

Special Council Meeting Agenda

May 24, 2022

1. Call to Order 6pm
2. Approval of the Agenda
3. **Public Meeting #1 – 433, 437 and 447 Water St – Official Plan & Zoning Amendments**
(Councillor Brian McFeely)

Background

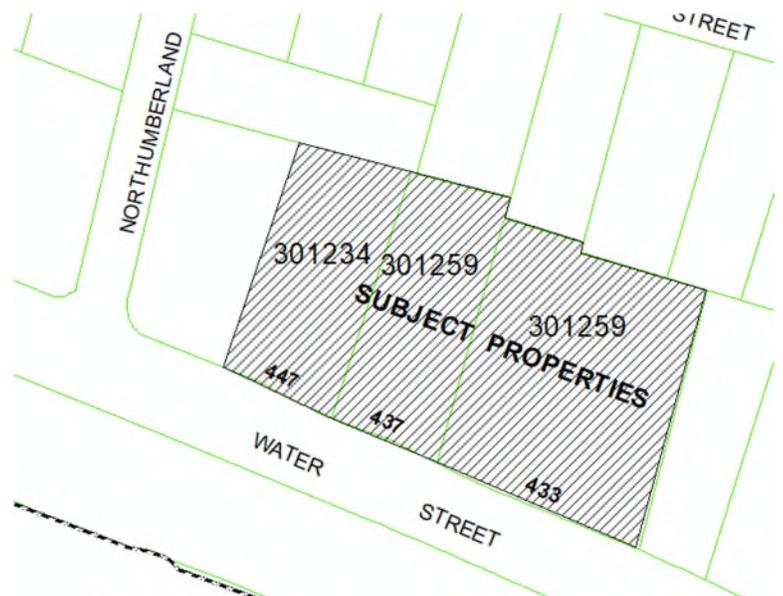
An application was received from Tyler MacDonald (agent for property owner G Morris Caseley Ltd.) for PID #301259 (433 and 437 Water St) to amend the *City Official Plan* from Commercial land use to Residential land use and to amend the *Zoning Bylaw* from Neighbourhood Commercial (C3) zone to High Density Residential (R4) zone and for PID #301234 (447 Water St) to amend the *Zoning Bylaw* from Medium Density (R3) zone to High Density Residential (R4) zone. The purpose of the zoning amendment is to allow a row house/townhouse (10 unit) in the proposed R4 zone.

Proposed Official Plan Amendment:

- Change the land use from Commercial to Residential land use (PID #301259)

Proposed Zoning Bylaw Amendment:

- Change the zoning from Neighbourhood Commercial (C3) zone to High Density Residential (R4) zone (PID #301259).
- Change zoning from Medium Residential (R3) zone to High Density residential (R4) zone (PID #301234).



The application was advertised in the May 9th edition of the Guardian and letters were mailed to property owners within 60m or 200 ft of the subject properties.

Neighbourhood Commercial (C3) Zone (Current Zoning PID #301259)

24.1 The purpose of this zone is to provide for small-sized commercial uses that serve the convenience needs of nearby residents and are compatible with residential neighbourhoods.

Permitted Uses

24.2

C3 Zone - Permitted Uses		
COMMERCIAL		
child care facility: small, medium and large accessory building	food store: convenience store	personal service shop
RESIDENTIAL		
ancillary residence, two maximum (see additional standards in Section 8)		

Discretionary Uses

24.3 Subject to Council approval:

C3 Zone - Discretionary Uses		
COMMERCIAL		
medical office	restaurant: dining room and take-out	
fitness centre	business/professional office	
INSTITUTIONAL		
utility facility		

Medium-Density Residential (R3) Zone (Current Zoning PID #301234)

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

Permitted Uses

17.2 Subject to Bylaw requirements:

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

Discretionary Uses

17.3 Subject to Council approval:

R3 Zone - Discretionary Uses		
child care facility: medium group home	boarding house nursing care facility: community care and nursing home	social services agency tourism establishment*: tourist home and inn
townhouse - 8 units per building maximum rooming house	row house – 8 units per building maximum	apartments: 4 units maximum

* Also requires Conditional Use approval

Conditional Uses

17.4 Subject to a Development Officer approval:

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

High Density Residential (R4) Zone (proposed zone for PID #301259 and PID #301234)

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		

* 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

4. Comments and Questions

- a. The applicant is invited to make comments. *(Tyler MacDonald)*
- b. The public is invited to make comments.
(The floor is opened to the public for questions and comments. Please state your name and civic address for the record.)

5. 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 May 31)

- (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 resolutions will be either carried or defeated by vote of Council. If the official plan amendment, is adopted by Council, the amendment is sent to the Minister of Agriculture and Land for signature and the amendments 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 Agriculture and Land for signature and the amendment becomes official.

(Steps 4- 5 take place at Council's second meeting scheduled for June 7)

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].

6. Resolutions (Councillor Brian McFeely)
 - a. COS 22-061 First Reading, Zoning Bylaw Amendment 136;
 - b. COS 22-062 Refer Zoning Amendment 136 back to Planning Board for review and recommendation;
 - c. COS 22-063 First Reading, Zoning Bylaw Amendment 137;
 - d. COS 22-064 Refer Zoning Amendment 137 back to Planning Board for review and recommendation;
 - e. COS 22-065 First Reading, Zoning Bylaw Amendment 138;
 - f. COS 22-066 Refer Zoning Amendment 138 back to Planning Board for review and recommendation;

7. Mayor thanks the applicant and public for attending

8. Adjournment

May 24, 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 Tyler MacDonald (agent for property owner G. Morris Caseley Ltd.) for a zoning amendment for PID # 301259 from Neighbourhood Commercial (C3) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

BE IT RESOLVED THAT zoning amendment 136, be hereby declared as read a first time.

[schedule B is attached]

ZONING AMENDMENT 136
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 # 301259 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 Neighbourhood Commercial (C3) zone.



May 24, 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 Tyler MacDonald (agent for property owner G. Morris Caseley Ltd.) for a zoning amendment for PID # 301259 from Neighbourhood Commercial (C3) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 136, 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 136, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

May 24, 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 Tyler MacDonald (agent for property owner G. Morris Caseley Ltd.) for a zoning amendment for PID # 301259 From Neighbourhood Commercial (C3) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

BE IT RESOLVED THAT zoning amendment 137, be hereby declared as read a first time.

[schedule B is attached]

ZONING AMENDMENT 137
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 # 301259 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 Neighbourhood Commercial (C3) zone.



