



**Public Meeting of Council  
Tuesday, October 23, 2018 at 7:00 PM  
Georgian Ballroom & Terrace, Rodd Charlottetown Hotel  
75 Kent Street**

**Mayor Clifford Lee Presiding**

**Present:**

<b>Deputy Mayor Mike Duffy</b>	<b>Councillor Greg Rivard</b>
<b>Councillor Kevin Ramsay</b>	<b>Councillor Jason Coady</b>
<b>Councillor Terry MacLeod</b>	<b>Councillor Melissa Hilton</b>

**Also:**

<b>Alex Forbes, PHM</b>	<b>Robert Zilke, PII</b>
<b>Laurel P. Thompson, PII</b>	<b>Ellen Faye Ganga, PH IO/AA</b>
<b>Greg Morrison, PII</b>	

**Regrets:**

<b>Peter Kelly, CAO</b>	<b>Councillor Eddie Rice</b>
<b>Councillor Robert Doiron</b>	<b>Councillor Mitchell Tweel</b>
<b>Councillor Terry Bernard</b>	

**1. Call to Order**

Mayor Clifford Lee called the meeting to order at 7:04 pm.

**2. Declarations of Conflict of Interest**

There were no declarations of conflict.

**3. Approval of Agenda**

Mayor Clifford Lee opened the meeting, introduced the members of the Council and the purpose of the meeting. Mayor Clifford Lee turned the meeting over to Councillor Rivard, Chair of Planning Board who introduced the application.

**4. Property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574)**

This is a request to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan. The purpose of this zoning amendment is to allow the owner to develop the property for residential purposes.

Councillor Greg Rivard introduced Robert Zilke, PII, to present this application. The applicant, Mr. Bill Watters is also present to speak on behalf of his application.

The subject property was previously a public right of way connecting to Belgrave Drive. It was determined by the developer (Gardiner Realty) that this right of way would not be developed and as a result was sold. The property was sold to Mr. Watters who is looking for the planning permission to establish a building lot for Single Detached Residential (R-1) Zone. The lot size is 0.42 acres (1,697 sq. m.) with a lot frontage of 94 ft. (28.7 m.). The R-1 zone's minimum lot requirement is 696 sq. m. and 22m (72 ft.) frontage. The lot complies with the R-1L zone minimum requirements. Mr. Watters was present to explain his application and answer any further questions.

Mr. Watters indicated that his objective is to improve the whole back area of his property. He owns the front lots where his house is currently located. A portion of the subject property is heavily timbered and he has no intentions of cutting it down. The back of his property would be a mix of grass area and flower beds which the neighbours around the area would be able to view from their decks. This view provides privacy rather than looking into another home. It is his objective to make the area look nice for him and for the neighbours. At the time the lot was purchased, it was his understanding that the lot would be zoned to allow him to develop the property. However, this was not the case. The current application then is to zone this property to the R-1L zone.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

#### **5. 101 Oak Drive (PID #452748)**

This is a request to amend Appendix "H" – Zoning Map of the Zoning and Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone in order to rezone the property located at 101 Oak Drive (PID # 452748) to facilitate the construction of a semi-detached dwelling including garages. Councillor Greg Rivard introduced Mr. Danny Moase, representative for this application, to provide details of the application.

The intent is to build a half-million duplex with the intention of selling the units which will be individually owned. The construction will include garages made of brick, doors will be 3ft wide, a roll in shower in the main level and master bedroom and wheelchair accessible. Mr. Moase indicated that a three unit dwelling was built along Valdane Ave a few months ago and that his development coincides with others in the area. The street side along Oak Drive will be filled in so there are no entrances along that street.

Winston Bryan, resident, clarified if the garages will be facing Doncaster Ave and Mr. Moase confirmed that the house will be facing Doncaster Ave. Mr. Bryan also noted that there have been water problems in that area over the past number of years so what

would be their plans to keep the water from flowing from Brackley Point Road into the properties along the street and that the back, along Richard Drive, will likewise be addressed. Mr. Moase responded that the whole idea of infilling the area along Oak Drive would be to address this concern by putting proper manholes and drainage that satisfies the City engineers.

