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## **Morton, Jesse**

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**From:** Cain Arsenault <carsenault@apm.ca>  
**Sent:** Monday, December 19, 2016 3:48 PM  
**To:** Morton, Jesse  
**Subject:** RE: Proposed Development on Richmond

Ok thx

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**From:** Morton, Jesse [mailto:jmorton@charlottetown.ca]  
**Sent:** Monday, December 19, 2016 3:40 PM  
**To:** Cain Arsenault  
**Subject:** RE: Proposed Development on Richmond

Yes, you can just write "site specific zoning amendment".

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**

PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Cain Arsenault [mailto:carsenault@apm.ca]  
**Sent:** Monday, December 19, 2016 3:38 PM  
**To:** Morton, Jesse <jmorton@charlottetown.ca>  
**Subject:** RE: Proposed Development on Richmond

So under "Other" do I write Zoning Amendment and that covers it?

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**From:** Morton, Jesse [mailto:jmorton@charlottetown.ca]  
**Sent:** Monday, December 19, 2016 3:29 PM  
**To:** Cain Arsenault  
**Subject:** RE: Proposed Development on Richmond

It's the variance / rezoning application form. The site specific amendment uses the same process as rezoning applications. See attached.

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**

PO Box 98, 233 Queen Street  
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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Cain Arsenault [<mailto:carsenault@apm.ca>]  
**Sent:** Monday, December 19, 2016 2:22 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Subject:** RE: Proposed Development on Richmond

Hi Jesse,

Would this application be the zoning use inquiry form?

Thanks

Cain

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**From:** Morton, Jesse [<mailto:jmorton@charlottetown.ca>]  
**Sent:** Monday, December 19, 2016 2:01 PM  
**To:** Tim Banks  
**Cc:** Forbes, Alex; Cain Arsenault  
**Subject:** RE: Proposed Development on Richmond

Hello,

Thank you for your message. I do see your concerns regarding the demolition issue.

Staff do not intend put anyone into a negative situation, like the one you described. When a demolition permit is associated with a larger application (i.e., bylaw amendment) we usually issue approval concurrently, once the larger application process is resolved. A demolition application can also be cancelled, as long as the property is not causing health or safety concerns.

Typically, we do request both applications up-front because they're intertwined – the development cannot occur without approvals on both fronts. It would be disappointing for both parties, and problematic for the City, if we spent months amending the Zoning Bylaw only to find out that the Heritage Board is not going to approve the demolition.

This particular application, though, requires three levels (amendment + design review + demolition). Given the owner's concerns, please proceed with submitting the site specific amendment application (\$300) at this time, so the application can be advanced to Planning Board. This meeting will be focused on advancing the application to a public meeting, rather than seeking potential approval.

Early in the New Year we can start the ball rolling on the design review process (fees + select a designer reviewer) and initiate things on the Planning Board front. Given that the design review process entails a demolition, I think that is a reasonable way to proceed at this time.

Sincerely,

**Jesse Morton, MCIP**  
**Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108

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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Monday, December 19, 2016 11:55 AM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Cain Arsenault <[carsenault@apm.ca](mailto:carsenault@apm.ca)>  
**Subject:** Re: Proposed Development on Richmond

Hi Jesse,

In speaking with our Council it would appear that making an application to move or demolish the existing structure may be binding upon approval. Even though we've entered into an arrangement with the owner to put the application forward and close on approval he is not prepared to move or demolish the property unless we waive this condition as he intends to maintain the status quo if not approved. Applying to demolish without approval is like putting the cart before the horse so can we proceed with the development approval application based on the demolition permit being approved thereafter?

Tim

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Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
APM Place, 3 Lower Malpeque Rd  
Charlottetown, PE, Canada, C1E 1R4  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Dec 8, 2016, at 1:42 PM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Hello Mr. Banks,

This is Jesse Morton from the Charlottetown Planning & Heritage Department. I joined a portion of your meeting with Alex yesterday afternoon. Alex asked me to follow-up up with you regarding a few items.

As discussed, your proposed development entails a site specific amendment to increase the number of stories on the subject property. I have attached the required application form to this email (i.e., subdivision, variance & rezoning). You can drop off this form with your plans once they're finalized.

The proposed development will require the existing dwelling to be demolished or removed from the subject property. I don't believe that you stated which option you wish to pursue while I was present. We wanted you to know that Section 4.57 of the Zoning & Development Bylaw states that in the 500 Lot Area, "applications for demolition shall be referred to the Heritage Board" for review, and potentially, approval.

When you're ready to proceed with the site specific amendment, can you please complete and submit the attached moving / demolition application form, as well? Our intent is to review these two matters concurrently in January so that the review period is not impacted. It's worth nothing that staff have

reviewed an old heritage assessment of the existing dwelling and it scored poorly. That should work in your favour.

Lastly, the two lots will need to be consolidated at a later date, but we do not need surveyed consolidation plans at this time. We can address this after the required meetings take place.

Please let us know if you have any questions.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

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<Subdivision, Variance and Rezoning Application Feb 19 2015.pdf>

<Moving-Demolition Form Feb 19 2015.pdf>

<Section 4.57 - Demolition Permits.docx>

# CHARLOTTETOWN

## PLANNING & HERITAGE DEPARTMENT

### APPLICATION

FILE NUMBER	HERITAGE	SUBDIVISION Name _____
ASSESSMENT NUMBER	VARIANCE	Number of Lots _____
REZONING FROM _____	TO _____	OTHER <u>SITE SPECIFIC ZONING AMENDMENT</u>

1. Applicant's Name ATM CONSTRUCTION SERVICES (ATTN: GAIN ARSENAULT)
2. Address 16 MCCARVILLE STREET, CHARLOTTETOWN
3. Telephone: Work (902) 584-8400 Home \_\_\_\_\_
4. Civic Address of Property to be Developed 55 & 59 RICHMOND STREET
5. Present Use of Property (Zone) DN - DOWNTOWN NEIGHBORHOOD
6. Proposed Use of Property and Brief Description of Work DN - DOWNTOWN NEIGHBORHOOD  
PROPOSED 4-STORY 10 UNIT APARTMENT
7. Site or Subdivision Plan Provided Yes ☒ No ☐
8. Building Plans Provided Yes ☒ No ☐
9. Estimated Start Date TBD Completion Date TBD

I, the undersigned, as owner or authorized agent for the owner of 55 & 59 RICHMOND STREET  
(Civic Address) hereby make application for the above-noted development and certify the truth of all  
statements or representatives contained herein.

DECEMBER 19, 2016  
DATE

IAN HARPER  
SIGNATURE OF OWNER OR AUTHORIZED AGENT

**NOTE:** This is an application ONLY and does not authorize the applicant to proceed with the proposed development until a building permit is applied for and issued for the development.

233 Queen Street, PO Box 98, Charlottetown, PE, Canada C1A 7K2

Tel (902) 629-4158, Fax (902) 629-4156, Email [planning@charlottetown.ca](mailto:planning@charlottetown.ca), Web [www.charlottetown.ca](http://www.charlottetown.ca)

P.O. BOX 98, CHARLOTTETOWN, P.E.I., C1A 7K2  
PHONE (902) 566-5548 FAX (902) 566-4701

RECEIVED FROM APM Corporation - Summary Inc.

ADDRESS PO Box 2954, Huala, Honduras

THE SUM OF One Hundred 100 DOLLARS

per 4100000000 IN PAYMENT OF ITEMS LISTED BELOW

55 59 Richmond  
Street

Chadde

file 17.003

003.612-17

✓h

[illegible]**TOTAL**

CUSTOMER'S COPY/WHITE OFFICE COPY/YELLOW FILE COPY/PINK  
28579

**BEST FORMS INC. WING OF PE-1 (902) 888-2517**

December 19, 2016

City of Charlottetown Planning Department  
P.O. Box 98  
199 Queen Street  
Charlottetown, PE  
C1A 7K2

**RE: Designation of Agent**

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To whom it may Concern,

I, Bradley Harper, hereby grant APM Construction Service Inc. and their designates to act as my agent for any and all of the processes involved in the development of my properties located at 55 & 59 Richmond street, Charlottetown, Prince Edward Island.

Sincerely,

A handwritten signature in black ink, appearing to read "Bradley Harper".

Bradley Harper

 <p style="text-align: center;"><b>City of Charlottetown</b></p>	<p><b>Report No: HERT-2017-31-JAN #3</b></p>
<p><b>Directed to:</b> Heritage. Board</p>	<p><b>Date:</b> January 31, 2017</p>
<p><b>Department:</b> Planning &amp; Heritage</p>	<p><b>Attachments:</b></p> <ol style="list-style-type: none"> <li>1. GIS map</li> <li>2. Building Photos</li> <li>3. Proposed Concept drawings</li> <li>4. Heritage Assessment Report</li> </ol>
<p><b>Prepared by:</b> Todd Saunders</p>	
<p><b>Subject:</b> <u>59 Richmond Street (PID #339929)</u> - Application to demolish the existing two unit house for future development of a (23 unit) residential building.</p>	
<p><b><u>RECOMMENDATION:</u></b> Heritage Board is encouraged approve the request to demolish the existing building at 59 Richmond Street pending approval through the design review process for a proposed development. See City of Charlottetown Zoning and Development Bylaw 4.57.(2b) &amp; 4.57(3) 500 Lot Area Development and Design Standards 3.2 Streetscapes and 3.1 Civic Elements, &amp; Official Plan Schedule B3 Civic Elements &amp; Schedule B2 Streetscape Plan</p>	

### **REPORT:**

59 Richmond Street (PID 339929) is not a designated Heritage Resource but is located in the Downtown Neighbourhood Zone (DN) of the 500 Lot Area. The original date of construction is unknown but it appears to pre-date 1917 where it is shown on a Fire Insurance map. The building is a two storey structure fronting on Richmond Street with a one story addition at the rear. The two storey portion of the building measures approx. 25ft wide by 30ft deep. There are currently two rental units. It appears that the basement was dug out to gain additional height at some point; possibly in the 1970's or 1980's when it is understood the rear addition was added.

The lot measures approx. 35ft wide by 135ft deep. The applicant intends to consolidate this lot with the adjoining lot to the west to create a site measuring approx. 80ft wide by 135ft deep. The existing lot size is typical of residential properties in the downtown area and has resulted in the scale and texture of the typical single family residential structures. The condo development on the corner of Richmond Street and Rochford Street was developed on a site consolidated to provide 180ft frontage on Richmond Street and 80ft of frontage on Rochford Street. 59 Richmond Street is located between the 2011, 22 unit, six storey condo building to the west and a series of traditional lots to the east. Some of these neighbouring lots are vacant.

The building located at 59 Richmond Street does not appear to be structurally unstable. Cosmetic and general renovation work could be undertaken to improve the appearance of this building and it is expected it could continue to provide reasonable residential accommodations. The attached Heritage Resource Evaluation indicates the building has limited historic value. The greater contribution of this building to the city has been in its contribution to the streetscape. This has traditionally been a streetscape with tight fitting single family residences with a little setback from

the street. This has resulted with Connaught Square being framed by the street-wall when it was intact. In recent years this street-wall has eroded with various buildings being lost and the change at the western end of the street with the larger scale condo building.

59 Richmond Street is currently a two storey structure next to a six storey structure. This site, if consolidated with the adjoining lot may have the potential to serve as a transition between two differing scales of development already in place. Connaught Square, facing this property, is a designated Heritage Resource. There are no designated Heritage Resources on this streetscape.

The Official Plan and 500 Lot Standards define this streetscape as a Key Civic Frontage – visually prominent building frontages that frame Landmark Street, the five civic squares spaces and the waterfront. Due to their prominence, these frontages greatly shape the image and experience of the district and warrant the greatest attention to detail, design and material quality.

The Official Plan and 500 Lot Standards define this streetscape as a Narrow Street - streets are narrower than avenues and are more typical of traditional residential street, accommodating a variety of front-yard conditions and often depending on the architectural style of the building.

#### City of Charlottetown Official Plan:

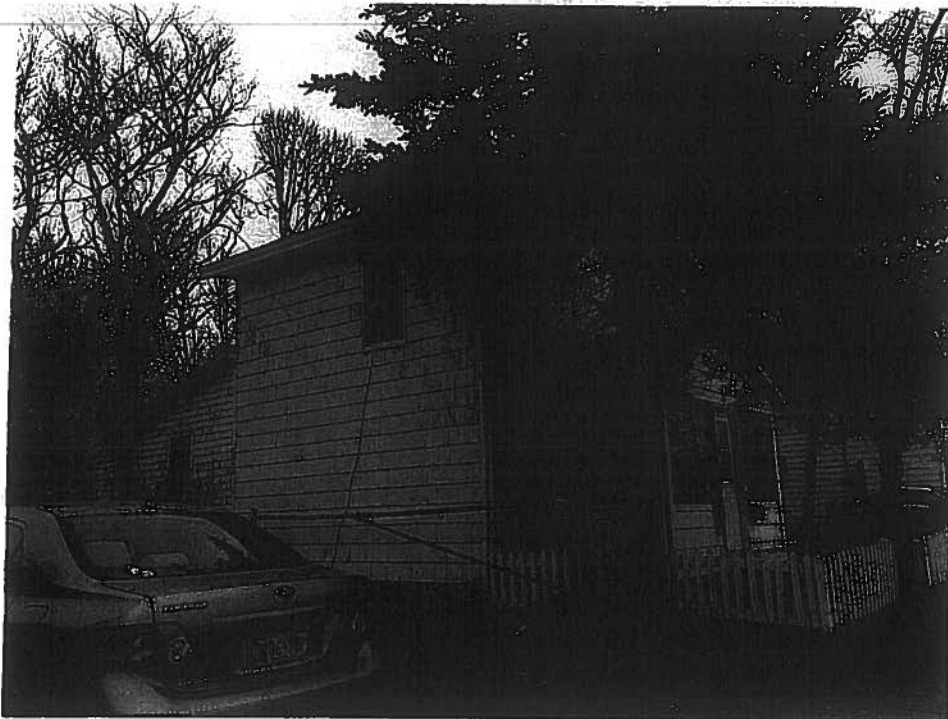
- 3.7 Capitalizing on Heritage Resources: *Our goal is to protect and revitalize the heritage resources of Charlottetown for the benefit of current and future residents and visitors.*
- 3.2 Sustaining Charlottetown's Neighbourhoods: *Our goal is to maintain the distinct character of Charlottetown's neighbourhoods, to enhance the special qualities of each, and to help them adjust to the challenges of economics and social transformation.*
- 3.4 Urban Design Considerations: *Our goal is to encourage new development which is harmonious with Charlottetown's natural setting and with the best of its built environment.*

The applicant has provided an assessment:

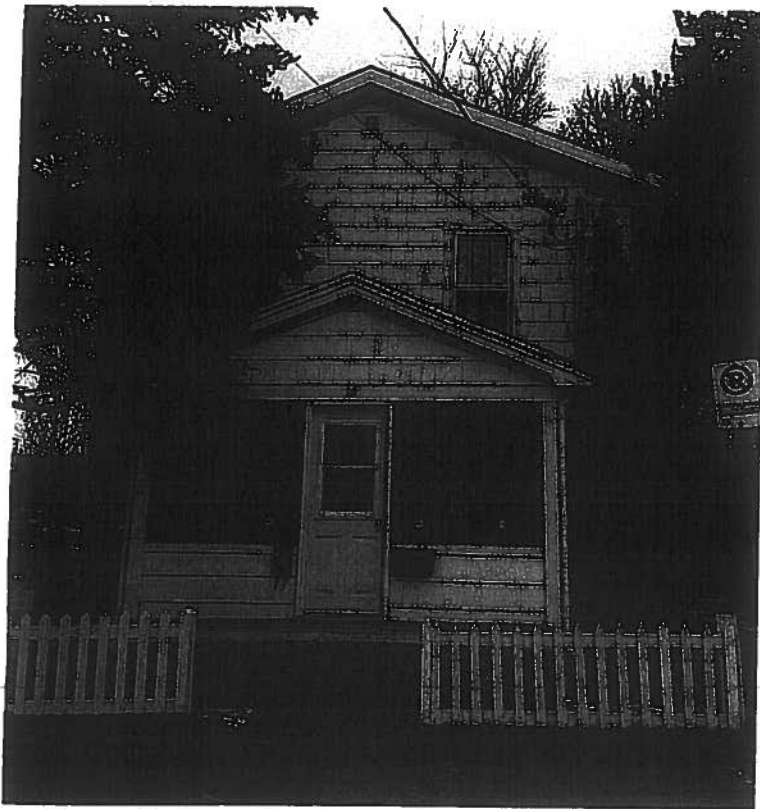
- I have not performed an engineering assessment on the property, but provide the following information passed along to APM by the property owner.
- The property owner, Bradley Harper, advised me that he does not have any formal records on when the house was built. He was told that it was originally built 80+ years ago and that the back portion was added in the 1970's or 80's. The building is occupied.
- The foundation is concrete and concrete block. The owner advised me that the building is structurally sound, but that the finishes both inside and outside need work. There are no immediate plans to repair the building as the Owner wishes to redevelop the lot.



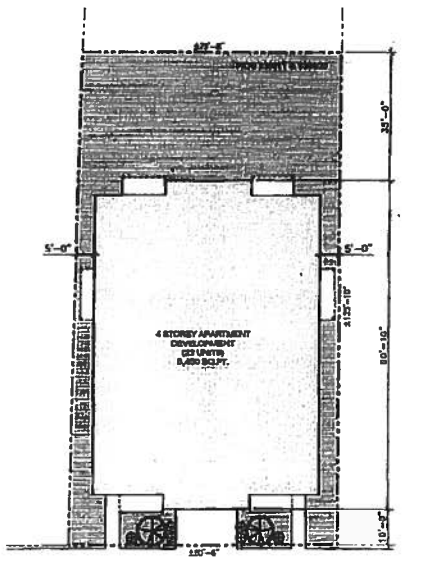
Location Map 59 Richmond Street



West Elevation: Existing two unit with one storey rear addition

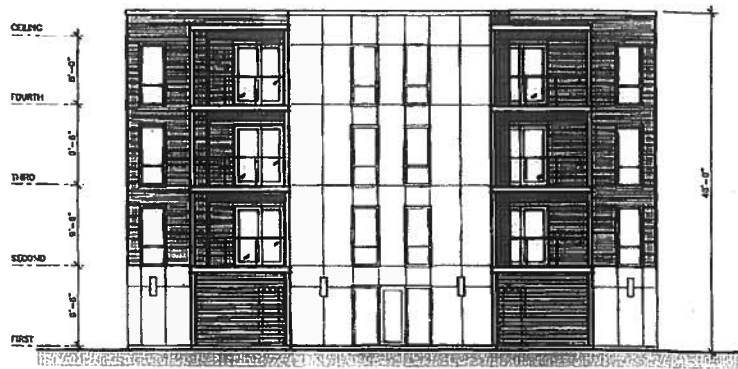


Street Elevation: Existing two unit

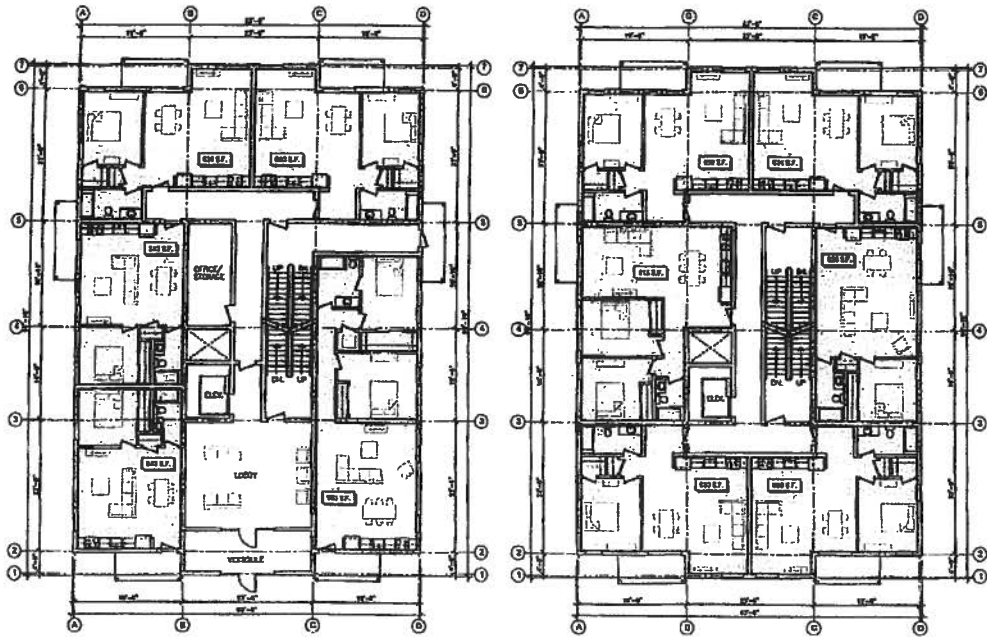


RICHMOND STREET

Proposed Site Map



Proposed Street Elevation



PH19-BK-01

FLOOR PLANS N.T.S.

## Proposed Floor Plans

Respectfully,

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <i>A</i>	Other
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## HERITAGE ASSESSMENT REPORT:

### Heritage Building Evaluation Form

Civic Address: 59-61 Richmond Street

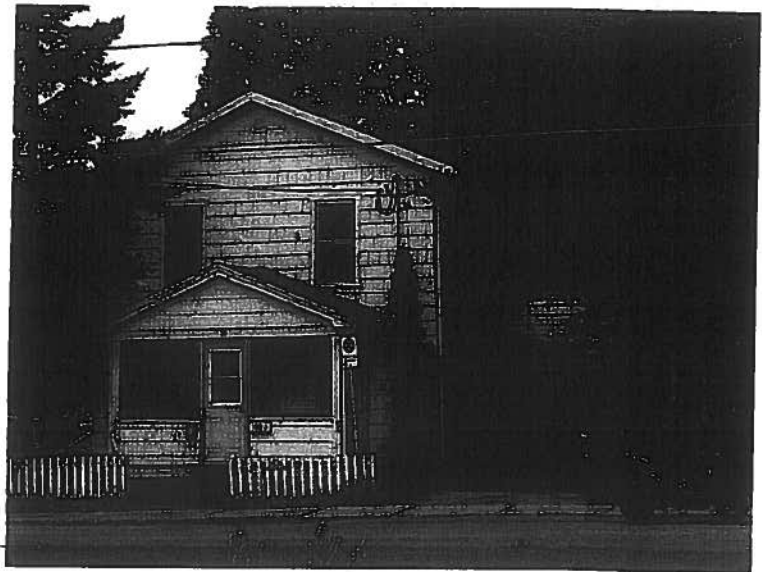
Assessment: 339929

The Story of Charlottetown Record: #2149  
Canadian Register of Historic Places Record:

Date of Photograph: October 2, 2007

Building Evaluated By: Natalie Munn

Date: September 24, 2007



### Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
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Age (Maximum 15 points)

1.1 <u>Date of Construction:</u>	15	12	8	5	<u>0</u>
<b>Architectural Interest (Maximum 65 points)</b>	<b>E</b>	<b>VG</b>	<b>G</b>	<b>F</b>	<b>P</b>
2.1 <u>Style/Tradition:</u>	15	10	8	<u>2</u>	0
2.2 <u>Construction Materials and Methods:</u>	10	8	<u>5</u>	2	0
2.3 <u>Design/Craftsmanship:</u>	10	8	<u>5</u>	2	0
2.4 <u>Integrity:</u>	20	10	<u>8</u>	2	0
2.5 <u>Exterior Condition:</u>	10	<u>8</u>	5	2	0
2.6 <u>Setting/Streetscape:</u>	15	10	<u>8</u>	2	0
2.7 <u>Landmark:</u>	10	8	5	2	<u>0</u>

Historical Interest (Maximum 20 points)

3.1 <u>Architect/Builder:</u>	10	8	5	2	<u>0</u>
3.2 <u>Person/Institution:</u>	10	8	5	2	<u>0</u>
3.3 <u>Event:</u>	10	8	5	2	<u>0</u>
3.4 <u>Historical Context:</u>	10	8	5	2	<u>0</u>

Total Score: 36

Classification: \_\_\_\_\_ Grade 1 (80-100 points)  
\_\_\_\_\_ Grade 2 (60-79 points)  
\_\_\_\_\_ Grade 3 (40-59 points)  
36 \_\_\_\_\_ Ineligible for Designation (20-49 points)  
\_\_\_\_\_ Not Important (0-19 points)

Comments: \_\_\_\_\_

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD  
JANUARY 31, 2017, 12 NOON  
PARKDALE ROOM, CITY HALL**

Excerpt from  
minutes

**Included**    **Councillor Greg Rivard, Chair**  
                  **Ron Coles, RM**  
                  **Simon Moore, RM**  
                  **Bobby Shepherd, RM**  
                  **Todd Saunders, HO**

**Councillor Jason Coady**  
**Ian MacLeod, RM**  
**Tara Maloney, RM**  
**Alex Forbes, PHM**  
**Jesse Morton, PII**

**Regrets**    **Councillor Terry MacLeod**

3.     **59 Richmond Street (PID #339929)** - Application to demolish the existing two unit house for future lot consolidation and development of a (23 unit) residential building.

59 Richmond Street (PID 339929) is not a designated Heritage Resource but is located in the Downtown Neighbourhood Zone (DN) of the 500 Lot Area. The original date of construction is unknown but it is believed to at least date to the 1930's but could possibly be earlier. The building is a two storey structure fronting on Richmond Street with a one story addition at the rear. The two storey portion of the building measures approx. 25ft wide by 30ft deep. There are currently two rental units. It appears that the basement was dug out to gain additional height at some point; possibly in the 1970's or 1980's when it is understood the rear addition was added.

The lot measures approx. 35ft wide by 135ft deep. The applicant intends to consolidate this lot with the adjoining lot to the west to create a site measuring approx. 80ft wide by 135ft deep. The existing lot size is typical of residential properties in the downtown area and has resulted in the scale and texture of the typical single family residential structures. The condo development on the corner of Richmond Street and Rochford Street was developed on a site consolidated to provide 180ft frontage on Richmond Street and 80ft of frontage on Rochford Street. 59 Richmond Street is located between the 2011, 22 unit, six storey condo building to the west and a series of traditional lots to the east. Some of these neighbouring lots are vacant.

The building located at 59 Richmond Street does not appear to be structurally unstable. Cosmetic and general renovation work could be undertaken to improve the appearance of this building and it is expected it could continue to provide reasonable residential accommodations. A Heritage Resource Evaluation conducted indicates the building has limited historic value. The greater contribution of this building to the city has been in its contribution to the streetscape. This has traditionally been a streetscape with tight fitting, single family residences, with a little setback from the street. This has resulted with Connaught Square being framed by the street-wall when it was intact. In recent years this street-wall has eroded with various buildings being lost and the change at the western end of the street to a larger scale condo building.


59 Richmond Street is currently a two storey structure located next to a six storey structure. This site, if consolidated with the adjoining lot may have the potential to serve as a transition between two differing scales of development already in place. Connaught Square, facing this property, is a designated Heritage Resource. There are no designated Heritage Resources on this streetscape.

Comments/concerns noted:

- This streetscape is important as it fronts on Connaught Square and plays a role in establishing the residential neighbourhood scale of the area.
  - Any new development facing on a square warrants the greatest attention to detail, design and material quality.
  - Much of this streetscape has been eroded and the house in question is not critical in itself to maintaining the character of the area. What might be of greater concern is the design of any new proposal. Although the project on the corner of Richmond Street and Rochford is six storeys it does not feel quite so imposing since it steps back from the street.
  - An apartment building located at this site rather than a smaller house would certainly add to the loss of the scale of the neighbourhood.
  - With pressure for increased density in the downtown area it is preferable to have density occur in proximity to existing open spaces.
- 

MOVED AND SECONDED THAT THE REQUEST TO DEMOLISH THE EXISTING BUILDING AT 59 RICHMOND STREET (PID#339929) PENDING APPROVAL THROUGH THE DESIGN REVIEW PROCESS FOR A PROPOSED DEVELOPMENT BE APPROVED.

*End of excerpt.*

 <p style="text-align: center;"><b>City of Charlottetown</b></p>	<b>Report No: PLAN-Feb-06-2017-# 8</b>
	<b>Date:</b> February 1 <sup>st</sup> , 2017
<b>Directed to:</b> Planning Board	<b>Attachments:</b> 1) Site Plan 2) Building Plans
<b>Department:</b> Planning & Heritage	
<b>Prepared by:</b> Jesse Morton	
<b>Subject:</b> An application requesting: <ul style="list-style-type: none"> <li>• The consolidation of 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);</li> <li>• A site specific bylaw amendment, which includes two major variances, in order to permit a four storey, 23-unit apartment dwelling on the consolidated property; and</li> <li>• A cash-in-lieu acceptance for 13 requirements parking spaces.</li> </ul>	
<b>RECOMMENDATION:</b> Planning Board is encouraged to recommend that Council advance the site specific bylaw amendment application, which includes two major variances, to a public meeting.	

### **Background:**

During the past year, the applicant has held several discussions with staff regarding the potential redevelopment of 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929). In December 2017, the applicant scheduled a meeting with staff to unveil preliminary development plans for a four-storey, 23-unit apartment dwelling on the subject properties.

