



**Public Meeting of Council
Tuesday, July 23, 2019, 7:00 PM
Georgian Ballroom, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Philip Brown Presiding

Present:

**Deputy Mayor Jason Coady
Councillor Alanna Jankov
Councillor Greg Rivard
Councillor Julie McCabe
Councillor Kevin Ramsay**

**Councillor Terry MacLeod
Councillor Mitchell Tweel
Councillor Terry Bernard
Councillor Robert Doiron**

Also:

Alex Forbes, PHM

Robert Zilke, PII

Regrets:

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

**Greg Morrison, PII
Councillor Mike Duffy**

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:00 pm.

2. Declarations of Conflict of Interest

There were no declarations of conflict.

3. Approval of Agenda

Mayor Philip Brown opened the meeting, introduced the members of the Council and 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 first application.

4. 4A Prince Street (PID #841536) THIS ITEM HAS BEEN WITHDRAWN

This is an application for a site-specific exemption of the Waterfront (WF) Zone for 4A Prince Street (PID #841536) in order to allow the applicant to enter into an agreement with the City to provide 20 standard parking spaces off-lot on the Harbour Authority parking Lot at 3 Stan MacPherson Way (PID #335430) for a period of not less than ten (10) years was withdrawn

5. 221 Belvedere Ave (PID #395087)

This is a request to rezone a portion of the property at 221 Belvedere Ave. from Low Density Residential (R-2) Zone to Parking (P) Zone and to amend the Official Plan Map from Low Density Residential to Commercial.

Councillor Rivard turned the meeting over to Robert Zilke, Planner II, who presented the application. Rob MacLellan, applicant, was also present at the meeting.

This is a 2-part application. The applicant first proposes to subdivide the rear portion of a residential lot, rezone it to Parking, and consolidate it with the existing parking lot adjacent to it in order to provide approximately 16 additional parking spaces. Mr. Zilke reviewed the proposed lot subdivision and consolidation. He indicated the portion to be rezoned to Parking and consolidated with the existing parking lot to provide 16 additional parking stalls for the adjacent drug mart.

Mayor Brown asked that anyone wishing to comment come to the mic to state their name and address. He then asked the applicant to speak to the proposed application. Mr. MacLellan introduced himself and noted that he is representing GGR Holdings, which is the corporation that operates the Sherwood Medical Centre. The proposed application is to expand the staff parking lot for the Medical Centre. Presently there are a certain number of staff at the Medical Centre that park in front of the building. The purpose of the proposal is to provide staff parking behind the Medical Centre and free up more spaces in the front of the building for clients. This proposal is similar to the proposal previously before Council approximately 10 years ago when he had purchased the property at 223 Belvedere Avenue. They subdivided the rear part of the parking lot previously and it is almost an identical piece of property which provided an additional 16 staff parking spaces. The intention is to do the same thing. The applicant has had discussions with land owners and has discussed some of their concerns. He had a meeting with Claire Woodhead who has some concerns with being beside a parking lot. Mr. MacLellan explained that this will be very similar to the previous parking lot and that a fence will be constructed along the back. He noted that this should satisfy the aesthetic. He also noted that there are a number of trees and bushes adjacent to the parking lot and that they had maintained nearly all of the existing green material around it. The parking lot will be used by staff from Monday to Friday. It will not be used at night or the weekend. There will be no public access onto Belvedere Avenue and if any property owners have any issues there he would be happy to discuss it with them.

Mayor Brown asked for any comments or questions.

Claire Woodhead, 219 Belvedere Avenue, noted that her property is directly adjacent to 221 Belvedere Avenue and she has discussed some issues with the applicant. She also noted that the diagram did not do the proposal justice and she was unsure if she would be able to have any input. She presented photos that showed the property in its present

