

Monthly Council Meeting Agenda

June 21, 2021

- 1) Call to Order 6:30pm by Mayor Stewart**
 - a) Approval of the Agenda
 - b) Any Conflict of Interest Declaration

- 2) Minutes**
 - a) Approval of the Monthly Council Meeting Minutes of May 17, 2021 and approval of the Special Council Meeting Minutes of May 12, 2021, May 19, 2021, June 1, 2021 and June 15, 2021

- 3) Presentations**
 - a) Sheila Laughlin retirement
 - b) Sue Bowness recognition

- 4) Correspondence**

- 5) HR/Legal Affairs, Culture Summerside & Policy & Bylaw Review Committee Chair, Councillor Carrie Adams**
 - a) HR & Legal Affairs Report
 - b) Culture Summerside Report
 - c) Policy and Bylaw Review Committee Report
 - d) Resolutions
 - i) Summer meeting times
 - ii) Resolution COS 21-116 CS-2 Procedural Bylaw first reading
 - iii) Resolution COS 21-117 CS-2 Procedural Bylaw first reading approval
 - iv) Resolution COS 21-105 CS-29 Access to information and Protection of Personal Information Bylaw second reading
 - v) Resolution COS 21-106 CS-29 Access to information and Protection of Personal Information Bylaw second reading approval
 - vi) Resolution COS 21-107 CS-29 Access to information and Protection of Personal Information Bylaw formal adoption
 - vii) Resolution COS 21-108 CS-35 Open Fires Bylaw second reading
 - viii) Resolution COS 21-109 CS-35 Open Fires Bylaw second reading approval
 - ix) Resolution COS 21-110 CS-35 Open Fires Bylaw formal adoption
 - x) Resolution COS 21-115 CS-30 Records Retention Bylaw revised schedule

- 6) Police Services/Fire Emergency Planning - Chair, Councillor Barb Ramsay**
 - a) Police Services Report
 - b) Fire Services Report
 - c) Resolutions
 - i) Resolution COS 21-113 405 Chestnut Avenue property

- 7) **Municipal Services** - Chair, Councillor Bruce MacDougall
 - a) Report

- 8) **Electric Services** - Chair, Councillor Greg Campbell
 - a) Report

- 9) **Technical Services** - Chair, Councillor Justin Doiron
 - b) Report
 - c) Resolutions
 - i) Resolution COS 21-104 Read's Corner lift station

- 10) **Planning Board** – Chair, Councillor McFeely
 - a) Resolutions
 - i) Resolution COS 21-111 Zoning Bylaw amendment 0135 30 Greenwood Drive second reading
 - ii) Resolution COS 21-112 Zoning Bylaw amendment 0135 30 Greenwood Drive formal adoption

- 11) **Financial Services** - Chair, Deputy Mayor Norma McColeman
 - a) Report
 - b) Resolutions
 - i) Resolution COS 21-114 Elections PEI Online Voting for Municipal elections

- 12) **Economic Development** - Chair, Councillor Brian McFeely
 - a) Report

- 13) **Community Services** - Chair, Councillor Cory Snow
 - a) Report

- 14) **Adjournment**

REPORTS & RESOLUTIONS

Council Meeting Date:	June 21, 2021
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Department/Committee:	HR & Legal Affairs
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- The Joint Occupational Health and Safety Committee as well as department sub-committees continue to meet on a regular monthly basis
- The department provided support at various meetings this month
- Contract negotiations continue with outside workers and electrical union
- Summer students have been hired at Culture Summerside and at Credit Union Place
- Congratulations to Sheila Laughlin who retired this month after starting at Credit Union Place when it opened in 2007

Council Meeting Date:	June 21, 2021
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Department/Committee:	Culture Summerside
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Three Oaks Senior High School Graduate Art Exhibit

Culture Summerside is excited to once again host the Three Oaks Senior High Graduate (TOSH) Art Exhibit. It has been a June art exhibit for a number of years. The staff feel it is a privilege to display the work of community youth completing their high school years and moving on to the next step in their life journey. The grad class art students are excited to invite the public to view their work. The students exhibiting their work are: Josie MacDonald, Olivia MacKinnon, Landon Teatro, Lauren Stordy, Mya Burnett, Emily Doucette, Jamison England and Lacey Arsenault. These students have had a broad range of experiences in their studies in art at TOSH for the past three years, including a focus on drawing instruction, all painting mediums, sculpture, printmaking and art history.

We invite everyone to come and view the exhibit, and to support our talented youth artists in Summerside.

The exhibit is open to the public, Monday through Friday, 9 am to 4 pm, free of charge. The Lefurgey Cultural Centre is located at 205 Prince Street, Summerside.

Summerside Arts Festival

Wyatt Heritage Properties Inc. has received funding from the Department of Canadian Heritage and Innovation PEI for the presentation of the 2021 Summerside Arts Festival slated for July 19 through July 21. The three day festival celebrates the arts in our community through exhibits, artist and artisan demonstrations, and musical performance. Again this year, a Drive Thru Art Exhibit will be featured on Prince Street and artist/artisan/musical performances and demonstrations will be presented as a walk through experience on the lawn of Wyatt Heritage Properties. The festival continues to grow in popularity each year with both the community and visitors.

Summer Students

Five summer students have begun their training as museum interpretative guides and front-line workers.

The Olde Fashioned Carnival

The Olde Fashioned Carnival that is normally delivered in June is being considered for a date in late August. This is dependent of COVID restrictions and CPHO guidelines.

The Lobster Carnival

The 2021 Summerside Lobster Carnival will concentrate on the delivery of a delicious, cost friendly, traditional lobster supper, take out style. This tasty island treat will be available for pick up from the comfort of your car and appeal to a variety of senses as the sights and sounds of live music flood the drive thru environment. This traditional lobster supper prepared by Chef Robert Pendergast includes a 1 pound Island lobster, potato salad, coleslaw, a locally made cookie and a beverage. In the spirit of accessibility this amazing supper is priced at \$20.00 plus tax. The drive thru will be located on Prince Street on July 8th from 4 to 7 pm. Tickets are going fast and can be purchased on the Summerside Lobster Carnival website or purchased in person at the Lefurgey Cultural Centre.

Council Meeting Date:	June 21 st , 2021
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Department/Committee:	Bylaw, Policy and Review Committee
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Good evening Mayor and all members of Council, and residents of Summerside.

I would like to bring everyone up to date on the latest efforts of the BPR Committee.

As part of our effort to ensure our bylaws are consistent with provincial legislation and other requirements, we are updating various bylaws as new information comes to our attention.

We have a new bylaw as well as proposed amendments of three existing bylaws to consider this evening.

Procedural Bylaw

Earlier this year, the Province enacted several changes to the Municipal Government Act which require corresponding amendments to the City's Procedural Bylaw. The proposed amendments to the bylaw are twofold:

- Electronic Meetings – the proposed amendments follow recent amendments to the Procedural Bylaw Regulations under the MGA, which provide clearer rules for conducting electronic meetings (see section 10)
- Committee Terms of Reference – the Procedural Bylaw Regulations require that the Committee Terms of Reference be spelled out in the Procedural Bylaw. The Terms of Reference proposed are the same terms of reference from the City's former Committee Bylaw (enacted in 1999), except that the Bylaw, Policy and Review Committee is a new committee whose terms of reference were drafted based on a policy document from the former "Governance, Policy and Strategy" (GPS) Committee. (see section 28)

The first reading of this proposed amendment will take place tonight.

Access to Information and Protection of Personal Information bylaw

The second piece of business concerns our Access to Information bylaw.

The current version of this bylaw was drafted based on the MGA Regulations. The new version was drafted based on provincial Freedom of Information legislation. When drafting the old bylaw, it was unclear which of the two legislative regimes applied, and the decision was made to go with the MGA Regulations – which provided more authority for Council and better cost recovery. The Privacy Commissioner took the position that it is the provincial legislation that applies, and made a compelling case for this. The new bylaw accords with FOIPP and has received the Privacy Commissioner's blessing.

The second reading and formal adoption of this amended bylaw will take place tonight.

Open Fires Bylaw

The Committee in consultation with Fire Services reviewed the feasibility of implementing an open fires bylaw for the City. At the present time, there are guidelines in place to provide oversight of these fires. However, the Committee is

recommending that a bylaw to regulate this issue would be more appropriate. First reading had taken place at the May monthly meeting, and we are proceeding with the second reading and formal adoption of this bylaw this evening.

Records Retention Bylaw

The Province revised the Schedule in the Records Retention Regulations under the MGA, which came into force on January 30th, 2021. The Schedule being enacted aligns with the new requirement set by the Province. This will be confirmed in a resolution tonight.

Unightly Premises Bylaw

One other project that the Committee is working on, concerns the unsightly premises bylaw. The Committee had previously reviewed this bylaw to ensure its criteria was sufficient to address any and all properties that fit the definition of unsightly.

More recently, Council has expressed a desire to develop other tools that may help in addressing unsightly properties in the community. To that end, the Committee is looking at various methods, legislation and processes used by other municipalities across the country.

We will bring the results of our review to Council in the near future.

This concludes my report for the month of June. I or the CAO would be pleased to answer any questions you may have.

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Whereas Updates have been made to CS-2 Procedural Bylaw

Be it resolved that CS-2 Procedural Bylaw be read a first time at this meeting

Schedule A attached (CS-2 Procedural Bylaw)



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: PROCEDURAL BYLAW

BYLAW #: # CS-2

BE IT ENACTED by the Council of the City of Summerside as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

- 1.1. This Bylaw shall be known and cited as the “Procedural Bylaw”.

2. Authority

- 2.1. Subsection 86(2)(e) of the *Municipal Government Act*, RSPEI 1988, c M-12.1., provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.

3. Application

- 3.1. This bylaw applies to all members of Council, the Chief Administrative Officer (CAO), members of Council Committees, City of Summerside employees, those who appear before Council and members of the general public.
- 3.2. When any matter relating to proceedings arise which is not covered by a provision of this bylaw or the Act, the matter shall be decided by reference to Robert’s Rules of Order.
- 3.3. In the event of any conflict between the provisions of the Act and this bylaw, the Act will prevail.

4. Definitions

- 4.1. In this bylaw:

- (a) “Chief Administrative Officer” or “CAO” means the administrative head of a municipality or his or her designate as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.
- (b) “City” means the City of Summerside;
- (c) “Council” means the Mayor and other members of the Council of the municipality.
- (d) “Councillor” means a member of Council other than the Mayor.
- (e) “Delegation” means a body of delegates or an individual who has been deputized or delegated by members of an organization, club, association or charity.
- (f) “place” includes, in respect of information or a notice or other document to be posted, or a meeting to be held, by electronic means, the electronic

location where the information, notice or document may be found or the electronic meeting may be accessed.

- (g) “Point of information” means the procedural mechanism by which a member may present or receive information of interest to Council.
- (h) “Point of order” means the procedural mechanism by which a member may rise where this by-law or any other procedural legislation is believed to have been infringed.
- (i) “Point of privilege” means the procedural mechanism by which a member may rise to address incorrect, defamatory or slanderous statements made about the Council, councillors, or employees of the municipality.
- (j) “Quorum” is a majority of all the members of council or a council committee. Vacancies are not counted in determining quorum except where the remaining number of council members is not less than four.
- (k) “Regulations” means the regulations adopted by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*.

PART II – MEETINGS OF COUNCIL

5. First Meeting

- 5.1.** A newly elected Council shall not transact any business until the Oaths of Office have been taken and subscribed to by persons present who have been elected to office.
- 5.2.** At the first meeting of Council following a general election, Council shall:
 - (a) establish by resolution a schedule of meeting dates for the next 12 months, providing for no fewer than 6 council meetings open to the public in accordance with 110(3) of the *Municipal Government Act*; and
 - (b) appoint Council members to council committees in accordance with the regulations and this bylaw.

6. Regular Meetings

- 6.1.** Council shall meet upon the third Monday of each month in the year at the hour of 6:00 p.m. at the council chamber at City Hall, unless otherwise determined by a resolution of Council, or unless such Monday is a civic public holiday, in which latter case the Council shall meet at the same hour on the following day not being a public holiday or on such day and hour as the Council at a previous meeting has determined.
- 6.2.** The CAO will ensure that the schedule of regular meetings is published in accordance with subsection 110 (3) and (4) of the Act, the requirements of the regulations, and subsection 7.2 below.
- 6.3.** A regular meeting of Council may be rescheduled:
 - (a) by resolution of Council;
 - (b) in accordance with this bylaw; or
 - (c) by the CAO if it is apparent that quorum will not be achievable.
- 6.4.** The Council shall adjourn within three and one-half hours of the time established, unless otherwise determined by the unanimous consent of the Council.

7. Notice of Meetings

- 7.1.** Notice of regularly scheduled Council meetings will be included in an annual schedule of meetings.
- 7.2.** Council shall post the annual schedule of Council meetings, including the date, time, and place of each meeting:
 - (a) on the City's website, www.summerside.ca, and
 - (b) at City Hall.
- 7.3.** If Council changes the date, place or time of a regular or special meeting, the CAO must give at least 24 hours' notice of the change to the public through the methods outlined in section 7.2.
- 7.4.** If Council changes the date, place or time of a regular or special meeting, the CAO must give at least 24 hours' notice of the change to all members of Council by providing a copy of the notice to each Council member in the manner which the member has directed such notices be sent.
- 7.5.** The notice shall specify the type of meeting and the actual or revised date, place and time of the meeting.
- 7.6.** Notice of a meeting or hearing must be given at least seven days before the Council meeting or public hearing, as the case may be, at which any of the following matters is to be considered:
 - (a) a proposal by Council to transfer land below fair market value (subsection 143(1) of the Act);
 - (b) a local improvement to which one or more objections were made to the CAO within 30 days of receipt of notice thereof (section 203 of the Act); or
 - (c) a permanent street closure (subsection 213(3) of the Act).
- 7.7.** Any other forms of notice required by Council or a bylaw shall be given in accordance with this section.

8. Special Meetings

- 8.1.** Special meetings of Council will be called by the CAO when requested in writing by:
 - (a) the Mayor; or
 - (b) a majority of the councillorsand notice shall be given at least 24 hours before the time of the meeting
 - (a) to the public in accordance with section 7.2; and
 - (b) to all members of Council by providing a copy of the notice to each Council member in the manner which the member has directed such notices be sent.
- 8.2.** The request for a special meeting shall include a statement of the purpose of the meeting.
- 8.3.** No business other than the business that Council has stated in the meeting notice will be transacted at a special meeting unless all members are present and unanimously agree to deal with other matters.

9. Closed Meetings

- 9.1.** Council or a Council committee may, by resolution passed at a public meeting of the Council or committee, hold a meeting that is closed to the public when the subject matter of the

meeting is considered to be confidential in accordance with section 119(1) of the *Municipal Government Act*.

- 9.2. Council may, by resolution, establish a regular schedule of standing closed meetings, and notice of the schedule of closed meeting shall be provided through a sign posted at City Hall.
- 9.3. No resolution or bylaw will be passed during a meeting closed to the public other than by resolution set out in section 119(2) of the *Municipal Government Act*.
- 9.4. A resolution to close a meeting to the public must state the reason(s) for closing the meeting, in accordance with section 119(3) of the *Municipal Government Act*.
- 9.5. The Council or committee will make any matter considered at a closed meeting public when confidentiality is no longer required, in accordance with subsection 119(4) of the Act.
- 9.6. No Council member, Council committee member or employee of a municipality shall, subject to subsection 119(5) of the Act, disclose or act on any information acquired at a closed meeting of Council or a Council committee respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or the Council committee.

10. Electronic Meetings

- 10.1. Pursuant to subsection 122(1) of the Act, Council hereby authorizes meetings to be conducted by electronic means, in accordance with the Act, the regulations, and the provisions of this bylaw.
- 10.2. Pursuant to subsection 122(2) of the Act and subject to section 10.5 of this bylaw, a Council committee may hold a meeting by electronic means.
- 10.3. A meeting shall only be conducted by electronic means if the electronic means by which the meeting is conducted enables, at a minimum:
 - (a) the Council or Council committee members participating in the meeting to hear and speak to each other; and
 - (b) where the meeting is open to the public, the public to see and hear the meeting's participants at a place specified in the notice of the meeting.
- 10.4. Tools used for electronic meetings shall include teleconference-ready phones for audio or web-based video conference applications or live publicly-streamed broadcasts.
- 10.5. The CAO shall ensure that at least 24 hours' notice of an electronic meeting is given to all Council members or committee members and to the public of a meeting, advising:
 - (a) that the meeting will be conducted by electronic means; and
 - (b) where the meeting is open to the public, of the place where the public can see and hear the meeting.
- 10.6. The CAO shall ensure that a municipal employee is present at the place specified in the notice to facilitate the viewing of the meeting and to ensure that the public can see and hear the meeting.

11. Electronic Participation in Meetings

- 11.1. Pursuant to subsection 122(4) of the Act, a Council or Council committee member who is unable to attend a meeting of Council or the Council committee in person may participate in the meeting by electronic means.

- 11.2. A Council or Council committee member may only participate by electronic means if the Council or Council committee members are able to hear and speak to each other.
- 11.3. Where a Council or Council committee member is participating in a meeting conducted by electronic means or is participating by electronic means and there is a report or recommendation to be considered in respect of a matter before the Council or Council committee, the Council or Council committee member shall take part in the debate and vote on that matter only if the member has before him or her a copy of the report or recommendation to be considered, in accordance with subsection 122(6) of the Act.
- 11.4. Pursuant to subsection 122(4) of the Act, Council members participating by electronic means are considered to be present at the meeting.

12. Electronic Participation in Closed Meetings

- 12.1. The chair of Council or a Council committee meeting shall require every Council or Council committee member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.

PART III – COUNCIL MEETING PROCEDURES

13. General

- 13.1. The Mayor will preside over all Council meetings except where the Act provides otherwise, and shall perform the duties enumerated in section 89 of the Act, including preserving order, enforcing rules, deciding points of privilege and order, and advising on points of procedure.
- 13.2. Pursuant to subsection 91(1) of the Act, the deputy Mayor will preside in the Mayor's absence.
- 13.3. The members of Council may appoint an acting Mayor in accordance with subsection 90(4) of the Act, where:
 - (a) the Mayor and deputy Mayor are absent, incapacitated or otherwise unavailable and neither of them has appointed another member of Council to act in his or her stead; or
 - (b) the offices of Mayor and deputy Mayor are vacant.
- 13.4. Pursuant to subsection 91(5), the term of an acting Mayor continues only until the Mayor or deputy Mayor is no longer absent, incapacitated or otherwise unavailable and only until a new Mayor is declared elected, unless the appointment is revoked earlier by the Council.

14. Agendas

- 14.1. The agenda for each regular and special meetings of Council shall be prepared by the CAO or his or her designate.
- 14.2. The agenda for each regular meeting, along with pertinent correspondence, statements and reports, must be sent to each member of Council by electronic means (or by means requested by the member) no later than 2 days prior to the meeting unless that day is a statutory holiday. If so, the agenda and accompanying documents must be delivered to Council member no later than 2 days prior to the statutory holiday.
- 14.3. The deadline for receipt of agenda materials for a regular meeting by the CAO is 12 noon on the fourth day preceding the meeting.

- 14.4.** The CAO shall have prepared an agenda to be made available to the public. The agenda shall reflect the matters to be considered, under the following headings, referred to as the Order of Business:
- (a) call to Order;
 - (b) declarations of conflict of interest;
 - (c) approval of Agenda;
 - (d) adoption of Minutes;
 - (e) accolades from Mayor and Councillors
 - (f) public Presentations/Petitions/Delegations;
 - (g) reports and recommendations from Standing and ad hoc Committees;
 - (h) reports and recommendations from CAO and Departments
 - (i) reports and recommendations from the Planning Board;
 - (j) introduction and Reading of Bylaws;
 - (k) appointments to Committees;
 - (l) adjournment;
 - (m) any additional matter not included on the agenda shall only be considered with the unanimous consent of all members of Council present at the meeting.
- 14.5.** The business shall always be taken up in the order in which it stands on the Order of Business, unless otherwise determined by a two-thirds vote of the members present without debate.

15. Quorum

- 15.1.** A quorum is required at all times for Council meetings, in accordance with 113 of the Act.
- 15.2.** A quorum is a majority of all members of the Council.
- 15.3.** Any act or proceeding of Council that is adopted at any Council meeting at which a quorum is not present is invalid.
- 15.4.** Pursuant to subsection 113(3), where there is a vacancy on Council, but there are at least four Council members remaining on Council, a quorum will be a majority of the remaining members of Council.
- 15.5.** Where the number of Council members is reduced to less than four by reason of vacancies, the Council shall apply to the Minister, in accordance with subsection 113(4) of the Act, to have the remaining Council member or members to be considered to be a quorum until elections are held to fill the vacancies.
- 15.6.** If a quorum is not present within thirty (30) minutes after the time fixed for the meeting, the CAO or delegate shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 15.7.** Where the CAO or delegate has confirmed in advance of the meeting that quorum will not be present, the CAO or delegate may provide notice of the cancellation of the meeting to the members of Council and the public in accordance with section 6, identifying the next meeting.

16. Procedure for Reporting Conflicts of Interest

- 16.1.** Every member of Council is individually responsible for preventing potential and actual conflicts of interest as defined in the Act.

- 16.2.** A member of Council must ensure that the conflict of interest is brought to the attention of Council as soon as it arises and declare their interest before any discussion of the matter during any type of meeting of Council including:
- (a) council meetings;
 - (b) council committee meetings, including Planning Board meetings
 - (c) meetings with the public for the purpose of information sharing or gathering such as town hall meetings;
 - (d) public hearings required under legislation;
 - (e) controlled corporation meetings; and
 - (f) meetings where the member serves as the representative of the Council on another body;
- 16.3.** There is no conflict in the decision made by Council if an interest is properly declared and the declaration:
- (a) occurs before any consideration or discussion;
 - (b) discloses the general nature of the conflict;
 - (c) includes any material details that may reasonably be seen to affect the member's impartiality; and
 - (d) involves the person making the declaration leaving the room at any time while the topic is being discussed and decisions relating to the topic are being made.
- 16.4.** If a member of Council or a person closely connected to the member develops a private interest in a matter *after* it has been addressed by Council, the member of Council must disclose the conflict of interest as soon as possible thereafter.
- 16.5.** A member of Council shall disclose an interest each and every time the matter in which an interest is held is brought before Council.
- 16.6.** Pursuant to subsection 96(3) *Municipal Government Act*, when a member of Council declares a conflict of interest, the Council member:
- (a) shall refrain from discussion and voting;
 - (b) must leave the room where the meeting is being held until discussion and voting has occurred;
 - (c) shall not influence discussion, voting, recommendations or other actions to be taken involving the matter, including using their office or position to influence others or the decisions of others, before, during, and after the meeting; and
 - (d) must submit a written amendment to the disclosure statement if they have declared a conflict of interest that is not present, but is required to be included, on their most recently filed public disclosure statement.
- 16.7.** A declaration of a conflict of interest must be recorded in the meeting minutes. If a conflict of interest is declared by a member of Council, the CAO shall ensure that the following is recorded in the meeting minutes:
- (a) the declaration of a conflict of interest;
 - (b) the general nature of the conflict declared;
 - (c) the material details; and

(d) the abstention and withdrawal of the member.

- 16.8.** The person presiding over any meeting of Council, a Council committee, a controlled corporation or other bodies of Council shall ensure that the provisions in this section are followed when a conflict of interest is declared. Discussion on the matter must be suspended until the Council, Council committee, controlled corporation, or other bodies of Council, as the case may be, can determine whether or not a conflict is present.
- 16.9.** If a Council member is in doubt as to whether they are in a conflict of interest or may be in a conflict, it is the responsibility of that Council member to ensure a conflict is not present.
- 16.10.** Where a member of Council has a conflict of interest, the member, as a taxpayer or voter, has a right to be heard at a meeting of Council pursuant to subsection 96(8) of the Act and as such, the member:
- (a) shall leave their place at the Council table, but is not required to leave the room;
 - (b) may exercise the right to be heard at the meeting in the same manner as a person who is not a member of Council; and
 - (c) shall leave the meeting room after having been heard until the matter has been dealt with by the Council, or the meeting has progressed to the next item on the agenda.
- 16.11.** During any public consultation, hearing, or other format used by the municipality for seeking feedback from the public or receiving information from an applicant, a member of Council may exercise the right to be heard as a taxpayer or voter. However, the member must declare the conflict of interest to those present before speaking.
- 16.12.** Considerations of potential conflict shall take into account the information included in the disclosure statement required under the *Code of Conduct Bylaw*, as well as all other facts relating to the matter.

17. Procedure for Handling Conflict of Interest Complaints Against a Member of Council

- 17.1.** A complaint that a member of Council is in a conflict of interest may be made to Council pursuant to section 97 of the Act:
- (a) by a member of Council; or
 - (b) in writing, by an elector.
- 17.2.** After a complaint has made against a member of Council, the Mayor shall ensure that the complaint comes before Council to be addressed as follows:
- (a) Where a member of Council has made a complaint against another member of Council, the complainant will address Council with respect to the nature of the complaint.
 - (b) Where an elector has made a complaint against a member of Council, the complaint will be tabled in writing and the elector will be given the opportunity to speak.
- 17.3.** At the conclusion of either event (a) or (b) in section 17.2, the Council member against whom the complaint is made must be given an opportunity to respond to the complaint.
- 17.4.** The complaint must be recorded in the minutes of the meeting.
- 17.5.** In the event that the Mayor is the subject of the complaint, the Deputy Mayor will bring the matter before Council.

- 17.6. After the member of Council against whom the complaint has been made has addressed Council, the member of Council must excuse themselves from the room for the duration of the discussion regarding the complaint.
- 17.7. Council may seek an opinion from legal counsel for the municipality when determining whether or not a conflict exists.
- 17.8. The member of Council may seek an opinion from independent legal counsel.
- 17.9. The member of Council against whom a complaint has been made must be absent from any discussion in advance of a vote and shall not vote in any way or attempt to influence the discussion of or voting on the matter at issue until the complaint has been resolved and it has been determined by Council that the member is not in a conflict.
- 17.10. Council will consider all relevant information and will determine, by majority vote, if a conflict of interest exists. The Council must declare that:
 - (a) the member is in a conflict of interest; or
 - (b) the member is not in a conflict of interest.
- 17.11. The disclosure and decision as to whether a conflict of interest exists must be recorded in the minutes of the Council meeting.
- 17.12. If Council determines a conflict of interest exists, Council will require the member of council to:
 - (a) remove himself or herself from the Council meeting and any other meeting when the matter is discussed;
 - (b) abstain from the discussion and voting on the matter; and
 - (c) not attempt in any way, before, during or after a meeting, to influence the discussion or voting on any question, decision, recommendation or other action to be taken involving a matter in which the member has a conflict of interest.

18. Disqualification for Failing to Disclose a Conflict of Interest

- 18.1. Pursuant to subsection 96(4) of the *Municipal Government Act*, a member of Council is disqualified from serving on Council if the member:
 - (a) fails to declare their interest in the matter before the Council;
 - (b) fails to remove themselves from the Council meeting and any other meeting when the matter is discussed;
 - (c) fails to abstain from the discussion and voting on the matter; and
 - (d) attempts in any way, before, during or after a meeting, to influence the discussion or voting on any question, decision, recommendation or other action to be taken involving a matter in which the member has a conflict of interest.
- 18.2. Pursuant to subsection 96(6) of the Act, a member of Council who fails to comply or contravenes section 18.1 of this bylaw may be pardoned by a resolution of Council, if Council is satisfied that the member's action was inadvertent or due to a genuine error in judgment.
- 18.3. Council shall not pardon a member of Council who fails to comply or contravenes section 18.1 where that member should reasonably have known that they were acting in a conflict.
- 18.4. Where a member is disqualified, Division 5 of Part 4 of the Act applies.

