

#### PUBLIC MEETING AGENDA NOTICE OF MEETINGS

Tuesday, April 27, 2021 at 7:00pm Courtyard, The Rodd Royalty, 14 Capital Drive (Also accessible via Videoconference (Webex) and live stream at www.charlottetown.ca/video)

- 1. Call to Order
- 2. Declaration of Conflicts
- 3. Approval of Agenda
- 4. Report:

#### a) 199 Grafton Street (PID #342790)

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 199 Grafton Street (PID #342790) from Section 30.2 Regulations For Permitted Uses in the Downtown Mixed Use Neighbourhood Zone and Section 30.3 Bonus Height Development Standards in the Downtown Mixed Use Neighbourhood (DMUN) Zone in order to allow a six (6) storey, 84-unit apartment building with parking located within and under the building.

The following is a summary of the variances which are requested under this application for a site specific exemption for this property:

- Height variance to six (6) storeys if bonus height can be justified. 60.7 ft. is permitted. The proposed height is 70.4 ft.; therefore, a 9.7 ft. variance is required.
- Height variance to four (4) storeys if bonus height cannot be justified. 39.4 ft. is permitted. The proposed height is 47.6 ft. to the top of fourth storey; therefore, an 8.2 ft variance is required.
- Flankage yard variance along Clark Street. 7.9 ft. is required for the base building setback. The proposal is for a 2 ft. setback; therefore, a 5.9 ft. variance is required.
- Step back above fourth storey on Clark Street. *It 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 Street. 98.4 ft. of frontage is required. There is 74.5 ft. of frontage along Hillsborough Street; therefore, a 23.9 ft. variance is required.
- Side yard setback to the building located at 142-146 Prince Street. A 3.9 ft. setback is required to be equal to the side yard setback of the existing building at 142-146 Prince Street. The setback for the proposed building 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,* 
  - 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
  - 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.



5. Introduction of New Business

#### 6. Adjournment of Public Session

Following the COVID-19 Post Circuit Breaker" measures, the City of Charlottetown is required to take further steps to help reduce the spread of COVID-19 and mitigate impacts on the health and safety of residents. Organized gathering limit of 50 (including staff support) is permitted. No additional rooms are available at this time.

Those who wish to attend the public meeting in person may do so. Everyone attending in person is asked to register for the meeting and adhere to the guidelines set by the Chief Public Health Officer, details of which are available online at <u>www.princeedwardisland.ca/covid19</u>. Once the maximum capacity has been reached, residents will be advised to participate in the meeting by videoconference or teleconference.

Those who are unable or uncomfortable attending in person can participate in the public meeting via videoconference or teleconference, utilizing Webex or connecting by phone. Anyone who wants to observe the meeting without commenting can watch it at <u>www.charlottetown.ca/video</u>.

Residents wishing to participate are encouraged to contact the Planning & Heritage Department by email at planning@charlottetown.ca or call 902-629-4158 on or before 4:30 p.m. on Friday, April 23, 2021 to provide their contact details (name, phone number and/or email address). Business hours are between 8:00 AM – 4:30 PM, Monday – Friday. Staff will contact interested participants no later 12:00 p.m. on Monday, April 26, 2021 with details on how to participate in the meeting.

Anyone wishing to view the proposed amendments can visit the City's website at <u>www.charlottetown.ca</u> and find the Meeting Packages under the Mayor and Council section. As comments are received and meeting minutes are compiled, the package will be updated with additional information leading up to the public meeting. As the City encourages written submission, please forward any written comments to the Planning & Heritage Department at P.O. Box 98, 199 Queen Street, Charlottetown, PE, C1A 7K2 on or before 12:00pm on Wednesday, April 28, 2021. Comments may also be emailed to <u>planning@charlottetown.ca</u>. Any responses received will become part of the public record. Planning & Heritage Department City of Charlottetown 70 Kent Street Charlottetown, Prince Edward Island Canada, C1A 1M9



#### Information Sheet for Public Meeting on Tuesday, April 27, 2021

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

#### 199 Grafton Street (PID #342790)

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 199 Grafton Street (PID #342790) from Section 30.2 Regulations For Permitted Uses in the Downtown Mixed Use Neighbourhood Zone and Section 30.3 Bonus Height Development Standards in the Downtown Mixed Use Neighbourhood (DMUN) Zone in order to allow a six (6) storey, 84-unit apartment building with parking located within and under the building.

