



**PUBLIC MEETING AGENDA  
NOTICE OF MEETING**

*Tuesday, August 27, 2019 at 7:00 p.m.  
Georgian Ballroom, Rodd Charlottetown, 75 Kent Street*

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- 1. Call to Order**
- 2. Declaration of Conflicts**
- 3. Approval of Agenda**
- 4. Reports:**
  - a. 38 Palmers Lane (PID #275156)  
This is a request to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential Zone (R-2) to Medium Density (R-3) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. The purpose is to construct an 18-unit apartment building.
- 5. Introduction of New Business**
- 6. Adjournment of Public Session**

## Information Sheet for Public Meeting of Tuesday, August 27, 2019

The City of Charlottetown has received the following application for consideration:

### **38 Palmers Lane (PID #275156)**

This is a request to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential Zone (R-2) to Medium Density (R-3) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. The purpose is to construct an 18-unit apartment building.

All the procedures as outlined in the Charlottetown Zoning and Development Bylaw have been followed:

Forty one (41) letters were sent out on August 16, 2019 to property owners within a 100 meter radius of the subject property as per the Zoning & Development Bylaw.

Notice of the proposed amendments was advertised in The Guardian newspaper on Saturday, August 17, 2019 and Saturday, August 24, 2019. Notice was also posted on the City's website.

Notice was posted on the subject property on August 19, 2019.

One (1) letter of support has been received to date.

*Notes:*

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<b>TITLE:</b> <b>FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT (PID# 275156) 38 Palmers Lane</b> <b>FILE: PLAN-2019-06-August - 69-3</b> <b>OWNERS: Weymouth Properties Ltd.</b> <b>APPLICANT: Weymouth Properties Ltd.</b>		
<b>MEETING DATE:</b> August 6, 2019		<b>Page 1 of 10</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Site Plan C. Elevation Drawings	
<b>SITE INFORMATION:</b> <b>Context:</b> Mature low density neighbourhood adjacent to medium density (R-4) zoned land transitioning to Mixed Use Corridor (MUC) zoned land. <b>Ward No:</b> 4 Spring Park <b>Existing Land Use:</b> vacant R-2 lot. <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Low Density Residential		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board NOT to recommend to Council to proceed to public consultation for the request to amend Appendix "A" the Official Land Use Map of the City of Charlottetown from Low Density Residential to Medium Density Residential and a request to amend Appendix "G" – Zoning Map of the Charlottetown Zoning and Development Bylaw from R-2 (Low Density Residential) Zone to R-3 (Medium Density Residential) Zone at 38 Palmers Lane (PID #275156).

**REQUEST**

This is a request to proceed to public consultation to rezone the property located at 38 Palmers Lane PID #'s 275156 from R-2 Low Density Residential to R-3 Medium Density Residential and to amend Appendix "A" the Official Plan Map from Low Density Residential to Medium Density Residential.

***Development Context:***

The property is bounded to the north by Palmers Lane with R-2 zoned properties on the opposite side of the street, to the east, by two properties zoned R-4 (Apartment Residential) transitioning further east to Mixed Use Corridor (MUC) properties, to the south with Single Detached Residential (R-1S) zoned properties and to the west with Low Density Residential (R-2) zoned properties.

**ANALYSIS:**

This is an application to rezone 1 lot approximately .5 of an acre located on Palmers Lane. The land is currently zoned R-2 (Low Density Residential) and is vacant. The proposal is to construct a 3 storey 18 unit apartment building on the property. The total lot area is approximately .5 of an acre or 21,780 sq. ft. and the Bylaw requires 1,237.9 sq. ft. of lot area per unit. Therefore, 17 units are permitted on a lot of this size in the R-3 zone. The applicant is proposing 18 units therefore a minor variance would be required to allow 18 units on site. The proposed building footprint is approximately 7,520 sq. ft. and meets the setback requirements for the R-3 zone. Eighteen (18) standard parking spaces are required for the proposed building. In comparison to the two existing 12-unit buildings the proposed building; has a larger footprint, almost double in size and would be a full 3 stories tall whereas the other two buildings are 2.5 stories in height.

Zoning within this neighbourhood is R-2 consisting of low density single family and two-unit buildings to the west as well as on the opposite side of the street, in contrast to the two 2.5-storey (R-4) apartment buildings to the east, which then transition into the commercial properties (ie. car dealer, real estate office) on St. Peters Road. The lot in question contained a single-detached dwelling which was demolished after 2010. If a three storey apartment building is constructed on the subject property it will result in a westward shift of the low-to-high-density transition along Palmer's Lane. Given that this lot is adjacent to an R4 zone it would not be considered a spot zone if it were rezoned to R-3 Medium Density Residential. If rezoning were to occur in order to mitigate any land use conflicts a landscape buffer would be required to be retained along the property boundary of the proposed development and any low density development.

