



**PLANNING BOARD AGENDA
NOTICE OF MEETING**

Tuesday, May 25, 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, May 25, 2021
- 4. Adoption of Minutes** - Minutes of Planning Board Meeting on Monday, May 03, 2021
- 5. Business arising from Minutes**
- 6. Reports:**
 - a) Reconsideration request for Angus Drive (Lot 40) (PID #419143) & 413 St. Peters Road (PID #419135)**

Reconsider 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 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 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 Peter's Road and construct a second means of access for the convenience store to and from Angus Drive
- 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

MONDAY, MAY 03, 2021, 4:30 P.M.

COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL, 199 QUEEN STREET

Live streaming at www.charlottetown.ca/video

<u>Present:</u>	Councillor Mike Duffy, Chair Councillor Julie McCabe, Vice-Chair Councillor Alanna Jankov	Bobby Kenny, RM Basil Hambly, RM Kris Fournier, RM Reg MacInnis, RM Rosemary Herbert, RM
<u>Also:</u>	Alex Forbes, PHM Laurel Palmer Thompson, PII Robert Zilke, PII	Emily Trainor, PI Ellen Faye Catane, PH IO/AA
<u>Regrets:</u>	Mayor Philip Brown Councillor Mitchell Tweel	Shallyn Murray, 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 15 within the 2nd Floor foyer. Upon arrival, individuals were required to provide information for contact tracing purposes.

1. Call to Order

Councillor Duffy called the meeting to order at 4:31 p.m.

2. Declaration of Conflicts

Councillor Duffy asked if there are any conflicts. Kris Fournier, RM, declared conflict for agenda item #1, Viceroy Ave (PID #349035).

3. Approval of Agenda

Moved by Bobby Kenny, RM, and seconded by Rosemary Herbert, RM, that the agenda for Monday, May 03, 2021, be approved.

CARRIED

4. Adoption of Minutes

Moved by Basil Hambly, RM, and seconded by Reg MacInnis, RM, that the minutes of the meeting held on Tuesday, April 06, 2021, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from planning board minutes.

Councillor Duffy mentioned that the Planning & Heritage Department received an email from a resident with comments regarding the public meeting minutes for April 27, 2021. Mr. Forbes explained that meeting minutes are considered as high level overview or summaries of what transpired during a meeting. These minutes are rarely changed or updated based on comments/inputs from the public. In this case, a resident has raised concerns about how the minutes reflected her comments. Councillor Duffy and Alex Forbes commented that staff reviewed the comments provided by the resident with what was in the minutes (and audio recording) and felt that the comments are similar to what was recorded in the draft minutes. Mr. Forbes then asked if the board felt that the minutes need to be changed, it can be revised before Council

approves the minutes on Monday, May 10, 2021. Moved by Councillor Jankov and seconded by Councillor McCabe that the meeting minutes of the public meeting minutes on April 27, 2021 be changed as per the request of the resident. Councillor Duffy and Mr. Forbes clarified that only the contested points will be updated with the verbatim minutes.

CARRIED 6-1 (*R. MacInnis opposed*)

Kris Fournier, RM, declared conflict and left Council Chambers.

6. Viceroy Ave (PID #349035)

This is a request for two (2) major variances in order to allow for two (2) new single-detached dwellings on a vacant lot on Viceroy Ave (PID #349035) which the applicant intends to subdivide into two (2) separate parcels to accommodate the two (2) new dwellings. The requested variances are as follows: to reduce the minimum front yard setback requirement from 6.0 metres (19.7ft) to 4.27 metres (14ft); and to reduce the minimum rear yard setback requirement from 7.5 metres (24.6ft) to 4.63 metres (15.2ft). The property is located in the Single-Detached Resident (R-1L) Zone. Emily Trainor, Planner I, presented the application. See attached report.

Ms. Trainor presented a site plan showing the proposed dwellings. The lot is 0.42 acres in size and has a significant frontage of approximately 330 ft along Viceroy Ave. However, the lot depth is limited, ranging from 53 ft to 60 ft. The lot is currently vacant with existing landscape greenspace and mature trees.

Letters were sent to resident within 100m of the subject property. Staff received 15 letters of opposition. Most of the concerns were regarding the built form impacts and proximity of the proposed dwellings to adjacent lots, as well as existing vehicular/pedestrian safety concerns on Viceroy Avenue related to traffic generated by West Kent Elementary School; and existing traffic congestion and parking overflow on Viceroy Avenue related to West Kent Elementary School.

From a planning perspective, Ms. Trainor indicated that there are substantial Official Plan policies that support the proposed development. There is also a Zoning & Development By-law Regulation that supports development which makes reasonable use of irregular lots. Ms. Trainor also studied the front yard and rear yard setbacks of lots in the surrounding area. Based on the study, there were several properties that have smaller rear yard setbacks than what the bylaw required and therefore felt that the request for rear yard setback reduction could be supported. Existing properties have front yard setbacks of about 18 feet and the request is for 14ft. Staff recommend that the front yard setback be revised to 18 ft in order to be more consistent with surrounding properties.

In order to address the concerns from residents, Ms. Trainor reached out to Police Services and Public Works Department for their inputs or comments regarding traffic and safety on Viceroy Avenue. Police Services comments indicate that congestion issues and traffic violations on Viceroy Ave are related to lack of on-site parking and vehicular queuing space on the school site during peak pick-up/ drop-off times. Public Works reviewed Police Services comments and indicated that traffic generated by the two (2) new single-detached dwellings will be minimal and the congestion/ traffic violations on Viceroy Avenue are typical for school zone during peak pick-up/ drop-off times. Public Works also recommended that the driveways extend into the side yards and not directly in front of the proposed dwelling unit. Staff is of the opinion that the school site design deficiencies should not preclude development of the subject property.

Staff is recommending approval of the proposed variances subject to the following conditions: proposed front yard setback be revised to no less than 18ft.; driveway accesses extend into the side yard (east or west) of each dwelling; driveway access not be wider than three (3) metres at Viceroy Ave; and an opaque fence (8.2ft tall) be installed along the south property limit. Debbie Dennis, applicant, was on the phone to answer questions.

Bobby Kenny, RM, asked what the height of the house and fence would be. Ms. Trainor responded that the proposed dwellings are 26.5ft high. The recommended fence is 8.2 ft high, which is the maximum permitted height along the rear property limit and this is intended to provide privacy for adjacent properties to the rear.

Councillor Jankov noted that 15 letters were received, and all letters were in opposition to the proposed development and did not see any letter of support. Ms. Trainor confirmed that there was no letter of support received. There was a letter from the school that was considered neutral.

Councillor Jankov asked if the variances were rejected, would the applicants have as-of-right development as long as they changed the design. Ms. Trainor responded that the minimum width requirement for a dwelling unit is 18ft and even if the applicant was to reduce the building width to 18 ft, a minor variance of 2ft would be required. Councillor Jankov clarified that the applicant could build on the property with a minor variance, as opposed to two (2) major variances. Ms. Trainor confirmed and explained that the applicant is proposing to subdivide the property into two lots to allow for two (2) single-detached dwellings on the property because the lot has a significant frontage. Councillor Jankov asked if the existing property would only be permitted one (1) single-detached dwelling with one (1) minor variance or could two (2) single-detached dwellings be constructed with one (1) major variance. Ms. Trainor responded that two (2) single detached dwellings could be permitted on the site with a minor variance should the applicant reduce the proposed dwelling widths to 18 ft.

Ms. Thompson also clarified that the bylaw only allows one (1) dwelling per lot and in order to accommodate two (2) dwelling units on this property, the property needs to go through the variance process to be able to subdivide into (2) separate properties. The applicant would still require a minor variance to construct a dwelling unit on the existing lot. The bylaw allows the applicant to make a reasonable use of the lot and therefore, would be difficult for staff to deny the minor variance for one (1) property at the very least. Ms. Thompson explained that the variance(s) should be approved first before the property could be subdivided.

Ms. Trainor explained that if the applicant would decide to build one (1) dwelling unit, the applicant would still have to go through a minor variance. Councillor Jankov then asked what the requirements would be if a second unit is to be constructed. Ms. Thompson commented that in order to construct the second dwelling, the requested variances are required. Councillor Jankov thought that the first lot would require a minor variance, while the second lot would meet the requirements.

Councillor McCabe asked if this application could be deferred to provide more clarity to the board with regards to the required variances. Councillor Duffy responded that the board recommend for deferral as deemed necessary. Councillor Jankov has difficulties supporting the application considering the amount of opposition received from residents and would like to understand what limitations this property has in order to have as-of-right development.

Councillor Duffy mentioned that staff and board's decision should be based on the Official Plan and Zoning & Development Bylaws. He added that while staff and board members would like to hear comments from residents, the decisions should be based on bylaws and regulations.

Debbie Dennis, applicant, commented that she went through the letters from residents and understood where the neighbours are coming from. However, she felt that not all comments are factual and stated some examples such as: request to subdivide into six (6) lots; request being the third variance request; and trees being cut down. Ms. Dennis confirmed that she has no intentions of subdividing the property into six (6)

lots and that this is the first variance application for the property. Also, Ms. Dennis noted that she intends to keep as much trees on the property. Ms. Dennis also felt that the traffic impact of two (2) additional homes would be very minimal. Ms. Dennis also commented on a letter that indicated that their property along Admiral Street will be shaded by their proposed dwelling. She mentioned that the proposed dwellings would not shade the existing properties.

