. The proposal for 197 M.J. Dr., which we understand is not a Seniors building, could have in excess of 150 resident vehicles and additional space would be needed for guest parking. The footprint of the building would not allow space for that much underground parking. The question would remain, where would these additional cars go? Where is the green space? Surely that is also a requirement?

CBC today quoted Mr. Tim Banks as saying " the market is catching up now to the rental demand in the Charlottetown marketplace". So why would any developer request an exception to the rule on a lot that does not qualify for this size of building? And why would the city promote the possibility of so much empty rental space? Would we just be encouraging more Air B&B's? For your information, the McInnis group do not permit, by contract, , Planning and Heritage such short term rentals and because we build community that socializes and cares for each other, such rentals would be very noticeable.

Once an exception is made to allow such a variance, from 146,179 sq ft to approximately 91,469 sq. ft., how can other developers be denied? There is a lot of empty space in the Winsloe area, we do not need to be packed on top of each other. Planing for senior's areas in this region might be a welcome addition to the city planning.

Sincerely,

Barbara and Brian Prowse

Apt 413,  
215 Minna Jane Drive

--  
Barbara Prowse

**Stavert, Robert**

---

**From:** Bob & Murilla Horobin <bobandmurilla@gmail.com>  
**Sent:** February 24, 2020 3:36 PM  
**To:** Planning Department  
**Subject:** 197 Minna Jane variance

As residents of 215 Minna Jane Dr we strongly object to the variance proposed for this building. From the diagram it would appear that the building will be very close to us. We live on the south side of our building and the proposal will block our daylight; something smaller or with a different orientation would be more acceptable.

We trust this application will not be approved

Murilla and Robert Horobin



**Stavert, Robert**

---

**From:** Kornelis Hamming <kornelis.hamming@gmail.com>  
**Sent:** February 24, 2020 3:49 PM  
**To:** Planning Department  
**Cc:** Coady, Jason; Mayor of Charlottetown (Philip Brown)  
**Subject:** 197 Minna Jane Drive (PID #469841) Variance Application

Dear Esteemed City of Charlottetown Planning Department, Ward 8 Councilor and Mayor:

Having returned to PEI last night subsequent to attending to family for most of the month of February, my wife and I are just learning that plans are afoot to construct a new and very large apartment building on the lot immediately to the south of our current residence in 215 Minna Jane Drive.

Of considerable concern is the sheer size of the proposed complex on such a tiny lot, a matter that cannot proceed without the City of Charlottetown approving a Section 3.9.4 of the Zoning and Development By-Law variance that appears to be very material in nature. As we understand it, the request is to allow a new very large structure to be built on a lot of 91,469 sqft whereas zoning/Bylaw for such a structure requires 146,179 sqft of lot area.

By our calculations, the variance request asks that the City of Charlottetown approve a 37% reduction in lot size requirements, or put another way, permit a structure on a lot that is undersized by 60%. Whether one uses 37% or 60%, the variance percentage appears to be outlandish.

We would agree that the supply of residential, condominium and apartment dwellings appears to be trailing demand. This situation is likely to be of shorter duration (a few years) versus longer duration (a few decades), and as such should not set the stage for purely opportunistic demands.

In short, we oppose the variance request given its sheer enormity.

At the time that we committed to be a resident of the apartment building at 215 Minna Jane Drive, we were aware that a similar apartment building immediately to the north was planned. We had no knowledge of plans for a 60%+ larger apartment building to the immediate south.

Recognizing the need for additional apartment dwellings for residents of Charlottetown, and PEI in general, we can see our way clear to support a reasonable building of similar size, shape, height and lot-layout as that of 215 Minna Jane Drive. Having 3 similar-ish apartments in a similar-ish configuration side-by-side strikes us being attractive and visually appealing to both those living there and those traveling through the area.

Respectfully submitted,  
Kornelis and Klaassiena Hamming  
215 Minna Jane Drive, Apt. 109

**Stavert, Robert**

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**From:** Ron Saunders <ronanddonna@eastlink.ca>  
**Sent:** February 24, 2020 3:53 PM  
**To:** Planning Department  
**Subject:** Proposed re-zoning of 197 Minna Jane Dr.

We are writing with regard to a request for a variance to allow for construction of a 97 unit apartment building at 197 Minna Jane Drive. We live at 215 Minna Jane Drive, Chesapeake Haven apartments, which adjoins the lot for the proposed new building.

This variance would mean approximately a 60% relaxation of the current regulations due to the lot being too small for the proposed structure. This seems to be a significant deviation.

We are concerned about the aesthetics of squeezing a too large building on a too small lot. Also, one assumes this would result in less green space.

Another concern is increased traffic flow at what is already one of the busiest intersections in the city. This will be further exacerbated by traffic travelling to and from the many new businesses that have recently opened or are under construction in and around the old Sears store.

We realize the city must continue to grow and there is a need for new apartments. However, If the vision for the city's future development has changed to the point where the existing regulations are no longer appropriate, then perhaps new policies or regulations are needed.

Thank you for your consideration of our comments and concerns.

Ron and Donna Saunders  
902-566-1968

**Stavert, Robert**

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**From:** Marjorie MacDonald <macdonaldmarjorie@hotmail.com>  
**Sent:** February 24, 2020 5:20 PM  
**To:** Planning Department  
**Subject:** Fwd: Re-zoning for proposed new apartment building on Minna Jane Drive (PID - 469841)

Sent from my iPad

Begin forwarded message:

**From:** [macdonaldmarjorie@hotmail.com](mailto:macdonaldmarjorie@hotmail.com)  
**Date:** February 24, 2020 at 3:59:07 PM EST  
**To:** [jascoady@charlottetown.ca](mailto:jascoady@charlottetown.ca), [mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)  
**Subject:** Re-zoning for proposed new apartment building on Minna Jane Drive (PID - 469841)

We are out of the Province at this time, but as residents of Chesapeake Haven in Charlottetown, we really do hope that the re-zoning for a very large apartment building to be built in this area will not meet with the approval of our City (the City of Charlottetown). Thank you for your anticipated consideration to this matter.

Wayne and Marjorie MacDonald

Sent from my iPad

**Stavert, Robert**

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**From:** Coady, Jason  
**Sent:** February 25, 2020 8:09 AM  
**To:** Planning Department  
**Subject:** Fwd: Response to Requested Variance with Respect to 197 Minna Jane Drive (PID # 469861)

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Jeff Cofran <[jmcofran@yahoo.com](mailto:jmcofran@yahoo.com)>  
**Date:** February 24, 2020 at 10:31:54 PM AST  
**To:** "Coady, Jason" <[jecoady@charlottetown.ca](mailto:jecoady@charlottetown.ca)>  
**Subject: Re: Response to Requested Variance with Respect to 197 Minna Jane Drive (PID #469861)**

By the way, we do completely understand the pronounced need for more rental units here in Charlottetown, but hopefully there is room for compromise somewhere between almost needing a shoehorn to squeeze in a building and not being invasive, suffocating and significantly detrimental to quality of life to existing structures and the people who live in those structures.