May 24, 2022

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 Tyler MacDonald (agent for property owner G Morris Caseley Ltd.) for a zoning amendment for PID # 301259 from Neighbourhood Commercial (C3) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 137, 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 137, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

May 24, 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 Tyler MacDonald (agent for property owner G Morris Caseley Ltd.) for a zoning amendment for PID # 301234 From Medium Density Residential (R3) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

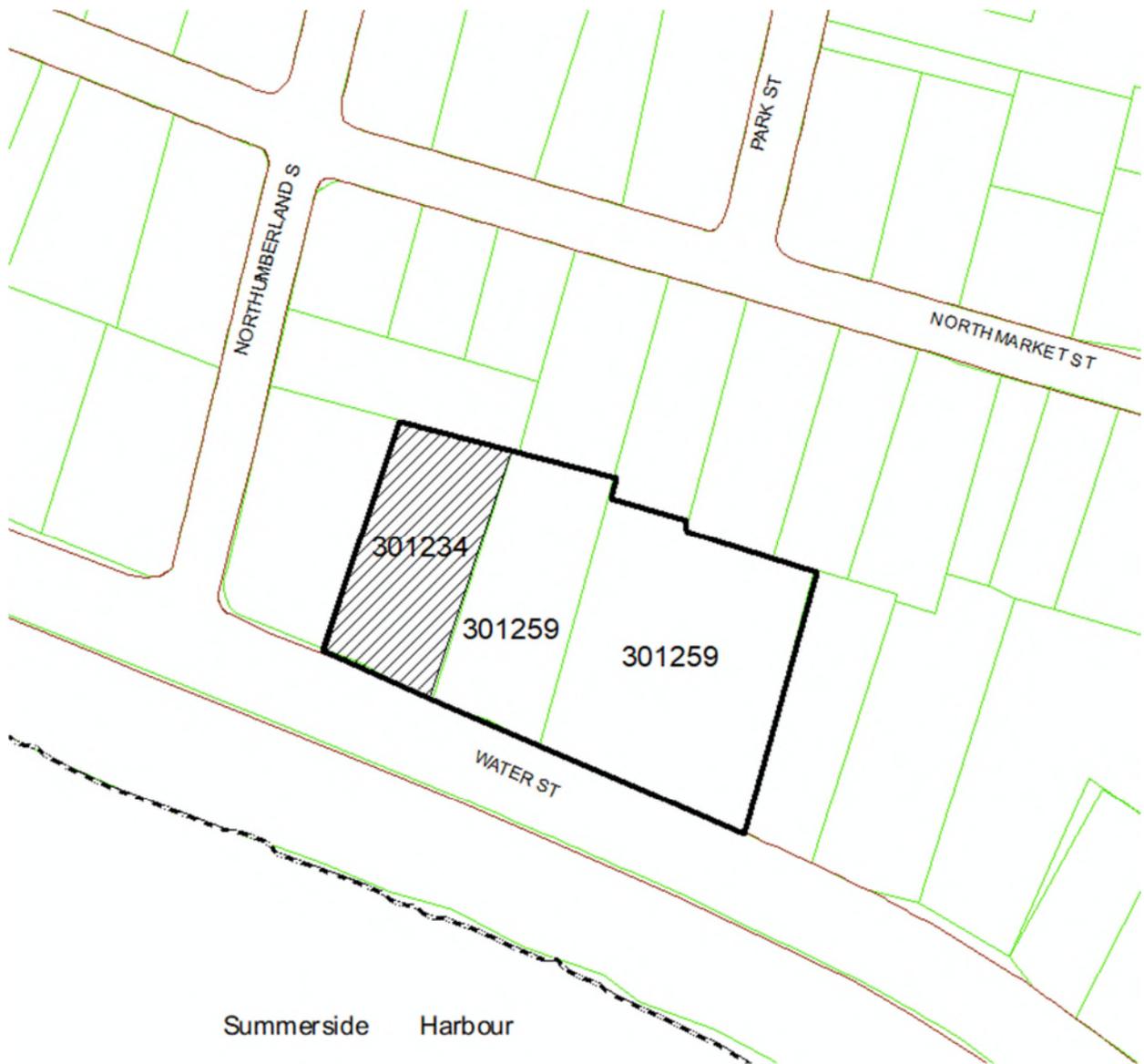
BE IT RESOLVED THAT zoning amendment 138, be hereby declared as read a first time.

[schedule B is attached]

ZONING AMENDMENT 138
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 # 301234 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 Medium Density Residential (R3) zone.



May 24, 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 Tyler MacDonald (agent for property owner G Morris Caseley Ltd.) for a zoning amendment for PID # 301234 from Medium Density Residential (R3) zone to High Density Residential (R4) zone under the *City of Summerside Zoning Bylaw*;

AND WHEREAS zoning bylaw amendment 138, a bylaw to amend the *City of Summerside Zoning Bylaw*, was read and declared as read a first time at this Council meeting;

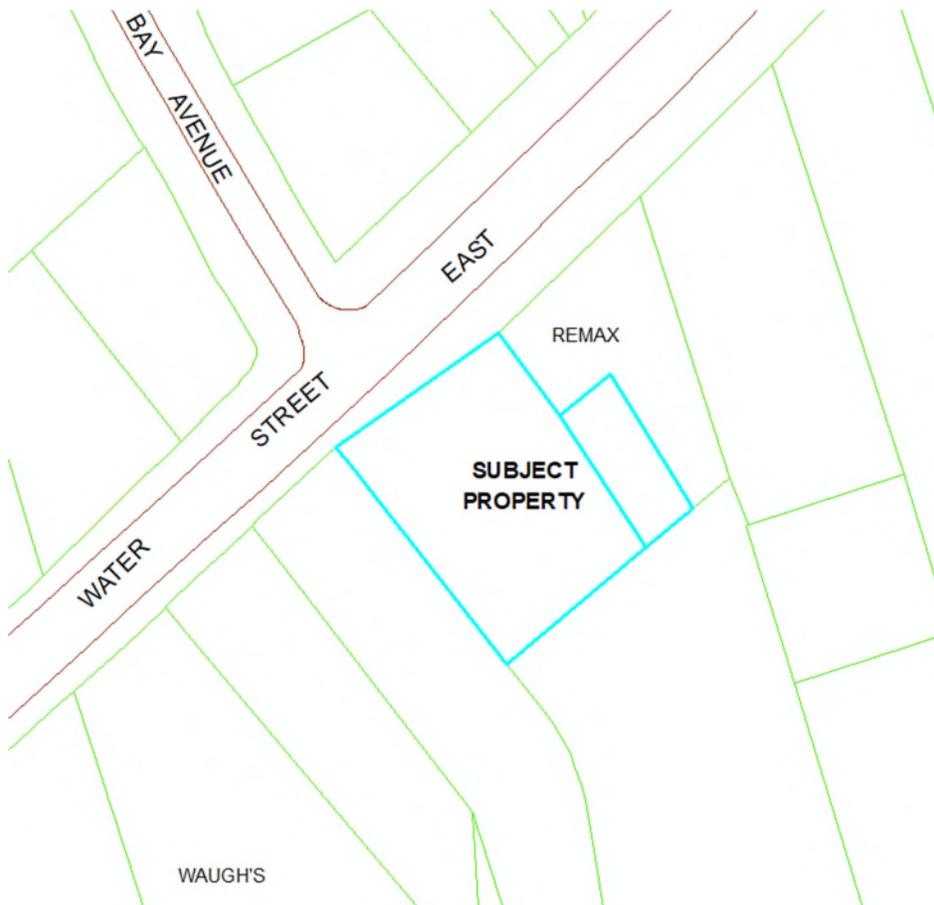
BE IT RESOLVED THAT zoning bylaw amendment 138, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby referred back to the Planning Board for review and recommendation.

