

Committee Meetings Agenda

March 1, 2022

Call to Order 5pm

Planning Board

- 1) Recommendation – 395 Brophy Avenue – Official Plan & Zoning Amendment
- 2) Recommendation 395 Brophy Avenue – Parks and Greenspace Plan Amendment (Map)

Special Council

- 1) Resolutions
 - a) COS 22-012 Official Plan amendment 002 – 130 Greenwood Drive
 - b) COS 22-013 Zoning bylaw amendment 002 second reading – 130 Greenwood Drive
 - c) COS 22-014 Zoning Bylaw amendment 002 formal adoption
 - d) COS 22-015 Zoning amendment 004 second reading – 55 Starlite Street
 - e) COS 22-016 Zoning amendment 004 formal adoption – 55 Starlite Street
 - f) COS 22-017 Zoning Bylaw amendment 007 second reading – 815 Water Street east
 - g) COS 22-018 Zoning Bylaw amendment 007 formal adoption – 815 Water Street east

Technical Services

- 1) Traffic calming
- 2) Street naming Policy

Committee of the Whole

- 1) Municipal Government Act Section 119 1(a)
- 2) Municipal Government Act Section 119 1(e)



Planning Board Committee Agenda

March 1, 2022

- 1) Call to Order
- 2) Approval of the Agenda
- 3) Recommendation – 395 Brophy Avenue – Official Plan & Zoning Amendment
- 4) Recommendation 395 Brophy Avenue – Parks and Greenspace Plan Amendment (Map)
- 5) Adjournment

March 1, 2022

Department/Committee: Planning Board

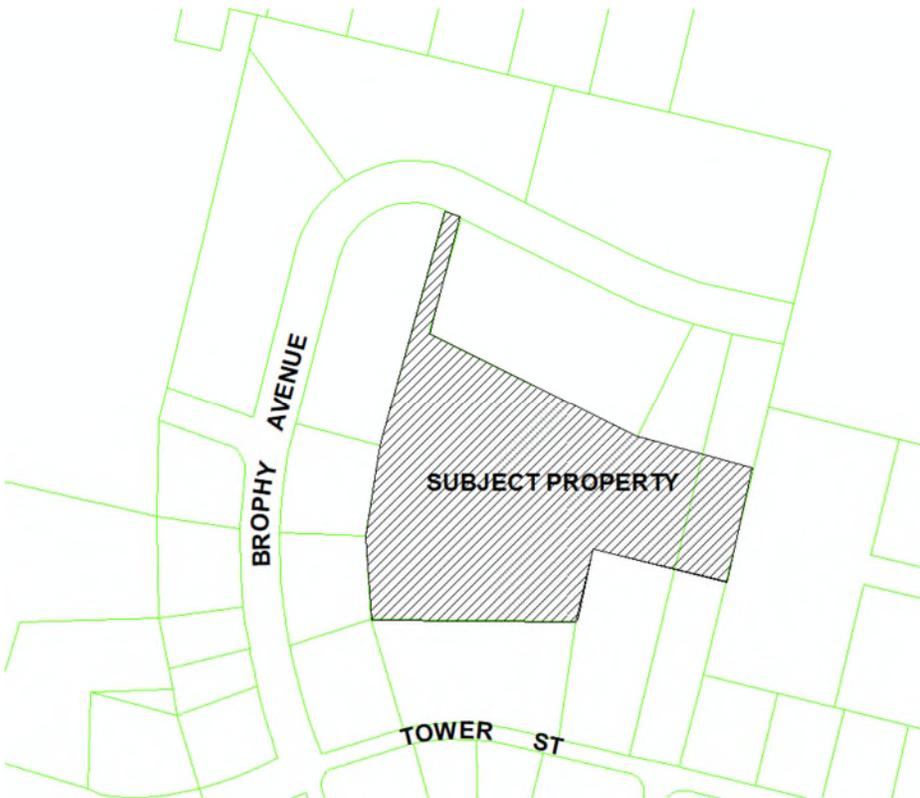
Subject: 395 Brophy Av – Official Plan and Zoning Amendments

SUPPORTING EXPLANATION:

Purpose: The purpose of the zoning amendment is to allow an apartment building development (4 buildings).

Background: An application was initiated the City of Summerside for a portion of PID #322339 to amend the *City Zoning Bylaw* from Parkland (P) zone to High Density Residential (R4). A public meeting was held on February 23, 2022 and Council gave first reading on the same date.

Map indicating portion of property to be rezoned



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 P to R4, the property can be developed in accordance with the development standards of the R4.

b. *Conformity with the Official Plan.*

Staff Comment: The rezoning conforms to the Official Plan Section 5.2.2 (Location of High Density Housing). The proposed amendment will require an amendment to the Parks and Green Space Plan. A separate report has been prepared to address the Parks and Greenspace amendment.

5.2.2 *Location of High Density Housing*

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

LOCATION CRITERIA:

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

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

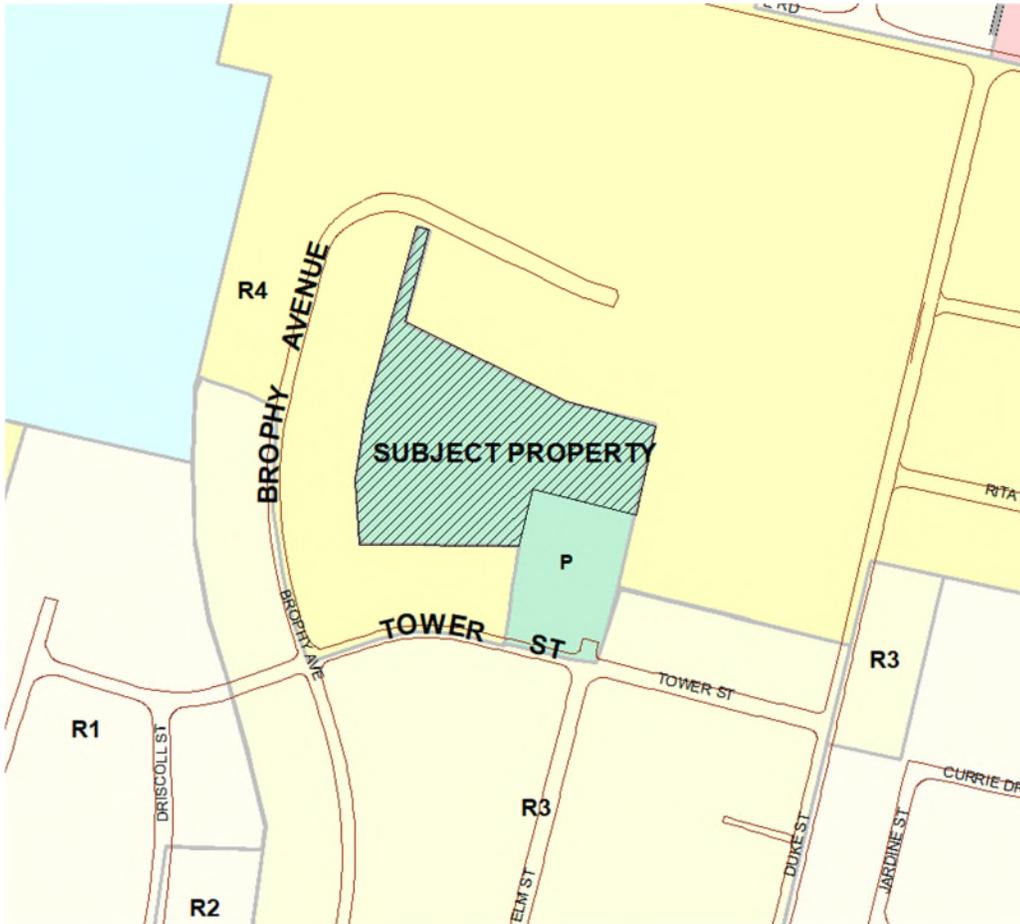
Objective	To encourage high density housing in specific areas
Policies	The following are Council's statements of policy
	1. <i>Promote high density housing on properties already partly developed for high density housing.</i>
	2. <i>Consider applications for high density housing in the following situations:</i>
	3. <i>a mix of housing types in CDA 's;</i>
	4. <i>areas presently occupied by conforming mobile home parks (see Council Policy 5.3.2.5);</i>
	5. <i>re-zonings in areas presently designated for medium density R3 zone residential use;</i>
	6. <i>areas immediately north of the Downtown, (defined as: Notre Dame Street to the North, Granville Street to the East, Heather Moyse Drive to the South and Duke Street to the West) subject to no harmful impacts on local heritage housing;</i>
	d.) <i>within residential/ commercial buildings</i>
	7. <i>Downtown (D) zone (Urban Core Area – all districts).</i>
	8. <i>City arterial or collector roads as referenced in Section 7.1 and Figure 7-1.</i>
	9. <i>Consider applications for high density housing in other areas with careful consideration of Council's 'location criteria' listed above.</i>