***Background:***

There have been several requests to rezone this property. On April 6, 2009 a request was submitted to rezone this property to R-4 (Apartment Residential Zone) to allow a 24 unit apartment building. The recommendation from planning staff at the time was to reject the request to proceed to public consultation. Following planning staff's recommendation not to proceed to public consultation the applicant revised their proposal and resubmitted an application to rezone the property to R-3 (Medium Density Residential) to permit a 12 unit apartment building on the property. Planning staff at the time recommended to advance the application to public consultation to gauge the public's opinion as staff stated the revised proposal, *"was more in line with the goals of having a gradual transition between high and low density residential, strictly from a zoning perspective."*

At the public meeting the application met with opposition from residents in the neighbourhood as they felt that higher density development was moving further into the low density neighbourhood. There were concerns that if this property was permitted to be rezoned would

the trend continue along the street. In the end the recommendation was to reject the application to rezone the property to R-3 to allow a 12 unit apartment building.

In March of 2010 an application was brought to a public meeting to consolidate the two adjoining R-4 properties with 38 Palmers Lane to allow for the construction of 3 – duplex dwellings on the parcel located at 38 Palmers Lane. The two existing 12- unit apartment buildings were proposed to remain with the newly constructed duplexes as a grouped dwelling project. Although staff recommended for the consolidation of the three properties to allow a grouped dwelling project the application was also not approved due to public opposition.

***Discussion:***

Many sections of the Official Plan need to be considered for such an application, in order to achieve a balance between ensuring new development is harmonious with the existing neighbourhood, while also ensuring that there is an adequate supply and variety of affordable housing, and increased density in various areas of the City. Key points from the Official Plan to be considered include:

Section 3.1.2 of the Official Plan states, “2. *Our objective is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.*

- *Our policy shall be to allow moderately higher densities in neighbourhoods, and to allow in-law suites in residential land-use designations, and to make provision for multiple-family dwellings in the downtown core, 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 of the Official Plan further states,

**3.2 *Sustaining Charlottetown’s Neighbourhoods***

***Defining Our Direction***

*Our goal is to maintain the distinct character of Charlottetown’s neighbourhoods, to enhance the special qualities of each, and to help them adjust to the challenges of economic and social transformation.*

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.*

- *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.*

- *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 objective is to allow moderately higher densities and alternative forms... provided that this development is well planned overall, and harmonious with existing residential neighbourhoods.*

### *3.3 Housing Needs and Variety*

*If Charlottetown is to continue to grow as a healthy community, affordable housing for all segments of society must generally be available throughout the City. Moreover, the housing requirements of those with special needs (e.g., disabled, homeless, people in transition) also have to be addressed. Likewise, in the recent past, there has been a chronic shortage of most types of seniors housing. As the population base continues to age, this problem will become more acute unless civic decision-makers address it in a forthright manner.*

*These are some of the reasons why the City needs to encourage compact and contiguous development, more in-fill housing, and the efficient use of civic infrastructure. In addition, the direction of this plan is to make Charlottetown's neighbourhoods more stable and sustainable.*

#### *Defining Our Direction*

*Our goal is to work with public and private sector partners to create an attractive physical environment and positive investment climate in which the housing requirements of all residents can be met (including those with special needs), and to provide clear direction as to where residential development should take place.*

- 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.*
  - *Our policy shall be to ensure that all new multiple dwelling unit buildings are serviced by water and wastewater systems which have the capacity to accept the development proposed.*
  - *Our policy shall be to base residential densities on the availability of municipal services, education facilities, recreation and open space amenities, transportation routes, and such other factors as the City may need to consider.*

*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.*

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 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.”*

The City is currently experiencing an increased demand for housing. The vacancy rate within the City is very low. The Official Plan has various policies which support the efficient use of services and making neighbourhoods stable and sustainable by supporting more infill development.

