

original

Record filed by
The City of Charlottetown
In the matter of
Matthew Richard
v. City of Charlottetown
(Appeal #LA19016)

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

December 13, 2019

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1. Summary of File Contents for Consolidation of 91 King Street (PID #336909); 93 King Street (PID #336917); 94-98 Dorchester Street (PID #336974); 100-102 Dorchester Street (PID #336966)
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3. September 18, 2019, Variance Application
4. September 29, 2019, Letter to Residents within 100 metres
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Summary of File Contents for Consolidation of:
91 King Street (PID #336909); 93 King Street (PID #336917)
94-98 Dorchester Street (PID #336974); 100-102 Dorchester Street (PID #336966)

1. Lot Consolidation Application Form – September 18, 2019
2. Variance Application Form – September 18, 2019
3. Letter to Residents within 100 meters – September 19, 2019
4. Heritage Board Report – September 30, 2019
5. Heritage Board Minutes – September 30, 2019
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7. Planning Board Minutes – October 07, 2019
8. Council Minutes – October 15, 2019
9. Council Resolution (Planning #7) - October 15, 2019
10. Letter to Applicant – October 16, 2019
11. Correspondences between Staff and applicant

Date Prepared/Prepared by:
06-December-2019/efc



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

For Office Use Only

File #: 2019-055 Zone: DMUN
Permit #: _____ Permit Fee: \$100.00
PID #: 336 974, 336 966 Received: Sept 18, 2019
336 909, 336 817

SUBDIVISION & LOT CONSOLIDATION APPLICATION

1. TYPE OF WORK

☐ Subdivision

☒ Lot Consolidation

2. CONTACT INFORMATION

APPLICANT Name: Nine Yards Studio Address: 63 Fitzroy Street
Phone: shallyn@9ystudio.ca Cell: _____
Email: shallyn@9ystudio.com Postal Code: C1A 1R4

OWNER Name: Weymouth Properties Address: 10 Walker Drive
Phone: (902) 368-3456 Cell: _____
Email: qbevan@bevanbros.com Postal Code: C1A 8S6

SURVEYOR Name: _____ Address: _____
Phone: _____ Cell: _____
Email: _____ Postal Code: _____

3. PROJECT INFORMATION

Project Location: Consolidate 94-98 and 100-102 Dorchester and 91 and 93 King Street
Project Description: Lot consolidation of existing buildings
Present Zoning: Downtown Mixed Use
Present Configuration (Number of Lots): 4 Proposed Configuration (Number of Lots): 1

4. RATIONALE (Please briefly explain the rationale for the request for subdivision/lot consolidation. Include attachments if necessary.)

We want to consolidate all these lots to create one apartment building

5. APPLICATION REQUIREMENTS

☒ Application Form with Fees

☐ Eight (8) Copies of Survey

☐ Permission from Owner

- Subdivision: \$200 plus \$40 for all lots over three (3).
- Lot Consolidation: \$100
- Subdivision Roads & Services Agreements: \$900

- Current Survey Plan showing the proposed Subdivisions or lot consolidations.

- If Applicant is not the property Owner, Owner must grant permission to apply.

6. DECLARATION & SIGNATURE

I do solemnly declare that I am the Authorized Agent of the Owner/the Owner named in the Application and certify that the statements contained are true and complete, and are made with full knowledge of the circumstances connected with this Application.

SIGNATURE OF APPLICANT: Shallyn Munay

DATE: 180919

THIS IS AN APPLICATION ONLY



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

For Office Use Only

File #: 19-508 Zone: DMUN
Permit #: 636-VAR-19 Permit Fee: \$400
PID #: 336974, 336966 Received: Sept 18, 2019
336909, 336917

VARIANCE APPLICATION

1. TYPE OF WORK

☒ Major Variance

☐ Minor Variance

2. CONTACT INFORMATION

APPLICANT Name: Nine Yards Studio Address: 63 Fitzroy Street
Phone: 902-566-4449 Cell: Charlottetown
Email: shallyn@9ystudio.com Postal Code: C1A 1R4

OWNER Name: Weymouth Properties Address: 10 Walker Drive
Phone: (902) 368-3456 Cell: Charlottetown, PE
Email: qbevan@bevanbros.com Postal Code: C1A 8S6

3. PROJECT INFORMATION

Project Location: 94-98 and 100- 102 Dorchester Street, 91 and 93 King Street
Present Requirements: Frontage: 98.4ft and setback of 18ft on the fifth floor
(Setbacks, Height, Density, etc.)
Proposed Requirements: Reduce the minimum lot frontage and sideyard setback for the fifth floor
(Setbacks, Height, Density, etc.)

4. DETAILED PROJECT DESCRIPTION

Reduce the minimum lot frontage required to be eligible for bonus height from 98.4ft to approx. 80.1 ft
Reduce the minimum side yard setback for the fifth floor of the proposed building to the City of Charlottetown
right-of-way between King Street and Dorchester Street from 18'-0" to approximately 4 ft.

5. APPLICATION REQUIREMENTS

- ☒ Application Form with Fees ☐ Survey Plan ☐ Other Drawings ☐ Permission from Owner
- Minor Variance: \$300 for the first variance
 - Major Variance: \$400 for the first variance
 - \$50 for each additional variance
 - Current Survey Plan showing the existing with any proposed alterations.
 - Any relevant drawings of proposed development.
 - If Applicant is not the property Owner, Owner must grant permission to apply.

6. DECLARATION & SIGNATURE

I do solemnly declare that I am the Authorized Agent of the Owner/the Owner named in the Application and certify that the statements contained are true and complete, and are made with full knowledge of the circumstances connected with this Application.

SIGNATURE OF APPLICANT: Shallyn Munay

DATE: 180919

THIS IS AN APPLICATION ONLY

September 19, 2019

**RE: 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974),
& 100-102 Dorchester St (PID #336966)**

Dear Property Owner:

The City of Charlottetown Planning & Heritage has received an application for two (2) variances to the four (4) properties located at 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), and 100-102 Dorchester St (PID #336966). The properties in question are located in the Downtown Mixed-Use Neighbourhood (DMUN) Zone.

The applicant is requesting to demolish the existing structures on the four (4) properties identified above, consolidate said properties, and construct a 43-unit apartment building. The maximum building height in the DMUN Zone is 39.4 ft. The applicant is requesting to construct a five (5) storey building; however, only four (4) of the stories will be constructed within the maximum height of 39.4 ft. As per Section 29.3 of the Zoning & Development By-law, bonus height is permitted in order to allow the proposed fifth storey. In order to construct the proposed building (see attached preliminary plans) using the bonus height provisions, two (2) variances are required.

The first requested variance is to reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4 ft to approximately 80.1 ft. The second requested variance is to reduce the minimum side yard setback for the fifth storey from 18.0 ft to approximately 13.0 ft away from 52 Queen Street (PID #337014), 54-56 Queen Street (PID #337006), 58-64 Queen Street (PID #336990), and 68 Queen Street (PID #336982).

Pursuant to the requirements of the By-law, and as a property owner within 100 meters of the subject property, you are being notified of this request for the proposed variances. We solicit your written comments for or against these proposed variances. If you have any objections, please state the rationale for your objection(s) as part of your written comments. Written comments on this application should be submitted no later than **Thursday, October 3, 2019**. You may email your comments to: planning@charlottetown.ca. In accordance with Section 3.9.4 of the Zoning & Development By-law, the City of Charlottetown Planning Board will consider this application at its next regular meeting on Monday, October 7, 2019 and may then recommend to Council to grant or deny these variances.

If you have any questions or concerns about these proposed variances, please contact staff of the Planning & Heritage Department at (902) 629-4158.

Yours truly,



Greg Morrison, MCIP
Planner II
/efg

CHESTER ST

CORCHESTER ST

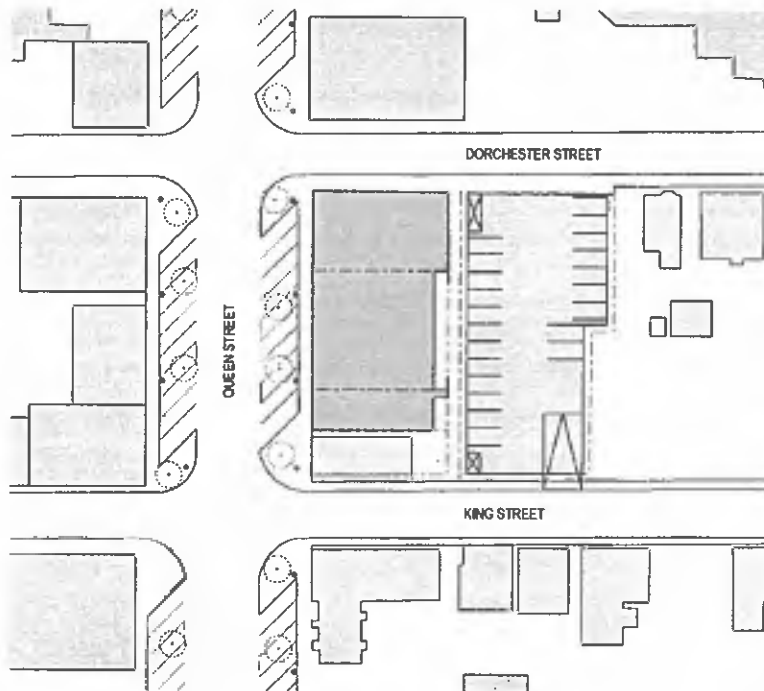
GREEN ST



100 ST

1000 ST





KING & DORCHESTER ST UNDERGROUND PARKING LEVEL

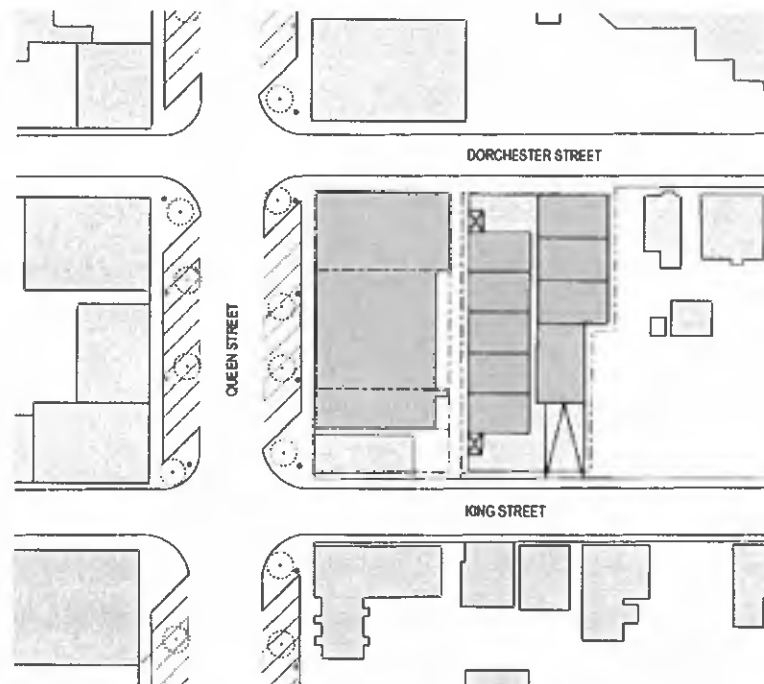
SUMMARY:

- 1) THE BUILDING ON KING AND DORCHESTER STREET WILL HAVE 21 CARSPACES IN UNDERGROUND PARKING FOR 21 CARS

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

□ DORCHESTER & KING STREET BUILDING

**NINE
YARDS**



KING & DORCHESTER ST MAIN FLOOR

SUMMARY:

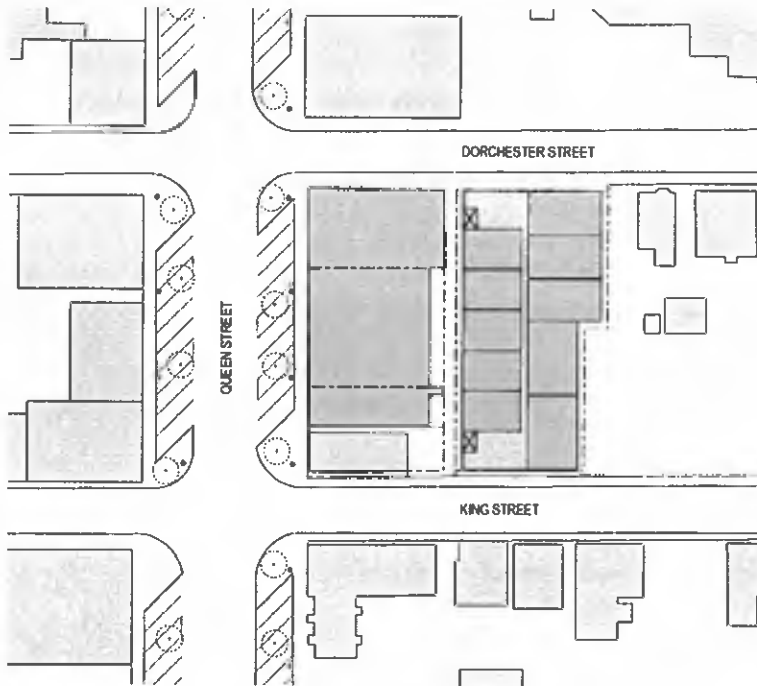
- 1) THE MAIN FLOOR WILL HAVE 9 APARTMENTS
- 2) MAX HEIGHT IS 15M (49 FT) 4 FLOORS, PLUS ADDITIONAL UNITS WITH ADDED BONUS HEIGHT.

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

□ DORCHESTER & KING STREET BUILDING

■ APARTMENT UNITS

**NINE
YARDS**



KING & DORCHESTER ST 2ND & 3RD FLOORS

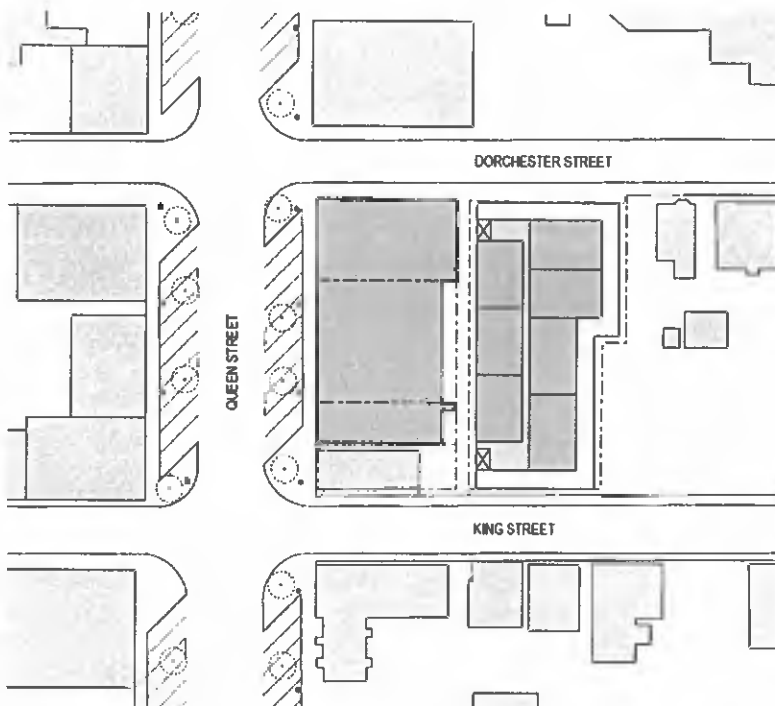
SUMMARY:

- 1) THE SECOND AND THIRD FLOORS WILL HAVE 10 UNITS

QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

□ DORCHESTER & KING STREET BUILDING
■ APARTMENT UNITS

NINE
YARDS



KING & DORCHESTER ST 4TH & 5TH FLOORS

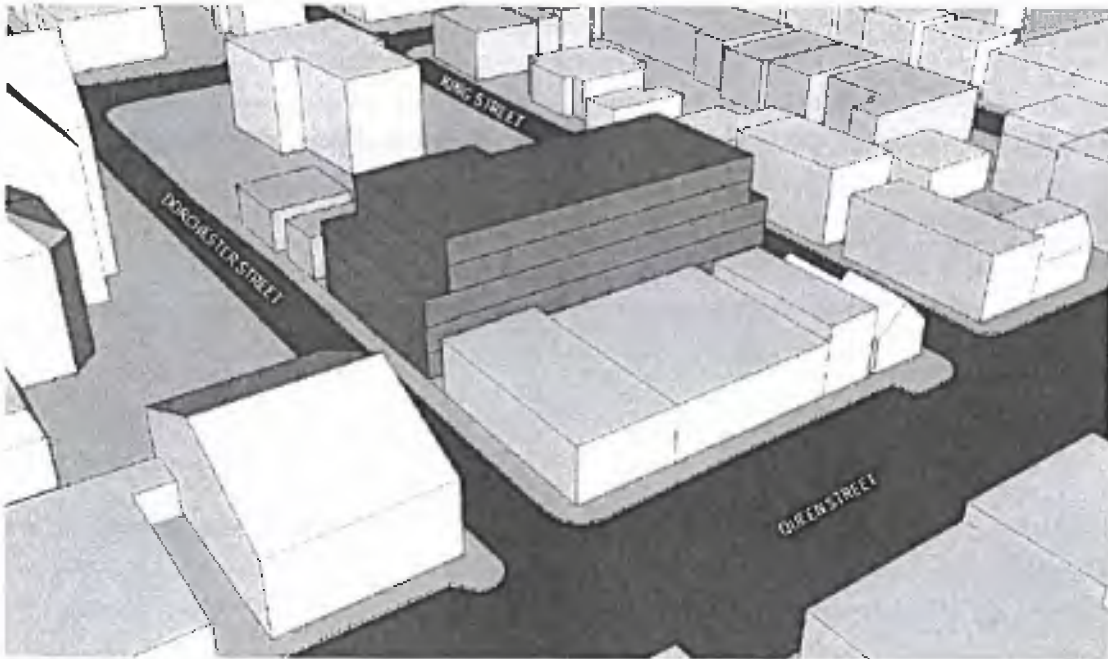
SUMMARY:

- 1) THE 4TH AND 5TH FLOORS WILL HAVE 7 UNITS EACH. THE TOTAL BUILDING IS 43 UNITS

QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

□ DORCHESTER & KING STREET BUILDING
■ APARTMENT UNITS

NINE
YARDS



DORCHESTER AND KING STREET BUILDING
PROPOSED MASSING CONCEPT

QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

NINE
YARDS



BIRDS EYE VIEW

QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

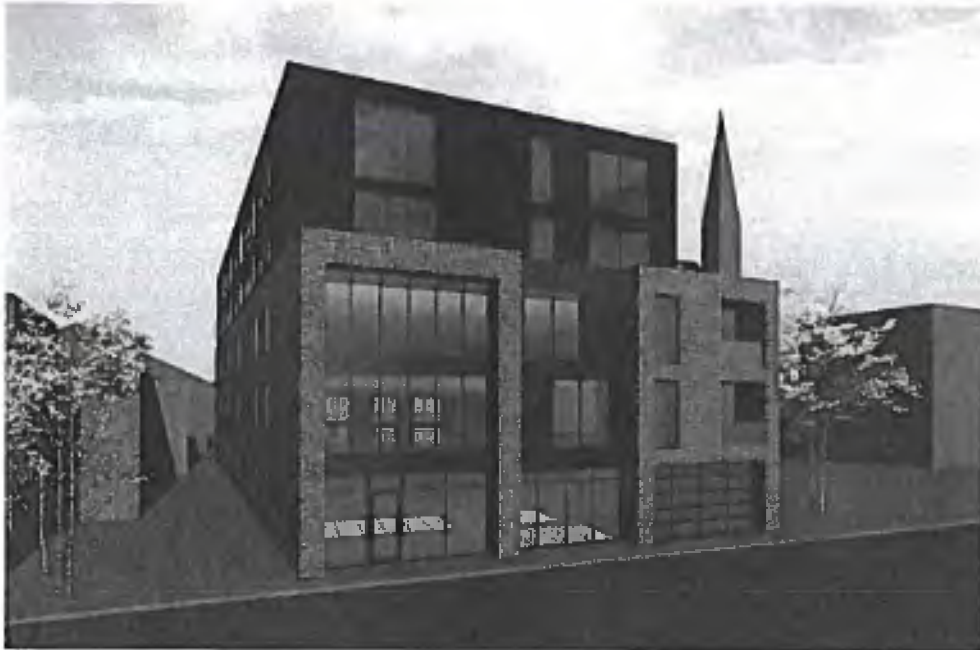
NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - DORCHESTER STREET

NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - KING STREET

NINE
YARDS

TITLE: DEMOLITION OF FOUR PROPERTIES IN THE 500 LOT AREA FILE: HERT-2019-30-SEPTEMBER – 7(a) KING STREET & DORCHESTER STREET OWNER: WEYMOUTH PROPERTIES LTD.		
MEETING DATE: September 30, 2019		Page 1 of 18
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. 1878 Panoramic view C. 1880 Meacham's Atlas Map D. 1917 Insurance Map E. Archival Photo F. Historic Photos G. Property Evaluation Forms	
SITE INFORMATION: 91 King Street, 93 King Street, 94-98 Dorchester Street, & 100-102 Dorchester Street Ward No: 1 – Queens Square Property Use: Residential Heritage Recognition: Properties are <i>NOT</i> designated Heritage Resources and are located in the DMUN zone of the 500 Lot Area. Adjacent Heritage Properties: There are three properties adjacent to or nearby the development site which are found on the list of Designated Heritage Resources; • 52 Queen Street • 100 King Street • 45 Great George Street – SDU Place		

RECOMMENDATION:

This report is for information only to allow Heritage Board to be made aware of a proposed application and the temporary designation process should they find it applicable.

The Planning & Heritage Department has received an application to demolish four buildings located in the 500 Lot Area at 91 King Street, 93 King Street, 94-98 Dorchester Street and 100-102 Dorchester Street. These buildings are not designated heritage resources and are therefore not protected under the Heritage Preservation Bylaw. Their demolition is considered an "as of right" under the Zoning and Development Bylaw. There is however the ability to request that Council

impose a temporary designation on a “resource with characteristics that may meet the criteria for Designation”. This would prevent the buildings from being demolished for otherwise altered for a period of 45 days to allow Council time to determine if Council will proceed with the process to Designated the Heritage Resources.

BACKGROUND:

The City of Charlottetown has received an application to develop approximately one third (south-west end) of the block bounded by Queen Street, Dorchester Street, Great George Street and King Street. The development proposes to leave the designated property at 52 Queen Street located at the corner of King Street, untouched. The existing buildings at 54 Queen Street, 58-64 Queen Street and 68 Queen Street are to remain but will be renovated with entirely new facades. The buildings located at 91 King Street, 93 King Street, 94-98 Dorchester Street and 100-102 Dorchester Street are proposed for demolition with the lots to be consolidated and a new structure developed on the consolidated lot.

DESCRIPTION OF PROPERTIES TO BE DEMOLISHED

91 King Street is a two and a half storey, wood frame building with a street facing side gable roof built in a simple Georgian style. It is not known exactly when this building was constructed, but a similar size and shape building is found on the 1878 panoramic view. A 1917 insurance map indicates a two story building with the same footprint. According to the Prince Edward Island Telephone Directory of 1935, Mr. and Mrs. Abie Block lived at 91 King Street. It is unclear if the building was used as a single dwelling at the time as the 1917 insurance plan indicates it comprises two addresses, but by 1970 it was an apartment building. The property currently has a brick warehouse building at the rear. Provincial assessment records indicate this is currently a six unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 63 points (Grade 2) on the Heritage Building evaluation conducted in 2007.

93 King Street is a two and a half storey, gable roofed, wood frame building which may date to pre 1878 as it appears on the Panoramic View of Charlottetown. An 1886 newspaper notice offered the building opposite the Blake House (see 100 King Street) for sale. This appears to be 93 King Street. The first floor featured front and back shops and two large rooms in addition to a built-on kitchen with pump, washboxes and a large pantry. The second floor had four large

rooms, as did the third. Each of the upper floors featured "nice" halls. The building boasted a frost-proof cellar with a large brick pantry with cement flooring. It was noted that a water pipe conducted rainwater to the cellar. The property included large and convenient outbuildings. Some outbuildings may be indicated on the 1917 insurance plan. In 1976 the building was converted into a five unit apartment building. Provincial assessment records indicate this is currently a six unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 75 points (Grade 2) on the Heritage Building evaluation conducted in 2007.

94-98 Dorchester Street is a flat roofed, three storey, wood framed building with three street facing entries. It is not known when this building was constructed, but there was a three storey structure on at least part of this site as early as 1878 when the Panoramic View of Charlottetown was published. Although a three storey structure existed according to the 1917 insurance map it was located only at 94-96 Dorchester Street. There appears to have been no building at 98 Dorchester Street. A fire in 1940 badly damaged the building. At the time of the fire, the ground floor was occupied by a store and the upper two levels were residential. The fire caused considerable damage to the top two stories.

Provincial assessment records indicate this is currently an eight unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 57 points (Grade 3) on the Heritage Building evaluation conducted in 2007.

100-102 Dorchester Street is a front facing, gable roofed, two and a half storey, wood frame building. It was built by Owen Connolly who took pride in the quality of his buildings as a rental property around 1870. Although the properties he built for his own use are exceptional, even his rental properties were substantial, well-proportioned buildings. The 1917 insurance map shows a two and a half story structure with a one storey section at the rear which matches the current building configuration. The 1917 map also indicates it comprised two addresses.

Provincial assessment records indicate this is currently a one unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 78 points (Grade 2) on the Heritage Building evaluation conducted in 2007.

SITE SIGNIFICANCE

The development site encompasses the south-west third of the block bounded by Queen Street, Dorchester Street, Great George Street and King Street. In accordance with the original town plan, lots measured 84 ft by 160 ft. and ran the full depth of the block from King Street to

Dorchester Street. This block, numbered 16, consisted of lots 43-47 in the first hundred with the "Bishop's Palace" occupying both lots 46 & 47. Of particular note is one of only four "alleys" or "right of way" through a block is found at the rear of the buildings fronting on Queen Street. This is currently owned by the City of Charlottetown. This is a unique feature in an otherwise very consistent block format.

The remaining portion of the block on the west end is occupied by SDU Place(former Bishop's Palace) fronting on Great George Street and their vacant (parking) lot at 96 King Street, as well as two additional residential buildings located at 104 Dorchester Street (single family) and 106-110 Dorchester Street (4 units). Given the size and prominence of SDU Place (former Bishop's Palace) it serves as the single most defining building on this block and provides a visual anchor.

The development site is located in the center of the city, in close proximity to the waterfront, an area which would have been populated early on in the city's history. The area surrounding the site has seen some transformation in recent years with the development of Gahan House in the former Sisters of the Precious Blood convent building on Sydney Street and the more recent demolition of two houses on King Street and the subsequent development of a residential structure.

The downtown 500 lot area is recognized for both the quality and character of its streetscapes. This is due in part to the gridded street and block pattern allowing for a well-connected network. Block sizes are reasonably small and the gridded layout creates a sense of order and unity resulting in a very walkable area.

Queen Street is a 100 ft. wide street running north/south with a view to the water. Zoned *Downtown Mainstreet*, it is generally lined with three storey commercial buildings with no setbacks. It is a dominant, busy street serving a major link for both pedestrian and vehicular traffic. In recent years, attention has been paid to upgrading street amenities such as outdoor patios, historic street lighting, trees and pedestrian paving. Great George Street is also a wide street running north/south but has a much different character than Queen Street. Zoned *Downtown Mixed Use*, the street is truncated at Richmond Street with a clear termini point at Province House. Great George Street has a number of architectural landmarks with St. Dunstan's Basilica, SDU Place, Province House, Heartz-O'Halloran row. The tree lined street is generally lined with well-maintained historic three storey residential buildings and a number of artistic points of interest (sculptures, monuments, interpretive panels).

Alternatively both Dorchester Street and King Street are narrow streets measuring 40 ft. in width. This results in a tight streetscape with buildings placed very close to the street edge allowing little to no space for street amenities. Zoned *Downtown Mixed Use Neighbourhood* the area has a mix of uses often contained within a house form building typology. These areas provide the transition between predominately residential areas and the more commercial areas. The scale of this zone is primarily residential form. Building forms are typically smaller scale two to three storey wood frame residential buildings. They represent a wide variety of building styles with the general sense that most are of an historic nature.

POLICY FRAMEWORK:

Heritage Preservation Bylaw Requirements

These four properties are *not* designated heritage resources and are therefore not subject to the provisions of the Heritage Preservation Bylaw. However, in accordance with Section 3.4 of the Heritage Preservation By-law, a temporary designation request may be made to Council where it is believed a heritage resource with characteristics that may meet the criteria for designation is at risk of imminent irreparable or costly damage to the site's heritage nature. .