Thanks and regards, Jeff and Maureen Cofran

On Monday, February 24, 2020, 10:14:22 PM AST, Jeff Cofran <[jmcofran@yahoo.com](mailto:jmcofran@yahoo.com)> wrote:

Hello Deputy Mayor, Councillor for Ward 8 Mr. Jason Coady,

Please find attached the subject response, and an attachment entitled '197 Minna Jane Drive Sketch.pdf' pointed to in the document.

Thank you in advance for an opportunity to participate and collaborate with City of Charlottetown government through this vehicle.

Regards, Jeff and Maureen Cofran

Jeff and Maureen Cofran  
102-215 Minna Jane Drive  
Charlottetown, PE C1E 3M8



**To The City of Charlottetown  
Planning & Heritage Department**

Name	Apt. #	Phone	Signature
Karen Arsenault	101	902-394-3054	Karen Arsenault
Maureen CoFRAN	102	902-367-5637	J. CoFRAN
Jeff CoFRAN	102	902-367-5637	Jeff CoFRAN
Erlynn PAYNTER	104	902-368-3720	Erlynn Paynter
Pauline M. ACLEOD	106	902-566-3839	Pauline MacLeod
Joan BERNARD	105	902-629-1648	Joan Bernard
Mamie Bagnall	107	902-368-1136	M Bagnall
George McJannet	108	902-367-0038	George McJannet
MARY MACDONALD	110	902-628-6455	Mary E MacDonald
ALFRED DALZIEL	110	902-628-6455	Alfred Dalziel
SHIRLEY REDMOND	112	902-628-6653	Shirley Redmond
JEAN MARSHALL	103	902-569-2588	Jean Marshall
Clive Marshall	103	902-569-2588	Clive Marshall
JEAN ROSS	114	902-569-3653	Jean Ross
PETER FORISTON	113	782-327-1611	P Forston
Sheila MacLeod	111	902-892-6805	Sheila MacLeod
Donny MacLeod	111	902-892-6805	Donny MacLeod
Louise Thomas	303	902-367-4210	L Thomas
Connie Affleck	310	902-892-7078	CONNIE AFFLECK
Paul Knox	307	902-314-5933	Paul Knox
KORNELIS HAMMING	309	506-440-9411	Kees Hamming
KLAASJENNA HAMMING	309	902-626-8286	Mrs K Hamming
	(22)		



**To The City of Charlottetown  
Planning & Heritage Department**

We, the residents of Chesapeake Haven located at 215 Minna Jane Drive, C1E 3M8 respectfully wish to oppose the granting of a requested variance that would allow the construction of a 5 storey, 97 unit apartment dwelling on such a small lot at 197 Minna Jane Drive (PID 469841).

Name Print	Apt. #	Phone	Signature
Irene Shartneger	309	218-9244	[Signature]
Ron Saunders	311	566-1968	[Signature]
DONNA SAUNDERS	311	566-1968	[Signature]
Emmett Ellsworth	316	318-2418	[Signature]
Dorothy Ellsworth	316	318-2418	[Signature]
Barbara Glower	312	218-1265	[Signature]
DANNY HARRIS	314	6361 6060	[Signature]
M.M. Metcalin	313	569-5208	[Signature]
R. HOROBIN	313	509-5208	[Signature]
Betty Vander Zwag	212	566-5602	[Signature]
Gloria Snow	205	367-3071	[Signature]
Gary Snow	205	362-3071	[Signature]
HILLARY LEWIS	206	3681995	[Signature]
B. VAN DUGGAS	203	892-4506	[Signature]
Noroda McVinal	410	569-2059	[Signature]
Rhonda Leard	212	218-6807	[Signature]
(16)			




# PETITION

## To The City of Charlottetown Planning & Heritage Department

We, the residents of Chesapeake Haven located at 215 Minna Jane Drive, C1E 3M8 respectfully wish to oppose the granting of a requested variance that would allow the construction of a 5 storey, 97 unit apartment dwelling on such a small lot at 197 Minna Jane Drive (PID 469841).

Name	Apt. #	Phone	Signature
DALE MADER	403	569-4624	Dale Mader
JEAN MADER	403	"	Jean Mader
Maude Allan	409	367-5710	Maude Allan
JEANIE SMITH	401	367-5059	Jeanie Smith
<del>Jean Smith</del>	401	394-5651	<del>Jean Smith</del>
Madeline Cost	406	367-5585	Madeline Cost
ERIC DARRACH	405	367-1993	Eric Darrach
Violet Darrach	405	367-1993	Violet Darrach
Joan Davidant	408	368-1171	Joan Davidant
Norman McDonald	411	628-6807	Norman McDonald
Norma McDonald	411	628-6807	Norma McDonald
Kelly Jones	414	367-5148	Kelly Jones
Barbara Prowse	413	626-9813	Barbara Prowse
Brian Prowse	413	393-6778	Brian Prowse
BRENDA DUNSFORD	415	628-8234	Brenda Dunsford
Judy MacDonald	214	894-4851	Judy MacDonald
John Roberts	214	894-4851	John Roberts
DAVID LAROLT	212	338-8300	David Larolt
Jim Campbell	209	367-3132	Jim Campbell
Dot Campbell	209	393-7732	Dot Campbell
Patsy Williams	207	368-7575	Patsy Williams
Rhonda Mallett	207	368-7575	Rhonda Mallett
Kelly Allard	207	368-7575	Kelly Allard
Jack Pound	204	892-2997	Jack Pound
Ella Pound	204	892-2997	Ella Pound
DON FINCHES	301	367-0304	Don Finches
<del>Don Finches</del>	302	566-9964	<del>Don Finches</del>
JOAN BARTLETT	302	566-9964	Joan Bartlett
Rosemary McDonald	304	367-4412	Rosemary McDonald
Gaye Myers	306	398-7212	Gaye Myers
Don Finches	305	367-4510	Don Finches
Don Finches	305	367-4510	Don Finches
Norman McDonald	308	566-4449	Norman McDonald
Carla Atkinson	315	626-0872	Carla Atkinson
Margaret Scott	412	367-5123	Margaret Scott
Margon Flood-Jones	414	367-5128	Margon Flood-Jones



<b>TITLE:</b> SITE SPECIFIC EXEMPTION APPLICATION FILE: PLAN-2020-2-MARCH- 6C-6 550 UNIVERSITY AVENUE (PID #373126) OWNER: UNIVERSITY OF PEI		
<b>MEETING DATE:</b> March 2, 2020		Page 1 of 6
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Survey Plan C. Renderings	
<b>SITE INFORMATION:</b> <b>Context:</b> South-west portion of the UPEI Campus <b>Ward No:</b> 4 – St. Avards <b>Existing Land Use:</b> Educational Institution <b>Official Plan:</b> Institutional <b>Zoning:</b> Institutional (I)		
<b>PREVIOUS APPLICATIONS:</b> See Property History		

### **RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to proceed to public consultation in order to obtain a site specific exemption in the Institutional (I) Zone of the Zoning & Development By-law as it pertains to 550 University Avenue (PID #373126) in order to allow the proposed 9-storey (35.4 m) residence to be constructed on the property which exceeds the maximum building height in the I Zone subject to the signing of a Development Agreement.