However, for this proposal the existing neighbourhood context must be considered. The majority of the neighbourhood is currently comprised of one and two unit dwellings to the west of the subject property as well as on the opposite side of the street. This is in contrast to the two 2.5-storey apartment buildings on the east, which then transition into the commercial properties (ie. car dealer, real estate office) on St. Peters Road. The addition of a third, 3-storey 18 unit apartment building would result in a westward shift of the low-to-high-density transition along Palmer’s Lane. Rezoning the lot to R-3 would not provide any form of transition or buffer between the existing apartment buildings and low density uses. The proposed 18-unit building is larger than the existing 12 unit buildings therefore, the density would increase between the existing apartment buildings and low density uses. The decrease in zoning (R4-R3-R2) would actually result in the same hard transition that currently exists between the 12 unit building and the single detached dwellings to the west. However, it would now be one property further westward on Palmers Lane. The general practice in zoning to mitigate land use conflicts between higher density and lower density uses is to allow a transitional use such as town houses or semi-detached dwellings between low and higher density uses.

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 City is experiencing a demand for housing and this proposal would provide additional options for housing within a mature neighbourhood.</li> <li>▪ The proposal is close to a school, parkland and public transit.</li> <li>▪ The property is in an area that has municipal services.</li> </ul>		<ul style="list-style-type: none"> <li>▪ The site is located adjacent to low density development.</li> <li>▪ The development would result in a westward shift if higher density development into an existing, mature low density neighbourhood.</li> <li>▪ If approved it may result in future applications for rezonings along the street to allow for higher density development.</li> <li>▪ The proposal may be viewed by area residents as not compatible for the neighbourhood.</li> </ul>

**CONCLUSION:**

Given the location of this proposed infill development adjacent to apartment residential development the proposal would not be considered a spot zone and technically could be considered “compatible” with the adjoining land uses to the east. If rezoned appropriate land use buffers would have to be integrated to mitigate any potential land use conflicts that may arise between lower and higher density development. It should also be considered that there is a severe housing shortage within the City and such a development would provide housing choices within the neighbourhood.

Notwithstanding, the main issue remains to be the shifting of a higher density residential zone further into an existing, low density mature neighbourhood, which conflicts with the primary objective of Section 3.2 of the Charlottetown Official Plan which states that: *“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”*.



Although a zoning change to R-3 (medium density) would not be considered spot zoning the existing neighbourhood is somewhat buffered by the density and commercial uses that currently surround it. Section 4.4.1 of the Official Plan states that *“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”*. Therefore, it is staff’s interpretation that medium density residential development in this area of the City should be encouraged to be located towards the Commercial Corridor of St. Peters Road rather than into the interior of the existing neighbourhoods.

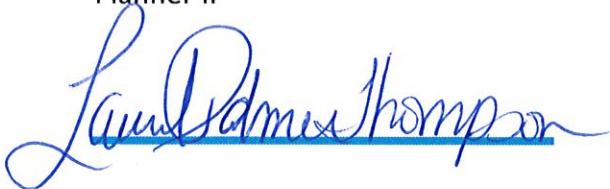
Given the direction of the Official Plan staff is not recommending advancing the proposal to the public consultation phase.

**RECOMMENDATION:**

Planning & Heritage Department encourages Planning Board to not recommend to Council to advance the rezoning request for 38 Palmers Lane to public consultation.

