# *Special Council Meeting Minutes*

## February 27, 2020

***Present***

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Cory Snow
Councillor Greg Campbell
Councillor Carrie Adams
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 / Approval of Agenda / Any Conflict of Interest Declaration***

The meeting was called to order by Mayor Stewart

***Motion*** It was moved and seconded;
***That*** The Agenda be approved as circulated.
***Motion Carried***

**373 Duke Street – Zoning Bylaw Amendment & Discretionary Use**

***Background***

An application was received from PEI Oceanview Resort Inc. (Shizhong Liu) for a portion of PID #309344. The purpose of the amendments is to allow, row housing (8 units). The application is to amend the *City Zoning Bylaw* as follows:

**Proposed amendment:**

- Change the zoning map from Single Family (R1) zone to Medium Density Residential (R3) zone.

The application was advertised in the February 15th edition of the Journal-Pioneer and letters were mailed to property owners within 60m or 200 ft of the subject properties.

# Single-Family Residential (R1) Zone

15.1 The purpose of this zone is to provide for low-density, single-family housing and other compatible uses.

**Permitted Uses**

15.2 Subject to Bylaw requirements:

| R1 Zone - Permitted Uses | | |
|---|---|---|
| single family dwelling | accessory building | assisted living |

**Discretionary Uses**

15.3 Subject to Council approval:

* Also requires Conditional Use approval

| R1 Zone - Discretionary Uses |
|---|
| child care facility: medium |

**Conditional Uses**

15.4 Subject to a Development Officer approval:

| R1 Zone - Conditional Uses | | |
|---|---|---|
| home based business | secondary suite | tourism establishment: vacation rental property |

## Medium-Density Residential (R3) Zone

17.1 The purpose of this zone is to provide for medium-density housing in the form of single-family, semi-detached, duplex dwellings, townhouses, row houses and other compatible uses.

**Permitted Uses** 17.2 Subject to Bylaw requirements:

| R3 Zone - Permitted Uses | | |
|---|---|---|
| single family dwelling | duplex dwellings | assisted living |
| semi-detached dwellings | accessory building | manufactured home: mobile home lawfully existing prior to 1999 |

**Discretionary Uses** 17.3 Subject to Council approval:

| R3 Zone - Discretionary Uses | | |
|---|---|---|
| child care facility: medium | boarding house | social services agency |
| group home | nursing care facility: community care and nursing home | tourism establishment*: tourist home and inn |

| | | |
|---|---|---|
| townhouse - 8 units per building maximum | row house – 8 units per building maximum | apartments: 4 units maximum |
| rooming house | | |

* Also requires Conditional Use approval

**Conditional Uses**17.4 Subject to a Development Officer approval:

| R3 Zone - Conditional Uses | | |
|---|---|---|
| home based business | secondary suite | tourism establishment: B&B and vacation rental property |

***Comments & Questions***

Sarah Pickle, Currie Drive, inquired as to the assessed value of their home and how it would be affected with a zoning change and wonder what the development would look like in terms of being a town house or row house, the length of construction period and if there construction area will be fenced off.

Staff stated that they will do a report back to planning board but confirmed that it would be a row house (1building).

Patty Arsenault, Jardine Avenue, stated they had purchased their property as a retirement home because of the greenspace beside it. She inquired where the access roads would be and whether the housing would be geared toward families or seniors, she stated that it would affect her price for re-sale and inquired if it would be 1 level and the shape of the building.

Staff confirmed that it would be one building, one level with driveways exiting on Duke Street. All the property there now is zoned R1. In the staff report at the Planning Board, it will indicate the distance from the property line the development can be.

Nicole Morrison, representing the applicant, stated that Fitzgerald and Snow have been hired to do the construction and the construction period would be 8 to 10 months. The remaining parcel of land not being developed may be appended to his current property to build a garage or have a driveway built for a new home. She stated that the development would be higher end. She stated a design will be completed upon approval.

Jason Pickle, Currie Drive, inquired f the utility poles on the back of the property would be removed. Staff stated that they would have to check with the electric department and will report back to the Planning Board.

***Explanation of the process***

In order to process a zoning bylaw amendment, the following steps are required:

(1) The zoning bylaw amendment is read a first time and declared as read at a first Council meeting.
(2) The zoning bylaw amendment is referred to Planning Board for review and recommendation.
***(Steps 1 and 2 take place at the same meeting of Council and will take place this evening)***

(3) Planning Board reviews the application and prepares a recommendation to Council.

(4) The zoning bylaw amendment is read a second time and declared as read at a second Council meeting.

(5) The zoning bylaw amendment is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council. If the zoning bylaw amendment, is adopted by Council, it is sent to the Minister of Agriculture and Land for signature and the amendment becomes official.

***(Steps 3 - 5 take place at Council's second meeting*)**

In order to process a discretionary use, the following steps are required:

(1) The discretionary use is heard at a Public Meeting.

***(Step 1 takes place this evening)***

(2) Staff prepare a report on the discretionary use for Planning Board to review. Planning Board reviews the application and makes a recommendation to Council.

***(Step 2 takes place at planning board meeting)***

(3) The discretionary use is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council.

***(Steps 3 takes place at Council's second meeting*)**

Please note, that in accordance with section 5.20 of the *City Zoning Bylaw*, any person who is dissatisfied by a decision of Council in respect of the administration of this Bylaw, may appeal Council's decision within 21 days to the Island Regulatory & Appeals Commission [IRAC].

***Resolutions***

COS 20-016

It was moved and seconded

WHEREAS an application was received from PEI Oceanview Resort Inc. (Shizhong Liu) for a zoning amendment for a portion of PID # 309344 From Single Family Residential (R1) zone to Medium Density Residential (R3) zone under the City of Summerside Zoning Bylaw;

BE IT RESOLVED THAT zoning amendment 026, be hereby declared as read a first time.

[schedule B is attached]

**ZONING AMENDMENT 026**
**A BYLAW TO AMEND THE CITY OF SUMMERSIDE ZONING BYLAW**

The Council of the City of Summerside under authority vested in it by Section 18 and Section 19 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

I. The zoning for a portion of PID # 309344 shown on Schedule B of the City of Summerside Zoning Bylaw, is designated as Comprehensive Development Area (CDA) zone, hereby excluding it from its former designation of Service Commercial (C2) zone.

**Resolution carried 4-0**

COS 20-017

***WHEREAS*** an application was received from PEI Oceanview Resort Inc. (Shizhong Liu) for a zoning amendment for a portion of PID # 309344 from Single Family Residential (R1) zone to Medium Density Residential (R3) zone under the *City of Summerside Zoning Bylaw*;

***AND WHEREAS*** zoning bylaw amendment 026, a bylaw to amend the *City of Summerside Zoning Bylaw,* was read and declared as read a first time at this Council meeting;

***BE IT RESOLVED THAT*** zoning bylaw amendment 026, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

**Resolution carried 4-0**

***Adjournment***

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

Basil L. Stewart
Mayor

Brian Hawrylak
HR Officer