City of Charlottetown Official Plan

3.7 Capitalizing on Heritage resources

Over the last few years, a great deal has been done to establish Charlottetown as the Birthplace of Confederation. The City's heritage buildings are not only important as a reflection of Charlottetown's social history, but they are an invaluable backdrop for helping to depict and explain the political evolution of the entire nation. Therefore, it is crucial that a significant portion of this building stock be restored and protected in order to buttress Charlottetown's seminal role in the creation of Canada. There will be no long lasting foundation for the success of a campaign based upon the municipality's identity as the Birthplace of Confederation unless there is a predominant sense that Charlottetown is an historic city. If done well, this initiative can be parlayed into significant gains for the local economy.

4.2 A Vibrant Downtown – The 500 Lot Area

4.2.1 A Starting Point – The Vision:

The 500 Lot Area is the City of Charlottetown's historic, cultural, civic and symbolic core and functions as the primary shopping, education, entertainment, recreational, service and employment hub within the City and the larger Region. The area is also a charming historical neighbourhood, home to many residents and visited by thousands of tourists each year. The 500 Lot Area benefits from its waterfront and its inventory of magnificent heritage buildings and features. Through the relevant policies of the CHARLOTTETOWN PLAN, the City should ensure that future planning actions within the 500 Lot Area continue to protect, restore and build upon the heritage resources in the area. New development, redevelopment, intensification and changes in land use should not be discouraged as they can have positive influences and make significant contributions to the evolution of the area. However, any proposed changes need to be carefully considered and managed to ensure that they do not undermine or destroy the very elements and qualities that define this area, but rather continue to create a distinct sense of place and contribute to its success.

4.2.2 Defining Our Direction:

1. Our policy shall be to recognize each Urban Character Area or neighbourhood, including important streets and streetscapes, civic and cultural elements, heritage resources, squares and parks, public/institutional buildings, gateways and view planes and terminate within the 500 Lot Area, and to establish a new and more detailed Zoning By-Law regime to protect and enhance these resources accordingly.

3. Our objective is to reinforce and extend the historic street and block pattern in the 500 Lot Area. Our policy shall be to discourage any alterations to the existing street and block pattern which is a fundamental defining aspect of the 500 Lot Area's historic character. Alterations to this pattern may only be considered where it results in an improvement of the public realm, such as a public space, while still retaining unfettered pedestrian access and views.

4. Our objective is to protect, restore, respect and leverage all Heritage Resources. Our policy shall be to recognize that the 500 Lot Area is comprised of an extraordinary concentration of significant heritage buildings, landmarks and streetscapes. These resources play a prominent role in defining its distinct 'sense of place' and should be recognized as the life-blood of the area's civic, cultural and economic well-being and as such need to be protected and restored.

Our policy shall be to identify and recognize the heritage attributes of these buildings, landmarks and streetscapes related to their age, architectural interest and historical interest

through on-going planning, studies, inventories and other municipal initiatives in order to enable adequate and appropriate protection of these heritage resources.

Our policy shall be to provide direction through the Official Plan and regulation through the Zoning By-law for each property within the 500 Lot Area to determine the appropriate degree and design of alterations based upon an evaluation of its heritage attributes. The ability to demolish properties and buildings and the process and timing of granting demolition permits shall also be dependent upon an assessment of each property's heritage attributes.

The Standards and Guidelines for the Conservation of Historic Places in Canada

<https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

The Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) is the official document guiding planning, stewardship and the conservation approach for designated heritage resources. These four buildings are not designated resources.

City of Charlottetown 500 Lot Area Development Standards & Design Guidelines

<https://www.charlottetown.ca/workspaces/one.aspx?objectid=12052544&contextId=12052176>

The 500 Lot Standards and Guidelines provided an illustrated analysis of the area and approach to consider regarding heritage resources and development.

ANALYSIS:

The four addresses proposed for demolition are typical of the historic building stock in the downtown area. They are simple in form and are not adorned with ornamentation. They are not considered consistent with more elaborate architectural styles of the period but instead speak to what was a typical residence of the average working resident. They are all generally intact architecturally but clearly lack in terms of maintenance or upgrading to current standards. The evaluation scores of the buildings hover at a point where designation of each property individually is not imminent. The three gable roofed properties appear to have qualities which could warrant consideration as there are other similar buildings in the city which have achieved designation.

Although, it is believed these buildings could potentially all be restored and contribute to the authenticity of the character of the area, it is perhaps the loss in terms of loss to the streetscape which presents the greater concern. The removal of two neighbouring buildings on both streetscapes and construction of a new development results in a totally new streetscape on King

Street and half the block on Dorchester Street. Given the design standards and guidelines in place for new development in the 500 lot area, it is expected any new development proposed would be required to address streetscape concerns of scale and massing appropriately.

CONCLUSION:

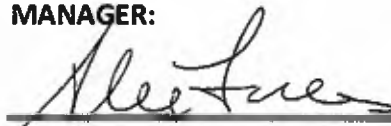
This report is for information only and to allow Heritage Board the ability to request that Council impose a temporary designation on a "resource with characteristics that may meet the criteria for Designation" if deemed appropriate.

PRESENTER:



Todd Saunders, M.Arch
Heritage Officer

MANAGER:



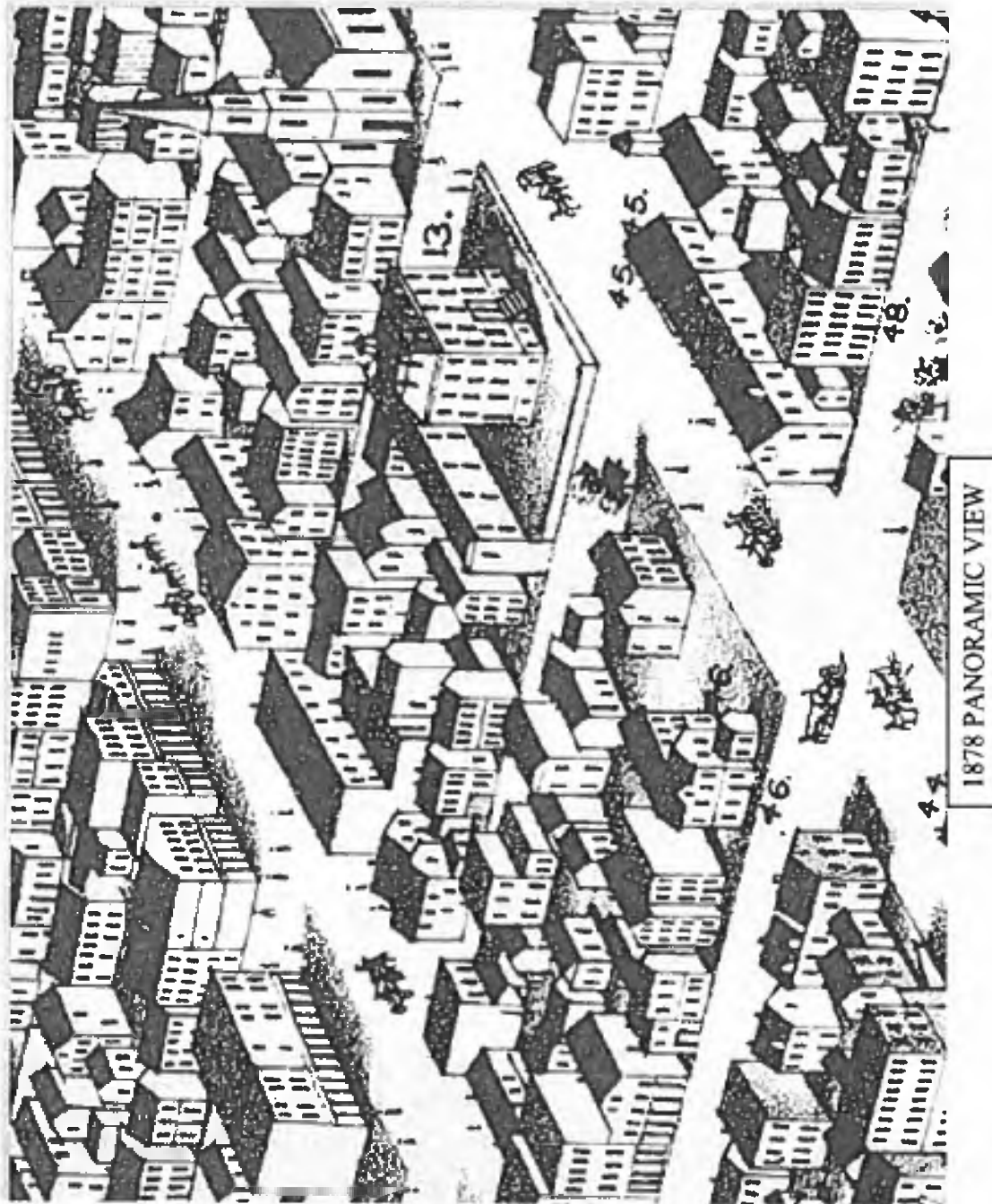
Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

ATTACHMENT A

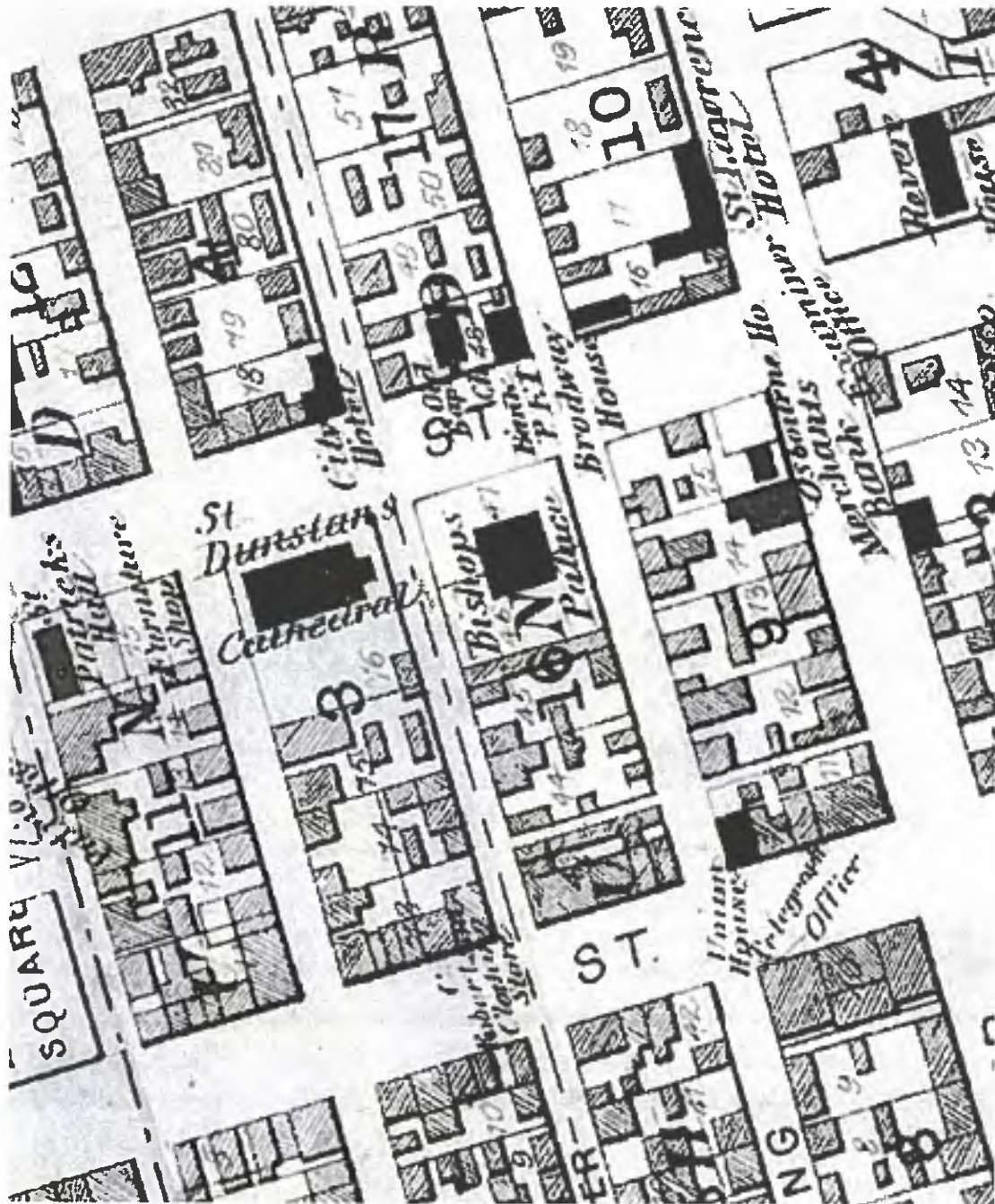


LOCATION MAP

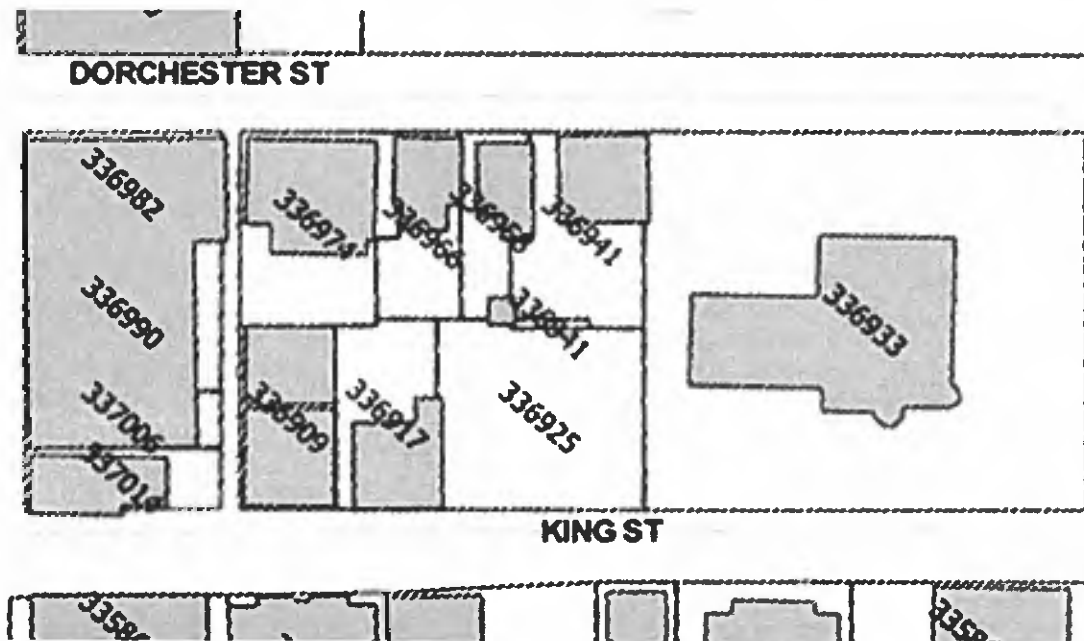
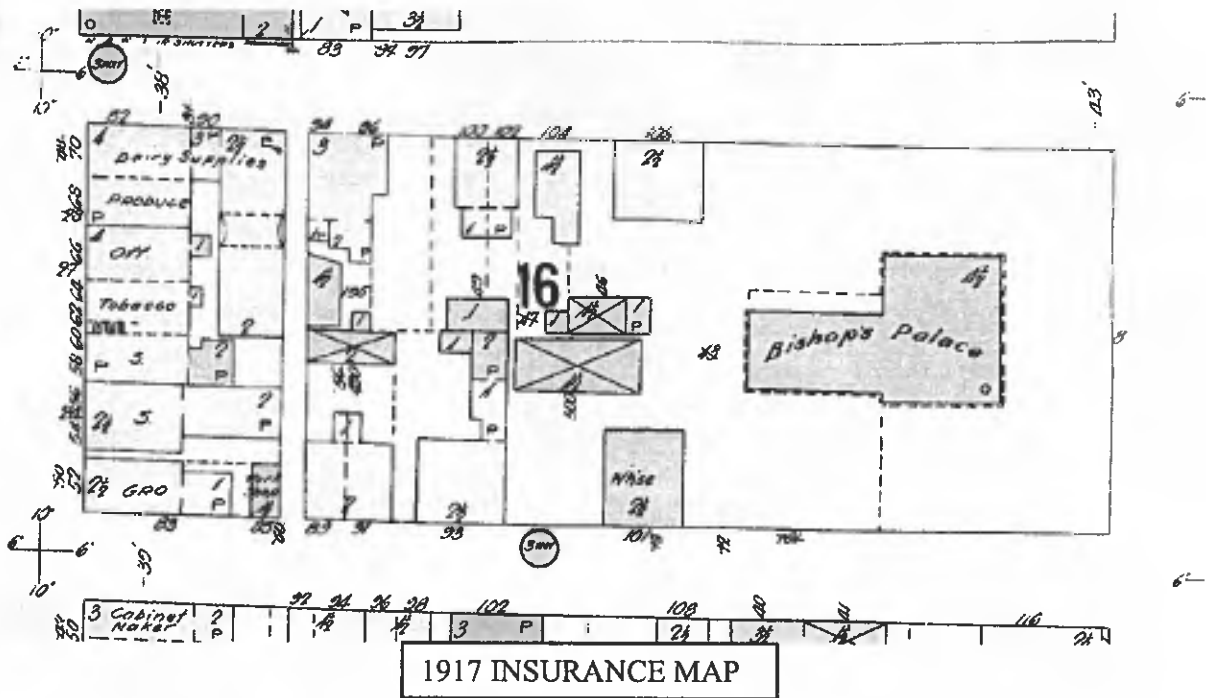
ATTACHMENT B



ATTACHMENT C

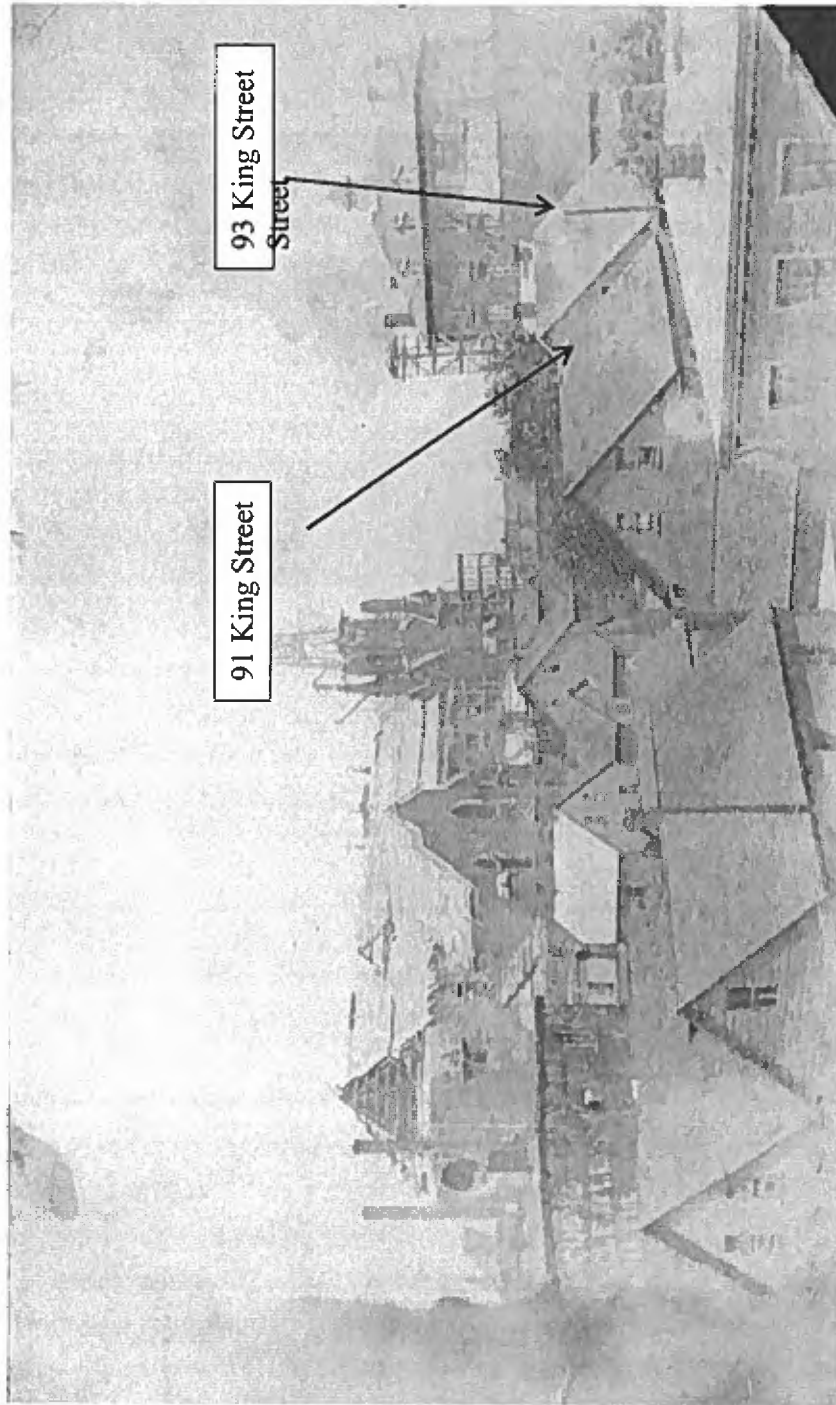


ATTACHMENT D



CURRENT PROPERTY MAP

ATTACHMENT E



ARCHIVAL PHOTO c.1913

HISTORIC PHOTOS c.1970

ATTACHMENT F



91 King Street



93 King Street



93 King Street & 91 King Street from east side

ATTACHMENT G



City of Charlottetown Heritage Building Evaluation Form

Civic Address: 91 King Street

Building Name: _____

Assessment: 336909Zoning and Development Bylaw Reference: Appendix 11The Story of Charlottetown Record: #1377

Canadian Register of Historic Places Record: _____

Date of Photograph: June 8, 2007Building Evaluated By: Natalie MunnDate: July 17, 2007

Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 Date of Construction: _____	15	12	<u>8</u>	5	0
Architectural Interest (Maximum 65 points)					
	E	VG	G	F	P
2.1 Style/Tradition: <u>Georgian</u>	15	10	<u>8</u>	2	0
2.2 Construction Materials and Methods: <u>wood</u>	10	8	<u>5</u>	2	0
2.3 Design/Craftsmanship: <u>symmetrical facade</u>	10	8	<u>5</u>	2	0
2.4 Integrity: _____	20	<u>10</u>	8	2	0
2.5 Exterior Condition: _____	<u>10</u>	8	5	2	0
2.6 Setting/Streetcape: _____	<u>15</u>	10	8	2	0
2.7 Landmark: _____	10	8	5	2	<u>0</u>
Historical Interest (Maximum 20 points)					
3.1 Architect/Builder: _____	10	8	5	2	<u>0</u>
3.2 Person/Institution: <u>Abie Block, Mrs. Devau</u>	10	8	5	<u>2</u>	0
3.3 Event: _____	10	8	5	2	<u>0</u>
3.4 Historical Context: _____	10	8	5	2	<u>0</u>
Total Score 63					
Classification:					
<u>63</u>	Grade 1 (80-100 points)				
_____	Grade 2 (60-79 points)				
_____	Grade 3 (40-59 points)				
_____	Ineligible for Designation (20-39 points)				
_____	Not Important (0-19 points)				

Comments: _____

Reviewed/Approved By: _____ Date: _____

Change in Classification: _____ Date: _____

Reason: _____



City of Charlottetown Heritage Building Evaluation Form

Civic Address: 93 King Street

Building Name: _____

Assessment: 336917

Zoning and Development Bylaw Reference: Appendix 11

The Story of Charlottetown Record # 1378

Canadian Register of Historic Places Record: _____

Date of Photograph: June 8, 2007

Building Evaluated By: Natalie Munn

Date: July 18, 2007



Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 Date of Construction: <u>pre 1866 likely 1851</u>	15	<u>12</u>	8	5	0
Architectural Interest (Maximum 65 points)	E	VG	G	F	P
2.1 Style/Tradition: <u>Georgian</u>	15	<u>10</u>	8	2	0
2.2 Construction Materials and Methods: <u>wood</u>	10	<u>8</u>	5	2	0
2.3 Design/Craftsmanship: <u>symmetrical facade and eaves returns</u>	10	<u>8</u>	5	2	0
2.4 Integrity: _____	20	<u>10</u>	8	2	0
2.5 Exterior Condition: _____	<u>10</u>	8	5	2	0
2.6 Setting/ Streetscape: _____	<u>15</u>	10	8	2	0
2.7 Landmark: _____	10	8	5	2	<u>0</u>
Historical Interest (Maximum 20 points)					
3.1 Architect/Builder: _____	10	8	5	2	<u>0</u>
3.2 Person/Institution: <u>Mrs. James Stanley, Lydia Sennan</u>	10	8	5	<u>2</u>	0
3.3 Event: _____	10	8	5	2	<u>0</u>
3.4 Historical Context: _____	10	8	5	2	<u>0</u>

Total Score: 75

Classification: _____ Grade 1 (80-100 points)
 _____ 75 Grade 2 (60-79 points)
 _____ Grade 3 (40-59 points)
 _____ Ineligible for Designation (20-49 points)
 _____ Not Important (0-19 points)

Comments: _____

Reviewed/Approved By: _____ Date: _____

Change in Classification _____ Date: _____

Reason: _____



City of Charlottetown Heritage Building Evaluation Form

Civic Address: 94-96-98 Dorchester Street

Building Name: _____

Assessment: 334974Zoning and Development Bylaw Reference: Appendix IIThe Story of Charlottetown Record: #1383

Canadian Register of Historic Places Record: _____

Date of Photograph: June 8, 2007Building Evaluated By: Natalie MunnDate: July 19, 2007

Evaluation Criteria

	Prior 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 Date of Construction: _____	15	12	8	6	0
Architectural Interest (Maximum 65 points)					
	E	VG	G	F	P
2.1 Style/Tradition: Vernacular _____	15	10	8	6	0
2.2 Construction Materials and Methods: <u>wood</u>	10	8	6	2	0
2.3 Design/Craftsmanship: _____	10	8	5	2	0
2.4 Integrity: <u>A fire in 1940 damaged the building</u>	20	10	6	2	0
2.5 Exterior Condition: _____	10	8	5	2	0
2.6 Setting/Streetscape: _____	15	10	8	2	0
2.7 Landmark: _____	10	8	5	2	0
Historical Interest (Maximum 20 points)					
3.1 Architect/Builder: _____	10	8	5	2	0
3.2 Person/Institution: <u>John B. Fleming, storekeeper, John Connolly and Gus McDonald</u>	10	8	5	2	0
3.3 Event: <u>fire struck the building in 1940</u>	10	8	5	2	0
3.4 Historical Context: <u>Commercial History</u>	10	8	5	2	0

Total Score: 57

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

Comments: _____

Reviewed/Approved By: _____ Date: _____

Change In Classification: _____ Date: _____

Reason: _____



City of Charlottetown Heritage Building Evaluation Form

Civic Address: 100-102 Dorchester Street

Building Name: _____

Assessment: 336966Zoning and Development Bylaw Reference: Appendix HThe Story of Charlottetown Record # 1382

Canadian Register of Historic Places Record: _____

Date of Photograph: June 8, 2007Building Evaluated By: Natalie MunnDate: July 10, 2007

Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 Date of Construction: <u>c.1870</u>	15	<u>12</u>	8	5	0
Architectural Interest (Maximum 65 points)	E	VG	G	F	P
2.1 Style/Treatment: <u>Vernacular</u>	15	10	<u>8</u>	2	0
2.2 Construction Materials and Methods: <u>wood</u>	10	8	<u>5</u>	2	0
2.3 Design/Craftsmanship:	10	8	<u>5</u>	2	0
2.4 Integrity:	20	<u>10</u>	8	2	0
2.5 Exterior Condition:	<u>10</u>	8	5	2	0
2.6 Setting/ Streetscape:	<u>15</u>	10	8	2	0
2.7 Landmark:	10	8	5	2	<u>0</u>
Historical Interest (Maximum 20 points)					
3.1 Architect/Builder:	10	8	5	2	<u>0</u>
3.2 Person/Institution: <u>Owen Connolly-one of his rental properties, Andrew F Murphy</u>	10	<u>8</u>	5	2	0
3.3 Event:	10	8	5	2	<u>0</u>
3.4 Historical Context: <u>An early purpose built rental property, Commercial History</u>	10	8	<u>5</u>	2	0

Total Score: 78

Classification: _____ Grade 1 (80-100 points)
 _____ 78 Grade 2 (60-79 points)
 _____ Grade 3 (40-59 points)
 _____ Ineligible for Designation (20-39 points)
 _____ Not Important (0-19 points)

Comments: _____

Reviewed/Approved By: _____ Date: _____

Change In Classification _____ Date: _____

Reason: _____

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD MINUTES
30 SEPTEMBER 2019 12:00 PM
PARKDALE ROOM, CITY HALL**

Included Mayor Philip Brown
Councillor Greg Rivard, Chair
Deputy Mayor Jason Coady
Councillor Bob Doiron
Councillor Julie McCabe
Tara Maloney, RM

Simon Moore, RM
Wayne MacKinnon, RM
Alex Forbes, PHM
Todd Saunders, HO
Greg Morrison, PII,
Ellen Faye Ganga, PH IO/AA

Regrets Greg Munn, RM

Aaron Stavert, RM

This report is for information only to allow Heritage Board to be made aware of a proposed application and the temporary designation process should they find it applicable.

