

Planning Board Committee Meeting Minutes

October 6, 2020

Present

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Barb Ramsay, Co-Chair
Councillor Cory Snow
Councillor Brian McFeely, Chair
Councillor Carrie Adams, Co-Chair
Rob Philpott, Chief Administrative Officer
Aaron MacDonald, Director of Technical Services
Thayne Jenkins, Planning 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 – Zoning Amendment – 565 Water Street (Hippenstall's Corner)

SUPPORTING EXPLANATION:

Purpose: The purpose of the zoning amendment is to allow an apartment building development. The applicant is proposing apartment buildings with underground parking.

Apartment Building means a *building* containing more than two dwelling units except a *Row House* and *Town House* as defined in this *Bylaw*.

Background: An application was initiated by the City of Summerside (Mike Thususka) for a portion of PID #68742 to amend the *City Zoning Bylaw* from Medium Density Residential (R3) zone to High Density Residential (R4) zone. A public meeting was held on September 23, 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. Under Section 8.4 of the Parks and Green Space Plan, the criteria of b,c,e,g and h must be considered:

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

Staff Comment: If Council approves the zoning map amendment, from R3 to R4, the zoning will be R4 unless it is rezoned back to R3. The applicant will be permitted to construct an apartment building(s) subject to the R4 development standards as noted below. The maximum building height allowed in the R4 zone is 14m (45.9'), typically a 4 storey building. A proposed building height, exceeding 14m (45.9') would require a building height variance which would be a separate process, requiring written notification to neighbours and Council approval.

The following table was not read into the record, but was provided in the meeting package to Council, the media, public in attendance and is on the City of Summerside website

| R4 zone | Lot area | Lot Depth | Floor Area Ratio – FAR % | Lot Coverage - LC | Frontage | Front Yard | Side Yards | Rear Yard | Max Height | Flankage Yard |
|-------------------------|--|-----------|--------------------------|-------------------|----------|------------|------------|-----------|------------|---------------|
| m | 930 | 30 | -- | -- | 30 | 6 | 4 | 5 | 14 | 5 |
| ft | 10,010.5 | 98.4 | -- | -- | 98.4 | 19.7 | 13.1 | 16.4 | 45.9 | 16.4 |
| Floor Area Ratio | Maximum of 0.60 Main buildings, with a bonus of up to 0.25 for every enclosed parking space below the main building or within an attached garage, as long as its roof is landscaped and is accessible to residents | | | | | | | | | |
| Lot Coverage | Maximum of 30% Main buildings, not counting any attached garage as long as its top surface is landscaped and is accessible to building residents | | | | | | | | | |
| Maximum building height | May be higher than 14m (46 ft) at Council's discretion | | | | | | | | | |

b. *Conformity with the Official Plan.*

Staff Comment: The rezoning conforms to the Official Plan Section 5.2.2 (Location of High Density Housing) and Section 5.8.2 (Parklands).

5.2.2 Location of High Density Housing

Council intentions about locating high density housing are important to residents concerned with potential location of row houses and apartment buildings into their predominantly low density neighbourhoods. To help allay these concerns, Council lays out specific policies below on where they may allow future high density housing, some of which elaborate on their foregoing policies for special planning and development areas.

LOCATION CRITERIA:

Council's criteria for locating high density housing in the City of Summerside include:

- the desirability of infilling properties which are already partly developed for higher density housing;

- the desirability of locating high density housing close to jobs, community facilities and services, and of promoting pedestrian access;
- opportunities for maximizing the number of opportunities for scenic views through higher density and taller residential buildings (but with protection of adequate view planes);
- benefits of locating higher density housing in difficult-to-service areas so that they can help distribute expensive development costs among more users;
- opportunities for innovative mixes of higher density housing with other residential development in CDA's;
- opportunities for recycling older (non-heritage) residential properties with higher density development;
- opportunities for apartments in residential/commercial use buildings;
- avoidance of negative economic and physical impacts on surrounding land uses, whether existing or proposed;

