

**Second
Supplementary
Record filed by
The City of Charlottetown
In the matter of
Browns Volkswagen, et al
v. City of Charlottetown
(Appeal #LA19009)**

Submitted by David W. Hooley, Q.C.
& Melanie McKenna
on behalf of the City of Charlottetown

May 13, 2020

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CHARLOTTETOWN

Planning & Heritage Summary (Week ending April 13, 2018)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlottetown Planning and Heritage Department. Residents or interested parties have 21 days to appeal to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at : 902-629-4158.

Planning Development Permit Approvals

FILE #	PID#	PERMIT #	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	Appeal Deadline
17-287		191783	253-bld-17	10-Apr-18	59-61 Herbert Street (lot 32a)	Occupancy Permit - Single unit dwelling	Nicole MacKay and Nick Dennis	1-May-18
18-038		387050	025-bld-18	24-Jan-18	519 North River Road	8' X 10' Vestibule addition & Ramp	Gill Construction Inc	1-May-18
18-043		384164	026-bld-18	30-Jan-18	61 Cedar Avenue	16' X 24' Garage	Donald Crozier	1-May-18
18-070		1054972	039-BLD-18	14-Feb-18	20 Babineau Avenue	Locate Ken's Fries truck	Ken's Island Fries	28-Mar-18
18-097		385534	064-BLD-18	5-Mar-18	144 St Peters Road	Barbeque take out restaurant	Eddie Brazil	1-May-18
18-099		386664	068-BLD-18	7-Mar-18	127 Beach Grove Road (Lot# 17-2)	New Single Family Dwelling	Peter McCallum	2-May-18
18-119		337295	084-BLD-18	16-Mar-18	168 Dorchester Street	Stairway & Reno to third floor apartment	Jacinta Gallant	1-May-18
18-135		387761	096-BLD-18	23-Mar-18	670 University Ave	New interior layout and storefront	Bart Russo	30-Apr-18
18-147		861294	108-BLD-18	3-Apr-18	25 Fourth Street	Renovation (Vacant unit in new building)	Robert McNally	1-May-18
18-152		798594	113-bld-18	4-Apr-18	342 North River Road	14' X 20' Garage Addition	Alfie Wakelin	2-May-18
18-158		857441 & 864006	119-BLD-18	9-Apr-18	20 Long Boat Drive (Lot# 75)	Single family dwelling	PEI Home & RV Centre	2-May-18
18-159		387241	120-bld-18	10-Apr-18	124 Capital Drive	Interior and Exterior renovations to ESSO station	Brumac Construction	2-May-18
18-162		857441	123-bld-18	11-Apr-18	57 River Ridge Drive	8' X 12' baby barn	Kimberley Monteith	3-May-18
17-287		191783	253-bld-17	10-Apr-18	59-61 Herbert Street (lot 32a)	Occupancy Permit - Single unit dwelling	Nicole MacKay and Nick Dennis	1-May-18

Lot Subdivision

FILE #	PID#	Permit #	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	APPEALS DATE
2018-006	1021591, 1083229		28-Mar-18	9-Apr-18	31 Mayfield Lane (Lot #8)	New house on Lots #8 & #9	GD Construction	30-Apr-18

Council Approvals

FILE #	PID#	PERMIT #	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	APPEALS DATE
18-092	372300	058-VAR-18	1-Mar-18	9-Apr-18	494 Queen Street	Height requirement variance to permit 6-storey apartment building	APM Properties	30-Apr-18
18-068	358812	097-REZ-18	23-Mar-18	9-Apr-18	151-153 Euston Street	Approved to public consultation phase to consider a Site Specific Amendment for this property to permit a Law Office	Issac Quinn & Kenneth Lecky	30-Apr-18
	369140, 369132			9-Apr-18	155 Upper Prince St & 21 Young St	Lot consolidation	Donna Moore	30-Apr-18
18-095	portion of	062-REZ-18	2-Mar-18	9-Apr-18	249 Sherwood Road	Approved to public consultation phase to amend Official Plan	Irving & Marjorie	30-Apr-18



FILE #	PID#	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	APPEALS DATE
615831	615831, 145128	2-Mar-18	9-Apr-18	249 Sherwood Road	Map & rezone this property to permit an asphalt plant Lot consolidation	Frizzell Irving & Marjorie Frizzell	30-Apr-18
18-131	portion of 145284	093-REZ-18	22-Mar-18	49 Trailview Drive	Approved to public consultation phase to amend Official Plan Map & rezone this property to permit a townhouse development	Tom Arnold (McRae Farms Inc)	30-Apr-18
17-622	659086	Bylaw Amendment #2018-03-01	18-Dec-17	Brackley Point Road	Rezone from R-11 to R-2 to permit a semi-detached dwelling	Vincent Dunn	30-Apr-18
18-066	386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885) f	Bylaw Amendment #2018-03-02	26-Oct-17	BioCommons Park, Upton Road	Amend Official Plan Map & rezone to M-3; various Bylaw amendments to permit a Research and Advanced Technology Facility in the M-3 Zone	PEI Infrastructure Inc.	30-Apr-18
18-062		Bylaw Amendment #2018-03-03	9-Apr-18	Zoning & Development Bylaw	Various amendments regarding Flag Lots	City of Charlottetown	30-Apr-18
18-063		Bylaw Amendment #2018-03-04	9-Apr-18	Zoning & Development Bylaw	Amendments pertaining to the Sale of Cannabis	City of Charlottetown	30-Apr-18
18-064		Bylaw Amendment #2018-03-05	9-Apr-18	Zoning & Development Bylaw	Amendments pertaining to Underground Wiring	City of Charlottetown	30-Apr-18
18-065		Bylaw Amendment #2018-03-06	9-Apr-18	Zoning & Development Bylaw	Amendments pertaining to Limited Car Rental Services	City of Charlottetown	30-Apr-18
FILE #	PID#	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	APPEALS DATE



**Public Meeting of Council
Thursday, May 10, 2018
Provinces Room, Rodd Charlottetown Hotel (75 Kent Street)**

Mayor Clifford Lee Presiding

Present:

**Deputy Mayor Mike Duffy
Councillor Terry Bernard
Councillor Terry MacLeod
Councillor Mitchell Tweel
Councillor Melissa Hilton**

**Councillor Robert Doiron
Councillor Greg Rivard
Councillor Jason Coady
Councillor Kevin Ramsay**

Also:

**Alex Forbes, PHM
Peter Kelly, CAO**

**Laurel Palmer Thompson, PII
Ellen Faye Ganga, PHAA**

Regrets:

Greg Morrison, PII

1. 249 Sherwood Road (PID #615831)

Mayor Lee: Ladies and gentlemen, we call the meeting to order. First of all, for Council, any conflicts of interest? Seeing none, let me introduce members of Council. To the far end, we have Councillor Bob Doiron, Councillor Mitch Tweel, Councillor Jason Coady, Councillor Hilton. The other end, we have Councillor Kevin Ramsay, Councillor Terry MacLeod, Deputy Mayor Mike Duffy, Councillor Bernard, and the infamous Councillor Greg Rivard, Chair of Planning & Development.

Ladies and gentlemen, we are here for item tonight, and that is to receive public input into an application to rezone 249 Sherwood Road. Basically, the process from here on out will be that, after tonight's meeting, Planning board will meet on June 4th to consider the input received tonight. They will then make a recommendation to Council and it is anticipated that Council would deal with the application on June 11th. If anyone wants to speak to the application, I would just ask you to go to the podium there

tonight, identify yourself, identify where you live, and the meeting is being recorded and it will be transcribed for the Planning Board before they meet on June 4th. With that, I will ask Councillor Rivard to introduce us to the application.

Councillor Rivard: Thank you, your Worship. Again, the Planning Board meeting that was scheduled for tomorrow, it has been deferred until June 4th, so the Planning Board tomorrow is not going to happen. Just another reminder. So, we are here for 249 Sherwood Road, request to amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area; Appendix "H" of the Zoning and Development Bylaw from the Low Density Residential (R-2) Zone to the Comprehensive Development Area (CDA) Zone; and Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw. This is a rezoning request to locate an asphalt plant on the subject property. We have one of our planners, Laurel Palmer Thompson, she will give a, kind of a brief description as well and then we have Brian Gillis and Jeff Chapman here to present the project.

Laurel Palmer Thompson: Good evening, Your Worship, members of Council, ladies and gentlemen. This an application to amend Appendix "A" - the Official Plan Map of the City of Charlottetown from Low Density Residential to Comprehensive Planning Area and to rezone the land from R-2, Low Density Residential Zone to CDA, Comprehensive Development Area and to amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw. In addition to the rezoning request, the applicant has requested to consolidate a portion of PID #615831 with a portion of PID #145128 to form one parcel. The change in Zoning and Official Plan Map was requested to allow a construction company and asphalt plant to be located on the subject property. The CDA zone allows Council to approve any uses or mix of uses allowed in any zone of the Zoning & Development Bylaw, including innovative mixed-use development subject to public consultation, a development concept plan and development agreement.

The property in question is approximately 16.43 acres in total. It is bound to the North by a large parcel of land zoned R-2S (Low Density Residential Single Zone) and rural land located outside of the City's boundary. It is bound to the east by land zoned R-2 (Low Density Residential Zone) and M-2 (Heavy Industrial) zoned land. It is bound to the South by Sherwood Road and M-3 (Business Park Industrial) zoned land. It is bound to the West by the remaining R-2 (Low Density Residential) zoned lands of PID # 615831 and the remaining M-3 (Business Park Industrial) zoned lands of PID#145128 containing the original farm buildings. Brian Gillis, consultant for the applicant is here and he will now begin the presentation.

Brian Gillis: Thank you very much, Laurel, ladies and gentlemen, members of Council, your Worship. I am sure everyone in this room would rather be doing something different tonight than coming to a meeting and talk about a rezoning. We appreciate the fact that you have all taken time to attend the meeting and to hear the information that we have to share with you and to openly give us feedback in terms of what our plans or proposing (proposal) and to be patient. This is an exchange of, sort of listening tonight. We may not have all of the answers but we will do our best to satisfy responses. To help us, there is a list, a sign-up sheet if you want to give your name, address, telephone number or email so that we can do any follow up communication with you directly. I will circulate this.

I am here tonight with no vested interest in the project. I am hired and working for Chapman Brothers, but I am a consultant giving my support and direction to assist in the coordination of information and to assist in the process of going through a rezoning application with the City of Charlottetown. I have been in my career, practiced as an architect. I have worked in the role of a business development and real estate agent within the large development company conducting similar procedures as we are doing tonight in probably 25 to 30 communities throughout Atlantic Canada. They are never easy because everybody has respect for their home and their business and they value that and we value your respect for your home and for your business and for your community as well. The proponent is Chapman Brothers. Chapman Brothers Construction Limited are based in Souris. They are a family business. They tend to be very unassuming in terms of their public profile. They work hard, they are conscientious and it is a family business. The company was founded by Cyril Chapman in the 60's and it was a modest beginning with a single backhoe. Through hard work and many, many projects, they have continued to grow and build their company. There are four sons involved in the operation of the business. They are Craig, Jeffrey, Jason and Jamie. Three of them are with us here tonight and I would ask, just if Jeff, Jason and Jamie just stand up and give a wave to your group here tonight. And Craig, Craig is here. We have four sons here. All four sons have completed post graduate education, three of them are professional engineers and one is a graduate in business. They were given I guess the direction to get an education that would help in terms of running the family business. They weren't turned out the pasture, they were given a shovel and earn at an early age what the work of road building and construction is all about. The company prides itself on innovation. It has had many endeavors that have demonstrated its unique ability to be ahead of the curve. They are not followers. They have invested in technology. They have invested in equipment and they have been very helpful in terms of sharing what they have learned with organization such as the Provincial Department of Transportation and Public Works. They have helped in bringing new technologies to

the snow clearing business. They were the first company to introduce snow-grip tires for loaders and graders in Canada. They also helped to introduce the one-way plow used on truck plows. They were instrumental in starting demonstration program with the Provincial Department of Transportation on anti-icing programs. They have also helped to work with PEI Department of Transportation on the innovation of using the black cat braid which is a rubber blade for snow plows which is very, I guess, does less damage to the highway.

We are here tonight to talk about this company's desire to set-up their base of operations for the Queens County Charlottetown Area on a piece of land within the City of Charlottetown. That is the objective and on that property, there will be a maintenance building for their repair and keeping their equipment in good shape. There is an objective of having that maintenance support building be the depot for their snow clearing operations which they are currently contracting with the City of Charlottetown to employ. As well, they want to locate and to I guess, relocate an asphalt plant to this site to carry out the support for their contracts that they have and hope to have in the future for paving. As ancillary to any asphalt operation, you need storage space for the aggregates and raw materials that are used in the manufacture of the asphalt. We all want asphalt at this time of the year to patch the potholes and to maintain our streets and to live up to the ever increasing growth in our commercial and residential enterprises in the City of Charlottetown. We are probably seeing unprecedented demand for building and construction services. I can sort of, in my lifetime of living in Charlottetown, I have never seen the amount of activity that is going on if you drive around the City. There are two cranes that are high rise cranes to assist in the construction of two large projects on the way – one on the Malpeque Road and one on Capital Drive. That is a first for Charlottetown. And probably, over the year, with other projects that are in the planning stages, there will be more cranes used for construction. The times, they are changing. I want to emphasize, we are here to listen to your feedback. I will put out a question for all of you and that is a question that is sincere. If you are trying to invest in your business and locate in Charlottetown, where would you locate an asphalt plant? There are criteria that would be necessary to make that decision. One of the important things is that you need a large parcel of land. In this case, the parcel that is being allocated for the plant and its ancillary operations is 16 plus acres. That is a significant sized piece of land. The logistics of transporting the goods to the plant and having the finished product go to job sites is a significant issue just in itself. There are factors to consider. The routing of trucks is one of them. We certainly do not want trucks go through residential neighbourhoods. And the City in its wisdom has enacted a bylaw that regulates truck traffic within the City. Within that bylaw, there are designated truck routes. There may be the occasional trucks that are

doing service delivery work that deviates from that, but in principle, anybody who is operating a business on a regular basis understands where those truck routes are and has to abide by them. Another important factor in coming up with a site would be a question as to starting out what would be the natural buffers that would be available to help to shelter the site from prevailing winds as well as to help in enclosing the site visually, acoustically and to give it a sense of privacy so that it is the least disruptive to its neighbours. Another factor that we are going to hear a lot more about, it seems to have gone to become a little bit quite politically is the impacts of carbon pricing on all businesses. The reality is, as consumers, we are going to see a transition for carbon pricing to affect many, many commodities and services that we employ today. The big picture factor in that is that, the objective is to reduce greenhouse gas contributions, to be respectful of the environment and to switch away from petroleum-based fuels. I mentioned the fact that the logistics and the decision-making for putting a site for an asphalt plant is (are) tied to trucks. It is trucks primarily that move the aggregates and take them to the network of roads and also then, goes back and delivers it. If you think about one load of asphalt that leaves the plant, it has as an input, at a minimum, four trips. One would be to pick up the aggregates and the sand from either the quarry or many cases here; most of our aggregates come in through the harbor. They have to be trucked to the plant. That truck goes back empty to pick up the next load, two trips. To deliver the asphalt, there is another load. It exits and makes its journey to its site. But that truck is empty and comes back to be reloaded again. So the impact of distance has a significant addition exponentially to the cost. All of those trucks are being fueled with diesel engines. If we were looking at the studies and reports that the provincial government has undertaken to develop an energy strategy for this province, one of the major sectors that the consumption of fuel is the greatest is in our trucking industry. They are going to be taxed to reduce the consumption and therefore, as a consumer, we are going to pay more. The advantage is to be innovative and start looking at how you put together the whole picture of connecting the source of the raw material, the fabrication and the routes that you travel to deliver it. Another important factor is to look at the separation between this type of intense industrial commercial use and residential neighbourhoods. That is an important factor. Another factor for the businessman who is setting up his company is that, there are restrictions on some tenders for supply contracts. If a contractor is bidding on a job, they want to ensure that they are not going to be restricted in giving their competitive price. The City does require for the delivery of supply contracts for asphalt I believe that that supplier is within the City of Charlottetown. We all want our taxes to be spent wisely. We support the sort of principles of local sourcing. But we also want to make sure that we are getting competitive pricing.

The first thing is to take a view of the site. In this slide, it is highlighted with the blue line. As you can see, there is nothing on the site right now. It would be what could be classified as agricultural land. It has been used on one portion of it for tild(unsure word) cropping. The majority of the site is treed. It is a mature stand of trees of mixed deciduous. The trees are located on the North side of the property. I am not a weather man, but one thing I have learned is that, the prevailing winds on PEI are from the North-West and the strong strongwinds are from the North-East. The fact that the tree line that is already established is there is an important function for choosing this type of a site. The access to the site is via a 66-foot driveway/roadway/right-of-way. That exits on to Sherwood Road which comes out directly at the alignment with the Mount Edward Road. This is an overview of the City of Charlottetown from the air. If you were on your journey and you are trying to pick a site for an asphalt plant and you are trying to find a place to drop down the pin as to where you are going to investigate some of the options, one of the important constraints is that the harbor front and the Port Authority operates a dock, the only dock that is set up to handle incoming ship loads of aggregates. That is a critical piece of the supply line. We have to import the bulk majority of our Class A aggregates that come from quarries as far away as New Foundland. But I think the largest quarries that come in by ship arrive from Port Hawkesbury where there is a large quarry operation that can load onto ships that can be offloaded here at the harbor. The blue route that I have highlighted on this aerial view indicates the route of travel from the Waterfront along Water Street East on to the Arterial Highway at Grafton Street. Following the arterial highway out to the Brackley Point Highway and then up the Brackley Point Highway at the traffic light controlled intersection. It goes through the roundabout on the Brackley Point Road and directly down Sherwood Road to the intersection with Mount Edward Road. There are other options that would be available in the approved traffic routing. I am sort of like googled tonight. I just picked the shortest and the most direct and the one that fits the criteria. The algorithm would allow you to have a couple of different choices. You could go further on the arterial and go north on Mount Edward Road. You could also go over to Malpeque Road. You can go north and come back on Sherwood Road. But the one I have illustrated is the shortest route.

The next thing is to talk about zoning. Laurel Palmer Thompson introduced the subject that we are here tonight asking to request to change. The change we are requesting is to take 16.4 acres that are currently zoned R-2 and to reallocate them to a Comprehensive Development Area Zone. A lot of words - residential we understand; industrial we understand; comprehensive development has different pathways to it. The pathway that is being discussed here tonight is a site-specific use contract zoning between the applicant and the City. That has very strict, rigid and demanding

requirements to live under that type of operation. Somebody that goes into an M 1, 2 or 3 or R-1 zone has very liberal opportunities in making changes and amendments. There are referred to as-of-right zones. In this case, the rights and the limitations have become very, very narrow. To the South-East is an M-2 Zone which is heavy industrial. That M-2 Zone straddles the Sherwood Road. It encompasses also part of the land to the West of the Mount Edward Road. If I roll back the clock 30 years ago when this was actually Sherwood and it was prior to the amalgamation with Charlottetown. That was essentially the Industrial area of the City. That is why you find in that location the fabrication plants for steel. You can find in there fabrication plants for manufacture of concrete. You find there plants that manufacture culverts and septic tanks out of concrete. There is a metal recycling business - they are A&S Metals. The only other asphalt that is within the City of Charlottetown is also located in that zone. It straddles to different zones. The South part of that asphalt plant is an Industrial Zone. The actual part where the equipment is set up is in R-2 residential. That is the current zoning. They have every right to be there because they were there before somebody took out the colored crayons and started marking up the zoning plan. We have no question about that but it is what it is. There is currently an asphalt plant in an R-2 Residential zone. The fact of the matter is that they have the right to be there. They would be considered because of their pre-existent status not to be subject to any of the things that we are going to talk about tonight in terms of restrictions. That is just for information. To the North of the site is R-1 small and that boundary to the North is kind of interesting in the fact that it represents what was the division between the Community of Sherwood and the Community of Winsloe. There was a residential development that was here in Winsloe. Many people went there and built lovely homes and they consider it to be a neighbourhood that they love and cherish. To the West is also R-2 and that is owned by Mr. Irving Frizzell. He is the person who is proposing to sell the land to Chapmans for the construction of their asphalt plant. He owns that land that is zoned R-2 residential and he is fully supportive of the plans to change this piece of land to Comprehensive Development. To the North, the two large fields that are zoned R-1 small are in the possession of a gentleman by the name of Dr. Wendell Grasse. He is a retired veterinarian. He raised horses over the years. Jeff Chapman and I dropped in to visit him as one of our endeavors considering the fact that his property is adjacent to this development, explained what we are doing. (We) talked about the objectives and he has indicated that he has no objection. (He) has provided the City of Charlottetown with a letter of support stating that looking at the site-specific parameters, he is not opposed to it. To the South-West, that magenta colored area that is designated M-3 is Business Park Industrial. There is a list of prescribed uses for it. In summary, there is land to the north and on two sides that's residentially zoned. There's lands to the south, to the south-east that are Business Park Industrial and there are

lands that are to the west and the south-west that are Heavy Industrial. We are proposing to locate this facility adjacent to what is considered acceptable asphalt plant.