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

Staff Comment: This 2.78 acre site can accommodate the proposed High Density (R4) residential land use being proposed.

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

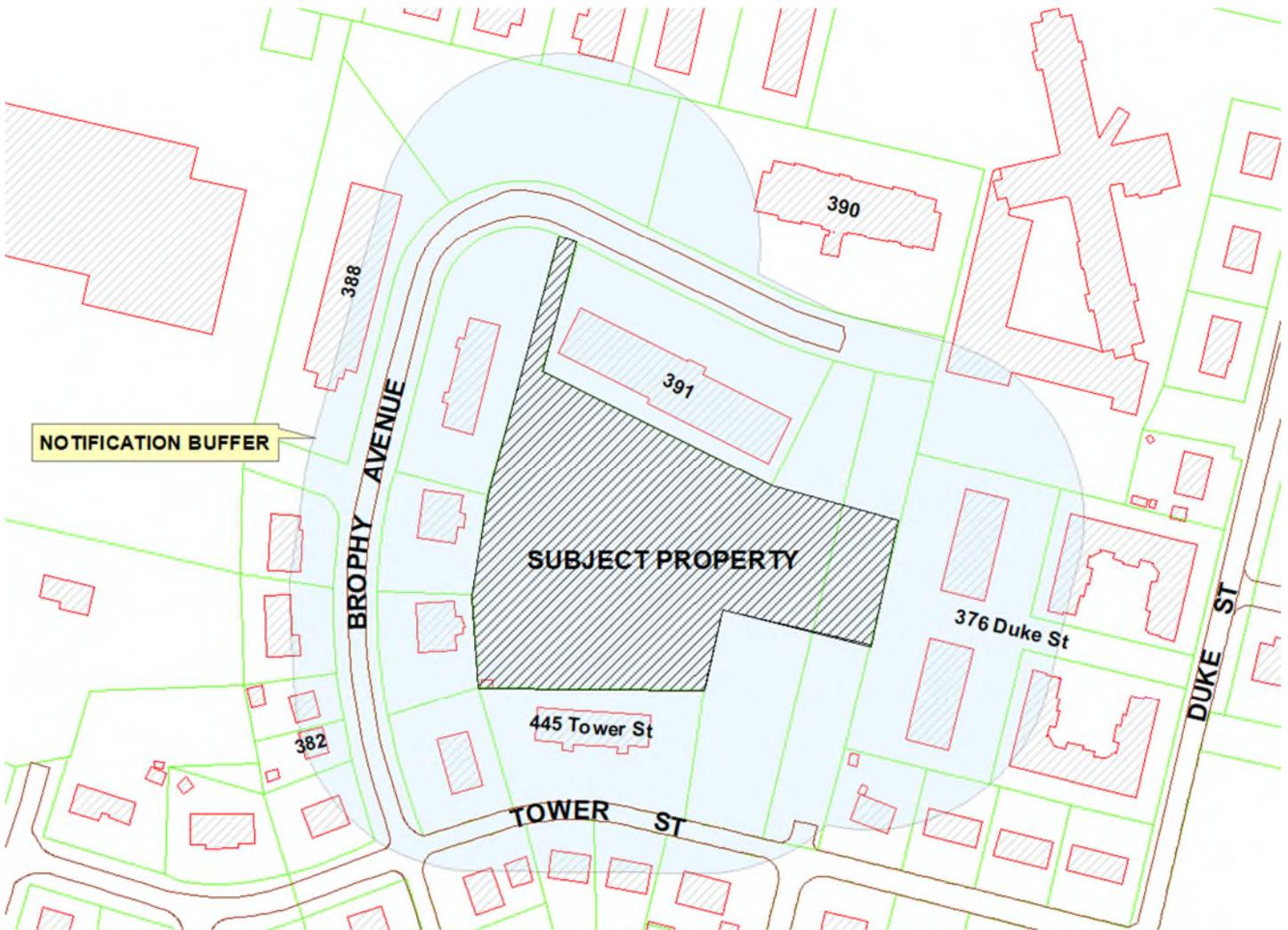
Staff Comment: The subject property abuts two land uses, Parkland and Residential. The lands to the immediate east, north, west and a portion of the south are high density land use. A portion of the land use on the south would remain as Parkland land use. The proposed residential would be compatible with the existing land uses and the projected land uses.



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

Staff Comment: A public meeting was held on February 23, 2022. The public meeting notice was advertised in the February 8th, edition of the Guardian. Thirty-two (32) letters were mailed to twenty-six (26) property owners. Rob Philpott (City of Summerside) provided an overview of the development and noted that the housing is needed in the Community and a portion of the lands (subject property) is vacant greenspace that is not currently be utilized. Written comments were received from 38 of the tenants (376 Duke St, 388 Brophy Av and 391 Brophy Av) and are attached to this report. Written comments were also received from 34 tenants (390 Brophy) and are attached to this report. The written comments were opposed to selling the land and rezoning the land. Terrilynn Gallant (382 Brophy Av) submitted written comments, her concerns were low-income housing and increased traffic. Cathy & Bill McInnis (owners of 390 Brophy Av. – Chesapeake Apartments) expressed concerns regarding the lack of notification in relation to the potential sale of City land, traffic concerns for their tenants and they opposed the rezoning of Parkland. Jamie Rodgerson (developer) was invited to speak, Mr. Rodgerson was not advised he would need to provide a presentation, he answered questions as best he could under the circumstance. He submitted written comments to the City on February 25, 2022,

which are attached to this report. Bob MacLeod (tenant 390 Brophy) is not opposed to development but does not want to see the parkland rezoned. Anna Johnston (tenant 390 Brophy Av.) raised concerns with the increase to traffic on Brophy Av. and the noise that will be created during construction phase. Phillip Cameron (owner 391 Brophy Av. and 445 Tower St.) expressed concerns about losing this parkland and the traffic implications on his property/tenants as a result of this development. Written comments were received via email from Helen Clevett, 51 Brandan Carter Ave, on behalf of Orville & Dorothy Can, 21- 391 Brophy Ave. The concerns raised by at the meeting are addressed throughout this report



f. *Adequacy of existing water, sewer, road, storm water and electrical services, city parking and parklands for accommodating the development, and any projected infrastructure requirements.*

Staff Comment: The City's water supply and sewer treatment systems can handle the additional loading created by the change in zoning from its current Parkland designation to R4. Rezoning from Parkland lands to R4 does have an impact on the sewage loading of the Northumberland Street Lift Station. This change in zoning relates to an increase in load of approximately 55 cubic meters of sewage per day. This represents approximately a 1% increase of sewage to the Northumberland Street Lift Station, which translates to a \$18,900 cost to the utility. The City's water main infrastructure for this development is a 250mm distribution main on Brophy Av. or a 300mm transmission main from Duke Street that loops to Tower Street through the city park. If the transmission water main is to be used by the development a new 250mm water main is required to be looped to the top of Brophy Street.