19. Voting

- 19.1.** Voting at meetings of Council shall be undertaken in accordance with section 115 of the Act:
- (a) each Council member present, except the Mayor, will vote on every matter unless a Council member is excused specifically from voting, by resolution, or the Council member is prohibited from voting because the member has a conflict of interest.
 - (b) no vote of Council will be taken by ballot or any other method of secret voting and any vote taken by any form of secret voting is of no effect.
 - (c) all votes of Council, both for and against, will be recorded.
 - (d) the failure or refusal of a member of Council to vote on a matter that is properly before the Council will be considered a vote in favour except when the member is excused or prohibited from voting.
 - (e) where there are an equal number of votes for and against a bylaw or motion, the Mayor or presiding officer will vote for the purposes of breaking the tie.

20. Presentation and Delegations to Council

- 20.1.** The following will be permitted at meetings of Council at the time so designated on the agenda, in accordance with the provisions of this bylaw:
- (a) presentations to recognize an individual or group on behalf of Council or for a group or individual to present to Council some award or similar honour;
 - (b) delegations wishing to speak before Council; and
 - (c) presentations of petitions
- 20.2.** The time allotted by Council for each person making presentations or giving recognitions will be 15 minutes.
- 20.3.** Delegations wishing to speak before Council will advise the CAO or his/her designate of their intention to do so no later than four days prior to the meeting at which the delegation wishes to speak, and all information to be addressed will be on the form attached as Schedule A to this bylaw.
- 20.4.** The CAO or his/her designate shall immediately provide to members of the Council the completed form referred to in section 20.3.
- 20.5.** Delegates will be granted a maximum presentation time of 5 minutes to present the matter outlined in the notification unless Council agrees to a waiver of this time restriction by the unanimous consent of Council members present.

21. Adjournment

- 21.1.** All regularly scheduled Council meetings shall stand adjourned when the Council has completed all business as listed on the order of business or at 10 p.m., whichever is earlier.
- 21.2.** If a Council member is speaking at the time the meeting is scheduled to end, the Mayor will wait until that person is done speaking before asking Council to consider whether it wants to extend the time of the meeting.
- 21.3.** Any business items that remain on the agenda and which has not been addressed at the time of adjournment will be deemed to be postponed until the next regularly scheduled Council meeting or until a special meeting is called for the purpose of dealing with the unfinished items.

22. Conduct during Council meetings

Public

- 22.1.** All persons in the public galley at a Council meeting will:
- (a) refrain from addressing Council or a member of Council unless permitted to do so
 - (b) maintain quiet and order;
 - (c) refrain from disturbing the proceedings by words, gestures or actions including applauding, displaying flags, placards or similar material;
 - (d) refrain from talking on electronic mobile devices; and,
 - (e) ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

Delegations and Council Members

- 22.2.** Delegates and members of Council shall refrain from:
- (a) speaking disrespectfully;
 - (b) using offensive language;
 - (c) reflecting on a vote of Council except when moving to rescind or reconsider it;
 - (d) reflecting on the motives of the members of Council who voted on the motion or the mover of the motion; or
 - (e) shouting or using an immoderate tone, profane, vulgar or offensive language.
- 22.3.** When a delegate or member of Council is addressing the Council, all attendees will:
- (a) remain quiet and seated;
 - (b) refrain from interrupting the speaker, except on a point of order or point of procedure; and
 - (c) refrain from carrying on a private conversation in such a manner that disturbs the speaker.
- 22.4.** Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.
- 22.5.** Each member or delegate, as the case may be, shall address the chairperson, but shall not speak until recognized by the chairperson.
- 22.6.** Members of Council wishing to speak at a meeting shall ensure they do not interrupt another member.
- 22.7.** If more than one member wishes to speak at a meeting at the same time, the chairperson will indicate which member will speak first.
- 22.8.** The chairperson, with the approval by resolution of the members, may authorize a person in the public gallery to address members only on the topic being discussed at that time and within the time limits specified by the chairperson.
- 22.9.** A motion must be seconded to be discussed.

- 22.10.** A motion may be withdrawn at any time before voting subject to no objection from any member.
- 22.11.** The following motions are not debatable by members:
- (a) Adjournment
 - (b) To take a recess
 - (c) Question of privilege
 - (d) Point of order
 - (e) To limit debate on a matter before members
 - (f) On division of a question
 - (g) Postpone the matter to a definite time
 - (h) To postpone the matter indefinitely

Improper Conduct

- 22.12.** The Mayor may request that any person in the public gallery who disturbs the proceedings of Council or acts improperly at a Council meeting leave or be expelled from the meeting.
- 22.13.** If a person disturbs the proceedings of Council or refuses to leave when requested to do so, the Mayor may recess the meeting until the person leaves or adjourn the meeting to another day.

23. Points of Order, Procedure or Privilege

- 23.1.** A member of Council may, at any time, rise on a point of order, a point of privilege or a point of information. All debate shall cease and the “point” shall be clearly stated by the member and, if applicable, ruled upon by the Mayor.
- 23.2.** A member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.
- 23.3.** Where the Mayor is called upon to decide a point of order or practice in accordance with section 111 of the Act, he or she shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable thereto.

Appeal of Decision of the Mayor

- 23.4.** Whenever a member wishes to appeal any ruling of the Mayor or a point of order or point of privilege to the whole of Council pursuant to section 112 of the Act:
- (a) the motion of appeal shall be made immediately after the ruling is made by the Mayor or otherwise the ruling will be final;
 - (b) the member may offer a brief reason for the challenge; and
 - (c) the Mayor may state the reason for the decision he or she made.
- 23.5.** Following the motion of appeal and the response, if any from the Mayor, the question shall be put immediately without debate.
- 23.6.** The Mayor will be governed by the vote of the majority of the members of Council present.
- 23.7.** Neither the Mayor nor the appellant will participate in the vote on an appeal.

24. Motions and Debate

- 24.1.** A motion will express fully and clearly the intent of the mover.

- 24.2.** A motion will not be considered unless it has been seconded.
- 24.3.** Any member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a member while speaking.
- 24.4.** When a motion is under debate no other motion may be made, except a motion to:
- (a) amend a motion;
 - (b) refer a motion to a Council committee or administration for a report back to Council;
 - (c) postpone a motion to a fixed date;
 - (d) request that a motion be put to a vote;
 - (e) extend the time for a Council meeting; or
 - (f) adjourn the meeting.
- 24.5.** Notwithstanding any other provisions of this bylaw, the member of Council who moved a motion after a motion is under debate may, with the consent of Council, change the wording of the motion or agree to a change proposed by another member if the alteration does not change the intention of the motion.
- 24.6.** Any motion will be considered in the order in which they were moved.

25. Minutes

- 25.1.** The CAO shall ensure that the minutes of meetings record all resolutions, decisions and proceedings of the Council and shall include at minimum:
- (a) the date and names of all Council or committee members and employees present at the meeting;
 - (b) the subject matter of the issues discussed; and
 - (c) any decisions made.
- 25.2.** Where a meeting is closed to the public, the minutes of the meeting that may be disclosed to the public will be restricted to
- (a) to the date of the meeting;
 - (b) the names of Council members or committee members and employees present; and
 - (c) the type of matter under section 119(1) of the Act that was discussed at the meeting.
- 25.3.** Copies of the minutes will be open for inspection by any person during regular office hours and copies of the minutes will be provided to any person, in accordance with subsection 116(3) of the Act, on the payment of a reasonable fee established by the Council under a fees bylaw and attached as a schedule to that bylaw.
- 25.4.** Minutes of Council meetings, when approved, shall be signed by the Mayor and the CAO, and minutes of committee meetings, when approved, shall be signed by the chairperson of the committee.
- 25.5.** Any member may make a motion amending the minutes to correct any mistakes. The minutes of each meeting are to be approved at the next regular meeting of the Council and signed by the Mayor, committee chairperson, or other presiding member, and the CAO.

PART IV – COMMITTEES OF COUNCIL

26. General

- 26.1.** The Mayor may, by resolution, establish and appoint standing and/or *ad hoc* committees that will consider, discuss and debate matters of Council interest before such matters are forwarded to Council for decision.
- 26.2.** The Mayor may also designate the committees' mandate, term, composition, objectives, tasks, duties and responsibilities, and appoint its members to deal with any matter.
- 26.3.** The Mayor may also establish the eligibility criteria for membership and determine the events or circumstances that would result in termination of a committee member.
- 26.4.** The Mayor will, by order, dissolve an *ad hoc* committee of Council upon completion of their specific mandate.
- 26.5.** The Mayor may designate certain employees of the City to be non-voting advisors to one or more committees, with the right and duty to attend committee meetings.
- 26.6.** Council shall function with the following standing committees:
- (a) Bylaw, Policy and Review Committee.
 - (b) Committee of Council
 - (c) Community Services Committee;
 - (d) Economic Development Committee;
 - (e) Finance Committee
 - (f) Fire Services Committee;
 - (g) Human Resources and Legal Affairs Committee;
 - (h) Municipal Services Committee;
 - (i) Police Services Committee;
 - (j) Technical Services Committee;
- 26.7.** The Mayor shall appoint the Chairperson and Vice Chairperson of each committee from among the members of Council.
- 26.8.** Committees shall function in a fact-finding and advisory capacity and make recommendations to Council with respect to policy and shall, except as modified or negated by any particular or special responsibilities assigned to them:
- (a) review bylaws and policies and make recommendations regarding the adoption, amendment or revision of bylaws and policies which related to the area of responsibility of the Committee;
 - (b) hold meetings with individuals or interest groups, if necessary, as part of their fact-finding activities.
- 26.9.** The reports of Committees shall be submitted in writing to the CAO at least four days prior to the regular monthly council meeting.

27. Committee Composition

- 27.1.** The Mayor is a member of every committee or other organization which the Council or Mayor establishes pursuant to the *Municipal Government Act* and when in attendance the Mayor, subject to section 115 of the Act, possesses all the rights, privileges, powers and duties of the other members of the committee.

- 27.2. The Mayor's attendance will not be included for the purpose of determining a quorum for a committee of Council meeting.

28. Terms of Committees

Bylaw, Policy and Review Committee

28.1. Except as modified or negated by any particular or special directions of the mayor, the composition of the Bylaw, Policy and Review Committee shall be:

- (a) at least two members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio – non voting);
- (d) two citizen advisors, whose appointment is approved by the Council,

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for the Bylaw, Policy and Review Committee shall be:

- (a) to develop and review up-to-date bylaws and policies;
- (b) to support and enhance Council's ability to make good decisions about how it governs itself and the City;
- (c) to analyze and help the City manage and mitigate risk; and
- (d) to research and consult with stakeholders to create options and recommendations for strategic planning and goal setting.

Committee of Council

28.2. The composition of the Committee of Council shall be:

- (a) the Mayor and members of Council;
- (b) the chief administrative officer (ex-officio – non voting),

and the terms of reference for the Committee of Council shall be:

- (c) through the chief administrative officer to direct the operation of all municipal departments;
- (d) to discuss all policy matters for the City;
- (e) to deal with the Provincial and Federal Government on matters of municipal concern;
- (f) to provide for the efficient operation of the corporation;
- (g) to deal with matters of a confidential nature.

Community Services Committee

28.3. Except as modified or negated by any particular or special directions of the mayor, the composition of the Community Services Committee shall be:

- (a) at least two members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio - non-voting);
- (d) the director of community services (ex-officio - non-voting),

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for the Community Services Committee shall be:

- (a) to develop aims and objectives for the recreation programs;
- (b) to monitor the development and implementation of recreation programs;

- (c) to make recommendations for major capital projects for recreation;
- (d) to monitor the maintenance of recreation facilities and park lands;
- (e) to plan for the development of a tree planting program and to monitor a tree maintenance program;
- (f) to monitor public relations and information programs related to recreation programs;
- (g) to ensure that an information centre is established that can be used to promote the goals and objectives of the city;
- (h) to ensure that the good health, safety and comfort of all citizens and visitors is a high priority;
- (i) to ensure that this committee works with all levels of government and the private sector to ensure these goals are respected and achieved;
- (j) to attract regional, national and international events and conventions;
- (k) to design public information programs for the city;
- (l) to carry out public relations and public education programs related to activities in which the city is involved.

Economic Development Committee

28.4. Except as modified or negated by any particular or special directions of the mayor, the composition of the Economic Development Committee shall be:

- (a) at least two members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio - non-voting);
- (d) the economic development officer (ex-officio - non-voting).

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for the Economic Development Committee shall be:

- (a) to develop aims and objectives for the economic development programs;
- (b) to monitor the development and implementation of economic development programs;
- (c) to monitor public relations and information programs related to economic development programs;
- (d) to ensure that the ambiance of the City is conducive to attracting residents and businesses;
- (e) to ensure that the culture, human and natural heritage of the City is appreciated, preserved and enhanced;
- (f) to ensure that a consolidated effort is made to market Summerside as a successful tourist destination;
- (g) to ensure that this committee works with levels of government and the private sector to ensure these goals are respected and achieved;
- (h) to ensure that Summerside remains a major center to conduct business and to reside;
- (i) to develop a portfolio emphasizing the many benefits of conducting business and residing within the City which:
 - A. encourages new business to locate within Summerside.
 - B. encourages new families to locate within Summerside.
- (j) to work with the Greater Summerside Chamber of Commerce, the Province of P.E.I., the Government of Canada and other agencies to more actively promote Summerside;
- (k) to carry out public relations and public education programs related to activities with which the department is involved.

Finance Committee

28.5. Except as modified or negated by any particular or special direction of the Council, the composition of the Finance Committee shall be:

- (a) at least two members of council;
- (b) the Mayor (ex-officio);
- (c) the CAO (ex-officio – non-voting);
- (d) the Director of Finance (ex-officio – non-voting),

and, except as modified or negated by any particular or special directions of the Council, the terms of reference for the Finance Committee shall be:

- (e) to coordinate the development of the budget;
- (f) to recommend rates for taxation;
- (g) to monitor the expenditure of funds and make periodic reports to council;
- (h) to make recommendations regarding the appointment of auditors;
- (i) to make recommendations regarding the arrangements for financing for capital projects;
- (j) to make recommendations regarding tendering and purchasing;
- (k) to carry out liaison activities with the Federal and Provincial Governments in matters relating to taxation and finance;
- (l) to make recommendations regarding salaries and benefits for union and non-union employees;
- (m) to make recommendations regarding all phases of development;
- (n) to make recommendations regarding the assembly of land for development;
- (o) to review staffing requests for all City departments.

Fire Services Committee

28.6. Except as modified or negated by any particular or special directions of the mayor, the composition of the Fire Services Committee shall be:

- (a) at least two members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio - non-voting);
- (d) the director of fire services (ex-officio - non-voting),

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for Fire Services Committee shall be:

- (a) to make recommendations for programs and policies for fire prevention, safety and inspection;
- (b) to make recommendations for the acquisition of firefighting equipment, facilities and resources;
- (c) to make recommendations regarding the operation of the Fire Services Department;
- (d) to make recommendations on the adoption and implementation of fire prevention bylaws.

Human Resources and Legal Affairs Committee

28.7. Except as modified or negated by any particular or special directions of the mayor, the composition of the Human Resources and Legal Affairs Committee shall be:

- (a) at least two members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio - non-voting);
- (d) the director of human resources and legal affairs (ex-officio - non-voting),

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for the Human Resources and Legal Affairs Committee shall be:

- (a) to recommend and provide advice to council in the area of human resources including hiring practices, staff development, training and labour-management negotiations and to carry out studies on personnel matters as directed by council;
- (b) to make recommendations for staffing of senior positions including the chief administrative officer, and department heads;
- (c) to foster the development and maintenance of a work environment which will enhance morale, opportunities for growth, and the maintenance of good employer-employee relationships;
- (d) to conceive provisions for carrying out negotiations with union local;
- (e) to monitor the implementation of collective agreements;
- (f) to provide advice on organization and employment of staff;
- (g) to monitor group benefits;
- (h) to insure citizens concerns are addressed in an efficient manner;
- (i) to oversee the legal affairs of the city;
- (j) to monitor the process for the review, development, revision and rescinding of bylaws and policies;
- (k) to monitor the maintenance of a bylaw and policy manual;
- (l) to conduct an annual review of bylaws and policies and make recommendations for revisions, deletions and additions;
- (m) to make recommendations for changes to the Municipal Government Act.

Municipal Services Committee

28.8. Except as modified or negated by any particular or special directions of the mayor, the composition of the Municipal Services Committee shall be:

- (a) at least two members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio - non-voting);
- (d) the director of municipal services (ex-officio - non-voting),

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for the Municipal Services Committee shall be:

- (a) to make recommendations on the maintenance and operation of the electric utility;
- (b) to act as the Management Board of the Summerside Water and Sewer Corporation pursuant to the Water and Sewer Bylaw;
- (c) to make recommendations on major capital projects and equipment purchases for sewer, water and public works operations;

- (d) to develop plans and make recommendations for the maintenance of streets, sidewalks, storm drainage systems, sanitary sewer systems, water supply and distribution systems, sewerage treatment systems, city street signs and other city signage;
- (e) to establish plans for snow removal, salting and sanding of all streets and sidewalks;
- (f) to make recommendations regarding the construction of new streets, sidewalks and related infrastructures;
- (g) to monitor garbage removal and litter control;
- (h) to make recommendations regarding the disposal of city owned property and equipment;
- (i) to make recommendations for the placement or erection of traffic control devices;
- (j) to establish plans for the maintenance of traffic control devices, the marking of streets and crosswalks;
- (k) to make recommendations on the maintenance and operation of the water and sewerage utility and the pollution control plant.

Police Services Committee

28.9. Except as modified or negated by any particular or special directions of the mayor, the composition of the Police Services Committee shall be:

- (a) at least two members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio - non-voting);
- (d) the director of police services (ex-officio - non-voting),

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for the Police Services Committee shall be:

- (a) to make recommendations for policies and programs related to public safety and crime prevention;
- (b) to monitor the enforcement of Federal and Provincial laws and Municipal bylaws;
- (c) to make recommendations regarding needs for police facilities and equipment;
- (d) to make recommendations to the Traffic Authority with respect to matters regulated by the Traffic and Parking Bylaw;
- (e) to make recommendations regarding the placement of traffic control devices;
- (f) to make regulations to accommodate emergencies or special conditions affecting vehicular traffic and parking;
- (g) to close for a temporary purpose any street or part thereof;
- (h) to make recommendations regarding the designation of parking meter zones and establishment of rates for parking meter zones;
- (i) to establish and monitor a safety school patrol program;
- (j) to make recommendations regarding a transit system for the city, including the establishment of routes, schedules and fares.

Technical Services Committee

28.10. Except as modified or negated by any particular or special directions of the mayor, the composition of the Technical Services Committee shall be:

- (a) at least three members of council;
- (b) the mayor (ex-officio);
- (c) the chief administrative officer (ex-officio - non-voting);
- (d) the director of technical services (ex-officio - non-voting),

and, except as modified or negated by any particular or special directions of the mayor, the terms of reference for the Technical Services Committee shall be:

- (a) to review and make recommendations on the development, maintenance and review of an Official Plan and zoning and development control bylaws;
- (b) to make recommendations to Council on the enforcement of regulations contained in the zoning and development bylaws;
- (c) to carry out consultation with citizens and interest groups in matters related to city planning;
- (d) to make recommendations to council on planning and engineering issues;
- (e) to act in a liaison capacity with external organizations involved in planning;
- (f) to monitor the value of issued building permits and make periodic reports to council;
- (g) to advise council on policy matters concerning heritage preservation areas; the designation of heritage buildings; the demolition, alteration, or moving of designated heritage buildings and signage in designated heritage areas.

29. Notice of Committee Meetings

- 29.1. Where a regular schedule of meetings for a Council committee is established, publication must be in accordance with section 7 of this bylaw.
- 29.2. Where a special meeting of a Council committee is called, the CAO will follow the procedures for calling a special meeting set out in section 8 of this bylaw and ensure that notice of the special meeting is given in accordance with section 7 of this bylaw.
- 29.3. Where the date, time or place of a committee meeting is changed, the CAO shall ensure that at least 24 hours' notice of the change is given in accordance with section 7 of this bylaw
 - (a) to any committee member not present at the meeting at which the change was made, and
 - (b) to the public in accordance with the notification means set out in this bylaw.
- 29.4. Notice to the public of a regularly scheduled meeting or a special meeting of a Council committee must be published by electronic means and posted in the form of a sign or poster in a place that is accessible to the general public.

30. Committee Procedures

- 30.1. Each Council committee will meet as soon as possible after it has been appointed and where a Chair has not been appointed by the Mayor or Council, members of that committee will select a Chair and Vice-Chair, and if required, decide the day and time for holding its regular meetings.
- 30.2. The Chair will preside at every meeting, participate in the debate and shall vote on all motions.
- 30.3. In the absence of the Chair, the Vice-Chair will preside, and in the absence of both the Chair and the Vice-Chair, one (1) of the other members of the committee will be elected to preside

and will discharge the duties of the chair during the meeting or until the arrival of the Chair or Vice-Chair.

- 30.4. The business intended to be addressed at committee meetings will be stated in the meeting agenda.
- 30.5. An act or proceeding of a committee is not effective unless it is authorized or adopted by a resolution at a duly constituted public meeting of Council.
- 30.6. Everyone has the right to be present at committee meetings that are conducted in public unless the Chair expels a person for improper conduct.
- 30.7. If a quorum is not present within thirty (30) minutes after the time fixed for a committee meeting, the Chair or CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 30.8. Only members of the committee may participate in, debate or ask questions at a standing committee or ad hoc committee meeting except in accordance with section 31 of this bylaw.
- 30.9. Every committee member shall be, as nearly as possible and with any necessary modifications, subject to the conflict of interest rules set out in sections 16 to 18 of this bylaw.

31. Delegations to committees

- 31.1. Delegations wishing to appear before Council or a Committee of Council to present information will advise the CAO or his/her designate of their intention to do so not later than four days prior to the meeting.
- 31.2. Delegations will be limited to a maximum presentation time of 15 minutes, unless Council agrees to a waiver of this time restriction by the unanimous consent of all Council members present/a majority of all Council members present, and each delegate may speak only once.

32. Request for Decision from Council

- 32.1. Any delegation wishing to appear before Council or a Committee of Council to make a request for action, support, resources or other will advise the CAO or his/her designate of their intention to make a request, in writing, using the prescribed form no later than four days prior to the meeting.

PART V – BYLAWS

33. Bylaw Procedures

- 33.1. Council may make, amend or repeal a bylaw in accordance with the procedures established in the Act.
- 33.2. A bylaw is only validly made by Council if it is read and formally approved by a majority of the Council members present and voting takes place on two occasions at meetings of the Council that are held on different days.
- 33.3. A bylaw may be approved and adopted by Council by resolution after being read a second time.
- 33.4. Pursuant to section 125 of the Act, if copies of the proposed bylaw have been made available to the public at a Council meeting or prior to the meeting in which the proposed bylaw is to be read, the reading may consist of the recitation of the bylaw name and number and a brief

description of its effect. Where copies of the proposed bylaw have not been made available to the public at or prior to the meeting, the entire proposed bylaw will be read word by word.

- 33.5. A bylaw adopted by Council must be printed, signed by the Mayor and the CAO, and sealed with the corporate seal of the City of Summerside.
- 33.6. Council may, in accordance with subsection 125(3) of the Act, amend a proposed bylaw after its first reading. If it is amended, the amendment will be read word by word at the meeting even if copies of the bylaw with the proposed amendment are made available to the public.
- 33.7. Pursuant to section 127 of the Act, the first and second readings of a proposed bylaw are rendered null if the bylaw is not passed within two years from the date of first reading.
- 33.8. A bylaw established by Council will come into force at the time it is passed unless otherwise provided for in the Act or in the bylaw. If the Act or another Act requires a bylaw to be approved by the Minister, the bylaw will not come into force until the approval of the Minister is given.
- 33.9. A regulation to a bylaw is made if:
 - (a) It is formally adopted by resolution of the Council; and
 - (b) It is signed by the Mayor and CAO, and formally declared to be passed, and sealed with the corporate seal of the City.
- 33.10. The CAO shall ensure that a copy of every bylaw passed is filed with the Minister within 21 days of adoption or as required by provincial statute. The copy will be certified by the CAO as being “a true copy of the original seen by me” on the document, and shall be signed, dated, and printed with the CAO’s name under their signature, as well as their occupation, address and telephone number.
- 33.11. Council will make copies of all bylaws available for inspection by any person, in accordance with section 128 of the Act. Council will provide any person with a copy of any bylaw for the fee set out and attached as a schedule to the Fees Bylaw.
- 33.12. Planning bylaws undertaken under the authority of the *Planning Act* shall be made in accordance with section 19 of that act.

PART VI – REPEAL OF BYLAW

34. Repeal of Existing Bylaw

- 34.1. On adoption, this bylaw replaces Bylaw #SS-04, the “Summerside Committee Bylaw” and Bylaw #SS-02, the “Summerside Rules of Procedure Bylaw” both of which were adopted the 9th day of March, 1999.

35. Effective Date

- 35.1. This Procedural Bylaw, Bylaw# CS-2, shall be effective on the date of approval and adoption by Council.

First Reading:

This Procedural Bylaw, Bylaw# CS-2, was read a first time at the Council meeting held on the 21 day of June 2021.

This Procedural Bylaw, Bylaw# CS-2, was approved by a majority of Council members present at the Council meeting held on the 21 day of June 2021

Second Reading:

This Procedural Bylaw, Bylaw# CS-2, was read a second time at the Council meeting held on the __ day of ____, 2021.

This Procedural Bylaw, Bylaw# CS-2, was approved by a majority of Council members present at the Council meeting held on the __ day of ____, 2021.

Approval and Adoption by Council:

This Procedural Bylaw, Bylaw# CS-2, was adopted by a majority of Council members present at the Council meeting held on the __ day of _____, 2021

Signatures

Mayor

Chief Administrative Officer

This Procedural Bylaw adopted by the Council of the City of Summerside on the ____ day of _____, 2021 is certified to be a true copy.

Chief Administrative Officer

Date

Schedule "A"
Delegation Request for Decision to Speak Before Council

Date:	Request No: <i>(Office Use Only)</i>
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Person:	Representing:
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Background:

Request:

Advantages	Disadvantages
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Required Resources:	
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Staff Comments	
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CAO's Review / Comments	
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***Note:** Individual residents are encouraged to contact their elected councillors to address municipal issues. A "delegation" does not include an individual resident who does not represent an organization, association, government or club.

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Whereas CS-2 Procedural Bylaw was read for a first time at this meeting

Be it resolved that CS-2 Procedural Bylaw be declared read a first time

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Whereas CS-29 Access to Information and Protection of Personal Information Bylaw is a bylaw to provide for the public right of access to certain City records, and to control the manner in which the City collects, uses and discloses personal information

And Whereas CS-29 Access to Information and Protection of Personal Information Bylaw was read a first time at the May 17, 2021 Monthly Council meeting

Be it resolved that CS-29 Access to Information and Protection of Personal Information Bylaw be read a second time at this meeting

Schedule A attached (CS-29 Access to Information and Protection of Personal Information Bylaw)



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: Access to Information and Protection of Personal Information Bylaw

BYLAW #: # CS-29

BE IT ENACTED by the Council of the City of Summerside as follows:

1. Title

- 1.1.** This Bylaw shall be known and cited as the “Access to Information and Protection of Personal Information Bylaw”.