Some photos. This is standing on the property looking south, looking directly down Mount Edward Road. As you can see, the soil was tilled and it is green. To the left of this... I will get this yet... This building is Alweather Windows & Doors. That is looking across the street to a commercial strip building owned by the Gray Group. This is looking South-West. This would be Warren Phillipp's Auto Service Business and further off is the Centennial Auto Group building that fronts on to Sherwood Road. This is looking due West up the hill towards Irving Frizzell's home. This is looking to the North-West. (Here). That is looking at the trees that I described and that you could see in the aerial photo. Those are 40-50 feet in height. When we get into the site planning, we will show how we are nestling our improvements to the site into that wooded area, taking the maximum advantage of the shelter provided by the trees and the obscuring of sight lines. The important thing to, if we could go out and walk the site, is to recognize that there is a significant grade change across the property. That plays a big role in the development of the site and the protection against noise leaving the site. As we know, sound travels in a straight line unless it hits a solid object. At that point in time, it is reflected. So the natural site advantage of this property sloping to the East away from the residential homeowners to the North-West is important. It offers sound dampening but it also again makes it important to obscure sight lines. Added into that is the tree cover, which is supplemental to that, for those factors. This view is looking to the East. You can see the towers, silos for the asphalt plant that is located to the East. I mentioned the fact that the Charlottetown Traffic Bylaw designates truck routes. This is a figure taken out of the Bylaw that shows us routes. All of the names are not on it but there is a list appended to the bylaw that describes in detail, the names of the streets. But in simplistic way, this line here is what I showed on the aerial photo as the arterial highway and its linkage to the Waterfront. This cross street here is Sherwood Road. This is Mount Edward Road. Those are the designated truck routes along with other routes that are in the full bylaw.

This is a site plan looking orthographically from the air down onto the property. The red line outlines the 16.4 acre parcel that I referred to and is commented on in the CDA application. This is the access roadway from Mount Edward Road. It is about 500 feet in from Sherwood Road. When we think about this site, recognize that it is set at a minimum 700 feet back from Mount Edward Road. It is not fronting on it. It is far into the site. Probably very similar to how the adjacent asphalt plant has organized its property. They did take their asphalt plant and move it far deep into the site. This sort of darker green area that is carved out on three sides is the existing tree cover. If you

go out to the site now, it extends down on an irregular basis across here. We have also indicated that everything that is outlined there is going to be the capturing of the protected site for the plant. That is when I use the term, it is nestled into the trees, we are going to enclose it on three sides with the existing tree cover. There is also going to be the maintenance of a hedgerow on the site to protect again from the active construction site and the more passive area where the maintenance building is and the off-seasonal storage of snow clearing equipment would take place. We are also indicating in this plan that where there is no perimeter tree cover, there would be new tree planting (that will) take place that would grow and mature into an equivalent mixed use forest stock over time. It would now provide more visual obscurity for the site. That is going to be 20 feet deep at a minimum. It is going to be on their property. We have also, in consideration of a request from some of the neighbours, we have increased that new tree planting to 30 feet along the West side to help to create a stronger division between the residential zones to the West and North-West. The importance of environmental considerations today for anybody that wants to apply for a building permit or get a contract of this nature approved, is significant. We recognize that there is a natural water route, it is not a stream, but the water flows through the lowest part of the site. On this side of the property is where everything naturally drains. It naturally drains for this 16 acres but it would also be picking up lands to the North that would be flowing on to this. It also captures land... captures run off from the adjacent unrestricted flow on the asphalt plant to the East. They are all flowing into that natural collection area. That becomes important because for a new construction, we just cannot go in and develop a site without having a very prescriptive mitigation for storm water management. That requires analysis. It requires methods to minimize any run-off leaving the site. That is one of the first ecology principle. It is to not put more water into ditches or into culverts than what is necessary. Nature has a way of looking for balance. If you take water that is naturally on the site, then give it the opportunity to dissipate, we are actually minimizing the infrastructure cost for taxpayers in the long run by not having to build bigger box culverts. As we all witnessed last year, a year ago last summer, at the Queens Arms Intersection, there was a major construction project to increase the volumetric capacity of a box culvert that picks up water flow that has not been mitigated by what I would call effective storm water management. You combine that with the cyclical increase in severe storms where we are having higher peak waterflows. We have to draw up on all of the good knowledge that engineers bring to manage that.

This area right here is designated as the storm water dissipation area and I will expand further on that in the discussion. That is the maintenance building. In addition to the trees that will be planted to reinforce the four sides of the property with tree cover,

there will be fencing to enclose the site and to give it privacy. It will be gated with a single access point on this new driveway. That new driveway will be paved. That comes out of considerations of traffic engineering analysis that made that recommendation and Chapman Brothers have accepted that. I guess it is probably a good promotion for a paving company to pave a road. But it is going to help in terms of trucks that arrive or leave the site. It will minimize dusting versus a gravel access road. It also will keep mud that might be picked up on the wheels to stay on private property and not get on to the public roads.

Going back to an aerial view, sometimes when you experience a neighbourhood and you are doing it by traveling the roads, you cannot actually get a fair estimate of what the distances are between what we are talking about here as a property and some of the adjacent neighbourhoods. To assist in that, this is where the eastern most point of the asphalt plant would be located on the site. That is Mr. Campbell's home, if he is here tonight, I think he is. That is 560 meters, that distance. That is half a kilometer. The other important factor in terms of looking at that distance, if you were down at the base of Penny Lane at Malpeque Road and you travel up Penny Lane, you are essentially going uphill. From this portion, the land is relatively flat. I wouldn't say there is no difference in elevation but it is less than 2% and it is lower. This corner, the North-West corner of the proposed development site, is the high ground of their property. Its elevation, and I am just going to look for my notes so I get it clearly. There's contour lines on the site plan established by the engineer who did a topographic survey. That is 46 meters, that elevation point. Going back to the site plan, that corner up there is 46 meters. This point where the storm water is going to be collected is at an elevation of 29 meters. Where the plant is going to be located, it would be located along a contour line that is approximately 36 meters. The math of that is, between the point where the plant is and the crest of the hill, there is a 10-meter, 33 feet of elevation of difference. And as well, you have 40 to 50 foot tall trees that are already there on top of that. When we look at buffering and natural separations that I brought up in my sort of site selection criteria, that is a very, very important aspect to why this site is suitable. Another question is, well, there's businesses that are established in the Light Industrial Zone along Mount Edward... along Sherwood Road. To help again in just bringing a map to scale, I can put all kinds of lines on there but it is like the clock, you got an hour hand and a minute hand. I am just looking at one that is far off in the residential direction and one that is intermediate in the commercial direction. I picked that point, it shows it as a vacant lot. But that's the Brown's Volkswagen property. Give me a plug for Brown's Volkswagen, I just bought a vehicle from them and I think they are great business. I am sort of recognized that they may not agree with everything I

am talking about tonight. That is not why am here. I am here to listen. For scale, the 350 meters is the actual distance.

What's an asphalt plant look like? Just like trucks, cars, boats and planes, they come in all different sizes, types and models. This is the actual plant that is going to be relocated on to this site. In a Guardian article, I was attributed with saying that, it was a brand new plant. I was either misquoted or I said the wrong thing. It is a modern plant. It was manufactured in 2009 and in terms of contemporary style and design and engineering and features, it is the state of the art in terms of technology. But it has been located in Charlottetown before and has been successfully used when it was located on the property just in behind Kent Building supplies about six years ago when there was a major highway repaving project undertaken by Chapman Brothers. It is new. Its features, I will get into a little bit later. That is an actual shop drawing if anyone wants to get in the mechanics and look at it in terms of how it goes together. To give you a crash course... (video presentation)

Video narration: *Production today is a cleaner process than ever. An Aztec builds environmental compliance in every facility it produces. The facility proposed for your area will feature a patented Aztec, double-barreled drier drum mixer, for clean, efficient asphalt production. The double barrel can use up to 50% recycled material. Any fumes from mixing are captured internally and returned to the burner where they are combusted. Making hot mix asphalt is a process. (unclear word) friendly to the environment. It does not involve any chemical reactions, refining or distilling. Dried aggregate is simply mixed with the liquid asphalt, a natural substance which binds the aggregate together. Here's how it works. Aggregate enters the inner drum and is heated and dried as it makes its way toward the burner. It then drops into the outer shell of the double barrel where the liquid asphalt is pumped in. It is at this point where any recycled material and dust captured by the baghouse are also added. The aggregate, recycled materials, dust and liquid asphalt cement mixed as they move through the double barrel mixing chamber. Exhaust from the double barrel is filtered through a baghouse. Aztec baghouses exceed EPA standards and the stack is typically crystal clear during operation. A steam plume maybe seen during certain atmospheric conditions like a cool morning. This plume is merely water vapor from the drier condensing much like a boiling pan of water on a stove. A baghouse is essentially a large industrial vacuum cleaner. Exhaust from the dryer drum mixer is first fed into a primary collector such as a cyclone or inertial separator or removal of large dust particles. The gas screen then enters the baghouse where the fine particles are collected on the surface of hundreds of long, cylindrical felt bags designed specifically for that purpose. The filtering is more than 99.9% efficient. Dust particles are*

frequently removed from the bags using pulses of air. They are conveyed to the mixer to be added back into the pavement mixture. So very little waste is produced.

Brian Gillis: I would be willing to share that again if anybody wants to go through it but the technology is what is being described here. The fact that every effort in this plant is being made to minimize the consumption of oil products, that's the efficiency part to it. To recover and recirculate any fumes and to put them back through the recycling of the furnace component of the plant which is not unlike what we introduced into our gas engines in cars in the 80s. Everybody probably complained about gas recirculation technology that rob from the horsepower but improve the tailpipe emission significantly. The other aspect is, this type of technology in this specific plant, has up to 50%, they call it, there was just an acronym there – RAP, which is recycled asphalt products. That has advantages in terms of providing when the City is tendering a contract. Part of the work that they do is to plane the road first, pick up those asphalt products, then have the enrichment of the petroleum (bitumen) unclear word already in it and recycle that. We are not going out and using new (bitumen) for up to 50% of a load output from this type of plant. That provides... And that's a choice. It can be blended, there would be different types of specifications put out by engineers for what might be the acceptable tolerances. But it provides for that environmental compliance, higher recycling and capacity to provide cost effective repaving. The other point that was touched on is the baghouse that collects particulants (particulates), dust and captures them just like a vacuum cleaner does but also recirculates those particles that came out of the plant and puts it back again into the combustion into the mixing chamber to reuse it within the asphalt. Those are all significant difference between this plant and many others that you might find even here on PEI. I mentioned the fact that stormwater management was a very significant part of not only our application for the City but we also have to carry out a parallel certification licensing and regulation under the Provincial Department of Environment. We have initiated that procedure. We have been having regular meetings. They have outlined for us what they want in terms of specific details. This drawing here was produced by Derek French, an engineer. Is Derek here tonight? No, he is not. As a licensed engineer, he took the survey data information. He took the features of the site planning. The areas where aggregates are going to be stored, the areas where you are going to have graveled lots, the surface areas where there is grass or trees and does the engineering calculation of the flow rates for all of those different surface areas and comes up with the expected movement of water that is going to all find itself down to the lower South-East corner of the property. This is the stormwater dissipation area. That is the sump, so to speak, if you are looking at your bath tub or just the water drain out. That is the point. He has engineered layers of filtering fabric and materials and containment that direct the water

into the ground, not run off from the site. There is also a combination of swales on the perimeter of the property and some open ditches along the road route that all have to be mitigated with detailed calculations and construction methods to ensure that the water that finds itself onto the site as much as possible, if it stays onto the site.

Traffic - always an issue and always a question. Again, there are engineers who specialize in traffic engineering. Chapman Brothers engaged CBCL Engineering and the engineer who did this study, investigation of this property, was Mark MacDonald, and he is their Senior Transportation Engineer. He knows trucks and he knows roads and he knows safety. He looked at the property and the planning that had gone into it. He has written his findings that are on this report which we have given to the City. He supports the site as being functional for this type of use. He outlines the number of trucks that would be expected to enter and leave the site. He did make clear recommendations on putting up a stop sign at the Mount Edward Road and driveway location. That is shown right here. And he also was the individual who recommended that the pavement of the access road. He comments on the safe access point that this alignment of the driveway entering on to an already established intersection provides. In traffic design, every time you introduce a new driveway location, there will be questions as to is that a safe location. Where you already have a T-intersection, this creates a safe 4-way intersection by putting this driveway in this location. I think that was the reason why the right-of-way was left in its position.

Noise or sound. The manufacturer of this equipment... Because anytime a community is revealing or looking at the installation of this equipment and many regulatory bodies want to know the sound that is generated by the equipment when it is running. The way that engineers and acoustics are measured, decibels is the unit. Just as the topographic maps where they might be contour lines, these are contours of equivalent decibels. That is the plant in the center. In each one of these contour lines are its specific distances away from the plant. The first one is 25 meters. The next one is 40 meters. The next one is 75 meters, 125 and 225. They have established the operational noise generation at those distances away from the plant. Within the 25 meter contour line, it is 75 decibels. Within the 40 meter contour line, it is 70 to 75. Within 75 meters, it is 65 to 75. Within 125 meters, it is 60 to 65 and within 225 meters, it is 55 to 60. How do you relate to a decibel? That is sort of a tough one. Some of us have poor hearing, I am one of them, but the... You can go and this is a government source. This is Canadian Department of Transportation Site that allocates what would be common sort of things that you would be able to relate to and gives the decibel sound level to those items. It is a little, I am sure for people at the back, it is hard to see. At zero (0), that would be the lowest threshold of human hearing. At the top is would be if, when

there is an air show on and a jet does the low flight at 1,000 feet, that would be 110 decibels. You have in the middle of it, things like a large business office would be somewhere in the 50 to 60 decibel range. If you have 20 people in the room and they are working and typing and having the occasional conversation, that background ambient noise is in the 50 to 60 decibel range. By comparing these two charts, the reality is that, if we look at the 50 to 60 decibel range here, which would be describing a quiet, urban daytime setting, or a large business office, then you have to get out to 175 meters away from the plant before you get into that level of sound. We are talking about 500 meters for the nearest residential home, other than Mr. Frizzell who is selling the property. Therefore, if you look at the operational noise of the plant, it is well outside of the sort-of range of being in a form of interference. Even when we get over to the commercial businesses, they are not going to be impacted by the noise of the operation of the machinery that is produced in the asphalt.

One of the big picture things that we have to deal with is, strategic infrastructure. I am sure everybody expects that things are just going to be there when you need them. The fire services, the City is undergoing an extensive review now, to look at bringing strategic fire services to the whole northern section of the City. They have purchased land that is relatively close by, just off of the Route-2 Malpeque Road, South of Sherwood Road, for a new fire station. The EMS, which again, looked for a site that had a strategic relationship to the traffic flows, was located on Sherwood Road. The airport, which is undergoing a major expansion right now, is trying to I guess, balance its budget. None of us want to pay more for our landing fees when we purchase the ticket. But there is a tremendous group of volunteers in the community who serve on the Airport Authority Board and they are a professional staff that manage it who strive to both maintain, upgrade and improve the airport. Right now, in their strategic plan, they are completing a major construction project. Chapman Brothers are the contractor employed on that project and they have written a very clear letter of support stating that not just with their interest in their project, but looking at how they see thing of making sure that island companies are competitive and are given the best opportunity to provide low-cost services for these important infrastructure. They have stated, the readily competitive access to construction materials is essential to the growth of the economy. This was demonstrated in our most recent tender of on-going runway improvements. That program saw competitive bids from two island construction companies. And that goes on to speak to the fact that they see that their project could be in jeopardy without this plant coming into operation. There are risks. Every project has risk. There may be some accommodation to allow for a temporary plant to be put on the airport site. But that in itself also brings another dimension in terms of how you route the trucks. There isn't a necessary clear routing that might not have impacts on

residential neighbourhoods. Coming back to the big picture, this is reality for the people that have to, everyday go out and work to build their business and to try to resolve how they can invest and improve and create (a) new opportunities.

I am going to sum up. I know I am very certain that all of you would like me to just talk but, I know that this is a complex project. It has to be dealt with in the detail and our feeder to the fire in terms of compliance and answering these questions because this is serious. This has to be addressed not only at the surface level but at every aspect of it. The big picture that I am speaking to is, I ask the question, was this a realistic piece of land to locate an asphalt plant? And I am standing here tonight and saying that looking at all of the information that we have brought before you, we think it is a realistic land use adjacent to compatible business type. Its access to designated truck routes, which are mandated by the City of Charlottetown. It is going to use modern state of the art equipment in compliance with all Provincial, Federal and Certification bodies. It is a reputable family-owned business with over 50 years of experience. There are extensive buffers. There's no other site that I could find where I could find mature trees to act as the mitigative (mitigating) buffering. The grade change(s) is (are) a further significant advantage of this site. And the containment for environmental issues has also been thought through very clearly. It is investment by a reputable family. It is going to create jobs. It is going to help to build the economy. It is creating a competitive business environment which all of us as homeowners and taxpayers reap the benefits of. There is quality being expressed in terms of the design characteristics and a sincere respect for the neighbours is what this company is standing for. That is a photograph of the airport project. Jeff Chapman would like to just make a few personal comments if you can. Okay, alright. I will rest my review. Thank you very much.

Mayor Lee: Alright, folks. The purpose of tonight's meetings is for Council to hear from the development but as well from the people who are tonight. If anybody wants to provide any advice or comments, just go to the podium, identify yourself and...