state with a number of old evergreens, trees and greenery. She noted the view from her patio and also that she spends a lot of time there. She noted she had not been a part of anything like this before and that she and the applicant had discussed some possibilities. She would like to know as a landowner/citizen of Charlottetown, what chance she has of opposing this application. She indicated that to capture what the property is like now is going to take a number of years. *(recording fades at this point)* Miss Woodhead indicated that she has a few questions and her biggest concern is the maintenance of the natural environment. She also noted that she will not have the privacy she presently has. There are many trees on the lot that provide privacy and shelter, not only from the existing parking lot, but as well of the large apartment complex to the rear. She presented photos that showed some of the apartment building and how the leaves and trees give her privacy. She noted that they spend a lot of time in the backyard in the summer months and have enjoyed it for the last eight years since purchasing the property in 2011. Another concern is with security. She noted that there are some gaps in the existing fence and tree line and people do cut through her property from Maid Marion's parking lot, but it is limited and has not been an issue at this point. If the area is open she believes that more people will definitely be coming through and this will create security issues for her property. Ms. Woodhead also feels that her property value is going to be affected. Presently it is a peaceful residential feel as it is zoned. With the removal of the trees and the extension of the parking lot will definitely give the area an industrial feel. No one who purchases a residential home wants to have an exposed parking lot directly in their back yard. She feels that it may be possible to come to some agreement, but wonders, as a citizen, what are her chances of opposing this application as this is a residential area and the parking lot is not going to work. She also noted that there is a shed behind 221 Belvedere Avenue that definitely provides protection from "the eyesore that is the parking lot". She noted that she will put her concerns in an email and will send it to the City. She asked if she has to come to an agreement and understands this is the applicant's property but it is residentially zoned.

Mayor Brown asked Ms. Woodhead to attach the photos to the email so that they will be part of the record that will be discussed at the next Planning Board meeting. She asked if Council approves the application, if there will be room for negotiation after the fact. Mayor Brown asked Alex Forbes, PH Manager, to address this question. Mr. Forbes explained that the process is that she has presented her concerns at this meeting and they will be included in the report to Planning Board. The Planning Board will then weigh her concerns and will forward a recommendation to Council to approve or deny the application. She may also indicate if the application does get approved that Council will take her concerns into consideration.

Councillor Rivard commented that Planning Board meets the first Monday of every month and that the meeting is open to the public and also that she is welcome to attend the Council meeting the following week. Ms. Woodhead asked when the application will be before Planning Board and how quickly it will take before a decision is made. She noted that the application took her by surprise and she wants to make sure all matters are

addressed. Councillor Rivard explained that staff will take the information from this meeting and present it as a package to the Board. Planning Board will meet the first Monday of the month and make a recommendation to Council the following week either to approve or deny. Then Council will vote on the recommendation the second Monday of the month.

Mayor Brown noted that she should check the website for public information with regards to the meetings. He asked the applicant if he wished to present any further information. Mr. MacLellan noted that he had sent an email to City staff after he and Ms. Woodhead had met and wanted to make certain that Council had received the information. He read the email which indicated that he had met with Ms. Woodhead the previous day. Ms. Woodhead noted that the proposed parking lot had taken her by surprise, and that she had spoken to the applicant. She wishes to know what her recourse is.

Councillor Rivard encouraged Ms. Woodhead to send an email to Planning staff so that it will be part of the package to the Board. *(recording fades at this point)* He also noted that Mr. MacLellan's email will also be part of the package.

Mayor Brown asked for any further comments.

Ross MacEwen, 9 Vahalla Court, noted that there are three parking lots that abut his property. He feels that there have already been two parking lots approved on the Belvedere side since he moved here 17 years ago. He feels this new parking lot will not affect his property too much but hopes that there will be some greenery around the parking lot. He feels that he is getting boxed in and a new parking lot will affect his enjoyment of his property. He wishes the applicant well with his business and at this point it doesn't affect him a lot as long as there is some green space around the parking lot.

Mayor Brown asked the applicant to address this question. Mr. MacLellan noted that they have a good relationship with all the adjacent land owners and if anything, they try to do a little bit more than required to satisfy the residents.

Mr. MacEwen asked that the concerns be addressed up front and that with the existing parking lots, the problems did not get addressed.

Mayor Brown asked for any further comments; there being none, the meeting proceeded to the next agenda item. He turned the meeting over to Councillor Rivard who briefly introduced the application and explained the process.

6. 71 and 73 Upper Prince Street (PID #683748 & PID #359521)

This is a request to rezone both 71 and 73 Upper Prince Street from Low Density Residential (R-2) Zone to the Medium Density (R-3) Zone and to amend the Official Plan Map from Low Density Residential to Medium Density Residential in order to construct six (6) additional apartment units to create an eleven (11) unit apartment building.