2. Definitions

2.1. In this Bylaw:

- (a) “Act” means the *Freedom of Information and Protection of Privacy Act*, RSPEI 1988, c F-15.01;
- (b) “Applicant” means a person who makes a request for access to a record under the Act or this bylaw;
- (c) “City” means the City of Summerside;
- (d) “Commissioner” means the Information and Privacy Commissioner appointed pursuant to the Act;
- (e) “Coordinator” means an Access to Information and Protection of Privacy Coordinator appointed by the Chief Administrative Officer pursuant to this bylaw; ;
- (f) “Council” means the Mayor and other members of the Council of the City of Summerside;
- (g) “development” means development as defined in the *Planning Act*, RSPEI 1988, c P-8;
- (h) “head” means the Chief Administrative Officer, appointed pursuant to the Act and this bylaw;
- (i) “law enforcement” means
 - i. policing, including criminal intelligence operations,
 - ii. a police, security or administrative investigation, including the complaint giving rise to the investigation, that leads or could lead to a penalty or

- sanction, including a penalty or sanction imposed by the body conducting the investigation or by another body to which the results of the investigation are referred, or
- iii. proceedings that lead or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the proceedings, or by another body to which the results of the proceedings are referred;
- (j) “personal information” means recorded information about an identifiable individual, including
- i. the individual’s name, or home or business telephone number, but not including their home or business address;
 - ii. the individual’s race, national or ethnic origin, colour or religious or political beliefs or associations,
 - iii. the individual’s age, sex, marital status or family status,
 - iv. an identifying number, symbol or other particular assigned to the individual,
 - v. the individual’s fingerprints, other biometric information, blood type, genetic information or inheritable characteristics,
 - vi. information about the individual’s health and health care history, including information about a physical or mental disability,
 - vii. information about the individual’s educational, financial, employment or criminal history, including criminal records where a pardon has been given,
 - viii. anyone else’s opinions about the individual, and
 - ix. the individual’s personal views or opinions, except if they are about someone else;
- (k) “record” means a record of information in any form, including electronic form, but does not include a mechanism or system for generating, sending, receiving, storing or otherwise processing information, or any type of record listed in subsection 4(1) of the Act;
- (l) “regulations” means the regulations passed pursuant to the Act;
- (m) “third party” means a person, a group of persons or an organization other than an applicant or the City.

3. Designation

- 3.1. The Chief Administrative Officer is the designated head of the City for the purposes of the Act, and shall have all of the powers, duties, and functions delegated to the head of a local public body under the Act.

PART 1: ACCESS TO INFORMATION

4. Right of Access

- 4.1. An applicant has a right of access to any record in the custody or under the control of the City, except as provided in the Act and this bylaw.
- 4.2. The right of access to a record does not extend to information exempted from disclosure under the Act or this bylaw, but if that information can reasonably be severed from a record, an applicant has a right of access to the remainder of the record.
- 4.3. The City shall promptly make available for public inspection the following information:
- (a) current approved financial plans;
 - (b) current approved annual financial statements;
 - (c) audited financial reports;
 - (d) minutes of all meetings of the Council and Council committees;
 - (e) resolutions contained in the register referred to in clause 93(3)(i) of the *Municipal Government Act*, RSPEI 1988, c M-12.1;
 - (f) bylaws or proposed bylaws which have received first reading;
 - (g) all compensation, expenses and other payments made annually to each Council member for the previous fiscal year;
 - (h) all compensation, expenses and other payments made annually to Council committee members and all members of any boards or other bodies established by Council for the previous fiscal year;
 - (i) current strategic plans;
 - (j) all policies.

5. Coordinator

- 5.1. The Chief Administrative Officer shall appoint an Access to Information and Protection of Privacy Coordinator for the City.
- 5.2. The Chief Administrative Officer may in writing delegate to the Coordinator any duty, power, or function of the head under the Act, except the power to delegate under this section, including:

- (a) accepting and processing applications for access to information;
- (b) clarifying and responding to access to information applications, including deciding whether to grant or refuse the application for access to information;
- (c) providing education and training to members of Council and employees of the City with respect to the bylaw and the Act as it applies to access to information and the protection of personal information;
- (d) assisting municipal staff in conducting searches in response to access to information applications;
- (e) preparing fee estimates; and
- (f) providing a written annual report to the Council which includes, at a minimum,
 - i. the number of applications for access to information,
 - ii. the number of applications where access to information was granted, and
 - iii. the number of applications where access to information was denied.

5.3. The following persons are not eligible to be appointed as the Coordinator for the City:

- (a) a person who is appointed or employed as the chief administrative officer of another municipality;
- (b) a member of Council.

6. Applications for Access

6.1. Applications for access to information shall

- (a) be made by the applicant, in writing, to the Coordinator;
- (b) provide sufficient detail to enable the Coordinator to identify the information sought, and
- (c) indicate whether the applicant is requesting a photocopy of the information or to examine the information.

6.2. The requirement in subsection 6.1 for an application to be in writing may be satisfied by an application in electronic format where the Coordinator consents to receiving the application by electronic means.

6.3. Subsequent communications between an applicant and the Coordinator may be by electronic means where both the Coordinator and the applicant consent to communicate by that means.

7. Duties of Coordinator

- 7.1.** Where an application for access to a record or information is received, the Coordinator shall, within 30 days of the application for access to information,
- (a) provide a response to an applicant's request which shall include the information required by section 10 of the Act;
 - (b) provide the applicant with a written estimate of any fees that may be charged for copies of the record or document containing the information; and
 - (c) subject to the Act and this bylaw, allow the applicant access to the information.
- 7.2.** Where, in the opinion of the Coordinator, the requested information cannot reasonably be accessed within 30 days of the date of receipt of the application, the Coordinator
- (a) may extend the time for responding to a request for up to 30 days or, with the Commissioner's permission, for a longer period in accordance with section 12 of the Act;
 - (b) shall inform the applicant, in writing, of the reason for the extension and when the information will be accessible; and
 - (c) shall provide the applicant with a written estimate of any fees that will be charged for copies of the record or document containing the information.

8. Exceptions to Disclosure

- 8.1.** No person, other than a member of Council or staff of the City authorized by the Chief Administrative Officer in the performance of the person's duties, or the Commissioner, shall have the right to inspect or obtain a copy of any record containing:
- (a) matters the disclosure of which would be harmful to the business interests of a third party, in accordance with section 14 of the Act;
 - (b) personal information, if the disclosure would be an unreasonable invasion of a third party's personal privacy, in accordance with section 15 of the Act;
 - (c) information, including personal information about the applicant, if the disclosure could reasonably be expected to threaten anyone's safety or physical or mental health, or interfere with public safety, in accordance with section 16 of the Act;
 - (d) confidential evaluations, in accordance with section 17 of the Act;
 - (e) information the disclosure of which could reasonably be expected to interfere with law enforcement, in accordance with section 18 of the Act;
 - (f) information the disclosure of which could reasonably be expected to harm intergovernmental relations, in accordance with section 19 of the Act;

- (g) public body confidences, including the matters enumerated in subsection 119(1) of the *Municipal Government Act*, RSPEI 1988, c M-12.1, in accordance with section 21 of the Act;
- (h) advice from officials, in accordance with section 22 of the Act;
- (i) information the disclosure of which could reasonably be expected to harm the economic interests of a public body or the Government of Prince Edward Island, in accordance with section 23 of the Act;
- (j) testing or auditing procedures, where disclosure could reasonably be expected to prejudice the use or results of particular tests or audits, in accordance with section 24 of the Act;
- (k) privileged information, in accordance with section 25 of the Act;
- (l) information the disclosure of which could reasonably be expected to result in damage to or interfere with the conservation of defined archaeological sites or heritage places, and any rare, threatened, endangered or vulnerable life form, in accordance with section 26 of the Act;
- (m) information that is available for purchase by the public, that will be published or released within 60 days after the applicant's request is received, or that is otherwise readily available to the public, in accordance with section 27 of the Act.

8.2. The minutes of a closed meeting shall be made available to the public and shall be restricted to

- (a) the date of the meeting;
- (b) the type of matter under subsection 119(1) of the Act that was discussed during the meeting; and
- (c) who was present at the meeting.

9. Inspection of Records

9.1. The inspection of records or documents containing the information requested shall be made under the supervision of an employee of the City.

9.2. Subject to section 10, copies of records or documents shall be provided by the City to an applicant, on request by the applicant, as

- (a) a photocopy of the record or document; or
- (b) an electronic version of the record or document, if available.

10. Fees

- 10.1.** The Council hereby establishes a Fee Schedule setting out the maximum amount that the City may charge an applicant for services as provided for in the regulations.
- 10.2.** The fees established under subsection 10.1, do not apply to a request for the applicant's own personal information, except for the cost of producing a photocopy, if requested.
- 10.3.** The following provisions apply to all applications made under this bylaw:
- (a) all fees associated with the request for access to information shall be paid before the release of copies of the records or the documents containing the information;
 - (b) a deposit of 50 per cent of the estimated fees shall be paid to the City before any search for the information requested shall be commenced;
 - (c) an applicant may, in writing, request that the head excuse the applicant from paying all or part of a fee imposed under this section, and such requests shall be administered in accordance with subsections 76(3.1), (4), and (4.1) of the Act;
 - (d) in no case shall the fees levied under this bylaw exceed the actual cost of the services.
- 10.4.** The Fee Schedule to this bylaw is adopted and forms part of this bylaw.
- 10.5.** The fees set out in the Fee Schedule may be altered by simple resolution of Council.

11. Mandatory Disclosure

- 11.1.** Whether or not a request for access is made, in accordance with section 30 of the Act the Chief Administrative Officer shall without delay disclose to the public or to specific members thereof information about a risk of significant harm to the environment or to the health or safety of anyone, and any other information the disclosure of which is clearly in the public interest.

PART II: PROTECTION OF PERSONAL INFORMATION

12. Authority to Collect Information

- 12.1.** No personal information may be collected by or for the City unless
- (a) the collection of that information is expressly authorized by or under an enactment of Prince Edward Island or Canada or a bylaw;
 - (b) the information relates directly to and is necessary for an operating program or activity of the City; or
 - (c) the information is collected for the purposes of law enforcement.

13. Manners of Collection

- 13.1.** Personal information shall be collected directly from the individual to whom it relates unless one of the circumstances enumerated in subsection 32(1) of the Act applies.

14. Right to be Informed

- 14.1.** Where personal information is collected directly from an individual under section 12 or 13, the individual shall be informed of
- (a) the purpose for which the information is collected;
 - (b) the specific legal authority for the collection; and
 - (c) the contact information of an employee of the City who can answer the individual's questions about the collection.

15. Accuracy of Personal Information

- 15.1.** Where an individual's personal information will be used by the City, the City shall
- (a) make every reasonable effort to ensure that the information is accurate and complete; and
 - (b) retain the personal information in accordance with the Records Retention Bylaw of the City.
- 15.2.** For greater certainty, a reference in this bylaw to the collection, use or disclosure of personal information by the City includes the collection, use or disclosure of the personal information by
- (a) an employee of the City;
 - (b) a volunteer, including a volunteer firefighter;
 - (c) a person appointed under subsection 217(2), 219(2) or 220(1) of the *Municipal Government Act*, RSPEI 1988, c M-12.1;

16. Right to Request Correction

- 16.1.** An individual may request that the Coordinator correct personal information where the individual believes there is an error or omission in the individual's personal information.
- 16.2.** A request for a correction to personal information shall
- (a) be made in writing by the individual whose personal information it is, or by an authorized person on that individual's behalf; and
 - (b) provide sufficient detail to enable the Coordinator to identify the personal information that is the subject of the request.

- 16.3.** The requirement in subsection 16.2 for a request to be in writing may be satisfied by a request in electronic format where the Coordinator consents to receiving the request by electronic means, and subsequent communications between an individual making a request for correction and the Coordinator may be by electronic means where both the Coordinator and the individual consent to communicate by that means.
- 16.4.** The Coordinator shall not correct or otherwise alter an opinion included in an individual's personal information, including a professional or expert opinion.
- 16.5.** The Coordinator shall make the correction requested in accordance with the procedure specified in section 17 unless prohibited by law from doing so.

17. Record of Request to Correct Personal Information

- 17.1.** Where,
- (a) a correction is made in response to a request under clause 16.1, the Coordinator shall make a notation either on the record or document in question or attached to it that a correction has been requested and made; or
 - (b) no correction is made in response to a request under clause 16.1, or a correction is prohibited under clause 16.4, the Coordinator shall make a notation that there was a request to make a correction to the individual's personal information either on the record or document in question or attached to it.
- 17.2.** Within 30 days after the request under clause 16.1 is received, the Coordinator shall give written notice to the individual that
- (a) the correction has been made under clause 17.1(a); or
 - (b) no correction has been made under clause 17.1(b).
- 17.3.** The Coordinator shall notify any third party to whom personal information has been disclosed within the preceding year that a request to correct that personal information has been made and the decision that was made in response to the request.
- 17.4.** Notwithstanding subsection 17.3, the Coordinator may dispense with notifying a third party as required in that subsection if
- (a) in the opinion of the Coordinator, the request to correct the personal information and the decision that was made is not material; and
 - (b) the individual who requested the correction is advised and agrees in writing that notification is not necessary.
- 17.5.** Where the personal information that is the subject of a request for correction was collected by another party or another party created the record or document containing the

personal information, the Coordinator may, within 15 days from receiving the request to correct the personal information under section 16, transfer the request to that party.

- 17.6.** Where a request is transferred under subsection 17.5, the Coordinator shall notify the individual of the transfer as soon as possible.

18. Security of Personal Information

- 18.1.** The Chief Administrative Officer shall ensure that personal information is protected by making reasonable security arrangements to prevent unauthorized access, collection, use, disclosure, disposal or destruction.

19. Use of Personal Information

- 19.1.** The City may use personal information only
- (a) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;
 - (b) if the individual to whom the information pertains has identified the information and consented, in writing, to the use; or
 - (c) for a purpose for which that information may be disclosed by the City under sections 20 and 21 of this bylaw.
- 19.2.** The City may use personal information only to the extent necessary to enable the City to carry out its purpose in a reasonable manner.
- 19.3.** For greater certainty, a reference in this section and in sections 16, 19, and 20 of this bylaw to the collection, use or disclosure of personal information by the City includes the collection, use or disclosure of the personal information by an employee of the City.

20. Disclosure of Personal Information

- 20.1.** The City may disclose personal information only
- (a) for the purpose of complying with the Act or the bylaw;
 - (b) for the purpose of complying with an enactment of Prince Edward Island or Canada;
 - (c) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;
 - (d) if the individual the information is about has identified the information and consented, in writing, to the disclosure;
 - (e) for determining an individual's suitability or eligibility for a program or benefit, including determining if an individual remains eligible or suitable for a program or benefit that individual is already participating in;

- (f) if the information is necessary for the delivery of a program or service of the City;
- (g) for any purpose enumerated in Part II Division 2 of the Act;
- (h) for the purpose of managing or administering personnel of the City or to a representative of a bargaining agent who has been authorized, in writing, by the employee to whom the information pertains to make an inquiry; or
- (i) to a law enforcement agency in Canada to assist in an investigation
 - i. undertaken with a view to a law enforcement proceeding, or
 - ii. from which a law enforcement proceeding is likely to result.

20.2. The City may disclose personal information about an individual

- (a) when the information is available to the public;
- (b) if the information is of a type that is routinely disclosed in a business or professional context and the disclosure is
 - i. limited to the individual's name and business contact information, including business title, address, telephone number, facsimile number and email address, and
 - ii. does not reveal other personal information about the individual or personal information about another individual; or
- (c) if the Chief Administrative Officer believes, on reasonable grounds, that the disclosure will avert or minimize an imminent danger to the health or safety of any person.

21. Use or Disclosure Consistent with Purpose

21.1. For the purposes of clauses 19.1 (a) and 20.1(c), a use or disclosure of personal information is consistent with the purpose for which the personal information was collected or compiled if the use or disclosure

- (a) has a reasonable and direct connection to that purpose; and
- (b) is necessary for performing the statutory duties of, or for operating an authorized program of the City.

22. Disclosure for Research or Statistical Purposes

22.1. The City

- (a) may disclose personal information in an individually identifiable form for a research purpose, including statistical research, only if

- i. the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form,
 - ii. the provision of information is not harmful to the individual the information is about and the benefits to be derived from the provision of information are clearly in the public interest,
 - iii. the Chief Administrative Officer has approved conditions relating to the following:
 - A. security and confidentiality,
 - B. the removal or destruction of individual identifiers at the earliest reasonable time, and
 - C. the prohibition of any subsequent use or disclosure of the information in individually identifiable form without the express authorization of the Council; and
- (b) the person to whom the information is disclosed has signed an agreement to comply with the approved conditions, the Act, the bylaw and any other bylaws, policies and procedures of the City relating to the confidentiality of personal information.

23. Disclosure of Personal Information to Applicant

- 23.1.** The only personal information that the City shall disclose to an applicant in relation to a third party is information authorized to be disclosed under the Act or this bylaw.

24. Information Refusal where Threat to Health and/or Safety

- 24.1.** The Coordinator may refuse to disclose to an applicant
- (a) information, including personal information about the applicant, if the disclosure could reasonably be expected to
 - i. threaten anyone else's safety or mental or physical health, or
 - ii. interfere with public safety;
 - (b) personal information about the applicant if, in the opinion of a physician, psychologist, psychiatrist or any other appropriate expert depending on the circumstances of the case, the disclosure could reasonably be expected to result in immediate and grave harm to the applicant's health or safety; and
 - (c) information in a record or document that reveals the identity of an individual who has provided information to the City in confidence about a threat to an individual's safety or mental or physical health.

25. Complaint and Review

- 25.1.** A person who is dissatisfied with any decision, act or failure to act under this bylaw may ask the Commissioner to review the decision, act or failure to act in accordance with Part IV of the Act.

26. Effective Date

- 26.1.** The *Access to Information and Protection of Personal Information Bylaw*, Bylaw #CS-29, as adopted on 17 February 2020, shall be repealed on the effective date of this bylaw.
- 26.2.** This *Access to Information and Protection of Personal Information Bylaw*, Bylaw #CS-29, shall be effective on the date of approval and adoption by Council.

First Reading:

This Bylaw, Bylaw# CS-29, was read a first time at the Council meeting held on the 17 day of May, 2021.

This Bylaw, Bylaw# CS-29, was approved by a majority of Council members present at the Council meeting held on the 17 day of May, 2021.

Second Reading:

This Bylaw, Bylaw# CS-29, was read a second time at the Council meeting held on the 21 day of June, 2021.

This Bylaw, Bylaw# CS-29, was approved by a majority of Council members present at the Council meeting held on the 21 day of June, 2021.

Approval and Adoption by Council:

This Bylaw, Bylaw# CS-29, was adopted by a majority of Council members present at the Council meeting held on the 21 day of June, 2021.

This Bylaw is declared to be passed on the 21 day of June, 2021.

Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Bylaw adopted by the Council of the City of Summerside on the 21 day of June, 2021 is certified to be a true copy.

Chief Administrative Officer Signature

Date



CORPORATION OF THE CITY OF SUMMERSIDE

SCHEDULE: FEE SCHEDULE

BYLAW NAME: Access to Information and Protection of Personal Information

BYLAW #: # CS-29

1. Fees

- 1.1.** The Fees established pursuant to the bylaw for locating, retrieving, preparing, producing, and supervising the examination of information shall be in accordance with the amounts set out in the table below. The amount of the fees set out in this Schedule are the maximum amounts that can be charged to applicants. All applicable taxes are payable in addition to the listed fees.

SERVICE	FEE
Copying a record	
(a) Paper copy (photocopy or computer printout)	8 cents per page
(b) Duplication of 16mm microfilm	\$29.95 per roll
(c) Duplication of 35mm microfilm	\$32.95 per roll
(d) Duplication microfilm to paper	50 cents per exposure
(e) Photographs (colour or black and white from negatives)	
i. 5"x7"	\$9.00 per photograph
ii. 8"x10"	\$11.00 per photograph
iii. 11"x14"	\$25.00 per photograph
iv. 16"x20"	\$40.00 per photograph
v. 20"x24"	\$100.00 per photograph
	\$8.50 per slide

(f) Duplication of 35mm colour slide	Actual cost to the City
(g) Any other media not listed above	
Locating and retrieving a record, preparing and handling a record for disclosure, & supervising the examination of a record	\$15 per half hour
Shipping a record or a copy	Actual cost to the City
Producing a record from an electronic record	Actual cost to the City
(a) Computer processing and related charges,	
(b) Computer programming	

1.2. A deposit of 50 percent of the estimated fees shall be paid to the City before any search for the information requested shall be commenced, and all fees associated with the request for access to information shall be paid before the release of the copies of the records or the documents containing the information.

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Be it resolved that CS-29 Access to Information and Protection of Personal Information Bylaw be declared read a second time at this meeting

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Whereas CS-29 Access to Information and Protection of Personal Information Bylaw was read a first time at the May 17, 2021 Monthly Council meeting and read a second time at this meeting

Be it resolved that CS-29 Access to Information and Protection of Personal Information Bylaw be formally adopted

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Whereas CS-35 Open Fires Bylaw is a bylaw to provide guidelines for the oversight of open fires in the City of Summerside

And whereas CS-35 Open Fires Bylaw was read a first time at the May 17, 2021 Monthly Council meeting

Be it resolved that CS-35 Open Fires Bylaw be read a second time at this meeting

Schedule A attached (CS-35 Open Fires Bylaw)



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: Open Fires Bylaw

BYLAW #: CS-35

BE IT ENACTED by the Council of the City of Summerside as follows:

1. Title:

1.1 This bylaw shall be known and cited as the “Open Burn Bylaw”

2. Definitions:

2.1 In this bylaw:

- a) “Fire Season” means the period from April 1 to December 1;
- b) “Fire Chief” means the member appointed by council as head of the fire department and includes Deputy Chief’s or designate;
- c) “Land Clearing Debris” means any organic material cleared from the land in the process of preparing the land for development, agriculture, silviculture, highway construction, utility installation or any other use;
- d) “Occupant” means a registered owner or agent of the owner;
- e) “Permit” means a document issued by the Fire Chief pursuant to this bylaw that authorizes a person to burn under the terms and conditions specified in the permit;
- f) “Prohibited Burning” means the burning of domestic, commercial, demolition materials, renovation waste, wooden pallets, plastics, drywall, tarpaper, tires, paint, rubber, etc.;
- g) “Recreational Fire Pit” means a fire pit for the burning of wood for recreational purposes and included approved outdoor wood burning appliances such as chimineas and outdoor fireplaces;
- h) “Special Event” means a community, cultural or ceremonial event or celebration.

3. Burn Permits:

- 3.1 Open fires are not permitted within city limits unless a permit is issued to the property owner;
- 3.2 Outdoor burn permits will be issued through the city of Summerside Fire Services;
- 3.3 Outdoor burn permits will only be issued from April 1st to December 1st;
- 3.4 Outdoor burn permits will not be issued in residential areas of the city;
- 3.5 Residents living within the city limits and have properties greater than one hectare or 2.47 acres, are eligible to apply for burn permits;
- 3.6 Residents are encouraged to take advantage of other options such as chipping, composting, commercial disposal.

4. Guidelines for Recreational Campfires:

- 4.1 Small recreational fires as outlined in the *City of Summerside Recreational Campfire* guidelines are permitted;
- 4.2 If the forest fire index reaches the level of “*High*” recreational campfires are prohibited;
- 4.3 Outdoor fires will not be started when winds are gusting or steady at 20/kph or higher;
- 4.4 Campfires should be at least 7 meters (25 feet) from any building and 3 meters (10 feet) from any shrubbery, wooden fences, overhanging trees, or combustible material;
- 4.5 Water containers, working garden hose and firefighting tools should be in close proximity to the fire;
- 4.6 A responsible adult must be present to monitor a fire and douse it if needed;
- 4.7 It is illegal to burn garbage. You can be charged and fined for burning plastic, rubber, treated wood, asphalt shingles, construction/demolition waste or household garbage. When burning these products toxic chemicals can be released that may be dangerous to you or your neighbor’s health;
- 4.8 Clean, dry firewood or briquettes should be the only fuel used in a backyard fire;
- 4.9 Fires may be tended in a ground pit with a noncombustible base or open ground of mineral soil, gravel, or sand;

- 4.10 Above-ground fireplaces must be made of non-combustible material (metal, brick, cement, etc.);
- 4.11 Always keep outdoor fireplaces and pits in good repair and in a safe condition with a spark arrestor screen that has no more than a ½ inch mesh;
- 4.12 Extinguish a fire immediately if ordered by a City of Summerside Fire Officer;
- 4.13 A fire should be completely extinguished and soaked to stop re-ignition by 11 pm;
- 4.14 Think of your neighbors. Be kind. Don't subject them or their homes to dense, wind-blown smoke;

5. Administration

- 5.1 The Fire Chief may:
 - a) Keep records of application received, permits, notices, orders issued and may retain all papers and documents associated with the administration of this bylaw;
 - b) No person shall interfere with or obstruct the entry of the Fire Chief while acting in the conduct of administering or enforcing this bylaw.

6. Special Events or Ceremonial Burn Permit

- 6.1 Where the Fire Chief deems it acceptable to do so, he may issue a permit to allow the burning of clean, dry, solid, and untreated wood in an open-air special event or ceremonial burn.
- 6.2 Special events or ceremonial burn permits may be approved in writing by the Fire Chief subject to the following conditions:
 - a) A competent person must always be present and in charge of the fire while it is burning or smoldering;
 - b) A competent person must be provided with efficient appliances and equipment to prevent the fire from getting beyond control or causing damage or becoming dangerous to life or property;
 - c) A competent person must ensure that the fire is completely extinguished;
 - d) No burning may be carried out within 6 meters (20 feet) from any forestland, building, structures, or any combustibles;

- e) Despite the issuance of a permit under this section, no burning may be carried out if:
 - I. It would be unsafe to do so due to climatic conditions or any hazard;
 - II. If the Fire Weather Index is too high or is otherwise deemed by the Forests Fish and Wildlife Division to be not suitable for burning.
- f) Where the Fire Chief issues a permit under this bylaw to allow a fire for the purpose of a special event or ceremonial burn, the Fire Chief may require that his firefighters be in attendance to provide fire protection, if at his discretion, there is a level of risk in the circumstances.

7. Land Clearing Debris Burn Permit

7.1 All open burning for the purpose of land clearing debris shall comply with the following terms, conditions, restrictions, and requirements for the Fire Chief to issue a permit.

- a) Permits will only be issued for open burning of land clearing debris which originates from the site on which the burning is to be carried out and following referral to an approval from federal or provincial regulatory agencies where applicable;
- b) Burning of land clearing debris may only occur from April 1st to December 1st and only with the approval of the Fire Chief;
- c) The Fire Chief may extend the burn period of land clearing debris, if he deems conditions exist that won't create a fire hazard due to burning;
- d) No permit for open burning will be issued for a property, if open burning has been carried out on the same property during the preceding 15 days;
- e) Stumps or other material in excess of 20 cm (8 inches) in diameter must not be burned unless they have been allowed to dry for at least one year. A lesser period of time may be acceptable to the Fire Chief having regard to the nature of the material;
- f) The ignition of materials for open burning of land clearing debris shall only be carried out during daylight hours;
- g) No burning materials shall be added to the land clearing debris fire after 5:00 PM unless otherwise authorized in writing by the Fire Chief.
- h) Ignition of materials for burning of land clearing debris shall only occur on the days when the Air Quality Health Index is reported by the Meteorological Service of

Canada as “good” or greater and “fair” or greater for the second day of smoke release;

- i) The smoke release for each permit shall not be greater than 72 consecutive hours;
- j) To facilitate burning and reduce smoke the Fire Chief may require a permit holder to use special equipment to facilitate burning under certain circumstances.