Objective *To encourage high density housing in specific areas*

| | |
|-----------------|--|
| Policies | The following are Council's statements of policy |
| | <ol style="list-style-type: none"> 1. <i>Promote high density housing on properties already partly developed for high density housing.</i> <hr/> <ol style="list-style-type: none"> 2. <i>Consider applications for high density housing in the following situations:</i> <ol style="list-style-type: none"> 3. <i>a mix of housing types in CDA 's;</i> 4. <i>areas presently occupied by conforming mobile home parks (see Council Policy 5.3.2.5);</i> 5. <i>re-zonings in areas presently designated for medium density R3 zone residential use:</i> 6. <i>areas immediately north of the Downtown, (defined as: Notre Dame Street to the North, Granville Street to the East, Heather Moyse Drive to the South and Duke Street to the West) subject to no harmful impacts on local heritage housing;</i> d.) <i>within residential/ commercial buildings</i> <hr/> <ol style="list-style-type: none"> 7. <i>Downtown (D) zone (Urban Core Area – all districts).</i> <hr/> <ol style="list-style-type: none"> 8. <i>City arterial or collector roads as referenced in Section 7.1 and Figure 7-1.</i> <hr/> <ol style="list-style-type: none"> 9. <i>Consider applications for high density housing in other areas with careful consideration of Council's 'location criteria' listed above.</i> |

7.1 1 City Arterials

- Water Street East
- South Drive/Water Street
- Heather Moyse Drive

5.8.2 Parklands

There are many other smaller parks near the Downtown and in residential neighbourhoods, and there is also a green belt along the All Weather Highway in west St. Eleanors. Connections can also be made between the Waterfront Trail and Confederation Trail and then onto other trails through the City, with links to some parks and school sites. Also, the City is investigating the possibility of implementing flood greenways along watercourses and drainage areas, for the dual purposes of containing high seasonal run offs and contributing to a linear park system. Components of such a linear park system could also be provided through higher parts of conservation areas.

c. Suitability of the site for the proposed development.

Staff Comment: This 4.14 acre site is suitable for high density residential land use. Existing public street network and municipal services are available for this development. A portion of the 4.14 acres is zoned Conservation, running parallel to the existing water course (stream).

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

Staff Comment: The subject property abuts a number of uses, the land use to the immediate east is R3 along with a C2 and C3 property, the north boundary abuts M1 (Light Industrial), the south boundary abuts Parkland and the west boundary of the property abuts Conservation zoning (stream) with R4 on the other side of the Conservation zoning. There is a non-conforming salvage yard (Highland Enterprises Ltd) within the R4 zone. There are two other R4 zoned developments within close proximity. The rezoning from R3 to R4 would be a zoning transition in height and density, with Greenwood Drive acting as a buffer between the two zones. The maximum building height in the R3 zone is 10.5m, (34.4'), typically a 3 storey building. The maximum building height allowed in the R4 zone is 14m (45.9'), typically a 4 storey building. The density increases from two units in the R3 zone to multiple units in the in the R4 zone.

Future Land Use Plan (Schedule "B" - Official Plan) supports the proposed residential use.

e. Any comments from residents or other interested persons.

Staff Comment: A public meeting was held on September 23rd, 2020. The public meeting notice was advertised in the September 4th, edition of the Guardian. Sixteen (16) letters were mailed to twenty-four (24) property owners. Mike Thususka provided an explanation and slide show of the development. Highland Enterprises Ltd. (578 Notre Dame St - Robert Arsenault) sent written comments on a previous application in May 2020, on the subject property. Mr. Arsenault would like his letter of May 20, 2020 to be considered again for this application. Kim Gallant Chiheb (23 Greenwood Drive) submitted written comments and spoke at the public meeting. Bonnie Rogerson and Tracy Brown representing BBEMA - owners of Ice Pond property, spoke at the public meeting and Barry Ford (539 Sheen St) spoke at the public meeting. Alison Hart provided written comments via an email to Councillor Ramsay. The written comments and those concerns/comments