Robert Zilke, Planner II, presented the application to rezone the two properties at 71 and 73 Upper Prince Street from R-2 Low Density Residential Zone to the R-3 Medium Density Residential Zone and to do an Official Plan re-designation from Low Density to Medium Density. The purpose of the application is to create six additional units. This would be an addition to an existing 5-unit apartment complex. The existing house was converted around 1989 to multiple apartment units. The applicant is asking to rezone both properties and consolidate them into one property in order to create six units which would bring the total unit count for the proposed lot to 11. The applicant has submitted a site plan showing the addition which would be to the rear of the building. He is going to do an extension and follow the existing wall line and connect it with a stairway which would provide ingress and egress to the apartments for the new units. The applicant proposes a total of 14 parking stalls into the rear of the site. Currently only one parking stall per apartment is required. This will provide three additional stalls. He is also proposing to use the two existing ingress/egress points off Upper Prince Street and an additional green space is proposed in the north corner of the parking area. Mr. Zilke reviewed the drawings which the applicant has provided showing the proposed addition. The addition will follow the Empire architecture of the existing building. He also reviewed the proposed floor plan which shows a common hallway with three units on each side.

Shawn Shea, applicant, was present at the meeting to answer any questions or concerns. He has owned the property for approximately 30 years. He is very familiar with the Upper Prince Street area and has travelled the street thousands of times. He reviewed the proposal and noted that it will encompass approximately 18,780 square feet. He commented on the area and noted that Upper Prince Street is very conducive to residential use rather than commercial. The proposed development fits with the area as there is a high percentage of buildings on this and the adjacent streets which are multi-unit residential. There is commercial on University Avenue and Prince Street School is adjacent to his property. As well, there is institutional (Chances) beside his property which is a plus for the neighbourhood. There is also a component of single family dwellings in the area. Mr. Shea feels that the proposed development is conducive to the area as what the area is today with multi-unit buildings. The property is walking distance to the school, the downtown core for employment as well as restaurants for dining and entertainment. The location is perfect for residents who do not have a car or no desire to have a car and want to reduce their carbon footprint. Public transit is also nearby. Mr. Shea noted that the proposed development fits in the 18,780 square feet landmass and no variances are required. He feels his proposal is under utilizing the potential of the property by 4.17 units. That means with 18,780 square feet and the requirements of the current Bylaw, that the property, after the rezoning, could have 15.17 units without requiring any variances. He feels that it is critically important to have a co-existing addition to the architectural structure of the building. He noted there will be a mansard style roof and the addition will follow the existing building pattern to the back. The design is to provide green space which it has in the north corner and will have 3-bedroom units. These units will be approximately 1,011 square feet in area. He feels that current developments are

1 and 2 bedrooms only and are in high-density buildings of from anywhere from 24 to 78 units. In the canvassing that he has done over the last three or four years with renters, not everyone wishes to live in such large developments. His design will add a much needed variety option to renters. The proposed addition will be eco-friendly. With regard to parking and driveways, he has found that if you use 1.5 feet of drainage gravel and then cover that with compacted driveway gravel, when that material is packed down there are fewer problems with bumps, etc., as they can easily be packed down with a bulldozer. In the interim, it provides drainage capacity similar to what private owners with septic systems require. He will work with City staff with regards to this. This proposal will provide a self-contained water run-off for the new structure with self-absorption in that area. His proposal is an alternative to asphaltting everything and putting in a swale and getting an intense run-off that happens when there is heavy rain. Mr. Shea noted that the units will be long-term rentals only. He also noted that with his proposal he is utilizing 6,189 square feet of the property. That means that there is 12,589 square feet not being utilized and is one of the largest vacant land masses in the City. He also commented that there is a cemetery on one side as well and he also wishes to upgrade the outside of the existing building as well.

Mayor Brown asked for any comments or questions.

Kathy MacDougall, 75 Walthen Drive, asked if Mr. Zilke received a letter from Mrs. Deacon, and if so, why is it not in this package. Mr. Zilke indicated that he had just received it today. Ms. MacDougall wants to make certain Council gets a copy of this letter as well. Mayor Brown assured her that they will. She noted the residents are glad to finally get to see the property owner at 71 and 73 Upper Prince as it has been an eyesore for a number of years. She wants to know why, when the area residents keep their properties looking good, that his property is able to expand when it is in terrible condition and has been for a number of years. There is a strong odour from the garbage bins out front when walking past this property. She feels that all of Council should see what the landlord has done with what he owns now. She remarked that Chances was zoned industrial and residents were promised, at a previous meeting that would not be the case. Mayor Brown confirmed that Chances is zoned Institutional, not industrial. As far as other apartment buildings in the area, they are beautiful buildings and have been there for quite some time. Ms. MacDougall asked if the August Planning Board meeting will be on another date as the first Monday of the month falls on Natal Day which is a Civic Holiday. Mayor Brown advised to check the City website to confirm the meeting date.

Mayor Brown asked for any further comments or questions.