1. King Street & Dorchester Street

Todd Saunders: We have a project that is coming forward for a development on Queen Street. The walk between Dorchester and King, along here is mostly Bevan Brothers properties, with two properties on King Street and two properties on Dorchester Street. The development in essence is in two parts where they will retain the buildings here. The one on the corner, 52 Queen is designated. The remainder of the block, they will put an entirely new façade on. We will keep it at its current roughly two stories, some of it is three. They will bring in a new façade. The rest of the development back in this section, they are proposing demolishing. This is the Queen Street block that they would put a new façade on. This property is designated.

Mayor Brown: That is the old Duffy Store?

Todd Saunders: Yes. Then once they remove the other remaining buildings on King and Dorchester, they would do this (pointing out to the slide presentation). This is just a massing diagram that would fit under the Zoning & Development Bylaw. It would be three storeys and then set back with another two stories.

Mayor Brown: Okay, so could I ask where is this new condo? Bevans, is that on King?

Todd Saunders: It is right here. It is on King. So the Blake House, the Brick House, that is designated and he restored it quite nicely.

Mayor Brown: Yes, very nice.

Todd Saunders: We demolished two buildings here and we approved development condos there. I am really bringing this for information. The City, about a year or so ago, we split the bylaw. We took the heritage provisions out of the bylaw. We made our own Heritage Bylaw. It just now refers to designated properties. It leaves the 500 Lot Area in the Zoning & Development Bylaw. If you recall some years ago, we had an application for a demolition on Water Street and

we were kind of challenged at that time that we weren't really able to say no, you cannot demolish that. What we put in the Heritage Preservation Bylaw was the ability to impose a temporary designation, 45 days, during which time you cannot do any demolition or work on the building. It allows us time if we wanted to proceed with the process to designate. I am just sort of throwing that out so that we are aware of it. Because as it stands now and they come in and apply for a demolition permit for these properties, it is as-of-right unless we impose a temporary designation. Around the block with the Bishop's Palace and these, I think, would be the two properties on King Street. This is an 1878 panoramic view. The other thing that is quite nice about it is that there is a public right-of-way that runs through here which isn't very common in the City. I am not sure just exactly which of these properties on Dorchester Street are (unclear words). You know it is possible that some of them exist. This is the 1880 Meacham's Atlas where you would see the right of way through the block. There was one on this block, one on this block and there are only two or three others in the City. They are kind of a unique feature that I think is quite nice to retain.

Mayor Brown: With back alleys.

Todd Saunders: Yes, and we are not a City of back alleys. In this map, you can also see how the City's laid out with narrower streets on the blocks that run right through the blocks. This is one, two, three, four, five blocks. The 1917 Insurance map shows these two houses quite clearly - two storeys, two and a half storeys and with some warehouses in the back, as well as the buildings on Dorchester Street. This is during St. Dunstan's fire. You can see the two properties here on King Street. I think in the package you have a little bit of the history that we have on the properties. We've got some photos from the 70's and with the exception of the townhouse looking one on Dorchester Street; they all are weighted at Grade 2 if you will when we do evaluation of them using the Heritage Standards. We would have a number of Grade 2 properties in the City that are designated. We probably also have the odd Grade 3s, part of it is the condition of the buildings as well. And then there is this brick building that is a warehouse building in the center of the block, I just don't really any information on. This sort of shows the back alley which they had it oddly blocked at this end coming out. This is the back of the Dorchester Street property.

Mayor Brown: And what address is that?

Todd Saunders: Dorchester, 94-98. It looks like a triplex from the street. So, the question really is, do we feel that any of these buildings have sufficient heritage significance that we would want to research further to see if we would ever need to impose a temporary designation should we get an application to demolish? Or are we quite okay with them and we are okay with a new development happening here?

Wayne MacKinnon: (inaudible words) demolish this block?

Todd Saunders: The brick building in the center of the block?

Wayne MacKinnon: Yes.

Todd Saunders: Yes, it would be.

Councillor Rivard: So Todd, as we talk this morning, and I think it would be part of a good point is that, each individual building may not warrant heritage designation but maybe have to look at this one in its totality?

Tara: And the streetscapes...

Councillor Rivard: Well, the streetscape itself, talking to Todd... You have talked to Quentin, they are no (don't) kind of changing the Queen Street front if they are to redo it. (inaudible discussion). To me right now, it looks horrible and if we can improve that, it would be great. But I guess the trade-off is the buildings at the back, which will tower over that by three and a quarter. So you are not going to see it from this side of the street walking up but of course, you would see it from the other side of the street walking, right?

Mayor Brown: Mr. Chair, the corner right there, how old is that building? It was never rented out, the last time it was a pizza joint. It is not a heritage building, is it?

Todd Saunders: No, they are not.

Wayne MacKinnon: Did they not apply for a demolition?

Todd Saunders: They did.

Mayor Brown: You did refuse it?

Todd Saunders: We did a number of years, but no, you are right.

Councillor Rivard: They never got appealed through IRAC because..

Todd Saunders: And that is the thing. You know, and it is after the Bylaw changed. It sort of when we got into a lot of... Because at that time, I think we had a cleaner heritage area, it was before the 500 Lot maybe. And when we brought in the 500 Lot Area, the provisions changed.

Mayor Brown: Yes, which would protect this.

Todd Saunders: Yes.

Mayor Brown: And so, if someone appealed to IRAC, I don't think...

Councillor Rivard: Under the 500? No, I am guessing that was appealed before we put the Heritage Bylaw...

Todd Saunders: Yes, but it is the old heritage area, Philip. Before the 500 Lot, it was better protected.

Councillor Rivard: Correct. It seems that the 500 Lot Area, this was acceptable to being demolished.

Mayor Brown: So the brick, it would be the Downtown Convenience Store. That is just a façade, right? Is that a brick building right through?

Todd Saunders: I don't think so. I think even on the side...

Mayor Brown: So is that coming down?

Todd Saunders: No.

Councillor Rivard: The red building stays. It is heritage.

Mayor Brown: I know that, that is the Duffy's store. I know that.

Todd Saunders: Yes.

Mayor Brown: These three properties right here will be torn down or will they be...

Todd Saunders: No, they will have a whole new façade. I think you would not recognize them in the end.

Mayor Brown: Yes. They are not being used. That one in the corner isn't.

Todd Saunders: Yes. And I don't know...

Councillor Rivard: But sure you want to recognize them...

Todd Saunders: That brick almost turns the corner there, Philip.

Mayor Brown: Yes, I know it was a brick façade.

Councillor Rivard: Honestly, there is nothing about the fronts of these that are appealing in any capacity to... It is in a major need of a face lift.

Todd Saunders: I've got this block between 1927 and 1957.

Mayor Brown: And 94 King Street, is that a Heritage Building? You say you are taking that one down?

Todd Saunders: Dorchester maybe?

Mayor Brown: Dorchester.

Todd Saunders: Those are not designated and that is sort of the question. Do we think any of these buildings should be designated? So they would remove this – 100, 101, 102 Dorchester.

Mayor Brown: And the one next to it.

Todd Saunders: And the one next to it.

Mayor Brown: But they are not heritage buildings.

Todd Saunders: They are not currently designated buildings.

Mayor Brown: Do they go back... I did not read the background...

Todd Saunders: Yes, they do. They are old. The two on King Street in particular are both Georgian, they could be beautiful buildings. This triplex has a little bit weirder history and it did have a fire, and I don't know. Even our weighting system, it is a Grade 3. I am not sure if it would be top of the list.

Councillor Rivard: So here's the nature of the beast on this project I believe, based on previous dealings with the applicant. I don't think that if those were designated that they would go out of their way to spend their money in order to spruce them up. We end up falling into a category that is just waiting over time, (unclear phase), until they are going to say, they are tearing it down. The question is, do we work with the applicant to produce something that we are happy with and leverage that, or do we just say no and just kind of let this thing fall apart. (unclear background discussions)

Todd Saunders: Sorry?

Simon Moore: With the condition that they want to put (unclear words) like the one that they put on the last one?

Councillor Rivard: If we don't want to lead into this today, I don't know if we want to. I have some pictures of the plans. Do we have it?

Todd Saunders: I didn't bring it.

Councillor Rivard: But again, this can change a lot.

Tara Maloney: Mr. Chair, what's to say that they wouldn't come back after they demolish these four buildings and then want to demolish the Queen Street into one big mall. That is our, you know...

Councillor Rivard: We have the designation piece that we could put in place, that we could stop any kind of demolition. But in the mean time... (unclear multiple background discussions...)

Mayor Brown: Good point.

Todd Saunders: The other thing too is, the City owns the right-of-way. (on-going background discussions). The City owns the right-of-way that runs through there, too.

Mayor Brown: We would have to get that up.

Todd Saunders: Yes, so they cannot, as long as the City owns that, they cannot do one massive development.

Mayor Brown: Yes, we have to deed that over.

Greg Morrison: But they would be able to demolish without a development agreement. That would be separate...

Councillor Rivard: Yes. But if we want to have an emergency, I would say, designation, then they cannot do anything until we are satisfied.

Todd Saunders: Until we proceed with designation.

Mayor Brown: I thought the designation has to come from the property owner, we just don't designate properties?

Todd Saunders: We can.

Councillor Rivard: On the new heritage bylaw, your worship.

Mayor Brown: Who brought that in?

Todd Saunders: We always could and a lot of them were designated early on. We haven't done it in a lot of years against anybody's wish. People had come forward.

Councillor Rivard: Council has that power.

Mayor Brown: I agree, Mr. Chair, that those buildings are dilapidated. But, you know, if someone is into the Airbnb and they are really anxious and aggressive, they would have done this a long time ago, right? You are seeing that with a lot of bolder homes around town, buy it cheap, and then renovate, and start renting out. I agree with Tara. There has to be something in there that go with Phase I with Queen Street as suggested and then...

Alex Forbes: But the key thing is, this is for information purposes only.

Mayor Brown: Oh, I know. And we are just giving information (additional discussions in the background)

Councillor Rivard: But keep in mind too, we have the opportunity to leverage the one on King Street and our leverage was for them to re-coin and fix Blake House which they did and that was something we help (unclear word) which was great on our part. The Blake House looks fantastic and I think the building next door compliments that now, which is now. I think that if we decide it, we want to go down this path come the time, I am guessing that the applicant will work very closely with this board to make sure that the project is sold. I am not worried about that piece too much.

Tara Maloney: I am just... suspicious nature. I just think that once these buildings are gone, they might say, well they've changed their mind. We would like to come in and we would like to do one big building...

Mayor Brown: And if not, we will leave it as an empty parking lot.

Tara Maloney: Yes, and I know we have that alley as leverage because the City would have to deed that to be able to do... Sorry... (unclear phrase)

Todd Saunders: We also have to be aware that we are losing four more old authentic buildings within a block of Great George Street. I think if it was one building, I don't think too many of us would be too concerned and we managed to sort of work with two buildings last time. Now we are looking at four more altogether. It makes six in a short time period.

Tara Maloney: It is a chunk of heritage.

Simon Moore: And the last project, the scale was smaller, the massing is greyed off the street.

Councillor Rivard: In the meantime, can we talk to the applicant to see if there is an appetite to work on just Queen Street building but maybe step back and allow them to (unclear words) as opposed to touching any of the ones on King and... I don't know...

Todd Saunders: Yes.

Wayne MacKinnon: My concern is that we know what we have at the moment and it is prospected that it could be restored. I would like to know if we proceed with the demolition, what is going to take (unclear words) and what is going to... (Unclear words)

Councillor Rivard: It will have to go through design review as well. That part would be covered. I mean, we can have our say with the applicant, and the other would have to go through design review and would still have to approve it. Again, I know what you are saying. My fear is that, the applicant, if we do nothing, just not (unclear background discussions)...

Todd Saunders: But this part is where they make money, not putting new façade on here.

Councillor Rivard: The front is a trade-off for the back.

Todd Saunders: Yes.

Councillor Rivard: Blake House is a trade-off.

Todd Saunders: Yes. I would say, they are trying to say, they will give us this, leave us with the lower scale Queen Street which, in a lot of ways, is a really big get. You know, we are not going to see five storeys right on Queen Street.

Councillor Rivard: And revitalized, which is nice, right?

Todd Saunders: Yes. It could be in a year or two to propose to build on top of it. But if they are not changing the actual buildings, structurally it will be more challenging.

Tara Maloney: And these would be accommodations? Is it like apartments, this building?

Todd Saunders: This would be condo apartments.

Councillor Rivard: Anyways, information only.

Todd Saunders: Yes.

Councillor Rivard: It is just something to keep in the back of your mind. I don't think you have any plans in doing a...

Alex Forbes: They could try to keep this board abreast with the other board. The other board in this case, has a lot of... all the rules are dealing with the other board, design review. Again, you don't want to know after the fact that the design review board says yes, and then you walk up the street and go "wow". Your mandate is to deal with the designate properties and we can also change the bylaw in any manner be so true, to fortify the power of this board. But there's two issues going on – one is the existing (unclear word) and the future of (unclear word). The other thing too, the power to designate at the last minute, I will just throw this out. That is a tricky power. Being the fact that it is not clear, but whether as a part of our ability to put in emergency designation, that could trigger litigation. The other side of that is, you should have designated it before they move forward. We do have that power, so we are trying to manage these things. This could be a jam of a building and that is why, the other tool that is now put in the bylaw, allows us to go to Council to slow them down. During that slowing down process, it also allows Council to possibly negotiate with them before definitively using their power on them to sort of to see what they can do or what kind of back and forth can be done. The nice thing is in this town at least for me as an outsider is, no business person wants to offend the community. If Council intervenes in that situation on behest of the community, you may want to push litigation or whatever, but I just think in a small town like this, you could win the battle and lose the war. If I am a businessman and I want to do this and I push it hard, if you lose the community's support, it is a small community.

Councillor Rivard: I think once we have more information and these progresses, then maybe we can bring in two boards together and they could see it at the same time. In that way, it is not a back and forth he-said-she-said or whatever it is that you guys need. We actually have everyone here, we have design review and heritage board here at the same time. Big projects.

Mayor Brown: Just a follow up what Alex just said and as you know too, Tara. The significance of this small City is that it is the Birthplace of Confederation. Anything that we are looking at doing down the road especially anything that is in the 500 Lots, has to or must try to preserve that heritage connected to our designation as the Birthplace of Confederation.

Councillor Rivard: Like the Holman building.

Mayor Brown: Well the Holman building, that is a whole other issue. Don't go there!

Councillor Rivard: I am just joking.

Mayor Brown: With the metal siding, yes, I know. When we were in Quebec City, in the old city, how the City is amalgamated with the new with the old. One example is down right below the Port-de-Saint-Louis, the St. Louis gate, where they were taking glass towers and mélange them with the existing structure. We are not breaking new ground by doing this. It is just...

Councillor Rivard: We did that in the Kays building.

Mayor Brown: The Kays building, if you go over the corner of Water and Queen, that is mixing the old with new, too.

Councillor Rivard: That is exactly...

Mayor Brown: It is just, again, to follow up Alex. There is a designation that we have to protect.

Alex Forbes: And we could always have better tools, but the problem with the two boards is, there's a lot of subjectivity in both. When you write a bylaw, it is supposed to be black and white and it is really hard to get black and white. Because as we say everything has to be like this, then one or more of everything else isn't caught in that net and then it slows the process down. If you are too flexible, then you miss things. We are always trying to thread the needle between the two. We want to get it right. But the other thing, too, is there is the concept. There are developers that have the varieties as well. We need to ensure that when we make our decisions, we are firmly on legal ground to say, no or yes.

Councillor Rivard: When we bring two groups in together as two committees, it will make a pretty powerhouse, clearly knowledgeable, two committees and like I said, a number of architects and everything else. It will be a good idea for something like this at that time. Anyway, alright, is everyone comfortable with the information on this?

Mayor Brown: Yes, thank you Mr. Chair.

END OF VERBATIM MINUTES

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES FILE: PLAN-2019-7-OCTOBER- 688 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966) OWNERS: WYEMOUTH PROPERTIES LTD. APPLICANT: NINE YARDS STUDIO		
MEETING DATE: October 7, 2019		Page 1 of 8
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Maps B. Building Renderings C. Letter of Support	
SITE INFORMATION: Context: Four (4) properties in the 500 Lot Area Ward No: 1 – Queens Square Existing Land Use: One (1) Single-Detached Dwelling and Three (3) Multi-Unit Dwellings Official Plan: Downtown Mixed-Use Neighbourhood Zoning: Downtown Mixed-Use Neighbourhood (DMUN) Zone		
PREVIOUS APPLICATIONS: N/A		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve 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);
- Reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4 ft to approximately 80.1 ft on the consolidated property (consisting of PID #336909, PID #336917, PID #336974, and PID #336966); and
- Reduce the minimum side yard setback for the fifth storey from 18.0 ft to approximately 13.0 ft away from the four (4) properties fronting on Queen Street (being PID #336982,

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES – 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966)	Page 2 of 8
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PID #336990, PID #337006 & PID #337014) on the consolidated property (consisting of PID #336909, PID #336917, PID #336974 & PID #336966).

in order to construct a five-storey, 43-unit apartment building subject to:

- 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.

BACKGROUND:

Request

The property owner, Weymouth Properties Ltd., has made an application to demolish the existing structures at 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974) & 100-102 Dorchester St (PID #336966), consolidate said properties, and construct a 43-unit apartment building. The maximum building height in the DMUN Zone is 39.4 ft. The applicant is requesting to construct a five (5) storey building; however, only four (4) of the stories will be constructed within the maximum height of 39.4 ft. As per Section 29.3 of the Zoning & Development By-law, bonus height is permitted in order to allow the proposed fifth storey. In order to construct the proposed building using the bonus height provisions, two (2) variances are required.

Development Context

All four (4) properties, 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974) & 100-102 Dorchester St (PID #336966) are located in the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the 500 Lot Area. Provincial Tax Assessments indicate that 91 King St (PID #336909) contains six (6) residential dwelling units, 93 King St (PID #336917) contains six (6) residential dwelling units, 94-98 Dorchester St (PID #336974) contains eight (8) residential dwelling units & 100-102 Dorchester St (PID #336966) contains one (1) residential dwelling unit. None of the above noted properties are Designated Heritage Resources.

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES – 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966)	Page 3 of 8
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Property History

There is no recent building & development permit history for these properties.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding the proposed variances only (the proposed lot consolidation does not require a mailout) was sent to owners of property within 100 metres (328.1 ft) of the subject property on September 19, 2019 which soliciting their written comments for or against the proposed variances. The deadline to submit written comments on the application was Thursday, October 3, 2019.

Public Feedback

The Planning & Heritage Department received one (1) letter of support (see attached).

ANALYSIS:

Staff conducted an analysis of the DMUN Zone requirements below:

	DMUN Requirements	Proposed
Lot Frontage	min 65.6 ft	approx. 80.1 ft
Front Yard Setback	min 0.0 ft (within the min and max range of the existing buildings on the block)	approx. 0.0 ft (in line with 68 Queen Street & 52 Queen Street)
Rear Yard Setback	min 0.0 ft (within the min and max range of the existing buildings on the block)	N/A (through lot)
L Side Yard Setback	min 6.0 ft	6.0 ft
R Side Yard Setback	min 6.0 ft	6.0 ft

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES – 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966)	Page 4 of 8
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Height	max 39.4 ft	one storey greater than 39.4 ft (bonus height required – see table below)
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The proposed 43-unit apartment building adheres to all permitted uses and setbacks in the Downtown Mixed-Use Neighbourhood (DMUN) Zone. That being said, the applicant is requesting a bonus height of one (1) additional floor which is permitted in this zone subject to the lot frontage variance being approved.

	Bonus Height Requirements	Proposed
Permitted Zones	DMUN DMS DC WF	DMUN
Building Height	max 60.7 ft	one storey greater than 39.4 ft
Lot Frontage	min 98.4 ft	approx. 80.1 ft (variance required)
Front Stepback	min 9.8 ft	9.8 ft
L Side Stepback	min 18.0 ft (from adjacent properties)	approx. 13.0 ft (due to the common right-of-way of 7.0 ft and the 6.0 ft side yard setback, the 5th floor is stepped back 13.0 ft from 68 Queen Street – 5.0 ft variance required)
R Side Stepback	min 18.0 ft (from adjacent properties)	18.0 ft

The proposed five-storey 43-unit apartment building does not adhere to all of the bonus height development standards as outlined in Section 29.3 of the Zoning & Development By-law. In light

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES – 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966)	Page 5 of 8
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of the fact that the subject property does not meet the lot dimension requirements to be eligible for bonus height, a variance is required.

In addition to the variance for the lot frontage, the applicant is also proposing one (1) additional variance to the side yard setback from the fifth floor to the adjacent building at 68 Queen Street (PID #336982).

In light of the common right-of-way (7.0 ft) and the side yard setback of 6.0 ft, the proposed building is setback approximately 13.0 ft from 68 Queen Street (PID #336982); however, the fifth floor must be stepped back an additional 5.0 ft from the building wall in order to meet the requirements of the Zoning & Development By-law.

Staff would note that as part of the requirements for a bonus height application, an increase to the minimum standard pertaining to building height shall be permitted in exchange for securing a specific public benefit. The proposed public benefit for the fifth floor has not been indicated on the submitted plans to date but staff will work with the applicant to determine what the proposed public benefit will be. The amount of required public benefit is based upon \$4.00 per 0.1 sq. m. of floor area for the fifth floor. Permitted public benefits include:

1. *Adaptive reuse, Maintenance, preservation, or enhancement of a Designated Heritage Resource as defined in the Heritage Preservation By-law;*
2. *The provision of Affordable Housing Dwelling Units, by way of subsidization between the applicant and the Province and/or Federal Government(s) for a specified period of time and confirmed in a written agreement registered to the property;*
3. *The provision of three or four bedroom Dwelling Units;*
4. *The provision of a Landscaped Area, such as urban park, plaza, boardwalk or other facility where a deficiency exists or as indicated by the City;*
5. *The provision of public art in a location to be agreed upon by the City;*
6. *Investment in active transportation or public transit;*
7. *The provision of a LEED-gold standard certified Building or other equivalent qualification;
or*
8. *The provision of subsidized commercial space for arts or other cultural uses.*

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES – 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966)	Page 6 of 8
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Landscaping

As per Section 6.5.1 of the Zoning & Development By-law, *a minimum of ten percent (10%) of the Lot Area on which a Building or Structure is Erected shall be used for no other purpose than Landscaped Area.* In light of the fact that there is insufficient room on the property for landscaping, Section 6.5.2 would apply: *where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.*

Parking

As per Section 43 of the Zoning & Development By-law, one (1) standard parking space is required for every two dwelling units as well as one (1) mobility disabled parking space is required for every 5 to 30 units. Due to the fact that the proposed apartment building contains 43 residential dwelling units, 22 standard parking spaces and two (2) mobility disabled parking spaces are required. At this time, the applicant is proposing underground parking for 21 standard parking spaces. Any spaces that cannot be provided on the property will have to be purchased through cash-in-lieu of parking at \$6,000 per space.

Official Plan

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

Section 3.1.2 – Our objective is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.

The proposed development involves additional residential density in the downtown core which will capitalize on existing municipal infrastructure that presently exists.

Section 3.2.1 - Our objective is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surrounding.

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES – 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966)	Page 7 of 8
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The request demolishes existing buildings which does not preserve the built form of existing neighbourhoods. The applicant is applying an additional floor of bonus height which will make the building appear larger; however, the applicant has attempted to stepback the fourth and fifth floors to allow the streetscape to be viewed as a three storey building which is traditional along the block. Nevertheless, Design Review will be required in order to ensure compliance with the 500 Lot Design Standards and Guidelines.

Section 3.2.2 - Our objective is to allow moderately higher densities and alternative forms of development in any new residential subdivisions which may be established, provided that this development is well planned overall, and harmonious with existing residential neighbourhoods.

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

Section 4.2.2 - Our objective is to promote new development that reinforces the existing urban structure.

The proposed development satisfies the front yard setback requirements outlined in the DMUN Zone, and as a result, it complies with permitted street setbacks on the block while reflecting the urban structure of other developments in the neighbourhood.

Section 4.2.6 - Our objective is to protect and strengthen the character of the residential neighbourhood in the 500 Lot Area

This application involves numerous requests which shall be considered concurrently, as all items must be approved to proceed with the proposed development. Staff is confident that the majority of the requirements in the Zoning & Development By-law have been satisfied and the proposed development will enhance the existing neighbourhood. Further, the applicant should be subject to the signing of a Development Agreement to ensure that the plans that have been reviewed and presented to the public and Council will be constructed. The Development

Agreement will also include provisions pertaining to the bonus height public benefit and design review.

Below is a quick summary of the subject application’s positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
• Promotes compact urban form and infill development, as well as the efficient use of infrastructure • Consistent with the built form in the neighbourhood. • Design review is required to ensure that new development is compatible with, and enhances its surroundings.		• Requires a variance to the lot frontage requirement for bonus height. • Requires a variance to reduce the minimum side yard stepback for the fifth floor on one side of the proposed building. • Does not preserve the buildings in existing neighbourhoods.

CONCLUSION:

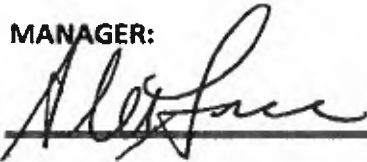
The Planning & Heritage Department recommends that the lot consolidation and two (2) variances, be approved subject to, a pinned final survey plan and a new perimeter deed description being registered describing the outer boundaries of the consolidated parcels, obtaining design review approval, securing a public benefit for the fifth storey, and the signing of a Development Agreement.

