



**Public Meeting of Council
Tuesday, April 16, 2013 at 7:00 pm
Georgian Room, Rodd Charlottetown Hotel**

Mayor Clifford Lee presiding

Present: **Deputy Mayor Stu MacFadyen** **Councillor Rob Lantz**
 Councillor Jason Coady **Councillor Danny Redmond**
 Councillor Edward Rice **Councillor Mitchell Tweel**

Also: **Roy Main, CAO** **Todd Saunders, HO**
 Hope Gunn, PDO **Sharon MacKinnon, PIO**
 Linda Thorne, AA

Regrets: **Councillor Terry Bernard** **Councillor Melissa Hilton**
 Councillor David MacDonald **Councillor Cecil Villard**
 Donna Waddell, DCS **Laurel Palmer Thompson, PDO**
 Brad Wonnacott, AA

1. 500 Lot Plan – Proposed Amendments to the Official Plan & Zoning and Development Bylaw

Councillor Lantz opened the meeting and introduced Harold Madi and Ron Palmer of the Planning Partnership, the consultants who prepared the proposed amendments. Councillor Lantz reviewed the history of the process to date and noted that the consultants have been involved in the process since 2010. This meeting is being held to hear comments on the proposed amendments to the Official Plan and Zoning & Development Bylaw to implement the 500 Lots Area Plan. Councillor Lantz then turned the meeting over to the consultants to present the amendments.

Mr. Madi gave a brief overview of the 500 Lot Study and subsequent Official Plan and Bylaw amendments. These amendments are fundamentally composed of standards and guidelines. He explained the background of the process and scope of the project and noted that they wished to be respectful to what makes the 500 Lot Area special. In 2010 a number of workshops and meetings with stakeholders were held as well as a public meeting at which time the draft guidelines were presented. The guidelines provide a new planning framework that will reinforce the existing urban structure. The historic street and block pattern will be maintained as well as protection for existing Heritage resources. The new plan will provide an appropriate transition to the residential neighbourhoods. Mr. Madi noted that emphasis will be placed on the first three

storeys of any new development as the intent is to make the area walkable and to create connectivity. New larger, taller buildings will be carefully designed as these will become future Heritage resources. Urban character will be maintained by land use, built form, streetscapes and civic elements. Development standards will guide massing, height, setbacks and materiality. The categories in the 500 Lots Area include: core area, main street area, mixed use neighbourhoods, and established neighbourhoods. Presently the residential areas also have some institutional uses as well as typical uses, typical buildings, parking, massing, roof lines as well as some office/retail uses. The downtown mainstreet area (Queen Street and University Avenue) will permit 2-4 storey buildings as well as storefront uses. The Downtown Core Area will have the greatest density. The Design Guidelines will include siting, orientation, windows, materials, accessibility and parking. The parking structures will be better designed than the existing structures as well as corner sites. Surface parking will require better types of paving as well as provision for trees and will be compatible with the heritage resource buildings. Implementation of the proposed guidelines will require amendments to the Official Plan and Bylaw which will use the best planning practices to accommodate and guide growth. There will be clarity of process and a set bonus formula similar to the Waterfront Master Plan. There is also a need to recognize and reward when a development is done well.

Mr. Palmer presented the next portion of the presentation which dealt with implementing the principles and ideas of the guidelines into legal language for the Official Plan and the Zoning Bylaw. The Official Plan is a statement of principles, vision and intent and guides how development occurs over time. The Bylaw is the regulating framework for the various processes. The Official Plan amendments will build on the planning framework in the current Official Plan. Combined, the two documents will set out formal land use and regulations. A new Section is proposed for the Bylaw: Section 4.2 – A Vibrant Downtown for the 500 Lots Area and excludes the Waterfront area. There will be five new land use designations as well as a streetscape plan and civic elements which will be integrated into the Official Plan and Map. New definitions were written and some existing definitions were refined. New development will be considered in a form-based approach through the Design Review process. The process for demolition in the 500 Lots Area will also have a new process. The new 500 Lots Area will exclude the Waterfront and some areas on the eastern side of the City. The Heritage Area will be expanded excluding the Downtown Core. A new process will also be put in place for the evaluation of individual properties. The existing Heritage Provisions will be maintained. The approvals authorities will be Heritage Board and Heritage staff depending on the scale and composition of the application. Some things to be taken into consideration are the vicinity and impact on adjoining properties as well as the impact on the existing character of the streetscape. The Land Use Designation Zones will match the Official Plan designations as well with regards to permitted uses, prohibited uses and building types. The Design Review process will be the same process as used in the Waterfront Plan and will apply to substantive applications only. Specific changes such as doors

or windows will not require the Design Review process. Substantive applications will be required to go through the Design Review process and possibly a public meeting.

Councillor Lantz asked or any comments or questions.

Jason White, Ole Kings Square

Mr. White lives in a house built in 1925 and asked what materials will be considered appropriate for windows and siding. He is concerned about the cost to the home owner.