Staff reviewed the preliminary development plans and immediately noticed that the project will require several levels of approval before it can become a reality (i.e., lot consolidation, demolition, design review, cash-in-lieu of parking, etc.). Most pressing is the need for a site specific bylaw amendment.

The subject properties are located in the Downtown Neighbourhood (DN) Zone where a variety of residential uses are permitted as-of-right. Section 33 of the Zoning & Development Bylaw contains performance standards for the DN Zone. The text of said section states that any building in the DN Zone shall be a minimum of two storeys (or 24.6ft) and a maximum of three stories (or 40ft). The proposed building is four stories, which exceeds the maximum height listed in the text of the DN Zone.

Unlike many zones, the DN Zone's maximum and minimum height is defined by text, not a variable length / dimension. That means that a four storey building in the DN Zone requires a site specific amendment to the Zoning & Development Bylaw, as per Section 4.29.



### **Context:**

The subject properties are located on Richmond Street, between Pownal Street and Rochford Street, across from Connaught Square. 59 Richmond currently contains a two-unit dwelling, which will be demolished to proceed with the proposal.



The subject properties abut the Legion's driveway and three low density dwellings lie further east; these dwellings are compatible with the neighbourhood's historic development styles. These properties lie in the DN Zone and the Downtown Mixed Use Neighbourhood (DMUN) Zone, which accommodates residential and limited commercial uses.

The streetscape is defined by the large 22-unit apartment dwelling at 41 Richmond Street, which was approved in 2011-2012. The building is six stories in height and it has increased the area's range of building heights beyond traditional DN standards.



### **Application:**

The applicant submitted a formal application to proceed with the suite specific bylaw amendment in January 2017. The site plan and building plans are attached to this report.

### **DN Requirements:**

A 23-unit apartment dwelling is a permitted use in the DN Zone. As previously stated, a 4 storey building triggers the site specific bylaw amendment process.

Two variances are also included within this site specific bylaw amendment:

	DN Requirements	Proposed
Front Yard Setback	between 0ft and 55ft	<b>8.6ft</b>
L Side Yard Setback	min 0ft	<b>approx. 1.25ft</b>
R Side Yard Setback	min 6ft	<b>approx. 0.625ft</b>
Rear Yard Setback	min 19.7ft	<b>35ft</b>
Height	min 2 storeys (or 24.6ft); max 3 storeys (or 40ft)	<b>4 storeys (40ft)</b>
Grade Level Height	Min 13ft from grade to top of 2 <sup>nd</sup> floor	<b>approx. 9.5ft – 10.67ft</b>

- The DN Zone requires residential uses to have a tall ground floor; specifically the grade level height (distance from grade to the top of the second floor) shall be a minimum of 13ft. According to the Building Inspector's estimate, the proposed grade level height is likely 10 - 10.67ft, which requires a major variance.
- The proposed building wall is setback 5ft from the right side property line and the patios project further. As such, a major variance is required to reduce this minimum side yard setback from 6ft to approximately 0.625ft. This side yard abuts the Legion's driveway so the abutting property should not be significantly impacted.

The left minimum side yard setback is equal to that of the abutting property (41 Richmond Street), which is 0ft. While the applicant satisfies the minimum requirement, the balconies of the respective properties may be within 1.25ft of each other on the first and second storeys. This could pose some design challenges moving forward.

**Parking:**

Section 4.44 of the Zoning & Development Bylaw were used to determine minimum parking requirements for the property. The proposed development requires a minimum of 12 parking spaces + 1 accessible parking space.

No parking spaces have been provided on-site. As per Section 4.49.1 of the Zoning & Development Bylaw, in the 500 Lot Area:

*"Council may require or accept cash-in-lieu of parking spaces in any situation where a development permit has been applied for and adequate or required off-street parking cannot be provided or, in the opinion of Council, having considered a recommendation from the Planning Board, is unfeasible."*

Council must pass a resolution to approve cash-in-lieu of parking before this development can be approved by staff. The current cash-in-lieu cost is set at \$6,000 / parking space.

**Landscaping:**

Section 4.70 of the Zoning & Development Bylaw states that a minimum of 10% of the property must be used for landscaped open space. The site plan shows this requirement will be satisfied, as a significant amount of landscaping shall be provided on-site.

**Demolition:**

As stated, the existing two-unit dwelling must be demolished to allow for the proposed development. Section 4.57.2.b of the Zoning & Development Bylaw states that all demolition applications within the 500 Lot Area shall be reviewed by the Heritage Board who, along with the Heritage Officer, determines the disposition of the application.

The Heritage Board reviewed the demolition request at their February 1<sup>st</sup> meeting. The property does not appear to be structurally unstable, and general renovations could be undertaken to improve the appearance of this building. The property's heritage evaluation indicated that it has limited heritage or historical significance.

Heritage Board determined that they will support the demolition of the existing two unit dwelling if the applicant obtains design review approval for the proposed development.

**Design Review:**

As per Section 9 of the Zoning & Development Bylaw, the proposed development is subject to the design review process. During this process, an external reviewer (typically an architect) is hired to evaluate a detailed development proposal to ensure that key design criteria are satisfied.

Once the applicant and design reviewer finalize a design and it is approved, the applicant will enter into a development agreement to ensure that specific development criteria are adhered to.

**Official Plan:**

There are several Official Plan objectives that relate to this proposal; in particular, those aimed at sustaining neighbourhoods (Section 3.2) and creating a vibrant 500 Lot Area (Section 4.2):

***Section 3.1 – Objective #2 – Our objective is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.***

The proposed development involves the consolidation of two properties in order to allow a compact infill development. The development will capitalize on existing municipal infrastructure that presently exists. Additionally, the apartment dwelling will front onto Connaught Square, which is an important community resource.

***Section 3.2 - Objective #1 - Our objective is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surrounding.***

This objective contains a policy stressing the importance of ensuring that “building footprints, massing, and setbacks” are physically related to its surroundings. The proposed development is larger than the block’s traditional residential development. The three remaining low-dwellings range between two and three storeys in height, while the proposed development contains four storeys. That being said, the existing dwellings utilize small setbacks from the side property lines, as is the case with the proposed development.

The six storey apartment dwelling at 41 Richmond has reduced the area’s traditional built form and paved the way for greater densities, scales, massing, etc. The proposed development continues this trend, though it is noticeably smaller in scale, massing, and footprint than 41 Richmond Street.

***Section 4.2 - Objective #7 - Our objective is to provide transitions between areas of differing intensities and scales.***

---

The proposed development provides a visual “step down” in terms of building height, which should have a positive impact on the streetscape and create a more harmonious transition between buildings (i.e., 6 storeys - 4 storeys - 3 storeys vs. 6 storeys - 3 storeys).

***Section 3.2 - Objective #2 - Our objective is to allow moderately higher densities and alternative forms of development in any new residential subdivisions which may be established, provided that this development is well planned overall, and harmonious with existing residential neighbourhoods.***

The proposed development will provide high density residential development and new forms of dwelling units to the surrounding neighbourhood, as this objective encourages. The external design reviewer will ensure that key design criteria are satisfied to ensure harmony with the neighbourhood.

***Section 3.2 - Objective #3 - Our objective is to support the provision of suitable commercial and institutional needs, employment opportunities, community-based services, and public realm amenities within neighbourhoods.***

The proposed development is in the Downtown Neighbourhood (DN) which supports residential uses, not commercial or institutional uses. The proposed development is adjacent to an important community amenity, Connaught Square. Locating residential dwellings near parks and/or natural features is considered to be a good design practice. Increasing the number of residents should increase the use of the Square.

***Section 4.2 - Objective #2 - Our objective is to promote new development that reinforces the existing urban structure.***

The proposed development satisfies the front yard setback requirements outlined in the DN Zone, and as a result, it complies with permitted street setbacks on the block. As discussed, the historic streetscape on this block was significantly altered back in 2011-2012. The proposal is generally consistent with the post-2012 streetscape, and is less imposing than the abutting development at 41 Richmond Street.

**Section 4.2 - Objective #5 - Our objective is to ensure that the concept of compatible development is fundamental to all aspects of the CHARLOTTETOWN PLAN.**

**Section 4.2 - Objective #6 - Our objective is to protect and strengthen the character of the residential neighbourhood in the 500 Lot Area**

Objective 5 defines compatible development as “*development that is not necessarily the same as, or similar to existing development. It is development that enhances the character of the existing community.*”

As discussed, the proposed development differs from the area’s traditional dwellings and building design. This area is in a state of transition since the approval of 41 Richmond, which altered the design and appearance of the neighbourhood. The proposed development will contribute to this transition. That being said, compatibility is not directly tied to similarity. Staff believe that the proposal will enhance the neighbourhoods housing options, while the design review process is in place to ensure that new development is compatible with, and enhances its surroundings.

**Discussion:**

This application involves numerous requests which shall be considered concurrently, as all items must be approved to proceed with the proposed development. The Heritage Board has indicated that they are supportive of the demolition, as the design review process must be completed before building permits are issued.

Staff do not have significant concerns with respect to the lot consolidation, as it would create vital infill opportunities, along with new residential options, in downtown Charlottetown. Opportunities to consolidate downtown properties are relatively rare, and independently, both lots are difficult to develop.

The request to accept cash-in-lieu of parking of parking is uncommon, but staff do not have significant concerns regarding the request. The proposed apartment dwelling contributes to several Official Plan objectives, such as accommodating infill development and compact residential development. It should also be noted that many residents choose to live downtown because they do not want / own an automobile, and because they can walk to nearby destinations. Those who require parking can purchase a parking space at the Pownal parking structure.

Even with a consolidation, accommodating a sufficient amount of on-site parking is challenging: the site will need to accommodate a two-way driveway; the developable area will decrease drastically; and a significant amount of landscaping will be lost. It is also worth noting that the \$78,000 cash-in-lieu contribution will be used to provide parking elsewhere in the 500 Lot Area (as per Section 4.49).

The site specific bylaw amendment – which also includes two major variances – is the request that necessitates a public meeting. As outlined in this report, staff believe that the Official Plan provides significant support behind the subject application, as the proposed development will satisfy several needs. That being said, there are several objectives pertaining to character and compatibility, which are open to some interpretation. The proposed development does not resemble traditional residential development, but the neighbourhood / block is in a state of transition, given the presence of 41 Richmond Street; this project introduced a new modern direction for the area. With all considerations in mind, staff believe that the proposed development aligns with what is considered suitable for the area, and due to the design review process, staff are confident a respectful and compatible design can be reached.

Ultimately, Council must determine if compatibility and character-related objectives of the Official Plan are being satisfied prior to approving the subject application.

**RECOMMENDATION:**

Planning Board is encouraged to recommend that Council advance the site specific bylaw amendment application, which includes two major variances, to a public meeting.

Respectfully,



**Reviewed By:**

CAO

Dir Corp Srvs

Dir Pub Srvs

Dir F & D Srvs

Dir Hum Res

Mgr

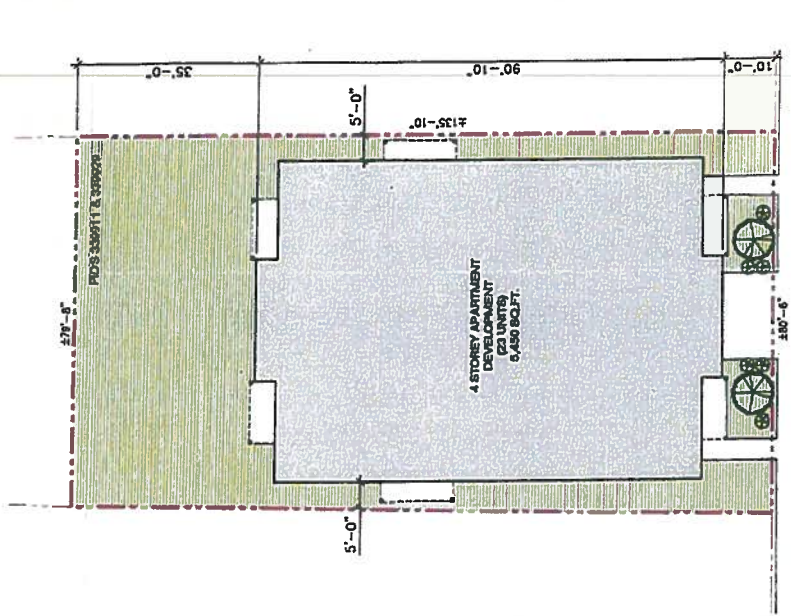


Other

**RECOMMENDATIONS/ACTIONS:**

# 1) Site Plan

P1415-SP-01



RICHMOND STREET

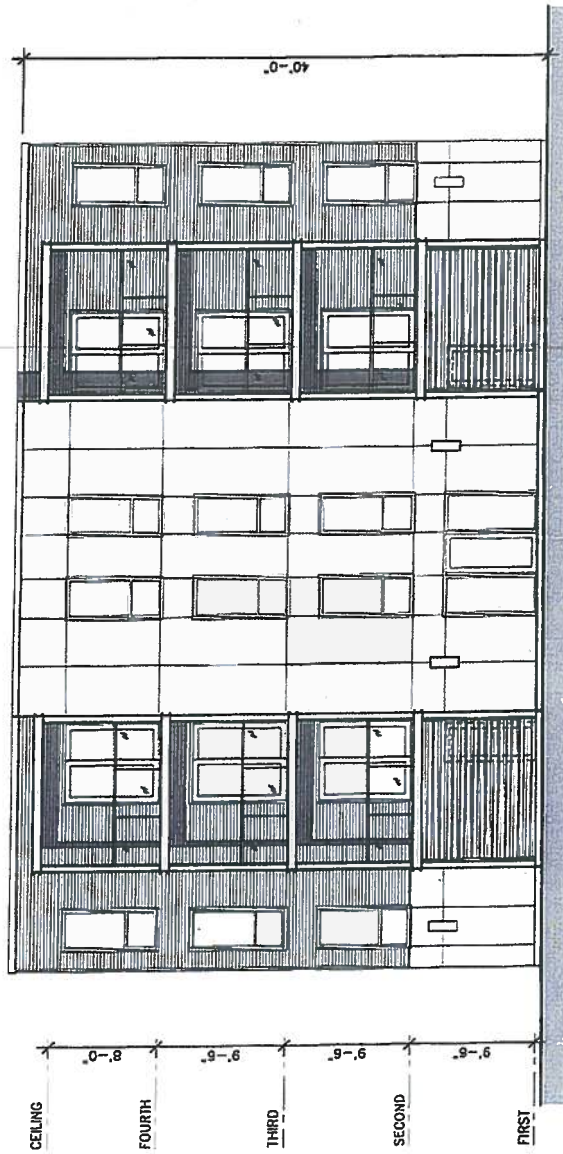
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APM Commercial

PROPOSED 4 STOREY DEVELOPMENT  
140 West Street, Chatham, NJ

## 2) Building Plans



**FRONT ELEVATION N.T.S.**

FRONT ELEVATION N.T.S.

ALL INQUIRES RELATED TO THIS CONCEPT SHOULD BE ADDRESSED TO [plantingsdesign@tylloppcommercial.com](mailto:plantingsdesign@tylloppcommercial.com) OR 902.408.8424

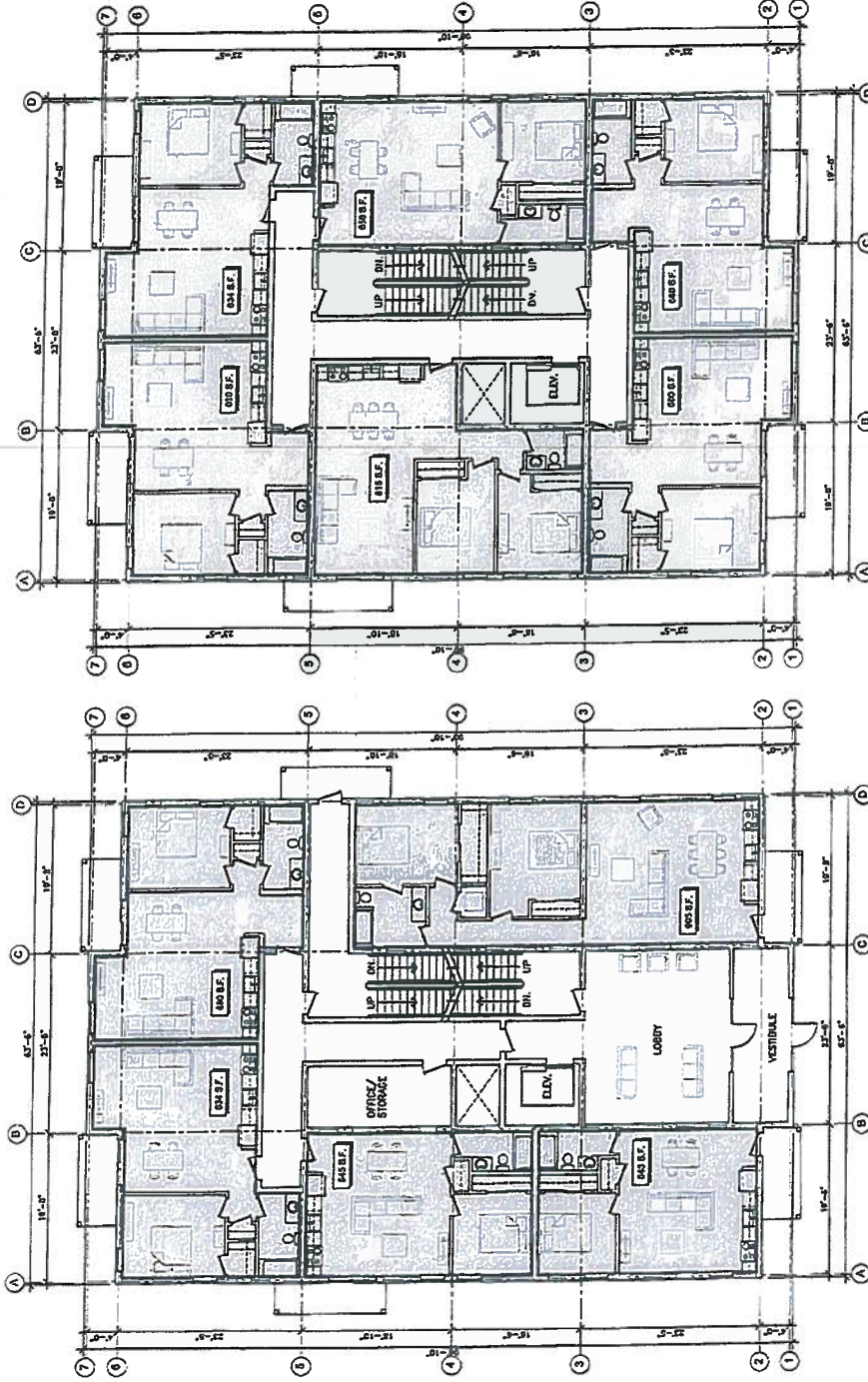
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APM Commercial

# PROPOSED 4 STOREY DEVELOPMENT

P1415-3K-01



FLOOR PLANS N.T.S.

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APM Commercial

PROPOSED 4 STOREY DEVELOPMENT

Blairmont Square, Calgary, Alberta, Canada

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD**  
**MONDAY, FEBRUARY 6, 2017**  
**5:00 P.M.**

**Present:**      **Councillor Greg Rivard, Chair**                      **Councillor Terry MacLeod**  
                         **Councillor Jason Coady**                                      **Loanne MacKay, RM**  
                         **David Archer, RM**    **Karolyn Walsh, RM**  
                         **Lou Barry, RM**    **Roger Doiron, RM**  
                         **Graham Robinson RM**    **Lea MacDonald, RM**  
                         **Lynn MacLaren, RM**    **Alex Forbes, PHM**  
                         **Laurel Palmer Thompson, PII**                                      **Greg Morrison, PI**  
                         **Victoria Evans, AA**    **Jesse Morton, PII**

**Regrets:**      **Pat Langhorne, RM**                                      **Kate Marshall, RM**

**1. 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929)**

This item is an application for a lot consolidation, cash-in-lieu of parking, and a site specific bylaw amendment (which includes two variances) in order to construct a four storey 23 unit apartment building at 55-59 Richmond Street. The proposed development will also require Heritage Board's permission to demolish the existing dwelling, and be subject to the design review process.

The subject properties are located in the Downtown Neighbourhood (DN) Zone. The text of said section states that any building in the DN Zone shall be a minimum of two storeys (or 24.6ft) and a maximum of three stories (or 40ft). The proposed building is four stories, which exceeds the maximum number of storeys referenced in the text of the DN Zone. The maximum and minimum number of storeys is defined by text, which is not a variable lot requirement dimension. That means that a four storey building in the DN Zone requires a site specific bylaw amendment to the Zoning & Development Bylaw, as per Section 4.29 of the Zoning & Development Bylaw.

The proposed building wall is setback 5ft from the right side property line and the patios project further. As such, a major variance is required to reduce this minimum side yard setback from 6ft to approximately 0.625ft. The proposed grade level height (distance from grade to the top of the second floor) is a minimum of 13ft in the DN Zone. According to the Building Inspector's estimate, the proposed grade level height is likely 10 - 10.67ft, which requires a major variance.

The left minimum side yard setback is equal to that of the abutting property, 41 Richmond Street, a six storey condo building, which is 0ft. While the applicant satisfies the minimum requirement, the balconies of the respective properties may be within 1.25ft of each other on the first and second storeys. The Board expressed some concern regarding this close distance. Staff did however note that the proposed dwelling will have to use non-combustible material as per the National Building Code, and that the balconies may be staggered.

Cain Arsenault, of APM, and Bradley Harper, the owner of the property, attended the meeting. Mr. Arsenault briefly discussed the proposal.

**Moved and seconded that the request to proceed to the public consultation phase for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be recommended to Council for approval.**

**CARRIED**

*End of excerpt.*

---

**Morton, Jesse**

---

**From:** Cain Arsenault <carsenault@apm.ca>  
**Sent:** Tuesday, February 07, 2017 8:54 AM  
**To:** Morton, Jesse  
**Subject:** RE: 55-59 Richmond Street

Thanks Jesse

---

**From:** Morton, Jesse [mailto:jmorton@charlottetown.ca]  
**Sent:** Tuesday, February 07, 2017 8:46 AM  
**To:** Cain Arsenault  
**Subject:** RE: 55-59 Richmond Street

Good Morning Cain,

The meeting went quite well last night, and the Board is recommending that your application be advanced to a public meeting. Council will make that determination next Monday evening. If all goes well, we'll touch base again and provide the meeting date when its available.

---

Please let me know if you have further questions.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault [mailto:carsenault@apm.ca]  
**Sent:** Tuesday, February 07, 2017 8:41 AM  
**To:** Morton, Jesse <jmorton@charlottetown.ca>  
**Subject:** 55-59 Richmond Street

Good Morning Jesse,

Iust wondering what Planning Boards decision was for our proposal?

Thanks

Cain

**Cain Arsenault**  
Design Technician • APM

16 McCarville St  
Charlottetown, PE, Canada C1E 2A6  
tel **902-569-8400**  
fax **902-569-1149**  
email [carsenault@apm.ca](mailto:carsenault@apm.ca)  
[www.APM.ca](http://www.APM.ca)

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**Regular Meeting of Council  
Tuesday, February 14, 2017 at 7:00 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee presiding**

<b><u>Present:</u></b>	<b>Councillor Edward Rice Councillor Terry Bernard Councillor Greg Rivard Councillor Bob Doiron</b>	<b>Councillor Melissa Hilton Councillor Jason Coady Councillor Kevin Ramsay Councillor Terry MacLeod</b>
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<b><u>Also:</u></b>	<b>Peter Kelly, CAO Randy MacDonald, FC Scott Ryan, FM Frank Quinn, PRM Ramona Doyle, SO Tracey McLean, RMC</b>	<b>Paul Smith, PC Paul Johnston, PWM Alex Forbes, PM Richard MacEwen, AUM David Hooley, CS</b>
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<b><u>Regrets:</u></b>	<b>Deputy Mayor Mike Duffy Mandy Feuerstack, HRM Ron Atkinson, EconDO</b>	<b>Councillor Mitchell Tweel Wayne Long, EDO Jen Gavin, CO</b>
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**REPORTS OF COMMITTEES / RESOLUTIONS**

**10. Planning & Heritage – Councillor Greg Rivard**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the request to proceed to the public consultation phase for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved.

**CARRIED 7-1  
Councillor Doiron was opposed**

**End of Excerpt**



**Regular Meeting of Council  
Tuesday, February 14, 2017 at 7:00 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee presiding**

<b><u>Present:</u></b>	<b>Councillor Edward Rice Councillor Terry Bernard Councillor Greg Rivard Councillor Bob Doiron</b>	<b>Councillor Melissa Hilton Councillor Jason Coady Councillor Kevin Ramsay Councillor Terry MacLeod</b>
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<b><u>Also:</u></b>	<b>Peter Kelly, CAO Randy MacDonald, FC Scott Ryan, FM Frank Quinn, PRM Ramona Doyle, SO Tracey McLean, RMC</b>	<b>Paul Smith, PC Paul Johnston, PWM Alex Forbes, PM Richard MacEwen, AUM David Hooley, CS</b>
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<b><u>Regrets:</u></b>	<b>Deputy Mayor Mike Duffy Mandy Feuerstack, HRM Ron Atkinson, EconDO</b>	<b>Councillor Mitchell Tweel Wayne Long, EDO Jen Gavin, CO</b>
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**REPORTS OF COMMITTEES / RESOLUTIONS**

**10. Planning & Heritage – Councillor Greg Rivard**

**Mayor Lee:** Councillor Rivard

**Councillor Rivard:** Thank you your Worship. Planning Board met Monday, February 6 and there are 10 resolutions for consideration. The minutes are in your binder. Heritage Board met on Tuesday, January 31, 2017; there are no resolutions but there are two readings.

**\*Please note that there was no verbal debate or discussion with regard to 55-59 Richmond Street.**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the request to proceed to the public consultation phase for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved.

**CARRIED 7-1**  
**Councillor Doiron was opposed**

**End of Excerpt**

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## CITY OF CHARLOTTETOWN

### RESOLUTION

Planning #3

MOTION CARRIED 11-1 *Councilor or opposed*

MOTION LOST \_\_\_\_\_

Date: February 14, 2017

Moved by Councillor \_\_\_\_\_

Greg Rivard

Seconded by Councillor \_\_\_\_\_

Terry MacLeod

#### RESOLVED:

That the request to proceed to the public consultation phase for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved.

*Absent Deputy Mayor Duffy  
Coun. Tweed*

February 16, 2017

Cain Arsenault & Ian Harper  
16 McCarville Street  
Charlottetown, PE C1E 2A6

Dear Mr. Arsenault & Mr. Harper,

Charlottetown City Council passed the following resolution at the monthly meeting of Council held on Tuesday, February 14, 2017:

“That the request to proceed to the public consultation phase for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved.”

Please be aware that a public meeting for your site specific bylaw amendment request is scheduled for **Tuesday, February 28, 2017 at 7:00pm** at the Rodd Charlottetown Hotel (75 Kent Street).

You (or a representative) are required to attend the public meeting in order to present your application and answer questions from Council / the public. If you plan on using a PowerPoint presentation, please contact Victoria Evans in advance at 902.629.4158.

Following the public meeting, your application will be returned to the City's Planning Board and Council for final review and approval. If you have any questions or comments regarding the February 28 public meeting or the approval process, please contact me at any time.

Sincerely,



Jesse Morton, MCIP  
Planner II

## **Morton, Jesse**

---

**From:** Morton, Jesse  
**Sent:** Thursday, February 16, 2017 6:51 PM  
**To:** Cain Arsenault  
**Cc:** Ian Harper  
**Subject:** RE: 55-59 Richmond Street

Hello,

Charlottetown City Council passed the following resolution at the monthly meeting of Council held on Tuesday, February 14, 2017:

"That the request to proceed to the public consultation phase for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved."

---

Please be aware that a public meeting for your site specific bylaw amendment request is scheduled for **Tuesday, February 28, 2017 at 7:00pm** at the Rodd Charlottetown Hotel (75 Kent Street).

You (or a representative) are required to attend the public meeting in order to present your application and answer questions from Council / the public. If you plan on using a PowerPoint presentation, please contact Victoria Evans (902.629.4158) in advance.

Following the public meeting, your application will be returned to the City's Planning Board and Council for final review and approval. If you have any questions or comments regarding the February 28 public meeting or the approval process, please contact me at any time.

Sincerely,

**Jesse Morton, MCIP**  
**Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[morton@charlottetown.ca](mailto:morton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Cain Arsenault [mailto:carsenault@apm.ca]  
**Sent:** Tuesday, February 07, 2017 8:54 AM  
**To:** Morton, Jesse <jmorton@charlottetown.ca>  
**Subject:** RE: 55-59 Richmond Street

Thanks Jesse

---

**From:** Morton, Jesse [<mailto:jmorton@charlottetown.ca>]  
**Sent:** Tuesday, February 07, 2017 8:46 AM  
**To:** Cain Arsenault  
**Subject:** RE: 55-59 Richmond Street

Good Morning Cain,

The meeting went quite well last night, and the Board is recommending that your application be advanced to a public meeting. Council will make that determination next Monday evening. If all goes well, we'll touch base again and provide the meeting date when its available.