Councillor McCabe asked if Ms. Dennis would be willing to work with staff to revise her plans in order to address the concerns and potentially bring forward less variance requests. Ms. Dennis responded that she would be willing to work with staff to see if there are other options to develop this property.

Mr. Kenny commented that the proposed building height may have a significant impact to houses backing on the buildings and asked if Ms. Dennis would be willing to construct a dwelling that could be lower than the proposed height. Ms. Dennis responded that the current height of the building is not very tall, and she does not want to be limited to what she could build. But she is not opposed to looking at other options that could be acceptable to the Board. Councillor McCabe does not feel that the property is very high.

Ms. Herbert drove by the area and agreed that the property is a long, narrow lot. However, given the depth and number of trees on the property, she has difficulty visualizing two (2) dwelling units on the property and how it would fit the existing landscape. Ms. Dennis hoped that the proposed design would fit in that property. Councillor Duffy also mentioned that the board look at the proposed variances and conditions to determine whether the requested variances be approved or rejected. Councillor Duffy also acknowledged the traffic concerns but also recognized the proximity of schools and other amenities in the area.

Sandra Miller, resident, was concerned that the bylaw required public notification and allowed residents to submit comments to the Planning & Heritage Department. However, at the meeting, it was mentioned that letters or comments should not be paid attention to, and the board should only refer to the bylaw and not the well-being of residents. Ms. Miller was discouraged and felt that their comments were disregarded. Ms. Miller requested that the board review the report and consider the well-being of the neighbourhood. Councillor Duffy explained and pointed out that he only reminded that the board should refer to existing bylaws and regulations when making decisions and not based on opinions that are not relevant to the proposal. Ms. Miller acknowledged that the City has bylaws in place and part of the bylaw is the variance process where the public notification is part of the process. Councillor Duffy agreed and responded that it would be up to the board to recommend for or against the requested variance(s). Ms. Dennis believed that the Planning & Heritage Department read and took the comments from residents when they reviewed and recommended for the project. Ms. Dennis indicated that staff worked with Police Services and Public Works Department to get inputs and recommendations based on the comments received from residents. Ms. Dennis wished that she had the financial capabilities to offer the greenspace for the community, but she felt that she needed to develop the property. She felt that her request is not an outrageous request for two (2) single family dwelling units on her property.

Ms. Trainor also provided additional information from the bylaw on how a minor versus a major variance request is determined. If the applicant would build a single- family dwelling on the property with a 2-ft variance, it would be considered as a minor variance but would need to be confirmed through a survey plan. Councillor Duffy asked if the residents would again be notified if the applicants change their request to a minor variance and Ms. Trainor confirmed. Since the applicant indicated that she was willing to work with staff, Councillor McCabe felt that it would be best at this time to revisit her proposal. Ms. Trainor also added that changing the requested variances would also require the applicants to change their overall design and it may not be as aesthetically pleasing given the depth limitations.

Councillor Jankov asked if the applicants could still apply for two (2) properties with minor variances if these major variances were rejected. Ms. Trainor confirmed. Councillor Jankov asked what percentages would the existing variance requests equate to, and Ms. Trainor responded that she does not have the exact numbers and can follow-up on this, but could confirm that it exceeds the 15% minor variance threshold.

Councillor McCabe clarified that if the request was changed from a major to a minor variance and after circulating the notices to residents, no comments or objections were received, the decision to approve the minor variance could be delegated to staff and Planning Board approval would not be required. Ms. Trainor confirmed.

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

Moved by Rosemary Herbert, RM, and seconded by Reg MacInnis, RM, that the request for major variances to:

- **Reduce the minimum front yard setback requirement from 6.0 metres (19.7ft) to 4.27 metres (14ft); and**
- **Reduce the minimum rear yard setback requirement from 7.5 metres (24.6ft) to 4.63 metres (15.2ft),**

in order to allow for two (2) new single-detached dwellings on the lot at Viceroy Ave (PID #349035), which is proposed to be subdivided into two separate parcels, be deferred in order for the applicant to work with staff on a revised proposal that would require less variance(s) on the property.

**CARRIED
(6-0)**

K. Fournier in conflict.

7. 88 Prince Charles Drive (PID# 732461)

This is a request for a major variance to reduce the minimum side yard setback requirement from 1.2 m (3.9ft) to 0.9 m (2.95ft) in order to permit a new accessory building on the southwest portion of the property at 88 Prince Charles Drive (PID #732461). The property is in the Single-Detached Residential (R-1L) Zone. Emily Trainor, Planner I, presented the application. See attached report.

A permit was issued on February 23, 2021 to construct a 750 sq.ft. detached garage/pool house on the property and located as per submitted survey plan showing a 4.2 ft. side yard setback. One of the conditions of permit approval was that no construction below grade was allowed since the proposed accessory structure met the maximum allowable 750 sq.ft. size.

On March 29, 2021, a building inspector was on site performing a routine inspection and identified that a 9-ft basement was being constructed with a reduced side yard setback. Staff requested that the applicant submit a footing plan showing the partially constructed building. The footing plan confirmed that the side yard setback was reduced to 2.95 ft, therefore it did not meet the bylaw requirements.

Letters were sent to resident within 100m of the subject property. One (1) letter was received in support of the application.

Ms. Trainor explained that the bylaw states the maximum permitted size for accessory buildings is up to 750 sq. ft. in “gross floor area”, that a minimum rear and side yard setback of 3.9 ft. is required, as well as a minimum separation distance of 3.9 ft from the main dwelling on the property.

When Ms. Trainor informed the applicant of the violation of the condition regarding the basement level, the applicant argued that the definition of the gross floor area excludes car parking area, electrical/mechanical rooms, storage and washrooms. Excluding these areas from their accessory building calculation would result in a very low gross floor area (less than 750sqft), therefore allowing a basement level. Ms. Trainor acknowledged that the gross floor area definition in the Zoning By-law does not appropriately respond to the typical accessory building condition on residential lots, therefore staff are concurrently bringing forward a proposed amendment to the Zoning & Development By-law through a separate recommendation report that is intended to address this concern. Until this amendment is adopted by City Council, the Department must allow the applicant to proceed with basement level.

As a result, the application today only deals with the request to reduce the side yard setback from 3.9ft to 2.95 ft. Ms. Trainor commented that it is challenging for staff to support variance applications related to the applicant not meeting permit approval conditions. However, Planning staff must make a professional recommendation based on land use planning principles and the applicant's violation of permit approval conditions cannot prejudice this recommendation.

Ms. Trainor indicated that there are no openings proposed on the east side of the structure, and this will reduce any privacy impacts on the adjacent lot. Building inspectors will need to review the east building wall again to ensure that it also will continue to meet the building code requirements despite proximity to the dwelling on the adjacent lot. Ms. Trainor also recommended that the existing fence be extended along the whole east limit of the property for privacy.

Staff recommend approval of the major variance subject to conditions to: Register the lot consolidation deed with the Provincial Land Registry; Submit a new Building & Development Permit application reflecting the revised detached garage/pool house design for staff review and approve; Maintain no window or door openings along the east building elevation; and No structures (e.g.: eaves, gutters) are permitted to encroach into the reduced side yard setback. Cory Jay, applicant, was at the meeting to answer questions.

Councillor Jankov asked if the structure is in the middle of construction and Ms. Trainor confirmed and explained that a permit was initially issued but the applicant made changes to the design at the time of construction. Councillor Jankov indicated that while she was not opposed to the application, she felt perplexed that when residents perform construction or changes to properties without the proper approvals or different from what was approved, applicants could apply for variances or request for bylaw changes to accommodate the requests. Councillor Jankov was not sure of what message it provides residents or what implications it has in the future. Ms. Trainor responded that staff also struggle in reviewing variance applications pertaining to work without approval. However, there is currently no mechanism in place to deal with permit violations in City of Charlottetown and staff recommendations must be objective.

Councillor Jankov asked what can be done while enforcement mechanisms are not available. Councillor McCabe felt that applicants who follow the process usually gets rejected with their requests while applicants who do work with prior approvals end up getting approval. Mr. MacInnis mentioned that the board has dealt with three or four applications over the last year where approvals were given after work was done. Mr. Forbes responded that the board could also recommend to either grant or deny variances. Staff provides a recommendation, but the board makes a final recommendation to Council for a decision.

Cory Jay, applicant, acknowledged his mistake doing work without approval. Mr. Jay indicated that he referred to the bylaw requirement from 2018 where the setback requirement was 2.5 ft. Since the property pins were not visible, he felt that moving the setback further to 2.95ft. would not be an issue. Mr. Jay didn't realize that the new bylaw requirement was 3.9 ft.

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

Moved by Bobby Kenny, RM, and seconded by Reg MacInnis, RM, that the request for a Major Variance to reduce the minimum side yard setback requirement from 1.2 metres (3.9ft) to 0.9 metres (2.95ft) in order to permit a new accessory building on the southwest portion of the lot at 88 Prince Charles Drive (PID #732461), be recommended to Council for approval, subject to the following conditions:

- 1. Register the lot consolidation deed with the Provincial Land Registry;**
- 2. Submit a new Building & Development Permit application reflecting the revised detached garage/pool house design for staff review and approval;**
- 3. Maintain no window or door openings along the east building elevation; and**
- 4. No structures (e.g.: eaves, gutters) are permitted to encroach into the reduced side yard setback.**

**CARRIED
(6-1)**

Councillor Jankov opposed.

Councillor Jankov left the meeting.