George Crawford: Good evening everyone. My name is George Crawford. I live at 17 Karen Drive, in the subdivision just to the West of this project. Thank you, Mr. Gillis for your presentation. I expect mine is going to be a bit shorter. I just want to say before I start this. Seriously, it sounds like the Chapmans are building a greenhouse or something. If anybody believes that, that site is not going to look like Island Construction site in a few years' time when they consolidate their business, they are dreaming. They are dreaming. Anyway, I own my house there for about 31 years. I love the place. It is a great community. My children were raised there. I personally, when I heard about this on Monday evening, I was really concerned about the

possibilities of things like my land depreciating, you know, health of the community, quality of life, noise pollution, air pollution, all of those things. I immediately called my Councillor, Councillor Jason Coady, and he didn't disappoint me. He was there in less than ten minutes. I expressed my concerns to him. The next night, one of my neighbours actually advised me of it. They took me up one of the things that were dropped off. I immediately asked Mr. Coady to make me hundred copies of them if he could. I don't have a printer at home. I spent the last two, three evenings, walking around my community, talking to my neighbors. My neighbors, most of them that are here tonight, and asking them what they thought of this idea, of this plant, being a few hundred meters away from their homes, away from their subdivision. I covered... There's 79 homes in that subdivision. I might have 79 families there. I might add that I covered at least half of them, if not two-thirds of them and spoke to the residents. I did not anyone in this subdivision of 79 homes that is in favor of this project. Zero of 79 people. Now, I understand that this was in the paper a couple of times. I don't usually get the paper at home. I was a bit upset that not one of the 79 residents in this subdivision were notified in writing by the City. I understand there is a hundred meter limit. Well, we are about 200 meters away from this project. I was a little disappointed in that. I had to scramble to get the news out and that was disappointing. But I do have some questions to ask just for the benefit of myself and for the benefit of my neighbours here. I wanted to ask a bit about this Official Plan, the City Plan. They have a plan for all of these neighbourhoods, zoning plan I am talking about in particular. How is it developed? Can somebody answer a few questions? Who is the Planning?

Mayor Lee: We will have our Manager of Planning to deal with it, if that's what I think?

George Crawford: Okay. Who is responsible for the City's plan? You have the City Plan, or?

Alex Forbes: We have the City Plan that would have been put together with public consultation in the past. There's both the City Plan and there's a Zoning Bylaw. Both of those documents are put together at various times but the Official Plan I think is, Laurel, is it 1995? (unclear response). That was the original one. It has been updated numerous times. Sometimes there are things called secondary plans. The secondary plan looks at the specific area of the City but these plans have been put together. They were presented by professional planners in consult with the neighbourhood. They were presented to a Council at that time and then that Council either approves them or asks for changes based upon that consultation.

George Crawford: Right. What is the purpose the plans? Why does the City do this?

Alex Forbes: Plans are put in place for exactly like applications like this. The Council are (is) our decision makers. They take the application as being presented. They ask staff to look at those documents in detail. They ask staff to go through this application in detail, look at those policies in the plan, bring it to Council, tell Council where, if there is any of these application either meets the policies, doesn't meet the policies and then staff give a recommendation. That recommendation goes to the Planning Board and then the Planning Board makes a recommendation to Council who was the final decision on any zoning or change to either the Official Plan or the Zoning Bylaw.

George Crawford: Would you say that it is also to ensure that the development is not (hap) hazard, you know, you set up residential zones, you set up commercial zones, you setup industrial zones. Is that true?

Alex Forbes: Correct, yes.

George Crawford: How is it then that a company like Chapman Brothers can go and apply for a permit to build an asphalt plant on residential land?

Alex Forbes: The problem with the (broken statement).. As cities grow, there's all kinds of pressures and new industries come into play – an asphalt plant is a pretty standardized thing. The process is set up to deal with any kind of an application like this evening. You cannot change those plans readily. There's processes, there's protections, there's the Council, if people don't like the decision, they can take it to IRAC. It is a robust process so that the community can be a part of any changes. There's no guarantee that there is a change, whether it is Mr. Chapman's application or any application. The Planning Department oversees the process. Anybody can make an application to make these changes. But again, it is a pretty rigorous review by a lot of different people in regard to, if indeed, the Council will eventually accept any rezoning application or change to the Official Plan.

George Crawford: The reason that I am here is that I am concerned about our rights because of this change in plan. I couldn't help but notice when Mr. Gillis was showing a map there. The one with the... showing the transportation route from the harbor out to Sherwood Road. Earlier, he spoke to the fact that Chapman Brothers have tried for three years to find property to buy. I couldn't help but notice that there was hundreds of acres of property that looked vacant in East Royalty. Just off the bypass, in on Route-2 East. I think another thing that Mr. Gillis mentioned that, in order for them to get a contract with the City to buy their asphalt, they had to be within the City limits. Is that true?

Mayor Lee: It is the first I heard of it, to be honest with you. The City doesn't do contracts and restrict business to City firms only.

George Crawford: Okay

Mayor Lee: There maybe, you know, it seems to me, I thought Chapman Brothers were the successful bidder in recent years paving streets for the City. Okay, the Chair of Public Works is indicating it is for patching to keep the asphalt at a certain temperature (inaudible background discussions).

George Crawford: For patching only.

Councillor Bernard: My understanding is, for a hot mix for patching, they want the plant to be within the City because we pick it up and for going 20-30 miles outside the City. By the time you get back in the City, it is not going as. It is going to be cold... and it saves our staff from... We would like to have it with inside the City for the time..

George Crawford: You were talking about patching but if you had a, say a sack of two or three streets like Karen Drive. It was just paved a few years ago.

Councillor Bernard: The paving is open to anybody.

George Crawford: Yes, they don't have to be inside of the City.

Councillor Bernard: It is just the patching. It is just for the material for the City staff to pick up.

George Crawford: Okay, moving on to something else there. Another one of our concerns is the fact that this seems to indicate that the Sherwood Industrial Park is full and then it is moving our way. We are concerned about that for the same reasons, noise, pollution and encroachment on our subdivision. I am just wondering, all these residential land that surround this proposed plant, what is going to happen to it? What is going to happen to it? I mean, surely, people will not build house when they have an asphalt plant in their backdoor. And I remind you, this plant is not going to look like a garden centre. How are you going to sell this residential land? It will have to be also have to be rezoned. There is no way anybody is going... a developer is going to develop houses beside an asphalt plant. It just doesn't make sense. He wouldn't sell them. I

want to know what's going to happen to the rest of the residential land that's around that plant.

Mayor Lee: George, I think you are making the assumption that Council is going to rezone this piece of land. And obviously, what happens around this piece of land, obviously is going to depend on what Council's decision is on this application. And I think you are right, if you are putting an asphalt plant here, people probably aren't going to put a residential development next door to it. (unclear words) assumption to make.

George Crawford: Thank you, thank you. I just wanted to make that point. That is one of our fears, is that, eventually, this subdivision is going to be surrounded by operations like this. Alright, I think I am finished here. It has been a long night already so I won't keep you anymore. Thank you very much.

Morgan Phillips: Good evening, Your Worship and Council members. My name is Morgan Phillips and I own Phillips Auto Sales, 253 Sherwood Road, which is directly in front of the proposed property. I am opposed to this project for some of the following reasons which this gentleman before me said the same thing. Property values, like, nobody is going to want to build around it. Any properties that are there now, property values aren't going to go up. We all know that if there's an asphalt plant around, the property values are going to go down. I built my property ten years ago, hoping that I could retire with it, but anyway, it is not going to appreciate in value with the asphalt plant in my backyard. And talk about the noise pollution, air pollution, like, everything is geared towards the asphalt plant. What about the other stuff? The trucks and the tractors and the loaders and the coming in, and the dust flying, then the noise pollution. Increased truck traffic, yes, it is great to have the stop sign, but that is a busy street as it is now and if you start another street off it with extra trucks, it is going to drive a lot of the retail traffic away from the area. And again, that is going to affect the businesses that are already there. And the extra wear and tear in the streets. Sherwood Road does need some work to it, but you put some extra trucks and that's definitely going to make it worse. Environmental issues with the creek that runs through there. The Ellen's Creek water treatment or whatever it is called. Anyway, that's kind of flows into that so, you got to kind of watch that. Those are my main concerns but in closing, I don't think this is the right type of development to be within the City limits. We've all built our businesses there and we take pride in our business in keeping the business looking good. To me, it should be somewhere outside the City limits, you know, back in the woods somewhere, but away from residential or commercial properties and not be building (unclear word). Thank you very much.

Jason Lannigan: Good evening. My name is Jason Lannigan. I live at 10 Karen Drive. I don't have a whole lot. I just, like my neighbours, worried, wondering, but after watching all these, I don't see any reason why I cannot go... It is a... I don't know... The information is jarred. I received this, I don't know who else has... It looked like it came from the City and then there's all these at the back. All these negative stuff, was this part of it that came from the City? Or did someone just add this on here.

Mayor Lee: I don't know what you have. (faint background discussions). Did this come from the City? (faint background discussions). That did not come from the City. I have no idea where that came from.

Resident in the background: Can I speak? I was just wondering what your point is.

Jason Lannigan: It is saying our concerns about traffic, noise and pollution.

Resident in the background: What is your point?

Jason Lannigan: What's my point is that...

Mayor Lee: Folks, we are going to ask that you talk to us.

Jason Lannigan: Okay. So, it is an industrial zone now. Whether we like it or not.

Background responses: No it is not... (Murmurs in the background). It is residential. (background discussions)

Jason Lannigan: With that, I guess, I am done.

Mayor Lee: Any other questions or comments, folks?

Representative of Centennial Auto Group: I come from Centennial Auto Group. We have a business like Warren here. We are next door to him. We actually saw a picture of the back of our property. (background comments). Right out front. Thank you very much, thank you. We were proud of our business. We chose that area actually to put it and I am not against business growth, obviously, that is our whole purpose and we try to employ people. We try to be a good community citizen in the neighbourhood and everything else. But we do take a lot of pride in our development, in our business and like our neighbour Warren. I know the Browns right across the road, spent millions

of dollars in that area. I guess one of the things I would like to point out is that, had we known it was going to be just open to heavy industrial type of business, we never would have chosen that area in the first place. We looked at it. We saw that it was to the back, R-2 residential, so we were quite confident that it would never be rezoned in the heavy industrial especially. We looked at the traffic on the road and we understood that the traffic on the road, even though there was some heavy industrial traffic because of the asphalt plant that's been there for many years, it is largely changing over to just everyday customers that are driving by. They are using that route to gain access to Mount Edward Road, to go Downtown Charlottetown, or other jobs, shopping in the area. A lot of the businesses there are now not so much industrial as they are converting to retail-friendly environment so that increases retail traffic. After taking that into consideration, we chose it as a good spot, developing spot in Charlottetown and I mean, that is certainly something that would like to see continue in the future. We would like to see more of our type of business there. Business that supports, you know, or encourages customers to come in to the door, retail customers, they are driving by in their automobiles with their family, whatever happens to be... And you can see why development like this would be negative for that. Number one, it is just increase truck traffic, it makes it more dangerous, increased dirt, increased noise pollution, road that becomes heavily traveled by large trucks, dump trucks, asphalt- carrying trucks, trucks coming from the wharf as we heard, people stay away from that type of road. It becomes a hazard and that certainly not conducive to our business. For that, we are opposed to it. The other thing that I thought was interesting in the conversation, the presentation by Mr. Gillis here, was a talk about prevailing winds coming from the North. Well, that would be bad for me. But unfortunately, if you look up a quick Google search of, which I know Google doesn't lie, but a quick Google search actually tell you that prevailing winds studied by Environment Canada, prevailing winds are actually in the summer, they are South and Southwesterly. And in the winter, they are pretty well due Westerly. Now, if you look at that proposal, and you understand that a Westerly wind is going to take whatever that plant produces, whether its dust, environmental hazards, whatever it has to be, and take it directly over that neighbourhood that's there. I understand the concern of these neighbours that live just over the hill. Hill stops a lot of things. I might stop noise, it might stop a lot of things but it is not going to stop dust, it is not going to stop industrial fall out and there's just going to be... It just happens. We already have neighbors down the road that produce asphalt and on the right day, and Warren can attest to this. I am sure the Browns can attest to this. I am sure that even down as far as Charlottetown Toyota on that corner and I know our dealership, Centennial Mazda down at that corner. On the right day, we get a lot of dust fall out. We send people out to clean our cars. I mean, it takes a lot of work to keep our lots clean and some of that fall out you wouldn't believe, some of that fall out.

It is not just all dust that just comes out of the hose. There's actually heavy fall out that actually takes chemicals to get rid of that fall out. That is just not dust coming from the road. That is because of the type of stuff that is emitted in the air from things like an asphalt plant. Mr. Gillis mentioned that the asphalt plant, that its emission systems were very similar to cars built in the 80s. Well, there's a huge difference between cars built in the 80s and cars built in 2014, 15, 16, 18 – huge difference. You would never take a car built in the 80s and expect the emission standards of Canada let that on the road. So, I am not sure if that's what he meant by that but that just is a note that I thought worthy of mentioning. Another thing I was, the thing in here, he did say it was very similar and how much different can it be really, but it is very similar to the asphalt plant that is just down the road already. And really, how can it be that much different. From a business in that area, I can tell you, we deal with the effects, and I am sure even the neighbours in the subdivision over the hill actually deal with the fact without even realizing it but deal with the effects of that type of emissions in the environment. We already heard and it was brought to the attention that the City won't allow contracts for... Obviously, City Council isn't aware of that rule and they do go outside the City to allow firms to bid on their contracts so I am not sure what that argument was about. Anyway, that's just a few things I would like to mention. We, as a business owner in the area, really oppose to that type, not opposed to business development. In fact, we would love to see business development in the area. I think Warren would, the Browns would, we would all love to see business development in that area. It is good for business, we pay a lot of tax dollars. We want retail customers driving by our road but we know that this type of establishment will never encourage retail customers to drive by our business and that's what we need. We put a lot of money out there. Payback is a long, long time. We intend to employ people for a long, long time. That's people in the community of Charlottetown here, we pay our tax dollars to the City of Charlottetown, we have put a lot of money out front in hopes that someday, we will get that back. To have something like this come in and affect our business on a daily basis would really hurt and it certainly wouldn't help us in any way. That's just my comments to Council and to you, Your Worship, thank you for listening.

Mayor Lee: Go ahead, sir.

Mitchell Cris: Hi, everybody. My name is Mitchell Cris, I am 23, I live at 10 North Street with my girlfriend, our two pets. We live in a duplex. The other couple next door is young as well, they've got three pets. I will try not to go over things that the others have. I only found about this because of our diligent neighbour and Mr. Coady. I literally ran here from one of my three jobs to speak for a minute, so I will try to be quick. I am part of the hasty phone-based notes. Traffic is a huge problem. Getting out

of Penny Lane and Country View is dreadful. Nobody is going to say that that's not. The road that is going to be built on is a piece of garbage and big trucks would only make that worse. Sorry for the frankling (unknown word) which... But... I am right. A big issue as many have mentioned is pollution, sound, air and otherwise the decibels that Mr. Gillis noted are still quite loud. We hear the airport from 10 North Street and Penny Lane and Country View are relatively quiet besides that. I lived in a lot of places on PEI. This is the nicest one and I will stop being that. I represent not only some of the young people but also Eco PEI and its full support in opposing this. This planet is backwards to where PEI and the youth that you so desperately want to retain, stand. Why do we need an asphalt plant? The question is now, where do we put an asphalt plant, it is why are we putting another asphalt plant? And on that note, I actually have a direct question – Is this a new plant or is this a plant being moved because you said that it is kind of technology that's not anywhere on PEI? But if you are moving a plant, what's up with that? I don't know who I would ask.

Brian Gillis: It is being moved from Ebenezer.
(background discussions and questions)

Brian Gillis: No.
(background discussions and questions)

Brian Gillis: It is a 2009 plant.

Mitchell Cris: Okay, maybe I got lost in translation there but it sounded like you are setting new technology that wasn't anywhere on PEI right now. So, we will move on from that one. I wonder how many, again, like many people, I am fine with progress. I just want it to be in the right direction which is greener these days. Has the Chapman brothers looked into any other alternatives to asphalt? I would really like to know because certainly, we need roads paved. We need holes patch. A very quick Google search that I did while the presentation was going on because I didn't have time to prepare since nobody in the main areas being targeted were notified, which is a problem. Permeable pavement, it is very similar to asphalt, it does cost two to three times more. However, it requires less maintenance, less upkeep and it helps with not only roads and less worker time and what not, but it helps with the water. As well as the PEI Water Act is a hot issue these days, it is coming out hopefully someday. Having the waterways already helped by permeable pavement would be great. It offsets the costs. It is just a general question to say, why asphalt. It is a 2009 plant using tech from well, you compared it to the 80s. That is not where we are going. That is not where I want to be if I am a youth. I am educated. I have a degree. My girlfriend is

going to Holland College. We want to stay here but we feel like we are being pushed out. That sucks. What else. Has a full environmental assessment been done or is that after you folks would maybe approve it or is it a before or after thing? By the province...

Mayor Lee: Alex, can you answer that?

Alex Forbes: The applicant does have a number of requests in with the Province. It would be the Province who will be doing the Environmental Impact Assessment. Mr. Gillis can comment but I think they have exempted, Brian, have they not exempted you from the EIA Process? But there are other permits. He needs an air quality permit and there are other aspects of this application that they are working with City staff on. He will need to get some other follow up permits from the Province if this were approved.

Mitchell Cris: Sure. Why was it exempted?

Alex Forbes: You will have to ask the Province. Any environmental issue is the domain of the Province of Prince Edward Island. We do not deal with environmental issues. We don't have the mandate to deal with that at the local level.

Mitchell Cris: alright, I think that's all I've got. Thank you.

Scott Barry: Good evening, everyone. I am Scott Barry. I am a lawyer. I am not going to take very much of your time. Just one. I am here to advise that our office was retained by a number of residential homeowners in the area as well as business owners wishing me to come here tonight and take up more of your time than it will, speaking in opposition to this application. We learned of information today that prevents us from doing so. The simple request being made of Council is to allow submissions from those individual businesses or homeowners directly or through alternate counsel to make submissions due to circumstances that couldn't be done tonight. The identities of those remain privileged at this time but in any submission that they present forward, they will indicate that they have been in contact with me so you'll be able to identify them. Thank you.

Mayor Lee: Thank you. Any other questions, comments?

Marla Somersall: Hi, I am Marla Somersall, Executive Director of PEI Humane Society, and we are one of the properties that will be very much affected by this. Most of the run off that they are talking about on the project runs directly behind our property which is the Public Dog Park. We are currently closed, we will be opening again soon

and many people in the community, with their pets, use that property. We are also neighbours with Island Construction, a very good neighbour, but certainly a lot of impact for us for the asphalt plant there. We would have some questions around understanding what risks you believe there are with this project. You have talked a lot about the things you are doing to mitigate, but what are the risks and we haven't heard any of that yet. Also, what is the plan if there is an accident, what is the safety record of the company, what is their management of risk? Those kinds of questions I think, are very important. If the project was to go forward, we would certainly want to have good information around that. We have had run off from Island Construction affect our property and we certainly don't want this to see any more of that. And my last question would be, which properties would you see being the most affected by this project, if you could answer that please?

Mayor Lee: Sorry, any other questions or comments? Sir.

Glen Saunders: My name is Glen Saunders, 220 Mount Edward Road, and one of the things I do think is already spoken about is the traffic coming off Mount Edward Road onto Sherwood Road. I think it is going to make it extremely dangerous. It is bad enough as it is. My other thing is I used to work with the Department of Highways as a (unclear word) operator. Chapman Brothers were one of the worst companies to follow safety regulations while I worked with them. They basically rejected any safety regulations while I worked with them and this is just something that I think should (shouldn't) be put out there before this is voted on. I worked on numerous.. and they are contractors with Wayne's trucks and stuff, and like I said, they are the worst ones to follow these regulations.

Mayor Lee: Folks, I am going to jump in here. The purpose of tonight's meeting is to see if this development is a proper development for the neighbourhood. I am not going to sit here to have a discussion about individuals or individual's company. You are going to have that discussion someplace else.

Glen Saunders: My concern is just the safety regulations problems and that's... Thank you.

Mayor Lee: Thank you, Sir.

Jason Bus: Hello everyone. My name is Jason Bus and I thought I would provide a little bit more information regarding the toxic fumes which come from asphalt. I would like to read a quote from the Federal Environmental Protection Agency in the US. And it

reads, "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutant such as Formaldehyde, Hexyne, Phenyl Polycyclic organic matter and Toluene. Exposure to these air toxins may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritations". And my question is, why wasn't this discussed in the presentation tonight?

Mayor Lee: Not sure, Jason.