Tom Barnes, 58 Walthen Drive, and has lived there for 25 years. He is not in favour of changing the zoning in his neighbourhood, even for this property, Low to Medium Density. He feels it is a bad trend to set in that it is the "thin end of the wedge" to pave the way for further rezoning requests. This is a neighbourhood of single family homes especially on Walthen Drive and he would like to see it stay that way. He has invested a lot of time

into being a community member and improve his property. He also feels that Council maybe feeling some pressure just because of the issue of low vacancies in Charlottetown. The hallmark of real leadership is to be careful to not sacrifice one thing and be in a panic to solve another problem. Although Council may be feeling pressure to solve the issue, they should not sacrifice neighbourhoods in the downtown area to achieve that goal. He feels that in the long term, that could be a mistake.

Keith Mullens, 53 Upper Prince Street, owns a single family dwelling, four properties away from the property in question. He and his family oppose any rezoning to a higher density. The reason is ongoing safety concerns that they have in their area. Traffic is a concern as they are in a school zone with a 30km per hour speed limit and people do not observe this traffic regulation. They do not want to go on University Avenue and thus drive through Upper Prince. Another traffic concern is delivery services that come to the area to do work. Cars park/double park on the streets during drop-off and pick-up hours at school, turn in neighbours' driveways which cause safety hazards. The next concern would be parking in that area. There are properties being rented out as bnbs and they do not have adequate parking for these tenants. People working in the downtown area also park along the streets. Residents do not have enough parking spaces so visitors also park along the street. He indicated that traffic and parking must be resolved before he would offer support for any kind of redevelopment. Mayor Brown mentioned that Mr. Mullens has been teaching at Prince Street School for years and confirmed that the Public School Board has not addressed the parking for staff. It has been looked at but it is still a problem.

Don Wonnacott, 84 Upper Prince Street, said that he was born in his house and has lived there for 94 years. He has seen the area at its best and at its worst. Traffic is terrible. He cannot imagine how people drive up and down Upper Prince and feel comfortable. He has spoken to Councillor Tweel to encourage the Chief of Police to turn the street to one lane, but it hasn't happened. The street is becoming a race track. The building in question was owned by someone for 30 years and has never put a stick of paint on it, cleaned gutters, and left grass to grow. And now, they are asking for an additional six units at the back.

Marilyn MacKinnon, resident of seven civic addresses to the north of the subject property being requested to be rezoned. Ms. MacKinnon is speaking as someone who lived here for 26 years and also lived nearby in the neighbourhood. She has been a pedestrian since the early 60's, went to school with previous owners before the current developer bought the property. Ms. MacKinnon summarized what the others have spoken about. She commends the developer's initiative to provide the City with additional housing units which the City is currently in need of; not that she does not want the development in her backyard, but the application to rezone to a higher density is an issue because of parking and vehicular traffic. There will be more than double the number of households in the area. Any additional development will have additional visitors and vehicles. There is also a school that is growing in population. For the number of units being changed from five to 11, or maybe 14 down the road, that is going to add extra stress to the street. Mr.

MacKinnon is of the 21 residents in the letter who was cc'd but unfortunately, the author of the letter and owner of the property adjacent to it is not present today. He supports her in requesting to deny the application. He noted that place was designed as single driveway, one car in and out of that area. Cars cannot be seen coming in and out of the driveways or the other direction. Some vehicles don't abide by the speed limit and there are kids/students and other pedestrians who can get into potential vehicular accidents. Ms. MacKinnon asked that it be maintained as low density unless something can be done on vehicular traffic and from preventing these additional vehicles from this property from going out onto Upper Prince Street. She also suggested that an agreement with the adjacent property owner be made to allow access along Williams Lane as the route going out of the property. Mayor Brown acknowledged Ms. MacKinnon's comments and suggestions. Mayor Brown also commented in regards to the letter from Martha Dicken that it will be passed on to the rest of the members of Council and explained the process of the public meeting. Ms. MacKinnon responded to say that she cannot speak on behalf of Ms. Dickens but is concurring with what she has stated. She also had questions about where the garbage cans are going to be located on the property and whether they will have individual bins per unit or a common bin for all tenants. She also asked where the vehicular traffic is going to be when the property begins construction. Also, she asked if the cross walk in that area will be retained where it is at present. Finally, Ms. MacKinnon urges Council and board members to seriously maintain the low density residential.

