

**Record filed by
The City of Charlottetown
In the matter of Lynn Murray
v. City of Charlottetown
(Appeal #LA22-021)**

Submitted by David W. Hooley, K.C.
& Maggie Hughes
on behalf of the City of Charlottetown

January 30, 2023

INDEX

Rezoning Application

	Date	Item
1.	December 3, 2021	22-042 Moving and Demolition Permit Application
2.	December 3, 2021	22-043 Subdivision & Lot Consolidation Application
3.	December 3, 2021	22-044 Building & Development Permit Application – New Building
4.	December 20, 2021	Schedule A, A-1, and A-2 – Undertaking and Declarations
5.	December 22, 2021	Architectural & Structural Submission Drawing
6.	February 2, 2022	22-081 Rezoning & Amendments Application
7.	February 15, 2022	Demolition Permit
8.	April 4, 2022	Letter from M. Lynn Murray to Planning and Heritage Department
9.	August 8, 2022	Resolution of Council
10.	September 21, 2022	Notice of Appeal
11.	October 4, 2022	Letters from Philip Rafuse to M. Lynn Murray and City of Charlottetown re Appeal LA22-017
12.	October 25, 2022	Letter from David Hooley to Philip Rafuse in response to Appeal LA22-017
13.	November 7, 2022	Letter from Minister Compton approving Amendment to Official Plan and Zoning and Development Bylaw
14.	November 1, 2022	Building and Development Permit (22-044)
15.	December 7, 2022	Notice of Appeal
16.	December 7, 2022	Letters from Philip Rafuse to Aaron Staver, M. Lynn Murray and City of Charlottetown re Appeal LA22-021

***Note that Tabs 1-3 were received in December 2021 but not officially accepted until payment was made in January 2022.*

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Date	Email	Page #
December 20, 2021, 1:49p.m.	Email from Parker Perry to Robert Stavert re payment for application	80
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January 20, 2022 to February 2, 2022, 1:56p.m.	Email correspondences between Planning Department and Robert Stavert and Aaron Stavert re zoning application	100
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February 23, 2022, 3:54p.m.	Email from Robert Stavert re Demolition Permit	112
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May 18, 2022, 1:40p.m.	Email correspondence between Department and Lynn Murray re application	130
June 8, 2022, 2:54p.m.	Email correspondence between Lynn Murray and Laurel Palmer Thompson re boundary line survey	151
July 8, 2022, 7:12a.m.	Email from Parker Perry to Laurel Palmer Thompson re revised drawings	153
July 27, 2022, 12:13p.m.	Email from Parker Perry to Laurel Palmer Thompson and Paul Jenkins re 8-unit site plan	155
July 29, 2022, 2:08p.m.	Email from Laurel Palmer Thompson to Ellen Catane re proposed presentation for Council of Parker Perry	157
September 8, 2022, 3:50p.m.	Email from Laurel Palmer Thompson to Aaron Stavert re site plan	160

September 8, 2022, 3:59p.m.	Email from Aaron Stavert to Laurel Palmer Thompson re site plan	162
October 5, 2022, 9:12a.m.	Email from Aaron Stavert to Laurel Palmer Thompson and Trevor Eisor re revised site plan	166
October 25, 2022, 10:19a.m.	Email from Parker Perry to Laurel Palmer Thompson re demolition	168
October 27, 2022, 7:35a.m.	Email from Trevor Eisor to Laurel Palmer Thompson re meeting to discuss status of application	171
November 18, 2022, 11:06a.m.	Email from Ellen Catane re copy of building permit and approved plan	173
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November 2, 2022, 2:42a.m.	Email from Philip Rafuse re confirm of appeal withdrawal	177
December 23, 2021 - January 17, 2022	Correspondences between Benny Lam and Robert Stavert re permit application and fees	180



Mailing: 70 Kent Street Tel: 902-629-4158
 Charlottetown, PE, C1A 1M9 Fax: 902-629-4156
 Email: planning@charlottetown.ca Website: www.charlottetown.ca

For Office Use Only

File #: 22-042 Zone: R3
 Permit #: 002-DEM-22 Permit Fee: 150 ☒ Deposit: \$500
 PID #: 275 313 Received: JAN 17, 2022

MOVING & DEMOLITION PERMIT APPLICATION

1. TYPE OF WORK

☐ Move/Relocate Building☒ Demolish Building

2. CONTACT INFORMATION

APPLICANT/CONTRACTOR Name: Open Practice Inc. - Aaron Stavert Address: 67 King Street
 Phone: 902-370-2086 Cell: Charlottetown, PE
 Email: aaron@openpractice.ca Postal Code: C1A 1B4

PROPERTY OWNER Name: Parker Perry Address: P.O. Box 40047 RPO West Royalty
 Phone: 902-394-6669 Cell: Charlottetown, PE
 Email: parkerburns@ymail.com Postal Code: C1E 0J2

3. PROJECT INFORMATION

Project Location: 1 Palmers LaneEstimated Cost of Work: \$ 25,000.00 Corner Lot: Yes: ☒ No: ☐

4. DETAILED PROJECT DESCRIPTION

To demolish a 2 storey, timber structure, multi-unit residential building.

5. MOVING INFORMATION

MOVING FROM Address: MOVING TO Address: BUILDING SIZE Length: Width: Height: EXPECTED MOVE Time: Date:

6. DEMOLITION INFORMATION

BUILDING SIZE Length: 66' Width: 45' Height: 18'

DEBRIS LOCATION Debris from demolition to be disposed of at an approved site or pit as per the *Environment Protection Act* and related regulations.
 Location: North Road Holdings

EXPECTED DEMO Time: 9:00 am Date: 15 Jan 2022

THIS IS AN APPLICATION ONLY

Page 1 of 2

See Reverse for Addition Information

7. DECLARATION & SIGNATURE**I DO SOLEMNLY DECLARE:**

- 1) That I am the Authorized Agent of the Owner/the Owner named in the application for a permit hereto attached.
- 2) That the statements herein contained in the said application are true and made with full knowledge of the circumstances connected with the same.
- 3) That I know of no reason why the permit should not be granted to me in pursuance of the said application, and making this declaration conscientiously believing it to be true.
- 4) I waive all rights or action against the City of Charlottetown and/or its officers, agents, or employees in respect of any damages which may be caused through the operation of any provision(s) in any of the said Bylaws or for the revoking of a permit for any cause or irregularity or non conformity with the Bylaws or regulations adopted by the City of Charlottetown.
- 5) I assume responsibility for damage to sidewalks, curbs, gutters, etc. and will bear the cost of repair or replacement of the same to the complete satisfaction of the City of Charlottetown.

SIGNATURE OF APPLICANT: _____

DATE: 03 Dec 2021

Administration, send copy of Application to ☒ Fire Department ☒ Police Department ☒ Public Works ☒ Utility



Mailing: 70 Kent Street
Charlottetown, PE, C1A 1M9
Email: planning@charlottetown.ca
Tel: 902-629-4158
Fax: 902-629-4156
Website: www.charlottetown.ca

For Office Use Only

File #: 22-043 Zone: R3, R1S
Permit #: 002-L5-22 Permit Fee: \$200
PID #: 275313, 275735 Received: JAN 17, 2022

SUBDIVISION & LOT CONSOLIDATION APPLICATION

1. TYPE OF WORK

☐ Subdivision☒ Lot Consolidation

2. CONTACT INFORMATION

APPLICANT	Name:	Open Practice Inc. - Aaron Stavert	Address:	67 King Street
	Phone:	902-370-2086	Cell:	Charlottetown
	Email:	aaron@openpractice.ca	Postal Code:	C1A 1B4
OWNER	Name:	Parker Perry	Address:	P.O. Box 40047 RPO West Royalty
	Phone:	902-394-6669	Cell:	Charlottetown, PE
	Email:	parkerburns@ymail.com	Postal Code:	C1E 0J2
SURVEYOR	Name:	Open Practice Inc. - Aaron Stavert	Address:	67 King Street
	Phone:	902-370-2086	Cell:	Charlottetown
	Email:	aaron@openpractice.ca	Postal Code:	C1A 1B4

3. PROJECT INFORMATION

Project Location: 1 Palmers Lane
 Project Description: Multi-unit Residential, Group C up to 3 Storeys
 Present Zoning: MEDIUM DENSITY RESIDENTIAL ZONE (R-3) & (R1S)
 Present Configuration (Number of Lots): 2 Proposed Configuration (Number of Lots): 1

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

Lot Adjustment 1 - To transfer part of the lot area (Parcel B) from PID No. 275735 to PID No. 275313 as an additional area for a 12 unit residential development.

The proposed area for Lot 21-1 would be 1,687 sq.m. Lot Adjustment 2 - To transfer area (Parcel A) from PID No. 275313 to PID No. 275735 for providing vehicle access from Mackay Drive. New Lot area excluding Parcel A would be 810 sq.m.

5. APPLICATION REQUIREMENTS

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Application Form with Fees | <input checked="" type="checkbox"/> Eight (8) Copies of Survey | <input checked="" type="checkbox"/> Permission from Owner |
| <ul style="list-style-type: none"> Subdivision: \$200 plus \$40 for all lots over three (3). Lot Consolidation: \$100 Subdivision Roads & Services Agreements: \$900 | <ul style="list-style-type: none"> Current Survey Plan showing the proposed Subdivisions or lot consolidations. | <ul style="list-style-type: none"> 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: DATE: 03 Dec 2021

THIS IS AN APPLICATION ONLY

Legend	
<input type="checkbox"/>	Found
<input checked="" type="checkbox"/>	Not Found
	Survey Marker
	Calculation Point
	Tree Edge Line
	Fence Line
	Manhole
	Catch Basin
	Utility Pole
	Light
	Sign
	Mileage
	Curb Up

1. THE FIELD WORK FOR THIS SURVEY WAS EXECUTED DURING THE PERIOD OF JULY 2022.
2. AZIMUTHS ARE GRID DERIVED.
3. ALL DIMENSIONS ARE GIVEN IN METRIC, UNLESS NOTED.
4. EXISTING RIGHT OF WAY OVER PID NO. 275313 IN FAVOUR OF PID NO. 275735 TO BE ABOLISHED.



Island Surveying & Engineering

134 LONGWORTH AVENUE
CHARLOTTETOWN, PEI
C1A 5B3
PHONE 902-394-3349
FAX 902-569-3348
www.isesurveys.ca

PLAN OF SURVEY SHOWING
LOT 22-2
FOR

102599 PEI INC.

SCALE 1:250 Metric

PALMERS LANE
CHARLOTTETOWN
QUEENS COUNTY

DRAWN BY: RAW P.I.D. No. 275313 275735

I, ROBERT A. WAKELIN, PRINCE EDWARD ISLAND LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS EXECUTED UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

PLEASE NOTE: ALL COSTS TO INSTALL WATER AND SEWER SERVING TO THE APPROVED LOTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ALL SERVICES SHALL BE INSTALLED IN CONFORMANCE WITH THE CHARLOTTETOWN WATER AND SEWER UTILITY MINIMUM STANDARDS OF ACCEPTANCE AND THE UTILITY'S GENERAL

CITY OF CHARLOTTE/TOWN

The final plan is approved by the board.

22-2

no provide

Queens County Registrar's Office

Samuel Johnson

DEVELOPMENT OFFICE

Subject to: a perimeter deed being

registered describing the outer

boundaries of Int 22.2

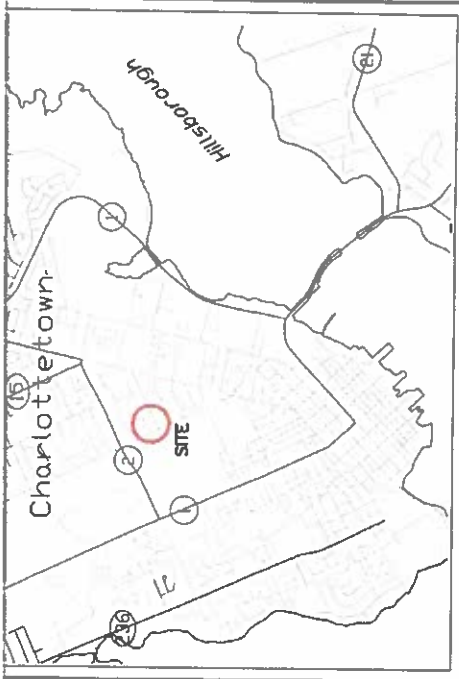
SHALL REPRODUCE THIS PLAN IN WHOLE OR PART WITHOUT THE WRITTEN CONSENT OF I S E Ltd.

COORDINATE LIST
EXPRESSED IN (NAD83) METRIC
COORDINATE BASED ON THE PEI DOUBLE
STEREOGRAPHIC PROJECTION SYSTEM.

Point	Northing	Eastings
187	689173.017	390201.985
188	689203.894	390186.566
189	689200.411	390179.104
376	689138.441	390162.811
608	689166.213	390150.251
1101	689153.102	390193.284
1104	689183.889	390186.989
3080	689169.033	390193.594

NORTH
NAD83 METRIC

MACKAY DRIVE



NOW OR FORMERLY
LANDS OF
MITCHELL WEDGE &
ANDREA WEDGE
DOC NO. 3130, 2015
PID No. 275883

PARCEL A
AREA=299 SQ.M.±

NOW OR FORMERLY
LANDS OF
LESLIE W. MACKAY &
MARGARET ELSINGA MACKAY
L-656, F-5
PID No. 275339

NOW OR FORMERLY
LANDS OF
DORIS POOLE
DOC NO. 9580, 2009
PID No. 275727

REFERENCE:
N.F. STEWART
DWG. No. 90-88

LEGEND

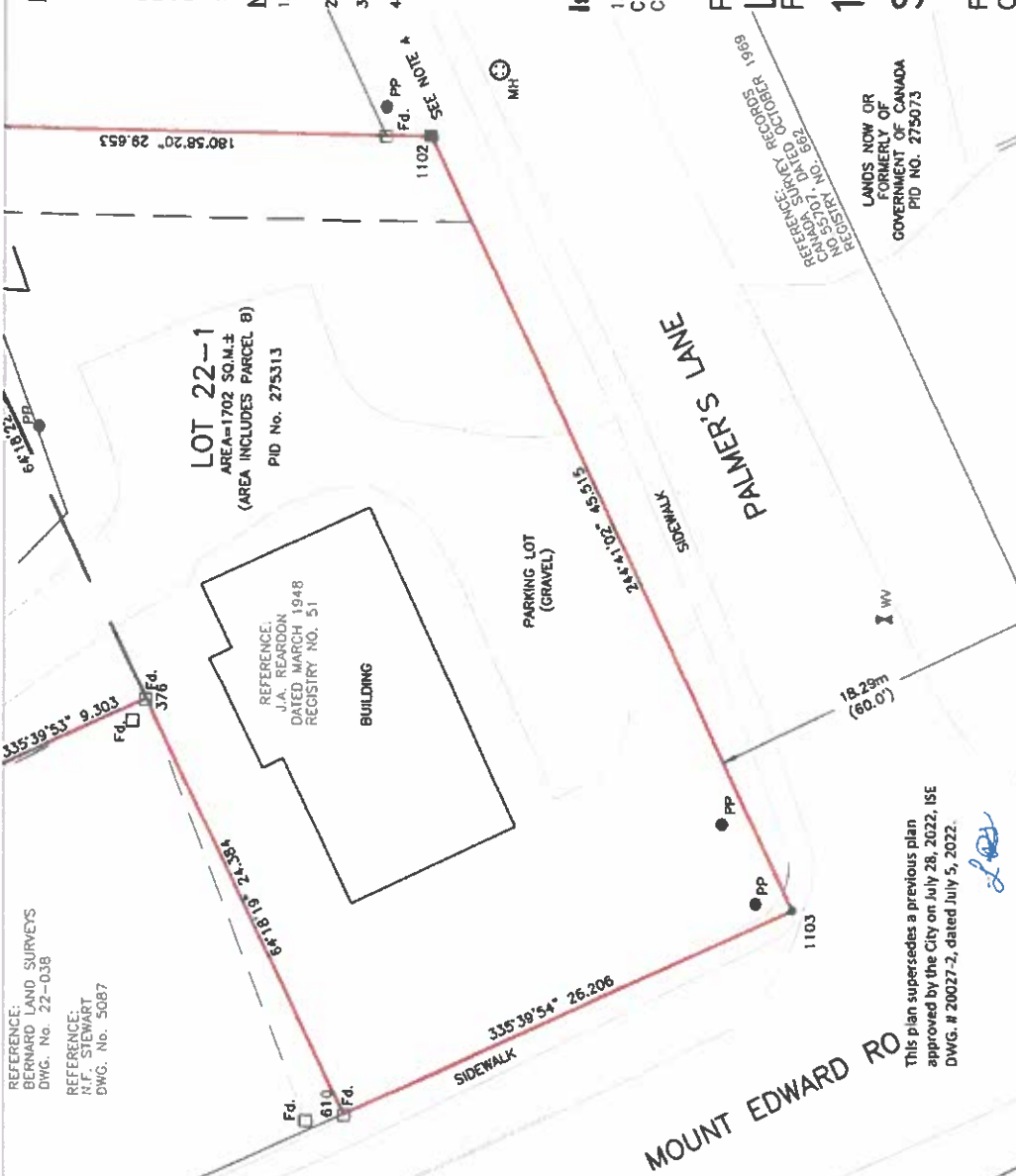
LOT 22-2
AREA=1489 SQ.M.±
(AREA INCLUDES PARCEL A)
PID No. 275735

BUILDING

BUILDING

NOW OR FORMERLY
LANDS OF
M. LYNN MURRAY
L-666, F-4A

REFERENCE:
BERNARD LAND SURVEYS
DWG. No. 22-038
REFERENCE:
N.F. STEWART
DWG. No. 5087



LEGEND

LANDS DEALT WITH BY THIS PLAN
FOUND SURVEY MARKER
PLACED SURVEY MARKER
CALCULATED POINT
TREE/HEDGE LINE
FENCE LINE
MANHOLE
CATCH BASIN
UTILITY POLE
LIGHT
SIGN

Fd.

MH
CB
UP

NOTES

1. THE FIELD WORK FOR THIS SURVEY WAS EXECUTED DURING THE PERIOD OF MARCH, 2020, NOVEMBER 2021 AND JULY 2022.
2. AZIMUTHS ARE GRID DERIVED.
3. ALL DIMENSIONS ARE GIVEN IN METRIC, UNLESS NOTED.
4. STREET WIDENS TO 66' AS FOUND ON SURVEY PREPARED BY N.F. STEWART DWG NO. 90-88.



Island Surveying & Engineering

134 LONGWORTH AVENUE
CHARLOTTETOWN, PEI
C1A 5B3
PHONE 902-394-3349
FAX 902-569-3348
WWW.ISESURVEYS.CO

PLAN OF SURVEY SHOWING
LOT 22-1 & LOT 22-2
FOR
102599 PEI INC.
SCALE 1:250 Metric

PALMERS LANE
CHARLOTTETOWN
QUEENS COUNTY

P.E.I.

DRAWN BY: RAW
DRAWING No. 20027-3
P.I.D. No. 275313
275735

I, ROBERT A. WAKELIN, PRINCE EDWARD ISLAND LAND SURVEYOR,
DO HEREBY CERTIFY THAT THIS SURVEY WAS EXECUTED UNDER MY
DIRECTION AND SUPERVISION, AND THAT THIS PLAN IS A TRUE AND
CORRECT REPRESENTATION OF SAID SURVEY.

ROBERT A. WAKELIN P.E.I. LAND SURVEYOR
AUGUST 28, 2022
DATE



PLEASE NOTE: ALL COSTS TO
INSTALL WATER AND SEWER
SERVICES TO THE APPROVED
LOTS IS THE RESPONSIBILITY OF
THE PROPERTY OWNER. ALL
SERVICES SHALL BE INSTALLED
IN CONFORMANCE WITH THE
CHARLOTTETOWN WATER
AND SEWER UTILITY MINIMUM
STANDARDS OF ACCEPTANCE
AND THE UTILITY'S GENERAL
RULES AND REGULATIONS

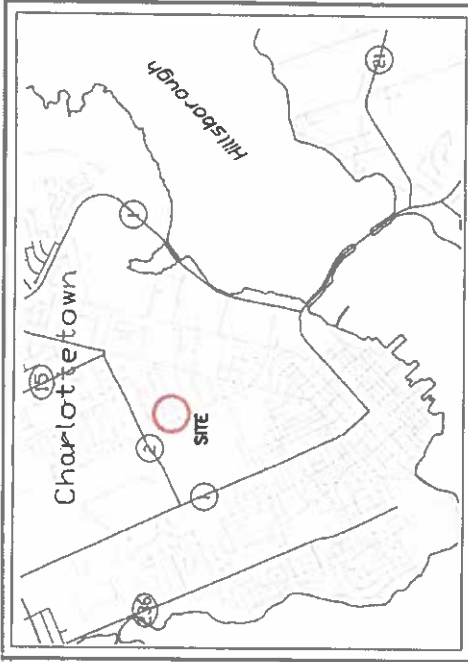
Subject to new perimeter deeds being
registered describing the outer boundaries
of Lots 22.1 and 22.2.

CITY OF CHARLOTTETOWN

This final Plan of Subdivision is approved
for Lot(s) 22-1, 22-2 and has
been approved on November 17, 2022
and forwarded to be registered in the
Queens County Registry Office

Land Administration

This plan supersedes a previous plan
approved by the City on July 28, 2022, ISE
DWG. # 20027-2, dated July 5, 2022.



NORTH
NAD83 METRIC

MACKAY DRIVE

COORDINATE LIST
EXPRESSED IN (NAD83) METRIC
COORDINATE BASED ON THE PEI DOUBLE
STEREOGRAPHIC PROJECTION SYSTEM.

Point	Northing	Easting
187	689173.017	390201.985
188	689203.894	390186.566
189	689203.411	390179.104
218	689146.917	390158.978
219	689153.508	390193.460
376	689138.441	390182.811
608	689166.213	390150.251
610	689127.889	390140.836
1101	689153.102	390183.284
1102	689123.454	390192.780
1103	689103.991	390151.637
1104	689183.889	390186.989
3080	689169.033	390193.554

NOW OR FORMERLY
LANDS OF
MITCHELL WEDGE &
ANDREA WEDGE
DOC NO. 3130, 2015
PID No. 2758863

PARCEL A
AREA=299 SQ.M.±

NOW OR FORMERLY
LANDS OF
LESLIE W. MACKAY &
MARGARET ELSINGA MACKAY
L-656, F-3
PID No. 2755339

PID No. 2757335

LOT 22-2
AREA=1154 SQ.M.±
(AREA INCLUDES PARCEL A)

REFERENCE:
ISE LTD.
DWG. No. 20027

NOW OR FORMERLY
LANDS OF
DORIS POOLE
DOC NO. 859, 2009
PID No. 275727

REFERENCE:
N.F. STEWART
DWG. No. 90-88

PARCEL B
AREA=335 SQ.M.±

NOW OR FORMERLY
LANDS OF
M. LYNN MURRAY
L-665, F-45
PID No. 275321



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

(FIRE)

For Office Use Only

File #: 22-044 Zone: R3
 Permit #: 009-BLD-22 Permit Fee: \$10,500 + \$4000 DEF
 PID #: 275313 Received: JAN 17, 2022

BUILDING & DEVELOPMENT PERMIT APPLICATION

1. TYPE OF WORK

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

2. CONTACT INFORMATION

APPLICANT Name: Open Practice Inc. - Aaron Stavert Address: 67 King Street
 Phone: 902-370-2086 Cell: _____ Charlottetown, PE
 Email: aaron@openpractice.ca Postal Code: C1A 1B4

OWNER Name: Parker Perry Address: P.O. Box 40047 RPO West Royalty
 Phone: 902-394-6669 Cell: _____ Charlottetown, PE
 Email: parkerburns@ymail.com Postal Code: C1E 0J2

CONTRACTOR, ARCHITECT, OR ENGINEER Name: Open Practice Inc. - Aaron Stavert Address: 67 King Street
 Phone: 902-370-2086 Cell: _____ Charlottetown, PE
 Email: aaron@openpractice.ca Postal Code: C1A 1B4

3. PROJECT INFORMATION

Project Location: 1 Palmers Lane
 Proposed Occupancy: Multi-unit Residential, Group C up to 3 Storeys 12 UNITS
 Current Occupancy: Multi-unit Residential
 (If Existing Building on Lot)
 Estimated Value of Construction: \$ 1,500,000
 Corner Lot: Yes: ☒ No: ☐ Other Buildings on Lot? Yes: ☐ No: ☒ If yes, identify use: _____
 If Building/Addition is under 20m², will the Grades be changing? Yes: ☐ No: ☐ Not Applicable: ☒

4. DETAILED PROJECT DESCRIPTION

- 1) 3 Storeys plus 1 Basement Multi-unit Residential Building
- 2) 3 residential units per Floor
- 3) 3 residential units plus electrical and mechanical room at Basement level

THIS IS AN APPLICATION ONLY

Page 1 of 2

See Reverse for Additional Information

5. DECLARATION & SIGNATURE**I DO SOLEMNLY DECLARE & CERTIFY:**

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

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

I acknowledge, that failure to provide sufficient information and documentation as requested by the Planning & Heritage Department, will result in this Building & Development Permit application being considered "Null and Void" and the file will be closed after six (6) months from the date of this application.

SIGNATURE OF APPLICANT: _____

DATE: **03 Dec 2021**

Please indicate how you would like to receive the approved permit: ☐ Post ☒ Email ☒ Pick-Up at Planning Dept.

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

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

THIS IS AN APPLICATION ONLY**Page 2 of 2**

See Reverse for Additional Information

CITY OF CHARLOTTETOWN – BUILDING CODE BYLAW

PH-BC.3

page 1 of 2

**Schedule "A" - Letter of Undertaking
Declaration of Commitment by Owner
to the Municipal Authority Having Jurisdiction
Field Review of Construction**

Preamble

Whereas the *Building Code Bylaw* applies to the construction or demolition of a building;

And whereas the Province has adopted the National *Building Code* and the National Energy Code with amendments as the *Charlottetown Building Code*, requiring compliance with it as adopted for the construction or demolition of buildings;

And whereas architects, and professional engineers are required by their respective statutes, *Bylaw*, and *Bylaws*, to ensure the general public of competent standards and ethical conduct in the design of buildings;

And whereas The Provincial Building Code Act and Regulations requires professionals to design buildings in conformance with the minimum standards of the National Building Code and National Energy Code with sufficient drawings and documents to show how these standards have been met;

And whereas The Provincial Building Code Regulations, requires that these buildings shall be inspected at intervals appropriate to the stage of construction to determine substantial compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To: The authority having jurisdiction:

Date: December 6, 2021

City of Charlottetown - Planning & Heritage Department
70 Kent Street, Charlottetown, PE, C1A 1M9

Att: Mr. Trevor Eisnor

(Building Official)

Re: 1 Palmers Lane, Charlottetown, PE

Address of project (print)

1 Palmers Lane Multi-Unit Residential Development

Name of Project and Description (print)

I (the owner) submit this Letter of Undertaking to the authority having jurisdiction along with a completed application for a building permit.

The undersigned has appointed an architect(s), professional engineer(s), or designer(s) as prime consultant(s) to coordinate the *Field Review of Construction* for the below listed disciplines and I have attached to this Letter of Undertaking
(check appropriate boxes)

- ☒ *Field Review of Construction* Commitment Declarations completed by me or the prime consultant appointed by me to coordinate the *Field Review of Construction*.
- ☒ *Field Review of Construction* Commitment Declarations (identified below) completed by individual designers appointed by me to perform the *Field Review of Construction* for the applicable discipline(s).
- ☒ Shall forward *Field Review of Construction* Commitment Declarations for those not yet appointed.

CITY OF CHARLOTTETOWN – BUILDING CODE BYLAW

PH-BC.3

page 2 of 2

Schedule "A" - Letter of Undertaking
 Open Practice Inc. -x Collaborative Architecture

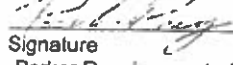
(Initial the disciplines that apply to this project. All disciplines will not necessarily be employed on every project)

☒ Building Design ☒ Structural ☐ Mechanical ☐ Electrical
☐ Geotechnical ☐ Plumbing ☐ Fire Suppression System

I shall notify the *authority having jurisdiction* if the *architect, or professional engineer* named in the attached "Review of Construction Commitment "Declarations" ceases, for whatever reason, to provide the *Field Review of Construction* for this *building* and shall appoint another *architect and professional engineer* immediately so that the *Field Review of Construction* will continue uninterrupted. This notice and the necessary *Field Review of Construction* Commitment Declaration(s) shall be forwarded to the *authority having jurisdiction* as soon as practical, but not later than 3 business days.

Parker Perry

Print Name



Signature

Initials Sample

Parker Developments & Parker Built Homes

Print Name of Firm or Company

P.O. Box 40047 RPO West Royalty, Charlottetown, PE C1E 0J2

Print Address

P.O. Box 40047 RPO West Royalty, Charlottetown, PE C1E 0J2

Mailing Address

902-394-6669

parkerburns@ymail.com

Telephone

Email

(Affix below the seal of the
*licensed Architect or professional
 Engineer in accordance with
 provincial legislation.*)

CITY OF CHARLOTTETOWN – BUILDING CODE BYLAW

PH-BC.3

page 1 of 2

Schedule "A-1"
Prime Consultant
Inspection Commitment Declaration

Preamble

Whereas the *Building Code Bylaw* applies to the construction or *demolition* of a *building*;

And whereas the Province has adopted the National *Building Code* and the National Energy Code with amendments as the *Charlottetown Building Code*, requiring compliance with it as adopted for the construction or *demolition* of *buildings*;

And whereas *architects*, and *professional engineers* are required by their respective statutes, *Bylaw*, and *Bylaws*, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And whereas The Provincial Building Code Regulations requires professionals to design *buildings* in conformance with the minimum standards of the National Building Code and National Energy Code with sufficient drawings and documents to show how these standards have been met;

And whereas The Provincial Building Code Regulations, requires that these *buildings* shall be inspected at intervals appropriate to the stage of construction to determine substantial compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

To: The authority having jurisdiction:
City of Charlottetown - Planning & Heritage Department
70 Kent Street, Charlottetown, PE, C1A 1M9

Date: December 6, 2021

Att: Trevor Eisnor (Building Official)

Re: 1 Palmers Lane, Charlottetown, PE

Address of project (print)

Palmers Lane Multi-Unit Residential Development

Name of Project and Description (print)

This is to advise that I am the architect or professional engineer appointed by the owner as prime consultant to coordinate the *Field Review of Construction* for the following disciplines.

I hereby declare as the Prime Consultant for this project that I will coordinate the Field Review of Construction for the following disciplines **which I have initialed**.

✓ Building Design Structural Mechanical Electrical
Geotechnical Plumbing Fire Suppression System

I attach, for your review the *Field Review of Construction* Inspection Commitment Declarations for each above marked and initialed discipline completed by an appropriate professional for each discipline or shall forward the Field Review of Commitment Declaration for those not yet appointed.

I, and professionals who have completed the various *Field Review of Construction* Inspection Commitment Declarations will perform the *Field Review of Construction*.

Schedule "A-1"

I also declare that

- 1) I will coordinate the review of shop drawings;
- 2) I will coordinate the review of changes to the design documents; and
- 3) When satisfied that the work substantially complies with the design drawings I will complete or have completed by the appropriate professional the Declaration of *Field Review of Construction* and return it to the *authority having jurisdiction* prior to requesting the *occupancy permit*.

Please be advised that I may delegate some or all of my duties associated with the coordination of the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*, or the *Architects Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 3 business days if the contract for *Field Review of Construction* is terminated at any time during construction.

Aaron Staver
 Print Name
 Signature
 Initials Sample
 Open Practice Inc. - Collaborative Architecture
 Print Name of Firm or Company
 67 King St. Charlottetown, PE, C1A 1B4
 Print Address
 67 King St. Charlottetown, PE, C1A 1B4
 Mailing Address
 902 370-2086 aaron@openpractice.ca
 Telephone Email

(Affix below the seal of the
 licensed Architect or professional
 Engineer in accordance with
 provincial legislation.)



CITY OF CHARLOTTETOWN – BUILDING CODE BYLAW

PH-BG.3

**Schedule "A-2" - Field Review of Construction
Inspection Commitment Declaration**

Preamble

Whereas the *Building Code Bylaw* applies to the construction or *demolition* of a *building*;

And whereas the Province has adopted the National *Building Code* and the National Energy Code with amendments as the *Charlottetown Building Code*, requiring compliance with it as adopted for the construction or *demolition* of *buildings*;

And whereas *architects*, and *professional engineers* are required by their respective statutes, *Bylaw*, and *Bylaws*, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And whereas the Provincial Building Code Regulations requires professionals to design *buildings* in conformance with the minimum standards of the National Building Code and National Energy Code with sufficient drawings and documents to show how these standards have been met;

And whereas the Provincial Building Code Regulations, requires that these *buildings* shall be inspected at intervals appropriate to the stage of construction to determine substantial compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

To: The authority having jurisdiction: Date: Dec 3 2021

City of Charlottetown - Planning & Heritage Department
70 Kent Street, Charlottetown, PE, C1A 1M9

Att: Mr. Trevor Eisnor (Building Official)

Re: 1 Palmer's Lane Charlottetown

Address of project (print)
Three Storey Apartment Building

Name of Project and Description (print)

This is to advise that I am the Architect or professional Engineer appointed by the owner or prime consultant to perform the Field Review of Construction. I hereby declare for the Design Requirements for:

☐ Building Design ☒ Structural ☐ Mechanical ☐ Electrical
☐ Geotechnical ☐ Plumbing ☐ Fire Suppression System

- 1) I will review the shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the design drawings to determine that the changes conform to the Code; and
- 3) When satisfied that the work substantially complies with the design drawings, I will complete the Declaration of *Field Review of Construction* and return it to the *authority having jurisdiction* prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 3 business days if the contract for *Field Review of Construction* is terminated at any time during construction.

Sheldon Tweel

Print Name
SCL Engineering (2005) Inc.

Print Name of Firm or Company
16 Great George Street, Charlottetown, PEI, C1A 4J6

Mailing Address

902 628 8620

Telephone



Signature

(Affix below the seal of the professional engineer in accordance with provincial legislation.)



Stavert, Robert

From: Benny Lam <benny@openpractice.ca>
Sent: December 22, 2021 1:54 PM
To: Stavert, Robert
Cc: Aaron Stavert
Subject: 1 Palmers Lane - Permit Application
Attachments: 211206_Palmers Lane IFP Set.pdf; Palmers Lane Apartment Structural SCL Stamped Dec 3 2021.pdf

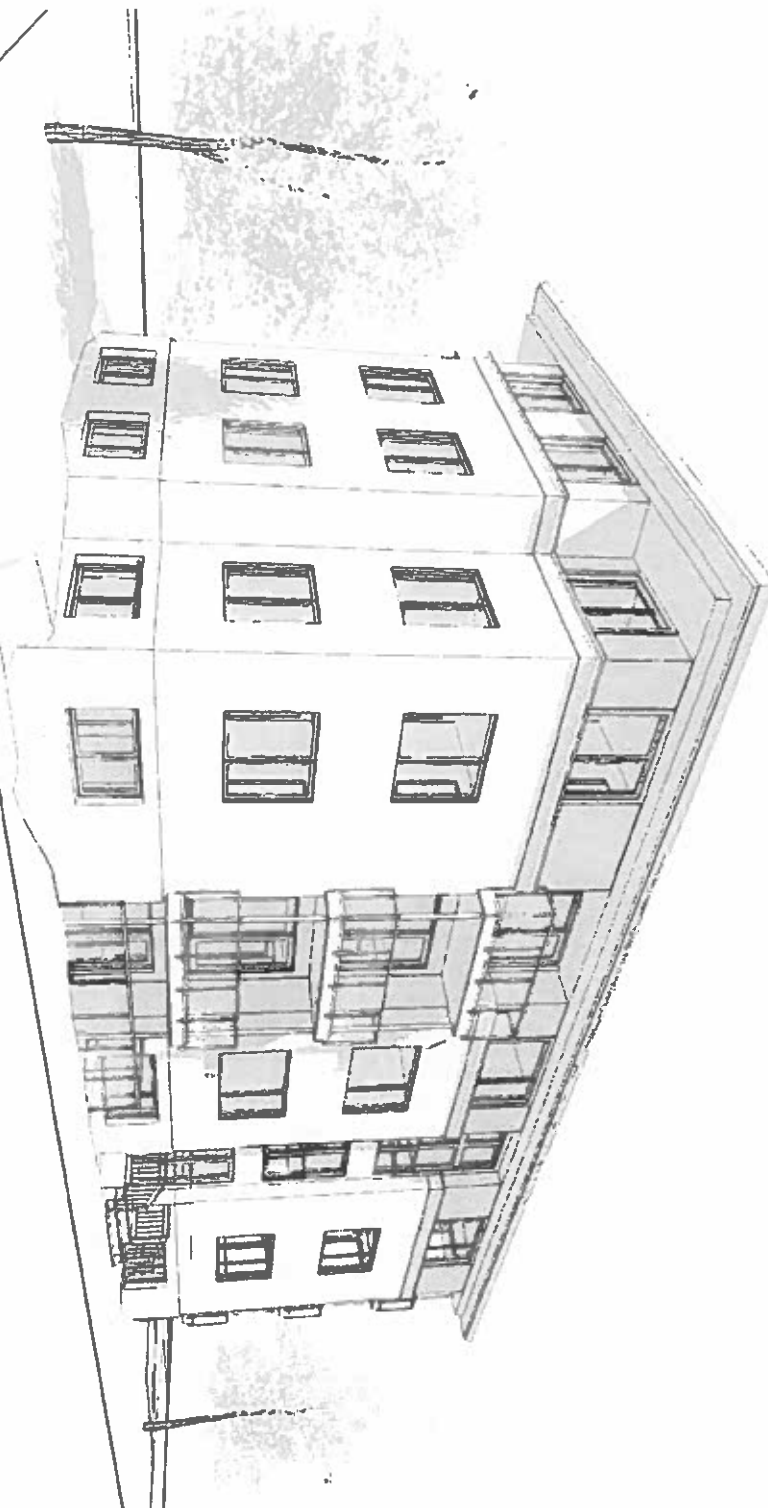
Hi Robert,

As per requested, please find attached the Architectural and Structural Submission Drawings for your kind perusal.