8. Responsibility for Fires

- 8.1 Every person who lights, ignites, starts, allows or causes any kind of fire whatsoever to be started in the open air, or fails to extinguish such fire, whether such fire was started with or without a permit under this bylaw shall be responsible for the fire. If such a fire gets out of control, that person shall be liable for all costs and expenses incurred by the city in controlling and extinguishing the fire. For the purpose of this section, a fire shall be deemed “out of control” when it spreads beyond the boundaries of its enclosure or the parcel of land on which it was started or threatens to do so, or when it endangers any building or property.

- 8.2 If a person fails to pay the city the cost it occurs to control and extinguish the “out of control” fire, the city may recover its costs from the owner of the property from which the “out of control” fire originated in the same manner as for municipal property taxes. If such costs remain unpaid, they shall be deemed to be taxes in arrears.

9. Refusal and Revocation of Permits

- 9.1 The Fire Chief may revoke a permit if there is a violation of a condition under which the permit was issued;

- 9.2 If a permit revocation is issued, it must be in writing and sent to the permit holder by mail or personal service on the permit holder.

First Reading

This Open Fires Bylaw CS-35, was read a first time at the Council meeting held on the 17 day of May, 2021.

This Open Fires Bylaw CS-35, was approved by a majority of Council members present at the Council meeting held on the 17 day of May 2021.

Second Reading

This Open Fires Bylaw CS-35, was read a second time at the Council meeting held on the 21 day of June, 2021.

This Open Fires Bylaw CS-35 was approved by a majority of Council members present at the Council meeting held on the 21 day of June, 2021.

Approval and Adoption by Council

This Open Fires Bylaw CS-35, was adopted by a majority of Council members present at the Council meeting held on the 21 day of June, 2021.

Signatures

Basil Stewart, Mayor

Rob Philpott, Chief Administrative Officer

This Open Fires Bylaw CS-35 adopted by the Council of the City of Summerside on the 21 day of June, 2021 is certified to be a true copy as seen by me.

Rob Philpott, Chief Administrative Officer

Date

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Be it resolved that CS-35 Open Fires Bylaw be declared read a second time at this meeting

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Whereas CS-35 Open Fires Bylaw was read a first time at the May 17, 2021 Monthly Council meeting and read a second time at this meeting

Be it resolved that CS-35 Open Fires Bylaw be formally adopted

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Whereas The Province of PEI has published a new Records Retention Schedule.

Be it resolved that the Schedule of CS-30 Records Retention Bylaw be revoked and substituted with the new Schedule

(Schedule attached)



CORPORATION OF THE CITY OF SUMMERSIDE

SCHEDULE: RECORDS RETENTION SCHEDULE

BYLAW NAME: RECORDS RETENTION BYLAW

BYLAW #: # CS-30

Note: The subject matter is listed alphabetically followed by a retention period. The retention period is identified either as “PERMANENT” or expressed as a number of years. Retention periods are labelled as:

- a) CY - a retention period that concludes after the end of a calendar year (i.e. after December 31st of a given year).
- b) FY - a retention period that concludes after the end of a fiscal year as established in section 149 of the Municipal Government Act.
- c) closed after information is superseded (replaced or take the place of) or obsolete (no longer in use) (S/O)

SUBJECT	DESCRIPTION	RETENTION PERIOD (YEARS)	ENDS
Accountants	Working Papers	7	FY
Accounts	Paid (summary sheet)	7	FY
	Payable Vouchers	7	FY
	Receivable duplicate invoices	7	FY
Administration	Reports (not part of Minutes)	7	CY
Advertising	Electoral	4	CY
	Other notices – MGA, other legislation	2	CY
Agendas	Part of Minutes	PERMANENT	
Agreement	General	12	S/O
	Development	12	S/O
	Major legal	12	S/O
	Minor legal	12	S/O
Annexations	Correspondence	7	CY
	Final Order	PERMANENT	
Annual Reports	Council, Boards, Commissions	5	CY
Applications	Development permit	2	CY
	Site plan approval	2	CY
	Subdivision (after final approval)	3	CY

	Part-time employees (after end of employment)	1	CY
Appointments	Other than those in Minutes	3	FY
Assessment	Rolls	PERMANENT	FY
	Duplicate roll	7	FY
Assets	Asset Management Inventory	20	S/O
	Records of surplus	7	FY
	Temporary files	2	FY
Bank	Deposit books	7	FY
	Deposit slips	7	FY
	Memos (credit/debit)	7	FY
	Reconciliations	2	FY
	Statements	7	FY
Boards	Minutes	PERMANENT	S/O
	Authority & Structure	5	CY
	Correspondence	5	CY
Briefings/Reports	To Council	7	CY
Budgets	Operating (in minutes)	PERMANENT	
	Capital (in minutes)	PERMANENT	
	Working papers	3	FY
Bylaws	All	PERMANENT	
Cash	Receipts journal	7	FY
	Disbursements journal	7	FY
	Duplicate receipts	7	FY
Certificates	Of Title	PERMANENT	
Census	Reports	12	CY
Cheques	Cancelled (paid)	7	FY
	Register	7	FY
	Stubs	7	FY
Claims	Notice of	12	S/O
	Statement of	12	S/O
Committee	Minutes	PERMANENT	
Compensation	Records	10	FY
Contracts	Files (completion of)	12	S/O
	Forms	12	FY
	Major legal	12	S/O
	Minor legal	12	S/O
Council	Minutes	PERMANENT	

Court Cases		12	S/O
Destroyed Records	Index	PERMANENT	
	Signed destroyed records statements	PERMANENT	
Documents	Not part of bylaws	12	S/O
	Agreements, major legal	12	S/O
	Agreements, minor legal	12	S/O
	Contracts legal	12	S/O
	Easements	12	S/O
	Funding agreements	12	S/O
	Leases (after expiration)	12	S/O
	Notices of change of land titles	12	S/O
Elections	All election documents other than ballot box contents	4	CY
	Ballot box contents	In accordance with the MGA	CY
	Campaign Disclosure statement	7	CY
Engineering	Drawings	PERMANENT	
Employee Benefits	Health, Dental, WCB Claims, etc.	5	CY
Employees	Job applications (hired)	3	CY
	Job applications (not hired)	1	CY
	Job descriptions	3 (after position abolished)	CY
	Oaths of Office	1 (after position vacated)	CY
	Personnel file	3 (after cessation of employment) or 6 (after dismissal)	CY
Financial Statements	Interim	10	FY
	Working papers	7	FY
	Final	12	FY
Franchises		PERMANENT	
Income Tax	Deductions	7	FY
	TD1	7	FY
	T4	7	FY
	T4 Summaries	7	FY
Inquiries	From the public	3	CY
Insurance	Claims	12 (after settled)	FY
	Records (after expiration)	12	FY
Land	Appraisals	1 (after sold)	

Leases	After expiration	7	S/O
Legal	Opinions	12	S/O
	Proceedings	12	S/O
Legislation	Acts (after superseded)	1	CY
Licenses	Applications	3	CY
	Business (after expired)	5	CY
	Literature	2	CY
Local Improvements	Records	PERMANENT	
Maps	Base (original)	PERMANENT	
	Contour	PERMANENT	
Maintenance Reports		12	CY
Monthly Reports	Road	5	FY
Municipal Affairs	Annual reports	5	FY
Organization	Structure and records	2	S/O
Payroll	Garnishees	7 (after garnish is removed)	FY
	Individual earning records	7	FY
	Journal	7	FY
	Time cards	7	FY
	Time sheets – daily	7	FY
	Time sheets – overtime	7	FY
	Time sheets – weekly	7	FY
	Employment Insurance	5 (after cessation of employment)	FY
Permits	Development	12	S/O
Petitions		10	CY
Plans	Amendment applications	5	CY
	Official	PERMANENT	
	Amendments	PERMANENT	
	Subdivision	PERMANENT	
Policy	After superseded	5	CY
Progress Reports	Project	5	CY
	Under contract (final payment)	7	S/O
Property Files		Until sold +10	FY
Prosecution	All	12	S/O
Publications	Local reports	3	CY

Purchase	Land	Until sold +12	FY
Receipts	Books	7	FY
	Duplicate cash	7	FY
	Registration	7	FY
Receptions & Special Events (non-historic)		3	CY
Reports	Accident	12	S/O
	Accident statistics	12	S/O
	Field	12	S/O
	Inspection	12	CY
Requisitions	Copies	2	FY
	Duplicate	7	FY
	Paid	7	FY
Resolutions	Minutes	PERMANENT	
Subdivision	After Final Approval	12	CY
Taxes	Municipal Credits	7	FY
	Rolls	PERMANENT	FY
Termination	Employees	7	CY
Tenders	Files	12	FY
	Successful	12	FY
	Purchase Quotations	12	FY
	Unsuccessful	10	FY
Traffic	Streets	7	CY
Training & Development files		5	CY
Trial Balances	Monthly	5	FY
	Year End	7	FY
Vendors	Correspondence	2	FY
	Contracts	12	FY
	Suppliers Files	12	FY
Vouchers	Duplicate	7	FY
Weed Control Reports	Until updated	1	CY
Zoning	Amendment applications	5	CY
	Bylaws	PERMANENT	
	Bylaw Enforcement	5	CY

Council Meeting Date: June 21, 2021

Department/Committee: Summerside Police Services

Committee and Volunteer Work

Members continued to do some virtual meetings although with the restrictions loosening up, more in-person meeting are expected. During May, two of our SPS members attended at the Atlantic Police Academy as instructors for several days to train the current class of cadets in Standard Field Sobriety Training.

Training and Service Enhancements

During May our new part-time officers qualified in firearms & CEW (Taser) training conducted by our own training officers. Also during May, several road checks were conducted focusing on cell phone usage while driving and other infractions. Several charges for cell phone usage were laid along with other Highway Traffic infractions.

Community Policing Activities

During May several SPS members assisted a local school in doing practice lockdown drill. Dep/Chief Walker assisted the Lt. Governor as an Aide-de-Camp as she attended the Holland College graduation. One member volunteered in coaching the 3 Oaks ball hockey team and also volunteered at the College of Piping.

Occurrence Statistics

The following is a list of some of occurrence totals for May 2021.

Calls for Service – **659**

Traffic Accidents – **20**

Reported Crimes of Assaults & Threats – **27**

Theft Reports – **38**

Impaired Driving Offences – **9**

Highway Traffic Act Charges- **84 plus 39 speeding**

Break & Enter Reports (Business & Residential) – **7**

Drug Enforcement Charges – **11**

Any questions can be directed to Chief Poirier or Deputy Chief Walker.

Council Meeting Date:	June 2021
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Department/Committee:	Fire Services
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May 2021 Report

There were 29 fire calls during May:

- 3** - Medical First Responder Calls
- 10** - Alarm Panel Calls
- 3** - Electrical Fires
- 3** - Mulch Fires
- 3** - Smoke Complaints
- 1** - Carbon Monoxide Call
- 2** - Miscellaneous Calls
- 4** - Cancelled Calls

Firefighters trained a total of 398 hours for the month, doing the following:

May 02/21	Level 1 Review
May 03/21	Annual Hose Testing
May 03/21	Pump Training
May 03/21	Spring Preparation for Rescue Truck
May 03/21	20-hour "Assisting Individuals in Crisis" Course
May 07/21	Study SFD Operating Guidelines
May 10/21	"Coaching the Emergency Vehicle Operator" Course (Part 1)
May 10/21	Annual Hose Testing
May 12/21	Annual Hose Testing
May 12/21	Driver Training & Road Test
May 10/21	New Firefighter Orientation
May 17/21	20-hour "Group Crisis Intervention" Course
May 17/21	"Coaching the Emergency Vehicle Operator" Course (Part 2)
May 25/21	OH&S Meeting
May 26/21	Annual Hose Testing
May 27/21	Fitness
May 31/21	Annual Hose Testing
May 31/21	Engine 3 Work

Notes:

- Great amount of time and effort is put into the annual pressure testing of all our hose, it's much better to find problems now as opposed to during an emergency.
- All firefighters who drive an emergency vehicle were required to participate in a two-part course called:
 - “Coaching the Emergency Vehicle Operator”.
- Fire Chaplain Somers took part in two 20-hour courses entitled:
 - “Assisting Individuals in Crisis”
 - “Group Crisis Intervention”
- Chief Enman would like to announce Summerside’s newest firefighters:
 - Murray Spencer
 - Chris Avery
 - Zack Culleton
 - Keith Johnston
 - Tommy Campbell

Welcome aboard Gentlemen!

Respectfully,

Ken Culleton
Admin Assistant
Summerside Fire Services

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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Be it resolved that

The City of Summerside (CAO) allow an Inspector to enter upon the property situated at 405 Chestnut Avenue (PID # 307371) in the City of Summerside and have the property brought into compliance with the requirements of the 'City of Summerside Dangerous, Hazardous and Unsightly Premises Bylaw CS-11'. This cost is to be initially borne by the city and invoiced to the owner.

As well, Council directs staff to utilize all legal means at its disposal to effect a permanent solution to the ongoing unsightliness of the property

Council Meeting Date: June 21, 2021

Department/Committee: Municipal Services – Public Works / Water and Sewer Utilities

- In comparing sewage receiving numbers with other years the Waste Water Treatment Plant is seeing an increase in drop off sewage from pumpers of 50%.
- The sewage treatment plant performed the following maintenance this month:
 - Secondary Clarifiers have been cleaned
 - Cementech mixer was repaired
 - Rotary Drum Thickener injector nozzles and drive chain was replaced/cleaned.
 - AirPol received a thorough cleaning (first since plant started operations)
 - Overhead door rollers were replaced on the biosolids building
- Public works installed four speed bumps (Arcona Street, Craig, Beaton and Robinson Avenues), two additional speed humps were procured.
- New no parking signs have been installed along Maple Avenue and Greenwood Drive.
- Hot asphalt road patching continues throughout the city and is expected to be complete by end of July. All water breaks from previous winter have been repaired with asphalt (concrete removed).
- Driveway culvert repairs have seen 20 completed and are now on the second list of addresses.
- Street signs have been repaired as noted from winter damage and weather events (high winds). Pope Road and Mill Crescent, Chestnut Avenue, Saunders avenue etc.....
- The right of way repairs has been completed throughout the City from winter plow damage. (Topsoil and seed)
- Traffic line painting continues at a good pace with 84 of 180 crosswalks completed.
- Sidewalk maintenance has commenced with 56.28 square meters of sidewalk blocks replaced.
- The Street sweeper continues to not work well for emitting dust and plugging in certain conditions. The operations department is currently working on a solution with the manufacturer.

GENERAL OPERATIONAL STATISTICS:

Water and Sewer Utilities:

- 32 water samples were taken with clear of bacteria.
- 15 chlorination samples taken all within parameters.
- 3 water service was repaired this month.
- 2 water main break was repaired this month. (Park Hill Place Valving repair and Brockville Street)
- 8 water taps have been completed for contractors work and new developments.
- 10 water turn on and offs for the month.
- 9 sewer calls this month.
- Sewer effluent to harbor (328,213 cubic meters treated).
- 174,784 gallons of septage received to the plant from outlying areas. (servicing the county).
- 355 Tons of Bio fertilizer were created this month at the Sewage Treatment Plant.

Council Meeting Date: June 21, 2021

Department/Committee: Electric

Work Tasks Highlights:

- The Summerside Sunbank Request for Proposals for engineering, procurement and construction services closed on June 11, 2021. There are 6 submissions to be evaluated over the next few weeks to recommend the awards on the Battery Storage, the Solar Farm and the utility interconnection works by the evaluating committee.
- Work continued to reroute electrical wiring around the new central street round about. The circuits will be back to normal by the end of June with much of the infrastructure relocated to make way for the roadway constructions.
- At the end of May the electrical substation suffered from a failed voltage regulator in the wee hours of the morning which has caused an estimated \$150,000 dollars of damage and will take a few months to repair. The timing of repairs is highly dependent on material sourcing.
- Work focused on cable installation operations between Starlite Subdivision and Bernard/Acadia Avenue extension. The Starlite subdivision is ready for energizing the lines and allowing development construction to commence. Bernard Avenue extension is 90% complete and will be ready for new home construction by the end of the month.
- Trees cleared on Chestnut Street for a reconductoring operation this month.
- Operations have been removing empty poles (no wiring on them) throughout the City this Month.
- The area of Gavin estates and along Pope road had several power outages and interruptions occur which has been located and repaired. There were animal issues, a bad insulator causing bumps to the line, weather events and finally the substation damage. This area was reviewed, and all items found were repaired.
- Power Plant and Technicians Maintenance consisted of:
 - Water and Harvard traffic light repairs
 - Substation lighting and boardwalk lighting repairs
 - 2021 Meter changes continue
 - Generator #5 yearly maintenance was completed
 - Heather Moyse and Water Street traffic light repairs
 - 2 water heater repairs under Heat For Less Now
 - Two radar speed signs were installed (South Drive and Water Street)
 - Linkletter Wellfield Generator backup repairs
 - Generator #2 turbo coolant leaking – repairs underway (heat exchangers ordered)
 - Queen Elizabeth park lighting was repaired for the seasons activites.
- Generator #8 (1983) governor replacement work has been awarded and will be complete by end of August.

GENERAL OPERATIONAL STATISTICS:

Electric Utility:

- 38.8% of our Electricity came from wind in May.
- Generator run hours were 16.5 hours.
- 16 new electric customers energized this month.
- 6 Electrical Service Upgrades
- 11 new poles were installed and 1 removed.
- 4 transformers were installed and 1 removed.
- 2035 Meters of Primary wiring installed.
- 44 service calls were responded to this month.

Council Meeting Date:	June 21, 2021
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Department/Committee:	Technical Services
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The 2021 construction season is in full swing. Staff have closed and awarded the majority of the City's tenders for this season. The sewer work on Autumn St. is completed, the Pope / Central project is ongoing, as well as Paving and Sidewalk. Water main replacement on Central St. and Sewer main replacement on Heckbert are progressing along. Work is also happening at the intersection of Walker and Granville. The boardwalk replacement tender is just getting going and it is anticipated that a few other tenders will be starting shortly. We continue to update our website on the progress and various locations where our City projects are happening in the City.

Staff continues to review and assist the public with pending developments and building permits to be issued for this year. Staff have had another busy month with numerous planning related activities. We had a discretionary use for Langille Ct., zoning amendment from M1 to C2 on Greenwood Dr. and a couple more mobile sales establishments. We also brought forward and processed revisions to our R4 standards to bring them more in line with other jurisdictions. This month we will be having meetings on, 2 restricted uses on Industrial Cres, a rezoning for major residential development on Water St East as well as a rezoning on Central street for a car dealership.

24 building permits with a value of \$12.6 M were issued for the month of May with a total year to date value of \$28 M. We issued, 2 semi-detached, 2 commercial renovations/ change of uses, 3 single family houses and 1 – 4 unit Town house, and 3 residential and Industrial additions. We also had 4 deck and sign permits this month as well a one large Commercial permit for the Hotel on Notre Dame. We had a good variety in the type of permits issued this month, to support a diversity in development in our City. 3 of the 5- & 6-unit town houses on the upper end of McEwen are coming along with one getting close to completion.

Developers are stopping in and speaking to staff for assistance with their proposed projects for 2021. Citizens are also still encouraged to ask for assistance with their projects that they may have planned for 2021.

Aaron MacDonald

Director of Technical Services

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Carried	
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For	
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Defeated	
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Against	
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Whereas tenders were called for the Reads Corner Lift Station Project 2021.
And whereas the following tenders were received:

Bidders	Bid Amount includes 15% HST	Schedule (Weeks)
Curran & Briggs Limited	\$1,195,423.85	15
Ron's Plumbing and Heating Inc.	\$2,616,250.00	18

Be it resolved that the tender submitted by Curran & Briggs Limited for the Read's Corner Lift Station Replacement Project 2021 to a total amount of \$ 1,143,4485.90 (10 % HST included) be accepted as it was the lowest tender received.

This bears the recommendation of the Technical Services Committee of June 15, 2021

**Resolution
COS 21-111**

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	<input type="checkbox"/>
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For	<input type="checkbox"/>
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Defeated	<input type="checkbox"/>
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Against	<input type="checkbox"/>
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WHEREAS an application was received from Amalgamated Holdings Ltd. for a zoning amendment PID # 553875 from Light Industrial (M1) zone to Service Commercial (C2) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw* was read and declared as read a first time at the Council meeting held on May 19, 2021;

AND WHEREAS in accordance with section 5.7 of the zoning bylaw, Council shall consider the following general criteria, as applicable:

- Conformity with all requirements of this Bylaw;
- Conformity with the Official Plan;
- Suitability of the site for the proposed development;
- Compatibility of the proposed development with surrounding land uses, including both existing and projected uses;
- Any comments from residents or other interested persons;
- Adequacy of existing water, sewer, road, storm water and electrical services, city parking, and parklands for accommodating the development, and any projected infrastructure requirements;
- Impacts from the development on pedestrian/vehicular access and safety, and on public safety generally;
- Compatibility of the development with environmental, scenic and heritage resources;
- Impacts on City finances and budgets;
- Other matters as specified in this Bylaw;
- Other matters as considered relevant.
-

BE IT RESOLVED THAT zoning amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby declared as read a second time.

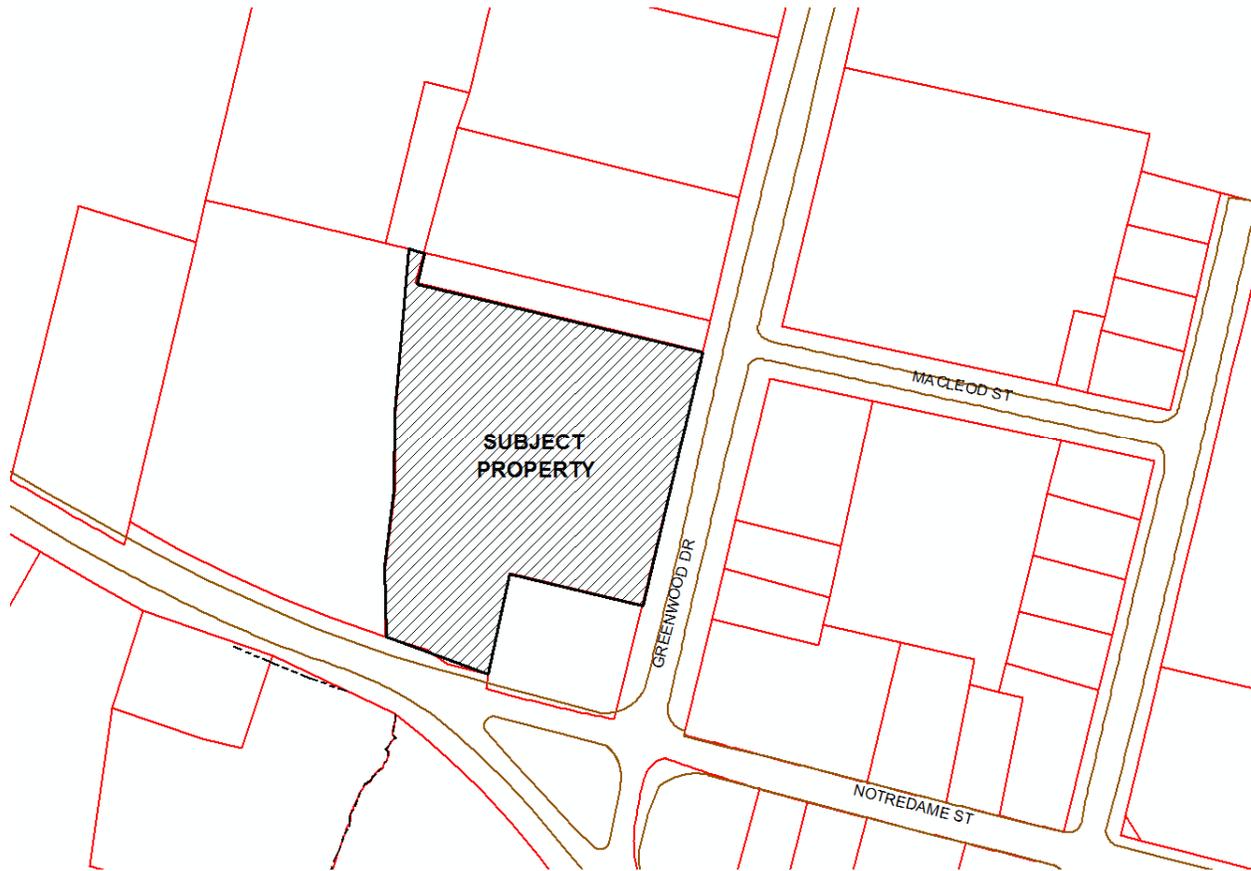
This bears the recommendation of the Planning Board meeting held on June 1, 2021.

[schedule B is attached]

**ZONING AMENDMENT 0135
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 PID # 553875 shown on Schedule B of the *City of Summerside Zoning Bylaw*, is designated as Service Commercial (C2) zone, hereby excluding it from its former designation of Light Industrial (M1).



**Resolution
 COS 21-112**

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
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Defeated	
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Against	
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WHEREAS an application was received from Amalgamated Holding Ltd. for a zoning amendment for PID # 553875 from Light Industrial (M1) zone to Service Commercial (C2) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw*, was read and declared as read at two separate meetings of Council held on different days;

BE IT RESOLVED THAT zoning bylaw amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby formally adopted.

Council Meeting Date:	June 21, 2021
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Department/Committee:	Finance
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Good evening to my colleagues on City Council and to the businesses and residents of the City of Summerside.

We would like to remind businesses and residents within our municipal boundary who receive their electricity from Maritime Electric about our rebate that is available to credit for the additional cost for your January, February and March 2021 utility bills. Maritime Electric applied their rate increase effective January 1, 2021 and this rate increase was not effective for Summerside Electric customers until April 1, 2021. The rebate application form is available on our website (link can be found in the upper right-hand corner of the website) and a copy of your utility bills must be submitted. The approved credit will be processed on your next water and sewer utility bill (if you do not have a water and sewer bill with the City of Summerside a cheque will be issued). If you receive your electricity from Summerside Electric you are not eligible for this rebate as the electric rate adjustment was not effective until April 1, 2021. Please contact us at 902-432-1230 if you have any questions or email customerservice@summerside.ca.

The Minister of Fisheries and Communities, the honorable Jamie Fox, issued notification that several deadlines for municipalities have been extended again this year. Due to this extension the annual year end audit and submission of financial statements are not due to be submitted until October 15, 2021, an extension from July 15, 2021. Our year end audit is well in progress, soon we will determine a date to present our 2020-21 financial statements. It is expected that this presentation will occur during the month of July even though the deadline has been extended to October.

Our preliminary results are projecting a small surplus for 2020-21. We will report on 2021-22 year to date results at the end of our first quarter (April 1 to June 30, 2021).

Now for an update on the status of our utility accounts receivable. As of June 10, 2021, the following is being reported:

- Total overdue balance is \$174,200 compared to \$182,100 at May 10, 2021.
- Approximately 1.6% or \$2,839 of the overdue balance is greater than 60 days past due (this compares to 22.2% or \$428,700 five years ago (May 2016)).