Jason Bus: Well, I think it should be discussed before any decision is made and perhaps what might be done to mitigate that risk. Also, I believe that this asphalt facility will negatively impact property prices so assuming this did go forward, it would make sense that everyone who would be negatively impacted receive some type of compensation. Thank you. That is all I have to say.

Mayor Lee: Any other questions, comments folks?

Shirley Campbell: My name is Shirley Campbell and I live at 49 Penny Lane and we have a home there. I just found a couple of the pictures and what was said by Mr. Gillis a little bit this evening as to how close the subdivision is to the proposed plant. One of his diagrams said that, he even specified that the Campbells live 500 meters. That was from the very middle of the site. We are probably 200 meters from the corner. I know that, I walk my dog there everyday and I can see Mr. Frizzell's barn very easily which I always love looking at. I hopefully still will. What? (unclear background comments). Well, it certainly looked to be too... If you look at that, I don't know the name of the... It was the aerial view of the sites and distance photo. You'll to where he put his 500 meters. I am just saying we are a lot closer. I just want the Council people to know that we are not that far away, that is my point, okay? Because it was quite deceiving.

Mayor Lee: Thank you Shirley. Any other questions, comments? The applicant wants to close. Any other questions, comments, before we go there? Go ahead Brian. (background comment) Oh, Jeff, go ahead.

Jeff Chapman: Thank you to everybody, Councillors, residents and Mayor. We appreciate all your inputs. We do value it, all positive and negative comments. We are going to continue to look at all these comments see what we can do to make this project as beneficial to everybody as we possibly can. The Comprehensive Development Agreement, this is a proposed contract with the Chapman family and the City of Charlottetown residents. We will do the same as in the winter of 2015 when Chapman Brothers came into the City to clear the streets of snow. When the City was at a

standstill, buried in snow, we worked day and night to clear and widen the streets of this City. The easy thing to do for us would have been to take care of our own contracts, snow removal contracts, and to go home to our families. But in our family, we have been raised with a strong sense of civic duty. And so, we answered the call. Not one other contractor answered that call to the City. This was the third time in 15 years that we made sure to give a helping hand to the people of Charlottetown when in need. I can vividly remember, blowing snow around the intersection of Rose Street and Country View Drive on an early Sunday morning, when two ladies came up to me with a Tims card as a thank you. Now at this point, I'd be working many and many hours, and for much of the week in Charlottetown. But this simple gesture made it worthwhile. I would like to thank these ladies if they are here tonight, understand how much I appreciated the little gesture. I can say, from the bottom of my heart, and I speak for the Chapman family, that we will make sure that this facility is operated with integrity, with respect to the residents of Charlottetown and for the benefit of the City. Thank you.

Mayor Lee: Any other questions, comments, folks, before we close? If not, I just want to indicate to everyone that new date for written submissions to the Planning Department is now May 25th, so you've got a couple of weeks to put your thoughts, comments down on paper. Send them in to planning and as I said, Planning Department will be meeting at... Or Planning Advisory Group will meet on June 4th to consider the application. That is open to the public as well, folks. Just contact Planning Department for the location and time of that meeting. Seeing no other request to speak, may I have a motion to adjourn.

Moved by Councillor Mitchell Tweel and seconded by Councillor Hilton. Meeting adjourned. Thank you.

END OF VERBATIM MINUTES



CHARLOTTETOWN

Planning & Heritage Summary (Week ending June 8, 2018)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlottetown Planning and Heritage Department. Residents or interested parties have 21 days to appeal to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO FILE AN APPEAL
18-033B	859066	256-BLD-18	5-Jun-18	12-Jun-18	15 Milky Way	Fascia Sign	TSC Signs Inc	3-Jul-18
18-065	145128	062-REZ-18	2-Mar-18	11-Jun-18	249 Sherwood Road	APPLICATION WITHDRAWN- Rezone portion of PID# 1021534 from M3 to M2	Irving & Marjorie Frizzell	2-Jul-18
18-161	898551	209-VAR-18	15-May-18	11-Jun-18	19 Hillsborough Street	Variance - to allow more laundry equipment in business	Micheal Mayaleh	2-Jul-18
18-177	369017	262-DEM-18	7-Jun-18	8-Jun-18	10-12-14 Young Street	Demolish building-10 Young Street	Scott Gosson	29-Jun-18
18-177	368985	263-DEM-18	7-Jun-18	8-Jun-18	10-12-14 Young Street	Demolish building-12 Young Street	Scott Gosson	29-Jun-18
18-177	368977	264-DEM-18	7-Jun-18	8-Jun-18	10-12-14 Young Street	Demolish building-14 Young Street	Scott Gosson	29-Jun-18
18-178	368969	265-DEM-18	7-Jun-18	8-Jun-18	149-153 Upper Prince Street	Demolish building-153 Young Street	Scott Gosson	29-Jun-18
18-208	338236	163-VAR-18	30-Apr-18	11-Jun-18	65-67 Prince Street	REJECTED IN COUNCIL - Major Variance - Temporary Use for Parking	David Sanderson	2-Jul-18
18-209	372250	164-VAR-18	30-Apr-18	11-Jun-18	51 Emerald Drive	REJECTED IN COUNCIL - Major Variance - Frontage	Stewart So	2-Jul-18
18-225	547810	179-VAR-18	3-May-18	11-Jun-18	27 Summer Street	Variance to lot area and frontage for a catering kitchen (meal delivery)	Gagandeep Singh Sehgal	2-Jul-18
18-261	337089	207-VAR-18	15-May-18	11-Jun-18	35 Upper Prince Street	REJECTED IN COUNCIL - Variance to allow a Patio and Liquor License	Liang Zhao	2-Jul-18
18-302B	342311	276-BLD-18	13-Jun-18	14-Jun-18	123 Grafton Street	Patio - sidewalk in front of 123 Grafton St	John Cudmore	5-Jul-18
18-314	701318	252-BLD-18	4-Jun-18	12-Jun-18	98 Water Street	Sandwich Board sign	Ayelet Stewart	3-Jul-18
18-332	191783	269-BLD-18	11-Jun-18	12-Jun-18	50 Herbert Street (Lot# 40)	Single family dwelling	Joel Leger	3-Jul-18
18-336	343756	271-BLD-18	12-Jun-18	14-Jun-18	165-167 Great George Street	Canopy sign	Tat Hon Tong	5-Jul-18

Lot Subdivision

File	Application date	Approval date	Mailed out	Property	PID#	Description
2018-011	4-May-18	11-Jun-18	11-Jun-18	24 North River Road	PID 370106	Consolidation of Parcel 1 & 2 to create Lot# 2018-1



Council Approvals

FILE #	PID#	PERMIT #	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-208	338236	163-VAR-18	30-Apr-18	6/11/2018-application rejected	65-67 Prince Street	Temporary use variance to operate the vacant property as a seasonal parking lot	David Sanderson	2-Jul-18
18-261	337089	207-VAR-18	15-May-18	6/11/2018-application rejected	35 Upper Prince Street	Variance to allow a patio and liquor license	Liang Zhao	2-Jul-18
18-161	898551	209-VAR18	15-May-18	11-Jun-18	19 Hillsborough Street	Variance to add seven washers and seven dryers to the existing laundromat business	Michael Mayaleh	2-Jul-18
18-209	372250	164-VAR-18	30-Apr-18	6/11/2018-application rejected	51 Emerald Drive	Variance to decrease the lot frontage requirement and amend intent of the proposed development agreement	Stewart So	2-Jul-18
Approve	524132	165-REZ-18	30-Apr-18	11-Jun-18	Karen Drive (PID# 534132 - Lot# 13)	Approved to proceed to public consultation to rezone from single-detached residential (R-1L) to Low Density Residential (R-2)	Kenny Campbell	2-Jul-18
18-263	192161	213-REZ-18	16-May-18	11-Jun-18	MacWilliams Road (Portion of PID# 192161)	Approved to proceed to public consultation to rezone a portion of the property from Low Density Residential (R-2) to Institutional (I) for bus parking and potential storm water management	Tyler Gallant (TIE)	2-Jul-18
2018-012	Portion of 278044 with 278077		7-May-18	11-Jun-18	91 Kensington Road & 6 Spring Lane	Lot consolidation	Bruce Holdco Inc	2-Jul-18
18-286	704536	233-REZ-18	23-May-18	11-Jun-18	Upton Road Property (PID 704536)	Approved to proceed to public consultation to rezone from single-detached residential (R-1S) to Low Density Residential (R-2S)	Terra MacKinnon	2-Jul-18
18-225	547810	179-VAR-18	3-May-18	11-Jun-18	27 Summer Street	Variance to lot area and frontage for a catering kitchen (meat delivery)	Gagandeep Singh Sehgal	2-Jul-18
18-095	145128	062-REZ-18	2-Mar-18	6/11/2018-application withdrawn	249 Sherwood Road	Rezone portion of PID# 1021534 from M3 to M2 to permit an asphalt plant	Irving & Marjorie Frizzell	2-Jul-18
				11-Jun	Zoning & Development Bylaw	Amendments to the Zoning and Development Bylaw (including a separate Heritage Bylaw)	City of Charlottetown	2-Jul-18



Verbatim Excerpt from
Charlottetown City Council
Meeting re: 249 Sherwood Road

**Regular Meeting of Council
Monday, June 11, 2018 at 4:30 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Clifford Lee presiding

Present: Deputy Mayor Mike Duffy
Councillor Greg Rivard
Councillor Melissa Hilton
Councillor Jason Coady
Councillor Bob Doiron
Councillor Terry Bernard
Councillor Terry MacLeod
Councillor Mitchell Tweel
Councillor Kevin Ramsay

Also: Peter Kelly, CAO
Paul Smith, PC
Paul Johnston, IAMM
Frank Quinn, PRM
Scott Adams, PWM
Ron Atkinson, EconDO
Alicia Packwood, CA
Tracey McLean, RMC
Scott Messervey, DCAO
Randy MacDonald, FC
Alex Forbes, PM
Richard MacEwen, UM
Wayne Long, EDO
Laurel Lea, TO
Steve Forbes, CS

Regrets: Ramona Doyle, SO
Bethany Kauzlarick, HRC

6.1 Planning & Heritage – Coun. Greg Rivard, Chair

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

RESOLVED:

That Council approve the request by Chapman Brothers to withdraw their development application (to amend the Official Plan and Zoning and Development By-law) to permit an asphalt plant at 249 Sherwood Road with the provision that the applicant will not be permitted to apply for the same or similar application at this location for a one (1) year period pursuant to section 4.29 10 of the Zoning and Development By-law.

Mayor Lee: Councillor Tweel

Councillor Tweel: Regarding the resolution Councillor Rivard, I understand the applicant wants to withdraw the resolution but if we go back to the Public meeting, it was clearly apparent to everyone in the room that the residents of Penny Lane and the business community on Sherwood Road were strongly opposed to this particular development. With that in mind,

will the Planning Department take under consideration and discuss with Planning Board the CDA Zone to take what was stated at the meeting and come up with a zoning that is more aligned and more consistent with the wishes of the business community and the residents that live on Penny Lane? Not going through an exercise unnecessarily when it was clear that both the residents and the business community on Sherwood Road were opposed to it. I think where we got into trouble was the CDA Zone and just being proactive, would you take under consideration maybe amendments to the zone to bring it more in line with the wishes of the business community? For example, two or three businesses got up and stated in the meeting and in their correspondence, and I'm paraphrasing, *have I known this I wouldn't have invested all this money in my property and spent millions of dollars in my property if I had known this was going to be entertained*. Just wondering if that can be entertained or explored? That gives the applicant a clear idea of what is permitted and not permitted.

Councillor Rivard: Thank you Councillor Tweel. The actual zone that we are talking about, which they were looking to rezone, was R-2.

Councillor Tweel: R-2

Councillor Rivard: So it is considered R-2 right now so it's not CDA. R-2 is semi-detached homes so it is already zoned what I think residents wanted to maintain. That's why they were at the meeting voicing their concerns; keep it housing and not light industrial (inaudible).

Councillor Tweel: Thank you for the clarification. Is it possible to make an amendment that before we entertain such a resolution to go to a Public meeting, that the applicant goes out and does their own survey in consultation with the staff of the Planning Department to get a read on what the community feels about such a proposal; a dramatic change to that business portion of Sherwood Road and how it affects the neighbours going from a R-2 to a CDA Zone so we are not jam-packed in the Charlottetown Hotel for three hours and where a lot of this could be avoided. This is not a criticism and I am not trying to be critical but just trying to see if we can invoke another amendment to the process so the residents are fully engaged and the business community are fully engaged. One of the things we learned during the whole process is that a lot of the residents had no idea that this proposal was coming forward because they didn't live within the 100 meters. I hope that we take all of those factors into consideration and no one is caught off-guard when we go through such an exercise again. Again, I'm not trying to criticize, I'm just trying to point out some discrepancies in the process.

Councillor Rivard: Your Worship, there is nothing in the Bylaw that states the applicant has to go out on their own. We certainly encourage them to do so. When there is a new application, we encourage them to always go out and talk to the residents but there is no rule in place that says they have to so that is what the public process is for. We will continue encouraging applicants to go to the public.

Mayor Lee: I have a question, Councillor Rivard, on the resolution. I was always under the impression that once you went to a Public meeting, Council basically had to render a decision. By allowing the applicant to withdraw his application, Council doesn't make a decision so he has no idea what the position is of the City Corporation or Council. I think in fairness to the people that attended the Public meeting and to the applicant, quite honestly, I think Council should be

making decisions after you go through the Public meeting process so that everyone knows where the City sits. Right now, nobody knows where City Council sits if you pass this resolution to allow the applicant to withdraw. I'm not sure how we get to this resolution as opposed to a resolution to reject the application.

Councillor Rivard: Either way, they are saying they are not coming back for a year anyways. If we deny them their application tonight, they have to wait a year.

Mayor Lee: I appreciate that Councillor Rivard. My major concern is that nobody knows how City Council feels because City Council is not making a decision on the application to rezone the property. I would suggest that people would want to know where Council sits on the application as opposed to just saying, *wow, I don't have to make a decision now*. It's an easy way out.

Councillor Tweel: Just on that, Your Worship. Isn't it in the Zoning and Development Bylaw that once we go to a Public meeting, Council has to make a decision so that the community knows exactly where Council stands?

Councillor Rivard: Unless we pass a motion to allow them to withdraw but yes, we have to make a decision.

Councillor Tweel: So this is an improvisation? This is what we are seeing here tonight.

Councillor Rivard: The applicant is just asking just to bow out. They are willing to pull their application. That's all they want.

Councillor Tweel: What's the procedure?

Councillor Rivard: Nothing. We can either allow it or not allow it.

Mayor Lee: Mr. Forbes

Alex Forbes, PM: The procedure is put in place to prevent the applicant from going to a Public meeting (reading the tea leaves), withdrawing without Council's approval. It is the applicant's application but after it goes to a public hearing, the intent of this bylaw is that they are not allow to withdraw because of the one year rule. If they withdraw and you don't say they can withdraw, they can be back here in two months. So what we have done on this resolution is we indicated and invoked that provision that they can't come back within a year. You can turn it down. You can turn the whole application down but they can come back within the year as well. The end result is the same. The applicant has come to us and says that it is their desire to abandon the application at this time so that is where we are at.

Mayor Lee: So the point is Alex, it is no longer their application after the public hearing.

Alex Forbes, PM: Right but the little hook at the end of that resolution...

Mayor Lee: No, no, I appreciate that but I guess the only difference then in reality is that Council doesn't make a decision.

Alex Forbes, PM: Correct.

Mayor Lee: Councillor Hilton

Councillor Hilton: I do believe that not that long ago, Tim Banks had an application with regards to Richmond Street. We went to a Public meeting and he asked to withdraw it. We didn't even have it in our minutes for the next month's Public meeting. A month later we came back to give him permission to withdraw his application even though he already withdrew it and we just didn't vote on the withdrawal so it was done not that long ago so the precedent has been set where we allowed Tim Banks to do it with the Richmond building where he had the micro-units before us and now we have this.

Mayor Lee: Councillor Rivard

Councillor Rivard: Councillor Hilton, we actually did vote on it. They came back and he asked to restart the process because there was an error made and he asked Council if we would allow his application to be pulled and start the process all over again; we allowed it. This is a little different in the sense that he is not coming back.

Councillor Hilton: The meeting after the Public meeting we had with regards to Tim Banks, he asked to withdraw it. It was withdrawn and we didn't have a resolution so it was the next month we actually had a resolution giving him permission to withdraw the application and then he proceeded. There could have been a new resolution that evening.

Mayor Lee: Questions called. All those in favour? All those opposed?

CARRIED 9-0

End of Verbatim Excerpt



CHARLOTTETOWN

Planning & Heritage Summary (Week ending March 15, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

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If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-611	145797, 145789	541-REZ-18	28-Nov-18	11-Mar-19	APPROVED	562 Malpeque Road	Rezone properties from R1 to C2	Maple Isle Homes	1-Apr-19
18-629	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Design Review, Home Occ & Parking	City of Charlottetown	1-Apr-19
18-630	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Affordable Housing	City of Charlottetown	1-Apr-19
18-631	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Bylaw numbering	City of Charlottetown	1-Apr-19
19-061	343582	062-VAR-19	14-Feb-19	11-Mar-19	APPROVED	215 Queen Street (215-219)	Temporary Use Variance for food container	Mehmooch Aghdassi	1-Apr-19
18-035	577585	023-bld-18	12-Mar-19	12-Mar-19	APPROVED	215 Minna Jane Drive (Lot# 5-2)	Occupancy Permit-Phase2 Building Envelope 60 unit apartment	McInnis Group (1993) Ltd	2-Apr-19
19-007B	387761	102-BLD-19	8-Mar-19	12-Mar-12	APPROVED	670 University Ave	Renovations for Bentley Leathers	Bentley Group (Kristine Paroon)	2-Apr-12
19-013	1040583	097-BLD-19	7-Mar-19	15-Mar-19	APPROVED	7 Babineau Drive (Unit 12D)	Signage for UPS Store	Tannoy Saha	5-Apr-19
19-018	363671	018-BLD-19	22-Jan-19	12-Mar-19	APPROVED	101 Longworth Avenue	Install wall mounted bracket sign	TSC Signs Inc	2-Apr-19
19-052B	343673	063-BLD-19	14-Feb-19	14-Mar-19	APPROVED	119 Kent Street (Japanese Restaurant)	Sign and Encroachment agreement	Sign Craft	4-Apr-19
19-078B	1054972	108-BLD-19	12-Mar-19	15-Mar-19	APPROVED	20 Babineau Avenue	Four temporary structures in garden centre	Canadian Tire	5-Apr-19
19-083	1104322	085-BLD-19	27-Feb-19	13-Mar-19	APPROVED	32-34 Bambrick Drive (Lot# 17-34)	New Semi-detached dwelling	Phillip Hughes	3-Apr-19
19-091	1095736	094-BLD-19	8-Mar-19	15-Mar-19	APPROVED	123 Beach Grove Road (Lot# 2017-1)	Single family dwelling	Peter McCallum	5-Apr-19
19-095	372300	099-BLD-19	8-Mar-19	15-Mar-19	APPROVED	465 University Avenue	Temporary tent - Garden Centre	Atlantic Super Store	5-Apr-19
19-096	925107	100-BLD-19	8-Mar-19	12-Mar-19	APPROVED	15 Westway Drive	16 X 28 ft In ground pool	Connie McQuillan	2-Apr-19
19-108	407429	116-BLD-19	15-Mar-19	15-Mar-19	APPROVED	31 Woodlawn Drive	10x12 prefabricated greenhouse	Shad Qadri	5-Apr-19

Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-004	PID #457259 and PID #457242	23-Jan-2019	15-Mar-2019	15-Mar-2019	APPROVED	45 and 53 Kirkcaldy Drive	Lot subdivision into two lots	Robert Callbeck (c/o Robin Aitken)	5-Apr-19
2019-007	PID# 388207	22-Feb-2019	12-Mar-2019	12-Mar-2019	APPROVED	167 Minna Jane Drive	Lot subdivision into two lots	Pan American	2-Apr-19
2019-008	PID #s 926675, 778308	26-Feb-2019	15-Mar-2019	18-Mar-2019	APPROVED	MacRae Drive	Lot Consolidation	Keon Developments Ltd	8-Apr-19

Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-611	145797, 145789	541-REZ-18	28-Nov-18	11-Mar-19	APPROVED	562 Malpeque Road	Rezoning properties from R1 to C2	Maple Isle Homes	1-Apr-19
18-629	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Design Review, Home Occ & Parking	City of Charlottetown	1-Apr-19
18-630	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Affordable Housing	City of Charlottetown	1-Apr-19
18-631	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Bylaw numbering	City of Charlottetown	1-Apr-19
19-061	343582	062-VAR-19	14-Feb-19	11-Mar-19	APPROVED	215 Queen Street (215-219)	Temporary Use Variance for food Container	Mehmoosh Aghdassi	1-Apr-19
19-036	396770	037-REZ-19	1-Feb-19	11-Mar-19		88 Brackley Point Road	Rezoning property from R1L to R3	Ron Wood	1-Apr-19
19-079	469841	081-REZ-19	25-Feb-19	11-Mar-19		197 Minna Jane Drive	Rezoning from CDA to C-2	Cordova Realty Ltd	1-Apr-19
19-051	344044	052-VAR-19	11-Feb-19	11-Mar-19	APPROVED TO PROCEED TO PUBLIC CONSULTATION	183 Great George Street	Variance to privacy fence height on vacant lot	Michael Wasnidge	1-Apr-19
19-101	N/A	105-BYL-19	4-Mar-19	11-Mar-19		Zoning & Development ByLaw Amendments	Proposed amendments to the Zoning & Development Bylaw pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments.	City of Charlottetown	1-Apr-19
19-102	N/A	106-BYL-19	4-Mar-19	11-Mar-19		Secondary & Garden Suite Registry	Proposal to create and implement the Secondary and Garden Suite Registry Bylaw	City of Charlottetown	1-Apr-19



CHARLOTTETOWN

Planning & Heritage Summary (Week ending June 21, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

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If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
17-153	341404	118-BIG-17	21-Jun-19	21-Jun-19	APPROVED	342 Grafton Street	Occupancy Permit	SableARC Studios	12-Jul-19
18-505	759944	429-BLD-18	19-Jun-19	21-Jun-19	APPROVED	206 Sherwood Road	Occupancy Permit - Renovation of existing building and two small addition	Brighton Construction	12-Jul-19
18-527	1076686	453-BLD-18	27-Sep-18	19-Jun-19	APPROVED	42-44-46-48-50-52 Michelle Crescent	Six Unit townhouse construction	Sherdale Properties	10-Jul-19
19-074E	739128	359-BLD-19	13-Jun-19	19-Jun-19	APPROVED	6 Prince Street	Restaurant kitchen and retail counter	Kevin MacLean	10-Jul-19
19-145	275743	155-BLD-19	1-Apr-19	19-Jun-19	APPROVED	6 Vic Campbell boulevard	Home Occupation application	Thoa Thi Nguyen	10-Jul-19
19-209	746164	245-BLD-19	29-May-19	29-May-19	APPROVED	12 Alice Avenue (Lot# 112)	Footing Permit-New single family dwelling	Lea & MacLeod LTD	19-Jun-19
19-213	373225	365-BLD-19	13-Jun-19	21-Jun-19	APPROVED	37 Vista Street	New attached garage	Greg Mills	12-Jul-19
19-229	342196	267-BLD-19	17-Jun-19	17-Jun-19	APPROVED	82-94 Kent Street	Occupancy Permit-Egress window and Fire escape repairs	Xionglang Chen	8-Jul-19
19-260	1103969	304-BLD-19	24-May-19	19-Jun-19	APPROVED	24-26 Bambrick Drive (Lot 17-32)	New Semi-detached dwelling	Paramount Construction	10-Jul-19
19-261	1103951	305-BLD-19	24-May-19	19-Jun-19	APPROVED	20-22 Bambrick Drive (Lot 17-31)	New Semi-detached dwelling	Paramount Construction	10-Jul-19
19-270	1102771	315-BLD-19	30-May-19	21-Jun-19	APPROVED	27-29 Bambrick Drive (Lot 17-26)	New Semi-detached dwelling	Wade MacDonald	12-Jul-19
19-271	1104314	316-BLD-19	30-May-19	21-Jun-19	APPROVED	23-25 Bambrick Drive (Lot #17-27)	New Semi-detached dwelling	Wade MacDonald	12-Jul-19
19-279	366716	324-BLD-19	31-May-19	20-Jun-19	APPROVED	29 Brittany Drive (Lot 65)	New single family dwelling	A. C. McCardle Construction	11-Jul-19
19-282	723684	360-BLD-19	14-Jun-19	17-Jun-19	APPROVED	34 Warburton Drive	Accessory building	Martin Stearns	8-Jul-19
19-295	872028	343-BLD-19	5-Jun-19	17-Jun-19	APPROVED	Peakes Quay, Unit 10A Great George St	Signage Application - individually cut letters mounted on plywood	Barbara MacLeod	8-Jul-19
19-305	335653	356-BLD-19	12-Jun-19	20-Jun-19	APPROVED	65 Water Street	Interior renovation for third floor office space only	Robert Haggis	11-Jul-19
19-306	337634	385-BLD-19	19-Jun-19	21-Jun-19	APPROVED	264 Dorchester Street	Renovate existing dwelling	Doug LeLacheur	12-Jul-19



CHARLOTTETOWN

(Continued from page 1)

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-308	397455	367-BLD-19	6-Jun-19	18-Jun-19	APPROVED	135 St Peters Rd	Signage application	Day Nite Neon Signs (Chris Boone)	9-Jul-19
19-314	746164	374-BLD-19	18-Jun-19	19-Jun-19	APPROVED	19 Alice Ave (Lot 88)	New Single family dwelling	Jaycor Inc	10-Jul-19
19-315	688929	364-BLD-19	14-Jun-19	19-Jun-19	APPROVED	118 Parkside Drive	In-ground pool	Omar Hashem	10-Jul-19
19-318	868281	378-BLD-19	19-Jun-19	21-Jun-19	APPROVED	80 Commonwealth Ave	New heating plant building	William Chandler	12-Jul-19
19-321	918003	384-BLD-19	19-Jun-19	20-Jun-19	APPROVED	27 Hughes Court	10x14 Shed	Doug Mahar	11-Jul-19
19-324	411827	388-BLD-19	20-Jun-19	21-Jun-19	APPROVED	358 Lower Malpeque Road	Deck renovation	Lyndsay McQuillan & Matthew Martel	12-Jul-19

Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2017-038	822569 & 862551	3-Oct-17	27-May-19	19-Jun-19	APPROVED	Fox Run Drive (Lot# 3 & 4)	Subdivision	Island Realty	17-Jun-19
2019-027	PID #1102565	17-Jun-19	18-Jun-19	19-Jun-19	APPROVED	24-26 Holmes Lane	Lot subdivision of property into two lots (80-1 & 80-2)	Jaycor Inc	9-Jul-19

Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-101	N/A	N/A	4-Mar-19	21-Jun-19	APPROVED; DONE 2ND READING. FOR MINISTERIAL APPROVAL	Zoning & Development Bylaw Amendments	Proposed amendments to the Zoning & Development Bylaw pertaining to Asphalt, Aggregate & Concrete Plant	City of Charlottetown	12-Jul-19
19-102	N/A	N/A	4-Mar-19	21-Jun-19	APPROVED; DONE 2ND READING. FOR MINISTERIAL APPROVAL	Secondary & Garden Suite Registry	Proposal to create and implement the Secondary and Garden Suite Registry Bylaw	City of Charlottetown	12-Jul-19

July 09, 2019

Samantha Murphy
Manager of Municipal Affairs
PO Box 2000, Municipal Affairs
3 Brighton Road, Aubin-Arsenault Building,
Charlottetown PE C1A 7N8

Dear Samantha:

The City of Charlottetown has adopted an amendment to *"To amend sections of the Zoning & Development Bylaw (Bylaw PH-ZD.2) to permit an Asphalt, Aggregate and Concrete Plant and insert a definition for said use under Appendix A. Definitions."*

The City has followed all municipal bylaw procedures and the procedures as contained in the *Planning Act* in approving this amendment. The following details the submitted materials and procedures followed by the City in approving these amendments.

- Planning Board minutes dated Wednesday, March 06, 2019, recommending that Council approve the request to proceed to a public consultation to consider the proposed amendments.
- Council minutes dated Monday, March 11, 2019, approving the request to proceed to a public consultation, and the resolution approving this request.
- Advertisement published in Saturday, March 16, 2019 and Saturday, March 23, 2019, editions of *The Guardian* notifying the public of the Public Meeting of Council to be held on Wednesday, March 27, 2019.
- Public Meeting of Council minutes dated Wednesday, March 27, 2019.
- Planning Board minutes dated Monday, April 1, 2019, recommending that the application specific to Asphalt plant be deferred until Staff discusses the assessment process with the Provincial Department of Environment.
- Planning Board minutes dated Monday, May 06, 2019, recommending that Council approve the proposed amendments.
- Council minutes dated Monday, May 13, 2019, approving the proposed amendment.
- Council minutes dated June 10, 2019, deferring the first reading of the said resolution for Council to review the matter for a possibility of going to another public meeting.
- Council minutes dated June 17, 2019 rescinding the decision from June 10, 2019 to go to public meeting and giving the 1st Reading of the Zoning and Development Bylaw, and final resolution.
- Council minutes dated June 21, 2019, giving the 2nd Reading of the Zoning and Development Bylaw.

If any additional information is required for this Bylaw amendment, please contact the Planning & Heritage Department at (902) 629-4158.

Sincerely,



Ellen Faye Ganga
Intake Officer/ Administrative Assistant
Planning & Heritage Department
City of Charlottetown





Planning & Heritage Summary (Week ending August 02, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

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Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-425	1091289	358-BLD-18	31-Jul-19	31-Jul-19	APPROVED	36-38 Bambrick Drive (Lot 17-35)	Occupancy Permit - Duplex dwelling	Jason Ellis	21-Aug-19
18-534	394684	458-BLD-18	2-Aug-19	2-Aug-19	APPROVED	16 Centennial Drive	Occupancy Permit - Renovations to existing nursing home to create new kitchen	Brandon MacDonald	23-Aug-19
18-541	425892	469-BLD-18	30-Jul-19	30-Jul-19	APPROVED	115 Deacon Grove Lane	Occupancy Permit - Interior Renovations to Hillsborough Hospital	Phillip Jefferson (Dept of TIE)	20-Aug-19
19-051B	344044	480-BLD-19	19-Jul-19	30-Jul-19	CANCELLED	183 Great George Street	Fence	Christopher Tweel	20-Aug-19
19-064B	825943	489-BLD-19	24-Jul-19	30-Jul-19	APPROVED	360 Grafton Street	Tent for PEI International Shellfish Festival	Frankie Molyneux	20-Aug-19
19-076B	388207	184-BLD-19	30-Jul-19	30-Jul-19	APPROVED	167 Minna Jane Drive	Occupancy permit - Retail Fit-up for flooring warehouse	APM Construction Ltd.	20-Aug-19
19-206	335588	411-BLD-19	25-Jun-19	29-Jul-19	APPROVED	25 Pownal Street	Renovations to existing dwelling	Open Practice	19-Aug-19
19-212	364844	248-BLD-19	7-May-19	1-Aug-19	APPROVED	17-19 Kensington Road	Renovate existing building and add 6 units	John Taylor	22-Aug-19
19-212	364844	467-VAR-19	17-Jul-19	1-Aug-19	APPROVED	17-19 Kensington Road	Variance to side yard setback	John Taylor	22-Aug-19
19-248	278739	289-BLD-19	22-May-19	29-Jul-19	APPROVED	21 Exhibition Drive (58 Kensington Road)	Tent for Old Home Week	Beth Doucette	19-Aug-19
19-248	278739	482-BLD-19	22-Jul-19	29-Jul-19	APPROVED	21 Exhibition Drive (58 Kensington Road)	Tent for temporary stalls Old Home Week	Adam Walsh	19-Aug-19
19-249	373894	390-BLD-19	20-Jun-19	1-Aug-19	CANCELLED	31 Westview Drive	Site work for future garage	Derek Gaudet	22-Aug-19
19-249	373894	290-BLD-19	22-May-19	1-Aug-19	APPROVED	31 Westview Drive	Addition of mudroom, laundry and living room	Derek Gaudet	22-Aug-19
19-265	339994	310-BLD-19	28-May-19	29-Jul-19	APPROVED	99 Pownal Street (Legion)	New commercial kitchen	Melvin Ford	19-Aug-19
19-293B	897918	506-BLD-19	31-Jul-19	2-Aug-19	APPROVED	Confederation Landing	Temporary Tent	Sundaze Festival/Sam Murphy	23-Aug-19
19-330	1091289	401-BLD-19	21-Jun-19	29-Jul-19	APPROVED	32 Hammac Drive (Lot 17-6)	Single Family dwelling	Pro-Tech Property Restoration & Construction	19-Aug-19
19-351	939892	430-BLD-19	25-Jul-19	25-Jul-19	APPROVED	15 Horseshoe Blvd (Lot 25)	Footing Permit - Single Family dwelling	Ninaber Construction Ltd	15-Aug-19



FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-359	622233	438-BLD-19	5-Jul-19	1-Aug-19	APPROVED	21 Keaton Drive (Lot 18-15)	Single Family dwelling	Ron MacLean	22-Aug-19
19-369	373126	448-BLD-19	9-Jul-19	29-Jul-19	APPROVED	550 University Ave	UPEI Don & Marion McDougall Hall renovations	Mandy McKenna/Jackie MacPhail	19-Aug-19
19-375	530980	457-BLD-19	15-Jul-19	29-Jul-19	APPROVED	21 Miller St (Lot 19-1)	Single Family dwelling	Mac&Mac Enterprises	19-Aug-19
19-376	530980	458-BLD-19	15-Jul-19	29-Jul-19	APPROVED	23 Miller St (Lot 19-2)	Single Family dwelling	Mac&Mac Enterprises	19-Aug-19
19-392	765743	486-BLD-19	23-Jul-19	29-Jul-19	APPROVED	46 Kensington Road	2 tents for Old Home Week	Sandra Hodder Acorn	19-Aug-19
19-395	339143	488-BLD-19	26-Jul-19	31-Jul-19	APPROVED	134 Richmond Street	Install a trellis/ pergola in front of Fishbones Restaurant	Craig MacMillan	21-Aug-19
19-402	393413	497-BLD-19	30-Jul-19	31-Jul-19	APPROVED	45 Maple Ave	install a gazebo kit on existing deck	Sue Rollins	21-Aug-19
19-403	570903	498-BLD-19	30-Jul-19	30-Jul-19	APPROVED	23 Westcomb Crescent	Floating deck in front of property	Clarence Laybolt	20-Aug-19
19-409	360859	504-BLD-19	30-Jul-19	1-Aug-19	APPROVED	229 University Ave (43 Passmore St)	Deck renovation	Mike Harman	22-Aug-19
19-411	Various	507-BLD-19	31-Jul-19	1-Aug-19	APPROVED	Various city properties (special event signs)	Walk of Hope signages	Jennifer Bowness	22-Aug-19
19-412	274936	508-BLD-19	31-Jul-19	2-Aug-19	APPROVED	53 Gower Street	Phase 1 - Foundation for new 32-unit apartment building	Kreative Acres Corp	23-Aug-19
19-413	352236	510-COM-19	1-Aug-19	1-Aug-19	APPROVED	27 Edinburgh Drive	Complaint on rental property on north end of house	Myron Costain	22-Aug-19

Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-043	PID #390823	24-Jul-2019	29-Jul-2019	31-Jul-2019	APPROVED	330 Sherwood Road	Lot Subdivision	Chapman Bros (Jeffrey Chapman)	19-Aug-19
2019-045	PID #145284	29-Jul-2019	29-Jul-2019	2-Aug-2019	APPROVED	Tannery Court	Lot Subdivision (14 lots)	Arnold MacRae	19-Aug-19

Council Approvals

[illegible]

PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES
TUESDAY, SEPTEMBER 03, 2019, 4:30 P.M.
PARKDALE ROOM, 2nd FLOOR, CITY HALL

<u>Present:</u>	Councillor Greg Rivard, Chair	Rosemary Herbert, RM
	Deputy Mayor Jason Coady, Vice-Chair	Shallyn Murray, RM
	Councillor Bob Doiron	Alex Forbes, PHM
	Councillor Julie McCabe	Laurel Palmer Thompson, PII
	Basil Hambly, RM	Robert Zilke, PII
	Bobby Kenny, RM	Ellen Faye Ganga, PH IA/AA
	Kris Fournier, RM	
	Reg MacInnis, RM	
<u>Regrets:</u>	Mayor Philip Brown	Greg Morrison, PII

1. Amendments to the Zoning & Development By-law (Bylaw PH-ZD.2)

Robert Zilke: Thank you. Tonight, just going over seven different amendments to the Zoning Bylaw. They are essentially housekeeping amendments. The intention is to provide clarification and also consistency for staff administering some of these sections when it applies to development. This is essentially...the recommendation is to proceed to public consultation. If Planning board recommends to proceed and Council supports that recommendation, then we will have a public hearing on these amendments. And at that point, I will be going to a little more detail on the amendments itself. For brevity's sake, I will just kind of keep it to the main points tonight. Those are the sections that are being amended.

- *Section 2: Operation*
- *Section 3.14 Design Review*
- *Section 4: Accessory Structures*
- *Section 4.6: Non-conforming buildings*
- *Section 36.3 Regulations for Industrial and Commercial Uses*
- *Section 43.1 Parking Space Standards*
- *Section 44.21 Exemptions to sign regulations*

(Verbatim excerpts not included for sections other than Section 36.3 – Regulations for Industrial and Commercial Uses as it pertains to asphalt plant)

Robert Zilke: Alright. The next one is regards to prohibiting an asphalt, aggregate or concrete plant in the West Royalty Business Park. As the board remembers, because this is quite recent, Council adopted regulations to allow for an asphalt, aggregate or concrete plant in the M-2 Zone. There's essentially two (2) areas in the City of Charlottetown that has M-2 Zoning. There's the Sherwood Industrial Park Area and then there's the West Royalty Business Park. Basically, what staff looking at the West Royalty Business Park, and we did bring this up when we brought forward the amendments of the asphalt plant was that we found that doing a land use analysis between the two areas. It was quite clear that the West Royalty Business Park is very different in character. It is much more of a Business Park than the industrial area and the heavy industrial uses that is

located along Sherwood. Through that, though discussion even with the Province on the asphalt amendments, it was agreed that something like that wouldn't be amenable or compatible in the West Royalty Business Park. There is quite a bit of single-detached dwellings that is actually on the one side of the Business Park. And then to the south, there's more residential and then institutional and then commercial uses. Right now, we just want to clarify in the bylaw that, even if the asphalt plant is permitted in the M-2 Zone, it wouldn't be permitted into any M-2 zone within the West Royalty Business Park. Later time when staff wishes to do more of a comprehensive review on the bylaw and look at the zoning map itself, we are looking at maybe downzoning the M-2 zones in the West Royalty Business Park to make it more maybe like an M-3 or create a new zoning that is more reflective of the uses that are there today.

Greg Rivard: Reg.

Reg MacInnis: I am just wondering why we wouldn't expand that just to the City of Charlottetown?

(inaudible discussion)

Reg MacInnis: I am just saying, if we are gonna go with a lot of areas you don't want to....