### **BACKGROUND:**

#### ***Request***

The property owners, University of Prince Edward Island, have made an application for a site specific exemption to allow a residence to be constructed on the UPEI campus – 550 University Avenue (PID #373126) with a maximum building height of 35.4 m (excluding the potential



<b>TITLE: SITE SPECIFIC EXEMPTION APPLICATION</b> <b>550 UNIVERSITY AVENUE (PID #373126)</b>	<b>Page 2 of 6</b>
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mechanical penthouse) which exceeds the maximum building height in the Institutional (I) Zone of 12.0 m.

The site specific exemption would allow the proposed residence to exceed the maximum building height of 12.0 m if approved at 550 University Avenue (PID #373126).

### ***Development Context***

The specific location of the proposed residence on the UPEI campus would be near the corner of University Avenue and Belvedere Avenue. The proposed residence would be connected to two (2) of the existing residences on the property, Bernadine Hall and Andrew Hall.

### ***Property History***

Council passed the following resolution on June 14, 2004:

*That the request by UPEI for a height variance from the required 39.4 feet to 56 feet for the proposed 158-bed student residence to be located at 550 University Avenue, (PID# 373126), be approved.*

A building permit was then issued on October 6, 2004 to construct the 5-storey residence (Andrew Hall).

### **LEGISLATIVE REQUIREMENTS:**

#### ***Notification***

If the proposed site specific exemption is approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section 3.10.4 of the Zoning & Development By-law.

### **ANALYSIS:**

As per Section 3.11.1.a. of the Zoning & Development By-law, Council may approve a Site Specific Exemption to the permitted uses and regulations in any Zone, where ... the proposed Site Specific

Exemption is not contrary to the *Official Plan*. Policies in the Official Plan relating to working with UPEI to satisfy their land use requirements include:

*Section 5.4.1 - Our **objective** is to establish regular dialogue with representatives of ... University of Prince Edward Island ... in order to keep abreast of their needs, and to seek mutually beneficial resolution of issues.*

*Section 5.4.1 - Our **policy** shall be to meet with representatives of the province and the City's educational institutions on a regular basis to address, and seek mutual resolution to, any outstanding issues.*

*Section 5.4.2 - Our **objective** is to work with representatives of Charlottetown's educational institutions to ensure that their present and future physical space and land-use requirements are factored into the City's planning processes.*

The applicants provided the following rationale illustrating the need for housing for UPEI:

*UPEI is building a New Residence in conjunction with the 2023 Canada Winter Games. The New Residence is being designed and constructed to initially house 1600+ athletes participating in the 2023 Canada Winter Games. Following the Games, 260+ students will call the residence home as they study at UPEI.*

University Avenue is classified as an arterial road which by nature is generally categorized as high capacity urban roads. Their primary function would be to deliver traffic from collector roads to the by-pass or highways at the highest level of service possible. Arterial roads typically contain higher densities than collector or local streets but generally have less access points for residential development. In addition, higher densities should be located along bus routes. The transit system runs along University Avenue, in front of the proposed campus. The Official Plan has the following objectives to direct growth along University Avenue and create ecstastically pleasing entrances to the City:

*Section 4.4.1 - Our **objective** is to support the measured and appropriate growth of the two commercial corridors on University Avenue and St. Peter's Road, which are predominantly characterized by highway commercial uses.*

*Section 4.4.3 - Our **objective** is to work with our partners on University Avenue and on St. Peter's Road to enhance the appearance of these routes as destination points and as entrances to the downtown core.*

Should the site specific exemption be approved, the proposed 9-storey, 35.4 m residence will one of the tallest buildings in the City of Charlottetown. The applicants have provided the following text to rationalize the building height:

*The taller volume is set back from University Avenue with lower volumes in front. The north end of the building is set into the sloping site to help reduce the height relative to adjacent grade.*

*The massing of the building is strategically configured and stepped to allow the adjacent buildings' facades to receive direct sunlight for a portion of the day and allow the sun and shadow to play across the newly created courtyard. The orientation of the new residence volumes also allows direct sunlight to each of the student units. The benefits of natural light and direct sunlight is important to the mental health of students, and to any occupants of a building.*

*The project is located in the southwest corner of campus. This site is the lowest elevation of the sloping campus and an ideal spot to develop a higher building to minimize the difference of roof elevations compared to other buildings on campus that are located higher up the slope.*

The applicant also rationalizes the materiality of the proposed residence:

*The exterior finishes will respect the existing materiality of the campus. Materiality of the different volumes will be varied to break-up the overall building mass. Some of the spaces will have opaque façades, like the auditorium, while other circulation and student spaces will be more transparent allowing light and views through the building to offer visual connections to other building spaces/activities and outside surroundings.*

<b>TITLE: SITE SPECIFIC EXEMPTION APPLICATION</b> <b>550 UNIVERSITY AVENUE (PID #373126)</b>	<b>Page 5 of 6</b>
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As per Section 3.9.1.i. of the Zoning & Development By-law, a major variance is permitted if *the variance request is not substantial and does not entail a Rezoning application. If there is any doubt, then a Rezoning application or Site Specific Exemption must be sought by the applicant.* Due to the fact that the proposed variance would be substantial, the applicant has elected to proceed with a site specific exemption.

Due to the scale of the proposed development, staff would recommend that the proposed development be subject to a Development Agreement. As per Section 3.3.12 of the Zoning & Development By-law, *Council may require that a Development Agreement be signed between the two parties indicating that the Development will be carried out in accordance with the drawings and other documents produced in respect of the proposed Development and agreed upon between both parties, and the Development Agreement shall bear the signatures of the applicant and the City.*

Finally, staff met with the applicants on Monday, January 27, 2020 to discuss the proposed development. The applicants indicated that the project is “extremely sensitive to time and has to start shortly and must be completed” by the Canada Games in order to house athletes. Due to the limited time allocated to design the building, only concept drawings have been completed to date. In light of the foregoing, it was discussed at the meeting the possibility of Council requiring Design Review to take place to alleviate any concerns with respect to the design of the residence. This process is typically reserved to the downtown 500 Lot Area but has been utilized in the past in circumstances where the plans were not fully developed at the time of a rezoning application or CDA Zone amendment. Staff would highlight that this process be contemplated and the design review approval form part of the Development Agreement. The requirement of the Design Review approval and Development Agreement will be left to the discretion of Planning Board & Council. If Design Review becomes a requirement, staff would ensure that it was facilitated in such a manner to prevent significant time delays.

Below is a quick summary of the subject application’s positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>The proposed development is located</li> </ul>	<ul style="list-style-type: none"> <li>The applicants have tentatively agreed to sign</li> </ul>	<ul style="list-style-type: none"> <li>The application would be a substantial variance and</li> </ul>



along an arterial road and bus route.