Thank you for the opportunity to present this report, and either myself or the CFO are available to take your questions.



Summary of Revenue and Expenses
As of December 31, 2020

	2020-21 Projection	2020-21 Budget	2019-20 Actual
Revenue			
General Revenue	23,021,922	20,780,929	22,193,729
General Government	19,960	-	18,465
Information Technology	18,640	12,000	18,000
Summerside Raceway	335,000	340,000	341,460
Fire Services	6,545	2,400	2,400
Police Services	267,092	58,250	113,487
Economic Development	36,487	38,720	139,369
54/56 Central St	138,818	141,712	137,307
Culture Summerside	100,667	58,934	146,133
Community Services	718,927	1,899,502	1,486,186
Public Works	137,137	30,000	1,320
Government Transfers - Capital Projects	-	-	866,336
Transfer from Reserve	-	480,000	3,201,384
Total Revenue	24,801,196	23,842,447	28,665,576
Expenses			
General Government	666,018	669,618	715,335
Administration	181,701	171,370	174,234
Financial Services	4,263,404	3,786,815	4,570,661
Information Technology	154,278	146,389	132,699
Summerside Raceway	335,000	340,000	341,460
Human Resources	269,587	260,768	242,985
Fire Services	785,067	808,255	742,886
Police Services	4,441,753	4,481,983	4,291,144
Economic Development	645,484	668,344	629,818
54/56 Central St	138,818	141,712	137,307
Culture Summerside	605,237	554,276	667,251
Community Services	4,086,588	4,926,423	4,811,762
Technical Services	443,003	450,814	405,027
Public Works	2,461,292	2,469,891	2,510,054
Capital Projects	5,337,774	3,962,068	6,521,104
Transfer to Reserve - Timing of Capital Projects	-	-	388,832
Transfer to Reserve	-	-	1,370,463
Total Expenses	24,815,003	23,838,726	28,653,022
Surplus/(Deficit) - General Fund	(13,807)	3,721	12,555
Utility Funds			
Revenue			
Electric Utility	22,378,000	23,172,354	23,487,558
ETS (Heat for Less Program)	122,563	170,500	92,940
Water Utility	2,184,397	2,207,607	2,193,707
Sewer Utility	3,740,981	3,808,368	3,734,737
Total Revenue - Utilities	28,425,941	29,358,828	29,508,942
Expenses			
Electric Utility	22,258,667	23,166,733	23,462,911
ETS (Heat for Less Program)	173,240	170,500	92,940
Water Utility	2,167,670	2,207,607	2,193,707
Sewer Utility	3,611,473	3,808,368	3,734,737
Total Expenses - Utilities	28,211,050	29,353,208	29,484,295
Operating Surplus/(Deficit) by Utility			
Electric Utility	68,657	5,621	24,647
ETS (Heat for Less Program)	-	-	-
Water Utility	-	-	-
Sewer Utility	-	-	-
Total Operating Surplus/(Deficit)	68,657	5,621	24,647
Total Surplus/(Deficit)	54,849	9,342	37,202

**Summary of Capital Expenditures
As of December 31, 2020**

<u>Funded by Current Year Revenue</u>	2020-21 Projection	2020-21 Budget	2019-20 Actual
General Government	-	-	-
Administration	-	-	-
Financial Services	-	10,000	-
Summerside Raceway	-	-	-
Information Technology	14,102	15,000	50,856
Human Resources	-	-	-
Fire Services	128,851	195,000	111,180
Police Services	85,234	63,800	101,465
Economic Development	116,570	100,000	1,616,810
Central Suites	-	-	-
Culture Summerside	218,338	-	57,631
Community Services	2,481,527	1,046,000	1,062,338
Technical Services	2,022,427	2,268,801	3,222,135
Public Works	270,725	263,467	298,690
Subtotal - Funded by Current Year Revenue	5,337,774	3,962,068	6,521,104
 <u>Contributions Received for Capital Projects:</u>			
Police: e-ticketing System			46,239
Eco Dev: Eco Park Infrastructure			671,751
Culture: Armoury Renovation			148,345
Subtotal			866,336
 <u>Funded by Long Term Debt</u>			
Energy & Facility Renewal Project (Honeywell)	-	-	466,205
Eco Park Phase 1 + 2 +3	2,176,110	10,228,300	
EDO - Demolition	-	-	-
CCU Drivethrough	-	-	-
Economic Dev. Opportunity	-	-	-
Fire Engine	681,090	650,936	
Tech Serv (Pope & Central & Granv. Storm)	1,203,964	1,782,378	
Summerside Core Project	1,255,108	-	
Canada Games Multi Purpose Training Facility	150,000	-	
Canada Games Hosting Upgrades	143,000	-	
Active Living			
Firehall Renovations			
Subtotal - Funded by Long Term Debt	5,609,272	12,661,614	466,205
 <u>Utility Funds - Funded by Long Term Debt</u>			
Electric Utility	2,796,466	1,920,000	1,969,765
ETS (Heat for Less Program)	-	-	-
TS - Water			
TS - Sewer			
Water Utility	1,935,240	2,122,467	902,585
Sewer Utility	1,558,936	1,918,467	286,653
Subtotal - Utilities	6,290,642	5,960,933	3,159,004
 Total Capital Expenditures	 17,237,688	 22,584,615	 10,146,314

June 21, 2021

Moved by Councillor _____

Seconded by Councillor _____

Resolution:

Carried	
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For	
-----	--

Defeated	
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Against	
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Whereas Elections PEI is considering adding Online Voting as an option for the 2022 Municipal Election

And whereas Elections PEI has asked the Cities of Summerside and Charlottetown, and the Towns of Three Rivers, Cornwall and Stratford to consider online voting as an option

Be it resolved that the City of Summerside supports the ability to have online voting as an option along with having 2 advance days of voting

Council Meeting Date: June 2021

Department/Committee: Department of Economic Development

I am pleased to present a brief report for June and the activities being worked on in department.

While there is lots happening in the department currently, I am going to keep my remarks somewhat brief this evening and focus on one item, Core Block. I did want to update Council and the public on our advancement of Core Block Properties.

Since the closure of the recent RFP, we felt it was a good time to present an update.

As a bit of a background, the City took over these properties given the lack of traction in finding a path forward to bring new life through a comprehensive redevelopment of these properties and with our commitment to rejuvenating the downtown took a leadership role in starting a more aggressive approach through the acquisition and demolition of the derelict properties.

Given the challenges with Covid and other supply chain issues we did forge ahead with a public RFP in late March to seek a developer or group of developers to propose development concepts for this signature property downtown. We have heard feedback throughout our process that we were going through an RFP process for the sake of doing so and that agreements were in place, post RFP to move forward on the project with a already selected proponent. This is the furthest from reality in regards to this project and in fact we were attempting to attract innovative developers interested in collaborating on a significant project in downtown. Again, I want to ensure the public this evening that this RFP had no predetermined suitors for the redevelopment and in fact went through the RFP to refresh the ideas and approach to this significant redevelopment opportunity.

Specifically, we asked for

1. Make the best commercial and residential use of the property in terms of diversity and intensification.
2. Advance the goals of the City's Downtown Urban Core Plan
3. Contribute to the creation of a mixed-use district that enlivens and enriches the downtown core.

Since the closure of the RFP, the City of Summerville has received an expression of development interest from our recent RFP. The proposal did fall short in terms of our expectations from the issuance of the RFP but provided significant interest to further explore development ideas and a path forward to bring this significant investment to market. While the nature of the proposal and path forward are still in the premature stage, we will be working with this proponent to further flesh out options to bring this concept to market. We are currently having discussions with several investors as well on ways to move this project forward and encourage anyone interested in developing this project to contact the department to explore some collaboration approaches. It is critical that we as the City seek a highly qualified and capably development team to maximize this site and have every confidence that this project will transform the downtown through a mixed use residential and commercial development and that is our strategic intention to see that through.

To conclude the property is open to anyone wishes to put forth development ideas and partnerships as defined in the RFP to help us transform this property. We are committed to and will see a mixed use project for these lands, we are confident of that.

Thank You

Council Meeting Date:	June 21, 2021
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Department/Committee:	Community Services
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The month of May was jam-packed with recreation programming and activities for the Community Services Department, starting with the first inaugural Shipwright's Run. The 10km or 5km running race was announced and is set to take place on Saturday, June 26th with all proceeds going to the Canadian Cancer Society. The department announced that all proceeds for the race will go to the Canadian Cancer Society. The department later announced that Summerside Toyota will match all proceeds as a donation to the Canadian Cancer Society.

The Active Living division were busy with plenty of recreation and programming in May. They offered various themed days at Credit Union Place, such as May the 4th Be With You (Star Wars theme), Pirate Day (pirate themed) and Marvel Day (comic book themed). Each of these days had various offerings and activities and provided the opportunity for kids to Stay the Day at Credit Union Place and enjoy the facility. The Stay the Day's continue to receive a lot of interest and are often sold-out!

Summer Camps were also announced by the Active Living staff that offers both week-long camps and day camps throughout the Summer. Each having a different theme, the camps focus on providing kids with opportunities to learn, be active and have fun. Week-long camps sold out immediately and few spots remain for the individual day camps.

Active Living also offers programming for adults and seniors. One in particular being 'PAWSitive Strides' which is a 6-week dog walking program that starts at the Dog Park every Saturday. Track Your Trails is another program that entices residents to get out and enjoy the City's parks and trails, those who send in a snapshot of their GPS tracking are eligible to win an Active Living prize pack!

Credit Union Place announced a Youth Summer Pass to Credit Union Place which for \$50 youth/children can gain full access to the pool and bowling lanes at Credit Union Place for 9-weeks over the summer. Rec & Go continues to be offered at Credit Union Place that offers facility users an opportunity to take advantage of their lunch hour with a workout/swim and take-out lunch from fiveelevenwest for \$15!

Sport Entertainment Tourism Summerside has a few event announcements in May, one of which is an international wrestling event called the 'Canada Cup'. This Wrestling Canada event is set to take place at Credit Union Place on July 2, 2022. The sought-after event is expected to attract wrestlers from counties such as South Korea, USA, Russia, Japan and Germany. The event is expected to feature two local homegrown wrestlers in Ligrit Sadiku and Hannah Taylor which will create an exciting experience for local fans.

HockeyFest was also announced in May which is the world's largest travelling road hockey tournament. The all-ages event will feature 9 outdoor half-size NHL rinks with real boards. The event was set to take place on July 1-3, 2021 at Credit Union Place but due to COVID it has since been bumped to August 27-29, 2021.

The Fred Page Cup host committee continues its preparation for the 2022 event and launched the tournament logo in May. Planning for the event is starting to take shape and more details regarding tickets and ticket packaging will be coming soon.

The Spring edition of Swimming Lessons continued in May and will soon be coming to a close, soon to be followed by the announcement of the Summer edition. The Aquatics Centre continues to be busy with aquatics fitness classes, Masters Swim Club, Dolphins Swim Club and recreational users.

Themed birthday parties continue to be a hit at Credit Union Place which saw 14 in the month of May, and the Veterans' Convention Centre (VCC) saw a total of 37 bookings!

With the Atlantic Bubble planned for June 23rd, staff are excited and preparing for a busy summer ahead.

COUNCIL MINUTES

Special Council Meeting Minutes

May 12, 2021

Present

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Barb Ramsay
Councillor Cory Snow
Councillor Greg Campbell
Councillor Brian McFeely
Councillor Carrie Adams
Rob Philpott, Chief Administrative Officer
Brian Hawrylak, HR Officer
Aaron MacDonald, Director of Technical Services
Linda Irving, Development Officer
Member of the Media
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

Public Meeting #1

33 and 34 Langille Street – Discretionary use

Background

An application was received from Abbott & Langille Inc. for Lot 20-6 and Lot 20-7 (PID #70110) to allow, row housing (max. of 8 units), one 8 unit on each lot. This application requires Council approval to allow a “Row House (8 units maximum)” as a Discretionary Use in the Medium Density Residential (R3) zone. Both of these lots were granted a Discretionary Use approval for 8 unit row houses in October 22, 2018 (expired on October 22, 2019) under the previous land owners (McQuaids).

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.

The application was advertised in the April 28th edition of the Guardian and letters were mailed to property owners within 60m or 200 ft of the subject properties.

Comments and Questions

- a. The applicant is invited to make comments. *(Trevor Abbott/Brody Langille)*

The applicant, Trevor Abbott, stated they were reapplying because they started the duplexes first and plan on starting them this year.

Councillor MacDougall stated that the units there now look great and he talked to some residents and have no issues with this.

- b. The public is invited to make comments.

There were no comments from the public.

Explanation of the process

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

- (1) The discretionary use is read at a public meeting.
(Step 1 will take place this evening)
- (2) Planning Board reviews the application and prepares a recommendation to Council.
(Step 2 will take place at Planning Board Meeting May 19, 2021 at 5:30pm)
- (3) The discretionary use is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council.
(Step 3 will take place at Council's second meeting, June 1 in the evening after committee meetings)

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].

Public Meeting #2

Zoning Bylaw Text Amendments – High Density R4 & Bylaw Definition

Background

The City has initiated bylaw text amendments to R4 development standards and a duplex definition as a result from developers and property owners. Over the past number of years our staff have heard comments from developers indicating they are allowed to build more units/acre in Charlottetown compared to Summerside. Staff prepared a comparison among PEI municipalities and found Summerside does require more land per acre than most of the other municipalities. A few property owners wishing to build two units, one behind the other, applied for building permits. The current definition of a duplex did not allow for duplex units to be located, one unit behind the other. Staff recognize the definition was not intended to exclude a duplex where the units are located one behind the other, the revised definition clarifies that the units may be divided horizontally or vertically into two dwelling units.

Proposed Amendments to section 19.5 b (Development Standards), High Density Residential R4 zone

The purpose of the amendments is to allow the opportunity of higher density developments in the High Density Residential R4 zone.

- **Amendment #1**
Floor Area Ratio – Delete: 0.6 and 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 and; Insert: 0.8
- **Amendment #2**
Lot Coverage – Delete: 30% and; Insert: 35%
- **Amendment #3**
New Density Bonus - Insert: Density Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.

Development Standards

- 19.5 a. For each row house and/townhouse dwelling unit the standards in Section 17.5 shall apply.
b. For apartment buildings and nursing care facilities, the following standards shall apply:

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 0.8 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% 35% 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
Density Bonus	Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.

Proposed Amendment Section 2 Bylaw Definitions (Duplex)

The purpose of the amendment is to allow the option of a Duplex dwelling to be divided either horizontally or vertically.

Proposed new definition to replace current definition:

- **Amendment #4**
Duplex means a *building* that is divided either horizontally or vertically into two dwelling units. The units may share common municipal services and shall not be subdivided into individual ownership.

The amendments were advertised in the April 28th edition of the Guardian newspaper, as well as, the City’s social media platforms (City website, City Facebook page and on City twitter account).

Comments and Questions

- a. City Staff is invited to make comments.

Aaron MacDonald, stated that there are a number of items that file maintenance is being done on. Staff looked at Summerside compared to other jurisdictions.

MacDonald stated that the proposed changes will be effective of the passing and going forward. Any property currently re-zoned but not developed would fall under the proposed changes.

- b. The public is invited to make comments.

Barry Ford, stated that he believes there is 45,000 square feet in an acre and the difference between 30 and 35% is something like 20 some hundred square feet per acre and inquired if that would be per story of for the whole building. Staff stated that the 30-35 would be the foundation of the building, the footprint.

Mr. Ford stated that since this is an amendment to the Zoning Bylaw, should letters be issued to residents within 60 meters of a property. Staff stated that this is a change to a bylaw and is City wide and not a specific property, so notification was done in the newspaper.

Mr. Ford inquired why the notification is not in the Journal and only the Guardian. Staff stated that the Journal is only issued once a week and the Guardian is a consistent everyday paper.

Kim Chebib, stated that she had a question on the piece of land across from her house. She asked that since that property was changed to R4, did it have to come back to residents, so the developer can build something bigger. Staff stated that they would have to abide by the rules in place when the development begins and if they are looking for something outside the rules, it would have to come back to Council.

Explanation of the process

In order to process a zoning bylaw text 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.
(Step 2 will take place at Planning Board Meeting May 19, 2021 at 5:30pm)
- (4) The zoning bylaw text amendment is read a second time and declared as read at a second Council meeting.
- (5) The zoning bylaw text 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 Communities, Land and Environment for signature and the amendment becomes official.
(Steps 3 - 5 take place at Council's second meeting, June 1 after committee meetings beginning at 5pm)

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 21-076

It was moved and seconded

WHEREAS a zoning text amendment was initiated by the City of Summerside, to amend Section 19.5 of the High Density Residential R4 zone *and Section 2* under the *City of Summerside Zoning Bylaw*;

AND WHEREAS the general public were notified by published notice in the Guardian newspaper of April 28, 2021;

AND WHEREAS pursuant to section 5.10 of the *City of Summerside Zoning Bylaw*, a public meeting was held on May 12, 2021 to provide residents and other interested persons an opportunity to make representations;

BE IT RESOLVED THAT zoning bylaw text amendment 0153, be hereby declared as read a first time.

(Schedule A text is attached)

**ZONING AMENDMENT 0153
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. Amend Section 19. 5, the High Density Residential (R4) zone and Section 2 Bylaw definitions to read as follows:

Section 19.5 b of the High Density Residential R4 zone

- **Amendment #1**
Floor Area Ratio – ~~0.6~~ and 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 and; 0.8
- **Amendment #2**
Lot Coverage – ~~30%~~ and; 35%
- **Amendment #3**
New Density Bonus - Density Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.

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 <u>0.8</u> 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% <u>35%</u> 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									
Density Bonus	Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.									

Proposed Amendment Section 2 Bylaw Definitions

- **Amendment #4**
Duplex means a *building* that is divided either horizontally or vertically into two dwelling units, with one or both of the units constructed directly on grade or the other unit constructed directly above the grade-level unit. The units may share common municipal services and shall not be subdivided into individual ownership.

Resolution carried 8-0

COS 21-077

It was moved and seconded

WHEREAS the City of Summerside initiated a zoning bylaw text amendment 0153 to amend Section 19.5 of the High Density Residential R4 zone and Section 2 under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw text amendment 0153, a zoning bylaw text amendment 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 text amendment 0153, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

Resolution carried 8-0

Adjournment

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

Basil L. Stewart
Mayor

Brian Hawrylak
HR Officer

Monthly Council Meeting Minutes

May 17, 2021

Present

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Barb Ramsay
Councillor Cory Snow
Councillor Greg Campbell
Councillor Brian McFeely
Councillor Carrie Adams
Rob Philpott, Chief Administrative Officer
Kristen Dunsford, Director of Financial Services
Brian Hawrylak, HR Officer
Members of the Media
Members of the Public

Call to Order / Approval of Agenda / Any Conflict of Interest Declaration

The meeting was called to order by Mayor Stewart at 6:30pm

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

Conflict of Interest Declaration – There were no conflicts declared by any Council member with any item on the agenda

Approval of the Minutes

Motion It was moved by and seconded;
That The minutes of the Monthly Meeting dated April 19, 2021 and the minutes of the Special Council Meetings dated April 26, 2021, and May 4, 2021 be approved as circulated.
Motion Carried

Presentations

National Poetry Month

Wayne Wright recited a poem he wrote in recognition of National Poetry Month.

"o, SUMMERSIDE" by Wayne Wright

O, Summerside
(I better write this down)
You're not much different than any town
that calls itself a city.
You may have asked for a handout once,
but never once you asked for pity.
And just like that uppity Charlottetown,
or Georgetown, or Albertown, or Kensingtown,
you've had your ups, you've had your downs:
 By times your seas were cam,
 by times your seas were vexed,
and just like any other town
it's chicken one day...
feathers the next

O Summerside, dear Summerside,
you've starred in Technicolour:
Your sailing ships once adorned the waves,
your silver foxes... Greta Garbo,
and when R.T. Holman ran his store
(the largest in the world they say)
no-one ever hitched their sleigh
for Macy's, Gimbel's, or The Bay

And when our shipyards all closed shop,
and R.T. Holman's did its belly-flop,
when mink came along and ruined our foxes,
and CFB Summerside got carted away...
in pretty Greenwood boxes
Well we just dreamt something else up
to take their place:
Like Death and Taxes... or Aerospace

From Princess Di to ZZ Top,
from The Great One to The Rocket,
we've had them, fed them, even wed them,
if Water Street could talk...

Ask Lily at the China Star,
Ella at King Wok

From the Lobster Carnival to Mighty Lee,
Governor's Feast to the Governor's Plate,
we've wined them, dined them, even fined them,
it all really goes to show:
Like Walter "Peanuts" Arsenault
we always punched above our weight

And now we have this Covid thing,
this Covid-19, or is it 20?
Covid-19, Covid-20,
I think we all can safely say,
we've all had Covid-Plenty...
And o how we shall greet the day
when we all can up and ask:
When can we up and throw away
this God-forsaken mask?

So, if I see you in the ICU
and we're both trodden down by virus,
why don't we stop
before we drop
and give thanks to God
and Jill at the Medicine Shoppe...
O yes, and maybe Father Cyrus

Some say the world will end in fire,
some say it will be ice...
Ice or fire, fire or ice,
Chances are, it won't be nice.
The Climate Change gang are predicting Fire,
which makes me think it will be Ice

So when it comes to Fire or Ice
Summerside has already bought it Twice:
In Nineteen-Six the Great Town Fire,
In '56, the Great Storm of Ice...
Ice or Fire, Picks or Sticks,
Well, neither one could do the trick!

To sum up Summerside
in just One Word

among all the clever words you've heard,
"Heroic" doesn't quite fit the bill,
and "Stoic" never ever will...
Perhaps the word you want is "Brilliant"?
...Ah, don't kid yourself, Kid,
we're just ... "Resilient"

So if you think you like my Poem,
I'm proud to call this place my Ho-em
But if my verse isn't up your alley,
I must confess:
I'm from Wilmot Valley

Junior Mayor & Council report:

Madison Brown present the report on behalf of the Junior Mayor and Council:

"Good evening Mayor and Council, it is great to be back meeting with you all again. Through these past 2 months, the Junior Mayor Council and I have learned how lucky we are to be offered a great opportunity like this one. We are also extremely thankful to have been given the chance to tour this beautiful city, and see what hard work really gets put in to keep Summerside running smoothly and safely.

As we have learned last month, the city of Summerside has lots to offer to citizens. Although the Council and I are gathered here today to offer new and innovative ideas to not only attract people, but also make the people of Summerside even happier living here.

One of our very popular ideas our Junior Mayor Council members had discussed during our meeting was allowing more volunteering opportunities to the youth here in the city. Not only do we think this would be of high interest to the teenagers, we also think it would be beneficial to help learn what it's like having a job, and what life will be like after high school if you are interested in any of these particular volunteering opportunities as a future career. This is also a chance to help out teenagers in need of part-time work.

Another widely discussed idea during our meeting was more mental health facilities for youth. Teenagers at Summerside Intermediate in grade 9 have all learned about suicide, and suicide awareness through the presentation we had been given. But what is learning about suicide going to do if you have no one to turn to if you do happen to be feeling thoughts of suicide. Yes we do have our own school counsellor but can we really be being dismissed everyday for possibly periods at a time to talk about this. Students in this situation would be missing out on our important school time to finish and pass in assignments and tests. How can we solve this problem? Therapy sessions afterschool, as you know Summerside already offers therapy, but what is available if you don't have the money to pay for therapy every week? Not much in this case.

Lastly one of our discussed ideas to help our city become more innovative, is bike rentals. Bike rentals have been very popular in other cities, and would help keep our city more green. By introducing bike rentals to Summerside,

this would allow others without a bike to pay a small fee instead of paying a larger amount for a bike they may not even use often. These rental bikes would also help our city into becoming more green because when tourists are visiting during the summer (when COVID ends of course). They can tour around the historic landmarks and popular attractions in this town on a bike instead of a vehicle of any sort. Not to mention these bike rentals can be stored at the very popular Credit Union Place attracting even more people during the warm summer months.

As many of you already know, we have a lot of important people behind the scenes that keep our city running. After meeting with many of them, we have been given suggestions on what we can do to help them keep their departments running smoothly. First of all we can start off with building a new fire station. Our current fire station is years old, and in need of many upgrades and repairs. Such as the basement that we were told had flooded a couple weeks before we had visited. Another suggestion we had for this department was new police cars. We were informed that the current police cars had been breaking down. Our last suggestion we had written down was, more funding into the electrical department, we can do so much more with this city by putting more funding into our departments.

To end off this report, I would like to give a massive thank you to, Mr Sears, who helps us keep Junior Mayor and Council running smoothly, and another massive thank you to Mayor and Council of course who allow us to take part in helping come up with new and groundbreaking ideas to help make Summerside a better place for everyone. I hope you take our proposals into consideration, and even better, maybe even put some into action too. Thank you for a wonderful experience!"

Financial Services – Chair, Deputy Mayor McColeman

Report:

"Our year end audit will begin at the end of May and we are on target to meet our deadlines as set by the Government of PEI. In the next couple of weeks, we will be setting our annual meeting date, likely be held in late June. Our preliminary results are projecting a small surplus for 2020-21. We will report on 2021-22 year to date results starting with our June monthly report.

My report tonight contains an update on the status of our utility accounts receivable. As of May 10, 2021, the following is being reported:

- *Total overdue balance is \$182,100 compared to \$261,200 at April 13, 2021.*
- *Approximately 1.7% or \$3,033 of the overdue balance is greater than 60 days past due (this compares to 22.2% or \$428,700 five years ago (May 2016)).*

Rebate application forms are still being accepted from residents/businesses who receive their electricity from Maritime Electric and are within the municipal boundary. This rebate is for the additional cost, due to the January 1, 2021 electric rate increase and will be available for your January, February and March 2021 utility bills. The application form is available on our website and a copy of your utility bills must be submitted. The approved credit will be processed on your next water and sewer utility bill (if you do not have a water and sewer bill with the City of Summerside a cheque will be issued). If you receive your electricity from Summerside Electric you are not eligible for this rebate as the electric rate adjustment was not effective until April 1, 2021. Please contact us at 902-432-1230 if you have any questions or email customerservice@summerside.ca.

A resolution is being presented this evening to award our capital bridge financing. A request for proposal was issued on April 23, 2021 and closed on May 7, 2021. Five submissions were received and reviewed. This increase in our capital bridge financing is due to the significant capital expenditures planned during 2021-22 (e.g. Pope Road and Central Street Intersection, Solar Storage Project, Outdoor Sports Facility), many which have infrastructure funding to be received from the Federal and Provincial Governments. The capital bridge financing will be used to fund the capital expenditures until the infrastructure funding is received from other levels of government and the City obtains long term debt for its share. This is the same practice followed annually but the increase is necessary due to the large project values. This increased capital bridge financing limit will be in place for twenty-four months (until May 2023) after which it will be reduced to our normal limit of \$5 million.”

COS 21-078

Resolution It was moved and seconded;

Whereas the Infrastructure Secretariat with the Province of PEI requires a council resolution to allot the unallocated portion of the Gas Tax which represents the additional payment made for 2021-22.

Be it Resolved that Council endorses that the unallocated portion of the direct allocation of Gas Tax funding in the amount of \$1,356,490 be allocated as follows:

- Central St/Pope Road re-design

Resolution Carried 8-0

COS 21-079

Resolution It was moved and seconded;

Whereas The City of Summerside uses capital bridge financing (e.g. line of credit) to finance capital expenditures temporarily until such time as:

- Infrastructure funding is received and/or
- City’s share of project is borrowed long term

And Whereas Due to several significant capital projects, an increase from \$5 million to \$20 million is required, for a twenty-four-month period (or May 1, 2023) after which time the limit will be reduced to \$5 million. A request for proposal was issued and submissions were received from five financial institutions.