Feel free to contact us if you have any further question.

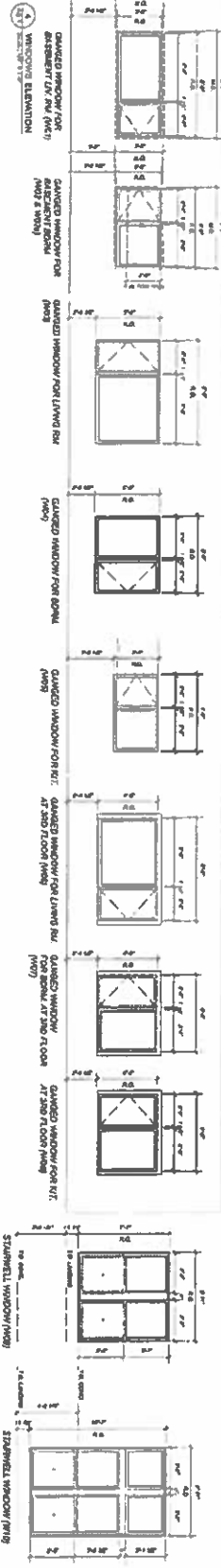
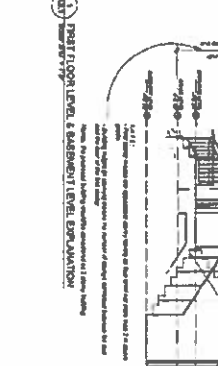
Thanks!

Benny

[illegible][illegible][illegible]

**OPEN
PRACTICE**
collaborative architects

61 Long Street
Cambridge, MA 02139
+ 617 552 1900
P 617 552 3017







OPEN PRACTICE
collaborative architecture

CONSULTANTS

Structural **MCC**

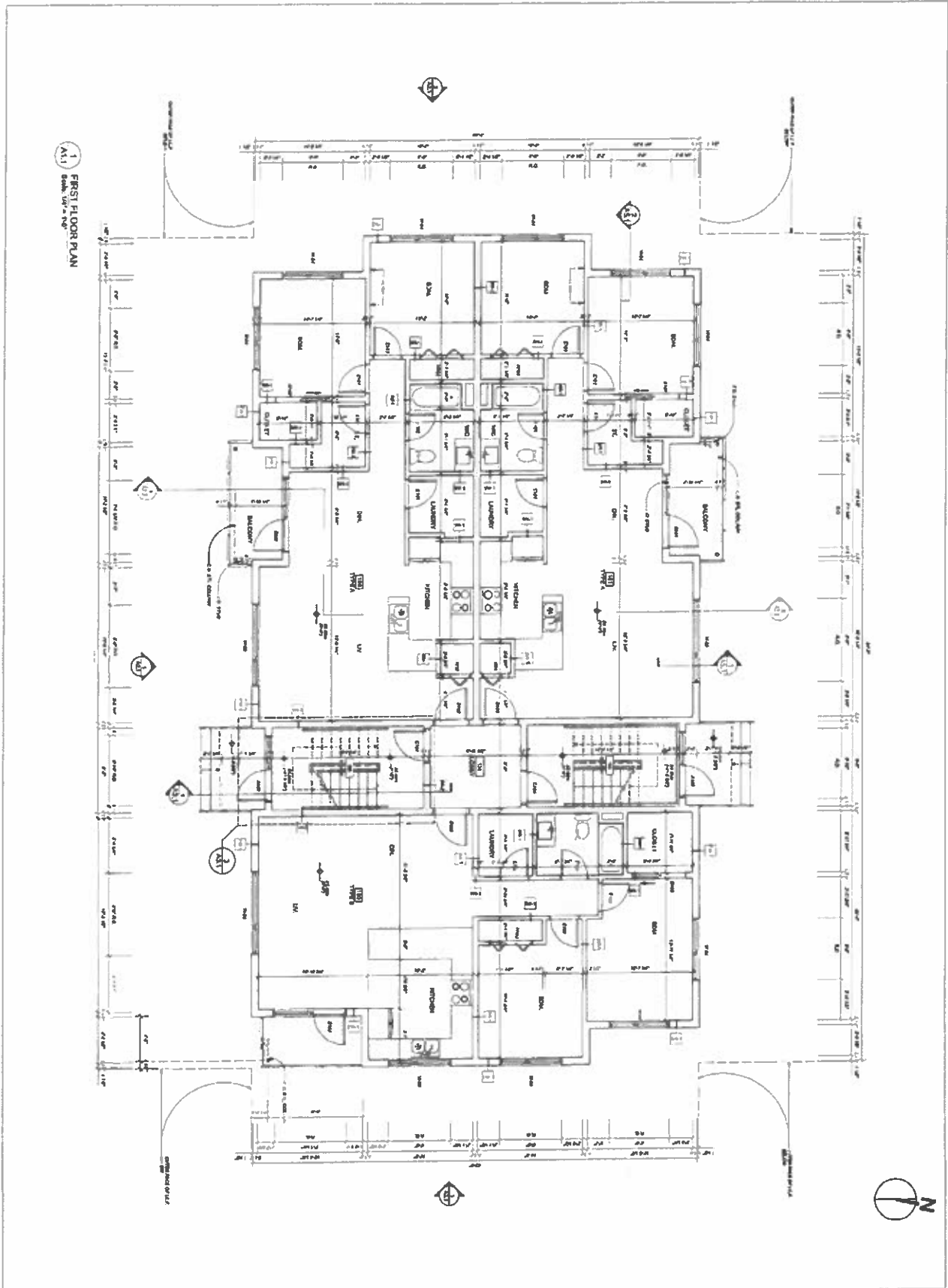
SE **Engineering (2005) Inc.**
Structural Engineering and Design
1000 University Avenue, Suite 1000
Berkeley, CA 94702

67 King Street
Christchurch, N.Z. 801
P.O. Box 2000
☎ 03 379 2000

GENERAL NOTES

2007-12-05	2008-12-05	2009-12-05	2010-12-05	2011-12-05	2012-12-05	2013-12-05	2014-12-05	2015-12-05	2016-12-05	2017-12-05	2018-12-05	2019-12-05	2020-12-05	2021-12-05	2022-12-05	2023-12-05	2024-12-05	2025-12-05	2026-12-05	2027-12-05	2028-12-05	2029-12-05	2030-12-05	2031-12-05	2032-12-05	2033-12-05	2034-12-05	2035-12-05	2036-12-05	2037-12-05	2038-12-05	2039-12-05	2040-12-05	2041-12-05	2042-12-05	2043-12-05	2044-12-05	2045-12-05	2046-12-05	2047-12-05	2048-12-05	2049-12-05	2050-12-05	2051-12-05	2052-12-05	2053-12-05	2054-12-05	2055-12-05	2056-12-05	2057-12-05	2058-12-05	2059-12-05	2060-12-05	2061-12-05	2062-12-05	2063-12-05	2064-12-05	2065-12-05	2066-12-05	2067-12-05	2068-12-05	2069-12-05	2070-12-05	2071-12-05	2072-12-05	2073-12-05	2074-12-05	2075-12-05	2076-12-05	2077-12-05	2078-12-05	2079-12-05	2080-12-05	2081-12-05	2082-12-05	2083-12-05	2084-12-05	2085-12-05	2086-12-05	2087-12-05	2088-12-05	2089-12-05	2090-12-05	2091-12-05	2092-12-05	2093-12-05	2094-12-05	2095-12-05	2096-12-05	2097-12-05	2098-12-05	2099-12-05	2100-12-05	2101-12-05	2102-12-05	2103-12-05	2104-12-05	2105-12-05	2106-12-05	2107-12-05	2108-12-05	2109-12-05	2110-12-05	2111-12-05	2112-12-05	2113-12-05	2114-12-05	2115-12-05	2116-12-05	2117-12-05	2118-12-05	2119-12-05	2120-12-05	2121-12-05	2122-12-05	2123-12-05	2124-12-05	2125-12-05	2126-12-05	2127-12-05	2128-12-05	2129-12-05	2130-12-05	2131-12-05	2132-12-05	2133-12-05	2134-12-05	2135-12-05	2136-12-05	2137-12-05	2138-12-05	2139-12-05	2140-12-05	2141-12-05	2142-12-05	2143-12-05	2144-12-05	2145-12-05	2146-12-05	2147-12-05	2148-12-05	2149-12-05	2150-12-05	2151-12-05	2152-12-05	2153-12-05	2154-12-05	2155-12-05	2156-12-05	2157-12-05	2158-12-05	2159-12-05	2160-12-05	2161-12-05	2162-12-05	2163-12-05	2164-12-05	2165-12-05	2166-12-05	2167-12-05	2168-12-05	2169-12-05	2170-12-05	2171-12-05	2172-12-05	2173-12-05	2174-12-05	2175-12-05	2176-12-05	2177-12-05	2178-12-05	2179-12-05	2180-12-05	2181-12-05	2182-12-05	2183-12-05	2184-12-05	2185-12-05	2186-12-05	2187-12-05	2188-12-05	2189-12-05	2190-12-05	2191-12-05	2192-12-05	2193-12-05	2194-12-05	2195-12-05	2196-12-05	2197-12-05	2198-12-05	2199-12-05	2200-12-05	2201-12-05	2202-12-05	2203-12-05	2204-12-05	2205-12-05	2206-12-05	2207-12-05	2208-12-05	2209-12-05	2210-12-05	2211-12-05	2212-12-05	2213-12-05	2214-12-05	2215-12-05	2216-12-05	2217-12-05	2218-12-05	2219-12-05	2220-12-05	2221-12-05	2222-12-05	2223-12-05	2224-12-05	2225-12-05	2226-12-05	2227-12-05	2228-12-05	2229-12-05	2230-12-05	2231-12-05	2232-12-05	2233-12-05	2234-12-05	2235-12-05	2236-12-05	2237-12-05	2238-12-05	2239-12-05	2240-12-05	2241-12-05	2242-12-05	2243-12-05	2244-12-05	2245-12-05	2246-12-05	2247-12-05	2248-12-05	2249-12-05	2250-12-05	2251-12-05	2252-12-05	2253-12-05	2254-12-05	2255-12-05	2256-12-05	2257-12-05	2258-12-05	2259-12-05	2260-12-05	2261-12-05	2262-
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1 PALMERS LANE
BASEMENT FLOOR PLAN
SCALE AS SHOWN
A1.0
© 2000-2001 P. J. H. & S. J. H.



1 FIRST FLOOR PLAN
A1.1 5000, 1/4" = 1'-0"

1 PALMERS LANE

5000, 1/4" = 1'-0"

AS SHOWN

A1.1

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.

3. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.



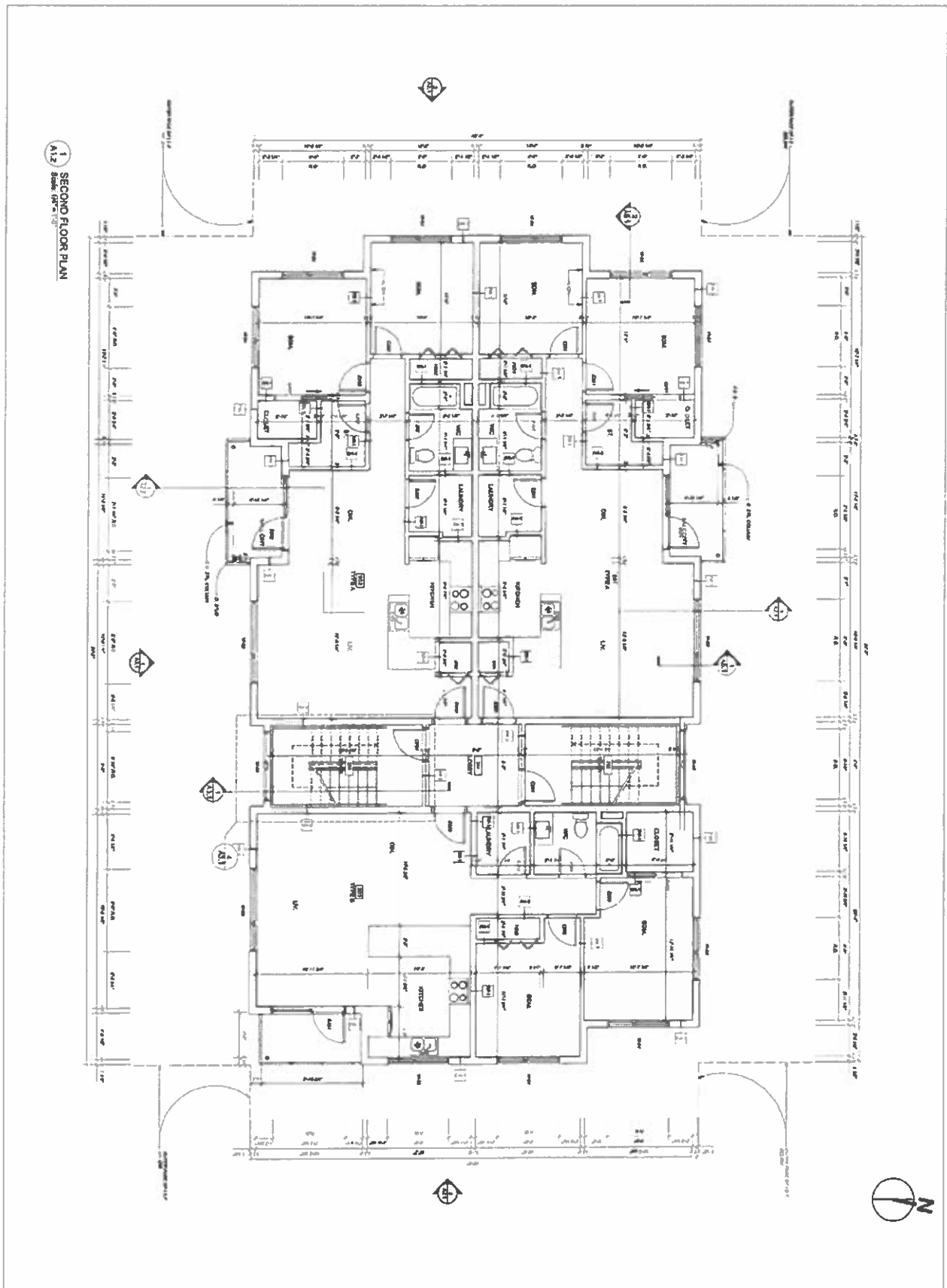
OPEN PRACTICE
collaborative architects

CONSULTANTS

STRUCTURAL
SPE

MECHANICAL/ELECTRICAL/PLUMBING
SPE

67 King Street
Cherrybrook, NSW 2170
P 02 943 5500
F 02 943 5501



DESIGNED BY
ARCHITECT
2008.03
1 PALMER LANE
SECOND FLOOR PLAN
A1.2
SCALE: 1/8" = 1'-0"

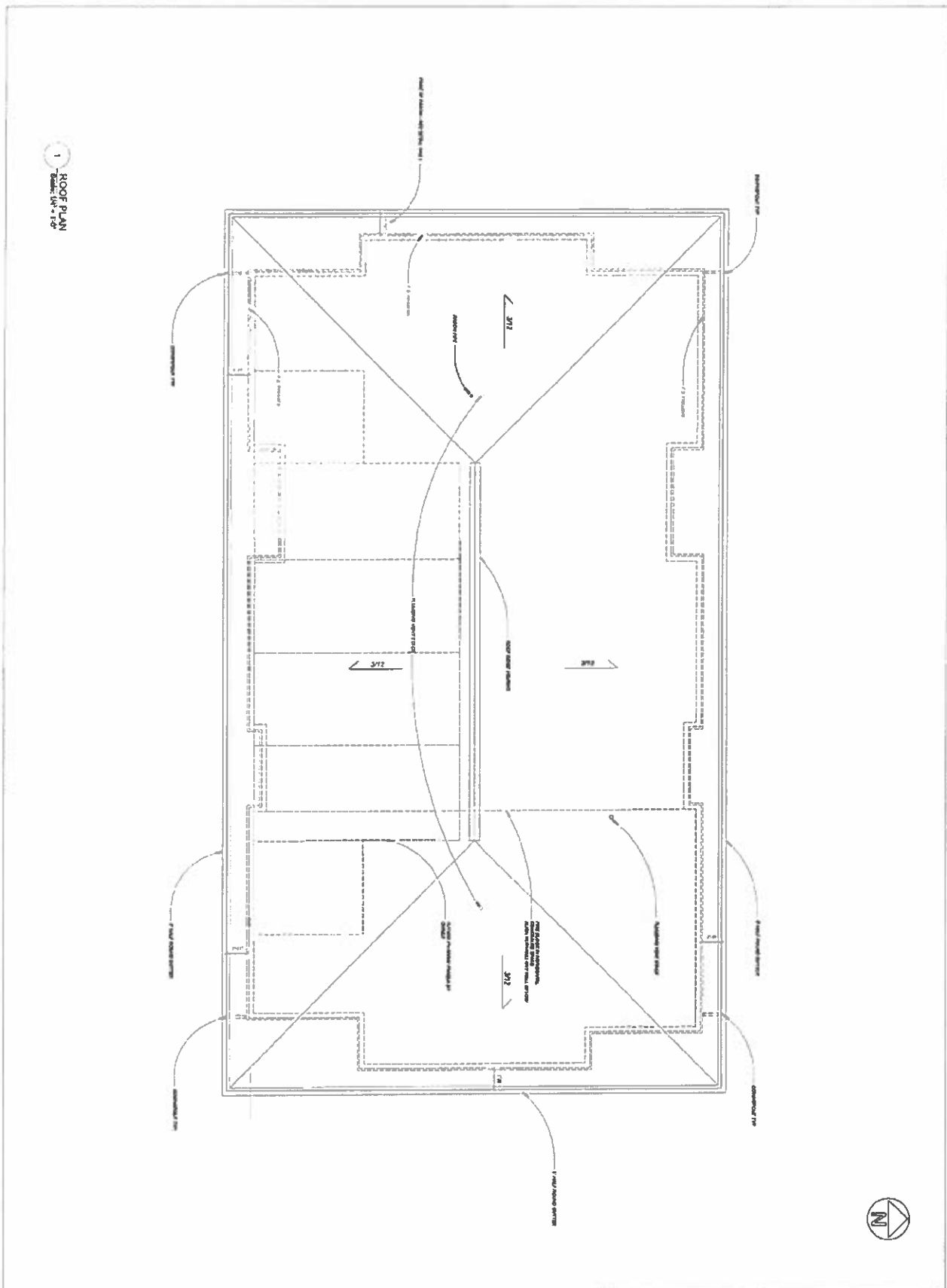
GENERAL NOTES
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.



OPEN PRACTICE
collaborative architecture

CONSULTANTS
ARCHITECT
2008.03

67 Long Street
Camden, NJ 08104
P 609.291.2000
F 609.291.2001



67 649 9764
 0 649 9764 9 04 124
 7 649 9764 1000
 8 649 9764 1000

102



**OPEN
PRACTICE**
collaborative architecture

CONSULTANTS



GENERAL NOTES
1. ALL WORKMAN SHALL BE IN A UNIFORM AND BE
PROPERLY EQUIPPED.
2. ALL MATERIALS AND TOOLS FOR REMOVAL SHALL BE
PROPERLY STORAGED.



ZVI-1-CZ-06 BRIDGE FOR PERSONNEL
ZVI-1-CZ-74 BRIDGE FOR STEEL SUPPLY
ZVI-1-CZ-91 BRIDGE FOR CONSTRUCTION
Cable _____ Name required

2018-03

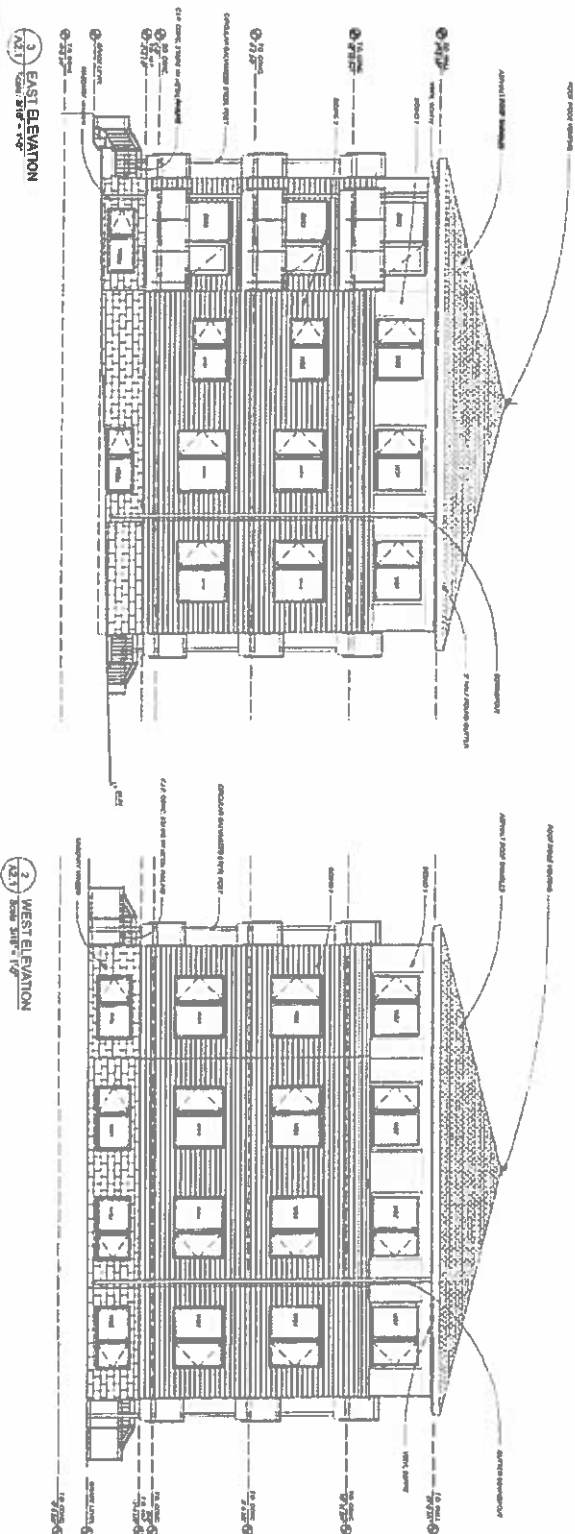
1 PALMERS LANE

PROOF PLAN

AD PROVERBIA

A1.4

© PrologixPartners LLC



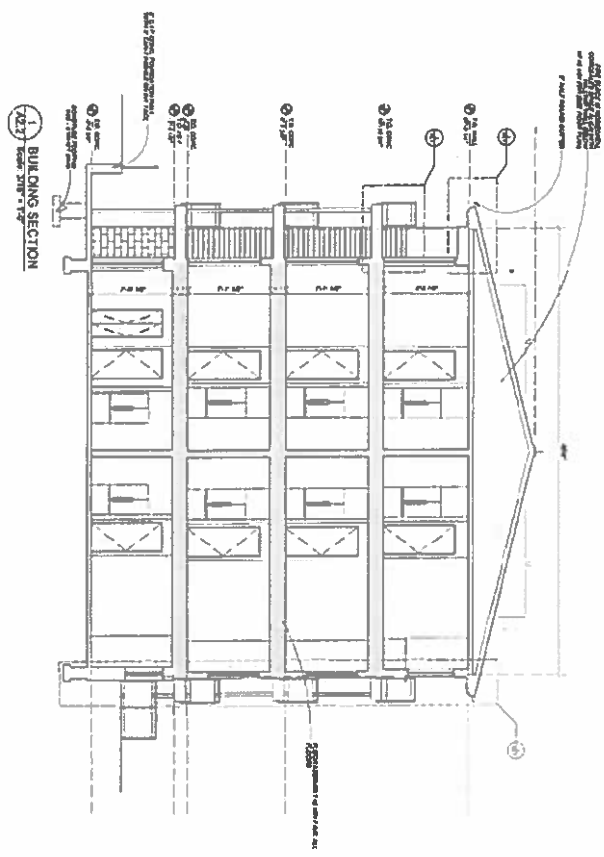
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collaborative architecture

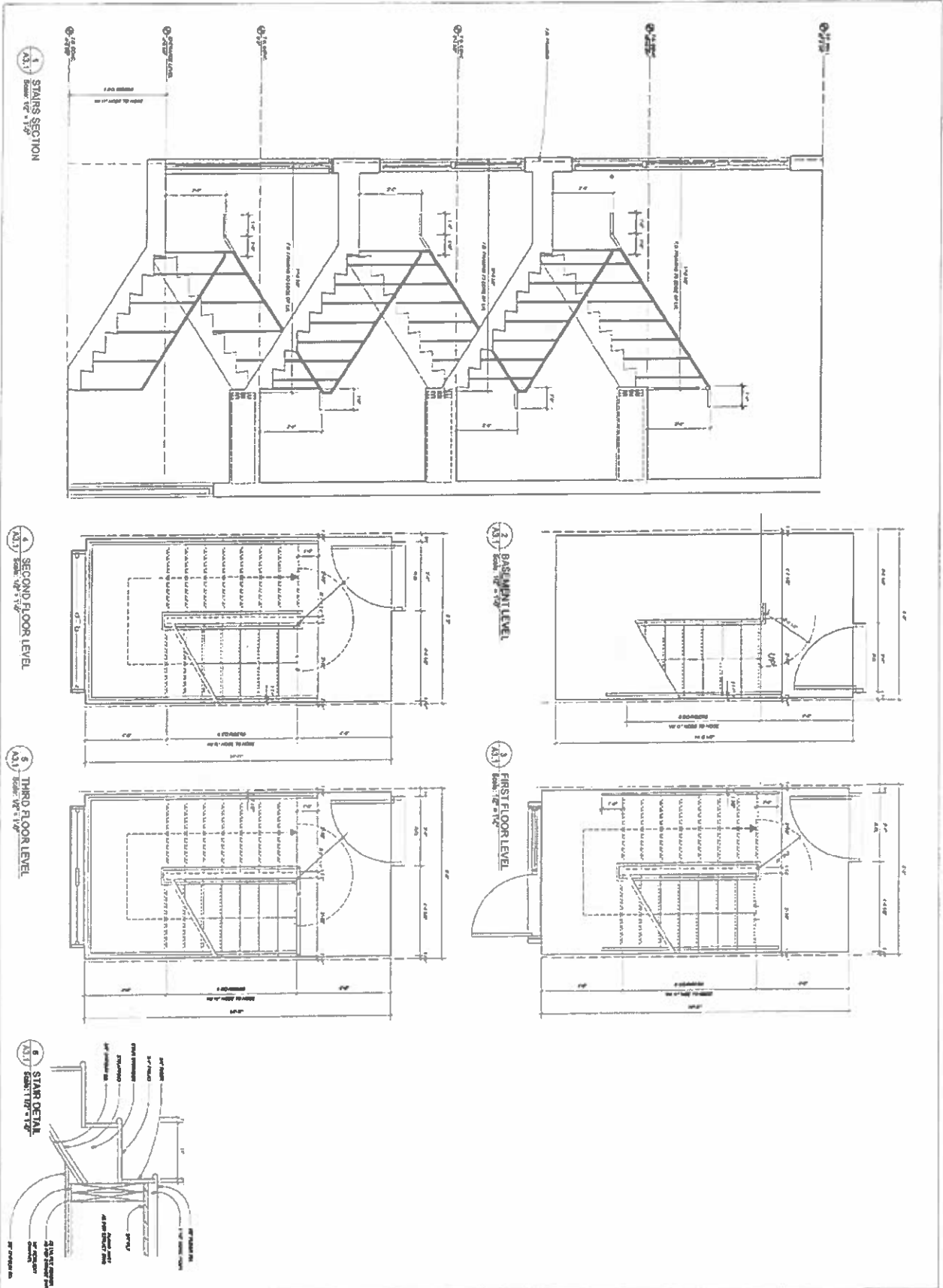
CONSULTANTS

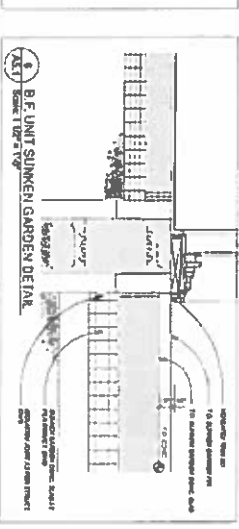
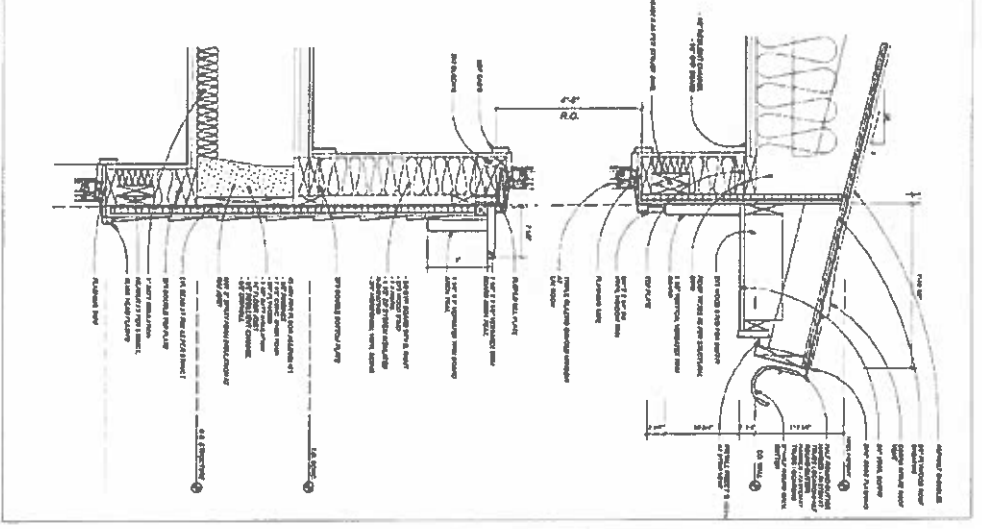
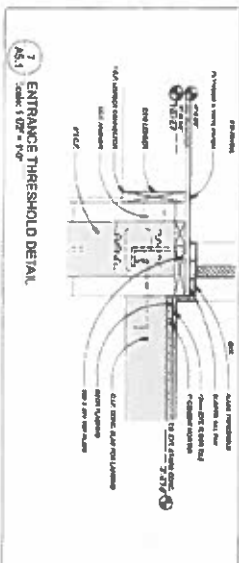
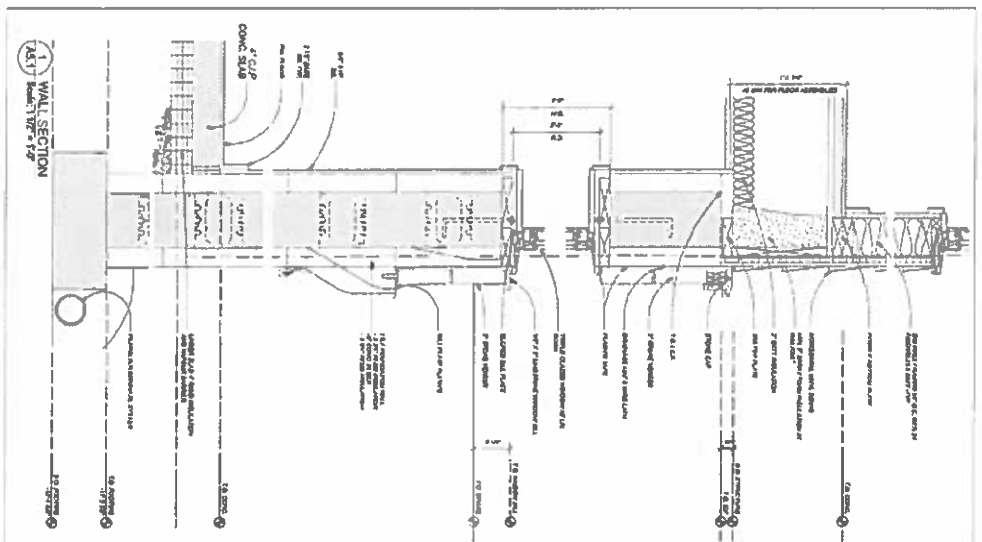
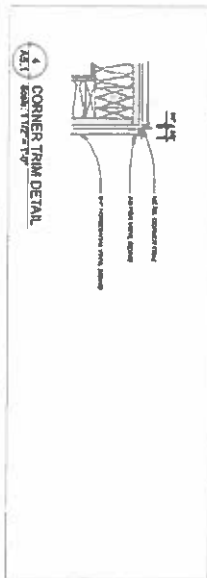
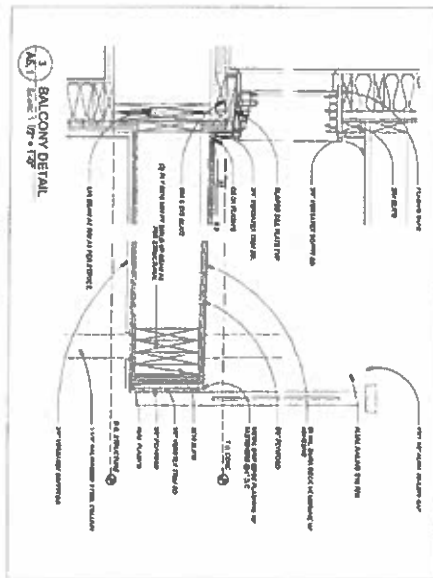
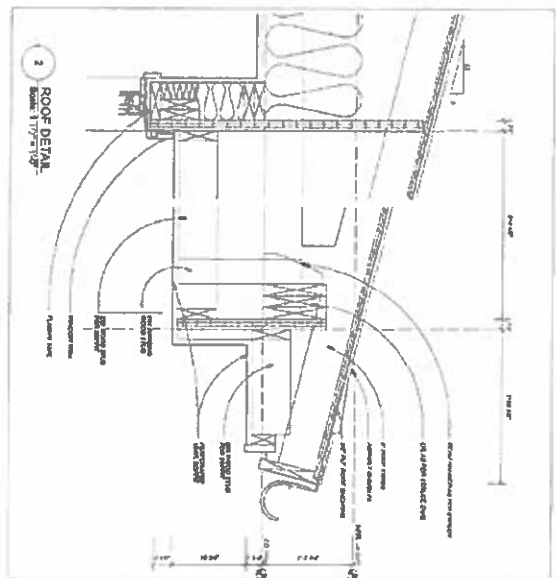
Structural **M&E**

SEA Engineering (2004) Inc.
1000 West 10th Avenue
Calgary, Alberta T2P 0K1

[illegible]







GENERAL NOTES

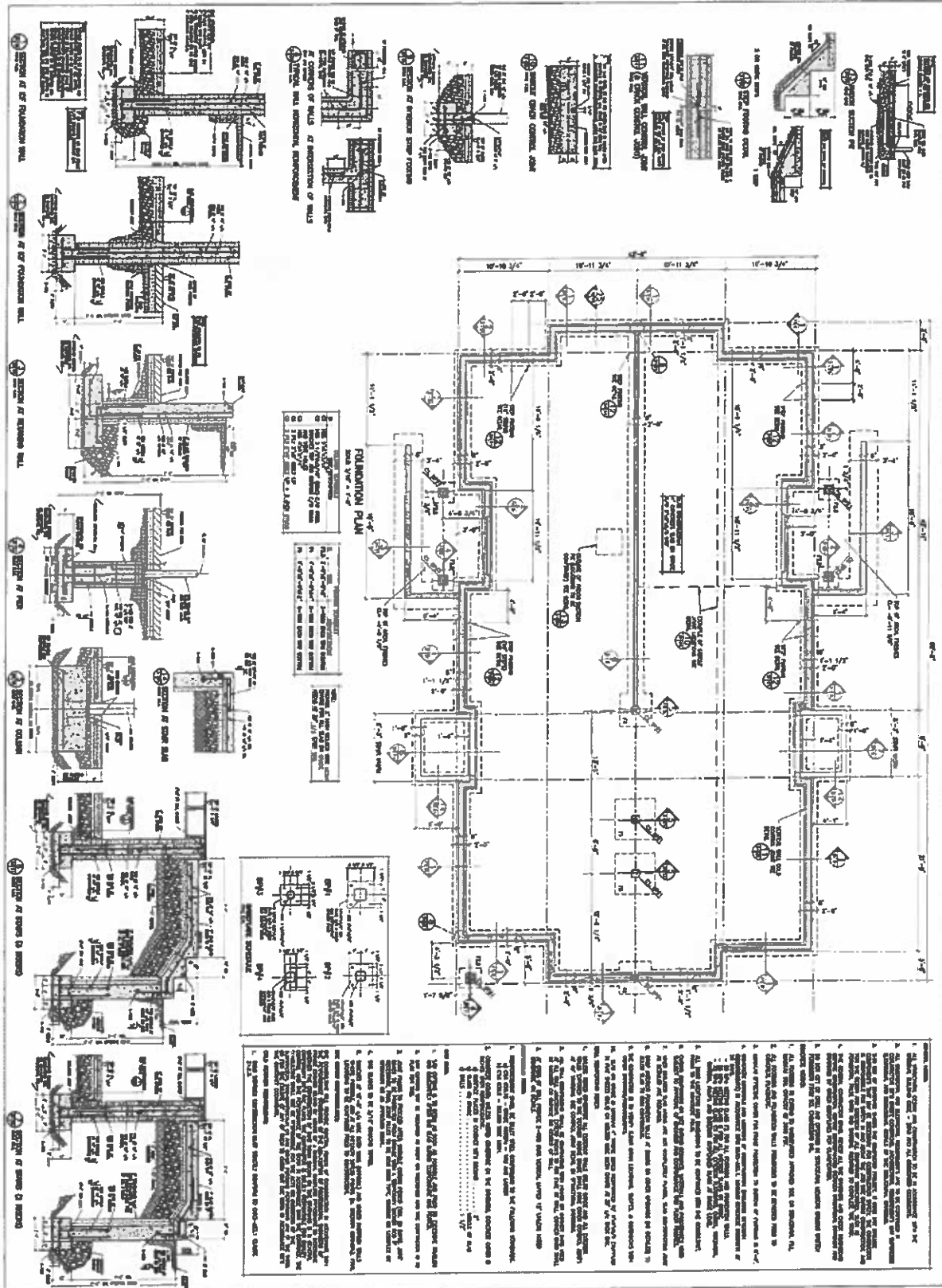


OPEN PRACTICE
collaborative architecture

CONSULTANTS
ARCHITECT
STRUCTURAL ENGINEER
MECHANICAL ENGINEER
ELECTRICAL ENGINEER
PLUMBING ENGINEER
LANDSCAPE ARCHITECT
CIVIL ENGINEER
ENVIRONMENTAL ENGINEER
HISTORIC PRESERVATION
PARKING ENGINEER
TRANSPORTATION ENGINEER
WATER RESOURCES ENGINEER
WIND ENGINEER
WOOD ENGINEER
ZONING ENGINEER

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2020.00
1 PALMERS LANE
WALL SECTIONS
SCALE AS SHOWN
A5.1
© 2020 City of Los Angeles



S1

1. PAULERS LANE
FOUNDATION PLAN,
SECTIONS & DETAILS

DATE: 10/10/10

BY: [Signature]

FOR: [Signature]

SCALE: 1/4" = 1'-0"

NOTES:

1. FOUNDATION WALLS TO BE CONCRETE.

2. FOUNDATION SLABS TO BE CONCRETE.

3. FOUNDATION PIERS TO BE CONCRETE.

4. FOUNDATION BEAMS TO BE CONCRETE.

5. FOUNDATION COLUMNS TO BE CONCRETE.

6. FOUNDATION FOOTINGS TO BE CONCRETE.

7. FOUNDATION DRAINS TO BE CONCRETE.

8. FOUNDATION VENTS TO BE CONCRETE.

9. FOUNDATION ACCESS TO BE CONCRETE.

10. FOUNDATION EGRESS TO BE CONCRETE.

GENERAL NOTES

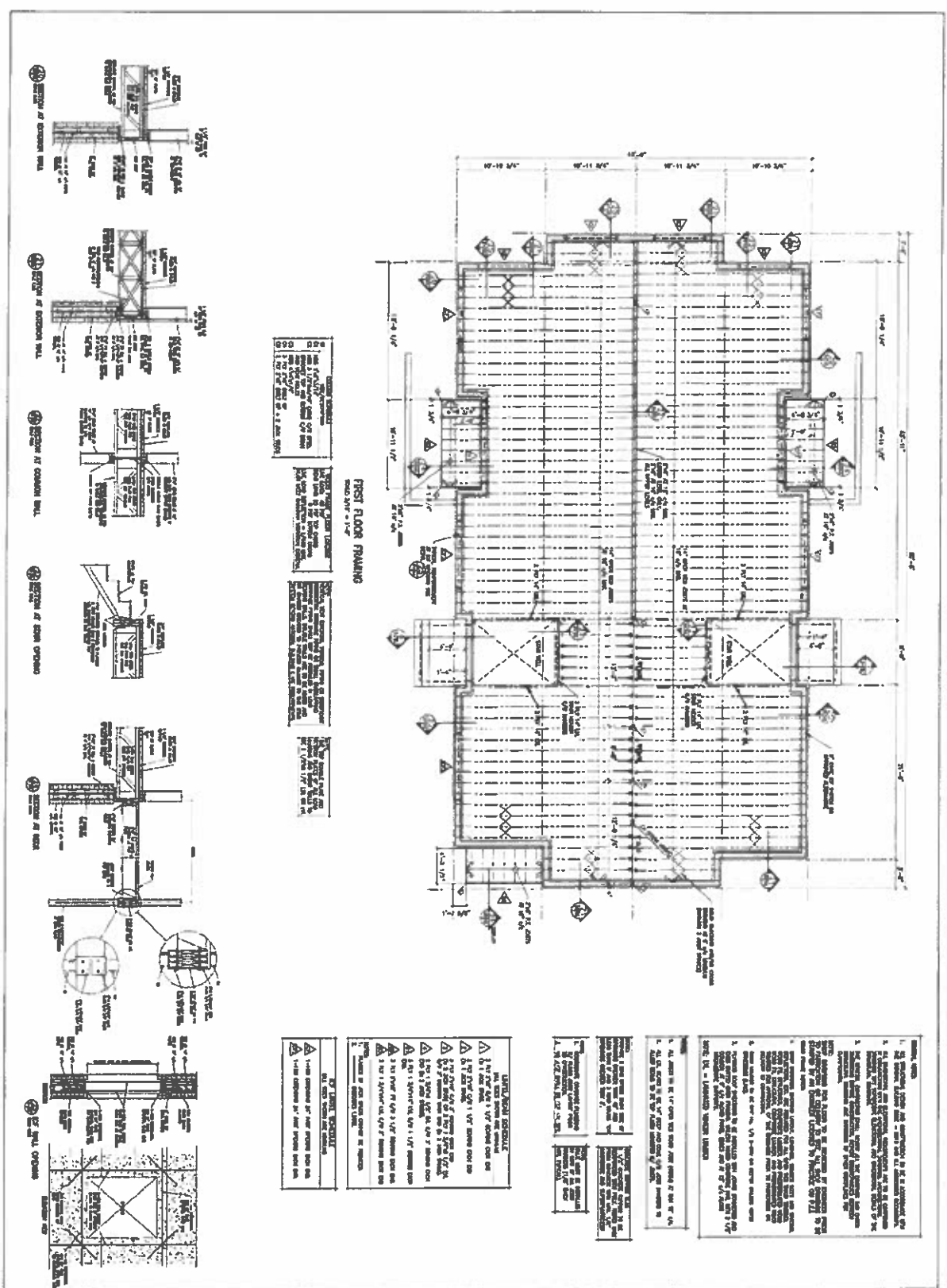
collaborative construction
OPENPRACTICE

CONSULTANTS

Structural

Engineering (2010) Inc.





