

original

**VOLUME 1 OF 2
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

December 11, 2019

December 11, 2019

VIA HAND DELIVERY

Carr, Stevenson & MacKay
65 Queen Street
PO Box 522
Charlottetown, PE C1A 7L1

Attention: Nicole M. McKenna

Dear Ms. Nicole McKenna:

Re: *Brown's Volkswagen et al. v. City of Charlottetown* – Order LA19-03

Further to the Decision and Order of the Island Regulatory and Appeals Commission ("IRAC") dated November 28, 2019 ("IRAC Order"), we respond as follows (numbering corresponds to the numbering in the IRAC Order):

1. A copy of inquiries and/or applications relating to the construction of an asphalt, aggregate and/or concrete plant within the City (Item 1 of the disclosure request) limited to the applications/inquiries referred to by Robert Zilke at the March 4, 2019 Planning Board Meeting

The inquiry alluded to by Mr. Zilke at the March 4, 2019 Planning Board Meeting referenced a verbal inquiry which Mr. Zilke understood was made to Mr. Alex Forbes who had had a conversation with Ms. Laurel Palmer Thompson in which she advised him that Mr. Jeff Chapman had made a verbal inquiry regarding an asphalt plant.

The application alluded to by Mr. Zilke in the March 4, 2019 Recommendation of the Planning & Heritage Department was an application for a transitional housing facility that was part of the Department's report, which is irrelevant to these proceedings.

There was no written communication.

Melanie McKenna | Associate

Direct 902 629 3929 Main 902 628 1033 Fax 902 566 2639 Email mmckenna@coxandpalmer.com

Dominion Building 97 Queen Street Suite 600 Charlottetown PEI C1A 4A9

Practicing as Professional Corporation

*20009937/00310/690093/v1

2. Complete records of any communication between City employee(s) and any potential developer (or the representative of any potential developer) regarding an asphalt, aggregate and/or concrete plant within the City, further particulars of which are noted in Item 2(a) of the disclosure request .

See records of the communications in possession of the City at Tab 24 of Volume 1 of the Supplementary Record of the City.

With respect to the specific items requested by the Appellants, see below for a reasonable explanation of each request:

- i. There was no communication.
 - ii. Mr. Forbes spoke to Mr. Chapman in person following the approval by Council of the text amendment. Mr. Chapman was inquiring on the next steps he needed to take. Mr. Forbes provided Mr. Chapman with a checklist.
 - iii. This was a verbal communication between Ms. Palmer Thompson and Mr. Chapman where Mr. Chapman was inquiring on the definition of 'Heavy Manufacturing'.
3. Complete records of any communication between City Councillor(s) and any potential developer (or the representative of any potential developer) regarding an asphalt, aggregate and/or concrete plant within the City, further particulars of which are noted in Item 3 of the disclosure request.

See records of these communications at Tab 25 of Volume 1 of the Supplementary Record of the City.

The City has no record of any communications between Councillor Greg Rivard and the potential developer referred to at the March 4, 2019 Planning Board Meeting.

4. Complete records of any communication between City employee(s) and any potential developer (or the representative of any potential developer) regarding the amendment to the Zoning bylaw which is currently under appeal (Item 4 of the disclosure request).

See records of these communications at Tab 26 of Volume 1 of the Supplementary Record of the City.

5. Complete records of any communication between City Councillors and any potential developer (or the representative of any potential developer) regarding the amendment to the Zoning bylaw which is currently under appeal (Item 5 of the disclosure request).

The City has no record of any communication between City Councillors and potential developers regarding the Bylaw text amendment.

6. The particulars of items 6, 7 and 8 of the disclosure request to the extent such particulars have not yet been disclosed.

See email from Mr. Zilke to Mr. Forbes dated April 9, 2019 (Volume 1, Tab 29)

See email from Sean Ledgerwood at the Department of Environment to Mr. Zilke dated July 24, 2019 (Volume 1, Tab 29)

See email from Mr. Zilke to Mr. Forbes dated July 31, 2019 (Volume 1, Tab 29)

See email correspondence between Mr. Zilke and Sean Ledgerwood at the Department of Environment in July, 2019 (Volume 1, Tab 29)

7. Records relating to the 2018 application made by Chapman Bros. Construction Ltd. to construct an asphalt plant within the City, limited to the identified particulars set out in item 11 of the disclosure request

See Volume 2 of the Supplementary Record of the City of Charlottetown.

For ease of reference for all parties involved, we have prepared a Supplementary Record of the City, comprised of 2 volumes, in addition to the original record filed by the City of Charlottetown, which are enclosed. The particulars of each are as follows:

December 11, 2019

1. The Original Record filed by the City of Charlottetown on August 5, 2019 (Tabs 1-23)
2. Volume 1 – Supplementary Record of the City of Charlottetown: production of the requests from Ms. Nicole McKenna to Mr. Hooley dated September 3, 2019 which includes the productions in the letters from Mr. Hooley to Ms. Nicole McKenna dated September 24, 2019 and October 16, 2019 and the productions herein arising from the IRAC Order (tabs 24-32).
3. Volume 2 – Supplementary Record of the City of Charlottetown: records relating to the 2018 application made by Chapman Bros. Construction Ltd. for 249 Sherwood Road (tabs 33-66), records relating to the 2019 Subdivision and Lot Application for 330 Sherwood Road (tabs 67-71) and records relating to the 2019 Building and Development Permit Application for 330 Sherwood Road submitted by Jeff Chapman (tabs 72-76).

Trusting this is satisfactory.

Yours very truly,



Melanie McKenna

MM/
Encls.

cc. Philip Rafuse



Docket: LA19009
Order: LA19-03

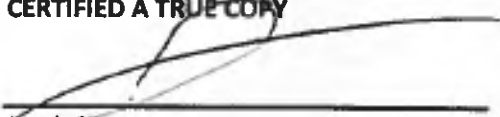
IN THE MATTER of an appeal by Brown's Volkswagen, Phillips Suzuki, Centennial Auto Group and Cathy Feener, of a decision by the City of Charlottetown, dated June 21, 2019.

AND IN THE MATTER of a Preliminary Hearing regarding the record to be filed by the City of Charlottetown.

**BEFORE THE COMMISSION ON
Thursday, November 28, 2019.**

J. Scott MacKenzie, Q.C., Chair
M. Douglas Clow, Vice-Chair
John Broderick, Commissioner

CERTIFIED A TRUE COPY


Donah Clements,
General Counsel
Island Regulatory & Appeals Commission

DECISION and ORDER

IN THE MATTER of an appeal by Brown's Volkswagen, Phillips Suzuki, Centennial Auto Group and Cathy Feener, of a decision by the City of Charlottetown, dated June 21, 2019.

AND IN THE MATTER of a Preliminary Hearing regarding the record to be filed by the City of Charlottetown.

-
1. This is a decision arising out of the preliminary hearing that was held as a result of a request of the Appellant for further documentation to be filed as part of the record of the Respondent.
 2. This matter is an appeal of a resolution of the council of the City of Charlottetown ("City" or "Respondent") to amend Sec. 36 of the City of Charlottetown Zoning and Development Bylaw ("Bylaw") to permit an asphalt, aggregate and concrete plant and insert a definition for the said use of same under Appendix A to the bylaw ("the Bylaw Amendment").
 3. The Appellants have appealed the Bylaw Amendment and as a result of the appeal, the City filed a record with the Commission on August 5, 2019.
 4. It is the position of the Respondent that the record that was filed comprises the full record of the City with respect the Bylaw Amendment.
 5. The Appellants contend that the record may not be complete and that there may have been much that transpired at the City with respect to certain lands that are effected by the Bylaw Amendment and, therefore, that the Appellants require further documents to be filed as part of the City's record to adequately pursue their appeal.
 6. The Commission, therefore, scheduled a preliminary hearing to determine whether or not the City should be required to file the further documents that the Appellant has requested.
 7. In an appeal under the Planning Act for the granting of a building permit by a municipality, the record of the municipality consists of all of the documents, minutes and resolutions of the municipal council dealing specifically with the granting of the permit that is the subject of the appeal.
 8. This Commission in the decision of an appeal by *Smooth Coat Drywall*¹ dealt with the request of an appellant to have other documents and records of the municipality provided as part of the record with respect to the decision of the municipality to deny a building permit. In that decision the Commission determined that the record for the purposes of

¹ In the matter of an appeal by Smooth Coat Drywall, IRAC Order LA19-02, dated July 5, 2019.

the appeal was restricted to the documents, minutes, correspondence specifically related to the building permit that was being applied for and found that other documents which were extraneous to that application including previous decisions of the municipality, correspondence from councillors, etc. did not form part of the record for the purposes of the appeal.

9. However, this appeal of the matter that is now before the Commission is not a simple appeal with respect to the granting or the denial of the issuance of a building permit with respect to a specific parcel of land. The appeal at hand is one that deals with a bylaw amendment concerning the use that may be made of lands within a particular section of the bylaw. Counsel for the Appellant submits that the items and documents that the Appellants have requested are all relevant to the decision that was made by council to amend the bylaw. Counsel submitted that all of the documents that have been requested are referred to in the record that has been provided by the City of Charlottetown, that the information is in the hands of councillors and that the City itself has access to the documents. Counsel has advised that there is a concern over the lack of transparency of not providing these documents and that it is the City that is trying to dictate what documents are or are not relevant to the Appellants' appeal. Counsel submits that the City has no right to make this determination.
10. Counsel for the City has taken the position that the record of the City with respect to the Bylaw Amendment has been filed in its entirety and that the documents that are being requested are extraneous to the record of the City concerning the Bylaw Amendment. Counsel suggests that this is a text amendment of a bylaw and that any prior applications or document that the City has in its possession that were in existence prior to the file dealing with this text amendment of the bylaw are not relevant.
11. Counsel for the City filed a number of cases in support of his position that the requested disclosure ought not be ordered, on the basis that it was irrelevant.² Counsel argued that the test for relevance was similar to that at a civil trial, and something more than a semblance of relevance is necessary. In response, counsel for the Appellants argued that the Commission is not bound by the Prince Edward Island Rules of Civil Procedure and the civil court standard for relevance does not apply to this planning appeal. Counsel for the Appellants noted that the Commission's own Rules of Practice and Procedure provide a broader test for relevancy and, given this, all of the documents requested by the Appellants are relevant.
12. The Commission agrees with the position of counsel for the Appellants. The Commission is not a court, and a planning appeal is not a discovery nor a trial. The Rules of Civil Procedure in this province with respect to the admission of evidence do not apply to planning appeals before the Commission. The Commission's own Rules of Practice and Procedure clearly provide that it is not bound by the formal rules of evidence and can receive all relevant evidence, even where it may not be admissible in court.³ As the Commission is not bound by the same rules, it cannot be and is not bound by the same

² *Re IRAC*, [1997] 2 P.E.I.R. 40 (PESCAD), *Mullin v. PricewaterhouseCoopers*, 2004 PESCTD 23, *Jay v. DHL Express Canada Ltd.*, 2006 PESCTD 1, *Alumna Systems Canada Inc. v. Strait Crossing Inc.*, 2002 PESCTD 19.

³ Rule 43.0.

test for admissibility of evidence.

13. The Commission's own rules permit it to request further information or documents that the Commission considers necessary for a complete understanding of an issue in a hearing.⁴ Given the nature of this proceeding (a planning appeal) where the Respondent municipality files the Record and has knowledge of the documents and information in its own files (and the Appellant does not), Rules 33 and 34 of the Commission's Rules of Practice and Procedure weigh in favour of disclosure of the requested information, particularly at this pre-hearing stage. The parties will, of course, have the opportunity to argue as to the appropriate weight the Commission ought to afford to the documents at the hearing proper.
14. The Commission is satisfied that the documents requested by the Appellants in the disclosure request, are relevant to the Commission's determination of this matter or, alternatively, will assist the Commission in obtaining a complete understanding of the issues raised in the Notice of Appeal;

NOW THEREFORE, pursuant to the *Island Regulatory and Appeals Commission Act* and the *Planning Act*

IT IS ORDERED THAT:

The City provide disclosure of the following records in its possession as referenced in the disclosure request of counsel for the Appellants dated September 3, 2019 (the "disclosure request"):

1. A copy of inquiries and/or applications relating to the construction of an asphalt, aggregate and/or concrete plant within the City (Item 1 of the disclosure request) limited to the applications / inquiries referred to by Robert Zilke at the March 4, 2019 Planning Board meeting;
2. Complete records of any communication between City employee(s) and any potential developer (or the representative of any potential developer) regarding an asphalt, aggregate and/or concrete plant within the City, further particulars of which are noted in Item 2(a) of the disclosure request;
3. Complete records of any communication between City Councillor(s) and any potential developer (or the representative of any potential developer) regarding an asphalt, aggregate and/or concrete plant within the City, further particulars of which are noted in Item 3 of the disclosure request;
4. Complete records of any communication between City employee(s) and any potential developer (or the representative of any potential developer) regarding the amendment to the Zoning Bylaw which is currently under appeal (Item 4 of the disclosure request);
5. Complete records of any communication between City Councillor(s) and any potential developer (or the representative of any potential developer) regarding the amendment to the Zoning Bylaw which is currently under appeal. (Item 5 of the disclosure request);
6. The particulars of items 6, 7 and 8 of the disclosure request to the extent such particulars have not yet been disclosed;
7. Records relating to the 2018 application made by Chapman Bros. Construction Ltd. to construct

⁴ Rule 44.0.

an asphalt plant within the City, limited to the identified particulars set out in item 11 of the disclosure request.

DATED at Charlottetown, Prince Edward Island, this 28th day of November, 2019.

BY THE COMMISSION:

(sgd) J. Scott MacKenzie

J. Scott MacKenzie, Q.C., Chair

(sgd) M. Douglas Clow

M. Douglas Clow, Vice-Chair

(sgd) John Broderick

John Broderick, Commissioner

NOTICE

Section 12 of the *Island Regulatory and Appeals Commission Act* reads as follows:

12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it, or rehear any application before deciding it.

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written Request for Review, which clearly states the reasons for the review and the nature of the relief sought.

Sections 13(1) and 13(2) of the *Act* provide as follows:

13(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.

(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.

Index

Tab

24. Complete records of any communication between City employee(s) and any potential developer (or the representative of any potential developer) regarding an asphalt, aggregate and/or concrete plant within the City, further particulars of which are noted in Item 2(a) of the disclosure request.

[#2 in the letter of Nicole McKenna dated September 3, 2019 ("Disclosure Letter")]

[#2 in the Decision and Order of IRAC dated November 28, 2019 ("IRAC Order")]

25. Complete records of any communication between City Councillor(s) and any potential developer (or the representative of any potential developer) regarding an asphalt, aggregate and/or concrete plant within the City, further particulars of which are noted in Item 3 of the disclosure request.

[#3 Disclosure Letter]

[#3 IRAC Order]

26. Complete records of any communication between City employee(s) and any potential developer (or the representative of any potential developer) regarding the amendment to the Zoning bylaw which is currently under appeal.

[#4 Disclosure Letter]

[#4 IRAC Order]

27. Complete records of any communication among City employees relating to the amendment to the Zoning Bylaw which is currently under appeal and/or the construction of an asphalt, aggregate or concrete plant within the City.

[#6 Disclosure Letter]

[#6 IRAC Order]

28. Complete records of any communications between City employees and Councillors relating to the amendment to the Zoning Bylaw which is currently under appeal and/or the construction of an asphalt, aggregate or concrete plant within the City.

[#7 Disclosure Letter]

[#6 IRAC Order]

29. Complete records of any communications between City employees and the Provincial Department of Environment regarding the proposed amendments to the environmental assessment requirements for asphalt, aggregate and concrete plants.

[#8 Disclosure Letter]

[#6 IRAC Order]

30. Color copies of Attachment "A" at tab 14, page 4 of the Record and all maps found at tab 23 of the Record.

[#10 Disclosure Letter]

[Not Referenced in IRAC Order]

31. A complete copy of the executed commitments referred to in the June 14, 2019 email from Councillor Mike Duffy to Alex Forbes.

[#15 Disclosure Letter]

[Not Referenced in IRAC Order]

32. A copy of the email from Michele MacKay to Alanna Jankov.

[#16 Disclosure Letter]

[Not Referenced in IRAC Order]

Forbes, Alex

From: Thompson, Laurel
Sent: Tuesday, February 13, 2018 4:44 PM
To: Forbes, Alex
Subject: FW: Discretionary Use

From: Jason Lindsay [mailto:jlindsay@flypei.com]
Sent: Friday, February 02, 2018 3:06 PM
To: Thompson, Laurel
Subject: Re: Discretionary Use

Hi Laurel,

Here is a link to a mobile asphalt plant. Maybe my word choice was a bit off. Temporary vs. mobile. Everything is on wheels. Let me know what your thoughts on appropriate permit. A similar plant was set up in the City where the Coast Guard/Kent is a number a years ago. I not sure if you were involved or Mel?

<http://www.astecinc.com/products/asphalt-mixing-plants/six-pack-asphalt-plants.html>

Thanks,

Jason

From: Laurel Palmer Thompson <ltompson@charlottetown.ca>
Date: Friday, February 2, 2018 at 2:37 PM
To: Jason Lindsay <jlindsay@flypei.com>
Subject: RE: Discretionary Use

Hi Jason:

Yes you can apply for the building permit. There is a charge for the building permit. The previous fee was a variance for a discretionary use.

Best Regards,

Laurel

From: Jason Lindsay [mailto:jlindsay@flypei.com]
Sent: Friday, February 02, 2018 2:30 PM
To: Thompson, Laurel
Subject: Re: Discretionary Use

Perfect! Can I apply now to formalize it? No additional cost is there?



Jason Lindsay, P.Eng., MBA, PMP

Director, Engineering & Facilities

Charlottetown Airport Authority

250 Maple Hill's Avenue, Suite 132 | Charlottetown, PE | C1C 1N2

P: 902-566-7997 ext. 224 | F: 902-566-7929

www.flypei.com

From: Laurel Palmer Thompson <ltompson@charlottetown.ca>

Date: Friday, February 2, 2018 at 2:27 PM

To: Jason Lindsay <jlindsay@flypei.com>

Subject: Discretionary Use

Hi Jason:

I just wanted to let you know that we did not receive any letters in opposition of the discretionary use for the asphalt plant. We will be able to issue a permit for the plant when you decide to apply.

Laurel

Please consider the environment before printing this e-mail

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

Forbes, Alex

From: Forbes, Alex
Sent: Friday, March 16, 2018 4:11 PM
To: Johnston, Paul
Cc: Wedlock, Stephen; Adams, Scott
Subject: RE: possible new asphalt plant on Sherwood Rd

Paul: This is the correct property. He will not be cutting any trees down by the stream and will be adding a treed buffer around the property. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Johnston, Paul
Sent: Friday, March 16, 2018 3:47 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Cc: Wedlock, Stephen <swedlock@charlottetown.ca>; Adams, Scott <sadams@charlottetown.ca>
Subject: possible new asphalt plant on Sherwood Rd

Alex,

(upper photo attached)

Is proposed new asphalt plant going to cut down and have to grade a woodlot area (near stream we discussed) and access out to Sherwood Rd, maybe with current owner retaining western half of the property; or is plant buying out closer to the Malpeque Rd on land already cleared (and less buffered from existing residential)?

Stephen,

(lower photo attached – red X'es)

Someone may be farming on City land.

Don't expect we get rent. But don't know we would manage it on our own.

Paul Johnston



Search by Address
 Enter Address or Zipcode

X 288,003,854
 487,478,470

Thompson, Laurel

From: Forbes, Alex
Sent: Friday, March 16, 2018 4:18 PM
To: Thompson, Laurel
Subject: Chapman Application

Laurel: These are the things that I think Mr. Chapman should provide in his submission.

Detailed site plan showing approximate location of the asphalt plant and location of the raw material (aggregate) that is used to make asphalt. Also show the area where the snow clearing equipment will be stored as well as the location of the small office or on-site building.

In addition, the site plan should show where the existing tree buffer exists and the proposed tree buffer to be planted. Also should show the proposed berm area that abuts the R-2 property will be constructed and configured. The berm should meet the requirements as stipulated in the Zoning By-law.

We will need a lot drainage plan for this property before any aggregate material is located on the site. We will need something from Department of Environment that they are aware of this application and that they will be monitoring the air and water quality as it relates to the operations taking place on this property. I am assuming that they will need to provide some form of on-site mitigation measures at the bottom of the site to catch silt and water run-off. We should have sketch of where the wetland area is located and the required provincial buffer shown on a map. This would be restricted to ensure no development occurs in this area.

