



PLANNING BOARD MEETING PACKAGE

*April 06, 2021 (Monday), 4:30pm
Council Chamber, 2nd Floor, City Hall
199 Queen Street
Live Streaming: www.charlottetown.ca/video*

Date prepared: April 01, 2021

Prepared by: efc

PLANNING BOARD MEETING

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(report to follow)



**PLANNING BOARD AGENDA
NOTICE OF MEETING**

Tuesday, April 06, 2021 at 4:30 p.m.
Council Chambers, 2nd Floor, City Hall, 199 Queen Street
Live streaming: www.charlottetown.ca/video

- 1. Call to Order**
- 2. Declaration of Conflicts**
- 3. Approval of Agenda** – Approval of Agenda for Tuesday, April 06, 2021
- 4. Adoption of Minutes** - Minutes of Planning Board Meeting on Tuesday, March 16, 2021
- 5. Business arising from Minutes**
- 6. Reports:**
 - a) Variances:**
 1. **25 Pownal Street (PID #335588) Emily**
Request to reduce the minimum lot frontage requirement of 65.6 feet to 40.0 feet for four (4) or more apartment dwelling units in the DN Zone in order to convert a vacant former commercial space on the ground floor to a residential dwelling unit, resulting in a total of five (5) dwelling units on the property. No changes to the existing building footprint are proposed.
 2. **129 Pownal Street (PID #341834) Laurel**
Request to reduce the required lot frontage from 20m (65.6 ft) to approximately 18.1 m (59.5 ft) in order to allow the existing office building to be converted to a six (6) unit apartment building.
**Pursuant to Section 3.8 (Minor Variances) of the Zoning and Development By-law, Variance #2 is minor in nature, therefore if no objections are received within 14 days of public notice, the Planning and Development Department has delegated authority to approve this request.*
 - b) Rezoning:**
 3. **Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135) Laurel**
Request to amend Appendix G – Zoning Map of the Zoning & Development Bylaw for:
 - Angus Drive (Lot 40) from Single Detached Residential (R-1L) Zone to Mixed Use Corridor (MUC) Zone; and
 - 413 St Peters Road from Low Density Residential (R-2) Zone to Mixed Use Corridor (MUC) Zone;And to amend Appendix A- Future Land Use Map of the Official Plan Map for:
 - Angus Drive (Lot 40) & 413 St Peters Road from Mature Neighbourhood to Village Centre Commercial;And further to consolidate Lot 40 Angus Drive (PID #419143), 413 St. Peters Road (PID #419135) and 415 St. Peters Road (PID #192187) being Mel's Convenience Store into one (1) parcel, in order to facilitate road upgrades by the Province to St Peter's Road and construct a second means of access for the convenience store to and from Angus Drive.



4. **7-9 Pownal Street (PID #1105451)** *Laurel*

- Request to Amend “Appendix C – Approved Site Specific Exemptions” as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw to exempt 7-9 Pownal Street (PID #1105451) from Section 34.2 of the Zoning and Development Bylaw from the required Permitted Uses at Grade on Walkable Streets; and
- Create “Appendix B – Approved Site Specific Exemptions” for the Official Plan to amend Section 4.2.3(2) of the Official Plan to exempt 7-9 Pownal Street (PID #1105451) from the designated permitted uses on a Walkable Street,

In order to allow residential dwelling units on the ground floor abutting a walkable street.

5. **199 Grafton Street (PID #342790)** *Laurel*

Request to Amend “Appendix C – Approved Site-Specific Exemptions” as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw to exempt 199 Grafton Street (PID #342790) from Section 30.2 Regulations for Permitted Uses and Section 30.3 Bonus Height Development Standards of the Zoning and Development Bylaw in order to allow for the construction of a multi-unit residential building with affordable housing and parking within the building.

c) **Others:**

6. **Zoning & Development Bylaw Amendments (PH-ZD.2) & Official Plan Amendments (PH-OPA.1)** *Alex*

- Water Lot Developments/Regulations
- Amendments to permit limited signage inside of murals

7. **Introduction of New Business**

8. **Adjournment of Public Session**

As the City continues to follow physical distancing protocols set out by PEI Public Health, the maximum seating for the public will be limited to 15 within the 2nd Floor foyer. Upon arrival, individuals will be required to provide information for contact tracing purposes.

PLANNING AND HERITAGE BOARD MINUTES
TUESDAY, MARCH 16, 2021, 12:00 P.M.
COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL, 199 QUEEN STREET
Live streaming at www.charlottetown.ca/video

Present: **Mayor Philip Brown**
 Councillor Mike Duffy, Chair
 Councillor Julie McCabe, Vice-Chair
 Councillor Alanna Jankov

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

Also: **Alex Forbes, PHM**
 Robert Zilke, PII

Ellen Faye Catane, PH IO/AA

Regrets: **Councillor Mitchell Tweel**

As the City continues to follow physical distancing protocols set out by PEI Public Health, the maximum seating for the public was limited to eight (8) at the Parkdale Room. Upon arrival, individuals were required to provide information for contact tracing purposes.

1. Call to Order

Councillor Duffy called the meeting to order at 12:03 p.m.

2. Declaration of Conflicts

Councillor Duffy asked if there are any conflicts. Shallyn Murray, RM, declared conflict for agenda item #2 (130 Longworth Ave).

3. Approval of Agenda

Moved by Reg MacInnis, RM, and seconded by Councillor Alanna Jankov, that the agenda for Tuesday, March 16, 2021, be approved.

CARRIED

4. Adoption of Minutes

Moved by Councillor Julie McCabe and seconded by Bobby Kenny, RM, that the minutes of the meeting held on Monday, March 01, 2021, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from minutes.

6. 414 Queen Street (PID #358242)

This is a request to reduce the minimum lot area requirement of 7,965.3 sq. ft. to 5,500 sq. ft. and reduce the minimum frontage requirement of 76.1 ft. to 58.4 ft. at 414 Queen Street (PID #358242). The property in question is located in the Medium Density Residential Zone (R-3). Robert Zilke, Planner II, presented the application. See attached report.

The application is for interior renovations to convert existing single-detached dwelling into a duplex. There will be no expansion or enlargement of the existing building and will not require further setback reduction.

The only issue noted by staff was the existing two (2) driveway accesses. There is a driveway access onto Connolly Street which is a local street, and an access on the corner of Connolly Street and Queen Street. Since Queen Street is a collector street, Public Works indicated that the driveway on Queen Street could pose safety hazards for vehicles entering and leaving the site. There is a 50 ft. requirement for any driveway access in proximity to an intersection and in this case, the existing driveway does not meet this requirement. Staff recommended that this access be removed and utilize the access onto Connolly Street.

Converting the property to a duplex would also require the applicants to provide a minimum of two (2) parking spaces on site with access off of Connolly Street. The report also summarized the different pros and cons for the proposed variances. One of the cons could be rectified by removing or restoring the access point on to Queen Street. The pros of these variances are being able to provide an additional dwelling unit which supports infill development without increasing the density/footprint of the building. There are a variety of properties that contain a variety of multi-unit dwelling types within the surrounding neighbourhood and this proposed duplex will be in-keeping with the density of the area.

In March 2020, the department received a complaint with regard to an illegal boarding house. The property owner was notified of this violation and that this use must be rectified. The applicants are here today to rectify this issue by converting the property into a duplex. There were also histories on police and emergency services being called on site for complaints.

Letters were sent out to property owners within 100 m. of the subject property and received six (6) letters in total, three (3) in support and three (3) in opposition. Letters of support indicated that the variance request seems minor in nature and the proposed duplex is in keeping with the development of the surrounding area. It would also be an opportunity to see the property being renovated or redeveloped. Letters of opposition noted concerns on additional density due to the number of multi-dwelling developments in the area, additional traffic, previous issues (nuisance, unsavory behavior) with the property and occupants. It also indicated that residents would rather see this property remain as a single-detached dwelling.

Staff recommended that the proposed variances be approved subject to the driveway access onto Queen Street being removed. The applicants/owners, Lucas Welch and his associate, were at the meeting to answer questions.

Mayor Brown noted that the report indicates that the owner was Brian Johnston. However, the owners that were at the meeting are different. Mayor Brown and Councillor McCabe clarified if the property has already been sold or is still in the process of being sold. Mr. Zilke confirmed that the property has been sold. Mayor Brown also confirmed that he spoke to the new owners and that they have applied for these variances and not Mr. Johnston.

Councillor Duffy commented that based on the letters of opposition that were received, he felt that residents may not have fully understood the intent of the variances and the current situation of the property. Mr. Zilke commented that he had a conversation with one of the residents who was opposed to the proposed variances and their concern was the potential of seeing the new duplexes being boarding houses. Mr. Zilke informed the resident that if the variances were approved, uses of the property would have to meet the bylaw requirements for a duplex and not a boarding house.

Reg MacInnis, RM, noted that since the owner of the property was Brian Johnston, asked if the application was submitted by Mr. Johnston or by the new owners. Mr. Zilke responded that the application was submitted by the new owners but at the time of the application, the owner was still Mr. Johnston. Mr. Zilke noted that staff is not usually involved with the sale of the property so if at the time of the application, the purchase and sale is still in process, staff would look at the current owner at that time and would require authorization from the owner to allow for this application. Mr. MacInnis asked if the property would be rental properties or occupied by the new owners. Mr. Zilke responded that the applicants would be able to respond to that question.

Rosemary Herbert, RM, indicated that she visited the site this morning and noted that the property is now vacant and commented that the exterior of the building needs a fair amount of work. Ms. Herbert asked if a condition can be added to include exterior upgrades to the building if these variances are approved. Councillor Duffy noted that the applicants may be able to address this question. Mr. Zilke responded that adding this condition could be an option. When conditions are added to any approvals, the conditions have to be relevant to the disposition of the application. Since the applicants are an additional unit, it is possible to also include upgrades to the exterior of the building. The applicants may be able to address this concern.

Councillor Jankov asked if the bylaw has any stipulations that would indicate that if the property is converted into a duplex, the units cannot be used as boarding houses. Councillor Jankov noted that she has seen situations where duplexes were converted into boarding houses. Mr. Zilke responded in the by-law, boarding houses are permitted for single-dwelling units only. The idea of a boarding house is that rooms are rented, and all other common areas being shared. The bylaw does not permit boarding houses within a duplex. Councillor Jankov noted that she will be speaking with Mr. Zilke separately on a similar issue.

Councillor McCabe noted that if boarding houses are not permitted on duplexes, asked how this could be enforced if in the future, the property is converted into boarding houses. Mr. Zilke responded that as of today, staff is working on a Summary Conviction Bylaw to fine non-compliances to City Bylaws.

Basil Hambly, RM, asked if the bylaw states how many people can live in a unit. Mr. Zilke responded that staff revisited the bylaw a couple years ago to differentiate a lodging house and boarding house. Boarding houses were defined as a household. It is difficult to define what a family is, but under the definition of a household, a maximum of eight (8) would be permitted in a household. The Building Code Bylaw also has requirements such as two (2) persons per room.

Councillor Jankov felt that the owners could still run a boarding house if they defined themselves as a “family”. Mr. Zilke responded that it is difficult to define what constitutes a family unit and would consider this as a gray area at the moment. From a by-law perspective, staff would look at definitions of household and building code requirements to be able to assess the situation.

Mr. MacInnis clarified that if the property is converted into a duplex, it cannot be used as a boarding house and Mr. Zilke confirmed and explained that Councillor Jankov was referring more on tenant rights than the specific land use. Councillor McCabe and Councillor Jankov both noted that it is more about tenants or residents not following the rules or requirements rather than what the land use would be, considering the issues that the property had in the past. Mayor Brown also commented that this issue could happen to other properties as well.

Councillor Jankov asked if the owner has to live in the same dwelling if the property was permitted as a boarding house. Councillor Duffy responded that he believed that the owner should be there but would like to confirm it with staff. Councillor Duffy welcomed the applicants and asked if they would like to add to what Mr. Zilke presented earlier.

Lucas Welch, applicant/owner, explained that there will be exterior renovations – new windows, sidings and decks. Mr. Welch confirmed that they are okay with removing the driveway on Queen Street and moving the access off of Connolly Street and will provide parking spaces for (2) vehicles. Mr. Welch also confirmed that the duplexes will not be converted into a boarding house. They are looking at high-end clientele with rents ranging from \$1600 to \$1800 a month. The proposed duplex will be a two (2), 2-bedroom units versus the current seven (7) bedroom single-family unit. That would have been one of the reasons why it was used as a boarding house in the past. Mayor Brown also asked if they already purchased the property and Mr. Welch confirmed that they are new owners effective March 01, 2021.

Councillor Jankov commented that they also own other properties where they have done a great job. Mr. Welch confirmed, and they usually remove everything out and replace it with new materials.

Councillor McCabe clarified that the existing seven (7) bedrooms will be reduced to a two (2) bedroom unit. Mr. Welch explained that each unit will have two (2) bedrooms. The first unit will be on the main floor and the second unit on the second floor.

Mr. MacInnis asked if the only exterior change would be the addition of a larger deck. Mr. Welch responded that the deck size will remain the same as the existing deck. It will just be replaced with new materials. Mr. Welch also added the proposed plans show an addition of a false roof, stones and posts to increase its curb appeal compared to its current appeal.

Mr. MacInnis and Ms. Herbert also confirmed that their previous question about adding a condition to renovate the exterior of the building has been addressed by the applicants.

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

Moved by Councillor Alanna Jankov and seconded by Reg MacInnis, RM, that the request to:

- **Reduce the minimum lot area requirement of 7,965.3 sq. ft. to 5,500 sq. ft.; and**
- **Reduce the minimum frontage requirement of 76.1 ft. to 58.4 ft.,**

In order to construct a duplex dwelling on the property located at 414 Queen Street (PID #358242), be recommended to Council for approval, subject to the removal of the existing driveway access situated on the north-west corner (corner of both Queen Street and Connolly Street) of the subject property.

**CARRIED
(9-0)**

7. 130 Longworth Ave (PID #364984)

Shallyn Murray, RM, declared conflict and has stepped out during the review of this application.

This is a request to reduce the minimum rear yard setback requirement of 19.7 ft. (6 m) to 2.5 ft. (0.76 m) in order to permit the expansion of an existing commercial warehouse located on the property at 130 Longworth Ave (PID #364984). The property is located in the Mixed-Use Corridor (MUC) Zone. The request also includes a request for lot consolidation. Robert Zilke, Planner II, presented the application. See attached report.

The purpose of the requested variance is to keep the rear wall of the proposed addition continuous with the existing structure on site. Mr. Zilke also noted that since the lot runs parallel to the Confederation Trail, the by-law requires that at least a minimum of 26.2 ft. from the Confederation Trail be kept from any structures. Originally, the applicant applied for a larger expansion but has since reduced the size of the building to meet this requirement

Mr. Zilke highlighted the south-west elevation of the existing structure and the proposed façade of the building running parallel to the trail. There is a mix of commercial warehouses and auto parts garages along Belmont Street and a lot of these structures are located on older lots and are fairly close to property boundaries. The proposed rear yard reduction and warehouse expansion will not be out of character in the neighbourhood. With the 26.2 ft required distance from the trail, it will ensure that the building maintains an adequate setback from the trail.

For the landscaped area requirements, this property is required to provide at least 9 trees based on site frontage. However, since the property is already an existing built up area and with its current location, it is hard or impossible to establish the landscaped area within the existing lot. To address this requirement, staff proposed that the landscape buffer consisting of trees, hedge or a combination of both be planted along the length of the proposed warehouse addition instead. This will further minimize the massing of the warehouse to the trail and will make the property more aesthetically pleasing and reduce the monotonous tone of the warehouse facade. Staff recommended that the application be approved subject to the landscape buffer requirement and

approval of the lot consolidation. Terry McKenna, applicant, was at the meeting to answer questions.

Bobby Kenny, RM, confirmed that there was no negative feedback received on the proposed expansion. Mr. Zilke responded that only letters of support were received.

Mr. MacInnis indicated that there is an existing driveway located within the 26 ft buffer zone and asked if this would have any issues. Mr. Zilke responded that the buffer requirement only refers to structures and does not apply to outside storage but would have to be screened/covered.

Councillor Jankov commented that she does not have any problem supporting the application but mentioned that she did not see a summary of positives and shortcomings in the report. Mr. Zilke acknowledged that he did not have that in his report.

Mr. McKenna explained that the proposed variance is to be able to extend the existing warehouse using the same setback requirement. Mr. McKenna responded to the concern on the driveway and confirmed that there is an existing driveway off of Longworth Avenue and Belmont Street. Mr. McKenna shared the history of the property. City Hall (Mayor and Councillor Brown) approached him in 1991 or 1992 to purchase the whole property and then the City would purchase 50% of the property in order to upgrade Belmont Street. Mr. McKenna noted that at that time, he assumed that as part of the deal, the lots would be consolidated after the purchase, but it was only when he applied for a variance when he realized that the lots have not been consolidated. Mayor Brown clarified that the Councillor at that time being referred to was Councillor Richard Brown.

Mr. McKenna also indicated that the expansion will not cause additional traffic. It will only be used as storage for their tenant's supplies, owner's equipment and construction supplies. The existing tenant of the building fronting Longworth Ave does landscaping and sells outdoor equipment. The building will be renovated to update the colors and add wood on the front of the building to offset the metal siding.

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

Moved by Councillor Julie McCabe and seconded by Councillor Alanna Jankov that the request to reduce the minimum rear yard setback requirement from 19.7 ft. (6 m) to 2.5 ft. (0.76m), in order to construct an addition onto the existing warehouse on the property at 130 Longworth Ave (PID #364989), be recommended to Council for approval, subject to the following requirements:

- **A landscape buffer consisting of either trees, hedge or combination thereof that is staggered to be planted along the length of the proposed warehouse addition; and**
- **The consolidation of the three (3) separate parcels into one (1) parcel.**

**CARRIED
(8-0)**

S. Murray in conflict.

8. Zoning & Development Bylaw (PH-ZD.2) & Official Plan Amendments (PH-OPA.1)

These are updates to proposed amendments to the Zoning & Development Bylaw and Official Plan. Alex Forbes, Manager of Planning & Heritage, presented the application. See attached report.

Mr. Forbes explained that the application was before the board in February 2021 to deal with amendments to water lots and how to regulate these lots. At that time, it was recommended that the amendments be forwarded to David Hooley, City solicitor, to review the document. Mr. Hooley conducted a thorough review and responded with recommendations. Mr. Forbes apologized that the report was only provided at the time of the meeting and was not made available earlier for the board to review. It is a very detailed report providing more information on how the proposed changes would impact the water lots. Mr. Forbes added that since the report was only received prior the meeting and should the board decide to recommend to proceed to public consultation and sees anything that needs to be changed or updated, the board can send their comments to him and he will incorporate their input in the report. Council will still have to review and decide whether they are comfortable to proceed as well. If Council feels that the amendments need more revisions or updates, then the public meeting can be deferred.

Mr. Forbes provided a high-level summary of the proposed water lot regulations. The current bylaw indicates that a zone stops at the high water mark to define the water edge boundaries of the property unless the property is a water lot. And in this case, the zone extends to the end of the water lot. There are a number of uses that are currently permitted in the Waterfront zones which may not be applicable to water lots. The goal is to limit uses on the water lots such as floating docks and limit uses to certain water lots as applicable. The proposed amendments will indicate where the high water mark along the waterfront zone ends and then rezone the balance of the lot as a water lot. There will be two (2) water lot zones – Water Lot Commercial that would deal with existing uses along the waterfront; and Water Lot Open Space Zone on water lots. There are other levels of government that has jurisdiction over the water lot areas and their interests must be considered. The intent of these changes is to define where commercial water lot structures currently exists, and zone them as Water Lot Commercial. The other water lot properties that were not developed to this point will remain open space with restricted development rights or permitted uses.

Similarly, the Official Plan will be amended to provide definitions and policies pertaining to water lots.

The second set of proposed amendments would deal with murals with signage embedded in them. The current bylaw does not permit signages on murals. Murals are reviewed by the Arts Advisory Board and forwarded to Council for a decision. Mr. Forbes would like to amend the existing Zoning bylaw to provide a mechanism to consider murals that include signage.

Mayor Brown felt that the board needs more time to carefully review the proposed amendments and would like defer the recommendation for public meeting on a future date. Councillor Duffy indicated that the board can continue to review the package and if they have any questions or recommendations, they can reach out to Mr. Forbes. The board will reconvene in the next Planning Board meeting scheduled on April 06, 2021 to review this application.

No decision was made at this time.

9. New Business

There was no new business.

10. Adjournment of Public Session

Moved by Mayor Philip Brown and seconded by Councillor Julie McCabe, that the meeting be adjourned. The meeting was adjourned at 12:45 p.m.

CARRIED

Councillor Mike Duffy, Chair



Public Meeting of Council
Tuesday, March 23, 2021, 7:00 PM
Courtyard, The Rodd Royalty, 14 Capital Drive;
Via videoconference (Webex); and
Live streaming at www.charlottetown.ca/video

As the City continues to follow physical distancing protocols set out by PEI Public Health, the maximum seating at the Courtyard room was limited to 50 (including staff). No additional cohorts were permitted at this time. Upon arrival, individuals were required to complete a registration sheet with their information and covid-19 screening questions for contact tracing purposes.

Mayor Philip Brown presiding

<u>Present:</u>	Councillor Mike Duffy Councillor Julie McCabe Councillor Alanna Jankov	Councillor Terry Bernard Councillor Mitchell Tweel Councillor Terry MacLeod
<u>Also:</u>	Alex Forbes, PHM Laurel Palmer Thompson, PII Ellen Faye Catane, PH IO/AA	Bobby Kenny, RM Kris Fournier, RM
<u>Participated electronically via Webex:</u>	Councillor Robert Doiron Deputy Mayor Jason Coady* <i>*Declared conflict for Agenda Item 1 and joined Webex for Agenda Item 2.</i>	Basil Hambly, RM Reg MacInnis, RM Rosemary Herbert, RM Shallyn Murray, RM
<u>Regrets:</u>	Councillor Greg Rivard	Councillor Kevin Ramsay

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:04 p.m.

2. Declarations of Conflict of Interest

Deputy Mayor declared conflict on agenda item 1, Angus Drive (Lot 40) and 413 St. Peters Road.

3. Approval of Agenda

Moved by Councillor Mike Duffy and seconded by Councillor Kevin Ramsay, that the agenda for Tuesday, March 23, 2021, be approved.

Mayor Brown opened the meeting and introduced members of Council present in the room and connected via Webex. Mayor Brown also added that resident members of the planning board were also at the meeting or connected via Webex. Mayor Brown also explained the Covid-19 measures that were put in place such as 6-foot distance between participants, sanitizing stations, wipes and masks.

Mayor Brown asked Councillor Duffy if agenda item #2 (7-9 Pownal Street) could be discussed first. Councillor Duffy explained that Deputy Mayor Coady indicated that he will be joining the Webex session for the second item so it would be difficult to switch the agenda at this time. Mayor Brown proceeded with the agenda as published.

Mayor Brown then handed the floor over to Councillor Duffy for the ground rules and introduction of the application. Councillor Duffy, Chair of Planning Board, provided an overview of the meeting procedure and then proceeded to introduce the first item. Councillor Duffy then handed the floor to Laurel Palmer Thompson, Planner II, for the presentation.

4. Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135)

This is a request to rezone/amend Appendix G – Zoning Map for Angus Drive (Lot 40) (PID #419143) from Single-Detached Residential (Large) (R-1L) Zone to Mixed-Use Corridor (MUC) Zone and 413 St. Peters Road (PID #419135) from Low Density Residential (R-2) Zone to Mixed Use Corridor (MUC) Zone. This also includes a request to amend Appendix A- Future Land Use Map of the Official Plan Map for Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135) from Mature Neighbourhood to Village Centre Commercial. And further, a request to consolidate Angus Drive (Lot 40) (PID #419143), 413 St. Peters Road (PID #419135) and 419 St. Peters Road (PID #192187) being Mel's convenience store into one (1) parcel, in order to facilitate road upgrades by the Province to St. Peters Road and construct a second means of access for the convenience store to and from Angus Drive. Laurel Palmer Thompson, Planner II, presented the application.

The subject properties are bound by R-1L zoning to the north, St. Peters Road to the south, Mel's Convenience Store to the east and Angus Drive to the West. A single-detached dwelling currently exists on 413 St. Peters Road. Angus Drive, Lot 40, is a vacant lot. Mel's is located along St. Peters Road, which is a provincial highway. It is one of the main arteries for traffic traveling in and out of the city from the eastern portion of the Island.

The current application has come forward because the Province is undertaking major upgrades to St. Peters Road in the Summer of 2021. The upgrades include the construction of a roundabout at the location of Angus Drive, St. Peters Road and Hanmac Drive. The Province is also constructing a center-median on St Peters Road which will not allow vehicles traveling east to turn left into Mel's or vehicles exiting the site to make left turns to get into the main highway. Only right-in, right-out movements will be permitted off St. Peters Road. Therefore, vehicles traveling east will be required to exit the site onto Angus Drive or St. Peters Road in a westbound direction and circle the roundabout before heading east. This will create a much safer situation for vehicles accessing and entering the site.

In 2013, the Province and the City completed a traffic study on St. Peter's Road. Due to traffic generated at this location, the study identified Angus Drive as one of the key intersections for controlled access. Jeff Doucette and Dan MacIsaac, representatives for Mel's; and Stephen Yeo

and Alan Aitken, representatives from the Province of Transportation, Infrastructure and Energy, were at the meeting to speak to the application.

Stephen Yeo explained the upgrades to Angus Drive and MacWilliams Road. There will be a total of three (3) roundabouts in total, with the first being located at the intersection of MacRae Drive and St. Peters Road. The plan is for a controlled intersection at Angus Drive and the subdivision to the south. The Province is looking at safety and capacity as they continue to look at road upgrades. The Province has done a major upgrade to the intersection of St. Peters Road and the bypass that would open this fall. The Province is looking at improving the efficiency of moving traffic through the intersection and the goal is to complete the remaining two (2) sections of the upgrades before moving on to the final phase which would be the roundabouts in the East Royalty area.

As traffic proceeds east towards Souris, there is a high volume of traffic going into Mel's. The safest way to get traffic into Mel's would be to use the roundabout onto Angus Drive and through the proposed access into Mel's. Vehicles can also exit Mel's through St. Peters Road or through Angus Drive. That is considered a safety efficiency improvement.

The Province has had previous projects where a commercial business cannot have access to a secondary street and would only allow a right-in, right-out in and out of the property. But if there is the ability to access a commercial business from a secondary street at a roundabout location where there is an intersection, the department would prefer that to happen for safety reasons. Without the secondary access, residents along Angus Drive would have to go through the roundabout then drive east to MacWilliams Road roundabout and drive back to get to Mel's. This is putting more pressure on the system or traffic load.

The Province is trying to increase efficiencies so allowing the secondary access would help minimize traffic load along St. Peters Road. The area is a busy section of St. Peters Road and continues to be busier as more dwellings are developed along East Royalty Road. Mr. Yeo added that over the last two (2) years, MacWilliams Road alone has become busier resulting in capacity issue and more delays for vehicles trying to get on St. Peters Road, particularly those turning left onto Route 2. If the traffic doesn't have to come up and go around MacWilliams Road and come back, that is going to open up a lot more spaces for traffic to get into the roundabout along MacWilliams Road and Angus Drive.

Mr. Yeo also added that not all vehicles leaving Mel's site would use Angus Drive access. Most vehicles would likely use the right-out access off of St. Peters Road, use the roundabout and then head east. Mr. Yeo presented a zoomed out view of the proposed roundabouts. There were concerns with the offset and the distances where these accesses would be located. The alignments can be tweaked to take any line of sight or headlights off of dwelling units that may be affected. Mr. Yeo added that he and the Minister had discussions with the residents in the area.

From a safety perspective, Mr. Yeo indicated that the project is more about safety and efficiency on Route 2. There will be a four (4) lane cross-section, splitter islands from St. Peters Road to MacWilliams Road. There will be no left-turning traffic trying to move onto high capacity roads and there will be less delays on the secondary or local streets during peak hours. Mr. Yeo also mentioned that Alan Aitken, traffic engineer for the Province, looked at the numbers on queuing

and indicated that they are looking at one or two (1 or 2) vehicles queuing up. This will be an efficient way to operate this intersection. Mayor Brown asked if Mr. Aitken would like to add more information to what Mr. Yeo provided. Mr. Aitken responded that he doesn't have anything to add but would answer any technical questions.

Jeff Doucette, General Manager for Mel's Petro Canada, indicated he has nothing to add to what Mr. Yeo mentioned about traffic flow since Mr. Yeo would be more knowledgeable when it comes to roadways and traffic operations but could provide additional information with regards to the proposed rezoning of the site. Mr. Doucette noted that during snowstorms, holidays, sunny summer days and during the early days of the pandemic, Mel's convenience store could be chaotic. There have been cars trying to turn left to get into the site and cars trying to exit the property. There were also times where vehicles parked along the side of the road to avoid manoeuvring in and out of the site.

The proposed plan would eliminate these concerns by allowing a right-in, right-out only access on to the main highway. It will also alleviate congestion on the main highway by providing a second access where vehicles can enter or exit the site. The second access would also allow residents along Angus Drive an opportunity to enter the property without having to go onto the highway. The end goal is to increase safety in the area.

