

# Planning Board Committee Meeting Minutes

**March 3, 2020**

***Present***

Mayor Basil Stewart  
Deputy Mayor Norma McColeman  
Councillor Bruce MacDougall  
Councillor Justin Doiron  
Councillor Barb Ramsay, Co-Chair  
Councillor Cory Snow  
Councillor Greg Campbell  
Councillor Brian McFeely, Chair  
Councillor Carrie Adams, Co-Chair  
Rob Philpott, Chief Administrative Officer  
Kristen Dunsford, Acting Director of Financial Services  
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs  
Thayne Jenkins, Planning Officer  
Linda Stevenson, Development Officer  
Brian Hawrylak, HR Officer  
Members of the Media  
Members of the Public

***Call to Order***

The meeting was called to order

Agenda was approved

***Recommendation – Rezoning & Discretionary Use 373 Duke Street***

**SUPPORTING EXPLANATION:**

*Purpose:* The purpose of the zoning amendment is to allow row housing (max. of 8 units per building). The applicant is proposing a 8 unit row house.

**Row House** means a *building* that is divided into three or more vertically adjacent, joined dwelling units, separated by a vertical wall with each unit being constructed directly on grade. Row houses do not require individual public utilities for each unit, street frontage and cannot be subdivided.

*Background:* An application was received from PEI Oceanview Resort Inc. (Shizhong Liu) for a portion of

PID #309344 to amend *the City Zoning Bylaw* zoning from Single Family Residential (R1) to Medium Density Residential (R3) zone. A public meeting was held on February 27, 2020 and Council gave first reading on the same date.

*Report:* Under section 5.7 of the zoning bylaw when Planning Board reviews a zoning bylaw amendment, it has to consider the following general criteria, as applicable:

a. *Conformity with all requirements of this Bylaw.*

Staff Comment: If Council approves the zoning map amendment from R1 to R3, the applicant will be permitted to construct a row house subject to a discretionary use approval and the development standards of the proposed R3 zone. The Discretionary Use approval runs simultaneously to the rezoning application as the public notice process is the same for both the discretionary use and the rezoning. The Discretionary Use being requested is for a 8 unit row house on the subject property(s), single story, with garage for each unit.

b. *Conformity with the Official Plan.*

Staff Comment: The rezoning conforms to the Official Plan Section 5.1.1 Residential zones

**Objective** *To promote all housing types in the City*

**Policies**

**The following are Council’s statements of policy**

1. *Promote a sufficient diversity of housing types, residential densities and tenure options to meet varied segments of market demand.*

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2. *Require that all housing be connected to community water and sewer services, except that where it is impractical to make connections in an agricultural zone, on- site servicing may be utilized in compliance with minimum lot size requirements under the P.E.I. Planning Act Regulations.*

c. *Suitability of the site for the proposed development.*

Staff Comment: This site is suitable for a medium density residential land use. A public street and municipal services are available for this development.

d. *Compatibility of the proposed development with surrounding land uses, including both existing and projected uses.*

Staff Comment: The properties to the west are zoned R3 and R4, the abutting property to the east is zoned R1 and is owned by the applicant. The property to the south is zoned R1. The property to the north is zoned R4. There is C2 and Institutional properties located nearby. The subject property is zoned R1 and can be developed as per the R1 development standards. The subject property is privately owned and is not designated or zoned as greenspace.

The subdivision, known as Hunter’s Estates was developed in 1988 under the Town of Summerside bylaws. The subdivision was a mix of R1 and R3 zoning. The

developer of the day chose not to develop the subject property at that time. The proposed use for the subject property was R1 single family residential.

*e. Any comments from residents or other interested persons.*

Staff Comment: A public meeting was held on February 27, 2020. The public meeting notice was advertised in the February 15<sup>th</sup>, edition of the Journal-Pioneer. Twenty-four (24) letters were mailed to eighteen (18) property owners. Sarah Pickle (389 Currie Drive) asked if the rezoning would impact the neighbouring property assessment values. She also expressed concerns of the site safety during the construction phase, as there are small children in the neighborhood and wanted to know if the contractor would be securing the site with fencing. Patty Arsenault (350 Jardine St.), referred to the subject property as greenspace. She asked what demographics the applicant was targeting for these rental units and if a fence would be constructed as part of the development. Jason Pickle (389 Currie Drive) asked if the poles along the rear of the subject property would be removed. The applicant spoke at the meeting and provided clarity to some of the questions asked by the public. The questions/concerns raised by Sarah Pickle, Patty Arsenault and Jason Pickle are addressed in this report.