made by those that attending the public meeting are addressed in this report. The written comments/emails are attached to 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 City water supply and sewer treatment systems are can handle the additional loading created by the change in zoning. Rezoning this development from R3 to R4 increases the loading on the lift station by less than 1% of the calculated future loading for the entire drainage basin. The City does not see this as a significant load change therefore there is no expectation of the Developer contributing to an upgrading of a new lift station. Notre Dame Street has a 300mm distribution main on the north side of development that can handle the water requirements for this change in zoning. The City's sewer main infrastructure for this development is a gravity main to the east of the property that can handle the change in zoning. Connection of this development into this system is to be at a manhole or a manhole will have to be installed as part of this development. A proposed building height, exceeding 14m (45.9') would require a building height variance which would be a separate process, requiring written notification to neighbours and Council approval. A proposed street closure would require a separate process, as per street closure under MGA. Storm water would be collected on the subject property and connected to the City storm drainage system. The site will provide on site parking for the development as per the parking requirements in section 10 of the zoning bylaw. Electrical servicing can be provided. Parkland dedication is not required as there is no subdivision of lands. There is ample parkland (6 acres) across the street on the waterfront. Under Section 8.4 of the Parks & Green Spaces Plan, the policies of the Plan must be considered when reviewing a development application under the City Zoning Bylaw. The City's Parks and Greenspace Plan Section 6.5.3 outlines the City's intent for Greenways, Trails and Boardwalks and Section 7.33 (New Greenways, Trails and Boardwalks) identifies a proposed greenway (750 Ice Pond Greenway). The City will retain an easement along the stream to connect the Ice Pond to Greens Shore.

6.5.3 Greenways, Trails and Boardwalks

Summerside's linear network of greenways, trails and boardwalks will be expanded to integrate together as many other green areas, recreational facilities and tourist attractions as possible. Where trails cannot be provided through built-up areas, connections will made via sidewalks. There are exciting potentials for routing new greenways around conservation areas, together with trails and public viewing areas. In the case of privately-owned conservation areas, agreements for such greenways will have to be reached with the owners. It is noted that donations of land or access easements may be eligible for income tax incentives under the Federal Ecological Gifts Program (EGP), if the land is ecologically significant and is protected from development in the future. Where appropriate, drainage greenways will be built which combine trails with storm water channels.

Council policies are to:

Expand Summerside's linear network of greenways, trails, and boardwalks to integrate together as many parks, recreational facilities and tourist attractions as possible.

Section 7.3.3 New Greenways, Trails and Boardwalks:

| | |
|------------------------------|--|
| 750 Ice Pond Greenway | This proposed greenway would run through the Ice Pond Conservation Area and its proposed extension (see 810), and would interconnect Confederation Trail with Green's Shore Park |
|------------------------------|--|

There are 110 Acres of Conservation lands in the area (2 square kms)

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

Staff Comment: The proposed change in zoning from R3 to R4 will have a minimal impact on the amount of the traffic in the area. Two of the streets surrounding this property (South Dr., Water St.) are rated as collector streets and are designed/intended to handle large volumes of traffic from multiple local streets, one of which is Greenwood Drive. The expected change in volume due to the change in zoning from R3 to R4 would create an additional 400 vpd (vehicles per day) which increases the volume by .08 % of the total maximum volume of 5000 vpd for a local street. Assuming a 25% increase in traffic over the next 8-10 years, Greenwood Drive would still be at 50 % capacity. The proposed R4 Development would also reduce the amount of street accesses to two locations rather than a possible 25 access points in an R3 (duplex type) development which reduces the number of conflict points along the street. Accesses will be reviewed at time of development. There is an existing sidewalk along the east side of Greenwood Drive with a crosswalk at the intersection of Greenwood Dr. and Water St. which connects with the boardwalk along the waterfront. There is a future pedestrian trail intended to connect the Ice Pond Conservation Area (190) and the Bedeque Bay Boardwalk (340) via the Ice Pond Greenway (750). As previously noted in staff comments criteria f., the City will secure an easement with the developer for the pedestrian trail that runs through the subject property.

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

Staff Comment: A buffer area has been identified by the PEI Department of Environment, the buffer area was determined as the result of a previous project (installation of the box culverts where the stream runs under Notre Dame and Water St). No construction is permitted within the buffer area. The potential developer has incorporated the existing environmental buffer into their design providing a sidewalk/path along the buffer.

i. *Impacts on City finances and budgets.*

Staff Comment: Not applicable

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

Staff Comment: In written comments received from Kim Chiheb, she mentions that the site, in the past, has been utilized for parking for events at Greens Shore. The property was never intended for a parking lot. A parking lot, would not be effective use for this waterfront property, furthermore, a parking lot is not a permitted use under the current (R3) zoning. As per section 5.5 of the Zoning Bylaw, the City may initiate an official plan or zoning amendment for any lands, but all in accordance with this bylaw. Staff have consulted with Legal Services and confirmed that the City is not in a conflict of interest.

k. *Other matters as considered relevant.*

Staff Comment: The subject property was owned by the Town of Summerside. In 1986 the Town conveyed the property to Summerside Regional Development Corporation (SRDC) to be developed, the property was zoned Institutional. In 1991, SRDC rezoned the property to Downtown Commercial. In 1998, the zoning was changed to R3 as a result of a Zoning Bylaw review process. In 2017, SRDC made application to rezone from R3 to R4, the application was denied as there was no development/concept plan. Upon the dissolution of SRDC the subject property was conveyed back to the City in 2018. The photo below (dated 1970) shows the land as vacant infilled land.