An unnamed resident clarified that the entrance of the proposed development will be along Doncaster Ave because the current civic address says 101 Oak Drive. Mr. Moase confirmed that the side along Oak Drive will be infilled so the garages will be facing Doncaster Ave. Ms. Laurel Palmer Thompson, PII, confirmed that the current civic address is 101 Oak Drive at the moment. It was used to identify the location of the lot for this application. The developer had not provided a complete site plan at present and the final civic address will be determined when the final building plans have been finalized. Mr. Moase also added that it will be best to have the entrance along Doncaster Ave to reduce the traffic along Oak Drive.

Leigh Sentner, resident, asked if the Planning Department received the letter sent by the residents of the area. Mayor Lee confirmed that the Department received the letter.

Councillor Melissa Hilton asked if the house beside the subject property would be along Richard Drive or Doncaster Ave. Ms. Thompson noted that the civic address is along Doncaster Ave. Councillor Hilton then asked Mr. Moase if the proposed development will have a shared driveway and intended to be sold individually. Mr. Moase confirmed that it will have a shared driveway and will be owner occupied once sold.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

*Laurel Palmer Thompson left the meeting.*

#### **6. Mount Edward Road (PID #390740) & Mount Edward Road (PID#492405)**

This is a request to rezone the property at Mount Edward Road (PID #492405) and a portion of the property located at Mount Edward Road (PID #390740) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone. This application also includes a lot consolidation and approval of a Development Concept Plan for a portion of the above-mentioned properties. The proposed Development Concept Plan illustrates the development on a portion of the consolidated properties in two phases containing a total of 143 residential dwelling units. Councillor Greg Rivard introduced Greg Morrison, PII, to introduce the application.

The application includes the following requests:

1. The first is to rezone the property located on Mount Edward Road (PID #492405) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone;

2. The second is to rezone a portion of the property located on Mount Edward Road (PID #390740) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone.
3. The third is to consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405).
4. And finally, the fourth is to approve the Development Concept Plan for the 5.05 acres portion of the proposed consolidated property.

The applicant intends to develop 5.05 acres of the total 8 acre vacant properties off Mount Edward Road in approximately three phases. The first phase consists of a seven (7) unit townhouse and a 48-unit apartment building on 2.5 acres of land. The second phase consists of a 40-unit apartment building and a 48-unit apartment building on 2.55 acres of land. The applicant would also be proposing to construct a road from Mount Edward Road to the Confederation Trail. The proposed road would connect at Mount Edward Road directly across from Ferngarden Drive and would continue to the Confederation Trail where a temporary cul-de-sac would be implemented until such time that the road is extended through the property. The submitted plans only show the conceptual massing. The applicant has also agreed to undergo the Design Review process in order to develop the design of the building at a later date. This will be included in the Development Agreement with the conceptual massing plans but the text would indicate that the Design Review process is required prior to issuing any permits. Mr. Morrison then introduced Mr. Stavert to provide more details.

Aaron Stavert, architect and representative of the applicant, introduced the application by noting that that property is owned by Saint Dunstan's University (SDU) for approximately 150 years and one of the predecessors of UPEI. SDU is now run as a not-for-profit by the Board of Governors. SDU invests approximately one million dollars annually through scholarships, bursaries and community based projects. Over the years, SDU has sold a portion of its properties and were developed as what we see now as Princess Auto, Canadian Tire and the Sobeys property. SDU has been approached by developers to develop a portion of their lands and the current application would be the pie shaped land located south of the Confederation Trail off of Mount Edward Road. Some of the goals and objectives of this project is to look at residential development as it relates to existing neighbourhood, transition to scale down closer to the residents in the area, and provide quality development with lower ratio of floor area to open space. It is not intended to be developed to the full extent as allowed by the existing Bylaw but to provide a good building space and to connect green spaces to the Confederation Trail. Mr. Stavert provided a view of the property from the bypass highway and along Mount Edward Road and its site attributes. As part of the CDA requirements, the applicant is required to look at the full 9 acres of land. The development is targeted to be done in three phases with Phase I being a 2.5 acre parcel, 2.55 for Phase II and a future CDA for Phase III. Road alignments were also looked at to mitigate traffic issues.