*f. Adequacy of existing water, sewer, road, storm water and electrical services, city parking and parklands for accommodating the development, and any projected infrastructure requirements.*

Staff Comment: The water main fronts and is adjacent to the subject property, the sewer is shallow along the property, the developer is required to ensure the sewer grades will work for the development. Electrical services can be provided from Duke Street or at the rear of the property as power is available at both locations. The City requires the poles to remain at the rear of the subject property.

*g. Impacts from the development on pedestrian/vehicular access and safety, and on public safety generally.*

Staff Comment: The development will have 4 double driveways with access to Duke Street. The development will meet the minimum setbacks for vehicular access from the nearest intersection of Tower Street and Duke Street providing the driveway nearest Tower St. intersection will require a minimum 12m distance from the south boundary of the subject property. The additional traffic as a result of this development would have minimal effect on Duke St. Culverts may be required for the accesses, if so, the developer will be responsible for the costs, not covered by the City.

*h. Compatibility of the development with environmental, scenic and heritage resources.*

Staff Comment: Fences are not a requirement for this development, according to City bylaws.

*i. Impacts on City finances and budgets.*

Staff Comment: Not applicable

*j. Other matters as specified in this Bylaw.*

*k. Other matters as considered relevant.*

Staff Comment: The City bylaws do not require the construction site to be fenced unless the building walls are within 2m of a public right-of-way, this is not applicable to this development. The current R1 zoning allows a 2.5m (8') side yard, the proposed R3 zone for a rowhouse requires a 3m (10') side yard. The applicant is proposing a 7m (23') south side yard for the proposed row house which exceeds the development standards of the R3 zone. The applicant explained the development would be similar if not higher end finishes than the development to the north of the property. There is no data that supports property assessment values being impacted by this rezoning.

**RECOMMENDATION:** Technical Services staff recommend: That the application from PEI Oceanview Resort Inc. (Shizhong Liu) for a portion of PID #309344 to amend *the City Zoning Bylaw* zoning from Single Family Residential (R1) to Medium Density Residential (R3) zone be recommended to be approved by Council and that the application for a discretionary use for a 8 unit row house be recommended to be approved by Council.

As per Section 5.10 (b, iii) of the Zoning Bylaw, the Planning Board shall make a recommendation to Council on this application before it is approved or denied.

The planning board recommendation whether carried or defeated will be brought forward for Council for a final decision.

**PLANNING BOARD RECOMMENDATION:** This application bears the recommendation of the Planning Board:

Moved by: Councillor Ramsay    Seconded by: Councillor Adams

**Discussion:**

Staff stated that having a fence around during construction is not required under the bylaw. Mayor Stewart stated there should be no problem in asking for a fence around the construction area.

Staff have not had any inquiries from residents after the public meeting.

Nicole Morrison, on behalf of the applicant stated that it would be an approximate 10 month construction period.

Motion:

Carried	X
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For	3
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Defeated	
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Against	0
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The Committee recommends that the resolution on this matter be brought forward for Council consideration at the March 16, 2020 Monthly meeting.

**Recommendation – Mobile Sales Establishment – Colin MacKinnon**

**SUPPORTING EXPLANATION:**

*Purpose:* The purpose of the application is to allow a Mobile Sales Establishment, “Hoss’s Fish and Chips”, to operate at Heather Moyse Drive (exact site to be determined) from June to October, weather permitting. Mr. MacKinnon’s proposed hours of operation are 9:00am to 9:00pm, Monday through Sunday.

*Background:* This is Mr. MacKinnon’s sixth year applying for a mobile sales establishment license and to date there have been no issues with his business. The location being proposed is owned by the Summerside Port Corporation Inc.

*“Mobile Sales Establishment”* means a business located in a motorized vehicle or moveable structure that is towed or moved by a motorized vehicle and where all of the goods, wares or foodstuffs that are offered for sale are contained entirely within the motorized vehicle or moveable structure, but does not include a lunch truck.

