



**Public Meeting of Council
Tuesday, August 27, 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 Mike Duffy
Councillor Robert Doiron**

Also:

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

Robert Stavert, TA

Regrets:

**Councillor Terry Bernard
Alex Forbes, PHM**

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

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:03 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. 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. Robert Haggis, architect and representative of the developer, presented the application. Mr. Haggis indicated that the proposed development is directly adjacent to R-4 lots and also pointed out the school and Argowan at both ends of the streets. The proposed building will consist of eleven (11) 2-bedroom unit and seven (7) 1-bedroom unit apartments. Parking will be located at the back of the building and the access will be through the existing adjacent apartment buildings. The proposed development's design will have a contemporary design and the height will not be more than 36 feet in height, lower than the maximum allowed height of 49.2 feet for an R-3 Zone. This property has gone through several rezoning applications in the past and the owner of the property felt that there is a need for more apartment units as we have a need for housing at this time. Mr. Haggis then asked for any questions.

Bill Wicks, property owner and resident located immediately adjacent to the proposed development, spoke in opposition to the application. The lot is zoned R-2, low density residential. Two low-rise, 8-unit apartments adjacent to it, serves as a transition between the Low Density and St. Peter's Road/Commercial areas. The property used to have a single family dwelling but the lot is now vacant. This is the third attempt by Bevan Brothers to change the zoning of this property. The first attempt was to construct a 12-unit apartment building but was then rejected by Council because it was deemed inconsistent. The second was a request to construct a townhouse development consisting of three 2-unit duplexes and was likewise rejected. Now, they are attempting to rezone the property from Low Density Residential to Medium Density Residential in order to construct a three storey, 18-unit apartment building. This proposal is considerably larger and denser.

The Official Plan does not support this. The Official Plan offers a growth management strategy. New developments are to be harmonious to its surroundings. This proposal is not the case. The Bevans have not supplied the details regarding elevations, etc. and they would also require a variance. They have not applied for a variance. The lot is smaller than the amount of density they are requesting.

Residents are not opposed to any development but are opposed to this proposed rezoning; they wish for the developer to construct what is appropriate for the lot. Area residents are frustrated in continually raising the same argument to defend their neighbourhood. The residents are requesting that this application be rejected as the neighbourhood has experienced a lot.

Mr. Haggis asked if the scale was appropriate for the neighbours, would residents be willing to support the development. Mr. Wicks responded that they would not support it and would only like to see an R-2 development as to what it is currently zoned.

Mayor Brown asked if the applicants would be required to apply for a variance for 18 units and Mr. Haggis indicated that they could do 17 units as of right without a variance.

Judith Bayliss, resident, mentioned that Palmer's Lane is a busy street. There is an elementary school along that street. Kids do walk around during school days and it is so busy that the City had to put in speed bumps to prevent speeding cars that try to cut through Mount Edward Road to St. Peters Road. They would slow down closer to the speed bump but then speed up in between the speed bumps. Ms. Bayliss realizes that there is a shortage of housing but added that she has an objection to this application as it is an old neighbourhood and the building is completely inappropriate for the area. Residents are only asking for appropriate development in this mixed neighbourhood. Ms. Bayliss also commented that there is not enough parking access to this proposed development.

Mr. Haggis responded to the parking access concern and mentioned that the proposed apartment will utilize the existing driveway access of the adjacent apartment so there would not be an additional curb cut. Ms. Bayliss commented that it may not be appropriate to have insufficient access to the property or not have their own access. She also felt that this property is too small for the proposed development

Harold Snow, resident, commented that the proposed building does not have a nice appearance. It does not fit in the neighbourhood. Mr. Snow has been in that neighbourhood since 1975 and expressed that the existing buildings have had a negative effect on his property. Surface water flows from the parking lot into his yard snow is plowed onto his yard which damages his fence. The Bevans have shown no consideration to the neighbourhood. The letter that was received in support of the application also discussed the problems on speeding along that street and this additional development will add to this problem.