The City's sewer main infrastructure for this development is a 200mm gravity collection main on Tower Street or a 375mm gravity collection main on Brophy Av. Both these mains can handle the additional sewer loading for the zoning change. The Developer is responsible for securing easements and extending mains for gravity sewer if grades for connection through the lots original accesses on Brophy Av. do not work based on building elevations and grade of sewer lines. A private lift station for the development would be an option if gravity sewer does not work. The Developer is responsible for all servicing costs due to zoning changes and land development. Brophy Av. was constructed as a part of the Town of Summerside Land Assembly (starting in early 80's) to encourage residential growth in the former Town. The east end of Brophy Av. was intended to connect to Duke Street and Elm Street was to be extended to Brophy Av. Currently, Brophy Av. does not extend to the end of the existing street right of way. The City will need to budget to complete the street construction (cul-de-sac). The access for the proposed development will be via Brophy Av. The development's internal access road and parking layout will be reviewed upon development. This development has a large hard surface parking and roof drainage areas which is required to be piped through an under-ground drainage system connecting to the existing City storm system. As per the City of Summerside Subdivision and Site Development Bylaw SS-19, the developer will be required to develop a storm water plan / strategy. This development is the lowest property in this area and thus has a lot of existing natural drainage flow from other properties across it, which the developer will have to accommodate as well in its storm water plan. The change in zoning from Parkland (open grassed area) to R-4 (large parking and roof surfaces accumulating more storm drainage) will require the developer civil engineering designer to limit the flow of storm water from this site, so as to not overwhelm the City storm system at the point of connection. Three phase or single-phase electrical service is available to the lot. Please note that padmount transformer orders take a minimum of six months and can be up to one year. The contractor/engineer should contact Summerside Electrical as soon as possible and require a signed letter of intent before an order will be placed. The remaining portion of Tower Street Park – 140, abutting the subject property, will serve the development and the existing area. The park is accessible by street/walkway network. Parkland dedication would be required if the property was to be further subdivided. There is no intention to subdivide the subject parcel.

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

Staff Comment: Based on the additional daily volume of approximately 512 Vehicles/day (VPD), the new development will add approximately 10% additional traffic flow to Brophy Av., see calculations attached to this report. The total traffic volume of this development and the existing developments is approximately 16.8 % of the street's available capacity. A new cul-de-sac will be constructed to accommodate the access for this development and provide an emergency / service vehicles turn around for all buildings located on the upper portion of Brophy Av. There is an existing sidewalk on the south side of Brophy Avenue, as well, this portion of Brophy Av. has been widened to the city standard allowing adequate paved shoulders to accommodate pedestrian traffic for the existing and future development. Traffic flow within the development will be reviewed prior to development.

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

Staff Comment: There are no compatibility issues regarding environmental, scenic or heritage resources.

i. Impacts on City finances and budgets.

Staff Comment: Not applicable

j. Other matters as specified in this Bylaw.

Staff Comment: Not applicable

k. Other matters as considered relevant.

Staff Comment: The subject property was zoned Parkland, the surrounding lands were zoned R4 as of 1998. The City has a bylaw to address Noise concerns, during construction of the development or at any time. Councillor Snow requested the Real Estate listing information about the timing of the property being listed on the market. The timeline for how the property came to be listed is detailed as follows:

- July 6th, 2019 – CFO approached by local developer about possibility of purchasing Brophy property. CFO advises this will be discussed with Council. The developer is advised that if City is interested in selling, it would have to go through a public process to do so.
- July 25th, 2019 – CFO emails Council to advise of the developer’s interest in the property, and that this will be discussed at the July 29th Committee of the Whole.
- July 29th, 2019 Committee of the Whole - Council agrees to list the property, contingent on a Council-approved development agreement within a certain period of time.
- July 31st, 2019 – Wayne MacKinnon (Royal LePage) is approached about the possibility of selling this land on the City’s behalf. He agrees to this engagement on August 5th.
- November 6th, 2019 – property is listed for sale. The reason for the three-month gap between the hiring of the realtor and the actual listing of the property is that the City initially wanted to have an up-to-date property survey on file before listing it. However, given the inability to hire a surveyor without having to wait for a period of time (two to four months), it was decided to proceed with the listing, with the caveat that the sale was subject to a completed survey.

The property has been listed ever since. It has not been taken down at any time.

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

As per Section 5.10 (b, iii) of the Zoning Bylaw, the Planning Board shall make a recommendation to Council on this application before it is approved or denied.

The planning board recommendation whether carried or defeated will be brought forward to Council for a final decision.

PLANNING BOARD RECOMMENDATION: The application initiated the City of Summerside for a portion of PID #322339 to amend the *City Zoning Bylaw* from Parkland (P) zone to High Density Residential (R4) zone be recommended to be approved by Council:

Moved by: _____ Seconded by: _____

Motion:

Carried	
Defeated	

For	
Against	

Traffic Impacts on Brophy Ave

Future units	vehicles per unit	trips per day	addition volume
R4 128	1	4	512 VPD
Existing properties - traffic volume Approximately			
R4 72	1	4	288 VPD
R3 5	2	4	<u>40</u> VPD
Total volume			840 VPD

Brophy Av. is a local City Street with a capacity of 5000 Vehicles per Day.

Approximate % of volume from this development	10.2 %
Approximate % of volume from existing residents	6.6 %
Approximate capacity of street at full development	16.8 %

From: Jamie Rodgerson <rodgersonconstruction@gmail.com>

Sent: February 25, 2022 9:19 AM

To: Rob Philpott <rob.philpott@city.summerside.pe.ca>

Subject: Brophy Heights

Hey Rob,

Thanks for the conversation yesterday! As we discussed, I think in the future with this type of situation it would be a great idea to let developers propose the projects in discussion to any residents in attendance before receiving the opposition speech, its hard for the public to speak with a clear understanding of a project if they don't have the information. I didn't feel Tuesday was a place for debate on my end after the Mccinnis' were on the podium first. They are fearful they could lose tenants to newer, more modern and excessible buildings which I understand- but that is the reality of any business. The roof top terrace and views would be pretty amazing!

But nobody is talking about the need, which is the big ticket. There is so much surrounding the need for viable development, which have low environmental impact, are sustainable and affordable which is what we offered in our proposal to the City. We haven't spoke about the fact we reevaluated the plan once to accommodate more park space than originally proposed, the fact that big business is doing research on where there is housing availability before they set up shop in a City like ours- 'build it and they will come' has been a motto used for decades and in this use, housing needs to be built and business will follow! There is tax dollars and spin off from projects of this nature which give the City a tax base to use for furthering development of infrastructure that is useful for all families and senior initiatives, heritage properties etc.

When your City isn't growing its dying. Right now we're still growing, but not on the track for the development plan produced in April of last year, everyone wants development but nobody wants it in their back yard- I've lived it.