Dan MacIsaac, owner, indicated that he read the comments from the residents who were not in favor of the proposed rezoning. Mr. MacIsaac emphasized that the rezoning was not their initiative and there has been enough road constructions in the area. With the current pandemic, he is not looking forward to any more construction in the area. However, Mr. MacIsaac mentioned that the government has a plan to upgrade the roads for several reasons and safety being its priority.

Initially, Mr. MacIsaac felt that there was no real big hurry to rezone the property at this time. However, it was pointed out to them that it is best to rezone the property now and that the government has the authority to get this job done. Mr. MacIsaac added that they are going to make the best out of the current situation in terms of safety. Mr. MacIsaac noted that the city has a growing community, the government is putting in roundabouts with focus on safety, and they would be in a position where they could also have a safer property. Mr. MacIsaac shared that he has been in one of the most difficult meetings dealing with this property and concluded that the proposed roundabout is probably the solution to address these traffic issues and that they will continue to support what is best for the community.

Paula Redmond, resident, together with her parents, Paul and Florence McGonnell, were against the proposed rezoning and lot consolidation of three (3) lots for the sole purpose of creating a secondary access to an extremely busy convenience store/gas bar/liquor store. She recognized the high traffic volumes on St. Peters Road, especially in the vicinity of Mel's and that necessary steps need to be taken to make this a safer area with a smoother flow of vehicular traffic. However, they strongly object to any proposed solution that would permit heavy traffic being directed onto Angus Drive. Ms. Redmond recommended to look at an alternative solution to utilize the 300-ft frontage (approximate) of the property along St. Peters Road for access instead of creating access off of Angus Drive. Another suggestion was to use the MacWilliams Road roundabout for vehicular traffic wanting to get to Mel's convenience store. This is very similar to the situation on Riverside Drive where eastbound traffic from city center, Hillsborough Bridge, Exhibition Drive, etc., must proceed to Walker Drive roundabout and circle back to access any

businesses on their left such as Metro Building supplies, Access PEI, etc. This would eliminate any need for an entrance-exit road into the residential area on Angus Drive. Ms. Redmond noted that if the current proposal is approved as submitted, it will negatively impact the quality of life of the Angus Drive homeowners and significantly devalue their properties. Ms. Redmond felt that homeowners who have lived for almost 50 years in a zoned area should have every reasonable expectation that any use of property in close proximity should not be rezoned with such a detriment to their properties. Ms. Redmond hoped that this proposal would be revisited and a different solution be recommended or suggested.

Craig Phillips, resident, spoke on behalf of her parents, Harold and Doreen Phillips. Mr. Phillips has a clear understanding of what the traffic situation is in East Royalty. As the area continues to be developed, expanding further onto MacRae Drive, there have been a significant increase in traffic, not just along St. Peters Road but along the interior local streets. He is aware of the congestion along St. Peters Road. Mr. Phillips recognizes that development happens and that there is a need for traffic circles in the area. However, his concern is that the vacant land between the airport and north of East Royalty Road will most likely be developed in the future for residential dwellings which could result in up to three times the current population. Residents will be traveling down MacRae Drive or MacWilliams Road to get to St. Peters Road. Most of the residents in the community frequently visit Mel's for gas, the convenience store or the liquor store and majority would travel through Avonlea Drive towards Angus Drive. Mr. Phillips felt that it would be unrealistic for residents to be taking the roundabout along MacRae Drive and then the roundabout along Angus Drive to get to Mel's. St. Peters Road is already a busy road and there will be more traffic in the area from East Royalty Road to Mel's over time. Otherwise, he felt that the developers would not be expanding at this time. Mr. Phillips indicated that it will be extremely detrimental to property owners in that neighbourhood. Mr. Phillips also ran measurements of the roundabouts and controlled intersections along Cornwall, to the bypass and to Hillsborough Bridge, and noted that the average distance between roundabouts was about 800 or 850 meters. There are a couple others that are further apart in Cornwall because of the plans to put overpasses. The only area along St. Peters Road and East Royalty area that has as many intersections would be the roundabout along Riverside Drive and residents are aware of the traffic situation during rush hour.

Mr. Phillips does not understand why the Province is looking to construct several roundabouts along St. Peters Road. Mr. Phillips also asked why can't the proposed roundabout on Angus Drive be located on Woodleigh Drive, and then open space along Short Street be used to connect to Tara Heights. Should this be the case, it would allow traffic to flow through these local streets onto St. Peters Road and have access to the roundabouts. This could potentially isolate Mel's convenience store from the residential community and allowing for an expansion. This will also isolate Angus Drive and eliminate the need for a second access for Mel's.

Mayor Brown reminded the residents that additional comments may be submitted to City Hall or emailed to planning@charlottetown.ca on or before noon on Wednesday, March 24, 2021.

Patty Good, resident, disagrees with the proposed development. She noted that she is fully aware of what is happening in that area on a daily basis. Ms. Good asked why would Mel's require a special entrance while vehicles traveling along Riverside Drive need to loop around the two (2) roundabouts to get to their destination. Ms. Good felt that with the amount traffic in the area, letting the vehicles loop through the proposed roundabouts would allow vehicles to flow out of

Mel's better. She also hoped that the government realizes that Mel's is a busy location with a high volume of sales and felt that it is in the wrong location. Ms. Good noted that the business should be moved or relocated to where the rest of the commercial properties are as part of the government's road upgrade plans. Ms. Good felt that this business will continue to grow and will cause more issues, including traffic issues.

Laura Morgan, resident, agreed with the comments from other residents and noted that it is disheartening to feel that their homes will be drastically changed. She is aware that there has been much planning around this proposed development and upgrades. Ms. Morgan indicated that she received the information about the rezoning from her neighbour on Wednesday and received the letter from the City on Thursday. Ms. Morgan stated that, *"It is really hard to think that, because some people make more money than you do, that they are a business, and their livelihood means more than yours"*. She also shared that they are new to the neighbourhood and not like the rest of the residents who have been in that community for a long period of time. However, she felt that they deserve the same respect that a large business would get in their neighbourhood, and they need to feel that their needs are being met and not just the needs of the business.

Ms. Morgan added that the developers kept talking about safety, eliminating the left turns off the highway. It is not eliminating any left turns. Vehicles will continue to turn left, except that they will be turning left on a residential street without shoulders, center lines or sidewalks. There is a lot of foot traffic on these residential streets; residents walking their dogs, cycling, etc. Ms. Morgan felt that they are not eliminating traffic problems, just moving traffic to a different area on St. Peters Road. Ms. Morgan shared that aside from Riverside Drive, there is also the roundabout along North River Road where vehicles have to double back or use the roundabouts to get to their destination. Ms. Morgan felt that using the same method along St. Peters Road would not be a big issue. Residents who need to access Mel's will find a way to get to Mel's and she felt that they do not have to go onto Angus Drive to get to Mel's.

Mr. Phillips commented that in regard to the roundabouts along North River Road, the roundabouts are located further away -from Mel's location or the gas station compared to the roundabouts being proposed in East Royalty Road.

Randy Good, resident, commented that the proposed rezoning tonight is the same proposal that Mr. MacIsaac proposed seven (7) years ago. If it was not Mr. MacIsaac who is bringing this application forward tonight, Mr. Good asked who brought forward this application. He felt the proposal is ultimately not good for the community, no matter which way this is looked at. There will be more traffic onto Angus Drive. If the business would like to continue to operate in that location, it only needs one (1) entrance and exit. At present, there are two entrances/exits for Mel's and most of the time, multiple vehicles enter and leave the site. Mr. Good found that dangerous. Mr. Good mentioned that this is the same proposal several years ago and added that some of the current Councillors were the same Councillors at that time and have voted against the rezoning twice.

Yvonne Cummiskey, resident, shared that their property on East Royalty Road will be sold since it would be affected by the road upgrades. Ms. Cummiskey indicated that this was discussed 12 years ago and she is aware that this will happen at some point. She also recalled attending a meeting seven (7) years ago regarding this rezoning and remembered it being turned down by

Council. Although she will not be in the community and is heart-broken to see these changes, she continues to work with the community and felt that something has to be done. However, she does not think that rezoning the property and putting an access off Angus Drive would be the solution. Mr. Cummiskey also wondered what could happen on the property in the next two to three (2-3) years. There is a possibility of expanding the business and asked if the business could be moved so that it doesn't impact Angus Drive. Also, the area has developed over the last few years and is difficult to find a house in the East Royalty area.

Ms. Cummiskey indicated that she worked with Mr. Yeo and understood that safety is an issue and that road upgrades needed to be done. However, she felt that there could be a better solution to address the situation. She has prepared herself over the last 12 years because she was aware that this will happen; that she may lose her property at some point. While she felt that this is disheartening, she agreed that something has to be done for the best interest and safety of residents but felt that a better solution should be considered.

Councillor McCabe mentioned that a traffic study was conducted in 2013 and in tonight's meeting, residents have indicated that there has been a significant amount of development in the East Royalty area over the years. Councillor McCabe then asked if the traffic study would still be practical or indicative of the current traffic situation. Mr. Aitken responded that they have the traffic data from 2013 and have more recent data on how much traffic has increased on Route-2 and the Trans-Canada Highway on an annual basis. They analysed the data to determine what the delays would be on projected 2021 traffic. The delays will be two-thirds to three-quarters less than what they currently are at those intersections.

Councillor McCabe noted that most of the questions pertained to the proposed roundabouts which is a provincial project. However, the public meeting tonight is to hear comments regarding the proposed rezoning along Angus Drive and St. Peters Road. Councillor McCabe asked Ms. Thompson if she could elaborate so that residents would understand what could happen on the property should the rezoning be approved. Ms. Thompson explained that the application is here tonight because the properties in question are currently zoned residential. In order for Mel's convenience store to obtain access onto that residential property, it has to be rezoned to commercial. If the properties are rezoned, there are several permitted commercial uses within the bylaw that would be permitted in that area aside from the use that currently exists. Councillor McCabe asked if the property could further expand for more commercial uses. Ms. Thompson agreed that once the property is rezoned, it could expand to allow for other commercial uses.

Councillor McCabe asked Mr. Doucette or Mr. MacIsaac if there are any future plans to expand the business or would the request to rezone the property allow a secondary access on to Angus Drive. Mr. MacIsaac responded that at this time, there are no plans to expand. They would first like to see how much land would be left of their property after the roundabout is constructed before determining if there is a possibility to expand their business.

Councillor McCabe asked for clarification that once the property is rezoned, the owners would have as-of-right to develop or expand its uses. Ms. Thompson confirmed and mentioned that if the owners decide to expand their operations at that time, they would be permitted to do so as long as there are no traffic issues. At that time, the proposal would have to be reviewed by the City and Provincial traffic engineers.

Councillor McCabe asked if the roundabout could go ahead without the property being rezoned and asked if Mel's could have access onto the residential property if the rezoning was rejected. Ms. Thompson responded that they would not be permitted to route commercial traffic onto a residential property as these will be two conflicting uses.

Councillor McCabe also asked if the road upgrade plans are final or would there be other options for entrance and exits. Mr. Yeo stated that, "Nothing is set in stone until the shovels hit the ground". However, looking at the research and analysis done, they felt that this is the best option for the area in terms of safety and capacity by building these three (3) roundabouts and move high volume traffic along Route 2 and use secondary or local streets to better accommodate traffic.

Mayor Brown asked where in the bylaw could residents find the Village Centre Commercial definition. Ms. Thompson clarified that the Village Centre Commercial is the Official Plan Designation and the zone would be Mixed Use Corridor (MUC). Mayor Brown also asked what is meant by rezoning from mature neighbourhood to village centre commercial. Ms. Thompson explained that when the City created the East Royalty Plan, the City designated the area as mature neighbourhood. These were areas that were already fully developed and built out. Since East Royalty is a growing community, staff worked with different developers at that time to develop a plan for the raw land that was ready for development. Those areas were zoned for specific zones for residential use. Anything that was already fully built out and established were designated as mature neighbourhood which is basically Low Density and Medium Residential.

Councillor Jankov was not sure if everyone is familiar with the permitted uses of the Mixed Use Village Commercial or Mixed Use Corridor zone and asked if Ms. Thompson could identify these uses. Ms. Thompson clarified that the proposed zone is Mixed Use Corridor and not the Mixed-use Village Commercial. The reason why the proposal is to rezone to MUC is because the existing Mel's property is zoned MUC and the intent was to have one (1) zone in the area. When dealing with zoning, it is best to keep zones contiguous as opposed to a various spot zones. MUC is Section 24 and the permitted uses are: uses permitted in the R-4 zones which are residential uses; uses permitted in the Institutional Zone subject to the regulations for permitted uses in that zone; Commercial uses permitted in the East Royalty Mixed Use Village Commercial Zone (step down) automobile sales and service, cannabis retail store, equipment sales, rental service, greenhouse nursery retail, outdoor retail display, parking lot, retail store with connected retail warehouse like manufacturing assembly facility, retail warehouse, service repair establishment, storage facility, transport terminal and warehouse and/or distribution center.

Councillor Tweel noted quality of life is probably the central theme for this particular community or any community for that matter. There is no doubt that Mel's in East Royalty is probably one of the busiest gas stations in the province, or Atlantic Canada. Councillor Tweel noted that it would be good for Mr. MacIsaac's business. However, Councillor Tweel felt that there is a conflict with the proposed rezoning. Although the Province is looking at a reasonable and realistic solution, more work has to be done. There has to be another option or an alternate solution to address these issues. More time is needed to explore and examine other possibilities. Councillor Tweel asked Mr. Aitken if the project was to proceed and traffic would increase dramatically on Angus Drive, what impact and effect would that have on residents living on Angus Drive. Mr. Aitken responded that the volume of traffic that is projected on that portion of Angus Drive based on previous counts and increased in traffic out to year 2021, would be 72 vehicles turning left at the

roundabout onto Angus Drive into Mel's during the morning peak hour. For vehicles leaving the property turning left would be about 71 vehicles in the morning peak hour. Some of those 71 exiting would continue to use the access points on St. Peters Road then use the roundabout to head east towards Souris. Some of those 71 might use the new access onto Angus Drive. It has a very similar distance from Mel's to Angus Drive to the roundabout than it is from Mel's out to St. Peters Road and out to the roundabout. The Province has projected that about half of those 71 vehicles in the morning that want to go east will use Angus Drive and the other half would use St. Peters Road.

Councillor Tweel noted that those are projections for 2021 and mentioned that the projections five (5), 10 or 15 years ahead were not looked at because there are plenty of opportunities for growth and development in that area. Mr. Aitken explained that that the Province and the City worked together in 2013 on a traffic study and concluded that in order to accommodate the substantial growth expected in East Royalty, controlled intersections, and in this case, roundabouts were the preferred option, in order to accommodate the growth. And in terms of where they were proposed to be located, these three (3) locations were chosen because it provides very good connection points to both the residents of the northern portion of East royalty as well as the southern portion and effectively should equally distribute the traffic amongst those three (3) roundabouts. The projections that were done back in 2013 looked out until 2033 or 2035 and it was determined that the roundabouts at those three (3) locations would accommodate the traffic up to those periods.

Councillor Tweel mentioned that the proposal talked about the roundabouts and safety but nothing was mentioned about safety and infrastructures for pedestrian traffic, and what would the increase in traffic on Angus Drive have on pedestrian safety. Mr. Yeo explained that they are constructing an 8-foot wide paved transportation trail all the way along the north side of the street. The crosswalks would be set back two to three (2-3) car lengths from the roundabouts to give pedestrians and vehicles enough sight lines. There will also be rapid flashing beacons when pedestrians want to cross. For the entrance going into Mel's, there will be a paved walkway for pedestrians going to Mel's. Sidewalks that would be further along Angus Drive would be something that the City would have to look into. If there is any opportunity for the Federal government to co-share these initiatives or projects, it would also be nice for the City to also look into those options.

Councillor Tweel asked if other options or alternatives were explored to avoid impacting Angus Drive or putting the roundabout along Angus Drive. Mr. Yeo responded that the increase in traffic along Angus Drive would be the first 100 meters. The intent of having a secondary access for Mel's is to reduce the number of vehicles that would have to use MacWilliams Road roundabout to turn back to get into Mel's. Also, the second access will also be safer for residents along Angus Drive and for vehicles wanting to get to Mel's. Mr. Yeo mentioned that he does not know how the business is going to expand in the future but he is aware that there will be other developments that will happen in that area. There will be new homes in the area which will cause traffic to increase. These roundabouts will help alleviate these traffic concerns. Mr. Aitken also added that there will be area lighting all along St. Peters Road and will be spaced at about 45 meters.

Councillor Tweel asked if the roundabout could proceed if the rezoning is not approved. Ms. Thompson responded that if the rezoning is not approved, the roundabout will still be constructed. However, the second access for Mel's will not be permitted. Residents would have to use the

roundabout along MacWilliams Road to turn back to get to Mel's. There will be more traffic filtering on St. Peters Road. But with having the second access, it takes some of the movement away from St. Peters Road for residents wanting to get to Mel's by turning into Angus Drive and turning right using the second access. It is alleviating those traffic movements and creating a safer situation where people don't have to go out into the highway to access that business.

Mayor Brown confirmed with Ms. Thompson that this application will be reviewed by Planning Board and Ms. Thompson confirmed. Mayor Brown mentioned that Councillor Duffy, Councillor McCabe, Councillor Jankov, Councillor Tweel and himself are members of the Planning Board.

Councillor Bernard asked what will happen to the existing sidewalks that currently exist along St. Peters Road. Mr. Yeo confirmed that the existing sidewalks will be torn down but will be also rebuilt at the proper grade. Councillor Bernard also asked if it will be sidewalks or paved pathways. Mr. Yeo explained that the existing sidewalks on the south side will be rebuilt. On the north side, a paved transportation trail for cyclists and foot traffic will replace the current sidewalks.

Mr. MacIsaac thanked the residents for sharing their thoughts and comments and added that if not because of the residents, Mel's would not be successful. Mr. MacIsaac stated, *"Trying to move traffic in a busy location is quite a little challenge and you compound that with the efforts of the government for the same reasons for moving traffic, it's all about safety."* Mr. MacIsaac also shared that there are a limited number of homes along Mel's side and that they own most of the properties. There are a few properties that will be purchased by the Province for the construction of the roundabouts. Mr. MacIsaac noted that contrary to some of the comments, he doesn't think that the second access will be more dangerous. He personally felt that it will be a safer option since most of the traffic that is going up on Angus Drive off the roundabout will either be going home or going into Mel's. It is about movement of traffic and doing it the right way. Mr. MacIsaac also stated, *"I think we've at least tried to demonstrate that we're a pretty good corporate citizen. We're trying to accommodate what the community would like to see and the services that they have supported. But at the end of the day, it's inevitable that changes have to be made."* Mr. MacIsaac further added that it is a growing community and the government acknowledges that. Changes have to be made and that is why the government is proposing this alternative to support and help continue to serve the community.

Mayor Brown thanked the applicants and representatives from the Province. He also thanked the residents for expressing their opinions and requested that any additional comments be sent to Planning's email at planning@charlottetown.ca before 12:00pm on Wednesday, March 24, 2021.

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

Deputy Mayor Coady joined via Webex for the next application.

5. 7-9 Pownal Street (PID #1105451)

This is a request to amend "Appendix C – Approved Site Specific Exemptions" as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw to exempt 7-9 Pownal Street (PID #1105451) from Section 34.2 of the Zoning and Development Bylaw from the required Permitted Land Uses at Grade on Walkable Streets; and create a new table "Appendix B – Approved Site Specific

Exemptions” for the Official Plan to exempt 7-9 Pownal Street (PID #1105451) from the designated permitted uses on a Walkable Street as per Section 4.2.3(2) of the Official Plan, in order to allow residential dwelling units and office spaces on the ground floor abutting a walkable street. Laurel Palmer Thompson, Planner II, presented the application.

The property owners of 102296 PEI Inc have made an application for a site-specific exemption from the requirement under Section. 34.2 Permitted uses at grade on walkable streets of the Zoning and Development by law. On Schedule B2 of the Official Plan and Map C - Walkable Streets of the Zoning and Development Bylaw, the portion of Pownal Street along with portions of other streets that run perpendicular and south of Water Street are designated as walkable streets. These walkable streets were to accommodate active ground floor uses that would activate the waterfront and create a must-see destination in this area of the city. The application will require an amendment to the Official Plan to exempt the property from Section 4.3.2 of the Official Plan. If approved, a new appendix to the Official Plan will be created to recognize properties that have been granted site-specific exemptions. The applicants have requested that a portion of the be exempted from the provisions of the Bylaw and the Official Plan. It is immediately adjacent to Pownal Street. The unit was initially intended to house commercial or tourism uses that animate the street and if approved, this site specific exemption would allow this multi-use building to incorporate residential and office uses on the ground floor. This would exempt them from the requirement to provide tourism related services, retail uses or a cultural establishment on the ground floor abutting Pownal Street. Spencer Campbell, applicant, presented more details for the application. Steve Dunn, co-applicant, and David Lopes, architect, were also at the meeting.

Mr. Campbell mentioned that together with Mr. Dunne, they have been working with staff on this project for some time and they are committed to working with the City to try to make the downtown even more vibrant and make Charlottetown a better place.

Currently, full renovation of the adjacent property at 24 Water Street and on-going construction of a four (4) storey building at 7-9 Pownal Street has been taken place. The building will have 14 units and underground parking. The project began in the summer of 2020 and is projected to be completed by summer 2021.

The area where the site specific exemption is being requested would be approximately 1600 sq. ft. of space on the ground floor of the building. It was originally intended for commercial uses. Under the Bylaw and the Official Plan, Pownal Street is designated as a walkable street. Once a property has been designated as part of a walkable street, the things that you can do on that walkable street are more restrictive than what the usual Waterfront zone would generally permit. Currently, the property would permit the following: eating and drinking establishments, which could be a bar or a restaurant; tourism related services which by their nature, would tend to be primarily seasonal; retail store or a cultural establishment. Under the walkable street provisions of the bylaws, those are the only things that would be allowed in that space. Mr. Campbell was requesting that they be exempted from those uses and allow them to use the space for either residential or office use. Mr. Campbell also shared that based on discussions with his partners, they felt that an office use would be the best use for this space.

Mr. Campbell highlighted the reasons for their request for exemption. The subject property is located further away from other retail uses. It is in an area that is primarily residential to the west and bordered on the east by the Courthouse and other smaller commercial office spaces. There

are also limited parking spaces despite having underground parking and other offsite parking. There is not enough parking to accommodate or support a successful retail use. Mr. Campbell also does not prefer the idea of putting a bar or a restaurant and felt that other residents in the building would also not prefer that use on the main level. There could be noise and other issues.

Mr. Campbell noted that the Covid-19 pandemic has been a big factor as well, especially on the vacancy rates for retail businesses in Charlottetown and hoped that this is only temporary. Mr. Campbell felt that it is not economically viable to put a retail store at this time and that an office space would be a better use of the facility. Mr. Campbell shared that they received letters of support from several adjacent property owners and from Downtown Charlottetown Inc. Mr. Campbell stated that, *"We're very excited about the property. We take a lot of pride in the property. We put a lot of work into it. We want it to be the very nice and successful property and so we're looking for support to make this change and make it more viable. Thank you."*

John Rankin, resident, mentioned that the development on the corner is a very significant change to Water Street. He mentioned that the oil tanks disappeared, then they got a park and now they are getting substantial housing. Mr. Rankin felt that the request did not make any sense because it referred to exemptions to the property on 7-9 Pownal Street and believed that the property was on Water Street. Mr. Rankin also stated that it is the only "walkable street" that doesn't have any sidewalks anymore because the development has taken away the sidewalk. Mr. Rankin doesn't think that there is enough room to walk down that street without narrowing the existing street. The yacht club is located in the area where 50-60 ft trailers haul boats in and out of the area. Mr. Rankin then asked how a walkable street be affected by this proposed site specific exemption on a building that is already built except for the interior structure.

David Lopes, engineer, noted that Mr. Rankin made a good point in terms of the sidewalk and acknowledged that it is a busy street. However, Mr. Lopes explained that the site specific request would most likely support Mr. Rankin's comments since the area does not seem to fit the objective of the walkable streets having those boats and trailers driving in and out of the area. Mr. Lopes stated that, *"It is not necessarily about what the pedestrians do. The idea behind the Official Plan is that, that space is supposed to be a space that people are going to be drawn into."* Mr. Lopes felt that a retail store or bar and restaurant in that area will not be successful or desirable.

Mr. Rankin mentioned that the sidewalks have been removed and is no longer a walkable street. He also asked how they got a permit to construct the building and garage right up to the street. Even though the building will be very attractive and desirable for people, Mr. Rankin indicated that they are requesting for an exemption without a specific use in mind and could eventually put in any type of use in the building. Mr. Lopes explained that the sidewalks cannot be seen at this time because of the construction but the sidewalk is there and will remain there once building is constructed. Also, Mr. Lopes explained that their request was to exempt 1600 sq. ft. of ground space for either residential or office use. It was also determined that it will be converted into offices that could be rented out as a law office or real estate office.

Mr. Rankin commented that the building would be four (4) storeys high and observed that the first floor has a ceiling height of 12 ft and he felt that it was planned for commercial operations before planning to use it for residential. Mr. Lopes explained that when they signed the development agreement with the City, they agreed to meet the bylaw requirements for permitted uses for walkable streets which could be eating and drinking establishments, retail store, seasonal

tourism space or cultural establishment. However, because of the high vacancy rates for commercial uses, the exemption request is to allow us to use it for office space instead of these more intensive commercial uses. Mr. Campbell also shared that they have another property on Water Street where their residential units also have a 12-ft ceiling. Mr. Lopes clarified that the building will not extend up to the sidewalk. The sidewalks will remain and in addition, there will be a barrier-free ramp to allow access to the units and landscaped area. Mr. Lopes also mentioned that what Mr. Rankin referred to as a park was not a park but was a parking lot. The trees and greenspaces on the east side of the sidewalk will remain. Mayor Brown thanked Mr. Rankin for clarifying his concerns on the sidewalk and Mr. Lopes for explaining that the sidewalks and landscaped areas will remain.

Councillor Tweel congratulated the developers and mentioned that this project is a significant and huge investment for downtown Charlottetown.

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

6. Adjournment of Public Session

Meeting adjourned at 8:45 p.m.

PLANNING AND HERITAGE COMMITTEE – DESIGN REVIEW BOARD MINUTES
MONDAY, MARCH 22, 2021 12:00 P.M.
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL, 199 QUEEN STREET
Live Streaming: www.charlottetown.ca/video

<u>Present:</u>	Mayor Philip Brown Councillor Mike Duffy, Chair Councillor Alanna Jankov Councillor Julie McCabe, Vice-Chair* <i>*participated via teleconference</i>	Greg Munn, RM Sharon Larter, RM Kris Fournier, RM Kenneth McInnis, RM
<u>Also:</u>	Alex Forbes, PHM Laurel Palmer Thompson, PII	Ellen Faye Catane, IO/AA
<u>Regrets:</u>	Councillor Mitchell Tweel	Brian Gillis, RM

As the City continues to follow physical distancing protocols set out by PEI Public Health, the maximum seating for the public was limited to eight (8) at the Parkdale Room. Upon arrival, individuals were required to provide information for contact tracing purposes.

1. Call to Order

Councillor Duffy called the meeting to order at 12:04 pm.

2. Declaration of Conflicts

Councillor Duffy asked if there are any conflicts and there being none, moved to the approval of the agenda. Prior to the meeting, Brian Gillis sent an email declaring conflict of interest to this application.

3. Approval of Agenda

Moved by Ken McInnis, RM, and seconded by Kris Fournier, RM, that the agenda for Monday, March 22, 2021, be approved.

CARRIED

4. Adoption of Minutes

Moved by Ken McInnis, RM, and seconded by Greg Munn, RM, that the minutes of the Monday, March 01, 2021 meeting, be approved.

CARRIED

5. Business arising from Minutes

Mayor Philip Brown followed up with Mr. Forbes on timeline for the Fitzroy Parkade façade development. Mr. Forbes explained that the application has gone through the necessary committee reviews and approvals have already been granted. The design review has been completed as well. The reason why this is currently pending is more on the required expenditure and budget approvals. Mayor Brown asked if the approval goes through Public Works and Councillor Duffy thought it would go through Public Works. Mr. Forbes added that this is a CADC project that they oversee on the City's behalf and is not certain about the other committee approvals or when it will get funded.

6. 199 Grafton Street (PID #342790)

This is a request to review the request for the proposed development on 199 Grafton Street (PID #342790). Laurel Palmer Thompson, Planner II, presented the application.

This is a proposal for a six (6) storey, multi-residential building consisting of four (4) storeys of apartments on top of a two (2) storey parking garage at grade, with four (4) additional units and a lobby at ground level. There is also one (1) level of underground parking. The proposal also includes a Bonus Height Application and the applicant has indicated in their submission that the project is to be affordable housing. These components of the application will be deferred to Planning Board and the City's Affordable Housing Incentive Program for review and approvals. The current request is to approve the design proposal.

Section 7.1 of the Zoning and Development By-law requires new buildings within the 500 Lot Area to undergo Design Review process. This is to ensure that the architectural design of buildings within the 500 Lot Area maintains a higher quality of design and is constructed with a consistent type and quality of materials which compliments the surrounding buildings in the area.