STAFF REVIEW: City Staff supports the application, from the City of Summerside, to rezone from R3 to R4.

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.

Letter from Highland Enterprises Ltd (Robert Arsenault)

COX & PALMER | caar.qpalmer.com

New Brunswick | Newfoundland and Labrador | Nova Scotia | Prince Edward Island

May 15, 2020

Our File No. 34027-2

City of Summerside
275 Fitzroy Street
Summerside, PE
C1N 1H9

Attn: Linda Stevenson, Development Officer

Via Email @ linda.stevenson@city.summerside.pe.ca

Dear Ms. Stevenson:

Re: Application by City of Summerside to amend the City Zoning Bylaw pertaining to a portion of PID #68742 from Medium Density Residential (R3) Zone to High Density Residential (R4) Zone and Highland Enterprises Ltd.

I have been instructed by Robert Arsenault, Secretary of Highland Enterprises Ltd. (hereinafter referred to as Highland) to make the following submission on behalf of Highland.

Firstly, for the record, Highland as an adjacent property owner, PID #68999 and PID #69005, takes a neutral position on the City's application to amend the City Zoning Bylaw currently in effect for a portion of PID #68772 from an R3 Zone to an R4 Zone.

Secondly, by way of background, Highland carries on business on PID #68999 and PID #69005 as a provincially licensed Beverage Container Recycling Depot as well as a Scrap Metal Recycling Facility. Highland's Scrap Metal Recycling business was first introduced by Robert Arsenault's father J. J. Leonce Arsenault shortly following the end of the Second World War. Highland has operated continuously from its inception to date at its location here in Summerside at 578 Notre Dame Street. Following the late Mr. Arsenault's passing, his son, Robert, and grandson, Patrick, have taken over ownership, control and operation of Highland.

As a matter of common knowledge, scrap metal recycling facilities are industrial sites colloquially known as junk yards. Scrap metal facilities don't receive rewards for serene and tranquil environments, neither do they receive awards for their aesthetic beauty. Scrap metal facilities employ industrial metal ballers to crush and pack tons of metal for delivery to market. Recycling yards are notoriously noisy, dirty and at times, a dangerous place to work. As

David R. Hammond, QC | Counsel

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Summerside, PE C1N 1B5

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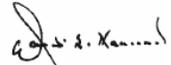
indicated, tons of metal are moved into and out of the facility on a regular basis by noise producing heavy industrial equipment. The work carried on by Highland at its Summerside location is no different than sketched out above.

As indicated at the outset, Highland is neutral as to whether or not zoning of the subject parcel is amended from an R3 Zone to an R4 Zone. Notwithstanding the foregoing, Mr. Arsenault, on behalf of Highland, wants the record to reflect that regardless of the zoning applicable to the subject parcel, Highland has operated as a successful family owned business at 578 Notre Dame Street for in excess of 70 years and given humanity's ability to generate recyclable waste, Highland will continue to operate as a scrap metal recycling facility well into the foreseeable future.

We trust that any decision to develop a high density residential housing unit next to a fully operational scrap metal recycling facility, will have been thoroughly vetted by the potential developer especially in terms of constructing to mitigate noise; maximizing visually appealing site lines and alternatively minimizing less appealing site lines. Mr. Arsenault on behalf of Highland, once again for the record, strongly urges the city planners to inform any potential developer of the Historical prominence of Highland as a functioning industrial operation and the obvious negative impact that such a facility may have on a residential housing unit constructed next door.

Respectfully submitted on behalf of Patrick Arsenault, Robert Arsenault and Highland Enterprises Ltd.