PUBLIC MEETING #2

3. 658 Water Street East – Restricted Use (Councillor Brian McFeely)

Background

An application was received from Atlantic Human Services Inc. (agent for property owner, DTT Home Craft Inc.) for PID #73494. This application will require City Council approval to allow a “Group Home” in the Service Commercial (C2) zone.



The application was advertised in the May 9th edition of the Guardian and letters were mailed to property owners within 60m or 200 ft of the subject properties.

4. Comments and Questions

- a. The applicant is invited to make comments. *(Joffre Theriault)*
- b. The public is invited to make comments.
(The floor is opened to the public for questions and comments. Please state your name and civic address for the record.)

5. 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 May 31)

- (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 7)

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].

6. Mayor thanks the applicant and public for attending
7. Adjournment

Planning Board Agenda

May 24, 2022

- 1) Call to Order
- 2) Approval of the Agenda
- 3) 395 Brophy Av – Official Plan and Zoning Amendment
- 4) 359 Brophy Av – Park & Green Space (Official Plan Amendment)
- 5) 86 Cedar Street - Official Plan and Zoning Amendment
- 6) 55 Starlite – Major Subdivision (Phase 2) Preliminary Approval
- 7) Adjournment

May 24, 2022

Department/Committee: Planning Board

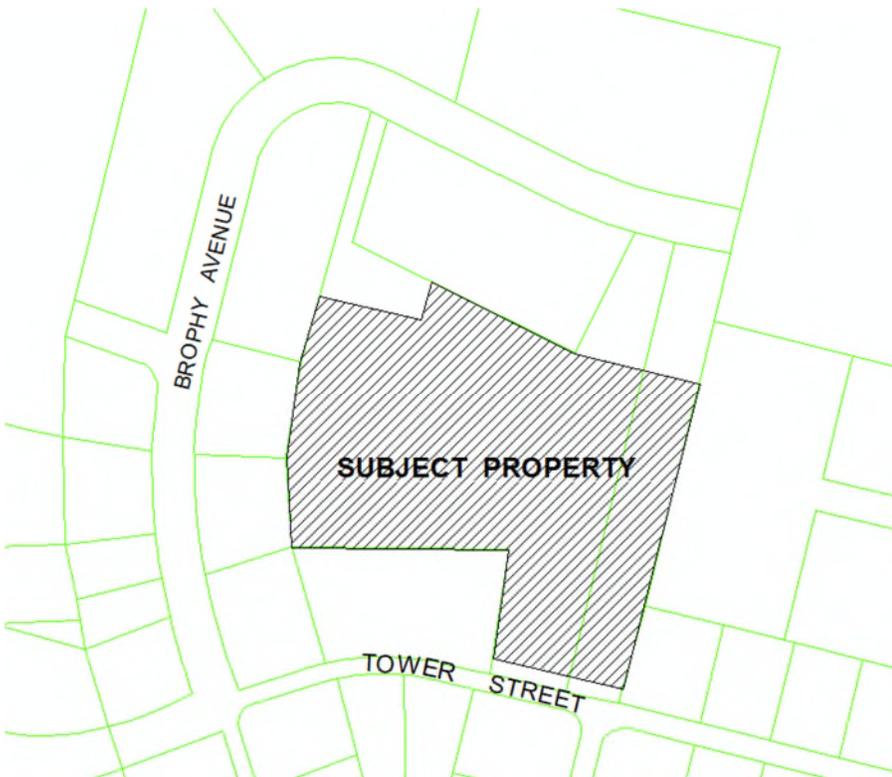
Subject: 395 Brophy Av – Official Plan and Zoning Amendments

SUPPORTING EXPLANATION:

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

Background: An application was initiated by 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 May 11, 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 development 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;

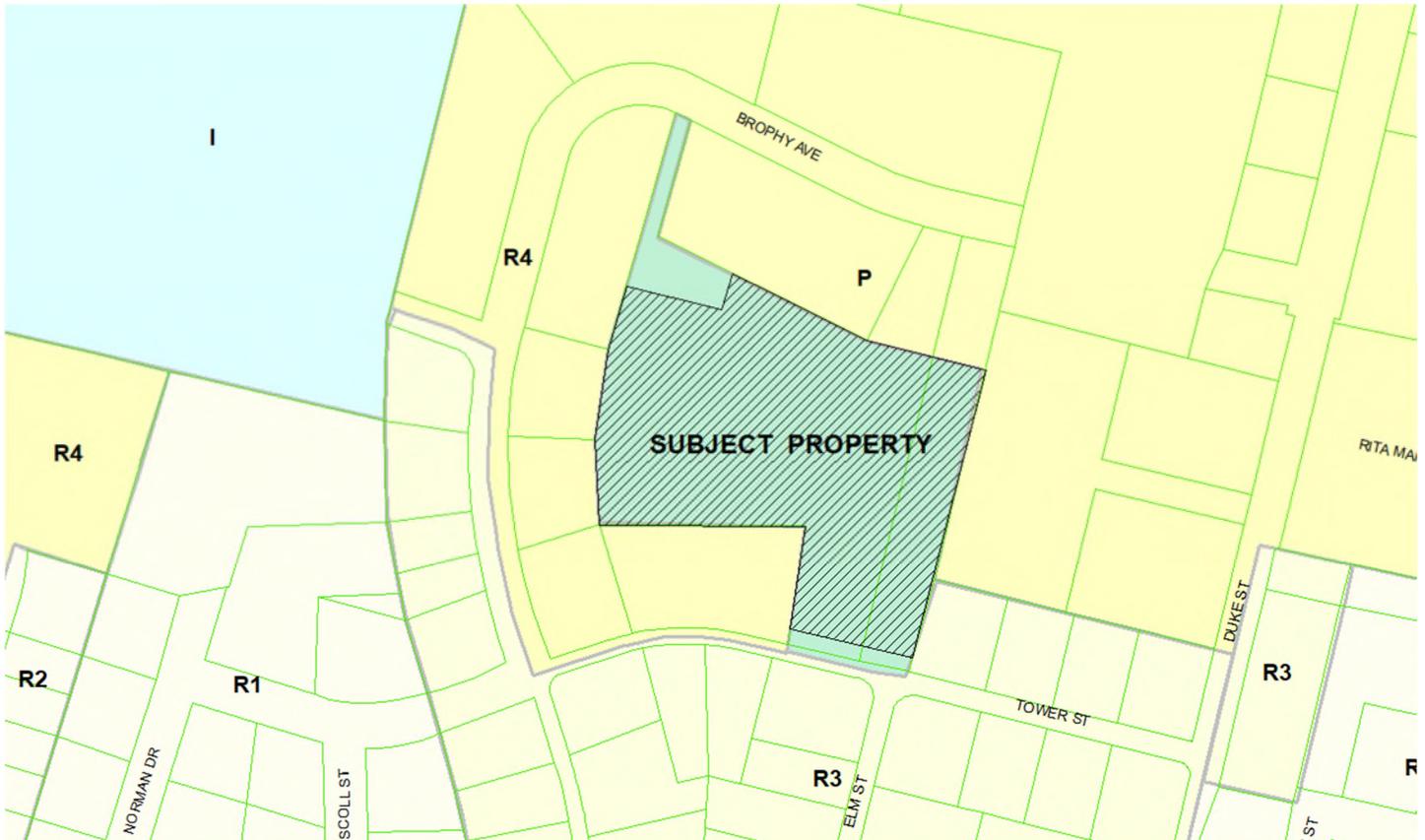
Objective	To encourage high density housing in specific areas
Policies	The following are Council's statements of policy
	1. <i>Promote high density housing on properties already partly developed for high density housing.</i>
	2. <i>Consider applications for high density housing in the following situations:</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 site can accommodate the proposed High Density (R4) residential land use being proposed.