- The Official Plan encourages the City to work with UPEI to address any land-use requirements on the University.
- The Official Plan supports growth on University Avenue.
- The additional student housing will have a positive impact on the demand for housing in the City.

a Development Agreement.

- The applicants have tentatively agreed to complete the design review process.

therefore must follow the Site Specific Exemption process.

**CONCLUSION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to proceed to public consultation in order to obtain a site specific exemption in the Institutional (I) Zone of the Zoning & Development By-law as it pertains to 550 University Avenue (PID #373126) in order to allow the proposed 9-storey (35.4 m) residence to be constructed on the property which exceeds the maximum building height in the I Zone subject to the signing of a Development Agreement.

**PRESENTER:**



Greg Morrison, MCIP  
Planner II

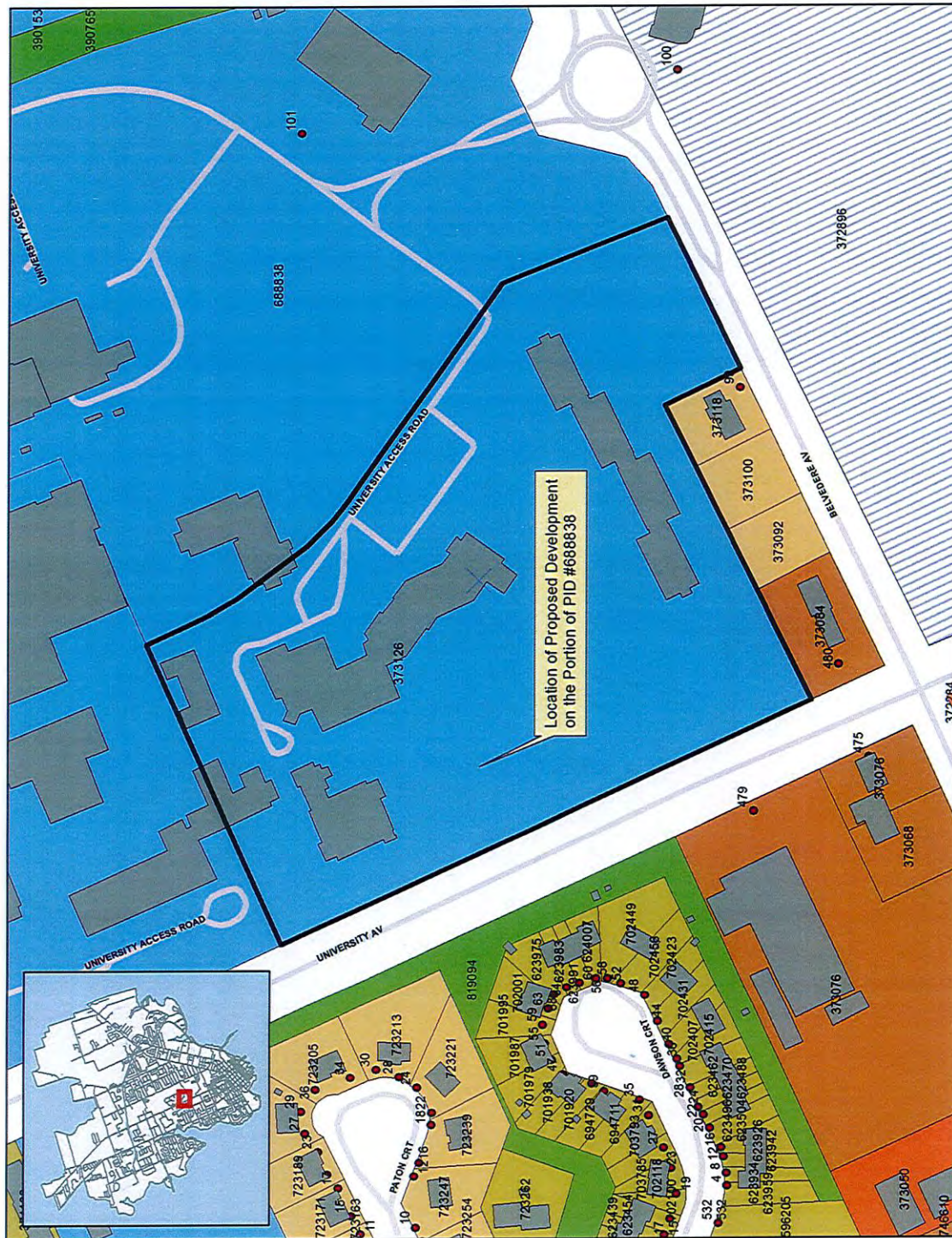
**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



# Attachment A



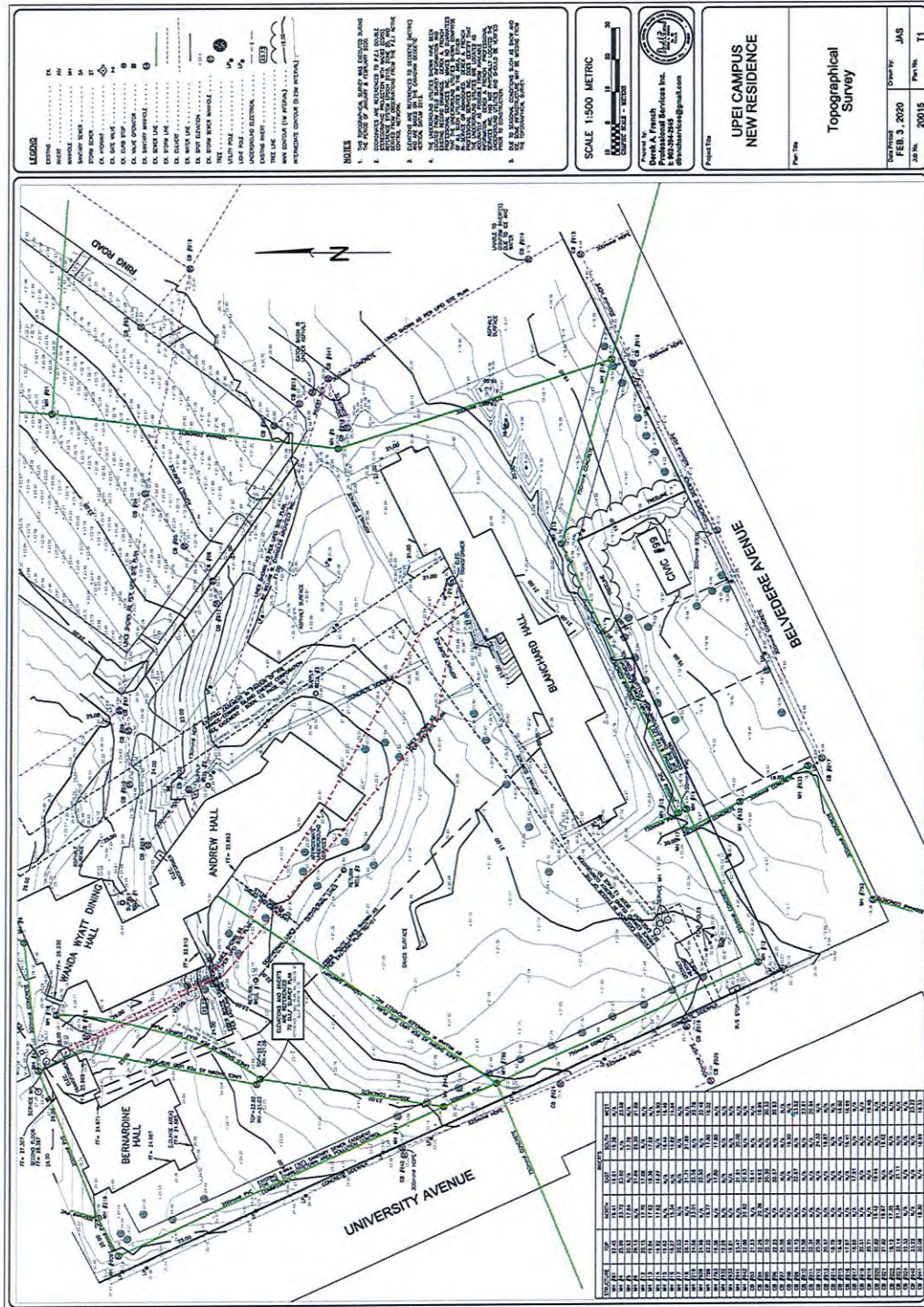
Attachment A: GIS Map  
 File: PLAN-2020-2-MARCH-6C-6  
 550 University Avenue (PID #373126)  
 Owner: University of PEI