Please let me know if you have further questions.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault [<mailto:carsenault@apm.ca>]  
**Sent:** Tuesday, February 07, 2017 8:41 AM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Subject:** 55-59 Richmond Street

Good Morning Jesse,

Just wondering what Planning Boards decision was for our proposal?

Thanks

Cain

**Cain Arsenault**  
Design Technician • APM

16 McCarville St  
Charlottetown, PE, Canada C1E 2A6  
tel 902-569-8400  
fax 902-569-1149  
email [carsenault@apm.ca](mailto:carsenault@apm.ca)  
[www.APM.ca](http://www.APM.ca)

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# CHARLOTTETOWN

PO Box 98 (199 Queen Street)  
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Fax: (902) 566-4701  
[www.charlottetown.ca](http://www.charlottetown.ca)

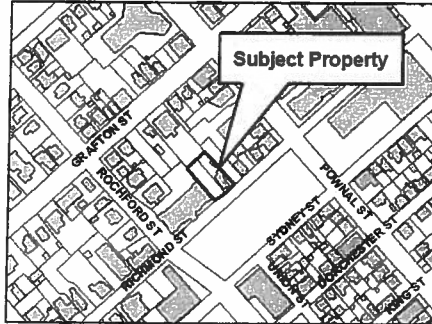
Additional information may be available on the City's website

## PUBLIC MEETING

City Council will hold a Public Meeting to hear comments on the following:

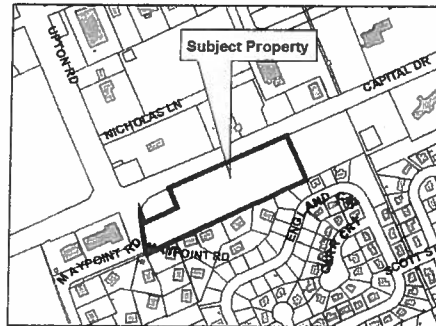
### **55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929)**

Request for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft).



### **300 Capital Drive (PID# 386557)**

Request for a site specific amendment to the Highway Commercial Zone (C-2) Zone as it pertains to 300 Capital Drive (PID #386557) in order to permit a six storey (73ft in height) hotel.



### **15 Hillsborough Street (PID# 336198)**

Request to amend Appendix "A" – Future Land Use Map of the Official Plan from Downtown Neighbourhood to Downtown Mixed Use Neighbourhood and Appendix "H" – Zoning Map of the Zoning and Development Bylaw from the Downtown Neighbourhood (DN) Zone to Downtown Mixed Use Neighbourhood (DMUN) Zone in order to rezone the property at 15 Hillsborough Street (PID #336198). The purpose of the rezoning is to permit a small eating and drinking establishment.

### **PID #276964: A landlocked parcel behind 49 Kensington Road (PID# 276964)**

Request to amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Commercial and Appendix "H" – Zoning Map of the Zoning and Development Bylaw from Low Density Residential (R-2) Zone to Business Office Commercial (C-1) Zone to rezone PID #276964 a landlocked parcel behind 49 Kensington Road (PID #276964). The purpose of the rezoning is to accommodate an existing parking lot.

Anyone wishing to view the proposed amendments may do so at the Planning & Heritage Department, 233 Queen Street, between the hours of 8:30 AM – 5:00 PM, Monday – Friday. Please have any written comments submitted to the Planning Department by 12:00 noon, Tuesday, February 28, 2017. Comments may also be emailed to [planning@charlottetown.ca](mailto:planning@charlottetown.ca)

The Public Meeting will be held:

**TUESDAY, FEBRUARY 28, 2017 AT 7 P.M.**

**RODD CHARLOTTETOWN HOTEL, 75 KENT STREET**

*The general public is invited to attend.*

Published in "the Guardian"  
on Saturday, February 18<sup>th</sup>  
and 25<sup>th</sup> 2017.

UK

file 17.003

Posted Feb 17/17 1:45pm  
@ Utility Pole 59 Richmond  
@ Tree between 55-59 Richmond



**CHARLOTTETOWN**

KB

# NOTICE OF PUBLIC MEETING

City Council will hold a public meeting to hear comments on the following application:

**55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929)**

Request for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft).

Anyone wishing to view the proposed amendments may do so at the Planning & Heritage Department, 233 Queen Street, between the hours of 8:30 AM – 5:00 PM, Monday – Friday. Written comments can be submitted to the Planning & Heritage Department, or through email at [planning@charlottetown.ca](mailto:planning@charlottetown.ca). Please submit comments by 12:00 noon on Monday, March 6, 2017.

**The Public Meeting will be held:**

**TUESDAY, FEBRUARY 28, 2017 AT 7 P.M.  
RODD CHARLOTTETOWN HOTEL, 75 KENT STREET**

*The general public is invited to attend*



February 17, 2017

**RE: Site Specific Amendment for 55 Richmond Street (PID# 339911) & 59 Richmond Street (PID# 339929)**

Dear Property Owner,

The Charlottetown Planning & Heritage Department has received a site specific bylaw amendment application for the properties located at **55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929)**. The subject properties are located in the 500 Lot Area within the Downtown Neighbourhood (DN) Zone. The permitted building height in the DN Zone is a minimum of two storeys and a maximum of three storeys. The applicant has requested to amend the Downtown Neighbourhood (DN) Zone of the Zoning & Development Bylaw to allow the construction of a four storey (23-unit) apartment building on the subject properties.

Staff would note that two variances are also included within this site specific bylaw amendment request:

- A major variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft; and
- A major variance to reduce the minimum grade level height from 13ft to approximately 9.5ft.

Pursuant to the Zoning & Development Bylaw, and as a property owner within 100 meters of the subject properties, you are being notified of this request. A public meeting for this application will be held on **Tuesday, February 28 at 7:00pm at the Rodd Charlottetown Hotel (75 Kent Street)**. All residents are welcome to attend.

Furthermore, we solicit your written comments for or against this proposed bylaw amendment, including said variances, in addition to the rationale for your position. You may submit your comments to the Planning & Heritage Department or send an email to [planning@charlottetown.ca](mailto:planning@charlottetown.ca). Comments must be received before **12:00 noon on Monday, March 6, 2017**.

If you have any questions or concerns, please contact planning staff at 902.629.4158.

Sincerely,

Jesse Morton, MCIP

Planning & Heritage Department  
City of Charlottetown  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2



t 902.629.4158  
f 902.629.4156  
e [planning@charlottetown.ca](mailto:planning@charlottetown.ca)  
w [www.charlottetown.ca](http://www.charlottetown.ca)

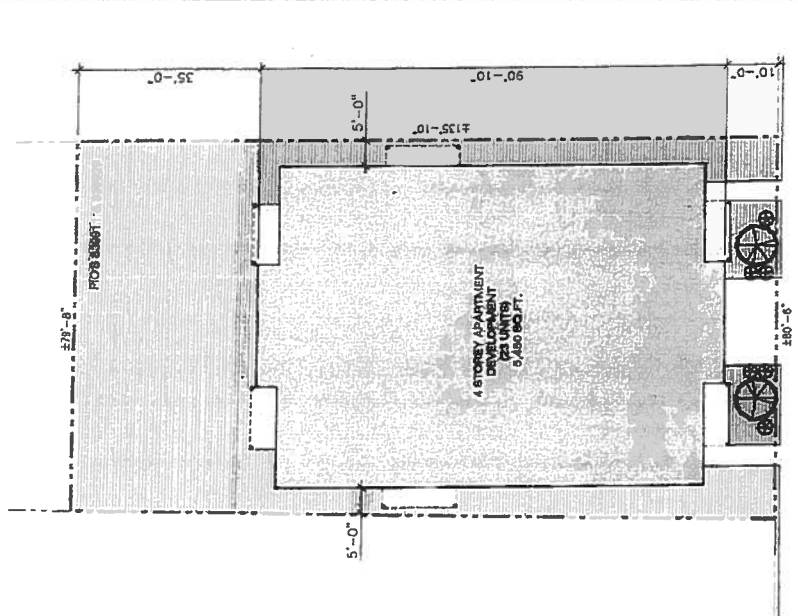


Planning & Heritage Department  
 City of Charlottetown  
 PO Box 98, 233 Queen Street  
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 w [www.charlottetown.ca](http://www.charlottetown.ca)

P1415-SP-01



RICHMOND STREET

SITE PLAN 1"=20'-0"

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APM Commercial

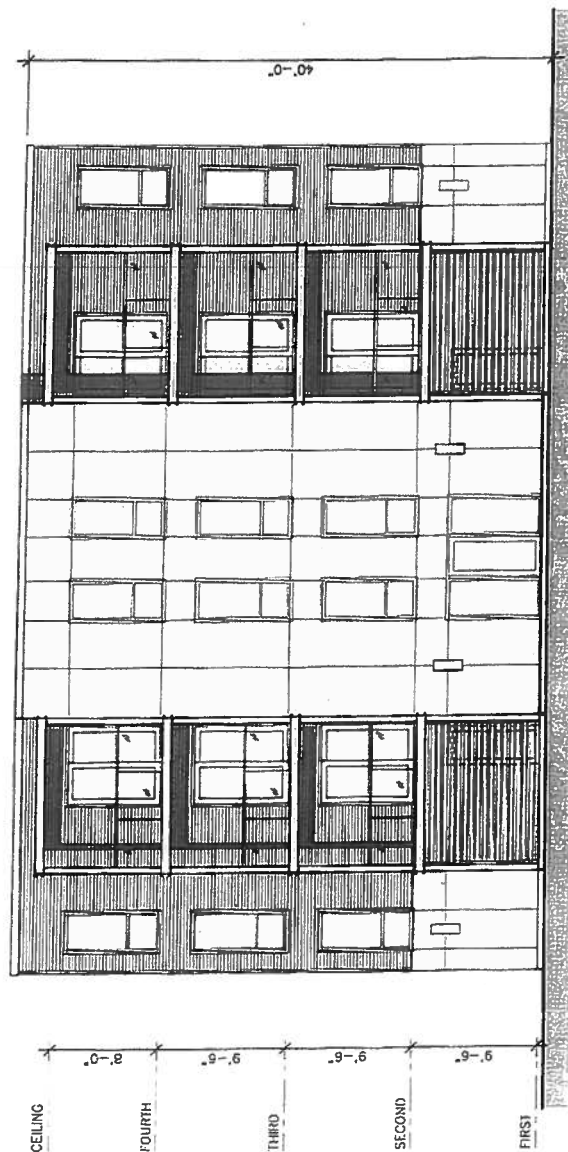


PROPOSED 4 STOREY DEVELOPMENT

Planning & Heritage Department  
City of Charlottetown  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2



t 902.629.4158  
f 902.629.4156  
e [planning@charlottetown.ca](mailto:planning@charlottetown.ca)  
w [www.charlottetown.ca](http://www.charlottetown.ca)



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APM Commercial



PROPOSED 4 STOREY DEVELOPMENT

101844 PEI INC 9 POWNAL ST /O BRIGHTON CONSTRUCTION HARLOTTETOWN, PE C1A 7K7	101990 PEI INC 439 QUEEN ST CHARLOTTETOWN, PE C1A 4E9	3247054 NOVA SCOTIA LIMITED 7071 BAYERS RD HALIFAX, NS B3J 2C2
376061 CANADA INCORPORATED O BOX 22092 HARLOTTETOWN, PE C1A 5N4	ANDREWS OF PARK WEST INC PO BOX 22084 CHARLOTTETOWN, PE C1A 5N4	ATLANTIC TOURISM & HOSPITALITY INSTITUTE 4 SYDNEY ST CHARLOTTETOWN, PE C1A 1E9
NNIFER & STEVEN BAGLOLE ABBAY DR HARLOTTETOWN, PE C1A 8A4	BELIEVIN ENTERPRISES (2016) INC 247 FERRY RD CORNWALL, PE C0A 1H4	EDWARD J P & BEVERLEY F BENSON 902 35 ORMSKIRK AVE TORONTO, ON M6S 1A8
ERNADETTE'S FLOWERS INC ; HOPETON RD RATFORD, PE C1B 1T6	BEVAN ENTERPRISES INC 58 SPRING LN CHARLOTTETOWN, PE C1A 5Z9	BOYD ENGINEERING CONSULTING TRUST PO BOX 1476 CHARLOTTETOWN, PE C1A 7N1
EBRA C BRADLEY DORCHESTER ST HARLOTTETOWN, PE C1A 1C5	ANDREW BREEZE 14 PRINCE ST CHARLOTTETOWN, PE C1A 4P6	SUSAN CARRUTHERS 16 GRAFTON ST CHARLOTTETOWN, PE C1A 1K4
THOLIC FAMILY SERVICES BUREAU I BOX 698 ARLOTTETOWN, PE C1A 7L3	CHARLIE COOKE INSURANCE AGENCY LTD 14 GREAT GEORGE ST PO BOX 1120 CHARLOTTETOWN, PE C1A 7M8	CITY OF CHARLOTTETOWN PO BOX 98 CHARLOTTETOWN, PE C1A 7K2
DOKE FINANCIAL SERVICES INC BOX 1120 ARLOTTETOWN, PE C1A 7M8	DR KIMBERLY SOLOMAN DENTISTRY INC 45 ROCHFORD ST CHARLOTTETOWN, PE C1A 3T2	MARTHA & DANA DRUMMOND PO BOX 1103 CHARLOTTETOWN, PE C1A 7M4
DRIS ANN DUNN UNION ST ARLOTTETOWN, PE C1A 3V5	MAMDOUH & MARGOT ELGHARIB PO BOX 1805 CHARLOTTETOWN, PE C1A 7N5	BRIAN D FOLEY 1 COLONEL GRAY DR CHARLOTTETOWN, PE C1A 2S4
ISH MEDIA INC 89 POWNAL ST ARLOTTETOWN, PE C1A 3W4	PAUL ROBERT GALLANT 48 SYDNEY ST CHARLOTTETOWN, PE C1A 1G2	JANETTE GALLANT 23 GRAFTON ST CHARLOTTETOWN, PE C1A 1K6
NNA GHIZ SPRINGPARK RD ARLOTTETOWN, PE C1A 3Y9	BRADLEY HARPER 28 WOODLAWN DR CHARLOTTETOWN, PE C1A 6K9	HISLANDER LTD 38 BRITTANY DR CHARLOTTETOWN, PE C1A 8W8

EGAL MANAGEMENT INC  
O BOX 2140  
HARLOTTETOWN, PE C1A 8B9

MARILYN R MACKINNON-WYAND  
61 POWNAL ST  
CHARLOTTETOWN, PE C1A 3W2

JUDY (WHITE) MALLARD  
44 UNION ST  
CHARLOTTETOWN, PE C1A 3V5

HILLIP MCINNIS  
7 DORCHESTER ST  
HARLOTTETOWN, PE C1A 1C5

GLORIA R MCKINNON  
62 ROCHFORD ST  
CHARLOTTETOWN, PE C1A 3T4

BRIAN A & MAYUMI MCMILLAN  
195 NORTH RIVER RD  
CHARLOTTETOWN, PE C1A 3L4

CHRISTOPHER & CHRISTINE MILLER  
3 WATER ST  
AMBRIDGE, ON N1R 3B2

SIMON MOORE  
79 HILLSBOROUGH ST  
CHARLOTTETOWN, PE C1A 4W3

DAVID MOSES  
75 RICHMOND ST  
CHARLOTTETOWN, PE C1A 1H6

BC INC  
5 UNIVERSITY AVE  
HARLOTTETOWN, PE C1A 9H6

PEI FUND 1, LTD  
177 ST PETERS RD  
CHARLOTTETOWN, PE C1A 5P6

PEI HOUSING CORPORATION  
PO BOX 2000  
CHARLOTTETOWN, PE C1A 7N8

POWNAL SQUARE CO-OPERATIVE LTD  
PO BOX 20026  
HARLOTTETOWN, PE C1A 9E3

QUEENS COUNTY CONDO CORP NO 40  
(ROCHFORD CONDO)  
220 KENT ST  
CHARLOTTETOWN, PE C1A 1P2

ROOP REALTY LTD  
131 NORTH RIVER RD  
CHARLOTTETOWN, PE C1A 3K9

LISON ROTHMEL  
ROCHFORD ST  
ARLOTTETOWN, PE C1A 3T3

ROUTLEDGE DENTISTRY INC  
232 QUEEN ST  
CHARLOTTETOWN, PE C1A 4B8

TIYANNA & BEVERLY FRANCES RUSHTON  
17 DORCHESTER ST  
CHARLOTTETOWN, PE C1A 1C5

MARK & BONNIE JEAN SANDIFORD  
GRAFTON ST  
ARLOTTETOWN, PE C1A 1K6

COLLEEN & ERNEST SCOTT  
60 SYDNEY ST  
CHARLOTTETOWN, PE C1A 1G2

SOUTHPORT MOTEL & COTTAGES LTD  
20 STRATFORD RD  
STRATFORD, PE C1B 1T5

RNA & MAURICE ST JULES  
ROCHFORD ST  
ARLOTTETOWN, PE C1A 3T3

TYDAVNET HOLDINGS LTD  
PO BOX 2847  
CHARLOTTETOWN, PE C1A 8C4

TING-KUAN WANG  
66 SYDNEY ST  
CHARLOTTETOWN, PE C1A 1G2

N-CHIN WANG & HSUEH-HUA KUO  
POWNAL ST  
ARLOTTETOWN, PE C1A 3W4

WENDELL G BARBOUR LTD  
CHARLOTTETOWN, PE C1A 7N4

DAVID H YEO  
247 FERRY RD  
CORNWALL, PE C0A 1H4

100529 PEI INC  
07 RICHARD DOUGLAS DR  
MERMAID PE C1B 3E5

100716 PEI INC  
220 KENT ST  
CHARLOTTETOWN PE C1A 1P2

JASON F & NATALIE M COADY  
4 RANCHERS PL  
OKOTOKS AB T1S 0G5

HELLY LYNN COOKE  
1 RICHMOND ST - UNIT 302  
HARLOTTETOWN PE C1A 1H6

LIAM DOLAN & KRIS FOURNIER  
7 MAYFIELD LN  
CHARLOTTETOWN PE C1E 1M5

DANA RALPH & MARTHA M  
DRUMMOND  
41 RICHMOND ST - UNIT 105  
CHARLOTTETOWN PE C1A 1H6

JIZABETH (BETTY) FRASER  
2 FOX RUN LN  
ONTAGUE PE COA 1R0

HANSEN ELECTRIC LTD  
106 KENSINGTON RD  
CHARLOTTETOWN, PE C1A 5J5

DANIEL HURNIK & STEPHANIE MARIE  
HAMILTON  
41 RICHMOND ST - UNIT 503  
CHARLOTTETOWN PE C1A 1H6

RUCE MACDONALD  
1 STARLING CRES  
RATFORD PE C1B 0K1

MARY MACINNIS  
41 RICHMOND ST - UNIT 205  
CHARLOTTETOWN PE C1A 1H6

DERRICK L MCQUAID  
PO BOX 149  
CORNWALL PE COA 1H0

WHUA-PEI  
RICHMOND ST - UNIT 501  
ARLOTTETOWN PE C1A 1H6

IAN & SUZANNE WALKER  
PO BOX 5255  
RR 5, CHARLOTTETOWN PE C1A 7J8



# CHARLOTTETOWN

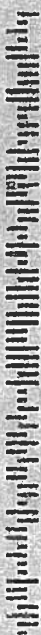
PO Box 98, 199 Queen Street  
Charlottetown, Prince Edward Island  
Canada C1A 7K2

IAN & SUZANNE WALKER  
PO BOX 5255  
RR 5, CHARLOTTETOWN PE C1A 7J8



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C1A 7K2	2017.02.17	



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RENOVI A L'EXPEDITEUR  
C1A 7K2

## Morton, Jesse

---

**From:** Cain Arsenault <carsenault@apm.ca>  
**Sent:** Monday, February 27, 2017 12:43 PM  
**To:** Morton, Jesse  
**Subject:** RE: 55-59 Richmond Street

Hi Jesse,

We are preparing a PowerPoint which Tim banks is going to present.

Cheers

Cain

---

**From:** Morton, Jesse [mailto:jmorton@charlottetown.ca]  
**Sent:** Monday, February 27, 2017 11:53 AM  
**To:** Cain Arsenault  
**Cc:** Ian Harper  
**Subject:** RE: 55-59 Richmond Street

Hello Cain & Ian,

I wanted to remind you that the public meeting for your Richmond Street application will be held tomorrow evening at the Rodd Charlottetown. When you have a moment, can you please confirm that you or a representative will be attending / presenting at said meeting? Also, let us know if you require a PowerPoint presentation.

Thanks in advance!

**Jesse Morton, MCIP**  
**Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Morton, Jesse  
**Sent:** Thursday, February 16, 2017 6:51 PM  
**To:** 'Cain Arsenault' <carsenault@apm.ca>  
**Cc:** 'Ian Harper' <iharper@apm.ca>  
**Subject:** RE: 55-59 Richmond Street

Hello,

Charlottetown City Council passed the following resolution at the monthly meeting of Council held on Tuesday, February 4, 2017:

"That the request to proceed to the public consultation phase for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the right minimum side yard setback from 6ft to approximately 0.6ft and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved."

Please be aware that a public meeting for your site specific bylaw amendment request is scheduled for **Tuesday, February 28, 2017 at 7:00pm** at the Rodd Charlottetown Hotel (75 Kent Street).

You (or a representative) are required to attend the public meeting in order to present your application and answer questions from Council / the public. If you plan on using a PowerPoint presentation, please contact Victoria Evans (902.629.4158) in advance.

Following the public meeting, your application will be returned to the City's Planning Board and Council for final review and approval. If you have any questions or comments regarding the February 28 public meeting or the approval process, please contact me at any time.

Sincerely,

---

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
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**From:** Cain Arsenault [<mailto:carsenault@apm.ca>]  
**Sent:** Tuesday, February 07, 2017 8:54 AM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Subject:** RE: 55-59 Richmond Street

Thanks Jesse

---

**From:** Morton, Jesse [<mailto:jmorton@charlottetown.ca>]  
**Sent:** Tuesday, February 07, 2017 8:46 AM  
**To:** Cain Arsenault  
**Subject:** RE: 55-59 Richmond Street

Good Morning Cain,

The meeting went quite well last night, and the Board is recommending that your application be advanced to a public meeting. Council will make that determination next Monday evening. If all goes well, we'll touch base again and provide the meeting date when it's available.

Please let me know if you have further questions.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

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**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Subject:** 55-59 Richmond Street

Good Morning Jesse,

Just wondering what Planning Boards decision was for our proposal?

---

Thanks

Cain

**Cain Arsenault**  
Design Technician • APM

16 McCarville St  
Charlottetown, PE, Canada C1E 2A6  
tel **902-569-8400**  
fax **902-569-1149**  
email [carsenault@apm.ca](mailto:carsenault@apm.ca)  
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**Morton, Jesse**

---

**From:** Cain Arsenault <carsenault@apm.ca>  
**Sent:** Tuesday, February 28, 2017 1:48 PM  
**To:** Morton, Jesse  
**Subject:** Richmond Street Project  
**Attachments:** P1415-SP1(Site plan)-01.pdf

Hi Jesse,

We have decided to eliminate the balconies on the right side of the building and reduce the width of our building by 1'-0" to meet the minimum side yard setback on that side.

Please clarify at tonight's meeting.

Thanks

Cain

**Cain Arsenault**

Design Technician • APM

---

16 McCarville St  
Charlottetown, PE, Canada C1E 2A6  
tel 902-569-8400  
fax 902-569-1149  
email [carsenault@apm.ca](mailto:carsenault@apm.ca)  
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**building ... across CANADA**



**Public Meeting of Council  
Tuesday, February 28, 2017 at 7 PM  
Rodd Charlottetown, 75 Kent Street**

**Mayor Clifford Lee Presiding**

**Present:**

**Deputy Mayor Mike Duffy  
Councillor Greg Rivard  
Councillor Terry MacLeod  
Councillor Jason Coady  
Councillor Kevin Ramsay**

**Councillor Terry Bernard  
Councillor Melissa Hilton  
Councillor Mitchell Tweel  
Councillor Robert Doiron  
Councillor Edward Rice**

---

**Also:**

**Alex Forbes, PHM  
Jesse Morton, PII**

**Laurel Palmer-Thompson, PII  
Victoria Evans, PHAA**

**Councillor Rivard:** Thank you your worship. The first item on the agenda tonight 55 and 59 Richmond Street. Request for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building including a variance to reduce the right minimum side yard setback from 6 feet to approximately 0.6 feet, and a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft.

Now we do have with us tonight, Tim Banks, the developer and he will present. So, Tim, anytime you're ready, come on up.

**Tim Banks:** Council and residents, and guests. I'm here on behalf of APM and this is a development we're proposing as a joint development with the property owner, Brad Harper, whose here in the audience this evening. He's owned the two properties in question for some time. One of them is currently a parking lot, and the other property is an older home that has a couple of apartments in it that's ready to go one way or the other. And I think we've been looking at the property jointly to see how we can get the best economic return on it. From a developer's perspective, we've developed a couple of hundred residential units in the City of Charlottetown. We've had some good experience at that. I'm also founding director of Killam Properties and we have another 800 or 900 units here in Prince Edward Island and 15,000 apartments across the country with an asset base of a couple of billion dollars. And I've been on that board since its inception. And I've been involved in every single acquisition that we've

made across the country. And there's a new trend that has been happening in urban centres, I call it the flight to the core. A flight to the core means that if you look just recently at the demographics in Prince Edward Island through the census, you'll see that there's a lot of people moving into the urban centres. And what we're noticing across the country is, be it in Moncton or Halifax or any other centre of similar scale, Charlottetown. There's a real flight to the downtown, and to reinvestment in the downtown cores. I know that City Council worked hard over the years to develop what they believe is a 500 Lot plan below Euston Street, and there's some good things in that but I think there's an opportunity to make some change to it to help our city flourish and grow a little bit better. So, I'd like to start our presentation here, if I can, Jim?

Essentially, the development is at 55 and 59 Richmond Street, it's a very small lot. The concept that we're coming up with, we call it a new kinda living in downtown Charlottetown. We recently partnered with Urban Capital Planners from Toronto who've done a lot of these new microunits. We've developed a property through Killam in downtown Halifax on Barrington Street behind the Superstore that we built there. And we put 72 condos and 72 apartment units, those apartments were in the vicinity of 500 square feet each, and known as a microunit. And it's not just urban centres like Halifax that are doing this. You can find those similar plans in places like Antigonish and Wolfville. And there being occupied by young professionals, people that are immigrating to our province, by students who are at the vet school, that's the target audience. They don't a big house, and they don't have cars, and they want to use urban transportation. And that's essentially what they do. And in the case of the property that Brad and I'm looking we need to get a return on our investment because the microunits have the same number of washrooms, and the same infrastructure as a large unit would have. They cost a little more, however, they're smaller, so overall the cost is smaller.

So in this particular case with parkside, the property itself, this is an aerial photograph of the area, which is below Euston Street in Charlottetown. If you follow Pownal Street and Richmond Street, you'll find Connaught Square and this particular site is directly across the street from Connaught Square. And I guess I'll call it the surroundings, is if we look at this particular property and look at how Charlottetown as a neighbourhood as a City has flourished and grown. We'll look at the culinary institute that is to the south of the property, we have our government buildings to the north. We have Kent Plaza that I lived in as a student and that's a long time ago. And we have the Dominion building that was built back in the 50s. All of these structures are significantly high in height and we have the Confederation Centre which is significantly high in height. And we have the Delta Hotel, and we have the Sacred Heart Home, all older properties in the Charlottetown marketplace. And we have the new Northumberland Condominium building which we built and developed with the Homburg Organization at the time. The Holman Grand, ten storey property that's here. We have Rochford Place which is directly next door to this particular site. This building here is a six storey structure that is about 60-62 feet in height, I don't have the plans, but I know its at least 60ft in height. And we have commercial enterprise just below it. We have the Pownal Parkade around the corner from it, we have the Supreme Court House which is fairly high when you get to the peak height of the building. And we have the Charlottetown Hotel, which we're standing in that's 6 or 7 storeys plus a penthouse floor. And you look at that circle, you'll see that the site that we're proposing to put this development is completely surrounded and flanked by tall buildings. Many of which have been very prosperous for the City of Charlottetown. In fact, the site neighbouring the property, the area

marked out in blue happens to be a different zoning. And if it was in that zone, that we'd be able to put five storeys on the building, and be able to go to 60 feet high as of right to match up with the building that is inbetween the property. So it just, I think that what I really want to point out here, so, this is the new building which we'll see in a moment that was built by, I forget the name of it, Rochford Place, I guess its called, and neighbouring it is this here site which has the potential to put up to five storeys on it as of right under the new 500 Lot Bylaws but between it, its restricted to 40feet in height. Now we don't want to change anything. Basically what we're trying to do is this is the proposed building that we're proposing to build, it's a 40ft high structure. We're looking to put four floors in it and to have 23 units. And neighbouring that building is this particular structure that was built 2 or 3 years ago which has five floors plus a penthouse floor, six floors which is approximately 60 feet in height. Our building is going to be next to it, and our building is four storeys at 40ft. And as of right, we could three storeys, 40 ft, we're allowed to go 40ft and we can actually design and engineer and meet the National Building Code, meet all the fire codes, and all the design codes and put 4 floors in the buildings and have the same kinda building as we have neighbouring the property right here with a nine foot ceiling in the ground floor. But the new 500 Lot Bylaw requires us to have 13 ½ feet for the first floor. And we have over 14,000 apartments across Canada and we don't have one with a 14 foot ceiling but your bylaws require us under the bylaw to have 13.6ft in height, where the brand new building next door under the old bylaws had a 9 floor ceiling. So what we're seeing here is this building is 60ft, we want to go next door and build a 40ft building, 40ft high, and we want to put the floors in like 10ft increments, so we can put four floors, get 23 units and get a better return on our investment. The building as it stands will be approximately 5400 square ft, four storeys, it will have proper setbacks. Now I heard the Chair of Planning talk about the sideyard setback on the legion driveway, we've removed that request. And we'll take three of the balconies out of the building just so we don't need a variance there to meet the bylaws correctly. And we'll set it back to six feet, our original plans had five feet, we'll just adjust the building to meet the bylaws. So we've made that, and told that to the Planning Department. And when our plans are submitted, so we want to withdraw that request under the variance so that we meet the bylaws.