When St. Clair was built, I didn't want my neighborhood filled with duplexes, I was fearful it would impact the value of my property long term and my street was originally a loop not a through way to Water St. But I knew it was the right thing to do and the right thing for our City. In turn it has been a beautiful addition to the Lefurgey subdivision and I in tern received a large quantity of work out of that street during the development phase and even now during the snow removal season and I'm glad the buildings are now where they are, it has introduced new families to our area and new friends for our family. Development is a good thing, it can be messy, loud and inconvenient but it always will be regardless of the area. And the finished product is most always beautiful. I haven't made it as far as I have in business by making ill informed decisions, it been the positives and ive always followed the big picture- my work ethic, my care for my customers, my person. My willingness to give back, through donation and volunteer work- I am not just a business person I am a thriving member of our City, both in business and community event and plan to use the same values I've instilled in life to this project. I am a perfectionist and my own biggest critict, and these building would be my "baby" like everything else I'm invested to.

The short term inconvenience to construction rarely outweigh the longer term benefit to residents and cities. We are crying for housing, but its time we stop sharing it on Facebook articles about it and be proactive with the opportunities we have in front of us!

I guess in closing I just wish I would of had the opportunity to speak to these residents about all of the great things about our buildings, right from its size and the reasons behind it to its future capabilities. All of the things our City is doing as has done for healthy lifestyle initiatives including the friendship park, the boardwalk etc which which isn't far away and the closest thing to true nature in any of our surrounding areas.

Thanks again, Jamie

Email to Development Officer (February 25, 2022)

Good morning, As a resident of Summerside and a concerned citizen, I am writing on behalf of my parents who live at 21 - 391 Brophy Ave, Summerside. It has come to our attention that the green space is being sold to a developer pending the application of it being rezoned to R4. We are all very concerned and disappointed that this space is even being considered for rezoning but for there to be 4 - 4 level structures housing 128 units, being squeezed into that small area is outrageous. We feel the area would be better suited for a much smaller development with a combined entry/exit. I'm sure there is other land available in this city that could better accommodate such a project.

My parents and many others in their building and in neighbouring buildings have chosen to live in this area because it is a predominately senior area, it is a quiet and peaceful area and the green space is often used by visiting grandchildren. Many had been assured that the green space would never be developed, ensuring their remaining days of independent living will be tranquil and quiet. Now, if this proceeds, they will be living in the centre of what could very well be constant traffic and noise! The entrance to the new structures apparently being on one end of their building the exit at the other end!! Does that seem fair for the residents to be stuck in the middle of that!! It seems there is no consideration for the current residents at all. The proposed development is planned to take 4 years to complete... that will be 4 years of constant traffic consisting mostly of large trucks and excavating equipment. The summers will be constant dust and noise.. there is no air conditioning in their building, so can you imagine what it will be like in sweltering humid weather and not be able to open a window...that is a cruel and unhealthy way to exist. It's certainly no way to treat our seniors.

Surely, there can be more thought into where this proposed project could be located. It is bad enough to lose precious greenspace within the city, and if affordable housing units must go there, can it not be a similar structure to what is already there? A single level structure with a combined entrance/exit that would be so much less intrusive and overbearing to the many long-term residents of 391 Brophy.

Thank you for your time, Helen Cleveet, 51 Brandan Carter Ave, 902-303-3792
on behalf of Orville & Dorothy Can, 21- 391 Brophy Ave, 436-6528

Email to Councillor Barb Ramsay, Mayor and CAO (February 25, 2022)

To Councilwoman Ramsay, Mayor and Council

As a resident and a constituent in your Municipal Area I am writing this with High concerns for Our Beautiful Green Space the City is looking to Rezone into Multiple R4.

I have lived beside the construction on Andrews Lodge Addition for 2 years it was horrific, but I lived with it to benefit more seniors home care. But they still have not cleaned up their back space after 3 years and 3 attempts with them there is a pile of garbage left it is a great place to hibernate skunks, mice, and earwigs every spring.

For the last 3 years we have basically been shut-ins with Covid 19 now with this Rezoning the City wants us to become further victims of dust, noise of all kinds and all hours, the traffic will be beyond what you or I can comprehend.

Now getting down to the most important part – the Safe Green Space with those beautiful trees and Children's Play Area. This wonderful space is used by many children day and after dark and feel safe alone and also with parents, grandparents and pets. I would like to know if Council will be able to guarantee their safety which they have now if/or when this R4 may be completed.

The residents of 391 Brophy will have their Sun blocked of and just buildings to look at – great for the mind of seniors with the beginning of dementia. Being a Certified Life Skills Coach how do you think will affect everyone.

Just one question – does the City need to sell the land to help pay for the construction of the balloon and propane for the winter? Municipal Election I believe is November 2022.

Respectively Yours
Marilyn Dawson Barlow

Email to Councillor Barb Ramsay (Read at Public Meeting)

We were unable to attend the meeting regarding the plans for the green space on brophy ave. We wish to not have any more low-income apartments, there is plenty all around us. With the low-income apartments comes alot of problems for a quiet neighbourhood. We also enjoy the quietness of our dead end of road housing.

May we suggest using the entrance on tower street by the park so you could make it a four way stop and they could access the apartment from there. And yes, we know it is by a park and a fence would easily block out the traffic. (which would only be access for the apartment).

Thank you for hearing our concerns.

Terrilynn Gallant
382 Brophy Ave Summerside

February 16th, 2022

To: City Council and Mayor Basil Stewart & Planning Committee

From: Tenants of 376 Duke Street, Summerside PE (Independence Place)
Tenants of 391 and 388 Brophy Avenue, Summerside PE

To City Council and Mayor Basil Stewart & Planning Committee;

As a resident of these buildings I feel it is not in the best interest of the City to sell off parkland for profit. There must be other empty land surrounding the City or in the City for development. Please do not start selling parkland for development it cannot be replaced. We rented this apartment with the knowledge that we had parkland behind us and there would be no buildings on this land. It has been a peaceful place to live. This area is senior friendly and we have appreciated that very much. Some of us have sold our homes and this is our new home. We the seniors and residents wish to have the land remain as parkland. Please listen to our voices , as this is one of the reasons we picked this building to make our home.

Signature Name Printed Phone Number Address

<i>Joan Perry</i>	JOAN PERRY	902-315-5147	391 AVE APT 19
<i>Des Perry</i>	DES PERRY	315-5172	391 BROPHY AVE #19
<i>Nina Howell</i>	MINA HOWELL	902-436-2425	391 " QUE #13
<i>Marion Parker</i>	MARION PARKER	902-724-2419	391 " " #11
<i>Emma Arsenault</i>	EMMA ARSENAULT	902-436-3094	" " " "
<i>Diane Amyot</i>	DIANE AMYOT	902-724-2433	391 Brophy Ave. apt. #12
<i>Milford Clow</i>	MILFORD CLOW	902-436-2336	391 BROPHY #17
<i>Orville Cann</i>	ORVILLE CANN	902-436-6528	391 BROPHY #21
<i>Dorothy Cann</i>	DOROTHY CANN	902-436-6528	391 BROPHY #21
<i>Ken Perry</i>		902-439-8246	
<i>A. J. Perry</i>		902-439-7126	
<i>Al Perry</i>		902-786-1953	
<i>Mary Ann Walker</i>			
<i>391 Brophy Ave</i>		724-2631	

Signature	Name Printed	Phone Number	Address
Dolly Thibodeau	DOLLY	1. 902-432-3050	3-388 BROPHY
Dorothy Thibodeau	Dorothy	902-432-3050	3-388 Brophy
Mildred Adams		902-432-3066	7-388 Brophy
Ann Des Roches	RNN		
Mildred Arsenault	Mildred	902-436-6599	388 BROPHY
Maxime Arsenault	MAXIME	902-436-9244 (10)	388 Brophy
Helen Com	Helen	902-436-9244 (10)	388 Brophy
Edga Farnway		902-432-0951 (9)	388 Brophy
Lucie Dauritt		902-436-8769	(2) 388 Brophy
Dain Dauritt		902-439-0701	

Signature	Name Printed	Phone Number	Address
Barlow	m. Barlow	902-437-3012	376 Duke #34
Nalorie O'Duinn	Nalorie O'Duinn	902-724-0922	376 Duke St. #23
Sally McKinley	Sally McKinley	902-432-0201	376 Duke St #24
Sandra MacIntosh	Sandra MacIntosh	902-436-6648	376 Duke St, apt 25
Steve Costain	STEVE COSTAIN	436-5016	
Dianne Reeves	Dianne Reeves	902-724-5024	376 Duke St
Gale Rogerson	Gale Rogerson	902-436-7169	Apt 28
Shelley Dunphy	Shelley Dunphy		376 Duke St
Ann Green	ANN GREEN		376 Duke St Apt 4
Peter Green	PETER GREEN		376 Duke St. Apt. 5
Bertie Thompson	BERTIE THOMPSON		902-436-3038
Bertie Thompson	Bertie Thompson	902-724-3041	376 Duke St. Apt. 5
			902-436-3038
			7 IP.

