

**Evans, Victoria**

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**From:** Ernie MacAulay <ernie19@bellaliant.net>  
**Sent:** Wednesday, October 25, 2017 9:39 AM  
**To:** Mayor of Charlottetown (Clifford Lee)  
**Cc:** tmacleod@charlottetown.ca; Duffy, Mike; Tweel, Mitchell; Ramsay, Kevin; Doiron, Bob; Rivard, Greg; Coady, Jason; Hilton, Melissa; Bernard, Terry; Planning Department  
**Subject:** Propsed Development at 55 and 59 Richmond Street  
**Attachments:** Development Proposal.docx

Your Worship:

Attached is a letter in which I express my support of appropriate residential development at 55 and 59 Richmond Street, Charlottetown but express the view that the current proposal that is before City Council has a number of incurable deficiencies.

Thank you for your consideration of this matter.

Sincerely,

Ernie MacAulay, BBA, MBA, LLB  
1-5 – 41 Richmond Street, Charlottetown, PE, C1A 1H6  
(902) 892-3610 (residence)  
(902) 393-9799 (cell)

105 – 41 Richmond Street,  
Charlottetown, PE, C1A 1H6

October 25, 2017

Mayor Clifford J. Lee,  
City of Charlottetown

Your Worship:

**Re: Development Proposal 55 and 59 Richmond Street**

As a neighbourhood resident, I fully support development on the proposed site. This is an excellent 'parksides' location for residential accommodation. The residential structures that are currently on the site appear to suffer from neglect of normal maintenance likely because their owner(s) anticipate selling them to a developer who will demolish them and replace them with a new structure. My residence faces 59/61 Richmond Street which has obvious evidence of a lack of normal maintenance including a low-pitch roof, on what appears to be a one-storey addition to the original structure, that is covered by a plastic membrane held in place with concrete blocks. The area could certainly benefit from some appropriate urban renewal.

While I am in favour of urban renewal on the site, I do not support the development as proposed. The development proposal appears to be an effort to maximize the number of rental units that can be squeezed onto the available land by constructing an apartment building on a lot that does not meet the minimum frontage for apartment buildings, maximizing the building's footprint by eliminating lot-line clearances, and not providing for any on-site parking either in the form of surface or underground parking.

The proposed development will adversely affect the quality of life in the area in a number of ways. The zero lot line clearance will adversely affect the privacy, security, and value of all the units in the Rochford Condominium adjacent to the proposal. While the well-known metaphor about the pot and the kettle readily comes to mind because the Rochford Condominium, in my opinion, has also been constructed with the bottom two storeys too close to the lot line, the Rochford Condominium gets narrower from the third storey and above but the proposed development appears to rise vertically for four storeys a few inches from the lot line. My unit in the Rochford Condominium is on the southeast corner and my deck will be approximately three feet from the west wall of the structure if approved and constructed. We chose this particular unit because it is a 'corner unit' with natural lighting on the east and south sides. Our east wall has six 6' windows which would all be darkened by the proposed structure which significantly diminishes our normal enjoyment of the property and our quality of life. We currently leave our blinds open to allow for natural light but the proposed development, for privacy reasons, would require us to keep the blinds on the east side closed at all times and resort to artificial lighting. A building constructed with reasonable lot line clearance would allow us to maintain our current lifestyle. As a general rule, I would suggest a minimum lot line clearance of the lesser of eight feet or 5% of the frontage.

The total absence of on-site parking ought to be sufficient reason alone to deny approval of the proposal. Despite the statements the developer is reported to have made at a public meeting on February 28, 2017, the fictional demographics that he provided, of young professionals and students who do not own vehicles renting the apartments, is unlikely to exist in the real world. It is much more likely that a majority of the building's tenants will own vehicles. Renting a few parking spaces in a local parkade will not remedy the lack of on-site parking because of the lack of convenience of such an arrangement. Human nature being what it is, residents will choose to park as close to their residence as possible – which means local streets. The proposed development is across from Connaught Square, a well-maintained and reasonably frequented City park, that relies on on-street parking for those who enjoy its amenities who are beyond walking or cycling distance from the park. Currently, Richmond Street has unregulated parking and it appears that people who work nearby park on the north side of the street during normal office hours. That parking is currently available for park users in evenings and on weekends. If the proposed apartment building is constructed without on-site parking, residents of the building will use nearby streets for their parking needs thus depriving the current users of the spaces of a place to park while at work and park users of the parking spaces during visits on evenings and weekends.