Mr. Madi explained that appropriate materials are included in the new documents and encourages the replacement of doors and windows which are consistent with the style of building. Vinyl or wood siding would both be appropriate if the building is not a designated Heritage Resource.

Mr. White is concerned about the cost to replace windows and does not want to live in an area where the cost of approved materials might be too great a cost to the property owner.

Mr. Madi noted that the amendments do not go in that detail and the existing design guidelines for the Heritage Area will still be in place.

Mr. White feels that this is not appropriate for him and this will be an extra cost to the home owner. He asked what materials will be required.

Mr. Madi explained that windows do not fall into the scope of the proposed amendments but reinforcement of a certain quality of materials will be set out.

Mr. White asked if the maintenance of City properties will be enforced and will the new guidelines apply to how the City does maintenance (plowing, curbing, etc.)

Mr. Madi explained that is not part of the scope of the Official Plan and Bylaw review, but feels that it will be important for both the private and public sectors to maintain the same standard.

Mr. Palmer noted that the amendments are proposed at this point and will require Council approval before being put in place.

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This lady asked why the Heritage Area was expanded so broadly and noted that not every building is a designated Heritage Resource.

Mr. Palmer explained this is a collective area and they will have to determine if the heritage aspect is an issue or not and will require an additional layer of regulations.

The lady asked why the area had been expanded and Mr. Madi explained that the study was focused on the 500 Lots Area.

She then asked if all the buildings in this area will be considered a part of the Heritage Area.

Mr. Palmer responded that the City is presently reviewing its Official Plan and Bylaw for the whole City and that the 500 Lots Area Study was area specific.

Councillor Lantz commented that there are presently about 300 designated Heritage Resources and that any development in the Heritage Area must go before Heritage Board for approval. He noted that the proposed amendments will result in an expansion of the Heritage Preservation Area.

The lady feels there is a lot of confusion and that some buildings are not kept up and there is no incentive to upgrade. She also feels that there is a need to stimulate growth, not restrict it.

Another resident pointed out page 15 of the Official Plan amendments and that the map shows the Landmark View Plain ending at Dorchester Street. She feels that it should include the whole of Great George Street and end at Peakes Quay.

Wendy Budgen???

Ms. Budgen feels that the whole Great George area needs to be protected.

Ole Hammarlund

Mr. Hammarlund commented that new buildings are not designed like they were 100 years ago and there is a need for quality buildings. He has concerns with the setback, lot area, height and lot line requirements.

Mr. Madi noted that there is a broad variety of architectural styles in the City and the 500 Lots Area is predominantly a mixed use area. With the form-based approach the height, placement and bulk of the buildings is important. The proposed setbacks are consistent with the typical block in the area and used Queen Street as an example.

Karen Lipps

Ms. Lipps questioned the Landmark View Plain and felt that the Upper Great George Street area is also important. This is a very important view plain and she feels that the possibility of 2 to 10 storey buildings is not appropriate to the urban core. She also feels that there needs to be more control for new development.

Mr. Madi responded that these points were taken into consideration when the guidelines were drafted and noted that the properties south of Province House are already designated buildings. University Avenue north of Province House was not included in the study and there are very few Heritage buildings in the core area. Development in this area will still be subject to the Heritage guidelines.

Ms. Lipps has concerns with the potential mass and scale of new buildings.

Mr. Madi commented that a building like the Holman Grand Hotel will not be possible under the new guidelines as the requirements will be laid out in detail. Facades will need to be retained and

the scale, massing and distance from other buildings will be considered. It will be difficult to build something like the Holman Grand under the proposed guidelines.

Ms. Lipps has concerns with the facades of buildings on University Avenue and the view of Province House. She feels the view plain cone should go up further.

Erin Davis

Ms. Davis has concerns about what is behind the façade of a building, not just the exterior.

Mr. Palmer explained that the first three storeys of a building will have priority as it is of vital importance that the City be walkable.

Cathy Parkman

Ms. Parkman's building is located on the Queen Street landmark streetscape. She recently replaced the siding on the building, but has concerns that now that this type of maintenance work will have to be referred to the Design Review Process.

Mr. Palmer noted that it will depend on the significance of the change and explained what would be considered a non-substantive change. He also noted that a non-substantive change will still require a building permit.

Ms. Parkman feels that the changes will add a great layer of expense to residents.

Mr. Palmer noted that Charlottetown has the largest concentration of Heritage buildings in Canada. He also pointed out that Charlottetown has a very successful Heritage Grant Program which provides funding for residents doing exterior work on a Heritage building.

Ms. Parkman does not want to lose her downtown mixed use zoning as it will permit construction of a new building with unlimited density and height. Under the new zoning she will be limited as to what she can construct.

Mr. Palmer explained that a building could be constructed with 2 or 3 storeys. It could go up to 6 storeys with bonusing.

Councillor Lantz noted that this would be similar to the bonusing for development on the Waterfront. If a new building meets the conditions, a bonus could be allowed, but it would not be applied to an existing Heritage Resource.

Ms. Parkman commented that she did not want to have her property designated or lose her downtown mixed use zoning.