LYNNE McLEAD Lynne McLean 902-432-3070
376 Duke ST

Mary Pidgeon - Mary Pidgeon 902-436-1678 APPT 8
Judy Leard - Judy Leard 376 Duke St. Apt. 12
Apt 14 902-439-8496

Petition of development Parklands Brophy Avenue

We the tenants of Chesapeake Heights on Brophy Avenue are writing today to express our disappointment that beautiful Parkland is now going to be developed into (apartments).

We moved to this building some of us many years ago because we enjoy the quiet of this area with its mostly seniors' buildings and no through traffic allowed.

The Parkland is a major contributing factor to the attractiveness of the area. The greenspace in the area is limited.

The major increase is traffic that these types of developments require again impacts our quiet enjoyment.

In closing, please don't allow this Parkland to be turned into apartments.

Flornia Johnson	
Willie White Jr	Edna Fox
Bella Simmons	Cindy Payton
Bertha Richard	Buddy Farish
Delina Mae Leary	
MARINA LAWLESS	
Glenn Lucas	
Jim Benjamin	
Sam Stone	
Shirley Fitzsimmons	
Helen Andrews	
Blair Newson	
Floria Noye	
Helen McHanna	
Lois Wedge	
Walter White Jr	
Judith Dean	
Dorothy McLean	
Bob MacLeod	
Ken Hill	
Debbie Boudreau	
Francis Zulk	
Jean Miller	
Paul Miller	
Cyrine Kay	
Alroy Loyer	
Eleanora Whetley	
Harold EMMAN	
Georgine Gunn	
Nabeen Arsenal	
Alphonse Arsenal	

March 1, 2022

Department/Committee: Planning Board

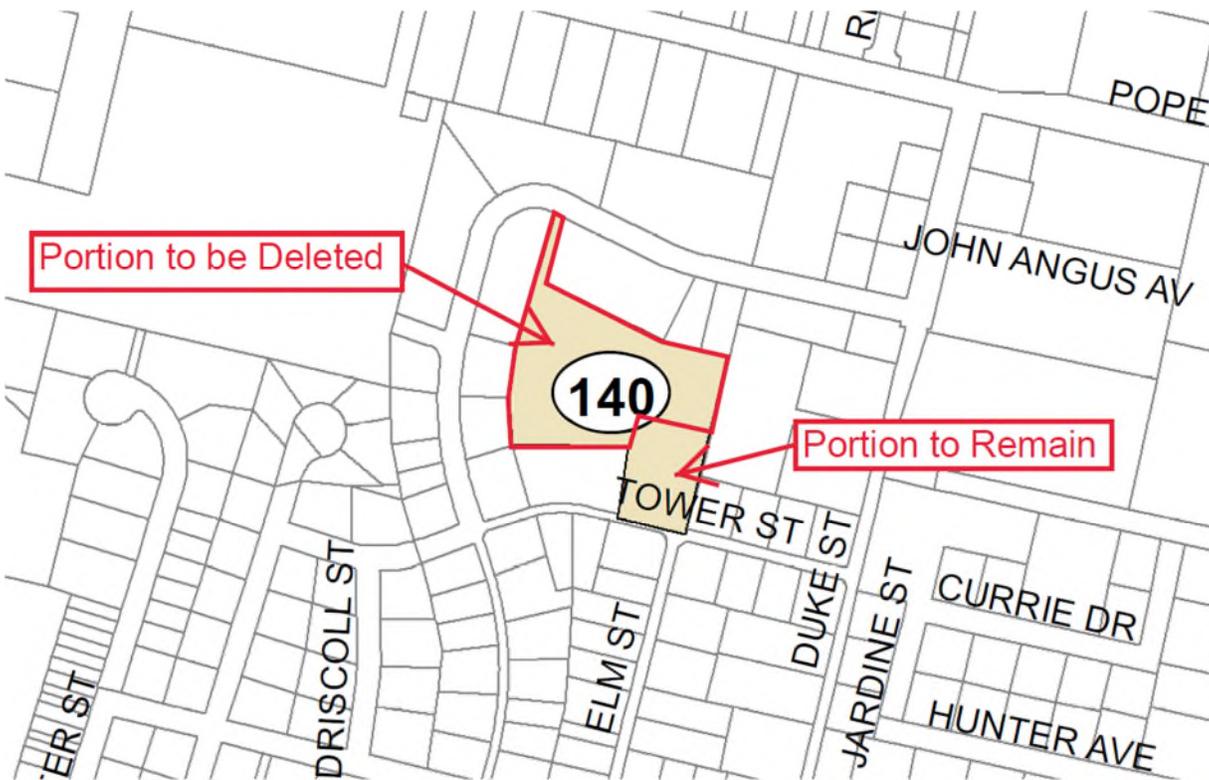
Subject: 395 Brophy Av – Parks and Greenspace Map Amendment

SUPPORTING EXPLANATION:

Purpose: The purpose of the Parks and Greenspace map amendment is to delete a portion (2.78 acres) of the Tower Street Mini-Park - 140.

Background: An application was initiated by the City of Summerside for a portion of PID #322339 to amend the *City Official Plan* land use from Parkland to Residential and the *City Zoning Bylaw* from Parkland (P) zone to High Density Residential (R4). When an application is received, staff shall review the impacts on the Parks and Greenspace Plan (2012). A public meeting was held on February 23, 2022 and Council gave first reading on the same date. Tower Street Park is made up of two parcels of land, one is vacant greenspace (2.78 acres) and the other is utilized as a playground (0.75 acres). The playground area will remain as is and is scheduled to be improved this year.

Map of Tower Street Park - 140



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:

b. *Conformity with the Official Plan.*

Staff Comment: The proposed amendment will require an amendment to the Parks and Green Space Plan.

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

Staff Comment: Tower Street – 140 is one of 13 mini-parks in the City. As per section 5.6 Conclusions of the Parks and Greenspace Plan, based on 2011 Census data and 1983 National Recreation and Parks Association (NRPA), our supply of mini-parks is over double the maximum range.