Be it resolved That Council authorize capital bridge financing in the amount of **\$20 million** be awarded to Scotiabank:

Financing Amount	Purpose of Expenditure	Term of Loan	Amortization of Loan	Estimated Rate of Interest	Method of Repayment
\$20,000,000	Finance capital expenditures temporarily until infrastructure funding is received.	24 months	Not Applicable. Will be repaid once capital projects are	Indicative Rate of .9125%	Revolving term facility. Interest will be paid monthly.

			completed and the City borrows long term for its share.	(=BA +.50%). This rate is not fixed and will fluctuate based on the banker's acceptance rate.	Repayments will be made when infrastructure is received. The City's share of the projects will be borrowed long term on the project is complete.
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The City of Summerside is able to incur the indebtedness and liability as set out above. The loan facility of \$20 million will not cause the City of Summerside to exceed its debt limit as set out in the Municipal Government Act Part 3, Division 3, Section 164 (3). The security required for this borrowing transaction is the appropriate borrowing resolution and related documentation.

This bears the recommendation of the Finance Committee meeting of May 13, 2021.

Resolution Carried 8-0

HR & Legal Affairs, Culture Summerside and Policy & Bylaw Review Committee

Human Resources and Legal Affairs Report:

- The Joint Occupational Health and Safety Committee as well as department sub-committees continue to meet on a regular monthly basis
- The department provided support at various meetings this month
- Summer students have been hired in the Electric Department and Technical Services
- Seasonal labourers have been hired at Municipal Works
- Part time staff have been hired for Credit Union Place front desk, bowling lanes and pool
- Zack Culleton and Riley Forbes have been hired as Icemakers at Community Services
- Aaron Lyle and Jeff Gallant were hired as Electrical Journeymen in the Electric Department
- Drew Beattie, Brett MacDonald and Jesse McCabe moved from part time to full time ranks at Police Services
- Mallory Metallic, David DesRoches, Joshua Pound, and Liam Jay were hired as part time police constables
- Contract negotiations continue with outside workers and electrical union
- First aid / CPR and AED training was held for staff

Culture Summerside Report:

“The Summerside Lobster Carnival organizers will be taking a cautious approach to the Carnival’s 2021 celebrations due to COVID 19 and its variants. In the interest of public safety, this years Lobster Carnival will concentrate on the delivery of a delicious, cost friendly, traditional lobster supper, take out style. This tasty island treat will be available for pick up from the comfort of your car and appeal to a variety of senses as the sights and sounds of live music flood the drive thru environment. Details on price, ticket sales, entertainment and dates will be announced shortly.

Culture Summerside and Wyatt Heritage Properties Inc. currently have operational plans submitted to the Department of Public Health for the following 2021 events. Olde Fashioned Carnival, Ghostwalk and the Summerside Arts Festival Plans. Each plan outlines a modified, paired down version of the event due to the risks of COVID 19.

Culture Summerside will be hiring summer staff to fill museum, and programming positions. Staff are currently reviewing applicants and will work with the HR department to interview and hire.

The Summerside Armoury renovation project is moving closer to completion. Interiors are close to the paint and exhibit building stages; outdoor work is yet to be complete. An exact completion date will be easier to identify over the next couple of weeks.

Considerable collection work is being done on the International Fox Museum Collection in preparation of being reinstalled at the armoury site. Other work has been completed on the John the Realm Collection.”

Policy & Bylaw Review Committee Report:

“As part of our effort to ensure our bylaws are consistent with provincial legislation and other requirements, we are updating the Building Bylaw. The rationale for getting this bylaw in place now is that the provincial legislation came into effect almost a year ago, and we would like to get the bylaw in place for the upcoming construction season. Tonight will see the second reading of the amendments and the formal adoption of this bylaw.

The proposed changes were first discussed at last month’s meeting of the Technical Services Committee. We also consulted with the developer community to seek their input on these changes. Most of the feedback from developers centered more so on the requirements for professional services (eg. architects, engineering design), electric services and not so much on specific aspects of the building bylaw.

For example, the question was asked if developers could use the same engineering design for a specific type of wall, for multiple builds in various locations within the City. This is a case where the developer needs to discuss with his/her professional designer if they will allow their specific design to be used in more than one location. The City’s Building Bylaw has no bearing on this issue.

The consultation with the developer community was quite helpful in not only reviewing the proposed bylaw changes, but also in hearing many constructive suggestions on making the City more attractive to developers. We will review this feedback and bring recommendations back to Council for consideration.

There is one change that we are proposing to the bylaw: In Schedule C of the bylaw, Section 2.2: we propose to add “Where full or partial professional design is required “.

We also have a new bylaw as well as proposed amendments of two existing bylaws to consider this evening.

Earlier this year, the Province enacted several changes to the Municipal Government Act which require corresponding amendments to the City's Procedural Bylaw.

Pursuant to section 86(3) of the Municipal Government Act, notice of such changes must be provided to members of Council in writing, and must be announced at the regular meeting of Council preceding the regular meeting at which first reading of the amendment will take place.

The required amendments are:

Electronic Meetings – the Procedural Bylaw will be amended to confirm that meetings may be held electronically and the public may 'attend' the meeting via electronic means.

Committee Terms of Reference – the Procedural Bylaw will be amended to add Terms of Reference for the various Standing Committees of Council.

The first reading of this proposed amendment will take place at the June monthly meeting of Council.

The second piece of business concerns our Access to Information bylaw.

The current version of this bylaw was drafted based on the MGA Regulations. The new version was drafted based on provincial Freedom of Information legislation. When drafting the old bylaw, it was unclear which of the two legislative regimes applied, and the decision was made to go with the MGA Regs – which provided more authority for Council and better cost recovery. The Privacy Commissioner took the position that it is the provincial legislation that applies and made a compelling case for this. The new bylaw accords with FOIPP and has received the Privacy Commissioner's blessing.

The first reading of this amended bylaw will take place tonight.

Finally, the Committee in consultation with Fire Services reviewed the feasibility of implementing an open fires bylaw for the City. At the present time, there are guidelines in place to provide oversight of these fires. However, the Committee is recommending that a bylaw to regulate this issue would be more appropriate. Therefore, we are proceeding with the first reading of this bylaw this evening."

COS 21-090

Resolution

It was moved and seconded;

Whereas

CS-29 Access to Information and Protection of Personal Information Bylaw is a bylaw to provide for the public right of access to certain City records, and to control the manner in which the City collects, uses and discloses personal information

Be it resolved that CS-29 Access to Information and Protection of Personal Information Bylaw be read a first time at this meeting

Bylaw # - CS-29 Access to Information and Protection of Personal Information Bylaw

Short Description: A bylaw to provide for the public right of access to certain City records, and to control the manner in which the City collects, uses and discloses personal information.

Schedule A attached (CS-29 Access to Information and Protection of Personal Information Bylaw)

Resolution Carried 8-0

COS 21-091

Resolution It was moved and seconded;

Whereas CS-29 Access to Information and Protection of Personal Information Bylaw is a bylaw to provide for the public right of access to certain City records, and to control the manner in which the City collects, uses and discloses personal information

And Whereas CS-29 Access to Information and Protection of Personal Information Bylaw was read for a first time at this Council meeting

Be it resolved that CS-29 Access to Information and Protection of Personal Information Bylaw first reading be hereby approved

Resolution Carried 8-0

COS 21-092

Resolution It was moved and seconded;

Whereas CS-35 Open Fires Bylaw is a bylaw to provide guidelines for the oversight of open fires in the City of Summerside

Be it resolved that CS-35 Open Fires Bylaw Bylaw be read a first time at this meeting

Schedule A attached (CS-35 Open Fires Bylaw)

Bylaw # CS-35 Open Fires Bylaw

Short description: Open Fires Bylaw is a bylaw to provide guidelines for the oversight of open fires in the City of Summerside

Resolution Carried 8-0

COS 21-093

Resolution

It was moved and seconded;

Whereas

CS-35 Open Fires Bylaw a bylaw to provide guidelines for the oversight of open fires in the City of Summerside was read for a first time at this meeting

Be it resolved that

CS-35 Open Fires Bylaw first reading be approved

Resolution Carried 8-0

Technical Services – Chair, Councillor Justin Doiron

Report:

“The 2021 construction season is underway. Staff have closed and awarded the first number of tenders and are still working on a few other tenders for this season. The sewer work on Autumn has started, the Pope / Central project has also started as well as Paving. It is anticipated that a few other tenders will be starting shortly.

Staff continues to review and assist the public with pending developments and building permits to be issued for this year. Staff have been busy this past month with numerous planning related activities. We had a discretionary use for the Solar farm, zoning amendment from R3 to R4 on Willow and a few mobile sales establishments. We currently have a building height variance on Lefurgey, revisions to the off site signage, a discretionary use on Duke, more mobile sales establishments. This month we will be having a meeting on some other bylaw amendments, a zoning amendment and another discretionary use request later this month. Staff are also working on our building Bylaw.

23 building permits with a value of \$6.4 M were issued for the month of April with a total year to date value of \$15 M. We issued, 6 semi-detached, 3 commercial renovations/ change of uses, 1 single family house and 1 Mobile home, and 5 residential and Industrial additions. We also had 6 deck and sign permits this month as well a one large Institutional permit for an expansion to the French school. With another 3 new semis for a total of 6 more units in April, this sector continues to be a strong area of residential growth. These 3 new semis were for Langille Court, this represents 16 units over the last 6 months for total permit value of \$4M. This will complete that phase of this new development.

Developers are stopping in and speaking to staff for assistance with their proposed projects for 2021. Citizens are also still encouraged to ask for assistance with their projects that they may have planned for 2021.”

Bylaw CS-31 Building Bylaw

Description:

A bylaw to prescribe the standards for construction and demolition work, the stages for when inspections are required, the fees for services provided and the responsibilities and obligations for owners, constructors, subcontractors and professionals to the City with respect to construction and demolition work in the city in addition to the responsibilities and obligations set out in the Provincial Building Codes Act.

There was one minor addition to the draft Building Bylaw CS-31 since it was read for a first time at the March Monthly meeting so this has to be read at this meeting. The addition is:

Schedule C Section 2.2: Add “Where full or partial professional design is required,” at the beginning of the sentence.

So it now reads:

“Where full or partial professional design is required all plans and specifications shall be accompanied with design certificates bearing the seal of a professional designer licensed to practice in the Province of Prince Edward Island.”

COS 21-080

Resolution It was moved and seconded;

Whereas CS-21 Building Bylaw was read for a first time at the March 15, 2021 Monthly Council meeting

Be it resolved that CS-21 Building Bylaw be hereby read a second time at this meeting

Schedule A attached (CS-31 Building Bylaw)

Resolution Carried 8-0

COS 21-081

Resolution It was moved and seconded;

Whereas CS-21 Building Bylaw was read for a first time at the March 15, 2021 Monthly Council meeting and read a second time at this meeting

Be it Resolved that CS-31 Building Bylaw second reading be declared approved

Resolution Carried 8-0

COS 21-082

Resolution It was moved and seconded;

Whereas CS-21 Building Bylaw was read for a first time at the March 15, 2021 Monthly Council meeting and read a second time at this meeting

Be it Resolved that CS-31 Building Bylaw be declared formally adopted

Resolution Carried 8-0

A number of Councillors inquired whether there would be street lights installed at the Pope/Greenwood intersection.

Staff stated that they will follow up on this.

Planning Board - Chair, Councillor Brian McFeely

COS 21-083

Resolution It was moved and seconded;

Whereas an application was received from PEI Housing Corporation at 205 Lefurgey Avenue, PID #322008.

And Whereas Section 19.5 of the City of Summerside Zoning Bylaw states that no residential apartment building shall exceed a maximum height of 14m (45.9 feet).

And Whereas Section 7.2 of the zoning bylaw allows for a variance to be granted after Council has considered the following tests:

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

Be It Resolved that Council grant a variance of 21%, to allow the apartment building height of 17m (56'), in order to accommodate the roof pitch design to accommodate roof mounted solar panels.

This application bears the recommendation of the Planning Board Meeting of May 4, 2021.

Resolution Carried 8-0

COS 21-084

Resolution It was moved and seconded;

WHEREAS the City of Summerside initiated amendments to the Off-site Sign Program under Schedule C, Sign Regulations of the *City of Summerside Zoning Bylaw*;

AND WHEREAS the amendment was reviewed by the Planning Board on May 4, 2021 and planning board made a recommendation to Council on that same day.

BE IT RESOLVED THAT Council approve the amendments to the Off-site Sign Program under Schedule C, Sign Regulations of the *City of Summerside Zoning Bylaw*.

This bears the recommendation of the Planning Board Meeting of May 4, 2021.

**Off-site Signage Program
Regulations Schedule 'C' Zoning Bylaw (Proposed Amendments)**

***Insert:* 16.0 Off-site Signage Program**

The purpose of the Off-site Signage Program is to provide a means of promoting local businesses and events, subject to the following objectives, criteria and conditions.

Strike Out:

Guiding Principles:

- ~~• To promote off-site advertising of business name identification and location;~~
- ~~• To promote the public welfare, health, and safety of all persons using the public rights-of-ways within the city as to the signage displayed thereon;~~
- ~~• To advance the aesthetic goals of the city throughout the community, and to ensure effectiveness and flexibility in the design of, and creativity of, the use of digital signage without creating a safety detriment to the general public;~~
- ~~• To aid in the proper development and promotion of local business and tourism;~~
- ~~• To reduce the visual clutter caused by small posters or A-frames along city r-o-w's; To implement signage policies as contained within the city Official Plan.~~

Insert:

a Objectives:

- i. The City recognizes the need to be able to allow placement of off-site signage, in order to easily identify local facilities, businesses, products and services for residents and tourists.
- ii. Off-signs should be designed and located in a manner that does not create distractions or safety hazards for pedestrians or motorists, or a danger to the public.
- iii. Off-signs should not adversely affect the use and enjoyment of adjacent public or private property.
- iv. Off-signs should not create unnecessary visual clutter due to their size, number or location.

Renumber, No proposed changes:

b. Criteria:

- i. Whether the sign is compatible with the surroundings in which it is located.
- ii. Whether the sign depicts to the satisfaction of the City appropriate language, messages or graphics. No profanity or offensive messages or graphics shall be permitted.
- iii. Whether the sign is designed, installed, and maintained to meet the sign user needs, while at the same time promoting general public needs and convenience.
- iv. Whether the sign is designed, constructed, installed or maintained in such a manner that it does not

- endanger public safety or traffic safety.
- v. Whether the sign is readable, and visible in the circumstances in which it is to be used.
- vi. Whether the sign, including its size, height, illumination and location is respectful of other signs already displayed in the area.
- vii. Whether the sign is in compliance with all provisions of city bylaws, including those related to traffic safety, traffic visibility, sign setbacks, and structural integrity.

Strikeout & Proposed Changes (highlighted):

~~Digital Off-site signs shall only be permitted with an approved signage permit and the following conditions:~~

c. Conditions:

- i. Digital off-site signs shall only be permitted with an approved signage permit.
- ii. ~~They are~~ Digital off-site signs are not permitted within a site triangle ~~or within street/ highway right-of ways.~~
- iii. Permitted sign types: Pole sign and building wall sign.
- iv. 1 km (0.62 miles) minimum distance between signs on the same street, up to a maximum of four (4) signs in the City, with electronic messages.
- v. Maximum sign area of 5 m² (53.8 sq ft).
- vi. All digital off-site advertising shall be maintained in accordance with the Signage Regulations of ~~City~~ the Zoning Bylaw SS-15.
- vii. Allow off-site advertising for business name identification and location only.
- viii. No digital off-site sign shall be located in any residential zone or be placed within ~~60-100 meters (196.8 328 ft)~~ of any residential ~~zone~~ use.
- ix. Digital off-site signs shall be permitted within Downtown (D), Service Commercial (C2) ~~and~~ Industrial (M1 and M2), and may be allowed in Institutional zones, at the discretion of the Development Officer.
- x. Digital display and operation shall be in accordance with Section 10 f. of the Signage Regulations of the City Zoning Bylaw SS-15.
- xi. Enforcement is subject to Section 15 of the Signage Regulations of ~~City~~ the Zoning Bylaw SS-15.

Resolution Carried 8-0

COS 21-085

Resolution It was moved and seconded;

Whereas in accordance with Section 3.3.b.ii. of the *City of Summerside Heritage Bylaw SS-20* the membership of the Heritage Planning Board shall comprise of three (3) citizen representatives appointed by Council resolution and selected for their knowledge of heritage conservation issues;

Be It Resolved the following three individuals are appointed as citizen representatives to the Summerside Heritage Planning Board for a two-year term until May 17, 2023 in accordance with Section 3.3.c.ii. of the *City of Summerside Heritage Bylaw SS-20*.

- Kate Cormier;
- Natalie Hashie;
- Carl Delaney

This bears the recommendation of the Planning Board meeting held on May 4, 2021

Resolution Carried 8-0

COS 21-086

Resolution It was moved and seconded;

WHEREAS a discretionary use application was approved on March 16, 2020 for PEI Oceanview Resort Inc. (Shizhong Liu) for PID #309344 to allow a "8 unit Row House" use at 373 Duke Street in the Medium Density Residential (R3) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS the discretionary use approval expired on March 16, 2021;

AND WHEREAS the applicant requested an extension to the approved Discretionary Use.

BE IT RESOLVED THAT the Council approve a six month extension (Expiring on September 16, 2021) to the Discretionary Use for an 8 unit row house for PID #309344, at 373 Duke Street in the Medium Density Residential (R3) zone under the *City of Summerside Zoning Bylaw*.

This bears the recommendation of the Planning Board Meeting of May 4, 2021.

Resolution Carried 8-0

COS 21-087

Resolution It was moved and seconded;

Whereas Generation XX is requesting Council approval in accordance with Section 13 of the *Licensing Bylaw CS-21* to operate a mobile sales establishment at 263 Heather Moyse Drive (Summerside Port Corporation Inc., property owner).

And Whereas Section 13 of the *Licensing Bylaw* provides that Council shall allow or refuse an application based on the following considerations:

- safety;
- desirability;
- impact on established businesses in the City;
- public convenience; and
- such other considerations as it deems appropriate.

Be It Resolved that Council grant approval to Generation XX to operate a mobile sales establishment at 263 Heather Moyse Drive (Summerside Port Corporation Inc., property owner). The license is subject to,

- Paying a license fee of \$500 for a non-local business as per Licensing Bylaw CS-21 Regulations;
- Special events require written approval of the event organizer, submitted to the City three days in advance.
- A food health permit is approved by the Province;

- Litter disposal containers are provided on- site;
- Hours of operation 11:00 am to 8:00 pm;
- Letter(s) of permission from property owner(s).
- Connection of any pipe, hose, etc. to the City system requires City approval.

This bears the recommendation of the Planning Board Meeting of May 4, 2021.

Resolution Carried 8-0

Economic Development – Chair, Councillor Brian McFeely

Report:

“It has been a robust month with the turning of the seasons, and many people looking to start businesses, both PNP immigrants and local entrepreneurs, finding space has become a frequent inquiry to our office. Vacancy rates for all types of space (retail, office, industrial) are lower than they’ve ever been, constricting options for finding a business location, the office is continuing to work with local developers and property owners to match demand with current supply.

The office in collaboration with our private sector partners have been able to work with property owners/developers to repurpose or build 30,000 sq ft of space – 2,000 sq ft has been converted already, 8,000 sq ft is currently underway, and 20,000 sq ft will be ready later this year in Late Summer or Early Fall. Again, what the office is seeing is great pent up demand for space in all parts of the City and investment in properties again is strong early in 2021. This is also translating into a surge of vacant property for sale for development to capitalize on this known demand. Just as a point of interest, our Available Sites tool added about a dozen new entries over the past few weeks.

Labour Initiatives

The office is working with several private sector IT firms looking to significantly expand in Summerside. We are currently assisting them with satisfying their labour needs. Because remote working has a more prominent role in today’s world, businesses are realizing that there is an opportunity to attract workers to a place like Summerside, where they can complete their duties from home just as easily as from an office. Our plan is to use all the tools at our disposal (labour tools, various media) to attract people to work for these established firms from Summerside, thus considerably advancing our IT Sector. Given Summerside’s strong business fundamentals, state of the art infrastructure, pipeline of major projects and community amenities are all factors in companies looking for remote work locations.

Website Overhaul

Together with our Marketing and Communications vendor, we are overhauling our website bigpossibilities.ca. The resulting site will retain some material from the existing site but will be organized much more clearly with the most prominent information and tools front and centre. Navigation will be much more intuitive, and mechanisms will be in place that allow content to be readily switched out. Last, the look and feel will be in line with modern web design practices and give the user a more fulfilling experience. We hope to launch our more user-friendly web property in the coming weeks

PNP Milestone

Over the past month, we have crossed a very important line regarding our immigrant portfolio. There are now 50 PNP businesses that are operating in Summerside, the first having started in August 2019 and the latest just days ago. Summerside is seen as a sound place for investment and offers many lifestyle advantages. As a result, we are seeing more landings than ever before. Translating that into direct impacts, this group of investors have absorbed over 40,000 square feet of vacant space and employ in total over 100 people. The office has spent a large amount of time in their business planning, community integration and networking and we are now seeing the fruits of this effort in growing and diversifying our economy

Pitch and Bridge Summerside

A quick update our Pitch and Bridge Summerside event as part of the Summerside Xchange is in its final stages as our 11 finalists’ prep for their pitch competition later this month. Our Board of Directors and Jury members are excited about the calibre of the contestants and looking forward to an exciting pitch day on May 26th”

Police/Fire& Emergency – Chair, Councillor Barb Ramsay

Emergency Measures

“As part of its ongoing emergency preparedness efforts, the City recently participated in a table-top exercise that was facilitated by the provincial Emergency Measures Organization. This session provided an opportunity for the City to test and mobilize its response to an emergency. We were joined by community partners during this exercise, which helped raise our awareness of things we have done (and need to do) to better prepare our community to respond to future emergencies. The engagement was quite positive, and we are working with the provincial EMO to assess our plan and further refine it where needed.”

Fire Report:

There were 14 fire calls during April:

- 2 - Medical First Responder Calls
- 3 - Alarm Panel Calls
- 1 - Structure Fire
- 1 - Motor Vehicle Accident
- 2 - Electrical Fires
- 1 - Accidental False Alarm
- 1 - Smoke Complaint
- 2 - Miscellaneous Calls
- 1 - Cancelled Call

Firefighters trained a total of 1130.5 hours for the month, doing the following:

Apr 05/21 - Hose & Ladder Training
Apr 07/21 - Drafting Exercise
Apr 11/21 - Clean Ice Rescue Equipment
Apr 11/21 - Level 2 Classroom Sessions

Apr 11/21 - Level 2 Exam
Apr 11/21 - Level 1 Instructing
Apr 12/21 - Zoom Presentation
Apr 13/21 - First Aid/CPR
Apr 13/21 - Re-configuring Compartments Engine 3
Apr 17-18/21 - Level 1 Field Work
Apr 18/21 - Air Brake Prep Course
Apr 19/21 - Hose, Ladders, Water Supply Training
Apr 19/21 - Level 1 and 2 Instructing
Apr 19/21 - Community Work - Strongman Pull
Apr 24-25/21 - Level 1 Field Work
Apr 26/21 - MFR Training
Apr 26/21 - Level 1 Pump Work
Apr 26/21 - New Firefighter Orientation
Apr 20/21 - OH&S Meeting
Apr 20/21 - Aerial Training
Apr 28/21 - Tour

Notes:

- Congratulations to these Summerside firefighters for passing their Level 1 Exams.

- Mark Richard
- Ben Gallant
- Danny Moisan
- Jeremiah Henderson

- Also, congratulations to these firefighters for getting through the

theory component of Level 2 certification.

- Captain Andrew Peters
- Lieutenant Jeff Bernard
- Daniel Albert
- Stephen DesRoche
- Lieutenant Tyler DesRoches
- Ryan Pinkham

These firefighters have just completed over 1000 hours of training. Great Job Everyone!

Police Report:

“Committee and Volunteer Work

Members continued to do virtual meetings and conference calls in April with in-person meetings happening as well. During April members set up 3 pizza parties at Greenfield Elementary, Elm St Elementary & Athena Elementary as students entered a contest to ‘Name the Drone’ with an overwhelming name of ‘Eagle Eye’ chosen as the winner. Det/Cst MacLeod did a demonstration of the drone at one of the schools in the gym, with two more to go. A fun time was had by all.

Training and Service Enhancements

During April members took part in the following training; Six members re-certified in domestic violence training and four members re-certified in First Aid/CPR training.

Community Policing Activities

During April SPS members took part in the annual Polar Plunge in Dalway to raise money for Special Olympics. One member enrolled in the 'Big Brother' program and has been partnered with a local youth.

Occurrence Statistics

The following is a list of some of occurrence totals for April 2021.

Calls for Service – 550

Traffic Accidents – 22

Reported Crimes of Assaults & Threats – 11

Theft Reports – 31

Impaired Driving Offences – 8

Highway Traffic Act Charges 73 plus 39 speeding

Break & Enter Reports (Business & Residential) – 10

Drug Enforcement Charges – 8”

COS 21-088

Resolution

It was moved and seconded;

Be it resolved that

Appendix A of CS-27 Traffic and Parking Bylaw, be amended to add the north side of Maple Avenue from Summer Street to Central Street be designated as No Parking

This bears the recommendation of the Police Services meeting of May 4, 2021

Resolution Carried 8-0

Several Councillor have mentioned that they have received many calls and emails from residents regarding the trucks getting product from Port Summerside throughout the night this past weekend.

Community Services – Chair, Councillor Cory Snow

Report:

“The Community Services Department switched gears in April. Crews were out getting over 200 acres of the City’s greenspaces and parks ready for the warmer weather, including the installation of new playground equipment structures at four different parks in the City.

Credit Union Place launched a new program called Rec & Go which offers facility users an opportunity to take advantage of their lunch hour with a workout/swim and take-out lunch for \$15. The program is offered between 11:30am-1:30pm from Monday to Friday.

The Summerside Western Capitals has three round-robin home games in the month of April. Unfortunately, due to the covid-19 situation in our neighbouring provinces, the Maritime Hockey League cancelled the remainder of the season on April 27, 2021. Staff look forward to 2022 in a year where Summerside will host the Fred Page Cup.

Active Living staff has a busy month of April as they prepare for programming throughout the Summer months. Four week-long Summerfun Camps went on-sale and almost sold-out immediately. Each camp has a different

theme, such as Sports Camp, Arts Camp, Adventure Camp and Photography & Videography Camp. Due to the high demand, staff released four individual days camps that will be offered throughout the Summer.

Active Living Staff programmed a Dr. Seuss themed PD Day that offered children an opportunity to stay the day at Credit Union Place and take part in a variety of Dr. Seuss themed programming.

Despite the ongoing pandemic, the Veterans' Convention Centre (VCC) saw 23 bookings for the month. Many returning weekly or monthly bookings, along with several new ones.

Public Swimming Lessons went on sale and began in April. Registration sold-out within hours of going on-sale which goes to show swimming lessons are in high-demand. The Aquatics Centre also began offering evening Aqua Fit classes twice a week in order to provide users some schedule flexibility.

