

Notice of Appeal

(Pursuant to Section 28 of the *Planning Act*)

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TO: The Island Regulatory and Appeals Commission
National Bank Tower, Suite 501, 134 Kent Street
P.O. Box 577, Charlottetown PE C1A 7L1
Telephone: 902-892-3501 Toll free: 1-800-501-6268
Fax: 902-566-4076 Website: www.irac.pe.ca

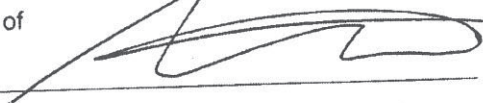
The Island Regulatory and Appeals Commission
Appeal process is a public process.

TAKE NOTICE that I/we hereby appeal the decision made by the Minister responsible for the administration of various development regulations of the **Planning Act** or the Municipal Council of Charlottetown (name of City, Town or Community) on the 15 day of October, 2019, wherein the Minister/Community Council made a decision to Consolidate 91 King St., 93 King St., 94-98 Dorchester St., & 100-102 Dorchester St; and Reduce the minimum frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4ft to approximately 80.1ft; and Reduce the minimum side... (attach a copy of the decision).

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, the grounds for this appeal are as follows: (use separate page(s) if necessary)

The Planning Board's recommendation should not have been approved by Council because Planning Board procedures denied residents their entitlements to natural justice; namely, notice and to make representations.
The approved resolution is contrary to the City of Charlottetown Official Plan to: i) address social housing needs and equitable distribution ii) preserve the built form of Charlottetown's existing neighborhoods iii) to protect and strengthen the character and stability of neighborhoods.
The consolidation by-laws, detailed at Section 45.3 of the City of Charlottetown Zoning and Development By-Laws, were not complied with.

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, I/we seek the following relief: (use separate page(s) if necessary)
Quashing of the approved resolution.

Name(s) of _____ Signature(s) of 

Appellant(s): Matthew Richard Appellant(s): _____
Please Print

Mailing Address: 5-91 King St City/Town: Charlottetown
Province: Prince Edward Island Postal Code: C1A 1B6
Email Address: matthew.chaisson.richard@gmail.com Telephone: 438-870-6817

Dated this 05 day of 11, 2019
day month year

IMPORTANT

Under Section 28.(6) of the *Planning Act*, the Appellant must, within seven days of filing an appeal with the Commission serve a copy of the notice of appeal on the municipal council or the Minister as the case may be.

Service of the Notice of Appeal is the responsibility of the Appellant

Information on this Form is collected pursuant to the *Planning Act* and will be used by the Commission in processing this appeal.
For additional information, contact the Commission at 902-892-3501 or by email at info@irac.pe.ca.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #7

MOTION CARRIED 10-0 (Carried)

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor  Greg Rivard

Seconded by Deputy Mayor  Jason Coady

RESOLVED:

That the request to:

- Consolidate 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966); and
- Reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4ft to approximately 80.1ft on the consolidated property (consisting of PID#s 336909, 336917, 336974 and 336966); and

Reduce the minimum side yard setback for the fifth storey from 18.0ft to 13.0ft away from the four (4) properties fronting on Queen Street (PID#s 336982, 336990, 337006 & 337014) on the consolidated property (consisting of PID#s 336909, 336917, 336974 and 336966);

in order to construct a five-storey, 43-unit apartment building, be approved, subject to the following:

- A pinned final survey plan;
- A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels;
- Design Review Approval;
- Public Benefit being provided for the fifth storey; and
- The signing of a Development Agreement.