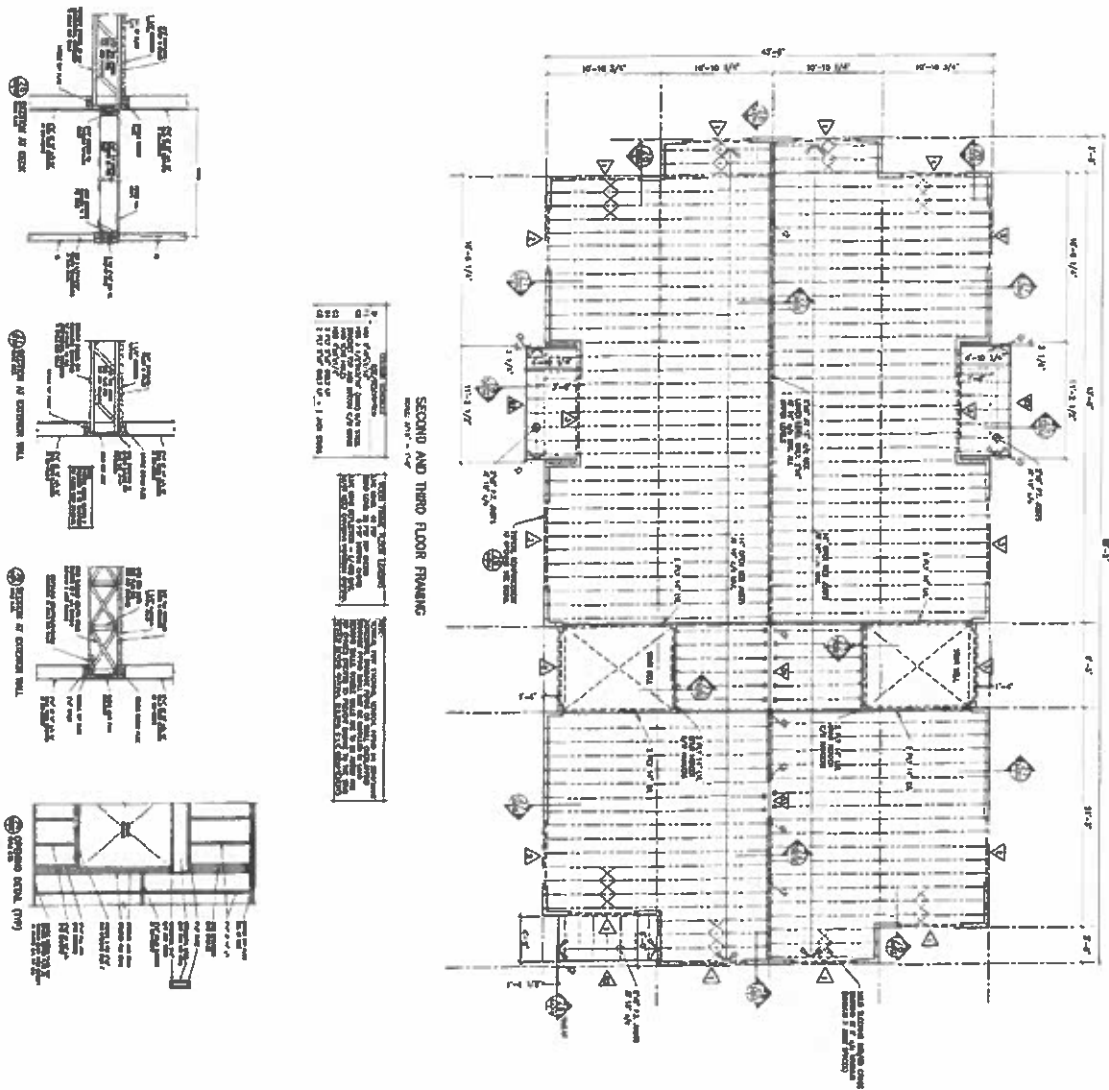
S2

1 PALMER LANE
FIRST FLOOR FRAMING PLAN
SECTIONS & DETAILS

DATE: 10/10/2018
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

GENERAL NOTES

OPENPRACTICE CONSULTANTS
10000 100th Ave. S. Suite 100
Bloomington, MN 55425
Phone: 612.480.1000
Fax: 612.480.1001
www.openpractice.com

[illegible][illegible]

GENERAL NOTES

collective architecture
OPENPRACTICE

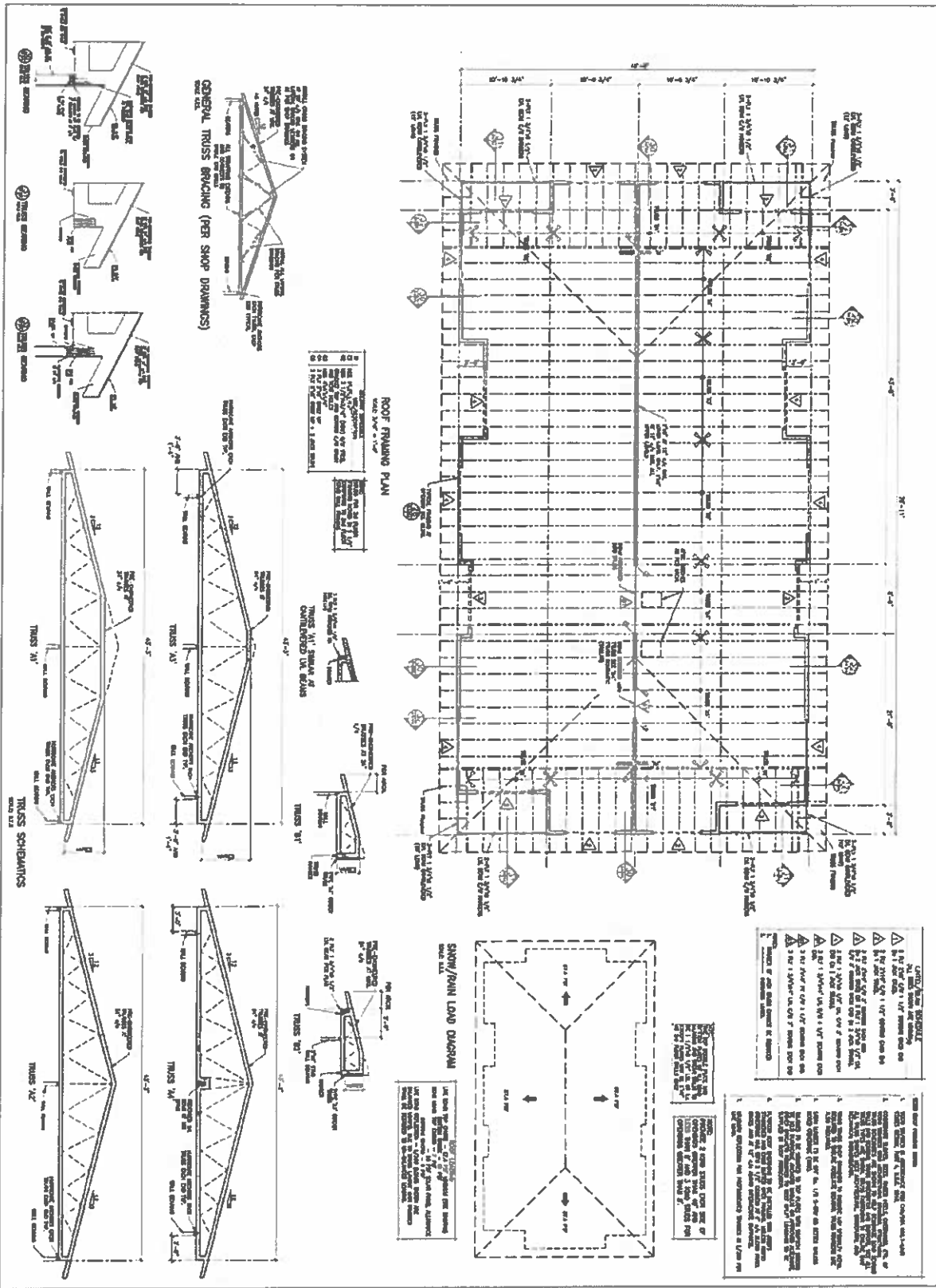
CONCLUSIONS

SEZ Engineering (2000) Inc.
10000 10th Avenue, Suite 100
Northridge, CA 91324
Tel: 818/708-8888
Fax: 818/708-8889
www.sezeng.com



1 PALMER'S LANE
SECOND & THIRD FLOOR
TRAINING PLAN, SECTIONS
& DETAILS
TOTAL 44 SHEETS
DATE: FEBRUARY 2, 1989
S3

20. Author(s) must be defined in the plot as
 character(s) or characters.
 21. Plot is the story or the sequence
 of events that make up the story.
 22. Setting is the time and place of the
 story.
 23. Theme is the central idea or message
 of the story.
 24. Point of View is the perspective
 from which the story is told.
 25. Style is the way the story is written.
 26. Structure is the organization of the
 story.
 27. Characterization is the way the
 characters are described.
 28. Conflict is the struggle between
 characters or forces.
 29. Resolution is the way the conflict
 is resolved.
 30. Conclusion is the end of the story.





Mailing: P.O. Box 98, 70 Kent St, Charlottetown, PE, C1A 7K2
 Tel: 902-629-4158 Fax: 902-629-4156
 Email: planning@charlottetown.ca Website: www.charlottetown.ca

For Office Use Only

File #:	22-081	Zone:	R1S
Permit #:	003-RZN-22	Permit Fee:	\$1400
PID #:	275735	Received:	FEB 2, 2022

REZONING & AMENDMENTS APPLICATION

1. TYPE OF WORK

☐ Rezoning including O.P. Amendment ☒ Rezoning not including O.P. Amendment ☐ Bylaw Amendment

2. CONTACT INFORMATION

APPLICANT	Name:	Open Practice Inc. - Aaron Stavert	Address:	67 King Street
	Phone:	902-370-2086	Cell:	Charlottetown, PE
	Email:	aaron@openpractice.ca	Postal Code:	C1A 1B4
OWNER	Name:	Parker Perry	Address:	P.O. Box 40047 RPO West Royalty
	Phone:	902-394-6669	Cell:	Charlottetown, PE
	Email:	parkerburns@ymail.com	Postal Code:	C1E 0J2

3. PROJECT INFORMATION

Project Location:	1 Palmers Lane		
Project Description:	Rezone a Portion of Existing R1S lot to expand an existing R3 to building a new Multi-unit Residential		
Present Zone:	Single Detached Residential Zone	Proposed Zone:	Medium Density Residential Zone
Present Official Plan (O.P.) Designation:	R1S	Proposed Official Plan (O.P.) Designation:	R3
Present Use:	Single Family Detached House	Proposed Use:	Multi-Unit Residential Building
Other:			

4. RATIONALE (Please briefly explain the rationale for the request to rezone. Include attachments if necessary.)

To rezone part of the lot PID No. 275735 from R1S to R3 This portion of the lot will be consolidated with lot PID 275313 for a 12 units Multi-Unit residential Building at 1 Palmers Lane

5. APPLICATION REQUIREMENTS

- | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Application Form with Fees | <input type="checkbox"/> Legal Description and Plot Plan | <input checked="" type="checkbox"/> Other Drawings | <input checked="" type="checkbox"/> Permission from Owner |
| <ul style="list-style-type: none"> Rezoning or Municipal Plan Amendments: \$800 per PID (if applicable) Rezoning & Official Plan Amendment: \$1400 per PID | <ul style="list-style-type: none"> Showing location of property to be rezoned. | <ul style="list-style-type: none"> Any relevant drawings of proposed development. | <ul style="list-style-type: none"> 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: Aaron Stavert

Digitally signed by Aaron Stavert
 Date: 2022.02.02 12:11:03 -04'00'

DATE: 2 Feb 2022

THIS IS AN APPLICATION ONLY

[illegible][illegible]

PROPOSING:
- Addition of all cases to PROPOS 2 & PROPOS 3
- Additional work and repair work
- Only at PROPOS 2 & 3 there is a 4th column with the
description of the project and
- After addition of all cases to PROPOS 2 & 3

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PALMERS LANE

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GENERAL NOTES



**OPEN
PRACTICE**
collaborative architecture

CONSULTANTS
Structural
SE Engineering (2005) Inc.
P.O. Box 111, Englewood & Progress, Chicago, IL 60617
Tel: 773.344.1111 Fax: 773.344.1112
www.se-engineering.com

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1 PAUMERS LANE

SITE PLAN

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© 2000 Blackwell Science Ltd



For	Permit #	002-DEM-22
Office	File #	22-042
Use	PID #	275313
Only	Zone:	R3

Planning DepartmentMailing Address

P.O. Box 98, 70 Kent Street, Charlottetown, PE, C1A 1M9

Contact information

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

Demolition Permit

This certifies that: Open Practice Inc. - Aaron Stavert of 67 King Street
 Has a Permit to: Demolish 6 unit apartment building
 At the location of: 1 Palmers Lane

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

Conditions

1	This Permit will be subject to Section 3.10 of the "Nuisance Bylaw" and "Zoning & Development Bylaw".
2	The damage deposit of Five Hundred Dollars (\$500) for possible damage to City property will be returned if no damage is reported or claimed.
3	The Applicant must engage Bell Aliant, Maritime Electric Co. Ltd. or other utilities in the removal of overhead/underground wires, etc. to facilitate the removal of such building, and to pay for any other expenses connected with the removal of same such as repairs to asphalt streets, curb, sidewalks or other. If power has to be interrupted to other properties during the removal, then permission is required from Island Regulatory and Appeals Commission (902) 892-3501.
4	The Applicant must remove this building during such hours so as not to obstruct traffic on said streets over and above any reasonable period of time and to contact the Police Department (902) 629-4172 and the Public Works Department (902) 894-5208 as to the exact date & time the removal will commence and arrange assistance.
5	The Contractor shall ensure all zone signage is installed in accordance with the Provincial Temporary Traffic Control manual (2016 Edition)
6	The Applicant must ensure the demolition area is protected and kept secure from illegal or unauthorized access. Ensure sidewalk is closed and direct pedestrian traffic with signage to use the other side of the street.
7	The Applicant must contact the Charlottetown Utilities Department (902) 629-4014 to have all sewer and water connections turned off, and disconnections must occur at the main line at the street right-of-way AND <u>must be inspected</u> by the Water and Sewer Utility prior to backfilling.
8	The applicant will ensure that safety measures comply with Part 8 of the National Building Code and also comply with 5.6 of the National Fire Code. A Fire Safety Plan must be onsite at all times. See Fire Inspector for details of Fire Safety Plan (902) 629-4083
9	All debris and dirt shall be removed from the Public Right of Way prior to the completion of the work. All materials from demolition site must be hauled and disposed of at a Provincially approved site.
10	The Applicant/Contractor is responsible to repair any damaged sidewalks, or asphalt caused by the demolition to the satisfaction of Public Works Manager.
11	The foundation must be removed or filled in and site to be level with no change in Grade. No significant ponding of water permitted.
12	This Demolition Permit shall be valid for sixty (60) calendar days.

Approved ByDevelopment Officer: Laurel Palmer Thompson

Name

Date: February 15, 2022Building Inspector: Trevor Eisnor

Name

Signature

Date: January 19, 2022

Administration send copy of Permit to ☐ Fire Department, ☐ Police Department, ☐ Public Works, ☐ Utility

M. Lynn Murray
62 Mount Edward Road
Charlottetown, PE C1A 5S5
Email: lynn.murray@keymurraylaw.com

April 4, 2022

Planning & Heritage Department
70 Kent Street
Charlottetown, PE C1A 1M9

Dear Sir/Madam:

Re: Proposed Development - Palmer's Lane

Parker Perry provided me with additional information on Friday afternoon in relation to the proposed development of the property.

As indicated during the public meeting, I retained a surveyor to prepare a survey for me. I met with the surveyor today who has prepared a preliminary survey plan, a copy of which is enclosed herewith.

As is evident from the preliminary survey attached hereto, it shows two pins at my southeast corner, one that is inside my hedge and one that is in line with my hedge. I understand those survey pins are approximately 4 to 5 feet apart.

The drawing we have been provided by the City only shows one survey marker and it does not show a second survey marker. In light thereof, I am not sure which marker is being used by the developer - the one inside my hedge or the one on my hedge boundary. Additionally, my hedge is not shown on the drawing that is filed with the City. When I purchased the property in 1992, the hedge was already planted by my predecessor and I have maintained it since that time.

In light thereof, while Planning has indicated that the proposed building meets the setback requirements, I am not sure that is the case as it is not clear where the start point would be. Furthermore, the most recent drawing I reviewed indicates a setback of 11.6 5/8 with a note that there is a 3.3 foot minimum. I understand the setbacks for side, flank and rear yards was 19.7 feet (6 meters) per the R3 regulations for apartment dwellings.

The letter to City Council dated April 1, 2022 from Mr. Perry and Mr. Jenkins indicated the building was pushed back an additional 18 feet from the Mount Edward Road side; however, it looks like it is about 14 feet or maybe 14½ feet according to the Planning Board recommendation.

Additionally, the Planning Board recommendation speaks of buffer zones. I note that the proposed buffer is located on my property as opposed to the developer's property. Is that what the City means when it states that in order to mitigate any potential land use conflicts, a landscape buffer would be required to be retained along the property boundary of the proposed development and

April 4, 2022

Page 2

any low density development? How is this new plan able to be approved when it is talking about using my land for its buffer zone?

Finally, the enclosed survey plan clearly indicates that there are obvious boundary issues involving the property in question and my property, such that it is not even clear where the setback even begins. Additionally, it is not clear whether the developer is claiming property as its property when in fact, the said property may have been occupied by me or my predecessors in title for in excess of 30 years.

My surveyor will be making final inquiries and soon as the plan is available I will be providing a copy to both Parker Perry and City Hall.

Yours truly,

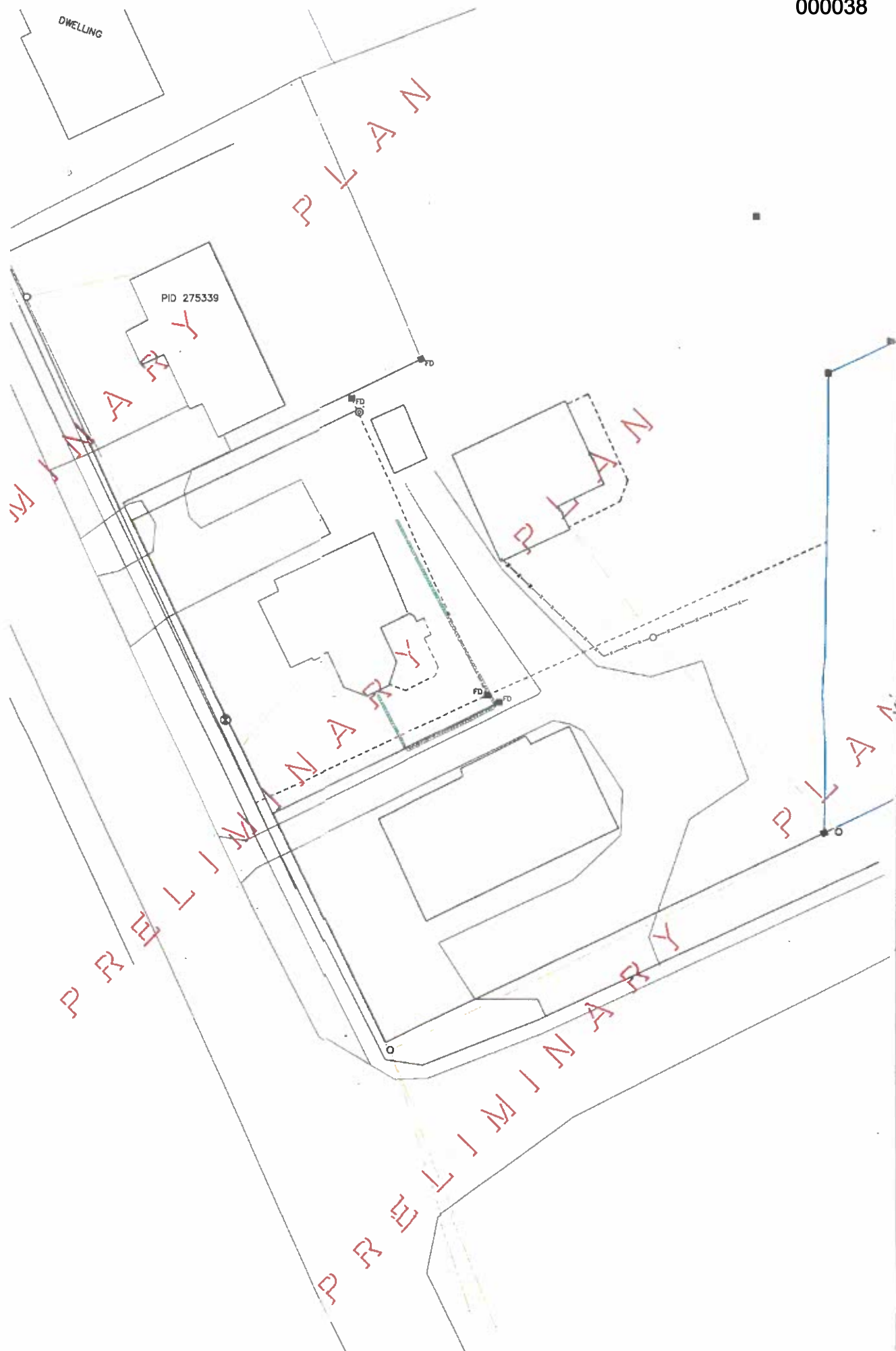


M. Lynn Murray

MLM/cam

Enclosure: Survey plan

cc: Parker Perry



**KEY PLAN****LEGEND**

.....	LANDS DEALT WITH BY THIS PLAN
■	FD SURVEY MARKER FOUND
■	SM SURVEY MARKER SET
■	WT WITNESS SURVEY MARKER SET
-----	FENCE
.....	CALCULATED POINT
▲	MON MONUMENT
●	WELL WELL
●	HP UTILITY POLE
⊕	MH MANHOLE
○	CB CATCH BASIN

NOTES

1. PROPERTY REGISTRY INFORMATION SHOWN HEREON OBTAINED FROM THE GE INFORMATION CENTRE, TAXATION AND PROPERTY RECORDS, A DIVISION OF THE DEPARTMENT OF PROVINCIAL TREASURY.
2. THIS PLAN IS METRIC AND ALL DISTANCES ARE IN METRES UNLESS OTHER SPECIFIED.
3. DIRECTIONS ARE AZIMUTHS REFERENCED TO GRID NORTH.
4. AZIMUTHS AND COORDINATES SHOWN ON THIS PLAN ARE REALIZED FROM A STEREOGRAPHIC PROJECTION REFERENCED TO NAD83 (CSRS) EPOCH 2010. ELE SHOWN HEREON ARE REFERENCED TO THE CANADIAN GEODETIC VERTIC (CGVD2013), AS ADDED FROM THE PRINCE EDWARD ISLAND ACTIVE CON NETWORK. LOCAL PRINCE EDWARD ISLAND CONTROL MONUMENTS WERE ALSO AND THE VALUES SHOWN ON THIS PLAN ARE THE VALUES AS OBSERVED DURING FIELD CAMPAIGN USING THIS NETWORK.

REVISIONS

Professional Land Surveying

**Land Survey
Consultant**

5 Edles Way
Stratford, PEI C1B 0J1

tel: (802) 314-9510
fax: (802) 569-5600

Email: bernardsurveys@pe.ca
Website: www.bernardsurveys.ca

PLAN OF SURVEY

SHOWING PERIMETER BOUNDARIES AND VISIBLE IMPROVE
ON LANDS IDENTIFIED AS PID 275321 IN POSSESSION

M. LYNN MURRAY

CHARLOTTETOWN
QUEENS COUNTY, PRINCE EDWARD ISLAND

JOB NO.: 22-038	FIELDWORK BY: S. MacLEAN
DATE OF PLAN: PRELIMINARY: APRIL 4, 2022	SCALE: 1:300

CERTIFICATION

I, Serge J. Bernard, PRINCE EDWARD ISLAND LAND SURVEYOR DO HEREBY CERTIFY
SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION, AND THAT THIS PLAN
AND CORRECT REPRESENTATION OF SAID SURVEY.

INTENT OF SURVEY**APPROVALS**

JAD

PRELIMINARY

**PRELIMINARY
PLAN**



CITY OF CHARLOTTETOWN

RESOLUTION

Carried

Planning
#8

MOTION CARRIED _____

MOTION LOST _____

*7-1 (Councillor Doran opposed
and Councillor Tweed is
McCabe
absent)*

Date: August 08, 2022

Moved by Councillor _____

Terry MacLeod

Terry MacLeod

Seconded by Councillor _____

Alanna Jankov

Alanna Jankov

BE IT RESOLVED:

That the request to:

- Amend Appendix "A" - Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential for a portion of 1B Palmers Lane (PID #275735) (total area of +/- 457 sq.m);
- Appendix "G" - Zoning Map of the Zoning & Development Bylaw from Single-Detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone, for a portion of 1B Palmers Lane (PID #275735) (total area of +/- 457 sq.m); and
- Consolidate a portion of 1B Palmers Lane (PID #275735) with 1 Palmers Lane (PID #275313), subject to a final pinned survey plan,

In order to construct a 12-unit apartment building, be approved.

Via email to
Phol Refuse
DWT

RECEIVED

000041

SEP 21 2022

2:49 PM

The Island Regulatory
and Appeals Commission

Notice of Appeal

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

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

NOTE:

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 City of Charlottetown (name of City, Town or Community) on the 22nd day of August, 2022, wherein the Minister/Community Council made a decision to See separate sheet

(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)

See separate sheet

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)

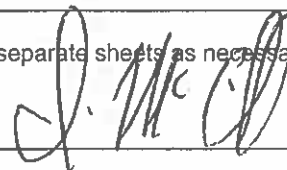
See separate sheet

EACH APPELLANT MUST COMPLETE THE FOLLOWING: (print separate sheets as necessary)

Name(s) of
Appellant(s): M. Lynn Murray, K.C.

Please Print

Signature(s) of
Appellant(s):



Mailing Address: c/o Key Murray Law, 494 Granville St

City/Town: Summerside

Province: PE

Postal Code: C1N 4K4

Email Address: iain.mccarvill@keymurraylaw.com

Telephone: 902-436-4851

Dated this 21st day of September, 2022
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.

NOTICE OF APPEAL (continued)
Pursuant to Section 28 of the Planning Act

TAKE NOTICE that I hereby appeal the decision made by the Municipal Council of the City of Charlottetown on the 22nd day of August, 2022, wherein the Community Council made a decision to:

- Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential for a portion of 1B Palmers Lane (PID #275735);
- Appendix "G" Zoning Map of the Zoning & Development Bylaw from Single-Detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone, for a portion of 1B Palmers Lane (PID #275735); and
- Consolidate a portion of 1B Palmers Lane (PID #275735) with 1 Palmers Lane (PID #275313), subject to a final pinned survey plan, in order to construct a 12-unit apartment building.

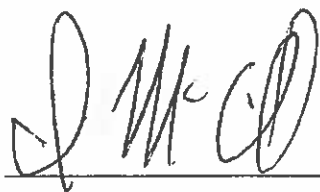
AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28(5) of the *Planning Act*, the grounds for this appeal are as follows:

- By email dated 18 May 2022, the City's planning department advised the Appellant that the City would provide her with actual notice when the present matter was proceeding to Council for decision;
- The Appellant had a legitimate expectation that she would receive actual notice of the matter being brought back to Council for decision, owing to the email from the City's planning department;
- Actual notice was not provided to the Appellant;
- The matter went before Council for decision on August 22nd;
- The Appellant became aware of Council's decision on 19 September 2022;
- Council failed to follow the proper process in rendering its decision; and
- Council's decision does not accord with sound planning principles.

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28(5) of the *Planning Act*, I seek the following relief:

- That the appeal be allowed, and the decision of the Council for the City of Charlottetown be quashed.

DATED this 21st day of September, 2022.



IAIN M. MCCARVILL
 Key Murray Law
 494 Granville Street
 Summerside, PE C1N 4K4
 902-436-4851
lain.mccarvill@keymurraylaw.com
 Lawyer for M. Lynn Murray, K.C.