Mini-parks:

Summerside has 13 mini-parks, most of which are orientated to the needs of nearby residential areas:

- Fairview Park 30
- Maplewood Heights Park 60
- Crescent Drive Park 90
- Bluebell Park 130
- **Tower Street Park 140**
- Hillcrest Park 150
- Centennial Park 180
- Northumberland Park 280
- Harvard Street Park 320
- Sunset Park 350
- Hilsom Point Park 420
- Reads Creek Park 470
- Jennifer Street Park⁴⁹⁶

Section 5.6

Mini-Parks

oversupply:

The total area of mini parks in the City is more than double than that required under maximum NRPA standards. Our supply of mini-parks even exceeds the needs of typically, young families in newer suburban areas. This over-supply probably reflects the relative ease of acquiring parks through subdivision parkland dedication process, which avoids imposing land acquisition costs on the City. However, this over-supply does place additional costs on the City in the form of capital improvements and ongoing maintenance.

small size:

The average size of mini-parks is only 1.19 a. (0.48 ha.), and some are too small to be useful. This probably reflects the fact that residential subdivisions in Summerside have often been developed in small phases because of limited growth demand.

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

Staff Comment: A public meeting was held on February 23, 2022. The public meeting notice was advertised in the February 8th edition of the Guardian. Thirty-two (32) letters were mailed to twenty-six (26) property owners. Rob Philpott (City of Summerside) provided an overview of the development and noted that the housing is needed in the Community and a portion of the lands (subject property) is vacant greenspace that is not currently be utilized. Written comments were received from 38 of the tenants (376 Duke St, 388 Brophy Av and 391 Brophy Av) and are attached to this report. Written comments were also received from 34 tenants (390 Brophy) and are attached to this report. The written comments were opposed to selling the land and rezoning the land. Terrilynn Gallant (382 Brophy Av) submitted written comments, her concerns were low-income housing and increased traffic. Bob MacLeod (tenant 390 Brophy) is not opposed to development but does not want to see the parkland rezoned. Cathy & Bill McInnis (owners of 390 Brophy Av. – Chesapeake Apartments) expressed concerns regarding the lack of notification in relation to the potential sale of City land, traffic concerns for their tenants and they opposed the rezoning of Parkland. Anna Johnston (tenant 390 Brophy) raised concerns with the increase to traffic on Brophy Av. and the noise that will be created during construction phase. Phillip Cameron (owner 391 Brophy Av. and 445 Tower St.) expressed concerns about losing this parkland and the traffic implications on his property/tenants as a result of this development. Community Services has reviewed the development proposal and its impact on the parks and greenspaces in the area. The remaining portion of Tower Street park will remain the primary greenspace in the area and will service the development and existing neighborhood well. The proposed lands are unused greenspaces and the development will pose minimal if any impact to parks and green spaces in the area.”

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

Staff Comment: The proposed deletion of a portion of the Tower Street Park has no impact on pedestrian/vehicular access and safety, or on public safety generally.

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

Staff Comment: There are no compatibility issues regarding environmental, scenic or heritage resources.

STAFF REVIEW: City Staff supports the application, initiated by the City to delete a portion of the Tower Street Park (140).

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 to Council for a final decision.

PLANNING BOARD RECOMMENDATION: The application initiated by the City to amend the Parks and Greenspace Plan map, deleting a portion of Tower Street Park – 140 (2.78 acres) be recommended to be approved by Council:

Moved by: _____ Seconded by: _____

Motion:

Carried	
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For	
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Defeated	
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Against	
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Special Council Meeting Agenda

March 1, 2022

- 1) Call to Order
- 2) Approval of the Agenda
- 3) Resolutions
 - a) COS 22-012 Official Plan amendment 002 – 130 Greenwood Drive
 - b) COS 22-013 Zoning bylaw amendment 002 second reading – 130 Greenwood Drive
 - c) COS 22-014 Zoning Bylaw amendment 002 formal adoption
 - d) COS 22-015 Zoning amendment 004 second reading – 55 Starlite Street
 - e) COS 22-016 Zoning amendment 004 formal adoption – 55 Starlite Street
 - f) COS 22-017 Zoning Bylaw amendment 007 second reading – 815 Water Street east
 - g) COS 22-018 Zoning Bylaw amendment 007 formal adoption – 815 Water Street east
- 4) Adjournment

March 1, 2022

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 Camco Inc. to amend the future land use plan, for a portion of PID # 69781 from Industrial land use to Residential land use under the *City of Summerside Official Plan*;

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 official plan amendment 001, to amend the *City of Summerside Official Plan* be hereby formally adopted.

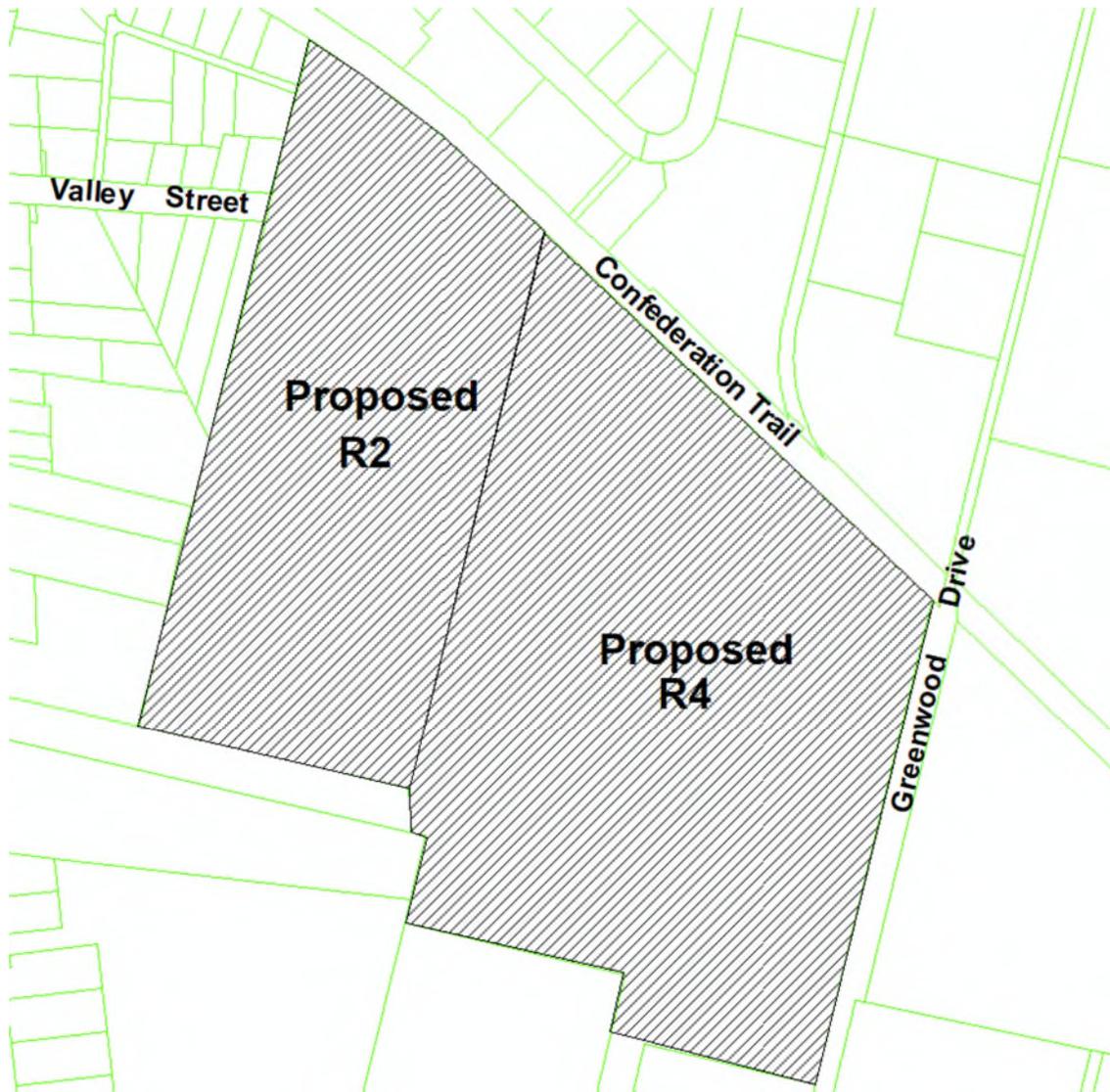
[schedule B is attached]

This does not bear the recommendation of the Planning Board meeting held on February 23, 2022.