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- 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,*
- 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
- 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.

Ninety-three (93) letters were sent out on Thursday, April 15, 2021 to property owners within a 100-metre radius of the subject property as per the Zoning & Development Bylaw.

Notice of the proposed amendments was advertised in The Guardian newspaper on Saturday, April 17, 2021 and Saturday, April 24, 2021. Notice was also posted on the City's website.

Notices were posted on the subject property on Thursday, April 15, 2021.

As of Tuesday, April 20, 2021, no letters of support/objection were received. Any letters received after this time and before 12:00pm on April 27, 2021 will be added to the package that will be made available at the public meeting. Comments received after April 27, 2021 (12:00pm) to April 28, 2021 (12:00pm) will be included in the package for Planning Board in May 2021.

Planning & Heritage Department City of Charlottetown 70 Kent Street Charlottetown, Prince Edward Island Canada, C1A 1M9



*t* 902.629.4158 *f* 902.629.4156 *e* <u>planning@charlottetown.ca</u> *w* www.charlottetown.ca

Notes:

TITLE: SITE SPECIFIC EXEMPTION FILE: PLAN-2021-06-B-5 199 GRAFTON STREET OWNER: 102390 PEI INC. APPLICANT: APM COMMER	CIAL ROYAL LEPAGE	CHARLOTTETOWN
MEETING DATE:		Page 1 of 9
April 6, 2021		
DEPARTMENT:	ATTACHMENTS:	
Planning & Heritage	A. GIS Map	
0 0	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 4<sup>th</sup> 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 4<sup>th</sup> 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 than 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 liens are to be relocated to.

A step back of 9.8 ft. is required above the 4<sup>th</sup> 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 Hillsbourough 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: 0 0-

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.



## **Attachment B**

## Site Plan

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

OWNER: 102390 PEI Inc.





## **Attachment C**

# Architectural Concept Plans

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

**OWNER:** 102390 PEI Inc.







COPPRIGHT C) APM COMMERCIAL 2020. REPRODUCTION OR USE OF THIS DRAWING IS PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF APM COMMERCIAL. ALL INQUIRES RELATED TO THIS CONCEPT SHOULD BE ADDRESSED TO Planning Dapm.co OR 902.569.8400 LOWER LEVEL - NOT TO SCALE

32,855 SQ.FT

PARKING GARAGE AREA









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

MAIN LEVEL - NOT TO SCALE

COPPRIGHT CAR COMMERCAL 2020. REPRODUCTION OR USE OF THIS DRAWING IS PROHIBITED WITHOUT THE PRICH WRITTEN CONSENT OF APPM COMMERCIAL. ALL INQUIRES RELATED TO THIS CONCEPT SHOULD BE ADDRESSED TO PIONING/OPTIM CO 802.569.8400



# APM ... ROVAL LEAGE

COPYRICHT (C) APM COMMERCIAL 2020. REPRODUCTION OR USE OF THIS DRAWING IS PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF APM COMMERCIAL. ALL INQUIRES RELATED TO THIS CONCEPT SHOULD BE ADDRESSED TO PIONING@OPTIC: 0P 902.569.8400 SECOND LEVEL - NOT TO SCALE

29,855 SQ.FT. 3,000 SQ.FT.

PARKING GARAGE AREA LIVING AREA (2-UNITS)





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



APM ... ROWLIERGE

COPRIGHT CAPA COMMERCIAL 2020. REPRODUCTION OR USE OF THIS DRAWING IS PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF APM COMMERCIAL. ALL INQUIRES RELATED TO THIS CONCEPT SHOULD BE ADDRESSED TO PIGNING@OPT.co DR 902.568.8400 LEVELS 4-6 - NOT TO SCALE

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

LIVING AREA (20-UNITS PER/FLOOR)

ROOF BELOW UNIT TYPE K 髙 UNIT TYPE J 1 机 ž 깁 ROOM 1. THE REAL đ UNIT TYPE H UNIT TYPE H M h に、給け 1 ą H SE UNIT UNIT UNIT UNIT TIPE H UNIT TYPE 1 La la 1 I 3441 聖 聞 TINIT TAN と聞う Ę b ROOF 新国の日 È UNIT TYPE G THPE C 1 1 4 -MR. TYPE 1 12 1 TYPE D UNIT TYPE A UNIT TYPE E ROOF