Yours very truly,



David R. Hammond
DH/cb

From: Kim chiheb

Sent: Thursday, September 10, 2020 3:30 PM

To: Mayor Basil Stewart <basil.stewart@city.summerside.pe.ca>; Councillor Carrie Adams <carrie.adams@city.summerside.pe.ca>; Councillor Greg Campbell <greg.campbell@city.summerside.pe.ca>; Councillor Justin Doiron <justin.doiron@city.summerside.pe.ca>; Councillor Norma McColeman <norma.mccoleman@city.summerside.pe.ca>; Councillor Brian McFeely <brian.mcfeely@city.summerside.pe.ca>; Councillor Barb Ramsay <barb.ramsay@city.summerside.pe.ca>; Councillor Cory Snow <cory.snow@city.summerside.pe.ca>

Subject: FW: Green Space is Good for Mental Health

I hope you all will take some time to read a couple of email that I will send to you this is the first one. I would also like for you as our city councillors, who I believe will vote on the same night as the meeting about the lot of green space that is being rezoned. To take some time and evaluate the traffic that

Is on Greenwood Drive mainly from 7am to 6pm, 7 days a week, that is very heavy coming from the industrial businesses that are all only a block or 2 from this piece of land. As it will be you who has the say on what this land should be used for, I think it would be nice if you seen for yourselves exactly how much traffic is on that small street .I look forward to hearing how many of you take the time to sit and watch mainly between 7am and 9am and 4pm and 6pm ,as this would be around the same time that 182 apartments would be coming and going onto that same street. Thank you Kim Chiheb .

From: Alison Hart

Date: September 21, 2020 at 9:09:13 AM ADT

To: Councillor Barb Ramsay <barb.ramsay@city.summerside.pe.ca>

Subject: Rezoning of land at Hippenstall Corner, Green Shores

Dear Ms Ramsay,

Let me head this up by saying how very thankful I am to live in Summerside, for the unusual number of innovative minds working together and those who put plans into action!

Having said that, I am writing to you as my councillor to express strong opposition to the proposed rezoning of the parcel of land at Hippenstall Corner which I understand will be discussed at the next Council Meeting today.

Any future development of this significantly located piece of land should be given broader consideration by all residents of this end of town, if not all residents of Summerside, as it will determine the long-term direction in which we grow as a city. From my perspective, a decision to rezone will indicate the value that we place as a community on the remaining open green spaces within the city. And particularly as part of the truly 'green' end of the city where so many go for peace and connection to nature.

Rezoning to R4 would make a long-term difference impossible to reverse once approval given. My understanding is that R4 rezoning could include a multi-storey apartment building, with all this entails.

This prime piece of land forms part of the treasure that is Greens Shore. It could, instead, be set aside as a treed, landscaped area in order to "protect and enhance valuable natural resources, while providing controlled public access" (2019 Official Plan).

Its proximity to the newly renovated "ice pond" would only add to that and be a showpiece for the quality of life which Summerside - so far - represents. The values shown by council leadership for this end of Summerside include: establishing the solar park, the new eco-park and most recently the 'activity lane' for pedestrians and cyclists leading from Pope Road to C.U.P. which naturally leads down to Greens Shore. What has been established in the process is a green corridor leading to the sea and the boardwalk.

I have heard about this issue at short notice, and the following are just a few points from the Official Plan which relate to the values Summerside holds, and are relevant to questioning the rezoning of this parcel of land at this location.

The purposes of the Official Plan include:

Summerside Parks and Green Space Plan (January 2013) This Plan which lays out Council policies for:

- *Reconfiguring and expanding the City's park system over time to effectively and efficiently meet changing community needs across urban and suburban areas.*
- *Guiding Council in the selection of suitably sized and equipped parks at the right place and at the right time.*
- * *Adding more designated conservation areas to protect and enhance valuable natural resources, while providing controlled public access.*
- *Extending and intensifying Summerside's network of greenways, trails and boardwalks, with interconnections to recreational facilities, parks and conservation areas.*
- *Promoting City green partnerships with the public and private sectors.*

GOALS include: Conserve and enhance the City's traditional social character, heritage buildings and natural environment, and ensure that new development is compatible with these values

Adding more designated conservation areas to protect and enhance valuable natural resources, while providing controlled public access

At the Council meeting, as my representative, please add my voice to those in opposition to the rezoning, with a proposal that this issue receive broader community input and thought.

Sincerely,

*Alison Hart
North Market Street
Summerside*

PLANNING BOARD RECOMMENDATION: The application initiated by the City of Summerside (Mike Thususka) for a portion of PID #68742 to amend the *City Zoning Bylaw* from Medium Density Residential (R3) zone to High Density Residential (R4) zone be recommended to be approved by Council:

Moved by: Councillor Adams Seconded by: Mayor Stewart

Discussion:

Councillor Ramsay stated that at the last meeting there were a number of the questions asked by the public and asked if all questions were answered in this report. Aaron MacDonald stated that staff did their best to answer the questions and answer those that were relevant to the development.