The applicant's submission was sent to an independent design reviewer, Peter Fellows, to perform a design analysis. On March 19, 2021 Mr. Fellows submitted his formal review to the City and identified the following main points in his review: 1) This particular parcel of land is unique because of its irregular shape. For example, the lot has characteristics of a corner lot, an interior lot and through lot; 2) For review purposes he considered this as a through lot; 3) The massing is well done with its use of inset balconies and a modern cornice look topping the structure. Mr. Fellows had two areas of concern with the facades on Clark Street. He recommended that it would look better and desirable if it had the brick as that on Prince Street. Also, he thought that the end at Hillsborough Street, although it does not look unpleasant, it should also have the same framing done in brick with metal panel inserts for a softer look.

In the design review report, the design reviewer indicated that several variances are required in order to obtain building permit approval. Staff will review the design reviewer's recommendations pertaining to the required variances and will forward a detailed report to Planning Board following public notification of the requested variances. In terms of parking, there are 88 existing spaces on the Polyclinic building. These parking spaces will be removed and will be replaced within the new building.

Staff agrees with the design reviewer that the subject property is unique because it is bounded by four (4) streets. From staff's point of view, the primary consideration of this application is whether the requested variances will negatively impact the adjacent properties in this area. Ms. Thompson identified these properties as the smaller apartment building on Prince Street and on Hillsborough Street.

The Design Review Board should consider massing in relation to these buildings. Staff are most concerned with the proximity of the proposed building to the smaller existing apartment buildings and it is difficult to tell how close the proposed building will be located to the smaller apartment

building on Prince Street. A survey plan was provided but it does not indicate the actual setback to the adjacent buildings. A more detailed survey plan with the setback requirements will be required to determine and assess the necessary variances.

The next most significant variance is the location of the proposed parking structure to the residential building located at 129-131 Hillsborough Street. Again, this will be assessed by Planning Board.

Staff are less concerned with regard to the variances required for the building adjacent to the Clark Street laneway. Staff will be reviewing what the impact of this proximity will have on adjacent properties along Clark Street. Staff is working with the Manager of Public Works to ensure that Clark Street is not compromised by encroachment while still ensuring the proposed building can be constructed and will not affect other operations such as snow removal. The existing power lines along Clark Street will need to be relocated at the property owner's expense. The Board should also consider if there will be any impacts on property owners to the north located on Kent St.

The Design Reviewer has indicated that the exit to the parking structure on Prince Street effectively provides a step back of this building. Staff would request that the Design Review Board pay particular attention to this street frontage to determine whether they agree with the design reviewer's assessment. Staff are less concerned about the step backs on the north and south elevation of the building. The more significant streetscapes on this project are both Prince and Hillsborough Streets.

The applicant is also required to provide 10% landscaping on site. The Design Reviewer did not comment on landscaping in his report. Staff will ensure that the application meets the landscape requirement before proceeding to Planning Board. According to staff's calculation, there is sufficient parking within the proposed building. Therefore, staff would like to understand why there are eight (8) parking spaces left on the corner of Prince Street and Grafton Street. Staff felt that it is a prominent corner in the downtown area and the location of the parking does not enhance the overall aesthetic and urban design of the corner. Staff would encourage the Design Review Board to focus in on this area and provide any suggestions about what urban design or landscaping features would enhance this prominent corner. It is not being recommended that the whole portion be given to the city or used for landscaping, but a portion of it should be used to enhance the streetscape on that corner.

Staff will also follow up with the Public Works Manager to determine whether the access to the proposed parking is too close to the abutting intersection on Grafton Street and Prince Street. Staff are suggesting that mitigative measures be put in place to notify pedestrians when vehicles are entering and exiting the building on Hillsborough or Prince Street. Staff is suggesting that a type of alarm be installed when vehicles enter or exit the building.

When the application goes to public hearing, staff and Council will hear from the adjoining property owners, as well as the residents to the north who back onto Clark Street. It would be helpful to staff if the Design Review Boards could indicate if they feel the proposed building can be constructed generally as presented. If the Design Review Board has concerns with regard to the requested variances, these concerns should be identified during the design review process so that

the application does not move to Planning Board and variances are denied. This situation would only extend the length of the approval process. If there is anything that the design review board feels that needs to be adjusted, it would be recommended that it be discussed and determined at this meeting. The intent of the Design Review Board is to assess not only the design elements of this project, but factor in the requested variances to determine if design changes can mitigate the impact of the proposed variances.

Staff is prepared to support this proposal subject to the Design Reviewer's recommendation to integrate the brick on the Prince Street and Hillsborough facades that were referenced earlier. As noted by the Design Reviewer, the Clark Street façade should continue as is with the lower two (2) floors open but the structure would look better and be more durable if finished in the same brick as on Prince Street while leaving the railings and cars visible to the viewer. Also, the end at Hillsborough should have the framing done in brick with metal panel inserts for a softer look. Staff would welcome any suggestions that the Design Review Board would offer with regard to the surface parking treatment as well as the step back treatment on Prince Street.

Staff are generally in support of the application and feel that some small adjustments as outlined in the report could certainly contribute to the overall design of the building and the streetscape. Staff is recommending that the Design Review Board approve the proposed building façade designs and site plan for the six (6) storey, 84-unit building consisting of affordable housing as per the Design Reviewer's and staff's recommendations.

Mayor Brown asked if there will be entrances and exits will be on Prince Street and Hillsborough Street. Greg Munn, RM, confirmed and added that both are two-way accesses.

Mr. Munn indicated that six (6) storeys would be permitted and asked if the height variance be more than 10%. Ms. Thompson responded that for the six (6) storey building with the bonus height included, there will be about six (6) plus foot variance, or a variance to four (4) storeys if bonus height cannot be justified requires a four (4) plus foot variance. Alex Forbes, PHM, added that because there are several variances involved in the application, this will be considered as a site-specific exemption process to look at the request as a whole instead of dealing with individual variances. Mr. Forbes explained that the site-specific exemption will be a more robust process, which will also require a public meeting to allow people to participate and provide their inputs on the proposed development.

Mr. Munn asked if there was a specific for the roof deck (as per plan) and asked if this would be considered as green space or just roof line. Mr. Forbes noted that the applicant may be able to provide more details of the proposed design.

Mayor Brown asked if the variances have been determined and Ms. Thompson responded that it is summarized in the report. Mr. Forbes mentioned that it is summarized on page 4 of the report. Ms. Thompson also presented the elevations of the proposed building. Mr. Forbes explained that this development requires several review processes and design review would only be one (1) of the many approvals. The other aspects such as the variances would be determined by Planning Board. Mr. Forbes indicated that what staff would like to determine in this application is if the

board felt that the design could be improved by not allowing any of the variances before it is reviewed by Planning Board.

Mayor Brown felt that the requests are minor variances and Mr. Forbes agreed and mentioned that in the report summary, it indicated that the Zoning Bylaw can be rigid with regard to how to determine site parameters, and the Design Review Board needs to be mindful of the requested variances to ensure that it does not negatively affect the neighbouring properties.

Mr. Munn commented that the board needs to review the application to ensure that if the variances were approved, the building will work and be harmonious with the area. Mr. Forbes agreed and indicated that the end goal is to approve a proposal that works not just for the applicant but also for the residents in the area and the City as a whole.

Councillor Duffy commented that the variances are strongly related to the proposed design and Mr. Forbes agreed. The variances are required because the proposal does not meet the current bylaw requirements, but the variances are minor in nature but would still have to go through the necessary processes for approval.

Mayor Brown shared that a huge apartment building used to exist where the current parking lot is located. There are also huge apartment buildings along Clark Street. Mayor Brown added that it is the building's design that continue to keep the integrity of Clark Street. Mayor Brown felt that the proposed building will complement the area. Mayor Brown asked if all 84 units will be affordable units. Ms. Thompson responded that the applicant has indicated that all units will be affordable units, but the applicant can confirm that as well.

Council Jankov clarified that the design review board's responsibility is to review and make a recommendation to either accept the design or not. Councillor Duffy confirmed.

Sharon Larter, RM, asked if the removal of the eight (8) parking spaces would be part of the recommendation. Ms. Thompson responded that staff felt that the corner would be better not to have eight (8) parking spaces and instead, have either greenspace or any urban design component on the corner. Ms. Thompson shared an example of urban design integration at the corner of Euston Street and University Ave where landscaping, stone pavers, benches, etc. were incorporated. Ms. Thompson also added that staff needs to work with Public Works to review and determine if the existing access to the parking lot at the corner meets the requirements for driveway access. Mayor Brown asked if there is an existing driveway access and Ms. Thompson responded that it will be a new access. Councillor Duffy mentioned that the parking lot is currently being used by staff of the Polyclinic.

Ken MacInnis, RM, what is the status of the building adjacent to the proposed building. Mayor Brown responded that the building is currently under renovation, but Ms. Thompson indicated that the property is already occupied and is used as an apartment building.

Tim Banks and Cain Arsenault, developers, were at the meeting to provide additional information and answer questions. Mr. Banks indicated that they reviewed Mr. Fellow's report and they agree with the recommendations to have brick on the side of Clark Street and Hillsborough Street. For

the three (3) ft setback, they are looking at two (2) feet. Mr. Banks also noted that they have parking stalls that are in 20 ft deep. In order to make the public parking garage work, they are requesting variances to modify the building footprint. With respect to the slope of the driving lanes, Mr. Banks confirmed that it meets the National Building Code and Fire Code. For the parking spaces on the corner lot, they plan to clean up the lot and incorporate landscaping to make it more aesthetically pleasing. Mr. Banks noted that the developer, Morris Holdings, intend to further develop the property. There are no official plans at the moment, but Mr. Banks mentioned that they will continue to improve the streetscape of Grafton Street.

Mr. Banks also shared that they renegotiated with Lawton's Pharmacy, redeveloped the third floor and leased the second floor and a portion of the lower level of the Polyclinic building with Health PEI and CBI respectively.

Mr. Banks indicated that they have no issues with the comments from the design reviewer and they are looking to be able to proceed to a public meeting in order to move ahead with all the other required processes and approvals.

Mr. Banks commented that out of the 84 units, they are looking at 60 affordable units and the 24 market units. Mr. Banks is also looking at potentially getting 66 affordable units but at this time and depending on the financial aspect of the project, he guaranteed 60 affordable units as part of their development agreement. Mr. Banks also added that this development will have more affordable units than other developments in the province.

Mayor Brown asked if Mr. Banks will be using CMHC's formula and Mr. Banks confirmed that they will be using the Flex Program and that they will be entering into an agreement with CMHC.

Greg Munn, RM, asked why the building design did not extend all the way to Hillsborough Street or will there be a garden deck in that area. Mr. Banks responded that they intend to use that area as greenspace and area for tenants. They are also looking at putting solar panels on the entire roof. Mr. Arsenault also added that proposed design would allow them to keep natural lighting for the existing building. Mr. Banks also noted that they initially planned for 100 units but decided to reduce to 84 units to provide enough green space and natural lighting.

Mayor Brown asked what the value of the project would be and Mr. Banks responded that it would be around \$21 million.

Mayor Brown also commented that there are no existing accesses on the corner of Grafton and Prince Street at the moment and that the development is proposing to create an access. Mr. Arsenault explained that there is an existing access to the private physician parking lots and that access will remain off Grafton Street. However, Mr. Arsenault confirmed that there is no access on Prince Street at the moment. Mr. Banks also added that they will enhance that space and add additional landscaping on the corner.

Mr. Banks indicated that if the building is moved closer to Clark Street, they could add more landscaping along the area and also easier for them to deal with Maritime Electric issues. Maritime Electric doesn't have an easement on their property at the moment. Mr. Banks added that they will

be working with Maritime Electric at the developer's cost to address this issue. Councillor Jankov asked if the power lines will be buried underground and Mr. Banks confirmed. Councillor Jankov felt that it would be a big improvement for the area. Mayor Brown indicated that this will be a great project for the downtown area.

Mr. Forbes clarified that the resolution that would come from the design review board is to direct staff to follow up pending items to complete the process. This does not require a recommendation to Council. A resolution from this board only goes to Council if the board disagrees with the design review or staff's recommendation. After this Board makes a recommendation, staff will work on the other aspects of the application and will then go to Planning Board and Council for a recommendation to proceed to public consultation.

Mayor Brown asked what is the timeline for this project. Mr. Forbes responded that this the design review is approved, staff will work on gathering additional information and make a recommendation for Planning Board and Council for public meeting. Mr. Forbes is hoping that this could be reviewed in April. Once this is approved to go to a public meeting, staff will ensure that all information is ready when it is scheduled for public meeting.

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

Moved by Mayor Philip Brown and seconded by Greg Munn, RM, that the proposed site and building façade plans for the proposed six (6) storey, 84-unit apartment building with parking located within and under the building located at 199 Grafton Street (PID #342790) as per the Design Reviewer and Staff's recommendation, be approved. Furthermore, the Design Review Board's recommendation will be forwarded to the Planning Board outlining their assessment of the variances and design recommended by the Design Review Board.

**CARRIED
(7-0)**

7. New Business

There was no new business.

8. Adjournment

Moved by Ken MacInnis, RM, and seconded by Greg Munn, RM, that the meeting be adjourned. The meeting was adjourned at 12:45 p.m.

Councillor Duffy, Chair

TITLE: LOT FRONTAGE VARIANCE FILE: PLAN-2021-06-APRIL-6A-1 25 POWNAL STREET (PID 335588) APPLICANT: HEATHER MOYSE		 CHARLOTTETOWN
MEETING DATE: April 6, 2021		Page 1 of 15
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. 1) Survey 2) Ground Floor Plan C. Letters of Support D. 1) Rezoning Application Background 2) Heritage Board Background E. Site Photo (taken March 30, 2021)	
SITE INFORMATION: Context: Located within 500 Lot Area at the southwest corner of Pownal Street and King Street intersection Ward No: 1 – Queen Square Existing Land Use: Four (4) residential dwelling units and a vacant former commercial space on ground floor Official Plan: Downtown Neighbourhood Zoning: Downtown Neighbourhood (DN)		
PREVIOUS APPLICATIONS: PLAN-2019-4-JUNE (See Attachment 'D1')		

RECOMMENDATION:

The Planning and Heritage Department encourages Planning Board to recommend that Council *approve* the request for one (1) major variance to reduce the minimum required lot frontage from 65.6 feet to no less than 40.0 feet in order to permit the conversion of a vacant former commercial space on the ground floor to a residential dwelling unit, resulting in a total of five (5) dwelling units subject to the following conditions:

- 1) All required work/ upgrades associated with the new ground floor dwelling unit are completed in accordance with the requirements of the Building & Development Permit approval;
- 2) A survey showing proposed building alterations (including exterior) is submitted to the satisfaction of the Planning and Heritage and Public Works Departments prior to Building & Development Permit approval;
- 3) Should any building alterations extend beyond the property limits into the public right-of-way, the owner is required to enter into an encroachment agreement with the City of Charlottetown prior to Building & Development Permit approval; and
- 4) Existing asphalt parking located within the public right-of-way between the subject property's east limit and the Pownal Street public sidewalk is removed and replaced with topsoil and sodding at the owner's expense prior to Occupancy Permit approval.

BACKGROUND:***Request***

The property owner, Heather Moyse, is proposing to convert a vacant former commercial space on the ground floor of the existing building to a residential dwelling unit, resulting in a total of five (5) dwelling units on the subject property. As per Attachment 'B2,' no changes to the existing building footprint are proposed. While the Downtown Neighbourhood (DN) Zone permits apartment dwelling uses, the subject property is deficient in lot frontage relative to the DN Zone requirements for apartment dwellings with four (4) units or more (Regulation 29.2.1). Accordingly, the following variance is required:

- Reduce the minimum lot frontage requirement of 65.6 feet to 40.0 feet

Pursuant to Section 3.9 (Major Variances) of the Zoning and Development By-law, the lot frontage variance request is categorized as major in nature, therefore Planning Board must consider it and make a recommendation to Council. Council may approve or reject the lot frontage variance request.

Property History

As per Attachments 'A' and 'B1', the subject property is located at the southwest corner of Pownal Street and King Street. The existing building footprint occupies most of the subject property. Although the subject property is not a designated Heritage Resource, it is located within the 500 Lot Area. As per Attachment 'E' asphalt parking currently exists within the public right-of-way located between the subject property's east limit and the Pownal Street public sidewalk and appears to be used to serve the existing building. It is the understanding of the Public Works Department that the asphalt paving was introduced by a former property owner without appropriate approvals from the City of Charlottetown.

The City of Charlottetown Zoning & Development By-law was amended on September 11, 2013 to include a new boundary for the 500 Lot Area. As part of the amendment process, the subject property and surrounding area was rezoned from Business Office Commercial (C-1) to Downtown Neighbourhood (DN). Only a limited number of non-residential uses are permitted in the DN Zone including convenience stores, cultural establishments, recreation or fitness centers and institutional uses.

A Building Permit was issued on February 28, 2014 for a bakery shop (Yummy Naan) on the ground floor of the existing building. Although a bakery shop conforms with the permitted uses of the former C-1 Zone, it was a legally non-conforming use within the DN Zone.

Our records indicate that the bakery shop was closed in August 2018 and remained vacant for over six (6) months. As per Section 5.5.3 of the Zoning & Development By-law, *"a non-conforming use of land or building shall not be permitted to resume if it has been discontinued for a period of six (6) consecutive months, and in such event the land or Building shall not thereafter be used except in conformity with this by-law."*

The owner submitted an application to redesignate the property to Downtown Mixed-Use Neighbourhood in the Official Plan and rezone the property to Downtown Mixed-Use Neighbourhood (DMUN) in order to permit a wider range of non-residential uses on the subject property, including retail stores, as well as eating and drinking establishments. As per Attachment 'D1' to this report, on June 10, 2019 City Council passed a resolution to refuse the application, indicating that any proposal for commercial uses on the ground floor would be better dealt with on a case-by-case basis through the variance approval process.

As per Attachment 'D2,' on September 25, 2018 Heritage Board approved an application for exterior alterations to the existing building on the subject property, provided that final details are reviewed by the Planning and Heritage Department. The meeting minutes note that the owner will be required to submit a survey plan showing proposed building alternations and any alterations extending beyond the property limits into the public right-of-way will require an encroachment agreement. The Planning and Heritage Department has yet to receive a Building & Development Permit application or an encroachment agreement for the exterior alterations.

Neighbourhood Context

All adjacent properties are zoned Downtown Neighbourhood (DN). According to Provincial Tax Assessment and City of Charlottetown GIS data, immediately adjacent properties currently contain a mix of low to medium density residential dwellings (apart from 37 – 39 Pownal Street) and may be characterized as follows.

- 17 Pownal Street (to the south): designated Heritage Resource containing 1 dwelling unit;
- 23 Water Street (to the west): 1 dwelling unit;
- 25 – 31 King Street (to the north): 4 dwelling units;
- 37 – 39 Pownal Street (to the north): auto-repair shop;
- 28 – 30 Pownal Street (to the northeast): designated Heritage Resource containing 10 dwelling units;
- 24 Pownal Street (to the east): 3 dwelling units; and
- 22 Pownal Street (to the east): 3 dwelling units.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9.3 of the Zoning and Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of properties located within 100 metres (328.1 ft) of the subject property soliciting their written comments for or against the proposed variances. The deadline to submit written comments on the variance application was April 1, 2021.

Public Feedback

As per Attachment 'C,' the Planning and Heritage Department received one (1) letter of support through the public notification process at the time of the writing of this report.

ANALYSIS:**Official Plan**

The proposed conversion would be categorized as compact urban form and would maximize the use of existing underground services near a centre of employment with the subject property located within the 500 Lot Area. Accordingly, the following Official Plan objective and policy 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 3.3.1 - 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.*

In accordance with the below objective and policies of the Official Plan, the proposed conversion will result in a moderately higher intensity use of the lot that would be harmonious with the existing mix of low to medium density residential buildings on surrounding lots. Further, the proposed conversion will not involve additions to the existing building footprint. As a result, it will not adversely affect adjacent low-density housing.

*Section 3.1.2 - Our **policy** shall be to allow moderately higher densities in neighbourhoods ... and to make provision for multiple-family dwellings in the downtown core... 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.*

There is currently a demand for dwelling units in the City of Charlottetown and the proposed conversion would help to help to satisfy this demand in accordance with the following Official Plan policy:

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

Further, the proposed conversion would be categorized as a medium-intensity form of infill development. As per the following policy, 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.*

In light of the foregoing, it is the opinion of Planning and Heritage Department that the proposed conversion is appropriately supported by the policies and objectives of the City of Charlottetown Official Plan.

Zoning and Development By-law

Apartment dwellings are a permitted use in the Downtown Neighbourhood (DN) Zone. As summarized in the table below, the proposed lot frontage is deficient by approximately 25.6 feet relative to Section 29 (DN Zone) regulations for apartment dwellings with four (4) units or more.

DN Zone Regulation 4 + Apartment Dwelling Units		Proposed
Lot Frontage	min 65.6ft	40ft

Notwithstanding the lot frontage deficiency, Zoning By-law Regulation 6.2.1 (Undersized Lots) states that:

No Person who owns a Lot held in separate Ownership from adjoining parcels on the effective date of this By-law, having less than the minimum frontage or area required by this By-law, shall be deprived of the ability to make reasonable Use of said Lot in accordance with the zone in which it is located.

Given the existing mix of low to medium density residential dwellings on immediately surrounding lots, the proposed maintenance of the existing building footprint and the supporting policies of the Official Plan, it is the opinion of the Planning and Heritage Department that the proposed conversion represents reasonable use of the lot in accordance with Regulation 6.2.1 of the Zoning and Development By-law.

Should the variance request be approved, all work and upgrades associated with the new ground floor dwelling unit will be subject to the Building and Development Permit and Occupancy Permit approval process.

Parking

Zoning and Development By-law Regulation 44.2.1b (Parking in the 500 Lot Area) states that:

Renovations, alterations, changes in use or intensification of use, which do not result in an increase in the Gross Floor Area of more than 390.2 sq m (4,200 sq ft) of a Building, shall not require any additional parking, but the number of spaces which existed prior to the renovations, alterations, changes in use or intensification of use shall not be diminished.

In accordance with the above regulation, no changes to the existing building footprint are proposed, therefore no additional parking is required. In addition, no parking spaces currently exist on the subject property, therefore the proposed intensification will not diminish existing parking as per the above regulation.

It is further noted that cash-in-lieu of parking is also not applied to changes in use or renovations as per Regulation 44.2.2 (Parking in the 500 Lot Area).

Public Right-of-Way

As per Attachment 'B1' and 'E', asphalt parking currently exists within the public right-of-way between the subject property's east limit and the public sidewalk. The Public Works Department has reviewed the variance request and agreed to enter into an encroachment agreement with the owner, allowing for the placement of porches, decks and/or staircase structures associated with the subject property in the public right-of-way provided that:

- Existing asphalt parking is removed and replaced with topsoil and sodding at the owner's expense; and
- A survey and dimensioned drawing material showing proposed building alterations (including exterior) is completed to the satisfaction of Planning and Heritage and Public Works Departments.

It is the opinion of the Public Works Department that the retention of these parking spaces within the abutting public right-of-way would result in safety concerns due to proximity to the King Street and Pownal Street intersection, as well as the absence of sufficient maneuvering area for vehicles entering and exiting these spaces. Based on the Planning and Heritage Department's estimate using QGIS software, the existing asphalt parking also does not meet the minimum parking space length dimension (18ft) required by Regulation 44.1.1 of the Zoning and Development By-law with an approximate 1.8ft deficiency. It is the understanding of the Public Works Department that the asphalt paving was introduced in the abutting public right-of-way by a former owner of the subject property without appropriate approvals granted by the City of Charlottetown.

The table below summarizes of the positive and neutral attributes, and shortcomings of the variance request:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> • Appropriately supported by the policies and objectives of the City of Charlottetown Official Plan • Provides additional housing in a centre of employment (500 Lot Area) • Additional apartment unit will make efficient use of existing infrastructure • No addition to the existing building footprint proposed, therefore no adverse impact on surrounding neighbourhood character. • Apartment dwelling is harmonious with the existing low to medium density residential character of the surrounding neighbourhood • Compliant with Zoning By-law parking requirements for 500 Lot Area • Should the variance be approved, associated renovations will be subject to Building and Development permit approval process 	<ul style="list-style-type: none"> • Public Works Dept. willing to enter into encroachment agreement with owner allowing for porch/ deck/ staircase structures in abutting public right-of-way provided that asphalt parking is removed and replaced with topsoil/ sodding at owner's expense and appropriate drawing material is submitted. 	<ul style="list-style-type: none"> • The property does not have the minimum lot frontage required for 4+ unit apartment dwelling in DN Zone • Safety concerns associated with retention of existing asphalt parking within public right-of-way between the subject property's east limit and Pownal Street public sidewalk

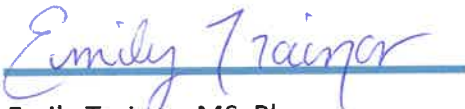
CONCLUSION:

In light of the foregoing, the Planning and Heritage Department recommends that the proposed lot frontage variance be approved subject to the following conditions:


- 1) All required work/ upgrades associated with the new ground floor dwelling unit are completed in accordance with the requirements of the Building & Development Permit;
- 2) A survey showing proposed building alterations (including exterior) is submitted to the satisfaction of the Planning and Heritage and Public Works Departments prior to Building & Development Permit approval;
- 3) Should any building alterations extend beyond the property limits into the public right-of-way, the owner is required to enter into an encroachment agreement with the City of Charlottetown prior to Building & Development Permit approval; and

- 4) Existing asphalt parking within the public right-of-way located between the subject property's east limit and the Pownal Street public sidewalk is removed and replaced with topsoil and sodding at the owner's expense prior to Occupancy Permit approval.