**OFFICIAL PLAN AMENDMENT 001
TO AMEND THE CITY OF SUMMERSIDE OFFICIAL PLAN**

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

- I. The land use for a portion of PID # 69781 as shown on Schedule B of the *Future Land Use Plan*, is designated as Residential land use, hereby excluding it from its former designation of Industrial land use under the *City of Summerside Official Plan*;
- II. The Land Use for a portion of PID # 69781 shown on Schedule B of the *City of Summerside Zoning Bylaw*, is designated as Residential Land Use, hereby excluding it from its former designation of Industrial Land Use.



March 1, 2022

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 Camco Inc. for a zoning amendment for a portion of PID # 69781 from Light Industrial (M1) zone to Low Density Mixed Residential (R2) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS an application was received from Camco Inc. for a zoning amendment for a portion of PID # 69781 from Light Industrial (M1) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 002, 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 February 16, 2022;

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 002, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby declared as read a second time.

This does not bear the recommendation of the Planning Board meeting held on February 23, 2022.

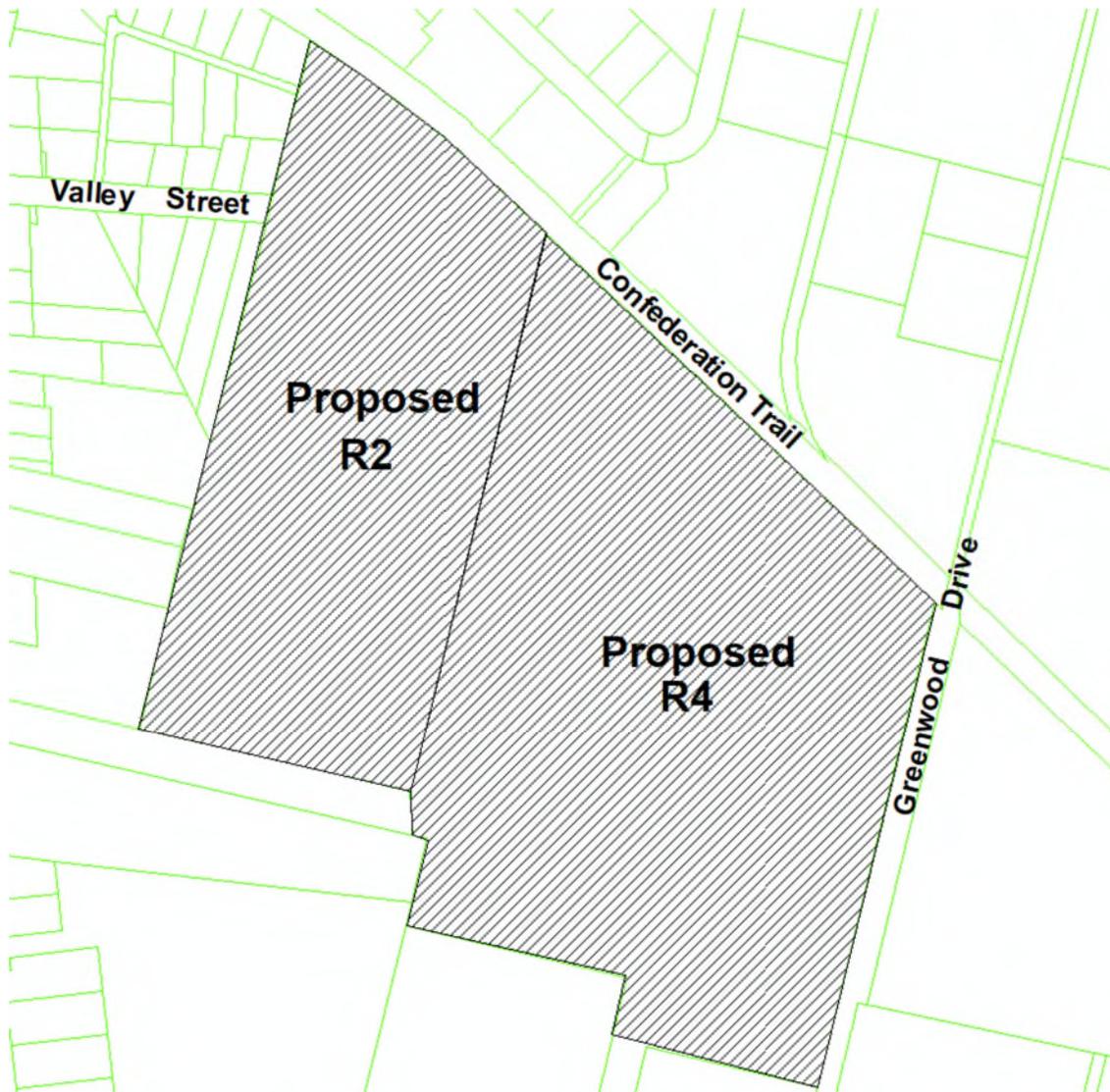
[schedule B is attached]

ZONING AMENDMENT 002
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 # 69781 shown on Schedule B of the *City of Summerside Zoning Bylaw*, is designated as Low Density Mixed Residential (R2) zone, hereby excluding it from its former designation of Light Industrial (M1).

- II. The zoning for a portion of PID # 69781 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 Light Industrial (M1) zone.



March 1, 2022

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 Camco Inc. for a zoning amendment for a portion of PID # 69781 from Light Industrial (M1) zone to Low Density Mixed Residential (R2) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS an application was received from Camco Inc. for a zoning amendment for a portion of PID # 69781 from Light Industrial (M1) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 002, 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 002, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby formally adopted.

March 1, 2022

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 MacDuff Property Development for a zoning amendment for PID # 615286 from Agricultural (A) zone to Low Density Mixed Residential (R2) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 004, 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 February 16, 2022;

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.