Alex Forbes: It is a tricky, tricky issue. The issue is, it is a legal land use. And it is the obligation of the municipality unless they have really compelling reasons, you need to support that in the municipal plan as to why you are prohibiting a legal land use. I mean it is... This one has been complicated from the start and we don't debate that. And it really... We... Staff were asked if we are going to have an asphalt plant, where would it be. M-2 Zone is the only zone that is, the Heavy Industrial Zone. As a result of all the scrutiny on both areas, you know we can't afford it. The West Royalty Park is very... It is a very different beast than the other one. They have the same zoning. It is likely in the fullness of time the zoning will change or we will recommend changing on the West Royalty Industrial Park. The other one still stands because it is where the heavy industrial in this city is undertaken. You could just spend 15 minutes out there in both parks and you can see the difference between how the two of them operated. This one... When... The discussion with the province dealing with EIA, whether the EIA kicked in, they have their own parameters with regard to allowing this in. At the time when we *allowed/didn't allow* one over in Sherwood, our attitude was it is up to the property owner to figure out how to, you know... he's got to meet these parameters of the province, he's got to meet some other dictates. But that was up to him if he could the area. It is a much bigger area as well. It already has an asphalt plant. It is a tricky one from the City's point of view but it is really hard to say that you're restricting a land use that's legal. I had a real problem with this in New Brunswick because it has to do with New Brunswick, they allowed strip clubs. The Province *can/didn't* issue licenses for strip clubs. So the municipality said no strip clubs, you cannot do that. Found that out. There's ways that you can make it hard. But then again, it is tricky to restrict a legal land use. And in this case, it is really about two different... they have the same zoning, they operate very differently. It is the (unclear) plus one on top of residential area and one's a much larger and there's (unclear) so an asphalt plant can't get too close on Sherwood Road to all those residential areas (unclear).

Councillor Doiron: But why wasn't this done before? Like, you sold it... I am not saying "you" sold it, but it was sold on the condition that, you know, you know what, we are going to pass this. This is in West royalty and it is in Sherwood. You know, whatever happens, happens. And then it happens and then you come back saying okay now, we want West Royalty taken out of that equation. Those people, I mean, I am sure that everyone in West Royalty doesn't want it. And I am sure the ones in Sherwood don't want it. It just seems to me that this is kind a, why was this not done before?

Alex Forbes: It has to do with again, everything with this asphalt plant has to do with the lot. The owner or somebody who want an asphalt plant was contesting and pushing the planning department and saying he had the right in the M-2 zone, wherever it was, to have that use. And we said no, which we did seek a legal opinion on. (unclear) Heavy...just let me have a look here.

Councillor McCabe: I don't think you should change it though because you changed the zoning map. It is either heavy industrial or not. If it is heavy industrial, then we could...(Unclear)

Alex Forbes: That is up to you folks. The reality is, the time that we dealt with this, we were being pushed on the fact that if somebody...when I refuse a permit, it is all ending up in the same spot. It is in IRAC and (unclear)... I mean, I don't know if this is heading to IRAC but the applicant said, I have the right to be in the M-2 zone and I said, you don't. Then that's my interpretation. Therefore, if I had to make the determination, what is the right place for it, what is the clear council direction. It is where this thing all came from. There's only one zone that is heavy industrial but when we move forward on it, there was a lot that come out of that. I don't know every land use in West Royalty Park, but a lot came out of that process. We were just trying to protect the municipality in regard to what is the best place for this use and then avoid going to IRAC and then IRAC says, you Mr. Forbes, you (unclear) in regard, he had the right to that land use under the existing definitions that pertain to that act. That is what we are trying to...We are just trying to tidy this thing up, one way or the other, in the best manner that protects the interest of both areas and the people..

Councillor Doiron: So that goes to IRAC soon, does it?

Alex Forbes: Oh, it is going to IRAC. (inaudible) If IRAC will get into all of these issues. Again, if somebody says it can be prohibited in its entirety. I am not a lawyer but these are all touchy issues. It's been a legal issue from the day one coming forth, that is why it is here.

Deputy Mayor Coady: I think it is absolutely ridiculous to have this here. Like Councillor Doiron said, after what we went through with the Sherwood road, it was all these building, it was two spots, and you get one approved and then take the other one off the table. It is absolutely ridiculous.

Alex Forbes: That's up to you folks. The point is, we are just indicating that, as a result of all of these, there are different land uses in the two. If we don't want to approve it, that is fine as well. We are just... And there's a lot of... I mean there is a lot of discussion during the public hearing as to whether you can legally get one created in the West Royalty Park. Again, you can't put through every scenario and you have to find every piece of vacant land use out there. Which lands

are vacant, which are big enough for an asphalt plant. We are pretty confident, I think it has been great, that it is pretty hard to get one in the West Royalty Park but again, I don't know that definitively. I mean you have to look at every regulation and the province still has rules with regard to the approval of the first one. Are they gonna have an EIA? None of that has been determined.

Councillor Doiron: What's an EIA?

Alex Forbes: Oh sorry, Environmental Impact Assessment.

Councillor McCabe: But I think if it is an M-2 Zone, it is an M-2 Zone. But I don't think we are get in to decide, this time it is not okay, but last time it was okay.

Alex Forbes: That's up to you folks...

Councillor McCabe: (unclear) Hey, manager put that proposal out...

Councillor Rivard: I remain in somewhat quiet because I think that the councillors in the room (unclear) that is spearhead by me. But it wasn't at all. It was done by staff. I would simply say even if I wasn't in this board, I would say, my only argument would be, why can't (we) compound the problem that we already have. But I am not, because, again, this is my ward and I know that Councillors are looking at me and saying...

Councillor McCabe: Oh no. I...

Deputy Mayor Coady: Don't say I am... I am not looking at you at all... I am just saying...

(inaudible discussions)

Alex Forbes: You (unclear) rule in any way you want, I mean it was a part of that discussion. Council asked these same questions. There was a lot of questions around it. It was hard to get this created in the West Royalty Park. It still maybe...The point is, from the point of view, if you trying to...my job is to fortify the bylaw to make it as strong as possible and cut out the ambiguity. The only people that can cut out the ambiguity is council, right? I am the bird dog, I bring these problems to you. You can say, bird dog, go away or we agree with you and we think there should be some amendments. There's no doubt that it is a contentious issue, Sherwood Road or whatever, but a lot came out of that process which we saw. We are going to IRAC. IRAC will rule on all of these things in regard to whether it should be permitted or can be restricted from the City. I think you can, with some really good...but you would have to change the Official Plan. You give a lot of good reasons why we shouldn't have one in the City. The fact is that I don't know that we can, but again, I am not a lawyer...

Councillor McCabe: I think if we are doing anything, we would have to change the zone of the whole park versus...(inaudible). We are talking about zoning it down from heavy industrial to a less intensive industrial zone. I don't think we want to get specific on asphalt, aggregate and

concrete. Because there are other parts that are heavy industrial one that less and less you want to look at... I am not comfortable...

Reg MacInnis: And you can still bring this up (unclear) see what IRAC has to say on this issue before this goes forward. In my view, to put this forward... *(inaudible)*

Alex Forbes: That is entirely up to you folks. But again, if in the even that... My job is to make you aware of these things. The fact is, I make you aware with whatever way you want to do with it and council. Then that is the direction that's provided back to me. I fail if I didn't make you aware of those issues and then somebody... we get an application out there and somebody says, there's never been any... There's an inventory that needs to be done with the park, the West Royalty Park. I don't know the rationale why it got zoned M-2. Presumably, there's got to be... but again, it takes a quick drive through that park and you can see that it operates very differently from the other one. I don't understand that, but it takes a lot of work to go in there and then work with those property owners. You may add more uses which are more Business Park related over West Royalty. We don't have the time right now, but I am just bringing this to your attention. So it is up to you folks, yey or ney.

Councillor Rivard: Rosemary...

Rosemary Herbert: I just want to comment that I think maybe that the timing is not ideal to bring this forward now. Maybe it could be looked at the end of (unclear). Secondly, I have a question, just lack of knowledge probably but why can't people not like putting an asphalt plant in the country somewhere... (unclear)

Alex Forbes: They cannot.

Rosemary Herbert: Because it is not zoned?

Alex Forbes: The problem is, i... I shouldn't say they can't. Asphalt plant usually are in rural areas. There's no doubt about that. But again, we have this peculiar circumstance here. We have no rock. The plant is usually where the rock is. There is no rock. The rock is in the most highly densely place in the City, which is in the port. It has to leave the port. It has to go somewhere and it has to come back. That is the unique thing about Charlottetown. The rock is moving all over the place before it ends up in your driveway.

Rosemary Herbert: So it is more central if it is in Charlottetown.

Alex Forbes: Exactly. Because you have to look at from the perspective. I am not in the asphalt business but the rock would have to leave the city to get to a rural area and then it's gonna go through the city and back through the city and other configuration and that's cost. That is why we are unique. If you are in Nova Scotia where they make, or even in, you can see these piles outside of Moncton. You put the plant inside the piles because that is where... it is a one stop shop. The material is out there. The other problem is in PEI. People live everywhere PEI. Very little real rural where you are in the middle of nowhere. The restriction of the Province is within 500 meters of

the dwelling unit. If you go outside of the city, it is very hard even out in Brackley to meet that criteria and you know, apparently, whoever is the active person on this was looking before (unclear). This is not an easy issue regardless who is right or wrong. But the reality is, to tidy up and to provide clear direction. If your clear direction is leave it alone, that is fine with me as well.

Reg MacInnis: Can I ask a question? Wasn't it (unclear) downtown? When they had an asphalt plant many years ago? Like many years ago in the 70s/60s? I'm looking around and somebody's my age...

(inaudible)

Councillor Rivard: They used to have one in Summerside...
(inaudible)

Laurel Thompson: Did the (unclear) get in to summerside port or just Charlottetown?
(inaudible)

Councillor Rivard: (unclear) get all theirs from Summerside Port and mixture I think (unclear) gets it from Georgetown gets aggregate as well.

Councillor McCabe: Can you look at the... Like if you are going to change that, change the bigger part of it rather than that wording?

Alex Forbes: It is just the reality...We can do whatever I am so of directed. I am indicating that if they were the exact land uses, like very similar or heavy trucks, but the reality is that they are not. One was much smaller and one is right on top of the residential area. You may never be able to do that, but again, there was a lot of ...and a lot of questions that staff...can somebody can get in there. We don't even know because the final approval body is got to be the Province in regard to the Environmental Impact Assessment. They still haven't rule on the one on Sherwood. But the reality is, it is my job to advise you of flaws or weaknesses in the bylaw and if you so agree that you could fortify so that you do not get into ambiguity. And that ambiguity is in the definition already in the zone which triggered it all. That is why we are here initially and these hopefully could clarify that, but it is up to you so...

Councillor Rivard: Alright. What do you folks want to do?

Councillor Doiron: I move forward that make Alex go away... until you know, there's an answer from IRAC that says, clears up all these questions. As it seems right now, this is not a good time. There's too much, you know, floating around, from my point of view. I don't know what anybody else thinks but we are not that far away from the lands or from IRAC.

Unknown: It could be six months...

Alex Forbes: The hearing is the middle of October. It could be months before they rule on us.

Councillor Doiron: We are not in a rush or...

Alex Forbes: The only thing is we could get an application. Once we get an application and somebody goes over there into that park, finds a spot (inaudible) but if they do, they are in.

Councillor Doiron: Did we get an application for this place yet?

Alex Forbes: We got a subdivision application. But I still think they are still dealing with the province. They haven't formally asked us, am I correct (inaudible). They may still be dealing with the province. It is a two-tiered approval, but the province may just give the pass and say, sure it is okay. We just want to make sure that you are aware of the difference between the two areas. If somebody comes in with an application...(inaudible)... in between now and IRAC ruling, there will be no debate on it, there will be issues.

Councillor Rivard: Is there any chance I can take my Ward 7 hat off here. It might look to be looked upon fairly if take my ward 7 hat off and speak to this for a second? My thing is this, even if, again, if this is not my ward, I would say, we heard from the people in Sherwood. We heard the issue. It was way beyond what I ever imagine. They had a meeting in West Royalty area. (unclear) I guess my question is, why would we park it and not move forward with doing something if we saw the problem already happened. Let IRAC deal with that now (unclear)deal with it ahead of time. If it doesn't happen again or have it potentially happening again.

(inaudible)

Councillor Rivard: We can, we can (unclear) with rezonings prior to something happening. My point is again, this nothing is sure of, some of the comments around... I don't want to use the word "revenge" or whatever it is. If it happens over here, it should happen here. Planning staff are saying, based on all the things that happened, they are recommending this. Again with my ward 7 hat off, I don't know why we would not just pursue it.

Deputy Mayor Coady/Councillor Doiron: We went to a meeting last year on Sherwood Road and residents showed up. We could not fit them all in the room, saying no. They wrote emails in when this Sherwood road again saying they don't want to have this asphalt plant but council still approved it. So now all of a sudden we are worried about the West Royalty area.

Councillor Rivard: We took out the application for Sherwood Road last year. It was an application for rezoning a residential area to allow for the asphalt plant to go in.

Councillor Doiron: But they didn't want an asphalt plant.

Councillor Rivard: But again, when we did the rezoning...Part of the problem too that we are not getting is that we did the bylaw review, we adopted in October, we took out the asphalt plant as a discretionary use in the airport authority. We had no asphalt plant anywhere in our bylaws.

(inaudible)

Councillor Rivard: (unclear) Heavy industrial use... and they were able to show in the heavy industrial in the M-2 use, what the heavy industrial meant. It was in there as a use so perhaps...

Alex Forbes: The way the existing bylaw was, *(inaudible)* IRAC would rule on who was IRAC. Was IRAC to refuse it or was our definition sufficiently broad enough to allow an asphalt plant in either zone because heavy manufacturing is allowed in both zones. What we are trying to do is we are trying to be aware of. We don't deal with this application a whole lot. We just don't get this application like this all the time. It is just my job to bring to Council's attention these issues. Again, the prohibition will likely come off at IRAC and I am not a lawyer. I was at a decision point which I was uncomfortable at so I was looking for clarification.

Councillor Rivard: I think the whole asphalt debate was an oversight if you will, we took it out as a discretionary zone, not even, I guess, looking what the heavy industrial would be, which is why where we are at now. If we would let that discretionary use in...

Alex Forbes: But that discretionary use didn't make any sense. The discretionary use was in the airport. The only time the airport is going to exercise the discretionary use wasn't for asphalt for anybody else, it is for themselves. This is land uses, you don't say car dealer can be at the airport for when the Avis wants some cars. I mean it is universal to the city. It was unique that...and the discretionary uses have been sort of taken out of most bylaws. Because it is discretionary, why is it discretionary. It is either allowed or it is not allowed. I am just bringing this to your attention. We knew that in light of everything, the IRAC appeal, I debated it. But the fact that is, if I am silent, you get an application out there. I just thought I would be proactive.

Councillor Doiron: Which is good. But you say yourself that, there's probably never gonna get one out there because they are so close to the houses.

Alex Forbes: But it is hard for me because it is the province that is going to make that determination. I don't know how the province is going to rule. I am just trying to, based upon the 500 meters of the dwelling, it is their decision not mine. We are relying that they are going to exercise that provision and with that provision, I don't think there's a who lot of vacant land in the West Royalty Park.

(inaudible)

Alex Forbes: And you have to stock pile aggregate. So you need a fairly need a big piece of ground. Again, this could be (unclear). But the reality is, let's say, we prevail and we win and IRAC, I would still tell you that, this park, there could be another use in this park of the heavy industrial nature that I think should be reviewed.

Councillor McCabe: And I think that whole zoning of that whole park needs to be reviewed.

Alex Forbes: Right. But that involves some discussion with the property owners out there and everything else and with everything else on our plate, we just...with short term rentals and things like that, we have pinned down on other prerogatives but we just thought that if it's in your interest to nip that in the (unclear)...

Councillor McCabe: Can we put that in a deferral until after the IRAC decision before we vote on this?

Alex Forbes: That is entirely up to this board and...

Councillor McCabe: And I will put that...

Alex Forbes: It will be up to Council to make the final determination.

Councillor McCabe: Yes.

(inaudible)

Councillor Doiron: This is an amendment to the bylaw, that's why you need.

Alex Forbes: Right, exactly.

Councillor Rivard: It still has to go to a public meeting.

Alex Forbes: Public meeting on all of these...

Reg MacInnis: This is not kicking the (unclear)?

Councillor Rivard: I don't disagree. I am not saying it doesn't. I guess... I don't know...

Alex Forbes: It is (unclear) But the reality is, all I am saying is, if somebody comes in, but before IRAC makes a ruling on it, they go on to the other on...And again, the implication is going to be very hard to do that...I don't know that. I am just implying that land use review indicated that they are very different locales but they are the same zone.

Basil Hambly: Would there be a lot in the West Royalty Industrial Park that would/wouldn't require to be an M-2 zone?

Alex Forbes: Well, I think Robert did a little bit of work and I don't know if we would like to get in to all of the ins and outs. But there has to be a reason why they zoned it M-2. We are speculating I think is to...There's a big player out there... Whether they got the whole park to M-2, but the reality is, it is not really an M-2. The rest of the land uses are not M-2...

Robert Zilke: I can expand on that. I made some research on to this, dug through some files. On the previous zoning bylaw, it was zoned heavy industrial M-2. And then I believe it was around

the 70s or 80s when the provincial government created that building where they started to lease out spaces to different businesses. That then, they actually renamed it from the West Royalty Industrial Park to the West Royalty Business Park. The intention that they are moving away from the industrial area for that area then going more to a business like context. Then that's where part of the park is actually zoned M-3, which is Business Industrial Park. That's the origin of that. That's basically why you have partially M-3 which is Business Park Industrial and then some of the core area which is the older properties that are still zoned, carried on from the Heavy Industrial M-2 zone.

Basil Hambly: Because there's only a few business out there that's actually (unclear)

Robert Zilke: That's correct. Than are Industrial based uses.

Councillor Rivard: (unclear) beyond that Marijuana plant. It is such close proximity (unclear). Marijuana and having an asphalt plant here. I don't know if there would be any... (unclear)... In Ward 7 we do have a huge marijuana facility that I am sure no one else would want in their ward. And we also have diagnostic chemical I am guessing, a chemical plant that probably no one wants approved in their ward. But they are in Ward 7.

Councillor McCabe: I only have a grocery in Ward 9 so come in there...

Councillor Rivard: Alright, do we wait on this one to the end with everything?

Robert Zilke: Yes, I will just continue...

*****Skipped verbatim for non-asphalt amendments*****

Councillor Rivard: So here we go. We have seven proposed amendments to go to a public meeting. Six seemed to be no issue. The only issue is...

Councillor McCabe: 36.2.

Councillor Rivard: Correct. I guess we could to a quick side vote on that one to figure out if we are going to defer before we go to the big vote? Who wants to see I guess, the asphalt plant or West Royalty Business Plant going to a public meeting? If you do want to see it go to a public meeting, put your hand up? Okay? Alright. That one is going to be an easy deferral. That would be the recommendation to Council. For the other six, we need a motion on the floor.

Reg MacInnis: I'll move the other six.

Councillor Rivard: Rosemary. awesome. Is there any other debate? Nothing? Alright. All in favor? Opposed? Motion is carried. I need a motion to adjourn.

RESOLUTION:

Moved by Reg MacInnis, RM, and seconded by Rosemary Herbert, RM, that the amendments to the Zoning & Development Bylaw (PH-ZD.2) pertaining to:

- Section 2: Operation;
- Section 3.14 Design Review;
- Section 4: Accessory Structures;
- Section 4.6: Non-conforming buildings;
- Section 43.1 Parking Space Standards; and
- Section 44.21 Exemptions to sign regulations,

be recommended to council to proceed to Public Consultation;

And, the amendment to the Zoning & Development Bylaw (PH-ZD.2) pertaining to Section 36.3 Regulations for Industrial and Commercial Uses (asphalt plants), be deferred until after the IRAC Hearing.