8. 151 Upper Prince Street (PID # 368969)

This is a request for three (3) major variances to: reduce the required lot frontage along Young Street from 30m (98.4 ft) to approximately 15.69 m (51.50 ft); reduce the flankage yard setback along Upper Prince Street from 6.0 m (19.7 ft). to 3.15 m (10.37) ft. in order to allow for the construction of a three (3) unit apartment dwelling; and reduce the flankage yard setback for a balcony from 4.81 m (15.8 ft.) to 2.4 m (7.87 ft.) in order to allow a balcony to be constructed along the Upper Prince Street side of the proposed building located at 151 Upper Prince Street (PID #368969). The property is located in the Medium Density Residential (R-3) Zone. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

The applicant is proposing to construct a new three (3) unit apartment building on this corner lot with onsite parking. The property is currently vacant and is located in a mature neighbourhood. There is a mix of one (1) and two (2) unit dwellings in the area and a five (5) and six (6) unit apartment building adjacent to the property. The neighborhood is close to services and amenities along University Avenue and is within walking distance to the downtown and a bus stop.

Parking will be located in the rear yard. Three (3) standard parking spaces and one (1) barrier free space is required. Seven (7) parking spaces and one (1) barrier free space is currently located on site. Access to the property is off Upper Prince Street where the apartment building is located. The apartment building and subject property are owned by the same owner. The parking lot has already been paved and contains a right-of-way to access the apartment building located at 12 Young Street. There were no comments or concerns regarding parking but staff received a call about cars parked on the street. Ms. Thompson clarified that the cars parked on the street was generated by the property across the street and not by the adjacent apartment building at 12 Young Street.

The property has ample lot area to support a density of 3 units. The bylaw permits new construction to line up with the existing front yard setback established on the street. The proposed building meets this requirement as the front yard setback will align with the front yard setback of the building located at 12

Young Street. The building located on the adjacent lot at 147 Upper Prince Street is setback 2.36 meters (7.74 ft.) from the property boundary along Upper Prince Street. Staff does not feel that the proposed setback is out of context because the setbacks in this area of the block are far less than 19.7 ft and range between approximately 3.9 ft. to 10 ft. The second variance is to reduce the flankage yard setback to from 4.81 m (15.8 ft.) to 2.4 m (7.87 ft.) on Upper Prince Street to locate a balcony. Staff do not view the balconies as a necessity to reduce the encroachment into the flankage yard and an alternative to the balconies would be larger windows or Juliette balconies. The final variance is to reduce the lot frontage from 30m (98.4 ft) to approximately 15.69 m (51.50 ft). The lot frontage for this property is wide enough to accommodate a single-detached dwelling. Ms. Thompson pointed out that a variance application was approved for this property in April of 2018 for a five (5) room bed and breakfast plus one (1) room for the owner/operator in a single-detached dwelling. If a five (5) room bed and breakfast is incorporated, it could potentially be more intensive in the neighbourhood than the proposed three (3) unit apartment dwelling.

Letters were sent out to property owners within 100m of the subject property. Three (3) letters were received in opposition to the proposed dwelling. Staff is of the opinion that the variance request for frontage and flankage yard is reasonable given the neighbourhood context. The proposal is an infill development, will provide additional housing near downtown, and it is within walking distance to the commercial district and amenities. Staff is recommending approval for the variances to the lot frontage and flankage yard and rejection of the variance to exceed the maximum projection for a deck into the flankage yard.

Basil Hambly, RM, asked if the flankage yard of 7.87 ft would be the building boundary or balconies. Ms. Thompson responded that the flankage yard for the building would be 10.37 ft and the balconies would extend further to 7.87 ft. Mr. Hambly then asked if staff does not support the balconies. Ms. Thompson does not recommend for the proposed balconies as it would project closer to the boundaries. However, she suggested that a Juliette type balcony be used instead. Ms. Thompson also pointed out that if the balconies were approved, there are no power lines along Upper Prince Street that would interfere with the balconies but there are power lines along Young Street.

Moved by Councillor Julie McCabe, RM, and seconded by Bobby Kenny, RM, that the request to:

- **Reduce the required lot frontage along Young Street from 30m (98.4 ft) to approximately 15.69 m (51.50 ft); and**
- **Reduce the flankage yard setback along Upper Prince Street from 6.0 m (19.7 ft). to 3.15 m (10.37) ft.;**

in order to allow for the construction of a three (3) unit apartment dwelling on the property at 151 Upper Prince Street (PID #368969), be recommended to Council for approval;

and that the request to reduce the flankage yard setback for a balcony from 4.81 m (15.8 ft.) to 2.4 m (7.87 ft.) in order to allow a balcony to be constructed along the Upper Prince Street side of the proposed building at 151 Upper Prince Street (PID #368969), be recommended to Council for rejection.

**CARRIED
(6-0)**

Councillor Jankov was no longer at the meeting to vote on this application.

9. 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.

This application also includes lot consolidation of all seven (7) properties under the PID #342790 into one (1) parcel. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

Letters were sent to residents within 100m of the subject property. Six (6) letters of support and eight (8) letters in opposition were received. Some of the concerns identified at the public meeting were: concerns regarding the height of the proposed building in relation to other buildings in the 500 Lot Area; some residents felt the building was out of scale; concerns about shadowing of the proposed building onto adjoining properties; concerns that the design of the building does not complement the historic nature of the 500 Lot Area; and comments that the building be scaled back to four (4) stories. Letters of support indicated that: the project is a good infill project; affordable housing units are a good addition to the downtown area; the building, regardless of the height would be more attractive than a parking lot; beauty of an older building is enhanced when there is contrast with modern buildings.

Staff is recommending approval of the proposed development subject to a development agreement. Ms. Thompson outlined the conditions of the development agreement in her report.

Councillor McCabe asked if the remaining surface parking at the corner of Grafton and Prince Street will be available for seniors going to the Polyclinic and are uncomfortable using the parkade. Ms. Thompson responded that the spaces are currently used by doctors of the Polyclinic, but she is not sure whether it will

remain as spaces for doctors. Mr. Kenny also clarified if the handicapped parking spots will be located closer to the connector of the parkade to the Polyclinic. Ms. Thompson confirmed. Ms. Thompson added that the property owner is looking to develop the corner lot in the future. Until that lot is developed, the space would have to be modified to soften the parking lot along the streetscape.

Ms. Herbert asked if the bonus height exemption falls under the affordable housing component that would determine if the bonus height would be exempted or not. Ms. Thompson explained that the developers are applying for affordable housing as their public benefit. The landscaped feature could also be considered as part of the public benefit. It would be up to the Planning & Heritage Committee to determine what public benefit would be acceptable.

Ms. Herbert noted that the affordable housing is good for ten (10) years and asked what would happen after 10 years. Ms. Thompson responded that all applications through CMHC follows the same agreement. Ms. Herbert asked what formula would the CMHC use in determining the affordable housing. Mr. Zilke explained the definition of affordable housing and criteria being used by CMHC.

Ms. Herbert wondered when affordable housing is considered affordable to residents and felt that it would be nice to get more clarification on this topic. Ms. Herbert also asked what the board could recommend to ensure that the affordable units are actually affordable and could be part of a development agreement. Mr. Forbes explained that the public benefit is defined in the bylaw and the Planning & Heritage Committee determines what public benefit would best suit the city. While the board deals with the request for the additional two (2) floors, there is another housing program that would look at affordable housing (tax benefits, etc). At this time, the Planning Committee would look at whether the public benefit is met with regard to permitting the additional two (2) floors.

The board had discussions around fully understanding the whole affordable housing process and limitations of the board in terms when dealing with affordable housing applications. The board felt that it would be beneficial to understand the process in order to make a sound and/or appropriate recommendation. Mr. Forbes mentioned that staff fully understands the request for the public benefit and/or affordable housing. However, aside from planning board, there are other committees that would have to review the proposal and make recommendations as well. One would be the request for public benefit which Council may or may not approve, and the other for the affordable housing program incentive itself.

Councillor Duffy mentioned that the Planning & Heritage Committee meets every first Monday of the month as needed and the board is more than welcome to attend the meeting if there are any discussions relating to affordable housing. Mr. Fournier shared that there are special financing incentives for developers in order to construct buildings with affordable units and felt that the buildings cannot be affordable without these incentives.

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

Moved by Rosemary Herbert, RM, and seconded by Kris Fournier, RM, that the request for a site specific exemption to permit a six (6) storey apartment building as it applies to 199 Grafton Street (PID #342790) by amending “Appendix C – Approved Site Specific Exemptions” as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw (the “Bylaw”) to exempt 199 Grafton Street (PID #342790) from certain provisions of:

- i. Section 30.2 “Regulations For Permitted Uses” in the Downtown Mixed Use Neighbourhood (DMUN) Zone; and,**

ii. **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 recommended to Council for approval, subject to:

- a. Compliance with the recommendations in the Design Review report and as per the site plan, building elevations, design concept drawings and building finishes & materials as presented at the public meeting of Council on April 27, 2021;
- b. Approval of the bonus height as prescribed by section 3.12 of the Bylaw and, except as may be exempted or varied in subparagraph (d) below, section 30.3 of the Bylaw;
- c. A lot consolidation of all parcels identified under PID #342790 subject to a pinned final survey plan;
- d. The property owner entering into a Development Agreement with the City that prescribes the detailed terms and conditions of the approval of the development; and,
- e. The following are the variances comprised within the site specific exemption for the property:
 - Height variance to six (6) storeys if bonus height is approved under section 3.12 of the Bylaw. 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 is not approved under section 3.12 of the Bylaw. 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.
 - If bonus height is approved under section 3.12 of the Bylaw, 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.
 - An exemption from Section 7.11.3 of the Zoning and Development Bylaw for the parking structure 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.

