



**Public Meeting of Council  
Wednesday, July 25, 2012, 7 pm  
Council Chambers, 2<sup>nd</sup> Floor, City Hall**

**Mayor Clifford Lee presiding**

**Present:** Deputy Mayor Stu MacFadyen      Councillor Rob Lantz  
Councillor Danny Redmond      Councillor David MacDonald  
Councillor Jason Coady      Councillor Mitchell Tweel  
Councillor Cecil Villard      Councillor Melissa Hilton  
Councillor Terry Bernard

**Also:** Phil Handrahan, DFDS      Hope Gunn, PDO  
Laurel Palmer Thompson, PDO      Linda Thorne, AA

**Regrets:** Councillor Edward Rice      Roy Main, CAO  
Donna Waddell, DCS      Brad Wonnacott, AA

Mayor Lee opened the meeting and introduced the Councillors. He then turned the meeting over to Councillor Lantz who introduced the application and briefly explained the rezoning process.

**1. 414 Lower Malpeque Road & Lyne Avenue (PID# 145359)**

**A request to amend Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Institutional and to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of the property located at 414 Lower Malpeque Road and Lyne Avenue (portion of PID# 145359) from Single-detached Residential (R-1S) Zone to Institutional (I) Zone to permit the expansion of the Highfield Cemetery.**

Don MacKinnon, Ewen Stewart and Nelson Hurry, representatives for the Highfield Cemetery Trust, were present. Mr. MacKinnon presented the application and explained the history of the cemetery. He explained that it was discovered part of the property (on Lyne Avenue) was zoned R-1S when the property was being surveyed. They wish to rezone this portion of the property to Institutional in order to lay new plots. Mr. MacKinnon also noted that 24 red oak trees will be planted on the property and the new plots will be laid in the fall of this year.

Councillor Lantz asked for any questions or comments.

Councillor Coady asked if any buildings or sheds are proposed for the cemetery.

Mr. MacKinnon responded that they may construct a columbarium in the future for the storage of urns.

Councillor Coady explained that he was asking the question on behalf of a resident who was unable to attend the meeting.

Councillor Lantz asked for questions or comments; there being none, the meeting proceeded to the next application.

**2. 450, 460 & 466 Malpeque Road (PID#s 135004, 134999, 134981)**

**A request to amend Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Commercial and to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the properties at 450, 460 and 466 Malpeque Road (PID#s 135004, 134999, 134981) from Single-detached Residential (R-1L) Zone and Low Density Residential Single (R-2S) Zone to Highway Commercial (C-2) Zone.**

Councillor Lantz briefly explained the application and the process.

Ian Walker, representing the applicant Wayne & Trevor Bevan, presented the application. They are requesting this rezoning for future development and have no immediate plans. They propose a multi-unit development with access being obtained at the motel property located at 470 Malpeque Road. The existing accesses to the properties in question will be removed. This portion of the Malpeque Road falls under the jurisdiction of the Province and they are favorable towards the development.

Mayor Lee asked for any further comments or questions.

**David Mol, 426 Malpeque Road**

The Mol family owns a considerable amount of property in the area and farms the portion of their property which runs along the rear of the properties in question. Mr. Mol noted that there could be up to 160 units developed on these properties and feels that this will have a considerable impact on the area. He is a former real estate appraiser and feels that moving from a mainly single family and agriculture use to high density apartments will affect property values in the area. He is concerned with the future direction of the overall area and noted the other new apartments constructed in the Winsloe area. Mr. Mol also has concerns with the increase in traffic as this is a busy road with a blind hill and the existing intersection at Melody Lane and Malpeque Road is at its max with the present volume of traffic. The lighted intersection further up the Malpeque Road at Campbell Road does not handle the present traffic flow. The proposed development will mean 400 to 500 vehicle entrances/exits per day immediately on the turn of the Malpeque Road. He feels that traffic flow and access for the whole area needs to be looked at.