Councillor Ramsay stated that R3 allows 3 storey and R4 allows 4 storey, she inquired if the buildings were planning to go higher than 4 storeys, does it have to come back to Council. Aaron MacDonald stated that that is identified in the report and is a separate process that would come back to Council for approval.

Councillor Ramsay asked if it was approved for R4, and the developer pulls out, could it revert back to R3 and then go through a process to move to R4 if requested. Aaron MacDonald stated that the City is initiating this proposal and has the ability to change the rezoning in the future, following the same process.

Councillor Doiron stated that the City owns the property, so the City can discuss what the plans of the developer are and would have some control. He stated the difference between R3 and R4 in maximum height is about 11.5 feet, currently 34 feet is allowed now under R3.

Councillor Snow stated in the recommendation that underground parking is proposed and inquired if the plan is that far along. Aaron MacDonald stated that is the concept they are moving forward with. Snow inquired if the developer is aware of the location of the bottle exchange, Aaron MacDonald stated his understanding is that the developer has been by the site more than once.

Councillor Snow asked what the following statement under location criteria means *“opportunities for maximizing the number of opportunities for scenic views through higher density and taller residential buildings (but with protection of adequate view planes”*. Aaron MacDonald stated that it is not one building all the way around and is not a wall of one entire building and does not block off the entire waterfront.

Councillor Snow inquired about the retaining of an easement along the stream to connect the ice pond to Green Shore. Aaron MacDonald stated that there is a concept of a trail and the developer would incorporate that into their design along with the easement in the City's name.

Councillor Adams inquired what the previous plan that SRDC had with the property. Aaron MacDonald stated that SRDC was given the property with the intent to develop the property. Councillor Adams inquired if the land is infilled. Linda Stevenson indicated on a map that the area was infilled sometime in the 1960s.

Deputy Mayor McColeman stated that Highland Bottle Exchange has been operating there for many years and just wanted the developer to be aware that they have been operating there for many years.

Mike Thususka stated that there was a public process to get the land developed and developers did do site visits.

Councillor Doiron asked if there has been any indication how close the development may be to the buffer Zone. Aaron MacDonald stated he hasn't seen anything beyond the concept and the developer cannot build into the buffer zone. Mike Thususka stated the next step would be to manage that with the developer. Aaron MacDonald stated that the land would belong to the developer and the city would take an easement over the buffer zone.

Deputy Mayor McColeman asked why the land would not be an effective use as a parking lot. Aaron MacDonald stated a parking lot is not a permitted use in an R3 zone.

Councillor MacDougall wanted to state that the property would not revert back to R3 if the plans with the developer did not happen, it would have to go through a public process.

Councillor Snow stated that he is having a tough time as seeing that the City is not in a conflict even though a legal opinion was sought. Aaron MacDonald stated that it is in the bylaw that the City can act as an applicant.

Deputy Mayor McColeman stated that on the core block properties, the intent was that the City would own the properties for a short period of time before a developer came along, similar to this property.

Motion:

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| Carried | X |
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| For | 4 |
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| Defeated | |
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| Against | 0 |
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Councillor McFeely stated that this would come to the full Council on October 19 for a vote and final decision.

**Recommendation – Major Variance –
285 All Weather Highway**

SUPPORTING EXPLANATION:

Purpose: The purpose of the variance(s) is to allow for an increase to the building height of an accessory building, allowing an accessory building with a proposed height of 5.26m (17.25’), where an accessory building height of 4.5m (14.7’) is permitted. The roof pitch on the accessory is designed and will be constructed to match the existing roof pitch (12/12 pitch) on the existing residence.

Background: The applicant has applied for a building permit for the proposed accessory building. The Accessory Building exceeds the allowable height as per the City of Summerside Zoning Bylaw.

Report: Under section 7.2 of the zoning bylaw, variance applications shall be considered by Council, Planning Board or the Development Officer, as applicable, against the following tests for justifying a variance. All applicable criteria must be met:

- a. That the hardship is due to unique physical conditions of the lot or property, including small lot size, irregular lot shape, existing building location on the property, or exceptional topographical conditions, which make it impractical to develop in strict conformity with Bylaw standards. Exceptional topographical conditions may include, but are not limited to: trees, slope of the land, etc.