PRESENTER:



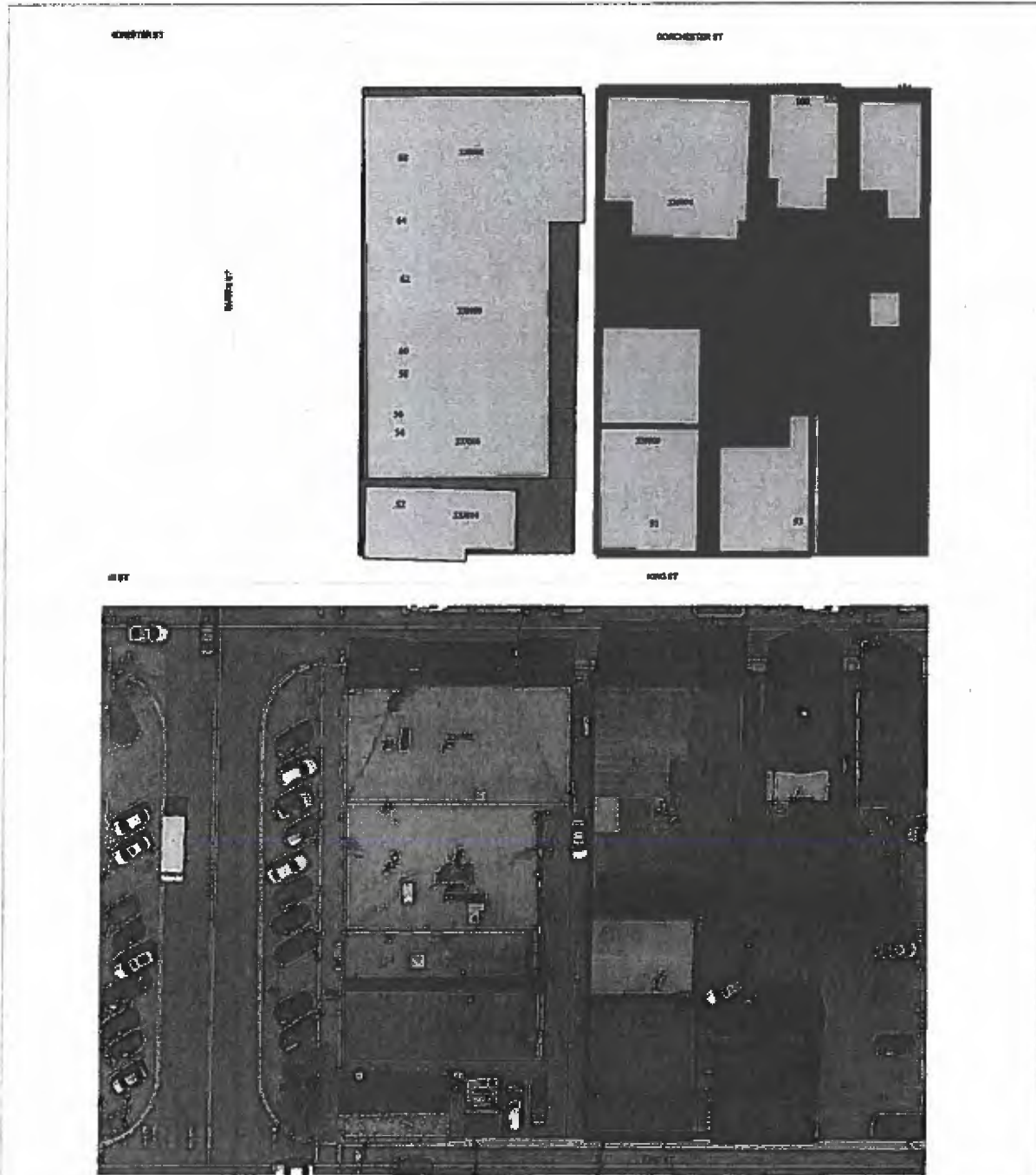
Greg Morrison, MCIP
 Planner II

MANAGER:



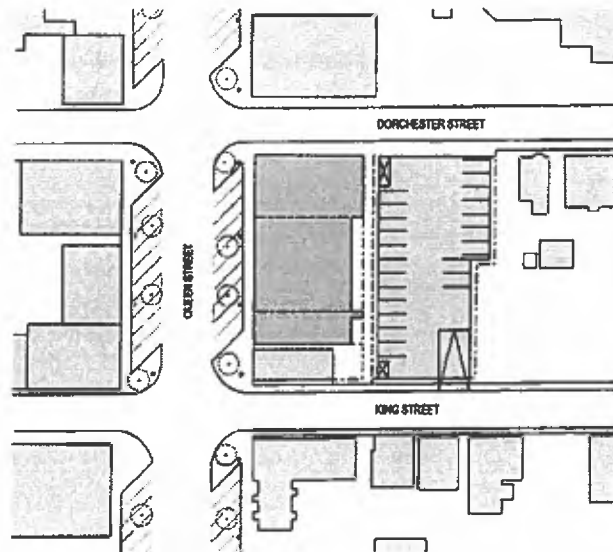
Alex Forbes, MCIP, MBA
 Manager of Planning & Heritage

Attachment A



Attachment A: GIS Map File: PLAN-2019-7-OCTOBER-668 11-13 St. (PID #336979) 93 King St. (PID #336917) 14-16 Dorchester St. (PID #236274) & 101-102 Dorchester St. (PID #336866) Owner: Waymouth Properties Ltd	 CHARLOTTETOWN Planning & Heritage Department	
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Attachment B-1



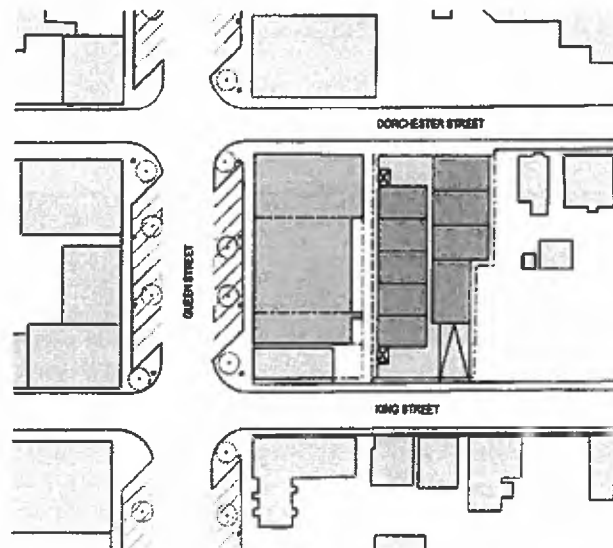
KING & DORCHESTER ST UNDERGROUND PARKING LEVEL

SUMMARY:

- 1) THE BUILDING ON KING AND DORCHESTER STREET WILL HAVE UNDERGROUND PARKING FOR 21 CARS.

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

DORCHESTER & KING STREET BUILDING
 NINE YARDS



KING & DORCHESTER ST MAIN FLOOR

SUMMARY:

- 1) THE MAIN FLOOR WILL HAVE 0 APARTMENTS.
- 2) MAX HEIGHT: 15M (50 FT) 4 FLOORS, PLUS ADDITIONAL UNITS WITH ADDED 50M+ HEIGHT.

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

DORCHESTER & KING STREET BUILDING
 APARTMENT UNITS
 NINE YARDS

Attachment B: Building Renderings

File: PLAN-2019-7-OCTOBER-668

31-33 King St (PID #336989) 92 King St (PID #336917)

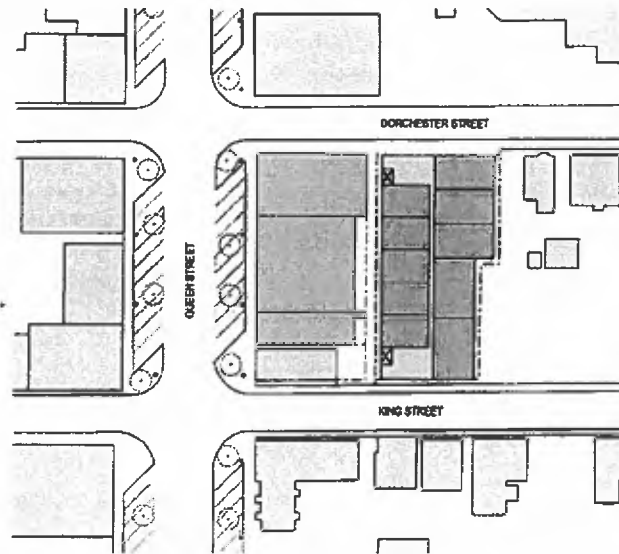
94-96 Dorchester St (PID #336974) &

100-102 Dorchester St (PID #336956)

Owner: Plymouth Properties Ltd

CHARLOTTETOWN
 Planning & Heritage
 Department

Attachment B-2

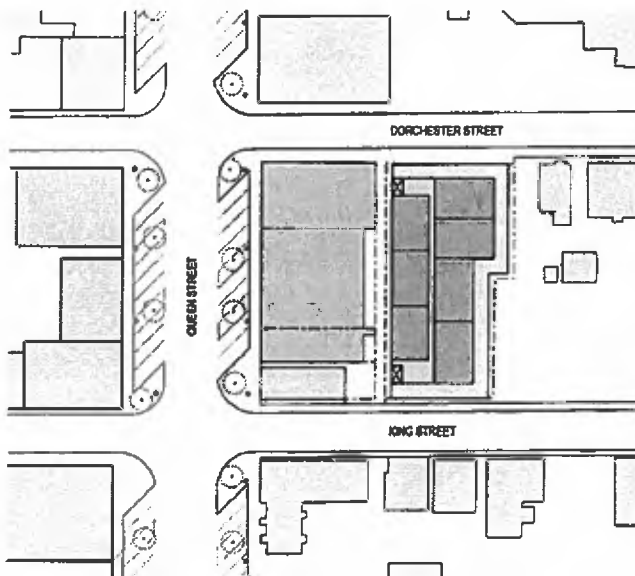


KING & DORCHESTER ST 2ND & 3RD FLOORS

SUMMARY:

- 1) THE SECOND AND THIRD FLOOR
WILL HAVE 10 UNITS

QUEEN STREET REVITALIZATION PROJECT Preliminary Design



KING & DORCHESTER ST 4TH & 5TH FLOORS

SUMMARY:

- 1) THE 4TH AND 5TH FLOOR WILL
HAVE 7 UNITS EACH. THE TOTAL
BUILDING = 63 UNITS

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

DORCHESTER & KING STREET BUILDING
APARTMENT UNITS

NINE
YARDS

DORCHESTER & KING STREET BUILDING
APARTMENT UNITS

NINE
YARDS

Attachment B: Building Renderings

File: PLANE1019-7 OCTOBER 688

1019 St. Roch 43716, 1019 St. Roch 43716, 1019 St. Roch 43716

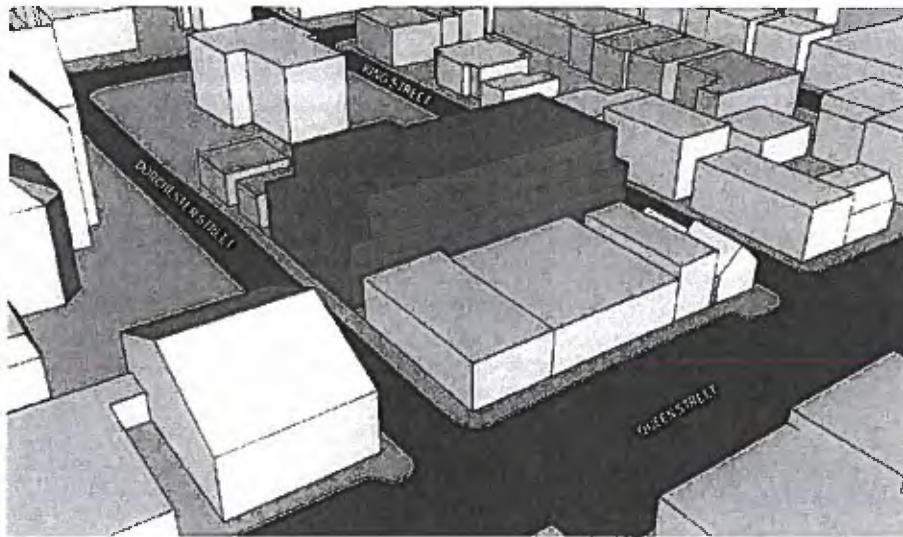
1019 St. Roch 43716, 1019 St. Roch 43716, 1019 St. Roch 43716

1019 St. Roch 43716, 1019 St. Roch 43716, 1019 St. Roch 43716

Owner: Weymouth Properties Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

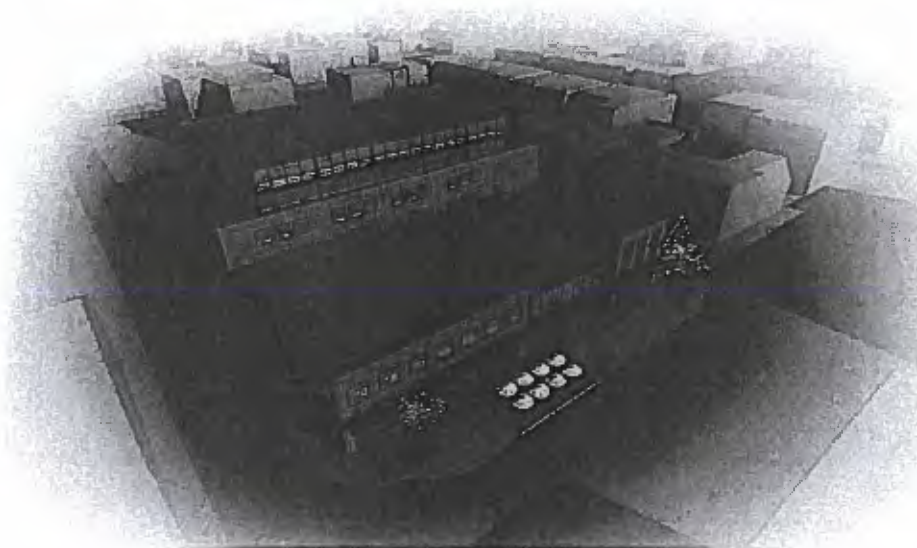
Attachment B-3



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

DORCHESTER AND KING STREET BUILDING
PROPOSED MASSING CONCEPT

**NINE
YARDS**



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

BIRD'S EYE VIEW

**NINE
YARDS**

Attachment B: Building Renderings

File: PLAN 2019-10 OCTOBER- 688

51 King St (PID #336909) 53 King St (PID #336917)

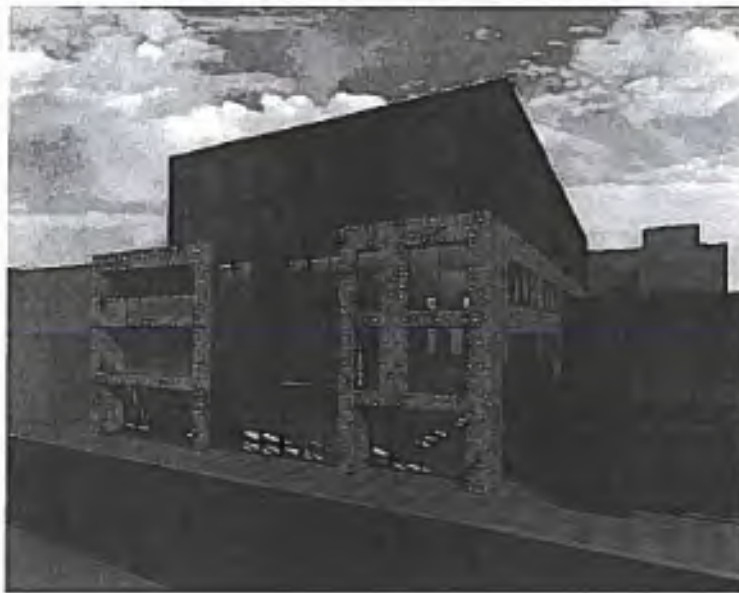
51 & 53 Dorchester St (PID #336971) &

100-103 Dorchester St (PID #336966)

Owner: Plymouth Properties Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

Attachment B-4



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - DORCHESTER STREET
NINE
YARDS

Attachment B: Building Renderings

File: PLAN-2019-7-OCTOBER- **668**

91 King St (PID #336909), 93 King St (PID #336917)

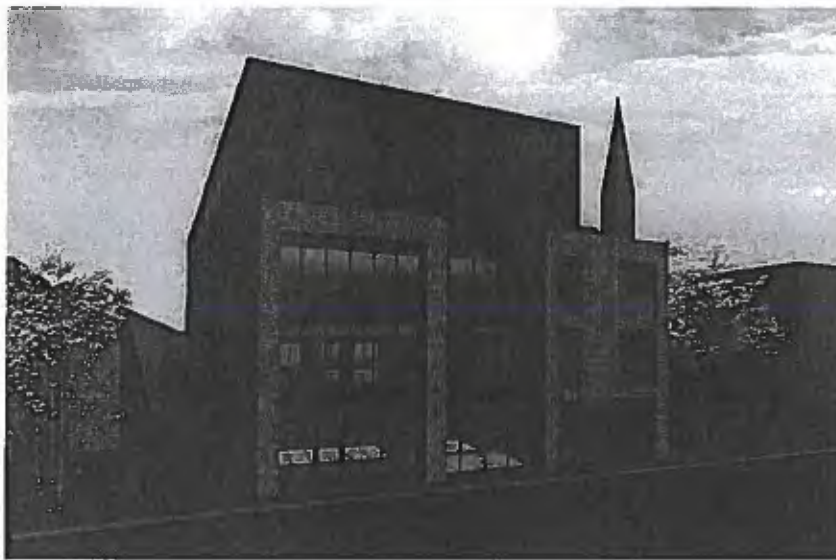
94-98 Dorchester St (PID #336974), &

100-102 Dorchester St (PID #336966)

Owner: Weymouth Properties Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

Attachment B-5



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - KING STREET
NINE
YARDS

Attachment B: Building Renderings
File: PLAN-2019-7-OCTOBER-688
91 King St (PID #336909) 93 King St (PID #336917)
94-98 Dorchester St (PID #336974) &
100-102 Dorchester St (PID #336966)
Owner: Weymouth Properties Ltd


CHARLOTTETOWN
Planning & Heritage
Department

Attachment C

From: Steve Dunne [<mailto:steve@dunnegroup.ca>]
Sent: September 26, 2019 2:34 PM
To: Planning Department
Cc: Kevin Murphy
Subject: variances 91 King, 93 King, etc

To whom it may concern,

This e-mail is to acknowledge that 100451 PEI Inc, (Gahan House property – 126 Sydney) has received by mail, the information for two variances, for the four properties located at 91 King, 93 King, 94-98 Dorchester and 100-102 Dorchester

This looks like a wonderful, major project. This project will revitalize a downtown block; will increase property values; will add many needed, modern new incremental living spaces. The developer already did an excellent job already on the other portion of King St. with the new 13 unit that he opened this year – and he should be commended for again investing in making his downtown properties the best they can be.

This new project is a win-win for all.

We are of the opinion, that the City needs to co-operate with developer's on reasonable variance requests, to enable these multi-million dollar projects to have the opportunity to be financially self-sustaining

We are in favor.

Steve Dunne
Direct: 902-628-4460
www.dunnegroup.ca
 profile



Attachment C: Letter of Support
File: PLAN-2019-7-OCTOBER-688
91 King St.(PID #336909), 93 King St (PID #336917)
94-98 Dorchester St (PID #336974) &
100-102 Dorchester St (PID #336966)
Owner: Weymouth Properties Ltd



**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES
MONDAY, OCTOBER 07, 2019, 4:30 P.M.
PARKDALE ROOM, 2nd FLOOR, CITY HALL**

Present: Mayor Philip Brown
Deputy Mayor Jason Coady, Vice-Chair
Councillor Bob Doiron
Councillor Julie McCabe
Bobby Kenny, RM
Kris Fournier, RM
Reg MacInnis, RM

Rosemary Herbert, RM
Shallyn Murray, RM
Alex Forbes, PHM
Laurel Palmer Thompson, PII
Greg Morrison, PII
Robert Zilke, PII
Ellen Faye Catane, PH IA/AA

Regrets: Councillor Greg Rivard, Chair
Basil Hambly, RM

1. 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966)

Shallyn Murray declared conflict and has stepped out of the room for this application.

Greg Morrison: This is an application to demolish... for two variances and a lot consolidation. The applicants, in totality, are looking to demolish four structures - two on King Street, two on Dorchester Street, consolidate said properties and construct a 43-unit apartment building. The demolition is an as-of-right demolition unless Heritage Board wants to invoke some kind of temporary designation on them but that is not something that is voted on today. The two variances and lot consolidation is what is required in front of the board. You can see the four properties located between, two on Dorchester and two on King Street.

Right now, both properties on King Street have six (6) residential dwelling units each, one (1) on Dorchester has eight (8) residential units and the other on Dorchester has one (1) residential dwelling unit and that will be a total of 21 if my math is right. None of the above noted properties are Designated Heritage Resources. We received one (1) letter of support for this application.

The applicant has submitted some preliminary plans, rendering showing the proposed building. There would be underground parking for 21 vehicles at this time. They are preliminary so may change, may increase at a later date. A total of 43 units over a total of five storeys. The maximum building height in the DMUN Zone is 39.4 feet. The applicants are proposing that four of those storeys will be within that 39.4 feet but the fifth floor will exceed that 39.4 feet. Therefore they are requesting to go through the bonus height provisions. In order to be eligible for bonus height, you have to have 98.4 feet of lot frontage, the distance across King Street essentially. The applicants have approximately 80.1 feet so the first variance is to be eligible for bonus height. The second variance, you have to be 18-foot setback away from the adjacent properties. You will see on the right hand side of this photo, there is a 6-foot setback from the property line to the building and then the applicants are proposing additional 12 feet to the top (forth and fifth floor) which should be 18 feet. However, on the other side adjacent to the Queen Street properties, there is a 7-foot right-of-way that is owned by the City of Charlottetown. It is a

little easement. There is a 6-foot setback that the applicants are proposing and the building will be flushed for the fourth and fifth floors so there is only 13 feet from the fifth floor to the adjacent properties. Therefore, a 5-foot variance is required from 18 to 13 because the fifth storey is not stepbacked from the existing building. So that is the second variance. Finally, the applicants are looking to consolidate all four properties which require Council approval because it is not in the R-1 or R-2 zone.

This application involves numerous requests. Concurrently, all items must be approved for the development to proceed. Staff is confident that the majority of the Zoning & Development Bylaw requirements has been satisfied or can be satisfied on the property if they are not showing enough detail at this time. Staff is recommending approval subject to the signing of a development agreement, a new perimeter deed showing the consolidated property, final survey plan of the consolidated property, securing a public benefit for the fifth floor and design review approval. There are a lot of subjects to the approval of the two variances and the consolidation. I can answer questions and Silva Stojak from Nine Yards Studio can also answer questions.

Rosemary Herbert: I just have a question about the people who are living in the four buildings. What happens to them and where are they going to go and live?

Silva Stojak: They will be displaced, but I think the idea here is that people will make up much larger (unclear words). The three buildings, instead of 21 units that we have now, provide 43-unit accommodation for future, which is very needed in Downtown Charlottetown. That is, I think, the throwback of this one, we will have to displace these people but we will build 43 units more.

Rosemary Herbert: And I guess, just in follow up to that. Is there any assistance from anybody to help people find a living spot if when they are displaced and who (unclear words)?

Alex Forbes: And again, even if I am on the Affordable Housing Board, this board has to be careful. When you look at this application, that is outside of the boundaries. You can make any decision you so desire but you cannot make a decision based upon that. It is just not... The person owns the property. They want to make a business decision. It is up to you folks whether you concur with that. But the rationale there, we realize that it does have an impact but is not really something that this board has the authority to say, we don't want to support it because of the reason. We can find other reasons but I would suggest don't hang on that issue.

Rosemary Herbert: However, just to counter that. We do support applications that are providing more apartments. I think you can argue both sides of it, right? It is an issue. It's housing so both sides can be argued.

Mayor Brown: Yes.

Alex Forbes: The problem is, the municipality is not really in the housing... That is not really their mandate even though we are trying to constantly change policies. When there are policies in place, this situation unfortunately, goes on every day and we are hearing it through short term rentals. But again, there are policy/ways to deal with that but we really don't have any policies

dealing with displacement. Again, when you make a decision and you say why you made the decision, somebody will ask me, what authority did they have to make that decision. Is there anything in your Official Plan dealing with displacement or your documents? And there is nothing.

Mayor Brown: But Alex, there is a moral authority. It is called Social Responsibility.

Greg Morrison: I would note though that, the demolition is...

Mayor Brown: I think what Rosemary is saying here is and I appreciate what the architect is saying. They will be displaced. She is not saying we are going to find a place for them, yet, we have heard of "renovicts", right, for Airbnbs. People will be screaming that this is a renovict and where are we going to put these displaced residents. I always have that concern that, back to the election, we have a responsibility as a community and that responsibility is what Rosemary is bringing up and I am bring up too. That is why we have to, at some point in time, get in and ask the Provincial Government, where it would allow for affordable housing and new builds like this so we could address that issue you are talking about, Rosemary. That was the first question that came to mind when I listened to what is going to happen. Plus, was this approved at Heritage Board?

Greg Morrison: It was just going to as information only purposes. No designation process.

Alex Forbes: If this is approved, it will go to the Design Review Board and they be allowed with more comments. I guess my point is, and I am not trying to downplay that, but if you are uncomfortable with it, there are other issues here to be uncomfortable with. I am not disagreeing with you but the fact is, there are parameters that we need to followed inside our own documentation and that's not really in there on that issue. We can put that in the future, that may be helpful, but it is not in there now.

Greg Morrison: So the demolition of these properties is something that is as-of-right. Really, the applicant could demolish and construct on the lots that exist today. They would go through design review and everything, but the demolition is not part of this application per se. The other part, the bonus height provisions, one of the public benefits that can be provided is affordable housing. If the applicants do wish to put affordable housing in the property or in the building, that could satisfy their bonus height requirements but again, that is a decision that they would have to make.

Mayor Brown: You just talked about the demolition permit. Does that come back to us?

Greg Morrison: No, they could demolish today if they wanted to.

Mayor Brown: But they need to have a permit, right?

Greg Morrison: Through the planning department, yes, not through Council.

Alex Forbes: Mr. Chair, maybe to follow up. Every time you look at planning applications, this is a very good one. You have to look at what they are asking for. You have to keep it within the parameters, if it is a side yard setback distance, all of the other peripheral issues, they are peripheral. You have to indicate that you are comfortable with reducing the side yard, reducing the lot area, reducing whatever. It does have an overall bearing but as Greg says, they have other options to avoid all the variances and do exactly what they want to do. Whether it is this application or any, look at the variance that they are asking for and think in your mind, what are the impacts of that actual variance they asked, and what can we do to mitigate that to make it better or say no. Again, it just keeps it within the parameters of your role as board members, thank you.

Deputy Mayor Coady: Any other?

Bobby Kenny: Are they all long term rentals?

Silva Stojak: The plan is to be long term rentals, yes.

Rosemary Herbert: I think it is great to have 43 units and I do like the look of it. I saw something in the documentation that a green space on the roof?

Silva Stojak: Yes.

Greg Morrison: They have to provide 10% of the property to be landscaped or 25% of the roof. From the site plan, provided there is very little possibility to have landscaping on the property itself, essentially buildings on property line over property line so they would be required to accommodate landscaping on the roof instead. How that is going to be proposed is kind of preliminary for that but it would have to be flushed out at some point should the variance be approved.

Deputy Mayor Coady: Any other questions or comments?

Rosemary Herbert: Can I just for another question? What about the one you had mentioned Greg in terms of allowing the variance for the extra height if it is affordable housing? How do we explore that?

Greg Morrison: It is in the bonus height provisions. The lot frontage will give a variance to make them eligible to have bonus height. But from there, they automatically have to provide a public benefit for the fifth floor. Anything above the 39.4 feet, they have to provide a benefit at a cost of \$4.00 for every 0.1 sq.m of the fifth floor. They have to provide a public benefit to that value and our bylaw list, eight or nine items that they can provide to accommodate that value. Different things will include enhancement of a designated heritage resource which wouldn't apply; the provision for affordable housing dwellings; three or four bedroom dwelling units; landscaped areas such as like Irving Park Plaza, Boardwalk, public art; active transportation and investment in the active transportation; LEED Gold standard certified building or a commercial space for the arts or other culture. They would have to go through this list to figure out

something that they want to provide that is at that value that is determined based on the floor area.

Reg MacInnis: We just modified that this year.

Greg Morrison: Yes.

Reg MacInnis: Do you know what month they brought in?

Robert Zilke: Correct. And I believe there are some items that are listed that are not in there. So the LEED certified was taken out and the three bedrooms or more were taken out.

Mayor Brown: Was that taken out?

Robert Zilke: That was taken out, Your Worship. The focus again was on the affordable housing act for those previous amendments

Mayor Brown: It is great the architect is here for the developer just to take it into consideration that the displacement of those 21 residents and I know some of those 21 residents. We have to... New build is great for the City and great for the community but we have to take it into consideration. I know you looked at the higher professionalism of our role but we do have emotional strings that make it a reality.

Alex Forbes: I know this is kind of an important point. This body has to be much tighter when it goes to Council. Council is a political body. This is the technical body. My commentary used because you are technical body but it goes to Council. Council has other higher, to the Mayor's comments, but this board has to work with staff with the documentation and those things. The politics of it are next batch in this room. This group, as the Planning Board, has to be very tight in regard to their decision making. Thank you.

Deputy Mayor Coady: Any other questions?

Councillor Doiron: I just want to comment there. When we discussed, we like to put long term rentals in there. There's basically no such thing you can do with the long term rental. I mean, you can sit here and say they are for long term rentals but there's no draw or there's no vehicle I guess, if they are going to rent other than long term rental. You can't, you rent an apartment like this, you sign a lease for a year and then six months you say, I get transferred, I am going. There's no recourse for them to get you there for a year.

Alex Forbes: Again, that is the tenant or the people. If we come in with a bylaw on STR/short-term rentals, that may have a bearing on it. But you are correct, it is up to the landlord right now to rent this the way that they do. In some of the processes we've had, Councillors have been asking that question and if the owners forthright with them, there's no plan to have it as short-term rentals. Again, Council can make that decision. They are always asking for something.

Ultimately, it is Council's decision. Is it in the public's interest that we give them what they are asking for?

Councillor Doiron: Yes, it is just to me, every time you say, this is for long term, that really should not come into effect.

Alex Forbes: And it is kind of around all of these issues that we are dealing with on affordability. They can give a verbal commitment and they are giving that to the community. Council Tweel into that issue, but the reality is that it is very hard for us to enforce because we can't enforce leases and things like that.