  
**CHARLOTTETOWN**  
 Planning & Heritage  
 Department





# Attachment B

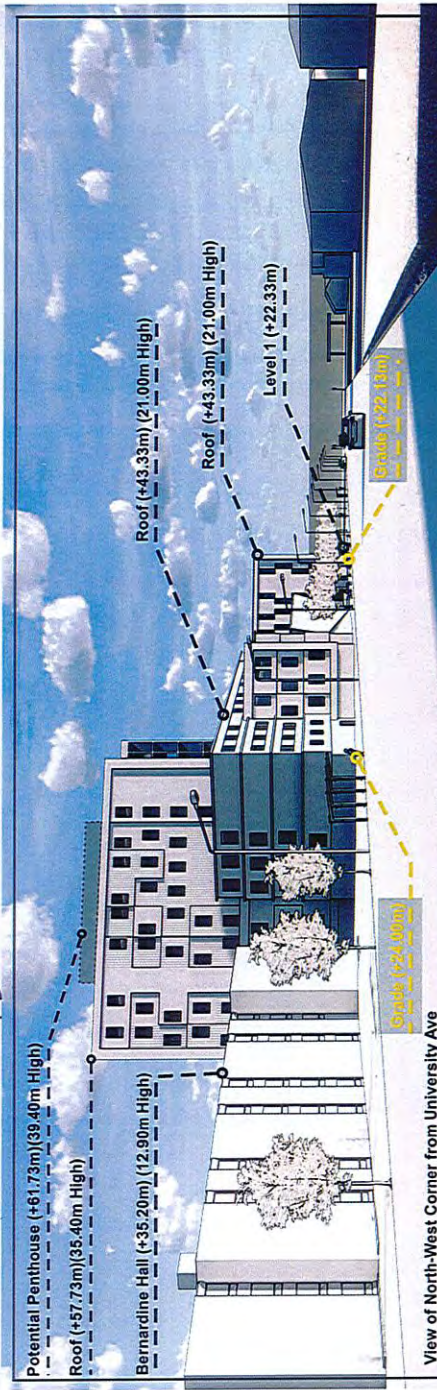
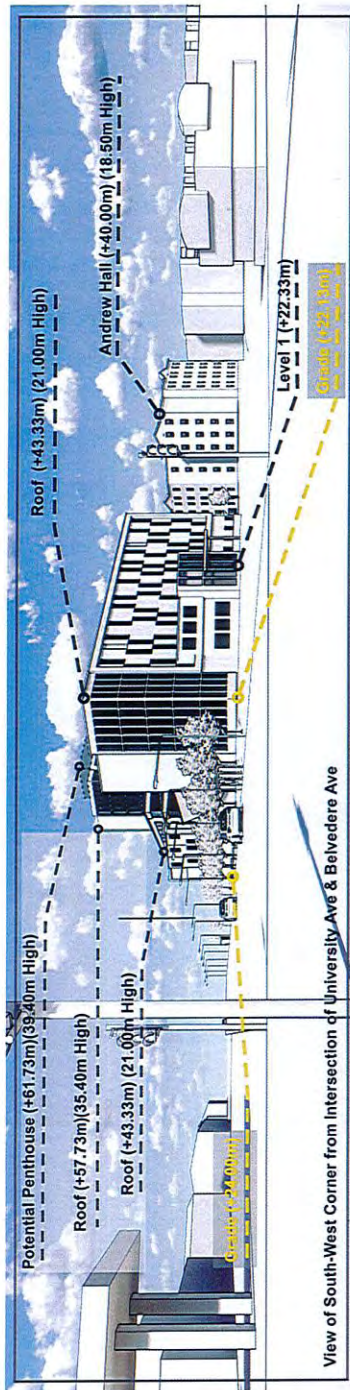


Attachment B: Site Plan  
 File: PLAN-2020-2-MARCH-6C-6  
 550 University Avenue (PID #373126)  
 Owner: University of PEI