Connie Corrigan

Ms. Corrigan noted this has been the first public meeting she has attended. She pointed out that Founders Hall is a significant building located on the waterfront. She noted that the Madden condominium building was supposed to be three storeys high but the finished building was much larger than she expected. She also noted that she did not approve of the Holman Grand Hotel

being constructed so close to a historic site. She feels that the finished building looked really sad and hopes that there will be regulations in the proposed amendments to prevent this happening again.

Mr. Madi explained how the bonus process works and that any new development must meet the conditions in order to have a height increase. Other public benefits must also happen and height will be an established threshold appropriate to the area. Buildings must be of a similar scale and not many sites in the City could support taller buildings.

Ms. Corrigan feels that the residents need some sort of protection from buildings like the Holman Grand being built again. She also has concerns with taller buildings blocking out natural light.

Mr. Hammarlund is not sure that highrises should be allowed in the downtown area. He feels that height should be limited to 5 storeys in the downtown but higher buildings could be constructed outside of the downtown area.

Councillor Lantz asked for any comments or questions.

Ann MacNevin

Ms. MacNevin feels that the slum areas of the downtown should be flushed out and there are a lot of properties in the City that need to be upgraded. She has concerns that the tourists arriving off cruise ships see the slum areas of the City first. She noted a building located on the corner of Pownall and Grafton Streets that has not been painted for a number of years and asked if the Bylaw Enforcement Officer can do something about this. She challenged Council to walk all streets in the 500 Lots Area and take note of the properties that are beyond repair. There are some really bad living conditions in the City and the buildings need to be condemned and torn down. Mistakes have been made and she noted that there are areas in the City the other side of Euston Street that can be developed. She feels that is where taller buildings should be located. Ms. MacNevin feels that there are far too many variances granted and Council, Heritage Board and the Heritage Officer need to learn to say no. There needs to be more spine and less paperwork.

Jason White

Mr. White asked if a building has classic cedar siding could the property owner choose what type of material they prefer.

Councillor Lantz explained that restrictions on the type of materials used only applies to designated Heritage Resources. He acknowledged that any Zoning and Development Bylaw is difficult to understand and the proposed amendments are very technical. The new processes will eliminate variances in the future and simplify the approval process. They will also promote good development with a clearer process with better results. He also noted that the City Central Neighbourhood meeting is scheduled for April 17 and that similar meetings will be held with other neighbourhoods.

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Christina Fields

Ms. Fields feels that a lot of progress has been made with development in the 500 Lots Area over the years and the City is moving in the right direction. The new processes will prevent a 4-storey building to be built next to a 2-storey house. She commended Council on the work they have done.

Joan Cummings

Ms. Cummings agrees with Ms. Fields and feels that the process will stand on its own. She noted the vacant lots across from St. Pauls Church and next to the Workers Compensation Board as examples of areas to be developed. She feels that the lots with dilapidated buildings will be the sites for new development in the future. She is happy to see sensibility in the new regulations and feels they will save residents “money and misery” from appeals to IRAC.

Jennifer Keenan

Ms. Keenan commented that she is new to the Downtown Area and to the public meeting process. She feels that there is a need to keep the Downtown Core attractive and to encourage growth. Her concern is not that high rise buildings might be considered, but what type of activity takes place in them. She feels that presently the downtown is empty and there is a need to stimulate growth. There needs to be a grocery store downtown and more social activities held in the parks as well as more community gardens.

Councillor Lantz commented that is the type of feedback needed at the community meetings.

Andrea Battison

Ms. Battison feels that allowances have been made for things that have not been built as approved and this is a vague issue in the current Bylaw.

Councillor Lantz acknowledged that a Stop Work Order should have been issued for the Holman Grand Hotel and that there is a need for additional Building Inspectors who could be out in the field. Presently the only recourse the City has is through the court system.

Ms. Battison asked if the new regulations provide any recourse.

Councillor Lantz encouraged people to contact staff of the Planning Department or their Councillor if they have any concerns about development.

Mike Harmon

Mr. Harmon asked what happens when construction starts without permits and what recourse can be taken. He cited construction of the Convention Centre as an example.

Mrs. Parnham explained that a permit had been issued for construction on the seawall but that during the Development Agreement phase construction continued on the site.

Councillor Lantz noted that the construction got ahead of the process and a Stop Work Order was not issued.

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Mr. Harmon feels that the proposed plan is fantastic but also that affordable housing and accessible housing also needs to be developed. He asked how this could be guaranteed.

Councillor Lantz explained the bonus process and how provision of affordable and accessible housing would determine bonuses.

Mr. Palmer commented that is difficult to regulate the amount of affordable housing built and that the 500 Lots Area plan provides incentive to developers.

Councillor Tweel felt it was a very good meeting and that there has been a lot of development in the 500 Lots Area over the years. He mentioned the Stephen Taweel property as a good example of the type of development needed. The new proposals will create a catalyst for improving development. The City is not quite there yet but it moving in the right direction.

Councillor Lantz asked for any further comments or questions; there being none, the meeting adjourned at 8:47 p.m.