Staff Comment: Yes, this variance request would meet this test. The existing building slope is established, the applicant wants to have the roof pitch of the proposed accessory building match the roof pitch of the exiting residence.

- b. That the proposed variance meets the general intent of the official plan.

Staff Comment: Yes, this variance request would meet this test. The variance meets the intent of the official plan.

c. That the proposed variance meets the general intent of the zone.

Staff Comment: Yes, this variance request would meet this test. The variance meets the intent of the zone (R1).

d. That the proposed variance would not impact negatively on adjacent properties, or on the essential character of the surrounding neighborhood, including taking into consideration any comments from neighbors.

Staff Comment: Yes, this variance request would meet this test. Six (6) letters were delivered to 6 properties within 30m of the boundaries of the subject property. Comments from adjacent property owners were due on or before September 21st, 2020. No verbal or written comments were received from the notified property owners.

TECHNICAL SERVICES STAFF REVIEW: Technical Services staff support the application from Duke and Betsy Cormier.

As per Section 7.3 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: The variance from Duke and Betsy Cormier to allow an accessory building height of 5.26m (16% variance) bears the recommendation of the Planning Board:

Moved by: Councillor Ramsay

Seconded by: Councillor Adams

Motion:

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|---------|---|
| Carried | X |
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| | |
|-----|---|
| For | 4 |
|-----|---|

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|----------|--|
| Defeated | |
|----------|--|

| | |
|---------|---|
| Against | 0 |
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Adjournment

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

Police, Fire & Emergency Planning Committee Meeting

Minutes

October 6, 2020

Present

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Barb Ramsay, Chair
Councillor Cory Snow
Councillor Brian McFeely
Councillor Carrie Adams
Rob Philpott, Chief Administrative Officer
Dave Poirier, Chief of Police
Aaron MacDonald, Director of Technical Services
Brian Hawrylak, HR Officer
Members of the Media
Members of the public

Call to Order

The meeting was called to order

Agenda was approved

Councillor Ramsay stated that a bylaw enforcement and unsightly premises officer duties will be assigned to the parking commissionaire as the first point of contact.

Councillor Ramsay stated that the province has issued a warning the fentanyl is present in PEI.

Halloween

Chief Public Officer Dr. Heather Morrison has said that Halloween will take place this year with guidelines in place. Curfew in Summerside is 8pm.

Christmas Parade

The Christmas Parade will take place on Friday, November 27, beginning at 6pm. Parade floats will be parked on Water street with the public being able to drive by for viewing.

Willow and Elm Street intersection 4-way stop

Councillor Ramsay stated that this is a school zone and has received requests from residents and school staff.

She stated that although the traffic report stated that a 4 way stop is not recommended, it did not take into consideration that it is a school zone.

Staff went through the data collected from the traffic counters which were laid down for 2 days. 650 vehicles per day on Elm Street and 670 vehicles per day on Willow, did not meet the criteria for a 4 way stop. There were no excessive delays on the streets for vehicles. Improvements could be made to the signage in the area. 11% of the vehicles were speeding, 6% of them were travelling over 60km/h during school hours.

Councillor Snow stated that from residents in the area that he has heard from, a 4 way stop is needed.

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

Speed humps in front of Elm Street School

Speed bumps have been placed in other areas of the city and date was taken before and after they were placed. Data is showing that speed bumps do no reduce speeds. Cars would slow down at the bump, then speed up after crossing it.

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

Norman & Highland Street intersection 4 way stop

Councillor Ramsay stated that she has received many complaints from speeding in this area.

Staff stated that there are 200 cars per day on Highland and 100 per day on Norman. Speeding on Norman showed 9% of vehicles were speeding over 60km/h

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

**Central Street & Maple Avenue
intersection**

Councillor Ramsay stated that she has received many complaints from speeding in this area.

Staff stated that there were higher volumes of traffic in this area. Maple avenue is used a lot for a shortcut to/from Central and Granville Street.

The average delay at this intersection was 8.5 seconds when traffic was counted.

24% of traffic speed on the upper part of Central Street heading south toward the intersection.

Staff stated that it would be a decrease in the efficiency of the intersection with added stop signs as 3000 vehicles travel on Central Street with 700 vehicles travel on Maple.

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