*Report:* Under the Section 13 City of Summerside Licensing Bylaw SS-05, the bylaw states the following:

**13. Mobile Sales Establishment License**

- a. Any person or company seeking a license to operate a mobile sales establishment in the city shall make application therefore to the council.
- b. Licenses may be granted for a mobile sales establishment to conduct business on a maximum of two locations in the city and each application shall be accompanied by a letter of permission from the owner(s) of the property on which the mobile sales establishment will be located.
- c. Council shall allow or refuse the application based upon considerations of safety, desirability, impact on established businesses in the city, public convenience and such other considerations as it deems appropriate.
- d. Council may attach terms and conditions to the approval of the license if granted including but not limited to:
  - i. hours and days of operation.
  - ii. health code requirements.
  - iii. litter control.
  - iv. approved locations.
- e. The license for a mobile sales establishment shall be valid for the calendar year in which the application is made only. A new application is required to council for each calendar year.

- f. No appeal shall lie from a decision of council respecting a mobile sales establishment license.

Staff Comments:

1. Mr. MacKinnon will provide written permission from the Summerside Port Corporation Inc. and a site will be determined, prior to his license being issued.

**RECOMMENDATION:** Technical Services Staff recommend Council approve the Mobile Sales Establishment license to the applicant, Colin MacKinnon, to operate the “Hoss’s Fish and Chips” at Heather Moyse Drive, property owned by the Summerside Port Corporation Inc.

As per Section 5.10 (b, iii) of the Zoning Bylaw, the Planning Board shall make a recommendation to Council on this application before it is approved or denied.

The planning board recommendation whether carried or defeated will be brought forward for Council for a final decision.

Councillors expressed concern over storage sheds that may be onsite along with the structure that is cooking and selling the food.

Deputy Mayor McColeman raised the point of whether washrooms are available and the potential of items poured down manhole drains.

Councillor Snow cautioned about trying to make things too difficult for business owners.

Council asked staff to look into items of concern to Council.

**PLANNING BOARD RECOMMENDATION:** This application bears the recommendation of the Planning Board:

Moved by: Councillor Adams      Seconded by: Councillor Ramsay

Motion:

Carried	X
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For	3
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Defeated	
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Against	0
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The Committee recommends that the resolution on this matter be brought forward for Council consideration.

<b><i>Recommendation – Mobile Sales Establishment – Red Bridge Farms</i></b>
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**SUPPORTING EXPLANATION:**

*Purpose:* The purpose of the application is to allow a Mobile Sales Establishment “DaMama’s Kitchen”, to operate at 225 Read Drive (PID# 406439).

*Background:* The location being proposed is owned by Red Bridge Farms and Landscaping Ltd. The mobile sales establishment is a trailer style establishment. The menu promotes local products. The application is for the 2020 calendar year to operate year round (weather permitting) and the proposed hours of operation will be 11:00am to 7:00pm, 7 days a week. This is the fourth year the establishment will operate with no issues to date.

*“Mobile Sales Establishment”* means a business located in a motorized vehicle or moveable structure that is towed or moved by a motorized vehicle and where all of the goods, wares or foodstuffs that are offered for sale are contained entirely within the motorized vehicle or moveable structure, but does not include a lunch truck.

*Report:* Under the Section 13 City of Summerside Licensing Bylaw SS-05, the bylaw states the following:

**13. Mobile Sales Establishment License**

Any person or company seeking a license to operate a mobile sales establishment in the city shall make application therefore to the council.

Licenses may be granted for a mobile sales establishment to conduct business on a maximum of two locations in the city and each application shall be accompanied by a letter of permission from the owner(s) of the property on which the mobile sales establishment will be located.

Council shall allow or refuse the application based upon considerations of safety, desirability, impact on established businesses in the city, public convenience and such other considerations as it deems appropriate.

Council may attach terms and conditions to the approval of the license if granted including but not limited to:

- hours and days of operation.
- health code requirements.
- litter control.
- approved locations.

The license for a mobile sales establishment shall be valid for the calendar year in which the application is made only. A new application is required to council for each calendar year.

No appeal shall lie from a decision of council respecting a mobile sales establishment license.

**Staff Comments:**

1. Red Bridge Farm and Landscaping Ltd. is the property owner at the location chosen the mobile sales establishment. DaMama’s Kitchen is an affiliate company to the property owner.

**RECOMMENDATION:** Technical Services Staff recommend Council approve the Mobile Sales Establishment license to the applicant, Red Bridge Farm and Landscaping Ltd., to operate the “DaMama’s Kitchen” at 225 Read Drive.