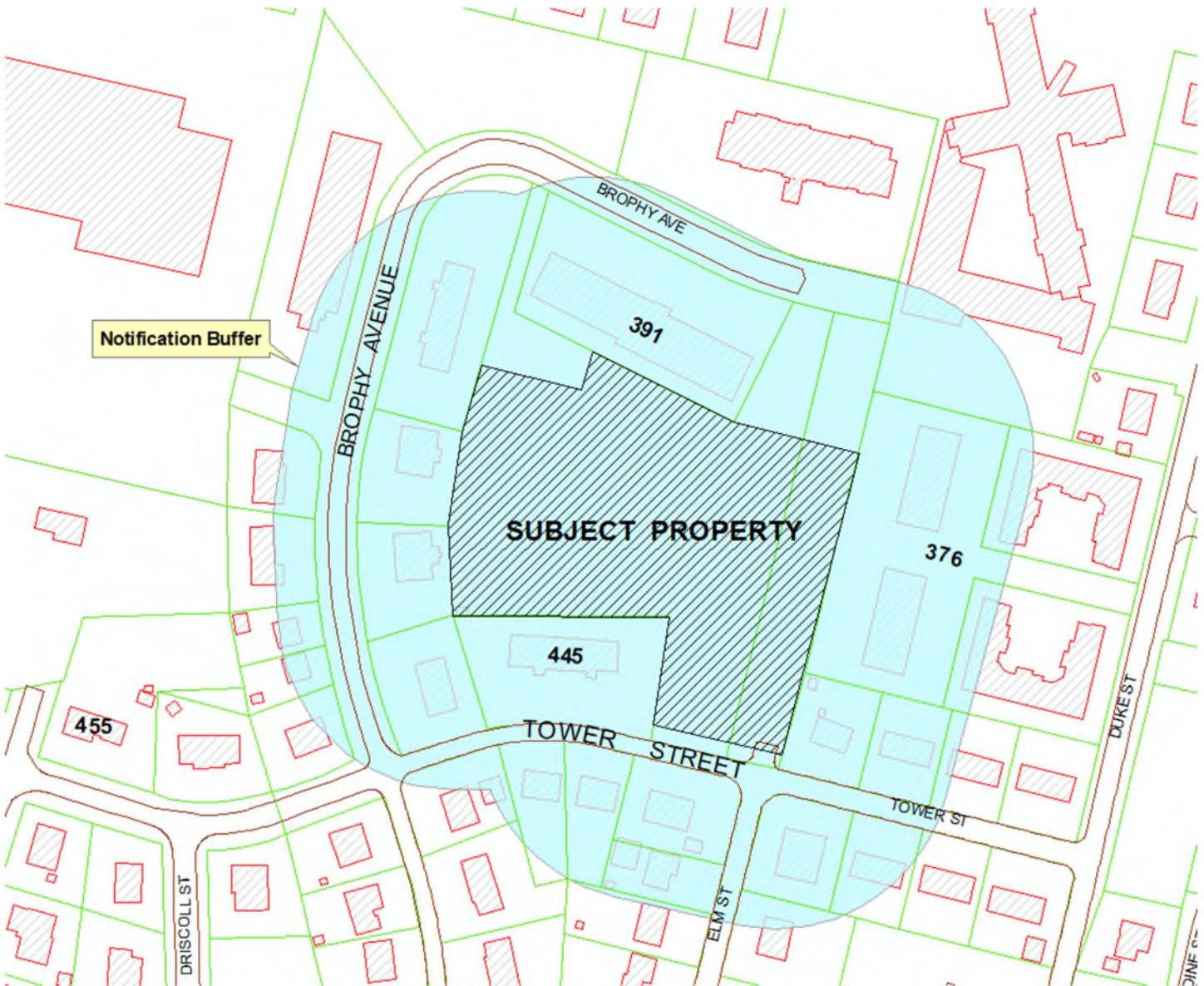
d. *Compatibility of the proposed development with surrounding land uses, including both existing and projected uses.*

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 north/west would remain as Parkland land use. The proposed residential land use 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 May 11, 2022. The public meeting notice was advertised in the April 27th edition of the Guardian. Thirty (30) letters were mailed to twenty-seven (27) property owners. Jamie Rodgerson (UpFront Developments - potential developer) provided an overview of the proposed development and noted the existing playground is to be relocated to the northwest corner of the property. No written comments were received prior to the public meeting. Philip Cameron (423 Myrtle St, co-owner of Cameron Apartments - 376 Duke St., 391 Brophy Av., and 455 Tower St.) asked about the status of the ownership, zoning, land sale and park relocation costs. Michael MacBeth (455 Tower St.) requested the percentage of required parkland for the City and specifically Summerside North. Mr. MacBeth also, asked if Tower St./Duke St. could handle the additional traffic from this development. The concerns raised at the meeting are addressed throughout this report. Parkland related inquiries will be addressed in the Parks and Greens Space 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 a 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 Street or a 300mm transmission main from Duke Street that loops to Tower Street through the city park. A new 250mm water main is required to be looped to the top of Brophy Street from the 300mm transmission water main running between Duke Street and Tower Street. This new water main and the water main in the parkland will require a 6 meter easement centered on the pipe that will affect the current layout as presented. 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 Street. 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 Street 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 Tower St. The development's internal access 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 (parking area 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. The parkland dedication for this development was previously satisfied at the time of the initial subdivision of the Land Assembly.