**CARRIED
(6-0)**

Councillor Jankov was no longer at the meeting to vote on this application.

10. Zoning & Development Bylaw (PH-ZD.2)

These are the proposed amendments to the Zoning & Development Bylaw. Robert Zilke, Planner II, presented the application. Mr. Zilke indicated that these are housekeeping amendments to update and

correct references to regulations, tables and appendices; Update standards and requirements for general provisions for lots and site design; Correct reference for Deck height in the Projections into Yards table; Provide clarification on the bonus height development standards for base building; and Amend Appendix A. Definitions for Multi-unit Dwelling. The details of the proposed amendments are outlined in the attached report. Staff is recommending that these amendments proceed to public consultation.

Basil Hambly, RM, asked why would asphalt driveways only be required for four (4) or more units. Mr. Zilke explained that the bylaw defines a parking lot as having at least (4) units. A single-detached dwelling could still use gravel for driveways. Larger parking areas require hard surfaces be finished with asphalt or concrete.

Bobby Kenny, RM, clarified how the overhangs on a property affects the footprint of the building. Mr. Zilke explained that building footprint would only refer to the foundation/pad. There are sections in the bylaw that would reference to overhangs or projections in a structure.

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 Basil Hambly, RM, that proposed amendments to the Zoning & Development Bylaw (PH-ZD.2) pertaining to:

- **Section 1.4.2 Zoning Table (Include MHR into table);**
- **Section 3.1.1 Amend reference to Fee Schedule (Appendix F rather than Appendix E);**
- **Section 4.1.2 Replace Gross Floor Area with Building Footprint in the Accessory Buildings Table and include a subsection to prohibit basements in accessory structures;**
- **Section 4.2.2 Amend the height above grade for a deck to 0.3m (1 ft);**
- **Section 8.1.1 Zoning Table (Include MHR into table)**
- **Section 44.5.1.b. Remove gravel as a permitted material for stable surface; and**
- **Appendix A. Definitions (insert Footprint and amend definition for Multi-unit Dwelling)**

Be recommended to Council to proceed to public consultation.

**CARRIED
(6-0)**

Councillor Jankov was no longer at the meeting to vote on this application.

11. New Business


There was no new business that arose.

12. Adjournment of Public Session

Moved by Councillor Julie McCabe and seconded by Reg MacInnis, RM, that the meeting be adjourned. The meeting was adjourned at 6:22 p.m.

CARRIED

Councillor Mike Duffy, Chair

TITLE: RECONSIDERATION REQUEST FILE: PLAN-2021-25-May-6A OWNER: Dan MacIsaac (Mel's Convenience Store) APPLICANT: Jeff Doucette		 CHARLOTTETOWN
MEETING DATE: May 25th, 2021		Page 1 of 7
DEPARTMENT: Planning & Heritage	ATTACHMENTS: <ul style="list-style-type: none"> A. GIS Map B. Area to be Consolidated C. Reconsideration Request D. Applicant's Reconsideration Request Letter E. Original staff Report 	
SITE INFORMATION: <p>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.</p> <p>Ward No: 9 Stone Park</p> <p>Existing Land Use: PID # 419143 is vacant, PID # 419135 is occupied by a single detached dwelling on corner</p> <p>Official Plan: Mature Neighbourhood</p> <p>Zoning: PID # 419143, (R-1L) Single Detached Residential, PID # 419135, (R-2) Low Density Residential Zone</p>		
PREVIOUS APPLICATIONS Outlined in the report		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to **reconsider the request by the applicant (Dan MacIsaac) 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;

TITLE: RECONSIDERATION REQUEST FILE: PLAN-2021-25-May-6A OWNER: Dan MacIsaac (Mel's Convenience Store) APPLICANT: Jeff Doucette	Page 2 of 7
--	--------------------

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.

BACKGROUND

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 from locations to the east.

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.

TITLE: RECONSIDERATION REQUEST	Page 3 of 7
FILE: PLAN-2021-25-May-6A	
OWNER: Dan MacIsaac (Mel's Convenience Store)	
APPLICANT: Jeff Doucette	

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:

There are two stages to a reconsideration request:

1. The application for reconsideration is required to pass a threshold test. To pass the threshold test, the applicant must provide sufficient particulars in the request to show that the request falls within the stated grounds contained in Section 3.15.3 of the Zoning & Development By-law which states that:

Council may review, rescind, change or vary any order or decision made by the Development Officer or by Council provided that:

- (a) New material facts or evidence not available at the time of the initial order or decision have come to light;
 - (b) A material change of circumstances has occurred since the initial order or decision; or
 - (c) There is a clear doubt as to the correctness of the order or decision in the first instance.
2. If, after receiving a recommendation from the Planning Board, Council determines that the request passes the threshold test, the lot consolidation request will be heard pursuant to section 3.15.5 of the Bylaw. Alternately, if Council decides the threshold test is not satisfied under section 3.15.3, then the appeal to IRAC may proceed.

This application is currently at the "Threshold Test" stage.

Reconsideration

The appellant has requested the reconsideration pursuant to Section 3.15.3 of the Zoning & Development By-law as in their opinion:

- 1) There are new material facts/evidence not available at the time of the decision.
The applicant contends that during the public hearing on March 23rd, 2021 it was not made clear to Council and area residents (that in the absence of the Angus Drive access) ***"there is not sufficient distance for a vehicle to safely exit our parking lot, and change lanes***

entering the roundabout and proceed in an easterly direction.” The pedestrian crossing is also located in an area where vehicles turning out of Mel’s may not be paying attention to crossing pedestrians while trying to change lanes. If the back access road is permitted, the safety concerns brought up by the Province would be greatly reduced or eliminated.”

Staff contend that this argument has merit. Sometimes information at a public meeting is provided by way of a formal presentation to the public or comes out through questioning of the various parties involved. This application is unique in that the primary applicant is Mel’s Convenience store but the secondary party involved is the provincial Department of Transportation and Infrastructure. It is the Province’s desire to build a safe, efficient and effective roundabout that is impacting the existing access to and egress from the subject property on St. Peters Road. The proposed roundabout will require a median being constructed along the entire frontage of Mel’s property which is precipitating the need for a secondary access to Angus Drive.

The applicant contends that the only safe way to access their property once the median is constructed will be via the proposed new access on Angus Drive. The proposed access to Angus Drive from Mel’s Convenience store must traverse over an existing residential property which necessitates the requested zoning change. Although the Province did speak at the public meeting to the inter relationship between their project and how it may impact Mel’s access tangentially, the focus of the discussion centered primarily around how Mel’s access on to Angus Drive (and the potential intensification of use that may result from the proposed rezoning to MUC commercial) would impact the adjacent neighbourhood.

The Province did not discuss in detail the potential problems related to directing all of the traffic exiting Mel’s property heading west on to St. Peters Road. It is the traffic and safety implications that will result from this scenario that the applicant now contends that neither the public or Council were fully aware of at the public meeting. The applicant has referenced in their letter of reconsideration the impacts that will occur if all traffic exiting from Mel’s (without the proposed Angus Drive access) is directed toward the roundabout. The Province has confirmed that they agree with the applicant’s assessment of the proposed impacts to the roundabout if the Angus Drive access is not created. Moreover, the Province is of the firm opinion that the roundabout simply cannot proceed without the Angus Drive access.

- 2) A material change of circumstances has occurred since the initial order or decision.

At the public hearing, Councillor Tweel asked staff whether the proposed roundabout would proceed if the Angus Drive access and rezoning application request was not approved. Laurel Palmer Thompson indicated that the roundabout would proceed if Mel’s rezoning application was

TITLE: RECONSIDERATION REQUEST	Page 6 of 7
FILE: PLAN-2021-25-May-6A	
OWNER: Dan MacIsaac (Mel's Convenience Store)	
APPLICANT: Jeff Doucette	

denied. Ms. Thompson based her answer on previous discussions she had on this application with the province and the applicant. In hindsight, Ms. Thompson should not have answered this question and deferred it to the Province. The answer to this question may have led the public and/or Councillor's to think that these two initiatives were not directly related and could proceed independently of each other. Since the denial by Council to approve the rezoning application, the Province has indicated that they are not prepared to construct the roundabout without the Angus Drive access to Mel's. Staff regard this one fact alone to be material to the reconsideration request because decision makers and the public may have thought differently if they knew that without the Angus Drive access the roundabout could not safely and efficiently proceed. The province has suggested that the roundabout without the Angus Drive access will not be safe for vehicular and pedestrian traffic, nor could it move traffic efficiently. As a result, they are indicating that they are not prepared to construct a roundabout that they feel is unsafe and inefficient.

Staff take all applications with safety implications very seriously and feel that the facts related to this application should be reviewed by Council and the public again to ensure that these material facts are known before a final decision is made on this application. Staff contend that there are safety implications related to the access to Mel's with or without the Angus Drive access and that Council should be aware of all the material facts before making a final decision on the rezoning application related to this property.

3) There is a clear doubt as to the correctness of the order or decision in the first instance.

