



**Public Meeting of Council
Wednesday, February 09, 2011 at 7 PM
Council Chambers, City Hall**

Deputy Mayor Stu MacFadyen presiding

Present: **Councillor Terry Bernard** **Councillor Jason Coady**
 Councillor Edward Rice **Councillor Melissa Hilton**
 Councillor Rob Lantz **Councillor Mitchell Tweel**
 Councillor Danny Redmond

Also: **Phil Handrahan – Director of Fiscal & Development Services**
 Donna Waddell – Director of Corporate Services
 Don Poole – Planning Manager
 Laurel Palmer Thompson – Planning & Development Officer
 Danielle Gillan – Planning & Development Officer
 Sue Hendricken – Parks & Recreation Manager
 Linda Thorne – Administrative Assistant, Planning

Regrets: **Mayor Clifford Lee**
 Councillor David MacDonald
 Councillor Cecil Villard
 Roy Main – Chief Administrative Officer
 Joseph Coady – Director of Public Services

Deputy Mayor MacFadyen called the meeting to order and introduced the Councillors. He then turned the meeting over to Councillor Rob Lantz who explained the process.

1. 81 Royalty Road (PID# 948208) – Request to consider an amendment to Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 81 Royalty Road (PID# 948208) from Low Density Residential Single (R-2S) Zone to Low Density Residential (R-2) Zone

Don MacKinnon, applicant, thanked Council for the opportunity to present his application. Mr. MacKinnon noted that only his land at 81 Royalty Road is being considered at this time and does not include his daughter’s property at 21 Royalty Road. He also pointed out that there is an industrial zone across from his property and that there is a mix of single family R-1 L zoning and semi-detached R-2 zoning in the area. He reviewed an aerial photo of his property and noted the environmentally sensitive areas. The Department of the Environment requires that a 15 ft buffer

be in place around these wetlands. He was not aware of this requirement when he applied to rezone the property in 2009 and this requires him to re-design his subdivision plan. The present proposal is a 20 percent reduction in density from his previous application. Parkland will be provided in the center of the subdivision and walkway connections will be provided to Parricus Mead and Thorndale Drive Subdivisions

Deputy Mayor MacFadyen asked for any questions or comments from the public.

Gordie McCarville – 15 Thorndale Drive

Mr. McCarville asked what the dotted red line through the property means.

Mr. MacKinnon responded that this is the outside boundary of the buffer zone.

Mr. McCarville asked if all pools, accessory buildings, etc. will have to be north of the buffered area and who will own and care for this area.

Mr. MacKinnon responded that there are several options and that he could maintain ownership. He also noted that the buffer zone will provide a natural buffer to the properties on Thorndale Drive.

Deputy Mayor MacFadyen asked for any questions.

Terra MacKinnon – 21 Royalty Road

Ms. MacKinnon is in favour of the rezoning and noted that the park area and walkways are an excellent idea and will benefit a lot of areas with the connection.

Robert King – Lot 19, Parricus Mead

Mr. King feels that this is a good project and will bring value to his property. He has viewed the wet area himself and pointed out that this area is dry in summer. Also, when cattle were pastured on this land there was no wet area. He is fully in favour of the rezoning.

Rourke MacKinnon

Mr. MacKinnon represented his mother, Linda Clements, who owns land in the Parricus Mead subdivision. She is fully in favour and is pleased that there will be walkways which will provide a safe route for school children.

David Welsh – 17 Thorndale Drive

Mr. Welsh is in opposition to the development of the property. His main concern is water runoff from the subdivision onto his property. He feels that the subdivision will be higher than his property and may cause water in his basement in the spring. He wanted to know how water would be handled in the subdivision.

Mr. MacKinnon responded that he has contracted Stantec from Fredericton, NB, to design a stormwater plan for the subdivision. When the roads are developed the stormwater system will handle the water that is coming off the lots onto the road. He is also consulting an environmental engineer who is preparing a planting plan which will recommend the type of trees to plant that

will effectively absorb the extra water. This treed buffer zone as well as the stormwater system will deal with the water problem as well as provide a visual screen.