Need some detail on the driveway access such as width of opening on to Sherwood Road, width of driveway into the site, is the driveway paved or graveled. Someone should comment on the sight lines from the driveway access to Sherwood Road and comment on how this use will or will not impact travel flows in the area.

Ask him to revise his application and have this property rezoned to CDA with a Development Agreement. Pictures of the asphalt plant may be helpful but not necessary. Some overview of the type of plant to be used at this location such as (temporary plant (on wheels) setup, clean running operation, issues relating to noise, and emissions from plant, hours of operation, etc.) Presumably the plant does not operate in winter so find out the months of the year that it operates. We will need to know a little bit more about the stream and why the City of Charlottetown has purchased land in this area to allow the water to flow under Sherwood Road. I suspect that this small stream is dealing with storm water runoff for the entire watershed which likely starts outside of the City.

He mentioned that he was prepared to stay 100 feet away from the adjacent R-2 residential property. Confirm whether he still wishes to offer this concession and retain the 100 foot area (adjacent to R-2) for residential purposes only. If he builds the required buffer from the adjacent R-2 Residential area I am not sure we would need the 100 foot residential buffer as well. It should be one or the other solution to butting up against the residential property.

It would be nice if we could see a site plan where most of the property is screened by trees particularly from Sherwood Road.

Things we would want in the DA are a detailed site plan: lot drainage plan, requirements for provincial environmental approvals, buffering and berming requirements, width of driveway opening, sketch of the wetland area is located and the required provincial buffer shown on a map. And anything else that may arise as a result of the public meeting and Council process.

Alex Forbes, MBA, MCIP

Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

Thompson, Laurel

From: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Sent: Tuesday, March 20, 2018 10:58 AM
To: Thompson, Laurel
Subject: Re: Sherwood Road Rezoning

Hi Laurel,

I was just wondering if I should be putting the revised application in for both the existing m3 and r2 zones, or just the r2 area?

Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Mar 16, 2018, at 4:12 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeffery:

Below are Alex's comments that he sent me this afternoon regarding your application. I haven't had a lot of time to review these but thought I would send them along to you to get you going on what you need to provide. I may follow up on Monday with you if there is anything else that I feel you should provide in addition to Alex's comments.

Best Regards,

Laurel Palmer Thompson

Detailed site plan showing approximate location of the asphalt plant and location of the raw material (aggregate) that is used to make asphalt. Also show the area where the snow clearing equipment will be stored as well as the location of the small office or on-site building.

In addition, the site plan should show where there existing tree buffer exists and the proposed tree buffer to be planted. Also should show the proposed berm area that abuts the R-2 property will be constructed and configured. The berm should meet the requirements as stipulated in the Zoning By-law.

We will need a lot drainage plan for this property before any aggregate material is located on the site. We will need something from Department of Environment that they are aware of this application and that they will be monitoring the air and water quality as it relates to the operations taking place on this property. I am assuming that they will need to provide some form of on-site mitigation measures at the bottom of the site to catch silt and water run-off. We should have sketch of where the wetland area

is located and the required provincial buffer shown on a map. This would be restricted to ensure no development occurs in this area.

Need some detail on the driveway access such as width of opening on to Sherwood Road, width of driveway into the site, is the driveway paved or graveled. Someone should comment on the sight lines from the driveway access to Sherwood Road and comment on how this use will or will not impact travel flows in the area.

Ask him to revise his application and have this property rezoned to CDA with a Development Agreement. Pictures of the asphalt plant may be helpful but not necessary. Some overview of the type of plant to be used at this location such as (temporary plant (on wheels) setup, clean running operation, issues relating to noise, and emissions from plant, hours of operation, etc.) Presumably the plant does not operate in winter so find out the months of the year that it operates. We will need to know a little bit more about the stream and why the City of Charlottetown has purchased land in this area to allow the water to flow under Sherwood Road. I suspect that this small stream is dealing with storm water runoff for the entire waters shed which likely starts outside of the City.

He mentioned that he was prepared to stay 100 feet away from the adjacent R-2 residential property. Confirm whether he still wishes to offer this concession and retain the 100 foot area (adjacent to R-2) for residential purposes only.

It would be nice if we could see a site plan where most of the property is screened by trees particularly from Sherwood Road.

Things we would want in the DA are a detailed site plan: lot drainage plan, requirements for provincial environmental approvals, buffering and berming requirements, width of driveway opening, sketch of the wetland area is located and the required provincial buffer shown on a map. And anything else that may arise as a result of the public meeting and Council process.

Please consider the environment before printing this e-mail

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

Forbes, Alex

From: Thompson, Laurel
Sent: Wednesday, March 21, 2018 3:07 PM
To: Forbes, Alex
Subject: RE: Chapman Application

He sent me an email yesterday asking if he should revise his application on both the M-3 and the R-2 portion. I responded to him today and said that he should revise both portions to CDA rezoning.

From: Forbes, Alex
Sent: Wednesday, March 21, 2018 12:17 PM
To: Thompson, Laurel
Subject: Chapman Application

Have we heard anything from Mr. Chapman yet. Alex

Sent from my BlackBerry 10 smartphone on the Bell network.

Thompson, Laurel

From: Thompson, Laurel
Sent: Wednesday, March 21, 2018 3:07 PM
To: Forbes, Alex
Subject: RE: Chapman Application

He sent me an email yesterday asking if he should revise his application on both the M-3 and the R-2 portion. I responded to him today and said that he should revise both portions to CDA rezoning.

From: Forbes, Alex
Sent: Wednesday, March 21, 2018 12:17 PM
To: Thompson, Laurel
Subject: Chapman Application

Have we heard anything from Mr. Chapman yet. Alex

Sent from my BlackBerry 10 smartphone on the Bell network.

Thompson, Laurel

From: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Sent: Monday, March 26, 2018 11:20 AM
To: Thompson, Laurel
Subject: Re: Sherwood Road Rezoning

Hi Laurel,
Could you send me a copy of the letter from Frizzel about his ok with our use of the property.
Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Mar 21, 2018, at 3:05 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeffery:

I would revise the application to CDA Zoning for both the M-3 and the R-2 portion. One of the issues is that the only zone that allows an asphalt plant is the Airport Zone by way of a Discretionary Use. The CDA Zone does not stipulate uses and therefore uses that are not listed as permitted in other areas of the bylaw can be allowed in the CDA Zone by way of a comprehensive development plan and a development agreement.

Laurel

From: Jeffrey Chapman [<mailto:cbcl.jeffrey@bellaliant.com>]
Sent: Tuesday, March 20, 2018 10:58 AM
To: Thompson, Laurel
Subject: Re: Sherwood Road Rezoning

Hi Laurel,

I was just wondering if I should be putting the revised application in for both the existing m3 and r2 zones, or just the r2 area?

Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Mar 16, 2018, at 4:12 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeffery:

Below are Alex's comments that he sent me this afternoon regarding your application. I haven't had a lot of time to review these but thought I would send them along to you to get you going on what you need to provide. I may follow up on Monday with you if there is anything else that I feel you should provide in addition to Alex's comments.

Best Regards,

Laurel Palmer Thompson

Detailed site plan showing approximate location of the asphalt plant and location of the raw material (aggregate) that is used to make asphalt. Also show the area where the snow clearing equipment will be stored as well as the location of the small office or on-site building.

In addition, the site plan should show where the existing tree buffer exists and the proposed tree buffer to be planted. Also should show the proposed berm area that abuts the R-2 property will be constructed and configured. The berm should meet the requirements as stipulated in the Zoning By-law.

We will need a lot drainage plan for this property before any aggregate material is located on the site. We will need something from Department of Environment that they are aware of this application and that they will be monitoring the air and water quality as it relates to the operations taking place on this property. I am assuming that they will need to provide some form of on-site mitigation measures at the bottom of the site to catch silt and water run-off. We should have sketch of where the wetland area is located and the required provincial buffer shown on a map. This would be restricted to ensure no development occurs in this area.

Need some detail on the driveway access such as width of opening on to Sherwood Road, width of driveway into the site, is the driveway paved or graveled. Someone should comment on the sight lines from the driveway access to Sherwood Road and comment on how this use will or will not impact travel flows in the area.

Ask him to revise his application and have this property rezoned to CDA with a Development Agreement. Pictures of the asphalt plant may be helpful but not necessary. Some overview of the type of plant to be used at this location such as (temporary plant (on wheels) setup, clean running operation, issues relating to noise, and emissions from plant, hours of operation, etc.) Presumably the plant does not operate in winter so find out the months of the year that it operates. We will need to know a little bit more about the stream and why the City of Charlottetown has purchased land in this area to allow the water to flow under Sherwood Road. I suspect that this small stream is dealing with storm water runoff for the entire watershed which likely starts outside of the City.

He mentioned that he was prepared to stay 100 feet away from the adjacent R-2 residential property. Confirm whether he still wishes to offer this concession and retain the 100 foot area (adjacent to R-2) for residential purposes only. It would be nice if we could see a site plan where most of the property is screened by trees particularly from Sherwood Road.

Things we would want in the DA are a detailed site plan: lot drainage plan, requirements for provincial environmental approvals, buffering and berming requirements, width of driveway opening, sketch of the wetland area is located and the required provincial buffer shown on a map. And anything else that may arise as a result of the public meeting and Council process.

Please consider the environment before printing this e-mail!

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

Forbes, Alex

Subject: FW: Chapman Bros proposed Asphalt Plant
Location: Charlottetown City Hall
Start: Mon 4/9/2018 10:00 AM
End: Mon 4/9/2018 11:30 AM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Greg Wilson

Laurel: Please book this meeting in your calendar. Alex

-----Original Appointment-----

From: Greg Wilson [mailto:gbwilson@gov.pe.ca]
Sent: Tuesday, April 03, 2018 4:48 PM
To: Greg Wilson; Dale Thompson; Todd Fraser; Forbes, Alex
Subject: Chapman Bros proposed Asphalt Plant
When: Monday, April 09, 2018 10:00 AM-11:30 AM (UTC-04:00) Atlantic Time (Canada).
Where: Charlottetown City Hall

Item Type: Appointment
Start Date: Monday, 9 Apr 2018, 10:00:00am (Atlantic Daylight Time)
Duration: 1 Hour, 30 Mins
Place: Charlottetown City Hall

Hi, Alex:

My staff and I went to the site today to have a good look at potential issues and I wanted to meet on April 9 to discuss them.

In short, were we able to ascertain that air quality, noise and truck traffic won't be major concerns, but stormwater management and potential runoff issues will be.

I would like to sit down with your group to discuss all the potential issues, and determine which government body has clearer controls (legislation) to ensure the new site will not cause the public or environment any major concerns.

If this day and time works for you please reply back to this appointment request.

Regards,
Greg Wilson

Greg B. Wilson
Manager
Environmental Land Management

Environment Division
PEI Department of Communities, Land and Environment
11 Kent St., P.O. Box 2000
Charlottetown, Prince Edward Island
Canada
C1A 7N8

Tel 902-368-5274
Fax 902-368-5830

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.



Greg Wilson.vcf

Thompson, Laurel

From: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Sent: Wednesday, April 04, 2018 11:25 AM
To: Thompson, Laurel
Subject: Re: Sherwood Road Rezoning

Hi Laurel,

Any chance we could meet tomorrow, maybe in the am to go over what we need to take care of for the public meeting?

Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Mar 21, 2018, at 3:05 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeffery:

I would revise the application to CDA Zoning for both the M-3 and the R-2 portion. One of the issues is that the only zone that allows an asphalt plant is the Airport Zone by way of a Discretionary Use. The CDA Zone does not stipulate uses and therefore uses that are not listed as permitted in other areas of the bylaw can be allowed in the CDA Zone by way of a comprehensive development plan and a development agreement.

Laurel

From: Jeffrey Chapman [<mailto:cbcl.jeffrey@bellaliant.com>]
Sent: Tuesday, March 20, 2018 10:58 AM
To: Thompson, Laurel
Subject: Re: Sherwood Road Rezoning

Hi Laurel,

I was just wondering if I should be putting the revised application in for both the existing m3 and r2 zones, or just the r2 area?

Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Mar 16, 2018, at 4:12 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeffery:

Below are Alex's comments that he sent me this afternoon regarding your application. I haven't had a lot of time to review these but thought I would send them along to you to get you going on what you need to provide. I may follow up on Monday with you if there is anything else that I feel you should provide in addition to Alex's comments.

Best Regards,

Laurel Palmer Thompson

Detailed site plan showing approximate location of the asphalt plant and location of the raw material (aggregate) that is used to make asphalt. Also show the area where the snow clearing equipment will be stored as well as the location of the small office or on-site building.

In addition, the site plan should show where there existing tree buffer exists and the proposed tree buffer to be planted. Also should show the proposed berm area that abuts the R-2 property will be constructed and configured. The berm should meet the requirements as stipulated in the Zoning By-law.

We will need a lot drainage plan for this property before any aggregate material is located on the site. We will need something from Department of Environment that they are aware of this application and that they will be monitoring the air and water quality as it relates to the operations taking place on this property. I am assuming that they will need to provide some form of on-site mitigation measures at the bottom of the site to catch silt and water run-off. We should have sketch of where the wetland area is located and the required provincial buffer shown on a map. This would be restricted to ensure no development occurs in this area.

Need some detail on the driveway access such as width of opening on to Sherwood Road, width of driveway into the site, is the driveway paved or graveled. Someone should comment on the sight lines from the driveway access to Sherwood Road and comment on how this use will or will not impact travel flows in the area.

Ask him to revise his application and have this property rezoned to CDA with a Development Agreement. Pictures of the asphalt plant may be helpful but not necessary. Some overview of the type of plant to be used at this location such as (temporary plant (on wheels) setup, clean running operation, issues relating to noise, and emissions from plant, hours of operation, etc.) Presumably the plant does not operate in winter so find out the months of the year that it operates. We will need to know a little bit more about the stream and why the City of Charlottetown has purchased land in this area to allow the water to flow under Sherwood Road. I suspect that this small stream is dealing with storm water runoff for the entire waters shed which likely starts outside of the City.

He mentioned that he was prepared to stay 100 feet away from the adjacent R-2 residential property. Confirm whether he still wishes to offer this concession and retain the 100 foot area (adjacent to R-2) for residential purposes only.

Things we would want in the DA are a detailed site plan: lot drainage plan, requirements for provincial environmental approvals, buffering and berming requirements, width of driveway opening, sketch of the wetland area is located and the required provincial buffer shown on a map. And anything else that may arise as a result of the public meeting and Council process.

Thompson, Laurel

From: Jeffrey Chapman <cbcljeffrey@bellaliant.com>
Sent: Wednesday, April 04, 2018 1:50 PM
To: Thompson, Laurel
Subject: Re: Sherwood Road Rezoning

2:00 sounds good

See you tomorrow

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Apr 4, 2018, at 1:43 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeffery:

I could meet in the afternoon. I'm out tomorrow morning for an appointment. How about tomorrow afternoon at 2:00? The application will still have to go next week to Council for a vote and the public meeting will not be set until sometime after the Council meeting. I'm thinking it will be somewhere around April 23-26.

Laurel

From: Jeffrey Chapman [<mailto:cbcljeffrey@bellaliant.com>]
Sent: Wednesday, April 04, 2018 11:25 AM
To: Thompson, Laurel
Subject: Re: Sherwood Road Rezoning

Hi Laurel,

Any chance we could meet tomorrow, maybe in the am to go over what we need to take care of for the public meeting?

Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Mar 21, 2018, at 3:05 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeffery:

I would revise the application to CDA Zoning for both the M-3 and the R-2 portion. One of the issues is that the only zone that allows an asphalt plant is the Airport Zone by way

Department of Environment that they are aware of this application and that they will be monitoring the air and water quality as it relates to the operations taking place on this property. I am assuming that they will need to provide some form of on-site mitigation measures at the bottom of the site to catch silt and water run-off. We should have sketch of where the wetland area is located and the required provincial buffer shown on a map. This would be restricted to ensure no development occurs in this area.

Need some detail on the driveway access such as width of opening on to Sherwood Road, width of driveway into the site, is the driveway paved or graveled. Someone should comment on the sight lines from the driveway access to Sherwood Road and comment on how this use will or will not impact travel flows in the area.

Ask him to revise his application and have this property rezoned to CDA with a Development Agreement. Pictures of the asphalt plant may be helpful but not necessary. Some overview of the type of plant to be used at this location such as (temporary plant (on wheels) setup, clean running operation, issues relating to noise, and emissions from plant, hours of operation, etc.) Presumably the plant does not operate in winter so find out the months of the year that it operates. We will need to know a little bit more about the stream and why the City of Charlottetown has purchased land in this area to allow the water to flow under Sherwood Road. I suspect that this small stream is dealing with storm water runoff for the entire waters shed which likely starts outside of the City.

He mentioned that he was prepared to stay 100 feet away from the adjacent R-2 residential property. Confirm whether he still wishes to offer this concession and retain the 100 foot area (adjacent to R-2) for residential purposes only.

It would be nice if we could see a site plan where most of the property is screened by trees particularly from Sherwood Road.

Things we would want in the DA are a detailed site plan: lot drainage plan, requirements for provincial environmental approvals, buffering and berming requirements, width of driveway opening, sketch of the wetland area is located and the required provincial buffer shown on a map. And anything else that may arise as a result of the public meeting and Council process.

Please consider the environment before printing this e-mail!

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

Thompson, Laurel

From: Brian Gillis <brian.a.gillis@gmail.com>
Sent: Friday, April 06, 2018 10:55 AM
To: Forbes, Alex; Thompson, Laurel; Rivard, Greg
Cc: Jeffrey Chapman
Subject: Chapman Bros - Application for Rezoning Sherwood Rd Charlottetown
Attachments: 1817-1 - Site Plan - Chapman Bros.pdf

Good morning Alex,

As you are aware I have been retained by Chapman Bros to assist in the planning of their new Asphalt Plant on the Frizzell lands on Sherwood Road.

After reviewing the the proposed site planning and work leading up to the rezoning for the proposed asphalt plant we wish to withdraw the application to rezone the two smaller parcels identified as Lot 18-2 & Lot 18-3 on the attached preliminary site plan.

These two parcels will remain as M-2 & M-3 and any future development will be in compliance with those zoning criteria.

Please let me know if this can be deleted from the agenda for Monday's Council meeting,

The site plan is being reworked to accommodate all of the Asphalt Plant functions on Lot 18-1 which will still require CDA rezoning and a development agreement.

We will forward the plan to you as soon as it is available early next week.

I have copied Greg Rivard on this request so that he is up to speed on the request.

Thank you

On Behalf of Chapman Bros Ltd,
Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henrie Amiel



SCALE 1" = 100'



KEY PLAN (N1)



LEGEND

- 1. EXISTING LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
- 2. EXISTING LOT 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200
- 3. EXISTING LOT 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300
- 4. EXISTING LOT 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400
- 5. EXISTING LOT 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500
- 6. EXISTING LOT 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600
- 7. EXISTING LOT 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700
- 8. EXISTING LOT 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800
- 9. EXISTING LOT 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900
- 10. EXISTING LOT 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

NOTES

1. THIS PLAN IS FOR THE PROPERTY AND SHOWN ON THE MAP.
2. THE PROPERTY IS SHOWN ON THE MAP.
3. THE PROPERTY IS SHOWN ON THE MAP.
4. THE PROPERTY IS SHOWN ON THE MAP.
5. THE PROPERTY IS SHOWN ON THE MAP.
6. THE PROPERTY IS SHOWN ON THE MAP.
7. THE PROPERTY IS SHOWN ON THE MAP.
8. THE PROPERTY IS SHOWN ON THE MAP.
9. THE PROPERTY IS SHOWN ON THE MAP.
10. THE PROPERTY IS SHOWN ON THE MAP.