Joey Jeffrey, resident, asked how much lower would the 40-unit apartment be from the street line. Mr. Stavert noted that the grade would probably drop 12 to 14 feet to the base of the building. The bylaw allows a building height of up to 49.2 feet tall therefore gaining a storey and a half of drop and be looking at 3-storey building from the street. Mr. Jeffrey also added that though the development is high density, he considers it as a lower density project than expected. One of his concerns is traffic along Mount Edward Road and he asked if a study has been made on the impact of this new development to the traffic along Mount Edward Road, or if there are any other street options available or installation of traffic lights or roundabouts that may be considered. Mayor Lee responded that a study has not been done yet and it will definitely be referred to the traffic division to look at the development at that time and provide recommendations. If the street is not along Mount Edward Road, it is uncertain as to where access will be since access will not be permitted to exit on to the bypass highway.

David MacDonald, resident, mentioned that any traffic on Mt Edward Road impacts all residents along Mt. Edward Road. Mr. MacDonald spoke to a few residents in the area and mentioned that they agree that housing is a priority and are not against it. However, some concerns raised were 1) the area coming out of Ferngarden is considered to be a blind hill and virtually impossible to pull out of without some risk of being hit. When the road gets busy towards the traffic lights, cars pile up past Ferngarden. If a traffic light was put in that area, turning left to Ferngarden would again be a safety concern. Mr. MacDonald mentioned that the current guidelines of the City would not have allowed this street to be constructed. Mr. MacDonald also noted the Street Access Bylaw that for controlled access streets such as Mount Edward Road, it is a requirement to explore all possible options for street access and not just the easy option. Mr. MacDonald reiterated that the development is not a concern, but the access road is. Mr. MacDonald has requested that Council, Planning and Protective Services Committee look at the access road for this development.

An unidentified resident commented that there was a previous letter sent out to residents about another proposed development along Mount Edward Road and raised concern that if the proposal came back in a year or two, then there would be another significant development in the area and access might even be worse. There are a lot of properties between Mount Edward Road and Confederation Trail that may be considered for future development seeing that housing is becoming an issue. Towers Road fronting the cinema is being treated more of a street and has more traffic than other streets. Plans on access between this property, Towers Road and the Bypass highway need to be reviewed.

Herman McQuaid, representative of Saint Dunstan's University, indicated that two years ago the proposal was brought to the Police committee and also looked at through Paul Johnson's group. It was suggested that it was a good entrance to use. It would be best to have these documents revisited for review.

Councillor Rivard asked Mr. Stavert if there is a possibility of reworking the roadway or entrance to the property to be along the higher portion of the property. Mr. Stavert noted that there have been discussions with the City regarding the access of this property and had proposed that the access be located along the higher end of the property closer to the tree line but received feedback that services and utility run along that area and the site line is worse at that level. There are two streets closer to that area and there are more risks of other cars going left and right along that side of the street. Other options were looked at but all at Mount Edward Road. Councillor Rivard also asked what the distance between the proposed access and the bypass traffic light is. The information is not available at the moment but a comparable image showing the proposed access was presented.

Brian Gillis, resident, noted that the sensitive approach to massing and planning of this development is positive. Looking at a developer's perspective and his own perspective, he would look at higher density and social mandate targeted at social affordable housing. Mr. Gillis also asked if there is a master plan or conceptual land use envisioned for the rest of the land across the Confederation Trail. Mr. Stavert deferred the question to Mr. McQuaid or Mr. McDougal who would be the best resource to answer this question. Mr. Gillis added that since we are dealing with a comprehensive development area, there are several complex issues along with it such as access, the entrance into the shopping mall that acts as connector between Mount Edward Road and Capital Drive or University Avenue. This is a result of lack of future planning. The City needs to look at good planning and the overall framework impacts the balance of the land.

Donna Gorveatt, resident, asked if there will be a road beside 247 Mount Edward in the future. Mayor Lee responded that there are no plans as this time.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

### **7. 80 Grafton Street (PID #340265)**

This is a request for a site specific exemption in order to construct a five storey mixed-use building containing retail shops on the first floor, offices on the second floor and a total of 14 residential dwelling units on the third to fifth floor of the property located at 80 Grafton Street (PID #340265) with off-lot parking to be located within the Pownal Parkade. The request also includes three variances. Councillor Greg Rivard introduced Greg Morrison, PII, to introduce the application. Mr. Bill Chandler, representative of the applicant, is also present to provide more information.