**Mayor Lee:** Tim, if I could just for clarification, between the condominium building and your building, there's a six foot, is there six feet between them?

**Tim Banks:** Yes.

**Mayor Lee:** Ok, and you're saying on the other side there.....

**Tim Banks:** Well there's more than six feet between them because they have five or six feet.

**Mayor Lee:** Ok. So you're not looking for a variance on the side?

**Tim Banks:** On that side, no.

**Mayor Lee:** Ok, thank you.

**Tim Banks:** But on the other side, what we're doing is as the bylaws read under the 500 Lot, we're allowed to do that, and that's what we're proposing. On the left hand side, but on the right hand side, cause it's a different bylaw, if we were, if I went to this drawing here, if I can, in the blue area, right next to the site we were instead of the legion driveway, if we were the next property over, we'd be actually able to build right on the property line because that's in a different zone, we'd be able to build. So we're in the same street, with the same kinda façade and we're trying to improve and increase the tax base and do all the good things that make a good strong community but that's what the bylaws say. So just to go back, go a little ahead, again, this is the footprint of the building, it'll have a good green space at the back of the yard, about 35ft. It'll have some yard in the front of the place to match up with the neighbouring building. This is the parking lot to the left there that Brad currently has people parking in. And this is the house that's a rental, it has a couple of tenants in it. And it's a little aged property. This is a footprint, the reason I'm putting all this on there, if you go to our website, apm.ca, anybody in the public here later, if they want to look at the plans and make any comments and forward to us or to yourselves for suggestions, they can look at all this stuff. This is a typical footprint of what we believe will be a microunit, it'll be 680 square feet, probably 150 more than we marketed out in the Halifax marketplace. I find the Halifax ones are a little tight but we rented them all within the month we opened in September and it's fully occupied. This is two bedroom or den concept, there's I think, four of them in the building, the rest of them are all the single units. And what I'm doing here, I'm just going to show you some of the activity that is currently under construction in Halifax downtown core.

This particular one is on Quinpool Road, right across from the park, right in behind it is all traditional Halifax neighbourhood. This building is currently up about 6 or 7 storeys right now at the rear of the property, so it's under construction. This is the Maple, that's under construction right now in downtown Halifax. This is the Doyle, that I think it's going to be 21 storeys. This one here is the Roy building apartment complex condo that being developed in downtown Halifax right now. This is the pavilion building that is being built, a residential development, in downtown Halifax right now. That's where the old CBC historic was on the corner there, that's now been knocked down, and they're putting a new development up right there. This particular property right here, called the Alexandra, the interesting thing about this, this is Killam's development. I'm going to go forward here, right next door to it, attached to it, is the oldest operating, or the oldest brewery building in North America. It says in there in Canada, but it's one of the oldest in North America. We actually own the property, Killam. And this is what our building is going to look like when it's done, it's under construction now, I think we're up 11 floors, we're going 24 floors high, 330 units at a cost of about 75 million dollars. That's in historic downtown Halifax flanked on every corner by historic building. This is another building, the Pearl that is going on in downtown Halifax, all of which has a different kind of design to it. And this is the Nova Centre, that's under construction in the Halifax marketplace and you'll see it completely flanked by historic properties around the property.

This is something I've brought into this venue just to talk about and I'd asked for a copy of the building permits below Euston Street in the City of Charlottetown, and it's interesting that if you go back in 2012, there's around 21 million, and then it was like 15 million, and then about 18 million, and then as we enter into the change to the 500 Lot design it went to 12 million, but as we fully engage into 2016, this year, the building permits which were always around 15 million

follars for the past year in the Charlottetown core, are now down to 2.5 million dollars. And it's pretty significant, and it's not any fault of Council, it's not any fault of the people that did the 500 Lot plan, I think what the fault of it is, as a developer as you get in and you try to go through the design criteria to get the payback or the return on your investment, it just doesn't work. And there needs to be some fine tuning to it. So I'm here to knock it, I'm just saying that I'm seeing across the country, significant growth in urban markets in the downtown core and I think we can have that here cause we got a beautiful city which beautiful buildings but they're beautiful buildings and they can have good new buildings put next to them. You know, we're very pleased as a company to win a national historic award for the Kay's property, and we're very pleased with the new building that we put next to it. And we'd like to lots more development in our downtown Charlottetown. And in the last 10 years, our company has done 10 million dollars' worth of new development in the province here, and last year was the first year we had nothing to do in this market. And one of the reasons is because this site that we're talking about here today, we tried to go at it last year, and we just could not get a return on our investment. So this time we're coming to the table, we're asking you guys to help us do that by allowing us to get more density and get more financial return in the building without disturbing the height requirement but amending considerations within the bylaws which are not acceptable. And what's not acceptable is in that particular lot that we're dealing with here in Parkside is, I could put a grocery store there like a small convenience store with a 13ft ceiling and put a refrigerated truck in the parking lot and put units up above it and you couldn't stop me from getting a permit. But what I'm trying to do, is I'm trying to put what I think is a demand for people like EA Games, for the people that work there, for those financial clients that the downtown merchants are trying to get down here and develop a financial core in our downtown. I'm trying to give them a place to live here. And that's what we're trying to do here. So we're hoping that Council will take our proposal under advisement. I was going to show you Moncton, there's a significant development in the downtown core going there, and you'll see that all the buildings that are going in that new 300 million dollar development are 6 or 7 storeys high and I'm open to any questions you'd like to ask or go back through any plan you'd like to see.

**Mayor Lee:** Is the only issue before us, Mr. Banks, the request to amendment 13 feet to 9.5 feet?

**Tim Banks:** No, under the bylaws, it says we can only build a 3 storey building.

**Mayor Lee:** So we're talking about increasing it by one floor.

**Tim Banks:** We're asking to go from 3 storeys to 4 storeys which allows us to get 25% more income out of the building costs us a little more, but it's just enough to make the project work. And we're asking to amend, or not amend but to change the height of the first floor....

**Mayor Lee:** To grant a variance on...

**Tim Banks:** To grant a variance on it. And that's the only two things that we're asking for.

**Mayor Lee:** Okay.

**Tim Banks:** And I just want to ask my staff if I forgot anything because I have no notes. Ok?

**Mayor Lee:** No, I think you're good.

**Tim Banks:** Ok. No other questions?

**Mayor Lee:** Any questions from the public? Any comments, questions from Council?

Mr. Banks, thank you for your presentation. You're welcome.

The second application would be....

*End of Excerpt.*

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1 March 2017 VK

February 28, 2017

Planning and Heritage Department  
City of Charlottetown  
P.O. Box 98  
Charlottetown PE C1A 7K2

RE: Site Specific Amendment for 55 Richmond Street (PID 339911) & 59 Richmond Street (PID 339929)

Dear City Planners,

As a resident of 41 Richmond Street, I would like to bring the following concerns to your attention regarding the proposed 23-unit development of 55 and 59 Richmond Street.

- Variance of lot line from 6' to less than a foot - This will leave very little space between the proposed building and the current building at 41 Richmond Street. The existing bylaws were put in place in keeping with sustainable development, which considers existing property owners and the general appearance of a small city. What has changed in the City's mandate to move away from a plan that has been accepted?
- Lack of parking and increased traffic on a quiet residential street bordering a park - The proposed development will ultimately double the traffic volumes that are currently experienced, therefore, increasing risks to those using the park.
- Snow loads that will collect between buildings that are so close to each other - This will be an issue when snow removal is required.
- Location of garbage and recycling containers - Drawings do not indicate a reasonable plan as to location of any garbage bins. How is this going to affect existing properties?

I have no objection to development on a scale that is representative of the area. What is proposed is simply too dense for the area and conflicts with what has been previously established as acceptable.

Regards,

Dana Drummond  
dana.drummond@bellaliant.net

**Morton, Jesse**

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**Subject:** FW: Planning & Heritage Department - City of Charlottetown

**From:** Shelly Cooke [mailto:shelly.cooke@gmail.com]

**Sent:** Sunday, March 05, 2017 1:40 PM

**To:** Planning Department

**Subject:** To: Planning & Heritage Department - City of Charlottetown

**From:** Shelly Cooke, Owner of Unit 302, 41 Richmond Street, Charlottetown, PEI

**Re: Site specific amendment for 55 Richmond st (PID339911) & 59 Richmond street (PID 339929)**

**Good Morning,**

I have serious concerns with this development on 55-59 Richmond street. My first one being the parking issue. I myself, paid \$15,000 for one parking space in my building. Each unit owner was given the option of buying parking spaces and we are sold out of all 22 underground parking spaces. Also we have visitors parking in the back of the building, another 24 parking spaces.

This development has nothing to offer anyone for parking or for visitors parking other then taking other peoples parking spots which may include them trying to park in our visitors parking spaces which this will cause major work trying to police this issue, it will be difficult and a night mare for all residents in 41 Richmond street.

I am advised that Mr. Banks does not require to have parking spaces for 23 units , but instead a one time pay out of \$78,000.00 for 23 units and not even thinking about visitors and where will they park! I believe this is a very serious issue as down town Charlottetown as very limited parking to begin with and the parkade's are full all year round. Currently you can not even get a parking space in the Pownal parkade as they have all been rented out for the winter months due to our snow issue. My friend who lived across the street from me could not buy a parking spot anywhere so she gave up and sold her vehicle as it was to much hassle owning a car and trying to have parking down town in the winter months!!! Yet Mr. Banks can just pay one time only ??? THIS WILL NOT SOLVE ANYTHING!! Just makes parking even worse !

Last month Richmond street was not even plowed for 2 days as we are not a main street which I understand but if we have people with vehicle from this 23 unit apartment building where will they park? In other peoples parking spaces and along the road on Richmond street, this will be a night mare!!

Also I have concerns about the garbage issue and where the bin's will be placed. I just walked past the soup kitchen and the look of the garage bins is terrible. I am very proud of my condo building and how beautiful it looks and how very well maintained it is. I would not want to see next door being so close to us and not keeping up with our standards of being proud of our building, city and community.

I am also very disappointed with the design of the building, it is far from within the keeping with our building design. It looks like a shoe box ! Where is the landscaping requirements? This type of a building belongs near a

university or a collage as students are the focal of these units. To state they will not own cars is crazy and I guess they will not have visitors either ?? This is not a university town this is Charlottetown.

I also want to point out our beautiful park that is very popular for children and families. We would need increased policing of the park from possibly being ruined or destroyed or increased noise from this 23 unit student apartment building in this quit peaceful family environment.

I believe in no way should this project be given any variance on the first floor as this should not even be build, I understand people have right to build but only if it fits in our city bylaws, this building does not ! I also encourage the city to look at this and all future projects to have mandatory parking provided or not be allowed to build commercial building at all with "Money in lie of" does not solving anything, we have run out of space down town for parking!

I am 100% against this development .

Thank you for the opportunity to comment on this development.

Sincerely  
Shelly Cooke  
41 Richmond Street  
suite 302  
Charlottetown, PEI

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Cell: (902) 629-5959

**Morton, Jesse**

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**Subject:** FW: Re : Letter referencing variance 55/ 59 Richmond St (PID # 339911 & 339929 )

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**From:** Mary MacInnis [<mailto:marymacinnis@hotmail.ca>]  
**Sent:** Sunday, March 05, 2017 10:43 PM  
**To:** Planning Department  
**Cc:** Mary MacInnis  
**Subject:** Re : Letter referencing variance 55/ 59 Richmond St (PID # 339911 & 339929 )

My feedback on the requested variances noted in the PID's referenced above is as follows :

- I strongly object to any side variances for security, potential increased noise levels and privacy reasons . I live in the Rochford condo unit 205 which is on the second floor and adjacent to the proposed development . Should the project proceed ,it will have a negative impact on lifestyle in current environment.
- There is also a potential parking issue should any tenants in the proposed development have vehicles. This is a real possibility as anyone living in the downtown Charlottetown will require transportation for work ,groceries and access to most amenities
- Also concerned about the proposed density of the property and the associated bin requirement for compost,recycled, and waste .There is no indicated area for these bins which would conjecture the street on collection day and have potential for unsightly order issues for neighboring properties.
- Given close proximity to Rochford condos question how easily snow removal and other required maintained safety requirement could be completed.
- I also question weather there is any potential structural impact of excavation in close proximity to the Rochford condo .

In closing overall design / density of building does not appear to fit with existing properties including the Rochford condo and has potential to devalue my property and I ask that the City not approve the project as presented.

I am in favor of a project of less density and more in keeping with the surrounding properties which would benefit all

Mary MacInnis  
Property owner  
ROCHFORD Condo  
41 Richmond St

Sent from my Samsung Galaxy Tab®4



6 March 2017 LG

March 5, 2017

To: Planning & Heritage Department - City of Charlottetown

From: Board of Directors of Rochford Condominiums

**Re: Site specific amendment for 55 Richmond Street (PID339911) & 59 Richmond Street (PID 339929)**

Thank you for the opportunity to comment on the proposed development on 55 and 59 Richmond street as outlined in your letter of February 17th. This response is from the Board of Directors of Rochford Condominiums at 41 Richmond street, the adjoining property to the proposed development. We are very familiar with conditions on Richmond street, and we have some strong reservations for the proposed new building.

The first concern is parking availability. At the February 28th public meeting, the developer indicated the units would be aimed at: young professionals, UPEI students, and EA games employees as potential tenants. Parking was not deemed a problem as this demographic likely would not have cars. We do not believe that assumption is correct. UPEI students, notably the veterinary students that were mentioned in the public meeting, are likely to have cars since they need to reach UPEI campus at all hours. We anticipate that young professionals in Charlottetown will have cars, and this development will likely have to accommodate 20-30 cars, particularly when guests are present. Richmond street does not even come close to having adequate parking for that many new cars. If allowed to proceed, the planned development will cause parking chaos in and around Connaught square - particularly in the winter when snow clearing narrows both Richmond and Rochford streets. Adequate parking is always a challenge downtown and this development will significantly exacerbate this problem.

At the public meeting it was noted that the 23 micro-units need the same infrastructure (washroom/kitchen) as regular housing units and that will mean 23 households with compost, waste and recycling needs. The building plan as shown by the developer is has no visible location for bins and limited curb-side space for that many bins while accommodating the parking deficit. The tight space means that the bins will inevitably be placed close to Rochford condominium units and their balconies which closely adjoin the proposed development. We anticipate odour, and other nuisances to negatively affect our residents should 23 new units be placed in such close proximity.

The Rochford condominium building has a significantly different design and purpose than proposed for the new development. If we look at the proposed proximity between the two buildings, there may be only be 10 feet or less between balconies and windows of the two properties. Such close proximity will have negative impact on the privacy, security, value, and the enjoyment of property for tenants in both buildings.

We believe the micro-unit concept proposed by the developer is a sound idea, but it is absolutely in the wrong location. A site with sufficient parking, closer to UPEI and Holland college, closer to other student housing, and closer to the downtown business core would result in a much better outcome than what is proposed. We recommend strongly that Charlottetown City Council maintain its bylaws as intended and not approve the amendment for 55 and 59 Richmond street.

A handwritten signature in black ink, appearing to read 'Hurnik', with a stylized flourish extending from the end.

Daniel Hurnik  
Vice President Rochford Condominiums

**Forbes, Alex**

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**From:** Kevin McCarville <kmccarville@cornwallpe.ca>  
**Sent:** Monday, March 06, 2017 12:42 PM  
**To:** Forbes, Alex  
**Subject:** Richmond Street proposal

Good afternoon Alex,

As noted in our conversation last week I wish to confirm my opinion on the proposal for granting a variance to allow for an additional storey on Mr. Banks proposal

I live on Rochford Street, just around the corner from the subject property.

I fully support the request to allow for an additional storey without having to increase the height of the building.

Hank you

Kevin

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City of  
Charlottetown

Report No: PLAN-March-06-2017-# 8

Date: March 2<sup>nd</sup>, 2017

**Directed to:**  
Planning Board

**Department:**  
Planning & Heritage

**Prepared by:**  
Jesse Morton

**Attachments:**

- 1) Revised Site Plan
- 2) New Building Schematics
- 3) Submitted Letter

**Subject:**

An application requesting:

- The consolidation of 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);
- A site specific bylaw amendment, which includes a major variances, in order to permit a four storey, 23-unit apartment dwelling on the consolidated property; and
- A cash-in-lieu acceptance for 13 requirements parking spaces.

**RECOMMENDATION:**

Planning Board is encouraged to recommend that:

- The request to consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) be approved, pending the submission of pinned survey plans;
- The request for Council to accept cash-in-lieu payment of \$78,000 for the 13 required parking spaces be approved; and
- That the request for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved,

Subject to design review approval and the signing of a development agreement.

**Background:**

In December 2017, the applicant scheduled a meeting with staff to unveil preliminary development plans for a four-storey, 23-unit apartment dwelling at 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929)

Staff reviewed the preliminary development plans and immediately noticed that the project will require several levels of approval before it can become a reality (i.e., lot consolidation, demolition, design review, and cash-in-lieu of parking). Most pressing is the need for a site specific bylaw amendment.

The subject properties are located in the Downtown Neighbourhood (DN) Zone where a variety of residential uses are permitted as-of-right. Section 33 of the Zoning & Development Bylaw contains performance standards for the DN Zone. The text of said section states that any building in the DN Zone shall be a minimum of two storeys (or 24.6ft) and a maximum of three stories (or 40ft). The proposed building is four stories, which exceeds the maximum number of stories permitted.

Unlike many zones, the DN Zone defines the maximum and minimum height including the number of stories permitted in the zone. Variances are typically related to dimensional requirements (i.e., height, setbacks, etc.) and text changes are addressed through site specific amendments to the Zoning &

Development Bylaw, as they relate to a particular property. That means that a four storey building in the DN Zone requires a site specific amendment to the Zoning & Development Bylaw, as per Section 4.29.

### **Context:**

The subject properties are located on Richmond Street, between Pownal Street and Rochford Street, across from Connaught Square. 59 Richmond currently contains a two-unit dwelling, which will be demolished to proceed with the proposal.

The subject properties about the Legion's driveway and three low density dwellings lie further east; these dwellings are compatible with the neighbourhood's historic development styles. These properties lie in the DN Zone and the Downtown Mixed Use Neighbourhood (DMUN) Zone, which accommodates residential and limited commercial uses.



The streetscape is defined by the large 22-unit apartment dwelling at 41 Richmond Street, which was approved in 2011-2012. The building is six stories in height and it has increased the area's range of building heights beyond traditional DN standards.

### **February's Planning Board Meeting:**

This application was originally presented at the Planning Board's February meeting. Staff led the Board through a detailed overview of the project (See February's Planning Board Package for more information).



### **Zoning & Development Bylaw**

While the proposal satisfied many of the DN Zone's performance standards, staff explained that the site specific bylaw amendment also encompassed two variances:

- The applicant proposed a grade level height that is approximately 9.5ft, though the DN Zone minimum is 13ft.
- The proposed building wall is setback 5ft from the right side property line and the patios project further. As such, a major variance is required to reduce this minimum side yard setback from 6ft to approximately 0.625ft (This request was amended prior to the public meeting. See "Revised Plans" Section).

Staff have some concerns pertaining to the balconies along the left property line, as they may be located roughly 0.625ft from the balconies on the abutting property's second storey. That being said, the minimum setback requirement is satisfied. The Zoning & Development Bylaw does not restrict this scenario on the subject property, though the Building Inspector indicated that certain National Building code requirements will apply.

Section 4.44 of the Zoning & Development Bylaw were used to determine minimum parking requirements for the property. The proposed development requires a minimum of 12 parking spaces + 1 accessible

parking space. Staff acknowledge that it will be very difficult to incorporate the required parking spaces on the subject property regardless of its design.

### ***Heritage Board / Demolition***

The Heritage Board reviewed the demolition request at their February 1<sup>st</sup> meeting. The property's heritage evaluation indicated that it has limited heritage or historical significance. As such, the Heritage Board determined that they will support the demolition of the existing two unit dwelling if the applicant obtains design review approval for the proposed development.

### ***Official Plan***

Staff reviewed the applicant's compliance with the Official Plan and many objectives were satisfied. The objectives relating to "compatibility" may be debated by some residents, but staff were largely satisfied with the proposal. The proposed development differs from the area's traditional dwellings and building design, however, this area is in a state of transition since the approval of the six-storey building at 41 Richmond, which altered the design and appearance of the neighbourhood. The proposed development will contribute to this transition. That being said, compatibility is not directly tied to similarity. Staff believe that the proposal will enhance the neighbourhoods housing options, while the design review process is in place to ensure that new development is compatible with, and enhances its surroundings.

### ***Decision***

The Planning Board did not raise serious questions or concerns, and that they recommended that the application be advanced to a public meeting.

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### **Revised Plans:**

Prior to the public meeting, the applicant contacted staff to inform them that their design had been revised. They informed staff that *"We have decided to eliminate the balconies on the right side of the building and reduce the width of our building by 1'-0" to meet the minimum side yard setback on that side."*

With this change, the proposed development now satisfies the right side yard setback requirement, and therefore, only one major variance is now included in the site specific bylaw amendment.

### **Mail Out & Notification:**

On February 17<sup>th</sup> staff mailed 71 letters to property owners located within 100 meters of the subject property. The letter informed them of the rezoning application and solicited their comments, to be received in writing by noon on March 6<sup>th</sup>. Staff received one response, which outlined a list of concerns, including that the area has a parking shortages, the development will increase traffic near the park, and the applicant failed to identify where garbage bins will be located. The author believes the development is too dense of the area and should not be approved. (See Attached).

Any additional responses will be presented at the Board's March meeting.

Newspaper ads for the request were also placed in The Guardian, as per the requirements of the Zoning & Development Bylaw to advertise the public meeting.

### **Public Meeting:**

The public meeting was held on Tuesday, February 28<sup>th</sup> at the Rodd Charlottetown. The applicant presented his application in great detail. In addition to an overview of his proposed building, the applicant educated the public on why the development is good for Charlottetown, which is in dire need for increased density. No questions or comments were raised.

### **Discussion:**

This application involves numerous requests which shall be considered concurrently, as all items must be approved to proceed with the proposed development. The Heritage Board is supportive of the demolition, as the design review process must be completed before building permits are issued.

Staff do not have significant concerns with respect to the lot consolidation, as it would create vital infill opportunities, along with new residential options, in downtown Charlottetown. Opportunities to consolidate downtown properties are relatively rare, and independently, both lots are difficult to develop.

The request to accept cash-in-lieu of parking is uncommon, but staff do not have significant concerns regarding the request. The proposed apartment dwelling contributes to several Official Plan objectives, such as accommodating infill development and compact residential development. It should also be noted that many residents choose to live downtown because they do not want / own an automobile, and because they can walk to nearby destinations. Those who require parking can purchase a parking space at the Pownal parking structure. While accepting a full cash-in-lieu is not desirable in all situations, this context appears to be reasonably fitting.

Even with a consolidation, accommodating a sufficient amount of on-site parking is challenging: the site will need to accommodate a two-way driveway; the developable area will decrease drastically; and a significant amount of landscaping will be lost. It is also worth noting that the \$78,000 cash-in-lieu contribution will be used to provide parking elsewhere in the 500 Lot Area (as per Section 4.49).

A residents raised concerns regarding the location of garbage and recycling bins. Staff believe that these will be located within the building, though they will seek clarification from the application prior to the Board's meeting.

The site specific bylaw amendment – which now includes one major variance - is the request that necessitated the public meeting. As outlined in this and February's report, staff believe that the Official Plan provides significant support behind the subject application, as the proposed development will satisfy several needs. That being said, there are several objectives pertaining to character and compatibility, which are open to some interpretation. The proposed development does not resemble traditional residential development, but the neighbourhood / block is in a state of transition, given the presence of 41 Richmond Street, which is significantly larger than the current proposal; 41 Richmond introduced a new modern direction for the area. With all considerations in mind, staff believe that the proposed development aligns with what is considered suitable for the area, and due to the design review process, staff are confident that a compatible design can be reached.

#### **RECOMMENDATION:**

Planning Board is encouraged to recommend that:

- The request to consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) be approved, pending the submission of pinned survey plans;
- The request for Council to accept cash-in-lieu payment of \$78,000 for 13 requirements parking spaces be approved; and
- That the request for a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft) be approved,

Subject to design review approval and the signing of a development agreement.

Respectfully,

 MCIP

**Reviewed By:**

CAO

Dir Corp Srvs

Dir Pub Srvs

Dir F & D Srvs

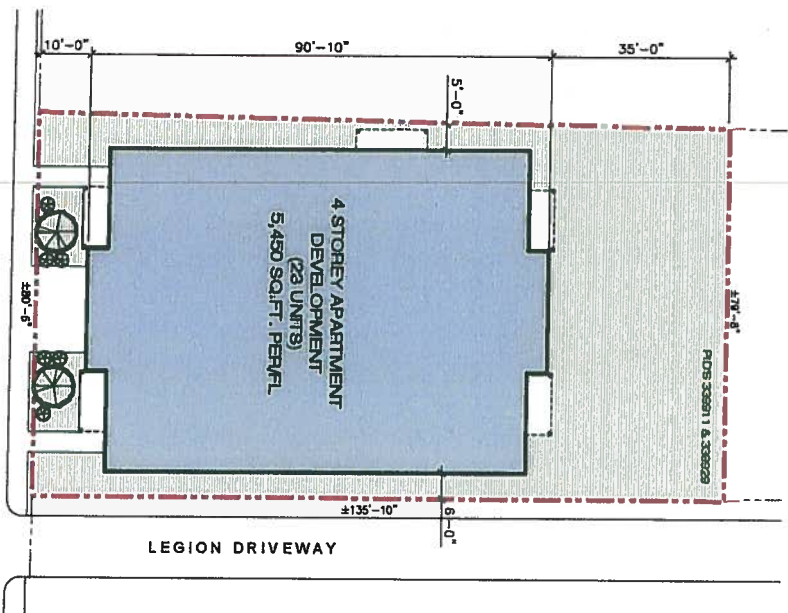
Dir Hum Res

Mgr

Other



**RECOMMENDATIONS/ACTIONS:**



RICHMOND STREET

LEGION DRIVEWAY

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SITE PLAN 1"=20'-0"

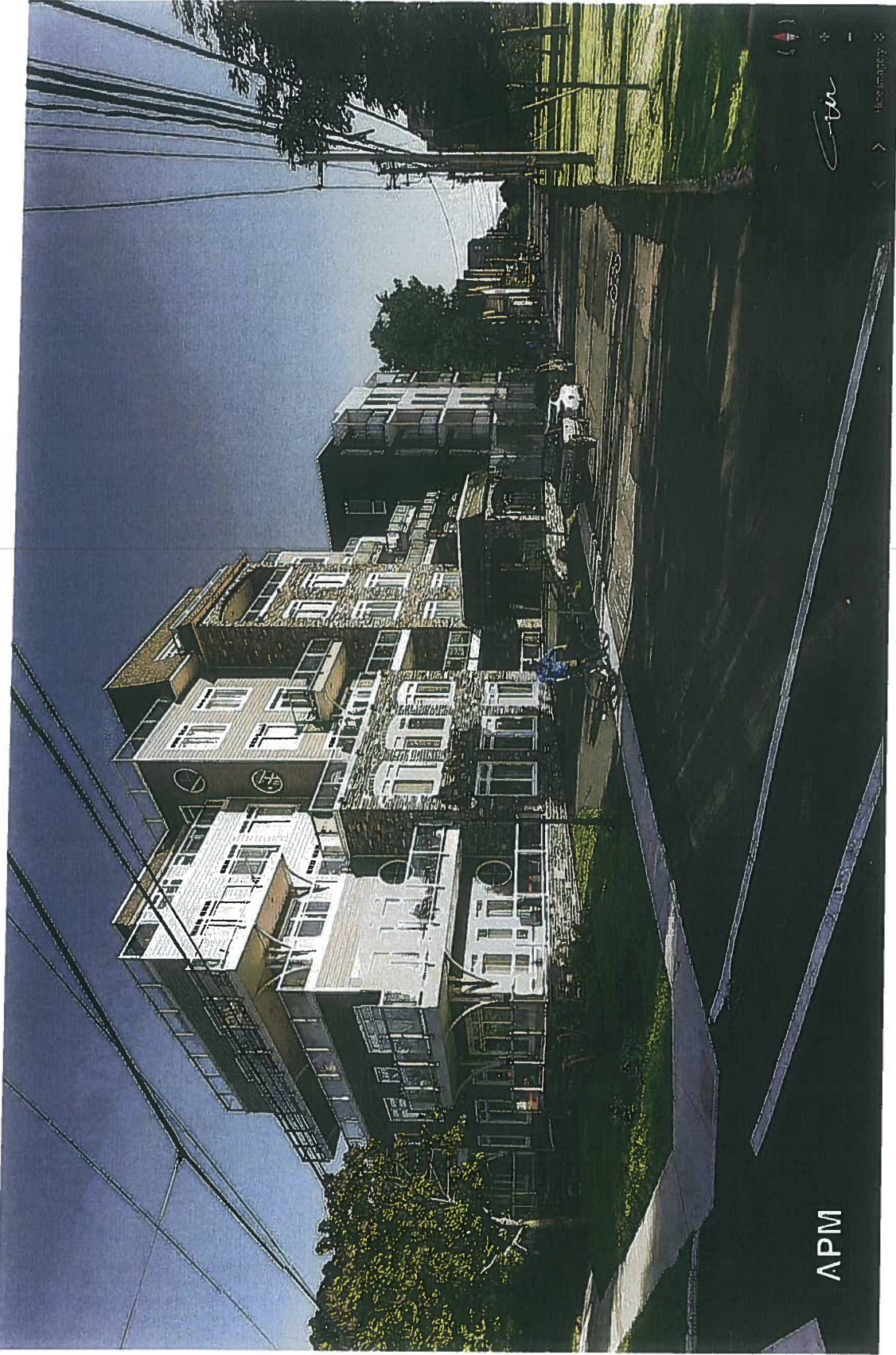


APM Commercial

PROPOSED 4 STOREY DEVELOPMENT

RICHMOND STREET, CHESTERBOROUGH, NB - PARCEL #1 P1415/001/15A, 2107





APM

City

Live map

### 3) Submitted Letter

PLANNING  
1 March 2017

February 28, 2017

Planning and Heritage Department  
City of Charlottetown  
P.O. Box 98  
Charlottetown PE C1A 7K2

RE: Site Specific Amendment for 55 Richmond Street (PID 339911) & 59 Richmond Street (PID 339929)

Dear City Planners,

As a resident of 41 Richmond Street, I would like to bring the following concerns to your attention regarding the proposed 23-unit development of 55 and 59 Richmond Street.