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 10.2% additional traffic flow to Tower St., see calculations attached to this report. The total traffic volume of this development and the existing developments is approximately 23.1 % of the street's available capacity. A new cul-de-sac will be constructed to 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 north side of Tower St. to serve the proposed 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: In regards to land sale, the City has accepted an offer from UpFront Developments on the subject parcel. The offer to sell the land has not been adjusted in any way, except to extend the closing date to May 31st. The costs associated with the relocation of the

playground equipment were discussed with the UpFront Developments and is not yet finalized. Cameron Apartments (Philip Cameron co-owner) submitted an offer on the property in November 2019. The offer contained a price with the “intent to provide housing in a building that will be modern and available to the residents of Summerside”. Cameron Apartments submitted a second offer on the property in October 2021. This offer contained a price and a plan to build two 27 unit apartment buildings, with a consideration of directing traffic through Cameron Apartments property at 376 Duke St. The current property owner is the City of Summerside and the current zoning is R4.

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		For	
Defeated		Against	

Traffic Impacts on Tower Street

Future units volume	vehicles per unit	trips per day	addition
R4 128	1	4	512 VPD
Existing Tower St traffic volume (based on recent traffic counts)			
Total volume			644 VPD

Tower St. 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 18.8 %
 Approximate capacity of street at full development 23.1 %

May 24, 2022

Department/Committee: Planning Board

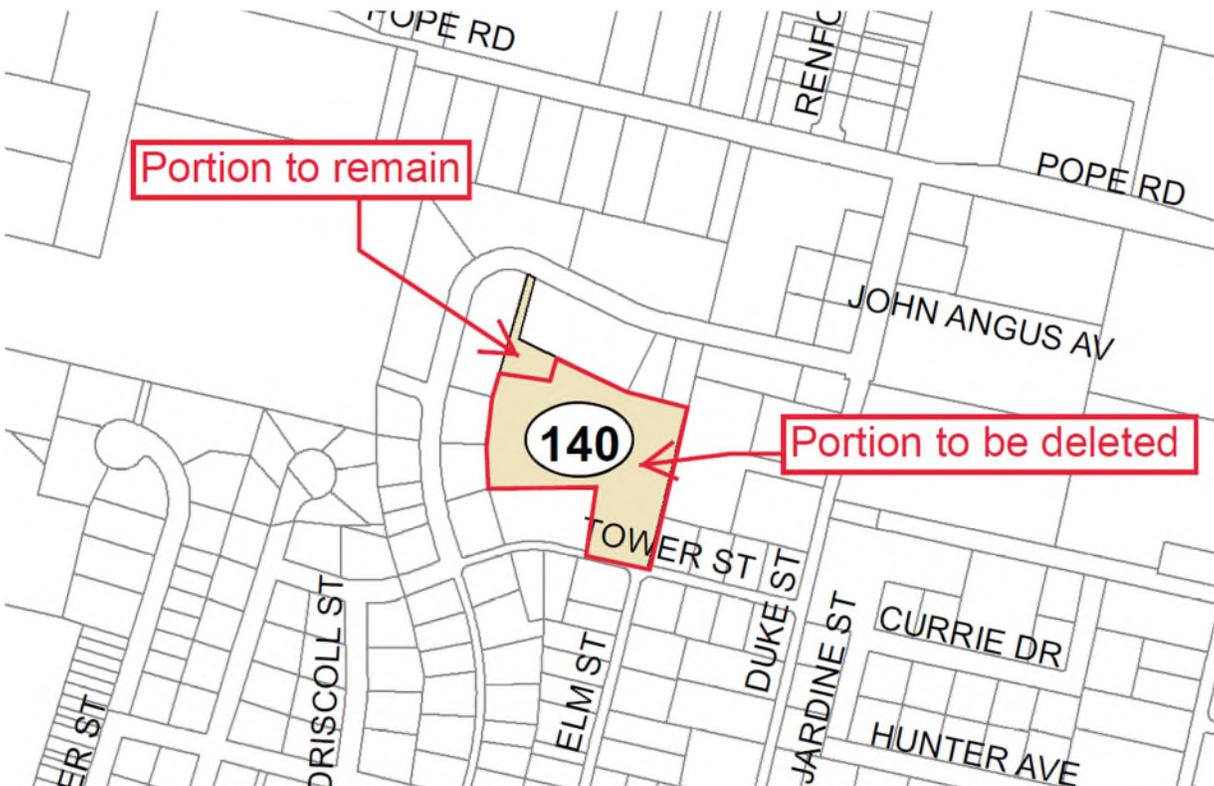
Subject: 395 Brophy Av – Parks and Greenspace Map Amendment

SUPPORTING EXPLANATION:

Purpose: The purpose of the Parks and Greenspace map amendment is to delete a portion 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) zone. When an application is received, staff shall review the impacts on the Parks and Greenspace Plan (2012). A public meeting was held on May 11, 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 (0.69 acres) utilized as a playground. The playground will be relocated to the northwest corner of the property.

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: An amendment to the Parks and Greenspace Plan is required.

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

Staff Comment: The City is not “required” to provide a percentage of parkland by any form of legislation. However, the City has consistently either been in line with, or surpassed the national average of park land acreage per 1,000 residents. As it stands the City has over 125 acres of parks and green space lands with the current level of service being over 7.75 acres per 1,000 residents (national average is between 5.96-10.50). Tower Street – 140 is one of 13 mini-parks in the City. As per section 5.6 Conclusions of the Parks and Greenspace Plan, and based on 2011 Census data and 1983 National Recreation and Parks Association (NRPA), our supply of mini-parks is over double the maximum range. There are a number of factors considered when determining the parkland area required for sections of the City. In this particular case of Tower Street Park, the playground is utilizing approx. 0.69 acres of the 3.47 acre parkland area, the remaining 2.78 acres was under utilized. Jennifer St Park – 496 (0.5 acres) and Leger Park (6.4 acres) is located within 750 meters of the proposed development. In addition, Elm Street School (5+ acres of greenspace), while not City owned, is utilized by residents providing a greenspace/playground within 600 meters of the proposed development.



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 May 11, 2022. The public meeting notice was advertised in the April 27th edition of the Guardian. Thirty (30) letters were mailed to twenty-seven (27) property owners. Jamie Rodgerson (UpFront Developments - potential developer) provided an overview of the proposed development and noted the existing playground is to be relocated to the northwest corner of the property. No written comments were received prior to the public meeting. Philip Cameron (423 Myrtle St, co-owner of Cameron Apartments - 376 Duke St., 391 Brophy Av., and 455 Tower St.) asked about the status of the ownership, zoning, land sale and park relocation costs. Michael MacBeth (455 Tower St.) requested the percentage of required parkland for the City and specifically Summerside North. Mr. MacBeth also, asked if Tower St./Duke St. could handle the additional traffic from this development. The concerns raised at the meeting are addressed throughout this report. Parkland related inquiries will be addressed in the Parks and Greens Space report. 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 development 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 (approx. 2.9 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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May 24, 2022