Planning & Heritage Summary (Week ending August 26, 2022)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

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

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

Planning Development Permit Approvals

19-297	746164	348-BLD-19	10-Jun-19	24-Aug-22	APPROVED	16 Alice Ave (Lot 111)	Occupancy Permit: New single-detached dwelling	Steven Miller (MC Builders)	14-Sep-22
21-489	378646	577-BLD-21	23-Jul-21	24-Aug-22	APPROVED	12 Rosemount Drive	Occupancy Permit: Basement renovation: Add bathroom, 2 bedrooms and kitchen	Julia Di Bacco & Kody MacDonald	14-Sep-22
21-489	378646	713-SEC-21	23-Sep-21	24-Aug-22	APPROVED	12 Rosemount Drive	Secondary Suite Registration	Julia Di Bacco & Kody MacDonald	14-Sep-22
21-495	348219	584-BLD-21	27-Jul-21	22-Aug-22	APPROVED	6 Century Terrace	6' x 12' accessory building	Stephen Guy-McGrath	12-Sep-22
21-595	335653	728-BLD-21	29-Sep-21	24-Aug-22	APPROVED	45 Queen Street	Fascia and projecting sign	Sign Craft	14-Sep-22
21-615	388595	754-BLD-21	07-Oct-21	24-Aug-22	APPROVED	49 Meadow Lane (Lot 29)	Occupancy Permit: New single detached dwelling + secondary suite	Will Zafiris	14-Sep-22
21-615	388595	755-SEC-21	07-Oct-21	24-Aug-22	APPROVED	49 Meadow Lane (Lot 29)	Secondary Suite Registration	Will Zafiris	14-Sep-22
21-713	388595	901-BLD-21	23-Dec-21	26-Aug-22	APPROVED	45 Meadow Lane (Lot 30)	Occupancy Permit: New single-detached dwelling	Mike Bishop	16-Sep-22
22-602	342592	261-BLD-22	09-Jun-22	25-Aug-22	APPROVED	135 Prince Street	Remove and replace wheelchair ramp	Zion Presbyterian Church	15-Sep-22
22-916	684514	331-BLD-22	09-Aug-22	24-Aug-22	APPROVED	90 Holmes Lane (Lot 21-75)	Footings Permit: New single-detached dwelling	Leroy MacLeod	14-Sep-22
22-917	684514	332-BLD-22	09-Aug-22	24-Aug-22	APPROVED	92 Holmes Lane (Lot 21-76)	Footings Permit: New single-detached dwelling	Leroy MacLeod	14-Sep-22
22-918	684514	333-BLD-22	09-Aug-22	24-Aug-22	APPROVED	94 Holmes Lane (Lot 21-77)	Footings Permit: New single-detached dwelling	Leroy MacLeod	14-Sep-22
22-919	684514	334-BLD-22	09-Aug-22	24-Aug-22	APPROVED	96 Holmes Lane (Lot 21-78)	Footings Permit: New single-detached dwelling	Leroy MacLeod	14-Sep-22
22-920	684514	335-BLD-22	09-Aug-22	24-Aug-22	APPROVED	98 Holmes Lane (Lot 21-79)	Footings Permit: New single-detached dwelling	Leroy MacLeod	14-Sep-22
22-944	387761	026-TMP-22	11-Aug-22	23-Aug-22	APPROVED	670 University Avenue	20' x 40' Temporary tent	Derek Arsenault	13-Sep-22
22-960	1124163	350-BLD-22	12-Aug-22	22-Aug-22	APPROVED	30 Holmes Lane (lot 115)	New single-detached dwelling	Greenleaf Construction Ltd.	12-Sep-22
22-984	603043	042-HOC-22	12-Aug-22	22-Aug-22	APPROVED	3 Elizabeth Street	Home Occupation: Tourist Accommodation	Julia Le	12-Sep-22

File #	PID	Case #	Application Date	Decision Date	Decision	Property Location	Work Description	Name	Deadline to Make an Appeal
22-990	508275	355-BLD-22	15-Aug-22	22-Aug-22	APPROVED	97 Robin Avenue	Add a wheelchair ramp to front of dwelling	Dot & Dan Larter	12-Sep-22
22-993	1116177	357-BLD-22	16-Aug-22	22-Aug-22	APPROVED	9 East Royalty Road	New 10' x 12' accessory building	Alynn Grant and Donald Montgomery	12-Sep-22
22-997	878603	021-DEM-22	17-Aug-22	25-Aug-22	APPROVED	5 Acadian Drive	Relocate two 12' x 30' trailers from Albany to Charlotte town	La Commission Scolaire de Langue Francaise	15-Sep-22
22-998	878603	361-BLD-22	17-Aug-22	25-Aug-22	APPROVED	5 Acadian Drive	Place mobile classroom unit being relocated from outside City, next to school	Darrin Dunsford	15-Sep-22
22-1001	1121490	036-SGN-22	19-Aug-22	24-Aug-22	APPROVED	35 Regis Duffy Drive	Free-standing sign	Sign Craft	14-Sep-22
22-1037	1120690	014-SEC-22	22-Aug-22	24-Aug-22	APPROVED	110 MacWilliams Road	Renew secondary suite registration	Nguyen Phuong Lam Duong	14-Sep-22

Lot Subdivisions

File #	PID	Case #	Application Date	Approval Date	Decision	Property Location	Work Description	Name	Deadline to Make an Appeal
22-750	338818, 338826	043-LS-22	11-Jul-2022	24-Aug-2022	APPROVED	60-62-64-66 Dorchester Street	Lot Subdivision (Lots 22-A, 22-B, 22-C and 22-D)	Tyler White	14-Sep-2022
22-799	1014661	046-LS-22	20-Jul-2022	15-Aug-2022	APPROVED	23-25 Herbert Street	Lot Subdivision (Lot 18A and 18B)	Tara Costain and Gordon Wood	5-Sep-2022
22-911	1141126	048-LS-22	8-Aug-2022	23-Aug-2022	APPROVED	17-19 Anne Ave	Lot Subdivision (Lot 117A and 117B)	Homeway Builders PEI Inc	13-Sep-2022
22-912	1141092	049-LS-22	8-Aug-2022	23-Aug-2022	APPROVED	16-18 Anne Ave	Lot Subdivision (Lot 114A and 114B)	Homeway Builders PEI Inc	13-Sep-2022



Council Approvals

22-371	373092, 373100	009-RZN-22	20-Apr-22	22-Aug-22	Passed Second Reading. Awaiting Ministerial approval	Belvedere Avenue (formerly 93 and 95)	Request to: -Amend Appendix G – Zoning Map of the Zoning & Development Bylaw from the Low Density Residential (R-2) Zone to the Institutional (I) Zone for 93 Belvedere Avenue (PID #373092) & 95 Belvedere Avenue (PID #373100). -Amend Appendix A – Future Land Use Map of the Official Plan from Low Density Residential to Institutional for 93 Belvedere Avenue (PID #373092) & 95 Belvedere Avenue (PID #373100); and -Consolidate 93 Belvedere Avenue (PID #373092) & 95 Belvedere Avenue (PID #373100) with that of the UPEI main campus located at 560 University Ave (PID #373126)	Jackie MacPhail	12-Sep-22
22-671	679381	012-RZN-22	23-Jun-22	22-Aug-22	Passed Second Reading. Awaiting Ministerial approval	50 Cumberland Street (part of)	Request to amend the Development Concept Plan and amend Appendix "B" Comprehensive Development Area (CDA) Parcels and Permitted Uses, pertaining to 50 Cumberland Street (PID #679381), for the construction of a new industrial equipment building and the demolition of the existing steam plant, subject to the condition that the building elevation be approved through the Design Review Process prior to the issuance of a Building & Development Permit	Ryan Faubert	12-Sep-22
22-081	275735	003-RZN-22	02-Feb-22	22-Aug-22	Passed Second Reading. Awaiting Ministerial approval	1B Palmers Lane	Request to: -Amend Appendix "A" - Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential for a portion of 1B Palmers Lane (PID #275735) (total area of +/- 457 sq.m); -Appendix "G" - Zoning Map of the Zoning & Development Bylaw from Single- Detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone, for a portion of 1B Palmers Lane (PID #275735) (total area of +/- 457 sq.m); and -Consolidate a portion of 1B Palmers Lane (PID #275735) with 1 Palmers Lane (PID #275313), subject to a final pinned survey plan, in order to construct a 12-unit apartment building	Open Practice Inc. - Aaron Stavert	12-Sep-22

Iain McCarvill

From: Lynn Murray
Sent: September 19, 2022 12:00 PM
To: Iain McCarvill
Subject: FW: Palmer's Lane

M. Lynn Murray, K.C.*

Partner

tel +1 (902) 368-7821 (direct) | fax +1 (902) 368-3762

80 Grafton Street, Suite 200

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Legal Assistant, Carol Ann Matheson | +1 (902) 368-7801

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From: Thompson, Laurel <lthompson@charlottetown.ca>
Sent: Wednesday, May 18, 2022 11:14 AM
To: Lynn Murray <lynn.murray@keymurraylaw.com>
Cc: Catane, Ellen <ecatane@charlottetown.ca>
Subject: RE: Palmer's Lane

Hi Lynn:

Yes, that's no problem. We can advise you when it is to proceed to Council.

Best Regards,

Laurel

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: May 18, 2022 9:41 AM
To: Thompson, Laurel <lthompson@charlottetown.ca>
Subject: Re: Palmer's Lane

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I understand that is happening and that the boundary line as provided to you will be different.

I merely asked to be notified when this is coming back to council

Is that possible

Lynn

M. Lynn Murray, Q.C.

Partner

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Key Murray Law

COVID-19 NOTE

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2. You or a member of your household has been asked to self-isolate during the last 14 days; or
3. You are experiencing any symptoms of illness, such as fever, cough, sore throat, chills, fatigue, body aches or loss of taste or smell.
4. Non-surgical masks must be worn at all times within the office.

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On May 18, 2022, at 9:38 AM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Good morning, Lynn:

Please be advised that Council deferred this application with the expectation that you would provide the applicant the relevant information regarding your shared property line. It is our understanding that your surveyor has been in contact with the applicant regarding the disputed property boundary and that your survey would be forth coming to the applicant.

Please follow up with your surveyor and the applicant as to the status of the disputed property boundary. Staff are waiting for the applicant to convey to us when they want this issue back on the regular Council agenda.

Best Regards,

Laurel Palmer Thompson

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: May 17, 2022 4:56 PM
To: Catane, Ellen <ecatane@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>
Cc: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

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Thank you

M. Lynn Murray, Q.C.*
 Partner
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From: Catane, Ellen <ecatane@charlottetown.ca>
Sent: May 17, 2022 4:20 PM
To: Lynn Murray <lynn.murray@keymurraylaw.com>; Thompson, Laurel <lthompson@charlottetown.ca>
Subject: RE: Palmer's Lane

Hello Lynn,
 Good day! The application was deferred at the regular meeting of Council in April. I have not had any update since then.

I am looping in Laurel in this email. She may have a better idea of what the status of this application is at this time. Thank you!

Best Regards,
Ellen

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: May 9, 2022 12:24 PM
To: Catane, Ellen <ecatane@charlottetown.ca>
Cc: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

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Ellen

IS it possible to be advised if anything else is before planning Board or Council dealing with the above noted proposed development

If so, can I be advised at this email address. If not, If you could just let me know

Lynn

M. Lynn Murray, Q.C.*
Partner
tel +1 (902) 368-7821 (direct) | fax +1 (902) 368-3762
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PO Box 875
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From: Catane, Ellen <ecatane@charlottetown.ca>
Sent: April 4, 2022 2:29 PM
To: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

Hi Lynn,

Thank you for your confirmation. It will be livestreamed at www.charlottetown.ca/video where you can watch and/or listen live. As soon as the meeting starts, you should be able to hear/listen/watch the meeting proceedings.

Safe travels!

Best Regards,
 Ellen

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: April 4, 2022 2:27 PM
To: Catane, Ellen <ecatane@charlottetown.ca>
Cc: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

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Thank you – will I be able to call in to listen or do I have to be on zoom – I am on the road to Nova Scotia tomorrow afternoon/evening

Lynn

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 Partner
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 PO Box 875
 Charlottetown PE, C1A 1K7
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From: Catane, Ellen <ecatane@charlottetown.ca>
Sent: April 4, 2022 2:12 PM
To: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

Hello Lynn,

Good day! Because of the current weather condition, the planning board meeting scheduled tonight is rescheduled to tomorrow, April 05, 2022 at 4:30pm. The meeting will still be at City Hall, Council Chambers.

Kindly respond to this email to confirm receipt.

Thank you!

Best Regards,
 Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department
 70 Kent Street
 Charlottetown, Prince Edward Island
 Canada, C1A 1M9
 Office: 902-629-4112
 Fax: 902-629-4156

ecatane@charlottetown.ca
www.charlottetown.ca



From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: April 4, 2022 10:28 AM
To: Catane, Ellen <ecatane@charlottetown.ca>
Cc: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

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Thank You Ellen

Lynn

M. Lynn Murray, Q.C.*

Partner

tel +1 (902) 368-7821 (direct) | fax +1 (902) 368-3762

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From: Catane, Ellen <ecatane@charlottetown.ca>

Sent: April 4, 2022 8:46 AM

To: Lynn Murray <lynn.murray@keymurraylaw.com>

Cc: Thompson, Laurel <lthompson@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>

Subject: RE: Palmer's Lane

Hello Lynn,

Good morning and thank you for your email. The application dealing with the rezoning of a portion of 1B Palmers Lane will be presented and discussed in tonight's meeting. The meeting is scheduled at 4:30pm at Council Chambers, 2nd Floor, City hall.

Planning Board will review the application (and proposed changes submitted by the applicant) and will make a recommendation to Council. Council meeting will be scheduled next Monday, April 11. *For the rezoning process, after a public meeting, the application is forwarded to Planning Board for a recommendation to Council, and Council makes a decision. During this process, there is no requirement for another public meeting.*

The meeting can be viewed as it is streamed live at www.charlottetown.ca/video. Thank you!

Best Regards,
Ellen

From: Lynn Murray <lynn.murray@keymurraylaw.com>
 Sent: April 3, 2022 6:26 PM
 To: Catane, Ellen <ecatane@charlottetown.ca>
 Subject: Palmer's Lane

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Ellen

Parker sent me a new proposal on Friday afternoon at 457 pm.

Is this the one that is being considered on Monday night or will the meeting be delayed?

I would request that it be delayed given that there is a new proposal that was just received at end of business on Friday.

Furthermore, Will there be another public meeting now that there is a new proposal?

Lynn Murray

M. Lynn Murray, Q.C.

Partner

tel +1 (902) 368 7821 | fax +1 (902) 368 3762

80 Grafton Street, Suite 200, Charlottetown PE

PO Box 875, C1A 7L9

Legal Assistant, Carol Ann Matheson | +1 (902) 368 7801

Key Murray Law

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**CITY OF CHARLOTTETOWN
AMENDMENT**

OFFICIAL PLAN (PH-OPA.1):

To adopt the Official Plan Amendment, PH-OPA.1-032, The land use for a portion of 1B Palmers Lane (PID #275735) as shown on Appendix A – Future Land Use Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, hereby excluding it from its former designation of Low Density Residential.

BE IT RESOLVED THAT THE "OFFICIAL PLAN AMENDMENT, (PH-OPA.1-032, as it pertains to a portion of 1B Palmers Lane (PID #275735))", as attached, be adopted.

Date: _____ August 08, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

ZONING & DEVELOPMENT BYLAW(PH-ZD.2):

To adopt Bylaw PH-ZD.2-60, A Bylaw to amend the Zoning & Development Bylaw, "To Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw for a portion of 1B Palmers Lane (PID #275735) from the Single Detached Residential (R1-S) Zone to the Medium Density Residential (R-3) Zone."

BE IT RESOLVED THAT THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-60, as it pertains to a portion of 1B Palmers Lane (PID #275735))", as attached, be read a first time and approved; and that it be read a second time at the next Public Meeting of Council.

Date: _____ August 08, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-60, as it pertains to a portion of 1B Palmers Lane (PID #275735))", as attached, was read and approved a first time on August 08, 2022;

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

Date: _____ August 22, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

BE IT RESOLVED THAT the said Bylaw be adopted.

Date: _____ August 23, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

7-1
B. Davis
opposed

Carried
(Councillors
Tweed
McCabe
disagree)

7-1
B. Davis
opposed

Carried

9-1
(Councillors
Davis
opposed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # PH-ZD.2-60

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

PART I – INTERPRETATION AND APPLICATION

1. Title

- (1) This Bylaw shall be known and cited as the "Bylaw to amend the Zoning and Development Bylaw, Bylaw # PH-ZD.2-60"

2. Authority

- (1) Sections 16 and 18 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws and bylaw amendments implementing an official plan for the municipality.

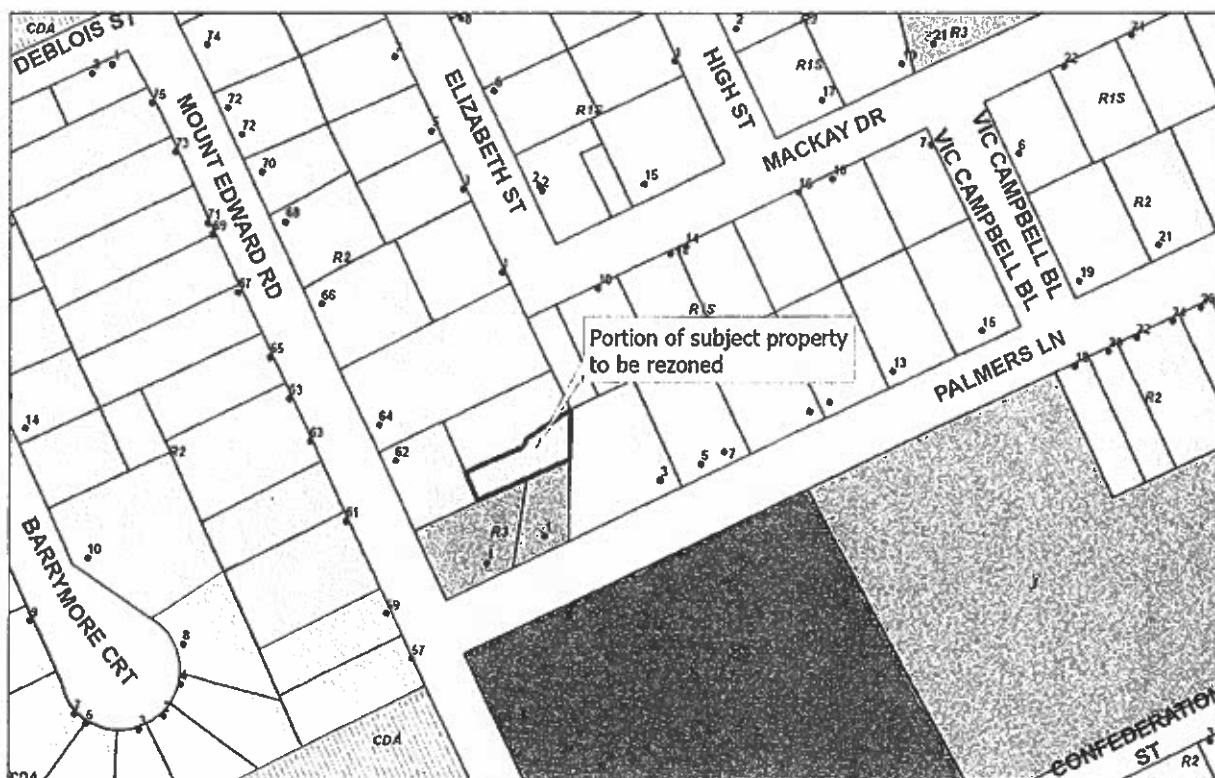
3. Purpose

- (1) The purpose of this bylaw is to amend the City of Charlottetown's Zoning and Development Bylaw provisions found in Appendix G – Zoning Map.

PART II – AMENDMENTS

4.

- (1) The zoning of a portion of 1B Palmers Lane (PID #275735) as shown on Appendix "G" – Zoning Map of the Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, is Medium Density Residential (R-3) Zone, hereby excluding it from its former designation of Single Detached Residential (R1-S) Zone."



PART III – EFFECTIVE DATE

5. Effective Date

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

First Reading & Approval:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, was read a first time and approved by a majority of Council members present at the Council meeting held on the 8th day of August, 2022.

Second Reading and Approval:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, was read a second time and approved by a majority of Council members present at the Council meeting held on the 22nd day of August, 2022.

Adoption by Council:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, was adopted by a majority of Council members present at the Council meeting held on 22nd day of August, 2022.

6. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, adopted by the Council of the City of Charlottetown on ____ day of _____, 2022 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (PH-ZD.2-60) is hereby approved.

Dated on this ____ day of _____, _____.

Hon. Bloyce Thompson
Minister of Agriculture and Land



**CITY OF CHARLOTTETOWN
OFFICIAL PLAN**

To adopt the Official Plan Amendment, PH-OPA.1-032, The land use for a portion of 1B Palmers Lane (PID #275735) as shown on Appendix A – Future Land Use Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential,, hereby excluding it from its former designation of Low Density Residential.

Effective Date

The effective date of the Official Plan amendment is the date as signed below by the Minister of Agriculture and Land.

Adoption and Approval by Council:

The Official Plan amendment was adopted and approved by a majority of the Councilors present at the Council Meeting held on the 8th day of August, 2022.

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Official Plan Amendment (PH-OPA.1-032) is hereby approved.

Dated on this ____ day of _____, _____

Hon. Bloyce Thompson
Minister of Agriculture and Land



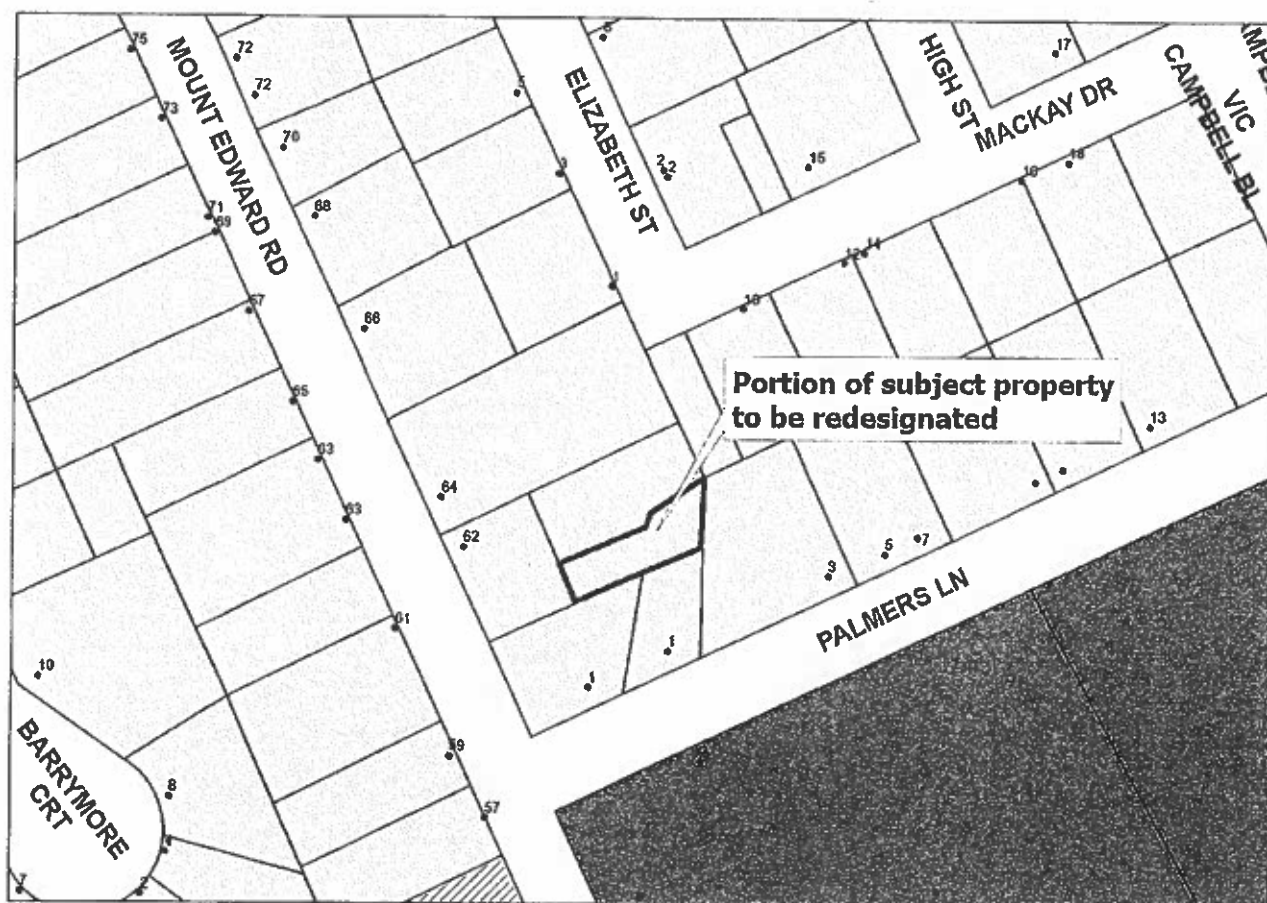
CITY OF CHARLOTTETOWN

Official Plan Amendment PH-OPA.1-032
Appendix "A" – Future Land Use Map

Authority

The Council for the City of Charlottetown under the authority vested in it by Sections 11, 14 and 18 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

The land use for a portion of 1B Palmers Lane (PID #275735) as shown on Appendix A – Future Land Use Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, hereby excluding it from its former designation of Low Density Residential.





October 4, 2022

Via email: lain.mccarvill@keymurraylaw.com

M. Lynn Murray, K.C.
c/o Iain McCarvill
Key Murray Law

Dear Mr. McCarvill:

RE: Appeal #LA22017 – M. Lynn Murray v. City of Charlottetown

The Prince Edward Island Regulatory and Appeals Commission has received the Notice of Appeal that you filed on behalf of your client, M. Lynn Murray, K.C., against a decision of the City of Charlottetown with respect to the rezoning of PID#275735 from low density residential to medium density residential; and a rezoning from single-detached residential to medium density residential, located on a portion of 1B Palmers Lane; as well as the consolidation of 1B Palmers Lane (PID275735) with 1 Palmers Lane (PID275313) in order to construct a 12-unit apartment building.

A preliminary issue of whether the Notice of Appeal was filed within the timeline prescribed by S. 28 of the *Planning Act* has been identified. The Commission invites both parties to file written submissions on this preliminary issue, specifically setting out whether the Commission has jurisdiction to hear this appeal. The deadline for these submissions is November 4, 2022.

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



October 4, 2022

VIA: Email: aforbes@charlottetown.ca

City of Charlottetown
Planning and Heritage Department
233 Queen Street
Charlottetown, PE C1A 4B9

Dear Mr. Forbes:

RE: Appeal #LA22-017 – M. Lynn Murray, K.C. v. City of Charlottetown

The Prince Edward Island Regulatory and Appeals Commission has received the Notice of Appeal that you filed on behalf of your client, M. Lynn Murray, K.C., against a decision of the City of Charlottetown with respect to the rezoning of PID#275735 from low density residential to medium density residential; and a rezoning from single-detached residential to medium density residential, located on a portion of 1B Palmers Lane; as well as the consolidation of 1B Palmers Lane (PID275735) with 1 Palmers Lane (PID275313) in order to construct a 12-unit apartment building.

A preliminary issue of whether the Notice of Appeal was filed within the timeline prescribed by S. 28 of the *Planning Act* has been identified. The Commission invites both parties to file written submissions on this preliminary issue, specifically setting out whether the Commission has jurisdiction to hear this appeal. The deadline for these submissions is November 4, 2022.

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: David W. Hooley, K.C.

Island Regulatory & Appeals Commission
 5th Floor, Suite 501
 134 Kent Street
 Charlottetown, PE C1A 7L1

Attention: Phillip J. Rafuse

Dear Mr. Rafuse:

Re: M. Lynn Murray, K.C. v City of Charlottetown – LA22-017
Notice of Appeal – September 21, 2022

This letter is in response to your correspondence requesting that the City of Charlottetown (the “City”) provide written submissions on the preliminary issue of whether the Island Regulatory and Appeals Commission (the “Commission”) has jurisdiction to hear the Notice of Appeal filed by Lynn Murray, K.C. (the “Appellant”) on September 21, 2022.

The Appellant has appealed a decision of Council dated August 22, 2022, approving an application by the Developer, Open Practice Inc. (the “Developer”), to permit a 12-unit apartment building to be constructed at 1 Palmers Lane (PID 275313) and a portion of 1B Palmers Lane (PID 275735) (the “Property”) (the “Application”). The particulars of Council’s approval are as follows:

- Amend “Appendix “A” – Future Land Use Map of the Official Plan” from Low Density Residential to Medium Density Residential for a portion of 1B Palmers Lane (PID 275735);
- Amend “Appendix “G” – Zoning Map of the Zoning & Development Bylaw” from Single-Detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone, for a portion of 1B Palmers Lane (PID 275735); and,
- Consolidate a portion of 1B Palmers Lane (PID 275735) with 1 Palmers Lane (PID 275313), subject to final pinned survey plan, in order to construct a 12-unit apartment building.

The Minister signed off on the amendments _____.

David W. Hooley, Q.C. | Senior Counsel

Direct 902 629 3903 Main 902 628 1033 Fax 902 566 2639 Email dhooley@coxandpalmer.com

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

Practicing as Professional Corporation

*20009937/00345/991966/v1

October 25, 2022

The grounds of appeal are outlined in the Notice of Appeal; however, for the purposes of this letter, we will focus only on the preliminary issue of jurisdiction. Following the Commission's decision on this preliminary issue, the City will file its Record and Response to the grounds of appeal if and when required.

1. Does the Commission have jurisdiction to hear the Notice of Appeal filed by the Appellant on September 21, 2022?

It is the City's position that the Commission does not have jurisdiction to hear the Notice of Appeal filed by the Appellant on September 21, 2022.

Not all municipal decisions are liable to appeal. In the case of bylaw amendments (section 28(1.1)(b)), the Legislature has determined that the decision to adopt an amendment may be appealed to the Commission by way of Notice of Appeal within twenty-one days after the date of the decision (section 28(1.3)). In cases of bylaw amendments, "the decision" refers to the date that Council gave final reading to the amendment to the bylaw (section 28(1.4)). Specifically, the *Planning Act*, RSPEI 1988, c. P-8 (the "Act" or the "Planning Act") reads as follows:

28(1.1) Appeals from decisions of Council

Subject to subsections (1.2) to (1.4), any person who is dissatisfied by a decision of the council of a municipality

[...]

(b) to adopt an amendment to a bylaw, including

(i) an amendment to a zoning map established in a bylaw, or

(ii) an amendment to the text of a bylaw,

may appeal the decision to the Commission by filing with the Commission a notice of appeal.

[...]

(1.3) Notice of appeal and time for filing

A notice of appeal must be filed with the Commission within 21 days after the date of the decision being appealed.

(1.4) Council decision that requires Minister's approval

October 25, 2022

For greater certainty, where a person is dissatisfied by the decision of a council of a municipality to adopt an amendment to a bylaw, the 21-day period for filing a notice of appeal under this section commences on the date that the council gave final reading to the amendment to the bylaw.

Given that the Commission is a creature of statute, it does not have authority beyond that which it has been granted by the Legislature. It follows that the Commission does not have statutory authority to extend the time for filing an appeal under section 28 of the *Planning Act*. This exact finding was made just earlier this year in LA22-01 wherein the Commission stated as follows:

[The Commission] lacks the statutory authority to waive or extend the time period fixed by the legislature in s. 28(1.3) of the Planning Act. The Planning Act grants no power to the Commission to extend the time for filing appeals. The case law also confirms that an intermediate appellate tribunal like the Commission cannot waive or extend the time limit for filing an appeal without express statutory authority to do so.

LA22-01 at paragraph 27 [Tab 1].

There are earlier decisions of the Commission which are consistent with this finding.

In the present matter before the Commission, Council gave final reading to the amendment to the bylaw on August 22, 2022. The Notice of Appeal was not filed until thirty-days later on September 21, 2022. This is outside the timeline prescribed by section 28(1.3) of the *Act*. Given that the Commission does not have the authority to extend this timeline, it does not have jurisdiction to hear his appeal.

While it is the City's position that this should be the end of the inquiry, it does anticipate that the Appellant may argue that she was entitled to actual notice of the August 22nd decision. However, even if the Appellant was entitled to actual notice (which is not admitted but denied), the Commission still continues to lack jurisdiction as the Notice of Appeal was not filed within the timeline prescribed by the *Planning Act*.

The City's position with regard to notice is as follows:

The Appellant was not Entitled to Actual Notice

October 25, 2022

The Planning Department is a public body which performs a public law function. In this instance, the nature of the relationship between the public body and the private citizen is not one which attracts a private law duty of care. While the City concedes that the Planning Department appears to have advised the Appellant of its intention to inform her when the matter was proceeding to Council for decision [see Email dated May 18, 2022 at Tab 2], this was not a reasonable task to undertake and the failure to do so does not attract liability. Nor does it extend the prescribed timeline to file a Notice of Appeal.

It would be highly impractical to require the City to individually notify each individual who has an application pending before the City for an approval or permit. The Planning Departments processes hundreds of matters and lacks the resources to monitor every individuals application. In fact, the only instance in which the Act contemplates actually notifying specific individuals of council decisions is for public inspection in the event of a state of emergency (section 23(3)(b)). Even in that instance; however, Council is only required to notify the individual of the final decision, not the date upon which the matter will be going to council for decision – as was requested in this instance.

The decision in question was rendered during a special meeting and notice to the public was provided as per section 11.1 of the Procedural Bylaw which reads as follows: A copy of the Notice is annexed at Tab 3].

11.1. The Mayor may cause the CAO to call a special meeting of Council, in writing, when and as often as the Mayor may deem it proper with at least twenty-four (24) hours' notice before the time of the meeting being provided to the public and Members.

The legislative requirements to provide notice of a decision are prescribed by the *Planning Act* and were followed in this instance. Specifically, the *Planning Act* reads as follows:

23.1 Notice of decision of Minister or council

(1) Where

- a. the Minister makes a decision of a type described in subsection 28(1);*
or
- b. the council of a municipality makes a decision of a type described in subsection 28(1.1)*

October 25, 2022

the Minister or council, as the case may be, shall, within seven days of the date the decision is made, cause a written notice of the decision to be posted

c. on an Internet website accessible to the public; and

d. at a location accessible to the public during business hours,

i. if the decision is made by the Minister, in

A. a provincial government office in Charlottetown, and

B. a provincial government office in the county where the land that is the subject of the decision is located, or

ii. If the decision is made by the council of a municipality, in that municipality.

The agenda for the special meeting was posted on the City's website as per section 23.1(1)(b) and s. 23.1(1)(c) and a copy of the decision was accessible to the public. The *Planning Act* does not require Council to provide any other form of notice. Thus, the Appellant had constructive notice of the August 22nd decision. It follows that the City followed all applicable notice requirements (including constructive notice of Council's August 22nd decision). Actual notice is not a prescribed requirement.

If the Appellant was Entitled to Actual Notice:

Even if the Appellant was found to be entitled to actual notice, the Commission still does not have authority to extend the timeline to file a Notice of Appeal as prescribed by section 28(1.3) of the *Planning Act*. The legal question as to whether or not actual notice was required is not one of any relevance for the Commission.

The *Planning Act* is clear that the clock begins from the date of the decision. This is not the date that the Appellant learned of the decision, but the date that the Council gave final reading to the amendment to the bylaw. Regardless of whether the Appellant was entitled to actual notice, the Commission does not have the ability to amend this provision or to impute jurisdiction that was not granted to it by the Legislature.

The principles of statutory interpretation do not warrant the Commission's ability to read into section 28(1.3) that where actual notice was required, the clock begins from the date that actual notice was given. As an example, pursuant to section 23.1, the Council has seven days from the date of the decision to provide written notification of same. Whether the notification was posted on the date of the decision or seven days later, the clock always begins at the

October 25, 2022

same time. That is, from the date of the decision. Put simply, even if actual notice was required, which (1) the City disputes; and, (2) the Commission does not need to determine, the Commission's hands are tied.

City's Overall Position

Overall, the City's position can be summarized as follows:

The *Planning Act* prescribes a twenty-one day timeline to file a Notice of Appeal. The timeline begins from the date of the decision.

The Appellant filed the Notice of Appeal outside the twenty-one day timeline prescribed by the *Planning Act*.

The Commission does not have the authority to extend the twenty-one day timeline prescribed by the *Planning Act*.

The Appellant was not entitled to actual notice of the decision. Alternatively, regardless of whether the Appellant was entitled to actual notice, the Commission does not have authority to extend the timeline to file a Notice of Appeal as prescribed by section 28(1.3) of the *Planning Act*.

The Commission therefore lacks jurisdiction to hear the appeal.

Yours very truly,

David W. Hooley, K.C.
DWH/mh

cc. Alex Forbes, Manager of the Planning & Heritage Department
Aaron Stavert, Open Practice Inc., Developer
Iain McCarvill, Counsel for the Appellant



Agriculture
and Land

Agriculture
et Terres



Office of the Minister

PO Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Bureau du ministre

C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

November 7, 2022

PLANNING

Rec'd NOV. 18, 2022 Int. efu

Ellen Catane
Planning & Heritage Department
City of Charlottetown
70 Kent Street
Charlottetown, PE C1A 1M9

Dear Ms. Catane:

RE: Amendments to City of Charlottetown Official Plan and Zoning and Development Bylaw

(MA: CC2022H; Municipality : OPA PH-OPA.1-032 and ZBLA PH-ZD.2-60)

I am pleased to advise that I have approved the following amendments:

Official Plan Amendment (PH-OPA.1-032, adopted August 8, 2022) regarding the land use for a portion of 1B Palmers Lane (PID #275735) as shown of Appendix A - Future Land Use Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, hereby excluding it from its former designation of Low Density Residential; and Zoning & Development Bylaw (PH-ZD.2-60, adopted August 22, 2022) a bylaw to amend the Zoning & Development Bylaw, "To Amend Appendix "G" - Zoning Map of the Zoning & Development Bylaw for a portion of 1B Palmers Lane (PID #275735) from the Single Detached Residential (R1-S) Zone to the Medium Density Residential (R-3) Zone."

Please note that the effective date of the amendment is the date of my signature.

Yours truly,

Darlene Compton
Minister of Agriculture and Land

Encl.



**CITY OF CHARLOTTETOWN
AMENDMENT**

OFFICIAL PLAN (PH-OPA.1):

To adopt the Official Plan Amendment, PH-OPA.1-032, The land use for a portion of 1B Palmers Lane (PID #275735) as shown on Appendix A – Future Land Use Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, hereby excluding it from its former designation of Low Density Residential.

BE IT RESOLVED THAT THE "OFFICIAL PLAN AMENDMENT, (PH-OPA.1-032, as it pertains to a portion of 1B Palmers Lane (PID #275735))", as attached, be adopted.

Date: _____ August 08, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

ZONING & DEVELOPMENT BYLAW (PH-ZD.2):

To adopt Bylaw PH-ZD.2-60, A Bylaw to amend the Zoning & Development Bylaw, "To Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw for a portion of 1B Palmers Lane (PID #275735) from the Single Detached Residential (R1-S) Zone to the Medium Density Residential (R-3) Zone."

BE IT RESOLVED THAT THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-60, as it pertains to a portion of 1B Palmers Lane (PID #275735))", as attached, be read a first time and approved; and that it be read a second time at the next Public Meeting of Council.

Date: _____ August 08, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-60, as it pertains to a portion of 1B Palmers Lane (PID #275735))", as attached, was read and approved a first time on August 08, 2022;

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

Date: _____ August 22, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

BE IT RESOLVED THAT the said Bylaw be adopted.

Date: _____ August 22, 2022

Moved by Councillor: Terry MacLeod X Terry MacLeod

Seconded by Councillor: Julie McCabe X Julie McCabe

[Signature]
Mayor/Chairperson
(signature sealed)

[Signature]
Chief Administrative Officer
(signature sealed)

7-1
B. Davis
opposed

Carried
(Councillor
Tweed
McCabe
disagree)

7-1
B. Davis
opposed

Carried
Alanna Ten to

9-1
(Councillor
Dorian
opposed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # PH-ZD.2-60

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

PART I – INTERPRETATION AND APPLICATION

1. Title

- (1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # PH-ZD.2-60”

2. Authority

- (1) Sections 16 and 18 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws and bylaw amendments implementing an official plan for the municipality.

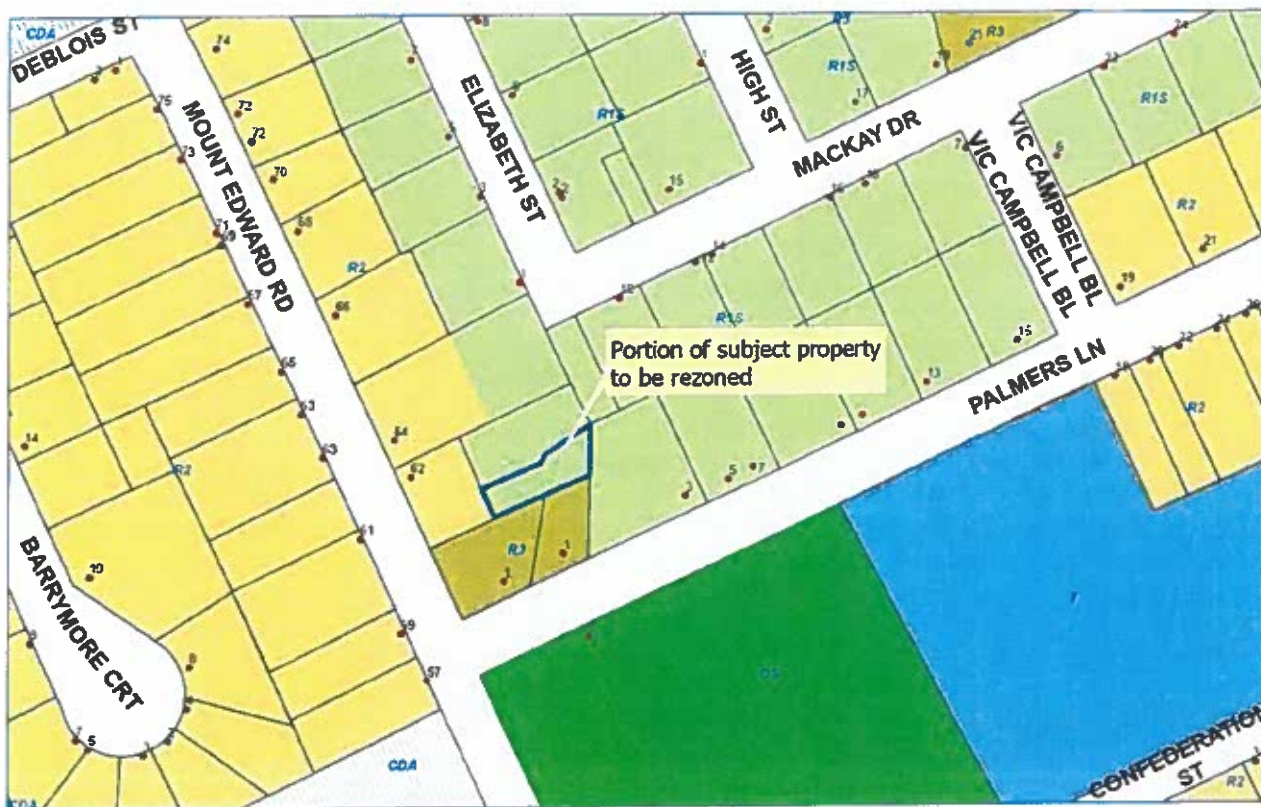
3. Purpose

- (1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix G – Zoning Map.