- Variance of lot line from 6' to less than a foot - This will leave very little space between the proposed building and the current building at 41 Richmond Street. The existing bylaws were put in place in keeping with sustainable development, which considers existing property owners and the general appearance of a small city. What has changed in the City's mandate to move away from a plan that has been accepted?
- Lack of parking and increased traffic on a quiet residential street bordering a park - The proposed development will ultimately double the traffic volumes that are currently experienced, therefore, increasing risks to those using the park.
- Snow loads that will collect between buildings that are so close to each other - This will be an issue when snow removal is required.
- Location of garbage and recycling containers - Drawings do not indicate a reasonable plan as to location of any garbage bins. How is this going to affect existing properties?

I have no objection to development on a scale that is representative of the area. What is proposed is simply too dense for the area and conflicts with what has been previously established as acceptable.

Regards,

Dana Drummond  
dana.drummond@bellaliant.net



March 5, 2017

**To:** Planning & Heritage Department - City of Charlottetown

**From:** Board of Directors of Rochford Condominiums

**Re: Site specific amendment for 55 Richmond Street (PID339911) & 59 Richmond Street (PID 339929)**


Thank you for the opportunity to comment on the proposed development on 55 and 59 Richmond street as outlined in your letter of February 17th. This response is from the Board of Directors of Rochford Condominiums at 41 Richmond street, the adjoining property to the proposed development. We are very familiar with conditions on Richmond street, and we have some strong reservations for the proposed new building.

The first concern is parking availability. At the February 28th public meeting, the developer indicated the units would be aimed at: young professionals, UPEI students, and EA games employees as potential tenants. Parking was not deemed a problem as this demographic likely would not have cars. We do not believe that assumption is correct. UPEI students, notably the veterinary students that were mentioned in the public meeting, are likely to have cars since they need to reach UPEI campus at all hours. We anticipate that young professionals in Charlottetown will have cars, and this development will likely have to accommodate 20-30 cars, particularly when guests are present. Richmond street does not even come close to having adequate parking for that many new cars. If allowed to proceed, the planned development will cause parking chaos in and around Connaught square - particularly in the winter when snow clearing narrows both Richmond and Rochford streets. Adequate parking is always a challenge downtown and this development will significantly exacerbate this problem.

At the public meeting it was noted that the 23 micro-units need the same infrastructure (washroom/kitchen) as regular housing units and that will mean 23 households with compost, waste and recycling needs. The building plan as shown by the developer is has no visible location for bins and limited curb-side space for that many bins while accommodating the parking deficit. The tight space means that the bins will inevitably be placed close to Rochford condominium units and their balconies which closely adjoin the proposed development. We anticipate odour, and other nuisances to negatively affect our residents should 23 new units be placed in such close proximity.

The Rochford condominium building has a significantly different design and purpose than proposed for the new development. If we look at the proposed proximity between the two buildings, there may be only be 10 feet or less between balconies and windows of the two properties. Such close proximity will have negative impact on the privacy, security, value, and the enjoyment of property for tenants in both buildings.

We believe the micro-unit concept proposed by the developer is a sound idea, but it is absolutely in the wrong location. A site with sufficient parking, closer to UPEI and Holland college, closer to other student housing, and closer to the downtown business core would result in a much better outcome than what is proposed. We recommend strongly that Charlottetown City Council maintain its bylaws as intended and not approve the amendment for 55 and 59 Richmond street.

A handwritten signature in black ink, appearing to read 'Daniel Hurnik', with a stylized, flowing script.

Daniel Hurnik  
Vice President Rochford Condominiums

## Evans, Victoria

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**From:** Mary MacInnis <marymacinnis@hotmail.ca>  
**Sent:** Sunday, March 05, 2017 10:43 PM  
**To:** Planning Department  
**Cc:** Mary MacInnis  
**Subject:** Re : Letter referencing variance 55/ 59 Richmond St (PID # 339911 & 339929 )

My feedback on the requested variances noted in the PID's referenced above is as follows :

- I strongly object to any side variances for security, potential increased noise levels and privacy reasons . I live in the Rochford condo unit 205 which is on the second floor and adjacent to the proposed development . Should the project proceed ,it will have a negative impact on lifestyle in current environment.
- There is also a potential parking issue should any tenants in the proposed development have vehicles. This is a real possibility as anyone living in the downtown Charlottetown will require transportation for work ,groceries and access to most amenities
- Also concerned about the proposed density of the property and the associated bin requirement for compost,recycled, and waste .There is no indicated area for these bins which would conjecture the street on collection day and have potential for unsightly order issues for neighboring properties.
- Given close proximity to Rochford condos question how easily snow removal and other required maintained safety requirement could be completed.
- I also question weather there is any potential structural impact of excavation in close proximity to the Rochford condo .

In closing overall design / density of building does not appear to fit with existing properties including the Rochford condo and has potential to devalue my property and I ask that the City not approve the project as presented.

I am in favor of a project of less density and more in keeping with the surrounding properties which would benefit all

Mary MacInnis  
Property owner  
ROCHFORD Condo  
41 Richmond St

Sent from my Samsung Galaxy Tab®4

**Evans, Victoria**

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**From:** Shelly Cooke <shelly.cooke@gmail.com>  
**Sent:** Sunday, March 05, 2017 1:40 PM  
**To:** Planning Department  
**Subject:** To: Planning & Heritage Department - City of Charlottetown

From: Shelly Cooke, Owner of Unit 302, 41 Richmond Street, Charlottetown, PEI

**Re: Site specific amendment for 55 Richmond st (PID339911) & 59 Richmond street (PID 339929)**

**Good Morning,**

I have serious concerns with this development on 55-59 Richmond street. My first one being the parking issue. I myself, paid \$15,000 for one parking space in my building. Each unit owner was given the option of buying parking spaces and we are sold out of all 22 underground parking spaces. Also we have visitors parking in the back of the building, another 24 parking spaces.

This development has nothing to offer anyone for parking or for visitors parking other then taking other peoples parking spots which may include them trying to park in our visitors parking spaces which this will cause major work trying to police this issue, it will be difficult and a night mare for all residents in 41 Richmond street.

I am advised that Mr. Banks does not require to have parking spaces for 23 units , but instead a one time pay out of \$78,000.00 for 23 units and not even thinking about visitors and where will they park! I believe this is a very serious issue as down town Charlottetown as very limited parking to begin with and the parkade's are full all year round. Currently you can not even get a parking space in the Pownal parkade as they have all been rented out for the winter months due to our snow issue. My friend who lived across the street from me could not buy a parking spot anywhere so she gave up and sold her vehicle as it was to much hassle owning a car and trying to have parking down town in the winter months!!! Yet Mr. Banks can just pay one time only ??? THIS WILL NOT SOLVE ANYTHING.!! Just makes parking even worse !

Last month Richmond street was not even plowed for 2 days as we are not a main street which I understand but if we have people with vehicle from this 23 unit apartment building where will they park? In other peoples parking spaces and along the road on Richmond street, this will be a night mare!!

Also I have concerns about the garbage issue and where the bin's will be placed. I just walked past the soup kitchen and the look of the garage bins it terrible. I am very proud of my condo building and how beautiful it looks and how very well maintained it is. I would not want to see next door being so close to us and not keeping up with our standards of being proud of our building, city and community.

I am also very disappointed with the design of the building, it is far from within the keeping with our building design. It looks like a shoe box ! Where is the landscaping requirements? This type of a building belongs near a

university or a collage as students are the focal of these units. To state they will not own cars is crazy and I guess they will not have visitors either ?? This is not a university town this is Charlottetown.

I also want to point out our beautiful park that is very popular for children and families. We would need increased policing of the park from possibly being ruined or destroyed or increased noise from this 23 unit student apartment building in this quit peaceful family environment.

I believe in no way should this project be given any variance on the first floor as this should not even be build, I understand people have right to build but only if it fits in our city bylaws, this building does not ! I also encourage the city to look at this and all future projects to have mandatory parking provided or not be allowed to build commercial building at all with "Money in lie of" does not solving anything, we have run out of space down town for parking!

I am 100% against this development .

Thank you for the opportunity to comment on this development.

Sincerely  
Shelly Cooke  
41 Richmond Street  
suite 302  
Charlottetown, PEI

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Cell: (902) 629-5959

**Forbes, Alex**

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**From:** Kevin McCarville <kmccarville@cornwallpe.ca>  
**Sent:** Monday, March 06, 2017 12:42 PM  
**To:** Forbes, Alex  
**Subject:** Richmond Street proposal

Good afternoon Alex,

As noted in our conversation last week I wish to confirm my opinion on the proposal for granting a variance to allow for an additional storey on Mr. Banks proposal

I live on Rochford Street, just around the corner from the subject property.

I fully support the request to allow for an additional storey without having to increase the height of the building.

Hank you

Kevin

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**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD  
MONDAY, MARCH 6, 2017  
5:00 P.M.**

**Present:**     **Councillor Greg Rivard, Chair**                      **Councillor Terry MacLeod**  
                    **Councillor Jason Coady**                                      **Loanne MacKay, RM**  
                    **David Archer, RM**    **Karolyn Walsh, RM**  
                    **Lou Barry, RM**     **Roger Doiron, RM**  
                    **Graham Robinson RM**    **Lea MacDonald, RM**  
                    **Kate Marshall, RM**    **Alex Forbes, PHM**  
                    **Laurel Palmer Thompson, PII**                                      **Greg Morrison, PI**  
                    **Victoria Evans, AA**    **Jesse Morton, PII**

**Regrets:**     **Pat Langhorne, RM**                                      **Lynn MacLaren, RM**

**1. 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929)**

This item is an application for a lot consolidation, cash-in-lieu of parking, and a site specific bylaw amendment (which includes one variance) in order to construct a four storey 23 unit apartment building at 55-59 Richmond Street. The Heritage Board reviewed the demolition request at their February 1st meeting. The property's heritage evaluation indicated that it has limited heritage or historical significance. As such, the Heritage Board determined that they will support the demolition of the existing two unit dwelling if the applicant obtains design review approval for the proposed development. There was previously a second variance request to reduce the side yard setback, however, the applicant has withdrawn this request by reconfiguring the proposed building. The balconies on the eastern side have also been eliminated.

Staff has received four responses in opposition of the development and one response in favour. The letters in opposition were mostly from the residents of the Rochford Condominiums. They raised concerns including lack of parking, the placement of the garbage bins, and that the proposed development will be extremely close to the Rochford Condominium building at 41 Richmond Street.

The public meeting was held on February 28, 2017. The applicant presented a thorough overview of the proposed apartment building. No questions were asked from either the public or Council.

Tim Banks of APM Construction attended the Planning Board meeting. He stated that the garbage bins will be placed inside the building. He also stated that he is looking into supplying some off-site parking available to tenants, but did not disclose where it would be located as the agreement with the owner has not been finalized. Mr. Banks further explained that he would prefer to pay for cash in lieu of parking because underground parking at this location is not economically viable.

The Board initially expressed some concern regarding parking however the Board was pleased to hear that Mr. Banks is looking into securing some off-site parking.

**Moved and seconded that the request to:**

- **Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);**
- **Accept cash-in-lieu payment of \$78,000.00 for 13 required parking spaces; and**
- **Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23 unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft),**

**be recommended to Council for approval, subject to the submission of pinned survey plans, design review approval, and the signing of a development agreement.**

**CARRIED**

***End of excerpt.***



**Regular Meeting of Council  
Monday, March 13, 2017 at 7:00 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee presiding**

<b><u>Present:</u></b>	<b>Deputy Mayor Mike Duffy Councillor Melissa Hilton Councillor Terry Bernard Councillor Kevin Ramsay Councillor Bob Doiron</b>	<b>Councillor Edward Rice Councillor Mitchell Tweel Councillor Jason Coady Councillor Terry MacLeod</b>
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<b><u>Also:</u></b>	<b>Peter Kelly, CAO Randy MacDonald, FC Scott Ryan, FM Mandy Feuerstack, HRM Richard MacEwen, AUM Ramona Doyle, SO Jesse Morton, PDO Tracey McLean, RMC</b>	<b>Paul Smith, PC Paul Johnston, PWM Alex Forbes, PM Frank Quinn, PRM Ron Atkinson, EconDO Jen Gavin, CO Steven Forbes, CS</b>
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<b><u>Regrets:</u></b>	<b>Councillor Greg Rivard</b>	<b>Wayne Long, EDO</b>
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**REPORTS OF COMMITTEES / RESOLUTIONS**

**1. Planning & Heritage – Councillor Greg Rivard**

**Moved by Councillor Terry MacLeod  
Seconded by Councillor Jason Coady**

**RESOLVED:**

That the request to:

- Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);
- Accept cash-in-lieu payment of \$78,000 for 13 required parking spaces; and

•Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23-unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft), be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement,

And that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

Concern was raised regarding the option of cash-in-lieu for required parking spaces. After a brief discussion, it was suggested that the resolution be deferred so the developer can further explore the matter of providing adequate parking. **Moved by Deputy Mayor Duffy and Seconded by Councillor Rice to defer the motion. Motion was Carried 6-3 with Councillors MacLeod, Coady and Tweel opposed.**

**End of Excerpt**

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**Regular Meeting of Council  
Monday, March 13, 2017 at 7:00 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee presiding**

<b><u>Present:</u></b>	<b>Deputy Mayor Mike Duffy Councillor Melissa Hilton Councillor Terry Bernard Councillor Kevin Ramsay Councillor Bob Doiron</b>	<b>Councillor Edward Rice Councillor Mitchell Tweel Councillor Jason Coady Councillor Terry MacLeod</b>
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<b><u>Also:</u></b>	<b>Peter Kelly, CAO Randy MacDonald, FC Scott Ryan, FM Mandy Feuerstack, HRM Richard MacEwen, AUM Ramona Doyle, SO Jesse Morton, PDO Tracey McLean, RMC</b>	<b>Paul Smith, PC Paul Johnston, PWM Alex Forbes, PM Frank Quinn, PRM Ron Atkinson, EconDO Jen Gavin, CO Steven Forbes, CS</b>
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<b><u>Regrets:</u></b>	<b>Councillor Greg Rivard</b>	<b>Wayne Long, EDO</b>
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**REPORTS OF COMMITTEES / RESOLUTIONS**

**1. Planning & Heritage – Coun. Terry MacLeod sitting in on behalf of Councillor Rivard**

**Moved by Councillor Terry MacLeod  
Seconded by Councillor Jason Coady**

**RESOLVED:**

That the request to:

- Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);
- Accept cash-in-lieu payment of \$78,000 for 13 required parking spaces; and
- Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23-unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft), be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement,

And that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

**Mayor Lee:** Deputy Mayor Duffy

**Deputy Mayor Duffy:** Thank you Your Worship. This application was an issue at our last public meeting I believe at which time presentation was made; I was very impressed with the concept with the building that is going up. I think as mini apartments, it has a demand in the city with its 23 units that the developer is planning to put up. Where I do have a problem is with the parking. Parking was never brought up, I don't believe at the public meeting. We spent all our time talking about the 40 feet and the four storey versus three storeys and that sort of thing. Only when I read the package on the weekend did I realize that there is not one parking space planned or proposed for the 23 mini apartments that are going to be in this building and that is in an area of town where we already have issues with parking. We have the Legion where we have three proprietors or tenants of the Legion building now where we only had one before. The Culinary Institute is right there which demands a lot of traffic. There is no parking on the street other than a stretch in front of the Richmond Condominiums and a small stretch up the street from there; other than that it is all no parking zone. I don't know where 23 tenants in this building are going to park their vehicles. There is an assumption that the demographics of these individuals are not the type of folks that drive cars. I think it's a pretty weak assumption. The problem is that some people are under the impression that the developer can write a cheque for \$78,000 and walk away leaving the City of Charlottetown with the problem of 23 tenants looking for a place to park. That is not a true assumption, the assumption is that he can offer to the City \$78,000 in lieu of parking but that doesn't necessarily mean that for the betterment of the City, the City would have to accept that offer. So I am either moving for a deferral to allow the developer to explore further parking to accommodate the 23 tenants or some other action so we don't end up once again with tenants in this city parking on front lawns or playgrounds that are located right across the street. We've been burnt some many times before, I think we need to take some action on this one. Thank you Your Worship.

**Mayor Lee:** Councillor Rice

**Councillor Rice:** I concur completely with what Councillor Duffy is saying. There was no reference to parking and maybe it was something I should have thought of but I automatically assumed with 20 some odd units, whether they are micro or not, they are going to be of a quality and you can't assume that there is automatically students and whatever in it and they all don't own cars. The City subsidizes even the bus service to \$900,000 so it's obviously people do want to prefer to drive so let's turn around and defer it until he gets his parking arranged. We also got a question on how does the garbage get in and out of the building? They assume that you're going to do a new system but it has not be explained to us. I seconded that motion.

**Moved by Deputy Mayor Duffy and Seconded by Councillor Rice to defer the motion.  
Motion was Carried 6-3 with Councillors MacLeod, Coady and Tweel opposed.**

**End of Excerpt**

Medior to do for  
M-DUFFY  
S-RICE  
CARRIED 6-3  
C.L



Councillor Tweed  
Councillor MacLeod +  
Councillor Coady  
opposed

## CITY OF CHARLOTTETOWN RESOLUTION

Planning #7

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 13, 2017

Moved by Councillor Terry MacLeod Terry MacLeod

Seconded by Councillor Jason Coady Jason Coady

### RESOLVED:

That the request to:

- Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);
- Accept cash-in-lieu payment of \$78,000 for 13 required parking spaces; and
- Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23-unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft),

be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement,

And that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

Councillor Rivard absent

## **Morton, Jesse**

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**From:** Morton, Jesse  
**Sent:** Tuesday, March 14, 2017 9:01 AM  
**To:** Cain Arsenault  
**Subject:** RE: Richmond Street Project

6-3 to defer the application.

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Cain Arsenault [mailto:carsenault@apm.ca]  
**Sent:** Tuesday, March 14, 2017 8:58 AM  
**To:** Morton, Jesse <jmorton@charlottetown.ca>  
**Subject:** RE: Richmond Street Project

What was the vote?

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**From:** Morton, Jesse [mailto:jmorton@charlottetown.ca]  
**Sent:** Tuesday, March 14, 2017 8:47 AM  
**To:** Tim Banks  
**Cc:** Cain Arsenault; Forbes, Alex  
**Subject:** RE: Richmond Street Project

Good Morning,

As you may be aware, Council made a motion to defer your 55-59 Richmond Street application at last evening's meeting. While Planning Board recommended approval of your application, Council decided to defer due to concerns regarding on-site parking. The deferral will give you the opportunity to re-evaluate this item and potentially pursue off-site parking opportunities to accommodate some future tenants, if you wish. The application will return to Council at their April meeting.

If you have questions about this moving forward, please feel free to talk with staff. It may also be valuable to reach out to Council individually get obtain more details regarding their concerns.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street

Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Tuesday, March 07, 2017 5:45 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault <[carsenault@apm.ca](mailto:carсенault@apm.ca)>; Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>; Forbes, Alex <[afortbes@charlottetown.ca](mailto:afortbes@charlottetown.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>  
**Subject:** RE: Richmond Street Project

Hi Jesse,

Very, very, very simple... We're going to build a new building and invest over \$2,000,000.00 doing so. With that we have a more invested interest in how the garbage is handled than anyone so I'm sure that we won't be doing something that would cause our tenants to leave and if someone on Council questions such, maybe you could explain this to them.

---

As for the parking at this point it's simply cash in lieu but we are working with adjacent owners to find a solution but no promises, but in any event we will address such with our formal application. Investment in underground parking adds roughly \$240 per month for each unit in the building in terms of a cost recovery return, so we've abandon any thought of such as it can't be absorbed in Charlottetown market rental rates.

As our concept stands the 23 units just meets a meager investment return and clearly the project with only 3 floor and 25% less revenue would not be viable so we're hoping that Council will approve our plans as presented otherwise we'll have to fold up our plans.

We appreciate your Departments efforts in working with us here. We're very proud of the many projects we've developed in Charlottetown so it is very frustrating when we're questioned on the silliness of how we'd deal with garbage, etc... we're investing a significant amount of money, building a tax base, creating jobs and giving more choice to people to live in Downtown Charlottetown and we hoping Council recognize this in coming to a decision.

Regards  
Tim

---

**From:** Morton, Jesse [<mailto:jmorton@charlottetown.ca>]  
**Sent:** Tuesday, March 07, 2017 4:59 PM  
**To:** Tim Banks  
**Cc:** Cain Arsenault  
**Subject:** RE: Richmond Street Project

Hello Tim,

We just wanted to follow up briefly based on the two conversation pieces that emerged at last night's Planning Board meeting. Given that Council will be deliberating on your application Monday night, is there any additional information / clarification that you wish to provide regarding the topics of garbage and parking before Council votes?

The Board seemed satisfied by the answers you provided last evening, but it's possible that similar questions may arise amongst the Councillors.

If there is anything you would like to add, please let us know.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Monday, March 06, 2017 1:40 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault <[carsenault@apm.ca](mailto:carsenault@apm.ca)>  
**Subject:** Re: Richmond Street Project

---

I'll be there

Thanks

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
APM Place, 3 Lower Malpeque Rd  
Charlottetown, PE, Canada, C1E 1R4  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 6, 2017, at 1:21 PM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Ok great. Tim, can you aim to be at City Hall for about 6:10pm tonight? We have a busy agenda tonight so hopefully we don't fall too far behind schedule.

Thanks,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2

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Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)

[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault [<mailto:carsenault@apm.ca>]

**Sent:** Monday, March 06, 2017 12:05 PM

**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>

**Cc:** Tim Banks <[tim@apm.ca](mailto:tim@apm.ca)>

**Subject:** RE: Richmond Street Project

Hi Jesse,

Spoke with Tim and our intention will be to put a storage facility in the basement for recycling and garbage. (See revised plans attached)

Also, Tim does plan on attending.

Cain

---

**From:** Morton, Jesse [<mailto:jmorton@charlottetown.ca>]

**Sent:** Friday, March 03, 2017 4:58 PM

**To:** Cain Arsenault

**Subject:** RE: Richmond Street Project

Hello Cain,

Just wanted to touch base quickly regarding the Richmond Street application. Someone has asked where the garbage / recycling bins will be located on the property; they're not indicated on the site plan - Will they be located inside the building? Can you please provide some clarification in the event that the Board asks staff?

Also, do you wish to attend Monday's Planning Board meeting. You're welcome to attend, though no issues were raised at the public meeting. If you'd like to attend, please let us know. We have another full agenda this month so we'll have to find a time that fits. It would likely be in the 6:15 – 6:30pm range.

Have a good weekend,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**

PO Box 98, 233 Queen Street

Charlottetown, PE C1A 7K2

Office: 902-629-4108

Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)

[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault [<mailto:carsenault@apm.ca>]

**Sent:** Wednesday, March 01, 2017 10:29 AM

**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Tim Banks <[tim@apm.ca](mailto:tim@apm.ca)>  
**Subject:** RE: Richmond Street Project

Hi Jesse,

Here are the images for your use.

Cheers

Cain

---

**From:** Morton, Jesse [<mailto:jmorton@charlottetown.ca>]  
**Sent:** Wednesday, March 01, 2017 9:46 AM  
**To:** Cain Arsenault  
**Cc:** Tim Banks  
**Subject:** RE: Richmond Street Project

Good Morning,

I believe that Tim included an updated building schematic drawing in his Richmond Street presentation last evening. I'm just wondering if we could get a JPG of this image to present to the Planning Board on Monday night.

If so, please send it along at a moment of your convenience.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault [<mailto:carsenault@apm.ca>]  
**Sent:** Tuesday, February 28, 2017 1:48 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Subject:** Richmond Street Project

Hi Jesse,

We have decided to eliminate the balconies on the right side of the building and reduce the width of our building by 1'-0" to meet the minimum side yard setback on that side.

Please clarify at tonight's meeting.

Thanks

Cain

**Cain Arsenault**  
Design Technician • APM

16 McCarville St  
Charlottetown, PE, Canada C1E 2A6  
tel **902-569-8400**  
fax **902-569-1149**  
email [carsenault@apm.ca](mailto:carsenault@apm.ca)  
[www.APM.ca](http://www.APM.ca)

Since 1980 **APM** has provided construction and design-build services that include construction management, engineering and general contracting. Our principles of Service, Trust and Value are our foundation for the delivery of every aspect of your new building or renovation project. **APM** operate across Canada with offices in **Charlottetown, Halifax, Toronto and Calgary** providing a host of construction services to local, regional and national clients.

<image001.jpg>

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## **Morton, Jesse**

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**From:** Tim Banks <tim@apm.ca>  
**Sent:** Friday, March 24, 2017 4:47 PM  
**To:** Morton, Jesse  
**Cc:** Forbes, Alex; Heather Joudrie; Terry Palmer; Dawn Alan; pwmcguire@charlottetownchamber.com; Jerry Leblanc; Ian Harper; Mayor of Charlottetown (Clifford Lee); Rivard, Greg  
**Subject:** Re: Richmond Street Project

Thanks very much... have a great weekend all.

Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
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Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 24, 2017, at 3:02 PM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Hello Tim,

Yes, that's correct.

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
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Charlottetown, PE C1A 7K2  
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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Friday, March 24, 2017 3:53 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Terry Palmer <[tpalmer@apm.ca](mailto:tpalmer@apm.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>; pwmcguire@charlottetownchamber.com; Jerry Leblanc <[jleblanc@apm.ca](mailto:jleblanc@apm.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Rivard, Greg

<[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>

**Subject:** Re: Richmond Street Project

Hi Jessie,

For farther clarification can you confirm that my response at the planning board meeting was that we were providing no parking and we were opting for cash in lieu and that Planning Board did recommend our project to Council based on that?

Thanks

Tim

Tim Banks  
CEO - APM

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---

On Mar 24, 2017, at 2:28 PM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Hello Tim,

In response to your inquiry, cash-in-lieu of parking is addressed in Section 4.49 of the Zoning & Development Bylaw. Section 4.49.1 of the Bylaw states: "Council may require or accept cash-in-lieu of parking spaces in any situation where a development permit has been applied for and adequate or required off-street parking cannot be provided or, in the opinion of Council, having considered a recommendation from the Planning Board, is unfeasible."

Please let us know if you have further questions.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Friday, March 24, 2017 12:59 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>

**Cc:** Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Terry Palmer <[tpalmer@apm.ca](mailto:tpalmer@apm.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>; [pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com); Jerry Leblanc <[jleblanc@apm.ca](mailto:jleblanc@apm.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>  
**Subject:** Re: Richmond Street Project

Hi Jessie

Can you please clarify that Council can accept no parking and take cash in lieu as an approval option.