# Attachment C-1



**ANDREW  
MCGILLIVARY**  
architect limited

Our ref.: A1948  
February 21, 2020

**UPEI Residence** Charlottetown, PEI  
Building Height



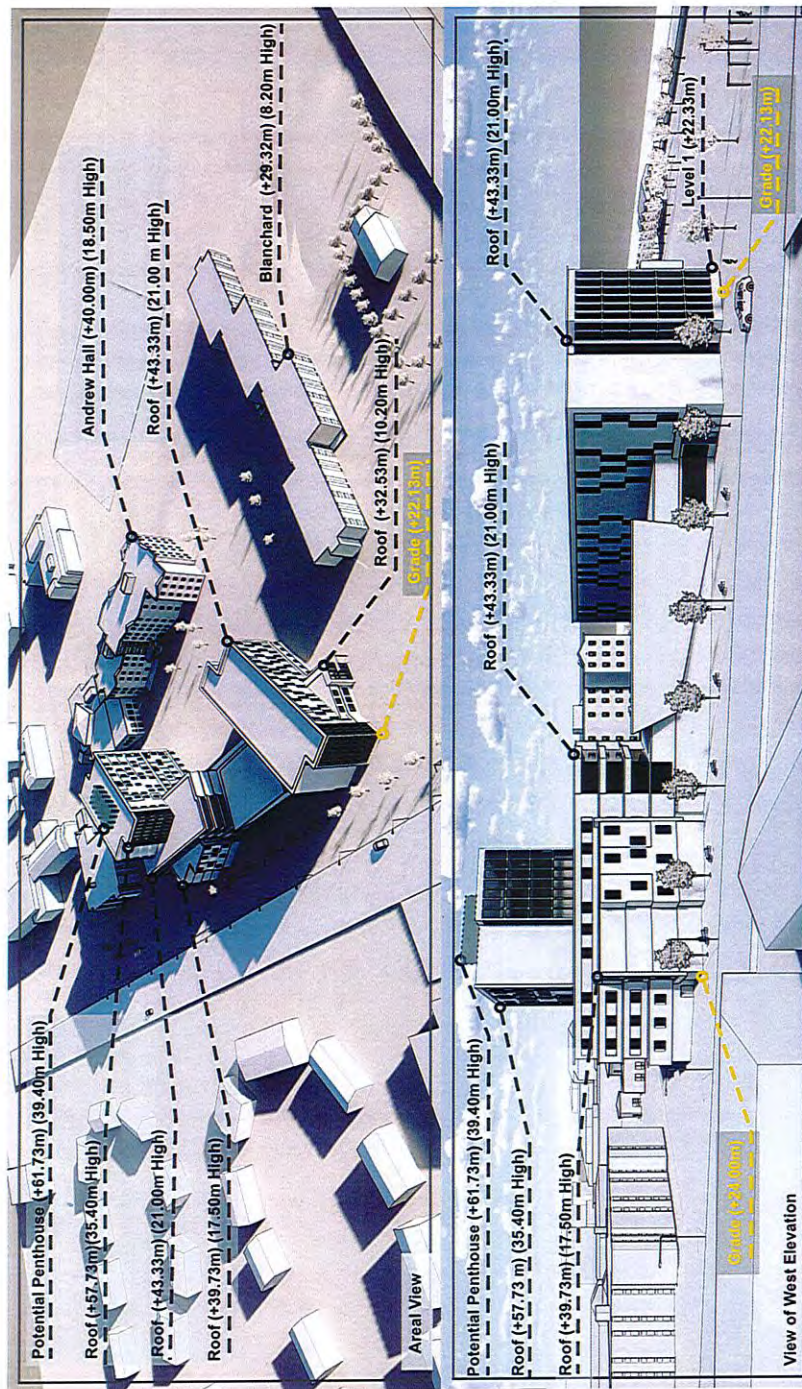
Attachment C: Renderings  
File: PLAN-2020-2-MARCH- **6C-6**  
550 University Avenue (PID #373126)  
Owner: University of PEI

**CHARLOTTETOWN**  
Planning & Heritage  
Department





# Attachment C-2



**ANDREW  
MCGILLIVARY**  
*architect limited*

Our ref.: A1948  
February 21, 2020

**UPEI Residence** Charlottetown, PEI  
Building Height




Attachment C: Renderings  
File: PLAN-2020-2-MARCH- **6C-6**  
550 University Avenue (PID #373126)  
Owner: University of PEI

**CHARLOTTETOWN**  
Planning & Heritage  
Department





<b>TITLE: PLANNING BOARD REPORT</b> <b>ZONING &amp; DEVELOPMENT BY-LAW AMENDMENTS</b> <b>FILE: PLAN-2019-02-MARCH-6c -7</b>		 <b>CHARLOTTETOWN</b>
<b>MEETING DATE:</b> March 02, 2020		<b>Page 1 of 5</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> Attachment A – Garden Suites Attachment B – Mobile Canteens Attachment C – Manufactured Housing Residential (MHR) Zone Attachment D – Permitted Use (i.e. Dormitory) in the Institutional (I) Zone Attachment E – Permitted Use (i.e. Storage Facility) in the Mixed-Use Corridor (MUC) Zone Attachment F - Permitted Use (i.e. Storage Facility) in the Light Industrial (M-1) Zone Attachment G - Permitted Use (i.e. Storage Facility) in the Heavy Industrial (M-2) Zone Attachment H - Permitted Use (i.e. Storage Facility) in the Business Park Industrial (M-3) Zone Attachment I – Parking Standards (Dormitory and Storage Facility) Attachment J – Definitions (Dormitory and Storage Facility)	

**RECOMMENDATION:**

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments pertaining to:

- Section 5.7.1.b Garden Suites (Lot Size);
- Section 5.17 Mobile Canteens (Change *May* to *April* under subsection 5.12.2)
- Section 13 Manufactured Housing Residential (MHR) Zone;
- Section 21 Institutional Zone (include Dormitory under Permitted Uses);
- Section 23 Mixed-Use Corridor (MUC) Zone (include Storage Facility under Permitted Use);
- Section 35 Light Industrial (M1) Zone (include Storage Facility under Permitted Use);
- Section 35 Heavy Industrial (M2) Zone (include Storage Facility under Permitted Use);

- Section 35 Light Industrial (M1) Zone (include Storage Facility under Permitted Use);
- Section 35 Heavy Industrial (M2) Zone (include Storage Facility under Permitted Use);
- Section 35 Business Park Industrial (M3) Zone (include Storage Facility under Permitted Use);
- Section 43.1 Parking Space Standards (i.e. Dormitory, Storage Facility);
- Appendix A. Definitions (i.e. Dormitory, Storage Facility)
- Appendix G. Zoning Map

be *approved* to proceed to public consultation.

**BACKGROUND / ANALYSIS:**

Over the last few months the Planning Department has had several requests pertaining to alternative forms of housing. Zoning & Development By-laws in their nature are fluid documents that are amended in order to respond to changing community needs, such as housing or recognizing new land uses. In order to provide more housing options in the community, Planning Committee has directed staff to relax the standards for garden suites and manufactured housing. Given the low vacancy rate and Council's priority to increase the local housing stock staff is proposing three (3) separate amendments to help address this issue. The first amendment is to decrease the minimum lot size requirement for a garden suite from 0.5 acre to 0.3 acre and the last two amendments are to create a separate zone for manufactured housing to be built and serviced by public infrastructure. The final amendment pertaining to housing is the re-insertion of Dormitory into permitted uses for the Medium Density Residential (R-3) and the Institutional (I) Zones. The other proposed amendments consist of allowing mobile canteens to start operations earlier in the year, insert Storage Facility under permitted uses for the mixed use and industrial zones and insert minimum parking space requirements for both of the proposed permitted uses Dormitory and Storage Facility.

**Garden Suites Minimum Lot Size (Attachment A)**

In 2018 the Zoning & Development By-law decreased the minimum lot area requirement for a garden suite from one (1) acre to 0.5 acre to encourage more infill development and densify neighbourhoods with large single detached dwelling lots. This amendment only allowed for approximately 390 additional properties with the opportunity to construct a garden suite. Since this time staff have been approached by multiple property owners seeking to construct a garden suite but are constrained by the existing lot area size requirement. Staff conducted research into the minimum garden suite lot area requirements but found various municipalities (i.e. Edmonton,

Victoria, Saanich) are more aggressive where they permit a garden suite on lot sizes below 0.1 acre if the building meets all minimum property setbacks. Reducing the minimum lot area to 0.3 acre will allow for approximately 1,900 more properties to qualify for a garden suite. This provides the municipality with the opportunity to densify historically low density neighbourhoods and provides another option to create more housing.