FRONT AND REAR ELVATIONS - NOT TO SCALE





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FACING GRAFTON PLACE BUILDING

RIGHT ELEVATION - NOT TO SCALE







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FACING CLARK STREET



(Licht Grey)

PREFINISHED METAL SIDING (WOOD TONE)

PREFINISHED METAL SIDING (VARIED WHITE AND WOOD TONE)

Prefinished metal panels -(light grey)

## **Attachment D**

## **Rendered Views**

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

**OWNER:** 102390 PEI Inc.























## **CITY OF CHARLOTTETOWN**

### RESOLUTION

Planning #4

10-0 (Carried)

MOTION CARRIED \_\_\_\_\_\_\_ MOTION LOST \_\_\_\_\_\_ Date: April 12, 2021
Moved by Councillor \_\_\_\_\_\_ Mike Duffy
Seconded by Councillor \_\_\_\_\_\_ Quite McCabe

#### **RESOLVED:**

That 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 199 Grafton Street (PID #342790) from Section 30.2 Regulations and Permitted Uses and Section 30.3 Bonus Height Development Standards in the Downtown Mixed Use Neighbourhood (DMUN) Zone, in order to allow a six (6) storey, 84-unit apartment building with parking located within and under the building, be approved to proceed to public consultation.


*t* 902.629.4158 *f* 902.629.4156 *e* planning@charlottetown.ca *w* www.charlottetown.ca

April 15, 2021

#### Re:199 Grafton Street (PID #342790)

Dear Property Owner:

The City of Charlottetown Planning & Heritage Department has received 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 199 Grafton Street (PID #342790) from Section 30.2 Regulations For Permitted Uses in the Downtown Mixed Use Neighbourhood (DMUN) Zone and Section 30.3 Bonus Height Development Standards in the Downtown Mixed Use Neighbourhood (DMUN) Zone in order to allow a six (6) storey, 84-unit apartment building with parking located within and under the building on the vacant property at 199 Grafton Street.

The following is a summary of the variances which are requested under this application for a site specific exemption for this property:

- A. Height variance to six (6) storeys if bonus height can be justified. 60.7 ft. is permitted. The proposed height is 70.4 ft.; therefore, a 9.7 ft. variance is required.
- *B.* Height variance to four (4) storeys if bonus height cannot be justified. 39.4 ft. is permitted. The proposed height is 47.6 ft. to the top of fourth storey; therefore, an 8.2 ft variance is required.
- C. Flankage yard variance along Clark Street. 7.9 ft. is required for the base building setback. The proposal is for a 2 ft. setback; therefore, a 5.9 ft. variance is required.
- D. Step back above fourth storey on Clark Street. It requires a 9.8 ft. step back from base building; therefore, combined with the required setback, a 15.7 ft. variance is required.
- E. Lot width for bonus height on Hillsborough Street. 98.4 ft. of frontage is required. There is 74.5 ft. of frontage along Hillsborough Street; therefore, a 23.9 ft. variance is required.
- F. Side yard setback to the building located at 142-146 Prince Street. A 3.9 ft. setback is required to be equal to the side yard setback of the existing building at 142-146 Prince Street. The setback for the proposed building is 1.96 ft.; therefore, a 1.94 ft variance is required.
- *G.* 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,* 
  - 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
  - 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.

\*Refer to Figure 3. Surface Plan for variance locations

Pursuant to the requirements of the Zoning & Development By-law, and as a property owner located within 100 meters of the subject property, you are being notified of this request. A public meeting for this application will be held on April 27, 2021 at 7:00 p.m. at the 'Courtyard' in The Rodd Royalty, 14 Capital Drive.

Following the COVID-19 Post Circuit Breaker" measures, the City of Charlottetown is required to take further steps to help reduce the spread of COVID-19 and mitigate impacts on the health and safety of residents. Organized gathering limit of 50 (including staff support) is permitted. No additional rooms are available at this time.

Those who wish to attend the public meeting in person may do so. Everyone attending in person is asked to register for the meeting and adhere to the guidelines set by the Chief Public Health Officer, details of which are available online at <u>www.princeedwardisland.ca/covid19</u>. Once the maximum capacity has been reached, residents will be advised to participate in the meeting by videoconference or teleconference.