Councillor Doiron: Exactly. And that it is something that if you are on this board, you cannot be thinking, it is going to be long term so I am going to approve it for that reason. Because that doesn't fall there.

Councillor McCabe: Basically, are we giving the setback and are we consolidating the lots?

Alex Forbes: Correct.

Mayor Brown: And we have it in definition, right? LTRs and STRs in our planning definitions. Did we not put those in?

Robert Zilke: We defined short term rental. Yes, 30 days less. Correct.

Mayor Brown: Just one last question. What is the total height of the fifth floor? 50 feet?

Greg Morrison: The maximum height is 60.7ft.

Silva Stojak: I think it is 39 to the top of the fourth floor plus one floor up at 10 feet high.

Greg Morrison: The plans aren't ...

Mayor Brown: It is saying 50 King Street or 50 feet high.

Silva Stojak: Yes.

Deputy Mayor Coady: Any other questions or comments? Anyone want to put a motion on the floor for this application?

Councillor McCabe: I am going to put a motion that we go with what staff says that we consolidate the lots and make the two minor variances.

Kris Fournier: I will second it.

Deputy Mayor Coady: Okay. Moved and seconded. All in favor of going with staff recommendation? Opposed? Carried. Perfect.

Moved by Councillor Julie McCabe and seconded by Kris Fournier, RM, that the following requests:

- **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 #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 recommended to Council for approval subject to:

- **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.**

**CARRIED
(7-0)**



**Regular Meeting of Council
Tuesday, October 15, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

Present: Deputy Mayor Jason Coady
Councillor Kevin Ramsay
Councillor Greg Rivard
Councillor Mitchell Tweel
Councillor Alanna Jankov
Councillor Mike Duffy
Councillor Terry Bernard
Councillor Julie McCabe
Councillor Bob Doiron
Councillor Terry MacLeod

Also: Peter Kelly, CAO
Paul Smith, PC
Frank Quinn, PRM
Scott Adams, PWM
John Mooy, AHRM
Ron Atkinson, EconDO
David Hooley, CS
Tracey McLean, RMC
Randy MacDonald, FC
Alex Forbes, PM
Richard MacEwen, UM
Mark Lanigan, FM
Wayne Long, EDO
Laurel Lea, TO
Alicia Packwood, CA

Regrets: Paul Johnston, IAMM
Ramona Doyle, SM

Planning & Heritage – Coun. Greg Rivard, Chair

There was no discussion or debate of Council on the following motion:

**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.

CARRIED 10-0

End of Excerpt



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #7

MOTION CARRIED

10-0 (Carried)

MOTION LOST

Date: October 15, 2019

Moved by Councillor

[Signature]

Greg Rivard

Seconded by Deputy Mayor

[Signature]

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.

October 16, 2019

Quentin Bevan
Weymouth Properties Ltd.
10 Walker Drive
Charlottetown, PE
C1A 8S6

Dear Mr. Bevan,

Charlottetown City Council passed the following resolution at the monthly meeting of Council held on Tuesday, October 15, 2019:

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);
- 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 #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.

Please contact myself at the Planning & Heritage Department to discuss the following steps and required documents when you are ready to proceed with the project.

Yours truly,



Greg Morrison, MCIP
Planner II

Morrison, Greg

From: Shallyn Murray <shallyn@9ystudio.com>
Sent: July 26, 2019 3:06 PM
To: Morrison, Greg
Cc: Quentin Bevan
Subject: Queen Street Block - Dorchester to King
Attachments: Queen Street Revitalization Project - version 2.pdf

Hi Greg,

We have been working on a proposal for the Queen Street Block between Dorchester and King Street for redevelopment.

I know this has been looked at with the City before in past years with various proposals. This looks at a development that is broken up into more individual buildings and fits the scale of Charlottetown. We would like to discuss next steps with you and what may or may not have to go through Planning board for variance/approvals.

Is there a time next week we could sit down with you or someone from the planning department and discuss the best approach to move forward?

Thanks,

Shallyn Murray
Architect

NINE YARDS

63 Fitzroy Street
Charlottetown PE
902.566.4449

Queen Street Revitalization Project

Dorchester to King Street Block

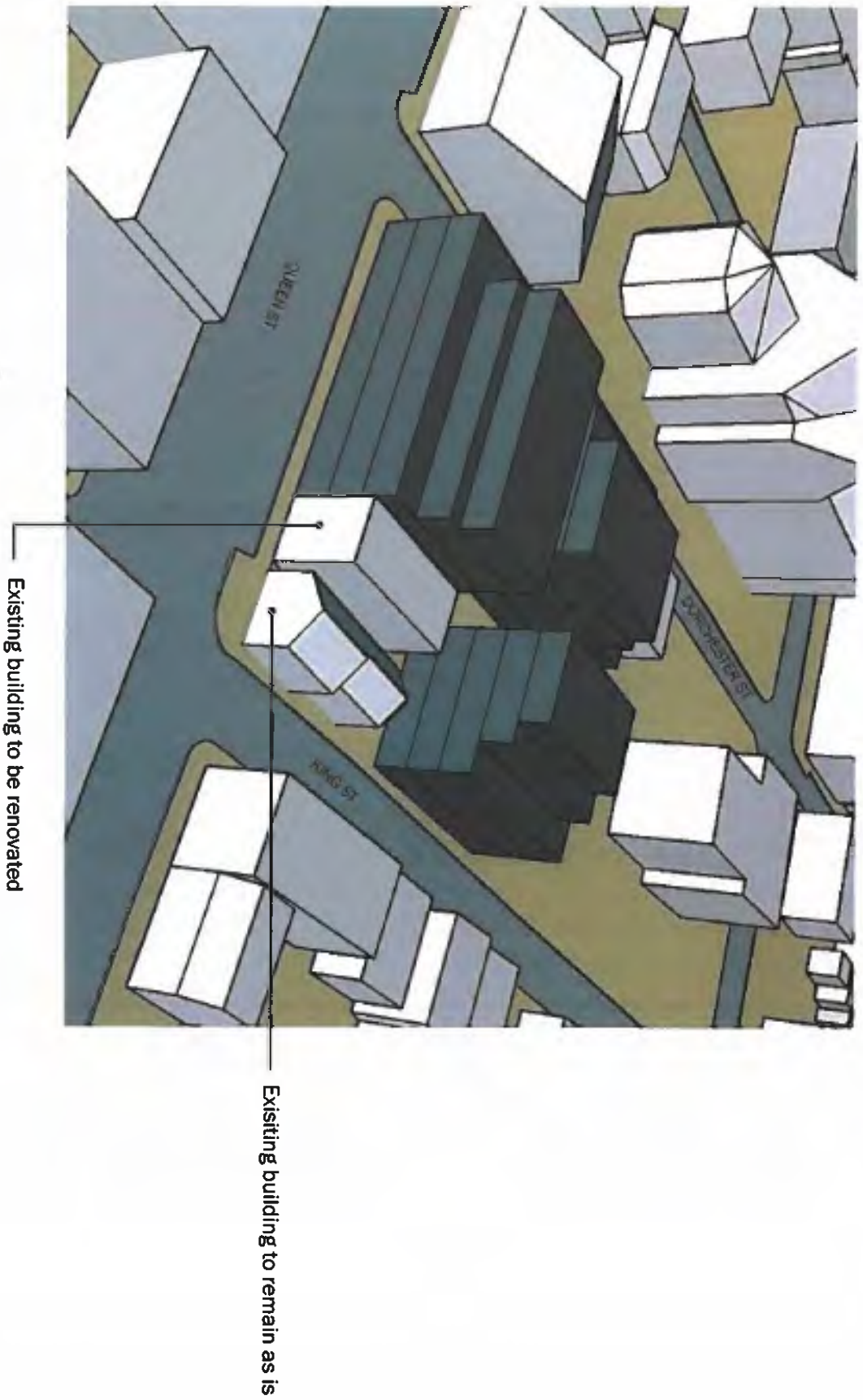


 Zoned - Downtown Main Street (DMS)



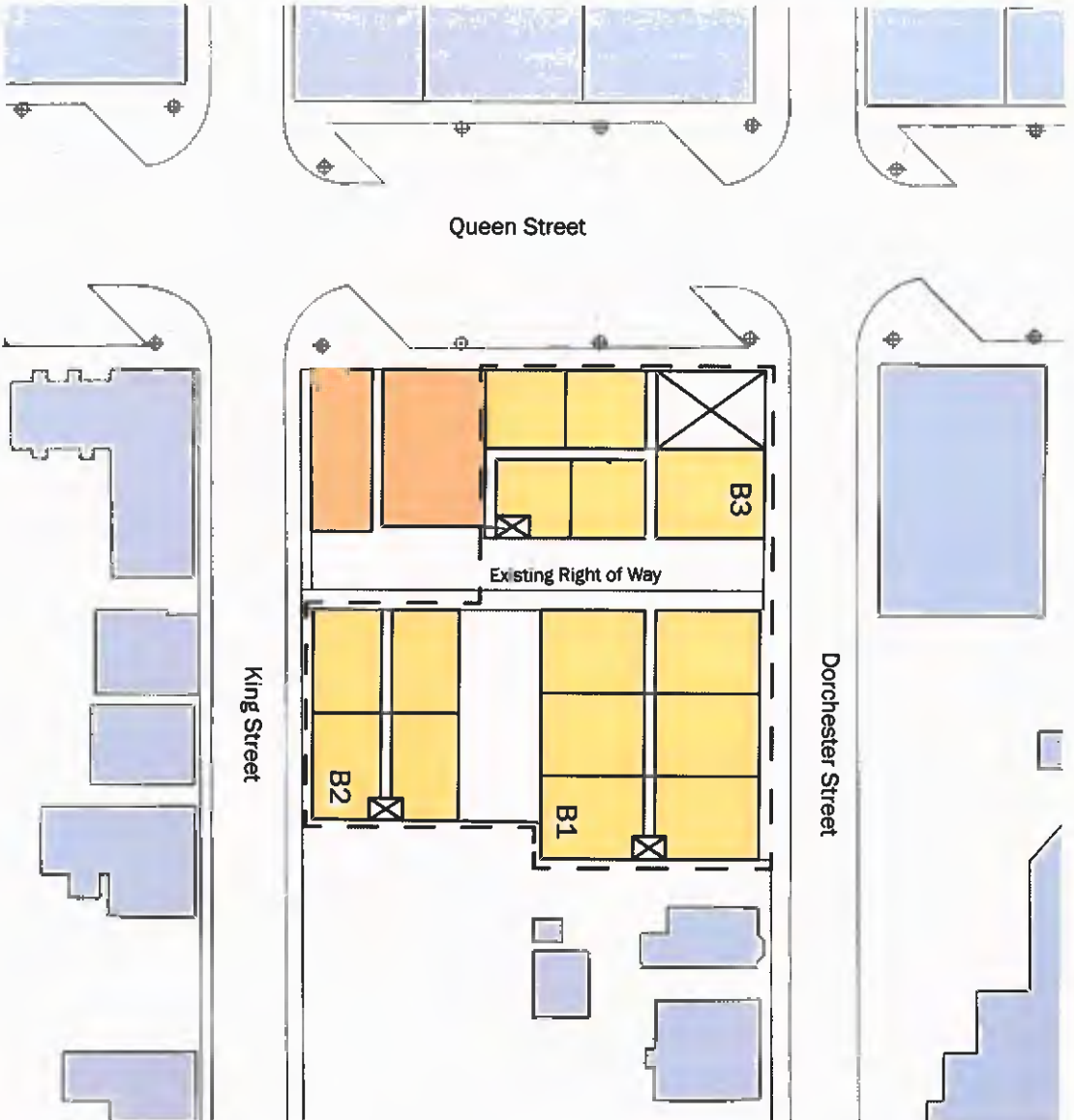
Queen Street View of Existing Block

Option 1 Development



Design Concept 1

Queen Street Revitalization Project
Dorchester to King Street Block



Summary:

- Max Height is 15m (49 ft)
- 4 floors, plus approximately 8 extra units with the approval of addition of bonus height

Building 1

- 6 units for floors 1 - 3
- 3 units for floors 4 - 5 (bonus height)
- units ranging from 910-950 sq/ft
- 24 units total

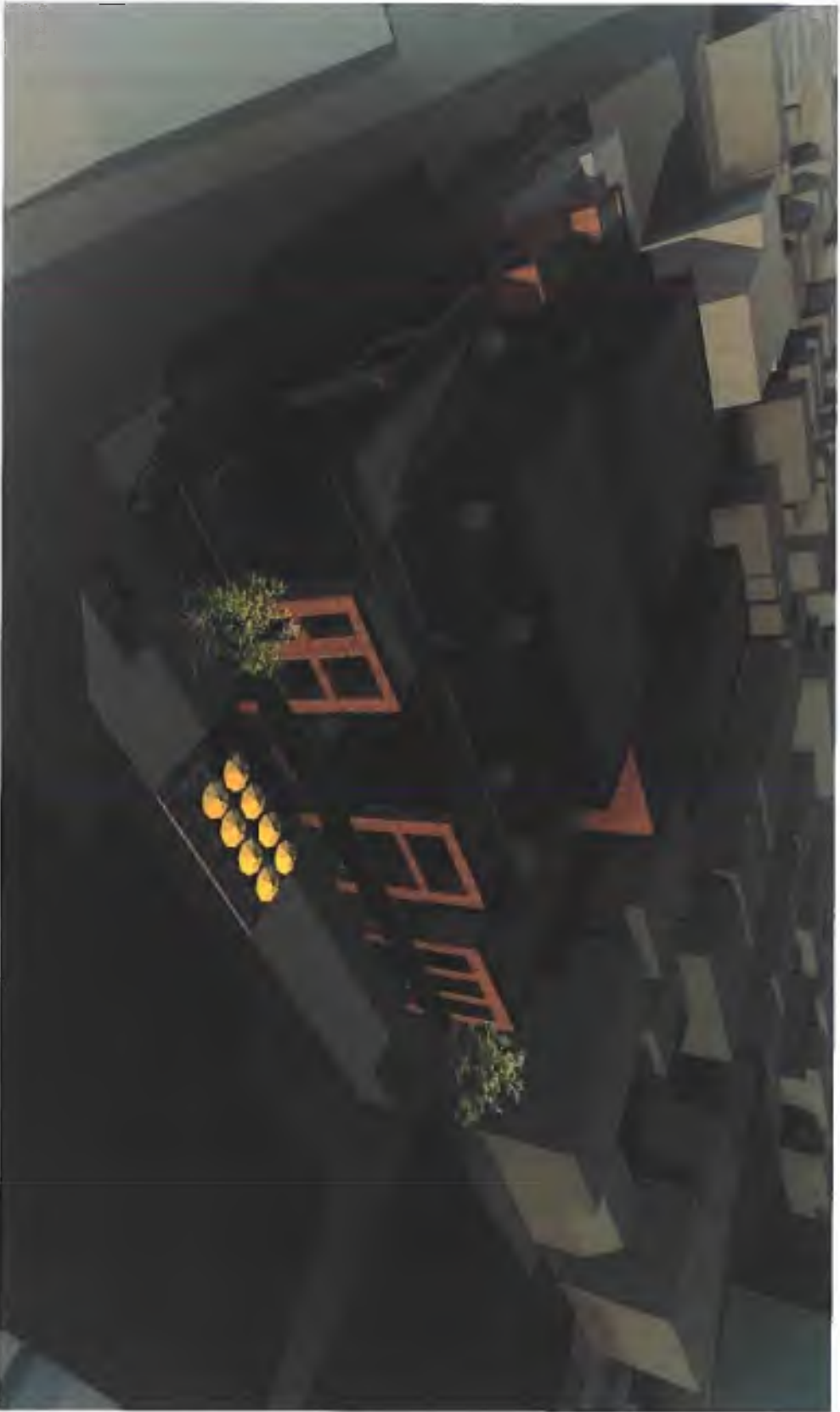
Building 2

- 4 units for floors 1 - 3
- 2 units for floors 4 - 5 (bonus height)
- units ranging 950 sq/ft per floor
- 16 units total.

Building 3

- 5 units for floors 1 - 3
- 3 units for floors 4 - 5 (bonus height)
- units ranging from 915 - 1300 sq/ft per floor
- minus 1 unit for lobby on the main floor
- 20 units total

-  Option 1 Development
-  Existing Buildings to remain
-  Underground Parking Area



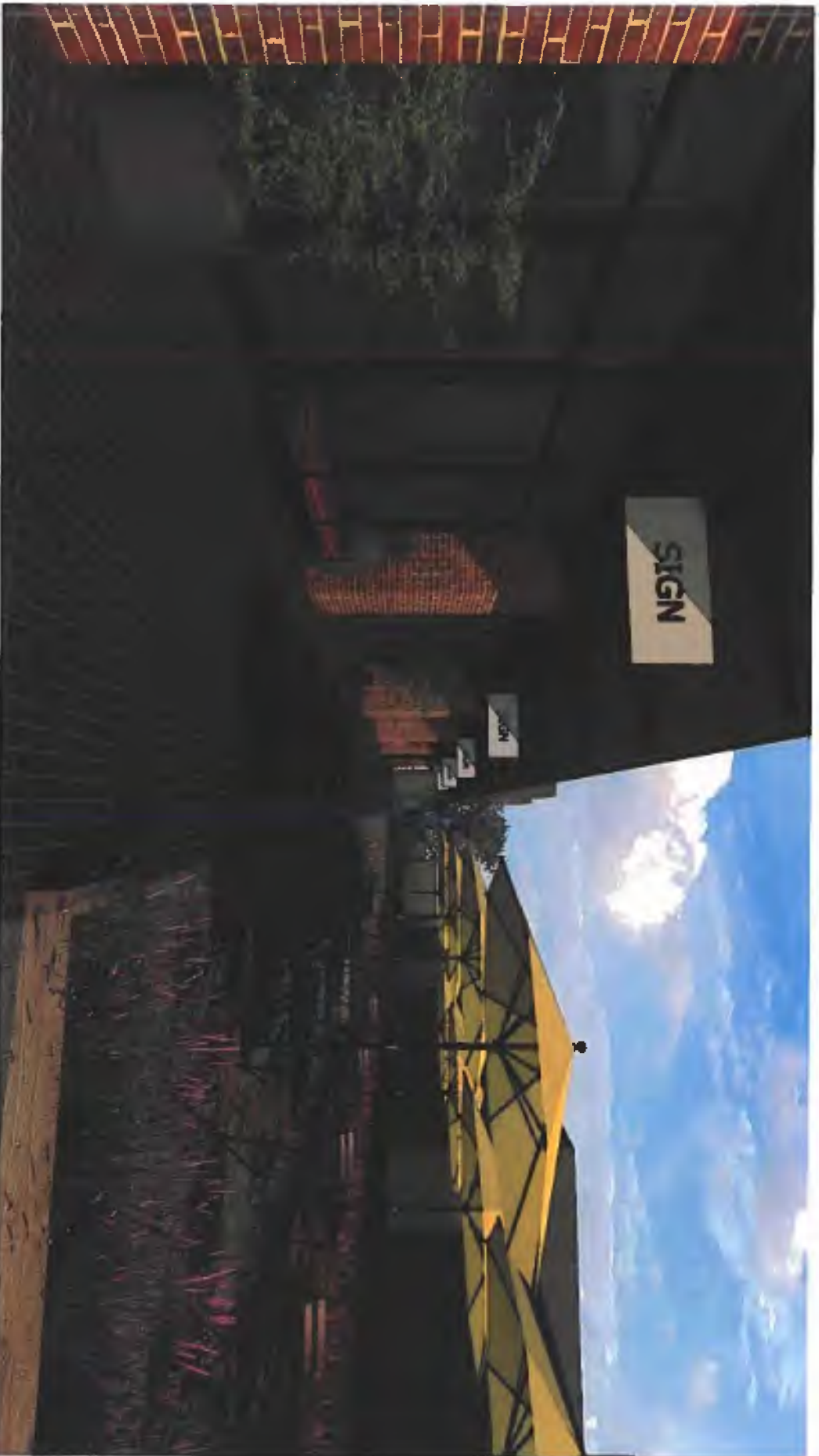
Birds Eye View of New Block

Queen Street Revitalization Project
Dorchester to King Street Block

NINE
YARDS



View of Queen Street

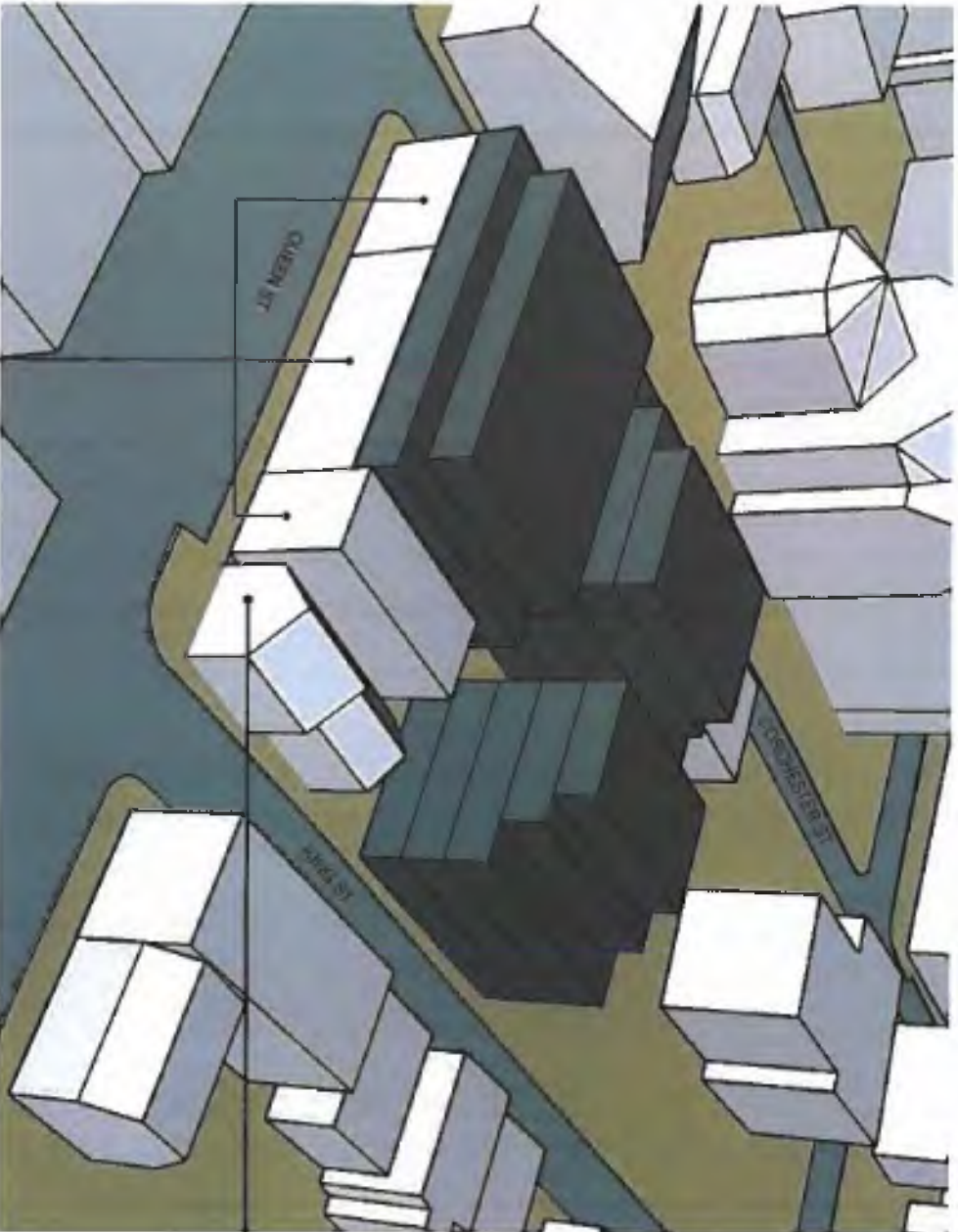


Street Level View of Queen Street

Queen Street Revitalization Project
Dorchester to King Street Block

NINE
YARDS

Option 2 Development

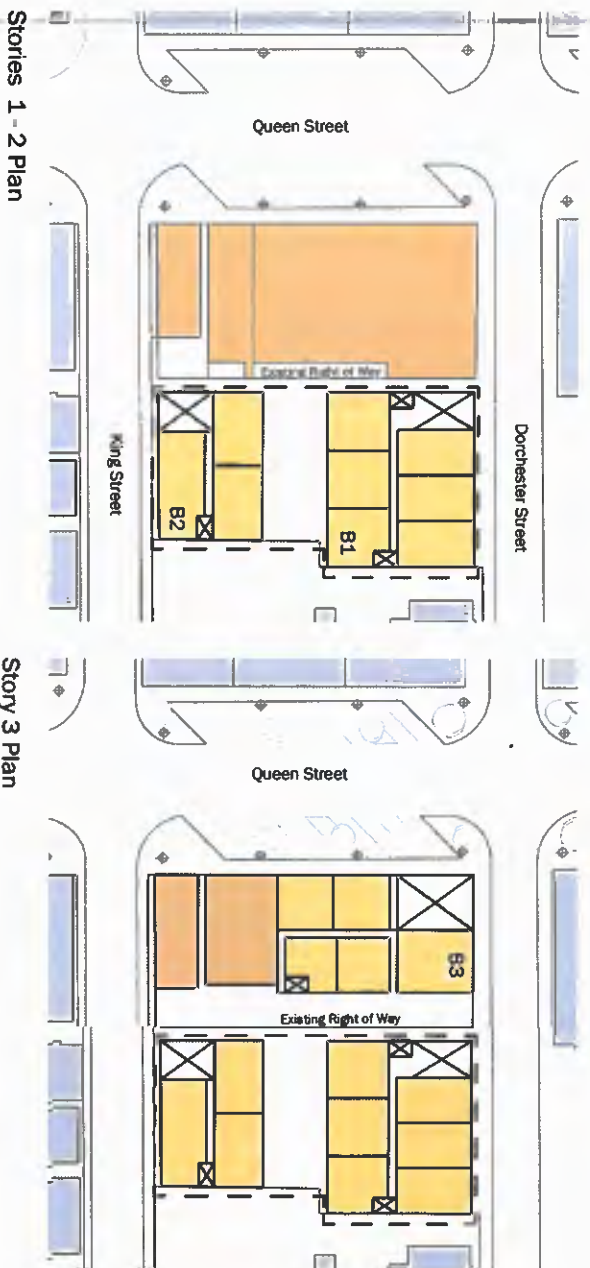


Existing buildings to be renovated

Existing building to remain as is

Design Concept 2

Queen Street Revitalization Project
 Dorchester to King Street Block



Summary:

- Max Height is 15m (49 ft)
- 4 floors, plus approximately 8 extra units with the approval of addition of bonus height

Building 1

- 6 units for floors 1 - 3
- 3 units for floors 4 - 5 (bonus height)
- units ranging from 910-950 sq/ft
- 24 units total

Building 2

- 4 units for floors 1 - 3
- 2 units for floors 4 - 5 (bonus height)
- units ranging 950 sq/ft per floor
- 16 units total.

Building 3

- 5 units for floors 3
- 3 units for floors 4
- units ranging from 915 - 1300 sq/ft per floor
- 8 units total

-  Option 2 Development
-  Existing Buildings to remain
-  Underground Parking Area



Birds Eye View of New Block



View of Queen Street

Queen Street Revitalization Project
Dorchester to King Street Block

NINE
YARDS

Proposals for the City

- Putting all above ground services underground on King and Dorchester between Queen St. and Great George St.
- Performing all water, sewer, and storm sewer connections from buildings to city lines.
- Ensuring that storm sewers are in place, and if not putting them in place to tie in to.
- Building Permit Costs
- Parking will be underground, no cash in lieu of parking if we are deemed to not have enough by City standards.
- Obtain existing right of way on property

Morrison, Greg

From: Shallyn Murray <shallyn@9ystudio.com>
Sent: September 10, 2019 4:26 PM
To: Morrison, Greg
Cc: Forbes, Alex; Quentin Bevan
Subject: Queen Street Revitalization Project
Attachments: Queen Street Revitalization Project.pdf

Hi Greg,

As discussed at our last meeting, please see a detailed final proposal for the Queen Street Block.

Setbacks will be the same as existing buildings. We decided to keep the existing buildings on Queen Street and just renovate them with completely new facades. We are not touching the existing heritage house on the corner.

Proposing a 5 story building facing Dorchester and King with 4th and 5th stories set back.

Any questions, feel free to give me a call. I'm not certain any variances are required on this now but we will need a demolition permit for the back buildings and would like to obtain the right of way behind Queen Street. We would like to get this on the agenda for Octobers meeting.