Prepared By:
Derek A. French Professional Services Inc.
 10000 100th Ave. S.E.
 Suite 100
 Everett, WA 98203
 Tel: 425-336-3344
 Fax: 425-336-3344
 dafrench@psinc.com

**SITE PLAN SHOWING
 PROPOSED CHAPMAN BROS.
 INDUSTRIAL SITE**

**CHARLOTTETOWN
 QUEENS COUNTY
 DRAWN BY: DAF
 DRAWING NO. 1817-1**

PREPARED BY:

PRELIMINARY

© COPYRIGHT

DATE: 10/01/01 P.L. DATE: 10/01/01

Forbes, Alex

From: Forbes, Alex
Sent: Friday, April 06, 2018 10:56 AM
To: Brian Gillis
Subject: RE: Chapman Bros - Application for Rezoning Sherwood Rd Charlottetown

Brian I will see what I can do. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Brian Gillis [mailto:brian.a.gillis@gmail.com]
Sent: Friday, April 06, 2018 10:55 AM
To: Forbes, Alex <aforbes@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>; Rivard, Greg <grivard@charlottetown.ca>
Cc: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Subject: Chapman Bros - Application for Rezoning Sherwood Rd Charlottetown

Good morning Alex,

As you are aware I have been retained by Chapman Bros to assist in the planning of their new Asphalt Plant on the Frizzell lands on Sherwood Road.

After reviewing the the proposed site planning and work leading up to the rezoning for the proposed asphalt plant we wish to withdraw the application to rezone the two smaller parcels identified as Lot 18-2 & Lot 18-3 on the attached preliminary site plan.

These two parcels will remain as M-2 & M-3 and any future development will be in compliance with those zoning criteria.

Please let me know if this can be deleted from the agenda for Monday's Council meeting.

The site plan is being reworked to accommodate all of the Asphalt Plant functions on Lot 18-1 which will still require CDA rezoning and a development agreement.

We will forward the plan to you as soon as it is available early next week.

I have copied Greg Rivard on this request so that he is up to speed on the request.

Thank you

On Behalf of Chapman Bros Ltd,
Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henrie Amiel

Forbes, Alex

From: Forbes, Alex
Sent: Friday, April 06, 2018 11:37 AM
To: Brian Gillis
Subject: RE: Chapman Bros - Application for Rezoning Sherwood Rd Charlottetown / Stormwater / Environment

Brian: We will adjust the scope of the zoning request by informing Council on Monday night that the industrial pieces will not be included in this application. I have a meeting with DOE officials on Monday and will follow up with regard to what they are looking for. I would suggest that Derek may wish to create some type of retention pond on the lower section of the property to allow a slower release of water into the adjacent wetland area but I will defer the methodology to him with regard to ensuring that they are containing stormwater runoff. We will be looking for some type of language that the road access into this site be preserved as a future street and at such time that someone else develops adjacent to this land and needs this access that both parties will be responsible for sharing the expensive to bring the road up to a city standard Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Brian Gillis [mailto:brian.a.gillis@gmail.com]
Sent: Friday, April 06, 2018 11:30 AM
To: Forbes, Alex <aforbes@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>; Rivard, Greg <grivard@charlottetown.ca>; Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Subject: Chapman Bros - Application for Rezoning Sherwood Rd Charlottetown / Stormwater / Environment

Hello Alex,

Should I be working with another planner while Laurel is away?

A second agenda item that is being worked on is the preparation of a stormwater management plan.

Derek French P.Eng, Professional Engineering Services Inc. has been assigned to undertake the engineering for this task.

After we finalize this I will have a copy delivered to your attention.

I would like your input on the City's criteria for environmental issues to be managed.

We will also be dealing directly with PEI Dept of Environment regarding a permit application for the plant which is under their jurisdiction.

Thanks

--

Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henrie Amiel

Thompson, Laurel

From: Brian Gillis <brian.a.gillis@gmail.com>
Sent: Tuesday, April 24, 2018 11:13 AM
To: Thompson, Laurel
Subject: Chapman Asphalt Plant

Hello Laurel,

Hope your holiday break was relaxing.

Would like to set up a time to meet with you tomorrow (Wednesday) afternoon to review the updates to the site plan, storm water management plan and traffic analysis.

Can you propose a time?

I have s commitment at 4:15 otherwise am free.

Brian Gillis

--

Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henrie Amiel

Thompson, Laurel

From: Thompson, Laurel
Sent: Thursday, April 26, 2018 11:34 AM
To: Forbes, Alex; Rivard, Greg
Cc: Councillor Greg Rivard
Subject: RE: Houston We Have a Problem!

Ok we will re-start. Now I get the fun job of informing Jeff Chapman

From: Forbes, Alex
Sent: Thursday, April 26, 2018 11:33 AM
To: Rivard, Greg; Thompson, Laurel
Cc: Councillor Greg Rivard
Subject: Re: Houston We Have a Problem!

I would agree that if the notice was improper we should reschedule. Alex

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Rivard, Greg
Sent: Thursday, April 26, 2018 09:30
To: Thompson, Laurel
Cc: Forbes, Alex; Councillor Greg Rivard
Subject: Re: Houston We Have a Problem!

I have zero issuing re-starting. If this is ever challenged, we need to make sure we followed proper protocol.

Thanks
G

Sent from my iPhone

On Apr 26, 2018, at 9:22 AM, Thompson, Laurel <ltompson@charlottetown.ca> wrote:

Hi Alex and Greg:

A bit of a problem has arisen. The Mayor called me and said that he has been getting a ton of calls about the asphalt plant rezoning on Sherwood Road. Apparently the letter was sent outlining the rezoning but didn't state that the rezoning was for an asphalt plant. I usually state in my letters the purpose of the rezoning. I was away in Mexico when the letter was sent. Ellen sent it out not realizing that the use had to be stated. So it is absolutely no fault of hers.

The Mayor and I chatted about the possibility of sending another letter prior to the meeting explaining that it is for an asphalt plant but the Mayor feels we may get hammered if we go with this approach. Therefore, we both think the process may have to be restarted. The letter should probably be re mailed with a new public meeting date set. He wanted me to consult with you both and let you guys decide.

What are your thoughts?

Laurel

Thompson, Laurel

From: Rivard, Greg
Sent: Friday, April 27, 2018 10:12 AM
To: Thompson, Laurel
Cc: Forbes, Alex
Subject: Re: Asphalt Plant

Hi Laurel,

Just getting this, as we were in the air, landing now. I am fine rushing this whatever way you see fit. Do you need me to contact Clifford or will you take care of arranging items?

Thanks
Greg

Sent from my iPhone

On Apr 27, 2018, at 9:23 AM, Thompson, Laurel <ltompson@charlottetown.ca> wrote:

Hi Alex and Greg:

I contacted Jeff Chapman yesterday about the notification letter and to let him know it would have to be sent again. The problem with putting him off another month is he has to be in the ground by June 1st and the plant has to be operational by June 21st. He has the contract for the airport. I am wondering if we can get a public meeting the following week is there any way we could have a quick planning board meeting before the Council meeting on May 14th. Otherwise I will have to talk to the Mayor and see if we can re send the letter prior to the scheduled public meeting.

Jeff also has concerns that the Island Construction guy is stirring up a lot of controversy for him.

Laurel

Thompson, Laurel

From: Forbes, Alex
Sent: Wednesday, March 21, 2018 12:17 PM
To: Thompson, Laurel
Subject: Chapman Application

Have we heard anything from Mr. Chapman yet. Alex

Sent from my BlackBerry 10 smartphone on the Bell network.

Thompson, Laurel

From: Brian Gillis <brian.a.gillis@gmail.com>
Sent: Thursday, April 26, 2018 10:56 AM
To: Forbes, Alex; Thompson, Laurel; Rivard, Greg; Jeffrey Chapman
Subject: Chapman Bros Ltd. CDA rezoning application Sherwood Rd.
Attachments: LE01 Chapman - Asphalt Plant Site Mar23-18.pdf

Good morning,

As part of the environmental assessment Chapman Bros. Ltd. have commissioned CBCL Consultant Engineers to investigate the traffic impacts.

A copy of the report prepared by Mark MacDonald P.Eng, Senior Transportation Engineer is enclosed.

Highlights from the report are as follows:

- Access driveway onto Sherwood Road does not impact residential neighborhoods
- The report provides an endorsement of the site suitability from a traffic analysis perspective.
- The report recommends the installation of a STOP sign at the driveway entering onto Sherwood Road aligned with Mount Edward Road.
- The report also recommends the paving of the access driveway for a 150 - 200 meter distance northward from the intersection
- The report also outlines the level of vehicle loads entering onto the Sherwood Road.

Chapman Bros Ltd. is supportive of accepting the recommendations for paving the driveway and adding the Stop sign.

Submitted on behalf of Chapman Bros Ltd.

Brian A. Gillis

Thompson, Laurel

From: Brian Gillis <brian.a.gillis@gmail.com>
Sent: Friday, April 27, 2018 1:21 PM
To: Jeffrey Chapman; Thompson, Laurel
Subject: Re: Chapman Bros. Ltd. Site plan Sherwood Rd Rezoning

Hello Laurel,

You may use the PDF Siteplan, but please respect that it is a Preliminary Plan and Chapman Bros wish to continue to make amendments based on feedback from neighbors or there own optimization of the site.

Thanks

Brian Gillis

On Fri, Apr 27, 2018 at 12:43 PM Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Brian:

I've been thinking about this some more and it may be beneficial to send the site plan as some people may not be able to attend the public meeting and this will help to clarify what is actually happening. There is a considerable buffer around the site and that may alleviate a lot of concerns. If there are changes you could advise people at the public meeting about what has changed and why.

What are your thoughts?

Laurel

From: Brian Gillis [mailto:brian.a.gillis@gmail.com]
Sent: Friday, April 27, 2018 11:34 AM
To: Thompson, Laurel; cbcl.jeffrey@bellaliant.com
Subject: Chapman Bros. Ltd. Site plan Sherwood Rd Rezoning

Hello Laurel,

As follow up to our meeting this morning, a PDF version of the site plan is attached.

We will be presenting this at the Public Meeting.

We would prefer not to include this with the mail out to residents.

There may be changes that come out of our continuing discussion with neighbours and we do not want to have different versions of the site plan circulating.

Brian Gillis

Per Chapman Bros Ltd.

--

Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henrie Amiel

Dr Wendell & Marion Grasse
50 PENNY LN
CHARLOTTETOWN
PE
C1E 1V5

27th April 2018

Attention : Charlottetown City Councillors & PLanning Board

Regarding Rezoning of and lot Consolidation parcel #615833

We are adjoining neighbours to the proposed rezoning residing at 50 Penny Lane and have viewed the plans put forward by Chapman Bros Ltd.

Neither my wife Marion nor I have any objection or concern with what is being proposed by Chapman Brothers Ltd.

We appreciate being consulted.

Sincerely,

A handwritten signature in cursive script that reads "Wendell & Marion".

Dr Wendell & Marion Grasse



250 Maple Hills Avenue, Suite 132 • Charlottetown, PE • C1C 1N2

May 8, 2018

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

Dear Mr. Alex Forbes, Manager, Planning & Heritage:

Re: Letter of Support for Rezoning of 249 Sherwood Road (PID #615831 & 145128)

On behalf of the Charlottetown Airport Authority (CAA) we strongly support this proposed initiative to have the above noted property rezoned to allow for the development of an asphalt plant. The readily available competitive access to construction materials is essential to the growth of our economy. This was demonstrated in our most recent tender of our ongoing Runway Improvement Program that saw competitive bids from two local companies.

As you are well aware the proposed use of the subject property is a natural fit with the current commercial and industrial uses of the adjacent lands. This centrally located facility will enable cost efficiencies and competitive bidding on both current and future capital infrastructure investments within the greater Charlottetown area.

We are currently in the final year of our Runway Improvement Program requiring over 30,000 t. of asphalt on our main runway and three adjoining taxiways. Should this rezoning application not proceed a temporary asphalt plant will be set up on airport property. This induces unnecessary risk to our project at the Island's only commercial airport. We encourage the City of Charlottetown to consider both the short and long-term benefits to our City and Island economy and accelerate this rezoning. We look forward to a positive outcome of this rezoning application.

Yours truly,

Jason Lindsay, P.Eng., MBA, PMP
Director, Engineering & Facilities
e. jllindsay@flypei.com

cc Doug Newson, Charlottetown Airport Authority
Shelley Christian, Charlottetown Airport Authority
Craig Chapman, Chapman Brothers Construction Ltd.
Jeff Chapman, Chapman Brothers Construction Ltd.

Thompson, Laurel

From: Brian Gillis <brian.a.gillis@gmail.com>
Sent: Tuesday, May 08, 2018 2:40 PM
To: Forbes, Alex; Thompson, Laurel; Jeffrey Chapman; Rivard, Greg
Subject: Chapman Bros. Ltd. Rezoning Sherwood Road
Attachments: Sherwood Rd Asphalt Plant.pdf; 1817 - Chapman Bros - Sherwood Road - SWMP - May 7.pdf; 09-224 Chapman Brothers Construction.pdf; LE01 Chapman - Asphalt Plant Site Mar23-18 (1).pdf; Site Plan - Apr 26-18 (1).pdf; 20180427092054488.pdf; truck_routes.pdf

Alex & Laurel,

The following items are the essential components for the Public Meeting on Thursday:

- Stormwater management plan prepared by D. French P.Eng. *Enclosed PDF*
- Site specific traffic analysis prepared by CBCL Consulting Engineers, Mark MacDonald P.Eng. *Enclosed PDF*
- Siteplan SP-1 to scale illustrating the detailed site development, plant layout, material storage areas, equipment storage areas, maintenance building, existing tree buffers, new tree planting buffers, fencing & gated control, stormwater dissipation zone and paved access driveway from Sherwood Road. *Enclosed PDF*
- Aerial overview of the site indicating the relationship to adjacent properties, both residential and industrial. *Enclosed Draft PDF*
- There are two residences that abut the property, Irving & Vivian Frizzel (who are selling the property to Chapmans) and Dr Wendell & Marion Grasse (copy of their signed letter not opposing the project). There are no other residential properties within +/- 560 metres. *Enclosed PDF*
- Photo of the proposed plant, which is a portable 7' Double Barrel Asphalt Plant manufactured by Aztec Inc. Complete with a PEBH 52-18 Baghouse 52,264 CFM. *Enclosed PDF*
- Engineer shop drawings of the plant prepared by Aztec Inc. *Enclosed PDF*
- Designated truck routes City of Charlottetown *Enclosed PDF*

We trust that this is adequate information for completion of staff review.

I will provide a PowerPoint presentation incorporating these elements + supplemental material on a USB stick.

Survey plans of the subdivision and lot consolidation have been filed ----- 8 copies Drawing 1817 prepared by Derek French

--

Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henri Amiel

Thompson, Laurel

From: Jason Lindsay <jlindsay@flypei.com>
Sent: Tuesday, May 08, 2018 5:03 PM
To: Planning Department; Forbes, Alex; Thompson, Laurel
Cc: Doug Newson; Shelley Christian; Jeff Chapman; Craig Chapman
Subject: Rezoning of 249 Sherwood Road
Attachments: Letter of Support - CBCL Asphalt Plant.pdf

Good Afternoon Alex, Laurel,

Please find attached Letter of Support regarding the recent public consultation for the rezoning of 249 Sherwood Road. I would be happy to discuss this further if you would like.



Jason Lindsay, P.Eng., MBA, PMP
Director, Engineering & Facilities

Charlottetown Airport Authority
250 Maple Hills Avenue, Suite 132 | Charlottetown, PE | C1C 1N2
P: 902-566-7997 ext. 224 | F: 902-566-7929
www.flypei.com



250 Maple Hills Avenue, Suite 132 • Charlottetown, PE • C1C 1N2

May 8, 2018

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

Dear Mr. Alex Forbes, Manager, Planning & Heritage:

Re: Letter of Support for Rezoning of 249 Sherwood Road (PID #615831 & 145128)

On behalf of the Charlottetown Airport Authority (CAA) we strongly support this proposed initiative to have the above noted property rezoned to allow for the development of an asphalt plant. The readily available competitive access to construction materials is essential to the growth of our economy. This was demonstrated in our most recent tender of our ongoing Runway Improvement Program that saw competitive bids from two local companies.

As you are well aware the proposed use of the subject property is a natural fit with the current commercial and industrial uses of the adjacent lands. This centrally located facility will enable cost efficiencies and competitive bidding on both current and future capital infrastructure investments within the greater Charlottetown area.

We are currently in the final year of our Runway Improvement Program requiring over 30,000 t. of asphalt on our main runway and three adjoining taxiways. Should this rezoning application not proceed a temporary asphalt plant will be set up on airport property. This induces unnecessary risk to our project at the Island's only commercial airport. We encourage the City of Charlottetown to consider both the short and long-term benefits to our City and Island economy and accelerate this rezoning. We look forward to a positive outcome of this rezoning application.

Yours truly,

Jason Lindsay, P.Eng., MBA, PMP
Director, Engineering & Facilities
e. jlindsay@flypei.com

cc Doug Newson, Charlottetown Airport Authority
Shelley Christian, Charlottetown Airport Authority
Craig Chapman, Chapman Brothers Construction Ltd.
Jeff Chapman, Chapman Brothers Construction Ltd.
Laurel Palmer Thompson, City of Charlottetown

Forbes, Alex

From: Forbes, Alex
Sent: Wednesday, May 09, 2018 11:13 AM
To: Thompson, Laurel
Subject: FW: Letter of Support - CBCL Asphalt Plant.pdf

FYI

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Brian Gillis [mailto:brian.a.gillis@gmail.com]
Sent: Wednesday, May 09, 2018 11:03 AM
To: Forbes, Alex <aforbes@charlottetown.ca>; Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Subject: Re: Letter of Support - CBCL Asphalt Plant.pdf

Hello Alex,

The following is our description of the site utilization for the CDA zone:

Chapman Brothers Construction Ltd. is a full service road building and civil construction company and will be placing onsite all elements associated with the normal operation of this business.

Principal elements are enclosed storage and maintenance buildings, outside storage yards for secure storage of construction and snow plowing equipment, outside storage yards for aggregates, sand and other raw materials including recycled asphalt, asphalt plant and other ancillary production equipment essential to carry out the construction services of the company.

On Tue, May 8, 2018 at 7:37 PM, Forbes, Alex <aforbes@charlottetown.ca> wrote:

Brian: I need to know what other structures or land uses other than the asphalt plant will be located on the CDA portion of the property. Alex

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Brian A. Gillis
Sent: Tuesday, May 8, 2018 19:06
To: Forbes, Alex; Thompson, Laurel; Rivard, Greg
Subject: Letter of Support - CBCL Asphalt Plant.pdf

Hello Alex & Laura,
Please add this letter into the information package for Councillors.

--
Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henrie Amiel

Forbes, Alex

From: Forbes, Alex
Sent: Wednesday, May 09, 2018 11:29 AM
To: tmatheson@CSMLAW.com
Subject: FW: Chapman Bros. Ltd. Rezoning Sherwood Road
Attachments: Sherwood Rd Asphalt Plant.pdf

Tom: Here is the additional information that you were seeking. Alex

- Photo of the proposed plant, which is a portable 7' Double Barrel Asphalt Plant manufactured by Aztec Inc. Complete with a PEBH 52-18 Baghouse 52,264 CFM. *Photo attached.*

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"



Proposed Asphalt Plant

Thompson, Laurel

From: Heather Joudrie <hjoudrie@apm.ca>
Sent: Thursday, May 10, 2018 10:10 AM
To: Thompson, Laurel; Forbes, Alex
Cc: Brian Gillis
Subject: Letter of Support
Attachments: Letther of Support_Chapman.pdf

Good Morning:

Please find attached a letter of support regarding the Chapman Brothers proposal for Sherwood Road.

Thx.

Heather Joudrie
Manager Properties • APM

16 McCarville St.
Charlottetown, PE, Canada C1E 2A6
tel 902•569•8400 ext 316
cel 902•314•4232
fax 902•569•1149
email hjoudrie@apm.ca
www.APM.ca
www.royallepageapm.ca

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

APM | since 1980
building ... across CANADA

construction managers • project managers • engineers • general contractors • design buildlets

APMsince 1980
building ... across CANADA**Properties**

May 10, 2018

Dear Committee Members:

I am writing this letter in support of the rezoning request submitted by Chapman Brothers for lands on Sherwood Road.

In 2011, I entered into a lease arrangement with the Chapman Brothers to set up a temporary asphalt plant on lands in the Royalty Power Centre. The Chapman Brothers were extremely professional to deal with and at no point in time did I have any concerns with the operations. No complaints were received from adjacent neighbours regarding any environmental concerns. In fact, when the asphalt plant was dismantled, the site was eco-friendly and passed the Phase I Environmental Report conducted on the site.