PART II – AMENDMENTS

4.

- (1) The zoning of a portion of 1B Palmers Lane (PID #275735) as shown on Appendix “G” – Zoning Map of the Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, is Medium Density Residential (R-3) Zone, hereby excluding it from its former designation of Single Detached Residential (R1-S) Zone.”



PART III – EFFECTIVE DATE

5. Effective Date

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

First Reading & Approval:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, was read a first time and approved by a majority of Council members present at the Council meeting held on the 8th day of August, 2022.

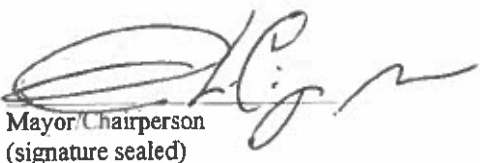
Second Reading and Approval:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, was read a second time and approved by a majority of Council members present at the Council meeting held on the 22nd day of August, 2022.

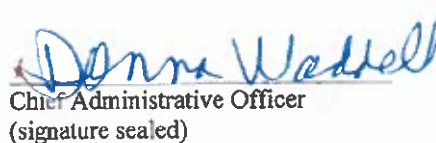
Adoption by Council:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, was adopted by a majority of Council members present at the Council meeting held on 22nd day of August, 2022.

6. Signatures

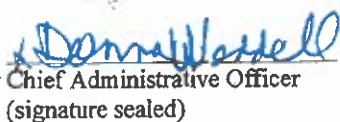


Mayor Chairperson
(signature sealed)



Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-60, adopted by the Council of the City of Charlottetown on 23rd day of August, 2022 is certified to be a true copy.



Chief Administrative Officer
(signature sealed)

August 24, 2022
Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (PH-ZD.2-60) is hereby approved.

Dated on this 9th day of November, 2022.



Hon. Darlene Compton
Minister of Agriculture and Land



**CITY OF CHARLOTTETOWN
OFFICIAL PLAN**

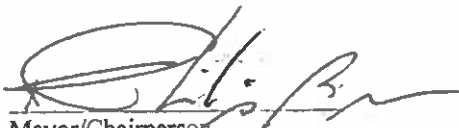
To adopt the Official Plan Amendment, PH-OPA.1-032, The land use for a portion of 1B Palmers Lane (PID #275735) as shown on Appendix A – Future Land Use Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential,, hereby excluding it from its former designation of Low Density Residential.

Effective Date

The effective date of the Official Plan amendment is the date as signed below by the Minister of Agriculture and Land.

Adoption and Approval by Council:

The Official Plan amendment was adopted and approved by a majority of the Councillors present at the Council Meeting held on the 8th day of August, 2022.



Mayor/Chairperson
(signature sealed)


Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Official Plan Amendment (PH-OPA.1-032) is hereby approved.

Dated on this 9th day of November, 2022


Hon. Darlene Compton
Minister of Agriculture and Land



CITY OF CHARLOTTETOWN

Official Plan Amendment PH-OPA.1-032 Appendix "A" – Future Land Use Map

Authority

The Council for the City of Charlottetown under the authority vested in it by Sections 11, 14 and 18 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

The land use for a portion of 1B Palmers Lane (PID #275735) as shown on Appendix A – Future Land Use Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, hereby excluding it from its former designation of Low Density Residential.





For	Permit #	009-BLD-22
Office	File #	22-044
Use	PID #	275313
Only	Zone:	R3

000073

Planning Department**Mailing Address**

P.O. Box 98, 70 Kent Street, Charlottetown, PE, C1A 1M9

Contact Information

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

BUILDING & DEVELOPMENT PERMIT

POST THIS IN A CONSPICUOUS LOCATION DURING CONSTRUCTION

This certifies that: Open Practice Inc. - Aaron Stavert of 67 King Street
Has a Permit to: New 12 unit 3.5 storey apartment building incl. basement level
At the location of: 1 Palmers Lane

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

Development Officer Requirements:

As per plans submitted by Aaron R. Stavert of Open Practice Inc. Issued for permit 2021-12-03.
Minimum 12 standard parking spaces and 1 barrier free space to be maintained on site.
Lot grading as per the Grading Plan designed by Chad McCallum of SCL Engineering dated October 21, 2021.
An occupancy permit is required prior to occupying the building.
Final Grading Plan is required prior to an occupancy permit being issued.
Building placement as per the site plan designed by Aaron Stavert of SCL Engineering Dwg. # A0.2
A 13 ft. land use buffer is required to be maintained along all property boundaries abutting a low density residential zone. In order to accommodate the landscape buffer parking space # 14 may have to be adjusted and relocated to the north.
Land use buffer may include 1 or more of the following features, a beam, a natural area containing trees or shrubs, or a man made feature such as a wall or fence.

Building Official Requirements:

1	All work shall be done in accordance with the 2015 National Building Code of Canada (NBC) and as plans provided and agreed amendments
2	As per Building Code Bylaw Section 4.12.1, the Owner/Applicant shall email Building Inspector or contact Planning Department at 902-629-4158 to arrange for REQUIRED INSPECTIONS . (24 hours notice must be given)
A	Pre-backfill - footings, foundations, drain tile, waterproofing, etc...
B	Radon Pipe & Underslab Insulation - Radon pipe installation, underslab Insulation type and thickness, vapour barrier
C	Framing & Mechanical ventilation - floors, walls, trusses, bearing points, ventilation, etc...
D	Insulation & Vapour Barrier - Insulation fitted, vapour barrier with continuous seal (Pro-drywall)
E	Final Inspection - Smoke alarms, CO alarms, deadbolts, exterior decks, landings, stairs, handrails, guards, etc...
3	Part 8 - National Building Code - Safety Measures at Construction & Demolition sites to be followed. This includes protection of site & public and Fire Safety measures as per 5.6 of the National Fire Code.
4	Kitchen ventilation to meet NBC 9.23.3.7 - be directly vented or have booster fan and switch in kitchen to increase flow 2.5 times normal.
5	Vapour Barrier to be installed between top plate of interior wall to roof truss & between interior wall stud to exterior wall at framing stage, must meet NBC 9.25.4.2 requirements and CSA/CGSB-51.34M
6	Foundation walls to be insulated at R20 min with vapour barrier, including walls adjacent to garage & be protected from mechanical damage.
7	Spray Foam and Foam Insulation must be protected with Drywall, Plywood or approved ULC Intumescent Fire Retardant Paint.
8	ICF Foundations to meet NBC Table 9.15.4.2A for Solid Concrete MPA, min. thickness, height max requirements. If building is outside this table then a Professional Engineer is required to inspect ICF, approve & provide Certificate to the City before any concrete is poured.
9	Helical Piles are not to be used unless a plan is stamped by Professional Engineer. (Must be submitted before Permit is Issued.) Helical Piles must be an approved product under CCMC, installed by Qualified installer, who must provide a Torque installation report
10	Handrails must have min. clearance of 50mm and be graspable along entire length. Square or rectangular handrails are NOT APPROVED, unless they have recesses on sides to allow thumb and fingers to grasp on both sides or underneath the handrail.

Approved By

Development Officer: Laurel Palmer Thompson Date: November 17, 2022
Name Signature

Building Inspector: Trevor Eisnor Date: March 3, 2022
Name Signature

THIS IS NOT AN "OCCUPANCY PERMIT"

RECEIVED

DEC 07 2022

The Island Regulatory
and Appeals Commission

Notice of Appeal

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

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

NOTE:
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 17th day of November, 2022, wherein the Minister/Community Council made a decision to approve Development Permit 009-BLD-22 regarding a new 12 unit apartment building; and a decision to approve lot subdivision 002-LS-22, both approvals relating to property located at 1 Palmers' Lane. (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 City of Charlottetown failed to follow its proper process as set out in its bylaws, the Planning Act, and the law in general, including the duty of procedural fairness; and

The City of Charlottetown failed to render a decision which accords with sound planning principles in the field of land use planning, including ensuring proper site boundaries and setbacks were followed.

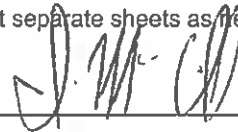
AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, I/we seek the following relief: (use separate page(s) if necessary)

The Commission to quash the approval of Development Permit 009-BLD-22 and Lot Subdivision 002-LS-22.

EACH APPELLANT MUST COMPLETE THE FOLLOWING: (print separate sheets as necessary)

Name(s) of Appellant(s): M. Lynn Murray, K.C.
Please Print

Signature(s) of Appellant(s):



Mailing Address: c/o Iain McCarvill 494 Granville St.

City/Town: Summerside

Province: PE

Postal Code: C1N 4K4

Email Address: lain.mccarvill@keymurraylaw.com

Telephone: 902-436-4851

Dated this 6th day of December, 2022
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.



Planning & Heritage Summary (Week ending November 18, 2022)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

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

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

Planning Development Permit Approvals

FILE#	PID	PERMIT#	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
21-098	1124262	106-BLD-21	19-Feb-21	17-Nov-22	APPROVED	70-72 Kindred Avenue (Lot 67)	Occupancy Permit: New semi-detached dwelling	Homeway Builders PEI Inc.	8-Dec-22
21-478	1100528	561-BLD-21	21-Jul-21	18-Nov-22	APPROVED	18 Gilbert Drive (Lot 46A2)	Occupancy Permit: New 32-unit apartment building	Affleck Construction	9-Dec-22
21-663	1100528	825-BLD-21	08-Nov-21	14-Nov-22	APPROVED	76 Anne Avenue (Lot 102)	Occupancy Permit: New single family dwelling	Curran Developments Inc.	5-Dec-22
21-700	1016294	882-BLD-21	13-Dec-21	17-Nov-22	APPROVED	25-27 Aidan Street (Lot 22B)	Occupancy Permit: New semi-detached dwelling	Prebilt Structures Ltd.	8-Dec-22
21-701	1016294	883-BLD-21	13-Dec-21	17-Nov-22	APPROVED	29-31 Aidan Street (Lot 21B)	Occupancy permit: New semi-detached dwelling	Prebilt Structures Ltd.	8-Dec-22
22-044	276313	009-BLD-22	17-Jan-22	17-Nov-22	APPROVED	1 Palmers Lane	New 12-unit apartment building	Open Practice Inc. - Aaron Slavert	8-Dec-22
22-065	1141670	012-BLD-22	25-Jan-22	17-Nov-22	APPROVED	49 Anne Avenue (Lot 60A)	Occupancy Permit: New single-detached dwelling	Leading Edge Group	8-Dec-22
22-085	390534	021-BLD-22	02-Feb-22	16-Nov-22	APPROVED	6-8-10-12-14-16 Cody Lane	Temporary Occupancy Permit: 14 & 16 Cody Lane only	Pan American Properties	7-Dec-22
22-096	1141514	028-BLD-22	11-Feb-22	14-Nov-22	APPROVED	17-19-21-23 Cordial Street (Lot 63A)	Occupancy Permit: New 4-unit townhouse	Hoffmann & Curran Builders Inc.	5-Dec-22
22-1437	373126	043-SGN-22	06-Oct-22	14-Nov-22	APPROVED	550 University Avenue	Temporary building/window wrap for Canada Games	Jackie MacPhail	5-Dec-22
22-1445	347047	396-BLD-22	07-Oct-22	15-Nov-22	APPROVED	298 Euston Street	Interior renovations of single-detached dwelling	Morgan Kenny	6-Dec-22
22-1464	1140714	398-BLD-22	11-Oct-22	17-Nov-22	APPROVED	16-18-20-22 Cordial Street (Lot 58A)	New 4-unit townhouse	Mark Skinner	8-Dec-22
22-1574	387365	044-SGN-22	27-Oct-22	14-Nov-22	APPROVED	320 Capital Drive	New signage for Tim's	Jayden Fradsham	5-Dec-22
22-1596	1112432	428-BLD-22	01-Nov-22	18-Nov-22	APPROVED	156 Nassau Street	construct a 10' x 16' accessory building	Chin Keung Yu	9-Dec-22
22-1597	585844	429-BLD-22	01-Nov-22	17-Nov-22	APPROVED	26 MacMillan Crescent	construct a 10' x 8' accessory building	Theodore Van Lunen	8-Dec-22
22-1619	1029974	431-BLD-22	02-Nov-22	18-Nov-22	APPROVED	25 Gardiner Drive	10' x 12' accessory building	Tyler Lelacheur	9-Dec-22



Lot Subdivisions

FILE#	PID	CASE#	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2021-062	390534, 390559	19-Oct-2021	14-Nov-2022	14-Nov-2022	APPROVED	Towers Road/Mount Edward Road	Lot subdivision (Lots 21-1 to 21-5 and Parcel R-1)	Pan American Properties	5-Dec-2022
2021-080	700294	13-Dec-2021	16-Nov-2022	17-Nov-2022	APPROVED	44-46 Westwood Crescent	Lot subdivision	Paul Jenkins	8-Dec-2022
22-043	275313, 275735	002-LS-22	17-Jan-2022	17-Nov-2022	APPROVED	1 Palmers Lane	Lot subdivision/consolidation of Lots 22-1 and 22-2 (Updated plan to supersede approval from July 28, 2022)	Open Practice Inc. - Aaron Stavert	8-Dec-2022
22-1849	390765 & 387761)	065-LS-22	13-Oct-2022	7-Nov-2022	APPROVED	660-670 University Ave (Connector Rd between Towers Rd & Spencer Dr)	Lot Subdivision (Parcel R-20-1, R-20-2 and R-20-3)	City of Charlottetown & Govt of PEI	28-Nov-2022

Council Approvals

FILE#	PID	CASE#	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
22-1421	346528	032-MJV-22	05-Oct-22	14-Nov-22	APPROVED	201 Weymouth Street	Major Variance to decrease the rear yard setback in the Downtown Mixed Use Neighbourhood (DMUN) Zone from 19.7 ft. (6 m.) representing the average rear yard setback on the block to approximately 3 ft. (0.91 m.) to allow for an addition on the south side of the existing building located at 201 Weymouth Street (PID #346528).	Joe Corrigan	5-Dec-22



December 7, 2022
Via email: aaron@openpractice.ca

Open Practice Inc.
Attention: Aaron Stavert

Dear Mr. Stavert:

RE: *Appeal #LA22021 – M. Lynn Murray v. City of Charlottetown*

The Prince Edward Island Regulatory and Appeals Commission has received a Notice of Appeal filed by Iain McCarvill, of Key Murray Law, on behalf of his client, M. Lynn Murray, appealing the decision of the City of Charlottetown, dated November 17, 2022, with respect to the approval of development permit 009-BLD-2 regarding a new 12-unit apartment building as well as approval of lot subdivision 002-LS-22, both with respect to 1 Palmers Lane, Charlottetown, Prince Edward Island.

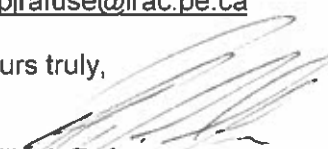
Any construction or expenses, with regard to this proposal, incurred by the developer/owner after this date will be at their peril.

In the event you do not represent the Developer, please forward the correct contact information so we may inform the Developer of the above-noted appeal.

Enclosed please find all documentation received to-date by the Commission with respect to this Notice of 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
Corporate Services and Appeals Division



PRINCE EDWARD ISLAND
Regulatory & Appeals Commission
Commission de réglementation et d'appels
ÎLE-DU-PRINCE-ÉDOUARD

December 7, 2022

VIA: Email: aforbes@charlottetown.ca

City of Charlottetown
Planning and Heritage Department
233 Queen Street
Charlottetown, PE C1A 4B9

Dear Mr. Forbes:

RE: Appeal #LA22021– M. Lynn Murray v. City of Charlottetown

The Prince Edward Island Regulatory and Appeals Commission has received a Notice of Appeal from Iain McCarvill on behalf of his client, M. Lynn Murray, against the November 17, 2022 decision of the City of Charlottetown with respect to the approval of development permit 009-BLD-2 regarding a new 12-unit apartment building as well as approval of lot subdivision 002-LS-22, both with respect to 1 Palmers Lane, Charlottetown, Prince Edward Island. 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 January 18, 2023. 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: David Hooley, K.C.-dhooley@cox&palmer.com



PRINCE EDWARD ISLAND
Regulatory & Appeals Commission
Commission de réglementation et d'appels
ÎLE-DU-PRINCE-ÉDOUARD

December 7, 2022

VIA: Email: iain.mccarvill@keymurraylaw.com

Iain McCarvill
Key Murray Law
494 Granville Street
Summerside, PE C1N 4K4

Dear Mr. McCarvill:

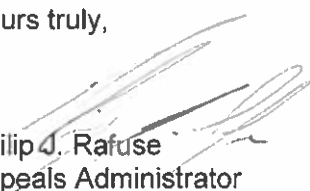
RE: Appeal #LA22021 – M. Lynn Murray v. City of Charlottetown

The Prince Edward Island Regulatory and Appeals Commission has received the Notice of Appeal that you filed on behalf of your client, M. Lynn Murray, against a decision of the City of Charlottetown with respect to the approval of development permit 009-BLD-2 regarding a new 12-unit apartment building as well as approval of lot subdivision 002-LS-22, both with respect to 1 Palmers Lane, Charlottetown, Prince Edward Island.

The Commission has requested a copy of the file material from the City of Charlottetown. A copy of the written material relevant to this appeal will be forwarded to you as soon as it is received.

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

Stavert, Robert

From: Parker Perry <parkerburns@ymail.com>
Sent: December 20, 2021 1:49 PM
To: Stavert, Robert
Cc: Aaron Stavert
Subject: Re: 1 Palmers Lane

Hi Robert

I will drop a cheque off . I was just waiting for Ellen to send me the breakdown . Which you have now provided.

Thanks

Parker

Sent from my iPhone

On Dec 20, 2021, at 1:39 PM, Stavert, Robert <rstavert@charlottetown.ca> wrote:

Good afternoon Aaron,

I received your applications for 1 Palmers Lane.

- 1) Demolition application: The fee is \$50 plus a \$500 damage deposit
- 2) Building and Development application: There was no Estimated Value of Construction given.
Can you please provide this? The fee for the application is based on this value and is \$7.00 per \$1,000 of the estimate plus a \$4,000 deposit that is refunded when you receive the Occupancy Permit. Also, can you please forward a pdf of the drawing package?
- 3) Subdivision application: The fee is \$200

Currently our office is closed to the public so I can take credit card payment over the phone at 902-629-4158 or if paying by cheque, it can be left in the drop box at City Hall or I have a drop box set up inside the door at 70 Kent Street.

Thanks.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
 70 Kent Street
 Charlottetown, Prince Edward Island
 Canada, C1A 1M9
 Office: 902-629-4158
 Fax: 902-629-4156

rstavert@charlottetown.ca

www.charlottetown.ca



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From: Benny Lam [<mailto:benny@openpractice.ca>]

Sent: December 22, 2021 1:54 PM

To: Stavert, Robert <rstavert@charlottetown.ca>

Cc: Aaron Stavert <aaron@openpractice.ca>

Subject: 1 Palmers Lane - Permit Application

Hi Robert,

As per requested, please find attached the Architectural and Structural Submission Drawings for your kind perusal.

Feel free to contact us if you have any further question.

Thanks!

Benny

Catane, Ellen

From: Stavert, Robert
Sent: January 20, 2023 8:48 AM
To: Catane, Ellen
Subject: FW: New Demolition Application - 1 Palmers Lane

From: Stavert, Robert
Sent: January 17, 2022 3:12 PM
To: Trainor, Emily <etrainor@charlottetown.ca>; Eisnor, Trevor <teisnor@charlottetown.ca>
Subject: New Demolition Application - 1 Palmers Lane

FILE SET-UP		ACTION DATES	
TO BE COMPLETED BY FRONT OFFICE/ FRONT COUNTER		Deadlines	Action(s)
File #	22-042	January 19, 2022	Setup and assign file
PID #	275313	January 19, 2022	Assign file
Permit #	002-DEM-22	January 19, 2022	Assign file
Application Date	January 17, 2022	Designated Devt Officer	Initial contact/review
Project Location	1 Palmers Lane	Devt Officer	File Review
Brief Description	Demolition of 6-unit apartment building	Bldg Insp	Follow up with Devt Officer
Applicant Name	Open Practice Inc. - Aaron Stavert	April 17, 2022	File Review
Applicant Address	67 King Street	July 17, 2022	90 day follow-ups
Owner Name	Parker Perry		6 months follow-ups
Owner Address	P.O. Box 40047, Charlottetown, PE		
Zone	R3		
File Set-up Date	January 17, 2022		
File Set-up by	Rob S.		
Fee Received	YES		
Complete Documents Received	YES		
Missing information at the time of submission			

OFFICERS/INSPECTOR REMINDERS:

1. Application Deadlines **MUST** be entered in their work calendars and schedule time to "review".
2. Please do not hold on to File Applications that you are not "Reviewing" in the near future - pass file on to appropriate staff.
3. Building inspector should follow up with development officer if no file or update is provided in 5 days
4. Always update APPLICATION STATUS Table to indicate current status.

Stavert, Robert

From: Stavert, Robert
Sent: January 17, 2022 3:43 PM
To: Trainor, Emily
Subject: New Subdivision Application - 1 Palmers Lane

Property line adjustment between 1 Palmers Lane and 1B Palmers Lane.
File 22-043

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



Catane, Ellen

From: Stavert, Robert
Sent: January 20, 2023 8:48 AM
To: Catane, Ellen
Subject: FW: New Application - 1 Palmers Lane

From: Stavert, Robert
Sent: January 17, 2022 4:08 PM
To: Trainor, Emily <etrainor@charlottetown.ca>; Eisnor, Trevor <teisnor@charlottetown.ca>
Subject: New Application - 1 Palmers Lane

FILE SET-UP		ACTION DATES	
TO BE COMPLETED BY FRONT OFFICE/ FRONT COUNTER		Deadlines	Action(s)
File #	22-044	January 19, 2022	Setup and assign file
PID #	275313	January 19, 2022	Assign file
Permit #	009-BLD-22	January 19, 2022	Assign file
Application Date	January 17, 2022	Designated Devt Officer	Initial contact/review
Project Location	1 Palmers Lane	Devt Officer	File Review
Brief Description	New 12-Unit apartment building	Bldg Insp	Follow up with Devt Officer
Applicant Name	Open Practice Inc. - Aaron Stavert	January 31, 2022	File Review
Applicant Address	67 King Street	April 17, 2022	90 day follow-ups
Owner Name	Parker Perry	July 17, 2022	6 months follow-ups
Owner Address	P.O. Box 40047, Charlottetown, PE		
Zone	R3		
File Set-up Date	January 17, 2022		
File Set-up by	Rob S.		
Fee Received	YES		
Complete Documents Received	NO		
Missing Information at the time of submission	Waiting for \$4000 deposit		

OFFICERS/INSPECTOR REMINDERS:

1. Application Deadlines **MUST** be entered in their work calendars and schedule time to "review".
2. Please do not hold on to File Applications that you are not "Reviewing" in the near future - pass file on to appropriate staff.
3. Building inspector should follow up with development officer if no file or update is provided in 5 days
4. Always update APPLICATION STATUS Table to indicate current status.

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca


CHARLOTTETOWN
Great things happen here.

Stavert, Robert

From: Stavert, Robert
Sent: January 17, 2022 4:14 PM
To: parkerburns@ymail.com
Subject: 1 Palmers Lane - Receipts
Attachments: Receipt.pdf; Receipt.pdf; Receipt.pdf

Hi Parker,

Receipts for the fee payments of the demolition permit, lot subdivision and new building permit are attached.

Just as a reminder we still require the payment of a \$4000 deposit before the building permit can be issued.

Thanks.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



Stavert, Robert

From: Stavert, Robert
Sent: January 17, 2022 4:27 PM
To: Benny Lam
Cc: Aaron Stavert
Subject: RE: 1 Palmers Lane - Permit Application

Yes, exactly. I didn't see it in the documents I already had.

Thanks.

Rob

From: Benny Lam [mailto:benny@openpractice.ca]
Sent: January 17, 2022 4:24 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Rob,

Do you mean the proposed site drainage plan as attached?

Thanks!

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Monday, January 17, 2022 at 4:11 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

Hi Benny,

I don't think we received the proposed drainage plan for this project. Do you have a copy of that you can send to me or is it coming from the surveyor?

Thanks.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street

Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 4:32 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Robert,

Thanks a lot for your information.

Last time I went there the building was under renovation so I have to drop off the drawings into a drop box at City Hall.

We will settle it as soon as possible.

Regards,

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Tuesday, January 4, 2022 at 4:29 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

The outer door of our office here at 70 Kent Street is open and there is a drop box in the vestibule. I'm usually at the front desk so I will see you drop it off or will check it when I get back if I'm away from my desk for any amount of time.

From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 4:26 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Thanks Robert!

We will settle the fee as soon as possible.

By the way, what would be the procedure if we would like to drop off the cheque for the fees?

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Tuesday, January 4, 2022 at 4:14 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

So based on that the permit fee is \$10,500 plus the refundable \$4,000 deposit.

Rob

From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 4:09 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Robert,

The estimated value of construction would be 1.5 million.

Thanks!

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Tuesday, January 4, 2022 at 3:58 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

Hi Benny,

We are just waiting for the fees to be paid. We will need an estimated value of construction on the building permit application to determine the fees for that.

- 1) Demolition application: The fee is \$50 plus a \$500 damage deposit
- 2) Building and Development application: There was no Estimated Value of Construction given. Can you please provide this?
- 3) Subdivision application: The fee is \$200

Robert Stavert
Technical Assistant

City of Charlottetown
 70 Kent Street

Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 3:23 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Robert,

Happy New Year! I wish you have a wonderful holiday!

Regarding the captioned Permit Application, we would like to see how is the status and if there is any question about the drawings?

Please feel free to contact us at any time.

Thanks a lot!

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Thursday, December 23, 2021 at 8:44 AM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

Good morning Benny,

Received, thank you.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

Eisnor, Trevor

From: Benny Lam <benny@openpractice.ca>
Sent: January 20, 2022 4:54 PM
To: Aaron Stavert; Eisnor, Trevor
Subject: Re: Permit application - 1 Palmers - file 22-044
Attachments: Screen Shot 2022-01-20 at 4.51.56 PM.png; Screen Shot 2022-01-20 at 4.50.46 PM.png

Hi Trevor,

Please find attached sketches for item 5-7.

Thanks!

Benny

From: Aaron Stavert <aaron@openpractice.ca>
Date: Thursday, January 20, 2022 at 4:39 PM
To: "Eisnor, Trevor" <teisnor@charlottetown.ca>
Cc: Benny Lam <benny@openpractice.ca>
Subject: Re: Permit application - 1 Palmers - file 22-044

Trevor –

Please see responses below in RED

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

aaron@openpractice.ca
openpractice.ca

From: "Eisnor, Trevor" <teisnor@charlottetown.ca>
Date: Thursday, January 20, 2022 at 10:37 AM
To: Aaron Stavert <aaron@openpractice.ca>
Subject: Permit application - 1 Palmers - file 22-044

The following items are required:

- 1- Provide Schedule A2 for Design, Geotechnical, Electrical, Plumbing and Mechanical
- 2- Mechanical and Plumbing drawings, Electrical drawings *See communication between yourself and our office regarding the not needing mech, plumbing and elec.*
- 3- It appears 3.2.2.53 would apply to this project, as 3.2.2.52 requires a 1 hour FRR.
 - a. Confirm if 3.2.2.52 or 3.2.2.53 applies. *This Building Falls Under Part 9 FRR according to 9.10.8.1 is 45min.*
- 4- The main floor is required to have Barrier Free access as per 3.8.2.1
 - a. The main floor must provide BF entrance, BF ramp and path of travel.
 - i. Provide design of BF entrance, ramp.
Following up on our conversation Our interpretation of Section 9.5.2.3 Sentence 2 does not require a barrier free path of travel where our entrance level has no dwelling units on it, and the dwelling units are more than 600mm above or below. I've attached the intent statement.

Table of contents

Filter items

9.5.2.3

Showing 1 to 7 of 6904 entries

Division B Acceptable Solutions

Part 9 - Housing and Small Buildings

Section 9.5. Design of Areas and Spaces

9.5.2. Barrier-Free Design

9.5.2.3. Exception for Apartment Buildings

9.5.2.3.(1)

9.5.2.3.(2)

Sentence 9.5.2.3.(2)

1. ±

Intent

Intent 1:

To exempt, from the requirement for a barrier-free path, buildings that are not equipped with an elevator and level.

- 5- The Radon pipe location must have access to ensure testing can be completed, if it is deemed necessary.
 - a. There shall be an access panel for this pipe. We will submit sketch showing revised location to entry closet in unit.
- 6- The centre of the stairs appears to have a "open space of 3.5"?, the guards are not suitable for these stairs.
 - a. Guards shall not exceed 100mm in open space. We will submit sketch showing revised
- 7- Stairs section 1/A3.1 – the handrail extension is missing at the bottom of the basement flight. We will submit sketch showing revised

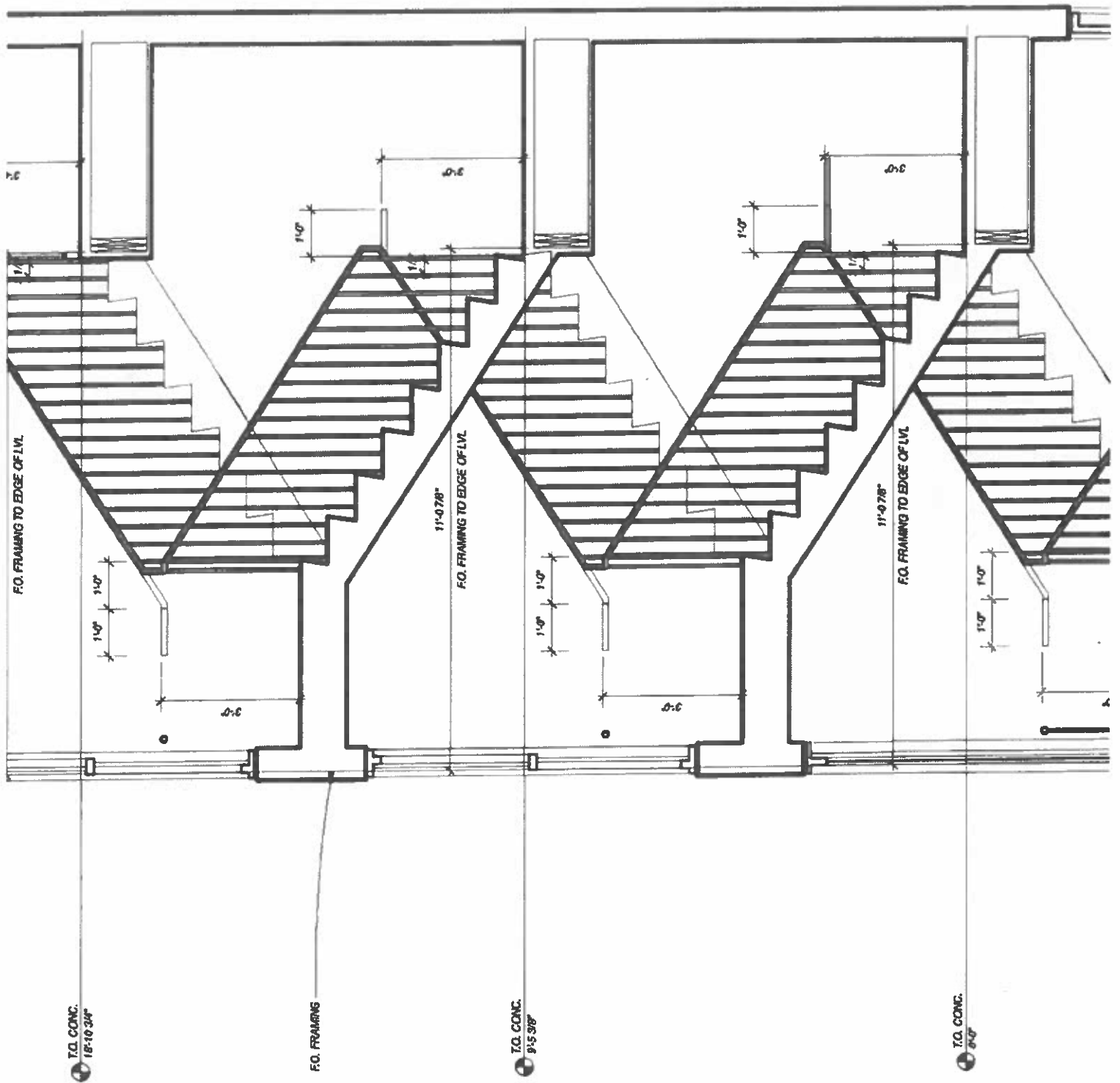
Thanks

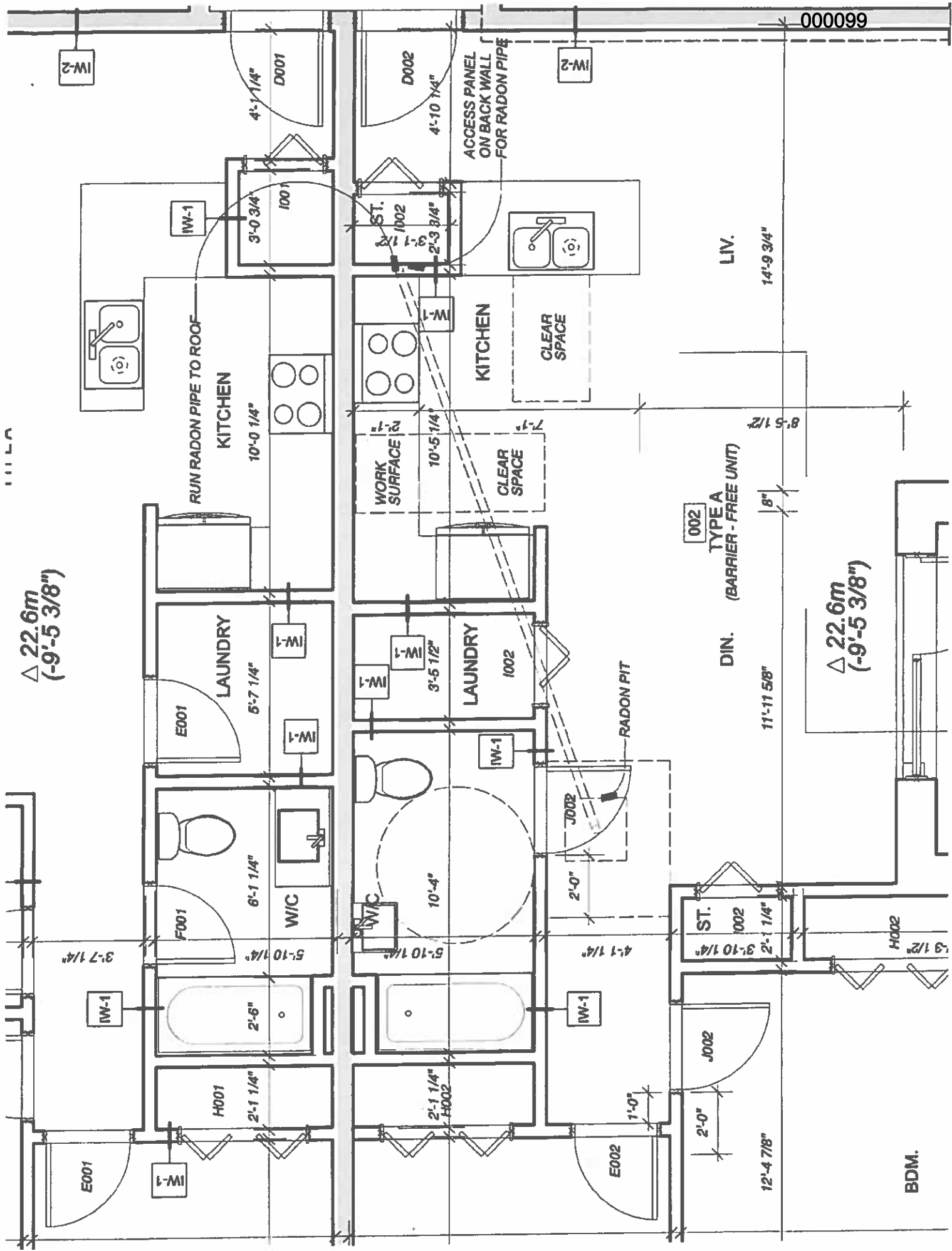
Trevor Eisnor, CET, Chief Building Official
70 Kent Street, Charlottetown, PE, Canada, C1A 1M9
Off: 902-629-4107, Cell 902-629-0191, Fax: 902-629-4156

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000097





Δ 22.6m
(-9'-5 3/8")

Δ 22.6m
(-9'-5 3/8")

BDM.

Catane, Ellen

From: Stavert, Robert
Sent: January 20, 2023 9:10 AM
To: Catane, Ellen
Subject: FW: Palmers Lane
Attachments: 220202_Palmers Lane Rezoning Application.pdf; 220202_A.02_Revised Site Plan for Rezoning[4].pdf

From: Thompson, Laurel <lthompson@charlottetown.ca>
Sent: February 2, 2022 1:56 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Subject: FW: Palmers Lane

Hi Robert:

This is a rezoning application for 1 Palmers Lane. When I reviewed the file I realized that a portion of the property that was being consolidated would need to be rezoned. I have the file here for 1 Palmer's Lane. Can you set this application up and add it to the file? Also, Parker Perry will have to pay the fee.