In addition to the construction challenges in building a structure so close to the lot lines, including potential compromise of the integrity of the Rochford Condominium while excavating for the footings and foundation of the proposed structure, the lack of lot line clearance makes it difficult to access the east and west sides of the structure for maintenance but, of greater significance, it also likely presents unacceptable challenges with respect to safety and security. I recommend that Council consult with Charlottetown Fire Department to determine if they could efficiently and effectively respond to an emergency in the proposed structure and the adjacent structures. I also recommend that Council have a member of the Charlottetown Police Department with CPTED (Crime Prevention Through Environmental Design) training examine the plans to determine whether or not they incorporate CPTED principles and whether or not the proposed structure presents unnecessary safety or security challenges.

I fully support the replacement of the decaying and unsightly structures on the proposed development site with a suitable residential structure. The development proposal that is currently before Council, for approval of both minor and major variances, is not a suitable use of 55 and 59 Richmond Street. A proposal that is a reasonable size for the available land, which has reasonable lot line clearances, is harmonious with the existing structures in the area, which meets reasonable safety and security standards, and which has adequate parking spaces, would receive my complete support.

Sincerely,

Ernie MacAulay, BBA, MBA, LLB  
(902) 892-3610  
[ernie19@bellaliant.net](mailto:ernie19@bellaliant.net)  
cc: Councillors and Planning Department

**Evans, Victoria**

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**From:** Ernie MacAulay <ernie19@bellaliant.net>  
**Sent:** Friday, November 03, 2017 9:40 AM  
**To:** Mayor of Charlottetown (Clifford Lee)  
**Cc:** tmacleod@charlottetown.ca; Duffy, Mike; Tweel, Mitchell; Ramsay, Kevin; Rivard, Greg; Coady, Jason; tbernard4@charlottetown.ca; Planning Department  
**Subject:** Proposed Development at 55 and 59 Richmond Street  
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Your Worship:

During a review of my notes following the public meeting on November 2, 2017, I thought of a possible compromise that might make the proposal more tolerable should Council be inclined to grant the requested variances. In hindsight, the thought seems quite obvious but it totally escaped me when I had the opportunity to present it to the proponent at the public meeting. The proponent indicated that he can build to the lot lines as of right but he has generously and gratuitously provided 5-foot clearance on the west lot line and 7½-foot clearance on the east lot line. The eastern boundary of the development proposal appears to terminate at a right-of-way to the building that is currently occupied by the Royal Canadian Legion and other tenants, therefore, there would not be any privacy, aesthetic, or security concerns if the proposed structure was located near the east lot line. Moving the footprint of the structure approximately six feet eastward would significantly improve the appearance of the north side of Richmond Street and also make a significant contribution to the amelioration of the privacy issues for the occupants of 41 Richmond Street and the proposed building. Your Worship indicated to a speaker at the meeting that any changes to the proposal would require a re-start of the approval process; hopefully, a relocation of the proposed building's footprint on the lot would not trigger such a drastic result.

The proponent appears to have provided Council with materially inaccurate information. Mr. Banks stated the foundation and the garage of 41 Richmond Street is on the lot line on the east side. There is currently a chain-link fence between 41 Richmond Street and the proposed development which likely approximates the lot line between the two properties. I live in the southeast corner of 41 Richmond Street and I have a deck which extends 62" east of the foundation and which is approximately 22" from the chain-link fence. I took another measurement between the foundation of 41 Richmond Street and a post and the post (which supports the chain-link fence) was approximately 7'2" from the foundation. Contrary to the proponent's assertion that 41 Richmond Street is a 'zero lot line' structure, the building's foundation is actually approximately seven feet from the property line.

I have considered the proponent's "flight to the core" theory which he provided without any actual empirical support. It is likely a valid concept in major metropolitan areas which have efficient regional public transportation systems but it is probably not a current feature of the Charlottetown landscape. Similarly, while the car-less student and occasional car-less young professional was valid for approximately the first seven decades of the 20<sup>th</sup> century, it is not currently a significant demographic in this area and a landlord who restricts his tenancies to this demographic would have an almost vacant building. I expect this will become a future demographic when society reaches the stage of driverless vehicles being summoned only when required (rather than being owned or leased as vehicles are today) but we are about two decades away from that state in large metropolitan areas and even longer in locations like Charlottetown. If the proposal is approved, I expect virtually all the tenants would be licensed vehicle owners.

While I urge Council to uphold the minimum frontage bylaw, I am also suggesting an alternative that would be a significant improvement over the current development proposal.

I hereby expressly authorize the City of Charlottetown to provide this communication to any interested party.

Thank you for your consideration of this matter.

Sincerely,

Ernie MacAulay, BBA, MBA, LLB  
105 – 41 Richmond Street, Charlottetown, PE, C1A 1H6  
(902) 892-3610 (residence)  
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