



**Public Meeting of Council
Tuesday, April 30, 2013 at 7:00 pm
Council Chambers, 2nd Floor, City Hall**

Mayor Clifford Lee presiding

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

Also: Roy Main, CAO Donna Waddell, DCS
Sharon MacKinnon, PDO Brad Wonnacott, AA

Regrets: Hope Gunn, PDO Laurel Palmer Thompson, PDO

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

1. 5 Eden Street (PID #368415) – request for variances to lot area and height to accommodate a 10-unit apartment building

Charlottetown City Council had **deferred** a decision on the following resolution at the Regular Monthly Meeting held on April 8, 2013:

“That the request for a variance to the lot area requirement from 14,532 square feet to approximately 10,000 square feet and a height variance from the required 39.4 feet to 42.6 feet to permit the construction of a 10-unit apartment building at 5 Eden Street (PID# 368415) be approved.”

Council subsequently **approved** the following resolution:

“That the application for 5 Eden Street be referred to a public meeting.”

The request was to lower the required area necessary for the Development from approximately 14,000 sq. ft. to 10,000 sq. ft. The Applicant had held a neighbourhood meeting regarding the project that had not been well attended and it had been decided by Council that a public meeting would be required. Fifty (50) letters had been sent to property owners within 100 meters of the proposed development and 2 letters of response had been received.

Chris Jette, (Architecture 360) attended the meeting as the representative for the Developer to present the application. Mr. Jette asked for an increase in density from 6 to 10 units, describing the development as 6 two bedroom units and 4 (600 sq.ft.) bachelor units. Mr. Jette then gave a brief description of the existing neighborhood and made a presentation of images to Council showing the approximately 70' x 30' building footprint and parking area and also the removal of existing poplar trees at the back of the property

Mayor Lee asked Mr. Jette about the front yard setback of the proposed building.

Mr Jette indicated that it would be in line with existing buildings on the street. He then went on to discuss traffic flow into and out of the rear parking area proposed for the property.

There were a few comments made by the public regarding the removal of trees and landscaping that Mr. Jette addressed as he ended his presentation.

He also discussed zoning in the area which was a mix of Low Density Residential (R2) and Apartment Residential (R3). He noted the existing businesses were designated as Legal Non-Conforming and if the businesses were to close the properties would revert back to residential.

Heather Scott briefly discussed the size and history of Eden Street and her concerns about flooding. None of the residential homes on the street have full basements because of the water levels in the area.

John Hashim had concerns about the increased traffic caused by 10 new units on the street. He worried about safety of children in the neighborhood.

Omar Hashim thanked Council members for the opportunity to speak. He outlined his concerns about noise and that the development would be the tallest building in the area. He asked why the developer was not at the meeting to hear their concerns and that the images shown by Mr. Jette on behalf of the applicant did not reflect accurately the setbacks of the neighboring buildings.

Devin Cameron spoke briefly that he was against the proposal for a variance to the project.

John Hashim commented that the project would cause a depreciation in the value of homes in the Eden Street neighborhood.

Chris Jette explained that the height variance for the building was small and only required as a result of changing the pitch of the roof for esthetic reasons after discussions with City staff. He also believed parking spaces for all units can be accommodated in the space available at the back of the property.

John Hashim had concerns that the building designs shown in the presentation graphics were not to scale and asked who the Architect was that designed it.

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Omar Hashim expressed his concerns that the variance would set a precedent that would affect the rest of the neighborhood and the City. He then asked Mr. Jette if the owner might be willing to redesign the building.

Mr. Jette was unable to answer the question until the outcome for the present application had been decided.

Councillor Tweel spoke about the expected change to the dynamics of the neighborhood and was concerned that the proposal was out of scale with what was existing. He was also concerned about increases in traffic in the area and the issue of water and flooding that may occur as a result of the new construction.

Mr. Jette responded that the increase of only four cars over the as of right six cars would not be a major concern on a street that already has existing businesses and a heavy commercial presence on its eastern end. The scale and design was not unlike that of the apartment building approved and built on Summer Street and also the result of a change in the pitch of the roof.

Councillor Tweel again asked about whether the applicant would be able to address the concerns about the scale of the building.

Mr. Jette replied that the building did in fact conform to existing Zoning & Development Bylaws and that he believed that the scale could be pleasing to the neighborhood.

Heather Scott raised the question of waterflow on the property as in the past it had been a running stream and that no homes in the area had more than a crawl space because of the history of flooding. She also had questions about an existing storm drainage culvert that she believed was located on the property.

Mr. Jette agreed with some of these concerns. He explained that he had some past experience with water lot construction and that a geotechnical report and storm water management plan for the proposed property would be done when a development was approved.

Mayor Lee expressed concern about the existence of a storm drain and possible easement through the proposed building site and asked City staff to check with Sewer & Water as well as Public Works as to this matter.

Heather Scott spoke briefly again about the history of the neighborhood.

Councillor Lantz asked if there were any more questions.

Councillor Tweel thanked the residents in attendance for their participation in the discussion.

Councillors Lantz asked again if there were any more questions.

Omar Hashim spoke again against the proposal stating that it was not esthetically pleasing in its design or scale with regards to the existing neighborhood.

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Councillor Lantz explained the building application would now go back to Planning Board to be reviewed and would come back to Council for consideration on May 13, 2013.

Mayor Lee asked for any other comments or questions and the meeting adjourned at 7:30 p.m.