Thanks,

Shallyn Murray
Architect

NINE YARDS

63 Fitzroy Street
Charlottetown PE
902.566 4449

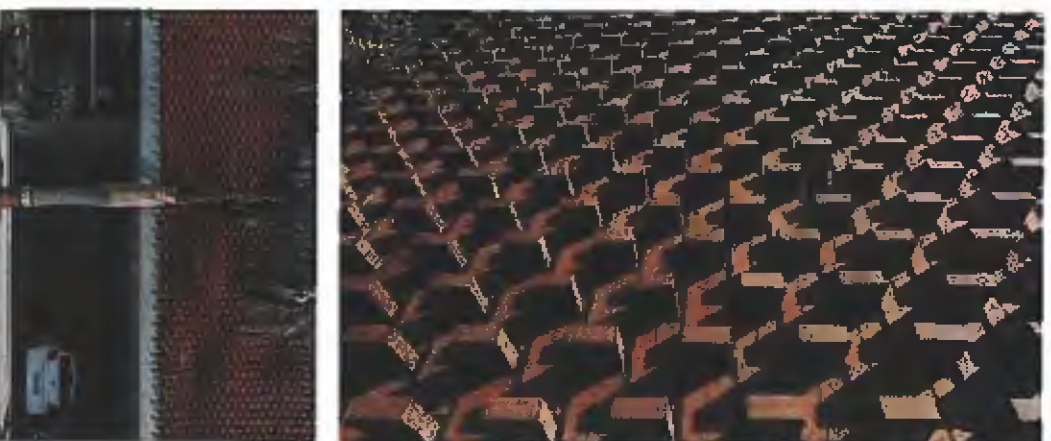
QUEEN STREET REVITALIZATION PROJECT
Preliminary Design



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

INSPIRATION IMAGES

NINE
YARDS

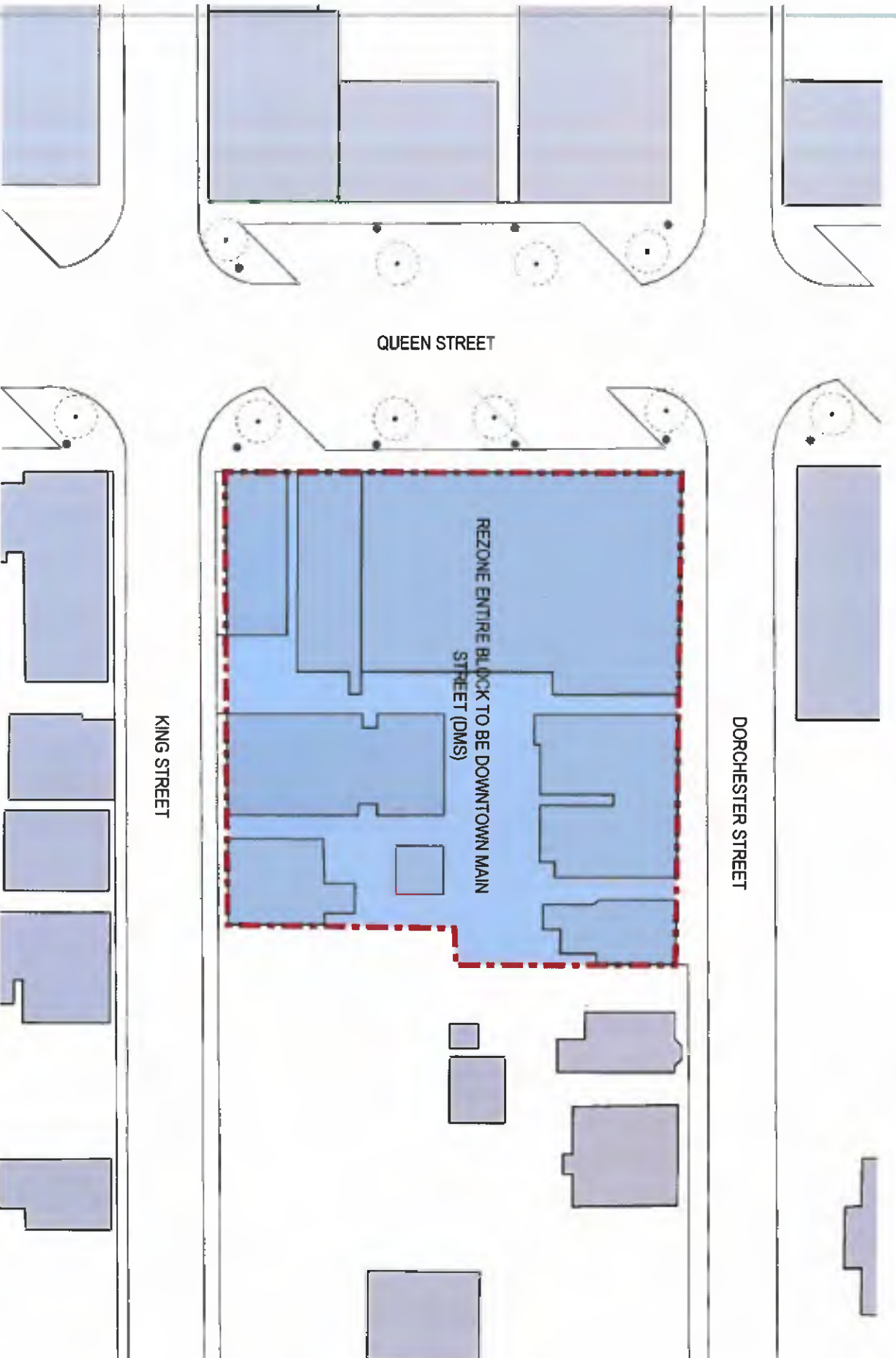


QUEEN STREET REVITALIZATION PROJECT

Preliminary Design

MATERIALS · TEXTURED BRICK PATTERNING

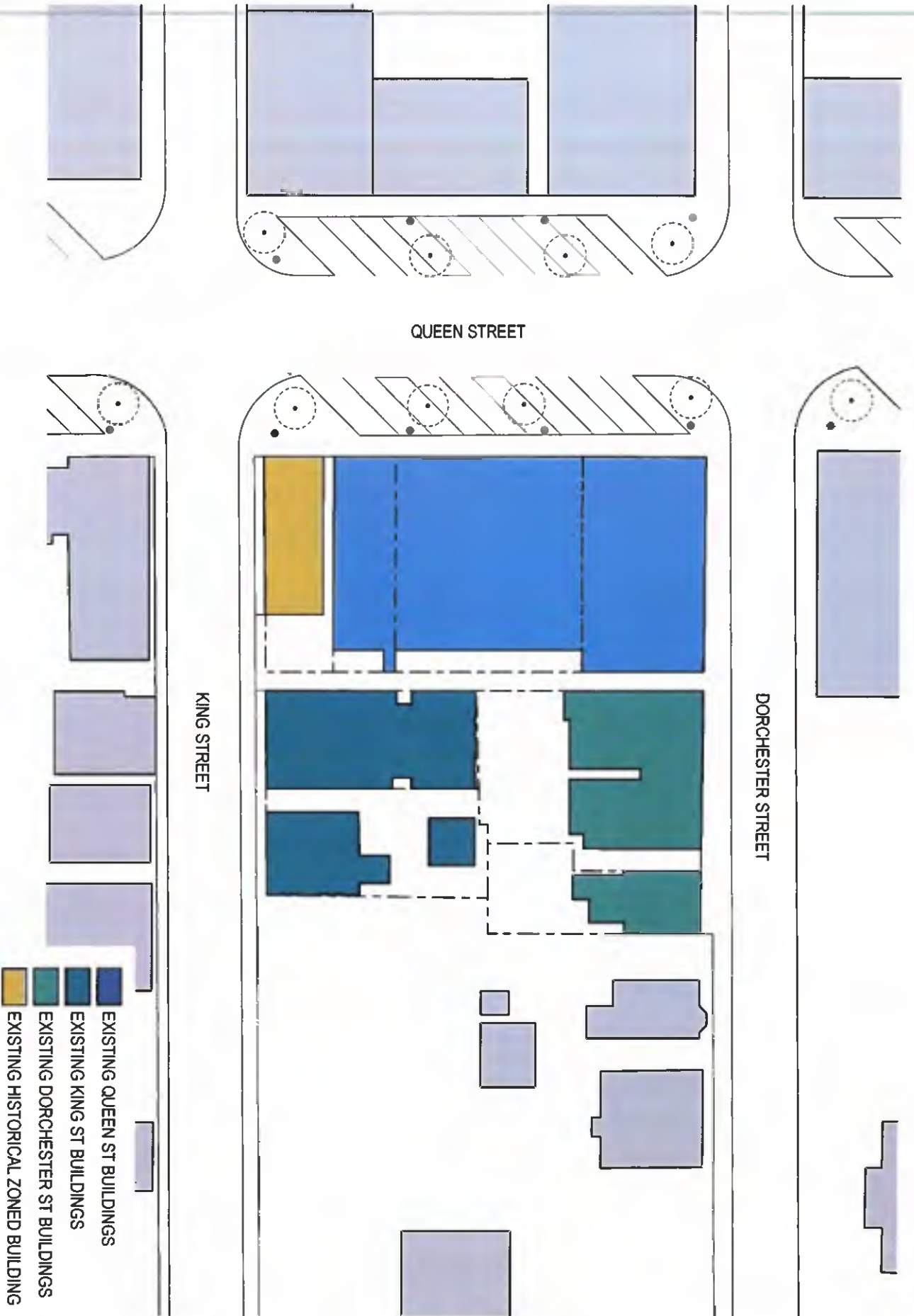
NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

 ZONED - DOWNTOWN MAIN STREET (DMS)

NINE
YARDS





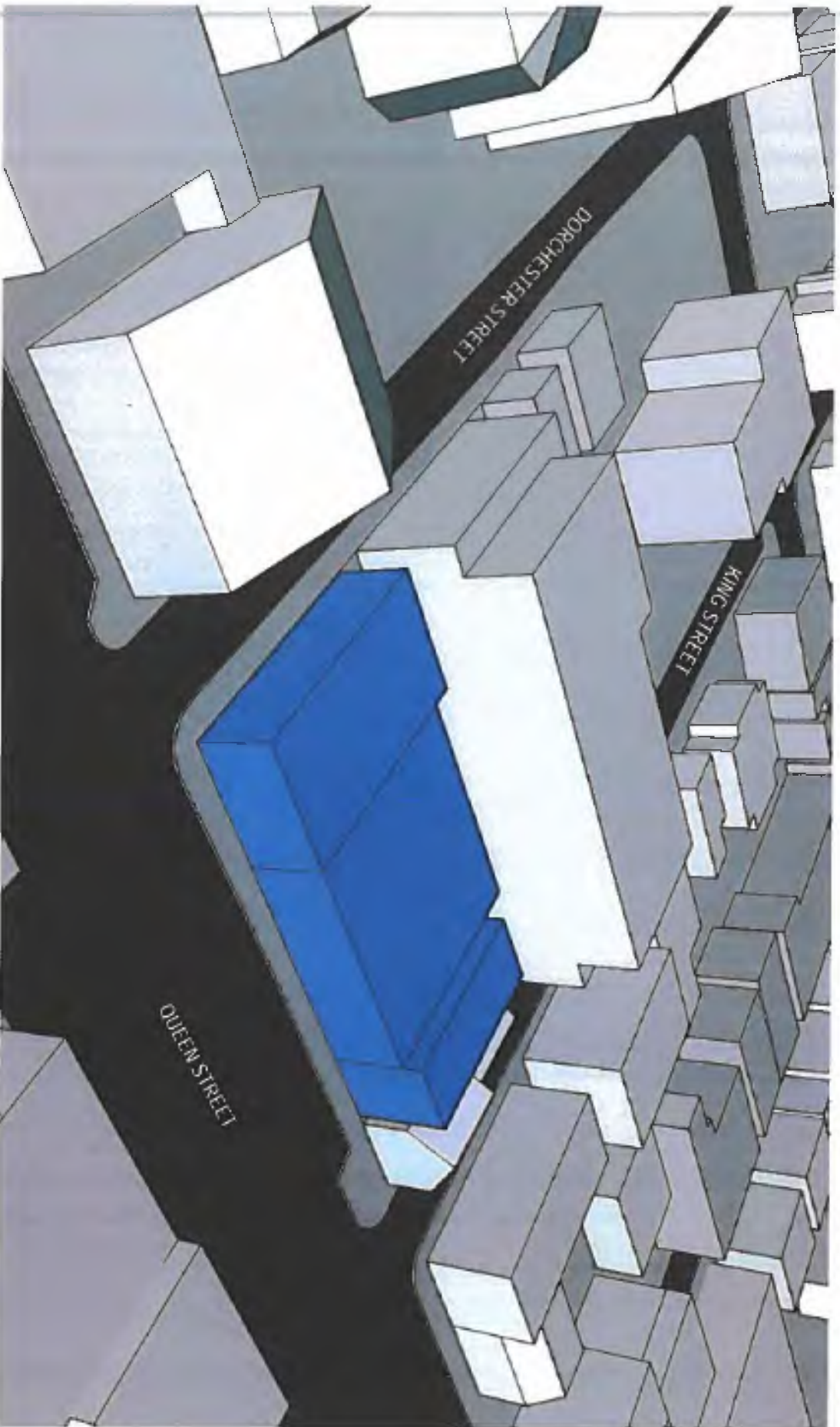
**QUEEN STREET RENOVATION
MAIN FLOOR COMMERCIAL**

SUMMARY:

1) BUILDINGS ON QUEEN STREET
WILL REMAIN AS IS WITH A FULL
RENOVATION AND FACADE UPDATE
TO FIT THE CHARACTER OF THE
SURROUNDING NEIGHBOURHOOD

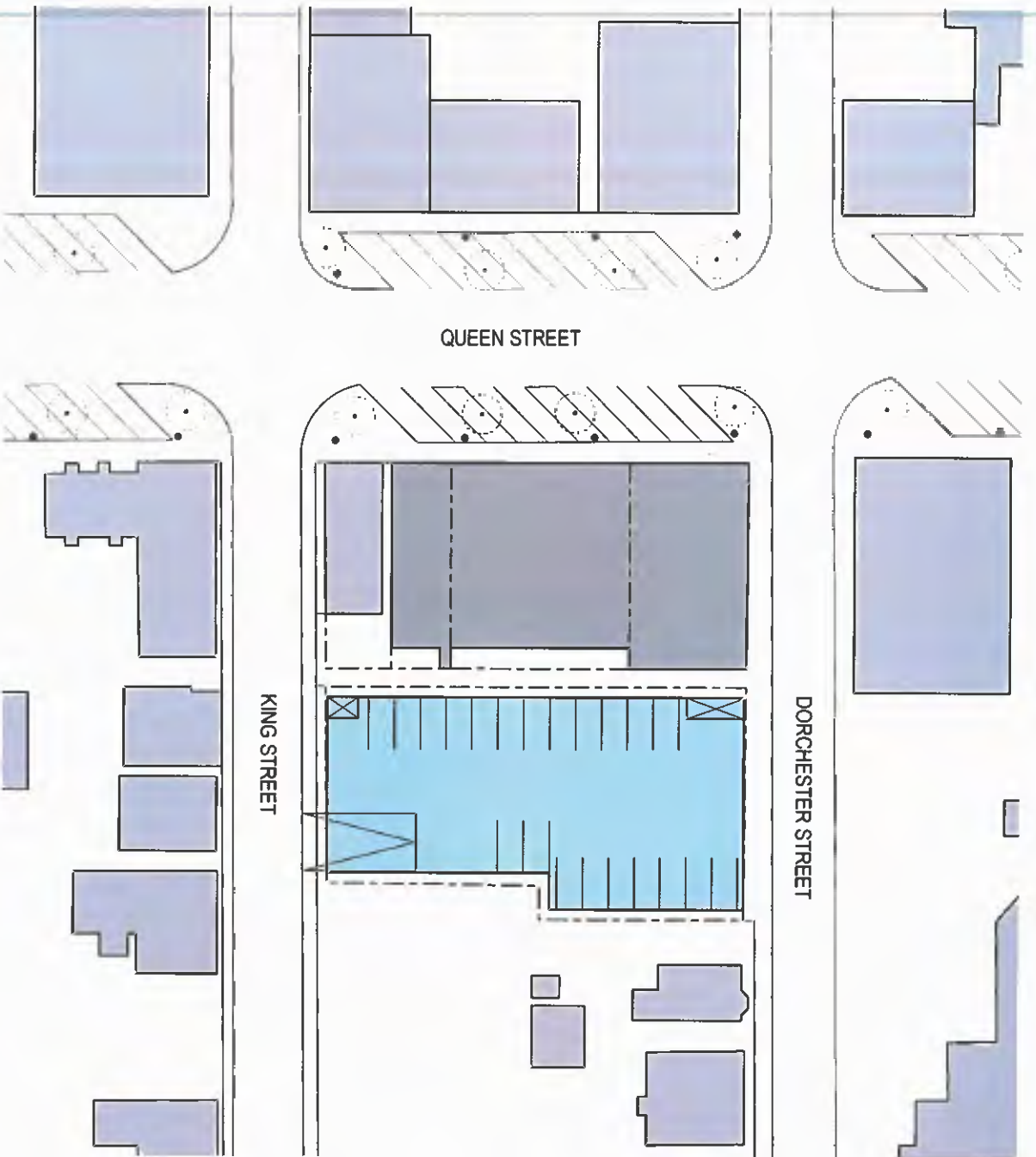
 EXISTING QUEEN STREET BUILDINGS

NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

EXISTING QUEEN STREET BUILDINGS MASSING
NINE
YARDS



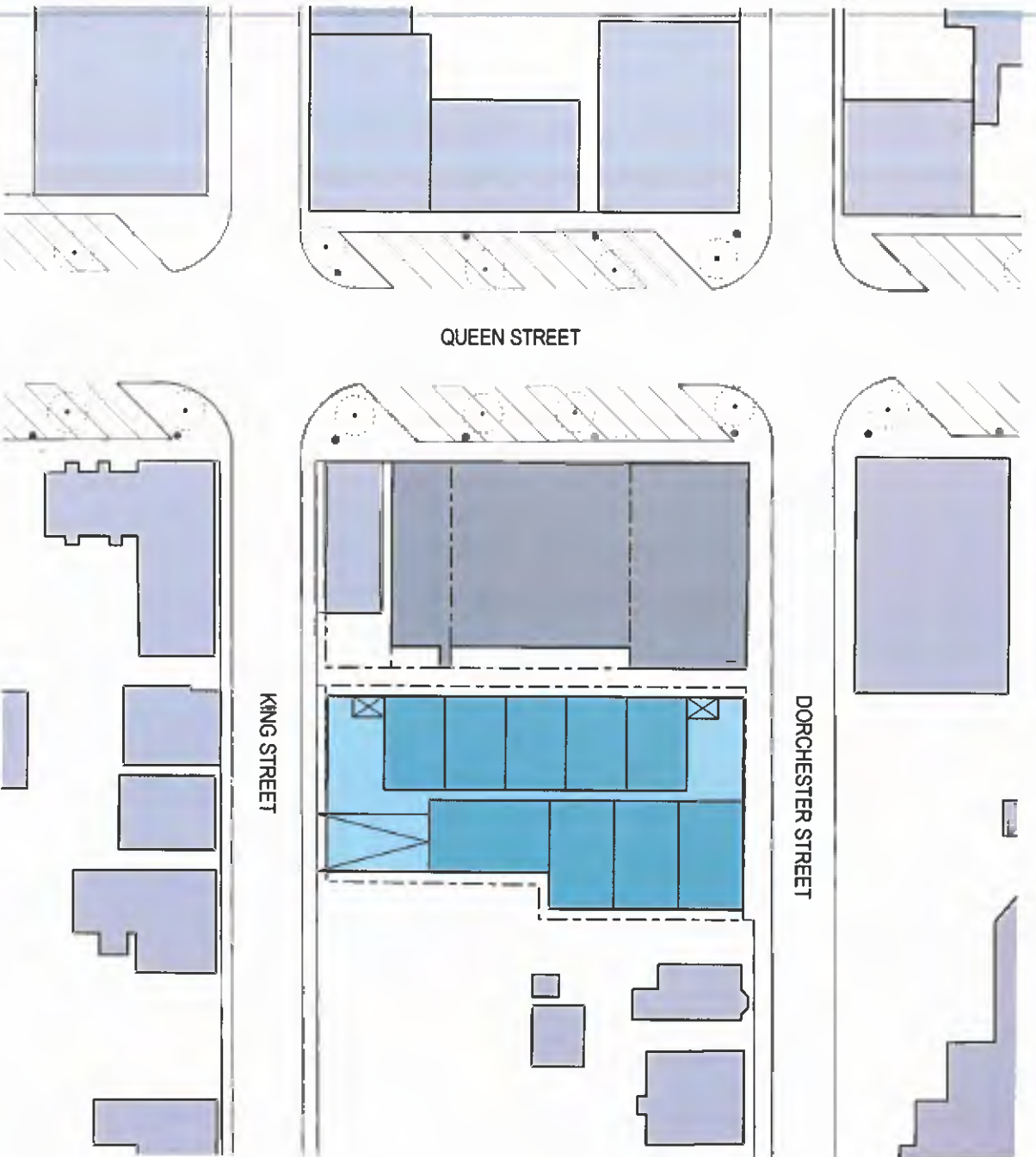
**KING & DORCHESTER ST
UNDERGROUND PARKING LEVEL**

SUMMARY:

- 1) THE BUILDING ON KING AND DORCHESTER STREET WILL HAVE UNDERGROUND PARKING FOR 21 CARS



DORCHESTER & KING STREET BUILDING



**KING & DORCHESTER ST
MAIN FLOOR**

SUMMARY:

- 1) THE MAIN FLOOR WILL HAVE 9 APARTMENTS
- 2) MAX HEIGHT IS 15M (49 FT) - 4 FLOORS, PLUS ADDITIONAL UNITS WITH ADDED BONUS HEIGHT.

-  DORCHESTER & KING STREET BUILDING
-  APARTMENT UNITS

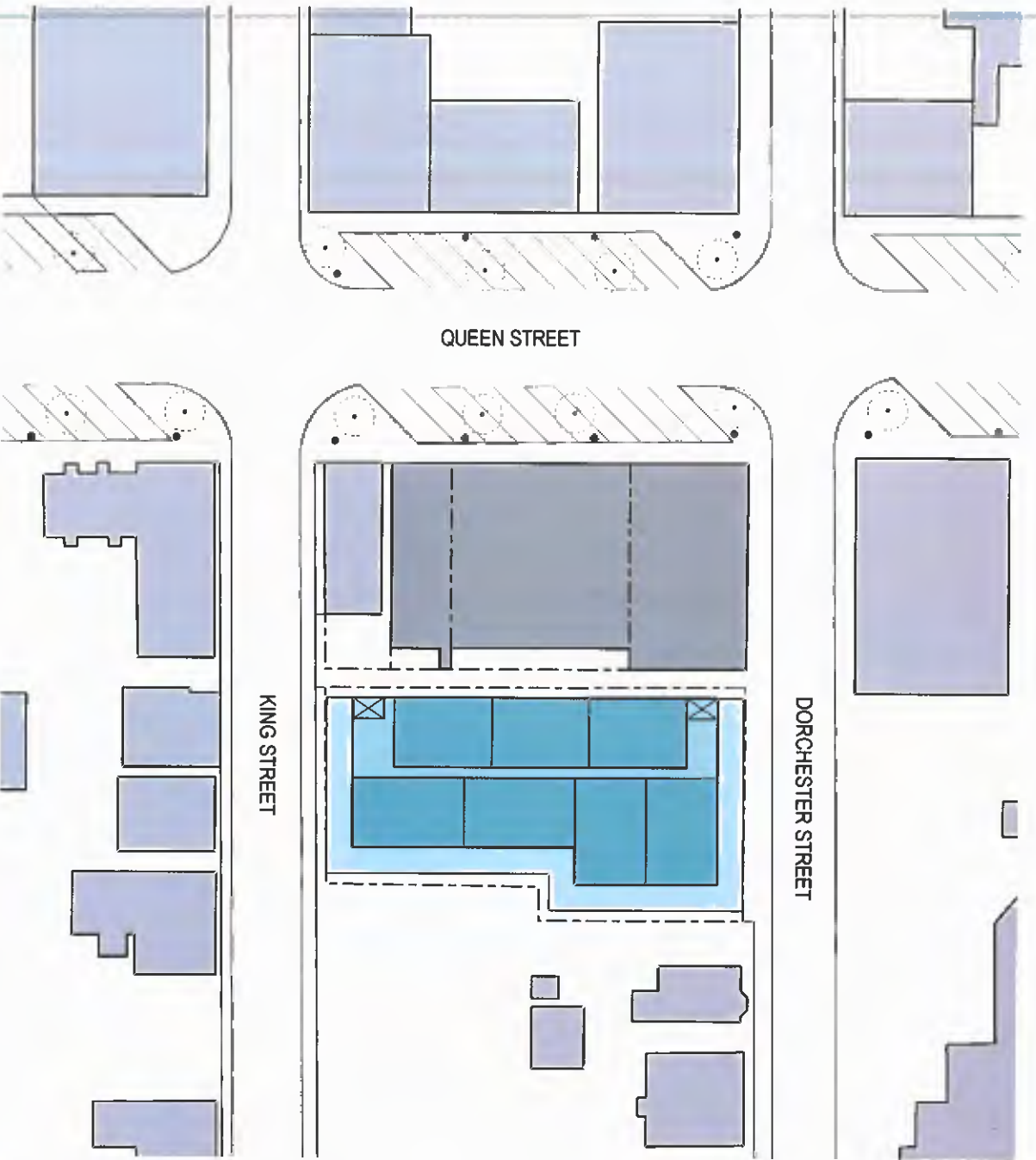


**KING & DORCHESTER ST
2ND & 3RD FLOORS**

SUMMARY:

1) THE SECOND AND THIRD FLOORS
WILL HAVE 10 UNITS

-  DORCHESTER & KING STREET BUILDING
-  APARTMENT UNITS

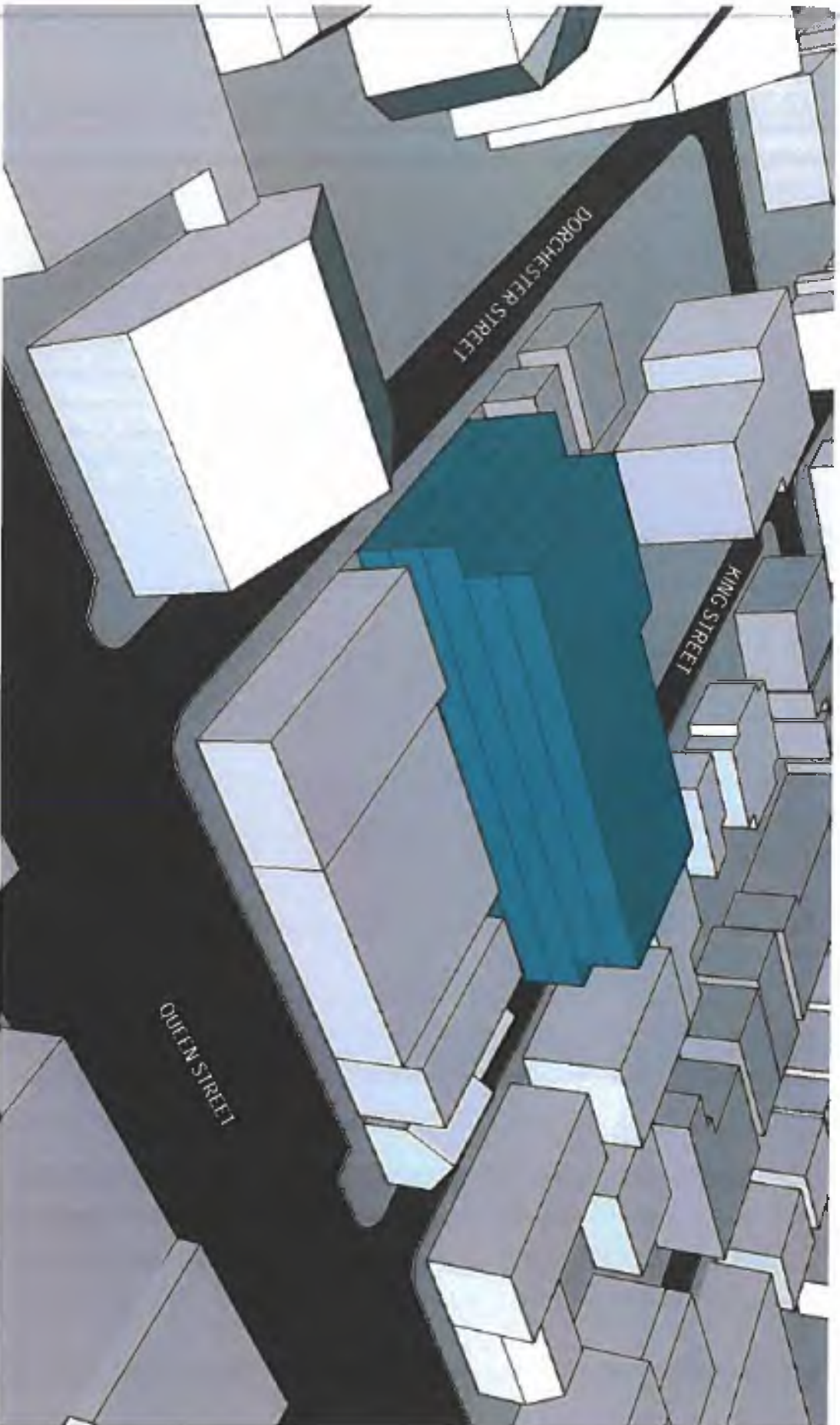


**KING & DORCHESTER ST
4TH & 5TH FLOORS**

SUMMARY:

1) THE 4TH AND 5TH FLOORS WILL HAVE 7 UNITS EACH. THE TOTAL BUILDING IS 143 UNITS

-  DORCHESTER & KING STREET BUILDING
-  APARTMENT UNITS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

DORCHESTER AND KING STREET BUILDING
PROPOSED MASSING CONCEPT
NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

BIRDS EYE VIEW
NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - CORNER OF QUEEN & DORCHESTER STREET

NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - QUEEN STREET

NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - DORCHESTER STREET

NINE
YARDS



Morrison, Greg

From: Quentin Bevan <qbevan@outlook.com>
Sent: September 11, 2019 8:27 AM
To: Shallyn Murray; Morrison, Greg
Cc: Forbes, Alex
Subject: RE: Queen Street Revitalization Project

Thanks Shallyn.