#### Mobile Canteens (Attachment B)

Staff is proposing to revise the timeframe of allowing for mobile canteens to operate earlier in the year by changing the date from May to April. This is to account for PEI Burger Love and would allow for mobile canteen businesses' to participate in this culinary event which takes place in April.

#### Manufactured Housing Residential (MHR) Zone (Attachment C)

Currently, the Zoning & Development By-law only permits manufactured housing (i.e. modular and mini-home) to be placed in private developments that are serviced by private streets as per the requirements of the Manufactured Housing (MH) Zone. Staff is proposing the creation of a new zone Manufactured Housing Residential (MHR) Zone that would allow for manufactured housing to be located and served by public streets. The siting requirements of this zone will be identical to that of the existing MH Zone to ensure consistency with other manufactured housing developments.

#### Insertion of Dormitory under Permitted Uses in the Institutional (I) Zone (Attachments D)

The previous Zoning & Development By-law permitted a Dormitory in both the Medium Density Residential (R-3) and the Institutional (I) Zones. Staff is proposing to re-insert this land use back into only the Institutional (I) Zone, since this is the only zone in which existing dormitories exist. When the By-law went through the last major amendment in 2018, this use was removed despite there being multiple dormitories throughout the City that serve both the College and University. Therefore, staff is proposing to reinsert this use back into the Institutional (I) Zone.

#### Insertion of Storage Facility under Permitted Uses in in the Mixed-Use Corridor (MUC), Light Industrial (M-1), Heavy Industrial (M-2), Business Park Industrial (M-3) Zones (Attachment E, F, G, H)

Recently, staff received a request for the development of an indoor storage facility. The By-law only defines and permits for outdoor storage and warehousing in the Mixed-Use Corridor and corresponding industrial zones. A storage facility is a similar use to a warehouse/distribution



centre from a land use compatibility perspective, therefore staff is proposing to allow for a storage facility in the same zones.

#### Parking Space Standards (Attachment I)

Introducing two new land uses (i.e. Dormitory and Storage Facility) would require establishing minimum parking standards. For the Dormitory use staff are proposing to reintroduce the parking space requirements from the previous Zoning By-law in order to avoid creating legal non-conforming situations. The parking requirements would be *"1 space for every 3 beds or 1 space per unit, whichever is greater"*.

Due to its unique nature a Storage Facility does not require much parking since users temporarily que onsite to load or unload goods. Through research staff recommends that *"1 space for each 23 sq. m (247.6 sq ft) of Office space plus 1 space per 200 sq. m (2,152.8 sq. ft) of Floor Area dedicated to storage or 1 parking space per ten (10) storage units, whichever is lesser"* be inserted into the General Provisions for Parking.

#### Appendix A. Definitions (Attachment J)

The first definition that staff is proposing to insert is for a Dormitory. Common land use definitions for this use is as follows: *means a Building or Structure where residents have exclusive use of a Bedroom but common washroom and/or kitchen facilities, and where each resident individually compensates the owner for providing the accommodation.*

The second definition is for a Storage Facility which is defined as *a Building or Structure consisting of individual storage units accessible by the user, used for the storage of goods, wares, merchandise, items or things.*

#### Appendix G. Zoning Map (Attachment K)

The proposed amendment is to include the proposed Manufactured Housing Residential (MHR) Zone to the legend on the zoning map.

### **LEGISLATIVE REQUIREMENTS:**

#### ***Notification***

If the proposed amendments to the Zoning & Development By-law PH-ZD.2 are approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the

public of said public meeting in accordance with Section 3.10.4.c of the Zoning & Development By-law PH-ZD.2.

**CONCLUSION:**

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments pertaining to:

- Section 5.7.1.b Garden Suites (Lot Size);
- Section 5.17 Mobile Canteens (Change *May* to *April* under subsection 5.12.2)
- Section 13 Manufactured Housing Residential (MHR) Zone;
- Section 21 Institutional Zone (include Dormitory under Permitted Uses);
- Section 23 Mixed-Use Corridor (MUC) Zone (include Storage Facility under Permitted Use);
- Section 35 Light Industrial (M1) Zone (include Storage Facility under Permitted Use);
- Section 35 Heavy Industrial (M2) Zone (include Storage Facility under Permitted Use);
- Section 35 Business Park Industrial (M3) Zone (include Storage Facility under Permitted Use);
- Section 43.1 Parking Space Standards (i.e. Storage Facility);
- Appendix A. Definitions (i.e. Dormitory, Storage Facility)
- Appendix G. Zoning Map

be *approved* to proceed to public consultation.

**PRESENTER:**



Robert Zilke, MCIP  
Planner II

**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

# Attachment A

**Section 5.7.1 b. GARDEN SUITES minimum lot area by deleting the lot area requirement of “0.2 hectares (0.5 acre)”; and adding “0.12 hectares (0.3 acre)” as follows:**

## **1.1 GARDEN SUITES**

**1.1.1** One (1) Garden Suite may be permitted in an Accessory Building if the subject property:

- a. Is a Single-detached Dwelling;
- b. Has a minimum Lot Area of ~~0.2~~ **0.12** hectares (~~0.5~~ **0.3** acre); and
- c. Does not contain a Secondary Suite.

Attachment A:  
Amendments to Garden Suites  
File: PLAN-2020-03-MAR-

  
**CHARLOTTETOWN**  
Planning & Heritage Department

## Attachment B

By deleting the words “May” and replace with “April” under section 5.12.2 as follows:

Mobile Canteens in the 500 Lot Area shall be permitted to operate between ~~May~~ April 1st and October 31st, at which time the Mobile Canteen must be removed from the property.

Attachment B:

Amendment to Mobile Canteens Operation

Date

File: PLAN-2020-02-MAR-



Planning & Heritage Department



# Attachment C

Insert section 13.0 MANUFACTURED HOUSING RESIDENTIAL (MHR) ZONE and renumber all corresponding sections accordingly as follows:

## 13 MANUFACTURED HOUSING RESIDENTIAL ZONE (MHR)

### 13.1 PERMITTED USES

- 13.1.1 Single-detached Dwelling;
- 13.1.2 Modular Dwelling;
- 13.1.3 Mini-home Dwelling;

### 13.2 REGULATIONS FOR PERMITTED USES

	Interior Lot	Corner Lot
1 Site Area (Minimum)	465 sq. m (5,005.42 sq ft)	540 sq. m (5,812.5 sq ft)
2 Site Frontage (Minimum)		
	End-on Sites 12 m (39.4 ft)	15 m (49.2 ft)
	Front on Sites 29 m (95.1 ft)	29 m (95.1 ft)
3 Front Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
4 Rear Yard (Minimum)	4.5 m (14.8 ft)	4.5 m (14.8 ft)
5 Side Yard (Minimum)	1.83 m (6 ft)	1.83m (6 ft)
6 Flankage Yard (Minimum)		6.0 m (19.7 ft)
7 Height (Maximum)	10.0 m (32.8 ft)	10.0 m (32.8 ft)

- 13.2.1 The entire undercarriage of a Mini-home shall be skirted with an opaque material.

