

Planning Board Committee Meeting Minutes

May 7, 2019

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
Bob Ashley, Chief Administrative Officer
Rob Philpott, Director of Financial Services
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs
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.

Item (d) Mobile Sales Establishment was removed from the agenda.

Restricted use – 316 Court Street (RCAF Wing)

SUPPORTING EXPLANATION:

Purpose: The purpose of the zoning amendment (Restricted Use) is to allow a parking Lot at 316 Court Street to service the RCAF Wing, which is the property abutting the subject property. The subject property is currently vacant as the former buildings were demolished late December 2017.

Parking Lot means any site set aside on a lot with parking spaces which form the main use of the lot.

Background: An application was received from the Air Force Association of Canada #200 (Summerside) for 316 Court Street (PID #303909) to allow a “Parking Lot” as a Restricted Use in the Medium Density Residential (R3) zone.

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

a. Conformity with all requirements of this Bylaw (Zoning Bylaw).

Staff Comment: This application requires a restricted use approval in the R3 zone in order to conform to this Bylaw. The current zoning, Medium Density Residential (R3) does not change. One of the purposes of the Restricted Use designation is to accommodate uses where rezoning would result in undesirable land uses due to the "as of" rights in that zone. A parking lot is permitted in D, C2, M1, M3, and I zones, if the property were to be rezoned to one of these zones just to accommodate a parking lot, it would result in other undesirable land uses, which includes all of the permitted uses in the D, C2, M1, M3, and an I zones. The specific use of a parking lot can be achieved by designating the property as a restricted use allowing only the parking lot use.

b. Conformity with the Official Plan.

Staff Comment: The restricted use conforms to the Official Plan, as the land use will remain as Medium Density Residential. Should the parking lot no longer be required, the zoning remains as Medium Density Residential (R3).

c. Suitability of the site for the proposed development.

Staff Comment: The parking lot will accommodate 13 vehicles with a one way exit onto Court Street. The current RCAF Wing parking lot on North Market Street accommodates 47 vehicles, 3 of which will be lost to allow access to the proposed parking lot. Should the proposed parking lot be approved and including the existing parking lot, there would be a total of 57 parking spaces. There are 3 existing access points to and from the existing parking lot, 1 on Strong Street and 2 on North Market Street.

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

Staff Comment: The existing land use to immediate south is a swimming pool, which is a remote building belonging to the Causeway Bay Motel. The swimming pool is zoned D (Downtown). The subject properties are zoned R3. There are also R3, R4, I and C3 zoned properties in close proximity.

e. Any comments from residents or other interested persons.

A public meeting was held on May 2, 2019. The public meeting notice was advertised in the April 20th, edition of the Journal-Pioneer. Twenty-seven (27) letters were mailed to twenty (20) property owners. Mike Charbonneau (RCAF Wing President) spoke providing an overview of the proposed intent for the restricted use. Hazel Stevens (94 Central Street) had questions regarding fencing and storm drainage but was not opposed to the parking lot. A letter of support was received from Community Connections.

Staff Comment: The concerns raised at the public meeting have been 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 development will not require water, sewer or electrical servicing. Storm Drainage for the parking lot is required and the applicant will be responsible to install a

drainage system to accommodate surface water run off as a result of rain, snow, etc. A storm drain plan has been submitted.

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

Staff Comment: In the past, residents in the area of the RCAF Wing have expressed concerns in regards to on street parking. Allowing the proposed parking lot would address the resident's concerns and encourage patrons to utilize the additional parking. The width of Court Street allows a safe exit from the proposed parking lot onto Court Street. The parking spaces will be laid out to allow parking on one side of the property and the access will be restricted to one-way and in order to comply with the parking requirements in the bylaw. Vehicular access to the parking lot will be gained from the existing parking lot from Court Street.

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

Staff Comment: As mentioned in criteria f., surface water will be graded in such a manner to direct on-site storm drainage system to the City's storm drainage system. The applicant is also required to install a landscape buffer and meet the parking lot standards of the City. The Wing intends to install perimeter fencing along the property boundary of the parking lot area, the fencing is not a City bylaw requirement.

i. Impacts on City finances and budgets.

Staff Comment: This development does not impact City finances or budgets.

j. Other matters as specified in this Bylaw.

k. Other matters as considered relevant.

Staff Comment:

RECOMMENDATION: Technical Services staff recommend: That the application from the Air Force Association of Canada #200 (Summerside) for 316 Court Street (PID #303909) to allow a "Parking Lot" as a Restricted Use in the Medium Density Residential (R3) zone 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 McFeely Seconded by: Councillor Ramsay

Motion:

Carried	X
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For	4
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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.

Rezoning – South Drive (Helen MacDonald)

SUPPORTING EXPLANATION:

Purpose: The purpose of the zoning amendment is to allow expansion of the existing commercial properties on South Drive.