As well, being a manager of various properties within the City of Charlottetown, my experience in obtaining reasonable pricing on asphalt work is next to impossible let alone the schedule to have the work completed. Trying to schedule work 6 to 12 months based on a supplier's time line is not the ideal way to conduct business. I would welcome any asphalt company that is prepared to provide quality service with competitive pricing.

I would also like to mention Chapman Brothers will be bringing jobs, investment and service to the City of Charlottetown which I always see as a "win/win" situation.

In closing, I hope you take the time to hear all sides and make the appropriate decision that will be for the benefit of ALL and not those of a select few.

Regards,



Heather Joudrie

General Manager

APM Properties

Forbes, Alex

From: Forbes, Alex
Sent: Monday, May 14, 2018 9:34 AM
To: Thompson, Laurel; Ganga, Ellen
Subject: RE: Chapman Bros. Asphalt Plant Application

Ellen: The transcribed minutes by staff are public but the verbatim minutes are not unless an appeal is launched. If the applicant's presentation is accompanied in the minutes to Council then it is public. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Planning Department
Sent: Friday, May 11, 2018 1:30 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>
Subject: FW: Chapman Bros. Asphalt Plant Application

Hi Laurel, Alex,
Please find below request for a copy of the presentation and recording. Is this something we provide?

Thank you.

Best,
Ellen

From: Susan Johnston [<mailto:sjohnston@csmlaw.com>]
Sent: Friday, May 11, 2018 10:30 AM
To: Planning Department
Subject: Chapman Bros. Asphalt Plant Application

Good Morning Ms. Palmer-Thompson,

I am wondering if you would be able to provide me with a copy of the presentation made by Mr. Brian Gillis at last night's Public Hearing regarding the above-captioned matter. Additionally, I am wondering if you are able to advise me with the name of the person who was responsible for recording the meeting last night and how I could obtain a copy of th? recording.

Thank you in advance for your assistance in the above captioned matter.

Kind Regards,

Susan Johnston
Associate

CSM CARR, STEVENSON & MACKAY
FOUNDED 1978 • SUDBURY, ONTARIO • CANADA

65 Queen Street P.O. Box 522 Charlottetown, Prince Edward Island C1A 7L1
phone (902) 892-4156 direct dial (902) 626-4264
fax (902) 566-1377

[website](#) | [bio](#) | [vCard](#) | [map](#) | [email](#)

This e-mail message (including attachments, if any) is confidential and may be privileged. Any unauthorized distribution or disclosure is prohibited. Disclosure to anyone other than the intended recipient does not constitute waiver of privilege. If you have received this e-mail in error, please notify us and delete it and any attachments from your computer system and records.

Ce courriel (y compris les pièces jointes) est confidentiel et peut-être privilégié. La distribution ou la divulgation non autorisée de ce courriel est interdite. Sa divulgation aux personnes autre que son destinataire ne constitue pas une renonciation de privilège. Si vous avez reçu ce courriel par erreur, veuillez nous aviser et éliminer ce courriel, ainsi que les pièces jointes de votre système informatique et de vos dossiers.

Thompson, Laurel

From: Brian A. Gillis <brian.a.gillis@gmail.com>
Sent: Thursday, May 31, 2018 8:16 PM
To: Thompson, Laurel; Rivard, Greg; Forbes, Alex
Cc: Jeffrey Chapman
Subject: Letter requesting withdrawal of rezoning 249 Sherwood Rd Chapman Bros. Construction Ltd.
Attachments: new doc 2018-05-31 20.11.20.pdf; ATT00002.txt

Thompson, Laurel

From: Forbes, Alex
Sent: Thursday, May 31, 2018 8:23 PM
To: Brian A. Gillis; Thompson, Laurel; Rivard, Greg
Cc: Jeffrey Chapman
Subject: RE: Letter requesting withdrawal of rezoning 249 Sherwood Rd Chapman Bros. Construction Ltd.

Thanks Brian

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

"Every time history repeats itself – the price goes up"

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

From: Brian A. Gillis [<mailto:brian.a.gillis@gmail.com>]
Sent: Thursday, May 31, 2018 8:16 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>; Rivard, Greg <grivard@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>
Cc: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Subject: Letter requesting withdrawal of rezoning 249 Sherwood Rd Chapman Bros. Construction Ltd.

Chapman Brothers Construction Ltd.
P.O. Box 85
Souris, PE
C0A 2B0
(902) 969-0285

31st May 2018

Attention
Laurel Palmer Thompson
City of Charlottetown
PO Box 98
233 Queen Street
Charlottetown, PE
C1A 7K2

Reference: Rezoning & Lot Consolidation 249 Sherwood Rd PID's 615831 & 145128

Dear Laurel,

Chapman Brothers Construction Ltd. wishes to withdraw the application presently under consideration by the City of Charlottetown to rezone the lands at 249 Sherwood Road to accommodate an asphalt plant.

We thank you for your support in advancing this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig Chapman', with a long horizontal stroke extending to the right.

Craig Chapman

Chapman Brothers Construction Ltd.

Thompson, Laurel

From: Planning Department
Sent: Friday, June 01, 2018 12:27 PM
To: Thompson, Laurel
Subject: FW: winsole- Chapmans asphalt plant

Hi Laurel,
FYI.

Best,
Ellen

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

From: Ann Francis [<mailto:amfrancis@eastlink.ca>]
Sent: Thursday, May 31, 2018 10:00 PM
To: Planning Department
Subject: winsole- Chapmans asphalt plant

City council

My wife and I bought our home in 1990, we picked this location for a several reasons

1/ Closeness to Charlottetown for easy commute to my wife's work

2/ Quiet neighbourhood ,

3/ Easy access onto route 2, could go west or east with ease

4/ Clean and tidy homes ,

5/ location Karen drive was away from industry with residential buffer zone (ie -land zoned residential and farm land) between us and Sherwood road ,

the industrial park was on south side of Sherwood road , on either side of Mount Edward road, Sherwood road was a line we never thought industry would cross

6/ latest is 9 years ago my wife was diagnosed with a autoimmune system lung condition were pollutant's , dust ,affect her breathing

we are now told the city is considering on adding a second asphalt plant 500 meters from the end of our street , this is unbelievable in todays world to even consider putting a asphalt making factory so close to a residential neighbourhood , smells , toxins, truck traffic, noise , and God forbid there was ever a large fire where toxins could blow in our or any other direction close by

to sum up we believe this is a NO GO in this area , please stop the wheels from turning now.

Thank You

Paul & Ann Francis
Karen Drive

Thompson, Laurel

From: Forbes, Alex
Sent: Wednesday, June 13, 2018 4:38 PM
To: Brian A. Gillis; Thompson, Laurel; Rivard, Greg
Cc: Jeffrey Chapman
Subject: Re: Recent Request

Brian: Just saw you in your car. Call me tomorrow about your process request for discretionary use tomorrow.
Cheers Alex

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Forbes, Alex
Sent: Thursday, May 31, 2018 20:22
To: Brian A. Gillis; Thompson, Laurel; Rivard, Greg
Cc: Jeffrey Chapman
Subject: RE: Letter requesting withdrawal of rezoning 249 Sherwood Rd Chapman Bros. Construction Ltd.

Thanks Brian

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

"Every time history repeats itself – the price goes up"

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

From: Brian A. Gillis [<mailto:brian.a.gillis@gmail.com>]
Sent: Thursday, May 31, 2018 8:16 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>; Rivard, Greg <grivard@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>
Cc: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Subject: Letter requesting withdrawal of rezoning 249 Sherwood Rd Chapman Bros. Construction Ltd.

Forbes, Alex

From: Forbes, Alex
Sent: Monday, April 09, 2018 10:11 AM
To: Wonnacott, Brad
Subject: FW: Chapman Bros - Application for Rezoning Sherwood Rd Charlottetown
Attachments: 1817-1 - Site Plan - Chapman Bros.pdf

Brad can you print this map and bring it into my meeting. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Brian Gillis [mailto:brian.a.gillis@gmail.com]
Sent: Friday, April 06, 2018 10:55 AM
To: Forbes, Alex <aforbes@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>; Rivard, Greg <grivard@charlottetown.ca>
Cc: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Subject: Chapman Bros - Application for Rezoning Sherwood Rd Charlottetown

Good morning Alex,

As you are aware I have been retained by Chapman Bros to assist in the planning of their new Asphalt Plant on the Frizzell lands on Sherwood Road.

After reviewing the the proposed site planning and work leading up to the rezoning for the proposed asphalt plant we wish to withdraw the application to rezone the two smaller parcels identified as Lot 18-2 & Lot 18-3 on the attached preliminary site plan.

These two parcels will remain as M-2 & M-3 and any future development will be in compliance with those zoning criteria.

Please let me know if this can be deleted from the agenda for Monday's Council meeting,

The site plan is being reworked to accommodate all of the Asphalt Plant functions on Lot 18-1 which will still require CDA rezoning and a development agreement.

We will forward the plan to you as soon as it is available early next week.

I have copied Greg Rivard on this request so that he is up to speed on the request.

Thank you

On Behalf of Chapman Bros Ltd,
Brian A. Gillis
902.213.6723

"The great artist is the simplifier." - Henrie Amiel

Forbes, Alex

From: Wonnacott, Brad
Sent: Tuesday, April 30, 2019 9:21 AM
To: Zilke, Robert
Cc: Forbes, Alex
Subject: Asphalt Plan location
Attachments: Asphalt Plant Location PID 390823.jpg; Asphalt Plant PID 390823.pdf

FYI there are 20 residential units affected

Brad Wonnacott
GIS Technician/Admin
Planning & Heritage Department

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 7K2
Office: 902 629-4112
Fax: 902 629-4156

Thompson, Laurel

From: Planning Department
Sent: Thursday, May 10, 2018 10:11 AM
To: Thompson, Laurel
Cc: Forbes, Alex
Subject: FW: Proposed asphalt plant

FYI.

Best Regards,
Ellen

From: Coady, Jason
Sent: Wednesday, May 09, 2018 7:47 PM
To: Planning Department
Subject: Fw: Proposed asphalt plant

The resident would like this email included with the other comments that were previously submitted. Thanks

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Darren
Sent: Monday, May 7, 2018 7:40 PM
To: Coady, Jason
Subject: Proposed asphalt plant

Hi Jason it was just brought to my attention that Chapman Brothers are proposing to build a asphalt plant on Sherwood Rd. I can't believe that it is being considered by the city of Charlottetown to change the zoning of this parcel of property. I'm definitely against the rezoning of this property. It will be nothing but a nuisance due to traffic, noise, air quality and environmental impact (smell odor) . We all know that this is cost savings for Chapman Brothers as they have to truck the asphalt from their existing plants in Ebenezer and Cardigan. Being that Chapman Brothers is a Souris based company, the taxpayers of Charlottetown should not have to suffer all the problems that this proposed asphalt plant will cause if built.
Darren Turner

Sent from my iPhone

Thompson, Laurel

From: Wonnacott, Brad on behalf of Planning Department
Sent: Thursday, May 10, 2018 4:51 PM
To: Thompson, Laurel
Subject: FW: chapman

FYI

From: Coady, Jason
Sent: Thursday, May 10, 2018 4:50 PM
To: Planning Department
Subject: Fw: chapman

Please include this email in package as per residents request. Thanks Jason

Sent from my BlackBerry 10 smartphone on the Bell network.

From: nickey h
Sent: Thursday, May 10, 2018 4:40 PM
To: Coady, Jason
Subject: chapman

we are really against another paving company
one is more than enough
traffic
smell
cost of our homes will go down
thank you

fred rania haddad
12 penny lane charlottetown
clelv5
902-892-7503

Thompson, Laurel

From: Wonnacott, Brad on behalf of Planning Department
Sent: Monday, May 28, 2018 3:40 PM
To: Thompson, Laurel
Subject: FW: PEIHS r Asphalt plant.docx
Attachments: PEIHS r Asphalt plant.docx

FYI

From: Marla Somersall [<mailto:msomersall@peihumanesociety.com>]
Sent: Friday, May 25, 2018 5:35 PM
To: Planning Department
Subject: PEIHS r Asphalt plant.docx

Please find attached a quick summary of questions and concerns raised by the PEIHS team regarding the proposed development. While this facility is likely to produce less impact than our current neighbour, the combined effect will make our situation even worse. The concern is that if approved, and the air, noise and soil contamination is as bad as what we currently experience, where do we go with that?

We appreciate the effort of Chapman Brothers to come out and meet us in person. If there is another less central location that is suitable, we would certainly prefer that option.

Please feel free to contact me if there are any questions.

Respectfully,

Marla Somersall
Executive Director
PEI Humane Society
309 Sherwood Rd
PO Box 20022
Charlottetown, PE C1A 9E3
902 892 1190 ex 22
msomersall@peihumanesociety.com
www.peihumanesociety.com

---Notice Regarding Confidentiality--- This message, including any attachment(s), is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, proprietary and/or exempt from disclosure. If the reader of this message is not the intended recipient, or the person responsible for delivering the message to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail and permanently delete your copy. Thank you.



309 Sherwood Rd., PO Box 20022, Charlottetown, PE C1A 9E3
Tel: (902) 892-1190 Fax: (902) 892-3617 info@peihumanesociety.com
www.peihumanesociety.com

May 25, 2018

Questions and concerns for the City of Charlottetown regarding the proposed asphalt plant adjacent to the PEI Humane Society

Given the proximity to the public dog park and the space where staff, volunteer and animals walk daily, what is the risk of contamination when the 'storm water' drain which will wash everything from the site is situated directly behind the dog park

This site has already seen contamination without remediation from the other asphalt plant and this plant poses an increased risk particularly when dogs drink from puddles etc. Will the run off be directed to the creek adjacent to the 309 Sherwood Road property which is already the drainage point for Island Construction and the City Compound on Brackley Point Road? This creek sees considerable contamination already.

What is the plan for actual mitigation of

- Potentially significant noise pollution combined with the other plant
- Air pollution – there are already days when we can not use the outdoor areas for the dogs because of the soot and smoke from the plant. 2 will only compound this, regardless of how state of the art the equipment is.
- Soil contamination, contaminated soot on surfaces

The PEIHS probably has more public activity with people and animals than any of our neighbours. Already adjacent to one such facility, our concern is the additional impact of a second site of this type in such close proximity.

Concerns have been raised about the safety practices and record of the company proposing the plant. If it were to be approved, what safeguards would be in place to protect neighbours from unsafe practices, and what preventive controls would be in place, other than complaint driven compliance? What responsibility and liability would be in place for mitigation in case of contamination?

This would not be the ideal site for this kind of development, for the many reasons already raised in public meetings etc. The decision rests with the City of Charlottetown, as does the responsibility for all those impacted by this decision. Island Construction is a good neighbour to the PEIHS, but we deal with oily soot that does not wash off surfaces easily (including cars and outdoor areas for animals). We deal with the smell, which chases us inside and forces us to

close the windows many days with no air conditioning, and the soil and air contaminants that are impacting everyone using the site. Doubling the impact of this kind of industry on one location is not doing anyone any favours.

One last point would be the impact on Sherwood Road and Brackley Point Road, neither of which is in great shape. Sherwood Road in particular has traffic issues, but the section of road over the creek would not do well at all with this kind of traffic. The water run off is poorly directed down the entire street and the impact of these trucks would be significant.

If you require further clarification on any of this, please feel free to contact me at the address above.

Respectfully,

Marla Somersall
Executive Director

To All City Councillors and City of Charlottetown Planning Department

We are writing to voice our strong opposition to the potential rezoning of 249 Sherwood Road (PID #615831) from R-2 to CDA in order to accommodate an asphalt plant.

As the owners of PID 1019942, the property in question would be directly in our backyard and therefor strongly devalue our property, and greatly limit the development potential in the future. On top of these concerns, there is also a question of where will rezoning stop? Once this has started, could the entire area be rezoned for heavy industrial use? If this were to happen, our property and all others in this area that were purchased in a light industrial/residential area will be rendered basically worthless surrounded by heavy industry. Even if development on our property were still an option, the increase in heavy truck traffic and added noise from an asphalt plant would make it nearly impossible to conduct business of any type.

As a business owner and tax payer in the City of Charlottetown I would be very concerned as to what other areas of the city could be affected if this precedent is set. I ask each and every member of the council what they would think if this was proposed in their district? What would your response, and the response of your constituents be to such a request?

I cannot answer for your constituents, but my response is no.

Thanks for your time,

Sincerely

Dr. Kerby Bruce

Forbes, Alex

From: Planning Department
Sent: Friday, May 11, 2018 8:48 AM
To: Thompson, Laurel
Cc: Forbes, Alex
Subject: FW: chapman

FYI.

Regards,
Ellen

From: Coady, Jason
Sent: Thursday, May 10, 2018 4:50 PM
To: Planning Department
Subject: Fw: chapman

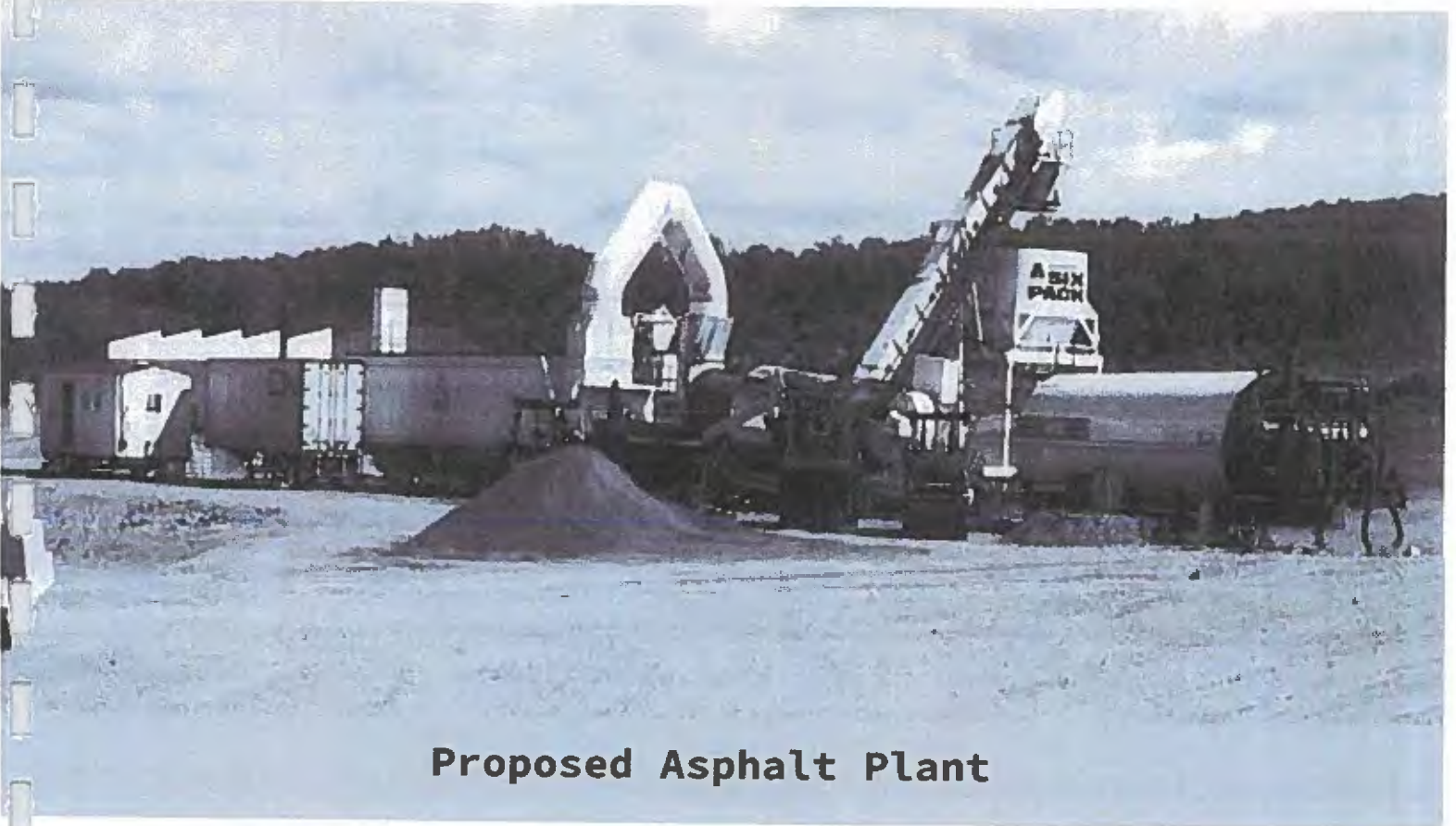
Please include this email in package as per residents request. Thanks Jason

Sent from my BlackBerry 10 smartphone on the Bell network.