CARRIED
(9-0)

END OF VERBATIM EXCERPT



ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the CharlotteTown Planning and Heritage Department. Residents or interested parties have **21 days to appeal** to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

Planning Department Permit Approvals									
FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-324	1097005	377-BLD-18	08-Apr-19	12-Sep-19	APPROVED	96 Sherwood Road	Final Occupancy Permil - Phase 2	APM Commercial	3-Oct-19
19-029	711200	030-BLD-19	25-Jan-19	13-Sep-19	APPROVED	37 Ash Drive	Renovations to basement apartment	Heather MacLeod	4-Oct-19
19-060	1074905	061-BLD-19	12-Feb-19	6-Sep-19	APPROVED	7 Innovation Way	Occupancy Permit: Phase 3-Cannabis production plant	Fitzgerald & Snow (2010) Ltd	27-Sep-19
19-305	335653	356-BLD-19	12-Jun-19	12-Sep-19	APPROVED	65 Water Street	Occupancy Permit: Interior renovation for third floor office space only	Robert Haggis	3-Oct-19
19-346	145284	422-BLD-19	28-Jun-19	10-Sep-19	APPROVED	24 Tannery Court (Lot 13)	Single Family dwelling	Ivan Noonan	1-Oct-19
19-385	373450	474-BLD-19	18-Jul-19	13-Sep-19	APPROVED	310 North River Road	Additional parking spaces	Joshua Simon	4-Oct-19
19-465	363812	584-BLD-19	29-Aug-19	10-Sep-19	APPROVED	8 John Street	New deck	Dillon Wight	1-Oct-19
19-468	684332	588-BLD-19	30-Aug-19	12-Sep-19	APPROVED	126 Parkside Drive	12'x16' Shed	John J. Rowe	3-Oct-19
19-476	371062	597-BLD-19	04-Sep-19	10-Sep-19	APPROVED	423 University Ave	New signage on building fascia	JD Sign Group/ Shane Thomas-Lovnic	1-Oct-19
19-493	1014307	617-BLD-19	11-Sep-19	13-Sep-19	APPROVED	144A Brackley Point Road	Single family dwelling	Kerri Wheatley	4-Oct-19
19-495	388108	619-BLD-19	12-Sep-19	12-Sep-19	APPROVED	40 Emman Crescent (Charlottetown Rural)	20'x30' shelter	Philip Pierlot	3-Oct-19

Lot Subdivisions

[illegible]



Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-379	275156	465-REZ-19	17-Jul-19	9-Sep-19	APPROVED: 1st Reading Done. For 2nd Reading	38 Palmers Lane	Rezone from R2 to R3	Weymouth Properties	30-Sep-19
19-058	278531	515-VAR-19	1-Aug-19	9-Sep-19	REJECTED	13 Donwood Drive	Variance for Home Occupation	Paula MacDonald	30-Sep-19
19-400	360719	494-VAR-19	26-Jul-19	9-Sep-19	APPROVED	53 Upper Hillsborough Street	Variance to lot frontage and Lot area	Jarrod Thaymond Dunn	30-Sep-19
19-325	364695	427-VAR-19	28-Jun-19	9-Sep-19	APPROVED	80 Longworth Ave	Variance to lot frontage	Brian McMillan	30-Sep-19
19-230	387654	512-VAR-19	1-Aug-19	9-Sep-19	APPROVED	17 Capital Drive	Variance to side yard and density	Kris Rodd	30-Sep-19
19-204	388595	240-REZ-19	2-May-19	9-Sep-19	REJECTED	Royalty Road (PID# 388595)	Reconsideration for rezoning of property	George Zafiris	30-Sep-19
19-101B	N/A	N/A	6-Aug-19	9-Sep-19	Approved to proceed to public consultation except for asphalt plant amendments which was deferred	N/A	Proposed amendments to the Zoning & Development Bylaw pertaining to measurement provisions, attached garages, non-conforming buildings, asphalt plant and marijuana production facility parking space requirements	City of Charlottetown	30-Sep-19



Mailing: 233 Queen St. Tel: 902-629-4158
Charlottetown, PE, C1A 4B9 Fax: 902-629-4156
Email: planning@charlottetown.ca Website: www.charlottetown.ca

For Office Use Only

File #:	19-3948	Zone:	M2
Permit #:	773-BLD-19	Permit Fee:	\$147.00
PID #:	390823	Received:	Nov 14, 2019

BUILDING & DEVELOPMENT PERMIT APPLICATION

1. TYPE OF WORK

☐ New Building ☒ Renovate Existing ☐ Addition ☐ Change Use ☐ Other: _____

2. CONTACT INFORMATION

APPLICANT Name: Jeffrey Chapman Address: Rt 16 Ex 7
Phone: 902 887 2328 Cell: 902 969 0285
Email: cbcl.jeffrey@bell.ca Postal Code: C0A2B0

OWNER Name: Chapman Bros Address: 16 Greenvale Rd
Phone: 902 887 2328 Cell: _____
Email: cbcl.bros@bell.ca Postal Code: C0A2B0

CONTRACTOR, ARCHITECT, OR ENGINEER Name: Colin MacAulay Address: _____
Phone: 902 370 3277 Cell: _____
Email: cmacaulay@harboursideengineering.ca Postal Code: _____

3. PROJECT INFORMATION

Project Location: 330 Sherwood Rd
Proposed Occupancy: Maintenance facility for Heavy Equipment
Current Occupancy: Vacant
(if Existing Building on Lot)
Estimated Value of Construction: \$ 21,000
Corner Lot: Yes: ☐ No: ☒ Other Buildings on Lot? Yes: ☐ No: ☒ If yes, identify use: _____
If Building/Addition is under 20m², will the Grades be changing? Yes: ☐ No: ☐ Not Applicable: ☒

4. DETAILED PROJECT DESCRIPTION

- Install 2 14x16 doors and mandor to North Wall of existing building.

THIS IS AN APPLICATION ONLY

Page 1 of 2

See Reverse for Additional Information

5. DECLARATION & SIGNATURE

I DO SOLEMNLY DECLARE & CERTIFY:

- 1) That I am the Authorized Agent of the Owner/the Owner named in the Application for a permit hereto attached.
- 2) That the statements contained in this Application are true and complete, and are made with full knowledge of the circumstances connected with this Application.
- 3) That the plans and specifications submitted with this Application are prepared for the construction or alteration for the building or buildings described, and the building or development will be constructed or carried out in accordance with the plans and specifications as submitted.
- 4) That to the best of my knowledge, information and belief, the plot plans submitted correctly set out the dimensions and the area of the lands described in the Application, and the relation of the location of the proposed building to the street and property line.
- 5) That I know of no reason why the permit should not be granted in pursuance of the Application, and I make this declaration conscientiously believing it to be true.
- 6) Provided that the City, its officers, agents and/or employees are acting in good faith in the administration of the City's Bylaws, I waive all rights or action against the City of Charlottetown and/or its officers, agents, or employees in respect of any damages which may be caused through the operation of any provision(s) in any of the Bylaws or for the refusal of a permit or for any cause or irregularity or nonconformity with the Bylaws or regulations adopted by the City of Charlottetown.
- 7) I assume responsibility for damage to any City property including: sidewalks, curbs, gutters, etc. and I irrevocably agree to bear the cost of remediation repair or replacement of any City property damaged by myself or by any contractors, agents or employees working on the property which is the subject of this Application to the complete satisfaction of the City of Charlottetown.
- 8) I acknowledge that I am aware of any relevant incentive programs offered by the City and that Applications for such programs are to accompany a Building Permit Application.
- 9) The City of Charlottetown reserves the right to determine the applicable estimated construction cost of all types of building or development. See Section 6 below.
- 10) I agree to comply with all laws of Canada, Province of Prince Edward Island, pertaining to the construction/and use of the development applied for herein.

Further, I realize that the payment of monies for this application does not constitute approval of a permit nor approval to commence any part of the work applied for.

SIGNATURE OF APPLICANT: _____

DATE: _____

Please indicate how you would like to receive the approved permit:

☐ Post

☐ Email

☐ Pick-Up at Planning Dept.

6. DETERMINING BUILDING PERMIT FEE BASED UPON ESTIMATED COST OF CONSTRUCTION

- 1) Permit Fees are based upon project valuation on the determined valuation of a project.
- 2) Valuation means the estimated total cost of building construction, including all electric, mechanical, plumbing and permanently fixed equipment. It is not meant to determine the market value of the structure.
- 3) Values provided by the applicant that appear to be significantly lower or higher than experience has shown with similar projects will be determined by researching recent similar permits or commercial valuation tools to determine an approximate average square foot value of the work.
- 4) Total valuation includes design fees, but does not include land price.

THIS IS AN APPLICATION ONLY

Page 2 of 2

See Reverse for Additional Information

Mary LaPierre

From: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Sent: Thursday, November 14, 2019 10:09 AM
To: cbcl.maryl@bellaliant.com
Subject: Fwd: Sherwood Road - Garage Door Openings
Attachments: image002.jpg; Untitled attachment 00788.htm; 330 SHERWOOD ROAD - Garage Door Openings_Issued 13.11.2019.pdf; Untitled attachment 00791.htm

Print this off

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

Begin forwarded message:

From: Jason Chapman <cbcl.jason@bellaliant.com>
Date: November 13, 2019 at 4:12:09 PM AST
To: Jeff Chapman <cbcl.jeffrey@bellaliant.com>
Subject: Fwd: Sherwood Road - Garage Door Openings

Sent from my iPhone

Begin forwarded message:

From: Calvin MacAulay <cmacaulay@harboursideengineering.ca>
Date: November 13, 2019 at 3:11:27 PM AST
To: "cbcl.jason@bellaliant.com" <cbcl.jason@bellaliant.com>
Cc: Greg MacDonald <gmacdonald@harboursideengineering.ca>, Neil Smith <nsmith@harboursideengineering.ca>
Subject: Sherwood Road - Garage Door Openings

Hi Jason,

Please see attached. Any questions or concerns please let me know.

Once you have had a chance to review we can discuss. There are a few items that we will need to confirm prior to you ordering materials.

Regards,

Calvin MacAulay, P.Eng.
Structural Engineer
Harbourside Engineering Consultants
Ph: (902)370-3277
Fax: (902)405-4693

PLANNING

Revised NOV 14, 2019 in RS

330 SHERWOOD ROAD

191268

SK1 of
Page

Project Name

Number

CHAMMAN BROTHER'S

GARAGE DOOR OPENINGS

Client

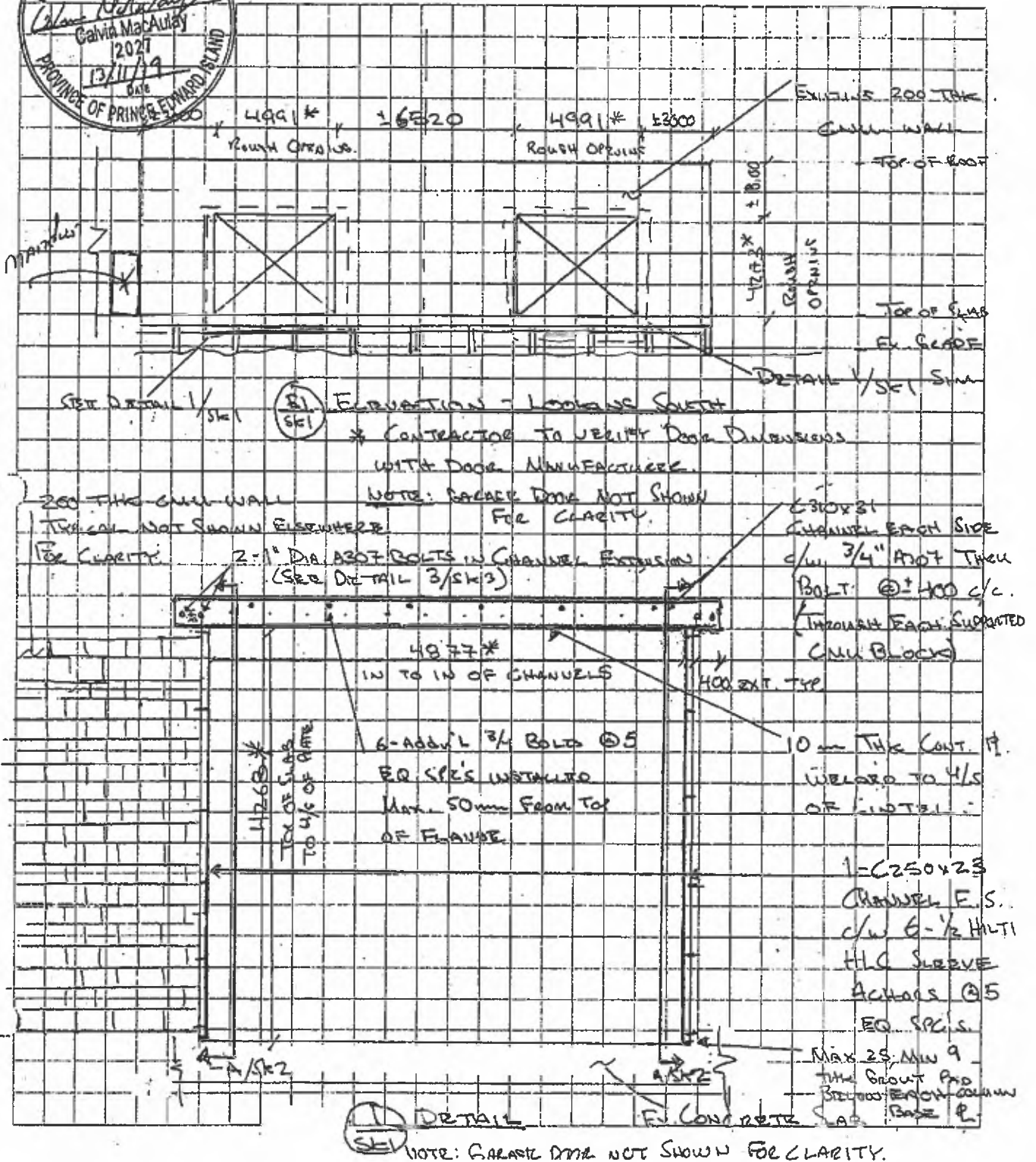
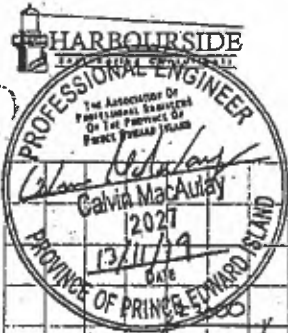
Subject

Designed CDM

Checked NES

Approved

12/11/19
Date





330 SARKWOOD ROAD

Project Name

191268

Number

27 of

Page

CHAPMAN BROTHERS

Client

GARAGE DOOR OPENING

Subject

COM

Designed

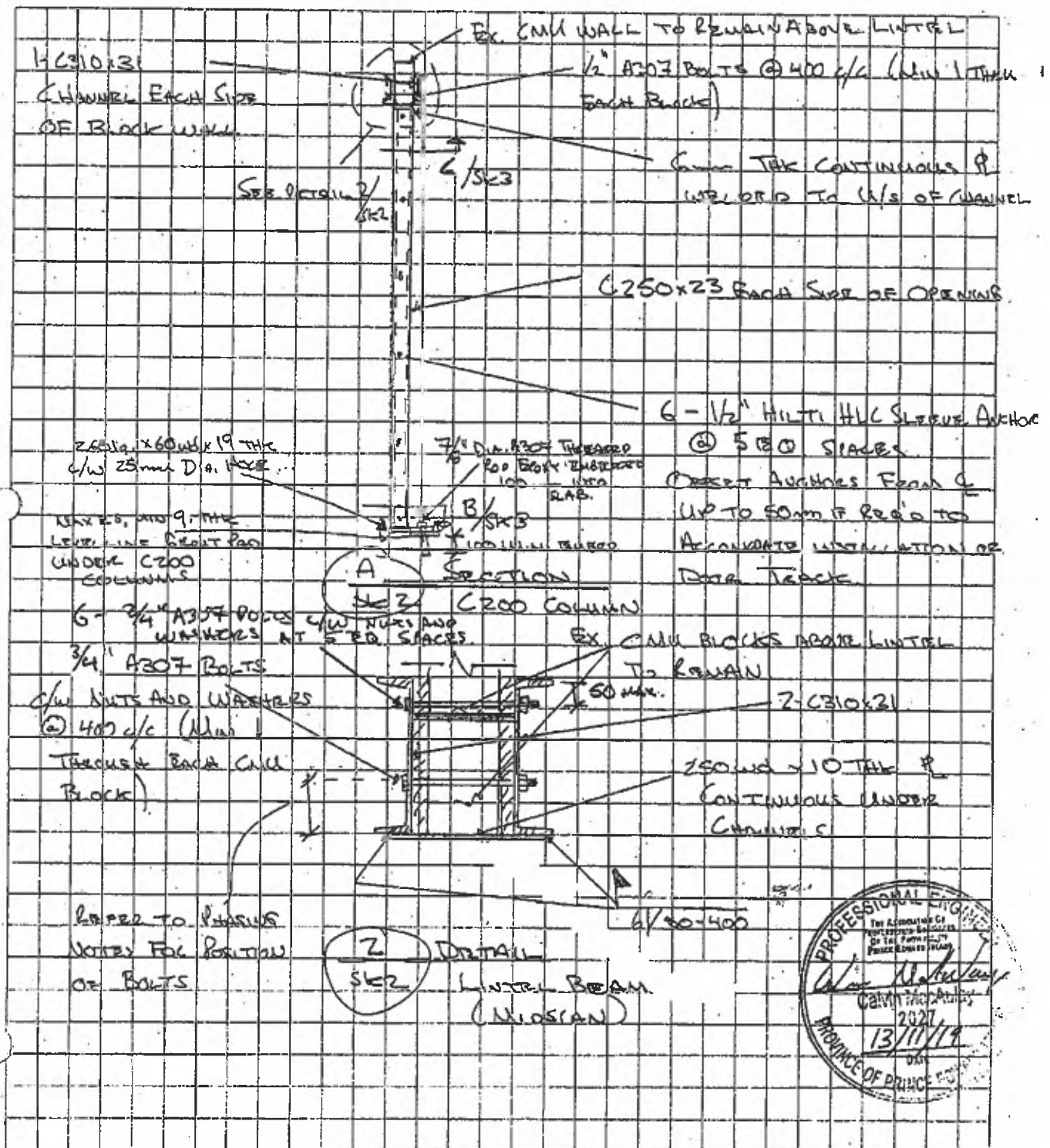
NES

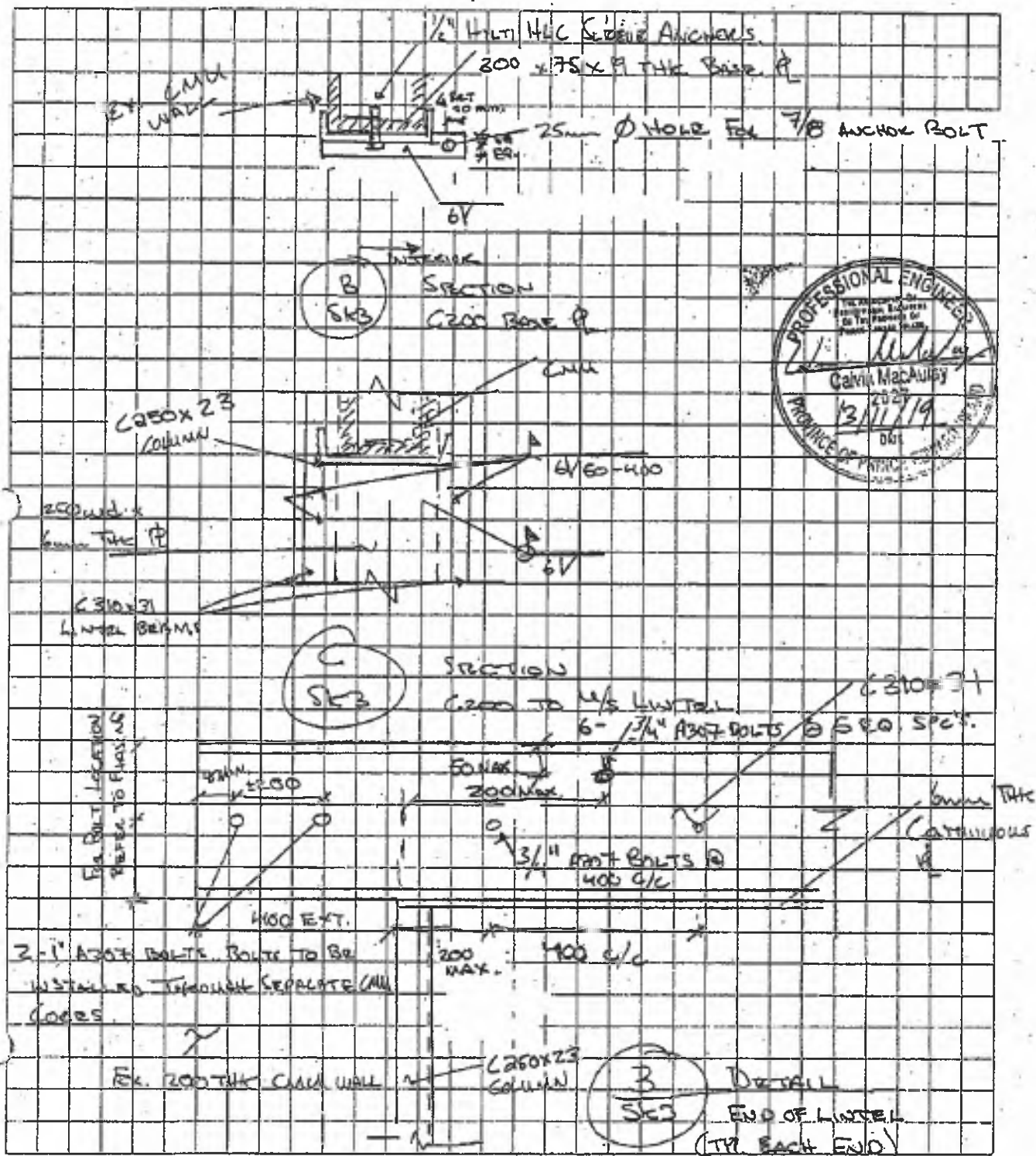
Checked

Approved

12/11/19

Date





PHASING:

1. MARK AND LAYOUT AREA FOR DOOR INSTALLATION.
2. CONTRACTOR TO VERIFY THAT THERE ARE NO UTILITIES WITHIN THE ZONE OF REMOVALS.
3. MARK AND DRILL HOLES THROUGH MASONRY WALL FOR INSTALLATION OF C310 LINTEL BEAMS. NOTE:
 - a. VERTICAL HOLE LOCATION DEPENDENT ON LOCATION OF HORIZONTAL CUT LINE RELATIVE TO LAST FULL MASONRY BLOCK:
 - i. IF CUT LINE IS GREATER THAN OR EQUAL TO 150mm FROM LAST FULL MASONRY BLOCK, THEN BOLTS ARE TO BE INSTALLED IN CENTRE OF PARTIAL HEIGHT BLOCK.
 - ii. IF CUT LINE IS LESS THAN 150mm FROM LAST FULL HEIGHT BLOCK NOTIFY ENGINEER AND WAIT FOR INSTRUCTION.
 - b. LOCATE HOLES HORIZONTALLY TO AVOID DRILLING THROUGH MORTAR JOINTS AND WEBS OF BLOCKS.
 - c. THERE IS TO BE A MINIMUM OF ONE BOLT THROUGH EACH CMU BLOCK THAT IS BETWEEN THE LINTEL CHANNELS.
4. INSTALL C310 LINTELS ON WALL USING BOLTS. TIGHTEN BOLTS TO SNUG TIGHT.
5. SAWCUT THROUGH EXISTING CMU WALL ALONG ENTIRE PERIMETER OF ROUGH OPENING.
6. REMOVE CMU BLOCKS FROM WITHIN THE OPENING. CARE SHALL BE TAKEN NOT TO DAMAGE OR SHIFT BLOCKS OUTSIDE OF THE OPENING.
7. WELD LINTEL PLATE TO UNDERSIDE OF C310's.
8. INSTALL C200 SIDE CHANNELS. SHIM TO CORRECT HEIGHT AND WELD TO UNDERSIDE OF LINTEL PLATE.
9. ANCHOR C200 CHANNELS INTO EXISTING WALLS WITH MASONRY ANCHORS.
10. DRILL AND ANCHOR BASE PLATE INTO EXISTING SLAB.
11. REMOVE SHIMS AND GROUT UNDERNEATH BASE PLATE.
12. INSTALL DOOR FRAME AND DOOR.



GENERAL NOTES:

1. ALL DIMENSIONS SHOWN IN MILLIMETRES (mm) AND ALL ELEVATIONS SHOWN IN METERS (m) UNLESS NOTED OTHERWISE.
2. DO NOT SCALE FROM THE DRAWINGS.
3. ALL STANDARDS AND SPECIFICATION NOTES REFLECT THE "LATEST EDITION".
4. THERE SHALL BE NO SNOW OR LIVE LOAD ABOVE THE OPENINGS UNTIL DOOR IS FULLY INSTALLED.
5. CONTRACTOR TO FIELD VERIFY ALL MEASUREMENTS SHOWN. CONTRACTOR TO NOTIFY THE ENGINEER IF THERE ARE ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND THE EXISTING CONDITIONS.
6. EXISTING BLOCK WALL IS ASSUMED TO BE CONSTRUCTED OF 200mm THK., 200mm HIGH STANDARD CONCRETE MASONRY UNITS (CMU) WITH A MAXIMUM OF 3 CORES GROUTED PER METRE.
7. DEADLOAD OF ROOF SYSTEM BEARING ON THE WALL ASSUMED TO BE 2kPa WITH A 1m TRIBUTARY WIDTH. CONTRACTOR TO VERIFY ROOFING SYSTEM AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
8. THE GARAGE DOOR IS ASSUMED TO BE SUPPORTED OFF OF HANGERS ATTACHED TO THE ROOF.

MATERIAL NOTES:

1. STEEL MATERIALS SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:
 - a. CHANNELS TO CAN/CSA G40.21M, GRADE 350W.
 - b. PLATE TO CAN/CSA G40.21M, GRADE 350W.
 - c. BOLTS AND THREADED ROD TO ASTM A307.
2. ALL STEEL WORK SHALL BE CONDUCTED IN ACCORDANCE WITH CAN/CSA S16
3. ALL WELDING SHALL BE CONDUCTED IN ACCORDANCE WITH CSA W59.
4. HOLES IN STEEL PLATE TO BE 2mm LARGER THAN THE BOLT DIAMETER.
5. MASONRY ANCHORS TO BE HILTI HLC SLEEVE ANCHORS (O.A.E.). ANCHORS TO BE INSTALLED AS PER MANUFACTURER'S INSTRUCTIONS.
6. GROUT BENEATH C200 COLUMN BASE PLATES TO BE 50MPa NON-SHRINK GROUT.
7. GARAGE DOORS TO BE UPWARDOR TX 500, 14' HIGH BY 16' WIDE. CONTRACTOR TO VERIFY ACTUAL GARAGE DOOR DIMENSIONS AND FRAMING REQUIREMENTS PRIOR TO FABRICATING STEEL COLUMNS AND LINTEL.
8. EPOXY TO BE HILTI HIT-HY 200 O.A.E.
9. ALL STEEL TO BE COATED OR GALVANIZED. CONTRACTOR TO SELECT COATING AND NOTIFY ENGINEER. THERE SHALL BE NO COATING IN AREAS TO BE WELDED PRIOR TO WELDING. TOUCH COATINGS AFTER INSTALLATION IS COMPLETE.



Eisnor, Trevor

From: Eisnor, Trevor
Sent: November-15-19 10:32 AM
To: 'cbcl.jeffrey@bellaliant.com'
Subject: Permit Application - 330 Sherwood road - file 19-394B

Jeffery,

Please provide me with a "simple floor plan" showing where the new doors are to be installed. Show the building facing the street.

Thanks

Trevor Eisnor, CET, Senior Building Inspector
City of Charlottetown

233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4107
Cell: 902-629-0191

teisnor@charlottetown.ca
www.charlottetown.ca



Stavert, Robert

From: Eisnor, Trevor
Sent: April 20, 2020 11:43 AM
To: Stavert, Robert
Subject: FW: Simple floor plan
Attachments: IMG_2845.jpg; ATT00001.txt

Print this off and add to file.

Thanks

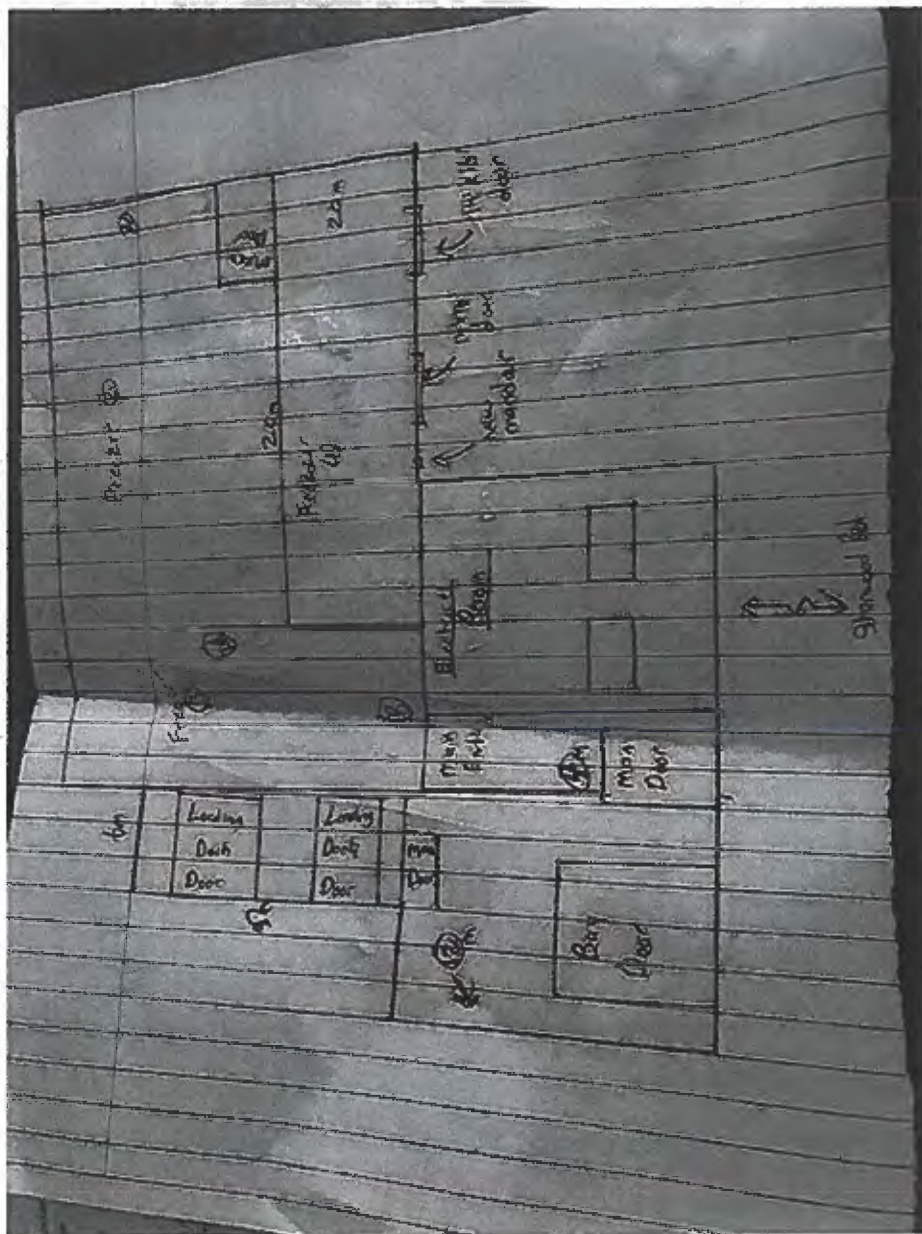
Trevor Eisnor, CET, Chief Building Inspector City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4107
Cell: 902-629-0191

teisnor@charlottetown.ca
www.charlottetown.ca

-----Original Message-----

From: Jeffrey Chapman [mailto:cbcl.jeffrey@bellaliant.com]
Sent: November-15-19 2:33 PM
To: Eisnor, Trevor <teisnor@charlottetown.ca>
Subject: Simple floor plan

Following is a simple floor plan for 330 Sherwood rd showing the location of a new man door and 2 14*16 doors on the sherwood rd side of the building





CHARLOTTE-TOWN

Planning & Heritage Summary (Week ending November 29, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlotte-Town Planning and Heritage Department. Residents or interested parties have 21 days to appeal to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-042	parent 1100528	043-BLD-19	06-Feb-19	28-Nov-19	APPROVED	29 MacWilliams Road (lot# 32)	Occupancy Permit: New Single Family Dwelling	Vince Dunn	19-Dec-19
19-074K	739128	707-BLD-19	17-Oct-19	25-Nov-19	APPROVED	6 Prince Street	Phase II: Addition and new entrance to Visitor Information Centre	Mike Cochrane	16-Dec-19
19-076D	388207	391-BLD-19	20-Jun-19	26-Nov-19	APPROVED	167 Minna Jane Drive	Occupancy Permit: Interior fitup for Hair Salon & Spa	APM Construction Ltd.	17-Dec-19
19-153B	406736	764-BLD-19	12-Nov-19	22-Nov-19	APPROVED	32 Cobirt Drive (Lot# 07-27)	Interior fit-up for office space	William Chandler	13-Dec-19
19-284C	1020825	709-BLD-19	17-Oct-19	1-Nov-19	APPROVED	8 Camburhill Court (Unit 6)	Interior fit-up for office space	MDS Coating Technologies	22-Nov-19
19-284C	1020825	709-BLD-19	17-Oct-19	26-Nov-19	APPROVED	8 Camburhill Court (Unit 6)	Occupancy Permit: Interior fit-up for office space	MDS Coating Technologies	17-Dec-19
19-394B	390823	773-BLD-19	14-Nov-19	25-Nov-19	APPROVED	330 Sherwood Road	Install new doors in existing commercial building	Jeffrey Chapman	16-Dec-19
19-510	337592	639-BLD-19	19-Sep-19	22-Nov-19	APPROVED	265 King Street	New 4-unit residential building	Steven Larier	13-Dec-19
19-532	442400	673-BLD-19	03-Oct-19	27-Nov-19	APPROVED	113 Pioneer Avenue	New 32-unit seniors apartment complex	Regan MacLellan	18-Dec-19
19-538	1108968	685-BLD-19	09-Oct-19	28-Nov-19	APPROVED	433 Lower Malpeque Road	16'x20' shed	David Feener	19-Dec-19
19-538	1108968	685-BLD-19	09-Oct-19	28-Nov-19	APPROVED	433 Lower Malpeque Road	18'x36' in-ground pool	David Feener	19-Dec-19
19-555	1000744	710-BLD-19	18-Oct-19	27-Nov-19	APPROVED	184 Beach Grove Road	New Group Home (6 residents + 3 bachelor apartments)	Bill Lawlor	18-Dec-19
19-587	1094952	756-BLD-19	06-Nov-19	26-Nov-19	APPROVED	185 Essex Crescent (Lot 69)	New single family dwelling	Kenny/Joanne MacMillan	17-Dec-19
19-593	406736	763-BLD-19	12-Nov-19	28-Nov-19	APPROVED	45 Paramount Street	New office building	Scott Gosson	19-Dec-19
19-594	748335	766-BLD-19	13-Nov-19	28-Nov-19	APPROVED	88 Beach Grove Road	Residential driveway expansion	Natalie Simmons	19-Dec-19
19-602	557637	777-BLD-19	19-Nov-19	22-Nov-19	APPROVED	4 Enman Crescent	Sign - Free standing	Jim Ryan	13-Dec-19
18-163	1092162	124-bld-18	12-Apr-18	25-Nov-19	APPROVED	50 England Circle (Lot# 108)	Occupancy Permit: Single family dwelling	David McCaule	16-Dec-19



Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-046	388280	2-Aug-2019	19-Nov-2019	25-Nov-2019	APPROVED	Minna Jane Dr	Lot Subdivision	Pan American Properties	10-Dec-2019
2019-059	746164	15-Oct-2019	27-Nov-2019	29-Nov-2019	APPROVED	Horseshoe Hill Estates Extension	Lot subdivision (36 lots)	Leroy MacLeod (Horseshoe Hills Estates Inc)	18-Dec-2019

Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-532	442400	791-DES-19	03-Oct-19	25-Nov-19	APPROVED	113 Pioneer Avenue	Design Review: New 32-unit seniors apartment complex (Application approved by Council)	Regan MacLellan	16-Dec-19
19-101B	N/A	N/A	06-Aug-19	25-Nov-19	APPROVED; DONE 2ND READING	Zoning & Development ByLaw Amendments	Proposed amendments to the Zoning & Development Bylaw relating to definitions pertaining to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, Reinsertion of the Downtown Main Street (DMS) Zone in the General Provision Table for Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners and Exemptions to sign regulations for Designated properties	City of Charlottetown	5-Nov-19

Eisnor, Trevor

From: Eisnor, Trevor
Sent: November-25-19 11:29 AM
To: 'cbcl.jeffrey@bellaliant.com'
Subject: Permit - 330 Sherwood - file 19-394B
Attachments: DOC112519-11252019.pdf

See attached Permit

Call for inspection when complete.

Thanks

Trevor Eisnor, CET, Senior Building Inspector City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4107
Cell: 902-629-0191

teisnor@charlottetown.ca
www.charlottetown.ca



Planning Department

Mailing Address

P.O. Box 98, 233 Queen Street, Charlottetown, PE, C1A 7K2

Contact information

Tel 902-629-4158, Fax 902-629-4156, Email: planning@charlottetown.ca, Website www.charlottetown.ca

For Office Use Only	Permit #	773-BLD-19
	File #	19-394B
	PID #	390823
	Zone:	M2

BUILDING & DEVELOPMENT PERMIT

POST THIS IN A CONSPICUOUS LOCATION DURING CONSTRUCTION

This certifies that: Jeffrey Chapman of 31 Greenvale Road
Has a Permit to: Install New doors in existing commercial building
At the location of: 330 Sherwood Road

Provided that the person accepting this permit shall in every respect conform to the City of Charlottetown Zoning & Development Bylaw, The Building Code Bylaw, and any other provisions set by the City of Charlottetown.
Any violation of the terms may be deemed cause for revocation of this permit

Development Officer Requirements:

[illegible]

Building Inspector Requirements:

1	All work shall be done in accordance with the 2015 National Building Code of Canada (NBC) and as plans provided and agreed amendments
2	As per Building Code Bylaw Section 2.1.1.11, the Owner/Applicant shall email Building Inspector or contact Planning Department at 902-629-4158 to arrange for required inspections. (24 hours notice must be given)
	- Final Inspection
3	Part 8 - National Building Code - Safety Measures at Construction & Demolition sites to be followed. This includes protection of site & public, and Fire Safety measures as per 5.6 of the National Fire Code.

Approved By _____

Development Officer: Robert Zilke

Name _____

Signature _____

Date: 25-Nov-19

Building Inspector: Trevor Eisnor

Name _____

Signature

Date: 25-Nov-19

THIS IS NOT AN OCCUPANCY PERMIT