Planning Board Committee Meeting Minutes

May 11, 2020

Present

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Barb Ramsay, Co-Chair
Councillor Cory Snow
Councillor Brian McFeely, Chair
Councillor Carrie Adams, Co-Chair
Rob Philpott, Chief Administrative Officer
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs
Aaron MacDonald. Director of Technical Services
Linda Stevenson, Development Officer
Brian Hawrylak, HR Officer
Members of the Public

Call to Order

The meeting was called to order

Agenda was approved

********* Due to COVID-19 restrictions, this meeting was held virtually via video conferencing. Councillor McFeely and applicant Nathan Kember along with City staff were at City Hall.**

Recommendation – OP & Re-zoning 678 Water Street East

SUPPORTING EXPLANATION:

Purpose: The purpose of the zoning amendment is to allow an apartment building. The applicant is proposing a 59 unit apartment building 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 received from Strategic Holdings Inc. (Nathan Kember) for portions of PID #72421. Portion A to amend the *Official Plan* from Commercial Land Use to Residential Land Use and *City Zoning Bylaw* from Service Commercial (C2) zone to High Density Residential (R4) zone. Portion B to amend the *City Zoning Bylaw* from Single Family Residential (R1) zone to High Density Residential (R4) zone. A public meeting was held on May 6, 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 amendments, Potion A from C2 to R4 and Portion B from R1 to R4, the applicant will be permitted to construct an apartment building subject to the R4 development standards.

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.*
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 high 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: Portion A - The properties to the west and east are zoned Service Commercial (C2). The property to the north is zoned Institutional and the vacant property to the south is zoned R1. Portion B – The properties to the north are a mix of C2 and R1, properties to the west are a mix of C2 and R1 and the properties to the east and south are R1.

e. *Any comments from residents or other interested persons.*
Staff Comment: A public meeting was held on May 6, 2020. The public meeting notice was advertised in the April 23rd, edition of the Guardian. Ten (10) letters were mailed to ten (10) property owners. Nathan Kember provided an explanation of his development and provided preliminary drawings of the proposed building. Hans Werner, (704 Water Street E) had a question about future apartment buildings on the site in addition to the one he is proposing. Ken Hickey sent written comments indicating he supported the applicantion. Kent Paynter
(682 Water St. E – Wash world) was not opposed but expressed his concerns in written comments. Mike Martin and Julie Hall 705 Water St E) also submitted written comments in regards to the wetlands and Marsh area on Mr. Kember

property. Mr. Kember provided clarity and explanations for a majority of the concerns raised at the public meeting. The concerns are also addressed throughout this report. The written comments were read at the public meeting and are attached in this report.

Councillor McFeely mentioned that an additional submission was received after the deadline, but the questions are answered within 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: Water Street East has a 250mm distribution main on the north side of Water Street that can handle the water requirements for this change in zoning. Rezoning this development from C2 to R4 increases the loading on the Eustane Street 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. The City's sewer main infrastructure for this development is a gravity trunk main that is to the north of the proposed development. 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. The developer will have to ensure there is enough grade for gravity sewer or the Developer will have to pump the sewage into the system. There is 3 phase electrical service available for the 59 unit proposed at 678 Water Street.

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

Staff Comment: Proposed accesses are not directly on Water St. East, the additional traffic as a result of this development would have minimal effect on the traffic on Water Street East. There is a sidewalk located on the south side of Water St. E, that runs along the front of this development.

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

Staff Comment*:* City staff are aware of potential environmental concerns as a portion of this land is zoned Conservation (CO), the applicant will require approval from the PEI Department of Environment prior to the City issuing a building permit.

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 plans presented by Mr. Kember at the Public Meeting were intended for the purpose of the rezoning application. City staff have not reviewed the preliminary plans in regards of the specifics of this development.

RECOMMENDATION: Technical Services staff recommend: That the application from Strategic Holdings Inc. (Nathan Kember) for portions of PID #72421 Portion A to amend the *Official Plan* from Commercial Land Use to Residential Land Use and *City Zoning Bylaw* from Service Commercial (C2) zone to High Density Residential (R4) zone. Portion B to amend the *City Zoning Bylaw* from Single Family Residential (R1) zone to High Density Residential (R4) 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 Adams Seconded by: Councillor Ramsay

Motion:

Carried	X		For	4
Defeated			Against	

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

Recommendation Official Plan & Rezoning 9 South Drive

SUPPORTING EXPLANATION:

Purpose: The purpose of the official plan and zoning amendment is to allow a semi-detached dwelling.