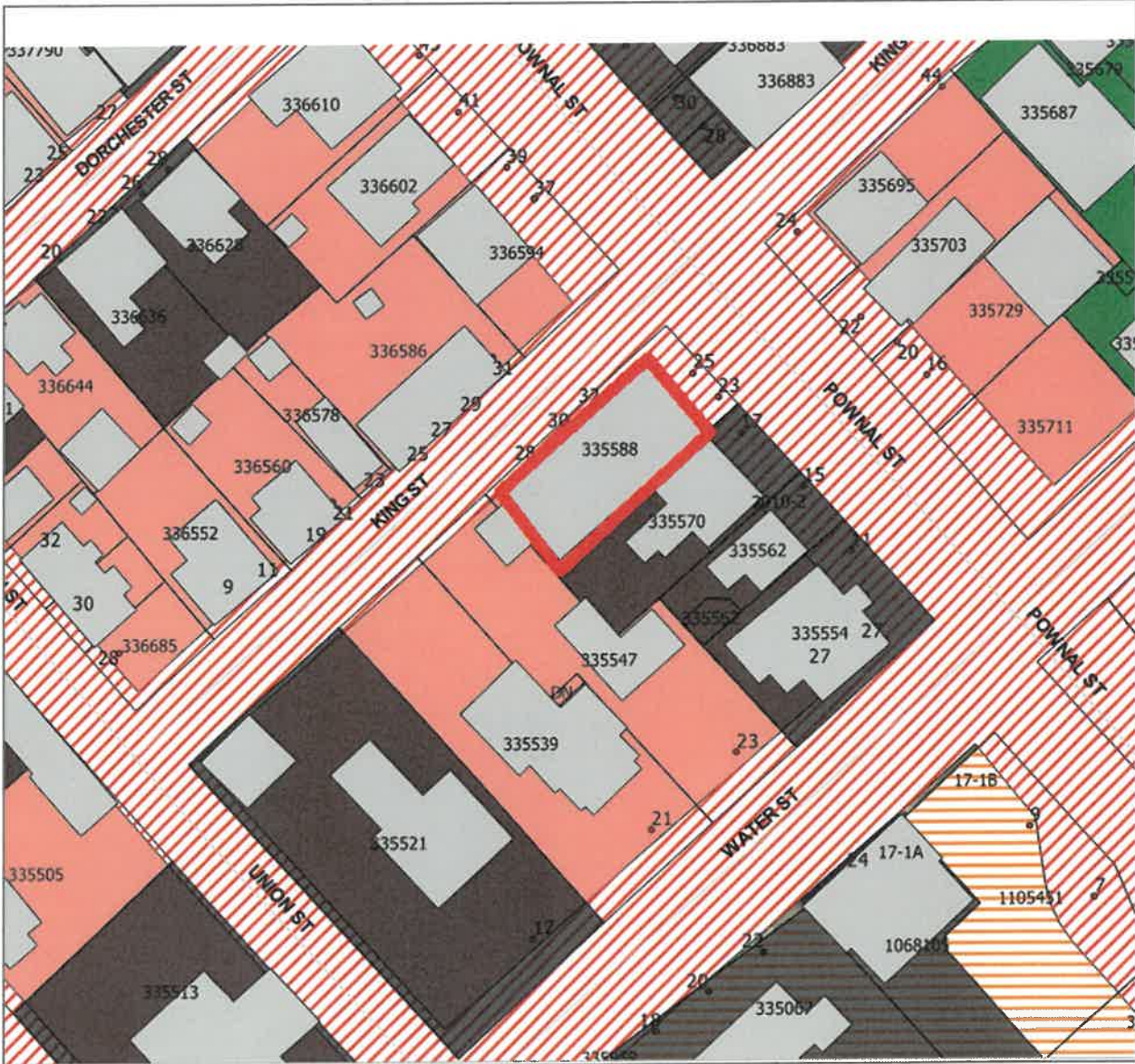
PRESENTER:


Emily Trainor, MScPl
Planner I

MANAGER:


Alex Forbes, FCIP, MCIP, MBA
Manager of Planning & Heritage

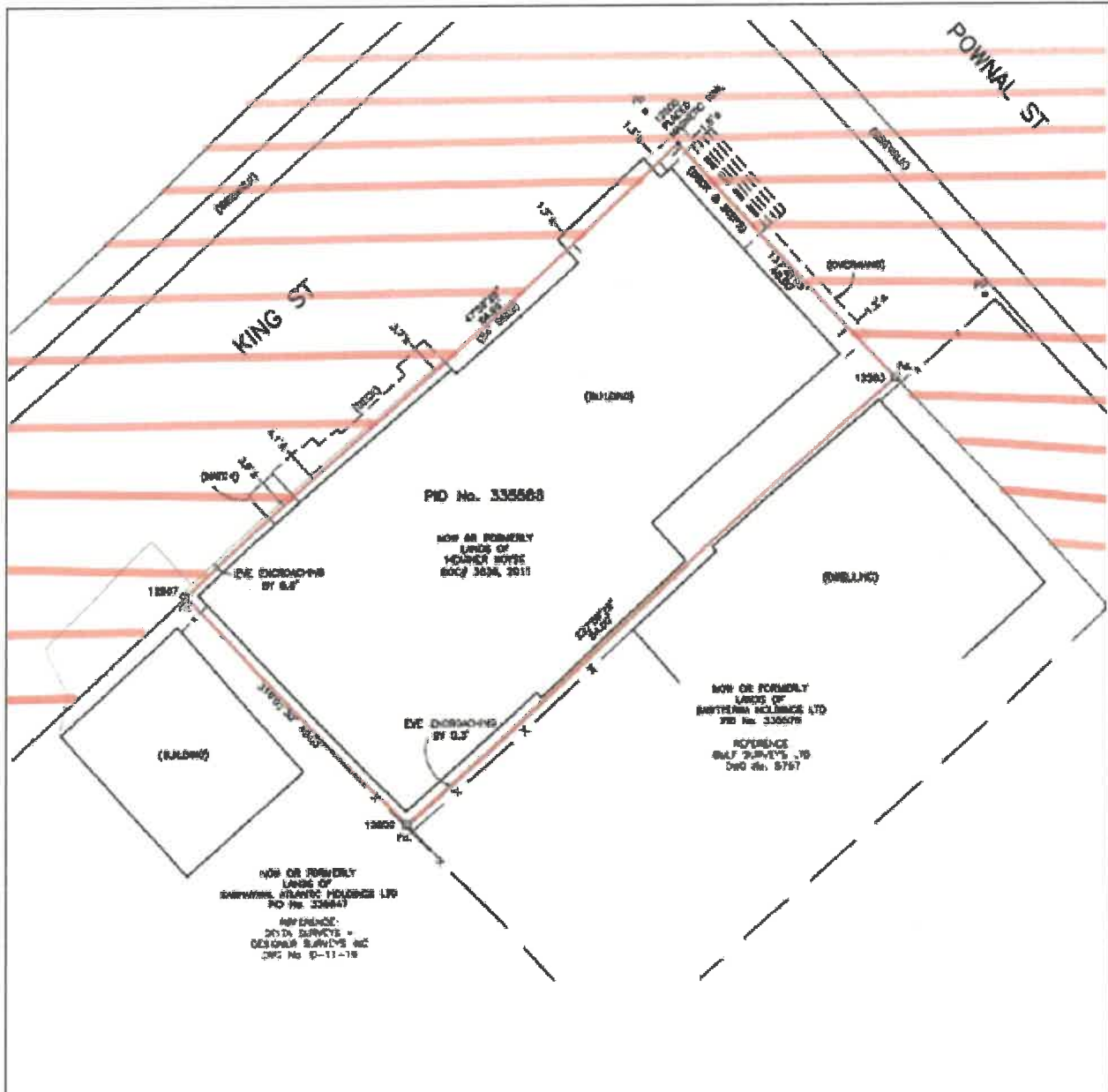
Attachment A



Attachment A: GIS Map
File: PLAN-2021-06-APRIL-6A-1
25 POWNAL STREET (PID 335588)
Applicant: Heather Moyse


CHARLOTTETOWN
Planning & Heritage
Department

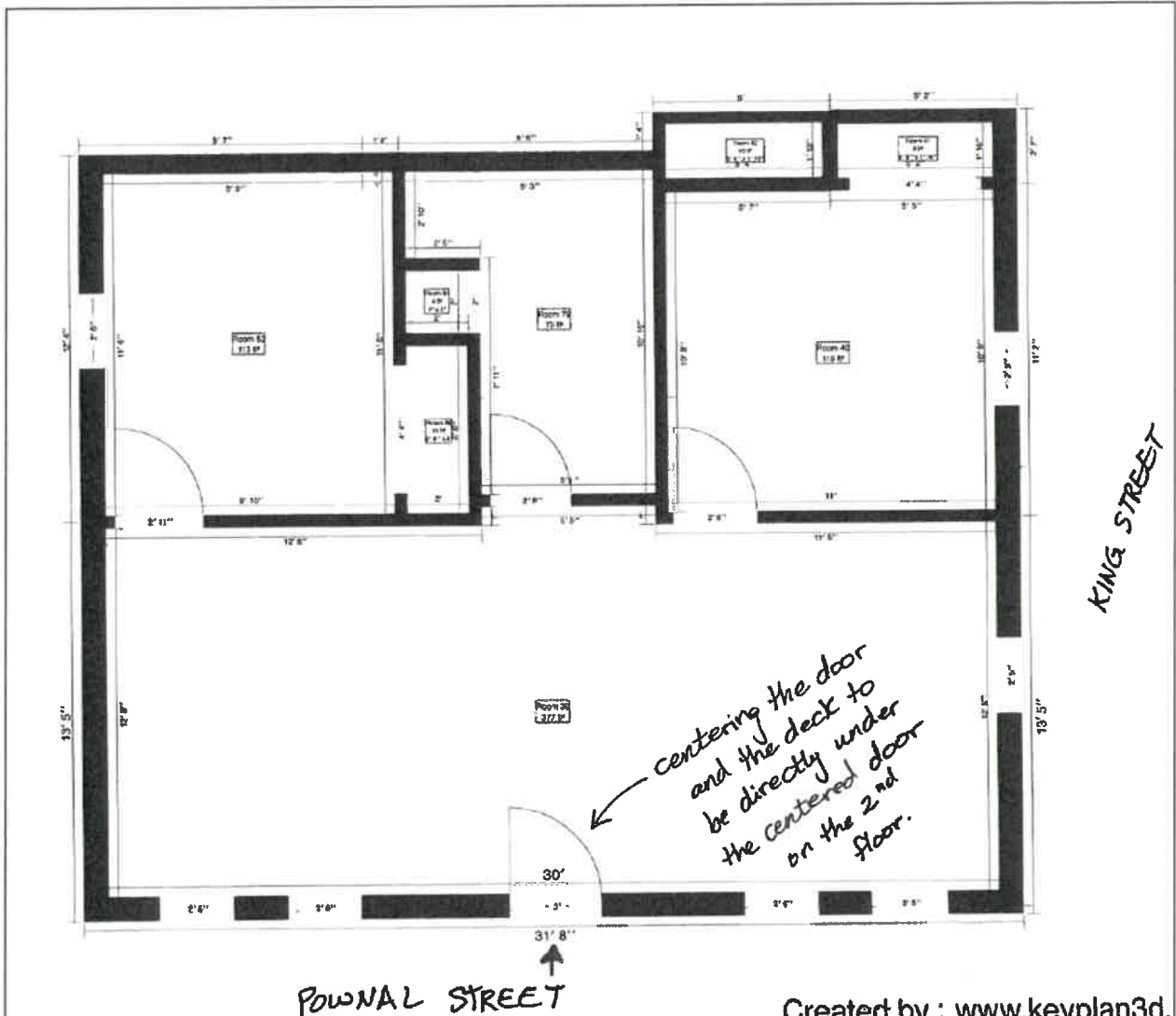
Attachment B1



Attachment B1: Survey Plan
File: PLAN-2021-06-APRIL-6A-1
25 POWNAL STREET (PID 335588)
Applicant: Heather Moyse


CHARLOTTETOWN
 Planning & Heritage
 Department

Attachment B2



Attachment B2: Ground Floor Plan

File: PLAN-2021-06-APRIL-6A-1
25 POWNAL STREET (PID 335588)

Applicant: Heather Moyse



CHARLOTTETOWN
Planning & Heritage
Department

Attachment C

From: Mark Belfry [<mailto:belfry.mark@gmail.com>]
Sent: March 23, 2021 1:41 PM
To: Planning Department <planning@charlottetown.ca>
Subject: 25 Pownal Street (PID# 335588)

We support the return of this property, and any property on Pownal Street, to residential use. The variance has our approval.

Thank you for communicating.

Mark and Patricia Belfry
9 Dorchester Street
Charlottetown, C1A1C5

Attachment C: Letter of Support
File: PLAN-2021-06-APRIL-6A-1
25 POWNAL STREET (PID 335588)
Applicant: Heather Moyse



Attachment D1

**Rezoning Application
Background**

Attachment D: Rezoning Application Background

**File: PLAN-2021-06-APRIL-6A-1
25 POWNAL STREET (PID 335588)**

Applicant: Heather Moyse



June 11, 2019

Regan MacLellan
48 Sarah Jane's Lane
Rice Point, PE
C0A 1H6

Dear Mr. MacLellan:

Charlottetown City Council passed the following resolution at the monthly meeting of Council held on Monday, June 10, 2019:

That that the request to:

- a) Amend Appendix "A" – Future Land Use Map of the Official Plan from Downtown Neighbourhood to Downtown Mixed-Use Neighbourhood; and*
- b) Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Downtown Neighbourhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone;*

for the property at 25 Pownal Street (PID #335588), be rejected.

Council in their decision making suggested that instead of rezoning the property to the DMUN Zone, commercial uses at this property would be better dealt with on a case by case basis through the variance process. If you would like to proceed with a variance application to locate a Personal Service Shop (hairdresser) at this location, please submit a completed variance application form (see attached) and pay the \$400 application fee. Your variance request will proceed to the next Planning Board meeting which meets the public notification requirements as illustrated in the Zoning & Development By-law.

In accordance with Section 3.15 of the Zoning & Development By-law you may, within 21 days from Council's decision, request a reconsideration of Council's decision and / or appeal the decision to the Island Regulatory and Appeals Commission. The process for which is attached for your reference. You may not apply for a similar application for one (1) year unless Council is of the opinion that there is valid new information or a change in conditions.

Yours truly,



Greg Morrison, MCIP
Planner II

Attachment D2

**Heritage Board Application
Background**

Attachment D2: Heritage Board
Application Background
File: PLAN-2021-06-APRIL-6A-1
25 POWNAL STREET (PID 335588)
Applicant: Heather Moyse



PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD
SEPTEMBER 25, 2018 12:00 PM
PARDKALE ROOM, CITY HALL

Included **Councillor Greg Rivard, Chair**
 Councillor Terry MacLeod
 Councillor Jason Coady
 Tara Maloney, RM
 Simon Moore, RM

Bobby Shepherd, RM
Alex Forbes, PHM
Todd Saunders, HO
Greg Morrison, PII
Ellen Ganga, IA/AA

Regrets **Aaron Stavert, RM**
 Ian MacLeod, RM

1. Call to Order

Councillor Greg Rivard called the meeting to order at 12:02pm.

2. Declaration of Conflicts

Councillor Greg Rivard asked if there are any conflicts. Tara Maloney, RM, requested that she be taken out of the board's recommendation for 11 West Street.

3. Approval of Agenda

Moved by Tara Maloney, RM, and seconded by Simon Moore, RM, that the agenda for Tuesday, September 25, 2018, including applications for 85 Fitzroy Street and 11 West Street, be approved.

CARRIED

4. Adoption of Minutes

Moved by Tara Maloney, RM, and seconded by Simon Moore, RM, that the minutes of the Tuesday, September 4, 2018 meeting be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from the minutes.

6. 25 Pownal Street (PID #335588)

This is an application for exterior alterations to the property located at 25 Pownal Street (PID #335588). The property is not a designated Heritage Resource but is located in the Downtown Neighbourhood (DN) Zone of the 500 Lot Area.

The application includes the following:

- Replacement of exterior cladding – use of mix of vinyl and wood siding, or board and batten
- Replacement of upper porch vinyl windows with vinyl windows to match existing windows
- Replacement of ground floor windows with three smaller vinyl windows
- Realignment of second storey porch roofline
- Extension of existing dormer extending towards Pownal Street
- Ground floor extension towards Pownal Street but requires a survey plan to identify property lines.
- Reconfiguration of side roof line.

See attached report for details.

Additional information was provided by Heather Moyse at the time of the meeting. Further discussions and recommendations were presented at the time of the meeting as well.

Comments/concerns noted:

- The applicant is required to get a survey plan to identify property line. If the proposed ground floor extension falls under the City's right-of-way, the applicant needs to work with Planning Staff to process this application and sign an encroachment agreement.
- Board expressed concerns on the ground floor windows and door and suggested various options to bring some symmetry and attempt to return some of the lost heritage character to the building. The applicant explained this would be difficult give the current commercial use of the space.
- A paneled cladding was also suggested for the upper porch and attached side wall in lieu of the requested board and batten siding.
- Board also recommended the dormer can be left as is.

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

Moved by Tara Maloney, RM and seconded by Simon Moore, RM, that the application for exterior alterations to the property at 25 Pownal Street (PID #335588), be approved with final details to be reviewed by the Planning Department.

CARRIED

7. 165-167 King Street (PID #337204)

This is an application to install roof dormers to the property located at 165-167 King Street (PID #337204). The property is not a designated Heritage Resource but is located in the Downtown Neighbourhood (DN) Zone of the 500 Lot Area. An application for exterior alterations was approved by the Heritage Board on September 4, 2018. Since then, it was noted that dormers are being constructed on the roof which was not included in the original application. See attached report. Tim Driscoll, applicant, was present at the meeting to answer any questions or concerns.

Comments/concerns:

- Board recognized Mr. Driscoll's efforts for doing a wonderful job with the exterior renovations to restore the property.
- Board also noted that they are in support of the dormers but feels that the shed dormer in between the two dormers takes away the look of the house. Mr. Driscoll noted that the additional window panel helps to allow for more sunlight into the top floor.

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

Moved by Councillor Terry MacLeod and seconded by Councillor Jason Coady, that the application to install roof dormers to the property located at 165-167 King Street (PID #337204), be approved according to the design presented.

CARRIED


Attachment E



Attachment E: Site Photo (taken March 30, 2021)

**File: PLAN-2021-06-APRIL-6A-1
25 POWNAL STREET (PID 335588)
Applicant: Heather Moyse**


CHARLOTTETOWN
Planning & Heritage
Department

TITLE: FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT Lot 40 Angus Drive (PID# 419143) and 413 St. Peters Road (PID #419135) Also Lot Consolidation of PID # 419143, PID # 419135, and PID # 192187 FILE: PLAN-2021-06-APRIL 6B-3 OWNER: Dan MacIsaac APPLICANT: Jeff Doucette		
MEETING DATE: April 6, 2021		Page 1 of 10
DEPARTMENT: Planning & Heritage	ATTACHMENTS: <ul style="list-style-type: none"> A. GIS Map B. Area to be consolidated C. Site Plan showing roundabout and access driveway to Angus Drive D. Revised aerial plan from the Province showing a proposed berm and relocation of the access driveway on Angus Drive. E. Letters from residents F. Letter from Dan MacIsaac, Mel's 	
SITE INFORMATION: Context: Single detached dwelling on the corner of Angus and St Peters Road and vacant lot on Angus Drive adjacent to (R-1L) Low Density zoned land. Ward No: 9 Stone Park Existing Land Use: PID # 419143 is vacant, PID # 419135 is occupied by a single detached dwelling on corner Official Plan: Mature Neighbourhood Zoning: PID # 419143, (R-1L) Single Detached Residential, PID # 419135, (R-2) Low Density Residential Zone		

RECOMMENDATION:

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

amend Appendix G – Zoning Map of the Zoning & Development Bylaw for:
Angus Drive (Lot 40) from Single Detached Residential (R-1L) Zone to Mixed Use Corridor (MUC) Zone; and
413 St Peters Road from Low Density Residential (R-2) Zone to Mixed Use Corridor (MUC) Zone;

And to amend Appendix A- Future Land Use Map of the Official Plan for:
Angus Drive (Lot 40) & 413 St Peters Road from Mature Neighbourhood to Village Centre Commercial;

And further to consolidate PID # 419143 Lot 40 Angus Drive, PID # 419135, 413 St. Peters Road and PID # 192187 being Mel's Convenience Store into 1 parcel.

In order to facilitate road upgrades by the Province to St Peter's Road and construct a second means of access for the convenience store to and from Angus Drive.

REQUEST

This request to amend Appendix G – Zoning Map of the Zoning & Development Bylaw for Angus Drive (Lot 40) from Single Detached Residential (R-1L) Zone to Mixed Use Corridor (MUC) Zone; and 413 St Peters Road from Low Density Residential (R-2) Zone to Mixed Use Corridor (MUC) Zone; and to amend Appendix A- Future Land Use Map of the Official Plan Map for: Angus Drive (Lot 40) and 413 St Peters Road from Mature Neighbourhood to Village Centre Commercial. The applicants are also requesting to consolidate PID # 419143 Lot 40 Angus Drive, PID # 419135, 413 St. Peters Road and PID # 192187 being Mel's Convenience Store into 1 parcel.

Development Context

The subject properties are bounded by R-1L zoning to the north, St. Peter's Road to the south, Mel's Convenience Store (MUC) to the east and Angus Drive to the west. Currently existing on the subject properties are a single detached dwelling and Lot 40 Angus Drive is a vacant lot. Mel's is located along St. Peter's Road which is a Provincial Highway. It is the main artery for traffic travelling into and out of Charlottetown.

Property History

January 6, 2014 - Application to rezone a portion of PID #'s 419143 from R-1L to MUC & 419135 from R-2 to MUC. The purpose of the request was to rezone a 35 ft. strip of land to facilitate an 1800 sq. ft. expansion to the existing Mel's Convenience Store and the parking lot.

Feb 3, 2014 - Deferral of rezoning application for a portion of PID #419143 from R-1L to MUC & a portion of PID # 419135 from R-2 to MUC until an engineered site plan showing on and off site traffic flow is submitted to the Planning Department for review.

April 7, 2015 - Application to rezone PID #'s 419143 from R-1L to MUC & 419135 from R-2 to MUC. The purpose of the request was to rezone the properties to facilitate a 1,200 sq. ft. expansion to the existing Mel's Convenience Store, to expand the parking lot, to create a new access onto Angus Drive and to enable future development on the subject properties. Application was rejected to go to public consultation.

May 4, 2015 - Application to rezone a portion of PID #'s 419143 from R-1L to MUC and P (Parking) & 419135 from R-2 to MUC and P (Parking) and to amend The Future Land Use Map of the Official Plan from Low Density Residential to Commercial. Application was rejected until it could be determined when the controlled intersection at the corner of Angus Dr. and St. Peters Road will be constructed.

July 6, 2015 – Planning Board recommended advancing the May 5, 2015 application to a public meeting to gain input on the proposal to rezone a portion of PID #'s 419143 from R-1L to MUC and Parking & 419135 from R-2 to MUC and parking and to amend The Future Land Use Map of the Official Plan from Low Density Residential to Commercial.

September 10, 2015 - Following Public Consultation - Application was rejected to rezone a portion of PID #'s 419143 from R-1L to MUC and P (Parking) & 419135 from R-2 to MUC and P (Parking) and to amend The Future Land Use Map of the Official Plan from Low Density Residential to Commercial.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.10.4 of the Zoning & Development By-law, on March 11, 2021 notice was sent to 40 (forty) property owners located within 100 meters of the subject property

advising them of the request for a rezoning and official plan amendment. The letter advised them of 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.

Public Feedback

In response to the City's notification letter there were 8 (eight) letters received. All letters received were in opposition to the proposed rezoning and official plan amendment (see attached letters).

The Public meeting was held on March 23, 2021 at the Rodd Royalty, 14 Capital Drive. At the public meeting Steven Yeo, Chief Engineer and Alan Aitken, Traffic Operations Engineer both with the PEI Department of Transportation and Infrastructure presented the details of the construction of the roundabout and traffic counts. Both Jeff Doucette, general Manager and Dan MacIsaac, owner also spoke about the operations of Mel's, issues with access and traffic and site details. When the applicants finished their presentation residents were invited to ask questions and make comments.

Six (6) residents spoke at the public meeting. All in opposition to the access from Mel's onto Angus Drive and also in opposition to the roundabout being located at Angus Drive (see minutes from the public meeting for detailed comments).

Comments consisted of:

- Increased traffic on Angus Drive will affect the safety of residents.
- Increased traffic on Angus Drive will be disruptive to the enjoyment of their property.
- Traffic should not be permitted to access Mel's off Angus Drive but should have to access Mel's from St Peter's Road by way of the roundabout at MacWilliams.
- Increased traffic will lower property values.
- Safety concerns for pedestrians.
- Mel's is too close to residential property and should be moved to a commercial location.

ANALYSIS:

There have been several requests over the years to rezone these properties. The current application has come forward because the Province is initiating major upgrades to St. Peter's Road during the summer of 2021. These upgrades will include the construction of a roundabout at the location of Angus Drive, St. Peters Road and Hanmac Drive. In addition to the construction of the roundabout a center medium on St. Peters Road will also be constructed. This medium will not allow vehicles travelling east to make left hand turns into Mel's and will also not permit east bound vehicles exiting the site to make left turns to travel east. Only right in/ right out movements will be permitted off St. Peters Road. Therefore, vehicles traveling east will be required to exit either onto Angus Drive or St Peters Road in a west bound direction and circle the roundabout before heading east. This will create a much safer situation for vehicles accessing and entering the site.

A traffic study in conjunction with the Province and the City was completed in 2013. The study identified that controlled intersections would have to be constructed along strategic points as development occurs in East Royalty. Due to the traffic generated at this location, Angus Drive was identified in the joint City/Provincial traffic study as one of the key intersections for controlled access.

Between the time span of January 2014 and September 2015 Mel's made several applications to rezone these two properties and expand the convenience store. At that time, the Province or City staff did not support those applications and indicated they would not support the rezonings without a direct, full access from the site onto Angus Drive. This full access would allow residents north of St. Peter's Road to access the site without having to enter traffic on St. Peters Road. As well it was identified that there would be no delays in traffic queuing on Angus to enter St. Peter's Road once a roundabout was constructed.

One of the major concerns with previous applications was traffic and how it enters and exits Mel's site. Many residents had concerns regarding safety with motorists trying to access St. Peter's Road from Angus Drive. The proposed roundabout will alleviate issues with access from Angus Drive to St. Peters Road and will keep traffic flowing as opposed to queuing and waiting to

make left or right turns. The proposed access driveway from Mel's property onto Angus Drive will also create a much safer situation for customers leaving or entering the site.

Staff recognizes that there are concerns from area residents regarding the impacts of expanding the commercial property. Staff is most concerned about the impacts on residents located immediately adjacent to and across the street from the proposed access on Angus. Therefore, staff has consulted with the Department of Transportation, Infrastructure and Energy (The Province) to see if there may be mitigative measures that can be employed to alleviate resident's concerns. Following the public meeting the Province has provided staff with a revised access plan showing the access onto Angus Drive shifted to the south and angled away from the dwelling on the residential property on the opposite side of Angus Drive. This will alleviate traffic from shining lights into the residential property. In addition, the Province is proposing to construct a berm with landscaping along the north boundary of Mel's property to alleviate any noise from vehicles or commercial activity at Mel's. See attached site plan. Staff feels there will be very little impact on residents living along Angus Drive north of Mel's as traffic will not travel past Mel's to these streets unless they are residents that live on the local streets north of Mel's. Conversely, staff feel that the access to Mel's off of Angus Drive will provide greater safety to residents that live on the local streets north of Mel's as they will not have to enter onto St Peters Road to access the site. Although staff understands that area residents have concerns and may perceive land use conflicts. However, given the information that was presented at the public meeting and data supplied by the Province staff feel that an access to this business from Angus Drive is in the best interest of safety for the traveling public and area residents.

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"> Access onto Angus Drive from Mel's will create a much safer situation for vehicular traffic. 	<ul style="list-style-type: none"> A portion of 413 St. Peters Road PID #419135 will become part of the roundabout. 	<ul style="list-style-type: none"> Residents immediately adjacent to Mel's will be most affected by the proposed changes.

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> ▪ The proposed traffic upgrades to St. Peters Road are upgrades that were identified in the joint traffic study between the City and the Province. ▪ East bound left turns from Mel's will be prohibited due to the construction of a new central medium. This will create a much safer situation. ▪ Residents living on the north side of St. Peters Road will not have to enter St. Peters Road to access Mel's but will be able to access the site via Angus Drive if the new access driveway is permitted. | <ul style="list-style-type: none"> - The access from Mel's onto Angus Drive will be rerouted to the south to help to mitigate traffic concerns to the property on the opposite side of Angus Drive. - A landscape berm will be constructed by the Province along the north property boundary of Mel's to block views and control noise from the commercial property. | <p>Although mitigative measures have been proposed they still may perceive potential land use conflicts from the proposed application.</p> |
|--|--|--|

CONCLUSION:

Although staff recognizes that area residents have concerns about potential land use conflicts within their neighbourhood due to the construction of the new roundabout and an access from Mel's onto Angus Drive staff feels the residents that have the potential for the most impact are located immediately adjacent and across the street from the proposed access. However, the mitigative measures that the Province has proposed such as a berm along the north property boundary and rerouting the access on Angus Drive further south will help to address these issues. Given that these initiatives were identified in the 2013 traffic analysis between the City and the Province as beneficial, the construction of the roundabout and a rear access from Mel's onto Angus Drive will create a safer situation for the traveling public, local residents and customers

entering and exiting Mel's. Staff are therefore recommending for approval of the rezoning request and Official Plan Amendment.

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the rezoning request for Lot 40 Angus Drive and 413 St. Peters Road and the lot consolidation of 417 St. Peters Road (Mel's), Lot 40 Angus Drive and 413 St. Peters Road to for approval.