Thanks,

Laurel

From: Aaron Stavert <aaron@openpractice.ca>
Sent: February 2, 2022 12:15 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>
Cc: Parker Perry <parkerburns@ymail.com>; Benny Lam <benny@openpractice.ca>
Subject: Re: Palmers Lane

Laurel
 See attached rezoning application.
 Any questions please call.

Aaron Stavert, MRAIC
 Open Practice Inc. - Collaborative Architecture
 67 King St. Charlottetown, PE
 C1A 1B4

902 370-2086 p
 902 370-2087 f

aaron@openpractice.ca
openpractice.ca

From: Laurel Thompson <lthompson@charlottetown.ca>
Date: Tuesday, February 1, 2022 at 4:17 PM

To: Aaron Stavert <aaron@openpractice.ca>

Subject: Re: Palmers Lane

Hi Aaron:

Sounds good. Can either you or Parker come in and fill out an application for a rezoning? It will proceed to the March Planning Board meeting. The agenda has been set for February. I will let Ellen know to make sure you are included to attend the March meeting.

Best Regards,

Laurel

Laurel Palmer Thompson
Planner II

City of Charlottetown
[233 Queen Street](#)
[Charlottetown, Prince Edward Island](#)
[Canada, C1A 4B9](#)
Office: [902-629-4106](tel:902-629-4106)
Fax: [902-629-4156](tel:902-629-4156)

ltompson@charlottetown.ca
www.charlottetown.ca



On Jan 31, 2022, at 3:54 PM, Aaron Stavert <aaron@openpractice.ca> wrote:

Laurel –

I spoke with Parker and he is fully aware of the mail out for lot consolidation and re-zoning. Please proceed. Can you tell me when the next planning meeting is – I would plan to attend virtually or in person to answer any questions.

Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p

902 370-2087 f

aaron@openpractice.ca
openpractice.ca



Mailing: P.O. Box 98, 70 Kent St, Charlottetown, PE, C1A 7K2
 Tel: 902-629-4158 Fax: 902-629-4156
 Email: planning@charlottetown.ca Website: www.charlottetown.ca

For Office Use Only

File #:	Zone:
Permit #:	Permit Fee:
PID #:	Received:

REZONING & AMENDMENTS APPLICATION

1. TYPE OF WORK

☐ Rezoning including O.P. Amendment ☒ Rezoning not including O.P. Amendment ☐ Bylaw Amendment

2. CONTACT INFORMATION

APPLICANT	Name:	Open Practice Inc. - Aaron Stavert	Address:	67 King Street
	Phone:	902-370-2086	Cell:	Charlottetown, PE
	Email:	aaron@openpractice.ca	Postal Code:	C1A 1B4
OWNER	Name:	Parker Perry	Address:	P.O. Box 40047 RPO West Royalty
	Phone:	902-394-6669	Cell:	Charlottetown, PE
	Email:	parkerburns@ymail.com	Postal Code:	C1E 0J2

3. PROJECT INFORMATION

Project Location: 1 Palmers Lane

Project Description: Rezone a Portion of Existing R1S lot to expand an existing R3 to building a new Multi-unit Residential

Present Zone: Single Detached Residential Zone Proposed Zone: Medium Density Residential Zone

Present Official Plan (O.P.) Designation: R1S Proposed Official Plan (O.P.) Designation: R3

Present Use: Single Family Detached House Proposed Use: Multi-Unit Residential Building

Other:

4. RATIONALE (Please briefly explain the rationale for the request to rezone. Include attachments if necessary.)

To rezone part of the lot PID No. 275735 from R1S to R3 This portion of the lot will be consolidated with lot PID 275313 for a 12 units Multi-Unit residential Building at 1 Palmers Lane

5. APPLICATION REQUIREMENTS

<input checked="" type="checkbox"/> Application Form with Fees <ul style="list-style-type: none"> Rezoning or Municipal Plan Amendments: \$800 per PID (if applicable) Rezoning & Official Plan Amendment: \$1400 per PID 	<input type="checkbox"/> Legal Description and Plot Plan <ul style="list-style-type: none"> Showing location of property to be rezoned. 	<input checked="" type="checkbox"/> Other Drawings <ul style="list-style-type: none"> Any relevant drawings of proposed development. 	<input checked="" type="checkbox"/> Permission from Owner <ul style="list-style-type: none"> 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: Aaron Stavert

Digitally signed by Aaron Stavert
 Date: 2022.02.02 12:11:03 -04'00'

DATE: 2 Feb 2022

THIS IS AN APPLICATION ONLY

Stavert, Robert

From: Stavert, Robert
Sent: February 3, 2022 8:53 AM
To: Parker Perry
Subject: RE: Palmers Lane
Attachments: Receipt.pdf

Hi Parker,

Receipt for rezoning application fee payment is attached.

Thanks.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



From: Parker Perry [mailto:parkerburns@ymail.com]
Sent: February 2, 2022 3:43 PM
To: Aaron Stavert <aaron@openpractice.ca>; Stavert, Robert <rstavert@charlottetown.ca>
Cc: Benny Lam <benny@openpractice.ca>; Thompson, Laurel <lthompson@charlottetown.ca>
Subject: Re: Palmers Lane

Hello

I just called in with my credit card .

Laurel do you know when planning meets and the decision on rezoning will be ?

Thanks

Parker



Parker Perry | Owner | Contractor | Developer
Parker Developments | Parker Built Homes
E. parker@parkerdevelopments.ca
P. 902-394-6669

On Wednesday, February 2, 2022, 02:08:10 p.m. AST, Stavert, Robert <rstavert@charlottetown.ca> wrote:

Hi Parker.

The fee for the rezoning application is \$1,400. I can take credit card payment over the phone at 902-629-4158 or payment by cheque can be dropped in the drop-box at our office (Planning Department - 70 Kent Street) or City Hall (199 Queen Street).

Thanks.

Rob

Robert Stavert

Technical Assistant

City of Charlottetown

70 Kent Street

Charlottetown, Prince Edward Island

Canada, C1A 1M9

Office: 902-629-4158

Stavert, Robert

From: Thompson, Laurel
Sent: February 3, 2022 11:36 AM
To: Stavert, Robert
Subject: Re: Palmers Lane

Ok I'll get him to get a letter form the neighbours

Laurel Palmer Thompson
Planner II

City of Charlottetown
[233 Queen Street](#)
[Charlottetown, Prince Edward Island](#)
[Canada, C1A 4B9](#)
Office: [902-629-4106](#)
Fax: [902-629-4156](#)

lthompson@charlottetown.ca
www.charlottetown.ca



On Feb 3, 2022, at 11:32 AM, Stavert, Robert <rstavert@charlottetown.ca> wrote:

Parker owns 1 Palmers Lane but he's taking land from the house behind, isn't he? The house in behind, 1B Palmers Lane, is owned by Michael Brown. So the intention is for the access to 1B be changed to MacKay Drive, correct? I'll have to assign it a MacKay Drive civic number in that case.

From: Thompson, Laurel
Sent: February 3, 2022 11:26 AM
To: Stavert, Robert <rstavert@charlottetown.ca>
Subject: Re: Palmers Lane

Hi Robert:

Is 1 B owned by Parker Perry or the adjoining neighbour? If so I can ask Parker to get something in writing.

Laurel

Laurel Palmer Thompson
Planner II

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
 Office: 902-629-4106
 Fax: 902-629-4156

lthompson@charlottetown.ca
www.charlottetown.ca



On Feb 3, 2022, at 9:13 AM, Stavert, Robert <rstavert@charlottetown.ca> wrote:

Hi Laurel,

File has been created for this.
 File 22-081
 Case# 003-RZN-22

Technically the rezoning is for 1B Palmers Lane so you will see that on the file folder. However I created a folder on the Planning drive under 1 Palmers Lane since it's part of that project. Do we have anything in writing from the property owner of 1B that he gives permission for these changes? Just curious.

Robert Stavert
Technical Assistant

City of Charlottetown
 70 Kent Street
 Charlottetown, Prince Edward Island
 Canada, C1A 1M9
 Office: 902-629-4158
 Fax: 902-629-4156

rstavert@charlottetown.ca

www.charlottetown.ca

<image001.jpg>

From: Thompson, Laurel
Sent: February 2, 2022 1:56 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Subject: FW: Palmers Lane

Hi Robert:

This is a rezoning application for 1 Palmers Lane. When I reviewed the file I realized that a portion of the property that was being consolidated would need to be rezoned. I have the file here for 1 Palmer's Lane. Can you set this application up and add it to the file? Also, Parker Perry will have to pay the fee.

Thanks,

Laurel

From: Aaron Stavert <aaron@openpractice.ca>
Sent: February 2, 2022 12:15 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>
Cc: Parker Perry <parkerburns@ymail.com>; Benny Lam <benny@openpractice.ca>
Subject: Re: Palmers Lane

Laurel
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 Any questions please call.

Aaron Stavert, MRAIC
 Open Practice Inc. - Collaborative Architecture
 67 King St. Charlottetown, PE
 C1A 1B4

902 370-2086 p
 902 370-2087 f

aaron@openpractice.ca
openpractice.ca

From: Laurel Thompson <lthompson@charlottetown.ca>
Date: Tuesday, February 1, 2022 at 4:17 PM
To: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: Palmers Lane

Hi Aaron:

Sounds good. Can either you or Parker come in and fill out an application for a rezoning? It will proceed to the March Planning Board meeting. The agenda has been set for February. I will let Ellen know to make sure you are included to attend the March meeting.

Best Regards,

Laurel

Laurel Palmer Thompson
Planner II

City of Charlottetown
[233 Queen Street](#)
[Charlottetown, Prince Edward Island](#)
[Canada, C1A 4B9](#)
Office: [902-629-4106](#)
Fax: [902-629-4156](#)

ltompson@charlottetown.ca
www.charlottetown.ca



On Jan 31, 2022, at 3:54 PM, Aaron Stavert
<aaron@openpractice.ca> wrote:

Laurel –

I spoke with Parker and he is fully aware of the mail out for lot consolidation and re-zoning.

Please proceed. Can you tell me when the next planning meeting is – I would plan to attend virtually or in person to answer any questions.

Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

aaron@openpractice.ca
openpractice.ca

Stavert, Robert

From: Stavert, Robert
Sent: February 23, 2022 3:54 PM
To: Demo-Moving Notification
Subject: Demolition Permit - 1 Palmers Lane
Attachments: Palmers Lane 1 File 22-042 DEMO.pdf

Good afternoon,

Please see attached for a recently issued demolition permit for 1 Palmers Lane.

Thanks.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



**Planning Department**Mailing Address

P.O. Box 98, 70 Kent Street, Charlottetown, PE, C1A 1M9

Contact Information

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

For	Permit #	002-DEM-22
Office	File #	22-042
Use	PID #	275313
Only	Zone:	R3

Demolition Permit

This certifies that: Open Practice Inc. - Aaron Stavert of 67 King Street
 Has a Permit to: Demolish 6 unit apartment building
 At the location of: 1 Palmers Lane

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

Conditions

1	This Permit will be subject to Section 3.10 of the "Nuisance Bylaw" and "Zoning & Development Bylaw".
2	The damage deposit of Five Hundred Dollars (\$500) for possible damage to City property will be returned if no damage is reported or claimed.
3	The Applicant must engage Bell Aliant, Maritime Electric Co. Ltd. or other utilities in the removal of overhead/underground wires, etc. to facilitate the removal of such building, and to pay for any other expenses connected with the removal of same such as repairs to asphalt streets, curb, sidewalks or other. If power has to be interrupted to other properties during the removal, then permission is required from Island Regulatory and Appeals Commission (902) 892-3501.
4	The Applicant must remove this building during such hours so as not to obstruct traffic on said streets over and above any reasonable period of time and to contact the Police Department (902) 629-4172 and the Public Works Department (902) 894-5208 as to the exact date & time the removal will commence and arrange assistance.
5	The Contractor shall ensure all zone signage is installed in accordance with the Provincial Temporary Traffic Control manual (2016 Edition)
6	The Applicant must ensure the demolition area is protected and kept secure from illegal or unauthorized access. Ensure sidewalk is closed and direct pedestrian traffic with signage to use the other side of the street.
7	The Applicant must contact the Charlottetown Utilities Department (902) 629-4014 to have all sewer and water connections turned off, and disconnections must occur at the main line at the street right-of-way AND <u>must be inspected</u> by the Water and Sewer Utility prior to backfilling.
8	The applicant will ensure that safety measures comply with Part 8 of the National Building Code and also comply with 5.6 of the National Fire Code. A Fire Safety Plan must be onsite at all times. See Fire Inspector for details of Fire Safety Plan (902) 629-4083
9	All debris and dirt shall be removed from the Public Right of Way prior to the completion of the work. All materials from demolition site must be hauled and deposited of at a Provincially approved site.
10	The Applicant/Contractor is responsible to repair any damaged sidewalks, or asphalt caused by the demolition to the satisfaction of Public Works Manager.
11	The foundation must be removed or filled in and site to be level with no change in Grade. No significant ponding of water permitted.
12	This Demolition Permit shall be valid for sixty (60) calendar days.

Approved ByDevelopment Officer: Laurel Palmer Thompson*Laurel Palmer Thompson*Date: February 15, 2022Building Inspector: Trevor EisnorDate: January 19, 2022

Name

Signature

Administration send copy of Permit to ☐ Fire Department, ☐ Police Department, ☐ Public Works, ☐ Utility

Catane, Ellen

From: Eisnor, Trevor
Sent: January 20, 2023 9:42 AM
To: Catane, Ellen
Subject: FW: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)
Attachments: 22-126 mech.pdf

Thanks

Trevor Eisnor, CET, Chief Building Official
 70 Kent Street, Charlottetown, PE, Canada, C1A 1M9
 Off: 902-629-4107, Cell 902-629-0191, Fax: 902-629-4156

From: Eisnor, Trevor <teisnor@charlottetown.ca>
Sent: February 25, 2022 5:35 PM
To: Eisnor, Trevor <teisnor@charlottetown.ca>
Subject: FW: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: Aaron Stavert <aaron@openpractice.ca>
Date: 2022-02-25 5:03 PM (GMT-04:00)
To: "Eisnor, Trevor" <teisnor@charlottetown.ca>
Cc: Benny Lam <benny@openpractice.ca>
Subject: FW: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)

Trevor-
 Please see mechanical drawings for Palmer's Lane as requested.

Aaron.

Aaron Stavert, MRAIC
 Open Practice Inc. - Collaborative Architecture
 67 King St. Charlottetown, PE
 C1A 1B4

902 370-2086 p
 902 370-2087 f

aaron@openpractice.ca
openpractice.ca

From: Alex Aghdassi <alex.aghdassi@mcaconsultants.ca>
Date: Friday, February 25, 2022 at 4:34 PM
To: Aaron Stavert <aaron@openpractice.ca>
Cc: Doug Matheson <doug@mcaconsultants.ca>, Benny Lam <benny@openpractice.ca>
Subject: RE: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)

Here are the drawings issued for construction.

Thanks,
Alex

From: Aaron Stavert <aaron@openpractice.ca>
Sent: February 25, 2022 9:28 AM
To: Alex Aghdassi <alex.aghdassi@mcaconsultants.ca>; Benny Lam <benny@openpractice.ca>
Cc: Doug Matheson <doug@mcaconsultants.ca>
Subject: Re: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)

Alex / Doug –

Please see attached a few small comments on Mechanical Drawings for Palmers Lane.
If you could revise, and submit stamped drawings Issued for Construction.
Also please provide signed and stamped schedule A-2 for City Permitting.

Thanks,
Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

aaron@openpractice.ca
openpractice.ca

From: Alex Aghdassi <alex.aghdassi@mcaconsultants.ca>
Date: Thursday, February 17, 2022 at 3:44 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Doug Matheson <doug@mcaconsultants.ca>, Aaron Stavert <aaron@openpractice.ca>
Subject: RE: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)

Hi Benny,

Here are the Mechanical Drawings if you have any questions let us know.

Thanks,
Alex.

From: Benny Lam <benny@openpractice.ca>
Sent: February 17, 2022 2:18 PM
To: Alex Aghdassi <alex.aghdassi@mcaconsultants.ca>; Doug Matheson <doug@mcaconsultants.ca>
Cc: Parker Perry <parkerburns@ymail.com>; Aaron Stavert <aaron@openpractice.ca>
Subject: Re: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)

Hi Doug/ Alex

Any updates for the Mechanical Drawings?

Would you please send us the Mechanical Drawings together with Schedule A for Permit application as soon as you can?

Thank you very much!

Benny

From: Benny Lam <benny@openpractice.ca>
Date: Thursday, February 10, 2022 at 4:55 PM
To: "alex.aghdassi@mcaconsultants.ca" <alex.aghdassi@mcaconsultants.ca>, Doug Matheson <doug@mcaconsultants.ca>
Cc: Parker Perry <parkerburns@ymail.com>, Aaron Stavert <aaron@openpractice.ca>
Subject: Re: Palmers Lane - Mechanical Coordination Revised Drawings (CAD FILES)

Hi all,

Please find attached the CAD Files for your coordination.

Thanks!

Benny

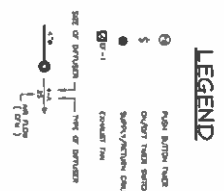
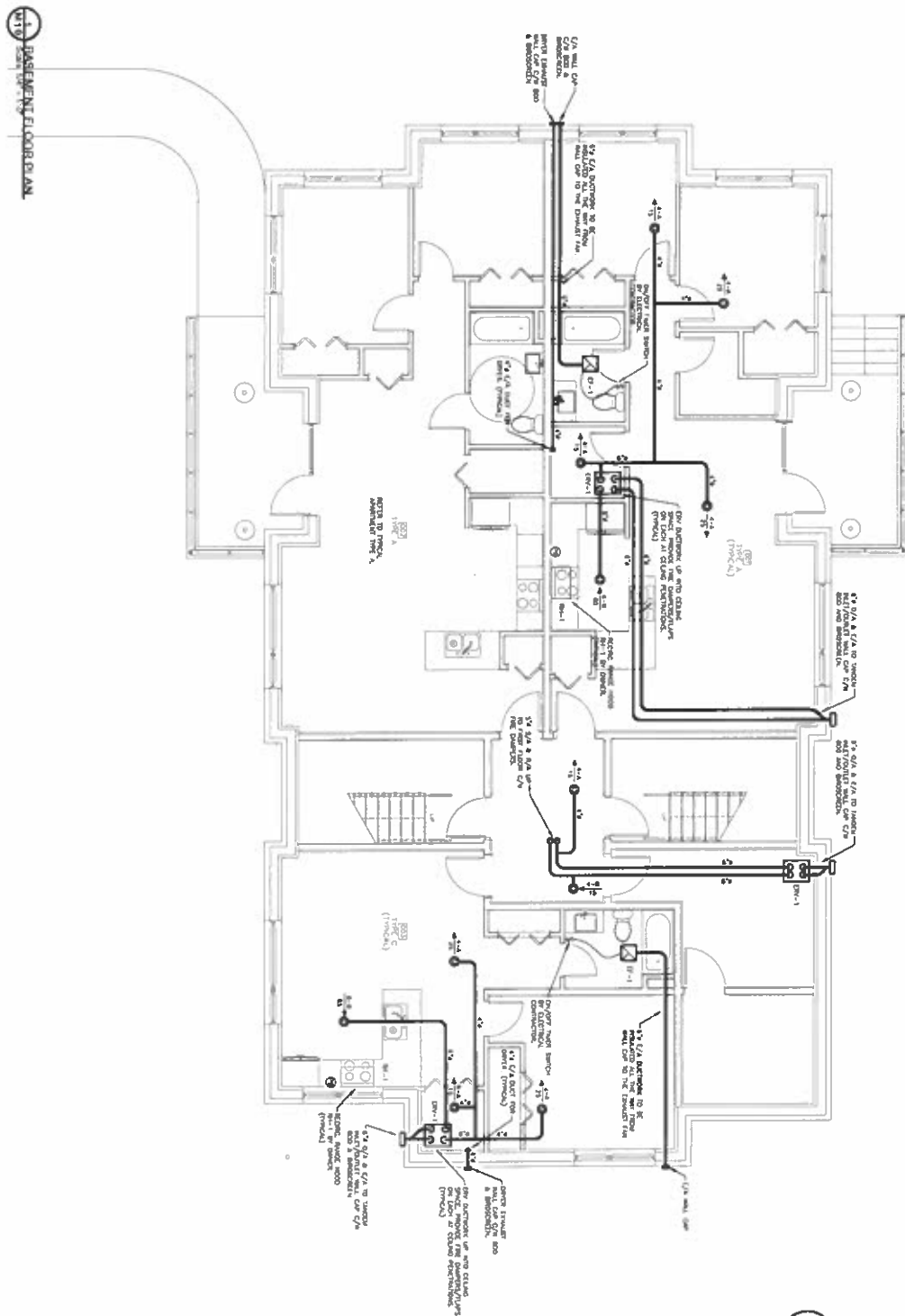
From: Benny Lam <benny@openpractice.ca>
Date: Thursday, February 10, 2022 at 4:53 PM
To: "alex.aghdassi@mcaconsultants.ca" <alex.aghdassi@mcaconsultants.ca>, Doug Matheson <doug@mcaconsultants.ca>
Cc: Parker Perry <parkerburns@ymail.com>, Aaron Stavert <aaron@openpractice.ca>
Subject: Palmers Lane - Mechanical Coordination Revised Drawings

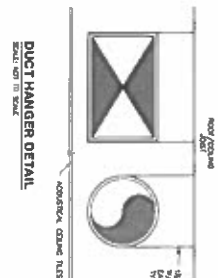
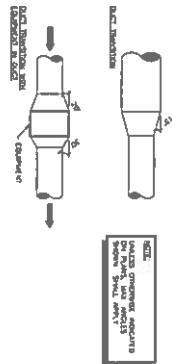
Hi all,

Please find attached the revised drawings based on today's Mechanical Coordination. Cad file will be in separate email.

Thanks!

Benny





VERTICAL FIRE DAMPER DETAIL ⑨ FLOOR CONDITION
SCALE: 1/8" = 1'-0"

EXAMINER'S SIGNATURE							
No.	Branch	Name of Candidate	Roll No.	Date	Signature		Date
					Initial	Full	
106	BTech ECE	Manoj Kumar	10600000	01/10/2023			
107	BTech ECE	Manoj Kumar	10600000	01/10/2023			

-

CITY OF CHARLOTTETOWN – BUILDING CODE BYLAW

PH-BC.3

Schedule "A-2" - Field Review of Construction
Inspection Commitment Declaration**Preamble**

Whereas the *Building Code Bylaw* applies to the construction or demolition of a building;

And whereas the Province has adopted the National *Building Code* and the National *Energy Code* with amendments as the *Charlottetown Building Code*, requiring compliance with it as adopted for the construction or demolition of buildings;

And whereas *architects*, and *professional engineers* are required by their respective statutes, *Bylaw*, and *Bylaws*, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And whereas the Provincial Building Code Regulations requires professionals to design *buildings* in conformance with the minimum standards of the National Building Code and National Energy Code with sufficient drawings and documents to show how these standards have been met;

And whereas the Provincial Building Code Regulations, requires that these *buildings* shall be inspected at intervals appropriate to the stage of construction to determine substantial compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto;

To: The authority having jurisdiction: Date: February 17, 2022
City of Charlottetown - Planning & Heritage Department
70 Kent Street, Charlottetown, PE, C1A 1M9
 Att: Trevor Eisnor (Building Official)
 Re: 1 Palmer Lane
 Address of project (print)
 12 Unit Apartment
 Name of Project and Description (print)

This is to advise that I am the *Architect or professional Engineer* appointed by the owner or prime consultant to perform the *Field Review of Construction*. I hereby declare for the Design Requirements for:

☐ Building Design ☐ Structural ☒ Mechanical ☐ Electrical
☐ Geotechnical ☐ Plumbing ☐ Fire Suppression System

- 1) I will review the shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the design drawings to determine that the changes conform to the Code; and
- 3) When satisfied that the work substantially complies with the design drawings, I will complete the Declaration of *Field Review of Construction* and return it to the *authority having jurisdiction* prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the *Field Review of Construction* to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the *authority having jurisdiction*, in writing as soon as practical, but not later than 3 business days if the contract for *Field Review of Construction* is terminated at any time during construction.

J. Douglas Matheson, P. Eng.

Print Name

MCA Consultants Inc.

Print Name of Firm or Company

24 Garfield Street, Suite C, Charlottetown, PE C1A 6A5

Mailing Address

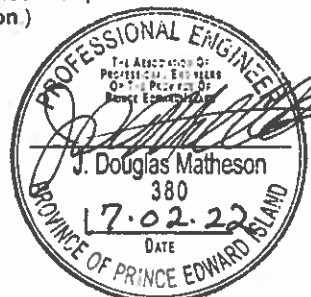
(902) 566-9223

Telephone

doug@mcaconsultants.ca

Email

(Affix below the seal of the professional engineer in accordance with provincial legislation.)



Catane, Ellen

From: Eisnor, Trevor
Sent: January 20, 2023 9:13 AM
To: Catane, Ellen
Subject: FW: 1 Palmers 12 unit

Thanks

Trevor Eisnor, CET, Chief Building Official
70 Kent Street, Charlottetown, PE, Canada, C1A 1M9
Off: 902-629-4107, Cell 902-629-0191, Fax: 902-629-4156

From: Eisnor, Trevor
Sent: March 3, 2022 2:58 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>
Subject: RE: 1 Palmers 12 unit

Sounds good

Thanks

Trevor

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "Thompson, Laurel" <lthompson@charlottetown.ca>
Date: 2022-03-03 2:18 PM (GMT-04:00)
To: "Eisnor, Trevor" <teisnor@charlottetown.ca>
Subject: Re: 1 Palmers 12 unit

Hi Trevor:

No it won't be approved for awhile. It had to go for a rezoning and lot Consolidation. I'm taking it to Planning Board on Monday to go to a public meeting.

Laurel

Laurel Palmer Thompson
Planner II

City of Charlottetown

[233 Queen Street](#)
[Charlottetown, Prince Edward Island](#)

[Canada, C1A 4B9](#)

[Office: 902-629-4106](#)

[Fax: 902-629-4156](#)

ltompson@charlottetown.ca
www.charlottetown.ca

On Mar 3, 2022, at 12:48 PM, Eisnor, Trevor <teisnor@charlottetown.ca> wrote:

Laurel,

Are you ready to approve this?



For	Permit #	009-BLD-22
Office	File #	22-044
Use	PID #	275313
Only	Zone:	R3

Planning Department

Mailing Address

P.O. Box 98, 70 Kent Street, Charlottetown, PE, C1A 1M9

Contact Information

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

BUILDING & DEVELOPMENT PERMIT

POST THIS IN A CONSPICUOUS LOCATION DURING CONSTRUCTION

This certifies that: Open Practice Inc. - Aaron Stavert of 67 King Street
Has a Permit to: New 12 unit 3 storey apartment building
At the location of: 1 Palmers Lane

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

Development Officer Requirements:

Building Official Requirements:

1	All work shall be done in accordance with the 2015 National Building Code of Canada (NBC) and as plans provided and agreed amendments
2	As per Building Code Bylaw Section 4.12.1, the Owner/Applicant shall email Building Inspector or contact Planning Department at 902-629-4158 to arrange for REQUIRED INSPECTIONS . (24 hours notice must be given)
	A Pre-backfill - footings, foundations, drain tile, waterproofing, etc...
	B Radon Pipe & Under-slab Insulation - Radon pipe installation, under-slab insulation type and thickness, vapour barrier
	C Framing & Mechanical Ventilation - floors, walls, trusses, bearing points, ventilation, etc...
	D Insulation & Vapour Barrier - Insulation fitted, vapour barrier with continuous seal (Pre-drywall)
	E Final Inspection - Smoke alarms, CO alarms, deadbolts, exterior decks, landings, stairs, handrails, guards, etc...
3	Part 8 - National Building Code - Safety Measures at Construction & Demolition sites to be followed. This includes protection of site & public and Fire Safety measures as per 5.6 of the National Fire Code.
4	Kitchen ventilation to meet NBC 9.23.3.7 - be directly vented or have booster fan and switch in kitchen to increase flow 2.5 times normal.
5	Vapour Barrier to be installed between top plate of interior wall to roof truss & between interior wall stud to exterior wall at framing stage, must meet NBC 9.25.4.2 requirements and CSA/CGSB-51.34M
6	Foundation walls to be insulated at R20 min with vapour barrier, including walls adjacent to garage & be protected from mechanical damage.
7	Spray Foam and Foam Insulation must be protected with Drywall, Plywood or approved ULC Intumescent Fire Retardant Paint.
8	ICF Foundations to meet NBC Table 9.15.4.2A for Solid Concrete MPA, min thickness, height max requirements. If building is outside this table then a Professional Engineer is required to inspect ICF, approve & provide Certificate to the City before any concrete is poured.
9	Helical Piles are not to be used unless a plan is stamped by Professional Engineer. (Must be submitted before Permit is issued.) Helical Piles must be an approved product under CCMC, installed by Qualified installer, who must provide a Torque installation report
10	Handrails must have min. clearance of 50mm and be graspable along entire length. Square or rectangular handrails are NOT APPROVED , unless they have recesses on sides to allow thumb and fingers to grasp on both sides or underneath the handrail.

Approved By

Development Officer:

Name

Signature

Date:

March 3,
2022

Building Inspector: Trevor Eisnor

Name

Signature

Date:

THIS IS NOT AN "OCCUPANCY PERMIT"

Thanks

Trevor Eisnor, CET, Chief Building Official
70 Kent Street, Charlottetown, PE, Canada, C1A 1M9
Off: 902-629-4107, Cell 902-629-0191, Fax: 902-629-4156

Thompson, Laurel

From: Forbes, Alex
Sent: Thursday, March 31, 2022 9:56 AM
To: Aaron Stavert; Thompson, Laurel
Subject: RE: Revised Site Plan

Thanks Aaron. Alex

From: Aaron Stavert <aaron@openpractice.ca>
Sent: March 31, 2022 9:45 AM
To: Thompson, Laurel <lthompson@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>
Subject: Revised Site Plan

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Laurel and Alex. —

We have revised the site plan for 1 Palmers Lane. We are just finalizing the drawings and will have out to you shortly.

Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

aaron@openpractice.ca
openpractice.ca

Stavert, Robert

From: Stavert, Robert
Sent: March 31, 2022 4:01 PM
To: lynn.murray@keymurraylaw.com
Subject: 1 Palmers Lane - Site Plan
Attachments: 1 Palmers Lane - Site Plan.pdf

Hi Lynn,

Site plan is attached, as requested.

Thanks.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



1
NO SITE PLAN
Scale: 1/8" = 1'-0"

PALMERS LANE

[illegible]

GENERAL NOTES



**OPEN
PRACTICE**
collaborative studios

CONSULTANTS
Structure
SFE Engineering (2005) Ltd
Structural Engineers & Design Engineers
100, The Quadrant, London SE1 1NT
Tel: 020 7493 3838
Fax: 020 7493 3839
Email: info@sfe-engineering.co.uk
Website: www.sfe-engineering.co.uk

62 King Street
Chesham, Bucks HP8 4LH
t. 0492 370 3004
f. 0492 370 3003

SITE PLAN

AS SWEDEN

A0.2

THE UNIVERSITY OF TEXAS AT AUSTIN

1 PALMIERS LANE

2008.16

DATE _____ **TIME** _____
NAME _____ **ROOM** _____
SECTION _____ **INSTR.** _____
TEST # _____ **SCORE** _____

Abstract

Thompson, Laurel

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: Wednesday, May 18, 2022 1:40 PM
To: Thompson, Laurel
Cc: Lynn Murray
Subject: RE: Palmer's Lane

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Thank you

M. Lynn Murray, Q.C.*

Partner
 tel +1 (902) 368-7821 (direct) | fax +1 (902) 368-3762
 80 Grafton Street, Suite 200
 PO Box 875
 Charlottetown PE, C1A 1K7
 Legal Assistant, Carol Ann Matheson | +1 (902) 368 7801
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From: Thompson, Laurel <lthompson@charlottetown.ca>
Sent: May 18, 2022 11:14 AM
To: Lynn Murray <lynn.murray@keymurraylaw.com>
Cc: Catane, Ellen <ecatane@charlottetown.ca>
Subject: RE: Palmer's Lane

Hi Lynn:

Yes, that's no problem. We can advise you when it is to proceed to Council.

Best Regards,

Laurel

From: Lynn Murray <lynn.murray@keymurraylaw.com>

Sent: May 18, 2022 9:41 AM

To: Thompson, Laurel <lthompson@charlottetown.ca>

Subject: Re: Palmer's Lane

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I understand that is happening and that the boundary line as provided to you will be different.

I merely asked to be notified when this is coming back to council

Is that possible

Lynn

M. Lynn Murray, Q.C.

Partner

tel +1 (902) 368 7821 | fax +1 (902) 368 3762

80 Grafton Street, Suite 200, Charlottetown PE

PO Box 875, C1A 7L9

Legal Assistant, Carol Ann Matheson | +1 (902) 368 7801

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On May 18, 2022, at 9:38 AM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Good morning, Lynn:

Please be advised that Council deferred this application with the expectation that you would provide the applicant the relevant information regarding your shared property line. It is our understanding that your surveyor has been in contact with the applicant regarding the disputed property boundary and that your survey would be forth coming to the applicant.

Please follow up with your surveyor and the applicant as to the status of the disputed property boundary. Staff are waiting for the applicant to convey to us when they want this issue back on the regular Council agenda.

Best Regards,

Laurel Palmer Thompson

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: May 17, 2022 4:56 PM
To: Catane, Ellen <ecatane@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>
Cc: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

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Thank you

M. Lynn Murray, Q.C.*

Partner

tel +1 (902) 368-7821 (direct) | fax +1 (902) 368-3762

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PO Box 875

Charlottetown PE, C1A 1K7

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From: Catane, Ellen <ecatane@charlottetown.ca>
Sent: May 17, 2022 4:20 PM
To: Lynn Murray <lynn.murray@keymurraylaw.com>; Thompson, Laurel
 <lthompson@charlottetown.ca>
Subject: RE: Palmer's Lane

Hello Lynn,
 Good day! The application was deferred at the regular meeting of Council in April. I have not had any update since then.

I am looping in Laurel in this email. She may have a better idea of what the status of this application is at this time. Thank you!

Best Regards,
 Ellen

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: May 9, 2022 12:24 PM
To: Catane, Ellen <ecatane@charlottetown.ca>
Cc: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

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Ellen

IS it possible to be advised if anything else is before planning Board or Council dealing with the above noted proposed development

If so, can I be advised at this email address. If not, if you could just let me know

Lynn

M. Lynn Murray, Q.C.*

Partner
 tel +1 (902) 368-7821 (direct) | fax +1 (902) 368-3762
 80 Grafton Street, Suite 200
 PO Box 875
 Charlottetown PE, C1A 1K7
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From: Catane, Ellen <ecatane@charlottetown.ca>
Sent: April 4, 2022 2:29 PM
To: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

Hi Lynn,

Thank you for your confirmation. It will be livestreamed at www.charlottetown.ca/video where you can watch and/or listen live. As soon as the meeting starts, you should be able to hear/listen/watch the meeting proceedings.

Safe travels!

Best Regards,
Ellen

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: April 4, 2022 2:27 PM
To: Catane, Ellen <ecatane@charlottetown.ca>
Cc: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

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Thank you – will I be able to call in to listen or do I have to be on zoom – I am on the road to Nova Scotia tomorrow afternoon/evening

Lynn

M. Lynn Murray, Q.C.*

Partner

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From: Catane, Ellen <ecatane@charlottetown.ca>
Sent: April 4, 2022 2:12 PM
To: Lynn Murray <lynn.murray@keymurraylaw.com>
Subject: RE: Palmer's Lane

Hello Lynn,
 Good day! Because of the current weather condition, the planning board meeting scheduled tonight is rescheduled to tomorrow, April 05, 2022 at 4:30pm. The meeting will still be at City Hall, Council Chambers.
 Kindly respond to this email to confirm receipt.

Thank you!

Best Regards,
 Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department
 70 Kent Street
 Charlottetown, Prince Edward Island
 Canada, C1A 1M9
 Office: 902-629-4112
 Fax: 902-629-4156

ecatane@charlottetown.ca
www.charlottetown.ca



From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: April 4, 2022 10:28 AM
To: Catane, Ellen <ecatane@charlottetown.ca>

Cc: Lynn Murray <lynn.murray@keymurraylaw.com>

Subject: RE: Palmer's Lane

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Thank You Ellen

Lynn

M. Lynn Murray, Q.C.*

Partner

tel +1 (902) 368-7821 (direct) | fax +1 (902) 368-3762

80 Grafton Street, Suite 200

PO Box 875

Charlottetown PE, C1A 1K7

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From: Catane, Ellen <ecatane@charlottetown.ca>

Sent: April 4, 2022 8:46 AM

To: Lynn Murray <lynn.murray@keymurraylaw.com>

Cc: Thompson, Laurel <lthompson@charlottetown.ca>; Forbes, Alex <aforbes@charlottetown.ca>

Subject: RE: Palmer's Lane

Hello Lynn,

Good morning and thank you for your email. The application dealing with the rezoning of a portion of 1B Palmers Lane will be presented and discussed in tonight's meeting. The meeting is scheduled at 4:30pm at Council Chambers, 2nd Floor, City hall.

Planning Board will review the application (and proposed changes submitted by the applicant) and will make a recommendation to Council. Council meeting will be scheduled next Monday, April 11. *For the rezoning process, after a public meeting, the application is forwarded to Planning Board for a*

recommendation to Council, and Council makes a decision. During this process, there is no requirement for another public meeting.

The meeting can be viewed as it is streamed live at www.charlottetown.ca/video. Thank you!

Best Regards,
Ellen

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: April 3, 2022 6:26 PM
To: Catane, Ellen <ecatane@charlottetown.ca>
Subject: Palmer's Lane

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Ellen

Parker sent me a new proposal on Friday afternoon at 457 pm.

Is this the one that is being considered on Monday night or will the meeting be delayed?