From: nickey h
Sent: Thursday, May 10, 2018 4:40 PM
To: Coady, Jason
Subject: chapman

we are really against another paving company
one is more than enough
traffic
smell
cost of our homes will go down
thank you

fred rania haddad
12 penny lane charlottetown
c1e1v5
902-892-7503



Proposed Asphalt Plant

Forbes, Alex

From: Forbes, Alex
Sent: Monday, July 29, 2019 2:04 PM
To: Thompson, Laurel
Subject: Jeff Chapman

Laurel: Can you please email the subdivision approvals for Chapman's to him at CBCL.jeffrey@bellaliant.com: Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

Thompson, Laurel

From: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Sent: Monday, July 29, 2019 2:22 PM
To: Thompson, Laurel
Subject: Re: Subdivision Plans

Yep, thanks

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

On Jul 29, 2019, at 2:06 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Jeff:

I approved the plans this morning . I am not able to email them they are full sized plans. Can you come in and pick up a copy or can someone from your lawyers office come in and pick up a copy?

Laurel Palmer Thompson

Please consider the environment before printing this e-mail!

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

McKenna, Melanie

From: McKenna, Melanie
Sent: Tuesday, December 3, 2019 1:54 PM
To: 'Zilke, Robert'
Subject: RE: Asphalt Plant permit req's

From: Zilke, Robert
Sent: Tuesday, July 30, 2019 9:11 AM
To: 'cbcl.jeffrey@bellaliant.com' <cbcl.jeffrey@bellaliant.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>
Subject: Asphalt Plant permit req's

Hello Jeffery,

Our office received your permit application for a portable asphalt plant. The permit cannot be approved until the Province signs off on the zoning amendment that would permit an asphalt plant in the Heavy Industrial (M-2) Zone. Also, you will have to submit a written confirmation from the Provincial Department of Environment that this application went through their screening requirements.

I will need a landscape plan that provides a buffer of trees that will screen the proposed location of the asphalt plant from the Confederation Trail.

Take care,

**Robert Zilke, MCIP
Planner II**

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada C1A 7K2
Office: 902-629-4108
Fax: 902-629-4156

Please consider the environment before printing this e-mail!

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.



Thompson, Laurel

From: Morrison, Greg
Sent: Tuesday, July 30, 2019 10:25 AM
To: Gavin, Jennifer; Forbes, Alex
Cc: Thompson, Laurel; Zilke, Robert
Subject: RE: Media question

Hi Jenn / Alex,

The item she quoted on the agenda has nothing to do with the Chapman Brothers. I believe the Chapman Brothers subdivision on June 26th she is referring to is as-of-right but I will defer to Laurel and Robert on this one as they have been dealing with them directly.

Thanks,

**Greg Morrison, MCIP
Planner II**

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada C1A 7K2
Office: 902-629-4429
Fax: 902-629-4156

gmorrison@charlottetown.ca
www.charlottetown.ca



Please consider the environment before printing this e-mail!

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.

From: Gavin, Jennifer
Sent: July 30, 2019 10:12 AM
To: Forbes, Alex; Morrison, Greg
Subject: Media question

See below. Can you assist me in an email response? Right now she's just asking for info.

From: Natalia Goodwin
Sent: July 30, 2019 10:07 AM
To: Gavin, Jennifer <jgavin@charlottetown.ca>
Subject: question

Hiya,

Just hoping you can check on something for me....I am hearing that Chapman Brothers applied to have the 15 acres on Sherwood Road subdivided on June 26th.

Can you give me any information on this? Is this the same item that will be at planning August 6th? (see below) and if not can you let me know what the below means?

From planning agenda:

229 Sherwood Road (PID #1007657 and a portion of PID #145961) Laurel Request for a lot consolidation in the M-3(Business Park Industrial) Zone.

Thanks!!

Natalia

--

Natalia Goodwin

Video Journalist, CBC PEI

O: 902-629-6452

natalia.goodwin@cbc.ca

Thompson, Laurel

From: Forbes, Alex
Sent: Tuesday, July 30, 2019 10:25 AM
To: Gavin, Jennifer; Morrison, Greg
Cc: Thompson, Laurel
Subject: RE: Media question

Jenn: The application for August does not involve the asphalt plant. We did approve a subdivision plan recently for this property. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Gavin, Jennifer
Sent: Tuesday, July 30, 2019 10:12 AM
To: Forbes, Alex <afortbes@charlottetown.ca>; Morrison, Greg <gmorrison@charlottetown.ca>
Subject: Media question

See below. Can you assist me in an email response? Right now she's just asking for info.

From: Natalia Goodwin
Sent: July 30, 2019 10:07 AM
To: Gavin, Jennifer <jgavin@charlottetown.ca>
Subject: question

Hiya,

Just hoping you can check on something for me....I am hearing that Chapman Brothers applied to have the 15 acres on Sherwood Road subdivided on June 26th.

Can you give me any information on this? Is this the same item that will be at planning August 6th? (see below) and if not can you let me know what the below means?

From planning agenda:

229 Sherwood Road (PID #1007657 and a portion of PID #145961) Laurel Request for a lot consolidation in the M-3(Business Park Industrial) Zone.

Thanks!!

Natalia

--

Natalia Goodwin

Video Journalist, CBC PEI

O: 902-629-6452

natalia.goodwin@cbc.ca

Thompson, Laurel

From: Zilke, Robert
Sent: Tuesday, July 30, 2019 10:38 AM
To: Morrison, Greg; Gavin, Jennifer; Forbes, Alex
Cc: Thompson, Laurel
Subject: RE: Media question

Hello,

The subdivision is as-of-right but the permit for the asphalt plant cannot be issued until the Province approves the zoning amendment to allow an asphalt plant in the M-2 Zone and determines if the proposal requires environmental screening with conditions as per their 1985 Air Quality Guidelines.

Cheers,

...Robert

From: Morrison, Greg
Sent: Tuesday, July 30, 2019 10:25 AM
To: Gavin, Jennifer <jgavin@charlottetown.ca>; Forbes, Alex <afortbes@charlottetown.ca>
Cc: Thompson, Laurel <lthompson@charlottetown.ca>; Zilke, Robert <rzilke@charlottetown.ca>
Subject: RE: Media question

Hi Jenn / Alex,

The item she quoted on the agenda has nothing to do with the Chapman Brothers. I believe the Chapman Brothers subdivision on June 26th she is referring to is as-of-right but I will defer to Laurel and Robert on this one as they have been dealing with them directly.

Thanks,

**Greg Morrison, MCIP
Planner II**

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada C1A 7K2
Office: 902-629-4429
Fax: 902-629-4156

gmorrison@charlottetown.ca
www.charlottetown.ca



Please consider the environment before printing this e-mail

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.

From: Gavin, Jennifer
Sent: July 30, 2019 10:12 AM
To: Forbes, Alex; Morrison, Greg
Subject: Media question

See below. Can you assist me in an email response? Right now she's just asking for info.

From: Natalia Goodwin
Sent: July 30, 2019 10:07 AM
To: Gavin, Jennifer <jgavin@charlottetown.ca>
Subject: question

Hiya,

Just hoping you can check on something for me....I am hearing that Chapman Brothers applied to have the 15 acres on Sherwood Road subdivided on June 26th.

Can you give me any information on this? Is this the same item that will be at planning August 6th? (see below) and if not can you let me know what the below means?

From planning agenda:
229 Sherwood Road (PID #1007657 and a portion of PID #145961) Laurel Request for a lot consolidation in the M-3(Business Park Industrial) Zone.

Thanks!!
Natalia

--

Natalia Goodwin
Video Journalist, CBC PEI
O: 902-629-6452
natalia.goodwin@cbc.ca

Forbes, Alex

From: Forbes, Alex
Sent: Monday, October 21, 2019 1:59 PM
To: Thompson, Laurel
Subject: Asphalt Plant

Laurel: Do you have any correspondence from the Chapman's regarding the asphalt plant that occurred after they withdraw their initial rezoning application on Sherwood Road. This question came up at IRAC on Friday. In particular the discussions regarding their belief that they were entailed to a building permit under the definition of Heavy Manufacturing. Let me know. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

Forbes, Alex

From: Jeffrey Chapman <cbcl.jeffrey@bellaliant.com>
Sent: Monday, November 04, 2019 11:01 AM
To: Forbes, Alex
Subject: 330 Sherwood

Hi Alex,

We would like to install 2 work doors (14'*16') and 1 man door on the north side of the cold storage building including incidentals required for the door placement and access taper. The purpose would be for storage and maintenance of equipment. There would also be an area along building north face by the new doors that would require the cleaning of grass growing up over the surface and placement of asphalt millings to freshen up the surface as required. Roughly 14m*22m and 34m*32m.

Could you give me a call when you have time .

Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

Thompson, Laurel

From: Morrison, Greg
Sent: Monday, November 04, 2019 11:06 AM
To: Thompson, Laurel; Zilke, Robert
Subject: FW: 330 Sherwood

I'm not sure who is working on the Chapman Brother file for 330 Sherwood Road but please see the email request from Alex below.

Thanks,

**Greg Morrison, MCIP
Planner II**

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada C1A 7K2
Office: 902-629-4429
Fax: 902-629-4156

gmorrison@charlottetown.ca
www.charlottetown.ca



Please consider the environment before printing this e-mail!

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.

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

From: Forbes, Alex
Sent: November 4, 2019 11:03 AM
To: Eisnor, Trevor; Cheverie, Mel; Morrison, Greg
Subject: FW: 330 Sherwood

Folks: Can you look at what Jeff Chapman is requesting and coordinate a response for him with regard to process. Since this property is under appeal the minute he does work on this property it will trigger a response from the public as to whether he has the necessary approvals. Alex

Alex Forbes, MBA, FCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

"Every time history repeats itself – the price goes up"

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

From: Jeffrey Chapman [mailto:cbcl.jeffrey@bellaliant.com]

Sent: Monday, November 04, 2019 11:01 AM

To: Forbes, Alex <aforbes@charlottetown.ca>

Subject: 330 Sherwood

Hi Alex,

We would like to install 2 work doors (14'*16') and 1 man door on the north side of the cold storage building including incidentals required for the door placement and access taper. The purpose would be for storage and maintenance of equipment. There would also be an area along building north face by the new doors that would require the cleaning of grass growing up over the surface and placement of asphalt millings to freshen up the surface as required. Roughly 14m*22m and 34m*32m.

Could you give me a call when you have time .

Thanks,
Jeffrey

Jeffrey Chapman, P. Eng
Chapman Bros Construction Ltd

Sent from my iPhone

Ganga, Ellen

Subject: Planning & Heritage Public Meeting - March 27, 2019 (Wed)
Location: Provinces Room, Rodd Charlottetown (75 Kent Street)

Start: Wed 3/27/2019 7:00 PM
End: Wed 3/27/2019 9:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Ganga, Ellen

Required Attendees: Cheverie, Mel; Councillor Alanna Jankov; Councillor Bob Doiron; Councillor Greg Rivard; Councillor Julie McCabe; Councillor Kevin Ramsay; Councillor Mike Duffy; Councillor Mitchell Tweel; Councillor Terry Bernard; Councillor Terry MacLeod; Dept. Heads; Forbes, Alex; Gavin, Jennifer, Kelly, Peter; MacMillan, Cindy; Matheson, Chantal; Mayor of Charlottetown (Philip Brown); McLean, Tracey; Morrison, Greg; Munn, Natalie; Packwood, Alicia; Basil Hambly (basilhambly@pei.sympatico.ca); Bobby Kenny (bobbykenny34@msn.com); Deputy Mayor Jason Coady; Greg Rivard; Jason Coady; Kris Fournier (kris@krisfournier.com); Reg MacInnis (regmacinnis@gmail.com); Rosemary Herbert (rherbert@upei.ca); Shallyn Murray (shallyn@9ystudio.com); Wonnacott, Brad; Stewart, Jill; Thompson, Laurel; Zilke, Robert

Dear All,

Good day! Please be informed of our Public Meeting scheduled on March 27, 2019 (Wed), 7:00PM at the Provinces Room, Rodd Charlottetown Hotel, 75 Kent Street.
Attached is the agenda for this meeting. Thank you!



27 March 2019
Public Meeting ...

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 7K2
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca





CHARLOTTETOWN

PUBLIC MEETING AGENDA NOTICE OF MEETING

*Wednesday, March 27, 2019 at 7:00 p.m.
Provinces Room, Rodd Charlottetown Hotel, 75 Kent Street*

1. **Call to Order**
2. **Declaration of Conflicts**
3. **Approval of Agenda**
4. **Reports:**
 - a. **197 Minna Jane Drive (PID #469841)**
A request to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone and amend the designation in the Official Plan from Concept Planning Area to Commercial in order to construct a 70-unit apartment building as well as an additional building in the future which will likely contain a commercial daycare centre. This request includes a major height variance from 49.2 ft to approximately 69.75 ft.
 - b. **88 Brackley Point Road (PID #396770)**
A request to rezone the property at 88 Brackley Point Road (PID #396770) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and amend the designation in the Official Plan from Low Density Residential to Medium Density Residential in order to facilitate the construction of a 30-unit apartment building on one lot and a townhouse development on the other portion of the lot.
 - c. **183 Great George Street (PID #344044)**
A request to obtain a site specific exemption as it pertains to 183 Great George Street (PID #344044) in order to allow the sale of alcohol within in a mobile canteen; allow the mobile canteen to operate from April 1st to October 31st annually; and utilize a container to contain washroom facilities. The site specific amendment also includes two variances to increase the maximum height for a fence in the front yard and increase the maximum front yard setback.
 - d. **Amendments to the Zoning & Development Bylaw (Bylaw 2018-11)**
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.
 - e. **Secondary and Garden Suite Registry By-law**
A proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.
5. **Introduction of New Business**
6. **Adjournment of Public Session**

Ganga, Ellen

From: Morrison, Greg
Sent: Monday, March 11, 2019 8:48 AM
To: Ganga, Ellen
Subject: RE: 27 March 2019 Public Meeting Agenda

See link for revised agenda:

G:\MEETINGS\Public Meetings\2019\03 March\27 March 2019 Public Meeting Agenda REVISED.docx

**Greg Morrison, MCIP
Planner II**

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada C1A 7K2
Office: 902-629-4429
Fax: 902-629-4156

gmorrison@charlottetown.ca
www.charlottetown.ca



Please consider the environment before printing this e-mail!

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.

From: Ganga, Ellen
Sent: March-08-19 5:02 PM
To: Morrison, Greg
Subject: 27 March 2019 Public Meeting Agenda

Hi Greg,
Could you go over the agenda for the Public Meeting to add more details to your rezoning and site specific amendment ?
This text will also be used for the Guardian and (and letters I believe) once we have the approved resolutions on Monday
☺

Thanks!

Ellen



CHARLOTTETOWN

PUBLIC MEETING AGENDA NOTICE OF MEETING

*Wednesday, March 27, 2019 at 7:00 p.m.
Provinces Room, Rodd Charlottetown Hotel, 75 Kent Street*

1. **Call to Order**
2. **Declaration of Conflicts**
3. **Approval of Agenda**
4. **Reports:**
 - a. **197 Minna Jane Drive (PID #469841)**
A request to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone and amend the designation in the Official Plan from Concept Planning Area to Commercial in order to construct a 70-unit apartment building as well as an additional building in the future which will likely contain a commercial daycare centre. This request includes a major height variance from 49.2 ft to approximately 69.75 ft.
 - b. **88 Brackley Point Road (PID #396770)**
A request to rezone the property at 88 Brackley Point Road (PID #396770) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and amend the designation in the Official Plan from Low Density Residential to Medium Density Residential in order to facilitate the construction of a 30-unit apartment building on one lot and a townhouse development on the other portion of the lot.
 - c. **183 Great George Street (PID #344044)**
A request to obtain a site specific exemption as it pertains to 183 Great George Street (PID #344044) in order to allow the sale of alcohol within in a mobile canteen; allow the mobile canteen to operate from April 1st to October 31st annually; and utilize a container to contain washroom facilities. The site specific amendment also includes two variances to increase the maximum height for a fence in the front yard and increase the maximum front yard setback.
 - d. **Amendments to the Zoning & Development Bylaw (Bylaw 2018-11)**
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.
 - e. **Secondary and Garden Suite Registry By-law**
A proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.
5. **Introduction of New Business**
6. **Adjournment of Public Session**

Ganga, Ellen

From: Ganga, Ellen
Sent: Tuesday, March 12, 2019 12:59 PM
To: MacMillan, Cindy
Subject: Guardian Ads for March 16 & 23
Attachments: Brackley Point Road 88 - PM Mar 2019 Gaurdian AD.jpg; Minna Jane Drive 197 - PM Mar 2019 Gaurdian AD.jpg; Great George Street 183 - PM Mar 2019 Gaurdian AD.jpg; Public Meeting Advertisement 03_12_2019.docx

Hi Cindy,

Good day! Please find attached documents for the Guardian Ad (March 16 & 23). GL Account to charge is 10-6100-41010-0000.

If you have questions, please do not hesitate to email or call me.

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca



PUBLIC MEETING

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

197 Minna Jane Drive (PID #469841)

A request to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone and amend the designation in the Official Plan from Concept Planning Area to Commercial in order to construct a 70-unit apartment building as well as an additional building in the future which will likely contain a commercial daycare centre. This request includes a major height variance from 49.2 ft to approximately 69.75 ft.

88 Brackley Point Road (PID #396770)

A request to rezone the property at 88 Brackley Point Road (PID #396770) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and amend the designation in the Official Plan from Low Density Residential to Medium Density Residential in order to facilitate the construction of a 30-unit apartment building on one lot and a townhouse development on the other portion of the lot.

183 Great George Street (PID #344044)

A request to obtain a site specific exemption as it pertains to 183 Great George Street (PID #344044) in order to allow the sale of alcohol within in a mobile canteen; allow the mobile canteen to operate from April 1st to October 31st annually; and utilize a container to contain washroom facilities. The site specific amendment also includes two variances to increase the maximum height for a fence in the front yard and increase the maximum front yard setback.

Amendments to the Zoning & Development Bylaw (Bylaw 2018-11)

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.

Secondary and Garden Suite Registry By-law

A proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

Anyone wishing to view the proposed amendments may do so at the Planning & Heritage Department, 233 Queen Street, between the hours of 8:30 AM – 5:00 PM, Monday – Friday. The proposed amendments are also on the City's website at www.charlottetown.ca. Please have any written comments submitted to the Planning Department before 12:00 p.m. on Thursday, March 28, 2019. Comments may also be emailed to planning@charlottetown.ca. Any responses received will become part of the public record.

**The Public Meeting will be held on:
WEDNESDAY, MARCH 27, 2019 AT 7:00 P.M.
PROVINCES ROOM, RODD CHARLOTTETOWN HOTEL
75 KENT STREET**

The general public is invited to attend.

Ganga, Ellen

From: Ganga, Ellen
Sent: Tuesday, March 26, 2019 1:36 PM
To: McPhee, Rachel
Subject: RE: Guardian Ad - Sat, March 23

Hi Rachel,
Thank you very much! You may leave it in our mailbox and I may be able to drop by later. If not, tomorrow morning.
Thanks a lot!

Best Regards,
Ellen

From: McPhee, Rachel
Sent: Tuesday, March 26, 2019 12:12 PM
To: Ganga, Ellen
Subject: RE: Guardian Ad - Sat, March 23

I've printed it for you up here. I tried to scan the printed copy but it didn't come out very clear.

Rachel McPhee
Receptionist- City Hall

City of Charlottetown
PO Box 98, 199 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 7K2
Office: 902-566-5548

rmcphee@charlottetown.ca
www.charlottetown.ca

From: Ganga, Ellen
Sent: March 26, 2019 11:59 AM
To: McPhee, Rachel
Subject: Guardian Ad - Sat, March 23

Hi Rachel,
Good day! Do you still have a newspaper for Saturday's Guardian Ad? I just need the Ad for the Public meeting. If you don't have the newspaper already, do you still have access to the e-Guardian and would you be able to save me a copy of the Ad?
Thanks.