Gordie McCarville

Mr. McCarville has lived on Thorndale Drive since 1978. This area was zoned Rural Residential at that time (R-1) and prior to amalgamation in 1999. At that time subdivision developments were allowed to have R-2 (duplex) dwellings on 10 percent of the lots. As Thorndale was originally an 80-lot subdivision, this would mean that only 8 of the lots should be duplex. Maritime Electric installed a series of towers on a portion of the land and this resulted in Phase 2 and Phase 3 of the subdivision not being developed. He lives in Phase 1 and this area was not zoned R-2 until the new Official Plan came in place during amalgamation. In 2009 the residents of Thorndale Drive were in support of the R-2S zoning but had concerns with a roadway connection to the new subdivision linking their street. They also had concerns about existing wetland areas and water runoff in a residential area. He pointed out the duplex zoning in the area and stated that only three new duplexes have been built in the area since amalgamation. Mr. McCarville referenced the Marysfield development and pointed out that the frontage on these lots was 90 feet (Staff -actually only about 70-75 feet wide). The proposed R-2 zone requires only 72 feet for frontage. He also has concerns that each duplex will have two driveways with at least two vehicles parked on each one. His main concerns are the increase in density and the fact that the soil in the area doesn't permit drainage. He noted that the developer may have restrictive covenants in place but they cannot be enforced by the City. His has concern that owners of the duplexes will not be required to live there. He stated that the only restrictive covenant that will work is to deny the request for rezoning. Mr. McCarville concluded that he is pleased that the land is going to be developed but does not like the increased density proposed.

Don MacKinnon

Mr. MacKinnon pointed out that this new proposal has 20 percent less density than the proposal in 2009 and the existing zone allows. He also noted that R-2 lots are easier to sell than R-1. The land is across from the industrial zone and what better use than R-2 density if anything. The Marysfield development is opposite to what he plans to build. He pointed out that the two subdivisions developed by him, Upton Park and Parricus Mead, were very successful and well designed and the development speaks for themselves on quality of development. The Parricus Mead subdivision was built with restrictive covenants in place and they worked. For the new proposed development he ran an advertisement to sell semi-detached lots to judge the market. He received eleven calls – seven of which were people wanting to live in one side of the building and either rent to assist their mortgage payments or to permit a relative to live in the other side. He received three calls from developers wishing to purchase three or four lots. He is looking to have larger lots to allow wider buildings and which will have a garage at the front or side of the dwelling (but recessed). This will control the number of vehicles parked in the driveways and will make the properties less affordable as rentals. The existing standing water is getting worse as there is no activity on the land to keep grass down etc., and it doesn't pay to have land which is undevelopable. His storm water management plan and drainage for homes will address new and even improve existing conditions. He feels that he will supply a quality product.

Deputy Mayor MacFadyen asked for any comments or questions.

Rick Cudmore – 53 Thorndale Drive

Mr. Cudmore indicated he maintains City land by his lot and is concerned with the proposed walkway which will run in front of his property and the fact that there are no sidewalks on Thorndale Drive when the people get there.

Deputy Mayor MacFadyen asked for any questions.

Gordie McCarville

Mr. McCarville feels that some of the water runoff is being caused by the pine trees planted by his daughter's land and the proposal to plant trees may not help as it can result in a windrow of snow buildup.

Deputy Mayor MacFadyen asked if Council had any questions.

Councillor Eddie Rice

Councillor Rice asked what the standard lot size is for duplex lots.

Laurel Palmer Thompson, Development Officer, responded that approximately 72 feet is required for frontage and approximately 7,500 sq ft in area.

Councillor Rice asked if the wetland area will be given to Island Nature Trust. Mr. MacKinnon responded that he would consider this.

Councillor Rice asked who would own the wetland area. Mr. MacKinnon responded that the may kept the land himself, or approach the different levels of government.

Councillor Rice asked Mr. McCarville if he would prefer to see the land developed as apartments or was he confused.

Mr. McCarville would prefer that the land remain R-2S which would only permit 25 percent of the lots to be duplex or semi-detached.

Councillor Melissa Hilton

Councillor Hilton asked to see the aerial view again and if there is a swale in place.

Mr. MacKinnon responded that there is a dyke presently existing. Councillor Hilton asked if he had given any thought to building a swale or berm. Mr. MacKinnon indicated there is an existing berm along the land boarding the Thorndale lots and feels that the new storm water management plan and sewers proposed will address any increases in water runoff.

Councillor Mitchell Tweel

Councillor Tweel asked if the area was zoned R-1 but did permit duplexes.

Mr. McCarville explained that the old Community Improvement Committee in West Royalty would allow ten percent of duplexes in new subdivisions in the 1960's and 1970's. In 1994 a new Official Plan was developed and the old Plan allowed 10 percent of duplexes.

Councillor Tweel asked what the zoning was during the 1980's. Mr. McCarville responded that the existing duplexes were grandfathered in and did not require a rezoning. He noted that the

zoning for the 8 existing duplexes is on the wrong lots and that he understands this will be corrected during the next Bylaw amendments.

Councillor Lantz reviewed the process which will follow the public meeting (i.e. going back to Planning Board and on to Council for a decision February 14)

2. Notice of Motion – General Borrowing Bylaw – introduce a bylaw to permit Council to borrow by way of resolution rather than requiring a detailed bylaw each time borrowing is undertaken

Councillor Hilton brought forward a Notice of Motion to introduce the General Borrowing Bylaw.

Meeting adjourned at 8:05 PM