Department/Committee: Planning Board

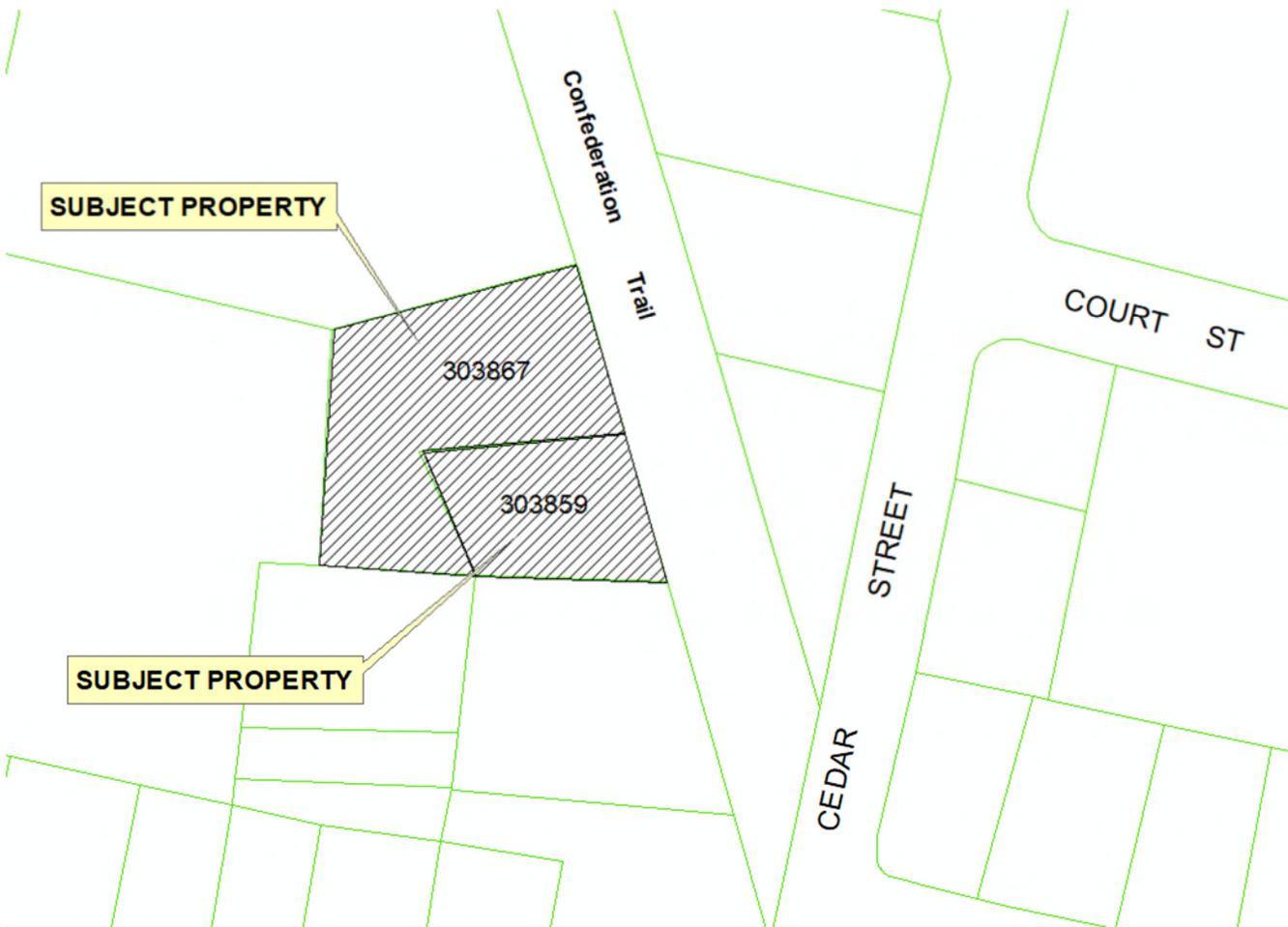
Subject: 86 Cedar Street (Zoning Amendment)

SUPPORTING EXPLANATION:

Purpose: The purpose of the zoning amendment is to allow apartment development. The applicant is proposing a 10 unit apartment development.

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

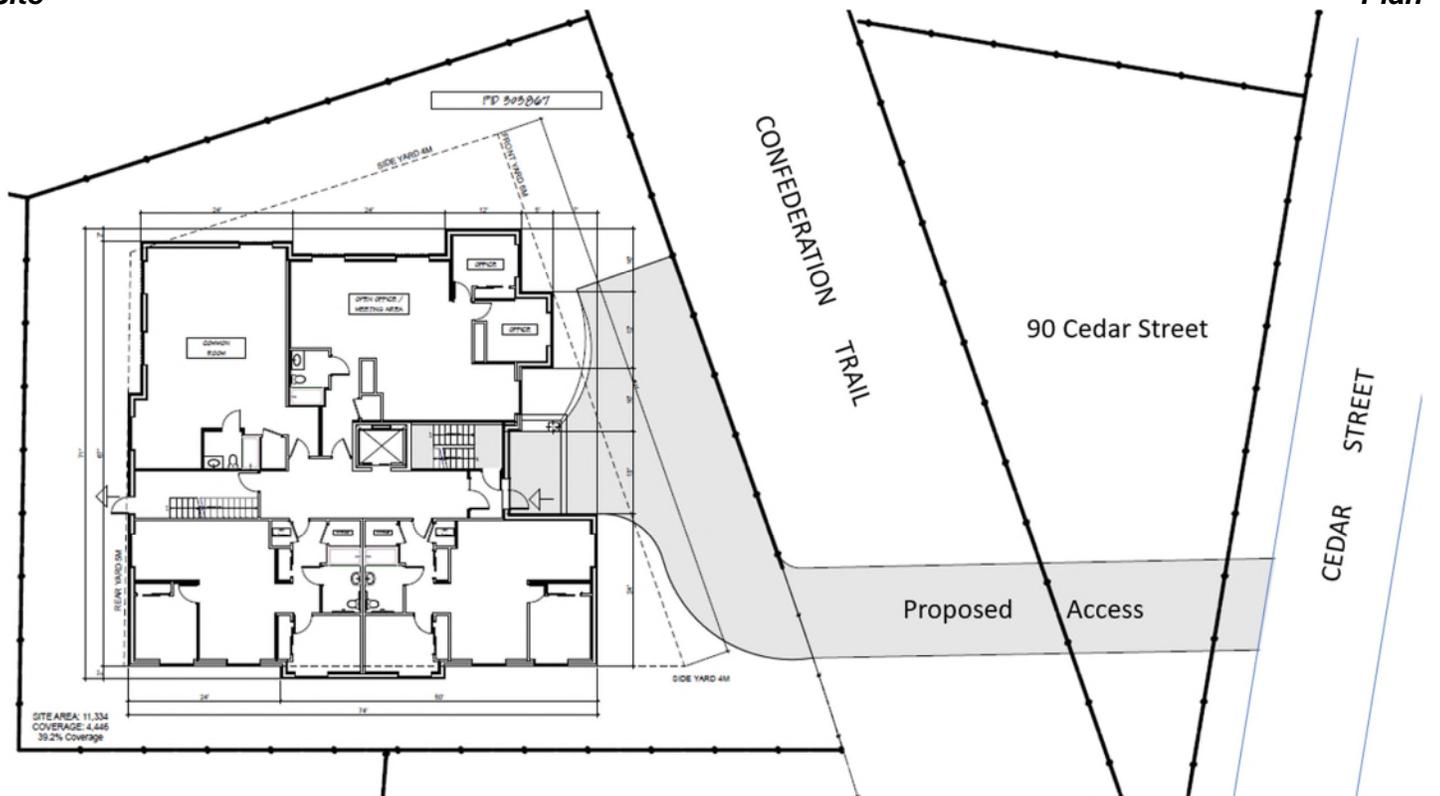
Background: An application was received from Boys & Girls Club of Summerside Inc. (agent for the property owners, Darryl and Lisa Whitlock) for PID #303859 and PID #303867 to amend the *Zoning Bylaw* from Medium Density Residential (R3) zone to High Density Residential (R4) zone. A public meeting was held on May 11, 2022 and Council gave first reading on the same date.



