



**PUBLIC MEETING OF COUNCIL  
TUESDAY, JULY 8, 2014 AT 7:00 PM  
COUNCIL CHAMBERS – CITY HALL**

**Mayor Clifford Lee presiding**

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

**Also:**              **Alex Forbes, MPH**                              **Laurel Palmer Thompson, PDO**  
                         **Linda Thorne, AA**

**Regrets:**        **Roy Main, CAO**                              **Donna Waddell, DCS**  
                         **Greg Morrison, PDO**

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

**1. 201 Kensington Road (PID# 385971)**

**A request to consider an amendment to Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property located at 201 Kensington Road (PID# 385971) from Single-detached Residential (R-1L) Zone to Single-detached Residential (R-1S) Zone.**

Councillor Tweel declared a conflict of interest and left the meeting.

Nick Tweel, representing the property owner, presented the application. He noted that the existing lot meets the Bylaw requirements for the R-1L Zone, but the property owner wishes to rezone the property and subdivide it into two R-1S lots. This would permit two single family dwellings with setbacks to match the existing streetscape.

Mayor Lee asked for any comments or questions.

Councillor Bernard asked what the lot frontage would be for the two lots. Mr. Tweel explained that the existing R-1L lot has a frontage of approximately 131 to 132 feet. If the lot is rezoned and subdivided, there will be two lots with 66 feet frontage and 65 feet frontage.

Councillor Hilton asked about the letter received from a resident and what was meant by Plan #1 and Plan #2. Mr. Tweel reviewed the two proposals and indicated the plan showing two smaller lots. Councillor Hilton asked about water runoff and if a drainage plan will be required. As well, she inquired if the new driveway will be to the left of the existing house.

Mayor Lee asked about the existing problem with water runoff and if there was anything in the Bylaw that would address this. Mrs. Thompson explained that a surface drainage plan is required for any new construction.

Mayor Lee asked for any further comments or questions.

Councillor Redmond asked who will be responsible for the drainage if development does not take place. Ms. Thompson explained that the surveyors sign the plans and the owner would be responsible to follow the drainage plan. Any issues arising from changes to the pattern of drainage would be the responsibility of the owner.

Councillor MacDonald noted that subdividing the property into two smaller lots makes sense. He asked if a driveway is considered new construction and if this would affect the drainage from the existing lot. Ms. Thompson explained that any new driveway construction over 215 square feet requires a drainage plan.

Councillor MacDonald indicated that the drainage plan required for new construction may not address the existing water runoff problem and that a new driveway may not be sufficient to warrant a new plan.

Mr. Tweel pointed out that there is an existing storm drain already existing on the property to the right of the driveway.

Mayor Lee asked Mr. Forbes to investigate the existing drainage problems. He then asked for any comments or questions; there being none, the meeting proceeded to the next item.

**2. Zoning & Development Bylaw – Amendments to Clarify the 500 Lots Area Regulations**  
**Proposed amendments to the Bylaw to address inconsistent language in the Zoning Bylaw and conflicting approaches to how development applications should be processed and reviewed which includes the creation of a decision matrix which defines the direction and review associated with the various types of development applications. As well, a new designation called Downtown Institutional is proposed to be applied to Holland College, the Queens Square area and the provincial government buildings. A number of definitions will be refined to reflect consistent language and to make the Zoning Bylaw easier to interpret.**

Councillor Lantz introduced the proposed Bylaw amendments and noted that over the past 2-3 years the City has made some major amendments to the Zoning and Development Bylaw including the Eastern Gateway Plan, Waterfront Plan and 500 Lots Area Plan. The amendments are required to make the various processes simpler and are mainly housekeeping in nature.

Mr. Forbes gave an overview of the proposed amendments and the process ongoing for the Official Plan and Bylaw review. The amendments are needed to provide clarity, cohesiveness and to streamline the various processes in the Bylaw. Duplication of processes were removed from the text of the Bylaw and a new map is proposed that takes in all properties south of Euston Street, the Waterfront Zone and Port Zone and combines them all into one map. The Heritage Preservation Area has been removed; the Heritage Area is now included under the 500 Lots Area. The four City squares will be rezoned to Open Space with the exception of Queen's Square which will be zoned Downtown Institutional. Holland College and the provincial government offices will also be rezoned to Downtown Institutional. The demolition process has been simplified and the Design Review Guidelines includes the 500 Lot Area. A matrix has been included in the Bylaw amendments which clarifies the various processes and will help to determine if a development project is substantive or non-substantive and if it requires Heritage Board, Planning Board or Design Review. There will be changes to the design criteria for signage. The Waterfront Zone is now included in the 500 Lots Area and will include the requirements for height bonuses. The new development standards for the Waterfront Zone as developed by The Planning Partnership are now included in the 500 Lots Area. Further review will be conducted to the proposed Downtown Institutional Zone with regards to churches, etc. Mr. Forbes noted that the Planning Department has received a lot of positive feedback from other communities and the City will be a leader in the Province by introducing Design Based Code.

Councillor MacDonald noted the three maps and that a couple of areas are not included in the 500 Lots Area map. He asked how these properties will be dealt with. Mr. Forbes explained that everything outside of the 500 Lots Area will remain the same.

Councillor MacDonald noted that two areas are not included and asked why the Port Zone is not included in the 500 Lots Area plan. Councillor Lantz responded that the 500 Lots Area plan includes distinct zones and encompasses the Waterfront and Port Zones. Outside of the 500 Lots Area plan stays the same.

Councillor MacDonald asked why two small portions of land are not in the 500 Lots Area plan. Mr. Forbes responded that the two properties are under the Eastern Gateway Plan. Councillor Lantz explained that these properties were always outside of the 500 Lots Area and Port Zone. Ms. Thompson clarified that the two properties in question (the Friendly Pharmacy and Queen Charlotte Armories) were never part of the 500 Lots Area plan.

Mayor Lee asked for clarification on how far the 500 Lots Area followed Euston Street. Mr. Forbes indicated that the area mostly follows the old rail yard lines to the bottom of Euston Street.

Mayor Lee asked if Queen's Square would be opened up for development if it is rezoned to Downtown Institutional and if there is any fear that the vacant space could be developed by the Province of Federal Government. Mr. Forbes responded that these are all designated properties and any development would require the highest form of review.

Mayor Lee congratulated Councillor Lantz and staff on a job well done.

Councillor Lantz acknowledged that the amendments were a lot to take. He is very satisfied with the results and feels that staff did an excellent job in streamlining the processes and making the Bylaw more understandable.

Mayor Lee asked for any further comments or questions; there being none, the meeting adjourned at 7:45 p.m.