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9

Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca



Ganga, Ellen

From: Ganga, Ellen
Sent: Wednesday, March 20, 2019 3:51 PM
To: McPhee, Rachel
Subject: Public Meeting Agenda for Posting
Attachments: 0_27 March 2019 Public Meeting Agenda.pdf

Hi Rachel,

Thanks in advance to kindly post the attached agenda for the Public Meeting on March 27th. Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca





CHARLOTTETOWN

PUBLIC MEETING AGENDA NOTICE OF MEETING

Wednesday, March 27, 2019 at 7:00 p.m.

Provinces Room, Rodd Charlottetown Hotel, 75 Kent Street

1. Call to Order

2. Declaration of Conflicts

3. Approval of Agenda

4. Reports:

a. 197 Minna Jane Drive (PID #469841)

A request to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone and amend the designation in the Official Plan from Concept Planning Area to Commercial in order to construct a 70-unit apartment building as well as an additional building in the future which will likely contain a commercial daycare centre. This request includes a major height variance from 49.2 ft to approximately 69.75 ft.

b. 88 Brackley Point Road (PID #396770)

A request to rezone the property at 88 Brackley Point Road (PID #396770) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and amend the designation in the Official Plan from Low Density Residential to Medium Density Residential in order to facilitate the construction of a 30-unit apartment building on one lot and a townhouse development on the other portion of the lot.

c. 183 Great George Street (PID #344044)

A request to obtain a site specific exemption as it pertains to 183 Great George Street (PID #344044) in order to allow the sale of alcohol within in a mobile canteen; allow the mobile canteen to operate from April 1st to October 31st annually; and utilize a container to contain washroom facilities. The site specific amendment also includes two variances to increase the maximum height for a fence in the front yard and increase the maximum front yard setback.

d. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11)

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.

e. Secondary and Garden Suite Registry By-law

A proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

5. Introduction of New Business

6. Adjournment of Public Session

Ganga, Ellen

From: Forbes, Alex
Sent: Monday, June 24, 2019 11:34 AM
To: Ganga, Ellen
Subject: RE: Asphalt Plant

Cheers

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Ganga, Ellen
Sent: Monday, June 24, 2019 11:33 AM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject: Asphalt Plant

Hi Alex,
Fyi. The two bylaw amendments (asphalt plant and secondary suites bylaw) approved/read the 2nd time on June 21st are now in the Building Permit approval summary and is posted in the webpage.
Thanks

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca



CHARLOTTETOWN

Great things happen here.

Ganga, Ellen

From: Forbes, Alex
Sent: Friday, May 24, 2019 2:45 PM
To: Ganga, Ellen
Subject: RE: Asphalt Plant First Reading

OK thank you. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Ganga, Ellen
Sent: Friday, May 24, 2019 2:31 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Cc: Thorne, Linda <lthorne@charlottetown.ca>
Subject: Asphalt Plant First Reading

Hi Alex,

Since Council did not do the first reading for the asphalt plant resolution during their last meeting of council, I have added it in the Council package summary for June for items that requires first reading. Just a reminder at the council when they do their reading papers ☺

Reading paper is saved under file **PH-ZD.2-015** folder.

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca





**CITY OF CHARLOTTETOWN
BYLAW**

To adopt Bylaw PH-ZD.2-015, 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

BE IT RESOLVED THAT THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-015, as it pertains to Zoning & Development Amendments)", as attached, be read a first time.

Date: _____ May 17, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (PH-ZD.2-015), be approved and that it be read a second time at the next Public Meeting of Council.

Date: _____ May 17, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-015, as it pertains to Zoning & Development Amendments)", as attached, was read and approved a first time on May 17, 2019;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Date: _____ June 10, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Date: _____ June 10, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # PH-ZD.2-015

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

- (1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # PH-ZD.2-015”

2. Authority

- (1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

3. Purpose

- (1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions to permit an Asphalt, Aggregate and Concrete Plant and insert a definition for said use under Appendix A. Definitions

PART II – AMENDMENTS

4. Section 36.1 is amended as follows:

By inserting 36.1.2 as “Asphalt, Aggregate, Concrete Plant” and renumbering all subsequent permitted uses.

5. Appendix A: Definitions are amended and added as follows:

Add definitions for:

Asphalt, Aggregate and Concrete Plant means a use where the production of asphalt, aggregate or concrete products take place and may include the stockpiling and storage and sale of finished products manufactures on the premises.

PART III – EFFECTIVE DATE

7. Effective Date:

- (1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

First Reading:

This Zoning & Development Bylaw, Bylaw # PH-ZD.2-015, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw # PH-ZD.2-015, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Zoning & Development Bylaw, Bylaw # PH-ZD.2-015, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw # PH-ZD.2-015, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Zoning & Development Bylaw, Bylaw # PH-ZD.2-015, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

8. Signatures:

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw # PH-ZD.2-015, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (PH-ZD.2-015) is hereby approved.

Dated on this ____ day of _____, _____.

Hon. Bloyce Thompson
Minister of Agriculture and Land

Fri, Jun 21, 8:03 AM

So looks like you may be able to participate in council today by electronic means. We're trying to locate the conference call unit and test to ensure it's in working order. We'll keep you apprised.

Sounds great

How are you making out

Test was good. We believe we're good to go. You should call in 5 minutes before to ensure your hooked up for the council session. Only 2 second readings on agenda so should be brief.

Do we need video?

ensure your hooked up for the council session. Only 2 second readings on agenda so should be brief.

Do we need video?

No

Ok...

What number do I call

902-629-4149. Please call in two minutes to test the line. Thanks.

It works



Forbes, Alex

From: Forbes, Alex
Sent: Wednesday, July 31, 2019 4:09 PM
To: Greg Wilson
Subject: FW: Previous Rezoning Chapman Application

Greg: Here are the conditions that the City feels would ensure that this project is compatible with its neighbours. Any questions please advise. Alex

1. Storm water management plan that provides details of surface water drainage including covered storm drain systems and the impact on municipal drainage systems;
2. Treatment of the onsite stormwater runoff (aggregate piles) in relation to particulate matter being washed offsite;
3. Design of a landscape buffer adjacent to the Confederation Trail and the motel to the east. The design should cover such features as green space, trees and hedge buffers for screening. (size, species, location);
4. Optimal siting of proposed asphalt plant in proximity to the Confederation Trail (greater setback of operation from the Confederation Trail).
5. Protection of view planes in relation to the Confederation Trail;
6. Screening or containment mitigation measures of the aggregate or raw materials kept in the outdoor storage area;
7. Traffic impact statement/study that reviews the trip generation to and from the site, appropriate location/size of ingress/egress access point, mitigation measures for dust and particulate matter disturbed onsite by heavy trucks, infrastructure upgrades on public streets to mitigate flow of traffic (dedicated turning lanes into the site);
8. Internal traffic flow analysis (travel routes internal to the site, parking of heavy trucks, operations for loading and unloading material);
9. The proposed truck haul routes utilizing public streets;
10. Design of screened refuse storage and handling areas;
11. Remediation plan to return the site to its original state if the plant is decommissioned.
12. Gravel piles cannot exceed 20 feet in height or height of main building. Mitigation measures to decrease dust and particulate matter from material piles that travel off site.

If the EIA could provide clarification and additional studies or plans to address the above items that would be appreciated.

Cheers.

**Robert Zilke, MCIP
Planner II**

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada C1A 7K2
Office: 902-629-4108
Fax: 902-629-4156

Please consider the environment before printing this e-mail!

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.

Forbes, Alex

From: Forbes, Alex
Sent: Wednesday, July 24, 2019 11:08 AM
To: Hooley, David (Charlottetown) (dhooley@coxandpalmer.com)
Subject: FW: M-2 Request
Attachments: VCard.vcf

FYI

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

"Every time history repeats itself – the price goes up"

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

From: Zilke, Robert
Sent: Monday, June 10, 2019 3:04 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject: FW: M-2 Request

Alex,

Wanted to check the Provincial standards applying to commercial properties and as per the email below the 500 meters also applies to commercial properties. Taking a measurement north-south I determined that almost every property in the West Royalty Industrial Park is within 500 meters of either a commercial or residential zoned property.

Thus the situation whereby an asphalt plant could be located in the West Royalty Park is highly unlikely.

Cheers,

Robert

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

From: Greg Wilson [mailto:gbwilson@gov.pe.ca]
Sent: Thursday, April 18, 2019 4:51 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Cc: Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: M-2 Request

Hi, Alex:

The Department has reviewed your request and has the following

comments:

The following provincial pieces of environmental legislation would apply to any proposed Asphalt, Aggregate and Concrete Plant in the Heavy Industrial (M-2) Zone

a) Environmental Assessment - Just a simple initial screening to scope out the major issues and discuss which entity is best placed to ensure it is dealt with (ie - provincial legislation, or city bylaws). No provincially driven public consultation would be anticipated.

b) Petroleum Storage Tanks Regulations - These regulations have established setback limits to help ensure that any wells, if they exist on the property, are protected from contamination.

c) Watercourse and Wetland Protection Regulations - Ensure that the established, undisturbed, 15m buffer from watercourses and wetlands is maintained.

d) Air Quality Regulations - This will be your most restrictive issue as all asphalt plants must respect the following

An asphalt plant requires a permit under the Air Quality Regulations the setback standards we use are from the Guidelines for Asphalt Plants (1985)

"(1) No person shall build or install an asphalt plant in any territory zoned for residential, commercial or parks and recreational use or within 500 meters of such a territory"

"(2) The asphalt plant and the loading and unloading and discharge areas of aggregate stock piles shall be situated at a minimum distance of 500 metres from any dwelling and 100 metres from any watercourse..."

There is also a section stating that the Minister may reduce the 500 meter setback with a written agreement from the landowner within the 500 metres.

This list was not exhaustive, but I think it hits the highlights and we can discuss further on Tuesday morning.

Cheers,
Gw

Greg B. Wilson
Manager
Environmental Land Management
Environment Division
PEI Department of Communities, Land and Environment
11 Kent St., P.O. Box 2000
Charlottetown, Prince Edward Island
Canada
C1A 7N8

Tel 902-368-5274
Fax 902-368-5830

>>> "Forbes, Alex" <aforbes@charlottetown.ca> 4/9/2019 4:58 PM >>>

Greg: As a following up to our phone conversation today, here is an outline of what I would like to discuss with you at a future meeting. I am heading out on Friday returning next Thursday April 18, 2019. I will call you to set up a meeting when I get back in the office.

Planning staff prepared a number of amendments to the Zoning By-law and one of the amendments dealt with the preferred location for asphalt plants within the City. Planning staff prepared amendments to the Zoning By-law that were forwarded to the Planning Advisory Committee on April 1st. At this meeting some Councillor's voiced concerns around the land use compatibility of permitting an Asphalt, Aggregate and Concrete Plant in the Heavy Industrial (M-2) Zone. Specifically, M-2 properties that would permit such a land use in relation to adjacent residential properties, specifically the Heavy Industrial M-2 zoned properties that border R-1 Single Detached Residential properties in the West Royalty Industrial Park (see attach map).

Prior to approving the proposed asphalt amendments, the Planning Board wanted to receive feedback from the DOE to determine if any of the M-2 zoned properties would be inappropriate for an asphalt, aggregate or concrete plant when the subsequent required Environmental Impact Assessment was undertaken by your office. The sentiment of the Committee was that your office should be consulted to determine if there are known environmental constraints to locating an asphalt plant in these areas prior to allowing this use to be permitted as of right in the Zoning By-law. I realizes that this is a large area to review and does not focus in on a specific property however we are seeking feedback as to whether you see potential problems in locating such a use on any of the properties identified in the M-2 zone maps provided.

Please find attached a map that highlights all the M-2 properties in the City. Both areas do have M-2 properties that border low density residential zoned properties.

If you have any questions or require further clarification let me know.

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

[Charlottetown Logo - English (3)]

"Every time history repeats itself - the price goes up"

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.

Forbes, Alex

From: Greg Wilson <gbwilson@gov.pe.ca>
Sent: Thursday, April 18, 2019 4:51 PM
To: Forbes, Alex
Cc: Dale Thompson
Subject: M-2 Request
Attachments: VCard.vcf

Hi, Alex:

The Department has reviewed your request and has the following comments:

The following provincial pieces of environmental legislation would apply to any proposed Asphalt, Aggregate and Concrete Plant in the Heavy Industrial (M-2) Zone

a) Environmental Assessment - Just a simple initial screening to scope out the major issues and discuss which entity is best placed to ensure it is dealt with (ie - provincial legislation, or city bylaws). No provincially driven public consultation would be anticipated.

b) Petroleum Storage Tanks Regulations - These regulations have established setback limits to help ensure that any wells, if they exist on the property, are protected from contamination.

c) Watercourse and Wetland Protection Regulations - Ensure that the established, undisturbed, 15m buffer from watercourses and wetlands is maintained.

d) Air Quality Regulations - This will be your most restrictive issue as all asphalt plants must respect the following

An asphalt plant requires a permit under the Air Quality Regulations the setback standards we use are from the Guidelines for Asphalt Plants (1985)

"(1) No person shall build or install an asphalt plant in any territory zoned for residential, commercial or parks and recreational use or within 500 meters of such a territory"

"(2) The asphalt plant and the loading and unloading and discharge areas of aggregate stock piles shall be situated at a minimum distance of 500 metres from any dwelling and 100 metres from any watercourse..."

There is also a section stating that the Minister may reduce the 500 meter setback with a written agreement from the landowner within the 500 metres.

This list was not exhaustive, but I think it hits the highlights and we can discuss further on Tuesday morning.

Cheers,
Gw

Greg B. Wilson

Manager
Environmental Land Management
Environment Division
PEI Department of Communities, Land and Environment
11 Kent St., P.O. Box 2000
Charlottetown, Prince Edward Island
Canada
C1A 7N8

Tel 902-368-5274
Fax 902-368-5830

>>> "Forbes, Alex" <aforbes@charlottetown.ca> 4/9/2019 4:58 PM >>>

Greg: As a following up to our phone conversation today, here is an outline of what I would like to discuss with you at a future meeting. I am heading out on Friday returning next Thursday April 18, 2019. I will call you to set up a meeting when I get back in the office.

Planning staff prepared a number of amendments to the Zoning By-law and one of the amendments dealt with the preferred location for asphalt plants within the City. Planning staff prepared amendments to the Zoning By-law that were forwarded to the Planning Advisory Committee on April 1st. At this meeting some Councillor's voiced concerns around the land use compatibility of permitting an Asphalt, Aggregate and Concrete Plant in the Heavy Industrial (M-2) Zone. Specifically, M-2 properties that would permit such a land use in relation to adjacent residential properties, specifically the Heavy Industrial M-2 zoned properties that border R-1 Single Detached Residential properties in the West Royalty Industrial Park (see attach map).

Prior to approving the proposed asphalt amendments, the Planning Board wanted to receive feedback from the DOE to determine if any of the M-2 zoned properties would be inappropriate for an asphalt, aggregate or concrete plant when the subsequent required Environmental Impact Assessment was undertaken by your office. The sentiment of the Committee was that your office should be consulted to determine if there are known environmental constraints to locating an asphalt plant in these areas prior to allowing this use to be permitted as of right in the Zoning By-law. I realizes that this is a large area to review and does not focus in on a specific property however we are seeking feedback as to whether you see potential problems in locating such a use on any of the properties identified in the M-2 zone maps provided.

Please find attached a map that highlights all the M-2 properties in the City. Both areas do have M-2 properties that border low density residential zoned properties.

If you have any questions or require further clarification let me know.

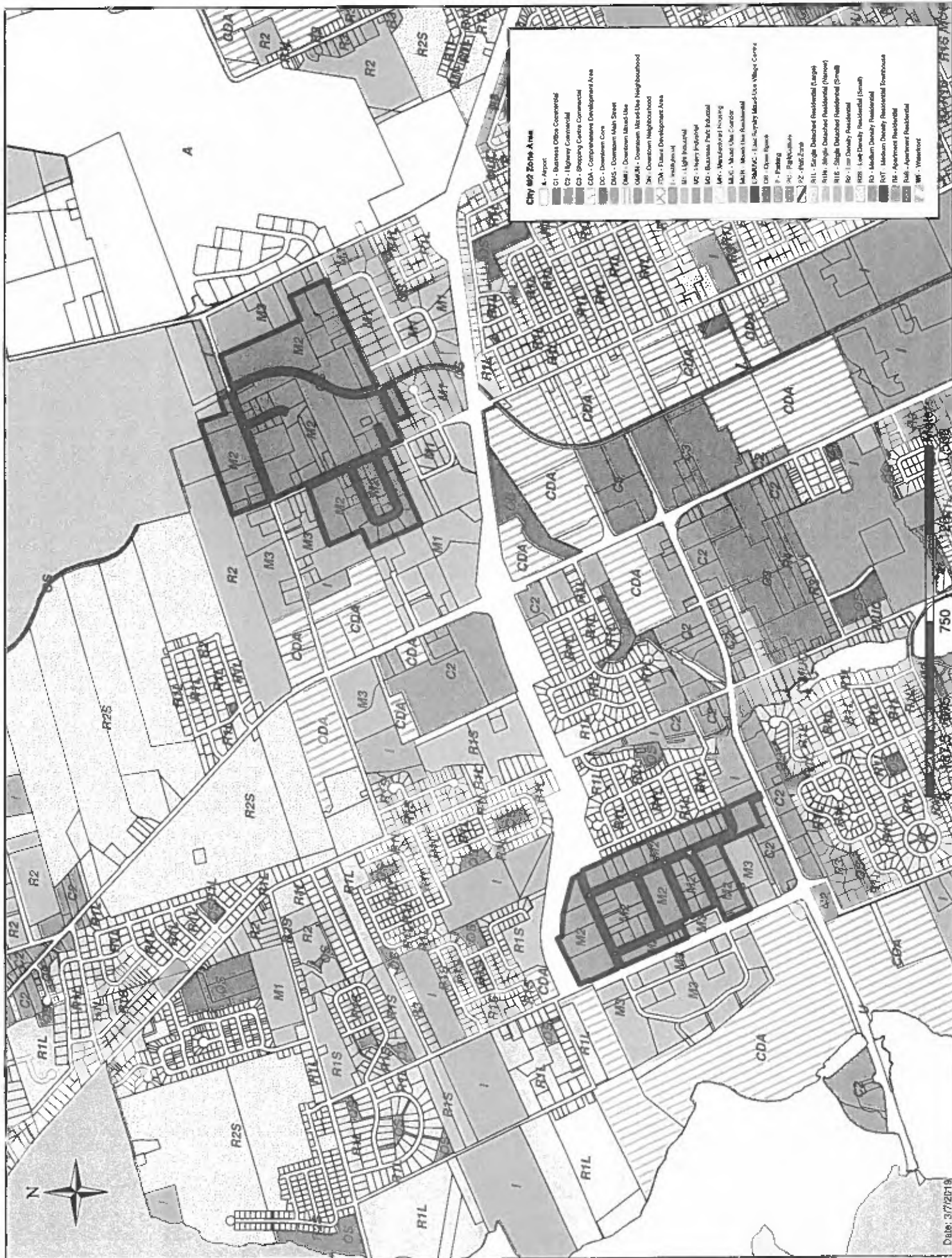
Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

[Charlottetown Logo - English (3)]

"Every time history repeats itself - the price goes up"

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.



Forbes, Alex

From: Greg Wilson <gbwilson@gov.pe.ca>
Sent: Thursday, April 18, 2019 4:45 PM
To: Forbes, Alex
Subject: RE: Meeting on M-2 zones

See you then.

GW

>>> "Forbes, Alex" <aforbes@charlottetown.ca> 4/18/2019 4:38 PM >>>

Perfect it is 233 Queen Street (corner of Queen and Fitzroy) on Tuesday 23rd at 11:00. Thanks for accommodating. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

"Every time history repeats itself – the price goes up"

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

From: Greg Wilson [mailto:gbwilson@gov.pe.ca]
Sent: Thursday, April 18, 2019 4:35 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject: RE: Meeting on M-2 zones

I could meet you at 11:00 am on Tuesday morning? Where is your office again?

GW

>>> "Forbes, Alex" <aforbes@charlottetown.ca> 4/18/2019 4:32 PM >>>

Greg: I will take that time because I really need to meet but will have to cancel another meeting. Any possibility of meeting in the morning. If not lets go with 1:30 on Tuesday in my office. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

"Every time history repeats itself – the price goes up"

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

From: Greg Wilson [mailto:gbwilson@gov.pe.ca]
Sent: Thursday, April 18, 2019 4:23 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject: Meeting on M-2 zones

Hi, Alex:

What about 1:30 pm on Tuesday April 3rd at your office?