PRESENTER:

Laurel Palmer Thompson, RPP,
MCIP
Planner II

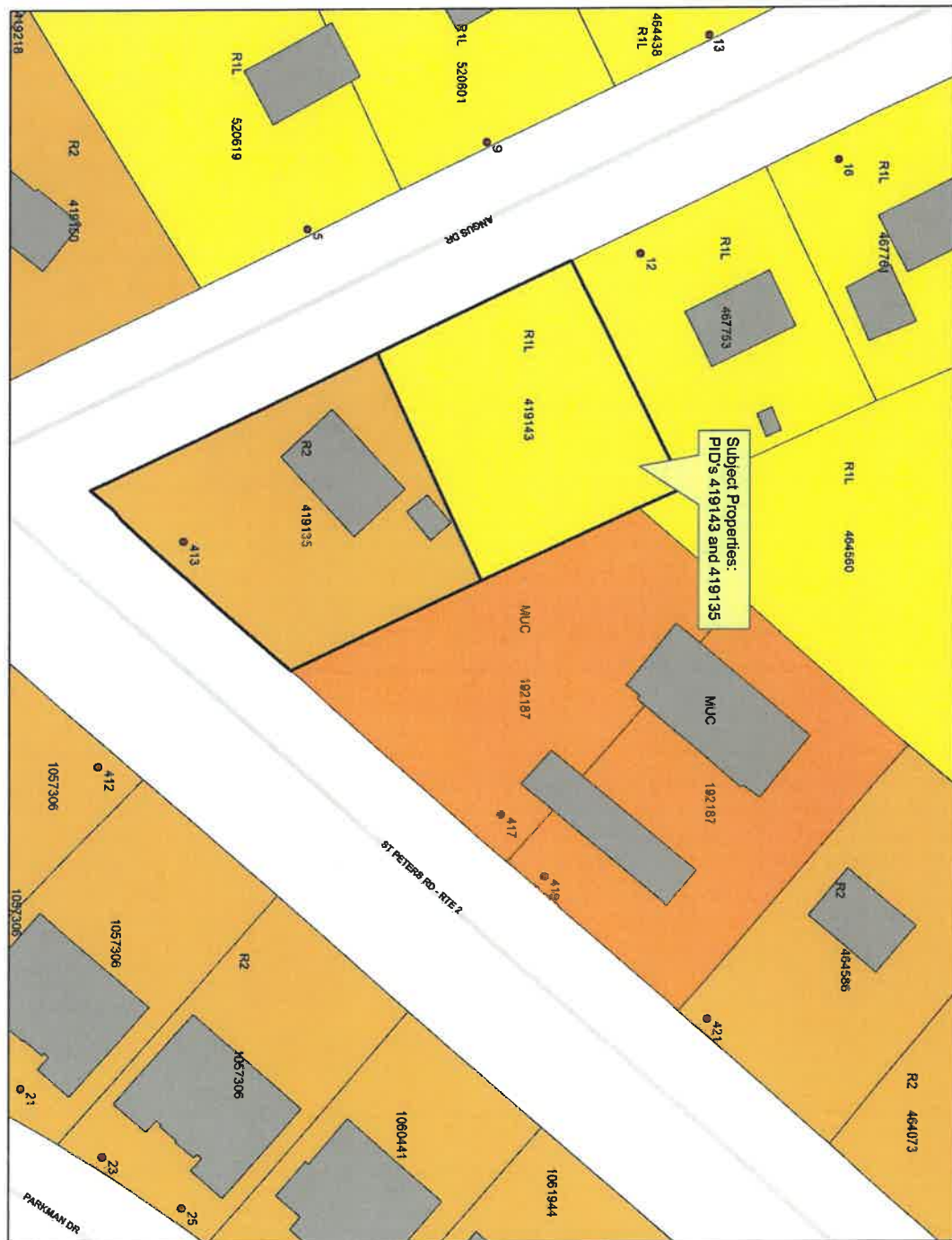


MANAGER:

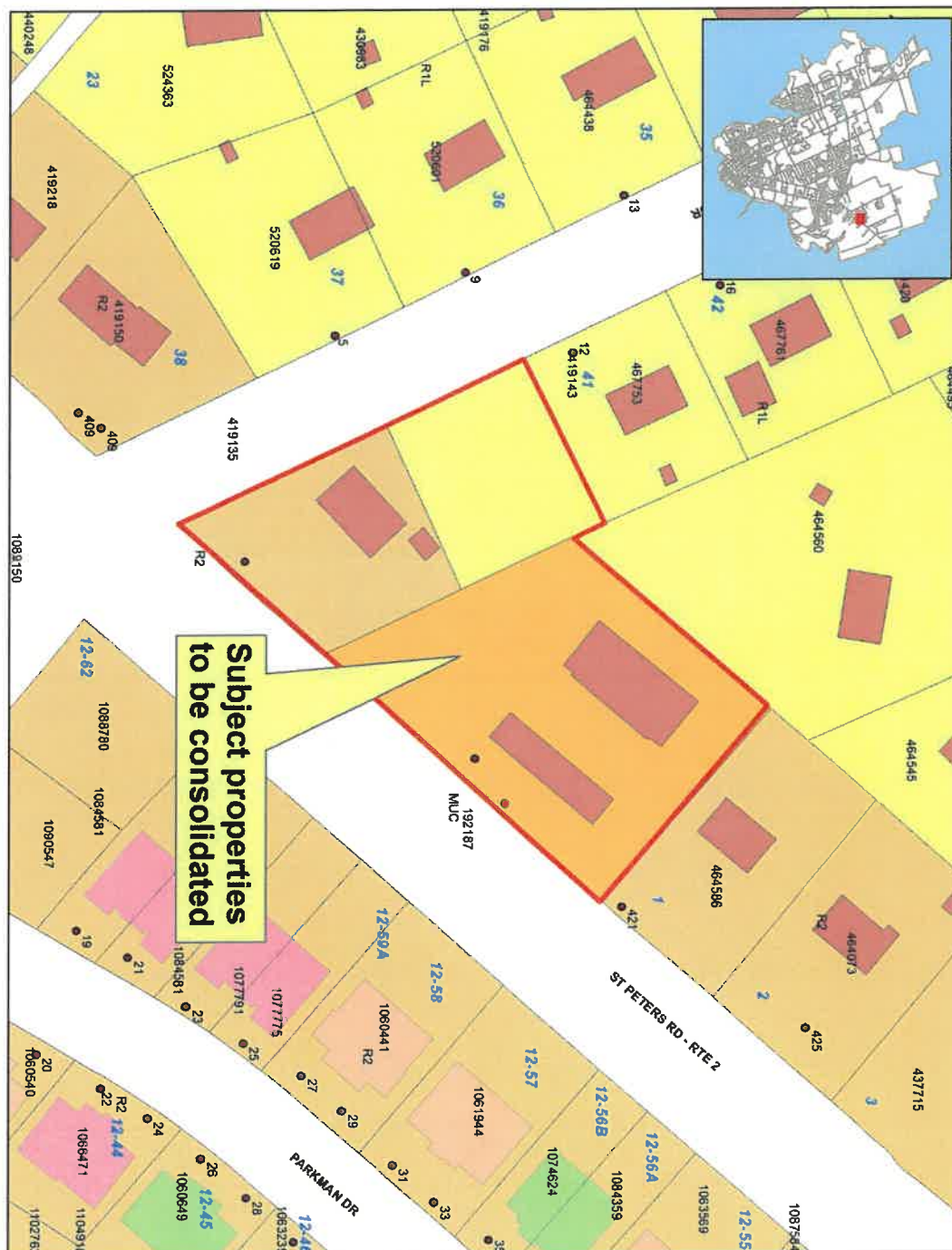
Alex Forbes, RPP, FCIP
Manager of Planning & Heritage



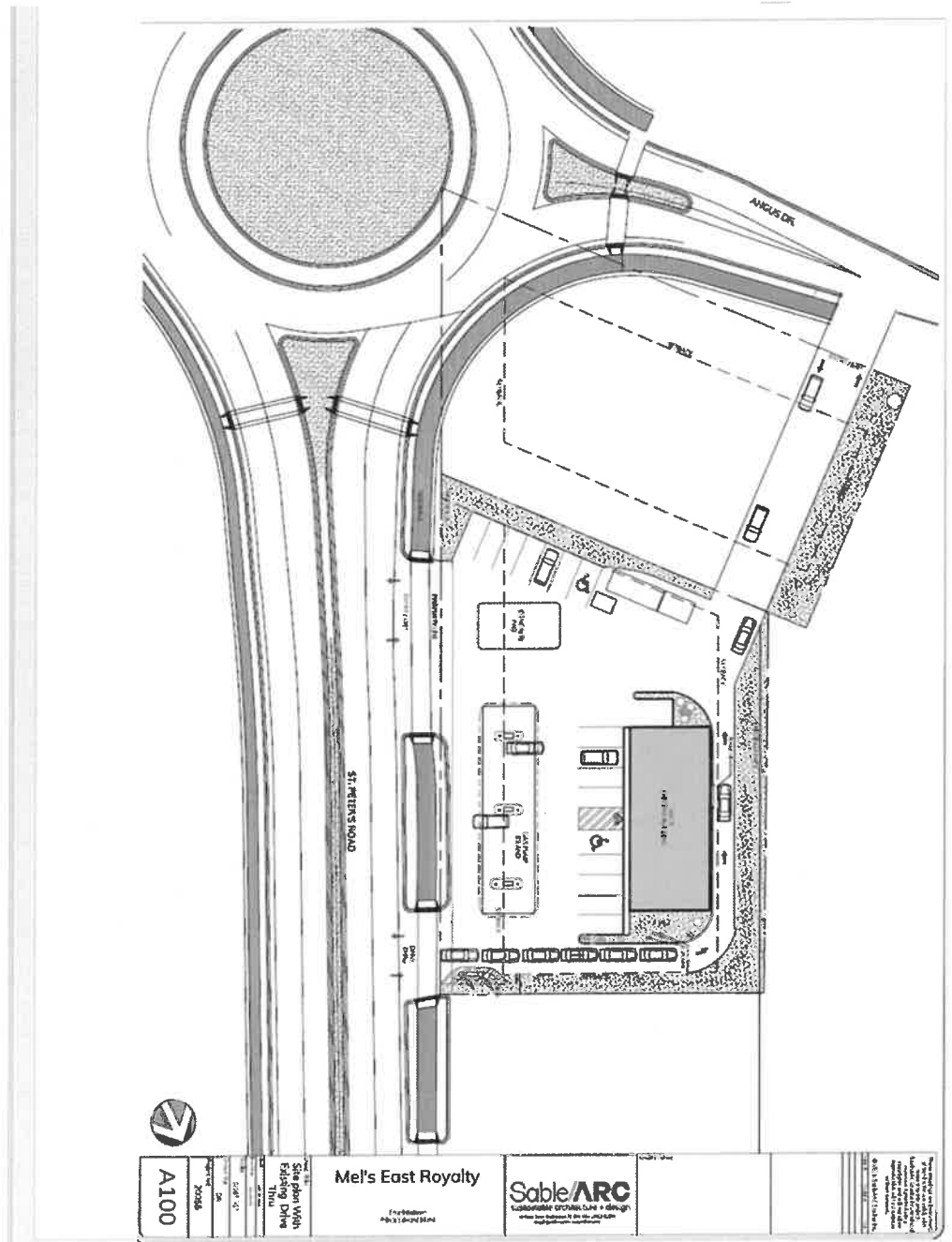
Attachment A, GIS Map:



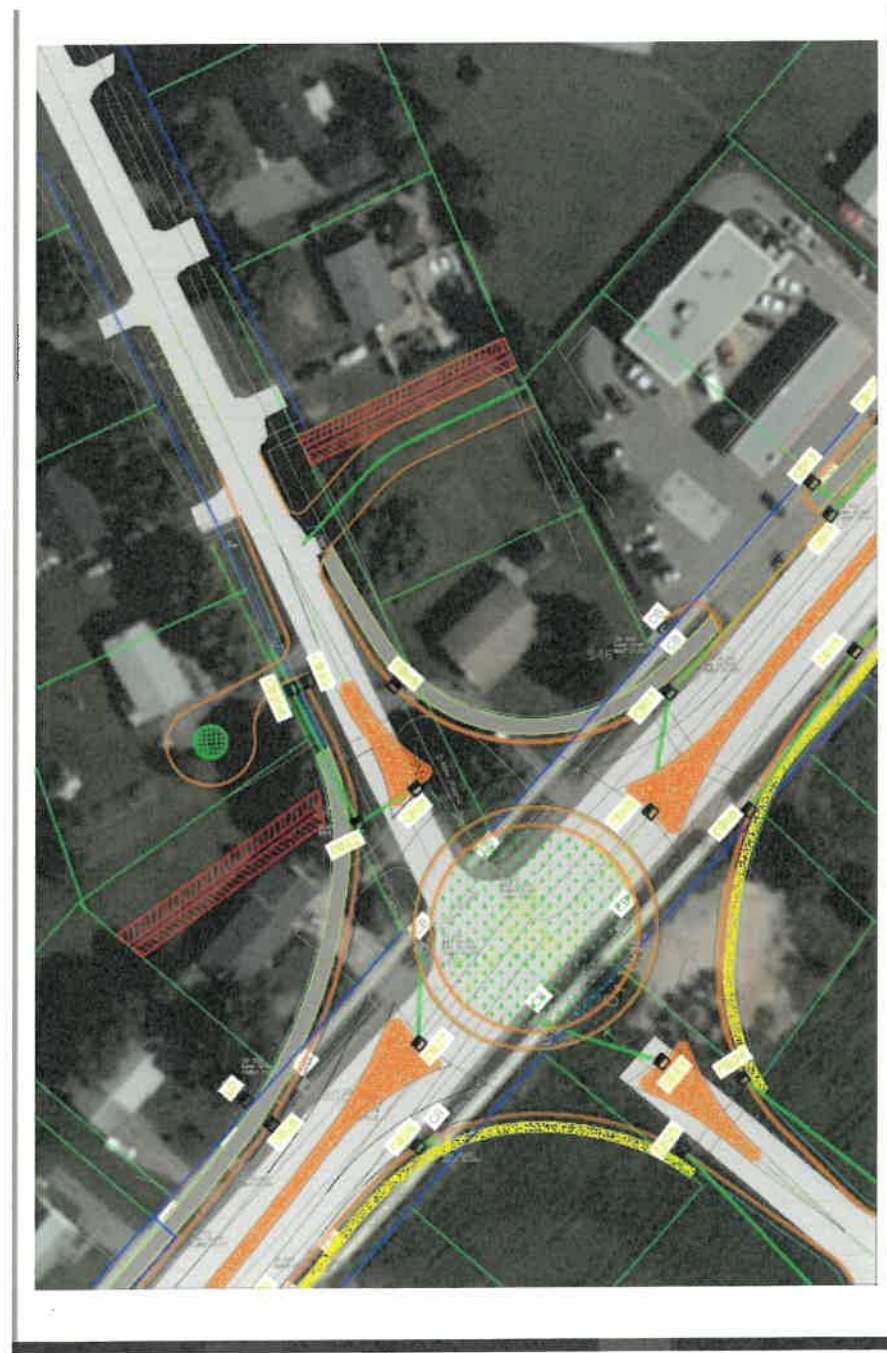
Attachment B, Area to be consolidated:



Attachment C, Site plan showing roundabout. Note access to Angus to be shifted south. See next drawing:



Attachment D, Revised aerial plan from the Province showing a proposed berm and relocation of the access driveway on Angus Drive:



TITLE: FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT– Lot 40 Angus Drive and 413 St. Peters Road. Lot Consolidation of PID # 419143 Lot 40 Angus Drive, PID # 419135, 413 St. Peters Road and PID # 192187, 417 St. Peters Road	Page 13 of10
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Attachment E, Letters from Residents

Thompson, Laurel

From: Catane, Ellen
Sent: March 30, 2021 4:06 PM
To: Thompson, Laurel
Subject: FW: Re Angus Drive and 413 St.Peters Road

Best Regards,
Ellen

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

From: Planning Department
Sent: Tuesday, March 23, 2021 8:42 AM
To: Dianne Bowley <bowley@bellaliant.net>; Planning Department <planning@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>
Subject: RE: Re Angus Drive and 413 St.Peters Road

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

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4112
Fax: 902-629-4156

ecatane@charlottetown.ca
www.charlottetown.ca

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

From: Dianne Bowley <bowley@bellaliant.net>
Sent: Monday, March 22, 2021 4:03 PM
To: Planning Department <planning@charlottetown.ca>
Subject: Re Angus Drive and 413 St.Peters Road

I oppose the rezoning of Angus Drive and 413 St. Peter's Road. As a very long residence of 405 St. Peter's Road this will result in traffic that will be disruptive to my property and loss of enjoyment of my property. I suggest Mel's convenience Store to continue to operate with the entrance and exit unto St. Peter's Road and not cause a disruption to Angus Drive. I am also concerned what this will do to the value of our properties . Sincerely, Dianne Bowley

Thompson, Laurel

From: Catane, Ellen
Sent: March 30, 2021 4:06 PM
To: Thompson, Laurel
Subject: FW: Angus Dr, Mel's, roundabout
Attachments: angus drive mels roundabout info.pdf

Best Regards,
Ellen

From: Planning Department
Sent: Monday, March 22, 2021 8:38 AM
To: Roma Misener <roma.misener@gmail.com>; Planning Department <planning@charlottetown.ca>
Cc: McCabe, Julie L. <jlmcabbe@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>
Subject: RE: Angus Dr, Mel's, roundabout

Hello Roma,
Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer. For the attendance via Webex, I will send you a separate email with the Webex meeting Instructions.

Thank you.

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4112
Fax: 902-629-4156

ecatane@charlottetown.ca
www.charlottetown.ca



From: Roma Misener <roma.misener@gmail.com>
Sent: Monday, March 22, 2021 8:22 AM
To: Planning Department <planning@charlottetown.ca>

Cc: McCabe,Julie L. <jlmccabe@charlottetown.ca>

Subject: Angus Dr, Mel's, roundabout

Hello,

RE: Angus Dr, Mel's, roundabout

As only right in/right out movements will be permitted off St Peter's Rd in this proposal, this should greatly reduce risk of accidents by not allowing left turns.

Can access to Mel's from Angus Dr be an entrance only (right in only)? Vehicles wanting to go east would exit right on St Peter's Rd in a west bound direction and circle the roundabout before heading east, eliminating left turning traffic onto Angus Dr.

Not only would this reduce possibility of accidents and increased traffic on Angus Dr, it should help reduce negative impact on the homes near/across from the access point (ie headlights directly into homes).

Also, the traffic study in conjunction with the Province and the City was completed in 2013. Is that study still applicable, eight years later?

I will try to attend by teleconference or WebEx (unsure how that works) - can you send me that information?

Thank you,
Roma Misener

ANALYSIS:

There have been several requests over the years to rezone these properties. The current application has come forward because the Province is initiating major upgrades to St. Peter's Road during the summer of 2021. These upgrades will include the construction of a roundabout at the location of Angus Drive, St. Peters Road and Hammac Drive. In addition to the construction of the roundabout a center median on St. Peters Road will also be constructed. This median will not allow vehicles travelling east to make left hand turns into Mel's and will also not permit west bound vehicles exiting the site to make left turns. Only right in/ right out movements will be permitted off St. Peters Road. Therefore, vehicles traveling east will be required to exit onto Angus Drive or St. Peters Road in a west bound direction and circle the roundabout before heading east. This will create a much safer situation for vehicles accessing and entering the site.

A traffic study in conjunction with the Province and the City was completed in 2013. The study identified that controlled intersections would have to be constructed along strategic points as development occurs in East Royalty. Due to the traffic generated at this location Angus Drive was identified in the joint City/Provincial traffic study as one of the key intersections for controlled access.

C - 12

Begin forwarded message:

From: Julie McCabe <julynnemccabe@gmail.com>

Date: March 9, 2021 at 9:42:24 AM AST

To: Julie McCabe 2 <jlmccabe@edu.pe.ca>

Subject: UPDATE

Hello, Council met last night and voted to proceed to a public consultation meeting. I am waiting on confirmation of the date, time and place for this meeting. Usually planning likes people to register so I will send this out as soon as I have it. There will be an opportunity to attend in person or on webex - the new way :). Also, you can send any concerns in writing to the planning department - planning@charlottetown.ca. I believe that representatives from the province will be in attendance at this meeting so they can answer questions as well. This application is the result of the province's planning and round about installation. I have included the plans that we received in our package in the attachment. As always, I am here to answer any questions or get answers to questions.

Julie

ANALYSIS:

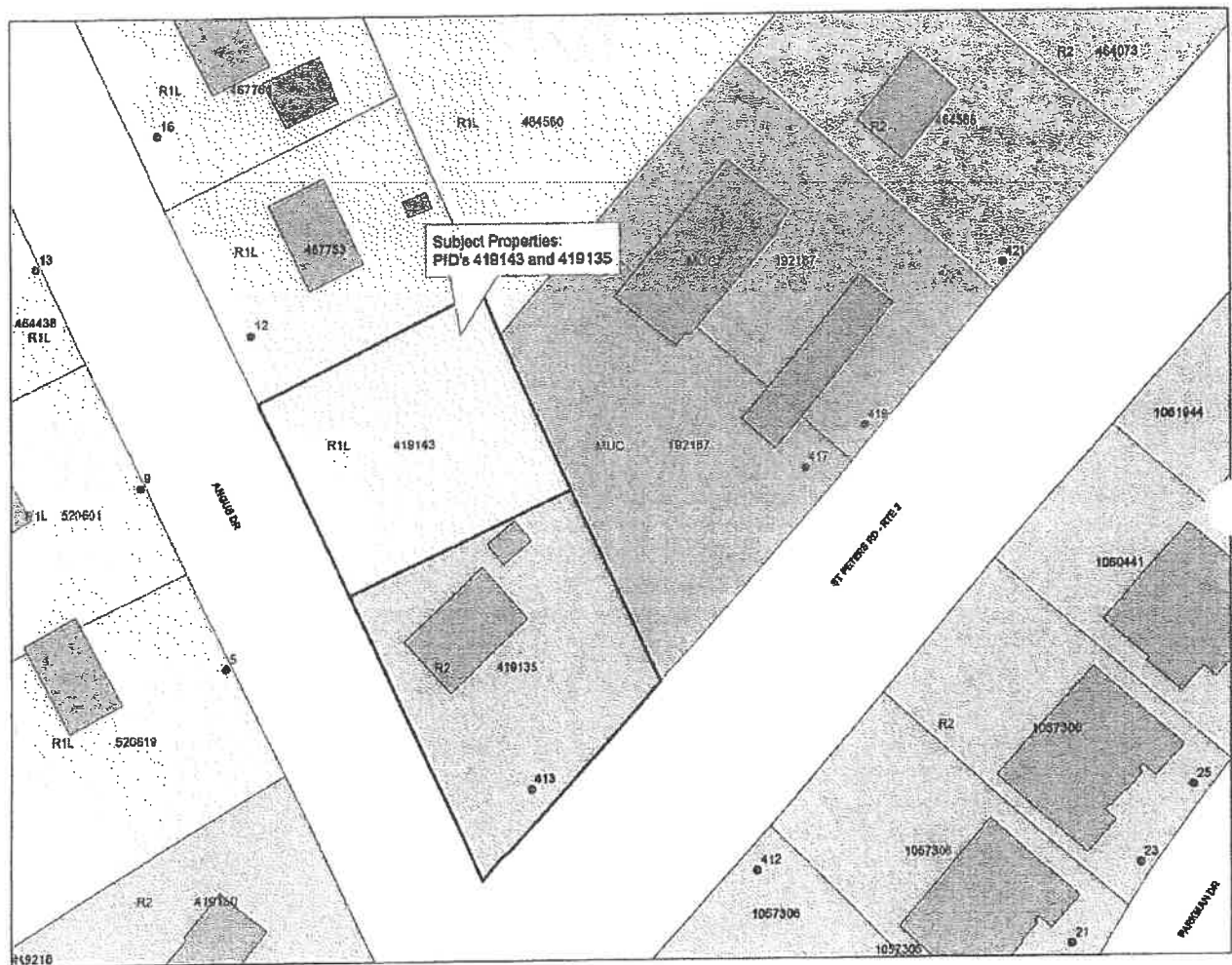
There have been several requests over the years to rezone these properties. The current application has come forward because the Province is initiating major upgrades to St. Peter's Road during the summer of 2021. These upgrades will include the construction of a roundabout at the location of Angus Drive, St. Peters Road and Hammac Drive. In addition to the construction of the roundabout a center medium on St. Peters Road will also be constructed. This medium will not allow vehicles travelling east to make left hand turns into Mel's and will also not permit west bound vehicles exiting the site to make left turns. Only right in/ right out movements will be permitted off St. Peters Road. Therefore, vehicles traveling east will be required to exit onto Angus Drive or St Peters Road in a west bound direction and circle the roundabout before heading east. This will create a much safer situation for vehicles accessing and entering the site.

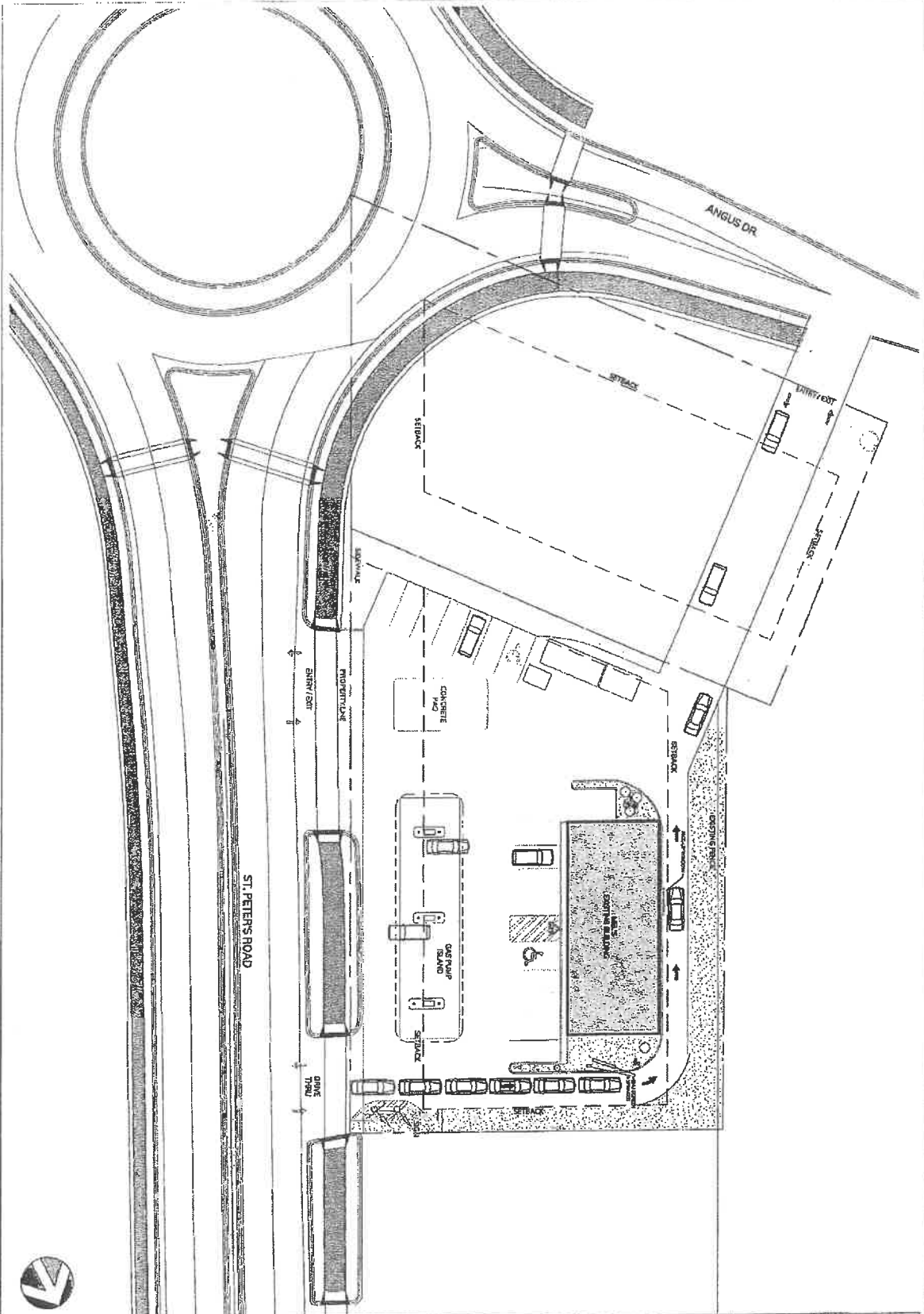
A traffic study in conjunction with the Province and the City was completed in 2013. The study identified that controlled intersections would have to be constructed along strategic points as development occurs in East Royalty. Due to the traffic generated at this location Angus Drive was identified in the joint City/Provincial traffic study as one of the key intersections for controlled access.

TITLE: FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT- Lot 40 Angus Drive and 413 St. Peters Road. Lot Consolidation of PID # 419143 Lot 40 Angus Drive, PID # 419135, 413 St. Peters Road and PID # 192187, 417 St. Peters Road

Page7 of 8

GIS Map:





A100

Point Title
Site plan with
Existing Drive
Thru

Mel's East Royalty

Charlottetown
Prince Edward Island

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Project: 200555

Drawn By: [blank]

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Thompson, Laurel

From: Planning Department
Sent: March 22, 2021 4:02 PM
To: Thompson, Laurel
Subject: FW: Rezoning for Lot 40 adjacent to my property on 12 Angus Drive..

From: Good, Patty [mailto:Patty.Good@ig.ca]
Sent: March 22, 2021 3:31 PM
To: Planning Department <planning@charlottetown.ca>
Subject: Rezoning for Lot 40 adjacent to my property on 12 Angus Drive..

Mar 22, 2021

We are Patty & Randy Good and we live at 12 Angus Drive, adjacent to Lot 40 which is looking for rezoning. I am not wanting the heavy volume of highway traffic to go by house when its not necessary and now be attached to commercial property. This is just for Mels benefit, so that when it gets rezoning to mixed use, it can go ahead and do what Dan MacIsaac wanted in 2014, even though the Community he is in doesn't want this to happen and have been very vocal in letting Dan know how we feel. This isn't about traffic flow this is about Steven Yeo helping Dan MacIsaac get what he wanted for Mel's 7 years ago and for some reason Steven Yeo is in Dan's corner, totally disguised. This will lead to Mel's expanding his business and make for more traffic in a area that can not accommodate the volume of customers that want to access it already.

The Gov't needs to get Steven Yeo to revisit his plans, because if 100 ft of residential land is the only thing that can make this work, then it proves to all of us residents that Mel's Business volume has increased so much since 2014, that the Business has outgrown the land due to the high volume products he sells. The time has come for the Gov't to do the right thing for everyone involved and relocate Mel's. Mel's should be situated where all the other commercial properties are located. Mel's needs more land then can be provided in there current area. The liquor store at this location is busier then the west royalty liquor store location. This in its self should be reason enough that this business needs relocated and not be located on very busy highway in between to roundabouts.

We together as a community are totally against this rezoning and can't believe after stopping this twice by the community with the backing of the city council that Steven Yeo has the nerve to assist Mel's in taking over the residential land that we fought so hard to keep. Steven Yeo said he would love to live by Mel's, well I say lets switch houses and you can see how miserable it is to live here and if this goes through and the busy highway is now allowed to access Angus, we will have the most unsafe street in East Royalt y. We tolerate Mel's, we do not want it to expand or take over any residential land for it's benefit. Mel's should be looked at like any other business and not have special entrances for the business access. All residents when this is completed will have to go past there home and back around the roundabouts to access there home due to the divided hwy being put in. This can be the same for any Mels' customer, trust me it will help with traffic issues if they only have 1 entrance and 1 exit, this is the safest way if the business is not removed and relocated. This would be no different then other business located on divided highway, for instance Riverside drive and North River Rd, so someone looking to buy liquor will do the same thing as someone looking to get into Hardware store or Motor Vehicle branch on Riverside Drive, these business do not have any special entrance so customer can easily access their business and either should Mel's.

Steven Yeo has the opportunity to relocate Mel's as part of the upgrade of the highway, this is the smartest business decision for this businesses future sales and future growth, that will only continue grow as the residential community

grows around him. Mel's is a business that sells flammable product and in my mind should not be situated right in the middle of a residential area, it's like the game on Sesame St. what doesn't belong here and that's Mel's.