In staff's opinion, this ground is primarily reserved for circumstances where there was a procedural defect or irregularity over the course of Council reaching its decision as opposed to a difference of opinion over the appropriate exercise of a discretion reserved to Council through the Zoning & Development By-law. This procedural test does not apply in this circumstance.

TITLE: RECONSIDERATION REQUEST FILE: PLAN-2021-25-May-6A OWNER: Dan MacIsaac (Mel's Convenience Store) APPLICANT: Jeff Doucette	Page 7 of 7
--	--------------------

CONCLUSION:

Staff feel that the applicant has raised sufficient concerns/arguments that have merit on two grounds for reconsideration and that these grounds are sufficient enough for Council to reconsider this rezoning application on the merits.

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to reconsider the rezoning request for Lot 40 Angus Drive and 413 St. Peters Road and the lot consolidation of 419 St. Peters Road (Mel's), Lot 40 Angus Drive and 413 St. Peters Road in accordance with Council's Reconsideration Process as prescribed by section 3.15 and the attached policy on reconsideration process which ought to include a second public hearing.

MANAGER:

Alex Forbes, RPP, FCIP

Manager of Planning & Heritage

A handwritten signature in blue ink, appearing to read 'Alex Forbes', is written over a horizontal blue line.

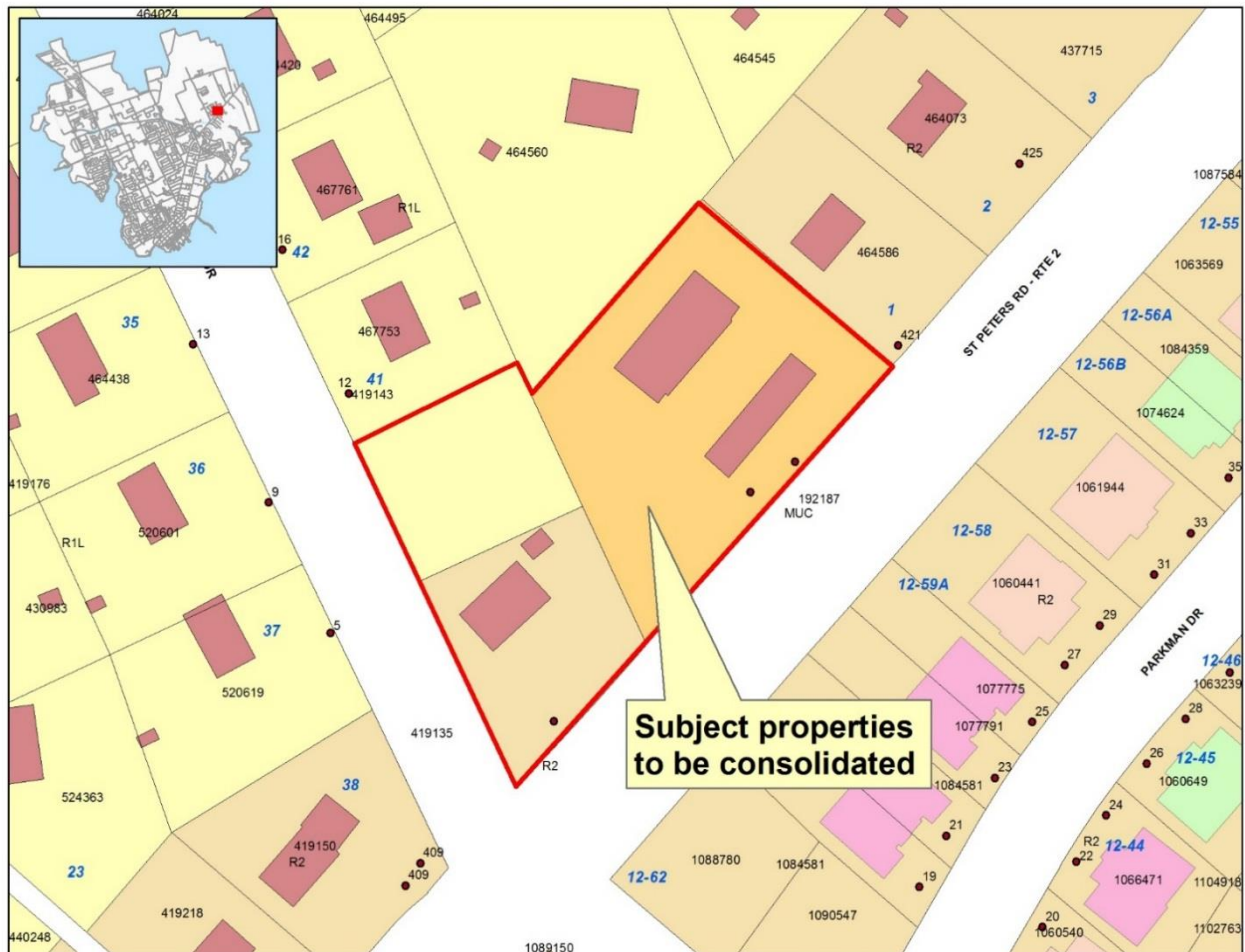
Subject Properties:
PID's 419143 and 419135

Map details:

- Zoning Designations:** R1L (Yellow), MUC (Orange), R2 (Light Orange).
- Lot Numbers and Zoning:**
 - 467761 (R1L), 464560 (R1L), 467753 (R1L), 464438 (R1L), 520601 (R1L), 520619 (R1L), 419150 (R2), 419143 (R1L), 419135 (R2), 192187 (MUC), 464586 (R2), 464073 (R2), 1061944 (R2), 1060441 (R2), 1057306 (R2), 1057306 (R2), 1057306 (R2).
- Street Names:** Avenue 18, St. Peter's Rd. - RITE 2, PALMIST DR.
- Other Labels:** 16, 13, 12, 9, 5, 421, 419, 417, 413, 412, 25, 23, 21.


CHARLOTTETOWN
 Planning & Heritage Department
 Attachment A

Attachment B – Area to be Consolidated



TITLE: RECONSIDERATION REQUEST

FILE: PLAN-2021-25-May-6A

OWNER: Dan MacIsaac (Mel's Convenience Store)

APPLICANT: Jeff Doucette


CHARLOTTETOWN
Planning & Heritage Department
Attachment B

Attachment C - City of Charlottetown

Reconsideration Process

To be effective, the following is the process that will be followed by the City when a reconsideration request pursuant to Section 3.15 of the Zoning and Development Bylaw is received, but the reconsideration process is flexible and can be varied to fit the needs of the particular case.

1. When a request for reconsideration is received by the Planning Department, a Development Officer shall, within five (5) working days:
 - i. Review the request to determine if it is timely (ie. received within 21 days of the initial decision, s. 3.15(2));
 - ii. As in paragraph 3 below, determine whether sufficient particulars of the request have been provided, as per s. 3.15(3) of the Bylaw; and
 - iii. Notify the Developer of the request for reconsideration and advise that the Developer is not prevented by the request from proceeding with any approved construction but does so at the Developer's own risk.
2. There are two stages to a reconsideration request:
 - a. The threshold test, where Council decides whether it is advisable in the circumstances to re-open the decision; and
 - b. The decision on the merits, where Council decides whether the previous decision should be changed, and, if so, how it should be changed.

THRESHOLD TEST

3. To pass the threshold test, the Applicant must provide sufficient particulars in the request to show that the request falls within the stated grounds contained in s. 3.15(3) of the Bylaw. If the Applicant has not provided sufficient particulars, a Development Officer will advise the Applicant of the need to provide particulars, in the form attached. The Applicant will be given ten (10) working days to provide the requested particulars.
4. A Development Officer will assemble the original file materials, including the request for reconsideration, any particulars provided or response(s) received, together with a summary of the reconsideration request, and a Development Officer will forward the assembled materials to Planning Board.
5. Planning Board will review the request to determine if in its opinion it meets the threshold test for reconsideration and will forward its recommendation to Council, with the file assembled by a Development Officer.
6. Council will then determine whether the request meets the threshold test for reconsideration. If Council determines **not** to reconsider the decision, then a Development Officer will notify the Applicant, the Developer and the Affected Property Owners of Council's decision.

TITLE: RECONSIDERATION REQUEST
FILE: PLAN-2021-25-May-6A
OWNER: Dan MacIsaac (Mel's Convenience Store)
APPLICANT: Jeff Doucette



THE DECISION ON THE MERITS

7. If Council determines to reconsider the decision, a Development Officer will send notice to the Applicant, the Developer, and Affected Property Owners within 100 metres of the boundaries of the affected Lot, explaining the basis upon which Council will reconsider the decision, notifying them of their opportunity to make written submissions to Council on the request, the date by which written submissions must be received (two weeks after notification) and, if Council determines to hold a public meeting to receive oral submissions, the date of the public meeting at which persons notified may attend and be heard.
8. At a public hearing, Council will provide full opportunity for the Applicant, the Developer, and Affected Property Owners or their representatives to address their submissions to Council. There will be no cross-examination of persons making submissions. Persons making submissions will not be sworn. Councillors may ask questions of persons making submissions.
9. As soon as reasonably possible following the receipt of all written and oral submissions, Council shall make a decision on the reconsideration request, and a copy of Council's decision, with reasons, will be sent by a Development Officer to the Applicant, the Developer, and Affected Property Owners.

RECONSIDERATION

If a Permit or other approval under this by-law is granted, not granted, or granted subject to conditions and the applicant or an aggrieved person feels the decision is unjustified or unwarranted under this by-law, the applicant or an aggrieved person may seek a reconsideration by Council.