Todd Petrie, resident, asked the members of Council of how residents should want their neighbourhood to look; the Downtown Area looks good. The new subdivisions now look like a cookie cutter and there are very minimal or no trees at all. Mr. Petrie recognizes that there is a housing crisis but this is not an easy fix. He noted that Ardgowan is located on Palmer's Lane and Parks Canada invested in that location to preserve that historic site. The other end is Hillside Motors and apartments. He indicated that a support letter from James Bliss said the existing apartments are quiet and clean but we also have to consider the tipping point. There is a speeding and traffic problem on the street as well.

Elizabeth Dewolf, resident, commented that she is sorry for not being able to receive the notice earlier but she also felt that the time provided is too short to get responses in. Ms. Dewolf added that she doesn't have an issue with the existing buildings but does have an issue with this proposal. Her large Victorian style house was moved here and she believes her property is bigger than the proposed development lot which does not make sense for 18 units. The former proposal required the Bevans to purchase land from the adjoining property so they must have already built the variance into their proposal. She noted that the elevation of the land rises substantially in this area so this building will be more like a full story as opposed to a half story higher than the existing buildings.

Mayor Brown responded to say that the residents have until 12:00pm on August 28, 2019 to send their comments to the Planning Department. These comments will be part of the package that goes to Planning Board and Council. Ms. Thompson also added that while the letter indicates 12:00pm as the deadline, the department will consider comments until 4:00pm on August 28th.

Eleanor Snow, resident, asked for clarification regarding the location of the parking lot. Mr. Haggis confirmed that the parking spaces will be behind the proposed building and will have a shared access with the adjacent apartment. Ms. Snow also commented that the existing 12-unit apartment building looks like it has more parking spaces compared to the proposed 18-unit apartment. She noted that parking is also visible from her backyard and she doesn't like the look of it. There will be more gas emission, lights and cars. She further noted that this neighbour has not been easy to work with; she has approached him about an obnoxious weed on his property and requested that it be eradicated but the owner has not done anything. Snow removal is also a concern and they keep damaging the fence. He is just not approachable as a neighbour. This does not make it encouraging for further development. Mr. Haggis also added that the new bylaw only requires one parking space per unit which this development meets. The older apartments would have more parking spaces available.

Ms. Bayliff stepped up and commented that she sees the Council sitting in front now and asked how seriously they really take the concerns. Ms. Bayliff added that their concerns are genuine as they live in that area. This is their neighbourhood and they have invested in that neighbourhood. There is a creeping character that has changed the neighbourhood. Ms. Bayliff is asking for Council's serious consideration. They do not want to undermine any businessman's deal but this is their neighbourhood and they have invested in their properties. She added that this is their chance to put their considerations to Council.

Mayor Brown responded that the Council is present to listen to the residents' concerns. Mr. Brown added that Council appreciates their comments and reminded the public that they can still submit their comments until August 28th, which then will be part of the report that staff will prepare for Planning Board and then to Council. Ms. Thompson also responded that the Bylaw requires at least seven calendar days prior to the public meeting for notifications be posted in the newspaper and letters be sent out to residents within 100 meters of the property in question.

Mr. Haggis commented that he understands the public's concern and has very little to say to ease these concerns. It is the only remaining R-2 lot on the street. The business owners see an opportunity to help with the housing crisis; mass and scale can be dealt with through design.

Councillor Rivard raised a question regarding the height of the existing buildings. Mr. Haggis responded that the existing apartments are 2.5 storeys and about 34 feet in

height. The proposed 3-storey apartment's height would be closer to 34 feet, almost the same as the existing apartments. Mr. Rivard noted that the Planning Board meeting is scheduled on Tuesday, September 3, 2019 at 4:30 p.m. at City Hall. It is an open meeting so residents are welcome to attend.

Councillor Tweel thanked the residents for coming to the meeting, their emails and that their issues will be taken very seriously. Mr. Tweel also acknowledged that this is an older neighbourhood.

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 Mike Duffy and seconded by Councillor Greg Rivard, that the meeting be adjourned. Meeting adjourned at 7:48 p.m.