There is going to be at least 100 new cars going down Angus Drive from the new subdivision being build above us and our concerns are that this new traffic coming down Angus will be more then enough increase in the out traffic flow for this small street to handle. We don't need to add to it by adding the highway traffic coming in and out of town to access Mel's. Mel's will be so bottle necked that we will not even be able to get out of our driveway. Please help us show the Gov't that the right thing to do is relocate Mel's or stop them from expanding the business by taking over and creeping on residential land.

I have lived here for 48 years and hope you as the Council will again support us residents and vote NO for the rezoning. Who in their right mind, can feel good about saying yes to such a ridiculous notion presented by Steven Yeo. Please put yourself in our shoes as we would do for you, if you were in the same situation.

Thank you for allowing me to take the time to express my concerns about the mixed use rezoning for Lot 40,

Patty & Randy Good

*For processing inquiries, use our REGION Chat Group.
Your RO Staff is here to help*

Patty Good

Region Office Operation Coordinator

RO 68 Northumberland Strait

106 -18 Queen St., Charlottetown, PE C1A 4A1

Tel (902) 566-4661 | Fax (902) 566-9915

Patty.Good@ig.ca

Investors Group Financial Services Inc.

Member of the Power Financial Corporation Group of Companies

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Thompson, Laurel

From: Catane, Ellen
Sent: March 30, 2021 4:03 PM
To: Thompson, Laurel
Subject: FW: Angus Drive Mel's Entrance

Best Regards,
Ellen

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

From: Catane, Ellen
Sent: Tuesday, March 23, 2021 12:31 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>
Cc: Forbes, Alex <aforbes@charlottetown.ca>
Subject: FW: Angus Drive Mel's Entrance

Fyi

Best Regards,
Ellen

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

From: McCabe, Julie L. <jlmccabe@charlottetown.ca>
Sent: Monday, March 22, 2021 5:17 PM
To: lara morgan <theotherquincy@gmail.com>
Cc: Catane, Ellen <ecatane@charlottetown.ca>
Subject: Re: Angus Drive Mel's Entrance

Hi Laura I am including planning in this response so they can include your concerns for all of council to see. With your permission I will add you to my email list? I added emails when I campaigned a couple years ago and this is a great tool to communicate with residents when issues arise in our area. Would you like to be added? I am certainly available to further discuss as well - 902-393-9739 is my number!

Julie

Sent from my iPhone

> On Mar 22, 2021, at 4:45 PM, lara morgan <theotherquincy@gmail.com> wrote:

>

> Hello,

>

> I'm writing to express my concern over the proposed entrance to Mel's store on Angus Drive. I live on 13 Angus, and my house is one of the houses that face the site. Having that amount of traffic pointed directly at our house will be a great disruption to our peace and quiet. We have members of our family with lung conditions and we have a young family, I'm worried we will be bombarded with air pollutants, noise pollutants and light pollutants. There will be a constant stream of headlights pointed at our house. We hear every car the drives down our road, and they want to increase that to a constant stream.

>

> The safety issues around this entrance are numerous. As we are in a house close to the highway, I see how fast people turn off of St Peters Road and onto Angus. With the new roundabout being put in, and cars no longer having to come to a complete stop, I feel the speed of people exiting the roundabout, and the closeness of the proposed driveway will be dangerous. Not to mention the danger of people walking in that area, to the store and to the community mailbox, people with their animals and children, there is no sidewalk and no shoulder, it is going to be a very dangerous. Plus there is the added confusion of cars stopping at the mailbox to get their mail, adding more cars to the congestion. Again, there is no shoulder for cars to pull over to, the mailbox and the proposed driveway could be side by side, on a road where there is no centre line, or lines painted at all for that matter. This road is not designed to have that much traffic on it. I have also heard that our road will be connected with the neighbouring tara heights subdivision, which again increases the flow from all directions.

>

> I will also express my concern with the way the city informed the residents of the proposition and meeting. A small sign was posted at the site, which is currently private property, on a tree far back from the road. I had to walk through the ditch, through the snow, onto the private property to read it, and I only knew to do it because my neighbour told me about it. It would have otherwise gone unnoticed. I received a letter in the mail very late last week, 3 business days before the meeting, only because I was within 100 meters of the site. We do not check our mail everyday, I don't know many people who get important, time sensitive information in the mail these days. I was waiting for a cheque and that is the only reason I checked the mail that day. Had I not been waiting for that to arrive I might not have been informed in time for the meeting. It very much feels like nobody wants us to be informed.

>

> We are not a high income household. We do not have multiple houses, this is the only one we have. The thought of someone trying to deceive us and our neighbours to directly and dramatically change our homes and the peace and quiet we worked hard for and deserve, is very disheartening and will not go unnoticed. It feels like some people are trying to skirt the democratic process.

>

> As I am a small business owner, getting to the meeting tomorrow will be very difficult. I have clients who have waited for months to get in to see me who will have to be rescheduled. If me clients and I are supposed to plan our lives months ahead, why can't the city give us more than three days notice of a meeting? These methods are very disappointing.

>

> Laura Morgan

>

>

>

>

Thompson, Laurel

From: Planning Department
Sent: March 24, 2021 8:18 AM
To: frankie cheung; Planning Department; Thompson, Laurel
Cc: Forbes, Alex
Subject: RE: Angus Drive and St Peter's road

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

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4112
Fax: 902-629-4156

ecatane@charlottetown.ca
www.charlottetown.ca

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

From: frankie cheung <cykfrankie@gmail.com>
Sent: Tuesday, March 23, 2021 10:53 PM
To: Planning Department <planning@charlottetown.ca>
Subject: Angus Drive and St Peter's road

Hi,

I'm the owner of 11 Parkman Dr. I had attend to the public meeting tonight. And i had listen to those resident speak. I had the following comment on the road design.

1. It is not a good design to add a round about on Angus and Hanmac, It will increase road traffic on both st. And it is not a good design that the mall exit with a roundabout.
2. The round about should move to Macwilliams road. There are lot of traffic in this road, it had school, and a huge residential development in this area. And especially it had vacant land in this junction point, It had enough area for the new roundabout. And LM Montgomery school is there, many school bus turn Left from Macwiliams road. It should make this area more safe.
3. Angus road area and Parkman/Hanmac Dr area is not a busy area. it is no need to make a roundabout there.

Please consider to build the roundabout at Macwilliams road/St Peter's road.

Yik Kwong Cheung
11 Parkman Dr Owner.

Thompson, Laurel

From: Planning Department
Sent: March 24, 2021 12:05 PM
To: Thompson, Laurel
Subject: FW: Angus drive, lot 40, paid #419143 & 413 St. Peter's road pic #419135

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

From: Sherry Arsenault [mailto:sherryarsenault1@gmail.com]
Sent: March 24, 2021 9:34 AM
To: Planning Department <planning@charlottetown.ca>
Subject: Angus drive, lot 40, paid #419143 & 413 St. Peter's road pic #419135

Good morning mayor and Councillors

We, Michael and sherry Arsenault of 16 angus drive Charlottetown, object to the amendment being proposed, specifically rezoning of the above noted subjects to muc zone and village centre commercial. We believe the public meeting of March 23 ; 2021, provided more detailed information that we were prepared to speak too. We agreed with the rationale residents spoke off last night for objecting to this proposal. We suggest the province and Mel's establishment do not use the proximity of angus drive as a quick fix solution in the midst of solving an increasing growing problem for commercial development in a densely populated area. As a resident suggested, the problems will only move from the highway to angus drive.

We felt the province spoke of the safety of the highway and of Mel's patrons, however, the safety and well being of the residents of angus drive residents and neighbouring subdivision were minimized. We feel that the movement of the upgrades for the highway are substantiated, growing area, but why at the expense of a well established, small, older neighborhood? Can we ask, when did the province start consulting with Mel's establishment on the proposed highway change?

We agree, that the province should relook at open spaces to accommodate the ease of /improve safety of the traffic flow that was suggested last night. We are disappointed to learn of the hardships some residents are facing in having to and thinking of leaving their homes. We are worried that the proposed increased traffic to our small older street will affect the safety of our residents, the health and well being of our residents and of the community that we have established. The province also spoke of recent studies indicating movement in and out mels currently, we feel this is not an accurate reflection of movement, this should be further investigated expanding to all days of the week and all peek periods including evenings/nights. The province also spoke of traffic turning onto the highway, left, from the south side of the highway and their safety concerns, we were not clear - would these accesses all be closed off except for the roundabouts? Or will all accesses out to the highway be now routed right to a roundabout?

We feel the proposed highway project is rushed and this has trickled in Mel's application for rezoning. Please, we ask the counsel not to be reactive in their decision, rather proactive. Thank you,

We appreciate your time and consideration, Respectfully, Michael and sherry Arsenault
16 angus drive
Charlottetown

Sent from my iPad

Thompson, Laurel

From: Planning Department
Sent: March 24, 2021 12:12 PM
To: Barbara; Planning Department; Forbes, Alex; Thompson, Laurel
Cc: Mayor of Charlottetown (Philip Brown); McCabe, Julie L.; Duffy, Mike; Jankov, Alanna; Tweel, Mitchell; MacLeod, Terry; Bernard, Terry; Rivard, Greg; Ramsay, Kevin; Doiron, Bob; Coady, Jason; jsjylwardMinister@gov.pe.ca; ngjamesonMinister@gov.pe.ca; Bernard Karla
Subject: RE: Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135)
Attachments: 210324_PID 419143_Angus Dr419135 St Peters Rd_Letter Planning_Dylla.pdf

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

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4112
Fax: 902-629-4156

ecatane@charlottetown.ca
www.charlottetown.ca



From: Barbara <b.dylla@eastlink.ca>
Sent: Wednesday, March 24, 2021 12:07 PM
To: Planning Department <planning@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>
Cc: Mayor of Charlottetown (Philip Brown) <mayor@charlottetown.ca>; McCabe, Julie L. <jlmccabe@charlottetown.ca>; Duffy, Mike <mduffy@charlottetown.ca>; Jankov, Alanna <ajankov@charlottetown.ca>; Tweel, Mitchell <mtweel@charlottetown.ca>; MacLeod, Terry <tmacleod@charlottetown.ca>; Bernard, Terry <tbernard@charlottetown.ca>; Rivard, Greg <grivard@charlottetown.ca>; Ramsay, Kevin <kramsay@charlottetown.ca>; Doiron, Bob <rdoiron@charlottetown.ca>; Coady, Jason <jecoady@charlottetown.ca>; jsjylwardMinister@gov.pe.ca; ngjamesonMinister@gov.pe.ca; Bernard Karla <kmbarnardmla@assembly.pe.ca>
Subject: Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135)

Hello,

I couldn't hear anything during the live-streaming of the public meeting, and so had to wait until the video-recording became available online. Hence my slight delay in sending my comments, which could have been better were more time

provided after a public meeting to submit comments. I'd like to know why such a tight deadline exists.

I truly hope that elected officials really listened to the residents. No one should have to go what they have been experiencing for so many years, for the sake of providing easier access for vehicles to one business.

Respectfully yours,

Barbara Dylla
127 Walthen Dr
367-2428

March 24, 2021

Charlottetown Planning and Heritage Department

City of Charlottetown

PO Box 98

Charlottetown PE

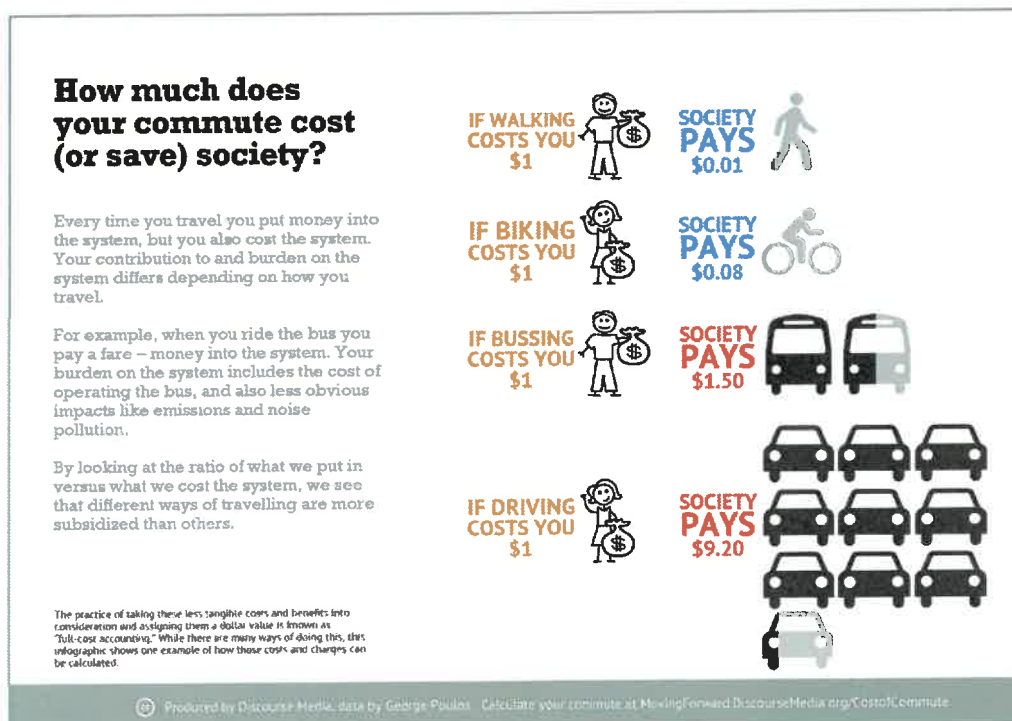
C1A 7K2

Subject: Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135)

Yesterday's [public meeting](#) to present a rezoning application that will involve a new roundabout to be built by the Province, with new roads provided by the City of Charlottetown, is a perfect example of both the Province's and the City's car bias, which promotes more roads and roundabouts at the expense of other transportation solutions.

As a transport system, cars waste vast amounts of time, space, resources, and energy. Cars are a major source of several forms of pollution. The Province knows well that transportation contributes the highest percentage of greenhouse gas emissions and set a target in 2019 to lower emissions by [2030](#). Driving also has extremely high societal and environmental costs.

Here's an infographic that shows the societal costs:



“Efficiency of moving traffic”, “province is making major upgrades”, “create a much safer situation for vehicles” are all car-centric expressions that completely leave out the people factor. This urban sprawl concept that favours cars, not people, is a 20th century model that countless cities have left behind, and many more are leaving behind.

It is time for the Province and the City of Charlottetown to de-prioritize the automobile in their transportation funding allocations, to charge drivers the full cost of their bad habit, and to invest public money in an integrated public and active transportation systems. “Accommodating” cyclists and pedestrians perpetuates the discrimination against people while maintaining car dependency.

The constructive suggestions made by citizens must be taken into consideration.

It makes no sense to create a huge road project that will cause such upheaval to long-time residents simply to facilitate vehicles going into one business! Whose interest is really being served?

Respectfully yours,

Barbara Dylla
127 Walthen Drive
Charlottetown, PE C1A 4V4
902 367-2428

cc: Charlottetown City Council and CAO
District 9 MLA Natalie Jameson
Minister of Transportation, James Aylward

Thompson, Laurel

From: Planning Department
Sent: March 24, 2021 9:20 AM
To: Rob Newson; Planning Department; Thompson, Laurel
Subject: RE: Angus Drive (Lot 40) (PID #419143) & 413St. Peters Road (PID #419135)

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

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
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Fax: 902-629-4156

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www.charlottetown.ca



From: Rob Newson <newsonrob7@gmail.com>
Sent: Wednesday, March 24, 2021 9:09 AM
To: Planning Department <planning@charlottetown.ca>
Subject: Angus Drive (Lot 40) (PID #419143) & 413St. Peters Road (PID #419135)

Re: Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135)

As residents of Angus Dr. in East Royalty, we would like to voice our opposition to the proposed change in zoning for the corner lot of Angus Dr. and St. Peter's Highway. The rezoning of said lot impacts our community both in the short term and the long term.

We are in full support of roundabouts, and acknowledge that our community is growing and needs safe access to St. Peter's Highway. Having a roundabout at the end of our street will increase traffic flow in our area as some residents may choose to access Mels Petro Canada via Angus drive road rather than the proposed roundabout at the end of MacRae Dr. This is reasonable.

We do not, however, feel that it should be the responsibility of the residential property owners in the area to compromise our safety, property values, and sense of rural community to accommodate the operations of a privately

owned business that services a large population that does not even live in our community. It is not unreasonable for the general public to be expected to loop around an additional roundabout to access Mel's and keep our rural community separate from this busy franchise. This is just the short term impact. As an example, on Riverside Drive, if someone wants to access Home Hardware, they may have to drive by and circle back through the next roundabout. Patrons of Mels will drive that extra distance to service their needs. It is not surprising that this business is very busy for many reasons and does contain a lot of traffic and can get congested along St. Peters highway. However, by granting access of Angus drive, all that will accomplish is moving the current traffic problem into a residential area.

Looking long term, allowing for this rezoning, will simply allow the owners of this business to expand or diversify their commercial property without the consultation of the community members. If expansion or diversification does happen, this side street access will increase the traffic even more in this family based community – not just Angus Dr., but all residential roads leading to Angus Dr.

We ask that you continue to keep residential and commercial areas as two separate entities as they are meant to be. We ask the planning board and city council to take some time to make a well informed decision. If safety is priority # 1. Then that should be the safety of Angus Drive and its residents.

Sincerely,
Tanya and Rob Newson
36 Angus Dr.

Rob Newson
newsonrob7@gmail.com

Thompson, Laurel

From: paula redmond <redmond_paula@hotmail.com>
Sent: March 15, 2021 3:05 PM
To: jsjaylwardMinister@gov.pe.ca; ngjamesonminister@gov.pe.ca; Forbes, Alex; Thompson, Laurel; Mayor of Charlottetown (Philip Brown); Jankov, Alanna; MacLeod, Terry; Duffy, Mike; Tweel, Mitchell; Ramsay, Kevin; Doiron, Bob; Rivard, Greg; McCabe, Julie L.; Bernard, Terry
Subject: REZONING/CONSOLIDATION: ANGUS DRIVE, ST PETERS ROAD

Dear Mayor Brown,

This letter/email is to express my objection to the latest proposal of rezoning/consolidating the three lots - Lot 40 Angus Drive - 413 St. Peters Road- 419 St. Peters Road. Also lot consolidation of PID 419143- PID 419135 and PID 192187 bordering on the northeast corner of St. Peters Road and Angus Drive, for the sole purpose of creating and entrance/exit road to an extremely busy convenience store.

I do recognize the high traffic volume on St. Peters Road especially in the vicinity of MELS, and that some steps need to be taken to make this a safer area with a smoother flow of vehicular traffic. However, I object strongly to any proposed solution that would permit heavy traffic being directed onto Angus Drive.

An alternative suggestion might be utilizing the 300 feet frontage (approx) from 413 St. Peters Road - 419 St. Peters Road (MELS) to construct the entrance/exit (NOT Angus Drive).

Homeowners like ourselves who have lived in single detached residential (in our case almost 50 years) zoned area should have every reasonable expectation that any use of property in close proximity would not change to rezoning with such a detriment to our property.

I am hoping the planners/designers will look further at this proposed design and find a different solution. I am asking and hoping for your support.

Sincerely,

Paul and Florence McGonnell

TITLE: FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT– Lot 40 Angus Drive and 413 St. Peters Road. Lot Consolidation of PID # 419143 Lot 40 Angus Drive, PID # 419135, 413 St. Peters Road and PID # 192187, 417 St. Peters Road	Page 14 of10
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Attachment F, Letter from Dan MacIsaac:



PLANNING
March 24 11:39 am
JRL

P.O. Box 189 • Charlottetown, PE • C1A 7K4

To Charlottetown planning board and Charlottetown Council

Thank you for hosting the public meeting on the PEI government proposal of building a roundabout at the intersection of Angus Dr and St Peter's Rd.

While I am not much of a public speaker I tried to make my points on the impact to the community & Mel's Enterprises. I started out saying that this project is not a Mel's Enterprises initiative and in fact we initially were not in favour of it because we have seen enough business interruption because of construction on this highway, tourism decline and other Covid implications.

The reality of it is that the PEI government is going to install a roundabout and all the players from the PEI government to the City and Mel's have a responsibility to look after the health and safety of the public and the professional plan presented by the government is the best option to look after that obligation.

There were presentations from some local residents not in favour of the government proposal and that is to be expected but the changes are in the best interests of the motoring public. The people currently turning left off St Peter's Rd to access Angus Dr will continue to do so in a safer manner using the roundabout and carry on up Angus Dr. The people who are turning left into Mel's now off St Peter's Rd will not have to cross traffic going toward the City while keeping an eye out for traffic exiting Mel's and trying to guess if they are going toward Charlottetown or Souris. The roundabout with the proposed new access to Mel's will alleviate that pressure with a right turn in to Mel's 100 meters up Angus. Same for those existing Mel's who have the option of entering the roundabout from Angus Dr. These changes will also remove congestion in the front court of Mel's which will provide more safety for pedestrians. The residents who live up Angus and surrounding neighborhood will thank the decision makers for providing a much safer access to Mel's rather than have them going down Angus and left onto St Peters Rd and then an abrupt stop and left into Mel's. The growth of this area is and will be behind Mel's and this proposal is a major factor in managing that traffic growth in the safest possible manner.

While some residents expressed their concerns the vast majority of residents expect changes that adjust to growth of the community and Mel's is a big part of the community. Residents should expect all the players to maximize safety while providing convenient entrance and exit. The few who spoke do not represent the vast majority of local residents who support safe change - Mel's had in excess of 1000 signatures supporting our proposal for change in 2015 and that proposal did not include the safety associated with the proposed roundabout. I think most of the concerns raised by residents have been addressed including the government offering to plant shrubs or build a berm for the resident concerned about headlights shining toward their home. I felt for the lady who has lived in the area for 40 years but she has decided to sell to government and has moved on. The resident who thought the Government should relocate Mel's is expecting too much from government and the resident who tried to scare those in attendance saying he has witnessed people smoking at the tanks is not aware of the safety

procedures that have been in place for years to prevent an accident due to smoking on our premises. There has never been an accident in this regard at my sites or any other PEI competitive sites in my 45 years in the retail gasoline business. The residents concerned about increased traffic must face the fact that their community is not the little old East Royalty it used to be and we all have to adjust to that reality. They too will eventually see this proposal as the best solution to the traffic growth problem. Mel's has evolved from a fruit stand to service a community now part of Charlottetown.


I hope Planning Board and City Council see the Government proposal and zoning changes as reasonable solutions addressing ongoing growth in the area.

Please contact me if you have further questions.

Yours truly

A handwritten signature in blue ink, appearing to be 'DM' with a long, sweeping flourish extending to the right.

Dan MacIsaac
President Mel's Enterprises

TITLE: SITE SPECIFIC EXEMPTION APPLICATION FILE: PLAN-2021-6-APRIL- 6B-4 7-9 POWNAL STREET (PID #1105451) OWNER: 102296 PEI INC.		 CHARLOTTETOWN
MEETING DATE: April 6, 2021		Page 1 of 14
DEPARTMENT: Planning & Heritage	ATTACHMENTS: <ul style="list-style-type: none"> A. GIS Map B. Schedule "B2" Official Plan C. Proposed Appendix "C" Official Plan D. Applicant submission outlining their rational for requesting a site specific exemption. E. Location of space subject to Walkable Street Provision F. Façade of Building along Walkable Street. G. Letters of support from local business. 	
SITE INFORMATION: Context: 500 Lot Area, Walkable Ward No: 1 – Queens Square Existing Land Use: Mixed Use building Official Plan: Waterfront Zoning: Waterfront Zone (WF)		
PREVIOUS APPLICATIONS: See Property History		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to Amend "Appendix C – Approved Site Specific Exemptions" as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw to exempt 7-9 Pownal Street (PID #1105451) from Section 34.2 of the Zoning and Development Bylaw from the required Permitted Uses at Grade on Walkable Streets;

and amend the Official Plan by creating a new table "Appendix B – Approved Site Specific Exemptions" to amend Section 4.2.3(2) of the Official Plan to exempt 7-9 Pownal Street (PID

#1105451) from the designated permitted uses on a Walkable Street, in order to allow a ground floor commercial space to be used for office or residential space subject to amending the existing Development Agreement.

BACKGROUND:

Request

The property owners, 102296 PEI Inc. have made an application for a Site Specific Exemption from the requirement under Section 34.2, Permitted Uses at Grade on Walkable Streets of the Zoning and Development Bylaw. This application also will require an amendment to the Official Plan to exempt PID # 1105451, 7-9 Pownal Street from Section 4.2.3(2) of the Official Plan. Moreover, a new Appendix to the Official Plan needs to be created to recognize those properties that have been granted site specific exemptions. Staff are recommending that a new table "Appendix "B" Approved Site Specific Exemptions" form part of the Official Plan.

If approved, this site specific exemption would allow the multi-use building on PID # 1105451 to incorporate residential and office use on the ground floor and be exempted from the requirement to provide tourism related services, retail uses or a cultural establishment on the ground floor of the building abutting Pownal Street which is deemed a Walkable Street under the Official Plan and Zoning Bylaw.

Development Context

The location of the building in question is on the corner of Water and Pownal Street and the portion of the building that the applicant has requested be exempt from this provision of the Bylaw and Official Plan is immediately adjacent to Pownal Street which is deemed a Walkable Street under Section 34.2.3 of the Zoning and Development Bylaw. The unit was initially intended to house commercial or tourism uses that animate the street.

Property History

-Design Review approval was originally granted on March 1, 2018 with revisions to said approval being approved on October 10, 2019.

-June 12, 2018: Development Agreement signed as per the plans approved by the Design Review Board.

- April 23, 2020 the Design Review Board approved revised plans resulting in further changes to the building design.
- Revised Development Agreement signed on May 5, 2020.
- A building permit was issued on August 5, 2020 to construct the multi-unit building.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.10.4 of the Zoning & Development By-law, on March 10, 2021 notice was sent to 33 (thirty-three) property owners located within 100 meters of the subject property advising them of the request for a site specific exemption and the proposed new table, Appendix "B" to the Official Plan. The letter advised them of the date, time, and location of the public meeting. The letter solicited their written comments for or against the proposed site specific exemption request and stated the deadline to submit written comments on the application.

Public Feedback

In response to the City's notification letter there were no letters received. However, 3 letters of support were received prior to the notification letter being sent (see attached).

The Public meeting was held on March 23, 2021 at the Rodd Royalty, 14 Capital Drive. At the public meeting Spencer Campbell the developer presented the details of the application including the reasons and rational for the request, site details and proposed uses for the unit. When Mr. Campbell finished his presentation residents were invited to ask questions and make comments. One resident spoke at the public meeting (see minutes from the public meeting for detailed comments). However, most of his concerns centered around the location of the building to the existing sidewalk. He also had concerns that this section of Pownal is a very busy street with trucks and boat trailers traveling up and down the street to the yacht club at the bottom of the street.

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*. If an application is contrary to the Official Plan, an application to amend the Official Plan must be filed in conjunction with the application. This application is contrary to Section 4.2.3(2) of the Official Plan which states,

“Walkable Streets – the portions of streets perpendicular and south of Water Street as shown on Schedule “B2”. Such streets prolongate to the waterfront and are intended to be vibrant interactive public spaces. Ground level uses along these streets are meant to animate the street and contribute to the pedestrian experience while creating a strong and distinct sense of place. Permitted uses should be commercial/retail, cultural and tourism service oriented in nature.”

If this application is approved to release the property owner from the requirements for a walkable street then the Official Plan will have to be amended by creating a new table “Appendix B” which will form a list of this and any future Site Specific Exemptions that may be approved to the Official Plan.

In December of 2012 a new Waterfront Master Plan was developed for the waterfront. The plan’s intent was to guide new development on the waterfront by ensuring a high standard of infill development, preserving and enhancing open space on the waterfront, providing continuous public access and increasing destination potential by creating activity and vibrancy. All of these factors would contribute in the long term toward creating a strong sense of place to be enjoyed by both residents and visitors alike.

The Plan designated portions of streets that ran perpendicular and south of Water Street as “Walkable Streets” These streets are depicted on Schedule “B-2” of the Official Plan and in Section 34.2.3 Map C, Walkable Streets of the Zoning and Development Bylaw. Generally speaking the Waterfront Master Plan identified the waterfront as, “A place for active ground floor uses which will activate the waterfront and create a must see/experience destination. Single purpose private uses should always be discouraged on the ground floor if they don’t encourage public activity (e.g. residential uses, offices, general industrial uses, parking garages, etc.). The

ground floors should always be reserved for commercial uses like retail, restaurants, pubs, visitor centres, galleries, etc. These uses should be encouraged to have an active address on the waterfront.”

*Section 3.5 of the Official Plan **Waterfront Development,***

Defining Our Direction

Our goal is to make the waterfront more accessible to the public, to facilitate development of strategically situated waterfront properties for a wide variety of uses, and to protect important views to and from Charlottetown Harbour.