The application includes the following:

1. The first request is a site specific exemption to allow the applicant to apply for off-lot parking in the Pownal Parkade for 15 of the required spaces. The rest of the required parking spaces, at this time, will be cash in lieu. Off-lot parking is not permitted in the current Zoning & Development By-law which

- was adopted this month; however, was permitted in the previous by-law. The applicant is requesting this site specific exemption as they have been designing their building under the previous by-law in which it was permitted.
2. The second request is a variance to reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft.
  3. The third request is a variance to reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to the Pilot House from 18.0 ft to approximately 14.33 ft.
  4. The fourth request is a variance to reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to MRSB from 18.0 ft to approximately 13.0 ft.

The request is to construct a five-storey, mixed-use building on the existing parking lot. The proposed building includes a basement with retail space on the main floor, offices on the second floor, six (6) residential dwelling units on the third floor, four (4) residential dwelling units on the fourth floor, and four (4) residential dwelling units on the fifth floor. This application is also subject to the Design Review process and the signing of a Development Agreement. Mr. Morrison turned it over to Bill Chandler to provide more details of the project.

Mr. Chandler indicated that the property in question is the vacant lot between the Pilot House and the MRSB building and is currently used as a parking space. The proposed building will have its streetscape lining up with the existing three storey buildings beside it. The fourth and fifth floors will have a setback of about 10 feet. There is a 14.5 feet space between the Pilot House and the proposed building and will be constructed of a hard surface with landscaping. There is also a plan to move the entrance to the Pownal Parkade from the existing entrance to this space. The proposed building will also have a connection to the Pownal Parkade. The basement is intended to be storage area for files for the legal offices. The main floor will be retail spaces with a common lobby, an elevator and two exit stairs. The second floor will be one big office space and the developers of this project will be occupying a portion of this space. The third floor will be smaller apartments as compared to the apartments at the fourth and fifth floor which will have terraces and balconies. The fifth floor will also have roof access.

Mayor Lee asked if it has to go through the variance process and then proceed with the design review; Alex Forbes, Planning Manager, confirmed. Mr. Forbes also added that without the variances being approved, the Design Review cannot proceed. This also deals with a comprehensive development agreement on parking, bonusing and then the design review. If the Council will be inclined to support this proposal, the Council will be informed of all the components of the application before it proceeds. The developers have been working on this project under the old bylaw and the new bylaw is more stringent in terms of the parking. This application is considered to be an entire package that needs to be decided upon before the project can be approved. Mayor Lee added

that if this proposed development going to be built on the existing parking then this is an opportunity for a building to take place on this. If we are going to develop buildings in Charlottetown and require them to provide parking, the development won't be able to happen. Mayor Lee asked how many parking spots are required and Mr. Morrison indicated that at this time of the application, they are required to replace the existing 26 spots and the required parking spots for the application which is a total of 50 required spaces. Mayor Lee feels that it does not make sense to replace the existing parking lots when this development is an opportunity to eliminate what's existing/current. If that is what the Bylaw says, maybe there is a need to revisit the Bylaw to encourage development along the downtown area. Mr. Forbes added that this will be discussed with the applicant to address this requirement for this application.

Brian Gillis, resident, commented that he has heard the terminology "affordable housing" discussed more often and the next step is to do something about it. Mr. Gillis asked if the housing units here would be market oriented and what would be the square footage of the units. Mr. Chandler confirmed that it is market oriented with the smaller units ranging from 700,800 to 1,000 sq.ft. Mr. Gillis also noted that the rents would be around the \$1200-1400 range and admitted that is not close to the cost of affordable housing. Mr. Gillis wanted to make the point known that there is a need to balance the equation to mandate inclusionary zoning to have a percentage of the new units to be targeted at affordable housing rates. If we are not going to address the concern, we are not addressing the current housing problems. Another point is related to parking. There have been numerous projects over the past years where cash in lieu was used to get projects approved. Mr. Gillis then questioned why we are not building parkades from the cash-in-lieu requirements and mandated to act on that. The projects become financial instruments to approve it without a backup for the parkades. This becomes poor planning and reflects poorly on the governance to those who hold office.

Kenny Martin, resident, agrees with Mr. Gillis about the parking; there is a need to balance the parking portion to development. It is great to have development and the current proposal is a wonderful concept. Not all people can live downtown but people would usually do business downtown and need parking. If we give up parking spaces on Grafton Street, it may be concerning to the public. If you allow this practice of giving up parking in lieu of a development, we need to look at improving public transit or build more parking garages.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

## **8. Adjournment**

Moved by Councillor Greg Rivard and seconded by Deputy Mayor Mike Duffy that the meeting be adjourned. **Meeting concluded at 8:06 PM**