He feels that the proposed development would be better if accessed off the Royalty Junction Road.

John Muirhead, 443 Malpeque Road

Mr. Muirhead is opposed to this development. He doesn't want to see an additional 160 apartment units in the area. There is presently a traffic problem on the blind hill and the existing intersection is dangerous as it is.

Mayor Lee asked for any additional comments or questions; there being none, the meeting proceeded to the next application.

**3. 554 Malpeque Road (PID# 145763)**

**A request to amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Commercial and to amend Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property at 554 Malpeque Road (PID# 154763) from Single-detached Residential (R-1L) Zone to Highway Commercial (C-2) Zone to permit a Dairy Bar.**

Jameal Dow, applicant, presented the application. He is the owner of Captain Kidd's Dairy Bar in Cavendish and proposed a similar operation on this property. Mr. Dow reviewed photos of the area and the existing house. He noted that there are several properties in the area that are zoned for commercial use. He presented the proposed site plan, floor plan and elevations and noted that the design of the building will not differ much from the building at the Cavendish location.

Mayor Lee asked if this will be a seasonal operation.

Mr. Dow responded that the plan is to operate from May to October of each year.

Mayor Lee asked for any further comments or questions.

Trent Switzer, 562 Malpeque Road

Mr. Switzer lives next door to the property in question. He also submitted a written response to the mailout. His main concern was with the water servicing in the area. He has his own well, but is concerned that the increased use of water by the proposed apartments will cause his well to go dry, especially if there is a dry summer like this year. He also feels that traffic is a concern as there is already a problem with traffic being backed up because there are only two lanes with no turning lane. He feels that this development will cause more concerns with traffic unless the road is widened.

Councillor Lantz asked if this section of roadway is owned by the Province and if so, any new accesses will require their approval.

Mr. Mol commented that the new traffic light at the Irving service station has changed the traffic dynamic in the area. He also noted that there is a tree which covers the yellow flashing light and makes it difficult to see. He noted that traffic is sometimes backed up to the subdivision across the road from Mr. Switzer's property. He has noticed vehicles driving down the wrong side of the road or on the shoulder as there is no turning lane. He feels that the traffic flow in the area needs to be looked at.

Mayor Lee asked for any further comments or questions.

Councillor Coady asked if the entrance and exit to the dairy bar will stay the same.

Mr. Dow responded that the access point would stay the same as he plans to use the existing driveway. He noted that he intends to follow all bylaws and regulations with regards to his development and is willing to work with the City and residents on any concerns.

Councillor Lantz asked for any further comments or questions; there being none, the public consultation portion of the meeting concluded.

**4. 17 Crestview Drive (PID# 569921)**

This item is a request for a variance to reduce the average front yard setback from 44.9ft to 21.75ft to accommodate an addition to the side of the dwelling on this corner lot. This item was reviewed by Planning Board on July 3, but as the time limit was not up for responses to the mailout at that time, an email poll was conducted with Planning Board members on July 20<sup>th</sup>. The Board agreed to recommend approval of this variance request to Council.

**Resolution – 17 Crestview Drive (PID #569921)**

**Moved by Councillor Rob Lantz**

**Seconded by Councillor Jason Coady**

**RESOLVED:**

That the request for a variance to reduce the average front yard setback from 44.9 ft to 21.75 ft to accommodate an addition to the side of the dwelling on the corner lot at 17 Crestview Drive (PID #569921) be approved.

**CARRIED 9-0**

5. 3<sup>rd</sup> reading of Zoning & Development Bylaw – to amend the City of Charlottetown Zoning and Development Bylaw.

**Moved by Councillor Rob Lantz**

**Seconded by Councillor Jason Coady**

**RESOLVED:**

That the City of Charlottetown Zoning and Development Bylaw be read a third time and that the said Bylaw do now pass.

**CARRIED 9-0**

**Meeting adjourned at 7:30 p.m.**