Background: An application was received from Helen MacDonald for PID #68759 (2 parcels) and PID #68981 to amend *the City Official Plan and Zoning Bylaw* zoning from Medium Density Residential (R3) to Service Commercial (C2) zone. A public meeting was held on May 2, 2019 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:

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

Staff Comment: If Council approves the zoning map amendment from R3 to C2, the properties will be appended to the existing commercial properties on South Drive.

d. *Conformity with the Official Plan.*

Staff Comment: The rezoning will require an amendment to the Official Plan (Future Land Use Plan), from Residential land use to Commercial land use.

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

Staff Comment: This site will not be developed as is, the land will be appended to an existing commercial land use.

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

Staff Comment: The abutting property to the north is R2, the property to the east and south is R3, the property to the west is C2. There is little to no impact on the surrounding properties as the proposed zoning has almost identical as the existing zoning.

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

Staff Comment: A public meeting was held on May 2, 2019. The public meeting notice was advertised in the April 20th, edition of the Journal-Pioneer. Fifteen (15) letters were mailed to Seven-teen (17) property owners. Helen MacDonald provided a brief summary indicating the reasoning of the rezoning. No written comments were received in advance of the public meeting and no one from the public choose to speak at the meeting.

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 subject properties will not be developed, they will be appended to the existing properties. As a result this criteria does not apply.

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

Staff Comment: The subject properties will not be developed, they will be appended to the existing properties. As a result this criteria does not apply.

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

Staff Comment: No negative impact.

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.*

RECOMMENDATION: Technical Services staff recommend: That the application from Helen MacDonald for PID #68759 (2 parcels) and PID #68981 to amend *the City Official Plan and Zoning Bylaw* zoning from Medium Density Residential (R3) to Service Commercial (C2) zone 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 McFeely Seconded by: Councillor Ramsay

Motion:

Carried	X
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For	4
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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.

Mobile Sales establishment – Viva Dagher

SUPPORTING EXPLANATION:

Purpose: The purpose of the application is to allow a Mobile Sales Establishment, “Viva La Crepe”, to operate at 151 Heather Moyse Drive (former Burger King site) from June to October, weather permitting. Ms. Dagher’s proposed hours of operation are 9:00am to 9:00pm, Monday through Sunday.

Background: This is Ms. Dagher fifth year applying for a mobile sales establishment license and to date there have been no issues with her 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 BylawSS-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. Ms. Dagher will provide written permission from the Summerside Port Corporation Inc. for the 151 Heather Moyse Drive location.

RECOMMENDATION: Technical Services Staff recommend Council approve the Mobile Sales Establishment license to the applicant, Viva Dagher, to operate the "Viva La Crepe" at 151 Heather Moyse Drive 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.

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

Moved by: Councillor McFeely Seconded by: Councillor Adams

Motion:

Carried	X	For	4
Defeated		Against	0

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

If this proposed location cannot be secured, staff will inform Council on another proposed location

Adjournment

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

Electric Committee Meeting Minutes

May 7, 2019

Present

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

Call to Order

The meeting was called to order.

Electrical Capacity – presentation of final report

Julie-Ann Vincent from Dunsby Energy Consultants presented the final Electrical Capacity report based on feedback and input from public engagement sessions.

Questions and comments were around the load forecast, comparison with other jurisdictions, options not included in the report, specific details on the new transmission line and rates and relationship with NB Power (page 47 of final report).

The Committee recommends to receive the report. The report will be published on the city website and the item will come forward to the May monthly meeting.

(report attached)

Adjournment

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

Police, Fire & Emergency Planning Committee Meeting

Minutes

May 7, 2019

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
Bob Ashley, Chief Administrative Officer
Rob Philpott, Director of Financial Services
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs
Dave Poirier, Chief of Police
Brian Hawrylak, HR Officer
Members of the Media

Call to Order

The meeting was called to order.

Bylaw Enforcement

Councillor Snow stated that he has received calls from a number of residents regarding concerns enforcement of unsightly properties and open fires.

He feels that with the summer coming, more complaints would probably be coming and he feels a Bylaw Officer would be helpful.

Discussion took place regarding enforcing bylaws, who does it now, who could do it, the process of enforcing bylaws and the authority within bylaws.

Consensus from Council was for staff will bring back some recommendations to Council for consideration at a future meeting for further discussion.

St. Clair Street

Councillor Adams brought forward a concern of speeding vehicles on St. Clair Street.

CAO Ashley stated that student engineers have started to collect information on traffic data and Council could wait to receive the data to make a decision when they have more information, which is what staff recommend or could go ahead and make a decision without the data.

Councillor Adams stated that she was giving notice that she would be bringing forth a resolution at the May monthly meeting for a 3-way stop sign at Crozier and St. Clair (the nearest intersection to Water Street).

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

Community Services Committee Meeting Minutes

May 7, 2019

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
Bob Ashley, Chief Administrative Officer
Rob Philpott, Director of Financial Services
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs
JP DesRosiers, Director of Community Services
Brian Hawrylak, HR Officer
Members of the Media

Call to Order

The meeting was called to order.

Recommendation – Hand Rails at Credit Union Place

ISSUE

The feasibility of the addition of handrails at the Eastlink Arena at Credit Union Place. Making alterations to a public space relating to egress and aggress requires an engineering review as well as a code review. Staff commissioned Nick Sharkey of Belcor Engineering to complete the review and provide a recommendation to staff on the addition of handrails.