Semi-Detached means a building that is divided vertically into two side-by-side dwelling units. Both units are constructed directly on grade and separated from each other by a vertical wall of concrete or masonry firewall.
Semi-detached dwellings require individual public utilities and street frontage for each dwelling unit and can be subdivided as per Section 8.15.

Background: An application was received from Leroy Gamble and Karen Churchill-Gamble for PID #67751 to amend the *Official Plan* from Commercial land use to Residential land use and to amend the *Zoning Bylaw* zoning from Service Commercial (C2) zone to Low Density Mixed Residential (R2) zone. A public meeting was held on May 6, 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:

c. Conformity with all requirements of this Bylaw.

Staff Comment: If Council approves the zoning map amendment from C2 to R2, the applicant will be permitted to construct a semi-detached dwelling subject to the development standards of the proposed R2 zone.

d. 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**
3. *Promote a sufficient diversity of housing types, residential densities and tenure options to meet varied segments of market demand.*	
4. *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 low density residential land use. A public street (South Dr.) 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 south are zoned R3, the property to the north and the property to the east are zoned C2, although a single family dwelling occupy these properties. The property to the west is zoned R5 (West Drive Trailer Park). The property to the east is zoned C2, although a single family dwelling occupies this lot. There are a number of properties in this area that are zoned C2, as this was the commercial area and the hub of the former community of St. Eleanors. There are institutional properties in the area as well.

e. Any comments from residents or other interested persons.
Staff Comment: A public meeting was held on May 6, 2020. The public meeting notice was advertised in the April 23rd, edition of the Guardian. Twenty-two (22) letters were mailed to nineteen (19) property owners. The applicant spoke at the meeting and provided clarity to some of the questions asked by the public. The questions/concerns raised 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: South Drive has a 250mm distribution main on the west side of South Drive and has a 200mm gravity collection sewer main on the east side of South Drive. The City's water supply and sewer treatment systems can handle the additional loading

created by the change in zoning. Access to South Drive is achievable. A site drainage plan will be required. The property owner will be required to provide individual services to each side of the semi-detached unit, at the property owners expense. The electrical services in the area are able to accommodate this rezoning.

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

Staff Comment: The development will have access to South Drive. The development will meet the minimum setbacks for vehicular access from the nearest intersection of South Dr. and West Dr. The additional traffic as a result of this development would have minimal effect on South Dr. There is a sidewalk located on the east side of South Dr.

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

Staff Comment*:* There are no environmental, scenic or heritage resources to consider for this development.

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:

RECOMMENDATION: Technical Services staff recommend: The application from Leroy Gamble and Karen Churchill-Gamble for PID #67751 to amend the *Official Plan* from Commercial land use to Residential land use and to amend the *Zoning Bylaw* zoning map from Service Commercial (C2) to Low Density Mixed Residential (R2) 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 Ramsay 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.

Street Naming- David James

Background: The private street owner/developer, MacCormack Builders and Apartments Ltd., wish to propose a name that is not on the approved street name list. The proposed name for the private street is David James, the street suffix will be Street. The proposed name is consistent with two other private street names they currently own (John Angus and Rita Mary) off Duke Street. The name David James is the first and middle name of the property owner/developer, David MacCormack.

Report: As required under the Emergency 911 Act, the City is a "designated municipality" and is responsible for assigning civic addresses. A private road must be named if it provides access to three or more improved properties. As per Schedule B (Street Naming Policy) of the Site Development and Subdivision any person who wishes to use a name that is not on the approved street name list shall make application to Council and Council shall approve or deny by simple resolution.

The proposed street name "David James" is being forwarded to the planning board for their review and recommendation. 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

Staff stated that the street will not be turned over to the City.

Motion:

Carried	X		For	4
Defeated			Against	0

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

CAO Philpott stated that Councillor Doiron, although unable to participate virtually, was watching the live feed and texted that he supported all recommendations.

Adjournment

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