I would request that it be delayed given that there is a new proposal that was just received at end of business on Friday.

Furthermore, Will there be another public meeting now that there is a new proposal?

Lynn Murray

M. Lynn Murray, Q.C.

Partner

tel +1 (902) 368 7821 | fax +1 (902) 368 3762

80 Grafton Street, Suite 200, Charlottetown PE

PO Box 875, C1A 7L9

Legal Assistant, Carol Ann Matheson | +1 (902) 368 7801

Key Murray Law

COVID-19 NOTE

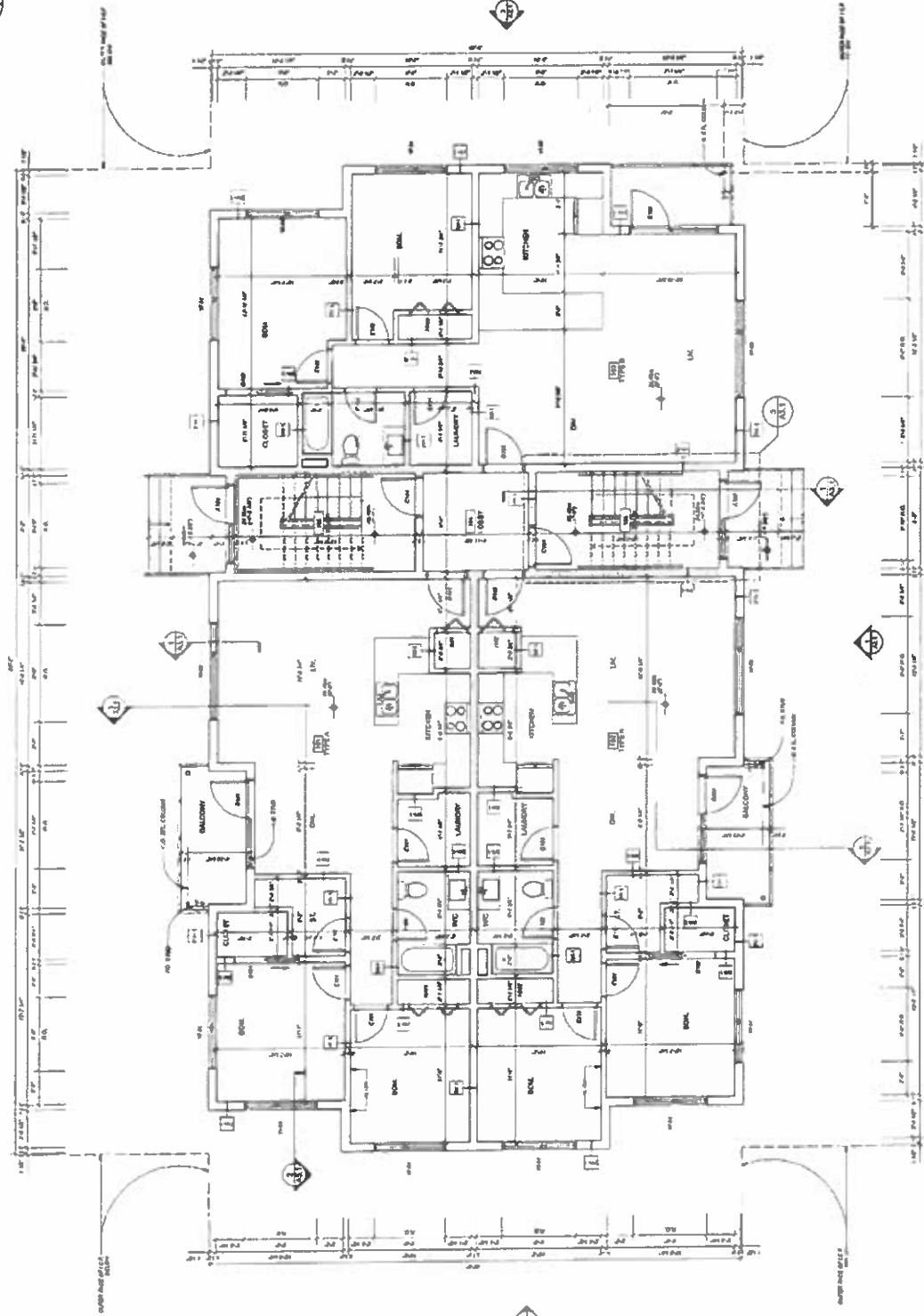
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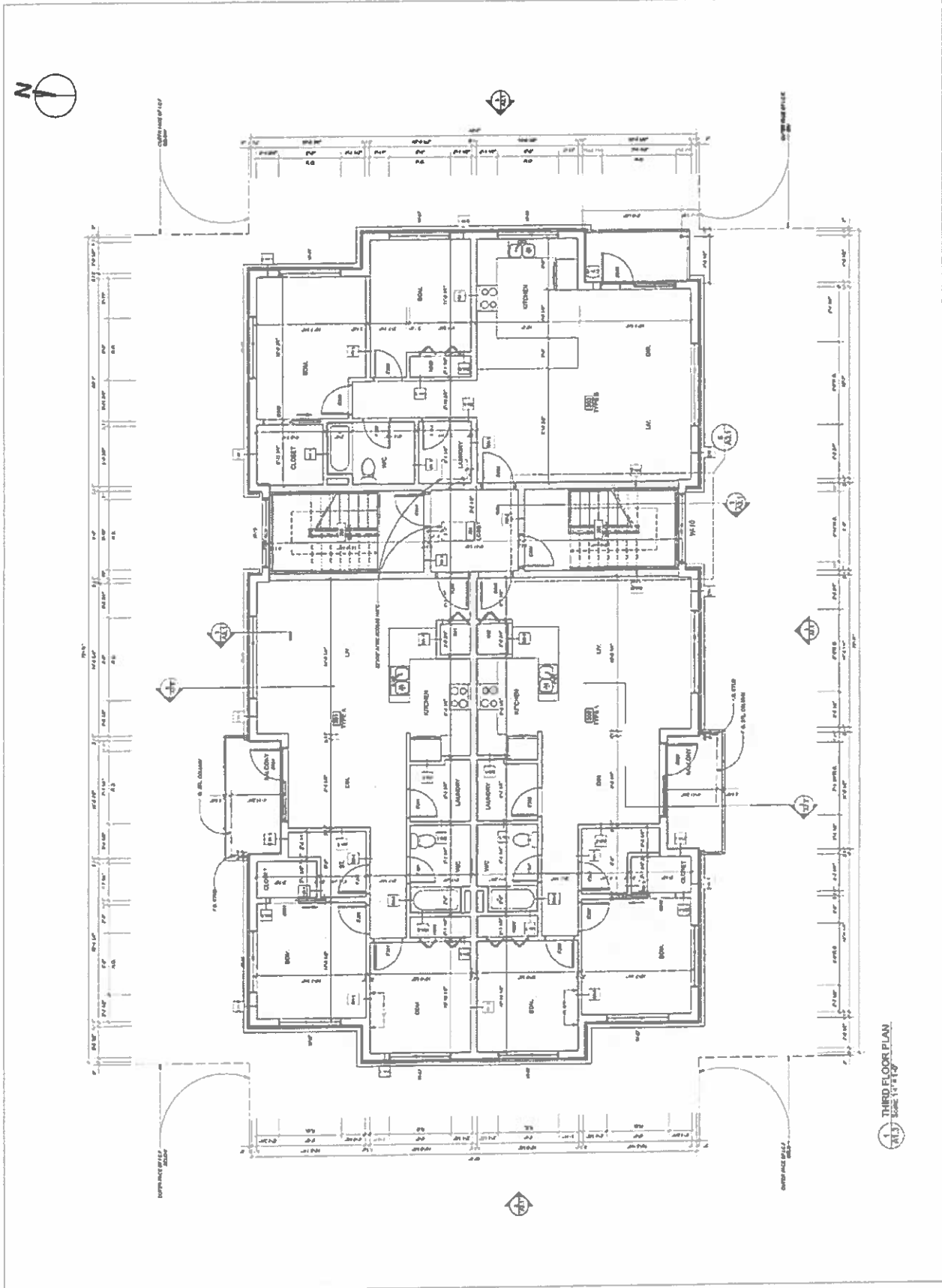


1 FIRST FLOOR PLAN
(A1.1) Scale: 1/8" = 1'-0"

OPEN PRACTICE
CONSULTANTS
ARCHITECTS
1000-10000
1000-10000
1000-10000



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2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE B.C.A. CODE OF PRACTICE FOR BUILDING
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE B.C.A. CODE OF PRACTICE FOR BUILDING



GENERAL NOTE
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OPEN PRACTICE
CORPORATE DESIGN DIVISION
10000 W. 10th Avenue
Suite 1000
Denver, CO 80202
Tel: 303.733.1000
Fax: 303.733.1001
www.openpractice.com

1 PALMERS LANE

ROOF PLAN

NO. 146

A1.4

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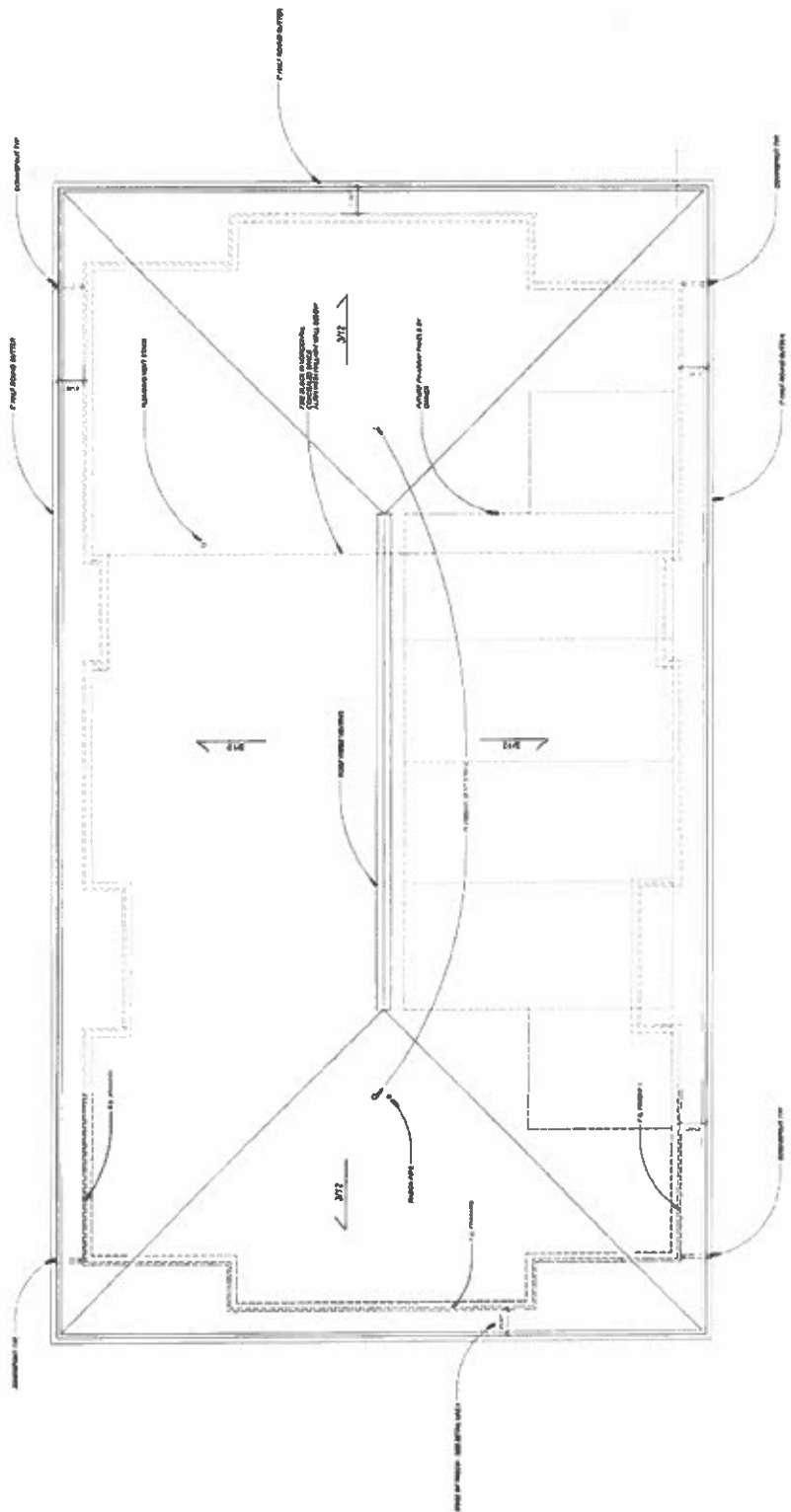
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2000.00

CONSTRUCTION NOTES
1. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE
2. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE
3. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE



12345 Main Street
Suite 100
San Francisco, CA 94102
Tel: 415.555.1234
Fax: 415.555.1235



1 ROOF PLAN
Scale: 1/4" = 1'-0"



GENERAL NOTES

1. **Identify the problem.** The first step is to identify the problem. This involves understanding the symptoms and the context in which they are occurring.

2. **Define the problem.** Once the problem is identified, it needs to be defined in clear, specific terms. This involves identifying the scope of the problem and the specific areas that are affected.

3. **Identify the causes.** The next step is to identify the causes of the problem. This involves looking for the underlying factors that are contributing to the problem.

4. **Develop a plan.** Once the causes are identified, a plan needs to be developed to address the problem. This involves identifying the specific actions that need to be taken and the resources that will be required.

5. **Implement the plan.** The final step is to implement the plan. This involves putting the plan into action and monitoring the progress.

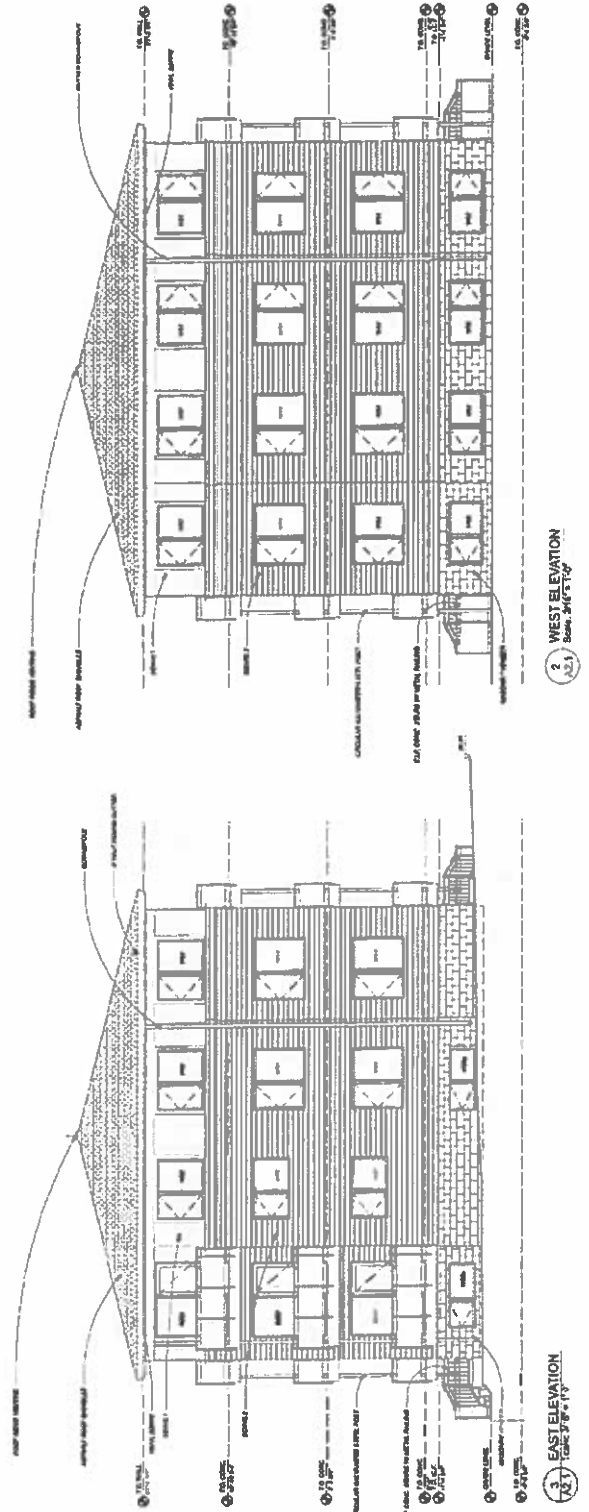
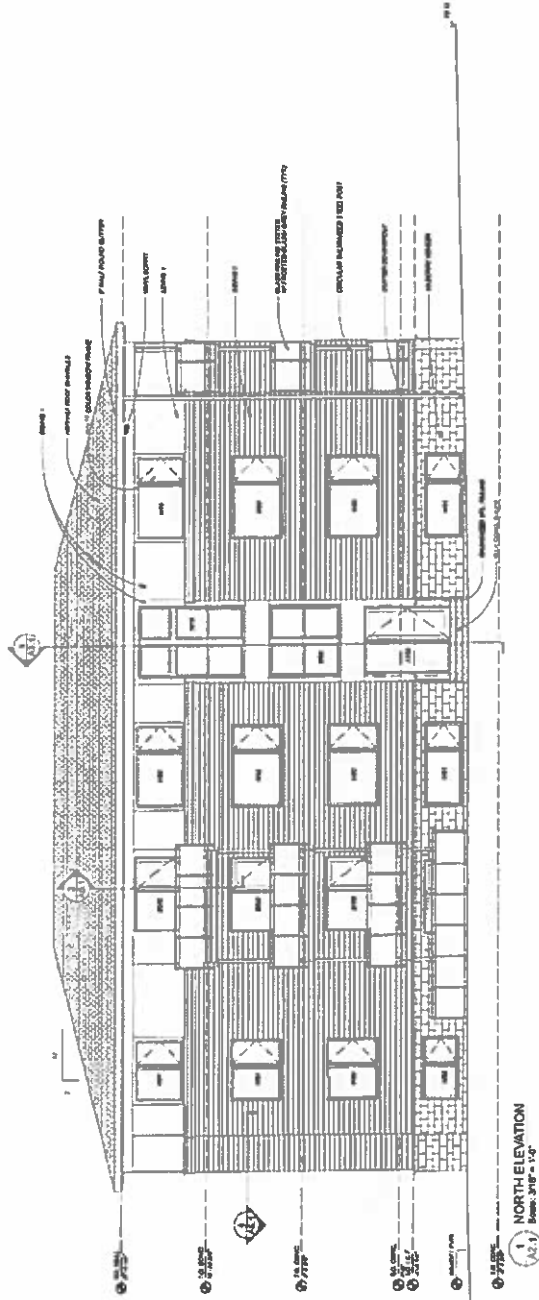
241-03-00	WALK FOR POWER
241-03-24	WALK FOR INTL. ENERGY
241-03-25	WALK FOR CONSTRUCTION
Code	Am. & Mexico

1 PALMERS LANE

000147
EXTERIOR ELEVATION
SCALE AS SHOWN
A2.1
© 2000-2001

A2.1

References

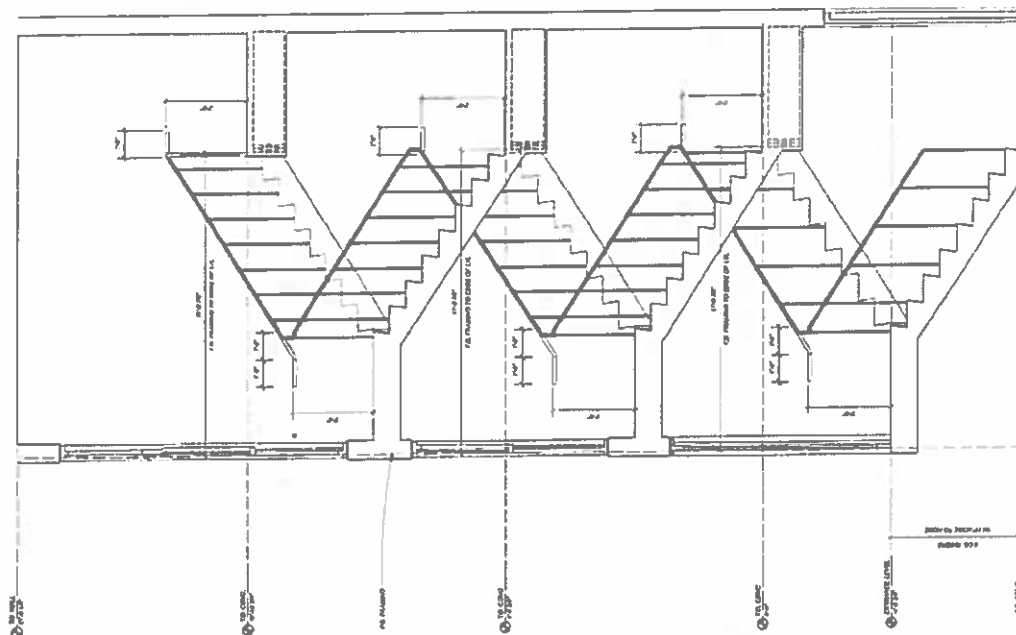
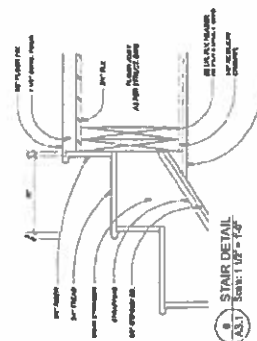
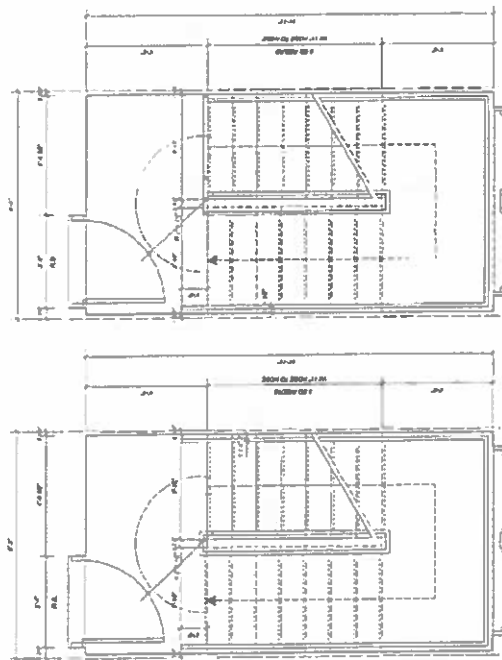
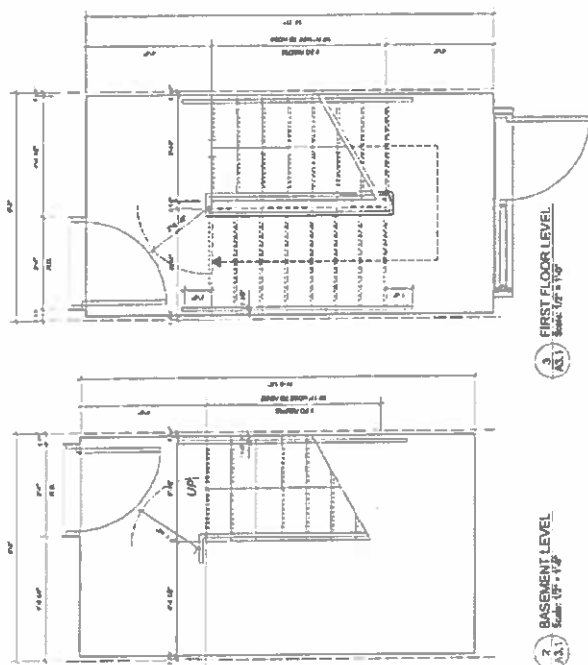


GENERAL NOTES



OPEN PRACTICE
collaborative architecture

+61 70 1



1 STAIRS SECTION

Thompson, Laurel

From: Catane, Ellen
Sent: Wednesday, June 8, 2022 3:35 PM
To: Thompson, Laurel
Subject: RE: Palmer's Lane

Thank you Laurel.

Best Regards,
Ellen

From: Thompson, Laurel <lthompson@charlottetown.ca>
Sent: June 8, 2022 3:22 PM
To: Catane, Ellen <ecatane@charlottetown.ca>
Subject: FW: Palmer's Lane

FYI

From: Lynn Murray <lynn.murray@keymurraylaw.com>
Sent: June 8, 2022 2:54 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>
Subject: Re: Palmer's Lane

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I met with the surveyor yesterday and understand he is meeting with Parker Perry this week at the site

I understand my surveyor was waiting for something from Parker's surveyor and recently got it. He called me on Monday to see if I could meet with him at the site on Tuesday for him to show me where he's putting the pins in. I understand he's going to meet with Parker as well before that is done

I understand that once that's done, the survey will be completed and I can provide a copy to you but it will likely be next week. I have nothing other than the preliminary survey which I already provided to you

I will provide you with a copy of the final survey as soon as I receive it

Lynn

M. Lynn Murray, Q.C.
Partner

tel +1 (902) 368 7821 | fax +1 (902) 368 3762
80 Grafton Street, Suite 200, Charlottetown PE
PO Box 875, C1A 7L9
Legal Assistant, Carol Ann Matheson | +1 (902) 368 7801

Key Murray Law**COVID-19 NOTE**

Dear Clients and Colleagues, please know you are always welcome at our offices.

If you are visiting our offices in person, please refrain if any of the following apply:

1. You or a member of your household has travelled outside of PEI within the last 14 days;
2. You or a member of your household has been asked to self-isolate during the last 14 days; or
3. You are experiencing any symptoms of illness, such as fever, cough, sore throat, chills, fatigue, body aches or loss of taste or smell.
4. Non-surgical masks must be worn at all times within the office.

This e-mail, including any attachments, is confidential and may be protected by solicitor/client privilege. It is intended only for the person or persons to whom it is addressed. If you have received this e-mail in error, please notify the sender by e-mail or telephone. Les informations contenues dans ce courriel, y compris toute(s) pièce(s) jointe(s), sont confidentielles et peuvent faire l'objet d'un privilège avocat-client. Les informations sont dirigées au(x) destinataire(s) seulement. Si vous avez reçu ce courriel par erreur, veuillez en aviser l'expéditeur par courriel ou par téléphone.

On Jun 8, 2022, at 2:23 PM, Thompson, Laurel <lthompson@charlottetown.ca> wrote:

Hi Lynn:

I wanted to check in with you to see if you received the survey of the boundary line of your property. We were hoping to see the survey before we send it back to Council. If the survey plan won't be available soon we will have to advance it to Council.

Can you please let me know what the status is on the survey?

Best Regards,

Laurel

From: Lynn Murray <lynn.murray@keymurraylaw.com>

Sent: May 18, 2022 9:41 AM

To: Thompson, Laurel <lthompson@charlottetown.ca>

Subject: Re: Palmer's Lane

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I understand that is happening and that the boundary line as provided to you will be different.

I merely asked to be notified when this is coming back to council

Is that possible

Thompson, Laurel

From: Parker Perry <parker@parkerdevelopments.ca>
Sent: Friday, July 8, 2022 7:12 AM
To: Thompson, Laurel
Subject: Fwd: Palmers Lane
Attachments: 20027(JULY4)email.dwg; 20027(JULY4).pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Laurel

Here is Bobs revised drawing based on the investigation that Serge Bernard did for Lynn Murray .

Serge did a Ton of research and came with that Palmers lane was actually 60ft wide not 66ft it's a long story so might be best if you contact Bob or Serge Bernard to explain or I can come in and see you to go over it .

Can we get on the agenda for this next meeting ?

I can bring Lynn's drawing in along with our new drawing and explain it if you like so you can send out the findings to counsel ? Let me know when you could meet .

My cell is 902-394-6669

Thanks

Parker

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

From: Robert Wakelin <robertwakelin.ise@gmail.com>
Date: Wed, Jul 6, 2022 at 12:43 PM
Subject: Palmers Lane
To: Aaron Stavert <aaron@openpractice.ca>, <parker@parkerdevelopments.ca>

Hello Aaron & Parker,

Please see the revised plan. If you have any questions please feel free to contact me.

Cheers

Bob

--

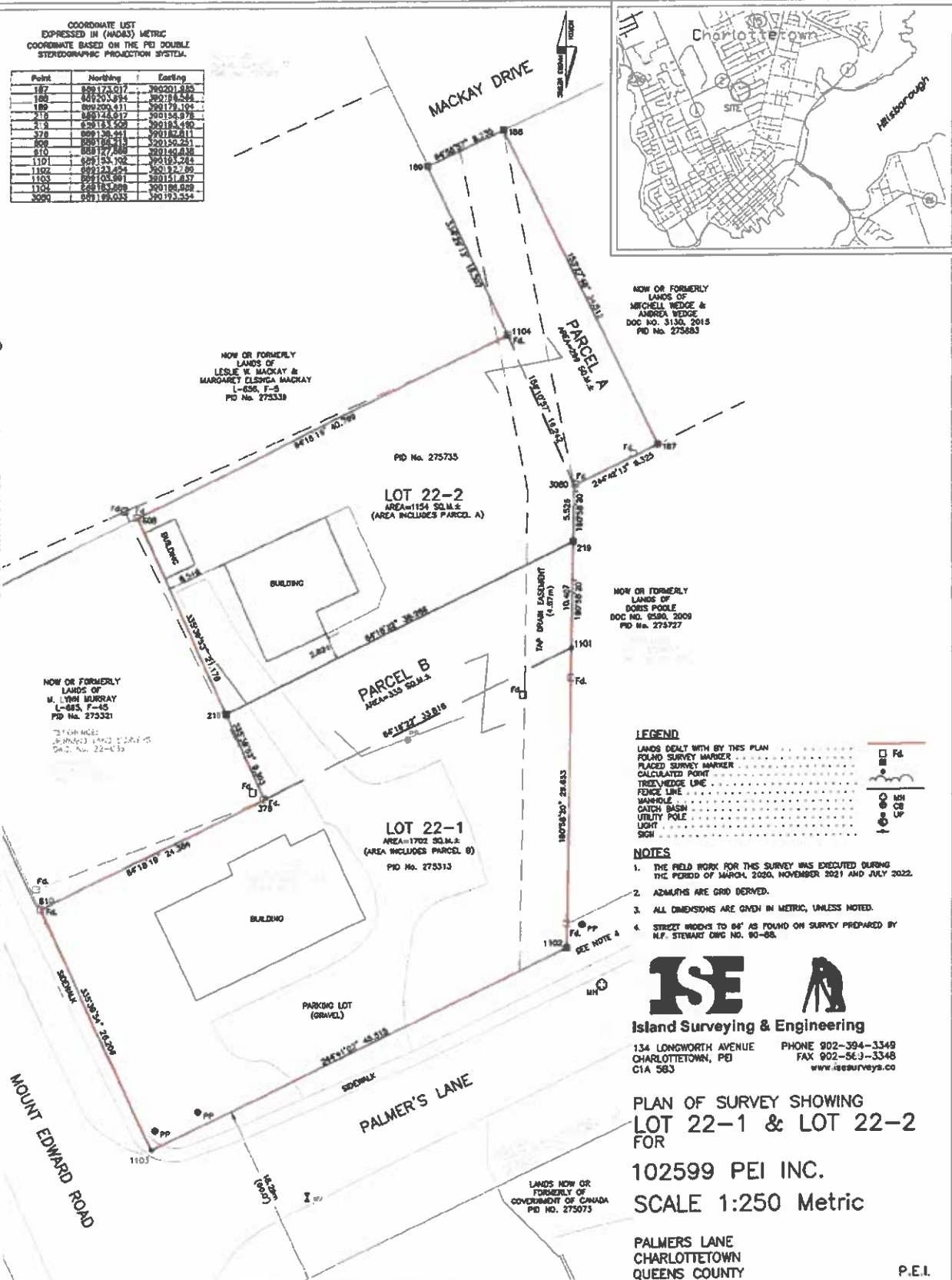


Parker Perry | Owner
 Parker Developments | Parker Built Homes
 E. parker@parkerdevelopments.ca
 P. 902-394-6669

COORDINATE LIST
EXPRESSED IN (NAD83) METRIC
COORDINATE BASED ON THE PEI DOUBLE
STEREONOMIC PROJECTION SYSTEM.

Point	Northing	Eastng
187	828173.017	900201.865
188	828203.916	900194.554
189	828200.431	900179.104
210	828174.812	900154.878
211	828183.528	900183.492
329	828136.481	900182.811
808	828189.413	900150.251
810	828127.888	900140.438
1101	828154.192	900183.244
1102	828153.624	900182.780
1103	828103.881	900151.837
1104	828183.889	900189.828
3029	828189.033	900193.554

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Thompson, Laurel

From: Parker Perry <parker@parkerdevelopments.ca>
Sent: July 27, 2022 12:13 PM
To: Thompson, Laurel; Paul Jenkins
Subject: 8 unit as of right
Attachments: 220725_8 Unit_Revised Site Plan.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Laurel

Please see attached 8 unit site plan which from our understanding is our as of right on this property .
As you can see to fit the required parking in without the rezoned piece of land from 1B Palmers this pushes the building towards Mt Edward road leaving us a 19.7" setback as opposed to the 35ft we have proposed for our 12 unit building with the rezoned land .

Also with 8 units or less we can go with 9.5 ft side yard on Lynns side which at least helps push the building back off of Palmers road .

Once again the 8 unit will be 3 Bedroom units which works out to 24 tenants

The 12 unit is 2 bedroom unit which works out to 24 tenants but more parking .

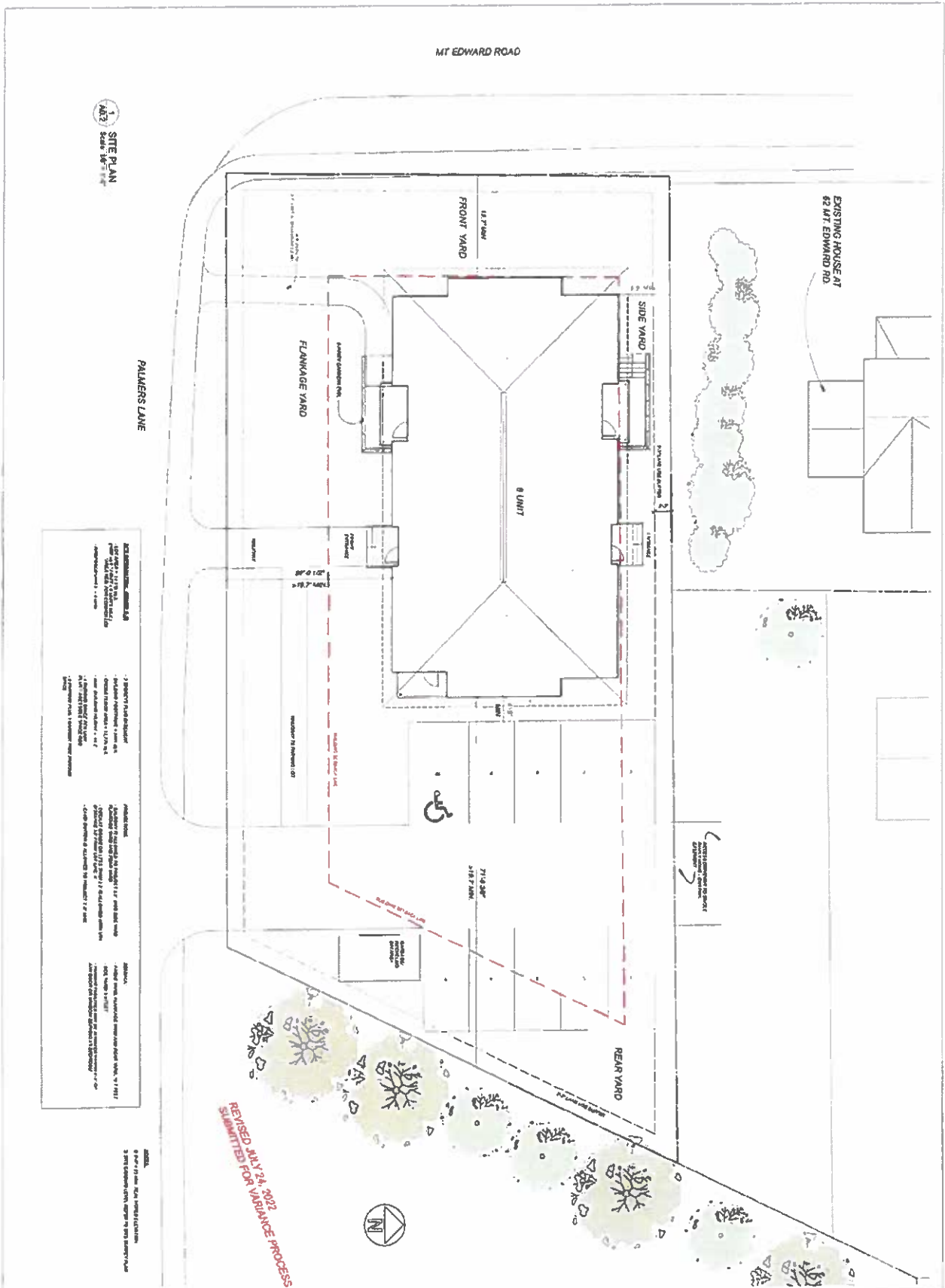
The building will be the same footprint and height whether it is a 8 unit or a 12 unit only thing changing will be interior configuration of the units and some window and door locations .

We would like to present this for the next council meeting for the first of August . If you require any further info prior to the meeting please let me know .

Thanks Parker



Parker Perry | Owner
Parker Developments | Parker Built Homes
E. parker@parkerdevelopments.ca
P. 902-394-6669



Thompson, Laurel

From: Thompson, Laurel
Sent: Friday, July 29, 2022 2:08 PM
To: Catane, Ellen
Subject: FW: 8 unit as of right
Attachments: 220725_8 Unit_Revised Site Plan.pdf

Hi Ellen:

We should attach this email and site plan to the Council memo as well.

Thanks,

Laurel

From: Parker Perry <parker@parkerdevelopments.ca>
Sent: July 27, 2022 12:13 PM
To: Thompson, Laurel <lthompson@charlottetown.ca>; Paul Jenkins <jpaul.jenkins@gmail.com>
Subject: 8 unit as of right

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Laurel

Please see attached 8 unit site plan which from our understanding is our as of right on this property . As you can see to fit the required parking in without the rezoned piece of land from 1B Palmers this pushes the building towards Mt Edward road leaving us a 19.7" setback as opposed to the 35ft we have proposed for our 12 unit building with the rezoned land .