Can you please reply to all.

Thanks  
Tim

Tim Banks  
CEO - APM

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Charlottetown, PE, Canada, C1E 2A6  
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cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

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On Mar 24, 2017, at 11:13 AM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Good Morning,

Thank you for your response, Tim. The information you have been provided will be forwarded on to the next Council meeting with your application.

In response to your question, Council may approve off-lot parking in the 500 Lot Area, as per Section 4.44.6 of the Zoning & Development Bylaw. This section states that the developer shall file a lease with the City showing that the off-lot parking will be provided for a period of not less than 10 years. Section 4.44.7 may also come into play down the road, as well.

The proposed development requires 13 parking spaces (12 standard parking spaces + 1 accessible parking space).

Council will be referring to this section when they evaluate your application. Any further clarification on this items would be helpful. Depending on how you wish to deal with the parking requirement, we need to be able to ensure that the appropriate resolutions are in place.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Friday, March 24, 2017 10:15 AM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Forbes, Alex <[aforges@charlottetown.ca](mailto:aforges@charlottetown.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Jerry Leblanc <[jleblanc@apm.ca](mailto:jleblanc@apm.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Terry Palmer <[tpalmer@apm.ca](mailto:tpalmer@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Atkinson, Ron <[RAtkinson@charlottetown.ca](mailto:RAtkinson@charlottetown.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>; [pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com); Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>; Cain Arsenault <[carsenault@apm.ca](mailto:carsenault@apm.ca)>  
**Subject:** Re: Richmond Street Project

---

Hi Jesse,

So if I understand you correctly if we lease the required parking spaces from CADC then the lease has to be for ten years? For the record CADC has agreed to provide us with the required spaces on an annual bases and a copy of their commitment will be forwarded to you under a separate cover but they won't commit for ten years.

Secondly, we were under the impression we only needed 12 spaces but you mentioned 13 so could you help explain the difference?

Pending no solutions for off site parking then we're simply offering up the cash in lieu fee.

With respect to the garbage we had advised that we are going with a typical garbage chute into a collection room where it would be separated and removed from the building as required. Pretty standard collection system and the construction details will be submitted with our construction plans.

We were disappointed that Council deferred our application so the ball is entirely on them to yeah or nay our request at their next meeting otherwise we will be seeking a Mandamus from the Court to have then make a decision. Should Council Nay our request then we'll finish the debate at IRAC as we have clearly presented a project that is contemplated under the City's Official plan.

This is a great project for young urban dwellers few of whom even own a car. Jobs, investment and choice for Charlottetown residents.

We trust you will see that our project is immediately put back on Council's next scheduled meeting?

Regards  
Tim

Tim Banks  
CEO - APM

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tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 23, 2017, at 4:01 PM, Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

---

Hello Tim,

Planning staff wanted to follow-up on our previous correspondence regarding your 55-59 Richmond Street application. The application is expected to return to Council's April 10<sup>th</sup> meeting, where if the application is complete, Council will render a decision.

As you're now aware, the matter was deferred at the March 13<sup>th</sup> Council Meeting, pending clarification on two points, parking and garbage storage and removal. Staff are wondering if you've had the opportunity to review the concerns raised. Staff received your message stating that the CADCA has parking availability in the Pownal parking garage and your company may enter into a lease agreement on behalf of your potential clients. It would be beneficial if you can provide clarification on these matters within the next week to aid in the preparation of a subsequent report that will go to Council prior to a decision being made.

The items staff are seeking clarification on relates to the following:

- Are you still proceeding with the request for Council to accept cash-in-lieu (\$78,000) instead of the required 13 parking spaces?

- Are you formally amending your application to request a combination of off-lot parking spaces and cash-in-lieu? If so, how will the 13 parking spaces be allocated?
- Are you formally amending your application to instead request approval for 13 off-site parking spaces (at CADC's Pownal parking garage)?
- Are you able to provide your leasing agreement to confirm the parking space availability extends for a minimum period of 10 years?
- Can you clarify where / how garbage will be stored internally in the building and removed on garbage day?

It is our hope that you are able to respond in a timely manner so that the follow up report will be forwarded to Council for their review and ultimately, a decision on your application. Unfortunately, if we do not receive a response from you on the concerns raised, the application will not be able to proceed further.

---

If you have any questions, please forward them along.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Tuesday, March 14, 2017 12:10 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault <[carsenault@apm.ca](mailto:carsenault@apm.ca)>; Forbes, Alex <[forbes@charlottetown.ca](mailto:forbes@charlottetown.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>; [pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com)  
**Subject:** Re: Richmond Street Project

Great News... spoke to CADC today and they currently have between 30 to 40 empty monthly parking spaces available in the City's Pownal Parkdale which is less than 170 meters away (a two minute walk) and we are prepared to enter into a long term arrangement with them for our tenants.

We trust this should satisfy any parking issues.

Regards  
Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
APM Place, 3 Lower Malpeque Rd  
Charlottetown, PE, Canada, C1E 1R4  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

---

On Mar 14, 2017, at 8:47 AM, Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Good Morning,

As you may be aware, Council made a motion to defer your 55-59 Richmond Street application at last evening's meeting. While Planning Board recommended approval of your application, Council decided to defer due to concerns regarding on-site parking. The deferral will give you the opportunity to re-evaluate this item and potentially pursue off-site parking opportunities to accommodate some future tenants, if you wish. The application will return to Council at their April meeting.

If you have questions about this moving forward, please feel free to talk with staff. It may also be valuable to reach out to Council individually get obtain more details regarding their concerns.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**

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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)

[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Tuesday, March 07, 2017 5:45 PM  
**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault  
<[carsenault@apm.ca](mailto:carsenault@apm.ca)>; Rivard, Greg  
<[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>; Forbes,  
Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>;  
Mayor of Charlottetown (Clifford Lee)  
<[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Ian Harper  
<[iharper@apm.ca](mailto:iharper@apm.ca)>  
**Subject:** RE: Richmond Street Project

---

Hi Jesse,

Very, very, very simple... We're going to build a new building and invest over \$2,000,000.00 doing so. With that we have a more invested interest in how the garbage is handled than anyone so I'm sure that we won't be doing something that would cause our tenants to leave and if someone on Council questions such, maybe you could explain this to them.

As for the parking at this point it's simply cash in lieu but we are working with adjacent owners to find a solution but no promises, but in any event we will address such with our formal application. Investment in underground parking adds roughly \$240 per month for each unit in the building in terms of a cost recovery return, so we've abandon any thought of such as it can't be absorbed in

Charlottetown market rental rates.

As our concept stands the 23 units just meets a meager investment return and clearly the project with only 3 floor and 25% less revenue would not be viable so we're hoping that Council will approve our plans as presented otherwise we'll have to fold up our plans.

We appreciate your Departments efforts in working with us here. We're very proud of the many projects we've developed in Charlottetown so it is very frustrating when we're questioned on the silliness of how we'd deal with garbage, etc... we're investing a significant amount of money, building a tax base, creating jobs and giving more choice to people to live in Downtown Charlottetown and we hoping Council recognize this in coming to a decision.

Regards  
Tim

---

**From:** Morton, Jesse  
[mailto:[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)]  
**Sent:** Tuesday, March 07, 2017 4:59 PM  
**To:** Tim Banks  
**Cc:** Cain Arsenault  
**Subject:** RE: Richmond Street Project

Hello Tim,

We just wanted to follow up briefly based on the two conversation pieces that emerged at last night's Planning Board meeting. Given that Council will be deliberating on your application Monday night, is there any additional information / clarification that you wish to provide regarding the topics of garbage and parking before Council votes?

The Board seemed satisfied by the answers you provided last evening, but it's possible that similar questions may arise amongst the Councillors.

If there is anything you would like to add, please let us know.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
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[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Monday, March 06, 2017 1:40 PM  
**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault  
<[carsenault@apm.ca](mailto:carsenault@apm.ca)>  
**Subject:** Re: Richmond Street Project

I'll be there

Thanks

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
APM Place, 3 Lower Malpeque Rd  
Charlottetown, PE, Canada, C1E 1R4  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 6, 2017, at 1:21 PM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Ok great. Tim, can you aim to be at City Hall for about 6:10pm

tonight? We have a  
busy agenda tonight so  
hopefully we don't fall  
too far behind  
schedule.

Thanks,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen  
Street  
Charlottetown, PE C1A  
7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.  
ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault  
[[mailto:carsenault@ap  
m.ca](mailto:carsenault@apm.ca)]

**Sent:** Monday, March  
06, 2017 12:05 PM

**To:** Morton, Jesse  
<[jmorton@charlotteto  
wn.ca](mailto:jmorton@charlotteto<br/>wn.ca)>

**Cc:** Tim Banks  
<[tim@apm.ca](mailto:tim@apm.ca)>

**Subject:** RE: Richmond  
Street Project

Hi Jesse,

Spoke with Tim and  
our intention will be to  
put a storage facility in  
the basement for  
recycling and  
garbage. (See revised  
plans attached)

Also, Tim does plan on  
attending.

Cain

---

**From:** Morton, Jesse  
[<mailto:jmorton@charlo>

[ttetown.ca](http://ttetown.ca)]

**Sent:** Friday, March 03,  
2017 4:58 PM

**To:** Cain Arsenault

**Subject:** RE: Richmond  
Street Project

Hello Cain,

Just wanted to touch  
base quickly regarding  
the Richmond Street  
application. Someone  
has asked where the  
garbage / recycling bins  
will be located on the  
property; they're not  
indicated on the site  
plan - Will they be  
located inside the  
building? Can you  
please provide some  
clarification in the  
event that the Board  
asks staff?

---

Also, do you wish to  
attend Monday's  
Planning Board  
meeting. You're  
welcome to attend,  
though no issues were  
raised at the public  
meeting. If you'd like to  
attend, please let us  
know. We have another  
full agenda this month  
so we'll have to find a  
time that fits. It would  
likely be in the 6:15 –  
6:30pm range.

Have a good weekend,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen  
Street  
Charlottetown, PE C1A  
7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault  
[mailto:[carsenault@apm.ca](mailto:carsenault@apm.ca)]  
**Sent:** Wednesday,  
March 01, 2017 10:29  
AM  
**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Tim Banks  
<[tim@apm.ca](mailto:tim@apm.ca)>  
**Subject:** RE: Richmond  
Street Project

Hi Jesse,

Here are the images for  
your use.

---

Cheers

Cain

---

**From:** Morton, Jesse  
[mailto:[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)]  
**Sent:** Wednesday,  
March 01, 2017 9:46  
AM  
**To:** Cain Arsenault  
**Cc:** Tim Banks  
**Subject:** RE: Richmond  
Street Project

Good Morning,

I believe that Tim  
included an updated  
building schematic  
drawing in his  
Richmond Street  
presentation last  
evening. I'm just  
wondering if we could  
get a JPG of this image  
to present to the  
Planning Board on  
Monday night.

If so, please send it  
along at a moment of  
your convenience.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**

PO Box 98, 233 Queen  
Street  
Charlottetown, PE C1A  
7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.  
ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault  
[[mailto:carsenault@ap  
m.ca](mailto:carsenault@apm.ca)]

**Sent:** Tuesday,  
February 28, 2017 1:48  
PM

**To:** Morton, Jesse  
<[jmorton@charlotteto  
wn.ca](mailto:jmorton@charlotteto<br/>wn.ca)>

**Subject:** Richmond  
Street Project

Hi Jesse,

We have decided to  
eliminate the balconies  
on the right side of the  
building and reduce the  
width of our building by  
1'-0" to meet the  
minimum side yard  
setback on that side.

Please clarify at  
tonight's meeting.

Thanks

Cain


**Cain Arsenault**  
Design Technician • APM

16 McCarville St  
Charlottetown, PE, Canada C1E 2A6  
tel **902-569-8400**  
fax **902-569-1149**  
email [carsenault@apm.ca](mailto:carsenault@apm.ca)  
[www.APM.ca](http://www.APM.ca)

Since 1980 **APM** has provided construction and design-build services that include construction management, engineering and general contracting. Our principles of Service, Trust and Integrity are our foundation for the delivery of every aspect of your new building or renovation project. We operate across Canada with offices in **Charlottetown, Halifax, Toronto and Calgary** providing a full host of construction services to local, regional and national clients.

<image001.jpg>



 <p style="text-align: center;"><b>City of Charlottetown</b></p>	<b>Report No:</b> PLAN-April-03-2017-# 7
	<b>Date:</b> March 31 <sup>st</sup> , 2017
<b>Directed to:</b> Planning Board	<b>Attachments:</b> 1) Applicant's March 31 <sup>st</sup> Email
<b>Department:</b> Planning & Heritage	
<b>Prepared by:</b> Jesse Morton	
<b>Subject:</b> An application requesting: <ul style="list-style-type: none"> <li>• The consolidation of 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);</li> <li>• A site specific bylaw amendment, which includes a major variance, in order to permit a four storey, 23-unit apartment dwelling on the consolidated property; and</li> <li>• Cash-in-lieu acceptance for 13 requirements parking spaces.</li> </ul>	
<b>RECOMMENDATION:</b> For information purposes only.	

### **Background:**

This application is a multi-faceted request to construct a 23-unit apartment dwelling at 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929). This application has been reviewed at the two previous Planning Board meetings; please see February and March's Planning Board packages for further information.

### **Planning Board & Council:**

This application was reviewed in detail at the Board's March 6<sup>th</sup> meeting, and ultimately, the Board decided to recommend that Council approve the subject application. At Council's March 13<sup>th</sup>, Council voted to defer the following resolution:

*"That the request to:*

- *Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);*
- *Accept cash-in-lieu payment of \$78,000 for 13 required parking spaces; and*
- *Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23-unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft),*

*be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement.*

*Further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution."*



Council opted to defer the application due to concerns about the cash-in-lieu request and the absence of on-site (and off-site) parking options. The deferral was intended to give the applicant the opportunity to re-evaluate this item and potentially modify their application.

**Correspondence:**

Staff exchanged a series of emails with the applicant, discussing potential modifications to the subject application. The applicant discussed the potential of entering into an agreement with CADC to obtain off-lot parking in the Pownal Parking Garage, but ultimately, the applicant confirmed via email (See Attached) that no modifications will be made to the application. As such, they will continue to request cash-in-lieu approval for 13 required parking spaces (a payment of \$78,000).

The application will now be advanced to Council's April 10<sup>th</sup> meeting.


**RECOMMENDATION:**

Planning Board previously offered their recommendation on this application; that recommendation was subsequently deferred by Council to give the applicant the opportunity to modify the cash-in-lieu of parking request. The applicant opted not to amend his application, and therefore, no further recommendation is required from the Board.

Respectfully,



**Reviewed By:**

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other
-----	---------------	--------------	----------------	-------------	--	-------

**RECOMMENDATIONS/ACTIONS:**

## 1) Applicant's March 31st Email:

**From:** Tim Banks [mailto:tim@apm.ca]  
**Sent:** Friday, March 31, 2017 10:34 AM  
**To:** Morton, Jesse <jmorton@charlottetown.ca>  
**Cc:** Forbes, Alex <aforbes@charlottetown.ca>; Heather Joudrie <hjoudrie@apm.ca>; Terry Palmer <tpalmer@apm.ca>; Dawn Alan <dawn@downtowncharlottetown.com>; pwmcguire@charlottetownchamber.com; Jerry Leblanc <jleblanc@apm.ca>; Ian Harper <iharper@apm.ca>; Mayor of Charlottetown (Clifford Lee) <mayor@charlottetown.ca>; Rivard, Greg <grivard@charlottetown.ca>  
**Subject:** RE: Richmond Street Project

Hi Jesse,

I believe we only have the one option as CADC cannot enter into a 10 year lease therefore we'll opt for the cash-in-lieu option which we previously indicated to Planning Board.

Thanks  
Tim

---

**From:** Morton, Jesse [mailto:jmorton@charlottetown.ca]  
**Sent:** Wednesday, March 29, 2017 5:14 PM  
**To:** Tim Banks  
**Cc:** Forbes, Alex  
**Subject:** RE: Richmond Street Project

Good Afternoon, Tim,

Planning staff are preparing resolutions in advance of April's Planning Board and Council meetings. As you are aware, the resolution for the 55-59 Richmond Street contains three items, including parking. Can you please confirm which parking-related request you're proceeding with?

**Option 1 - Original:**

A request to accept cash-in-lieu payment of \$78,000 for 13 required parking spaces.

**Option 2 – Revised:**

A request to accept off-lot parking for 13 required parking spaces at 100 Pownal Street (PID# 340414), subject to the receipt of a lease stating that off-lot parking shall be provided for a minimum period of 10 years.

The option that you select will be crafted into a formal resolution which will be forwarded to Council's April meeting, along with the information previously disclosed in our correspondence.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

## **Morton, Jesse**

---

**From:** Mayor of Charlottetown (Clifford Lee)  
**Sent:** Friday, March 31, 2017 12:22 PM  
**To:** Tim Banks; Morton, Jesse  
**Cc:** Forbes, Alex; Heather Joudrie; Terry Palmer; Dawn Alan; pwm McGuire@charlottetownchamber.com; Jerry Leblanc; Ian Harper; Mayor of Charlottetown (Clifford Lee); Rivard, Greg  
**Subject:** RE: Richmond Street Project

Hi Tim,  
Great news—The City reached out and contacted CADC and there must be a misunderstanding because they will do a 10 year lease.. This approach may solve any issues..

Have a great weekend..

Clifford

**Mayor Clifford Lee**

---

### **City of Charlottetown**

PO Box 98, 199 Queen Street  
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Canada, C1A 7K2  
Office: 902-629-4101  
Fax: 902-566-4701

[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)



---

**From:** Tim Banks [mailto:tim@apm.ca]  
**Sent:** Friday, March 31, 2017 10:34 AM  
**To:** Morton, Jesse  
**Cc:** Forbes, Alex; Heather Joudrie; Terry Palmer; Dawn Alan; pwm McGuire@charlottetownchamber.com; Jerry Leblanc; Ian Harper; Mayor of Charlottetown (Clifford Lee); Rivard, Greg  
**Subject:** RE: Richmond Street Project

Hi Jesse,

I believe we only have the one option as CADC cannot enter into a 10 year lease therefore we'll opt for the cash-in-lieu option which we previously indicated to Planning Board.

Thanks  
Tim

---

**From:** Morton, Jesse [<mailto:jmorton@charlottetown.ca>]  
**Sent:** Wednesday, March 29, 2017 5:14 PM  
**To:** Tim Banks  
**Cc:** Forbes, Alex  
**Subject:** RE: Richmond Street Project

Good Afternoon, Tim,

Planning staff are preparing resolutions in advance of April's Planning Board and Council meetings. As you are aware, the resolution for the 55-59 Richmond Street contains three items, including parking. Can you please confirm which parking-related request you're proceeding with?

**Option 1 - Original:**

A request to accept cash-in-lieu payment of \$78,000 for 13 required parking spaces.

**Option 2 – Revised:**

A request to accept off-lot parking for 13 required parking spaces at 100 Pownal Street (PID# 340414), subject to the receipt of a lease stating that off-lot parking shall be provided for a minimum period of 10 years.

The option that you select will be crafted into a formal resolution which will be forwarded to Council's April meeting, along with the information previously disclosed in our correspondence.

---

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Friday, March 24, 2017 4:47 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Terry Palmer <[tpalmer@apm.ca](mailto:tpalmer@apm.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>; [pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com); Jerry Leblanc <[jleblanc@apm.ca](mailto:jleblanc@apm.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>  
**Subject:** Re: Richmond Street Project

Thanks very much... have a great weekend all.

Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
16 McCarville Street  
Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 24, 2017, at 3:02 PM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Hello Tim,

Yes, that's correct.

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

---

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Friday, March 24, 2017 3:53 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Terry Palmer <[tpalmer@apm.ca](mailto:tpalmer@apm.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>; [pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com); Jerry Leblanc <[jleblanc@apm.ca](mailto:jleblanc@apm.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>  
**Subject:** Re: Richmond Street Project

Hi Jessie,

For farther clarification can you confirm that my response at the planning board meeting was that we were providing no parking and we were opting for cash in lieu and that Planning Board did recommend our project to Council based on that?

Thanks  
Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
16 McCarville Street  
Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400

cel 902.628.7313

[www.apm.ca](http://www.apm.ca)

On Mar 24, 2017, at 2:28 PM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Hello Tim,

In response to your inquiry, cash-in-lieu of parking is addressed in Section 4.49 of the Zoning & Development Bylaw. Section 4.49.1 of the Bylaw states: "Council may require or accept cash-in-lieu of parking spaces in any situation where a development permit has been applied for and adequate or required off-street parking cannot be provided or, in the opinion of Council, having considered a recommendation from the Planning Board, is unfeasible."

Please let us know if you have further questions.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**

PO Box 98, 233 Queen Street

Charlottetown, PE C1A 7K2

Office: 902-629-4108

Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)

[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]

**Sent:** Friday, March 24, 2017 12:59 PM

**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>

**Cc:** Forbes, Alex <[forbes@charlottetown.ca](mailto:forbes@charlottetown.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>;

Terry Palmer <[tpalmer@apm.ca](mailto:tpalmer@apm.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>;

[pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com); Jerry Leblanc <[jleblanc@apm.ca](mailto:jleblanc@apm.ca)>; Ian Harper

<[iharper@apm.ca](mailto:iharper@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>;

Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>

**Subject:** Re: Richmond Street Project

Hi Jessie

Can you please clarify that Council can accept no parking and take cash in lieu as an approval option.

Can you please reply to all.

Thanks

Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
16 McCarville Street  
Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 24, 2017, at 11:13 AM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Good Morning,

Thank you for your response, Tim. The information you have been provided will be forwarded on to the next Council meeting with your application.

In response to your question, Council may approve off-lot parking in the 500 Lot Area, as per Section 4.44.6 of the Zoning & Development Bylaw. This section states that the developer shall file a lease with the City showing that the off-lot parking will be provided for a period of not less than 10 years. Section 4.44.7 may also come into play down the road, as well.

The proposed development requires 13 parking spaces (12 standard parking spaces + 1 accessible parking space).

Council will be referring to this section when they evaluate your application. Any further clarification on this items would be helpful. Depending on how you wish to deal with the parking requirement, we need to be able to ensure that the appropriate resolutions are in place.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Friday, March 24, 2017 10:15 AM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Jerry Leblanc <[jleblanc@apm.ca](mailto:jleblanc@apm.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Terry Palmer <[tpalmer@apm.ca](mailto:tpalmer@apm.ca)>; Mayor of

Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Atkinson, Ron  
<[RAtkinson@charlottetown.ca](mailto:RAtkinson@charlottetown.ca)>; Dawn Alan  
<[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>;  
[pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com); Rivard, Greg  
<[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>; Cain Arsenault <[carsenault@apm.ca](mailto:carsenault@apm.ca)>  
**Subject:** Re: Richmond Street Project

Hi Jesse,

So if I understand you correctly if we lease the required parking spaces from CADC then the lease has to be for ten years? For the record CADC has agreed to provide us with the required spaces on an annual bases and a copy of their commitment will be forwarded to you under a separate cover but they won't commit for ten years.

Secondly, we were under the impression we only needed 12 spaces but you mentioned 13 so could you help explain the difference?

Pending no solutions for off site parking then we're simply offering up the cash in lieu fee.

With respect to the garbage we had advised that we are going with a typical garbage chute into a collection room where it would be separated and removed from the building as required. Pretty standard collection system and the construction details will be submitted with our construction plans.

We were disappointed that Council deferred our application so the ball is entirely on them to yeah or nay our request at their next meeting otherwise we will be seeking a Mandamus from the Court to have them make a decision. Should Council Nay our request then we'll finish the debate at IRAC as we have clearly presented a project that is contemplated under the City's Official plan.

This is a great project for young urban dwellers few of whom even own a car. Jobs, investment and choice for Charlottetown residents.

We trust you will see that our project is immediately put back on Council's next scheduled meeting?

Regards  
Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
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Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 23, 2017, at 4:01 PM, Morton, Jesse  
<jmorton@charlottetown.ca> wrote:

Hello Tim,

Planning staff wanted to follow-up on our previous correspondence regarding your 55-59 Richmond Street application. The application is expected to return to Council's April 10<sup>th</sup> meeting, where if the application is complete, Council will render a decision.

As you're now aware, the matter was deferred at the March 13<sup>th</sup> Council Meeting, pending clarification on two points, parking and garbage storage and removal. Staff are wondering if you've had the opportunity to review the concerns raised. Staff received your message stating that the CADC has parking availability in the Pownal parking garage and your company may enter into a lease agreement on behalf of your potential clients. It would be beneficial if you can provide clarification on these matters within the next week to aid in the preparation of a subsequent report that will go to Council prior to a decision being made.

The items staff are seeking clarification on relates to the following:

- Are you still proceeding with the request for Council to accept cash-in-lieu (\$78,000) instead of the required 13 parking spaces?
- Are you formally amending your application to request a combination of off-lot parking spaces and cash-in-lieu? If so, how will the 13 parking spaces be allocated?
- Are you formally amending your application to instead request approval for 13 off-site parking spaces (at CADC's Pownal parking garage)?
- Are you able to provide your leasing agreement to confirm the parking space availability extends for a minimum period of 10 years?
- Can you clarify where / how garbage will be stored internally in the building and removed on garbage day?

It is our hope that you are able to respond in a timely manner so that the follow up report will be forwarded to Council for their review and ultimately, a decision on your application. Unfortunately, if we do not receive a response from you on the concerns raised, the application will not be able to proceed further.

If you have any questions, please forward them along.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Tuesday, March 14, 2017 12:10 PM  
**To:** Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault <[carsenault@apm.ca](mailto:carsenault@apm.ca)>; Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Ian Harper <[iharper@apm.ca](mailto:iharper@apm.ca)>; Heather Joudrie <[hjoudrie@apm.ca](mailto:hjoudrie@apm.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Rivard, Greg <[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>; Dawn Alan <[dawn@downtowncharlottetown.com](mailto:dawn@downtowncharlottetown.com)>; [pwmcguire@charlottetownchamber.com](mailto:pwmcguire@charlottetownchamber.com)  
**Subject:** Re: Richmond Street Project

Great News... spoke to CADC today and they currently have between 30 to 40 empty monthly parking spaces available in the City's Pownal Parkdale which is less than 170 meters away (a two minute walk) and we are prepared to enter into a long term arrangement with them for our tenants.

We trust this should satisfy any parking issues.

Regards  
Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
APM Place, 3 Lower Malpeque Rd

Charlottetown, PE, Canada, C1E 1R4  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 14, 2017, at 8:47 AM, Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Good Morning,

As you may be aware, Council made a motion to defer your 55-59 Richmond Street application at last evening's meeting. While Planning Board recommended approval of your application, Council decided to defer due to concerns regarding on-site parking. The deferral will give you the opportunity to re-evaluate this item and potentially pursue off-site parking opportunities to accommodate some future tenants, if you wish. The application will return to Council at their April meeting.

If you have questions about this moving forward, please feel free to talk with staff. It may also be valuable to reach out to Council individually get obtain more details regarding their concerns.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

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**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Tuesday, March 07, 2017 5:45 PM  
**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault  
<[carsenault@apm.ca](mailto:carsenault@apm.ca)>; Rivard, Greg  
<[grivard@charlottetown.ca](mailto:grivard@charlottetown.ca)>; Forbes,

Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>  
Mayor of Charlottetown (Clifford Lee)  
<[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>; Ian Harper  
<[iharper@apm.ca](mailto:iharper@apm.ca)>  
**Subject:** RE: Richmond Street Project

Hi Jesse,

Very, very, very simple... We're going to build a new building and invest over \$2,000,000.00 doing so. With that we have a more invested interest in how the garbage is handled than anyone so I'm sure that we won't be doing something that would cause our tenants to leave and if someone on Council questions such, maybe you could explain this to them.

---

As for the parking at this point it's simply cash in lieu but we are working with adjacent owners to find a solution but no promises, but in any event we will address such with our formal application. Investment in underground parking adds roughly \$240 per month for each unit in the building in terms of a cost recovery return, so we've abandon any thought of such as it can't be absorbed in Charlottetown market rental rates.

As our concept stands the 23 units just meets a meager investment return and clearly the project with only 3 floor and 25% less revenue would not be viable so we're hoping that Council will approve our plans as presented otherwise we'll have to fold up our plans.

We appreciate your Departments efforts in working with us here. We're very proud of the many projects we've developed

in Charlottetown so it is very frustrating when we're questioned on the silliness of how we'd deal with garbage, etc... we're investing a significant amount of money, building a tax base, creating jobs and giving more choice to people to live in Downtown Charlottetown and we hoping Council recognize this in coming to a decision.

Regards  
Tim

---

**From:** Morton, Jesse  
[mailto:[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)]  
**Sent:** Tuesday, March 07, 2017 4:59 PM  
**To:** Tim Banks  
**Cc:** Cain Arsenault  
**Subject:** RE: Richmond Street Project

---

Hello Tim,

We just wanted to follow up briefly based on the two conversation pieces that emerged at last night's Planning Board meeting. Given that Council will be deliberating on your application Monday night, is there any additional information / clarification that you wish to provide regarding the topics of garbage and parking before Council votes?