GW

>>> "Forbes, Alex" <aforbes@charlottetown.ca> 4/18/2019 9:41 AM >>>

Greg: I am back from my conference. Can we meet as early as possible next week. Cheers Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

[Charlottetown Logo - English (3)]

"Every time history repeats itself - the price goes up"

From: Forbes, Alex
Sent: Tuesday, April 09, 2019 4:59 PM
To: 'gbwilson@gov.pe.ca' <gbwilson@gov.pe.ca>
Cc: Zilke, Robert <rzilke@charlottetown.ca>
Subject: FW: Greg Wilson email

Greg: As a following up to our phone conversation today, here is an outline of what I would like to discuss with you at a future meeting. I am heading out on Friday returning next Thursday April 18, 2019. I will call you to set up a meeting when I get back in the office.

Planning staff prepared a number of amendments to the Zoning By-law and one of the amendments dealt with the preferred location for asphalt plants within the City. Planning staff prepared amendments to the Zoning By-law that were forwarded to the Planning Advisory Committee on April 1st. At this meeting some Councillor's voiced concerns around the land use compatibility of permitting an Asphalt, Aggregate and Concrete Plant in the Heavy Industrial (M-2) Zone. Specifically, M-2 properties that would permit such a land use in relation to adjacent residential properties, specifically the Heavy Industrial M-2 zoned properties that border R1 Single Detached Residential properties in the West Royalty Industrial Park (see attach map).

Prior to approving the proposed asphalt amendments, the Planning Board wanted to receive feedback from the DOE to determine if any of the M-2 zoned properties would be inappropriate for an asphalt, aggregate or concrete plant when the subsequent required Environmental Impact Assessment was undertaken by your office. The sentiment of the Committee was that your office should be consulted to determine if there are known environmental constraints to locating an asphalt plant in these areas prior to allowing this use to be permitted as of right in the Zoning By-law. I

realizes that this is a large area to review and does not focus in on a specific property however we are seeking feedback as to whether you see potential problems in locating such a use on any of the properties identified in the M-2 zone maps provided.

Please find attached a map that highlights all the M-2 properties in the City. Both areas do have M-2 properties that border low density residential zoned properties.

If you have any questions or require further clarification let me know.

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108

[Charlottetown Logo - English (3)]

"Every time history repeats itself - the price goes up"

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.

Forbes, Alex

From: Zilke, Robert
Sent: Tuesday, April 09, 2019 12:22 PM
To: Forbes, Alex
Subject: RE: Greg Wilson email
Attachments: City M2 Zones.pdf

Alex,

See the email to forward to DOE feel free to add anything else you want to mention

Last night City Council voiced concerns revolving around the land use compatibility of permitting an Asphalt, Aggregate and Concrete Plant in the Heavy Industrial (M-2) Zone. Specifically, M-2 properties that would permit such a land use in relation to adjacent residential properties, specifically the Heavy Industrial M-2 zoned properties that border R-1 Single Detached Residential properties in the West Royalty Industrial Park (see attach map).

Note, that Council wanted to receive feedback from the Province to determine if any of the M-2 zoned properties would be appropriate to develop an asphalt, aggregate or concrete plant through an Environmental Impact Assessment.

Please find attached a map that highlights all the M-2 properties in the City. Both areas do have M-2 properties that border low density residential zoned properties.

If you have any questions or require further clarification let me know.

Thanks

Robert

From: Forbes, Alex
Sent: Tuesday, April 09, 2019 11:31 AM
To: Zilke, Robert <rzilke@charlottetown.ca>
Subject: FW: Greg Wilson email

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Forbes, Alex
Sent: Tuesday, April 09, 2019 11:30 AM
To: Forbes, Alex <afortbes@charlottetown.ca>
Subject:

gbwilson@gov.pe.ca

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

McKenna, Melanie

From: McKenna, Melanie
Sent: Tuesday, December 3, 2019 1:55 PM
To: McKenna, Melanie
Subject: RE: Greg Wilson email

From: Zilke, Robert
Sent: Tuesday, April 09, 2019 12:22 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject: RE: Greg Wilson email

Alex,

See the email to forward to DOE feel free to add anything else you want to mention

Last night City Council voiced concerns revolving around the land use compatibility of permitting an Asphalt, Aggregate and Concrete Plant in the Heavy Industrial (M-2) Zone. Specifically, M-2 properties that would permit such a land use in relation to adjacent residential properties, specifically the Heavy Industrial M-2 zoned properties that border R-1 Single Detached Residential properties in the West Royalty Industrial Park (see attach map).

Note, that Council wanted to receive feedback from the Province to determine if any of the M-2 zoned properties would be appropriate to develop an asphalt, aggregate or concrete plant through an Environmental Impact Assessment.

Please find attached a map that highlights all the M-2 properties in the City. Both areas do have M-2 properties that border low density residential zoned properties.

If you have any questions or require further clarification let me know.

Thanks

Robert

From: Forbes, Alex
Sent: Tuesday, April 09, 2019 11:31 AM
To: Zilke, Robert <rzilke@charlottetown.ca>
Subject: FW: Greg Wilson email

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Forbes, Alex
Sent: Tuesday, April 09, 2019 11:30 AM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject:

gbwilson@gov.pe.ca

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

Benjamin, Gwen

From: Zilke, Robert <rzilke@charlottetown.ca>
Sent: Monday, December 2, 2019 4:34 PM
To: Hooley, David (Charlottetown)
Subject: FW: Asphalt Plant Guidelines - 1985.pdf
Attachments: Asphalt Plant Guidelines - 1985.pdf

From: Sean Ledgerwood [mailto:seledgerwood@gov.pe.ca]
Sent: Wednesday, July 24, 2019 3:53 PM
To: Zilke, Robert <rzilke@charlottetown.ca>
Subject: Asphalt Plant Guidelines - 1985.pdf

Hi Robert,

As we discussed, attached are the 1985 Asphalt Plant Guidelines. Give me a call if you want me to explain our procedure, etc.

Sean

Your message is ready to be sent with the following file or link attachments:
Asphalt Plant Guidelines - 1985.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Sean Ledgerwood,
Air and Water Monitoring Supervisor
Water & Air Monitoring
PEI Department of Environment, Water and Climate Change
11 Kent Street, PO Box 2000
Charlottetown, PE C1A 7N8
E-mail: seledgerwood@gov.pe.ca
Tel: (902)-368-4686
Fax: (902)-368-5526

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.

PROVINCE OF PRINCE EDWARD ISLAND
DEPARTMENT OF COMMUNITY & CULTURAL AFFAIRS

GUIDELINES FOR ASPHALT PLANTS

JULY, 1985

PROVINCE OF PRINCE EDWARD ISLAND
DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS
GUIDELINES FOR ASPHALT PLANTS

1. INTERPRETATION

- (1) In these guidelines, unless the content indicates otherwise, the following words and expressions mean or designate:
- (a) "Minister" means the Minister of the Department of Community & Cultural Affairs;
 - (b) "Department" means the Department of Community & Cultural Affairs;
 - (c) "Asphalt Plant" means a plant or any part thereof in which asphalt concrete is produced by heating and drying aggregate material and mixing with asphalt cement;
 - (d) "Normal cubic metre" means the quantity of gas occupying a volume of one cubic metre at standard conditions;
 - (e) "Standard conditions" means a temperature of 25 degrees centigrade and a barometric pressure of 760 millimetres of mercury;
 - (f) "Fugitive emission" means emission escaping to the atmosphere from areas or points of asphalt plant equipment other than the asphalt plant stack;
 - (g) "Asphalt plant stack" means any single chimney, flue or similar device that, according to the asphalt plant's design specifications, had the sole purpose of conducting the asphalt plant emissions to the atmosphere;
 - (h) "Particulate matter" means any finely divided liquid or solid material other than water droplets;

- (i) "Permanent asphalt paving plant" means an asphalt paving plant which remains in one location in excess of two (2) construction seasons;
- (j) "Portable asphalt paving plant" means an asphalt paving plant which remains in one location less than two (2) construction seasons;
- (k) "Undiluted exhaust gas" means any gas or combination of gases that are released or discharged into the air from any source;
- (l) "Opacity" means the degree to which the transmission of light is reduced;
- (m) "Stack test" means the measurement of particulate emissions as set down in Environment Canada's report EPS 1-AP-74-1 "Standard Reference Methods for Source Testing: Measurement of Emissions of Particulates from Stationary Sources" or an alternative method approved by the Department;
- (n) "Inspector" means a person appointed by the Minister for the purpose of enforcement.

2. AUTHORIZATION (Certificate of Approval)

- (1) Pursuant to Section 9 of the Environmental Protection Act, no person shall construct, modify, operate or permit the construction, modification, or operation of an asphalt plant without obtaining a Certificate of Approval issued by the Minister. An application shall be in the form as prescribed in Appendix 3 and the certificate shall be in the form as prescribed in Appendix 4.
- (2) No person shall operate or permit the operation of an asphalt plant except in accordance with the provisions and conditions of the Certificate of Approval granted for that asphalt plant.
- (3) The Minister may revoke a Certificate of Approval if the asphalt plant for which it was issued fails to operate in compliance with the provisions and conditions of that Certificate, and Approvals are automatically revoked by the granting of a new Approval to the same asphalt plant.

- (4) On receipt of an application for a Certificate of Approval, the Minister shall within fifteen (15) calendar days issue a Certificate or advise the applicant as to the reason why a Certificate has not been issued.

5. APPLICATION FOR PERMIT FOR APPROVAL

- (1) Anyone who applies for a Certificate of Approval for an asphalt plant must furnish the following information and documents:
 - (a) a general plan of the area at a scale of approximately 1:5,000 (orthophoto) indicating:
 - (i) the projected site for the asphalt plant and zoning of the property;
 - (ii) the neighbouring territory of the asphalt paving plant and the zoning of such territory, the layout of public highways, access roads, water-courses, wells, houses, and any other development within a radius of 500 metres from the asphalt plant;
 - (b) make, model number, plans and specifications of the asphalt paving plant and equipment including any devices designed to abate or eliminate the emission, deposit, issuance or discharge of contaminants into the environment;
 - (c) a report describing the operating conditions, the operation of equipment and machinery, type of fuel used, the volume of production in tons per hour, and the methods of eliminating wastes and residues;
 - (d) a calculation or evaluation of particulate matter emitted into the atmosphere in micrograms per cubic metre;
 - (e) the plans and specifications of the water supply and waste water disposal equipment; and
 - (f) any further information concerning the operation and/or specifications of the asphalt plant which the Minister may from time to time require.

- (2) If the application concerns the relocation of a portable plant for which approval or permit has already been issued, the applicant may submit an attestation certifying that there has been no change in the data required under paragraphs (d), (e), and (f) of Section 3.(1) instead of providing information prescribed in these paragraphs.

4. SITING STANDARDS

- ✓ (1) No person shall build or install an asphalt plant in any territory zoned for residential, commercial or parks and recreational use or within 500 metres of such territory.
- ✓ (2) The asphalt plant and the loading and unloading and discharge areas of aggregate stock piles shall be situated at a minimum distance of 500 metres from any dwelling and 100 metres from any watercourse. See Appendix 1 for a sample siting standards plan.
- ✓ (3) Notwithstanding paragraph 4(2), the Minister may, in the case of the relocation of a portable plant, permit the siting of an asphalt plant within 500 metres of a dwelling provided a written agreement has been made between the owner/operator of the asphalt plant and the owner/occupier of the dwelling.
- (4) The siting standards for access along a highway as provided for in part 6 of the Planning Act Regulations shall apply notwithstanding that the land may not be subdivided. Appendix 5 is provided as a guide for selecting highway access to an asphalt plant site.

5. WATER SUPPLY AND WASTEWATER DISPOSAL

- ✓ (1) Any well on the plant site shall be protected from contamination from storm runoff and shall have a "bentonite" seal around the well casing acceptable to the Minister.
- ✓ (2) Wastewater resulting from the operation of the asphalt plant shall not be discharged outside the plant site or permitted to enter any watercourse.
- ✓ (3) Storm runoff from the plant site shall be collected and treated to meet the following conditions prior to discharge outside the plant site or to any watercourse:

- (a) concentration of oil, grease or tar not in excess of 15 milligrams per litre of water, and
 - (b) concentration of total suspended solids not in excess of 100 milligrams per litre of water.
- ✓ (4) Any spill of fuel which exceeds 100 litres must be verbally reported immediately to the Department and followed by a written report.

6. AIR EMISSIONS

- ✓ (1) Every reasonable effort shall be made to contain all sources of fugitive emissions including but not limited to, hot screens, bucket elevators, weight hoppers and mixing bins such that all emissions leave through the stack of the asphalt plant.
- (2) The amount of particulate matter emitted into the ambient air as a consequence of the operation of an asphalt plant shall not exceed 500 milligrams per normal cubic metre of dry, undiluted exhaust gas at standard conditions from the stack.
- ✓ (3) No visible solid material, water plume, or water droplets emitted to the atmosphere from the asphalt plant shall impinge on any point beyond the limits of the asphalt plant property.
- (4) The amount of suspended particulate matter in the atmosphere, measured at a point of impingement at or beyond the property line shall not exceed 100 micrograms per cubic metre of air, half hour average.
- (5) (1) The Department shall prepare a chart to be known as the "Visible Emission Chart of the Province of Prince Edward Island".
(2) The Visible Emission Chart shall be prepared by the recording, in three consecutive areas on the chart, of black dots or lines evenly spaced on a white background in such manner that:
 - (a) approximately 20 percent of the space in the first area is black and shall be known as density No. 1;
 - (b) approximately 40 percent of the space in the second area is black and shall be known as density No. 2;

- (c) approximately 60 percent of the space in the third area is black and shall be known as density No. 3;
- (3) A copy of the Visible Emission Chart is attached as Appendix 2.
- (6) No person without the written consent of the Minister shall cause or permit an emission having a density greater than density No. 1, except that for an aggregate period of not more than four minutes during one half hour, smoke may have a density greater than density No. 1, but not exceeding density No. 2.
- (7) In any prosecution for a violation of any section of this part, the opinion of an inspector based on reasonable and probable grounds, shall be conclusive.
- (8) If the Minister has reason to believe that an asphalt plant is in violation of this guideline, he may require that an emission test be conducted to determine plant emissions. The undertaking and cost of this test will be shared on a 50/50 basis between the Department and the owner or operator of the asphalt paving plant, and such test will be done by a person or persons acceptable to the Department.

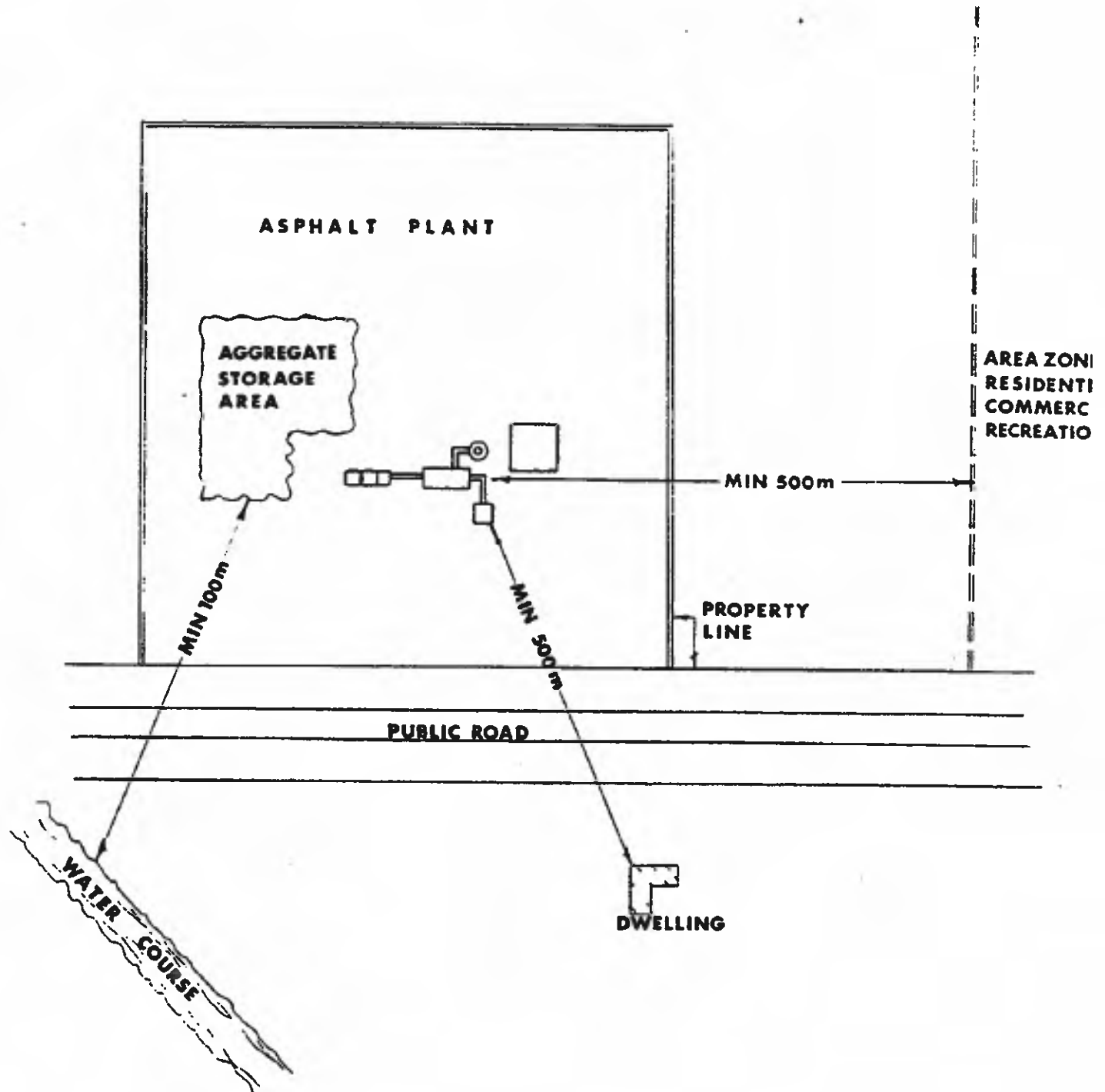
7. GENERAL

✓(1) Site Restoration:

- (a) On completion of the operation or expiration of the Certificate of Approval, all equipment and unnatural features must be removed and the site must be restored to the satisfaction of the inspector. Unless otherwise approved by the Minister the site shall be restored, insofar as practical, to its original condition.

Restoration shall include:

- (i) sloping or grading of surfaces, and seeding for erosion control;
- (ii) drainage and filling in of any pits and settling ponds or depressions;
- (iii) removal and proper disposal of contaminated soil;
- (iv) capping or filling in of wells; and
- (v) removal of highway access.



SITING STANDARDS FOR
ASPHALT PLANTS

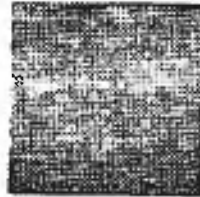
APPENDIX 2

VISIBLE EMISSION CHART OF THE PROVINCE OF P.E.I.

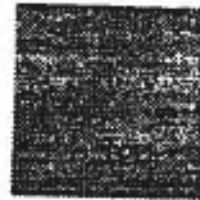
Department of Community & Cultural Affairs



Density # 1



Density # 2



Density # 3

Instructions for use:

1. Hold Visible Emission Chart at arm's length.
2. View the visible emission at approximately right angles to the line of travel of the visible emission.
3. If water vapour is evident in the visible emission, view the visible emission at a distance from the point of emission where the water vapour has dissipated.
4. Match the shade of the visible emission with the nearest shade of density on the Visible Emission Chart.

APPENDIX 3

APPLICATION FOR CERTIFICATE OF APPROVAL

To Operate An Asphalt Plant

1. Company Information:

Name of Company: _____

Address: _____

Manager: _____ Telephone No: _____

2. Plant Information

Make: _____ Model No: _____

Age: _____

Type of Plant: Batch _____, Continuous Mix _____, Drum Mix _____,
Portable _____, Permanent _____.