A detailed report and recommendation was provided to staff, which included a code review of the National Building code as it relates to handrails. It should initially be noted that Handrails by definition are a continuous railing from the top of a stairwell to the bottom.

ANALYSIS

As a summary, engineers at Belcor have advised staff that the addition of handrails would not meet the National Building Code under the *Fire Protection and Occupant Safety and Accessibility* section of the code. Essentially the size and location of isle widths are strictly defined in the building code. The Eastlink Arena seating design and occupancy type is designed with isle width of +/-53", which is adequate to

support the egress of patrons in an emergency situation as the minimum by code is 43". However, the addition of handrails divides the isles into a two-way egress situation where each isle widths now become 26.5", which is considered by code a violation.

After receiving confirmation that handrails in their definition of a continuous form would not meet code staff asked for a recommendation on what's called an "assisted intermediate post" which by code are not required to be continuous from the top to the bottom of each section and are considered an "aid" vs a handrail within the building code language. This design of an assisted intermediate post allows for leniency on the isle width, as the railing is not continuous allowing patrons to cross from egress points etc. While this design would still not meet code as it relates to the isles "being free from obstructions and being restrictive to patrons in an emergency" it does create opportunities to avoid the isle width issue to a certain degree based on staff's interpretation of the code language.

Engineers however have advised that they would not recommend the installation of these intermediate posts due to the "downward reach" that is required between the gaps in each assisted aid. For patrons exiting upwards the assisted aids would be quite helpful however, the downward reach that is required between posts and the inconsistency of the non-continuous rail creates a dangerous and potentially libelous situation for patrons.

Finally, no matter which railing type is installed engineers believe that once patrons whom require or prefer a railing or aid to access lower or middle rows of the Eastlink Arena are required to leave said assistance and be left attempting to access seating in areas where no assistance is available. The addition of assisted devices will encourage patrons to enter areas that may prove unsafe where falls could be much more serious.

ALTERNATIVES:

To improve communication to educate users by way of signage, public address announcements and our onsite event staff the existence of over 300 seats that are available along the top row of the Eastlink Arena. The seats are all fully accessible and include assisted handrails and do not require any steps. Our onsite event staff are also willing to escort ANY an ALL patrons whom require assistance accessing their seats during events and as well the facility is equipped with an additional 200 ice level seats, which are all accessible via three public entrances, which are also equipped with handrails.

ADVANTAGES: The potential of risk mitigation in relation to patrons accessing areas of the facility that may leave them in unsafe and precarious situations. The ability to promote to ALL users how accessible our arena currently is and create an awareness campaign about the buildings design and accessibility.

DISADVANTAGES: Those patrons whom have been requesting handrails and feel strongly there is a need may not either agree and or understand the rationale provided.

COST/FINANCIAL IMPACT:

Account Name	Account #	Approved in Budget	Actual Cost
Building Maintenance	N/A	NO	\$6,500+ HST (per section)

RECOMMENDATION:

Due to the fact that the installation of either handrails and or assisted intermediate posts do not meet the minimum code, related to two elements (isle widths and free from obstruction) and the existence of close to 500 seats, both at the top seating and lower seating levels are available, staff recommend that either option not be installed at the Eastlink Arena at Credit Union Place.

Should council decide to decline staff recommendation, staff ask that council limit the installation of intermediate posts to one isle which would service two sections at southern end of the arena (sections Y and W). Limiting the number handrail installation to one row will of course limit our exposure to liability as well as keep patron safety in mind.

Staff will look at other facilities who have added railings/handrails and see how they worked with the National Building Code and report back to Committee at the June meeting.

Age Friendly / East Prince Seniors Initiative update

Staff and some Council members met with representatives of the Age Friendly Committee and EPSI.

There was some discussion on the combining of both organizations, while both have some distinct differences, each organization left the meeting to do some brainstorming on their own to see what options there are for the feasibility of each group.

Age Friendly will make a presentation to the Finance Committee at the June Committee meeting.

Lefurgey Park

JP DesRosiers provided an update for Lefurgey Park. He stated that Lefurgey Park could be a destination park in the City and will be putting together a phased approach to the park in the coming months with input from the public. Investment will be made in the park this year based on what has been approved in the budget.

Adjournment

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

Policy & Bylaw Review Committee Meeting Minutes

May 7, 2019

Present

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

Call to Order

The meeting was called to order.

Communication and Tendering

Councillor Adams inquired as to the current process of tendering as she had received a call from a potential applicant who missed a certain tender. She stated that ads for tenders are printed in the paper on different days and would be easy to miss and would like to see the communication of the process improved.

CAO Ashley stated that all tenders this year have been advertised in the local paper, perhaps not on a set day and have been on the website but there are parts of the tendering policy that could be updated. He stated that departments will advertise when they need to advertise, so it may not be on a specific day. In the Municipal Government Act, the use of newspapers do not have to be used when tendering.

Bidders have to meet minimum requirements when it comes to being awarded a tender such as safety and Workers Compensation.

CAO Ashley will meet with Directors to ensure consistency and access to tenders is adhered to.

Adjournment

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