**PRESENTER:**

Laurel Palmer Thompson, MCIP  
Planner II



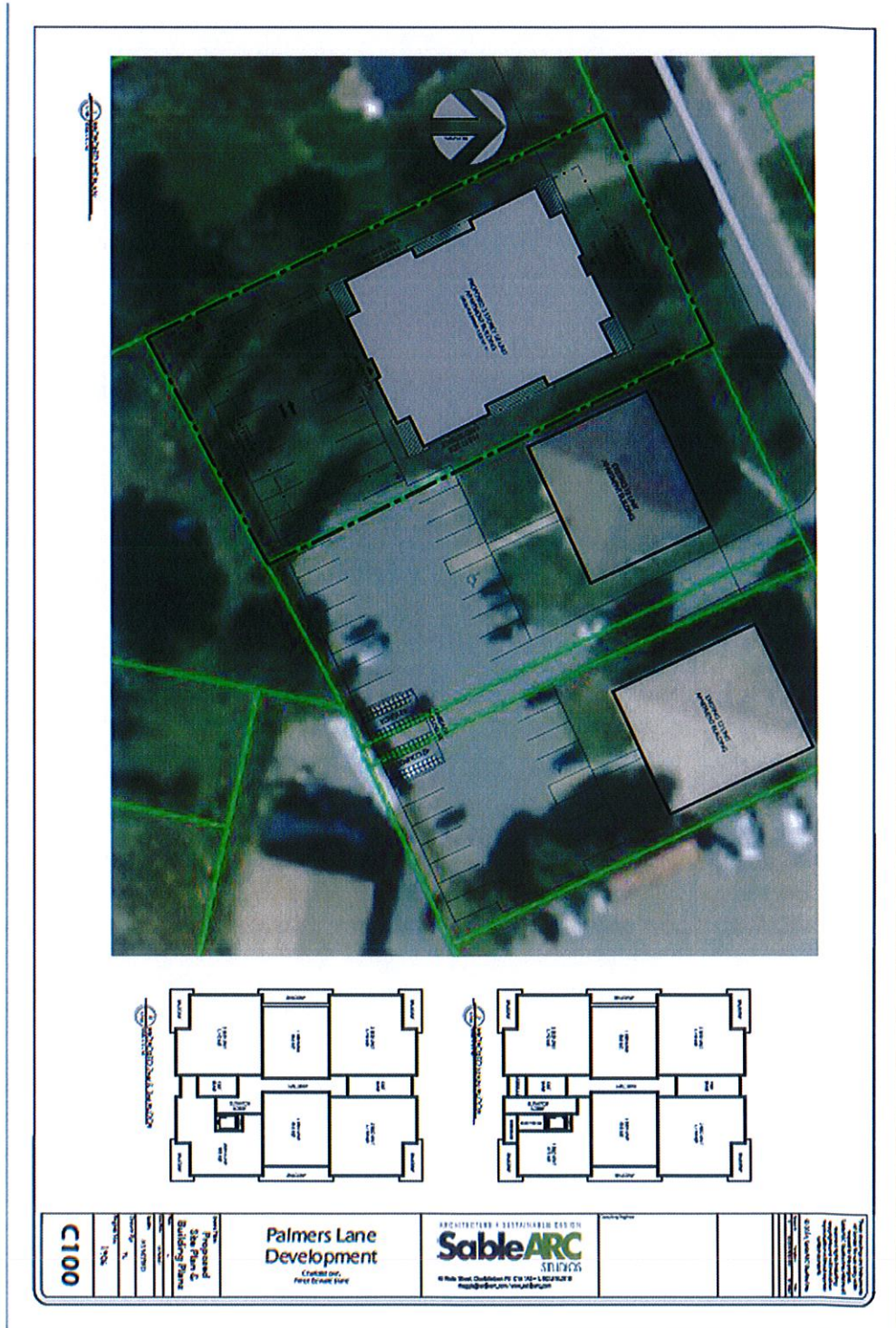
**MANAGER:**

Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage





Site Map:



Elevations:

<b>C101</b>	Project Name Building 300 Address City State Zip Phone Email	<b>Palmers Lane                  Development</b> Created on: Project ID: 1001	<b>SableARC</b> ARCHITECTURE + SUSTAINABLE DESIGN SERVICES 1000 Main Street, Suite 100 Palmers Lane, VA 22972 Phone: 800-888-8888 Email: info@sablearc.com	Date: 10/1/2023 Scale: 1/8" = 1'-0" Drawing No.: 1001-01 Revision: 1.0 Author: J. Smith Checker: M. Jones Approver: K. Lee
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# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #3

MOTION CARRIED 7-2 (opposed)

MOTION LOST \_\_\_\_\_

*Councillors  
Dorior's Tweed*

Date: August 12, 2019

Moved by Councillor \_\_\_\_\_

Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_

Jason Coady

RESOLVED:

That the request to:

- a) Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and
- b) Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone,

for the property at 38 Palmers Lane (PID #275156), in order to construct an 18-unit apartment building, be approved to proceed to public consultation.

August 16, 2019

Dear Property Owner:

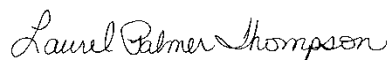
**Re: 38 Palmers Lane (PID #275156)**

The City of Charlottetown Planning & Heritage Department has received a request to consider rezoning the property located at 38 Palmers Lane (PID #275156) (see attached map) from the Low Density Residential (R-2) Zone to Medium Density (R-3) and to amend Appendix "A" the Official Land Use Map of the City of Charlottetown from Low Density Residential to Medium Density Residential and to amend Schedule "G" the Zoning Map of the City of Charlottetown from Low Density Residential (R-2) Zone to Medium Density (R-3) Zone. The land is currently zoned R-2 (Low Density Residential) and is vacant. The proposal is to construct a 3-storey, 18-unit apartment building on the property.