### 13.3 ACCESSORY AND SECONDARY USES

- 13.3.1 Notwithstanding the requirements, the following are permitted as accessory or secondary uses:
  - a. Accessory Building;
  - b. Home Occupation; and
  - c. Home Daycare

Attachment C:  
Amendments to add the Manufactured  
Housing Residential (MHR) Zone  
File: PLAN-2020-02-MAR-

  
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# Attachment D

Insert "Dormitory" under Section 21.1 PERMITTED USES in the Institutional (I) Zone between "Cultural Establishment" and "Educational Institution (private)" as follows:

## 21 INSTITUTIONAL ZONE (I)

### 21.1 PERMITTED USES

- 21.1.6 Community Institutional;
- 21.1.7 Cultural Establishment;
- 21.1.8 Dormitory;
- 21.1.9 Educational Institution (private);

Attachment D:  
Amendments to add Dormitory to the  
Institutional (I) Zone  
File: PLAN-2020-02-MAR-

  
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# Attachment E

Insert "Storage Facility" under Section 23.1 PERMITTED USES in the Mixed-Use Corridor (MUC) Zone between "Service Repair Establishment" and "Transport Terminal" as follows:

## 23 MIXED-USE CORRIDOR ZONE (MUC)

### 23.1 PERMITTED USES

- 23.1.1 Uses permitted in the R-4 Zone, subject to the Regulations for Permitted Uses for the R-4 Zone;
- 23.1.2 Uses permitted in the Institutional (I) Zone, subject to the Regulations for permitted uses for the I Zone;
- 23.1.3 Commercial Uses permitted in the ER-Mixed Use Village Centre Zone (ER-MUVC);
- 23.1.4 Automobile Sales and Services;
- 23.1.5 Cannabis Retail Store;
- 23.1.6 Equipment Sales, Rental Service;
- 23.1.7 Greenhouse (nursery retail);
- 23.1.8 Outdoor Retail Display;
- 23.1.9 Parking Lot;
- 23.1.10 Retail Store with connected Retail Warehouse, Light Manufacturing or assembly facility;
- 23.1.11 Retail Warehouse;
- 23.1.12 Service Repair Establishment;
- 23.1.13 Storage Facility;
- 23.1.14 Transport Terminal; and
- 23.1.15 Warehouse and/or Distribution Centre

Attachment E:  
Amendments to add Storage Facility to the  
Mixed-Use Corridor (MUC) Zone  
File: PLAN-2020-02-MAR-

  
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# Attachment F

Insert "Storage Facility" under Section 35.1 PERMITTED USES in the Light Industrial (M-1) Zone after "Recycling Depot" as follows:

## 35 LIGHT INDUSTRIAL ZONE (M-1)

### 35.1 PERMITTED USES

35.1.21 Recycling Depot; and

35.1.22 Storage Facility

Attachment F:  
Amendments to add Storage Facility to the  
Light Industrial (M-1) Zone  
File: PLAN-2020-02-MAR-

  
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# Attachment G

Insert "Storage Facility" under Section 36.1 PERMITTED USES in the Heavy Industrial (M-2) Zone between "Service Repair Establishment" and "Transport Terminal" as follows:

## 36 HEAVY INDUSTRIAL ZONE (M-2)

### 36.1 PERMITTED USES

36.1.25 Service Repair Establishment;

36.1.26 Storage Facility;

36.1.27 Transport Terminal;

Attachment G:  
Amendments to add Storage Facility to the  
Heavy Industrial (M-2) Zone  
File: PLAN-2020-02-MAR-



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# Attachment H

Insert "Storage Facility" under Section 37.1 PERMITTED USES in the Business Park Industrial (M-3) Zone between "Service Repair Establishment" and "Transport Terminal" as follows:

## 37 BUSINESS PARK INDUSTRIAL ZONE (M-3)

### 37.1 PERMITTED USES

37.1.33 Service Repair Establishment;

37.1.34 Storage Facility;

37.1.35 Transport Terminal;

37.1.36 Transportation Service;

Attachment H:  
Amendments to add Storage Facility to the  
Business Park Industrial (M-3) Zone  
File: PLAN-2020-02-MAR-

  
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# Attachment I

Section 43.1 PARKING SPACE STANDARDS is amended as follows:

Insert "Dormitory" under Use between "Daycare facility" and "Drive-thru Business"; and

Insert "Storage Facility" under Use following "School, senior high" as follows:

<b>Daycare facility</b>	1 space for each employee plus a drop-off area for the children
<b>Dormitory</b>	<i>1 space for every 3 beds or 1 space per unit, whichever is greater</i>
<b>Drive-thru Business</b>	1 space for every 4 sq. m (43.1 sq ft) of dining area plus queuing space as required by this by-law
<b>School, senior high</b>	1 space for each staff person plus 2 spaces per teaching classroom
<b>Storage Facility</b>	<i>1 space for each 23 sq. m (247.6 sq ft) of Office space plus 1 space per 200 sq. m (2,152.8 sq. ft) of Floor Area dedicated to storage or 1 parking space per ten (10) storage units, whichever is lesser</i>
<b>Theatre</b>	1 space per 5 seats

Attachment J:  
Amendments to Parking  
File: PLAN-2020-02-MAR-

  
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# Attachment J

## Appendix A. Definitions are amended as follows:

- 1) By inserting the definition alphabetically for "*Dormitory*" proceeding after "*Domestic Animals*" but before the existing definition "*Drive-thru Business*" as follows:

**Domestic Animals** includes dogs, cats, budgies, parrots, parakeets, hamsters, gerbils, guinea pigs, and fish.

**Dormitory** means a Building or Structure where residents have exclusive use of a Bedroom but common washroom and/or kitchen facilities, and where each resident individually compensates the owner for providing the accommodation

**Drive-thru Business** means an establishment which is designed to provide either wholly or in part, service to customers while in their motor vehicles.

and

- 2) By inserting the definition alphabetically for "*Storage Facility*" proceeding after "*Domestic Animals*" but before the existing definition "*Drive-thru Business*" as follows:

**Stepback** means a specified horizontal recess from the top of a Streetwall, which shall be unobstructed from the Streetwall to the sky except as otherwise specified.

**Storage Facility** a Building or Structure consisting of individual storage units accessible by the user, used for the storage of goods, wares, merchandise, items or things.

**Storey** means that portion of a Building which is situated between the top of any floor and the top of the floor above it, and if there is no floor above it, the portion between the top of such floor and the ceiling above it provided that any portion of a Building partly below Grade level shall not be deemed a Storey unless its ceiling is at least 6 ft above Grade and provided that any portion of a Storey exceeding 14 ft in Height shall be deemed an additional Storey for each 14 ft or fraction thereof.

Attachment J:  
Amendments to Appendix A. Definitions  
File: PLAN-2020-2-MAR-

  
**CHARLOTTETOWN**  
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