

## Special Council Meeting Minutes

June 12, 2019

### **Present**

Mayor Basil Stewart  
Deputy Mayor Norma McColeman  
Councillor Bruce MacDougall  
Councillor Justin Doiron  
Councillor Cory Snow  
Councillor Greg Campbell  
Councillor Brian McFeely  
Councillor Carrie Adams  
Bob Ashley, Chief Administrative Officer  
Gordon MacFarlane, Deputy CAO and Director of HR & Legal Affairs  
Brian Hawrylak, HR Officer  
Aaron MacDonald, Director of Technical Services  
Thayne Jenkins, Planning Officer  
Linda Irving, Development Officer  
Members of the Media  
Members of the Public

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

The meeting was called to order 630pm.

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

### **Public Meeting #1**

#### **145 Greenwood Drive – Official Plan and Zoning Amendments**

##### **Background**

An application was initiated by the City of Summerside for a portion of 145 Greenwood Drive (PID#305151). The purpose of the Official Plan and zoning amendment is to allow, a business park. The application is to amend the *City Official Plan and the Zoning Bylaw* as follows:

##### **Proposed amendments:**

- Change the land use from Residential land use to Industrial land use.

- Change the zoning map from High Density Residential (R4) zone to Light Industrial (M1) zone.

The application was advertised in the June 1st edition of the Journal-Pioneer and letters were mailed to property owners within 60m or 200 ft of the subject properties.

## High-Density Residential (R4) Zone (Existing Zoning)

### Purpose

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

### Permitted Uses

18.2 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: small & medium	social services agency
accessory building	rooming house	

18.3 Subject to Council approval:

#### **R4 Zone – Discretionary Uses**

Tourism establishment: inn  
and B & B

### Conditional Uses

18.4 Subject to a permit:

#### **R4 Zone – Conditional Uses**

Home based business	Tourism establishment: B&B and vacation rental	Secondary suite property
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## Light Industrial (M1) Zone (Proposed Zoning)

### Purpose

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

**Permitted Uses**

24.2 Subject to Bylaw requirements:

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

**Discretionary Uses**

24.3 Subject to Council approval:

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

**Comments and Questions**

Comments from the Applicant:

Mike Thususka, representing the applicant, stated that the City has worked hard to find space for an eco-park for a while that is within the city boundaries and serviced by Summerside Electric. He stated they have looked at up to 10 locations in the City. He stated that they want to be good neighbors to the abutting properties and the architects have taken that into consideration including have an area buffer area between the park and school. He stated they will have buffers around the existing wet lands.

He stated that under the principles of eco-parks, they want to use the land to lessen the impact on the infrastructure and use the land to manage the way the park is managed.

Mike Thususka stated that a purchase agreement has been signed for the property.

Councillor Justin Doiron wanted to clarify that the industrial park will not be a traditional park with heavy industrial users.

Comments from the public:

Written submission:

*Hello,*

*I'm writing to say that I am strongly opposed to turning this into an industrial zone. It is just beside an elementary school and there is already a half vacant industrial park just up the road from this address. It's far too dangerous to have it that close to the school and will be an eyesore.*

*Thank you for your time*

*Lindsay Perry*

Peter Brown, 291 South Drive, offered kudos to the City for moving in this direction. He stated the eco model has principles attached to it and stated that it is where Summerside should be.

Jacqueline Cacciottolo 312 Norman Drive, did not receive notification because she is beyond the 60 meter mark required for property owner notification. She stated that it will directly impact her as it will affect her view of the water. As she talked to her neighbors, most did not know of the plan for the industrial park. She started at Facebook group that currently has 23 members (some from the area, some with children at Elm Street School) and are opposed to the park. Her main concern is that it is not keeping with the character of the neighborhood as there is a school, confederation trail and soccer field.

Councillor MacDougall stated that all traffic to and from the park would be by way of Greenwood Drive and not Willow Avenue.