Plant Manager or Operator _____ Telephone No: _____

Rated Hourly Production: _____

Type of Fuel: _____ Rate of Consumption: _____

Size of Fuel Storage Tank(s) (litres): _____

3. Air Emission Control Information:

Control Equipment: _____

Make: _____ Age: _____

Type: _____ Model No. _____

Rate of Particulate Matter Emission _____ Micrograms/Cubic metre.

Additional information or comment on plant operation or control
equipment:

4. Water Supply & Waste Water Information:

Source of Water: _____

Size of Well: _____ Average Demand: _____

Settling Pond-Size: First _____, _____, _____

Second _____, _____, _____

Third _____, _____, _____

Is alteration of watercourse necessary: _____

5. Waste Disposal Information:

Describe wastes and method proposed for disposal (i.e. off specifications asphalt, settling pond sludge, mineral fines, oil contaminated soil, etc.)

6. Site Location and Layout Information:

- (a) A site sketch plan at a scale of approximately 1:500 or 1"-50' indicating the measurements and surface area of the land to be used, the asphalt plant and of storage, loading, unloading, and discharge areas of aggregate materials;
- (b) A general map of the area at a scale of approximately 1:5,000 (orthophoto) indicating:
 - (i) the projected site for the asphalt plant and zoning of the property;
 - (ii) the neighbouring territory of the asphalt paving plant and the zoning of such a territory, the layout of public highways, access roads, water-courses, wells, houses, and any other development within a radius of 500 metres from the asphalt plant.

APPENDIX 4

CERTIFICATE OF APPROVAL

This Certificate Dated: _____ 19 _____

Issued To: _____

Address: _____

Pursuant To: _____

This Approval is For: _____

Located At: _____

Your Application has been reviewed on the basis of the information submitted and is approved, subject to the following terms and conditions:

Approved: _____ Date: _____

Minister

APPENDIX 5

HIGHWAY ACCESS AND SAFETY

The following is presented as a guide for selecting highway access to an Asphalt Plant Site.

1. No person shall construct or change the use of an access along an arterial highway or collector highway as designated by the Planning Act Regulations to serve a permanent asphalt paving plant.
2. No person shall construct or change the use of an access along an arterial highway as designated by the Planning Act Regulations to serve a portable asphalt paving plant unless:
 - (a) the site is within the limits of a contract to build, rebuild, pave or repave that section of the arterial highway,
 - (b) the sight distance to the access is in excess of 210 meters measured as shown in the Planning Act Regulations and,
 - (c) the applicant agrees in writing to comply with the conditions for traffic control procedures as specified by the traffic engineer of the Department of Transportation and Public Works attached to the Certificate of Approval and forming a part thereof.
3. No person shall construct or change the use of an access along any collector highway as designated by the Planning Act Regulations to serve a portable asphalt paving plant unless:
 - (a) the site is within the limits of contract to build, rebuild, pave or repave that section of the collector highway,
 - (b) the sight distance to the access is in excess of 150 meters measured as shown in the Planning Act Regulations and
 - (c) the applicant agrees in writing to comply with the conditions for traffic control procedures as specified by the traffic engineer of the Department of Transportation and Public Works attached to the Certificate of Approval and forming a part thereof.

4. No person shall construct or change the use of an access along a local road to serve an asphalt plant unless:
 - (a) the sight distance to the access is in excess of 150 meters measured as shown in the Planning Act Regulations and
 - (b) the applicant agrees in writing to comply with the conditions for traffic control procedures as specified by the traffic engineer of the Department of Transportation and Public Works attached to the Certificate of Approval and forming a part thereof.

McKenna, Melanie

From: McKenna, Melanie
Sent: Tuesday, December 3, 2019 1:55 PM
To: McKenna, Melanie
Subject: RE: Previous Rezoning Chapman Application

From: Zilke, Robert
Sent: Wednesday, July 31, 2019 1:08 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject: Previous Rezoning Chapman Application

Alex,

It would seem after reviewing Laurel's report that we did not place any conditions on the asphalt plant proposal other than a landscape buffer for screening next to residential properties. See the report here at this [link](#).

Not sure if conditions for mitigation were contemplated at that time but I would suggest requiring the following through an EIA:

1. Storm water management plan that provides details of surface water drainage including covered storm drain systems and the impact on municipal drainage systems;
2. Treatment of the onsite stormwater runoff (aggregate piles) in relation to particulate matter being washed offsite to the ROW;
3. Design of a landscape buffer adjacent to the Confederation Trail and the motel to the east. The design should cover such features as green space, curbing, trees and hedge buffers for screening (size, species, location);
4. Protection of view planes in relation to the Confederation Trail;
5. Screening or containment mitigation measures of the aggregate or raw materials kept in the outdoor storage area;
6. Traffic impact statement/study that reviews the trip generation to and from the site, appropriate location/size of ingress/egress access point, mitigation measures for dust and particulate matter disturbed onsite by heavy trucks, infrastructure upgrades on public streets to mitigate flow of traffic (dedicated turning lanes into the site);
7. Internal traffic flow analysis (travel routes internal to the site, parking of heavy trucks, operations for loading and unloading material);
8. The proposed truck haul routes utilizing public streets;
9. Design of screened refuse storage and handling areas;
10. Remediation plan to return the site to its original state if the plant is decommissioned.

Just some thoughts, feel free to include anything else.

Cheers.

Robert Zilke, MCIP
Planner II

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island

Canada C1A 7K2
Office: 902-629-4108
Fax: 902-629-4156

Please consider the environment before printing this e-mail!

This email and any files transmitted with it are **confidential** and Intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.



Benjamin, Gwen

From: Zilke, Robert <rzilke@charlottetown.ca>
Sent: Monday, December 2, 2019 4:29 PM
To: Hooley, David (Charlottetown)
Subject: FW: Portable Asphalt Plant Development

From: Zilke, Robert
Sent: Wednesday, July 31, 2019 9:20 AM
To: 'Sean Ledgerwood' <seledgerwood@gov.pe.ca>
Subject: RE: Portable Asphalt Plant Development

Sounds good, see you then.

From: Sean Ledgerwood [<mailto:seledgerwood@gov.pe.ca>]
Sent: Wednesday, July 31, 2019 8:12 AM
To: Zilke, Robert <rzilke@charlottetown.ca>
Cc: Forbes, Alex <aforbes@charlottetown.ca>
Subject: RE: Portable Asphalt Plant Development

Sorry, typo 10:30.

>>> Sean Ledgerwood 7/31/2019 8:11 AM >>>
We are good for 9:30 this am if you guys still are. 4th floor Jones Boardroom.

Sean

>>> "Zilke, Robert" <rzilke@charlottetown.ca> 7/30/2019 4:01 PM >>>
Hi Sean,

We could meet tomorrow at that time if your available. I will follow up first thing in the morning to see if the meeting is still going forward.

Alex -- Are you free to meet at 10:30?

Thanks,

...Robert

From: Sean Ledgerwood [<mailto:seledgerwood@gov.pe.ca>]
Sent: Tuesday, July 30, 2019 10:13 AM
To: Zilke, Robert <rzilke@charlottetown.ca>
Subject: Re: Portable Asphalt Plant Development

Hi Robert,

I can't get a hold of Greg and Bruce, but their online schedules look free. I wonder if I book the meeting for 10:30 tomorrow for here (4th floor Jones) and if in the am one of them aren't able to attend I will let you know ASAP and reschedule?

Sean

Sean Ledgerwood,
Air and Water Monitoring Supervisor
Water & Air Monitoring
PEI Department of Environment, Water and Climate Change
11 Kent Street, PO Box 2000
Charlottetown, PE C1A 7N8
E-mail: seledgerwood@gov.pe.ca
Tel: (902)-368-4686
Fax: (902)-368-5526

>>> "Zilke, Robert" <rzilke@charlottetown.ca> 7/30/2019 9:54 AM >>>
Hello Sean,

Our office recently received a development application for a portable asphalt plant at 330 Sherwood Road. Did the applicant submit for an environmental screening through your office?

As per your guidelines they would require an environmental review to determine if additional screening is necessary. Our amendment to permit an asphalt plant in the Heavy Industrial (M-2) Zone is still pending approval from the Province and I will need confirmation through your office regarding any additional requirements for the portable asphalt plant prior to the issuance of a permit.

I look forward to your reply.

Cheers

**Robert Zilke, MCIP
Planner II**

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, Prince Edward Island
Canada C1A 7K2
Office: 902-629-4108
Fax: 902-629-4156

Please consider the environment before printing this e-mail!

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by email if you have received this email by mistake and delete this e-mail from your system.



Please consider the environment before printing this e-mail

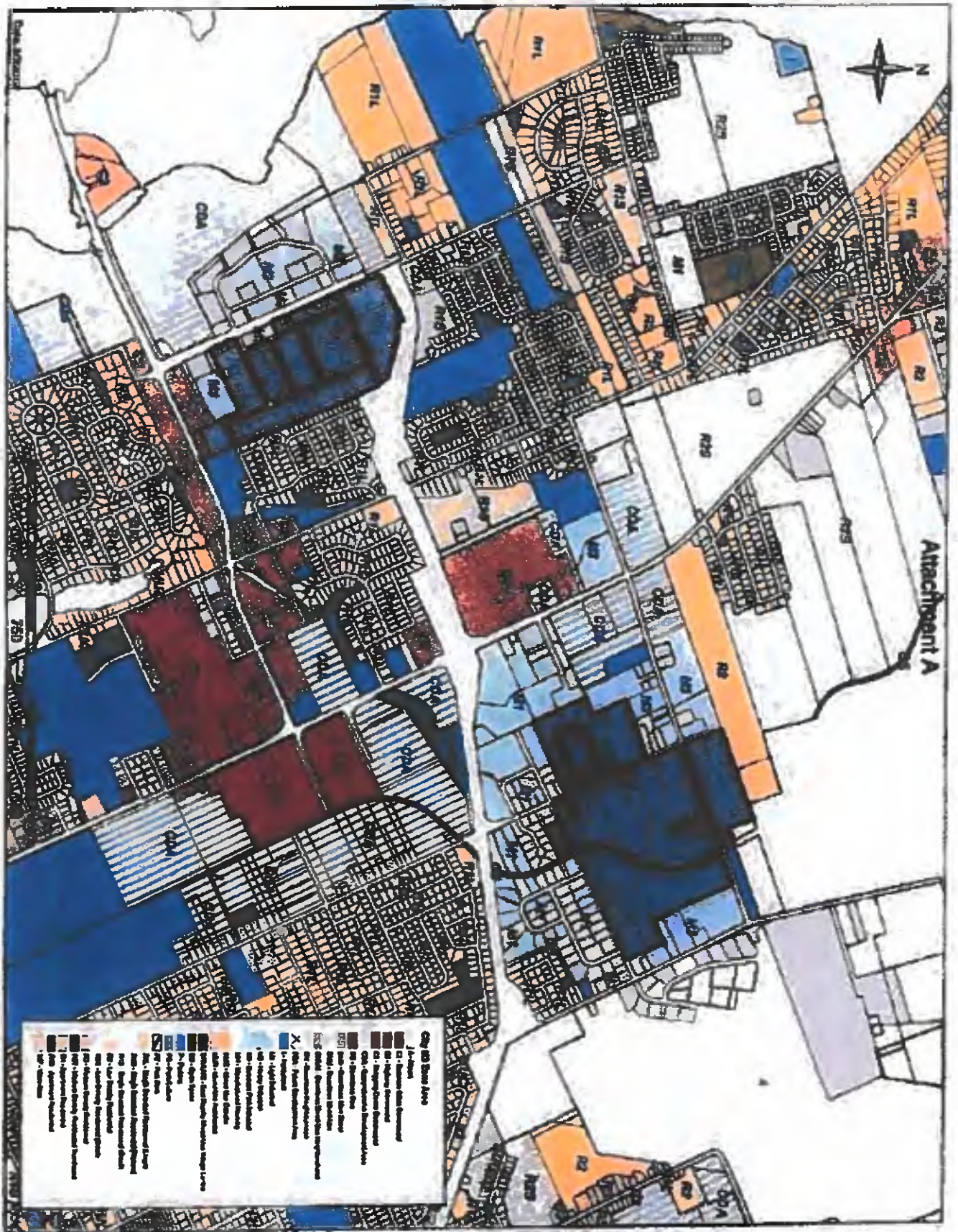
This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.

Déclaration de confidentialité

Le présent message (y compris les annexes) peut contenir des renseignements confidentiels à l'intention d'une personne ou d'un organisme en particulier. Si vous avez reçu la présente communication par erreur, veuillez en informer l'expéditeur immédiatement. Si vous n'êtes pas le destinataire prévu, vous n'avez pas le droit d'utiliser, de divulguer, de distribuer, de copier ou d'imprimer ce courriel ou encore de vous en servir, et vous devriez le supprimer complètement de votre système informatique.







McKenna, Melanie

From: McKenna, Melanie
Sent: Wednesday, October 16, 2019 1:39 PM
To: McKenna, Melanie
Subject: RE: FW: Asphalt Plant

From: Duffy, Mike
Sent: Tuesday, October 15, 2019 4:02 PM
To: Forbes, Alex <afortbes@charlottetown.ca>
Subject: Re: FW: Asphalt Plant

Hi Alex;

I certainly can understand why someone would question that.

I do understand that one executes a plan and honours or fulfills a commitment but I doubt very much that anyone executes a commitment.

After reading what I was thinking you for, I now understand what I meant to say. My intent was to tell you that I did not agree with the reason for deferring the decision pertaining to adding an Asphalt plant as a permuted use in an M2 zone because the reason was to have another Public meeting.

~~The "commitment" so-to-speak, was that stated in the Zoning and Development Bylaw where it states, when amending a Bylaw, Council will hold Public Meeting.~~

As far as the "execution" is concerned, a much better choice would have been something along the line of "fulfilled" or "satisfied" .

My point was that you can not have a second Public Meeting just because some folks missed the first one.

Mike

On Oct 15, 2019 2:26 PM, "Forbes, Alex" <afortbes@charlottetown.ca> wrote:

Mike: The lawyer representing the asphalt plant appeal has asked the City what you meant by commitments in the email below. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

From: Duffy, Mike
Sent: Friday, June 14, 2019 5:47 PM
To: Forbes, Alex <aforbes@charlottetown.ca>
Subject: Re: Asphalt Plant

Thanks Alex.

That's what I thought last Monday night - why defer because all commitments had been executed.

Mike

On Jun 14, 2019 12:15 PM, "Forbes, Alex" <aforbes@charlottetown.ca> wrote:
Mayor and Council: At Monday night's Council meeting, the directive with regard to first reading of the Zoning By-law amendment to permit asphalt plants in the M-2 Industrial zone was deferred in order to go to a public meeting. I spoke to David Hooley on what transpired and we both agree that it would be inappropriate to go to a public meeting at this late stage because a public meeting already took place to hear from the public on this issue. As Councillor's you are potentially opening up the process to hear from the public in future well beyond the date prescribed for public input in the existing process. If you are inclined to hold a second public meeting at the first reading stage, the implication is that you should be prepared to hear from the public a second time before second reading as well. This scenario sets up a procedural process that is not stable or predictable as to when the process will be finished. If this were a situation where we had an application from the public for an amendment to the Zoning By-law, the City would be clearly exposing ourselves to an IRAC appeal because we did not follow our own prescribed process. I cannot recall a situation since I became the manager of planning where a public meeting for a particular application was held twice. This application was already deferred once to seek input from the province and this information was obtained and reviewed by Planning Board before they provided their recommendation. I would suggest that in light of these concerns that it would be appropriate to place the proposed Zoning By-law amendment back on the next scheduled meeting of Council to decide on whether to give it first reading or not. Alex

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
P O Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2
(P) 902-629-6108



"Every time history repeats itself – the price goes up"

Chaisson, Rory

From: Michele <michele.mackay46@gmail.com>
Sent: June 21, 2019 1:06 PM
To: Jankov, Alanna
Subject: Re: Rezoning for proposed asphalt plant

----- Forwarded message -----

From: Michele Hennebery <michele.mackay46@gmail.com>
Date: Fri, Jun 21, 2019 at 8:11 AM
Subject: Concerns - Asphalt plants in Ward 8
To: andrew hennebery <andrew.hennebery@gmail.com>

Good Morning Jason,

Thank you for advising my husband and I about the plans to construct an asphalt plant in our neighborhood. I was absolutely shocked to hear this was in the works without any notifications to the community-affected.

I enjoy living in my community and spending time outdoors. I already have the highway and the added flight traffic which takes away from some enjoyment of the outdoors. However, the construction of a new asphalt plant is very upsetting.

How can this be voted on without the people directly affected by this not be informed. Will the members of the community have the chance to vote on this topic before it is constructed?

Having this constructed in this neighborhood, community or backyards of the occupants is not only devaluing the properties in the area; it poses a very concerning health risk. It is known that the toxic fumes released by asphalt and concrete plants cause headaches, skin irritation, fatigue, reduced appetite, throat and eye irritation, coughing and different types of cancers! Do the counselors not care about the health risks they are exposing the community to? Where do they live? Could this not be constructed in their backyards/communities?

There is already a plant on Sherwood road. Is this strictly business -a need to make money? What other areas did they look at? Could there be other options explored that would not directly affect the health and well-being of the surrounding communities?

Not informing the members of the community is absolutely disrespectful. They are proving that they do not care or are not concerned of the health of the people. If this does go through, they NEED to inform the entire community of the health risks involved and allow them to vote! They have no right to expose individuals unwillingly of this possibly dangerous situation. They will be responsible for the adverse health affects of the people involved.

Sent from my iPhone

On Jun 21, 2019, at 9:43 AM, Jankov, Alanna <ajankov@charlottetown.ca> wrote:

Hello Andrew , thank you for your comments. First i want to let you know the recommendation to amendment the bylaw in the Heavy Industrial zone was voted on 3 months ago. It then went to a public meeting and from there first reading which was last week and second reading today. This has been a recommendation from planning and has been discussed for at least 3 months. Thank you and please contact me anytime

Alanna
Alanna Jankov
City Councillor-Ward 1
City of Charlottetown
ajankov@charlottetown.ca
9023933999

On Jun 21, 2019, at 9:23 AM, andrew hennebery <andrewhennebery@gmail.com> wrote:

I'm writing today because I am disheartened and frankly frustrated to hear of a special council meeting being held today, June 21, 2019, regarding a vote by councilors to change the zoning bylaws on the corner of Brackely Point Rd and Sherwood Rd, to allow for Chapman Bros to construction a new asphalt plant, the second of such plants in the immediate area.

The optics of the situation, on the part of council is very poor. To hold a special council meeting (not a regular meeting), no less at noon, on a regular working day, lends itself to a diabolical plan for councilors (in support of this plant) to pass the zoning bylaw with no consultation with local residents, for which this plant will 'directly impact'. I expect much more than this from our elected council. No environmental or health information has been provided to us. I am deeply concerned that that council, does not seem to have the health and welfare of their voting constitutions in mind. Rather, this vote seems to be staunchly the contrary. It seems council doesn't care if they additional cancer causing pollutants in the air, or if my property value plummets, while my taxes keep rising.

We already have far too much industry surrounding the immediate area. Why add yet another major polluter, simply because Chapman Bros want to be more competitive with Island Construction. Surely, there are other more suitable areas for this plant that less populated. There must be rural areas, in east royalty. If they were truly concerned with being cost competitive, they would construct this plant in the Stratford area.

My wife and I are proud of our community, residing in ward 8 for 35 years, and we have put up with a lot, and I mean 'a lot' of noise and air pollutants and irritants over the years, as the city and province has grown, and so too has the level of infrastructure and supporting construction. But we will not stand for this. Not this time.

We know what is it like to have our walls shaking because because of airport traffic and smell jet fuel when the planes are refueling. We know what is it like to have the noxious sent of fumes from the exiting Island Construction plant, burn your eyes and nose, or fill your lungs, when we are trying to enjoy a walk or job on the confederation trail. We know what is is like to hear the sound of dump trucks, all hours of the day and night, when loads of gravel are being offloaded at Island Construction or Schurman Concrete. We know what it is like to take our lives in our hands and use the crosswalk at the arterial highway with the existing level of heavy truck traffic - not to mentioned adding more.

Please, don't vote in favor of changing the zoning bylaws. There are other, more suitable areas for this plant. I will do my best to be at the meeting today at noon.

My eyes, and the eyes of other concerns neighbors, this is note just a vote on a zoning bylaw, this is a vote on the integrity of council.

Regards,

Concerned constituent of Ward 8
Andrew Hennebery
6 Revell Drive, Charlottetown