1. *Our objective is to make the waterfront more accessible to the public.*

Along with their application for a site specific exemption the applicants have submitted a document outlining their rational for requesting the site specific exemption. The applicant’s submission is attached to this report. The applicants contend within their submission that the uses they propose are more appropriate for waterfront development and have listed within their submission various sections within the Official Plan which they interpret as supporting their application. In general, they contend that converting the ground floor space within their building to residential or office space is consistent with good planning principles, is in line with the policies and objectives of the Official Plan and is in the interest of the public. Although staff does not agree with various points included in their rational staff does not feel that the use they propose for this space undermines the overall integrity of the Waterfront Zone.

Notwithstanding, the Waterfront Plan when developed was intended to have a timeline of 30 years to full buildout. This area of the waterfront was identified within the master plan as the Charlottetown Yacht Club area. The master plan showed a significant improvement of the yacht club property which would include a new breakwater, births, a beach and new clubhouse with mixed use development (ground floor commercial and residential on the upper floors). Currently this area houses the courthouse, the existing yacht club and the portion of Water Street that this property flanks on is mainly occupied with residential uses. Commercial development has not yet intensified in this area of the waterfront. Staff would also note that when the Waterfront Plan was developed it was prior to COVID. Over the past year society has experienced unprecedented times during the pandemic. Downtowns across the country have faced many challenges. With many people moving to online shopping, and employers requiring their employees to work from

home retailers, services and office buildings have struggled to stay open and many have been forced to close. Unfortunately, merchants in Charlottetown's downtown have not been exempt from this. Therefore, staff recognizes that within the current economic climate it is difficult for landlords to rent retail space. Staff would also note that this building was designed to have architectural features such as high ceilings, large storefront windows and entrance doors facing the street to support commercial uses. Although, at the current time it may be challenging to rent this space for retail, tourism or service uses as times change economics will more than likely dictate the uses for this space.

Staff would also note that plans are not meant to be static documents but on the contrary are meant to be flexible to accommodate changing times.

Due to the fact that a development agreement exists for this property if Council were to approve this site specific exemption then an amendment to the existing development agreement would be required. In addition, the applicant has requested that an existing storage building on site that was intended to house garbage receptacles be removed as the applicant has indicated that facilities to house the garbage receptacles can be accommodated in the basement of the building as opposed to outside. Staff views this as a positive change. The applicant has also acquired additional land at the rear of the property from the Charlottetown Area Development Corporation. The applicant wishes to create a driveway across the rear yard to access the rear yard of their adjacent building. The revised Development Agreement would reflect the driveway crossing the rear yard of the subject property.

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"> ▪ The space would be occupied and not vacant until the economy changes to support retail use in this area. ▪ The applicant is proposing to relocate storage for 	<ul style="list-style-type: none"> ▪ The existing Development Agreement would have to be amended. 	<ul style="list-style-type: none"> ▪ The application is contrary to the Official Plan and therefore requires the Official Plan to be amended. ▪ If approved other property owners may

garbage receptacles into the basement of the building.

- Allowing the unit to be used for residential would provide another housing option to meet a demographic need in the downtown.

request exemptions to the walkable street provision resulting in less activity in this area of the waterfront.

CONCLUSION:

Given the current economic climate which has been brought on by the pandemic staff feel that this proposal has merit and are not averse to recommending for approval of this application. Staff are also recommending that the Official Plan be amended by creating a new table "Appendix B – Approved Site Specific Exemptions" to amend Section 4.2.3(2) of the Official Plan by exempting 7-9 Pownal Street from the Designated Permitted Uses On a Walkable Street. Staff are also recommending to amend the existing Development Agreement to reflect the changes.


Therefore, staff feel that it is reasonable to permit a site specific exemption to allow residential and office use along a designated Walkable Street at 7-9 Pownal Street.

PRESENTER:



Laurel Palmer Thompson, RPP
MCIP Planner II

MANAGER:



Alex Forbes, RPP, FCIP
Manager of Planning & Heritage

Attachment "B": Schedule B2 Official Plan:



Schedule "B2" Streetscapes Plan for the 500 Lot Area

Attachment “C” Proposed Appendix For the Official Plan:

APPENDIX “B” APPROVED SITE SPECIFIC EXEMPTIONS Official Plan

The following properties have been subject to a site or area specific exemption to the permitted land use or regulations by way of an amendment for a particular property or properties:

Future Land Use Designation	PID	Civic Address	Use	Exemption
Waterfront	1105451	7-9 Pownal	Mixed use Residential Building	Notwithstanding the provisions of Section 4.2.3(2), the following additional uses are permitted on property identified as (PID# 1105451) residential and office use on the ground floor along a designated Walkable Street.

Attachment “D” Applicant Submission:

Mr. Forbes:

Please consider this to be an application on behalf of 102296 PEI Inc. (“the Owner”) pursuant to section 3.11 of the Zoning and Development Bylaw (“the Bylaw”). Specifically, the request is that our mixed-use property (“the Property”) currently under development at the corner of Water and Pownal Streets (PID 1105451) be relieved from the “walkable street” provisions contained in section 34.2.1 of the Bylaw.

As you know, Water and Pownal Streets are designated as “walkable streets” under the Bylaw. As a result of this designation, a portion of the ground floor (see attached first floor plan with “the Space” outlined in red) of the Property is limited to certain uses. Section 34.2.1 states:

34.2.1 Only those uses listed below shall be permitted on the ground floor of a Building in the WF Zone immediately abutting a designated Walkable Street (Map C):

- a. Eating and Drinking Establishments;*
- b. Tourism related services including but not limited to, information services, touring services, or personal equipment rentals;*
- c. Retail Store; and*
- d. Cultural Establishment*

We understand and appreciate the objectives involved in the designation of walkable streets but suggest that other uses would be more appropriate for the Space and more viable for the Owners.

With respect to other uses, the Property, as you know, is located directly adjacent to the Law Courts and so the Space would be very suitable as office space for lawyers or others involved in the operation of the Courts. It would also be suitable for a variety of other commercial uses or for a residential use given that every other building on Water Street west of Pownal is occupied as residential accommodation.

We do not see the Space appropriate for tourism related services. It is off the “beaten path” of Queen Street and has limited parking. Similarly, we do not see the Space as being suitable for a cultural or a retail use. Again, such uses would be at odds with other area uses. A retail use, in particular, would be difficult given the location, the lack of parking and, more generally, the retail challenges being faced as a result of the pandemic.

With respect to an eating and drinking establishment, we would see this as a negative for the tenants who will reside in this building in terms of noise, smell and traffic. We are also of the view that residents who live on Water Street west of Pownal would be opposed to this type of use.

Section 3.11 of the Bylaw permits site-specific exemptions from the Bylaw under certain circumstances. Most relevant are that: (1) the proposed exemption not be contrary to the Official Plan; (2) the proposal does not undermine the overall integrity of any given zone; (3) the proposal is in the public interest; and (4) is consistent overall with good planning principles.

We are of the view that our application meets these criteria.

First, the proposed exemption is not contrary to the Official Plan. A review of Charlottetown's Official Plan makes clear that the waterfront is seen as a location suitable for various land uses:

*Both the Boylan Commission and the Stevenson-Kellogg Report pointed out that the waterfront is a key ingredient in the healthy development of the City. Its historical legacy, view plane characteristics, and diverse elements are central to Charlottetown's image and identity. **The area now supports a variety of residential, commercial, industrial, and recreational activities...**which collectively contribute to festivity and animation along the waterfront during warm weather months. **Indeed, these mixed-use elements represent the kind of future growth and development which best suits that part of the waterfront which extends from the Hillsborough River Bridge to Haviland Street. However, more attention should be paid to encouraging new residential and commercial development in this area,** as well as year-round usage of the waterfront's facilities. (page 24, emphasis added)*

And at page 25:

Our policy shall ensure that only the highest quality mixed use development is reserved for the waterfront. (emphasis added)

In our respectful submission, the Property is exactly the type of high quality mixed-use development that is endorsed by the Official Plan. The Official Plan makes clear that "... more attention should be paid to encouraging new residential and commercial development in this area." Exempting the Property from the walkable street provisions of the Bylaw in order to permit a commercial or residential use for the Space would therefore not be contrary to the Official Plan.

Second, the proposal does not undermine the overall integrity of any given zone. In this case the subject property is located within the Waterfront Zone (WF). The Bylaw permits a variety of uses in the Waterfront Zone (see Section 34.1). The types of uses most appropriate for the Space, commercial and residential, are uses permitted in the Waterfront Zone. As a result, permitting these uses would not undermine the overall integrity of the Zone.

Third the proposed exemption is in the public interest. The public most directly impacted by the Space are the future residential tenants of the Property and the Property's immediate neighbors.

As indicated *infra*, all other properties located on Water Street west of Pownal have a residential use. More generally, the Official Plan recognizes that a variety of uses in the Waterfront Zone contributes to the overall public good:

*“... the downtown waterfront area includes a vibrant mix of residential, commercial, industrial, and recreational activities. With appropriate comprehensive planning, this part of the waterfront can become a major catalyst that attracts more complementary **year-round residential and economic activity**, and will thus contribute to the expansion of general development within the downtown area.”* (page 26, emphasis added)

In sum on this point, a strong year-round commercial or residential tenant in a new, high-quality waterfront building is in the interest of other tenants, neighbors and the public generally.

Finally, the proposed exemption is consistent overall with good planning principles. We have been in communication with Mr. Rob LeBlanc of Fathom Studio who was intimately involved in the preparation of the City's Comprehensive Waterfront Master Plan and is supportive of our request.

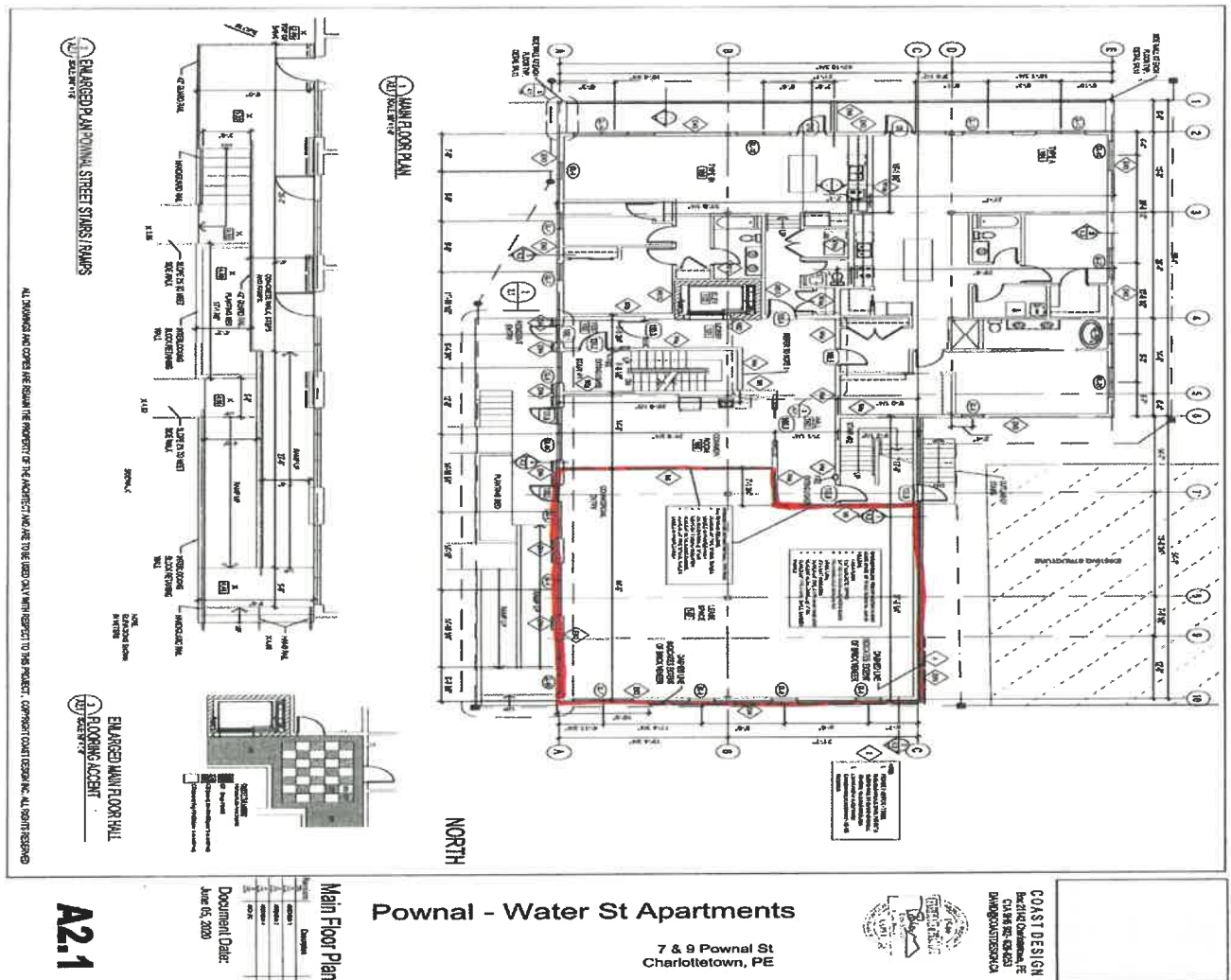
In sum, in our respectful opinion the criteria for a site specific exemption contained in section 3.11 have been met and the Property should be relieved from the walkable street provisions of the Bylaw. The Property is located in the Waterfront Zone and the Owners should be permitted to rent the Space for one of the uses permitted in the Zone.

Please let me know if additional information is required in order to consider our application.

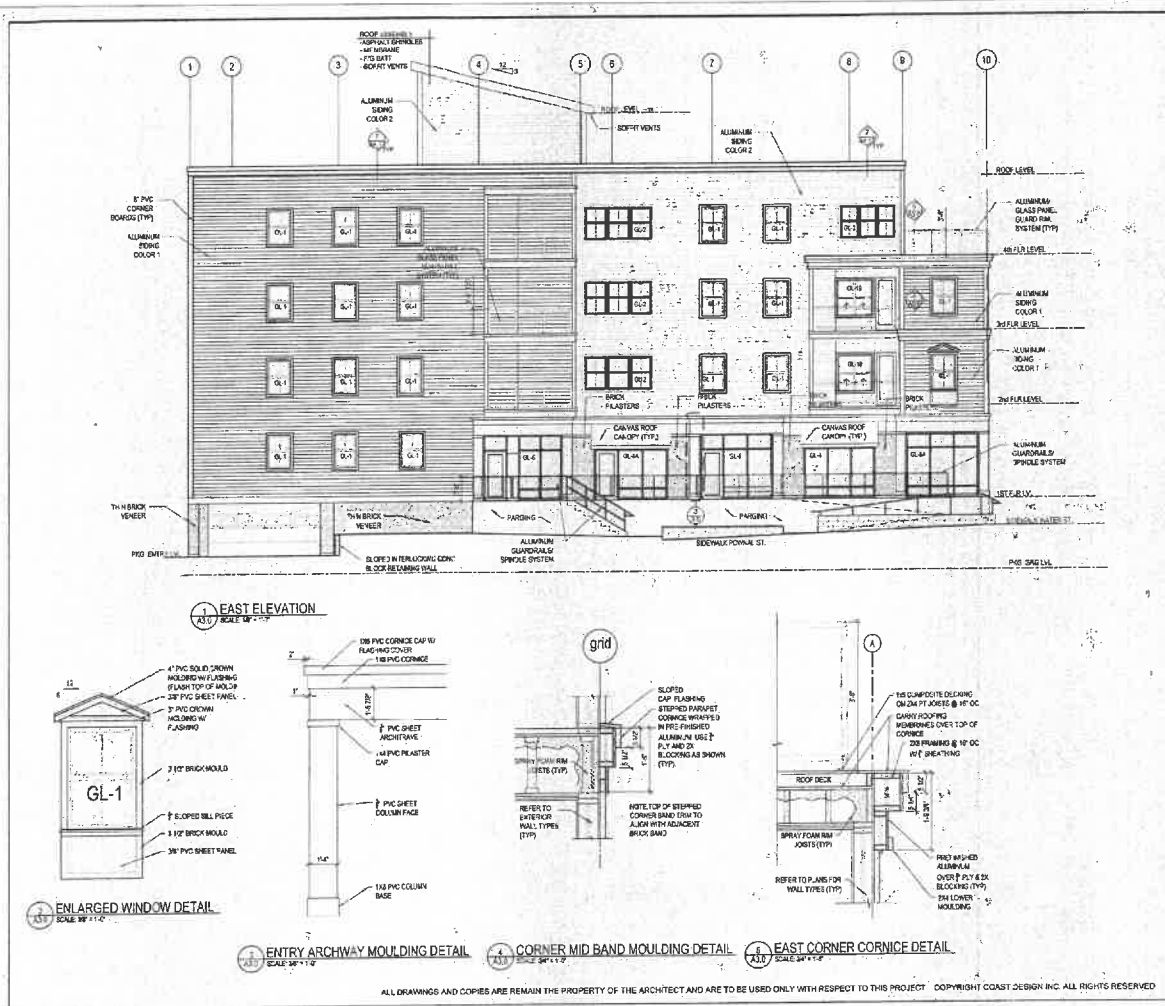
All of which is respectfully submitted.

Spencer Campbell on behalf of 102296 PEI Inc.

Attachment "E": Location of Space Subject to Walkable Street Provision:



Attachment "F": Façade of Building Along Walkable Street:



COAST DESIGN
1801 21142 CHAMBERLAIN, PE
C/OA 9416 902-626-8253
DAVID@COASTDESIGN.CA

CERTIFICATE OF QUALITY
15-410
COAST DESIGN
1801 21142 CHAMBERLAIN, PE
C/OA 9416 902-626-8253
DAVID@COASTDESIGN.CA

Pownal Water St Apartments
7 & 9 Pownal St
Charlottesville, PE

East Elevation

Document Date:
November 1, 2019

REV.	DATE	ISSUED FOR
1	NOV 1 19	ISSUED FOR CONSTRUCTION

A3.0

Attachment "G": Letters Of Support:



MACHEN INVESTMENTS Ltd.

February 12, 2021

Re: Ground Floor Use – 7 Pownal Street

Dear Mr. Forbes and committee:

We are the property owners of two adjacent properties on Water Street in Charlottetown. We have also consulted with and have assisted Mr. Campbell and Mr. Dunne in their renovation of 24 Water Street and the new apartment building adjacent at the corner of Water Street and Pownal Street. They are doing a great job and adding value to the street in renovating 24 Water and building a quality, apartment building at 7 Pownal.

It is our understanding that Mr. Campbell and Mr. Dunne have applied to the City to have the use of the ground floor space in the newly constructed building expanded beyond the narrow uses of ground floor "walkable streets". It is our understanding that their preferred uses are as apartment space.

We fully support this request.

Furthermore, as you may know, the Water St. block where this development is happening and where we live is today only residential tenancy.

There is no retail, nor eating and drinking establishments on the Water Street block bordered by Pownal and all the way West to the armories.

And this is for good reason. The Water street block west of Pownal is noncommercial, and a quiet residential street, with limited parking barely enough for homeowners and apartment dwellers who live on this street and where properties are in very tight and close proximity to one another.

It would likely be very disruptive, problematic and an irritant for the neighbors on this block of Water Street, if Mr. Campbell and Mr. Dunne filled the space with the narrow-permitted use of say a bar, a restaurant, or other such commercial establishment, with customers coming and going evenings and weekends, in a space that is so close to many residents.

Please join us in supporting their request for lower impact apartment or office space use, which is in keeping with the current uses on this block.

Yours Truly,

Terry Hennessey, Machen Investments Ltd.
cc. Terry McKenna

TIBOCO Properties Inc.

February 21, 2021

City of Charlottetown
Department of Planning & Heritage
70 Kent Street
Charlottetown, PE
C1A 1M9

Attention: Mr. Alex Forbes, Manager of Planning & Heritage

Re: Current Development - Ground Floor Use - 7 Pownal Street, Charlottetown, PE

Dear Mr. Forbes and Committee:

We are the property owners of 18/20/22 Water Street which is the building to the immediate west of current redevelopment / renovation of 24 Water Street. We are following this project with interest as well as the current new construction / development on the corner of Water Street and Pownal Street.

It is our understanding that the developers, Mr. Spencer Campbell and Mr. Steven Dunne have applied to the City to have the use of the ground floor space in the building currently under construction to be expanded beyond the existing use of ground floor as established under the current development requirements which we understand requires the ground floor space to be occupied for the purpose of food & beverage, tourism or cultural use. It is also our understanding that their preferred use of this space would be as an office or apartment use.

We have no objections to their intentions and in fact support their planned use of this space. There is no question that there has been a substantial and renewed interest in residential occupancy in the City and we believe this development will further enhance and promote the City of Charlottetown in that regard.

Yours Truly,



Tim Casey / Bob Sear



February 19, 2021

Alex Forbes
Manager of Planning & Heritage
City of Charlottetown

Re; 7 Pownal St; support of request for variance to the "walkable streets" Bylaw

Dear Mr. Forbes,

Downtown Charlottetown Inc. supports the request by 102296 P.E.I. Inc. to allow a variance to the "walkable streets" Bylaw on their development at the corner of Water and Pownal Streets (PID #1105451).


Section 3.11 of the Bylaw makes provision for exemptions under certain circumstances. We feel their intended occupancy is better suited to that particular City block and will have a much lower impact on the neighborhood than those occupancies permitted in the Bylaw. We feel their request meets the relevant criteria for an exemption and ask that you grant the variance.

Sincerely,

Dave McInnis
Chair Business Development

CC; Planning Committee Chair Mike Duffy

P.O. Box 1414 Charlottetown PEI C1A 7K2 902 368 8636

TITLE: SITE SPECIFIC EXEMPTION FILE: PLAN-2021-06-B-5 199 GRAFTON STREET OWNER: 102390 PEI INC. APPLICANT: APM COMMERCIAL ROYAL LEPAGE		
MEETING DATE: April 6, 2021		Page 1 of 9
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Plan C. Architectural Plans D. Concept Drawings	
SITE INFORMATION: Ward No: 1 (Queen Square) Existing Land Use: Commercial/ office building and surface parking lot Official Plan: Downtown Mixed Use Neighbourhood Zoning: Downtown Mixed Use Neighbourhood (DMUN) Zone		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend advancing the request for a Site Specific Exemption to Section 30.2, Regulations for Permitted Uses and Section 30.3 Bonus Height Development Standards in the Downtown Mixed Use Neighbourhood (DMUN) Zone of the Zoning and Development Bylaw to public consultation for the proposed six (6) storey, eighty four (84) unit apartment building with parking located within and under the building at 199 Grafton Street (PID #342790).

And further to consolidate all seven (7) properties under PID # 342790 into 1 parcel.

BACKGROUND:

Request

APM Commercial on behalf of their client 102390 PEI Inc. have made an application for a Site Specific Exemption from the requirements under Section 30.2, Regulations for Permitted Uses

and Section 30.3 Bonus Height Development Standards in the Downtown Mixed Use Neighbourhood (DMUN) Zone of the Zoning and Development Bylaw. In addition, this application will require a lot consolidation of 7 properties under PID # 342790.

If approved this Site Specific Exemption would allow a six (6) storey, multi-residential building consisting of 4 storeys of apartments on top of a 2 storey parking garage at grade, with 4 additional units and a lobby at ground level. The proposal also incorporates one level of underground parking. The proposal includes a Bonus Height Application under Section 3.12 of the Zoning and Development Bylaw and the applicant has indicated in their submission that the public benefit they intend to provide in exchange for the Bonus Height is affordable housing.

The applicant has indicated to staff,

“As indicated in our application letter (see attached) and other ongoing correspondence, it is our stance that the following items should qualify us for the additional bonus height of two floors:

- 1. 100% commitment to be fully funded by CMHC under the Multi-FLEX affordable housing program to be bound into the development agreement.*
- 2. Enhanced on-site parking with additional public use parking for the downtown core while efficiently infilling an otherwise unsightly parking lot.*
- 3. Characteristic design that plays on different aspects of the surrounding neighborhood and effectively adds to the existing streetscape.*
- 4. Higher than normal environmental efficiency standards and design.*
- 5. Addition of green space where the new footprint or existing parking lot is no longer required.”*

The public benefit portion of the Bonus Height Application will be deferred to Planning Committee for review and a recommendation.

By-law Requirement

Section 30, Downtown Mixed Use Neighbourhood (DMUN) Zone of the Zoning and Development Bylaw outlines the minimum requirements for permitted uses within the zone. The applicant has asked for various requirements under this zone to be exempted. Due to the complexity of this project and substantive nature of exemptions requested, this application cannot proceed through a Major Variance process as per Regulation 3.9.1(i). However, the process for a Site Specific Exemption is a much more robust process which examines all variance components of the

development under one application. This process involves public consultation. 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:

- A) The proposed Site Specific Exemption is not contrary to the *Official Plan*. If an application is contrary to the Official Plan, an application to amend the Official Plan must be filed in conjunction with the application. Staff would note that this application is not contrary to the Official Plan.
- B) If a proposed use of land or a Building that is otherwise not permitted in a Zone is sufficiently similar to or compatible with the permitted uses in a different Zone, Council may consider Permitting such an application through a by-law amendment process;
- C) Council may consider Rezoning a property and restricting some or all of the permitted uses within the Zone with the exception of the proposed use under consideration; and
- D) The proposal does not undermine the overall integrity of any given Zone, is in the public interest and is consistent overall with good planning principles.

Section 3.11.2 further states that Council may approve a Site Specific Exemption to the permitted uses or regulations within any Zone, after receiving a recommendation from the Development Officer and Planning Board; and following the process as prescribed for an amendment to this by-law.

ANALYSIS:

The applicant has submitted a written and graphic submission outlining their proposal. The submission included concept drawings, elevations, floor plans, a topographic survey and a site plan of the proposed multi-unit building (Attachments B to D). This proposal was required to undergo the design review process. The proposed building design submission was sent to an independent design reviewer, Peter Fellows, a licensed Architect from New Brunswick to perform a design analysis. Overall, the design reviewer indicated that the *“the entire project has been very well thought out in a planning sense. Everything is in appropriate placement.”* The design reviewer identified components of the application that would have to be dealt with under an application for a Site Specific Exemption but supported the overall design of the building. The design reviewer’s analysis was forwarded onto the City’s Design Review Board and the Design Review Board agreed with Mr. Fellow’s recommendation and voted to approve the building design with a few minor recommendations.

In the design review report the design reviewer indicates that several variances and exemptions are required to obtain building permit approval. Staff has also reviewed the project in detail and below is a summary of the variances/exemptions that are required under this Site Specific Exemption application.

Variance Summary

- *Height variance to six storeys if bonus height can be justified- 60.7 ft. is permitted. Proposing 70.4 ft. therefore requires a 9.7 ft. variance.*
- *Height variance to four storeys if bonus height cannot be justified- 39.4 ft. permitted. Proposing 47.6 ft. to the top of 4th storey therefore requires an 8.2 ft variance.*
- *Flankage yard variance along Clark Street- 7.9 ft. required for base building setback. Proposing a 2 ft. setback therefore requires a 5.9 ft. variance.*
- *Step back above fourth storey on Clark Street- Requires a 9.8 ft. step back from base building therefore combined with the required setback a 15.7 ft. variance is required.*
- *Lot width for bonus height on Hillsborough - 98.4 ft. of frontage is required there is 74.5 ft of frontage along Hillsborough therefore a 23.9 ft variance is required.*
- *Side yard setback to the building located at 142-146 Prince Street- 3.9 ft. is required to be equal to the side yard setback of the existing building. The proposed setback is 1.96 ft therefore a 1.94 ft variance is required.*
- *A variance is also required to exempt the parking structure from Section 7.11.3 of the Zoning and Development Bylaw which states, "Where a parking structure fronts on a street:*
 - a) the ground-level façade shall incorporate retail, public or other active uses, as well as provide pedestrian amenities such as an awning, canopy, or sheltered entryway; and*
 - b) The front façade shall be designed to conceal the parking levels and gives the visual appearance of a multi-storey building articulated with bays and window openings.*

Variance review

Under Section 3.12 Bonus Height Applications and 30.3 Downtown Mixed Use Neighbourhood Zone of the Zoning and Development Bylaw a height variance would be required if the proposal does not provide public benefits.

The request for a Bonus Height Application must be reviewed and approved by the City's Planning Committee. As per Section 3.12.10, *"The City at it's discretion shall provide a recommendation from Planning Committee to the CAO for the Public Benefits that should be required for the development pursuing a bonus height application."*

Upon approval by the Planning Committee, the applicant will be required to seek approval through the City's Affordable Housing Incentive Program to confirm the proposal meets the policy criteria for affordable housing.

If bonus height is permitted the proposed building exceeds the allowable bonus height by 9.7 ft. The design reviewer did not feel that the mass and scale of the building was intrusive or out of context in this area of the City as he indicated the building was located mid block. The Design Review Board agreed with his interpretation.

However, If the bonus height is not approved the applicant will be restricted to 4 storeys or a maximum allowable height of 39.4 ft. Building elevations indicate 47.6 ft to the top of the 4th storey therefore a variance will be required to allow the building to be constructed to this height.

The subject property is unique as it is bounded by 4 streets. Due to its location behind the existing Grafton Place Building and given Clark Street is used predominantly as a laneway behind buildings which are located on Kent Street the location of the proposed building can be considered mid-block.

From staff's point of view the primary consideration in this application is whether the requested variances will negatively impact the adjacent properties in this area. Staff are most concerned with the interface of the proposed building with the existing apartment building located at 142-146 Prince Street. As indicated on the site plan the subject building is proposed to be located 1.96 ft. to the property boundary. The existing smaller apartment building on Prince Street is

located approximately 3.9 ft. to its property boundary. In the DMUN Zone the Bylaw allows a side yard setback equal to the side yard setback of the existing building on an abutting property.