Community Services staff continue to work with Public Health and adapt to the guidelines and restrictions that are passed along from health officials. In regard to Canada Day, unfortunately public health has confirmed there will be no fireworks or parades this summer. However, staff are working towards a Civic Ceremony similar to last year, along with socially distanced Canada Day activities for residents."

COS 21-089

Resolution It was moved and seconded;

Whereas Staff are recommending changes to the City of Summerside Cosmetic Pesticide and Integrated Pest Management Bylaw to meet provincial and Health Canada regulations, as well as ensuring the safest products are being used within the community.

Be it resolved that updates are made to the Non Domestic Restricted list of products permitted to be used under the Cosmetic Pesticide and Integrated Pest Management Regulations.

The updates would include:

1. Removal of the insecticide Sevin
2. Removal of the insecticide Delta Gard
3. Addition of the insecticide ACELEPRYN – 28980
4. Addition of QUALI-PRO IMIDACLOPRID 75
5. Adding Roundup (Non-Domestic Allowable Broad Spectrum Herbicide)

Schedule A attached (Cosmetic Pesticides and Integrated Pest Management Regulations)

Resolution Carried 8-0

Municipal Services – Chair, Councillor Bruce MacDougall

Report:

The biosolids fertilizer warehouse has been emptied this month going out to farmers fields for fertilization use.

- The sewage treatment plant performed the following maintenance this month:
 - Repaired sewage truck offloading station
 - Replaced the dryer burner for biosolids production
 - replaced burnt out UV lights at the lagoon
 - Spring cleaning of Airpol system for biosolids production
- Serviced 4 Dissolved Oxygen sensors in the Biological Nutrient Removal System
- Completed the Spring lift station checks and Maintenance for Spring thaw events.
- Public works progressed with edge of right of way repairs along the roadside from snow removal efforts. This is expected to be completed by the end of May. The public is asked if any damage along the roadway is unrepaired by the end of May to call 902-432-1268 to report the need for repairs.
- New signage was installed at Doryview Subdivision for a no exit and new speed sign.
- Boardwalk repairs have been started this month and is expected to be completed by end of May.
- Traffic Line Painting is expected to start the week of May 17th.
- Water box covers are being repaired from frost heave this month. The public is reminded to call 902-432-1268 for any water valve covers (curb stops) that are protruding in their lawn to be repaired.
- Operations are starting to assist contractor with capital upgrade work this season starting with Pope Road Round about and Autumn Street water main replacement.
- The Wilmot wellfield fencing was repaired this month.
- The Street sweeper has been operational for the last few weeks and continues to be problematic with dust on dry days. Operations are working with the manufacturer to correct the issues.

GENERAL OPERATIONAL STATISTICS:

Water and Sewer Utilities:

- 24 water samples were taken with clear of bacteria.
- 12 chlorination samples taken all within parameters.
- 1 water service was repaired this month.
- 1 water main break was repaired this month.
- 18 water turn on and offs for the month.
- 13 sewer calls this month.
- 1 sewer video was performed this month.
- Sewer effluent to harbor (318,750 cubic meters treated).
- 78,078 gallons of septage received to the plant from outlying areas. (servicing the county).
- 368 Tons of Bio fertilizer were created this month at the Sewage Treatment Plant.

Electric Services – Chair, Councillor Greg Campbell

Report:

Work Tasks Highlights:

- The Junior Mayor and Council tour occurred in March with the group touring the wind farm, electric service building and the power plant. The tour introduces the Junior Council to how the Electric Utility operates and supplies customers with electricity.
- Power Plant and Technicians Maintenance consisted of:
 - Traffic lighting maintenance and pedestrian crossings at 9 locations that needed new lighting bulbs were repaired.
 - Meter changes for 2021 continued throughout the month.
 - New silica moisture beads replaced on all substation transformers.

Special Council Meeting Minutes

May 19, 2021

Present

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Barb Ramsay
Councillor Cory Snow
Councillor Greg Campbell
Councillor Brian McFeely
Councillor Carrie Adams
Rob Philpott, Chief Administrative Officer
Brian Hawrylak, HR Officer

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

30 Greenwood Drive – Zoning amendment

1. **30 Greenwood Drive - Zoning Amendment** (Councillor Brian McFeely)

Background

An application was received from Amalgamated Holdings Ltd. (PID #553875). The purpose of the zoning amendment is to allow retail store(s) and office space in the proposed Service Commercial (C2) zone as follows:

Proposed Zoning Bylaw Amendment:

- Change the zoning from Industrial (M1) zone to Service Commercial (C2) zone.

The application was advertised in the May 1st, edition of the Guardian and letters were mailed to property owners within 60m or 200 ft of the subject properties.

Light Industrial (M1) Zone (Current Zoning)

25.1 The purpose of this zone is to accommodate light industrial and other compatible non-noxious industrial uses, together with some supporting and complementary commercial uses.

Permitted Uses

25.2 Subject to Bylaw requirements:

M1 Zone - Permitted Uses		
INDUSTRIAL		
heavy machinery sales/repairs	marine sales/repairs	truck driving school
industrial: light	manufactured home construction	trucking depot
food processor	accessory building	cannabis production facility
alcohol manufacturer: brew-pub and micro-brewery	storage facility: automobile towing facility	construction company: light
COMMERCIAL		
animal care facility: shelter and kennel	bakery	building supply outlet
automobile: body shop/repair shop/sales establishment	child care facility: small, medium and large	printing/publishing establishment
dry cleaner: processor and outlet	storage facility: automobile storage facility, outdoor storage area, self-storage and warehouse	parking lot
OTHER		
telecommunication tower		

Discretionary Uses

25.3 Subject to Council approval:

M1 Zone - Discretionary Uses		
INDUSTRIAL		
recycling facility	wind energy conversion system	solar energy collector system
COMMERCIAL		
business/professional office		

Service Commercial (C2) Zone (Proposed Zoning)

23.1 The purpose of this zone is to provide for large and medium-sized commercial uses which need road frontage for ready vehicular access and advertising exposure.

Permitted Uses

23.2 Subject to Bylaw requirements:

C2 Zone - Permitted Uses		
COMMERCIAL		
animal care facility: hospital and kennel	food store: convenience and grocery	private club
automobile establishment: body shop, repair shop, sales establishment, service station and washing establishment	funeral home	restaurant: dining room, take-out and drive-through
bakery	industry: office-style	retail store: small and large
bank/financial institution	liquor store	service centre
building supply outlet	tourism establishment: motel/hotel	shopping centre
bus terminal	accessory building	storage facility: automobile storage facility, outdoor storage area, self-storage and warehouse
office: business/professional and medical	parking lot	alcohol manufacturer: brew pub, ferment on premises and micro-brewery
commercial school	personal service shop	taxi station
child care facility: small, medium and large	plant nursery	fitness centre
dry cleaner: outlet	printing/publishing establishment	video arcade
farmers/fishers market	cannabis retail store	
RESIDENTIAL		
rowhouse	townhouse	residential dwellings lawfully existing prior to 1999
social services agency	commercial/residential building	ancillary residence
INSTITUTIONAL		
community centre	entertainment facility	public library, museum and gallery
emergency services facility college/university	place of worship	office: government

Discretionary Uses

23.3 Subject to Council approval:

C2 Zone - Discretionary Uses

COMMERCIAL

tavern/bar/lounge	flea market	tourism establishment: tourist home and inn,
crematorium - accessory use to a funeral home	pool hall	

INSTITUTIONAL

utility facility		
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Conditional Uses

23.4 Subject to a Development Officer approval:

C2 Zone - Conditional Uses

RESIDENTIAL

home based business	tourism establishment: B&B and vacation rental property	secondary suite
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Comments & Questions

Chris Palmer, Balcom Drive, state that he is the agent for the applicant and is also in the process of purchasing the property.

He stated that the property is currently empty and provides a great opportunity. He stated that the intent is to change the building use to retail units. He hopes to have 7 retail units and up to 14 micro-offices with shared reception area and boardroom.

He had showed a few renderings of the proposed development. He hopes to have renovations beginning in early July. The building is 20,000 square feet. He stated the annual municipal tax would be \$18,000 year. He estimates there would be 50-60 jobs when the building is complete.

Thomas Biggar, owner of the property on the corner of Greenwood and Notre Dame, stated that he has no immediate plans for that property and was curious as to what was taking place. He inquired what that means for his property. Staff stated that his zoning would not change from what it is now and he could apply for a re-zoning whenever he wished. He stated that this could impact his property in a positive way.

Councillor McFeely read a written submission from Robert Arsenault (Secretary of Highland Enterprises Ltd., hereinafter referred to as Highland)

Mr. Arsenault indicated that he would like his general comments regarding the 565 Water St rezoning in 2020 be applied to this application. The wording below meets the intent of his phone conversation with the Development Officer.

Highland as a nearby property owner (PID #68999 and PID #69005) takes a neutral position on the rezoning application to rezone of 30 Greenwood Drive (PID #553875) from Light Industrial (M1) to Service Commercial (C2).

Highland carries on business as a provincially licensed Beverage Container Recycling Depot as well as a Scrap Metal Recycling Facility. As a matter of common knowledge, scrap metal recycling facilities are industrial sites often referred to as junk yards. Junk yards do not receive awards for serene and tranquil environments, neither do they receive awards for their aesthetic beauty. Scrap metal facilities employ industrial bailers to crush and pack tons of metal for delivery to market. Recycling yards are noisy, dirty and can be a dangerous place to work.

Mr. Arsenault wants to state that regardless of the zoning applicable to the subject parcel, Highland will continue to operate as a scrap metal recycling facility well into the future.

We trust that any decision to develop a service commercial property in close proximity to an operational scrap metal recycling facility, will have been considered by the developer. Highland urges that City planners inform the developer of the prominence of Highland as a functioning industrial operation and the negative impact that such a facility may have on the proposed development.

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.
(Step 3 takes place at Planning Board Meeting scheduled for June 1st @ 5:00pm)
- (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 Communities, Land and Environment for signature and the amendment becomes official.
(Steps 4- 5 take place at Council's second meeting scheduled for June 17th @ 6:30pm)

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 21-094

It was moved and seconded

WHEREAS an application was received from Amalgamated Holdings Limited for a zoning amendment for PID # 553875 from Light Industrial (M1) zone to Service Commercial (C2) zone under the *City of Summerside Zoning Bylaw*;

BE IT RESOLVED THAT zoning amendment 0135, be hereby declared as read a first time.

[schedule B is attached]

**ZONING AMENDMENT 0135
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 PID # 553875 shown on Schedule B of the *City of Summerside Zoning Bylaw*, is designated as Service Commercial (C2) zone, hereby excluding it from its former designation of Light Industrial (M1) zone.

Resolution carried 8-0

COS 21-095

It was moved and seconded

WHEREAS an application was received from Amalgamated Holdings Limited for a zoning amendment for PID # 553875 from Light Industrial (M1) zone to Service Commercial (C2) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 0135, 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 0135, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation

Resolution carried 8-0

Adjournment

Motion It was moved and seconded;

That The meeting be adjourned.

Motion Carried

Basil L. Stewart
Mayor

Brian Hawrylak
HR Officer

Special Council Meeting Minutes

June 1, 2021

Present

Mayor Basil Stewart
Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Barb Ramsay
Councillor Cory Snow
Councillor Greg Campbell
Councillor Brian McFeely
Councillor Carrie Adams
Rob Philpott, Chief Administrative Officer
Kristen Dunsford, Director of Financial Services
Brian Hawrylak, HR Officer
Member of the Media
Member 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

COS 21-096

It was moved and seconded
WHEREAS an application was received from Abbott & Langille Plumbing, Heating & Electrical Inc. for a Discretionary Use for PID # 70110 (Lot 20-6 and 20-7) to allow a "8 unit row house" at 33 Langille Court and a "8 unit row house" at 34 Langille Court in the Medium Density Residential (R3) zone under the *City of Summerside Zoning Bylaw*;

BE IT RESOLVED THAT the Council approve a Discretionary Use for a "8 unit row house" at 33 Langille Court (Lot 20-6, PID #70110) and a "8 unit row house" at 34 Langille Court (Lot 20-7, PID #70110) in the Medium Density Residential (R3) zone under the *City of Summerside Zoning Bylaw*;

This bears the recommendation of the Planning Board Meeting of May 19, 2021.
Motion carried 8 - 0

COS 21-097

It was moved and seconded

Whereas Tara Arsenault is requesting Council approval in accordance with Section 13 of the *Licensing Bylaw CS-21* to operate a mobile sales establishment (High on the Hog) at 245 Heather Moyse Drive (Summerside Port Corporation Inc., property owner).

And Whereas Section 13 of the *Licensing Bylaw* provides that Council shall allow or refuse an application based on the following considerations:

- safety;
- desirability;
- impact on established businesses in the City;
- public convenience; and
- such other considerations as it deems appropriate.

Be It Resolved that Council grant approval to Tara Arsenault to operate a mobile sales establishment (High on the Hog) at 245 Heather Moyse Drive (Summerside Port Corporation Inc., property owner). The license is subject to,

- Paying a license fee of \$500 for a non-local business as per Licensing Bylaw CS-21 Regulations;
- Special events require written approval of the event organizer, submitted to the City three days in advance.
- A food health permit is approved by the Province;
- Litter disposal containers are provided on- site;
- Hours of operation 11:00 am to 9:00 pm;
- Letter(s) of permission from property owner(s).
- Connection of any pipe, hose, etc. to the City system requires City approval.

This bears the recommendation of the Planning Board Meeting of May 19, 2021.

Motion carried 8 – 0

COS 21-098

It was moved and seconded

WHEREAS a zoning text amendment was initiated by the City of Summerside, to amend Section 19.5 of the High Density Residential R4 zone *and Section 2* under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw* was read and declared as read a first time at the Council meeting held on May 12, 2021;

BE IT RESOLVED THAT zoning amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby declared as read a second time.

This bears the recommendation of the Planning Board meeting held on May 19, 2021.

[schedule A text is attached]

**ZONING AMENDMENT 0135
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. Amend Section 19. 5, the High Density Residential (R4) zone and Section 2 Bylaw definitions to read as follows:

Section 19.5 b of the High Density Residential R4 zone

- **Amendment #1**
Floor Area Ratio – ~~Delete: 0.6 and 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 and;~~ Insert: 0.8
- **Amendment #2**
Lot Coverage – ~~Delete: 30%~~ and; Insert: 35%
- **Amendment #3**
New Density Bonus - Insert: Density Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.

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 0.8 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% 35% 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									
Density Bonus	Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.									

Proposed Amendment Section 2 Bylaw Definitions

- **Amendment #4**
Duplex means a *building* that is divided either horizontally or vertically into two dwelling units, with one or both of the units constructed directly on grade or the other unit constructed directly above the grade-level unit. The units may share common municipal services and shall not be subdivided into individual ownership.

Motion carried 8-0

COS 21-099

It was moved and seconded

WHEREAS a zoning text amendment was initiated by the City of Summerside, to amend Section 19.5 of the High Density Residential R4 zone *and Section 2* under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw*, was read and declared as read at two separate meetings of Council held on different days;

BE IT RESOLVED THAT zoning bylaw amendment 0135, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby formally adopted.

Motion carried 8-0

COS 21-100

It was moved and seconded

Whereas Bernie Kiggins and Cory Rogers are requesting Council approval in accordance with Section 13 of the *Licensing Bylaw CS-21* to operate a mobile sales establishment at 35 Water Street (O’Leary Potato Packers Ltd., property owner).

And Whereas Section 13 of the *Licensing Bylaw* provides that Council shall allow or refuse an application based on the following considerations:

- safety;
- desirability;
- impact on established businesses in the City;
- public convenience; and
- such other considerations as it deems appropriate.

Be It Resolved that Council grant approval to Bernie Kiggins and Cory Rogers to operate a mobile sales establishment at 35 Water Street (O’Leary Potato Packers Ltd., property owner). The license is subject to,

- Paying a license fee of \$500 for a non-local business as per Licensing Bylaw CS-21 Regulations;
- Special events require written approval of the event organizer, submitted to the City three days in advance.
- A food health permit is approved by the Province;

- Litter disposal containers are provided on- site;
- Hours of operation 11:00 am to 8:00 pm;
- Letter(s) of permission from property owner(s).
- Connection of any pipe, hose, etc. to the City system requires City approval.

This bears the recommendation of the Planning Board Meeting of June 1, 2021.

Discussion:

Mr. Kiggins stated that they have verbal permission to use 35 Water Street, but the property owner was advised by their lawyer to not provide written permission due to liability.

Councillor McFeely stated that the bylaw stated written permission is required.

Mr. Kiggins stated that they do southern style bbq and there is already someone who will have a mobile sales establishment at the Port Summerside site.

Mr. Kiggins will be looking to get written permission from another site.

Motion carried 8-0

COS 21-101

It was moved and seconded

Whereas the property located at 107 Water Street (PID 313734) is deemed to be in a condition to constitute an unsecured building as defined in Bylaw CS-11;

And whereas Council has been advised of the failure of the owner to comply with a Notice letter dated May 11, 2021;

Be it resolved that the Council, pursuant to Section 9 of Bylaw CS-11 authorize an Inspector to enter the property without written warrant or other legal process, and thereupon carry out any and all works as stated in the Notice in order to bring the property into compliance with the requirements of the Bylaw.

This resolution shall be in effect for forty-eight (48) months from the date of passing and enables the Inspector to re-enter the property at any time to remedy a recurring condition.

The Inspector shall cause the costs of repair or demolition or other work done to be charged to the owner, and failing receipt of payment within thirty (30) days therefrom from the owner, such costs shall be charged against the property as a municipal lien or recorded in a lawsuit against the owner.

This bears the recommendation of the Technical Services Committee dated June 1, 2021

Motion carried 8-0

Adjournment

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

Basil L. Stewart
Mayor

Brian Hawrylak
HR Officer

Special Council Meeting Minutes

June 15, 2021

Present

Deputy Mayor Norma McColeman
Councillor Bruce MacDougall
Councillor Justin Doiron
Councillor Barb Ramsay
Councillor Cory Snow
Councillor Greg Campbell
Councillor Brian McFeely
Councillor Carrie Adams
Rob Philpott, Chief Administrative Officer
Kristen Dunsford, Director of Financial Services
Brian Hawrylak, HR Officer
Member of the Media
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

Public Meeting #1

775 Water Street East – Official Plan and Zoning amendment

An application was received from Arsenault Brothers Holdings Inc. for a portion of PID #836353. The purpose of the official plan and zoning amendment is to allow an apartment building development in the proposed R4 zone as follows:

Proposed Official Plan Amendment:

- Change the future land use map from Commercial to Residential.

Proposed Zoning Bylaw Amendment:

- Change the zoning from Service (C2) zone to High Density Residential (R4) zone.

The application was advertised in the May 29th edition of the Guardian and letters were mailed to property owners within 60m or 200 ft of the subject properties.

Service Commercial (C2) Zone (Current Zoning)

23.1 The purpose of this zone is to provide for large and medium-sized commercial uses which need road frontage for ready vehicular access and advertising exposure.

Permitted Uses

23.2 Subject to Bylaw requirements:

C2 Zone - Permitted Uses		
COMMERCIAL		
animal care facility: hospital and kennel	food store: convenience and grocery	private club
automobile establishment: body shop, repair shop, sales establishment, service station and washing establishment	funeral home	restaurant: dining room, take-out and drive-through
bakery	industry: office-style	retail store: small and large
bank/financial institution	liquor store	service centre
building supply outlet	tourism establishment: motel/hotel	shopping centre
bus terminal	accessory building	storage facility: automobile storage facility, outdoor storage area, self-storage and warehouse
office: business/professional and medical	parking lot	alcohol manufacturer: brew pub, ferment on premises and micro-brewery
commercial school	personal service shop	taxi station
child care facility: small, medium and large	plant nursery	fitness centre
dry cleaner: outlet	printing/publishing establishment	video arcade
farmers/fishers market	cannabis retail store	
RESIDENTIAL		
rowhouse	townhouse	residential dwellings lawfully existing prior to 1999
social services agency	commercial/residential building	ancillary residence
INSTITUTIONAL		
community centre	entertainment facility	public library, museum and gallery
emergency services facility college/university	place of worship	office: government

Discretionary Uses

23.3 Subject to Council approval:

C2 Zone - Discretionary Uses

COMMERCIAL

tavern/bar/lounge	flea market	tourism establishment: tourist home and inn,
crematorium - accessory use to a funeral home	pool hall	

INSTITUTIONAL

utility facility		
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Conditional Uses

23.4 Subject to a Development Officer approval:

C2 Zone - Conditional Uses

RESIDENTIAL

home based business	tourism establishment: B&B and vacation rental property	secondary suite
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High-Density Residential (R4) Zone (Proposed Zoning)

19.1 The purpose of this zone is to provide for high-density housing in the form of apartments, as well as housing in the form of single-family, semi-detached, duplex dwellings, row house, townhouse and other compatible uses.

Permitted Uses

19.2 Subject to Bylaw requirements:

R4 Zone - Permitted Uses

single family dwelling	assisted living	row house
semi-detached dwelling	duplex dwelling	townhouse
apartment building	group home	nursing care facility: community care and nursing home
boarding house	child care facility: medium	social services agency
accessory building	rooming house	

Discretionary Uses

19.3 Subject to Council approval:

R4 Zone - Discretionary Uses

tourism establishment*: tourist home and inn		
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* Also requires Conditional Use approval

Conditional Uses

19.4 Subject to a Development Officer approval:

R4 Zone - Conditional Uses		
home based business	tourism establishment: B&B and vacation rental property	secondary suite

Comments & Questions

The applicant, David Arsenault made a presentation

David Arsenault, representing Arsenault Bros., stated that they are seeking a down-zoning from C2 to R4. He stated that the C2 accepted uses are high traffic and high light, while R4 would be lower traffic, less signage and lighting.

He stated the 9 acre parcel will see 2 acres left as C2. There will be 2 story townhouses at the front of the property facing Water Street, with 3 story apartments in behind and 4 story apartments north of that.

He stated there will be a temporary cul-de-sac in the event of further development.

Mr. Arsenault displayed images of similar buildings that they have constructed. He stated that there would be a lot of greenspace with the development. He stated that there is a projection for a need for more units in Summerside and stated that their development aligns with Summerside's Official Plan.

They are proposing 134 residential units with the development, with accessible units along with 1, 2 and 3 bedroom units. They calculated \$150-\$160 thousand dollars in taxes to the City. He stated that if approved, they would start next year and would probably be a 4 year project, potentially starting on the road this year.

City Councillors thanked Mr. Arsenault for his presentation and interest in developing within the City.

The public was invited to make comments

Eileen Heffell-Taylor, Water Street, lives next to the property and would like to know what that means to the value of her land, she stated there has been mud running down the road from a nearby development and wanted to know if this would be continuing for another 4 years.

Councillor McFeely stated that staff will be bringing back a report to the Planning Board meeting on Monday June 21 at 4pm and will address questions in that report.

Trevor Heffell, inquired if there could be a fence or buffer installed between the parking lot and his mother's lot.

David Arsenault stated that they could look at erecting a fence.

Explanation of the process

In order to process an official plan and 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.
(Step 3 takes place at Planning Board meeting scheduled for June 21st @ 4:00pm)
- (4) The zoning bylaw amendment is read a second time and declared as read at a second Council meeting.
- (5) The official plan amendment is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council. If the official plan amendment, is adopted by Council, it is sent to the Minister of Communities, Land and Environment for signature and the amendment becomes official. If the official plan amendment is defeated, the zoning bylaw amendment will be defeated as well, as the zoning amendment cannot contradict the official plan amendment.
- (6) 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 Communities, Land and Environment for signature and the amendment becomes official.
(Steps 4 - 6 take place at Council's second meeting scheduled for June 22nd @ 6:30pm)

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 21-102

It was moved and seconded

WHEREAS an application was received from Arsenault Brothers Holding Inc. for a zoning amendment for a portion of PID # 836353 From Service Commercial (C2) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

BE IT RESOLVED THAT zoning amendment 187, be hereby declared as read a first time.

[schedule B is attached]

ZONING AMENDMENT 187 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 # 836353 shown on Schedule B of the *City of Summerside Zoning Bylaw*, is designated as High Density Residential (R4) zone, hereby excluding it from its former designation of Service Commercial (C2) zone.

Resolution carried 7-0

COS 21-103

It was moved and seconded

WHEREAS an application was received from Arsenault Brothers Holdings Inc. for a zoning amendment for a portion of PID # 836353 from Service Commercial (C2) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 187, 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 187, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

Resolution carried 7-0

Public Meeting # 2

100 Industrial Crescent – Restricted Use

Background

Two applications were received from Land and Sea Enterprises Ltd. for PID #472613. Both applications require Council approval to the following Restricted uses:

A “medical office” (in existing main building) as a Restricted Use in the Light Industrial (M1) zone.

A “school premise – Student Housing” (in a proposed building) as a Restricted Use in the Light Industrial (M1) zone.

The application was advertised in the May 29th edition of the Guardian and letters were mailed to property owners within 60m or 200 ft of the subject properties.

Comments & Questions

The applicant Kimball Johnston was invited to make comments

Mr. Johnston stated that he operates a diving school. When Holland College discontinued the program, he purchased the assets and began offering the underwater diving course. He stated that the students come from off island and housing is for short terms. The course is 6 months long and various shorter courses. It is the only diving school east of Toronto. The proposal is to offer housing on site with a new building. He stated there are only 800 registered commercial divers in Canada. He stated that the programs will draw students internationally and will employ local people.

The second part of the proposal is to put a medical office in the existing building, a collaborative practice with a lab and nurse practitioner. He stated that there would be room for additional doctors. He stated that they currently have a medical office on MacEwen Road and will be expanding on that.

The public was invited to make comments

There were no comments made from the public

Explanation of the process

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

- (1) The restricted use is read at a public meeting.
(Step 1 will take place this evening)
- (2) Planning Board reviews the application and prepares a recommendation to Council.
(Step 2 takes place at Planning Board meeting scheduled for June 21st @ 4:00pm)
- (3) The restricted use is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council.
(Step 3 take place at Council's second meeting Scheduled for June 22nd @6:30pm)

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].

Adjournment

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

Basil L. Stewart
Mayor

Brian Hawrylak
HR Officer

COMMITTEE MINUTES

Planning Board Committee Meeting Minutes

May 19, 2021

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
Aaron MacDonald, Director of Technical Services
Linda Stevenson, Development Officer
Brian Hawrylak, HR Officer

Call to Order

The meeting was called to order at 530pm.

A motion was made and approved to add a recommendation for mobile sales establishment High on the Hog to the agenda

Agenda was approved as amended

33 & 34 Langille Court – Discretionary use

SUPPORTING EXPLANATION:

Purpose: The purpose of the (Discretionary Use) is to allow a “8 unit row house” on Lot 20-6 and a “8 unit row house” on Lot 20-7 in the Medium Density Residential (R3) zone.

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 Abbott & Langille Plumbing, Heating & Electrical Inc. for 33 and 34 Langille Court (PID #70110, Lot 20-6 & 20-7). This application will require City Council approval to allow a “8 unit row house”, on each lot, as a Discretionary Use in the Medium Density Residential (R3) zone.

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

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

Staff Comment: The discretionary use conforms to the zoning bylaw subject to Council’s approval. If Council approves the discretionary use for a 8-unit row house on Lot 20-6 and a 8-unit rowhouse on Lot 20-7, the applicant will be permitted to construct the row houses subject to the R3 development standards.

b. Conformity with the Official Plan.

Staff Comment: The discretionary use conforms to the Official Plan.