As per Section 5.10 (b, iii) of the Zoning Bylaw, the Planning Board shall make a recommendation to Council on this application before it is approved or denied.

The planning board recommendation whether carried or defeated will be brought forward for Council for a final decision.

**PLANNING BOARD RECOMMENDATION:** This application bears the recommendation of the Planning Board:

Moved by: Councillor Ramsay    Seconded by: Councillor Adams

Motion:

Carried	X
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For	3
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Defeated	
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Against	0
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The Committee recommends that the resolution on this matter be brought forward for Council consideration.

***Adjournment***

Motion            It was moved and seconded;  
That                The meeting be adjourned.  
Motion Carried



# Technical Services Committee Meeting Minutes

**March 3, 2020**

***Present***

Mayor Basil Stewart  
Deputy Mayor Norma McColeman  
Councillor Bruce MacDougall  
Councillor Justin Doiron, Chair  
Councillor Barb Ramsay  
Councillor Cory Snow, Co-Chair  
Councillor Greg Campbell  
Councillor Brian McFeely  
Rob Philpott, Chief Administrative Officer  
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs  
Kristen Dunsford, Acting Director of Finance  
Brian Hawrylak, HR Officer  
Members of the Media

***Call to Order***

The meeting was called to order

Agenda was approved

***Dangerous, Hazardous & Unsightly property – former Holland College Building***

Councillor Snow raised the issue over the former Holland College building and its current condition. Councillor Snow read excerpts from previous media stories over the last few years on the property, Snow expressed his frustration over the lack of action on the property.

Councillors Doiron, Ramsay, Campbell, Adams and Deputy Mayor McColeman are in favor of moving forward with further discussion on the property and having something done to cleanup and make the properties safe under the current bylaw.

Councillor McFeely would like staff to do a report on the options to move forward on options with the property.

Councillor MacDougall recommended a face to face meeting with the property owner.

CAO Philpott stated that staff will reach out to Mr. Banks to express concerns regarding the property and will bring back legal options to Council.

**149 Pope Road update (former government garage)**

Councillor Doiron gave an update on the property on Pope Road.

On February 11, 2020, staff met with the property owner, Mr. Crosby and have provided an update on the property:

- The bay doors have been repaired.
- some windows in that area have been replaced
- The bay area of the building has been cleaned up and they are operating out of that area now
- A wall was built to separate that area from the rest of the building.
- Occupational health and safety have been by recently and are pleased with the progress that has been made.
- Work has started on the interior renovation of the remaining portion of the building.
- interior demolition and clean up as well as some electrical have started.
- a contractor committed to do the roof repair.
- the work is not visible from the road.
- The roof work should be happening in early March.
- the trusses have been ordered
- they will make an effort to keep the vehicles and yard more in line.
- plans to keep and repair the former salt dome.
- the couple of fire damaged trucks have valuable assets remaining on them in the boxes etc. and plan to be reused on his existing fleet, property owner will make a better job of tarping them for himself to protect from the elements as well to make it look better.
- There are 4 additional new vehicles ordered to add to the fleet

**Adjournment**

Motion            It was moved and seconded;  
That                The meeting be adjourned.  
Motion Carried

# Community Services Committee Meeting Minutes

**March 3, 2020**

## ***Present***

Mayor Basil Stewart  
Deputy Mayor Norma McColeman  
Councillor Bruce MacDougall  
Councillor Justin Doiron  
Councillor Barb Ramsay  
Councillor Cory Snow, Chair  
Councillor Greg Campbell  
Councillor Brian McFeely  
Councillor Carrie Adams, Co-Chair  
Rob Philpott, Chief Administrative Officer  
Kristen Dunsford, Acting Director of Financial Services  
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs  
Brian Hawrylak, HR Officer  
Members of the Media

## ***Call to Order***

The meeting was called to order

Agenda was approved

## ***Life House – Women and Children Shelter***

Councillor Snow provided information on Lifehouse, a shelter for women and children in Summerside. The group of 4 women from Summerside are looking to establish a location in Summerside.

Councillor Snow stated that there is a need in Summerside and currently those in need have to go to Charlottetown for support. He believes the City should assist along with the federal and provincial governments.

He would like the City to send a letter to the province in support of the group as a good start to assist the 4 ladies looking to get things started.