An aggrieved person or an applicant wishing to launch a reconsideration shall make known their intention to do so and the grounds or reasons within twenty-one (21) calendar days of the initial decision.

Council may review, rescind, change or vary any order or decision made by the Development Officer or by Council provided that:

New material facts or evidence not available at the time of the initial order or decision have come to light;

A material change of circumstances has occurred since the initial order or decision; or

There is a clear doubt as to the correctness of the order or decision in the first instance.

A letter shall be sent by ordinary mail explaining the reconsideration request to all Affected Property Owners within 100 m (328.1 ft) of the boundaries of the subject Lot identifying the subject Lot.

Council shall hear any request for reconsideration of a decision under this section and Council shall give all interested persons an opportunity to be heard and make a determination on a request for reconsideration.

TITLE: RECONSIDERATION REQUEST
FILE: PLAN-2021-25-May-6A
OWNER: Dan MacIsaac (Mel's Convenience Store)
APPLICANT: Jeff Doucette



CHARLOTTETOWN
Planning & Heritage Department
Attachment C

The City is not liable for any Development commenced prior to the lapse of the twenty-one (21) calendar day appeal period.

The City shall not consider an application for reconsideration if, at the same time, there is an appeal filed with the Island Regulatory and Appeals Commission; but the City may proceed with reconsideration if the applicant has instructed the Island Regulatory and Appeals Commission in writing to hold the appeal in abeyance, and the Commission has agreed in writing to hold their appeal until the appellant has exhausted the recourse of reconsideration with the City

TITLE: RECONSIDERATION REQUEST
FILE: PLAN-2021-25-May-6A
OWNER: Dan MacIsaac (Mel's Convenience Store)
APPLICANT: Jeff Doucette



Attachment D – Applicant’s Reconsideration Request Letter

TITLE: RECONSIDERATION REQUEST
FILE: PLAN-2021-25-May-6A
OWNER: Dan MacIsaac (Mel’s Convenience Store)
APPLICANT: Jeff Doucette





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

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

Dear Mr. Forbes;

Please accept this letter as a request for reconsideration for our application to rezone Angus Drive (Lot 40) (PID #419143) from single detached residential to mixed use corridor and 413 St. Peters Road (PID #419135) from Low Density Residential to Mixed Use Corridor under section 3.15 of the Zoning and Development Bylaw.

A lot of new information was provided by the PEI Department of Transportation and Infrastructure on the proposed roundabout at Angus Drive and St. Peters Road supporting reasons why the proposed access off Angus into Mel's Convenience is an essential safety requirement of the PEI Government. The Province informed us of the safety issues related the close proximity of the current access onto St. Peters Road from Mel's. There is not sufficient distance for a vehicle to safely exit our parking lot, change lanes entering the roundabout and proceed in an easterly direction. The pedestrian crossing is also located in an area where vehicles turning out of Mel's may not be paying attention to crossing pedestrians while trying to change lanes. If the back access road was permitted, the safety concerns brought up by the Province would be greatly reduced or eliminated.

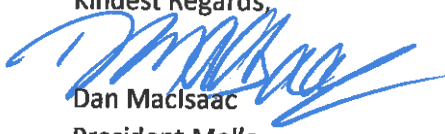
As a business owner and operator, we are greatly concerned about the safety of our patrons entering and exiting our business operations on the St. Peters Road. A right-in and right-out only does not work for safety reasons and pedestrians could be at risk; reflecting the information provided by The Department of Transportation and Infrastructure. The residents that spoke at the public meeting were concerned about the increased traffic but the traffic on Angus Drive will only increase from St. Peters Road to the proposed Angus Drive access which is approximately 150 feet. This traffic will be going into the entrance at Mel's and exiting at the entrance onto Route 2 or back onto Angus Drive.

We have been told by engineers at The Department of Transportation and Infrastructure that if an access onto Angus is not granted the roundabout at Angus will be removed and a solid median would stretch from MacRae Drive to MacWilliams road. If this would happen it would put more pressure on the side streets in East Royalty putting much more traffic trying to go north off St. Peters road through residential neighbourhoods. This may not have been fully understood by the Council and residents who will be impacted. Customers who were coming to Mel's would need to travel extra distances between the roundabouts increasing unnecessary traffic onto the MacRae and MacWilliams roundabouts. Governments and Mel's have a responsibility to provide the safest option for Islanders and Angus Drive access is it!

Going through the public meeting process we realized some of the concerns brought forth from the public and city councillors were that if the two lots were rezoned MCU that it would give Mel's the ability to develop the property. To put the residents mind at ease we would be willing to change our request to rezone to MCU to Parking for PID 419143 and PID 419135. Please see attached new site plan with the above noted changes.

If any further information is required please feel free to contact myself or Jeff Doucette,

Kindest Regards,




Dan MacIsaac
President Mel's



Attachment E – Original Planning Report (April 06, 2021)

TITLE: RECONSIDERATION REQUEST
FILE: PLAN-2021-25-May-6A
OWNER: Dan MacIsaac (Mel's Convenience Store)
APPLICANT: Jeff Doucette


CHARLOTTETOWN
Planning & Heritage Department
Attachment E

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

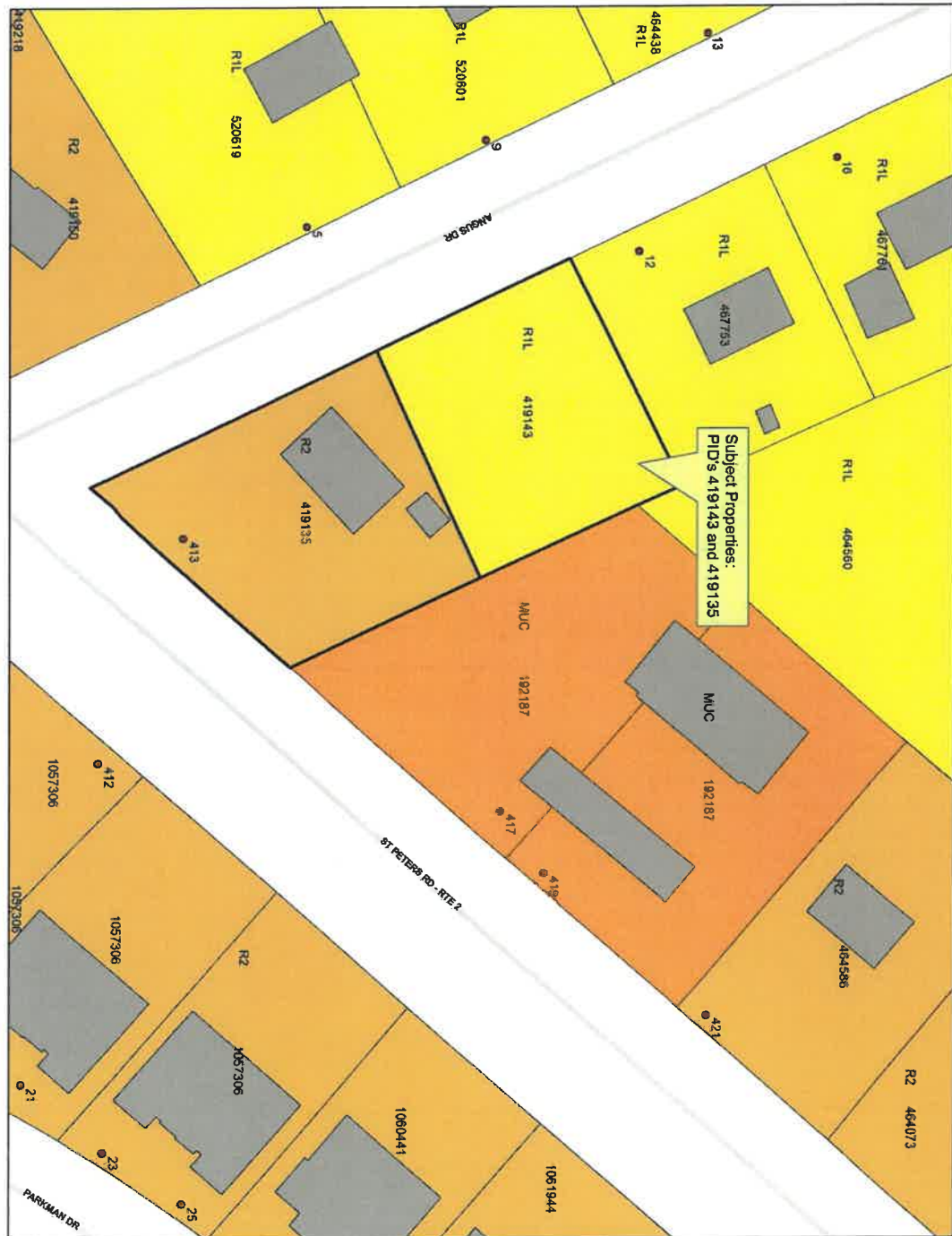


MANAGER:

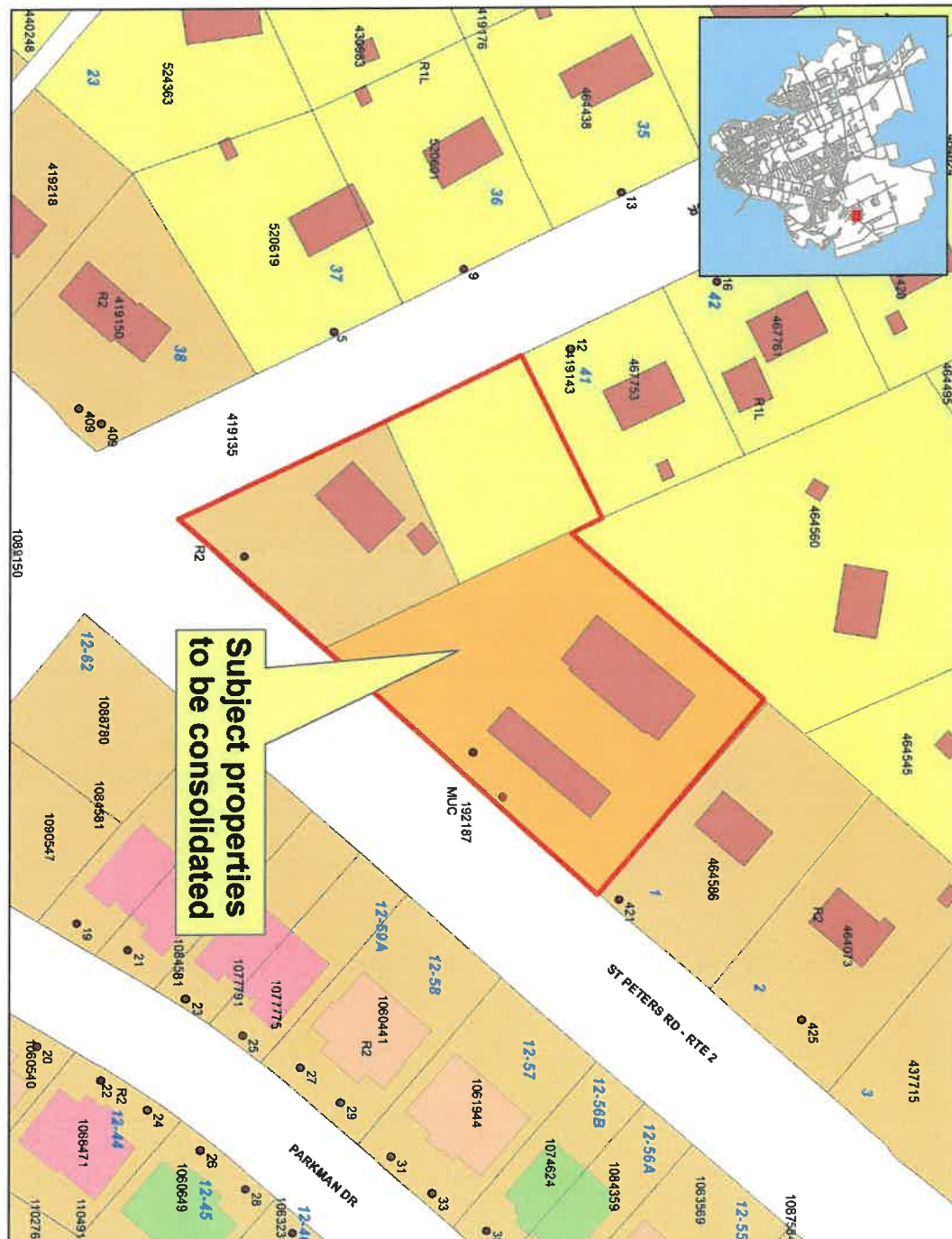
Alex Forbes, RPP, FCIP
Manager of Planning & Heritage



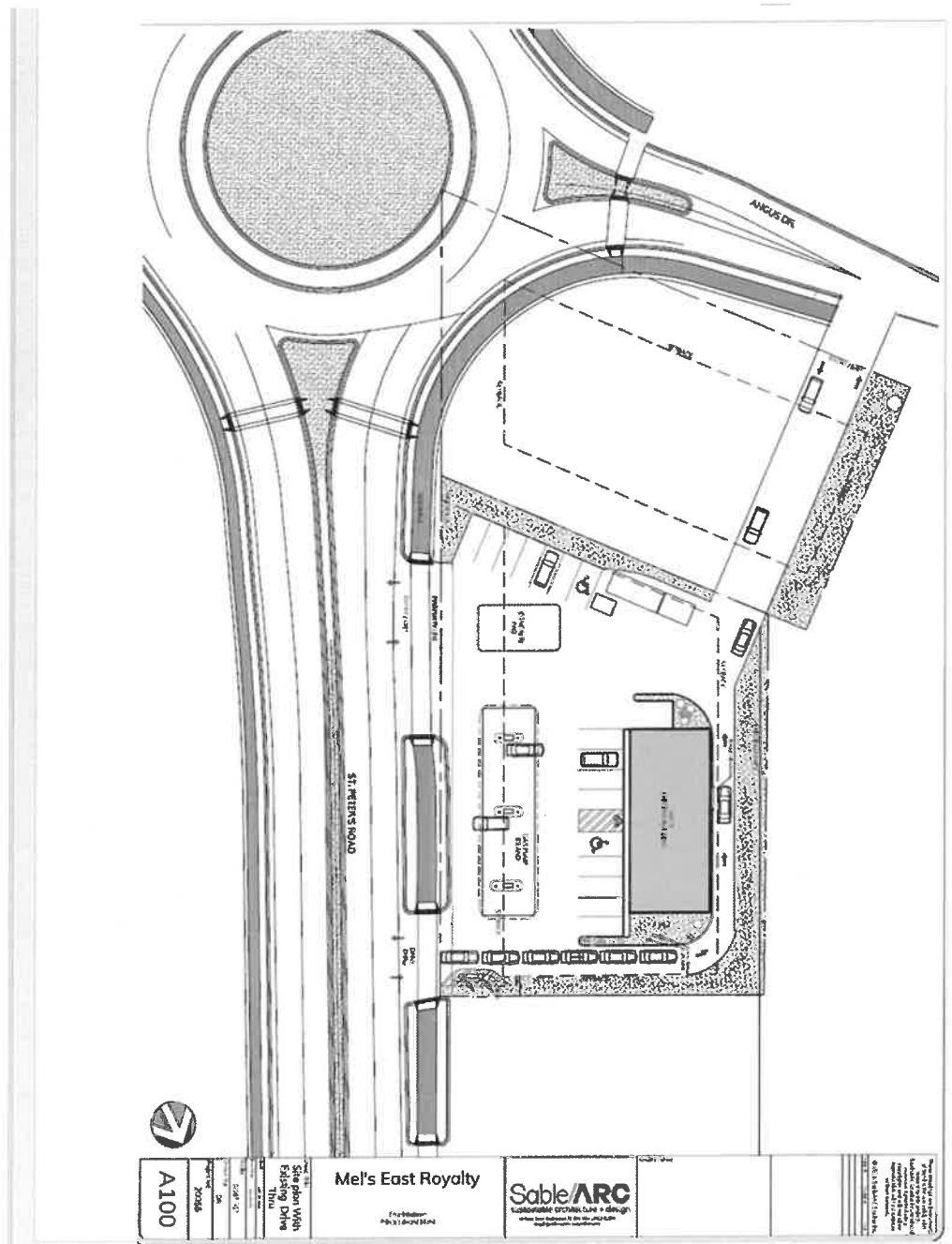
Attachment A, GIS Map:



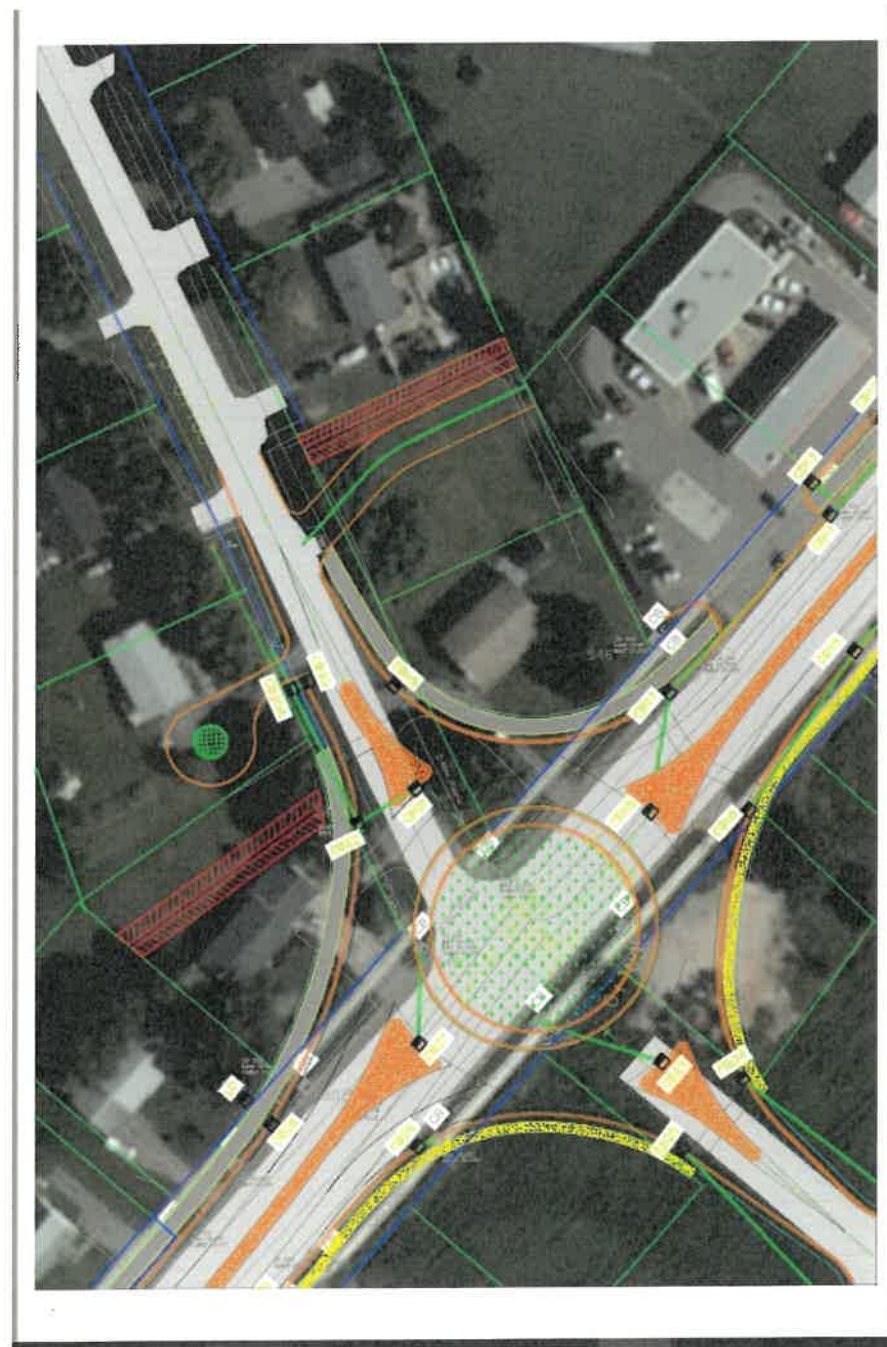
Attachment B, Area to be consolidated:



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
--	---------------------

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

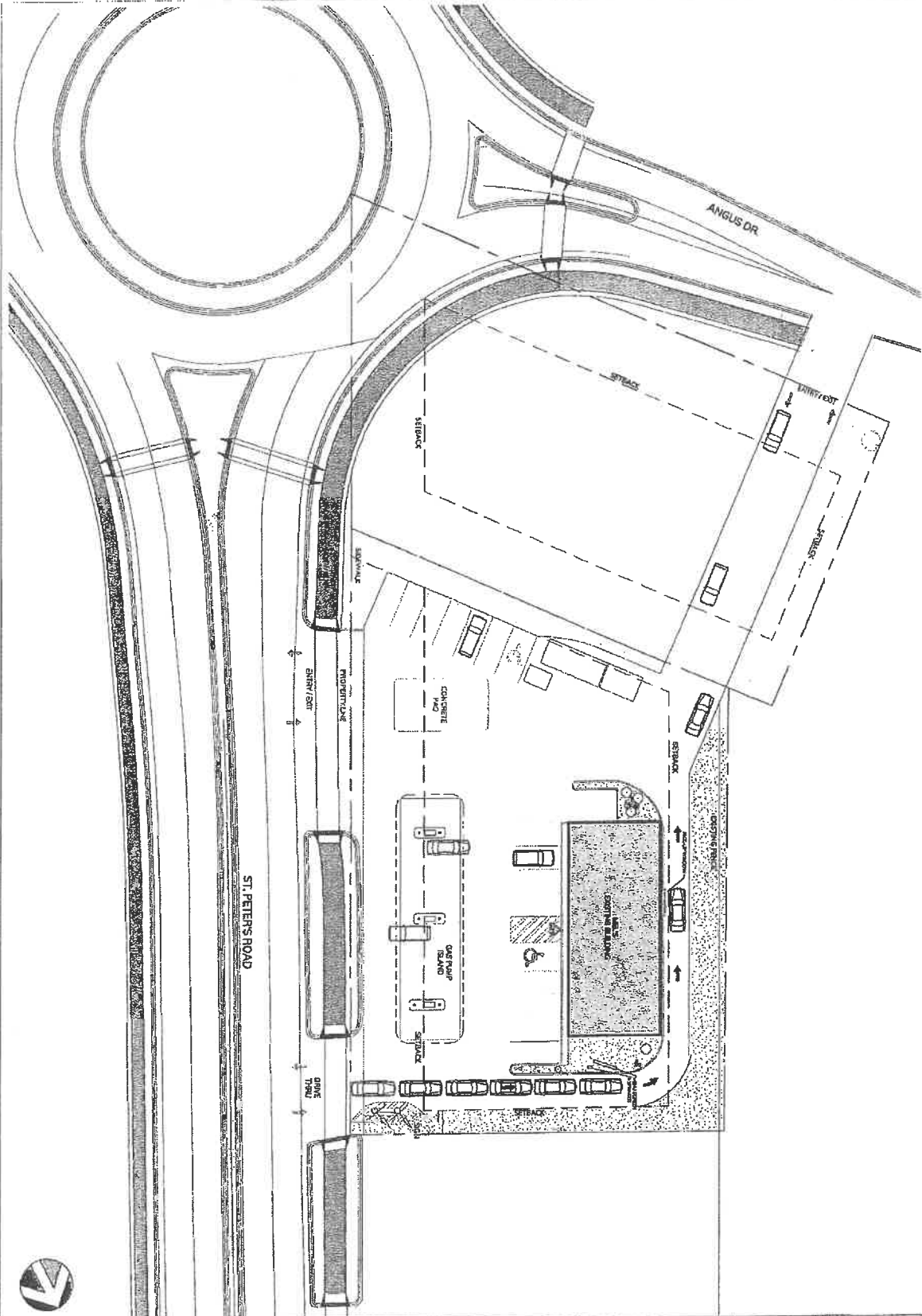
ANALYSIS:

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.

Page 7 of 8

The map displays a residential neighborhood with several lots and properties. A callout box identifies the 'Subject Properties: PID's 418143 and 419135'. The map includes lot numbers, zoning codes (R1L, R2, MUC, ALIC), and street names (ANDERSON DR, ST PETERS RD - RTE 1, WILSON DR). The subject properties are located on Anderson Dr, with lot numbers 418143 and 419135. The map also shows surrounding areas like 'R1L 520601' and 'R1L 520819'.



A100

Point Title
Site plan with
Existing Drive
Thru

Mel's East Royalty

Charlottetown
Prince Edward Island

Sable/ARC
sustainable architecture + design
© 2018 Sable/ARC Inc. All rights reserved.
Project: 200555

Drawn By: [Name]

This drawing is the property of Sable/ARC Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written consent of Sable/ARC Inc.

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

Please consider the environment before printing this e-mail.

CONFIDENTIALLY NOTICE: The contents of this communication, including any attachments, are intended for the addresses only and may contain confidential information which may also be privileged. If you are not the intended recipient or received this communication in error, please notify the sender immediately and delete the message without copying, retaining, forwarding or otherwise distributing it.

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; jsjaylorMinister@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>; jsjaylorMinister@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

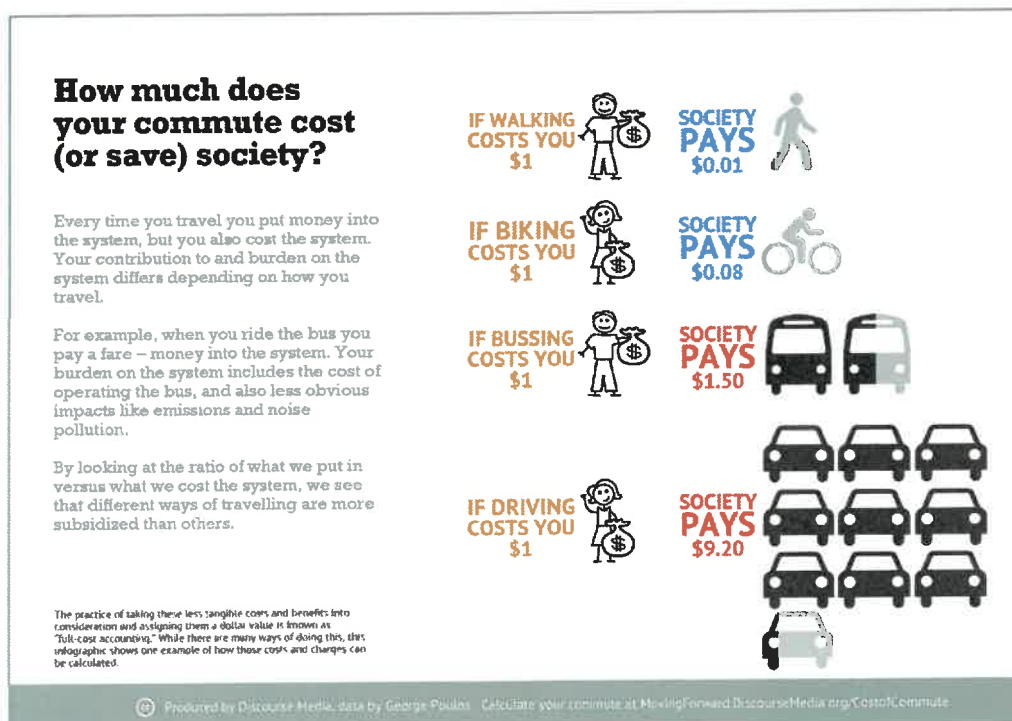
C1A 7K2

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
Office: 902-629-4112
Fax: 902-629-4156

ecatane@charlottetown.ca
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 an 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
--	---------------------

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' followed by a long, sweeping horizontal line that curves upwards at the end.

Dan MacIsaac
President Mel's Enterprises