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 proposed development (row housing) is compatible with the existing uses. The properties to the north and south are zoned Manufactured Home Park Residential (R5). The properties to the east are zoned Low Density Mixed Residential (R2). The property to the west is located within the boundaries of the Community of Linkletter and is currently being farmed.

e. Any comments from residents or other interested persons.

A public meeting was held on May 12, 2021. The public meeting notice was advertised in the April 28th, edition of the Guardian. Eleven (1) letters were mailed to nine (9) property owners. Trevor Abbott spoke at the public meeting providing an overview of the intent for the row housing development.

Staff Comment: No written comments were received, prior to the public meeting, regarding this application. The Development Officer received a phone call from Paul Kelly of 55 MacDonald Crescent. Mr. Kelly wanted to verify his understanding of the request from the applicant. No one, other than the applicant, spoke at the public meeting, regarding the application.

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 has adequate water supply and sewage capacity to service the lots for the Discretionary Use (8 unit row house). The storm water will be directed to the storm drainage system on Langille Court. Lot drainage plans are designed for these lots and the contractor will develop accordingly. There is a City park (Centennial Park)

located within 600m of the property. Electrical services are provided by Maritime Electric.

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

Staff Comment: The proposed development does not impact on pedestrian/vehicular access and safety. Langille Court is a 8.8m local street with shoulders wide enough to accommodate pedestrian traffic.

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

Staff Comment: The development is compatible with environmental, scenic and heritage resources.

- i. Impacts on City finances and budgets.*

Staff Comment:

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

- k. Other matters as considered relevant.*

Staff Comment: Both of these lots were granted a Discretionary Use approval for 8 unit row houses in October 22, 2018 (expired on October 22, 2019) under the previous land owners (McQuaids).

STAFF REVIEW: City Staff supports the application from Abbott & Langille Plumbing, Heating & Electrical Inc. for PID #70110 (Lot 20-6 & 20-7) to allow a “8 unit row house” as a discretionary use at 33 and 34 Langille Court.

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: The application from Abbott & Langille Plumbing, Heating & Electrical Inc. for 33 and 34 Langille Court, PID #70110 (Lot 20-6 & 20-7) requesting a “8 unit row house” on each lot as a Discretionary Use in Medium Density (R3) zone, be recommended to be approved by Council.

Moved by: Councillor Ramsay Seconded by: Councillor Adams

Councillor MacDougall stated that he does not have an issue with this as this was something that was previously approved and residents are aware of.

Motion:

Carried	X
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For	4
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Defeated	
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Against	0
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**R4 Development Standards – zone
bylaw text amendments**

SUPPORTING EXPLANATION:

Purpose: The City has initiated bylaw text amendments to R4 development standards to allow the opportunity of higher density developments in the High Density Residential R4 zone. Also, the definition of a duplex will be amended to allow the option of a Duplex dwelling to be divided either horizontally or vertically. Presently, the current definition only allows the option of dividing horizontally.

Background: Regarding the proposed R4 development standard amendments, the past number of years staff have heard comments from developers indicating they can develop more apartment units per acre in Charlottetown versus Summerside. Considering the developers comments and based on the recent demand for High Density Housing with more than 18 units, staff completed a high-density housing planning review. High Density Housing was researched on National, Regional and Provincial levels. Staff based comparisons among cities of comparable size across all three levels. It was determined that Summerside fell short on the allowable density/acre when comparing. Regarding the duplex definition amendment, a few property owners wishing to build two units, one behind the other, applied for building permits. The current definition of a duplex did not allow for duplex units to be located, one unit behind the other. Staff recognize the definition was not intended to exclude a duplex where the units are located one behind the other, the revised definition clarifies that the units may be divided horizontally or vertically into two dwelling units.

Report: Staff focused the comparisons of Charlottetown and Summerside, being as both are considered urban areas and both having the majority of the high density housing on PEI. It was determined that Summerside does require more land per unit than Charlottetown. Staff applied the density comparisons (Summerside vs Charlottetown) to recent R4 developments over the past few years. The comparisons are based on assuming each unit is 93 sq. m (1000 sq. ft.).

The revised definition of a duplex would allow 2 units to be located, one beside the other, one over the other or one behind the other. The units may share common municipal services and cannot be subdivided into individual ownership.

A public meeting was held on May 12, 2021. The public meeting notice and the amendments were advertised in the April 28th, edition of the Guardian, as well as, the City's social media platforms (City website, City face book page and on City twitter account). Hard copies of the amendments were available at the public meeting. Barry Ford (539 Sheen St) spoke at the meeting. Mr. Ford inquired about the notification process and wanted to know why letters were not sent out to individual

neighbours and why the public meeting Ad was not published in the Journal Pioneer. Mr. Ford had a question regarding the difference of square footage in regards to lot coverage area being increased from 30% to 35% but could not locate his calculations for specific questions. Staff advised the notification process for a Zoning Bylaw text amendment was different than that for a Zoning Bylaw map amendment. Text amendments are not property specific, therefore, notification is satisfied by means of a media ad in our local newspaper. The Guardian newspaper is a daily local newspaper, whereas, the Journal Pioneer is a weekly newspaper. The Guardian newspaper is utilized to insure consistency for public meeting notifications. Kim Gallant-Chiheb (23 Greenwood Dr.) also spoke at the meeting, she inquired as to how the proposed text amendments, specifically how the proposed R4 amendments, would impact a property near her that was recently rezoned to R4. Staff indicated that the proposed amendments would apply to any R4 property, effective the day of the amendments being approved by the Province. Mayor and Council also asked questions and their questions are addressed throughout the report.

STAFF REVIEW: City Staff supports the proposed text amendments to the R4 Development standards and the revision of the definition of a duplex (amendments attached).

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: The proposed text amendments to the City of Summerside Zoning Bylaw, for the R4 development standards and the revision of the definition of a duplex (amendments attached) be recommended to be approved by Council:

Proposed Amendments to section 19.5 b (Development Standards), High Density Residential R4 zone
The purpose of the amendments is to allow the opportunity of higher density developments in the High Density Residential R4 zone.

- **Amendment #1**
Floor Area Ratio – Delete: 0.6 and 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 and; Insert: 0.8
- **Amendment #2**
Lot Coverage – Delete: 30% and; Insert: 35%
- **Amendment #3**
New Density Bonus - Insert: Density Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.

Development Standards

- 19.5 a. For each row house and/townhouse dwelling unit the standards in Section 17.5 shall apply.
- b. For apartment buildings and nursing care facilities, the following standards shall apply:

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 0.8 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% 35% 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									
Density Bonus	Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.									

Proposed Amendment Section 2 Bylaw Definitions (Duplex)

The purpose of the amendment is to allow the option of a Duplex dwelling to be divided either horizontally or vertically.

Proposed new definition to replace current definition:

- **Amendment #4**
Duplex means a *building* that is divided either horizontally or vertically into two dwelling units. The units may share common municipal services and shall not be subdivided into individual ownership.

Moved by Councillor Adams Seconded by: Councillor Ramsay

Aaron MacDonald provided an overview of the proposed changes.

Motion:

Carried	X
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For	4
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Defeated	
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Against	0
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Mobile Sales Establishment – High on the Hog

SUPPORTING EXPLANATION:

Purpose: The purpose of the application is to allow a Mobile Sales Establishment, “High on the Hog”, to operate at 245 Heather Moyse Drive (Harbour Quay Site) from May to October, weather permitting. The proposed hours of operation are 11:00am to 9:00pm, Monday through Sunday.

Background: This will be Ms. Arsenault’s second year operating in the City. 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 CS-21, 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. Arsenault will provide written permission from the Summerside Port Corporation Inc., prior to this license being issued.

STAFF REVIEW: City Staff support the application received from Tara Arsenault, to operate a mobile sales establishment (“High on the Hog”) at 245 Heather Moyse Dr., property owned by 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: The application received from Tara Arsenault to operate a Mobile Sales Establishment (“High on the Hog”) at 245 Heather Moyse Drive (property owned by the Summerside Port Authority Inc.), be recommended to be approved by Council:

Moved by: Councillor Seconded by: Councilor

Motion:

Carried	X
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For	4
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Defeated	
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Against	0
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Adjournment

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

Planning Board Committee Meeting Minutes

June 1, 2021

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, Director of Financial Services
Aaron MacDonald, Director of Technical Services
Linda Stevenson, Development Officer
Brian Hawrylak, HR Officer
Member of the Media
Members of the Public

Call to Order

The meeting was called to order at 5:05pm

Agenda was approved

30 Greenwood Drive – Zoning amendment

Purpose: The purpose of the zoning amendment is to allow retail space and office space in an existing building. The applicant is proposing to repurpose the existing building and expand the parking at 30 Greenwood Drive.

Background: An application was received from Amalgamated Holdings Inc. for PID #553875 to amend the *City Zoning Bylaw* from Light Industrial (M1) zone to Service Commercial (C2) zone. A public meeting was held on May 19, 2021 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 M1 to C2, the applicant will be permitted to develop the property subject to the C2 development standards as noted below.

C2 zone		Lot area	Lot depth	Frontage	Front yard	Side Yards	Rear yard	Max. height	Flankage Yard
Commercial use buildings	m	690	0	23	7.5	3	6	14	5
	ft	7,427.2	0	75.4	24.6	9.8	19.7	45.9	16.4

b. *Conformity with the Official Plan.*

Staff Comment: The rezoning conforms to the Official Plan, the land use of the property is designated as commercial land use on the Future Land Use Plan. The rezoning has no impact on the Parks and Green Space Plan.

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

Staff Comment: The site is suitable for development as the site has an existing building with access to an existing public street network and municipal services for this development.

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

Staff Comment: The subject property abuts two land uses, the land use to the immediate east and north is Industrial. The land uses to the immediate south and west are Conservation. This property is projected to be commercial.

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

Staff Comment: A public meeting was held on May 19th, 2021. The public meeting notice was advertised in the May 1st, edition of the Guardian. Fourteen (14) letters were mailed seventeen (17) property owners. Chris Palmer (agent for property owner) provided an overview of the proposed development. Mr. Palmer has a purchase agreement for the property. Tommy Biggar (2 Greenwood Dr.) spoke at the public meeting. Mr. Biggar asked how this rezoning would impact his property. Mr. Biggar was advised, his property would remain M1 and should he wish to have it rezoned, he could make application to do so. Don Camus (561 Notre Dame St) called asking for clarification on the intent of the rezoning. Staff advised Mr. Camus that the building was being repurposed for retail space and office space. Staff received written comments from Robert Arsenault (Highland Enterprises Ltd.), his comments were read into the record at the public meeting and are included in this document.

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: Greenwood Drive has a 200mm distribution water main in the south bound lane and has a 200mm gravity collection sewer main on the east side of the road that fronts this property. Greenwood Drive will accommodate the additional traffic. There is an existing storm drainage system along Greenwood Drive on the east side of the street. 30 Greenwood Drive has overhead 3-phase electrical service feeding to a service entrance at the back of the building. Service entrance upgrades must be coordinated with Summerside Electric and the cost of the upgrade will be the developer's responsibility, if required. If the existing utility poles need to be relocated based on the new design the developer is responsible to coordinate and pay all costs associated with the move. (Based on the preliminary plan it looks like a pole may end up in the new parking area in behind the building). The parking requirements for the proposed uses must comply with the zoning bylaw. There is ample parkland in the area.

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

Staff Comment: There is an existing Crosswalks, within 20m of the development, at the intersection of Greenwood Drive and Notre Dame Street. The existing accesses will need to be defined to accommodate the new development.

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

Staff Comment: The Parks and Green Space Plan does not apply to the subject property, however the conservation land use to the west has been identified on the Parks and Green Space Plan for a future trail and greenway (750 Ice Pond Greenway) and (190 Ice Pond Conservation Area). The property owner will be required to contact the Department of Environment regarding required setbacks from the abutting conservation area.

i. Impacts on City finances and budgets.

Staff Comment: No comment

j. Other matters as specified in this Bylaw.

Staff Comment: No comment

k. Other matters as considered relevant.

Staff Comment: No comment

STAFF REVIEW: City Staff supports the application, from Amalgamated Holdings Inc. for PID #553875 to amend the *City Zoning Bylaw* from Light Industrial (M1) zone to Service Commercial (C2) zone.

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: The application received from Amalgamated Holdings Inc. for PID #553875 to amend the *City Zoning Bylaw* from Light Industrial (M1) zone to Service Commercial (C2) zone, be recommended to be approved by Council:

Moved by: Councillor Ramsay Seconded by: Councillor Adams

Motion:

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 read comments from Development Officer via Robert Arsenault (Secretary of Highland Enterprises Ltd., hereinafter referred to as Highland)

Mr. Arsenault indicated that he would like his general comments regarding the 565 Water St rezoning in 2020 be applied to this application. The wording below meets the intent of his phone conversation with the Development Officer of May 5, 2021. Highland as a nearby property owner (PID #68999 and PID #69005) takes a neutral position on the rezoning application to rezone of 30 Greenwood Drive (PID #553875) from Light Industrial (M1) to Service Commercial (C2). Highland carries on business as a provincially licensed Beverage Container Recycling Depot as well as a Scrap Metal Recycling Facility. As a matter of common knowledge, scrap metal recycling facilities are industrial sites often referred to as junk yards. Junk yards do not receive awards for serene and tranquil environments, neither do they receive awards for their aesthetic beauty. Scrap metal facilities employ industrial bailers to crush and pack tons of metal for delivery to market. Recycling yards are noisy, dirty and can be a dangerous place to work. Mr. Arsenault wants to state that regardless of the zoning applicable to the subject parcel, Highland will continue to operate as a scrap metal recycling facility well into the future. We trust that any decision to develop a service commercial property in close proximity to an operational scrap metal recycling facility, will have been considered by the developer. Highland urges that City planners inform the developer of the prominence of Highland as a functioning industrial operation and the negative impact that such a facility may have on the proposed development.

Mobile Sales Establishment – Kiggins/Rogers 35 Water Street
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Purpose: The purpose of the application is to allow a Mobile Sales Establishment, “Blowing Smoke BBQ, operated by Bernie Kiggins/Cory Rogers”, at 35 Water Street from June to October, weather permitting. The proposed hours of operation are 11:00am to 8:00pm, Monday through Sunday.

Background: This will be Mr. Kiggins and Mr. Rogers first time operating in the City. The menu will specialize in southern style slow cook BBQ foods. The location being proposed is owned by the O’Leary Potato Packers Ltd. (PID #314187).

“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 CS-21, 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.

Technical Services Committee Meeting Minutes

June 1, 2021

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
Kristen Dunsford, Director of Finance
Brian Hawrylak, HR Officer
Aaron MacDonald, Director of Technical Services
Members of the Media
Members of the Public

Call to Order

The meeting was called to order

Agenda was approved

Avon/405 Chestnut property

CAO Philpott provided an update on the status of 405 Chestnut, a property that came before Council previously as many complaints have been received.

Councillor Snow stated that this property is in his ward and he continues to receive complaints on the property.

CAO Philpott proposed the following motion to come forward at the June monthly meeting:

The City of Summerside (CAO) allow an Inspector to enter upon the property situated at 405 Chestnut Avenue (PID # 307371) in the City of Summerside and have the property brought into compliance with the requirements of the 'City of Summerside Dangerous, Hazardous and Unsightly Premises Bylaw CS-11'. This cost is to be initially borne by the city and invoiced to the occupant.

As well, Council directs staff to utilize all legal means at its disposal to effect a permanent solution to the ongoing unsightliness of the property

It was suggested to change the motion to invoice the owner instead of the occupant.

Police Chief stated that they have been trying to contact the owner who lives in Ontario but are unable to get a response, so they have been dealing with the occupant.

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

107 Water Street

RECOMMENDATION:

Council pass a resolution to authorize the Building Officer to carry out any work related to securing the property located at 107 Water Street (PID 313734) in accordance to Bylaw CS-11 as the work has not been carried out by the owner.

SUPPORTING EXPLANATION:

Purpose:

To obtain by Council resolution; the authority to address the securing of the property at 107 Water Street, as required, in accordance to Bylaw CS-11 as it has not addressed by the owner.

Background:

The building at 107 Water Street was reviewed by the Building Officer, per City of Summerside Bylaw CS-11, on the afternoon of Wednesday, May 5, 2021. This review was conducted based on a complaint received over concerns of the overall condition of the building.

On review of the building structure, it was found that the covering over a damaged exterior door had been removed making the vacant building unsecure.

As the building was not entered, it is undetermined as to the current condition of the building interior.

In its current condition the building meets the criteria of not being secured per Section 6.5 of Bylaw CS-11. Per Sections 8.2 and 8.3 of Bylaw CS-11, a Notice letter dated May 11, 2021 was prepared to serve as Notice of Violation.

The Notice letter stated that in order to comply with the Bylaw and the Notice, all window and door coverings were to be reviewed and the building was to be made secure on or before Friday, May 21, 2021.

The Notice states that failure to comply with the Notice within the time stated would result in the matter being referred to City Council to take action to correct the infraction with any and all costs the responsibility of the owner.

The registered letter was sent on May 11, 2021. A delivery notice card was left by Canada Post on May 12th with a final notice left on May 17th. On May 28th the delivery status of the letter was updated to show the letter being returned to the City as undelivered.

Per CS-11 Section 9.1; Council is to be advised when the Owner does not comply with the requirements of the Notice;

9. Non-Compliance

9.1 Where the owner of the property upon whom a Notice pursuant to Section 8 has been served, does not comply with the requirements of such Notice, the Inspector shall immediately notify Council who may, by resolution, authorize an Inspector to enter the property without written warrant or other legal process, and thereupon carry out any and all works as stated in the Notice in order to bring the property into compliance with the requirements of this bylaw.

9.2 A resolution passed by Council under section 9.1 shall be in effect for forty-eight (48) months from the date of passing and enables the Inspector to re-enter the property at any time to remedy a recurring condition.

9.3 The Inspector or his Designate shall cause the costs of such vacation, repair or demolition or other work done to be charged to the owner, and failing receipt of payment within thirty (30) days therefrom from the owner, such costs shall be charged against the property as a municipal lien or to be recorded in a lawsuit against the owner.

Discussion:

Staff stated that they are not looking to enter the property, they are seeking to secure the property.

Councillors mentioned that they would like to see the bylaw looked at to put some more teeth into it so the process is more effective in dealing with these type of properties.

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

Police, Fire & Emergency Planning Committee Meeting

Minutes

June 1, 2021

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, Director of Financial Services
Dave Poirier, Chief of Police
Brian Hawrylak, HR Officer
Member of the Media
Members of the public

Call to Order

The meeting was called to order

Agenda was approved

Truck traffic from Port Summerside

Councillors Ramsay stated that there have been concerns raised from residents regarding truck traffic from the port.

Councillor Snow stated that he has received numerous concerns from residents regarding truck traffic from the port in the overnight hours that is noisy and keeps residents awake. He would like to see some options brought forward to help resolve the issue.

Kathleen Terry, stated that she is at the meeting because of overnight noise from truck traffic coming and going from Port Summerside. She stated that the route up South Drive includes passing 220 homes, 6 apartment buildings, 1 townhouse development and 1 hotel, which involves many families. She inquired why this is allowed. She stated that her research shows that there are protections in place for the rights

of residents and interests of business. She asked for a noise restriction for 8 hours a night, every night. She stated that the change can be made by a resolution to change the bylaw.

Peter Sorenson, stated that he wrote a letter to the PEI Transportation Minister at the time in 2013 in reference to traffic and noise. He read a response from the minister that referenced the ability of the city to enforce their own bylaws in terms of noise and traffic. He stated that it is time to act.

Ruth Grady, stated that she has dealt with noise and traffic for many years that has resulted in loss of sleep.

Councillor Doiron inquired if there was a certain decibel level that was acceptable in the bylaw, Chief Poirier stated there is nothing referenced in the bylaw.

Councillor McFeely stated that it seems that there should be some common ground that can be reached on this. He suggested a meeting with the Police Committee, the port and companies involved and bringing in the product.

Councillor Adams stated that there have been issues with untarped loads as well and supports a conversation with the port.

Deputy Mayor McColeman stated that it would be important to have citizens provide feedback on any further discussions as well.

Councillor MacDougall stated that normally when conversations are held with the companies, the discussions are reasonable. He stated there wasn't much of an issue when smaller barges came in, just the larger one. He stated that the tides play a roll in when to load and off load. He suggested changing the route.

Mayor Stewart stated that the bylaw would have to be changed and would like to have resident's input.

Councillor Snow suggested to have a meeting set up as soon as possible.

Councillor Ramsay stated that perhaps the first step should be to have a meeting with the parties involved first, then look at the bylaw.

Vehicle noise

Councillor Ramsay stated that this item was covered in the previous discussion regarding the Port Summerside traffic.

Beaton / Robinson intersection

Mayor Stewart stated that he has received concerns from residents in the area as a result of the construction on the Pope/Central intersection.

Kirsten McCarron, Beaton Avenue, stated that she has called on speeding in the area 3-4 years ago. She stated since the construction started, Beaton Avenue has become a through road and drivers do not slow down. She stated that it is putting people and children in the area at risk.

Michael Talon, Beaton Avenue, stated there are issues with speeding and vehicles cutting through the area and there are many people that walk in the area. He stated that he previously sent an email with the issues to Council. He has surveyed the neighborhood and has a few possible solutions; a speed bump at the base of Beaton Avenue, at Robinson/Beaton, a 3 way stop and along Commerce, a speed bump at the start of the construction and at the top of Commerce. He stated that this would slow traffic.

Councillor Doiron inquired if limited street parking to one side of the street would help with line of sight. Ms. McCarron didn't think it would help with the speeding. Councillor Doiron stated that temporary speed bumps would assist in the area.

Mr. Talon asked if Beaton/Robinson could be a 3 way stop at the T-intersection.

Taxis speeding through the area along with large trucks using the area are two main concerns.

CAO Philpott stated that he would like to get together with the Police Chief and Technical Services to discuss the situation in more detail.

Councillor Doiron asked if a traffic count could be done once the round-a-bout is open.

Speed bumps/ Speeding on Arcona Street/Craig Avenue

Councillor Campbell stated that when the new subdivision is completed in the area it will create more traffic in the area and he would like staff to look at what can be done before the subdivision is completed.

Councillor McFeely stated that since the speed bump went in on lower Arcona Street, he has not heard of any complaints. He stated that he is confident it can be resolved with the installation of another speed bump at the top of Arcona Street.

Prince County Hospital

Councillor Ramsay inquired of the donation that used to be made with the 10 year commitment to the PCH. That commitment period is over and she would like to see it continue.

This will be discussed at the next finance subcommittee meeting.

Adjournment

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

HR, Legal Affairs & Culture Summerside Committee

Meeting Minutes

June 1, 2021

Present

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

Call to Order

The meeting was called to order

Agenda was approved

Meetings during summer months

A brief discussion was held regarding meeting times for Council and Committee meetings in the summer months.

In some years, the July monthly meeting was cancelled, other years, it was not. Last year, the July and August monthly meeting were held but at noon time and committee meetings were held beginning at 4pm.

CAO Philpott will speak with City Directors what would work and bring the information to the monthly meeting and make a decision at that time.

Adjournment

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

Bylaw & Policy Review Committee Meeting Minutes

June 1, 2021

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
Rob Philpott, Chief Administrative Officer
Kristen Dunsford, Director of Financial Services
Brian Hawrylak, HR Officer
Member of the Media
Members of the Public

Call to Order

The meeting was called to order

Agenda was approved

CS-29 Access to Information and Protection of Personal Information Bylaw

CAO Philpott stated that first reading of this bylaw was at the May monthly meeting. Tonight, is an opportunity to bring forth any questions before the bylaw is formally adopted.

This bylaw was originally approved in February 2020 but staff have been advised that it should be updated to become more in line with the provinces Freedom of Information Act guidelines.

Iain McCarville stated that there are a few changes including the fee structure and the complaint process from an applicant (it would go to the Privacy Commissioner rather than Council)

CS-35 Open Fires Bylaw

CAO Philpott stated this bylaw is to formalize current practices being used in the City.

This will be coming forward to the June monthly meeting for a second reading and formal adoption.

Councillor Adams would like to remind residents that leash laws are in effect in the City and dog owners are reminded to keep their dogs on leash at city parks.

Adjournment

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

Financial Services Committee Meeting Minutes

June 1, 2021

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, Director of Financial Services
Brian Hawrylak, HR Officer
Member of the Media
Members of the Public

Call to Order

The meeting was called to order

Agenda was approved

Vacant Property tax rate

Councillor Snow stated he hopes to give direction to give to staff to come up with options for vacant property tax rates. He stated that he is looking for more teeth in the bylaw to address vacant properties especially since they deteriorate and can become dangerous. He understands that the tax rate lowers when a building is vacant, so that means the city loses out on that tax rate.

Councillor McFeely stated that some work has been done on this from the previous CAO.

CAO Philpott will look back at that research and bring back a recommendation.

Adjournment

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

Technical Services Committee Meeting Minutes

June 15, 2021

Present

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
 Kristen Dunsford, Director of Finance
 Brian Hawrylak, HR Officer
 Aaron MacDonald, Director of Technical Services
 Members of the Media
 Members of the Public

Call to Order

The meeting was called to order

Agenda was approved

Read's Corner Life Station tender

To: Aaron MacDonald
 From: Tony Gallant
 Date: June 11, 2021
 Subject: Tender Results: **Read's Corner Lift Station Replacement - 2021**

Tenders were received for **Read's Corner Lift Station Replacement 2021**. This tender is for replacing the Read's Corner Lift Station. The tender amounts are as follows:

Bidders	Bid Amount	Schedule (Weeks)
Curran & Briggs Ltd.	\$1,195,423.85	15
Ron's Plumbing and Heating Inc.	\$2,616,250.00	18

All unit prices and amounts have been reviewed and verified. It is recommended that the project be awarded to the low bidder, **Curran & Briggs Ltd.**, in the amount of **\$1,195,423.85** (HST included).

Tender amount \$1,039,499.00
 Plus HST (15%) \$155,924.85
 Total tender **\$1,195,423.85**
 HST rebate (5%) \$51,974.95
 Total charged to job **\$1,143,448.90**

Consultants Pretender Estimate **\$1,122,400**

Tendered lift station components **\$846,099**
 Additional work added for relocation of sewer and force mains **\$297,349**
 Engineering (Consultant Fees) **\$73,000**
Totals **\$1,216,448**

Budget
 Read's Corner Lift Station **\$862,500**
 Sewer project savings on Autumn Street **\$200,000**
Total **\$1,062,500**

Overbudget amount **\$153,948**

SUPPORTING EXPLANATION: (purpose, background, report, etc.)

The tender includes the demolition and replacement of the existing Read's Corner sewage lift station. This work includes the construction of a submersible sewage lift station complete with mechanical and electrical work, 120 meters of new gravity sewer main and associated yard piping, site work, reinstatement, commissioning, and operator training.

ADVANTAGES: Replaces the oldest lift station left in the city and removes the station and all associated piping out of the environmentally sensitive stream area. The new station is designed to accommodate future growth in the area and is compliant with all the latest regulations.

COST/FINANCIAL IMPACT:

		10 % HST Inc.	10 % HST Inc.
Account Name	Account #	Approved in Budget	Actual Cost
Reads Corner Lift Station	18280-80-810	\$ 862,500	\$1,143,448.90
Sewer Reconstruction	18160-80-810	\$435,000	\$235,000

RECOMMENDATION:

It is recommended that the project be awarded to the low bidder, Curran & Briggs Limited in the amount Tendered of \$ 1,143,448.90 (10% HST included).

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