Although the main façade of this building is located on Prince Street the technical lot frontage of this property is on Hillsborough Street as the Bylaw defines the narrowest portion of a lot along a street as the street frontage. The Bylaw requires a minimum of 65.6 ft. of frontage for an apartment building 4 units or more in the DMUN Zone. This lot has approximately 74.5 ft. of frontage. However, if the building is built to the bonus height then 98.4 ft. of frontage is required. Therefore, a variance to the frontage requirement of 23.9 ft. will be required for the Hillsborough side. Staff does not view this as significant as the main façade of the building is located on Prince Street and there is approximately 116 ft. of frontage on this side.

Clark Street although it serves for the most part as an access lane for the back of buildings along Kent Street, technically under the Bylaw the yard abutting Clark St. is considered the flankage yard. A minimum of 7.9 ft. setback is required for a flankage yard setback for the base building. A 2ft. setback is proposed. The main consideration here is the proximity of the building to the street or laneway. Staff have consulted with the Public Works Manager to determine how to ensure the roadway is not compromised by encroachment and the proposed building can be constructed. The Public Works Manager has indicated that the 2ft setback will allow enough room for snow clearing and street operations. In addition, the existing power lines along Clark Street will need to be relocated at the property owner's expense. The applicant has indicated the intent is to bury the power lines. The applicant will need to provide the Planning Department a drawing showing where the power lines are to be relocated to.

A step back of 9.8 ft. is required above the 4th storey on Clark Street. Therefore, combined with the 5.9 ft. flankage yard variance for the base building a total variance of 15.7 ft. is required for a step back variance along Clark St. Staff have not applied a step back requirement to the Grafton St. side of the building as the proposed building is located behind the existing Grafton Palace Building and is located mid-block and not adjacent to the street. Staff are less concerned about the step backs on the north and south elevation of the building. The more significant streetscapes on this project are both Prince and Hillsborough Streets. The building design incorporates step backs with the entrance and exits to the parking garage on these streets. The use of these structures as step backs was supported by both the design reviewer and the Design Review Board. The design reviewer indicated that, *"the exit to the parking structure on Prince Street effectively provides a step back on this building."*

The final variance under this Site Specific Exemption application is a request to exempt the parking structure from Section 7.11.3 of the Zoning and Development Bylaw. This section requires that parking structures in the 500 Lot Area be constructed to incorporate retail, public and other active uses at the ground level. The purpose of this requirement is to conceal parking structures and to provide more activity on the street.

Should this exemption be granted staff would suggest that with regards to the entrance and exit to the building that consideration should be given to mitigative measures that would help announce to pedestrians either on Hillsborough or Prince Street that cars will be entering and exiting this building. Particular emphasis should be placed on how pedestrians can be notified that cars are exiting onto Prince Street. There are a number of techniques such as alarms, flashing lights etc. that warn passing pedestrians of this situation.

In terms of parking, although the proposal removes the existing parking lot (88 spaces) that was located behind the polyclinic building. The developer is proposing to meet the requirements for the new development and replacing the 88 parking spaces within and under the proposed building.

The applicant is required to provide 10% landscaping on site. The applicant has indicated that they are providing 11,564 sq ft of landscaped area. This would amount to approximately 16% of the site dedicated to landscaping. Staff would note on the site plan eight (8) parking spaces are proposed on the corner of Grafton and Prince Streets. It is staff's understanding that there is more than sufficient parking for the entire site within the building and the surface parking is not required. This is a very prominent corner in the downtown core located near important historic buildings and the location of this parking does not enhance the overall aesthetic and urban design of this area of the City or the project. Staff have consulted with the applicant and the applicant has indicated that future plans are to develop this lot. Staff do not feel that the entire corner property should be dedicated to landscaping. However, it is staff's opinion that at least a portion of this property should be landscaped and an urban design feature added to address the corner and disguise the adjoining parking. Such a treatment may also be used to acquire public benefits related to their Bonus Height Application. Staff will be following up with the Public Works Manager to determine whether the access to the proposed parking is too close to the abutting intersection.

If this application goes to public hearing staff and Council will hear from the adjoining property owners as well as the residents to the north who back onto Clark Street. Staff can not predetermine what the outcome of the public hearing process will be. However, these issues can be better analyzed as the application proceeds to and through the public process and Planning Board.

CONCLUSION:

This project received support from both the design reviewer and the Design Review Board subject to the following recommendation from the Design Reviewer concerning brick treatment on both the Clark Street and Hillsborough facades

As noted by the Design Reviewer,

- The Clark Street façade should, continue as is with the lower two floors open but the structure would look better and be more durable if finished in the same brick as on Prince Street while leaving the railings and cars visible to the viewer.
- The end at Hillsborough should have the framing done in brick with metal panel inserts for a softer look.

Given that this application was welcomed in a positive manner from both the design reviewer and the Design Review Board staff feel that the project has merit and will provide additional housing within the downtown. Additional residents living in the downtown core will help to stimulate the economy in the downtown and contribute to making it a vibrant place for residents and visitors.

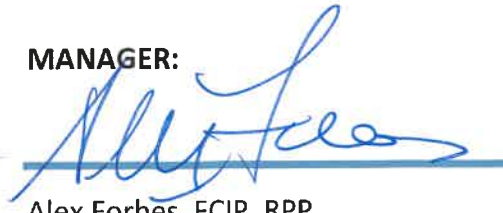
Staff are generally in support of the application and are recommending that it proceed to public consultation to gauge the public's opinion on the proposal to construct a six (6) storey, eighty four (84) unit building consisting of affordable housing.

PRESENTER:



Laurel Palmer Thompson, MCIP,
RPP
Planner II

MANAGER:



Alex Forbes, FCIP, RPP
Manager of Planning & Heritage

Attachment A – GIS Map



SITE SPECIFIC EXEMPTION
File: PLAN-2021-06-B-5
199 GRAFTON STREET (PID# 342790)

OWNER: 102390 PEI Inc.

APPLICANT: APM Commercial Royal LePage



Attachment B

Site Plan

SITE SPECIFIC EXEMPTION
File: PLAN-2021-06-B-5
199 GRAFTON STREET (PID# 342790)

OWNER: 102390 PEI Inc.

APPLICANT: APM Commercial Royal LePage



Attachment C

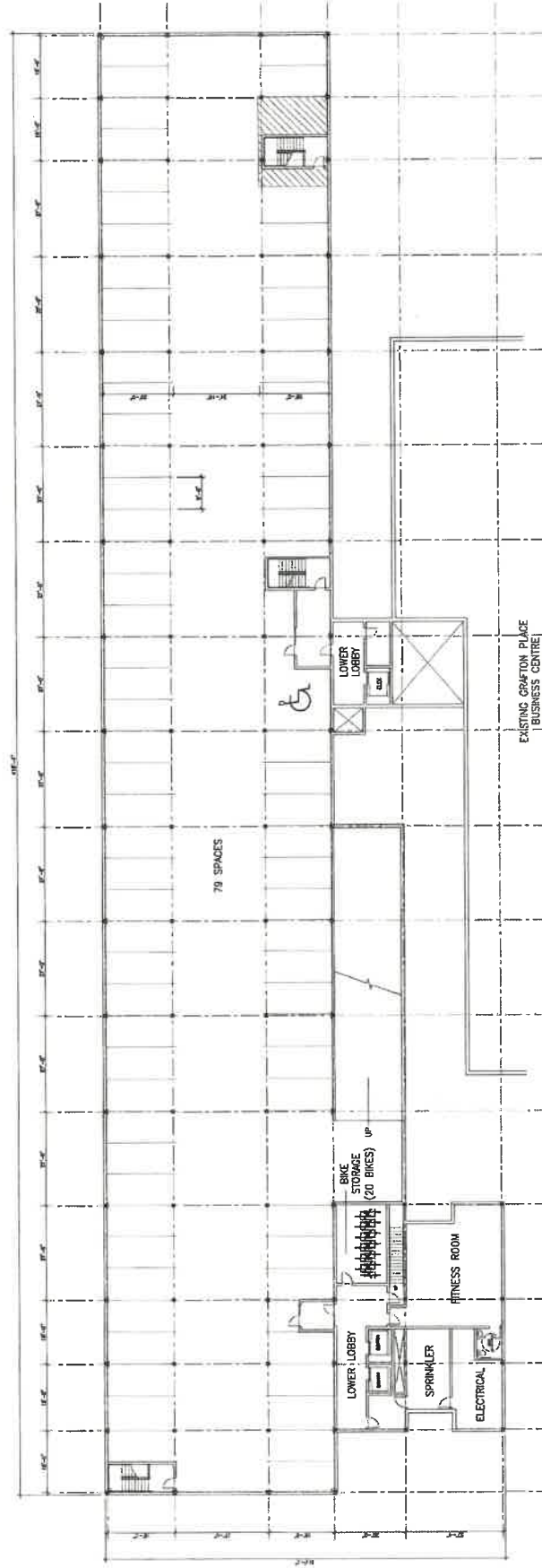
Architectural Concept Plans

SITE SPECIFIC EXEMPTION
File: PLAN-2021-06-B-5
199 GRAFTON STREET (PID# 342790)

OWNER: 102390 PEI Inc.

APPLICANT: APM Commercial Royal LePage





PARKING GARAGE AREA 32,855 SQ. FT.

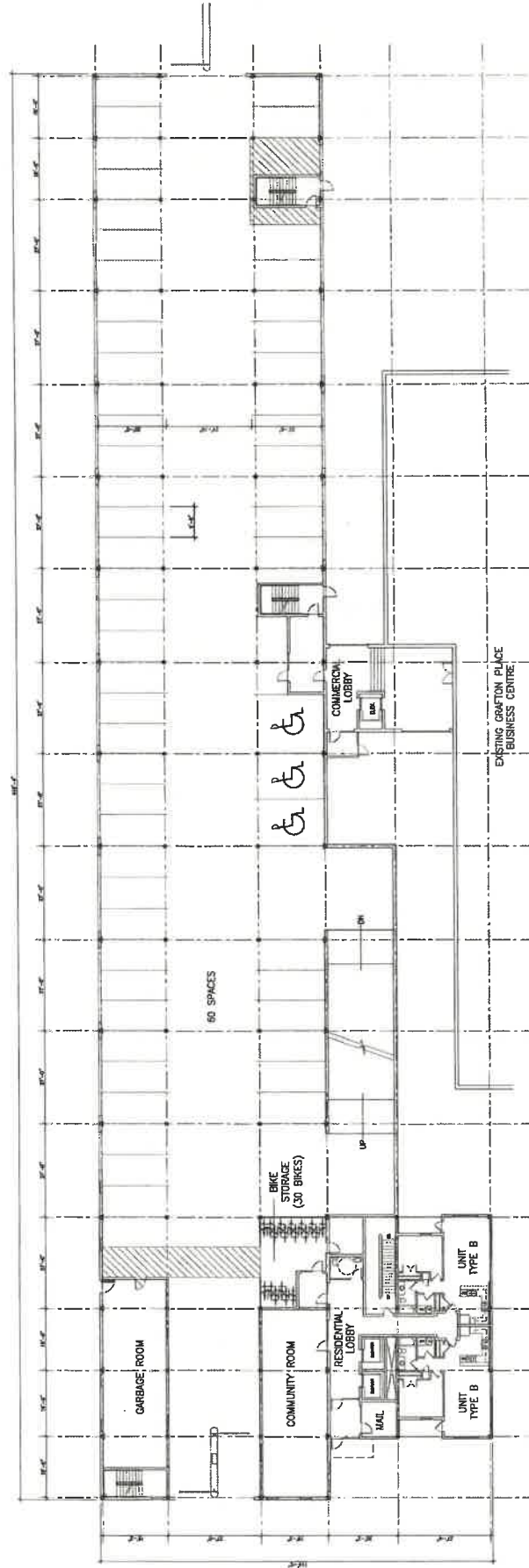
LOWER LEVEL - NOT TO SCALE

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A-0

PORT HOUSE APARTMENTS
Charlottetown, PE - February 17, 2021 (Rev.#1)



PARKING GARAGE AREA 29,855 SQ.FT.
LIVING AREA 3,000 SQ.FT.
(2-UNITS)

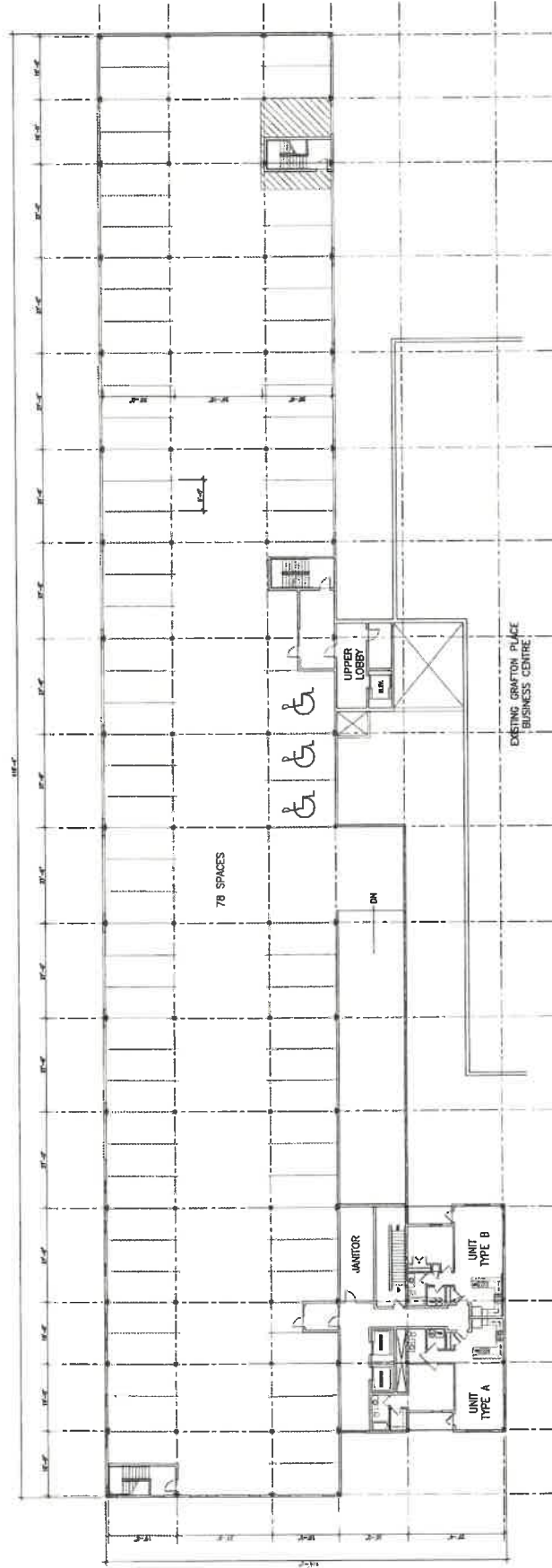
MAIN LEVEL - NOT TO SCALE

A-1

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PORT HOUSE APARTMENTS Charlottetown, PE - February 17, 2021 (Rev.#1)





PARKING GARAGE AREA 29,855 SQ.FT.
LIVING AREA 3,000 SQ.FT.
(2-UNITS)

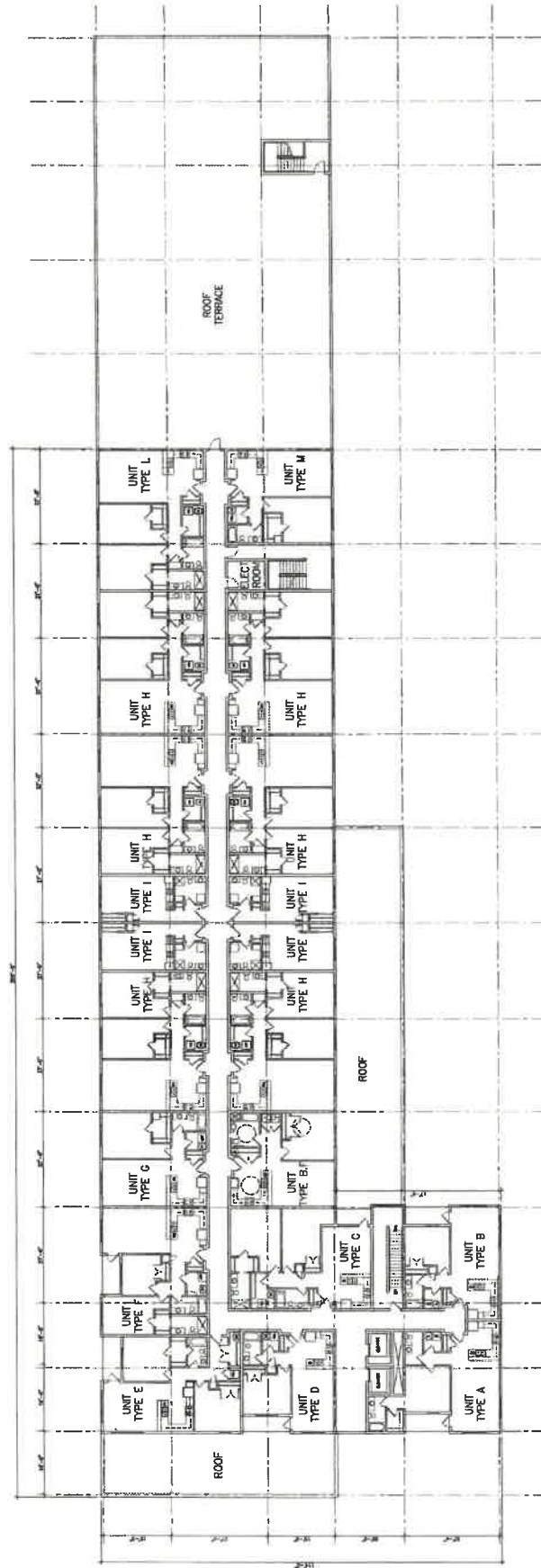
SECOND LEVEL - NOT TO SCALE

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A-2

PORT HOUSE APARTMENTS
Charlottetown, PE - February 17, 2021 (Rev.#1)



LIVING AREA
(20-UNITS) 21,467 SQ.FT.

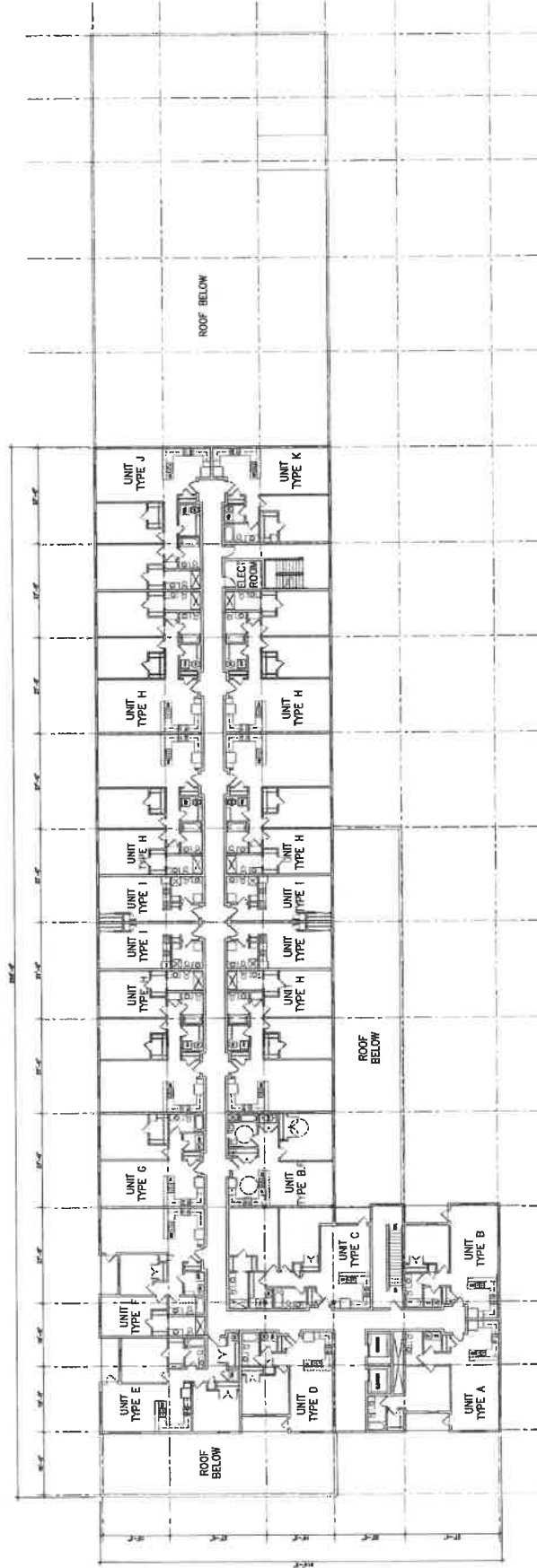
THIRD LEVEL - NOT TO SCALE

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A-3

PORT HOUSE APARTMENTS
Charlottetown, PE - February 17, 2021 (Rev.#1)



21,467 SQ.FT. (PER/FLOOR)

LIVING AREA
(20-UNITS PER/FLOOR)

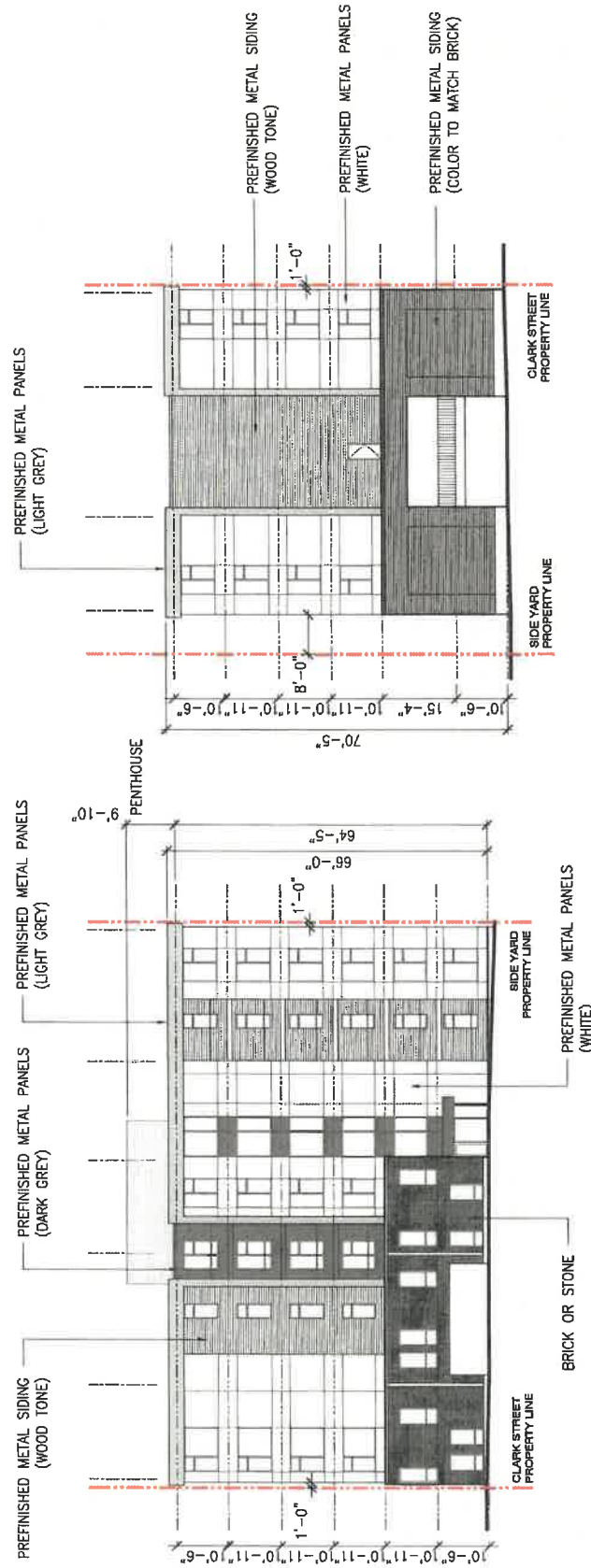
LEVELS 4-6 - NOT TO SCALE

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PORT HOUSE APARTMENTS
Charlottetown, PE - February 17, 2021 (Rev.#1)

APM ROYAL LEPAGE **COMMERCIAL**



FACING HILLSBOROUGH STREET

FACING PRINCE STREET

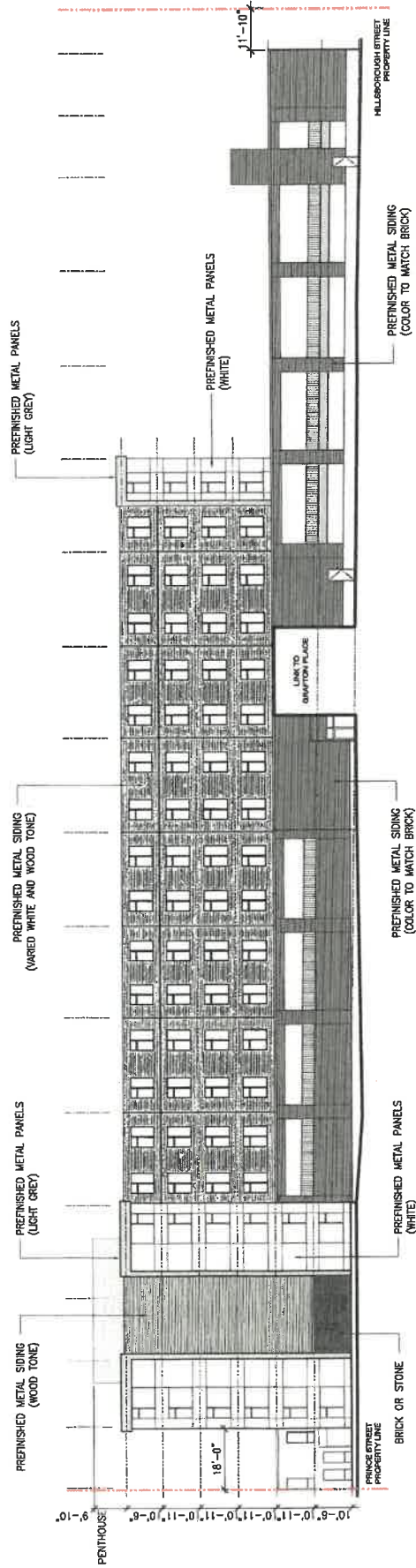
FRONT AND REAR ELEVATIONS - NOT TO SCALE

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A-5

PORT HOUSE APARTMENTS
Charlottetown, PE - February 17, 2021 (Rev.#1)

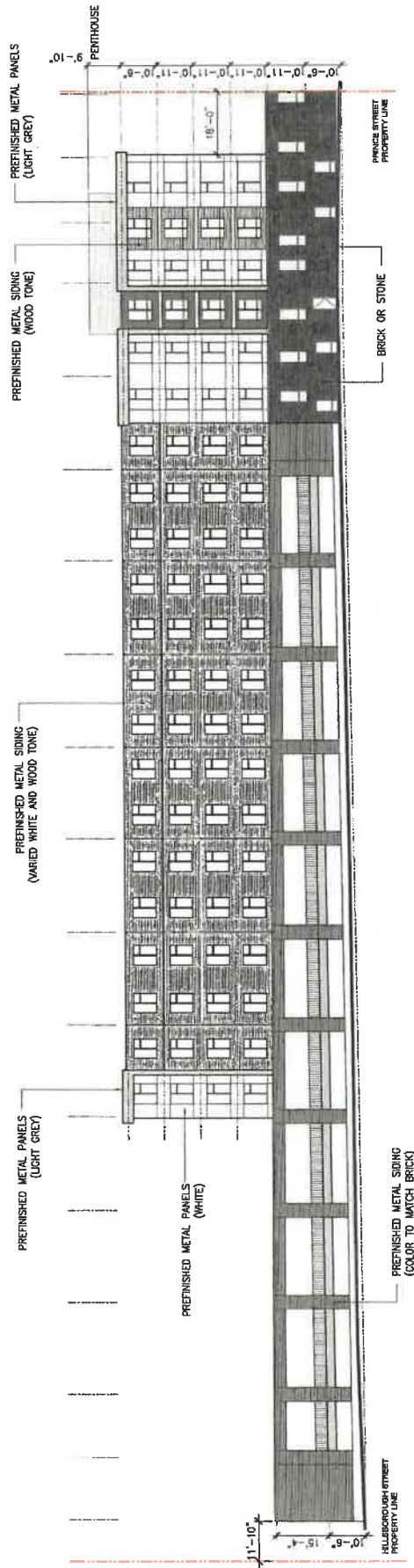


FACING GRAFTON PLACE BUILDING

RIGHT ELEVATION - NOT TO SCALE

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A-6



FACING CLARK STREET

LEFT LEVEL - NOT TO SCALE

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A-7




POPE HOUSE APARTMENTS

Charlottetown, PE - February 17, 2021 (Rev.#1)

Attachment D

Rendered Views

<p>SITE SPECIFIC EXEMPTION File: PLAN-2021-06-B-5 199 GRAFTON STREET (PID# 342790) OWNER: 102390 PEI Inc. APPLICANT: APM Commercial Royal LePage</p>	 <p>CHARLOTTETOWN Planning & Heritage Department</p>
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