The Board seemed satisfied by the answers you provided last evening, but it's possible that similar questions may arise amongst the Councillors.

If there is anything you would like to add, please let us know.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108

Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)

[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Tim Banks [<mailto:tim@apm.ca>]  
**Sent:** Monday, March 06, 2017 1:40 PM  
**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Cain Arsenault  
<[carsenault@apm.ca](mailto:carsenault@apm.ca)>  
**Subject:** Re: Richmond Street Project

I'll be there

Thanks

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
APM Place, 3 Lower Malpeque Rd  
Charlottetown, PE, Canada, C1E 1R4  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Mar 6, 2017, at 1:21 PM, Morton,  
Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
wrote:

Ok great. Tim, can you  
aim to be at City Hall  
for about 6:10pm  
tonight? We have a  
busy agenda tonight so  
hopefully we don't fall  
too far behind  
schedule.

Thanks,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen  
Street  
Charlottetown, PE C1A  
7K2  
Office: 902-629-4108  
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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Cain Arsenault  
[<mailto:carsenault@apm.ca>]

**Sent:** Monday, March 06, 2017 12:05 PM

**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>

**Cc:** Tim Banks  
<[tim@apm.ca](mailto:tim@apm.ca)>

**Subject:** RE: Richmond Street Project

Hi Jesse,

Spoke with Tim and our intention will be to put a storage facility in the basement for recycling and garbage. (See revised plans attached)

Also, Tim does plan on attending.

Cain

---

**From:** Morton, Jesse  
[<mailto:jmorton@charlottetown.ca>]

**Sent:** Friday, March 03, 2017 4:58 PM

**To:** Cain Arsenault  
**Subject:** RE: Richmond Street Project

Hello Cain,

Just wanted to touch base quickly regarding the Richmond Street application. Someone has asked where the garbage / recycling bins will be located on the property; they're not indicated on the site plan - Will they be

located inside the building? Can you please provide some clarification in the event that the Board asks staff?

Also, do you wish to attend Monday's Planning Board meeting. You're welcome to attend, though no issues were raised at the public meeting. If you'd like to attend, please let us know. We have another full agenda this month so we'll have to find a time that fits. It would likely be in the 6:15 – 6:30pm range.

---

Have a good weekend,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen  
Street  
Charlottetown, PE C1A  
7K2  
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Fax: 902-629-4156

[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault  
[mailto:[carsenault@apm.ca](mailto:carsenault@apm.ca)]

**Sent:** Wednesday,  
March 01, 2017 10:29  
AM

**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>

**Cc:** Tim Banks  
<[tim@apm.ca](mailto:tim@apm.ca)>

**Subject:** RE: Richmond  
Street Project

Hi Jesse,

Here are the images for  
your use.

Cheers

Cain

---

**From:** Morton, Jesse  
[mailto:[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)]  
**Sent:** Wednesday,  
March 01, 2017 9:46  
AM  
**To:** Cain Arsenault  
**Cc:** Tim Banks  
**Subject:** RE: Richmond  
Street Project

Good Morning,

I believe that Tim  
included an updated  
building schematic  
drawing in his  
Richmond Street  
presentation last  
evening. I'm just  
wondering if we could  
get a JPG of this image  
to present to the  
Planning Board on  
Monday night.

If so, please send it  
along at a moment of  
your convenience.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen  
Street  
Charlottetown, PE C1A  
7K2  
Office: 902-629-4108  
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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

**From:** Cain Arsenault  
**[mailto:carsenault@apm.ca]**

**Sent:** Tuesday,  
February 28, 2017 1:48  
PM

**To:** Morton, Jesse  
<[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>

**Subject:** Richmond  
Street Project

Hi Jesse,

We have decided to eliminate the balconies on the right side of the building and reduce the width of our building by 1'-0" to meet the minimum side yard setback on that side.

Please clarify at tonight's meeting.

Thanks

Cain

**Cain Arsenault**  
Design Technician • APM

16 McCarville St  
Charlottetown, PE, Canada C1E 2A6  
tel **902-569-8400**  
fax **902-569-1149**  
email [carsenault@apm.ca](mailto:carsenault@apm.ca)  
[www.APM.ca](http://www.APM.ca)

Since 1980 **APM** has provided construction and design-build services that include construction management, engineering and general contracting. Our principles of Service, Trust and Integrity are the foundation for the delivery of every aspect of your new building or renovation project. We operate across Canada with offices in **Charlottetown, Halifax, Toronto and Calgary** providing a host of construction services to local, regional and national clients.

<image001.jpg>

construction managers • project managers • engineers • general contractors

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD  
MONDAY, APRIL 3, 2017  
5:00 P.M.**

<b><u>Present:</u></b> <b>Councillor Greg Rivard, Chair</b> <b>Councillor Jason Coady</b> <b>David Archer, RM</b> <b>Pat Langhorne, RM</b> <b>Graham Robinson RM</b> <b>Alex Forbes, PHM</b> <b>Jesse Morton, PII</b> <b><u>Regrets:</u></b> <b>Roger Doiron, RM</b>	<b>Councillor Terry MacLeod</b> <b>Loanne MacKay, RM</b> <b>Lynn MacLaren, RM</b> <b>Lea MacDonald, RM</b> <b>Kate Marshall, RM</b> <b>Greg Morrison, PI</b> <b>Victoria Evans, AA</b> <b>Karolyn Walsh, RM</b>
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**1. 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929)**

This item is a request to consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929), obtain a site specific bylaw amendment (which includes a major variance), and receive cash-in-lieu acceptance for 13 requirements parking spaces, in order to permit a four storey, 23-unit apartment dwelling on the consolidated property.

This application was reviewed at the two previous Planning Board meetings. At the March 2017 meeting, the Board decided to recommend that Council approve the subject application. At Council's March 13th, Council voted to defer the following resolution due to concerns about the cash-in-lieu request and the absence of on-site (and off-site) parking options. The deferral was intended to give the applicant the opportunity to re-evaluate this item and potentially modify their application.

The applicant discussed the potential of entering into an agreement with CADC to obtain off-lot parking in the Pownal Parking Garage, but ultimately, the applicant confirmed via email that no modifications will be made to the application. As such, they will continue to request cash-in-lieu approval for 13 required parking spaces (a payment of \$78,000). Staff informed the Board of the developer's response to the deferral of Council and the Board agreed to re-affirm their previous position to support this application with the request to purchase parking as cash in lieu subject to Council approval. The Board also commented that there are equally supportive of this proposal if the applicant enters into an off lot parking agreement with Council instead of cash in lieu. The Board agreed that either a cash in lieu payment or off lot parking would be acceptable subject to Council approval. The Board reaffirmed their position to recommend the application for approval to Council.

**Moved and seconded that the request to:**

- **Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);**
- **Accept cash-in-lieu payment of \$78,000 for 13 required parking spaces; and**
- **Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order**

to permit a four storey 23-unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft),

Be recommended to Council for approval, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement.

**CARRIED**

*End of excerpt.*



April 5 2017

**To:** Jesse Morton Planning & Heritage Department - City of Charlottetown

**From:** Board of Directors of Rochford Condominiums

**Re: Site specific amendment for 55 Richmond Street (PID339911) & 59 Richmond Street (PID 339929)**

Jesse,

Thank you for speaking with me regarding the proposed development on 55 and 59 Richmond street . If I understood you correctly, the side amendment, which was withdrawn, only applied to the east side of the proposed development. The close proximity to our building still remains as shown in your original letter. If that is the case, and the proposal is as outlined in the drawings attached, we have significant additional concerns about the implications of this proximity.

The drawings attached indicate a very close distance between the proposed development and our building. This proximity is unreasonable for two residential building with large windows and balconies that face each other. Privacy and security issues are major concerns with balconies that close together. If allowed to proceed, there will be potentially significant tensions between tenants in the two buildings, which in the long run may undermine the benefits and reputation of living in downtown Charlottetown. We urge both council and city planners to reject the plans as outlined.

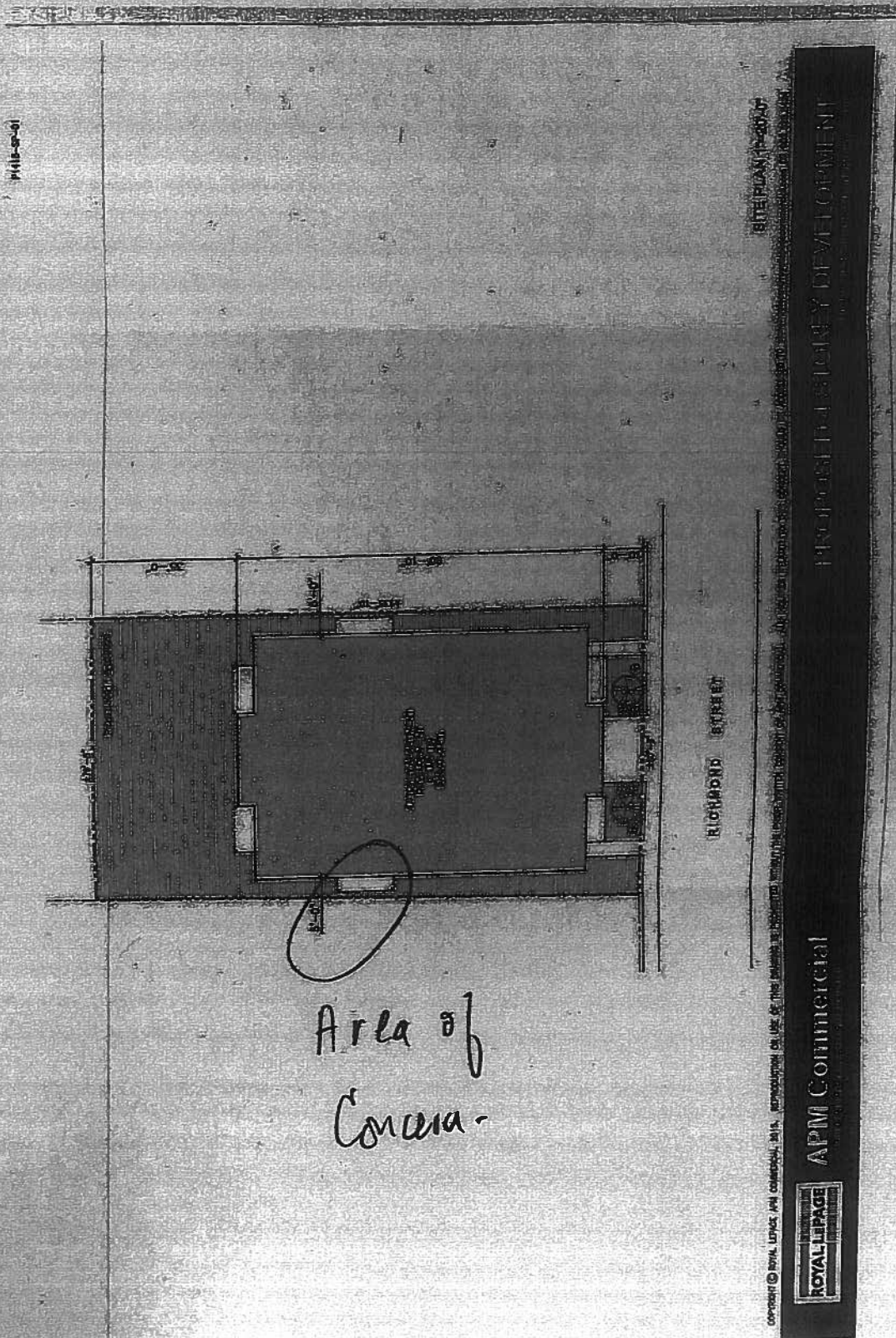
Again, would like to reiterate that we believe the micro-unit concept proposed by the developer is a sound idea, but it is absolutely in the wrong location. A site with sufficient parking, and a reasonable separation from other housing is a much better choice than what is proposed. We recommend strongly that Charlottetown City Council maintain its bylaws as intended and not approve the amendment for 55 and 59 Richmond street.

Daniel Hurnik  
Vice President Rochford Condominiums

Planning & Heritage Department  
City of Charlottetown  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2



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w [www.charlottetown.ca](http://www.charlottetown.ca)



41  
Richmond  
St  
Building

46 STORY APARTMENT  
DEVELOPMENT  
(23 UNITS)  
5,450 SQ. FT.

This proximity is close  
enough to pass a cup of coffee  
between balconies

RICHMOND STREET

## **Morton, Jesse**

---

**From:** Tim Banks <tim@apm.ca>  
**Sent:** Monday, April 10, 2017 12:00 PM  
**To:** Morton, Jesse  
**Cc:** Cain Arsenault; Forbes, Alex; Mayor of Charlottetown (Clifford Lee)  
**Subject:** Re: Richmond Street Project

Off parking with CADC under a 10 year lease

Thanks

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
16 McCarville Street  
Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Apr 10, 2017, at 10:56 AM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Thank you for clarifying the balcony issue, Cain.

The application going before Council this evening involves a cash-in-lieu of parking request. Is it still your intent to pursue cash-in-lieu of parking, or are you instead requesting off-lot parking approval (subject to a 10 year lease)?

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
PO Box 98, 233 Queen Street  
Charlottetown, PE C1A 7K2  
Office: 902-629-4108  
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[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)

---

**From:** Cain Arsenault [<mailto:carsenault@apm.ca>]  
**Sent:** Monday, April 10, 2017 11:46 AM  
**To:** Tim Banks <[tim@apm.ca](mailto:tim@apm.ca)>; Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)>  
**Cc:** Forbes, Alex <[aforbes@charlottetown.ca](mailto:aforbes@charlottetown.ca)>; Mayor of Charlottetown (Clifford Lee) <[mayor@charlottetown.ca](mailto:mayor@charlottetown.ca)>  
**Subject:** RE: Richmond Street Project

Hey guys,

Just to clarify, it is the balconies on the right side(next to legion ROW) which required a variance that we decided to eliminate. The balconies on the left side that are as-of-right we will be keeping.

Thanks

Cain

---

**From:** Tim Banks  
**Sent:** Monday, April 10, 2017 11:35 AM  
**To:** Morton, Jesse  
**Cc:** Forbes, Alex; Cain Arsenault; Clifford J. Lee  
**Subject:** Re: Richmond Street Project

Hi Jessie

I'm out of Country so don't have the drawings in front of me and when I called office Cain was out. We plan on eliminating balconies next to the existing condos on the west side of building but put them on the east side next to former Legion driveway. We also intend to use the CADC option to lease our spaces for parking.

---

We look forward to working with the City on this project.

Regards  
Tim

Tim Banks  
CEO - APM

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tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

On Apr 10, 2017, at 9:34 AM, Morton, Jesse <[jmorton@charlottetown.ca](mailto:jmorton@charlottetown.ca)> wrote:

Hello Tim,

Staff have been asked to clarify one item of your proposal prior to tonight's Council meeting. You previously amended your application to remove balconies from the right side of the proposed building. Do you still intend to construct balconies on the left side of the building (abutting 41 Richmond Street), as per your revised site plan?

Any clarification prior to tonight's Council meeting would be greatly appreciated.

Sincerely,

**Jesse Morton, MCIP**

## **Morton, Jesse**

---

**From:** Tim Banks <tim@apm.ca>  
**Sent:** Monday, April 10, 2017 4:55 PM  
**To:** Morton, Jesse; Forbes, Alex; Mayor of Charlottetown (Clifford Lee); Cain Arsenault; Jerry Leblanc; Heather Joudrie  
**Subject:** Richmond St project

Jesse

I received a call from an owner of a condo next door to our proposed project and he tells me the residents of that building sent a letter to Council objecting to our development and that he was against sending it. Is there a letter and do we have an opportunity to respond to it?

Tim

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.

---

16 McCarville Street  
Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)

## **Morton, Jesse**

---

**From:** Tim Banks <tim@apm.ca>  
**Sent:** Monday, April 10, 2017 5:35 PM  
**To:** Mayor of Charlottetown (Clifford Lee); Doiron, Bob; Rivard, Greg; Coady, Jason; Ramsay, Kevin; Hilton, Melissa; Duffy, Mike; Tweel, Mitchell; Bernard, Terry; MacLeod, Terry; Forbes, Alex; Morton, Jesse; Heather Joudrie; Jerry Leblanc; Ian Harper  
**Subject:** Richmond Street

To City Council,

As with every other project APM has developed in our City we are confident that the project we have before you tonight will be a great addition to our Downtown. This project has very little in the way of variance requirements particularly when compared to the 6 storey neighboring condo project that was developed on a zero lot line and only affordable by an affluent clientele. Our project will be much smaller in scale, very affordable and offered for rent to seniors, young professionals and students. For parking we will be entering into a 10 year lease with CADC in the Pownal Parkade which is less than a half a block away.

This project will bring much needed jobs, investment and choice to residents of Charlottetown and it clearly fulfills all the objects of the City's Official Plan so we are appealing to you to vote positively for our project tonight.

Thank you

Tim Banks  
CEO - APM

APM CONSTRUCTION SERVICES INC.  
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Charlottetown, PE, Canada, C1E 2A6  
tel 902.569.8400  
cel 902.628.7313  
[www.apm.ca](http://www.apm.ca)



Verbatim excerpt requested  
re: 55-59 Richmond Street  
application

**Regular Meeting of Council  
Monday, April 10 2017 at 7:00 PM  
Council Chambers, City Hall**

**Deputy Mayor Mike Duffy presiding**

<b><u>Present:</u></b>	<b>Councillor Edward Rice Councillor Melissa Hilton Councillor Terry Bernard Councillor Kevin Ramsay Councillor Greg Rivard</b>	<b>Councillor Mitchell Tweel Councillor Jason Coady Councillor Terry MacLeod Councillor Bob Doiron</b>
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<b><u>Also:</u></b>	<b>Peter Kelly, CAO Randy MacDonald, FC Scott Ryan, FM Mandy Feuerstack, HRM Richard MacEwen, AUM Ramona Doyle, SO Jesse Morton, PDO Tracey McLean, RMC</b>	<b>Paul Smith, PC Paul Johnston, PWM Alex Forbes, PM Frank Quinn, PRM Wayne Long, EDO Jen Gavin, CO Karen Campbell, CS</b>
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<b><u>Regrets:</u></b>	<b>Mayor Clifford Lee</b>	<b>Ron Atkinson, EconDO</b>
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**REPORTS OF COMMITTEES / RESOLUTIONS**

**2. Planning & Heritage – Councillor Greg Rivard**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the request to:

- Consolidate 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929);
- Enter into an off-lot parking agreement with the Charlottetown Area Development Corporation (CADC) to provide thirteen (13) required parking spaces at the Pownal Parkade, subject to the signing of a 10 year lease with CADC ; and
- Obtain a site specific amendment to the Downtown Neighbourhood (DN) Zone as it pertains to 55 Richmond Street (PID# 339911) and 59 Richmond Street (PID# 339929) in order to permit a four storey 23-unit apartment building (including a variance to reduce the minimum grade level height from 13ft to approximately 9.5ft),

be approved, subject to the receipt of final pinned survey plans, design review approval, and the signing of a Development Agreement,

Further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

**Deputy Mayor Duffy:** Councillor Rivard

**Councillor Rivard:** Thank you Your Worship. I received a lot of calls today with regard to this project and I know that Council had received a number of emails as well. I just want to speak to a couple of things so we all know exactly what we are voting on tonight. So the applicant under the current zoning is permitted, as a right, to build a three storey complex 40 feet high on this site if there is no variance issued; there isn't any side yard variances so they are permitted. What they are asking for is a height variance to the first floor from 13.5 feet to 9 feet and then even it out and make it four floors for residential topping out at 40 feet. There is no height variance; the height is allowed in that Zone. They are just asking for a height variance to the first floor to allow that fourth floor. The 40 feet still stands; there are no variances to either side of this.

The other thing that we talked about at last Council, we deferred this and asked the applicant to go back and look for other parking scenarios. They did and they talked to CADC and locked into a 10 year agreement with CADC to provide those off-site parking. No longer is cash in lieu for the parking needed. That is really it and I guess the other thing I want to clarify is that from the renderings that we saw, we talked about the balconies. The way it works right now is on the west side, I believe, is the side towards the Legion. Is that correct, the west side?

**Responder (unknown):** Correct

**Councillor Rivard:** So the side facing the Legion, they eliminated that variance and taking the balconies, from what I understand, off that side to stay within the variance so they don't require a variance. They are going with balconies on the side facing Rochford Place as the proposed plan and they don't require a variance to do so. Just want to make Council clear that no matter what happens tonight, if it's rejected or approved, it would go to design review to be approved. The design review is their opportunity to review the plan in its totality and report back to Council of things that need to be changed or whatever; to stay harmonious within that area. If it is denied, the applicant has as a right to go three storeys with no permission from Council because he is of right to do it but will still have to go through the design review process. They would still have to report back and still have to be harmonious – material used, the balconies will be reviewed and all these things are all reviewed at that level.

**Deputy Mayor Duffy:** Councillor Rivard, can you explain to the folks here the west side of the building and how he can build the balconies if he just so chooses so close to the lot line as a matter of right not involving the variance.

**Councillor Rivard:** Honestly, I will leave the technicality of the variance to Alex Forbes, Manager of Planning:

**Alex Forbes:** What's going on is really the two properties are kind of inter-playing together with each other. The previously approved condo development which is there now received a variance to go to a zero lot line so they are right up against their lot line and then the provision in the Zoning Bylaw requires that you have a 6 foot set back on that side or you can defer to the side yard setback on the adjoining building whichever is the lesser so the lesser is the zero lot line. It allows them to come very close together in this particular circumstance.

**Deputy Mayor Duffy:** So that is a provision within the Bylaw. It's not a discretionary call on part of Council?

**Alex Forbes:** Correct

**Deputy Mayor Duffy:** It is important that the people understand that. Thank you. Councillor Bernard.

**Councillor Bernard:** Thank you, Your Worship. Councillor Rivard, we have been taking about this back and forth today and I know the information kept changing. At one point, the balconies were going to be on the west side, the east side and now they are back on the west side. Only until late this afternoon, I guess before that, it was finally clarified. When this was deferred last month, it had to do with the parking. I think the parking only came to fruition at three o'clock but I'm not sure how that happened yet but anyway what I am wondering is as a right they are saying the patio can be built and there will be approximately one foot from the adjoining neighbours patio. Correct Alex?

**Alex Forbes:** Correct

**Councillor Bernard:** I'm not sure if anybody would want that; have a patio within one foot. I'm surprised there doesn't seem like there is any mechanism within the Planning department or the bylaws to be able to deal with this because nobody is going to want a patio with the next one practically touching it.

The parking, I'm kind of wondering that when we dealt with this last month there were emails that came in within a week saying trying to deal with CADC, CADC is being absolved. Can't really get anything in writing but ended up at three o'clock today apparently something is coming in writing but I don't think we have it yet, do we? We think we had the parking resolved but officially don't?

**Alex Forbes:** We don't have an agreement with CADC at this time but all I can indicated is that the resolution indicates they need the agreement or they don't get a building permit. They are bound by meeting that.

**Councillor Bernard:** Ok but that brings up another question. I am wondering how CADC is signing a lease agreement on behalf of the City if we don't know how many parking lots are available or how many is going to be available. I guess my last one was, in that Zone, the first floor is to be 13.5 feet and they are asking for a variance to drop to 9.5. The reason that 13.5 feet was in there in the first place is for what?

**Councillor Rivard:** It is for retail space.

**Alex Forbes:** Your Worship, just a point for clarification; it was for retail and for residential but again when we look at it, it depends on where it is on the streetscape. If it's a commercial building and if someone wanted to do an apartment building then you would want them both to line up but when its standalone, in our opinion, the 13 foot ceiling in a residential apartment seems a little excessive so staff supported dropping that down to 9.5 feet.

**Councillor Bernard:** But the whole idea when it was put into the bylaw in the first place is to accommodate retail space?

**Councillor Rivard:** Yes. Retail/residential

**Deputy Mayor Duffy:** Councillor Rice.

**Councillor Rivard:** Sorry, can I addressed some of these concerns?

**Deputy Mayor Duffy:** Yes

**Councillor Rivard:** Sorry Councillor Rice. So we talked about safety mechanisms and that is one thing Councillor Bernard. There is a safety mechanism in the whole design review process. That is our safety mechanism and for the residents as well. When it comes to parking, we talked about when does this come to fruition. At Planning Board last week, we did discuss that the applicant's first choice was cash in lieu but they did tell us that they did have parking secured if need be but they would rather go cash in lieu or at least bring it forward until this afternoon in which they changed it. And they said ok we are going to abandon the cash in lieu and we are going forward with the secure parking. The secure parking did not come to fruition at three o'clock this afternoon, it was actually something they had secured but just chose to go that route this afternoon. As for the balconies, you are right. One foot across is not desirable and no matter what happens with this decision tonight and if they decide to go forward with even a three storey or whatever they want to do, if it gets to the design review then we are hoping that is addressed in that review. That is the safety mechanism for the residents as well as us.

**Councillor Bernard:** Just one follow-up.

**Deputy Mayor Duffy:** Councillor Bernard

**Councillor Bernard:** Councillor Rivard, when all this information was going back and forth, was the Planning Committee aware that these patios could be that close?

**Councillor Rivard:** They were but it is irrelevant because there are no variances required so really for all intense and purposes for tonight, we are not voting on a side yard variance. We are voting on a height variance for the first floor to allow four floors. The whole process of the design review is that we are hoping to trigger a review of the balcony piece because you are right, it is not desirable.

**Councillor Bernard:** The Committee was aware of all these issues?

**Councillor Rivard:** Correct.

**Councillor Bernard:** It's just a lot of them came down today?

**Councillor Rivard:** Correct. I had asked Planning staff to work with the developer in hopes of trying to resolve some of this stuff and get clarification today so they have been in touch with the developer and was able to share timely information today. It seemed like new information but it wasn't new, it was more for clarification.

**Deputy Mayor Duffy:** Councillor Rice

**Councillor Rice:** This has caused some concerns in the area. From a traffic point of view, the first one I heard and know about is the parking. There are five parking spots on the street, there is one residential, there is two to three businesses that have an exit on that street, it's a one-way street and there is nowhere for anybody to park so to consider it strictly from a parking point of view, it was definitely not consistent with what is left of the neighbourhood. That is one of the things that I have a problem with, as far as the 500 Lots go. We are not as well protected as those in West Royalty or East Royalty; where you have house after house after house, where you can't do this but I will say the day will come when you can.

Combining the lot as far as the side goes, the side variance, as long it is clear to the people that there is nothing we can do about it because it's a matter where the other one took it to zero level so they can basically go to zero level too so there is nothing that we can do about that particular aspect. We can however recognize the need for where does anybody park on that street and all you have to do is drive up it as I do three or four times a day and there is no parking all day long so where are these people going to find parking that are going to occupy...I couldn't figure it is possible it would be rentable however Mr. Banks has a lot more experience than I have and a lot more information given to him sometimes. I didn't know this came in at three o'clock. I was still coming in here intending not to vote because there was no parking provided so this on again, off again, gone again, off again, on again, gone again; are you and Mr. Forbes sure that there is a paper in existence that is going to guarantee at least that much to the citizens that live in that area because they invested dollars and the same people lived there all their lives. In my case, I lived there for 50 years; a block away.

It's a rare concern and we talk about micro-apartments; we are not New York, we are not Chicago, we are not Vancouver or Toronto where we are trying to squeeze it in to increase the population. Let's go out to your area and increase the population. It's all basically Charlottetown with 35,000 people so the rationale and the figures that you use demonstrating well they are doing this in the big cities; we are not a big city. We are just a good sized town that is trying to make it comfortable for everybody to live in and we are encouraging people to come into town but that's not to cut and chop it up and leave no residential sense. Everybody is buying a house and renting it by the week and that is just glorified hotel rooms. How do neighbourhoods end up? I am getting one next door to me; an Airbnb so it's going to happen to you. If you want it then that is fine but be aware that the downtown is not just crowding in or putting in Commercial and saying ok what you want to do; it's also where people have lived and want to live and have some sense of security. When they buy a house, they have no protection. I think the whole thing has gone on for 20 years (Planning) with this downtown 500 lots and I'm sick of it. I think it has to be under review and looked at right away so people when they invest in properties, at top prices, that they know what they have a right to do and what they can't do and they should be simplified for anyone inquiring at Planning.

**Councillor Rivard:** I agree with a lot of what you said. I do have sympathy for the residents that this causes any kind of hardship whatsoever. To address your question around parking, when you asked if there was a guarantee. Well, we do have an email from the developer asking that the resolution be changed from cash in lieu to secured parking and for us to approve it. That was the resolution tonight and that is what we are voting on so it's not cash in lieu. If there was any cash in lieu, the applicant would have come back to Council for approval.

**Councillor Rice:** That observation made that is he going to have parking, is he not going to have parking has passed through my ears three times. It's on again, it's off again, no, and I'm going with the original resolution. Today at ten o'clock I was assured by staff that he is going with the original resolution and at three o'clock I hear that no he is not and I don't know what's down on paper other than what is in your resolution before us tonight but I hope the staff at Planning are working for the people of Charlottetown and realize this is a statement made and has to be adhered to. Am I correct?