Council is in support of providing a letter of support and possibly setting up a meeting.

**Adjournment**

Motion            It was moved and seconded;  
That                The meeting be adjourned.  
Motion Carried

# Police, Fire & Emergency Planning Committee Meeting

## Minutes

**March 3, 2020**

### ***Present***

Mayor Basil Stewart  
Deputy Mayor Norma McColeman  
Councillor Bruce MacDougall  
Councillor Justin Doiron  
Councillor Barb Ramsay, Chair  
Councillor Cory Snow  
Councillor Greg Campbell, Co-Chair  
Councillor Brian McFeely  
Councillor Carrie Adams  
Rob Philpott, Chief Administrative Officer  
Kristen Dunsford, Acting Director of Financial Services  
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs  
Sinclair Walker, Deputy Chief of Police  
Brian Hawrylak, HR Officer  
Members of the Media

### ***Call to Order***

The meeting was called to order

Agenda was approved

### ***CS-15 Animal Control Bylaw***

Councillor Snow stated that over the last year, it has come up within his ward regarding animals off leash and also with dogs using the bathroom on public and private property. He stated that perhaps it is time to look at the bylaw and talk about enforcement. He stated that the police spend a lot of time following up on these items.

Deputy Mayor McColeman stated that she hears about potential health issues from not cleaning up after their dogs if children come in contact. She stated that she also is getting complaints on crows.

Item and bylaw will come to Bylaw and Policy Review Committee to look at.

**Adjournment**

Motion            It was moved and seconded;  
That                The meeting be adjourned.  
Motion Carried

# Financial Services Committee Meeting Minutes

**March 3, 2020**

## **Present**

Mayor Basil Stewart  
Deputy Mayor Norma McColeman, Chair  
Councillor Bruce MacDougall  
Councillor Justin Doiron  
Councillor Barb Ramsay  
Councillor Cory Snow  
Councillor Greg Campbell  
Councillor Brian McFeely, Co-Chair  
Councillor Carrie Adams  
Rob Philpott, Chief Administrative Officer  
Kristen Dunsford, Acting Director of Financial Services  
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs  
Brian Hawrylak, HR Officer  
Members of the Media

## **Call to Order**

The meeting was called to order

Agenda was approved

## **Recommendation – direct allocation gas tax funding**

**RECOMMENDATION:** Council modify how the direct allocation of gas tax of \$1,356,490 is apportioned for the 2020-21 fiscal year. This is required based on decisions made when developing the 2020-21 capital budget.

### **SUPPORTING EXPLANATION:**

*Purpose:* In October 2019 the City of Summerside was required to submit capital investment plans to allocate the direct allocation gas tax funds expected for the time period 2019-20 to 2023-24. Initially the allocation for 2020-21 was submitted for the Central St/Pope Road Redesign. The 2020-21 budget has apportioned the direct allocation gas tax, totaling \$1,356,490, as follows:

- Paving = 590,000
- Storm Sewer = 250,000

- Sidewalks = 216,490
- Intersection of Greenwood Dr/Pope Rd = 200,000
- Intersection of Granville St/Walker Ave = 100,000

Direct allocation gas tax funds can be transferred to other projects as long as capital investment plans are submitted and approved by the Project Review Committee (Provincial Committee). For example, if the City of Summerside decided in 2022-23 to apply gas tax funding to another project a gas tax transfer request form would need to be completed.

The Committee recommends that the resolution on this matter be brought forward for Council consideration.

***Recommendation – gas tax Municipal Strategic Component applications for 2020***

**RECOMMENDATION:** Council authorize the City’s applications for funding under the Gas Tax Municipal Strategic Component program as noted below.

**SUPPORTING EXPLANATION:**

*Purpose:* The Province of PEI through the PEI Infrastructure Secretariat has advised that the Municipal Strategic Component program is open for applications until March 20, 2020. For this intake of applications priority will be given to Wastewater, Drinking Water and Capacity Building projects. The contribution formula for the City of Summerside would be to receive a maximum of 50% of total eligible expenditures. It is being recommended that the City of Summerside submit the following applications:

- Read’s Corner Lift Station Replacement
- Duke Street Storm Sewer
- Boardwalk Revitalization

The Committee recommends that the resolution on this matter be brought forward for Council consideration.

***Adjournment***

Motion It was moved and seconded;  
 That The meeting be adjourned.  
 Motion Carried