Aerial View from East



Site



Report: Under section 5.7 of the zoning bylaw when Planning Board reviews a zoning bylaw amendment, it considers 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: The proposed apartment use conforms with this bylaw, the development would have to comply with the R4 development standards for as noted below.

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 0.80 Main buildings [Amended Sept 13/ 21]									
Lot Coverage	Maximum of 35% Main buildings, not counting any attached garage as long as its top surface is landscaped and is accessible to building residents [Amended Sept 13/21]									
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. [Amended Sept 13/ 21]									

b. *Conformity with the Official Plan.*

Staff Comment: The rezoning conforms to the Official Plan as the property is designated as residential land use on the future land use plan. Council must consider Section 5.2.2 (Location of High Density Housing). The amendments have no impact on the Parks and Green Space Plan.

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. *Promote high density housing on properties already partly developed for high density housing.*
2. *Consider applications for high density housing in the following situations:*

- c.
 - 3. a mix of housing types in CDA 's;
 - 4. areas presently occupied by conforming mobile home parks (see Council Policy 5.3.2.5);
 - 5. re-zonings in areas presently designated for medium density R3 zone residential use;
 - 6. areas immediately north of the Downtown, (defined as: Notre Dame Street to the North, Granville Street to the East, Heather Moyses Drive to the South and Duke Street to the West) subject to no harmful impacts on local heritage housing;
- d.) within residential/ commercial buildings

7. Downtown (D) zone (Urban Core Area – all districts).

8. City arterial or collector roads as referenced in Section 7.1 and Figure 7-1.

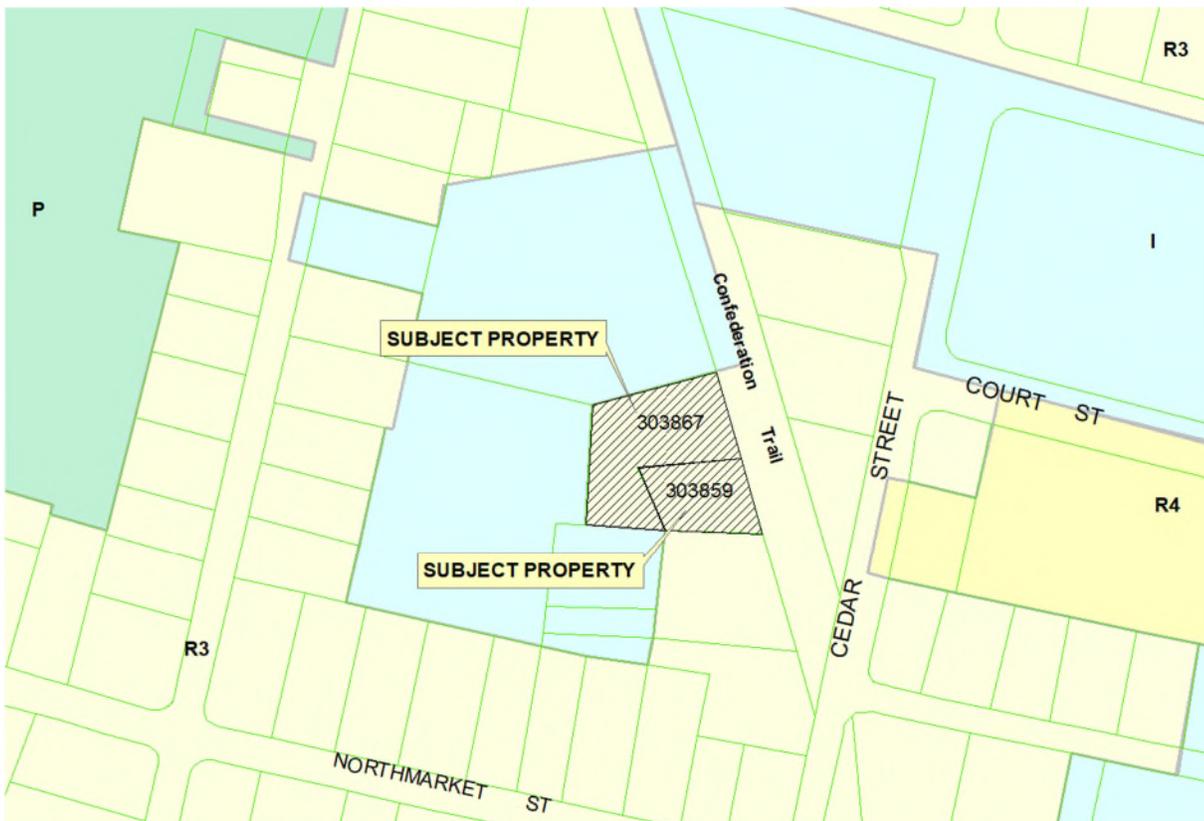
9. Consider applications for high density housing in other areas with careful consideration of Council's 'location criteria' listed above.

Suitability of the site for the proposed development.

Staff Comment: This site is comprised of two parcels and is suitable for high density residential land use. Existing public street network and municipal services are available on Cedar Street 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 uses, the land use to the immediate east and south is zoned R3. The land use to the north and west is zoned Institutional. The rezoning from R3 to the proposed R4 would be compatible with the surrounding properties.



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

Staff Comment: A public meeting was held on May 11, 2022. The public meeting notice was advertised in the April 27th edition of the Guardian. Thirty-six letters (36 letters were mailed to thirty-four (34) property owners. Adam Binkley and John Aylward provided an overview of the development and noted the demand for transitional housing in the Community. Doug Gallant (82 Cedar St) spoke at the public meeting. Mr. Gallant asked about the number of stories and the impact on his property. Adam Binkley stated that the building would be 3 stories and the Boys and Girls Club would work with the neighbours in the area.