**Councillor Rivard:** Yes

**Councillor Rice:** Ok, thank you.

**Councillor Tweel:** Regarding the parking, so there is an email; has staff talked to the developer and noted they are unequivocally clear that there is a guarantee that the parking issue has been resolved to their satisfaction. Like that is a guarantee before we vote on the resolution tonight?

**Councillor Rivard:** I guess as much as I can guarantee, I mean it's a resolution. Any application that comes in through the Planning Board that we sit and debate here with a resolution, is there a guarantee to anything? I guess I have to believe that there is. Can we lock the developer into a development agreement? I'm sure that we can.

**Alex Forbes:** There is a development agreement.

**Councillor Rivard:** So there is your guarantee, I guess. You are asking me personally if I can guarantee it? Yes.

**Alex Forbes:** I can't guarantee he is going to get a building permit, if he doesn't adhere to the requirements that Council provides to me this evening.

**Deputy Mayor Duffy:** If he doesn't adhere to it then this resolution is null and void because it is a major aspect of the resolution so if he fails to fulfill it, this is useless.

**Alex Forbes:** He needs a building permit and he can't get a building permit unless he adheres to whatever Council provides.

**Councillor Tweel:** Your Worship, I still have a follow-up.

**Deputy Mayor Duffy:** Go ahead.

**Councillor Tweel:** On the design review Councillor Rivard, as you pointed out, once the resolution is passed and the staff works collectively with the developer to go over the design review, he has to adhere to all the prerequisites in the design review is that correct? You used the word hope three or four times in your preamble. Hope is one thing but I am looking for solid reassurance because when we talk about design review, that is an independent, objective panel that will look at the building, look at the streetscape, look at the ambience, look at the functionality of this whole neighbourhood to ensure that collectively it works together and that it's a development that will be met with excitement, enthusiasm and embraced by all members of the neighbourhood. The design review, I am looking for more assurance.

**Councillor Rivard:** I used the word hope a few times simply because I am not a design reviewer. I don't know exactly what criteria they use when they are doing these reviews. I can only hope that they address this balcony issue because it is absolutely an issue but it's something that because they are within the proper guidelines of that area, it is hard to review. Do we take note? Absolutely. Do we hope that the design review process catches it or makes a recommendation? Absolutely, we do but I am not going to intervene into the design review process that is done by a third party. Do we implement everything that comes from the design review? Alex, I don't believe that we do. They make recommendations and it comes back to Council. Is that correct?

**Alex Forbes:** It comes back to Heritage Board.

**Councillor Rivard:** We (staff) will meet and discuss with the developer to go over some of the recommendations from this design review process and there will be something brought back to Heritage Board to discuss and Heritage Board at that point will say yea or nay to what changes need to take place. Is that correct?

**Deputy Mayor Duffy:** Councillor Hilton

**Councillor Hilton:** I have some very serious concerns. March 13 at our last monthly meeting, we deferred this application with concerns over parking. March 14 we got a response saying parking spots confirmed at the Pownal Parkade. Then we receive our package, March 29 Jesse is sending an email off to the developer with two options. March 31, the developer says *Hi Jesse, I believe we only have the one option as CADC cannot enter into a 10 year lease therefore we will opt for the cash in lieu option which we previously indicated to Planning Board.* Then today, we now have parking spots but you said this wasn't something that was just thought of today. Ok, yes there has been lots of discussion but I feel that he thinks that there could be a loss in this application because he is not providing the parking so hence the last minute of the need for parking. I am really uncomfortable about not having parking for a 23 unit building where there is zero parking on the street for the existing residences that are there now and we are not even taking into consideration the visitors for this particular apartment building. Another issue is the 500 Lot and the 13.5 first floor, I have concerns with that. The Heritage Review Board actually makes the final decision?

**Alex Forbes:** (inaudible) independent design reviewer. Just to follow up on Councillor Rivard's comments about that side balcony. What they are looking at (inaudible) there is another issue there because of the proximity of the two that they need to meet the National Building Code so that will be part of the review as well. These are professionals. There may be something that changes as a result of that.

We don't have any detailed plans right now but what happens is the reviewer reads our bylaw and then says I need to think they are meeting the intent of your bylaw or if they are not meeting the intent (inaudible) staff highlights what they may have outlined and if the staff and the board are in agreement, it will be approved. If there is a disconnect between staff and the board, it goes to Council to make a final decision.

**Deputy Mayor Duffy:** Councillor Hilton

**Councillor Hilton:** So if there is a disagreement between the board and staff then it goes to the elected officials that are accountable to everyone. So with that being said, I will not be supporting this application. Thank you.

**Deputy Mayor Duffy:** Councillor Rivard

**Councillor Rivard:** Thank you Councillor Hilton. To address the parking issue, they did reach out to CADC at the time because they are the ones that operate the parking garages as you are aware and CADC couldn't confirm 10 spots there were necessary. It came back to the Mayor and myself and the Mayor asked a simple question of who owns the parkades and indeed it was the City of Charlottetown even though CADC operates them so that's when the discussion and things changed. CADC then awarded after conversations with ourselves. Can we not bring that decision back to Council if Council so desires?

**Alex Forbes:** That's the \*prerogative of the board.

**Councillor Rivard:** So what I can do, if need be, encourage the Heritage Board to send it to Council for a decision as opposed to them dealing with it. Is that fair?

**Deputy Mayor Duffy:** You all know the rules, you get two kicks at the cat. You've had two kicks. Councillor Hilton, you had two kicks. Councillor Rice.

**Councillor Rice:** My question is, do we not follow the National Building Code in our regular planning? Why did you say this will go on and the people that are going to do the review, will look at the National Building Code? Do you follow the National Building Code?

**Alex Forbes:** Yes. He's doesn't have a detailed building plan; he's got conceptual drawings. He will then prepare detailed drawings and you need that to review it but we don't have that at this stage.

**Councillor Rice:** But it doesn't have to go to this third party from wherever to review and to give us feed back to the Planning Board. We got assurance that's going to change but you will use the National Building Code when you look at it and all the features of it?

**Alex Forbes:** Correct, so we will get two reviews on that.

**Councillor Tweel:** In light of all the discussion that has taken place here tonight, I would like to move a deferral pending on a signed agreement to clearly state that the parking issue has been identified and solved to the satisfaction of all members of Council and more importantly, to the people who live in the

community and to look more closely at the design review and how that collaboration will take place with the adjacent residents. I think everyone is in favour of development. We just want to make sure we get it right and just that second sober thought, I would like to do that to just take that precautionary step and try to make sure these issues are truly resolved so that the residents in community have that comfort zone knowing that we did cross all the T's and dotted all the I's. I look for a seconder and again, this is not against the development but just to resolve those two or three issues that are important and work with the residents next door and of course Planning Department and bring it together so that everyone feels good about what we are trying to do here tonight.

**Councillor Rivard:** I just want to be clear what we are deferring. They have addressed the parking issue. I'm guessing without an approval to any application, I'm guessing they are not going to be able to come with a signed agreement for parking. It seems like we are putting the cart ahead of the horse.

**Councillor Bernard:** Point of order, Your Worship. There is no seconder, is there?

**Deputy Mayor Duffy:** Yes there is. Councillor Rice.

**Councillor Rivard:** So I'm guessing they are going to go together? I'm guessing this is not a piecemeal type thing where the applicant is going to come in with a signed parking agreement with no idea if this is even going to be approved. If Council approves this tonight; the height variance to the first floor then this would go back to design review and that is just the process. If there is nothing we can do to better the process for design review aspect until we hear back from the actual review and what their recommendations are so I just want to be crystal clear why we are deferring it because the parking issue is done, we are not getting a parking thing signed and secondly the process is the process.

**Deputy Mayor Duffy:** Councillor Tweel

**Councillor Tweel:** Again, Councillor Rivard, I appreciate all the work that you are doing as Chair of Planning and Planning staff but please don't take this as being critical. I'm just trying to make sure we get it right. We did do a deferral last month; parking was the issue and parking is still the outstanding issue if you listen to the discussion on the floor. Just have that comfort zone so that we do have signed agreements. We talked about the design review so the residents in the community have that opportunity to speak to the design review. It's all part of the collaboration, communication and maybe we can iron out some of these difficulties so that everyone in the community feels much better moving forward. Again, I know the developer is anxious but so are the residents and a lot of them are here tonight. I received phone calls, the emails and there was obviously a miscommunication or misunderstanding and that's not to be critical of anyone. That's what happens when you get into issues of this magnitude. Let's take that precautionary step and I think we will be much better off for it.

**Deputy Mayor Duffy:** Councillor Doiron

**Councillor Doiron:** I just want to clarify that there is one issue here that we are looking at and that is the 13 required parking spots. He has an agreement with CADC and us that we own the parkade and that's what he has and it's right there. What are we going back and deferring to everything for? We wanted the parking last month and he went and got it. It is signed right in front of us so why are we going back

to look at it again. Can you answer that Greg? I know I've been sitting here for a while but I can't understand it.

**Councillor Rivard:** We don't have anything signed which I mentioned but we do have an email from the developer that they secured parking. I think that addresses the parking issue but maybe I'm wrong. This is what the residents and ourselves have concerns around, the parking on the street and everything else. This was asked and they done that. I just want to make sure that we have clear direction if we are going to defer for my staff. If we go back to change the balconies or whatever, I just want to make sure that if we defer then they have clear direction on what their role is because if they go back and say if they deferred it for the parking end, well I think we dealt with parking. I think, I mean it seems pretty clear. I don't know what another solution is.

**Deputy Mayor Duffy:** I think there is tension with the balconies on the west side.

**Councillor Rivard:** Ok then if we are deferring it, let's be crystal clear that we are deferring it because of that with the hope that Planning Board can discuss this issue with the developer to appease the residents because you are right, it is an ideal but just want clear direction for my staff.

**Deputy Mayor Duffy:** Councillor Rice

**Councillor Rice:** Again, I listened to Alex Forbes, our staff employee, and I have heard four promises by text but don't know if the copies have ever been produced or have to be but it's on again, off again, on again, off again so there has been no assurance that you have it tonight either. You are still not here with a signed paper saying...

**Councillor Rivard:** You can't sign a development agreement....

**Councillor Rice:** Ok, then why did we not have this assurance when he said at first he was going to have parking?

**Councillor Rivard:** I explained all that.

**Councillor Rice:** You explained it?

**Councillor Rivard:** Four times.

**Councillor Rice:** I guess I am slow but I will tell you what, it doesn't give the people any....

**Councillor Rivard:** I'm not saying it does...

**Councillor Rice:** What you hope and what happens can be two different things so that's why I'm trying to be careful and cautious of here that we don't get caught into something without that covered off. I can't see how you can totally give us that assurance when we have emails. We've had from the Chair of the head of Planning, four different stories and get one at three o'clock, I don't feel comfortable.

**Councillor Rivard:** Councillor Rice, I agree that this is a sensitive topic. I agree with the issues that we are raising here tonight, I really do but we are talking about an applicant who is coming forward and staff

takes direction from them. Last week when it was brought to Planning Board, the direction from the applicant was that his wishes was to go cash in lieu. Since then he has altered his view. He contacts Planning and makes it known that he is going to go with secure parking with the parkade. So to sit there and say staff is sending email after email. They are just taking direction from the applicant and we are bringing it forward. So that is where we are at on that. I can't get a signed agreement in place because I can't make a guarantee on that until this progresses. As far as the design review, I am not doing it so I can't make any assurances.

**Councillor Rice:** Will you recognize the fact there has been three or four solutions given to this already; trusting on Alex's emails that he had? Yes, No, No Yes. What sense of security can we have that there won't be another and it will come back to us thank god. I didn't realize that this anonymous outside planning board that has been created by I guess the right hand of god and you and a couple of others have been involved with it. I have been listening to it for 25 years and I'm beginning to question what you can do. Your hope is really not (inaudible), it's only a hope.

**Councillor Rivard:** Councillor Rice, you are right. It is a hope (inaudible), it's just a process. That's all it is.

**Deputy Mayor Duffy:** Councillor MacLeod.

**Councillor MacLeod:** (inaudible)...until we see a receipt, he can't go any further anyway but the point is we deferred it, we asked him to come up with the parking and he's come up with the parking but we didn't give him a timeframe. It say's up until April's Council meeting so theoretically, up until today, he has every opportunity to secure that parking which he has done so. If we don't have a receipt then there would be no deal. It's that simple, right? I don't see what our issue is and we shouldn't be hung up on this parking issue; the balconies maybe but definitely not on the parking. I think he has done what he was asked and we should be moving forward.

**Deputy Mayor Duffy:** Can we agree on what the amendment is?

**Councillor Rivard:** You are asking for a receipt...I'm not sure they can provide that, that is my point.

**Deputy Mayor Duffy:** Signed agreement. Can they provide that?

**Councillor Rivard:** Yes. We are going to need it if that's what Council wants. We are asking staff to go back and work with the developer hoping to fix that balcony issue. Is that correct?

**Moved by Councillor Mitchell Tweel**  
**Seconded by Councillor Eddie Rice**

**RESOLVED:**

Move to defer pending a signed agreement for 13 parking spaces at Pownal Parkade and to receive a report on rectifying the balcony placement.

**CARRIED 5-4**

**Councillors Bernard, Coady, Doiron and Hilton opposed**

**End of Excerpt**

## Resolution

Planning #5

Moved to defer pending a Signed Agreement for 13 Parking Spaces at Powell Parkside and to ~~Report~~ Receive a Report ~~to~~ a report on rectifying the balcony placement

Moved By Com Mitchell Turel  
Second By Com Ed Rice

5-4 motion Carried

opposed Coady, Dairon,  
Hilton + Bernard

Moved  
Second

Mitchell Turel  
Ed Rice

Turel  
Rice

## **Morton, Jesse**

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**From:** Morton, Jesse  
**Sent:** Wednesday, April 12, 2017 1:24 PM  
**To:** Tim Banks; Forbes, Alex; Mayor of Charlottetown (Clifford Lee); Cain Arsenault; Jerry Leblanc; Heather Joudrie  
**Cc:** Rivard, Greg  
**Subject:** RE: Richmond St project  
**Attachments:** Richmond St - 55-59 - Response Letters - March 6 2017.pdf; The Rochford - City Council Letter - April 5.pdf

Hello Tim,

Our Department received five written submissions on your application prior to the submission deadline (March 6) - four opposed and one in favour. As per the Zoning & Development Bylaw, these letters were reviewed by the Planning Board before they made a recommended on your application.

The Rochford Condo Association sent a second letter to Council following the submission deadline. It is dated April 5. This letter was not reviewed by the Board and was not factored into their decision making process.

~~Councillor Greg Rivard, who is also the Chair of the City's Planning Board, was just in our office; he is happy to speak with you regarding Monday's meeting and/or the letters. I have included Councillor Rivard on this email.~~

I am unsure of the vote breakdown, but you can contract Tracey McLean for more information.

Sincerely,

**Jesse Morton, MCIP  
Planner II**

**City of Charlottetown**  
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**From:** Tim Banks [mailto:tim@apm.ca]  
**Sent:** Wednesday, April 12, 2017 11:59 AM  
**To:** Morton, Jesse <jmorton@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>; Mayor of Charlottetown (Clifford Lee) <mayor@charlottetown.ca>; Cain Arsenault <carsenault@apm.ca>; Jerry Leblanc <jleblanc@apm.ca>; Heather Joudrie <hjoudrie@apm.ca>  
**Subject:** RE: Richmond St project

Hi Jesse,

We understand the vote was 5 to 4 to defer our project and we were wondering how we could get a breakdown of how each Councillor voted?

Regards  
Tim

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**From:** Tim Banks  
**Sent:** Wednesday, April 12, 2017 11:48 AM  
**To:** jmorton@charlottetown.ca; Alex Forbes; Clifford J. Lee; Cain Arsenault; Jerry Leblanc; Heather Joudrie  
**Subject:** RE: Richmond St project

Hi Jesse,

Again, we are asking if a letter was send to City Council from residents of the neighbouring condo building objecting to our proposed project on 55 Richmond Street as we believe we have a right to respond to such?

Thanks  
Tim

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**From:** Tim Banks  
**Sent:** Monday, April 10, 2017 4:55 PM  
**To:** jmorton@charlottetown.ca; Alex Forbes; Clifford J. Lee; Cain Arsenault; Jerry Leblanc; Heather Joudrie  
**Subject:** Richmond St project

Jesse

I received a call from an owner of a condo next door to our proposed project and he tells me the residents of that building sent a letter to Council objecting to our development and that he was against sending it. Is there a letter and do we have an opportunity to respond to it?

Tim

Tim Banks  
CEO - APM

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## **Morton, Jesse**

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**From:** James Revell <JRevell@icpei.ca>  
**Sent:** Tuesday, April 18, 2017 4:10 PM  
**To:** 'Shelly Cooke'; Tim Banks  
**Cc:** dana.drummond@bellaliant.net; Mayor of Charlottetown (Clifford Lee); Doiron, Bob; Rivard, Greg; Coady, Jason; Ramsay, Kevin; Hilton, Melissa; Duffy, Mike; Tweel, Mitchell; Bernard, Terry; MacLeod, Terry; Penny Walsh McGuire (pwalshmcguire@gmail.com); Dawn Alan; HURNIK@UPEI.CA; marymacinnis@hotmail.com; Morton, Jesse; Forbes, Alex; Jerry Leblanc; Ian Harper; Heather Joudrie; Terry Palmer; Stephanie CookeLandry; Jeff Cooke  
**Subject:** RE: Building our Community

Good note Shelly

**From:** Shelly Cooke [mailto:shelly.cooke@gmail.com]  
**Sent:** Tuesday, April 18, 2017 4:08 PM  
**To:** Tim Banks  
**Cc:** dana.drummond@bellaliant.net; mayor@charlottetown.ca; rdoiron@charlottetown.ca; grivard@charlottetown.ca; jascoady@charlottetown.ca; kramsay@charlottetown.ca; mhilton@charlottetown.ca; mduffy@charlottetown.ca; mtweel@charlottetown.ca; tbernard@charlottetown.ca; tmacleod4@charlottetown.ca; Penny Walsh McGuire (pwalshmcguire@gmail.com); Dawn Alan; HURNIK@UPEI.CA; marymacinnis@hotmail.com; jmorton@charlottetown.ca; aforbes@charlottetown.ca; Jerry Leblanc; Ian Harper; Heather Joudrie; Terry Palmer; James Revell; Stephanie CookeLandry; Jeff Cooke  
**Subject:** Re: Building our Community

Tim,

It was with great disappointment to read your public response to my letter to the City of Charlottetown. I have known you for many years and have had great respect for your contributions to our community both personally and professionally.

In this case I have specific concerns about the proposed building and how it could potentially impact the surrounding area. I am one of several private citizens who voiced their concern through the proper channels and was publicly attacked for doing so. The tone of your response was not needed and sadly could deter others from expressing concerns in the future. That is not the Charlottetown I love so dearly.

In addition drawing into your response was my family business that has no bearing on residential construction of downtown Charlottetown nor my residence concerns.

**I stand by my concerns.**

Sincerely,

Shelly Cooke

On Thu, Apr 13, 2017 at 12:34 PM, Tim Banks <[tim@apm.ca](mailto:tim@apm.ca)> wrote:

Shelly,

I must say after reading your letter (attached) I didn't know whether to hide from the embarrassment of not meeting Shelly Cooke's "design" requirements or to continue on with the good fight of developing jobs, increasing our tax base and giving Charlottetown residents a more affordable opportunity for housing, which is what the Mandate of Charlottetown's Official Plan calls for.

Like most of your letter it is fraught with misconceptions and ignorant of facts;

1. Our proposed building meets the City Bylaws for 23 units and the parking requirements under those bylaws are for 13 parking spaces. Contrary to your outright misrepresentation, CADC does have 13 available spaces for us to lease for 10 years and a copy of that letter is attached. Alternately we would have the option under the Bylaws to have the City accept "cash-in-lieu" to satisfy our parking requirements. This option is quite standard in Downtown cores across this Country. It allows Cities to offer options to expand for companies like Cooke Insurance on Pownal Street, who don't have enough existing spaces to satisfy their own staff parking, let alone their customer requirements. These "cash-in-lieu" funds are used to enable Cities like Charlottetown to build new parking facilities to help our Downtowns prosper. Your suggestion to eliminate the "cash-in-lieu" option for core development just provides how far off you are about the development process.

2. Your concern about our garbage is another example of not knowing your facts and fear mongering. We clearly indicated to both planning and planning board that we were putting a central garbage room in our buildings' basement with garbage chutes on each floor as indicated on our plans. This is a pretty typical system used in the majority of large urban buildings and is more controlled, safer, cleaner and more practical for our tenants than what is happening at neighbouring properties. I will not respond to your comments on noise or traffic as there are laws in place to control these issues for all existing and new properties.

3. I acknowledge you may not like our design and I'm sure there are those like me who think yours is nauseating but luckily our great City does not rely on you or I being the authority on that. In our case there will be a design review process that will be conducted by an independent Architect hired by the City. This Architect will insure that the design criteria that is set out in the City's design review guidelines is applied before we are allowed to commence construction. APM are quite proud of the numerous projects we've won design awards for and I'm sure when our architect and our engineers put their stamps on this so called "shoe box" and it is finally built, it will stand the test of time. I've attached our proposed building elevation which displays our landscaping as your "questioning it" seems quite obvious you've not seen our plans first hand. Speaking of landscaping I've attached a screen shot of 41 Richmond St and other than asphalt paving and shingles and a hideous drive-thru

there doesn't seem to be any floral or tree cover that would measure up to the standards you demand in your letter?

4. With regard to your unfounded statement that this a student apartment building reinforces your ignorance to anything in the form of facts. Our building will be offered up to anyone that qualifies as a good tenant. My experience of being involved in over 18,000 rental units leads me to believe that a diverse group of young professionals, seniors, students and families will clearly be the makeup of our tenants, all of whom will help keep this neighbourhood vibrant. For you to further suggest that the street and the park would be overrun and need policing due to 23 new well healed tenants is another figment of your imagination.

5. Implying that APM's building or upkeep would not be of the same standards of our neighbours is almost libellous in nature and doesn't warrant a response other than wondering what time of day you came up with that thought?

6. Not that your comment that Charlottetown "is not a University Town" has any bearing on our project I'd like to point out that Charlottetown is the home of UPEI, the Atlantic Vet College, Holland College and Homburg University. Just in case you haven't noticed a lot of the people that visit Connaught Square are in fact college students from Holland College's Culinary Institute just across the street and I'm surprised you've not demanded police presence.

7. With respect to the setback being to close on our western elevation (your eastern elevation) we are building exactly on what is allowed by the City's Bylaws setback requirements. The only reason the two buildings are closer than normal is that your building got a variance to build on the property line and we don't need one. As property owners we have an "as of right" to build on the minimum required setbacks as set out in the Bylaws.

The only variance we are asking for is to have our first floor height approved similar to that of The Rochford so we can develop apartments on that floor. Our other option if we get turned down for apartments on this floor would be to develop a 13' 6" high commercial ground floor space that we could rent as a convenience store, soup kitchen or numerous other enterprises. We believe this option would take away from this residential neighbourhood but if that is what we have to do to earn a return on our investment then we will have no other choice.

We are proud of what we have developed here in this Community and many, many other Communities... and in spite of what a few NIMBYS and a few Councillors think, the Official Plan for the City of Charlottetown is written in our favor and there is lots of case law that support our project. Winston Churchill once said *"You have enemies? Good. That means you've stood up for something, sometime in your life."* I will always stand up for progress in my Community and my

record will prove this. As a reputed business woman your "100% against this development" really sets you apart as a Community leader and builder.

Regards

Tim

**Tim Banks**  
CEO • APM

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**building ... across CANADA**



Shelly

Cell: (902) 629-5959

## **Morton, Jesse**

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**From:** James Revell <JRevell@icpei.ca>  
**Sent:** Tuesday, April 18, 2017 2:55 PM  
**To:** 'tim@apm.ca'  
**Cc:** 'dana.drummond@bellaliant.net'; Mayor of Charlottetown (Clifford Lee); Doiron, Bob; Rivard, Greg; Coady, Jason; Ramsay, Kevin; Hilton, Melissa; Duffy, Mike; Tweel, Mitchell; Bernard, Terry; MacLeod, Terry; 'pwalshmcguire@gmail.com'; 'dawn@downtowncharlottetown.com'; 'HURNIK@UPEI.CA'; 'marymacinnis@hotmail.com'; Morton, Jesse; Forbes, Alex; 'jleblanc@apm.ca'; 'iharper@apm.ca'; 'hjoudrie@apm.ca'; 'tpalmer@apm.ca'; Shelly Cooke  
**Subject:** RE: Proposed Residential Development at 55 Richmond Street

I am sure many would be quick to point out the reference to 41 Richmond when in fact the proposed development of APM Landmark /Tim Banks is 55 Richmond Street

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**From:** James Revell  
**Sent:** Tuesday, April 18, 2017 2:25 PM  
**To:** 'tim@apm.ca'  
**Cc:** 'dana.drummond@bellaliant.net'; 'mayor@charlottetown.ca'; 'rdoiron@charlottetown.ca'; 'grivard@charlottetown.ca'; 'jascoady@charlottetown.ca'; 'kramsay@charlottetown.ca'; 'mhilton@charlottetown.ca'; 'mduffy@charlottetown.ca'; 'mtweel@charlottetown.ca'; 'tbernard@charlottetown.ca'; 'tmacleod4@charlottetown.ca'; 'pwalshmcguire@gmail.com'; 'dawn@downtowncharlottetown.com'; 'HURNIK@UPEI.CA'; 'marymacinnis@hotmail.com'; 'jmorton@charlottetown.ca'; 'aforbes@charlottetown.ca'; 'jleblanc@apm.ca'; 'iharper@apm.ca'; 'hjoudrie@apm.ca'; 'tpalmer@apm.ca'; Shelly Cooke  
**Subject:** Proposed Residential Development at 55 Richmond Street

Tim I called your office today and was advised you are out of province/country.

I am writing in response to your email bearing date April 13, 2017 to the above noted individuals which has been forwarded to me concerning your **new residential construction** for 55 Richmond Street in Charlottetown. I am going to address the aspect of that email which deals with your proposed developments **parking plan**. (emphasis intentional).

You have alluded to and attached an **undated** letter of Ron Waite from CADC as support for your residential development and parking. Even if any weight and seriousness can be ascribed to this letter in the absence of a formal agreement, there is one particular consideration for City Council and those in the neighborhood as they ponder your development's plan to have the Tenants and guests use the the Pownal Parkade. I draw your attention to the fact that the Pownal Parkade is closed on Sundays and otherwise has limited hours during the week.

**To state the obvious then the proposed residential development, at least as it relates to the use of the Pownal Parkade has “No parking” for its Tenants and guests !!!**

Perhaps at some juncture you may be able to convince CADC to make an exception for your proposed residential development for tenants and guests including their after hours safety in a written agreement. Certainly as it stands your new residential construction proposal lacks clarity, certainty and authenticity for purposes of parking and I would suggest prior to the City even considering your application it should ask for more than an undated letter before approving a new multi million dollar residential proposal.

I also point out other developers in the adjacent area who have been granted permission by the City to commence **new residential** construction have invested in on site parking ( 41 Richmond you cited and the Northumberland condos on Pownal) are examples where new construction included on site parking. The Dominion Building condos, despite being a renovation of an existing building, provided on site parking for their residential tenants. Similarly the most recent renovation and construction on Hillsborough Street at the former Notre Dame Convent property made arrangements for on site off street parking. Each of these developments ensure that their parking is Harmonious with their neighborhood.

All of the above noted developments are near three of the four Historical Square properties established in 1768 when the City of Charlottetown was planned and developed. That this type of park/greenspace is judiciously protected from parking woes is an important consideration and a valid civic concern. The residential development around the Halifax Public Gardens (Southwest properties) in Halifax Nova Scotia is a prime example where on site parking was required despite the development being immediately adjacent to a public parkade. I think your application would benefit from pointing out recent examples in cities such as Charlottetown, Halifax, Fredericton or any other city of significance in the Maritimes (where private sector multi tenant residential development such as proposed in your application) which fronts on a park or green space was allowed to proceed in the absence of on site parking. Such examples might prove persuasive to those who object.

Additionally, virtually all new residential construction developments in Halifax, certainly those approved in the last three years, including the Alexander of Killam Properties in Halifax (where you sit on the Board of Trustees) include on site parking, (especially in the downtown core) despite access to parking garages. That the residents of the City of Charlottetown should aspire for development, especially in the historical older part of the city, which incorporates aspects of what other leading communities in the Maritimes possess, is reasonable to expect of those who bring such new residential construction opportunities to the city.

I want to address one other matter and that is the tone of your note. It was hardly of the prose which Churchill would use whom you cite and of which I have read at length. It will be absolute rubbish to suggest this note is “anti development” or “anti business”. You should bring forth a plan of development for 55 Richmond which includes on site parking, is harmonious to the community and neighborhood.

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One final note. Reasonable people can disagree and on this one I disagree with this new residential development going forward without an adequate parking plan and certainly an agreement. Notwithstanding the points and deficiencies I suggest exist in your plan you and your company are to be commended for your ongoing contributions to PEI both in the business realm but also in your respective generous philanthropy. By all outwardly appearances it seems to have been quite mutually satisfactory for you, your companies and the Province.

Jim Revell