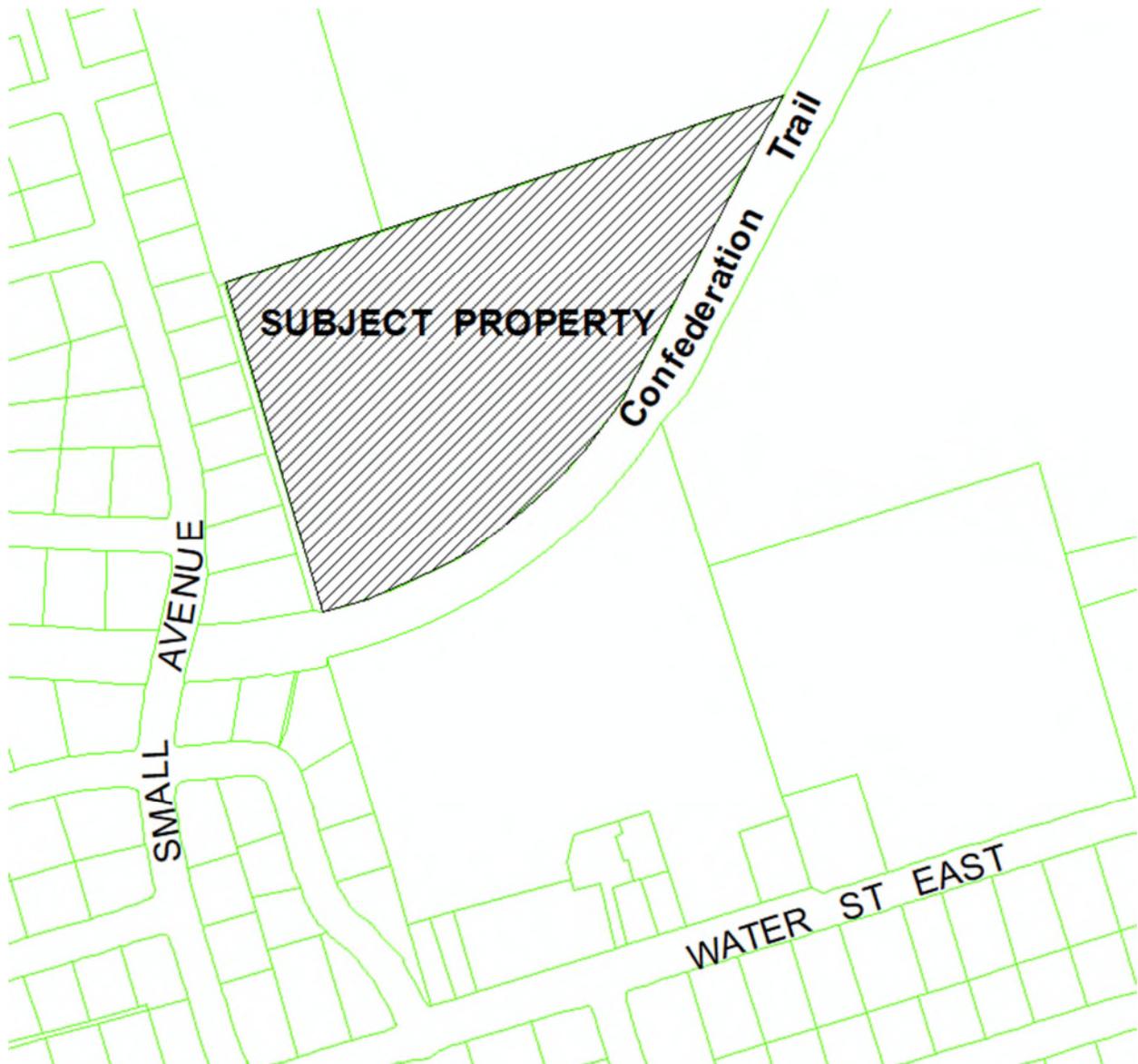
BE IT RESOLVED THAT zoning amendment 004, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby declared as read a second time.

This bears the recommendation of the Planning Board meeting held on February 23, 2022.
[schedule B is attached]

ZONING AMENDMENT 004
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 # 615286 shown on Schedule B of the *City of Summerside Zoning Bylaw*, is designated as Low Density Mixed Residential (R2) zone, hereby excluding it from its former designation of Agricultural (A).



**Resolution
 COS 22-016**

March 1, 2022

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 MacDuff Property Development for a zoning amendment for a portion of PID # 615286 from Agricultural (A) zone to Low Density Mixed Residential (R2) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 004, 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 004, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby formally adopted.

**Resolution
COS 22-017**

March 1, 2022

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 MacDuff Property Development for a zoning amendment for PID # 615278 from Agricultural (A) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 007, 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 February 16, 2022;

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.

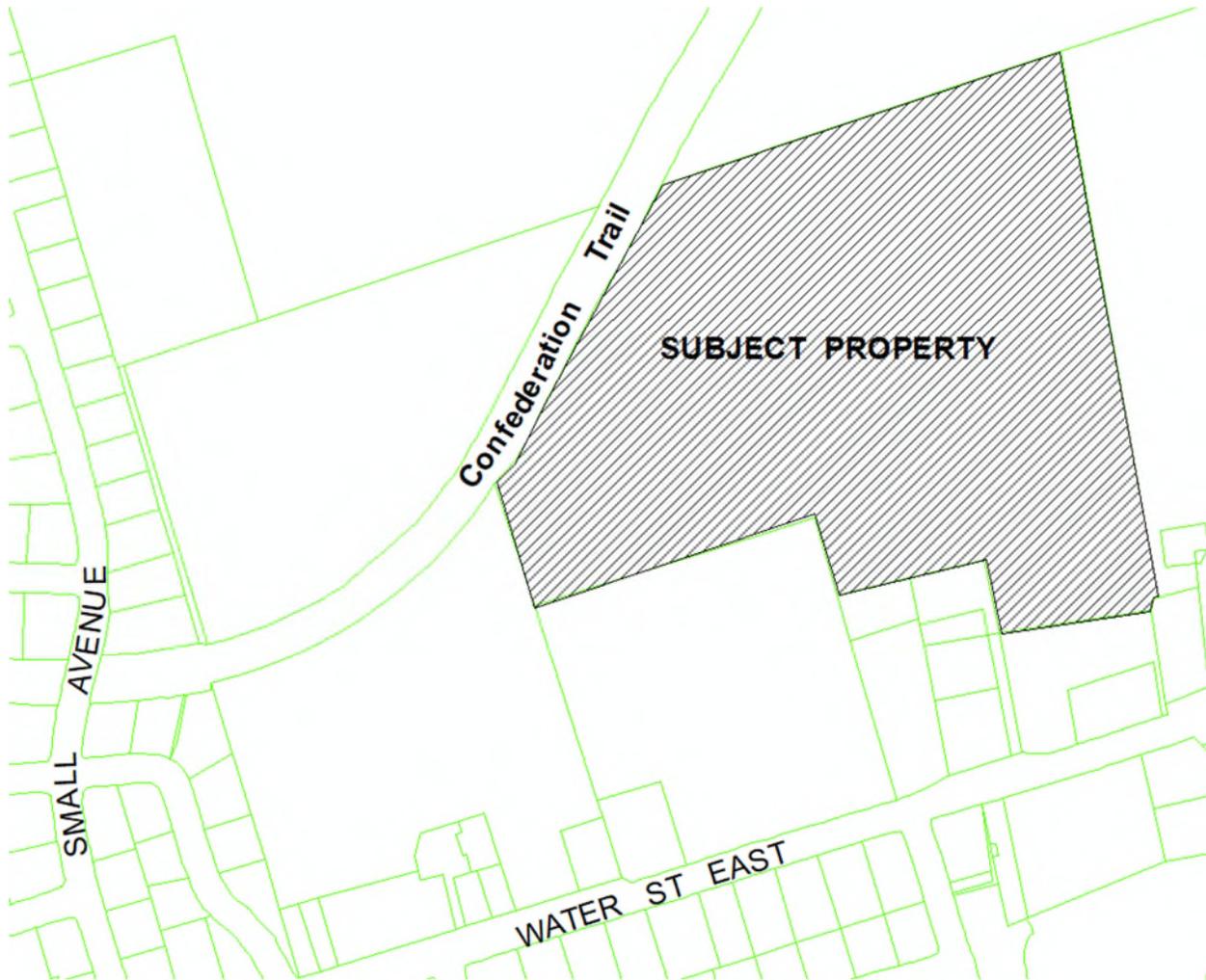
BE IT RESOLVED THAT zoning amendment 007, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby declared as read a second time.

This bears the recommendation of the Planning Board meeting held on February 23, 2022.
[schedule B is attached]

ZONING AMENDMENT 007
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 # 615278 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 Agricultural (A) zone



Resolution
COS 22-018

March 1, 2022

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 MacDuff Property Development for a zoning amendment for PID # 615278 from Agricultural (A) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 007, 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 007, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby formally adopted.



Technical Services Committee Agenda

March 1, 2022

- 1) Call to Order
- 2) Approval of the Agenda
- 3) Traffic calming
- 4) Street naming Policy
- 5) Adjournment