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: Rezoning from R3 lands to R4 Lands does not have a significant change on the loading of the Northumberland Street Lift Station. The City's water supply and sewage collection systems can handle the rezoning from the new development. The sewer main infrastructure on Cedar Street can handle the sewage flows from the rezoning development. The existing water infrastructure on Cedar Street can handle the water requirements for rezoning development. This development will need to develop a storm water site plan to meet the requirements of City of Summerside Subdivision and Site Development By-law SS-19. This development is in a low area and has significant existing natural drainage flow from other properties around it, including drainage from the existing Confederation Trail system. The City is currently contracting the replacement of the drainage system in the area along the Confederation Trail system. There is an existing storm drainage system on the subject property which the developer can use to drain this property. The existing parkland (Bill Bridges Park) can accommodate this development, which is located within 200m of the subject development, accessible by the Confederation Trail and street/sidewalk network.

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

Staff Comment: Cedar Street is a through street, constructed to City standards with a sidewalk on the west side of Cedar Street, running from Beaver to Water Streets. The Confederation Trail abuts the east side of the subject property. The proposed access to this property will require an access/utility easement over the Confederation Trail and the property at 90 Cedar Street. As shown on the site plan, the developer is proposing an access that is less than 90m long, a service vehicle turn around is not required. The proposed access for this development to Cedar Street, will require the developer to alter the sidewalk, all costs associated with the alterations to the sidewalk for access will be at the developer's cost. See sketch on following page.



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: The altering of the pedestrian crosswalk (for Confederation Trail) and the sidewalk changes needed to accommodate the relocated pedestrian crosswalk, will be incorporated into the Cedar Street sewer and storm project during the construction.

j. Other matters as specified in this Bylaw.

Staff Comment:

k. Other matters as considered relevant.

Staff Comment: The subject properties will have to be consolidated prior to permits being issued.

STAFF REVIEW: City Staff supports the proposed official plan and zoning amendments, from the Boys & Girls Club of Summerside Inc. (agent for the property owners, Darryl and Lisa Whitlock) to rezone from R3 to R4.

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

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

PLANNING BOARD RECOMMENDATION: The application received from the Boys & Girls Club of Summerside Inc. (agent for the property owners, Darryl and Lisa Whitlock) for PID #303859 and PID #303867 to amend the *Zoning Bylaw* from Medium Density Residential (R3) zone to High Density Residential (R4) zone, 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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May 24, 2022

Department/Committee: Planning Board

Subject: 55 Starlite St Subdivision – Preliminary Approval

SUPPORTING EXPLANATION:

Purpose: To subdivide PID #615286 into 38 residential lots (Starlite Estates Phase 2) on a current vacant property, this will be an extension to the existing subdivision Starlite Estates. The property is zoned R2.

Background: An application was received from MacDuff Holdings Inc. for PID # 615286, to subdivide this parcel into 38 residential lots, intended for semi-detached dwellings. The proposed lots are indicated on preliminary survey plan prepared by HGE Engineering Ltd., dated April 15, 2022.



Report: As required under Section 3.6 of the *Subdivision and Site Development Bylaw*, Council Planning Board and the Development Officer shall consider the following general criteria when reviewing development applications under this Bylaw, as applicable:

a. *Conformity with this Bylaw.*

Staff Comment: This subdivision promotes “smart growth” making effective use of the land and applies to the principle of “orderly and following”. As a result of the public meeting for the rezoning of this land, a public meeting was held on February 16, 2022. At this meeting the property owner stated that the land would be developed as R2 housing, therefore no Public Open House was warranted for the preliminary subdivision approval process.

b. *Conformity with the Official Plan.*

Staff Comment: This subdivision conforms to the Official Plan, as the land use is designated as Residential land use (Schedule B - Future Land Use Plan) and the criteria (e, f, g and h) identified in the Parks and Greenspace plan (Section 8.4).

c. *Conformity with the Zoning Bylaw.*

Staff Comment: The proposed lots within the subdivision will be required to meet the development standards of the R2 Zone.

d. *The orderly and following nature of the development.*

Staff Comment: This development promotes residential growth and is an example of infilling vacant land.

e. *Physical suitability of the site for the proposed development, including avoidance of natural hazards, undue water run-off, or environmental damage.*

Staff Comment: The site is suitable for development. There are no natural hazards. Water run-off will be addressed with a storm drainage system and no environmental damage should occur.

f. *Compatibility of the proposed development with the present and future surrounding patterns of streets, lots and services, including conformity with any City concept plans.*

Staff Comment: This development promotes the pattern of streets in the area, as the proposed streets will connect to Starlite Estates Phase 1. The proposed street layout will allow for future development to the east and the 2 stub streets to the south allow for 2 locations to exit phase 2 of Starlite Estates. The lots and servicing will be designed to meet City standards.

g. *Adequacy of the applicant’s proposals for traffic circulation, parking, pedestrian access, water supply, sewage disposal and storm drainage, including the adequacy of City streets and services to handle increased loads.*

Staff Comment: The proposed residential streets will be designed to meet a 50 km/hr local street speed limit posted at 40 km/hr. The proposed street would have an 8.8 meter width, with concrete curbs. The paved shoulder on the proposed street will allow for safe pedestrian traffic. The City’s water supply and water main lines in the area are adequate for the new subdivision, new service laterals will need to be installed to the property lines as part of this new development. The sewage treatment plant can handle the additional loading. All infrastructure will be designed and installed to meet City standards at the developers cost.

h. *Suitability of parkland provisions*

Staff Comment: Parkland dedication is required for a residential major subdivision. At Council’s discretion the parkland shall be 5% land or \$1750 per acre cash-in-lieu for low density residential land use. The buildable area of the development is 48,564 sq m or 12 acres. Land dedication is 5% = 2428 sq m or 0.6 acres. Monetary dedication at \$1750 per acre is \$21,000. The developer is proposing to satisfy the parkland dedication with land dedication of 3021 sq. m or 0.75 acres. Staff will review the parkland dedication with Community Services to determine if the parkland is needed in the area or is the monetary dedication preferred. The

parkland contributions shall be put in a fund reserved solely for acquiring or expanding public parks within the City.

i. Impacts on City finances and budgets.

Staff Comment: Not applicable

j. Proof of conformity with any applicable Provincial legislation and regulations.

Staff Comment: The confederation trail intersection with the proposed streets will be secured by the developer, prior to the City taking ownership of the street right-of-ways.

k. Other matters as considered relevant.

Staff Comment: The proposed street names will be put forth by the developer, once they are decided.

STAFF REVIEW: Staff recommend the application from MacDuff Holdings Inc. for preliminary subdivision to subdivide PID #615286 into 38 residential lots, intended for semi-detached dwelling development be recommended to be approved by Council, subject to the following:

1. The developer shall satisfy all municipal servicing requirements.
2. The developer enters into a subdivision construction agreement.
3. The developer shall satisfy the parkland dedication requirements.

As per Section 8.5 of the Subdivision and Site Development 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: Preliminary subdivision approval be granted to MacDuff Holdings Inc. to subdivide PID #615286 into 38 residential lots, intended for semi-detached dwelling development, 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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