Mark Blanchard, resident at 73 Upper Prince Street, has been living in that apartment for 6 to 7 years. While Mr. Blanchard agrees with the other commentary on traffic, he noted that there are enough parking spaces for this apartment. Though there may be three or four individuals in one unit, there is usually just one vehicle parked per unit. Mr. Blanchard feels that even with the additional units and the number of vehicles each unit owns, parking should not be a concern. Mr. Blanchard also noted that while the exterior of the property is not aesthetically pleasing, he has not had any problems with his apartment or with his landlord for all the years that he has lived there. He also mentioned that he has no worries about converting additional units into Airbnbs and his landlord has not asked them to leave the property. He did mention that the landlord would prefer long term tenants as long as they can or as long as they prefer to stay in those apartment units.

Marilyn Kane, resident of 89 Upper Prince Street for 43 years. Ms. Kane commented that she concurs to all that was stated in Martha's letter and it is unfortunate that not everyone had a chance to read it. Ms. Kane mentioned that it is a beautiful street and the owners try their best to maintain their properties to keep it as one of the most beautiful streets in the City. It has become roadway to Sobeys, University Ave and it is not going to get better. She appreciates the developer but does not see that it fits the street scape. She also agrees that there may be other ways in terms of providing access, such as access to University Ave as being an option. She also asked that residents not be burdened anymore. She also added that she speaks from her heart and she hopes that there are no accidents in the future and then people would say, we should have listened.

Karen Nicholson, 85 Upper Prince Street, suggested that the street/area be visited during school hours (pick-up time) or at any given time of the day and note how busy the street is. Coming home from work at 4pm is also an issue especially when vehicles are coming towards you are in a hurry, it becomes a traffic concern. When you need work done on your property, she either has to leave or get rid of the car. She added that the street is unsafe and she needs Council to know. The street problem is not Mr. Shea's problem. Some residents do not park in the parking lot and most residents have problem backing out onto the street safely because they cannot see in between cars. During the winter and with snow piling, that is another concern.

Mayor Brown asked for any other questions and has requested Mr. Shea to respond to all the concerns from the residents.

Shawn Shea, developer, responded to the concerns noted by the residents and thanked everyone for giving their comments. Mr. Shea noted that for the garbage containment, he pointed out the location where the garbage will be located on the property but he won't have any control over possible smell along the curb side. For the access in and out of the property, there is a driveway on both sides and the current distance is more than the minimum requirement so there should not be an issue. There are enough parking spaces for tenants and visitors at the property with 14 parking spaces so there may not be an issue of parking along the streets. Mr. Shea also acknowledged that there is a traffic concern along Upper Prince Street and he is not going to challenge this issue. He did note though that this is not something he has control over. With regards to the proposed development, this is a good opportunity to improve the aesthetic look and blend of the existing property with the rest of the properties. The addition is at the back and will not be seen along the street. The snow removal concern is no different than any other facility.

Mayor Brown thanked Mr. Shea and emphasized that this is a public consultation only and that the letter from Martha Dickens will be forwarded to Council. He added that members of the Planning board were present tonight and are listening to residents' feedback. This will be part of discussion at the next Planning board meeting on August 6 at City Hall. Mayor Brown then turned over the mic to another resident for her final comments.

Susan Martin, resident along Hillsborough Street, mentioned that she has seen drastic changes over the years. There are reasons why we have zoning bylaws – to allow so much coverage/density. Recently, things have changed, families have left and these houses are being converted into apartments. Ms. Martin asked the total number of individuals who will be occupying the area. She also added that the area is already over its capacity in terms of density and there were a lot of buildings that have been converted into apartment buildings over the years. What used to be single family/normal houses would now have 6-10 garbage bins along the streets. Streets are also narrow and traffic

is a problem. Ms. Martin ended her comments by saying that the zoning should stay as is and that the development should stop.

Councillor Mitchell Tweel thanked the residents for coming to the meeting. He noted that it is unfortunate that the letter was not received before the meeting but it will definitely be circulated to Council. Mr. Tweel also mentioned that the message tonight is loud and clear. There are many different issues that have to be dealt with – traffic, speeding traffic, speed way to Sobeys and a shortcut to other streets, etc. Mr. Tweel mentioned that he consistently brought it up to Council and has asked that it be dealt with and made as a priority. The police should not concentrate their efforts on main entrance ways to the city but also consider these streets. Mr. Tweel also thanked the developer for reaching out to him. He also mentioned that if there are any other concerns, residents are free to reach out to him.

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

7. Adjournment of Public Session

Moved by Councillor Kevin Ramsay and seconded by Councillor Mitchell Tweel that the meeting be adjourned. Meeting adjourned at 8:42 p.m.