Those who are unable or uncomfortable attending in person can participate in the public meeting via videoconference or teleconference, utilizing Webex or connecting by phone. Anyone who wants to observe the meeting without commenting can watch it at <u>www.charlottetown.ca/video</u>.

Residents wishing to participate are encouraged to contact the Planning & Heritage Department by email at planning@charlottetown.ca or call 902-629-4158 on or before 4:30 p.m. on Friday, April 23, 2021 to provide their contact details (name, phone number and/or email address). Business hours are between 8:00 AM - 4:30 PM, Monday – Friday. Staff will contact interested participants no later 12:00 p.m. on Monday, April 26, 2021 with details on how to participate in the meeting.

Anyone wishing to view the proposed amendments can visit the City's website at <u>www.charlottetown.ca</u> and find the Meeting Packages under the Mayor and Council section. As comments are received and meeting minutes are compiled, the package will be updated with additional information leading up to the public meeting. As the City encourages written submission, please forward any written comments to the Planning & Heritage Department at P.O. Box 98, 199 Queen Street, Charlottetown, PE, C1A 7K2 on or before 12:00pm on Wednesday, April 28, 2021. Comments may also be emailed to planning@charlottetown.ca. Any responses received will become part of the public record.

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

Sincerely,

Laurel Palmer Shompson

Laurel Palmer Thompson, RPP, MCIP Planner II

/efc



Figure 1. GIS Map Showing Location of Property requesting Site Specific Exemption:







Figure 2. Site Plan showing proposed building:





Surface Plan showing building location in relation to property boundaries:





Figure 4. West Elevation facing Prince Street:





## Figure 5. East Elevation facing Hillsborough Street:



**Figure 6. South elevation facing Grafton Street:** 

Figure 7. North elevation facing Clark Street:





# Figure 8: Rendered views of proposed building:









# Poseo Apr. 5/21 3:15 PM Charlot Ble on Prince St Charlot TETOWN Signage Post on Comer NOTICE OF PUBLIC MEETING Charlot Council will hold a Public Meeting to hear comments on the following:

### 199 Grafton Street (PID #342790)

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 199 Grafton Street (PID #342790) from Section 30.2 Regulations For Permitted Uses in the Downtown Mixed Use Neighbourhood Zone and Section 30.3 Bonus Height Development Standards in the Downtown Mixed Use Neighbourhood (DMUN) Zone in order to allow a six (6) storey, 84-unit apartment building with parking located within and under the building.

The following is a summary of the variances which are requested under this application for a site specific exemption for this property:

- Height variance to six (6) storeys if bonus height can be justified. 60.7 ft. is permitted. The proposed height is 70.4 ft.; therefore, a 9.7 ft. variance is required.
- Height variance to four (4) storeys if bonus height cannot be justified. 39.4 ft. is permitted. The proposed height is 47.6 ft. to the top of fourth storey; therefore, an 8.2 ft variance is required.
- Flankage yard variance along Clark Street. 7.9 ft. is required for the base building setback. The proposal is for a 2 ft. setback; therefore, a 5.9 ft. variance is required.
- Step back above fourth storey on Clark Street. It 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 Street. 98.4 ft. of frontage is required. There is 74.5 ft. of frontage along Hillsborough Street; therefore, a 23.9 ft. variance is required.
- Side yard setback to the building located at 142-146 Prince Street. A 3.9 ft. setback is required to be equal to the side yard setback of the existing building at 142-146 Prince Street. The setback for the proposed building 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,
  - 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
  - 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.

Following the COVID-19 Post Circuit Breaker" measures, the City of Charlottetown is required to take further steps to help reduce the spread of COVID-19 and mitigate impacts on the health and safety of residents. Organized gathering limit of 50 (including staff support) is permitted. No additional rooms are available at this time. Those who wish to attend the public meeting in person may do so. Everyone attending in person is asked to register for the meeting and adhere to the guidelines set by the Chief Public Health Officer, details of which are available online at <u>www.princeedwardisland.ca/covid19</u>. Once the maximum capacity has been reached, residents will be advised to participate in the meeting by videoconference.

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> The Public Meeting will be held on: TUESDAY, APRIL 27, 2021 AT 7:00 P.M. COURTYARD, THE RODD ROYALTY, 14 CAPITAL DRIVE



