



**Public Meeting of Council
Wednesday, March 31, 2010 at 7 PM
Council Chambers, City Hall**

Deputy Mayor Clifford Lee presiding

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

Also: Phil Handrahan, Director of Fiscal & Development Services
Don Poole – Planning Manager
Hope Gunn – Planning & Development Officer
Linda Thorne – Administrative Assistant, Planning

Regrets: Councillor Peter McCloskey
Roy Main – Chief Administrative Officer
Donna Waddell – Director of Corporate Services
Joseph Coady – Director of Public Services
Laurel Palmer Thompson – Planning & Development Officer

1. 38-44 Palmers Lane (PID#s 275156, 275164 & 275180)

The City of Charlottetown has received an application to consolidate the properties located at 38-44 Palmers Lane (PID# 275156, 275164 & 275180) for the construction of Grouped Dwellings. The property located at 38 Palmers Lane is zoned R-2 – Low Density Residential, and the properties located at 40 & 44 Palmers Lane are zoned R-4 – Apartment Residential. The consolidation of the three parcels has been requested to allow for the construction of 3 – duplex dwellings on the parcel located at 38 Palmers Lane. The two existing 12-unit apartment buildings will remain.

Mayor Clifford Lee opened the meeting and turned it over to Councillor Kim Devine who briefly described the application and introduced staff members.

Quentin & Hall Bevan, applicants, were present at the meeting to present the application.

Quentin Bevan, Weymouth Properties Limited

The subject properties have been owned by the Bevan family for quite some time. There are 12-unit apartment dwellings at 42 & 44 Palmers Lane and they wish to construct a low density development at 38 Palmers Lane. They propose to build three duplex dwellings which will be rental properties. Mr. Bevan reviewed the elevations of the development and the parking areas. He noted that this proposal fits in better with the existing neighbourhood and will be a good

addition to the street. He indicated there are presently other duplex dwellings on Palmers Lane and this development he feels would enhance the area and remove an older building.

Mayor Lee called for comments or questions.

Jessie Frost-Wicks, 36 Palmers Lane

Ms. Frost-Wicks asked if the land elevation on the drawings reflects the grading of the development.

Mr. Bevan responded that these were conceptual architectural drawings and do not exactly reflect the grading.

Ms. Frost-Wicks asked if there is intent to raise the grade.

Mr. Bevan responded that they would not be raising the grade.

Jessie Frost-Wicks

Ms. Frost-Wicks noted that 9 months ago a similar application was before Council. She expressed her frustration about having to prepare for another application in such a short time period. This is an established neighbourhood and her house has been there for 90 years. The single family dwelling that is proposed to be demolished has been there for at least 50 years. She noted Section 4.27.10 of the Bylaw with regards to considering an application for a similar proposal. She realizes this is not a rezoning, but is definitely a similar application to the one before Council last June. She noted that the proposed duplexes are taller than all other houses on the street and she feels this application is an abuse of the process. She also noted Section 4.6.6 Grouped Dwellings which has the same process as a rezoning. She asked that Council be consistent in its deliberations. She noted Section 12.7 which deals with the height requirements for duplexes. The proposed duplexes exceed the height limit and will be a long unbroken line of rooftops. Ms. Frost-Wicks noted Section 4.60.2(c) which requires a written statement from the applicant and asked if this had been received. She noted there is presently an even mix of duplexes and single-family dwellings on Palmers Lane. The proposed dwellings are not consistent with the existing density on the street. She feels that her house will be dwarfed by the development and will block the morning sun to her flower beds. She noted the Site Development Criteria in the Bylaw which states that any infill development should protect the residents' right to privacy and sunlight. She also noted that their property value will decrease if this development goes ahead. She asked that Council give careful consideration to the fact that this is not a new development area and noted the time limit between applications was too short.

Mayor Lee asked for any comments or questions.

Harold Snow, 35 Confederation Street

Mr. Snow's property is located behind the proposed development, and although he has no opposition to the Bevan family's business and has a good relationship with them, he is opposed to this development. He has concerns with his personal welfare and damage to his property from water run-off to his property. He feels that flooding from the parking lot may run onto his property and into his garage because of the higher elevations.

Mayor Lee asked for any comments or concerns.

Jake Bartlett, 29 Parkview Drive

Mr. Bartlett asked for Council to deny this application and noted the timeline requirements under Section 4.26.10 of the Bylaw. His understanding of the R-2 Zone is that one duplex dwelling is permitted on a lot, not three. He feels that this is a rezoning masquerading as a lot consolidation and that the Bylaw should not permit consolidations in the R-4 Zone. This is a safe quiet neighbourhood to raise families. He noted there is a high turnover from rental properties and this development will cause a loss of privacy to the residents. He also has concerns about the amount of greenspace that will be removed and the effects on the environment. Mr. Bartlett noted that the Official Plan does not permit spot rezoning. He would like to see a low-density owner-occupied building. He feels that the City has difficulty in controlling development within its boundaries and the Official Plan and Bylaw should be strengthened to protect its citizens.

Mayor Lee asked Mr. Poole for clarification on the zoning.

Mr. Poole responded that this will be a combined zoning of R-2 and R-4 and this application falls under the Grouped Dwelling section of the Bylaw.

Elizabeth DeWolfe, 27 Palmers Lane

Ms. DeWolfe feels that although the size of the property will be unchanged, the lot consolidation will increase the lot area. This is a small lot and does not support the size and density of the proposed development. The height of the buildings will cause there to be less space and this is a backwards step for the City. She sees a lot of urban renewal in other parts of the City and feels that it is regressive to allow three buildings to be constructed on this small space. This is not what the neighbourhood wants and she feels that this type of proposal would not be allowed in other areas of the City such as Brighton.

Councillor Lantz noted the grouped dwelling development on the North River Road and that this took place in an R-2 Zone.

Mr. Poole noted that this is a split zoning of two properties.

Councillor Tweel thanked the developers and residents for attending the meeting. He asked the residents what type of development they would prefer to happen on this site in the future.

Bill Wicks, 36 Palmers Lane

Mr. Wicks feels that a single 2-storey duplex structure would be ideal for this property.

Mayor Lee asked for any further comments or questions.

Desmond Duffy, 29 Palmers Lane

Mr. Duffy feels that a lot of legal concerns were brought up and in his opinion "from across the road" is that a nice 2-storey duplex would be appropriate.

Quentin Bevan

Mr. Bevan pointed out that the current elevation will not change and this development will not negatively impact water flow. He also noted the City's requirement for submission of a drainage plan before any development takes place. He also pointed out that there is a strong tree line along this property which will provide privacy. The proposal submitted last year was for 12 units and

this proposal is for three duplex buildings and only 6 units. He feels this development would add to the neighbourhood and is a good fit.

Jake Bartlett

Mr. Bartlett noted that the R-2 Zone allows for a duplex dwelling on a lot, not duplex dwelling(s).

Mr. Poole pointed out that the density is calculated by the number of units per acre.

There being no further questions, the meeting adjourned at 7:50 p.m.