Pursuant to the requirements of the Zoning & Development Bylaw, and as a property owner located within 100 meters of the subject property, we're inviting you to attend a Public Meeting for this application scheduled on Tuesday, August 27, 2019, 7:00 p.m. at the Rodd Charlottetown Hotel, Georgian Ballroom (75 Kent Street). Written comments regarding the rezoning will be accepted at the Planning & Heritage Department or emailed to [planning@charlottetown.ca](mailto:planning@charlottetown.ca) no later than 12:00 pm on Wednesday, August 28, 2019. Any written response received will become part of the public record.

If you have any questions, in regards to this application please call the Planning & Heritage Department at (902) 629-4158.

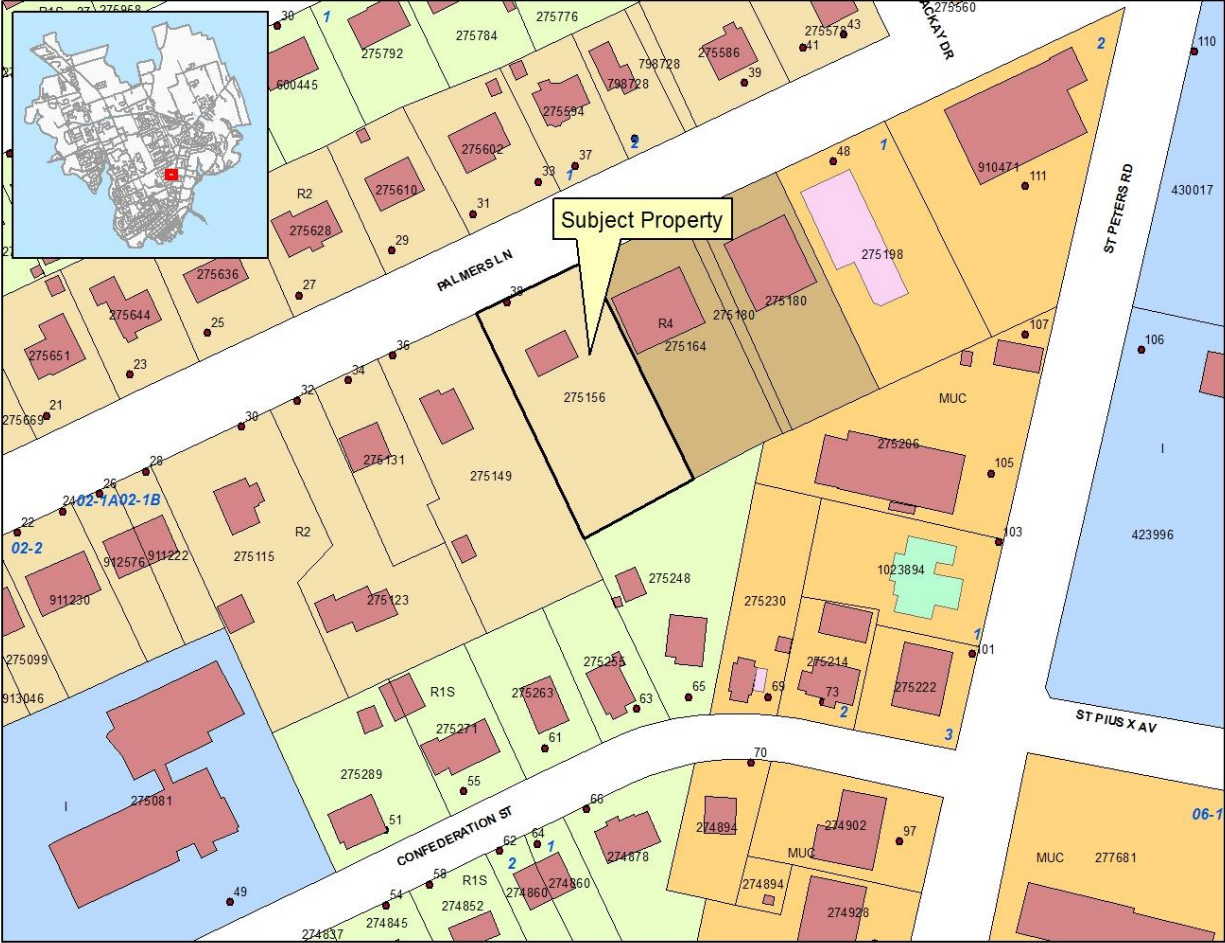
Yours truly,



Laurel Palmer Thompson, MCIP  
Planner II



Location of Property requested to be rezoned:



Site Map:





Elevations:



<b>C101</b>	Project Name	Proposed Building 312	<b>Palmer's Lane Development</b> <small>Charlottetown, Prince Edward Island</small>	<b>ARCHITECTURE + SUSTAINABLE DESIGN</b> <b>SableARC</b> <small>STUDIOS</small> <small>18 Main Street, Charlottetown PE, C1N 1G6 - 1-866-862-8288</small> <small>https://sablearc.com/instagram/</small>	Drawing Title Drawing No. Drawing Date Drawing Scale Drawing Author Drawing Checker Drawing Approver Drawing Status
	Sheet No.	1 of 1			





CHARLOTTETOWN

9:34 AM  
August 19, 2019  
*[Signature]*

NOTICE OF  
PUBLIC  
MEETING

City Council will hold a public meeting to hear comments on the following application:

**38 Palmers Lane (PID #275156)**

This is a request to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential Zone (R-2) to Medium Density (R-3) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. The purpose is to construct an 18-unit apartment building.

Anyone wishing to view the proposed amendments may do so at the Planning & Heritage Department, 233 Queen Street, between the hours of 8:00 AM – 4:00 PM, Monday – Friday. The proposed amendments are also on the City's website at [www.charlottetown.ca](http://www.charlottetown.ca). Please have any written comments submitted to the Planning Department before 12:00 p.m. on Wednesday, August 28, 2019. Comments may also be emailed to [planning@charlottetown.ca](mailto:planning@charlottetown.ca). Any responses received will become part of the public record.

**The Public Meeting will be held on:  
TUESDAY, AUGUST 27, 2019 AT 7:00 P.M.  
GEORGIAN BALLROOM, RODD CHARLOTTETOWN HOTEL  
75 KENT STREET**

*The general public is invited to attend.*

Notices

Notices



PO Box 98 (199 Queen Street)  
Charlottetown, PE C1A 7K2  
Phone: (902) 566-5548  
Fax: (902) 566-4701  
www.charlottetown.ca

*Additional information may be available on the City's website*

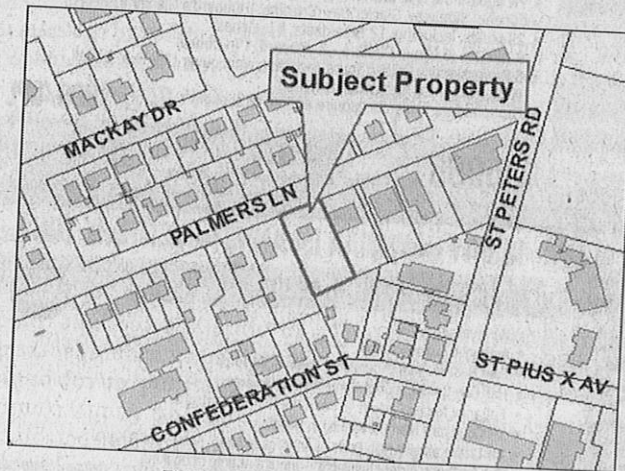
### **PUBLIC MEETING**

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The Public Meeting will be held on:  
**TUESDAY, AUGUST 27, 2019 AT 7:00 P.M.**  
**GEORGIAN BALLROOM, RODD CHARLOTTETOWN HOTEL**  
**75 KENT STREET**

*The general public is invited to attend.*

7853432

## Ganga, Ellen

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**From:** JamesBliss <jimbliss@eastlink.ca>  
**Sent:** Monday, August 19, 2019 5:01 PM  
**To:** Planning Department  
**Subject:** Proposed Development at 38 Palmers Lane

To; Charlottetown City Planning Department

I am writing to express my support for the proposed development at 38, Palmers Lane. I have lived on this Lane for 46 years and even though I have moved 3 times during this period I have always remained on Palmers Lane.

The two apartment buildings next door to this proposed new complex have been extremely quiet and well maintained and the shared entrance has not been an issue. As a matter of fact my family wonders if anyone lives there.

My only concern that is **not related** to this development is the amount of speeding caused by non residents going well in excess of the posted 30k and 50k zones in a school district. I have reported this to Councillors Tweel and Doiron many many times and know this issue has been passed by them to the appropriate people in City Hall but nothing ever gets done about it except for the two speed bumps far away from where the vehicles are speeding!. My children are now fully grown, but I care about other peoples young children as well!. It's a pity other people don't feel this way.

Sincerely, Jim Bliss