Greg and Alex, when we last met on this in early August you were going to get Todd Saunders to look at it and let us know if there were any requirements from her end. Could you let us know what her comments are?

Quentin

From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: Tuesday, September 10, 2019 4:26 PM
To: Morrison, Greg <gmorrison@charlottetown.ca>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Quentin Bevan <qbevan@outlook.com>
Subject: Queen Street Revitalization Project

Hi Greg,

As discussed at our last meeting, please see a detailed final proposal for the Queen Street Block.

Setbacks will be the same as existing buildings. We decided to keep the existing buildings on Queen Street and just renovate them with completely new facades. We are not touching the existing heritage house on the corner.

Proposing a 5 story building facing Dorchester and King with 4th and 5th stories set back.

Any questions, feel free to give me a call. I'm not certain any variances are required on this now but we will need a demolition permit for the back buildings and would like to obtain the right of way behind Queen Street. We would like to get this on the agenda for Octobers meeting.

Thanks,

Shallyn Murray
 Architect

NINE YARDS

63 Fitzroy Street
 Charlottetown PE
 902.566.4449

Morrison, Greg

From: Shallyn Murray <shallyn@9ystudio.com>
Sent: September 16, 2019 12:01 PM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

See comments below. Thanks Greg!

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-16-19 11:37 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Subject: RE: Queen Street Revitalization Project

Thanks Shallyn. Without yet meeting with Alex and Todd, I've revised my previous email. Let me know if there are any inconsistencies with it at this time.

1. Retain (but renovate) the following three (3) buildings on Queen Street: **yes**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
2. Demolish the following four (4) buildings on Dorchester Street / King Street: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
4. If possible, purchase the City of Charlottetown right-of-way behind Queen Street and assign Downtown Main Street (DMS) Zoning to it. **yes**
5. Consolidate the following four (4) properties: **we will only consolidate 58 queen street to 68 queen street. The heritage home on the end and downtown convenience will remain their own properties.**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
 - City of Charlottetown right-of-way behind Queen Street
6. Consolidate the following four (4) properties: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
7. Bonus Height is required for the proposed building abutting Dorchester Street / King Street. The value of public benefit to allow the fifth floor is \$4.00 per 0.1 sq m of floor area for the floors requiring bonus height. To allow you to apply for bonus height for the fifth floor (or any portion above 39.4 ft) you would need a variance as you do not have the required lot frontage of 98.4 ft to be eligible. **yes**
8. Based upon the plans, a variance would also be required to reduce the side yard stepback requirement of 18 ft to 0 ft for the fifth floor (or any portion of above 39.4 ft). **agreed**
9. Design Review is required for the proposed building abutting Dorchester Street / King Street.

I will discuss the requirement for Design Review for the building along Queen Street with Alex. Section 3.14.1.c. of the Zoning & Development By-law states that it is required for a development application that involved a consolidation.

10. I would anticipate Council requiring a Development Agreement be signed for the proposed development.
11. Encroachment Agreement would be required for the proposed canopy along Queen Street and a portion of Dorchester Street. This can be included in the Development Agreement if one is required.
12. Building & Development Permits as well as Signage Permits would take place following these approvals.

Based upon your proposal, some regulations in the Zoning & Development By-law to note:

- Section 6.5.2: Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.
- Green Roof means an extension of a roof of a Building or Structure providing usable outdoor amenity space for building occupants and is designed to allow vegetation to grow in a growing medium.
- Section 43.1.7 & Section 43.3.e: One (1) standard parking space is required for every two (2) units plus one (1) mobility disabled space is required per 5-30 units.

With 43 units in the proposed building abutting Dorchester Street / King Street, 22 standard parking spaces and two (2) mobility disabled spaces would be required. The underground parking contains 21 standard parking spaces. Cash-in-lieu of parking at \$6,000 a space would be required for the remaining three (3) spaces for a total of \$18,000.

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



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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 16, 2019 10:51 AM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

Hi Greg,

We are going to go the bonus height and variances route, rather than rezoning.

Thanks,

Shallyn Murray

Architect

NINE YARDS

63 Fitzroy Street
Charlottetown PE
902 566 4449

From: Morrison, Greg <gmorrison@charlottetown.ca>

Sent: September-16-19 8:51 AM

To: Shallyn Murray <shallyn@9ystudio.com>

Cc: Forbes, Alex <aforbes@charlottetown.ca>; Quentin Bevan <qbevan@outlook.com>; Saunders, Todd <tsaunders@charlottetown.ca>

Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

Thanks for the email. So to clarify:

- You are requesting to retain the Downtown Mixed-Use Neighbourhood (DMUN) Zoning for the four (4) properties on Dorchester Street / King Street? I think the confusion on my end comes from Page 4 of the attached document showing the entire block being rezoned to the Downtown Main Street (DMS) Zone.
- Is your intention to consolidate the City of Charlottetown right-of-way behind Queen Street with the four (4) properties on Dorchester Street / King Street as you do not anticipate consolidating the three (3) properties on Queen Street?
- If you do not rezone the four (4) properties on Dorchester Street / King Street to the DMS Zone, the maximum height in the DMUN Zone is 39.4 ft; so bonus height would be required and in turn, you will likely require a couple variances. The maximum height for the DMS Zone is 49.2 ft.
- If there is no room for landscaping on the property itself, a green roof satisfying the landscaping requirement would be necessary.

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



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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 13, 2019 5:52 PM
To: Morrison, Greg
Cc: Forbes, Alex; Quentin Bevan; Saunders, Todd
Subject: RE: Queen Street Revitalization Project

Hi Greg,

See my comments below in red and a couple questions:

Thanks,

Shallyn Murray
 Architect

NINE YARDS
 63 Fitzroy Street
 Charlottetown PE
 902.566.4449

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-13-19 3:48 PM
To: Shallyn Murray <shallyn@9ystudio.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Quentin Bevan <qbevan@outlook.com>; Saunders, Todd <tsaunders@charlottetown.ca>
Subject: RE: Queen Street Revitalization Project

Thanks Shallyn.

I'd like to sit down with Alex & Todd next week to discuss, but in the meantime, I wanted to send an email to ensure I understand the request fully:

1. Retain (but renovate) the following three (3) buildings on Queen Street: **yes**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
2. Demolish the following four (4) buildings on Dorchester Street / King Street: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)

- 91 King Street (PID #336909)
- 93 King Street (PID #336917)

3. Rezone the following four (4) properties on Dorchester Street / King Street from the Downtown Mixed Use Neighbourhood (DMUN) Zone to the Downtown Main Street (DMS) Zone. *Is this necessary now that they are going to remain separate?*
 - 94-98 Dorchester Street (PID #336974)
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 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
4. Purchase the City of Charlottetown right-of-way behind Queen Street and rezone it to the Downtown Main Street (DMS) Zone. *yes*
5. Consolidate the following eight (8) properties: *Again – I think we would only need to consolidate the Dorchester and king properties. I don't see any need to consolidate the Queen Street Properties.*
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6. Bonus Height is required for the proposed building abutting Dorchester Street / King Street. The value of public benefit to allow the fifth floor is \$4.00 per 0.1 sq m of floor area for the floors requiring bonus height. *We are hoping to fit 5 stories in 49ft which would not require a height bonus?*
7. Design Review is required for the proposed building abutting Dorchester Street / King Street. *Agreed*

I will discuss the requirement for Design Review for the building along Queen Street with Alex. Section 3.14.1.c. of the Zoning & Development By-law states that it is required for a development application that involved a consolidation.
8. I would anticipate Council requiring a Development Agreement be signed for the proposed development. *Agreed*
9. Encroachment Agreement would be required for the proposed canopy along Queen Street and a portion of Dorchester Street. This can be included in the Development Agreement if one is required. *Okay, I think this is important for enhancing Queen Street.*
10. I don't see the need for any variances, but I will confirm this after meeting with Alex & Todd.
11. Building & Development Permits as well as Signage Permits would take place following these approvals.

Based upon your proposal, some regulations in the Zoning & Development By-law to note:

- Section 4.12.3: *Where more than one main Building is permitted on a Lot, the minimum distance between Buildings shall be 6.0 m (19.7 ft).*

I don't have a property survey plan to confirm there will be 19.7 ft between buildings. – *In this case, there wouldn't be more than one building on a lot.*

- Section 6.5.2: *Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.*
- Green Roof *means an extension of a roof of a Building or Structure providing usable outdoor amenity space for building occupants and is designed to allow vegetation to grow in a growing medium.*

It does not appear that any landscaping is provided on property at this time? *I don't think there is any space for this.*

- Section 30.2: Rear/Side Yard (Minimum) - *Not required unless the Side or Rear Yard is abutting a residential, DN or DMU property; in which case the minimum Setback shall be equal to the Setback of the Building on the adjacent property from the shared Lot Line, OR 6.0 m (19.7 ft) whichever is less.*

The consolidated property will be abutting the Downtown Mixed-Use Neighbourhood (DMUN) Zone so my interpretation is that no rear yard setback is required.

- Section 43.1.7 & Section 43.3.e: One (1) standard parking space is required for every two (2) units plus one (1) mobility disabled space is required per 5-30 units.

With 43 units in the proposed building abutting Dorchester Street / King Street, 22 standard parking spaces and two (2) mobility disabled spaces would be required. The underground parking contains 21 standard parking spaces. Cash-in-lieu of parking at \$6,000 a space would be required for the remaining three (3) spaces for a total of \$18,000. – *Thanks – once we get into more detail we may be able to fit the additional parking spaces underground depending on ramp size etc.. If not we will sort out the spaces with the City.*

What is the rationale for requesting the rezoning from the Downtown Mixed-Use Neighbourhood (DMUN) Zone to the Downtown Main Street (DMS) Zone? I believe if the right-of-way remained with the City and the three (3) properties were consolidated in the DMS Zone and the remaining four (4) properties were consolidated in the DMUN Zone, Council would only have to approve the consolidations and two (2) other variances in my opinion. Side yard setbacks would need to be 6.0 ft but the front yard setback would essentially be 0 ft because that is the minimum front yard setback which exists along the street. The variances would be:

1. To allow you to apply for bonus height for the fourth and fifth floors as you do not have the required lot frontage of 98.4 ft to be eligible; and
2. To reduce the required side yard setback requirement of 18 ft to 0 ft for the fourth and fifth floors.

If you notice any errors above, please let me know.

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
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gmorrison@charlottetown.ca
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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]

Sent: September 10, 2019 4:26 PM

To: Morrison, Greg

Cc: Forbes, Alex; Quentin Bevan

Subject: Queen Street Revitalization Project

Hi Greg,

As discussed at our last meeting, please see a detailed final proposal for the Queen Street Block.

Setbacks will be the same as existing buildings. We decided to keep the existing buildings on Queen Street and just renovate them with completely new facades. We are not touching the existing heritage house on the corner.

Proposing a 5 story building facing Dorchester and King with 4th and 5th stories set back.

Any questions, feel free to give me a call. I'm not certain any variances are required on this now but we will need a demolition permit for the back buildings and would like to obtain the right of way behind Queen Street. We would like to get this on the agenda for Octobers meeting.

Thanks,

Shallyn Murray

Architect

NINEYARDS

63 Fitzroy Street
Charlottetown PE
902.566.4449

Morrison, Greg

From: Adams, Scott
Sent: September 17, 2019 8:23 AM
To: Morrison, Greg
Subject: RE: Queen Street Redevelopment

Hi Greg,

I have 2 concerns

- 1) What is the elevation above the sidewalk? I notice they are looking for permission to have hanging signs on the underside of the canopy.
- 2) How do they plan to handle storm water collected on the overhang?
- 3) Their rendering does not include street lighting. Does the overhang impact the light fixtures.

Thank you,

Scott Adams, MEng., P.Eng.
Manager of Public Works

City of Charlottetown
 PO Box 98, 199 Queen Street
 Charlottetown, Prince Edward Island
 Canada, C1A 7K2
 Office: 902-629-4009
 Fax: 902-894-7094

sadams@charlottetown.ca
www.charlottetown.ca



From: Morrison, Greg
Sent: September 17, 2019 8:08 AM
To: Adams, Scott
Subject: Queen Street Redevelopment

Hi Scott,

We received a rendering for a redevelopment of Queen Street block between Dorchester Street & King Street. They are looking to construct a permanent canopy over the sidewalk. Do you have any comments at this time? It is only preliminary and has not received any approvals from our Department or Council.



Thanks,

**Greg Morrison, MCIP
Planner II**

City of Charlottetown
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Canada C1A 7K2
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Morrison, Greg

From: Morrison, Greg
Sent: September 18, 2019 11:54 AM
To: 'Shallyn Murray'
Subject: RE: Queen Street Revitalization Project

Sorry, please note we would need two consolidation applications – one for King Street / Dorchester Street and one for Queen Street. Total fee would be \$200 (\$100 for each consolidation).

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
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From: Morrison, Greg
Sent: September 18, 2019 11:51 AM
To: 'Shallyn Murray'
Cc: Forbes, Alex; Saunders, Todd
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

I spoke with Todd & Alex this morning about your application.

We determined that two variances are required:

1. *Reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 80.1 ft; and*
2. *Reduce the minimum side yard setback for the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street from 18.0 ft to approximately ??? ft.*

Letters for these variances must be sent out right away. Before doing so, I require the following information / confirmation:

- Variance application form submitted (see attached);
- Variance application fee is \$450 (\$400 for first variance and \$50 for each other variance);
- Lot Consolidation application form submitted (see attached);
- Lot Consolidation application fee is \$100;
- Confirmation that the fifth floor is the only one that requires bonus height and all four other floors will be under 39.4 ft in height;
- Confirmation of what the proposed setback will be from the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street; and
- Confirmation that 18.0 ft exists between the fifth floor of the proposed building to 104 Dorchester Street (PID #336958) & 95 King Street (PID #336925) property lines.

I have also attached the Demolition application to this email.

Further to my email on September 16, 2019, I wanted to confirm that Design Review is required for both buildings. The renovations on Queen Street requires Design Review because the application involved a lot consolidation (Section 3.14.1.c.).

Finally, I will follow up with the other Departments regarding the acquisition of the right-of-way as well as the canopy encroachment onto Queen Street / Dorchester Street.

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
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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 16, 2019 12:01 PM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

See comments below. Thanks Greg!

From: Morrison, Greg <gmorrison@charlottetown.ca>

Sent: September-16-19 11:37 AM

To: Shallyn Murray <shallyn@9ystudio.com>

Subject: RE: Queen Street Revitalization Project

Thanks Shallyn. Without yet meeting with Alex and Todd, I've revised my previous email. Let me know if there are any inconsistencies with it at this time.

1. Retain (but renovate) the following three (3) buildings on Queen Street: **yes**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
2. Demolish the following four (4) buildings on Dorchester Street / King Street: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
4. If possible, purchase the City of Charlottetown right-of-way behind Queen Street and assign Downtown Main Street (DMS) Zoning to it. **yes**
5. Consolidate the following four (4) properties: **we will only consolidate 58 queen street to 68 queen street. The heritage home on the end and downtown convenience will remain their own properties.**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
 - City of Charlottetown right-of-way behind Queen Street
6. Consolidate the following four (4) properties: **yes**
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7. Bonus Height is required for the proposed building abutting Dorchester Street / King Street. The value of public benefit to allow the fifth floor is \$4.00 per 0.1 sq m of floor area for the floors requiring bonus height. To allow you to apply for bonus height for the fifth floor (or any portion above 39.4 ft) you would need a variance as you do not have the required lot frontage of 98.4 ft to be eligible. **yes**
8. Based upon the plans, a variance would also be required to reduce the side yard setback requirement of 18 ft to 0 ft for the fifth floor (or any portion of above 39.4 ft). **agreed**
9. Design Review is required for the proposed building abutting Dorchester Street / King Street.

I will discuss the requirement for Design Review for the building along Queen Street with Alex. Section 3.14.1.c. of the Zoning & Development By-law states that it is required for a development application that involved a consolidation.
10. I would anticipate Council requiring a Development Agreement be signed for the proposed development.
11. Encroachment Agreement would be required for the proposed canopy along Queen Street and a portion of Dorchester Street. This can be included in the Development Agreement if one is required.
12. Building & Development Permits as well as Signage Permits would take place following these approvals.

Based upon your proposal, some regulations in the Zoning & Development By-law to note:

- Section 6.5.2: Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.
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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
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Shallyn Murray
Architect

NINE YARDS

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Sent: September-16-19 8:51 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Quentin Bevan <gbevan@outlook.com>; Saunders, Todd <tsaunders@charlottetown.ca>
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

Thanks for the email. So to clarify:

- You are requesting to retain the Downtown Mixed-Use Neighbourhood (DMUN) Zoning for the four (4) properties on Dorchester Street / King Street? I think the confusion on my end comes from Page 4 of the attached document showing the entire block being rezoned to the Downtown Main Street (DMS) Zone.
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- If there is no room for landscaping on the property itself, a green roof satisfying the landscaping requirement would be necessary.

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Shallyn Murray
 Architect

NINE YARDS

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 902.566.4449

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-13-19 3:48 PM
To: Shallyn Murray <shallyn@9ystudio.com>
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Subject: RE: Queen Street Revitalization Project

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 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)

4. Purchase the City of Charlottetown right-of-way behind Queen Street and rezone it to the Downtown Main Street (DMS) Zone. **yes**
5. Consolidate the following eight (8) properties: **Again – I think we would only need to consolidate the Dorchester and king properties. I don't see any need to consolidate the Queen Street Properties.**
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I don't have a property survey plan to confirm there will be 19.7 ft between buildings. – **In this case, there wouldn't be more than one building on a lot.**

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- *Green Roof means an extension of a roof of a Building or Structure providing usable outdoor amenity space for building occupants and is designed to allow vegetation to grow in a growing medium.*

It does not appear that any landscaping is provided on property at this time? **I don't think there is any space for this.**

- Section 30.2: *Rear/Side Yard (Minimum) - Not required unless the Side or Rear Yard is abutting a residential, DN or DMU property; in which case the minimum Setback shall be equal to the Setback of the Building on the adjacent property from the shared Lot Line, OR 6.0 m (19.7 ft) whichever is less.*

The consolidated property will be abutting the Downtown Mixed-Use Neighbourhood (DMUN) Zone so my interpretation is that no rear yard setback is required.

- **Section 43.1.7 & Section 43.3.e:** One (1) standard parking space is required for every two (2) units plus one (1) mobility disabled space is required per 5-30 units.

With 43 units in the proposed building abutting Dorchester Street / King Street, 22 standard parking spaces and two (2) mobility disabled spaces would be required. The underground parking contains 21 standard parking spaces. Cash-in-lieu of parking at \$6,000 a space would be required for the remaining three (3) spaces for a total of \$18,000. – Thanks – once we get into more detail we may be able to fit the additional parking spaces underground depending on ramp size etc.. If not we will sort out the spaces with the City.

What is the rationale for requesting the rezoning from the Downtown Mixed-Use Neighbourhood (DMUN) Zone to the Downtown Main Street (DMS) Zone? I believe if the right-of-way remained with the City and the three (3) properties were consolidated in the DMS Zone and the remaining four (4) properties were consolidated in the DMUN Zone, Council would only have to approve the consolidations and two (2) other variances in my opinion. Side yard setbacks would need to be 6.0 ft but the front yard setback would essentially be 0 ft because that is the minimum front yard setback which exists along the street. The variances would be:

1. To allow you to apply for bonus height for the fourth and fifth floors as you do not have the required lot frontage of 98.4 ft to be eligible; and
2. To reduce the required side yard setback requirement of 18 ft to 0 ft for the fourth and fifth floors.

If you notice any errors above, please let me know.

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



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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 10, 2019 4:26 PM
To: Morrison, Greg
Cc: Forbes, Alex; Quentin Bevan
Subject: Queen Street Revitalization Project

Hi Greg,

As discussed at our last meeting, please see a detailed final proposal for the Queen Street Block.

Setbacks will be the same as existing buildings. We decided to keep the existing buildings on Queen Street and just renovate them with completely new facades. We are not touching the existing heritage house on the corner.

Proposing a 5 story building facing Dorchester and King with 4th and 5th stories set back.

Any questions, feel free to give me a call. I'm not certain any variances are required on this now but we will need a demolition permit for the back buildings and would like to obtain the right of way behind Queen Street. We would like to get this on the agenda for Octobers meeting.

Thanks,

Shallyn Murray

Architect

NINE YARDS

63 Fitzroy Street
Charlottetown PE
902 566 4449

Morrison, Greg

From: Shallyn Murray <shallyn@9ystudio.com>
Sent: September 18, 2019 12:13 PM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

Thanks Greg, we are filling them out now and will get them back to you asap.

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-18-19 11:51 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Saunders, Todd <tsaunders@charlottetown.ca>
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

I spoke with Todd & Alex this morning about your application.

We determined that two variances are required:

1. *Reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 80.1 ft; and*
2. *Reduce the minimum side yard setback for the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street from 18.0 ft to approximately ??? ft.*

Letters for these variances must be sent out right away. Before doing so, I require the following information / confirmation:

- Variance application form submitted (see attached);
- Variance application fee is \$450 (\$400 for first variance and \$50 for each other variance);
- Lot Consolidation application form submitted (see attached);
- Lot Consolidation application fee is \$100;
- Confirmation that the fifth floor is the only one that requires bonus height and all four other floors will be under 39.4 ft in height;
- Confirmation of what the proposed setback will be from the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street; and
- Confirmation that 18.0 ft exists between the fifth floor of the proposed building to 104 Dorchester Street (PID #336958) & 95 King Street (PID #336925) property lines.

I have also attached the Demolition application to this email.

Further to my email on September 16, 2019, I wanted to confirm that Design Review is required for both buildings. The renovations on Queen Street requires Design Review because the application involved a lot consolidation (Section 3.14.1.c.).

Finally, I will follow up with the other Departments regarding the acquisition of the right-of-way as well as the canopy encroachment onto Queen Street / Dorchester Street.

Thanks,

Greg Morrison, MCIP
Planner II

Morrison, Greg

From: Morrison, Greg
Sent: September 18, 2019 2:40 PM
To: 'Shallyn Murray'
Subject: RE: Queen Street Revitalization Project

No, demolition permits do not need to be submitted at this time.

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
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From: Shallyn Murray [mailto:shallyn@9ystudio.com]
Sent: September 18, 2019 2:38 PM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

Greg,

DO we need to do the demo permit now?

We aren't sure when we will be demolishing yet etc.

Thanks,

Shallyn Murray
 Architect

NINEYARDS
 63 Fitzroy Street

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-18-19 11:51 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Saunders, Todd <tsaunders@charlottetown.ca>
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

I spoke with Todd & Alex this morning about your application.

We determined that two variances are required:

1. *Reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 80.1 ft; and*
2. *Reduce the minimum side yard setback for the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street from 18.0 ft to approximately ??? ft.*

Letters for these variances must be sent out right away. Before doing so, I require the following information / confirmation:

- Variance application form submitted (see attached);
- Variance application fee is \$450 (\$400 for first variance and \$50 for each other variance);
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- Lot Consolidation application fee is \$100;
- Confirmation that the fifth floor is the only one that requires bonus height and all four other floors will be under 39.4 ft in height;
- Confirmation of what the proposed setback will be from the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street; and
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I have also attached the Demolition application to this email.

Further to my email on September 16, 2019, I wanted to confirm that Design Review is required for both buildings. The renovations on Queen Street requires Design Review because the application involved a lot consolidation (Section 3.14.1.c.).

Finally, I will follow up with the other Departments regarding the acquisition of the right-of-way as well as the canopy encroachment onto Queen Street / Dorchester Street.

Thanks,

Greg Morrison, MCIP
Planner II

City of Charlottetown
 PO Box 98, 233 Queen Street
 Charlottetown, Prince Edward Island
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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 16, 2019 12:01 PM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

See comments below. Thanks Greg!

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-16-19 11:37 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Subject: RE: Queen Street Revitalization Project

Thanks Shallyn. Without yet meeting with Alex and Todd, I've revised my previous email. Let me know if there are any inconsistencies with it at this time.

1. Retain (but renovate) the following three (3) buildings on Queen Street: **yes**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
2. Demolish the following four (4) buildings on Dorchester Street / King Street: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
4. If possible, purchase the City of Charlottetown right-of-way behind Queen Street and assign Downtown Main Street (DMS) Zoning to it. **yes**
5. Consolidate the following four (4) properties: **we will only consolidate 58 queen street to 68 queen street. The heritage home on the end and downtown convenience will remain their own properties.**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
 - City of Charlottetown right-of-way behind Queen Street
6. Consolidate the following four (4) properties: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)

7. Bonus Height is required for the proposed building abutting Dorchester Street / King Street. The value of public benefit to allow the fifth floor is \$4.00 per 0.1 sq m of floor area for the floors requiring bonus height. To allow you to apply for bonus height for the fifth floor (or any portion above 39.4 ft) you would need a variance as you do not have the required lot frontage of 98.4 ft to be eligible. **yes**
8. Based upon the plans, a variance would also be required to reduce the side yard setback requirement of 18 ft to 0 ft for the fifth floor (or any portion of above 39.4 ft). **agreed**
9. Design Review is required for the proposed building abutting Dorchester Street / King Street.

I will discuss the requirement for Design Review for the building along Queen Street with Alex. Section 3.14.1.c. of the Zoning & Development By-law states that it is required for a development application that involved a consolidation.
10. I would anticipate Council requiring a Development Agreement be signed for the proposed development.
11. Encroachment Agreement would be required for the proposed canopy along Queen Street and a portion of Dorchester Street. This can be included in the Development Agreement if one is required.
12. Building & Development Permits as well as Signage Permits would take place following these approvals.

Based upon your proposal, some regulations in the Zoning & Development By-law to note:

- Section 6.5.2: Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.
- Green Roof means an extension of a roof of a Building or Structure providing usable outdoor amenity space for building occupants and is designed to allow vegetation to grow in a growing medium.
- Section 43.1.7 & Section 43.3.e: One (1) standard parking space is required for every two (2) units plus one (1) mobility disabled space is required per 5-30 units.

With 43 units in the proposed building abutting Dorchester Street / King Street, 22 standard parking spaces and two (2) mobility disabled spaces would be required. The underground parking contains 21 standard parking spaces. Cash-in-lieu of parking at \$6,000 a space would be required for the remaining three (3) spaces for a total of \$18,000.

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
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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 16, 2019 10:51 AM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

Hi Greg,

We are going to go the bonus height and variances route, rather than rezoning.