Also with 8 units or less we can go with 9.5 ft side yard on Lynns side which at least helps push the building back off of Palmers road .

Once again the 8 unit will be 3 Bedroom units which works out to 24 tenants

The 12 unit is 2 bedroom unit which works out to 24 tenants but more parking .

The building will be the same footprint and height whether it is a 8 unit or a 12 unit only thing changing will be interior configuration of the units and some window and door locations .

We would like to present this for the next council meeting for the first of August . If you require any further info prior to the meeting please let me know .

Thanks Parker

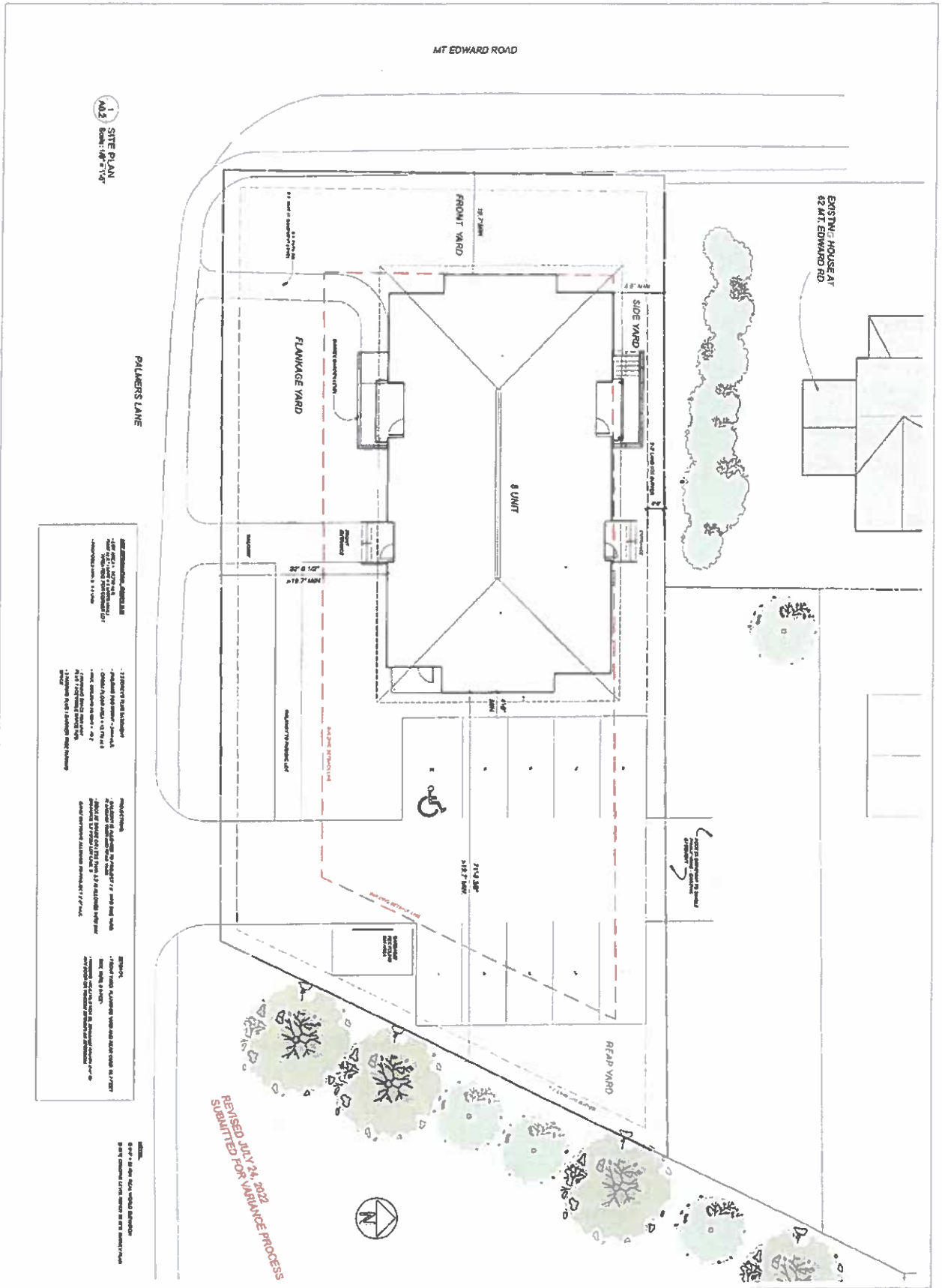


Parker Perry | Owner

Parker Developments | Parker Built Homes

E. parker@parkerdevelopments.ca

P. 902-394-6669



1 SITE PLAN
Scale: 1/8" = 1'-0"

NOTES:

1. The proposed building is a 1.5-story structure with a total height of 12'-0".
2. The proposed building is a 1.5-story structure with a total height of 12'-0".
3. The proposed building is a 1.5-story structure with a total height of 12'-0".
4. The proposed building is a 1.5-story structure with a total height of 12'-0".
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7. The proposed building is a 1.5-story structure with a total height of 12'-0".
8. The proposed building is a 1.5-story structure with a total height of 12'-0".
9. The proposed building is a 1.5-story structure with a total height of 12'-0".
10. The proposed building is a 1.5-story structure with a total height of 12'-0".

OPEN PRACTICE
collaborative architecture

627 King Street
Oxford, MA 01545
P: 508.249.2800

CONSULTANTS

ARCHITECT
OPEN PRACTICE

ENGINEER
B. J. B. Engineering (2009) Inc.

GENERAL NOTES

1. The proposed building is a 1.5-story structure with a total height of 12'-0".

2. The proposed building is a 1.5-story structure with a total height of 12'-0".

3. The proposed building is a 1.5-story structure with a total height of 12'-0".

4. The proposed building is a 1.5-story structure with a total height of 12'-0".

5. The proposed building is a 1.5-story structure with a total height of 12'-0".

6. The proposed building is a 1.5-story structure with a total height of 12'-0".

7. The proposed building is a 1.5-story structure with a total height of 12'-0".

8. The proposed building is a 1.5-story structure with a total height of 12'-0".

9. The proposed building is a 1.5-story structure with a total height of 12'-0".

10. The proposed building is a 1.5-story structure with a total height of 12'-0".

1 PALMERS LANE

SITE PLAN

SCALE
AS SHOWN

A0.2

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Thompson, Laurel

From: Thompson, Laurel
Sent: Thursday, September 8, 2022 3:50 PM
To: Aaron Stavert
Cc: parker@parkerdevelopments.ca
Subject: 1 Palmer's Lane
Attachments: 220331_PalmersLane Alternate Site Plan (revise).pdf

Hi Aaron:

Could you send me the most up to date site plan for Parker's development at 1 Palmer's Lane? I have this plan that says revised but it doesn't seem to show the property boundary as per the survey by Bernard Surveys. It is my understanding that the new survey showed the property boundary to the north as a straight line not on an angle.

Thanks,

Laurel

Thompson, Laurel

From: Aaron Stavert <aaron@openpractice.ca>
Sent: Thursday, September 8, 2022 3:59 PM
To: Thompson, Laurel
Subject: FW: Site Plan Revised
Attachments: 220711_SITE PLAN REVISED_OPI.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As requested – submitted for variance in July.

Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

aaron@openpractice.ca
openpractice.ca

From: Aaron Stavert <aaron@openpractice.ca>
Date: Sunday, July 10, 2022 at 10:43 PM
To: Parker Perry <parker@parkerdevelopments.ca>
Subject: Site Plan Revised

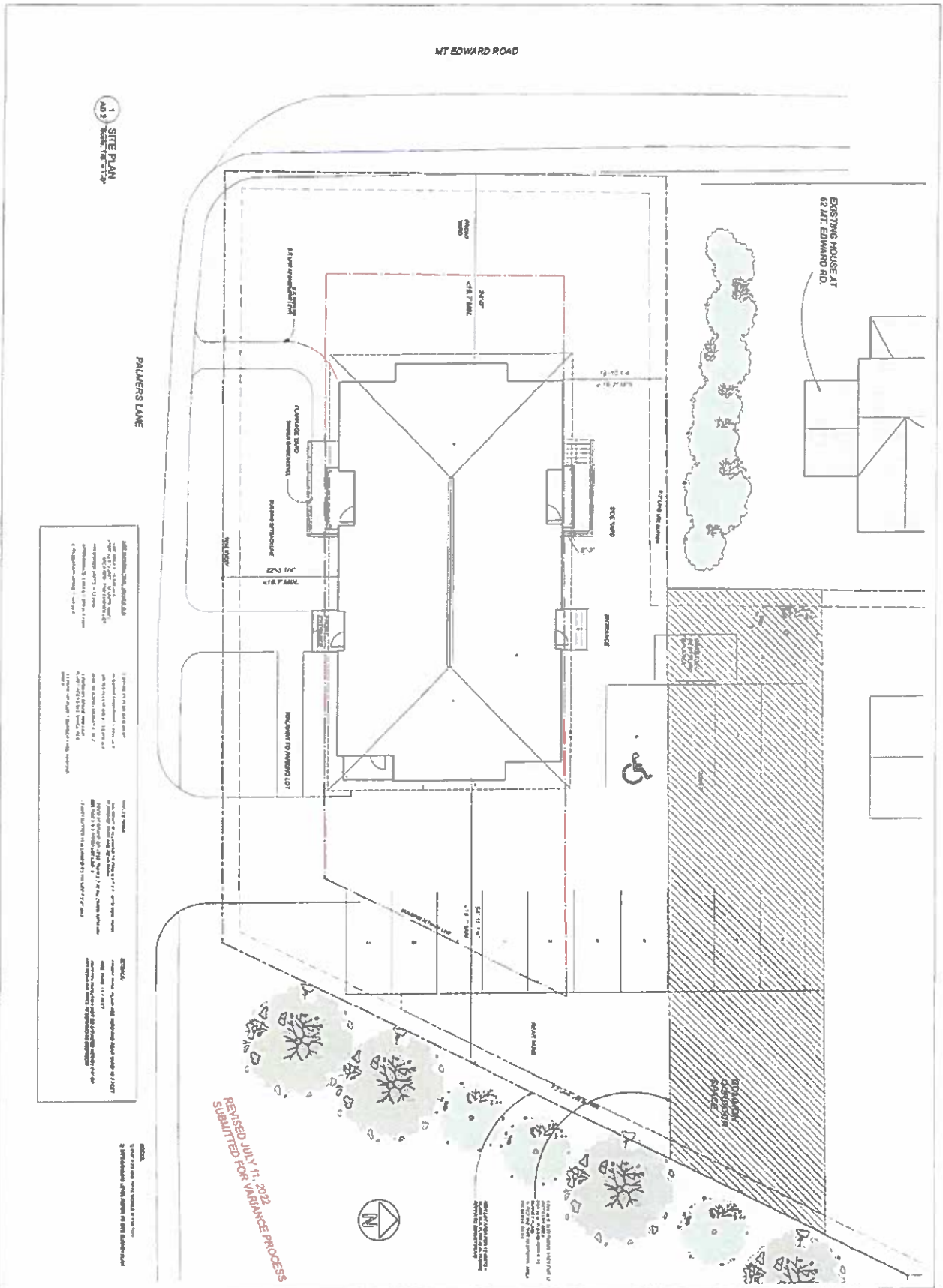
Parker –
I think should do it..

Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

aaron@openpractice.ca
openpractice.ca



Thompson, Laurel

From: Parker Perry <parker@parkerdevelopments.ca>
Sent: Thursday, September 8, 2022 3:59 PM
To: aaron@openpractice.ca; Thompson, Laurel
Subject: Final survey 1 Palmer
Attachments: 20027-3(SEPT1).pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

Here is a copy of the final survey I submitted this week .

Thanks

Parker

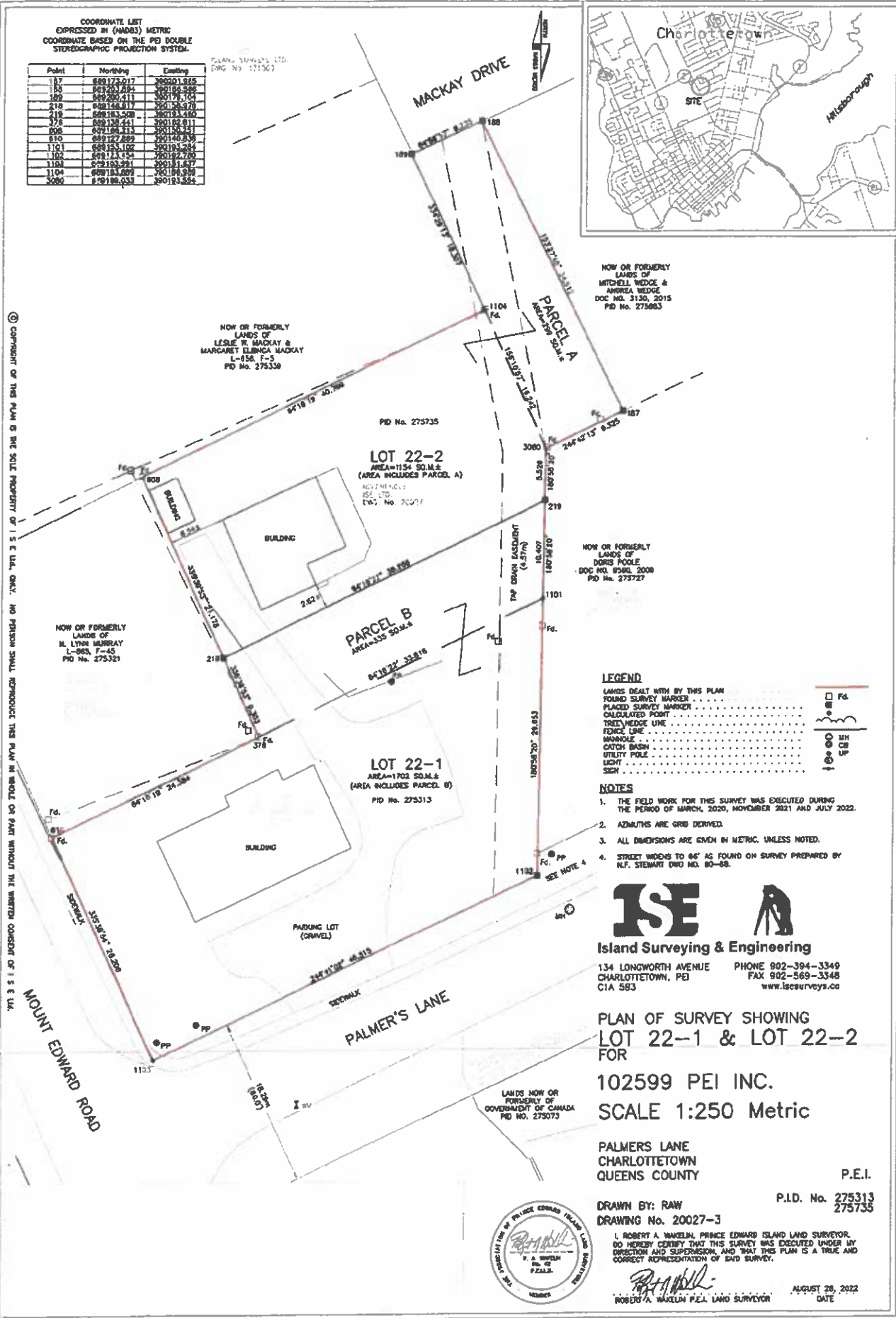
COORDINATE LIST
EXPRESSED IN (NAD83) METRIC
COORDINATE BASED ON THE PEI DOUBLE
STEREOGRAPHIC PROJECTION SYSTEM.

Point	Northing	Easting
187	828175.017	350023.985
188	828175.017	350023.985
189	828230.411	350079.704
219	828146.817	350026.970
218	828163.509	350013.692
217	828138.451	350012.811
208	828168.113	350012.811
210	828127.859	350010.296
1101	828155.102	350015.296
1102	828123.154	350012.290
1103	828152.291	350011.477
1104	828183.609	350018.094
3080	828188.032	350013.582

Scale: 1:250
Doc No. 275313



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Thompson, Laurel

From: Aaron Stavert <aaron@openpractice.ca>
Sent: Wednesday, October 5, 2022 9:12 AM
To: Thompson, Laurel; Eisnor, Trevor
Cc: Parker Perry
Subject: Revised Site Plan for Palmers Lane
Attachments: 2210020.Review.10.04.22.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Laurel / Trevor –

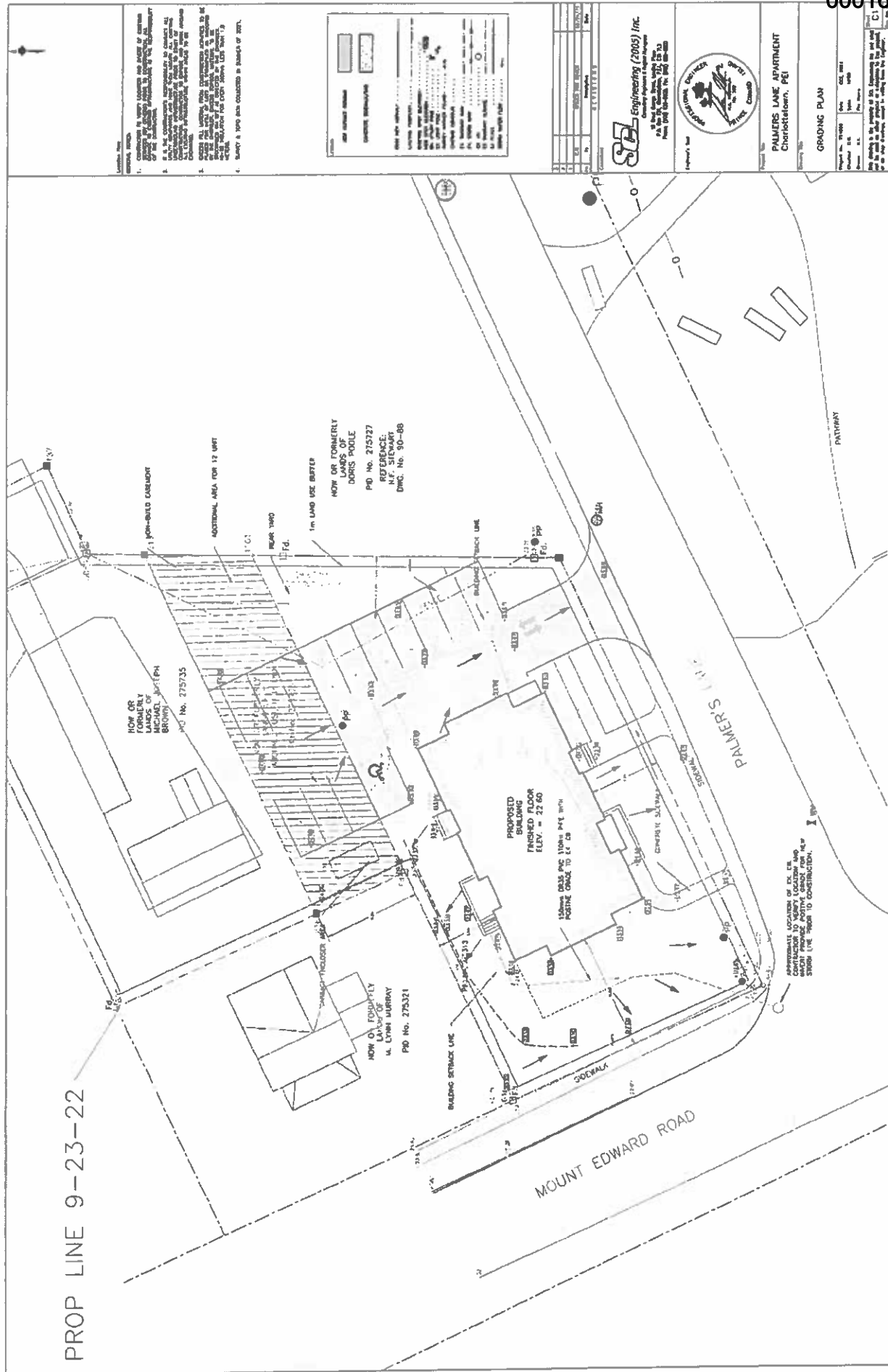
Based on Public Meetings and Zoning Approvals, please see attached revised site plan for the 12 Unit at 1 Palmers Lane.

Any questions please let me know.
Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

aaron@openpractice.ca
openpractice.ca



Thompson, Laurel

From: Parker Perry <parker@parkerdevelopments.ca>
Sent: Tuesday, October 25, 2022 10:19 AM
To: Thompson, Laurel
Cc: Eisnor, Trevor; Paul Jenkins; aaron@openpractice.ca
Subject: Re: Revised Site Plan for Palmers Lane

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Laurel

We are tearing down the building at 1 Palmers lane this week and looking to move ahead with site work next week .

We are already over a year in the making on this and really need to proceed before the weather hits .

Can you please let me know if our application will be approved in time for sitework next week .

Thanks Parker



Parker Perry | Owner
 Parker Developments | Parker Built Homes
 E. parker@parkerdevelopments.ca
 P. 902-394-6669

On Thu, Oct 20, 2022 at 1:50 PM Parker Perry <parker@parkerdevelopments.ca> wrote:
 Hello

I haven't heard anything on this so following up ?

Really hoping to get going here soon .

Thanks

Parker

On Tue, Oct 18, 2022 at 1:08 PM Parker Perry <parker@parkerdevelopments.ca> wrote:
 Hi laurel

Just following up here to see if we are able to get this permit so we can proceed before we miss the window to build .

How's it looking ?

Thanks

Parker

On Wed, Oct 5, 2022 at 9:11 AM Aaron Stavert <aaron@openpractice.ca> wrote:

Laurel / Trevor –

Based on Public Meetings and Zoning Approvals, please see attached revised site plan for the 12 Unit at [1 Palmers Lane](#).

Any questions please let me know.

Aaron.

Aaron Stavert, MRAIC

Open Practice Inc. - Collaborative Architecture

[67 King St. Charlottetown, PE](#)

[C1A 1B4](#)

902 370-2086 p

902 370-2087 f

aaron@openpractice.ca

openpractice.ca

--



Parker Perry | Owner
Parker Developments | Parker Built Homes
E. parker@parkerdevelopments.ca
P. 902-394-6669



Parker Perry | Owner
Parker Developments | Parker Built Homes

E. parker@parkerdevelopments.ca
P. 902-394-6669

Eisnor,Trevor

From: Eisnor,Trevor
Sent: October 27, 2022 7:35 AM
To: Thompson, Laurel
Cc: Parker Perry; Aaron Stavert
Subject: RE: Permit application - 1 Palmers - file 22-044

Laurel,

Please meet with me this morning regarding the status of 1 Palmers Lane.

It appears that I approved this permit back on March 3, 2022.

From my understanding the applicant put a pause on the project, but it appears they now plan to proceed and want to know what items are still outstanding.

Thanks

Trevor Eisnor, CET, Chief Building Official
70 Kent Street, Charlottetown, PE, Canada, C1A 1M9
Off: 902-629-4107, Cell 902-629-0191, Fax: 902-629-4156

From: Aaron Stavert <aaron@openpractice.ca>
Sent: October 26, 2022 8:48 PM
To: Eisnor,Trevor <teisnor@charlottetown.ca>; Thompson, Laurel <lthompson@charlottetown.ca>
Cc: Parker Perry <parker@parkerdevelopments.ca>
Subject: Permit application - 1 Palmers - file 22-044

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Trevor,

As per our call today can you please provide me an update on the building permit status for 1 Palmer's Lane. File no 22-044.

Thanks,
Aaron.

Aaron Stavert, MRAIC
Open Practice Inc. - Collaborative Architecture
67 King St. Charlottetown, PE
C1A 1B4

902 370-2086 p
902 370-2087 f

**Planning Department****Mailing Address**

P.O. Box 98, 70 Kent Street, Charlottetown, PE, C1A 1M9

Contact information

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

For	Permit #	009-BLD-22
Office	File #	22-044
Use	PID #	275313
Only	Zone:	R3

000172

BUILDING & DEVELOPMENT PERMIT

POST THIS IN A CONSPICUOUS LOCATION DURING CONSTRUCTION

This certifies that: Open Practice Inc. - Aaron Stavert of 67 King Street
Has a Permit to: New 12 unit 3.5 storey apartment building incl. basement level
At the location of: 1 Palmers Lane

Provided that the person accepting this permit shall in every respect conform to the City of Charlottetown Zoning & Development Bylaw, The Building Code Bylaw, and any other provisions set by the City of Charlottetown.

Any violation of the terms may be deemed cause for revocation of this permit

Development Officer Requirements:

As per plans submitted by Aaron R. Stavert of Open Practice Inc. Issued for permit 2021-12-03.
Minimum 12 standard parking spaces and 1 barrier free space to be maintained on site.
Lot grading as per the Grading Plan designed by Chad McCallum of SCL Engineering dated October 21, 2021.
An occupancy permit is required prior to occupying the building.
Final Grading Plan is required prior to an occupancy permit being issued.
Building placement as per the site plan designed by Aaron Stavert of SCL Engineering Dwg. # A0.2
A 13 ft. land use buffer is required to be maintained along all property boundaries abutting a low density residential zone. In order to accommodate the landscape buffer parking space # 14 may have to be adjusted and relocated to the north.
Land use buffer may include 1 or more of the following features, a bearn, a natural area containign trees or shrubs, or a man made feature such as a wall or fence.

Building Official Requirements:

1	All work shall be done in accordance with the 2015 National Building Code of Canada (NBC) and as plans provided and agreed amendments
2	As per Building Code Bylaw Section 4.12.1, the Owner/Applicant shall email Building Inspector or contact Planning Department at 902-629-4158 to arrange for REQUIRED INSPECTIONS. (24 hours notice must be given)
A	Pre-backfill - footings, foundations, drainile, waterproofing, etc...
B	Radon Pipe & Underslab Insulation - Radon pipe installation, underslab Insulation type and thickness, vapour barrier
C	Framing & Mechanical ventilation - floors, walls, trusses, bearing points, ventilation, etc...
D	Insulation & Vapour Barrier - Insulation fitted, vapour barrier with continuous seal (Pre-drywall)
E	Final Inspection - Smoke alarms, CO alarms, deadbolts, exterior decks, landings, stairs, handrails, guards, etc...
3	Part 8 - National Building Code - Safety Measures at Construction & Demolition sites to be followed. This includes protection of site & public and Fire Safety measures as per 5.6 of the National Fire Code.
4	Kitchen ventilation to meet NBC 9.23.3.7 - be directly vented or have booster fan and switch in kitchen to increase flow 2.5 times normal.
5	Vapour Barrier to be installed between top plate of interior wall to roof truss & between interior wall stud to exterior wall at framing stage, must meet NBC 9.25.4.2 requirements and CSA/CGSB-51.34M
6	Foundation walls to be insulated at R20 min with vapour barrier, including walls adjacent to garage & be protected from mechanical damage.
7	Spray Foam and Foam Insulation must be protected with Drywall, Plywood or approved ULC Intumescent Fire Retardant Paint.
8	ICF Foundations to meet NBC Table 9.15.4.2A for Solid Concrete MPA, min.thickness, height max requirements. If building is outside this table then a Professional Engineer is required to inspect ICF, approve & provide Certificate to the City before any concrete is poured.
9	Helical Piles are not to be used unless a plan is stamped by Professional Engineer. (Must be submitted before Permit is Issued.) Helical Piles must be an approved product under CCMC, installed by Qualified installer, who must provide a Torque Installation report
10	Handrails must have min. clearance of 50mm and be graspable along entire length. Square or rectangular handrails are NOT APPROVED, unless they have recesses on sides to allow thumb and fingers to grasp on both sides or underneath the handrail.

Approved By

Development Officer: Laurel Palmer ThompsonDate: November 17, 2022

Name

Signature

Building Inspector: Trevor EisnorDate: March 3, 2022

Name

Signature

THIS IS NOT AN "OCCUPANCY PERMIT"

Thompson, Laurel

From: Catane, Ellen
Sent: Friday, November 18, 2022 11:06 AM
To: aaron@openpractice.ca; parker@parkerdevelopments.ca; parkerburns@ymail.com
Cc: Thompson, Laurel
Subject: RE: Approved Lot Subdivision/Consolidation for 1 Palmers Lane

Parker was in yesterday to pickup a copy. I can send you a digital copy as soon as I have it all recorded in our system.
 Thank you.

Best regards,
 Ellen

From: Aaron Stavert <aaron@openpractice.ca>
Sent: November 18, 2022 11:04 AM
To: Catane, Ellen <ecatane@charlottetown.ca>; parker@parkerdevelopments.ca; parkerburns@ymail.com
Cc: Thompson, Laurel <lthompson@charlottetown.ca>
Subject: Re: Approved Lot Subdivision/Consolidation for 1 Palmers Lane

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Can we also get the building permit at the same time.
 I know Trevor was ready to sign off.

Thanks,
 Aaron.

Aaron Stavert, MRAIC
 Open Practice Inc. - Collaborative Architecture
 67 King St. Charlottetown, PE
 C1A 1B4

902 370-2086 p
 902 370-2087 f

aaron@openpractice.ca
openpractice.ca

From: "Catane, Ellen" <ecatane@charlottetown.ca>
Date: Friday, November 18, 2022 at 10:52 AM
To: "parker@parkerdevelopments.ca" <parker@parkerdevelopments.ca>, "parkerburns@ymail.com" <parkerburns@ymail.com>
Cc: Laurel Thompson <lthompson@charlottetown.ca>, Aaron Stavert <aaron@openpractice.ca>
Subject: Approved Lot Subdivision/Consolidation for 1 Palmers Lane

Hello Parker,

Good morning! Laurel has stamped the plans for the lot subdivision at 1 Palmers Lane. Let me know if you want to pickup your approved copies. Since 10 copies were submitted, I am giving 2 copies for you.

Thank you!

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

City of Charlottetown – Planning & Heritage Department

70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4112
Fax: 902-629-4156

ecatane@charlottetown.ca
www.charlottetown.ca



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Eisnor, Trevor

From: Eisnor, Trevor
Sent: December 23, 2022 10:50 AM
To: Aaron Stavert
Cc: parkerburns@gmail.com
Subject: Inspection 1 Palmers - file 22-044

Condition at time of
Inspection

1	Footing and foundation below level appears to be acceptable. Weeping tile to be added below foundation level once remaining foundation is installed.
---	------------------------------------------------------------------------------------------------------------------------------------------------------

Thanks

Trevor Eisnor, CET, Chief Building Official
70 Kent Street, Charlottetown, PE, Canada, C1A 1M9
Off: 902-629-4107, Cell 902-629-0191, Fax: 902-629-4156

For	Permit #	009-BLD-22
Office	File #	22-044
Use	PID #	275313
Only	Zone:	R3

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

Applicant:	Open Practice Inc. - Aaron Stavert
Applicant Address:	67 King Street
Owner of Property:	Parker Perry
Owner Address	P.O. Box 40047, Charlottetown, PE
Property Inspected:	1 Palmers Lane
Construction Stage:	Partial Foundation
Description	
Has Permit to:	New 12 unit 3.5 storey apartment building incl. basement level
	(As it appears on Permit)

<u>Condition at time of inspection</u>	
1	Footings and foundation below level appears to be acceptable. Weeping tile to be added below foundation level once remaining foundation is installed.
x	Construction conforms reasonably with approved plans, specifications and bylaws.
x	Construction acceptable subject to correction of deficiencies as noted.
	Construction does not conform with approved plans, specifications and bylaws

Inspected By

Building Inspector: Trevor Eisnor
Name

Signature

Date: December 23, 2022

Catane, Ellen

From: Hughes, Maggie (Charlottetown) <Maggie.Hughes@coxandpalmer.com>
Sent: January 9, 2023 1:26 PM
To: Catane, Ellen
Cc: Hooley, David (Charlottetown)
Subject: FW: Planning Appeal Docket-LA22017- Murray v. City of Charlottetown

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From: Philip Rafuse <PJRafuse@irac.pe.ca>
Sent: Wednesday, November 2, 2022 2:42 PM
To: 'Iain McCarvill' <Iain.mccarvill@keymurraylaw.com>; Collette Vessey <CVessey@irac.pe.ca>
Cc: Hooley, David (Charlottetown) <dhooley@coxandpalmer.com>; McKenna, Melanie (Charlottetown) <mmckenna@coxandpalmer.com>; 'Forbes, Alex' <afortbes@charlottetown.ca>
Subject: RE: Planning Appeal Docket-LA22017- Murray v. City of Charlottetown

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Good afternoon Iain,

The Commission accepts the withdrawal of the appeal.

We will now close our file.

Sincerely,

Philip



PRINCE EDWARD ISLAND
 Regulatory & Appeals Commission
 Commission de réglementation et d'appels
 ÎLE-DE-PRINCE-EDOUARD

Philip J. Rafuse, LL.B, NSBS
 Appeals Administrator

T. 902.892.3501
 D. 902.368.7850
 1.800.501.6268
 F. 902.566.4076
irac.pe.ca/about/contact/

From: Iain McCarvill [<mailto:Iain.mccarvill@keymurraylaw.com>]
Sent: Wednesday, November 2, 2022 2:38 PM
To: Collette Vessey <CVessey@irac.pe.ca>; Philip Rafuse <PJRafuse@irac.pe.ca>
Cc: 'Hooley, David (Charlottetown)' <dhooley@coxandpalmer.com>; 'McKenna, Melanie (Charlottetown)' <mmckenna@coxandpalmer.com>; 'Forbes, Alex' <aforbes@charlottetown.ca>
Subject: RE: Planning Appeal Docket-LA22017- Murray v. City of Charlottetown

Good Afternoon:

I write to advise that the Appellant has decided to withdraw the appeal pursuant to Rule 28 of the Commission's *Rules of Practice and Procedure*.

Thank you,
 Iain

Iain McCarvill, JD, LL.M

Lawyer

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4

Asst Darcie Perry +1 (902) 436-2571



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From: Collette Vessey <CVessey@irac.pe.ca>
Sent: October 4, 2022 10:19 AM
To: Iain McCarvill <Iain.mccarvill@keymurraylaw.com>; 'Hooley, David (Charlottetown)' <dhooley@coxandpalmer.com>; 'Forbes, Alex' <aforbes@charlottetown.ca>
Subject: Planning Appeal Docket-LA22017- Murray v. City of Charlottetown

Attached please find documents with respect to the above-noted Planning Appeal.
 If you have any questions with respect to the attached, please contact Phil Rafuse at
pjrafuse@irac.pe.ca



PRINCE EDWARD ISLAND
 Regulatory & Appeals Commission
 Commission de réglementation et d'appels
 ÎLE-DE-PRINCE-EDOUARD

Collette A. Vessey
Executive Assistant
Island Regulatory and Appeals Commission
134 Kent Street-Suite 501
Charlottetown, PE C1A 7L1
Tel: 902.368.7843
email: cvessey@irac.pe.ca

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Catane, Ellen

From: Stavert, Robert
Sent: January 20, 2023 8:51 AM
To: Catane, Ellen
Subject: FW: 1 Palmers Lane - Permit Application
Attachments: 2210020.Review.12.02.21.pdf

From: Benny Lam <benny@openpractice.ca>
Sent: January 17, 2022 4:24 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Rob,

Do you mean the proposed site drainage plan as attached?

Thanks!

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Monday, January 17, 2022 at 4:11 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

Hi Benny,

I don't think we received the proposed drainage plan for this project. Do you have a copy of that you can send to me or is it coming from the surveyor?

Thanks.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 4:32 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Robert,

Thanks a lot for your information.

Last time I went there the building was under renovation so I have to drop off the drawings into a drop box at City Hall.

We will settle it as soon as possible.

Regards,

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Tuesday, January 4, 2022 at 4:29 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

The outer door of our office here at 70 Kent Street is open and there is a drop box in the vestibule. I'm usually at the front desk so I will see you drop it off or will check it when I get back if I'm away from my desk for any amount of time.

From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 4:26 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Thanks Robert!

We will settle the fee as soon as possible.

By the way, what would be the procedure if we would like to drop off the cheque for the fees?

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Tuesday, January 4, 2022 at 4:14 PM

To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

So based on that the permit fee is \$10,500 plus the refundable \$4,000 deposit.

Rob

From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 4:09 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Robert,

The estimated value of construction would be 1.5 million.

Thanks!

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Tuesday, January 4, 2022 at 3:58 PM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

Hi Benny,

We are just waiting for the fees to be paid. We will need an estimated value of construction on the building permit application to determine the fees for that.

- 1) Demolition application: The fee is \$50 plus a \$500 damage deposit
- 2) Building and Development application: There was no Estimated Value of Construction given. Can you please provide this?
- 3) Subdivision application: The fee is \$200

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



From: Benny Lam [<mailto:benny@openpractice.ca>]
Sent: January 4, 2022 3:23 PM
To: Stavert, Robert <rstavert@charlottetown.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: Re: 1 Palmers Lane - Permit Application

Hi Robert,

Happy New Year! I wish you have a wonderful holiday!

Regarding the captioned Permit Application, we would like to see how is the status and if there is any question about the drawings?

Please feel free to contact us at any time.

Thanks a lot!

Benny

From: "Stavert, Robert" <rstavert@charlottetown.ca>
Date: Thursday, December 23, 2021 at 8:44 AM
To: Benny Lam <benny@openpractice.ca>
Cc: Aaron Stavert <aaron@openpractice.ca>
Subject: RE: 1 Palmers Lane - Permit Application

Good morning Benny,

Received, thank you.

Rob

Robert Stavert
Technical Assistant

City of Charlottetown
70 Kent Street
Charlottetown, Prince Edward Island
Canada, C1A 1M9
Office: 902-629-4158
Fax: 902-629-4156

rstavert@charlottetown.ca
www.charlottetown.ca



From: Benny Lam [<mailto:benny@openpractice.ca>]

Sent: December 22, 2021 1:54 PM

To: Stavert, Robert <rstavert@charlottetown.ca>

Cc: Aaron Stavert <aaron@openpractice.ca>

Subject: 1 Palmers Lane - Permit Application

Hi Robert,

As per requested, please find attached the Architectural and Structural Submission Drawings for your kind perusal.

Feel free to contact us if you have any further question.

Thanks!

Benny