Thanks,

Shallyn Murray
 Architect

NINE YARDS

63 Fitzroy Street
 Charlottetown PE
 902.566.4449

From: Morrison, Greg <gmmorrison@charlottetown.ca>
Sent: September-16-19 8:51 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Quentin Bevan <qbevan@outlook.com>; Saunders, Todd <tsaunders@charlottetown.ca>
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

Thanks for the email. So to clarify:

- You are requesting to retain the Downtown Mixed-Use Neighbourhood (DMUN) Zoning for the four (4) properties on Dorchester Street / King Street? I think the confusion on my end comes from Page 4 of the attached document showing the entire block being rezoned to the Downtown Main Street (DMS) Zone.
- Is your intention to consolidate the City of Charlottetown right-of-way behind Queen Street with the four (4) properties on Dorchester Street / King Street as you do not anticipate consolidating the three (3) properties on Queen Street?
- If you do not rezone the four (4) properties on Dorchester Street / King Street to the DMS Zone, the maximum height in the DMUN Zone is 39.4 ft; so bonus height would be required and in turn, you will likely require a couple variances. The maximum height for the DMS Zone is 49.2 ft.
- If there is no room for landscaping on the property itself, a green roof satisfying the landscaping requirement would be necessary.

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.cawww.charlottetown.ca

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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]**Sent:** September 13, 2019 5:52 PM**To:** Morrison, Greg**Cc:** Forbes, Alex; Quentin Bevan; Saunders, Todd**Subject:** RE: Queen Street Revitalization Project

Hi Greg,

See my comments below in red and a couple questions:

Thanks,

Shallyn Murray

Architect

NINE YARDS

63 Fitzroy Street

Charlottetown PE

902 566 4449

From: Morrison, Greg <gmorrison@charlottetown.ca>**Sent:** September-13-19 3:48 PM**To:** Shallyn Murray <shallyn@9ystudio.com>**Cc:** Forbes, Alex <aforges@charlottetown.ca>; Quentin Bevan <qbevan@outlook.com>; Saunders, Todd <tsaunders@charlottetown.ca>**Subject:** RE: Queen Street Revitalization Project

Thanks Shallyn.

I'd like to sit down with Alex & Todd next week to discuss, but in the meantime, I wanted to send an email to ensure I understand the request fully:

1. Retain (but renovate) the following three (3) buildings on Queen Street: **yes**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
2. Demolish the following four (4) buildings on Dorchester Street / King Street: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
3. Rezone the following four (4) properties on Dorchester Street / King Street from the Downtown Mixed Use Neighbourhood (DMUN) Zone to the Downtown Main Street (DMS) Zone. **Is this necessary now that they are going to remain separate?**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
4. Purchase the City of Charlottetown right-of-way behind Queen Street and rezone it to the Downtown Main Street (DMS) Zone. **yes**
5. Consolidate the following eight (8) properties: **Again – I think we would only need to consolidate the Dorchester and king properties. I don't see any need to consolidate the Queen Street Properties.**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
 - City of Charlottetown right-of-way behind Queen Street
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
6. Bonus Height is required for the proposed building abutting Dorchester Street / King Street. The value of public benefit to allow the fifth floor is \$4.00 per 0.1 sq m of floor area for the floors requiring bonus height. **We are hoping to fit 5 stories in 49ft which would not require a height bonus?**
7. Design Review is required for the proposed building abutting Dorchester Street / King Street. **Agreed**

I will discuss the requirement for Design Review for the building along Queen Street with Alex. Section 3.14.1.c. of the Zoning & Development By-law states that it is required for a development application that involved a consolidation.
8. I would anticipate Council requiring a Development Agreement be signed for the proposed development. **Agreed**
9. Encroachment Agreement would be required for the proposed canopy along Queen Street and a portion of Dorchester Street. This can be included in the Development Agreement if one is required. **Okay, I think this is important for enhancing Queen Street.**
10. I don't see the need for any variances, but I will confirm this after meeting with Alex & Todd.
11. Building & Development Permits as well as Signage Permits would take place following these approvals.

Based upon your proposal, some regulations in the Zoning & Development By-law to note:

- **Section 4.12.3:** *Where more than one main Building is permitted on a Lot, the minimum distance between Buildings shall be 6.0 m (19.7 ft).*

I don't have a property survey plan to confirm there will be 19.7 ft between buildings. – In this case, there wouldn't be more than one building on a lot.

- **Section 6.5.2:** *Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.*
- **Green Roof** means an extension of a roof of a Building or Structure providing usable outdoor amenity space for building occupants and is designed to allow vegetation to grow in a growing medium.

It does not appear that any landscaping is provided on property at this time? I don't think there is any space for this.

- **Section 30.2: Rear/Side Yard (Minimum)** - *Not required unless the Side or Rear Yard is abutting a residential, DN or DMU property; in which case the minimum Setback shall be equal to the Setback of the Building on the adjacent property from the shared Lot Line, OR 6.0 m (19.7 ft) whichever is less.*

The consolidated property will be abutting the Downtown Mixed-Use Neighbourhood (DMUN) Zone so my interpretation is that no rear yard setback is required.

- **Section 43.1.7 & Section 43.3.e:** One (1) standard parking space is required for every two (2) units plus one (1) mobility disabled space is required per 5-30 units.

With 43 units in the proposed building abutting Dorchester Street / King Street, 22 standard parking spaces and two (2) mobility disabled spaces would be required. The underground parking contains 21 standard parking spaces. Cash-in-lieu of parking at \$6,000 a space would be required for the remaining three (3) spaces for a total of \$18,000. – Thanks – once we get into more detail we may be able to fit the additional parking spaces underground depending on ramp size etc.. If not we will sort out the spaces with the City.

What is the rationale for requesting the rezoning from the Downtown Mixed-Use Neighbourhood (DMUN) Zone to the Downtown Main Street (DMS) Zone? I believe if the right-of-way remained with the City and the three (3) properties were consolidated in the DMS Zone and the remaining four (4) properties were consolidated in the DMUN Zone, Council would only have to approve the consolidations and two (2) other variances in my opinion. Side yard setbacks would need to be 6.0 ft but the front yard setback would essentially be 0 ft because that is the minimum front yard setback which exists along the street. The variances would be:

1. To allow you to apply for bonus height for the fourth and fifth floors as you do not have the required lot frontage of 98.4 ft to be eligible; and
2. To reduce the required side yard stepback requirement of 18 ft to 0 ft for the fourth and fifth floors.

If you notice any errors above, please let me know.

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

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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 10, 2019 4:26 PM
To: Morrison, Greg
Cc: Forbes, Alex; Quentin Bevan
Subject: Queen Street Revitalization Project

Hi Greg,

As discussed at our last meeting, please see a detailed final proposal for the Queen Street Block.

Setbacks will be the same as existing buildings. We decided to keep the existing buildings on Queen Street and just renovate them with completely new facades. We are not touching the existing heritage house on the corner.

Proposing a 5 story building facing Dorchester and King with 4th and 5th stories set back.

Any questions, feel free to give me a call. I'm not certain any variances are required on this now but we will need a demolition permit for the back buildings and would like to obtain the right of way behind Queen Street. We would like to get this on the agenda for Octobers meeting.

Thanks,

Shallyn Murray
 Architect

NINE YARDS

63 Fitzroy Street
 Charlottetown PE
 902.566.4449

Morrison, Greg

From: Shallyn Murray <shallyn@9ystudio.com>
Sent: September 18, 2019 3:50 PM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

Sure, I can come down at 9 if that works?

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-18-19 3:49 PM
To: Shallyn Murray <shallyn@9ystudio.com>
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

Do you want to come down to my office first thing tomorrow morning to go over the file before sending out the letter?
 Just want to make sure we are on the same page with everything.

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

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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 18, 2019 3:09 PM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

Hi Greg,

Jackie is dropping down those applications now. Also see answers below in **red**.

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-18-19 11:54 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Subject: RE: Queen Street Revitalization Project

Sorry, please note we would need two consolidation applications – one for King Street / Dorchester Street and one for Queen Street. Total fee would be \$200 (\$100 for each consolidation).

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
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From: Morrison, Greg
Sent: September 18, 2019 11:51 AM
To: 'Shallyn Murray'
Cc: Forbes, Alex; Saunders, Todd
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

I spoke with Todd & Alex this morning about your application.

We determined that two variances are required:

1. Reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 80.1 ft; and
2. Reduce the minimum side yard setback for the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street from 18.0 ft to approximately ??? ft.

Letters for these variances must be sent out right away. Before doing so, I require the following information / confirmation:

- Variance application form submitted (see attached); - **submitted**
- Variance application fee is \$450 (\$400 for first variance and \$50 for each other variance); - **submitted**
- Lot Consolidation application form submitted (see attached); - **submitted**
- Lot Consolidation application fee is \$100; - **submitted**
- Confirmation that the fifth floor is the only one that requires bonus height and all four other floors will be under 39.4 ft in height; **confirmed**
- Confirmation of what the proposed setback will be from the fifth floor of the proposed building to the City of Charlottetown right-of-way between King Street & Dorchester Street; and **4ft for whole building**
- Confirmation that 18.0 ft exists between the fifth floor of the proposed building to 104 Dorchester Street (PID #336958) & 95 King Street (PID #336925) property lines. **Right now we are showing 14' setback on the plans, we can setback 18' if that helps us. Does it need to be 18' on front and back too or just sideyards?**

I have also attached the Demolition application to this email.

Further to my email on September 16, 2019, I wanted to confirm that Design Review is required for both buildings. The renovations on Queen Street requires Design Review because the application involved a lot consolidation (Section 3.14.1.c.).

Finally, I will follow up with the other Departments regarding the acquisition of the right-of-way as well as the canopy encroachment onto Queen Street / Dorchester Street.

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



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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]

Sent: September 16, 2019 12:01 PM

To: Morrison, Greg

Subject: RE: Queen Street Revitalization Project

See comments below. Thanks Greg!

From: Morrison, Greg <gmmorrison@charlottetown.ca>

Sent: September-16-19 11:37 AM

To: Shallyn Murray <shallyn@9ystudio.com>

Subject: RE: Queen Street Revitalization Project

Thanks Shallyn. Without yet meeting with Alex and Todd, I've revised my previous email. Let me know if there are any inconsistencies with it at this time.

1. Retain (but renovate) the following three (3) buildings on Queen Street: **yes**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
2. Demolish the following four (4) buildings on Dorchester Street / King Street: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
4. If possible, purchase the City of Charlottetown right-of-way behind Queen Street and assign Downtown Main Street (DMS) Zoning to it. **yes**
5. Consolidate the following four (4) properties: **we will only consolidate 58 queen street to 68 queen street. The heritage home on the end and downtown convenience will remain their own properties.**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
 - City of Charlottetown right-of-way behind Queen Street
6. Consolidate the following four (4) properties: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
7. Bonus Height is required for the proposed building abutting Dorchester Street / King Street. The value of public benefit to allow the fifth floor is \$4.00 per 0.1 sq m of floor area for the floors requiring bonus height. To allow

you to apply for bonus height for the fifth floor (or any portion above 39.4 ft) you would need a variance as you do not have the required lot frontage of 98.4 ft to be eligible. **yes**

8. Based upon the plans, a variance would also be required to reduce the side yard setback requirement of 18 ft to 0 ft for the fifth floor (or any portion of above 39.4 ft). **agreed**
9. Design Review is required for the proposed building abutting Dorchester Street / King Street.

I will discuss the requirement for Design Review for the building along Queen Street with Alex. Section 3.14.1.c. of the Zoning & Development By-law states that it is required for a development application that involved a consolidation.

10. I would anticipate Council requiring a Development Agreement be signed for the proposed development.
11. Encroachment Agreement would be required for the proposed canopy along Queen Street and a portion of Dorchester Street. This can be included in the Development Agreement if one is required.
12. Building & Development Permits as well as Signage Permits would take place following these approvals.

Based upon your proposal, some regulations in the Zoning & Development By-law to note:

- Section 6.5.2: Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.
- Green Roof means an extension of a roof of a Building or Structure providing usable outdoor amenity space for building occupants and is designed to allow vegetation to grow in a growing medium.
- Section 43.1.7 & Section 43.3.e: One (1) standard parking space is required for every two (2) units plus one (1) mobility disabled space is required per 5-30 units.

With 43 units in the proposed building abutting Dorchester Street / King Street, 22 standard parking spaces and two (2) mobility disabled spaces would be required. The underground parking contains 21 standard parking spaces. Cash-in-lieu of parking at \$6,000 a space would be required for the remaining three (3) spaces for a total of \$18,000.

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

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From: Shallyn Murray (<mailto:shallyn@9ystudio.com>)
Sent: September 16, 2019 10:51 AM
To: Morrison, Greg
Subject: RE: Queen Street Revitalization Project

Hi Greg,

We are going to go the bonus height and variances route, rather than rezoning.

Thanks,

Shallyn Murray
 Architect

NINE YARDS
 63 Fitzroy Street
 Charlottetown PE
 902.566.4449

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-16-19 8:51 AM
To: Shallyn Murray <shallyn@9ystudio.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Quentin Bevan <qbevan@outlook.com>; Saunders, Todd <ttsaunders@charlottetown.ca>
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

Thanks for the email. So to clarify:

- You are requesting to retain the Downtown Mixed-Use Neighbourhood (DMUN) Zoning for the four (4) properties on Dorchester Street / King Street? I think the confusion on my end comes from Page 4 of the attached document showing the entire block being rezoned to the Downtown Main Street (DMS) Zone.

- Is your intention to consolidate the City of Charlottetown right-of-way behind Queen Street with the four (4) properties on Dorchester Street / King Street as you do not anticipate consolidating the three (3) properties on Queen Street?
- If you do not rezone the four (4) properties on Dorchester Street / King Street to the DMS Zone, the maximum height in the DMUN Zone is 39.4 ft; so bonus height would be required and in turn, you will likely require a couple variances. The maximum height for the DMS Zone is 49.2 ft.
- If there is no room for landscaping on the property itself, a green roof satisfying the landscaping requirement would be necessary.

Thanks,

Greg Morrison, MCIP
Planner II

City of Charlottetown
 PO Box 98, 233 Queen Street
 Charlottetown, Prince Edward Island
 Canada C1A 7K2
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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 13, 2019 5:52 PM
To: Morrison, Greg
Cc: Forbes, Alex; Quentin Bevan; Saunders, Todd
Subject: RE: Queen Street Revitalization Project

Hi Greg,

See my comments below in red and a couple questions:

Thanks,

Shallyn Murray
Architect

NINE YARDS
63 Fitzroy Street
Charlottetown PE
902.566.4449

From: Morrison, Greg <gmorrison@charlottetown.ca>
Sent: September-13-19 3:48 PM
To: Shallyn Murray <shallyn@9ystudio.com>
Cc: Forbes, Alex <aforbes@charlottetown.ca>; Quentin Bevan <gbevan@outlook.com>; Saunders, Todd <tsaunders@charlottetown.ca>
Subject: RE: Queen Street Revitalization Project

Thanks Shallyn.

I'd like to sit down with Alex & Todd next week to discuss, but in the meantime, I wanted to send an email to ensure I understand the request fully:

1. Retain (but renovate) the following three (3) buildings on Queen Street: **yes**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
2. Demolish the following four (4) buildings on Dorchester Street / King Street: **yes**
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
3. Rezone the following four (4) properties on Dorchester Street / King Street from the Downtown Mixed Use Neighbourhood (DMUN) Zone to the Downtown Main Street (DMS) Zone. Is this necessary now that they are going to remain separate?
 - 94-98 Dorchester Street (PID #336974)
 - 100-102 Dorchester Street (PID #336966)
 - 91 King Street (PID #336909)
 - 93 King Street (PID #336917)
4. Purchase the City of Charlottetown right-of-way behind Queen Street and rezone it to the Downtown Main Street (DMS) Zone. **yes**
5. Consolidate the following eight (8) properties: **Again – I think we would only need to consolidate the Dorchester and king properties. I don't see any need to consolidate the Queen Street Properties.**
 - 54-56 Queen Street (PID #337006)
 - 58-64 Queen Street (PID #336990)
 - 68 Queen Street (PID #336982)
 - City of Charlottetown right-of-way behind Queen Street

- 94-98 Dorchester Street (PID #336974)
- 100-102 Dorchester Street (PID #336966)
- 91 King Street (PID #336909)
- 93 King Street (PID #336917)

6. Bonus Height is required for the proposed building abutting Dorchester Street / King Street. The value of public benefit to allow the fifth floor is \$4.00 per 0.1 sq m of floor area for the floors requiring bonus height. **We are hoping to fit 5 stories in 49ft which would not require a height bonus?**

7. Design Review is required for the proposed building abutting Dorchester Street / King Street. **Agreed**

I will discuss the requirement for Design Review for the building along Queen Street with Alex. Section 3.14.1.c. of the Zoning & Development By-law states that it is required for a development application that involved a consolidation.

8. I would anticipate Council requiring a Development Agreement be signed for the proposed development. **Agreed**

9. Encroachment Agreement would be required for the proposed canopy along Queen Street and a portion of Dorchester Street. This can be included in the Development Agreement if one is required. **Okay, I think this is important for enhancing Queen Street.**

10. I don't see the need for any variances, but I will confirm this after meeting with Alex & Todd.

11. Building & Development Permits as well as Signage Permits would take place following these approvals.

Based upon your proposal, some regulations in the Zoning & Development By-law to note:

- Section 4.12.3: *Where more than one main Building is permitted on a Lot, the minimum distance between Buildings shall be 6.0 m (19.7 ft).*

I don't have a property survey plan to confirm there will be 19.7 ft between buildings. – **In this case, there wouldn't be more than one building on a lot.**

- Section 6.5.2: *Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.*
- Green Roof *means an extension of a roof of a Building or Structure providing usable outdoor amenity space for building occupants and is designed to allow vegetation to grow in a growing medium.*

It does not appear that any landscaping is provided on property at this time? **I don't think there is any space for this.**

- Section 30.2: Rear/Side Yard (Minimum) - *Not required unless the Side or Rear Yard is abutting a residential, DN or DMU property; in which case the minimum Setback shall be equal to the Setback of the Building on the adjacent property from the shared Lot Line, OR 6.0 m (19.7 ft) whichever is less.*

The consolidated property will be abutting the Downtown Mixed-Use Neighbourhood (DMUN) Zone so my interpretation is that no rear yard setback is required.

- Section 43.1.7 & Section 43.3.e: One (1) standard parking space is required for every two (2) units plus one (1) mobility disabled space is required per 5-30 units.

With 43 units in the proposed building abutting Dorchester Street / King Street, 22 standard parking spaces and two (2) mobility disabled spaces would be required. The underground parking contains 21 standard parking spaces. Cash-in-lieu of parking at \$6,000 a space would be required for the remaining three (3) spaces for a total of \$18,000. – **Thanks – once we get into more detail we may be able to fit the additional parking spaces underground depending on ramp size etc.. If not we will sort out the spaces with the City.**

What is the rationale for requesting the rezoning from the Downtown Mixed-Use Neighbourhood (DMUN) Zone to the Downtown Main Street (DMS) Zone? I believe if the right-of-way remained with the City and the three (3) properties were consolidated in the DMS Zone and the remaining four (4) properties were consolidated in the DMUN Zone, Council would only have to approve the consolidations and two (2) other variances in my opinion. Side yard setbacks would need to be 6.0 ft but the front yard setback would essentially be 0 ft because that is the minimum front yard setback which exists along the street. The variances would be:

1. To allow you to apply for bonus height for the fourth and fifth floors as you do not have the required lot frontage of 98.4 ft to be eligible; and
2. To reduce the required side yard setback requirement of 18 ft to 0 ft for the fourth and fifth floors.

If you notice any errors above, please let me know.

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



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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]

Sent: September 10, 2019 4:26 PM

To: Morrison, Greg

Cc: Forbes, Alex; Quentin Bevan

Subject: Queen Street Revitalization Project

Hi Greg,

As discussed at our last meeting, please see a detailed final proposal for the Queen Street Block.

Setbacks will be the same as existing buildings. We decided to keep the existing buildings on Queen Street and just renovate them with completely new facades. We are not touching the existing heritage house on the corner.

Proposing a 5 story building facing Dorchester and King with 4th and 5th stories set back.

Any questions, feel free to give me a call. I'm not certain any variances are required on this now but we will need a demolition permit for the back buildings and would like to obtain the right of way behind Queen Street. We would like to get this on the agenda for Octobers meeting.

Thanks,

Shallyn Murray
Architect

N I N E Y A R D S
63 Fitzroy Street
Charlottetown PE
902.566.4449

Morrison, Greg

From: Shallyn Murray <shallyn@9ystudio.com>
Sent: September 19, 2019 9:12 AM
To: Morrison, Greg
Subject: Queen Street Project

6' setbacks on the sides is no issue Greg.

Thanks!

Morrison, Greg

From: Planning Department
Sent: September 26, 2019 3:23 PM
To: Morrison, Greg
Subject: FW: variances 91 King, 93 King, etc

From: Steve Dunne [<mailto:steve@dunnegroup.ca>]
Sent: September 26, 2019 2:34 PM
To: Planning Department
Cc: Kevin Murphy
Subject: variances 91 King, 93 King, etc

To whom it may concern,

This e-mail is to acknowledge that 100451 PEI Inc, (Gahan House property – 126 Sydney) has received by mail, the information for two variances, for the four properties located at 91 King, 93 King, 94-98 Dorchester and 100-102 Dorchester

This looks like a wonderful, major project. This project will revitalize a downtown block; will increase property values; will add many needed, modern new incremental living spaces. The developer already did an excellent job already on the other portion of King St. with the new 13 unit that he opened this year – and he should be commended for again investing in making his downtown properties the best they can be.

This new project is a win-win for all.

We are of the opinion, that the City needs to co-operate with developer's on reasonable variance requests, to enable these multi-million dollar projects to have the opportunity to be financially self-sustaining

We are in favor.

Steve Dunne
Direct: 902-628-4460
www.dunnegroup.ca




Morrison, Greg

From: Shallyn Murray <shallyn@9ystudio.com>
Sent: September 27, 2019 2:59 PM
To: Morrison, Greg
Cc: Forbes, Alex; Saunders, Todd
Subject: Re: Queen street project

Ok thanks Greg! Just want to make sure they aren't reviewing elevations because this is concept only and not the final elevations that will be designed pending variance approvals.

Thanks

Get [Outlook for iOS](#)

On Fri, Sep 27, 2019 at 2:49 PM -0300, "Morrison, Greg" <gmorrison@charlottetown.ca> wrote:

Hi Shallyn,

The demolition / redevelopment of the four properties is going to go to Heritage Board on Monday, September 30, 2019 for information purposes only. I've cc'd Alex and Todd to this email as well!

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
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From: Shallyn Murray [<mailto:shallyn@9ystudio.com>]
Sent: September 27, 2019 2:40 PM

To: Morrison, Greg

Subject: Queen street project

Hi Greg,

I just left you a message. Just wondering if Queen Street Project is going to heritage board on Monday?

Get [Outlook for iOS](#)

Morrison, Greg

From: Morrison, Greg
Sent: October 18, 2019 1:48 PM
To: 'Shallyn Murray'
Subject: RE: Queen Street Revitalization Project

Hi Shallyn,

As discussed, here are the requirements for bonus height:

3.12 BONUS HEIGHT APPLICATIONS

- 3.12.1** *An increase to the minimum standards pertaining to Building Height shall be permitted at the discretion of the Development Officer/Planning Committee in certain Zones as specified in the regulations of the Zones where applicable, in exchange for securing specific public benefits of one or more of the following:*
- a. Adaptive reuse, Maintenance, preservation, or enhancement of a Designated Heritage Resource as defined in the Heritage Preservation By-law.*
 - b. The provision of Affordable Housing Dwelling Units, by way of subsidization between the applicant and the Province and/or Federal Government(s) for a specified period of time and confirmed in a written agreement registered to the property;*
 - c. The provision of a Landscaped Area, such as urban park, plaza, boardwalk or other facility where a deficiency exists or as indicated by the City;*
 - d. The provision of public art in a location to be agreed upon by the City;*
 - e. Investment in active transportation or public transit;*
 - f. The provision of a LEED-gold standard certified Building or other equivalent qualification; or*
 - g. The provision of subsidized commercial space for arts or other cultural uses.*
- 3.12.2** *The value of the public benefit shall be a rate set from time to time by a resolution of Council based upon the Gross Floor Area of any Storey above the pre-bonus Height, and the specified rate shall be adjusted at most every two years, in accordance with the Consumer Price Index.*
- 3.12.3** *When it is not feasible to provide the public benefit on the Lot in question, the public benefit may be provided offsite, at a location agreed upon by the City.*
- 3.12.4** *All applications for a Bonus Height are subject to the Design Review process.*
- 3.12.5** *An application for a Bonus Height shall be submitted with sufficient information as may be required by the Development Officer for the purpose of adequately assessing the proposal, including:*
- a. A legal description and a plot plan, or a survey plan, accurately showing the location of the property and Building(s) or Structure(s) on the property in question;*
 - b. The name and address of the Owner(s) of the property and, if the applicant is not the Owner, a statement as to the applicant's interest in the property;*
 - c. Design drawings, as required to proceed through the Design Review process;*
 - d. A cost estimate in a format acceptable to the Development Officer to quantify the detailed cost of the proposed public benefit; and*

- e. *Such additional information as deemed necessary by the Development Officer, including studies or analyses to ensure that the proposed Bonus Height and/or its massing meet the desired performance standards with respect to mitigating visual, shadow, wind, and traffic impacts.*

- 3.12.6 *The cost estimate of the proposed public benefit may be subject to verification by a third party estimator at the expense of the applicant and the Development Officer may seek an internal review of the proposed public benefit with other qualified staff and/or external professional(s) with expertise in a field relevant to the public benefit proposed for the purpose of confirming that the proposal meets the objectives of the public benefit.*
- 3.12.7 *The public benefit shall be completed at the time of the issuance of an Occupancy Permit, or at such other time as mutually agreed upon by the City and the applicant.*
- 3.12.8 *The Bonus Height provisions do not apply to additional Height that provides for unoccupied architectural details or permitted Height encroachments.*
- 3.12.9 *Upon completion of the Design Review process and prior to the issuance of a Building and/or Development Permit where a Bonus Height has been granted, the applicant shall enter into a Development Agreement with the City that shall include:*
 - a. *Identify the parcel of land to be developed as well as specify the location of the proposed public benefit on site, or off site as determined by Council.*
 - b. *Include drawings and/or additional information provided by the applicant detailing the proposed public benefit. If necessary, construction drawings, architectural renderings, cost estimates, specifications or schematics may be required to communicate the necessary information.*
 - c. *Identify the required process and conditions for supervision and acceptance of the proposed public benefit before the work is accepted by the City.*
- 3.12.10 *The City, at its discretion, shall provide a recommendation from Planning Committee to the CAO and Mayor for the public benefit(s) that should be required for the development pursuing a Bonus Height Application.*

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



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From: Shallyn Murray [mailto:shallyn@9ystudio.com]
Sent: October 17, 2019 2:49 PM
To: Morrison, Greg
Subject: Queen Street Revitalization Project

Hi Greg,

Can you give me a call when you get a chance?

I want to discuss the green roof options for Queen Street and the possible public benefits.

Thanks,

Shallyn Murray
Architect

NINE YARDS
63 Fitzroy Street
Charlottetown PE
902.566.4449



November 6, 2019

Via: Email and Regular Mail
aforbes@charlottetown.ca

City of Charlottetown
Planning and Heritage Department
233 Queen Street
Charlottetown, PE C1A 4B9
Attention: Alex Forbes, Manager

Dear Mr. Forbes:

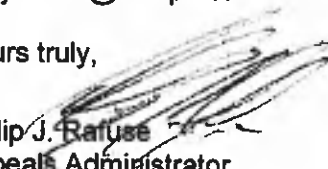
RE: Appeal #LA19016 – Matthew Richard v. City of Charlottetown

The Island Regulatory and Appeals Commission has received a Notice of Appeal from Matthew Richard against the October 15, 2019 decision of the City of Charlottetown with respect to the decision to consolidate PID#336909, PID#336974 and PID#336966, being 91 King Street, 93 King Street, 94 & 98 Dorchester Street and 100-102 Dorchester Street, Charlottetown, PE. I have enclosed a copy of the Notice of Appeal for your records.

Please forward a copy of all information in your file with respect to the above-noted decision to the Commission by Friday, November 29, 2019. This information will be added to the Commission's file and will be distributed to the Appellant. Also on that date, please file a written response to the Notice of Appeal. The City may raise issues involving jurisdiction or preliminary matters in addition to a clear but brief response to the appeal.

Any questions or concerns can be directed to myself by telephone at 902-892-3501 or email at pjrafuse@irac.pe.ca

Yours truly,


Philip J. Rafuse
Appeals Administrator
Enclosure

Copy to: Appellant
Developer – Nine Yards Studio

Notice of Appeal

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

RECEIVED

NOV 05 2019

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.



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NOV 05 2019

The Island Regulatory
and Appeals Commission

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.