### **Explanation of the Process**

In order to process an official plan and zoning bylaw amendment, the following steps are required:

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

- (5) The official plan amendment is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council. If the official plan amendment, is adopted by Council, it is sent to the Minister of Agriculture and Land for signature and the amendment becomes official. If the official plan amendment is defeated, the zoning bylaw amendment will be defeated as well, as the zoning amendment cannot contradict the official plan amendment.
- (6) The zoning bylaw amendment is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council. If the zoning bylaw amendment, is adopted by Council, it is sent to the Minister of Agriculture and Land for signature and the amendment becomes official.

***(Steps 3 - 6 take place at Council's second meeting)***

Please note, that in accordance with section 5.21 of the *City Zoning Bylaw*, any person who is dissatisfied by a decision of Council in respect of the administration of this Bylaw, may appeal Council's decision within 21 days to the Island Regulatory & Appeals Commission [IRAC].

**Resolutions**

COS 19-067

Moved by Councillor McFeely and seconded by Councillor Adams

WHEREAS an application was initiated by City of Summerside for a zoning amendment for a portion of PID # 305151 From High Density Residential (R4) zone to Light Industrial (M1) zone under the City of Summerside Zoning Bylaw;

BE IT RESOLVED THAT zoning amendment 103, be hereby declared as read a first time.

[schedule B is attached]

**ZONING AMENDMENT 103  
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 # 305151, shown on Schedule B of the City of Summerside Zoning Bylaw, is designated as Light Industrial (M1) zone, hereby excluding it from its former designation of High Density Residential (R4) zone.

Resolution carried 7-0

COS 19-068

Moved by Councillor McFeely and seconded by Councillor Adams

WHEREAS an application was initiated by City of Summerside for a zoning amendment for a portion of PID # 305151 from High Density Residential (R4) zone to Light Industrial (M1) zone under the City of Summerside Zoning Bylaw;

AND WHEREAS zoning bylaw amendment 103, 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 103, a bylaw to amend the City of Summerside Zoning Bylaw be hereby referred back to the Planning Board for review and recommendation.  
 Resolution carried 7-0

**Adjournment**

**Public Meeting #2**

**103 Summer Street**

- 1. **103 Summer Street – Discretionary Use**  
 (Councillor Brian McFeely)

**Background**

An application was received from Peter and Muriel Brown for 103 Summer Street (PID #310839). This application requires Council approval to allow an “Apartment Building” as a Discretionary Use in the Medium Density Residential (R3) zone. The applicant is proposing to convert the attached garage of the existing duplex, into another dwelling unit, creating three units in total.

The application was advertised in the June 1<sup>st</sup> edition of the Journal-Pioneer and letters were mailed to property owners within 60m or 200 ft of the subject properties.

## Medium-Density Residential (R3) Zone

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

**Permitted Uses**

- 17.2 Subject to Bylaw requirements:

<b>R3 Zone - Permitted Uses</b>		
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:

<b>R3 Zone - Discretionary Uses</b>		
child care facility: medium	boarding house	social services agency

<b>group home</b>	nursing care facility	tourism establishment: inn*
<b>townhouse - 8 units per building maximum</b>	row house – 8 units per building maximum	apartments: 4 units maximum
<b>rooming house</b>		

\* Also requires Conditional Use permit

**Conditional Uses**

17.4 Subject to a permit:

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

**Apartment Building** means a building containing more than two dwelling units.

**Comments and Questions**

The applicant is invited to make comments.

Peter Brown, South Drive stated that they purchased the property about 8-9 years ago. Ms. Daisy’s operated out of it. While the operators of the tea room lived in the bonus room of the garage and rented out rooms. The plan is to turn the garage into a rental unit.

*The floor is opened to the public for questions and comments*

There were no comments from the public.

**Explanation of the process**

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

- (1) The discretionary use is read at a public meeting.  
**(Step 1 will take place this evening)**
- (2) Planning Board reviews the application and prepares a recommendation to Council.
- (3) The discretionary use is read to be adopted by Council, the resolution will be either carried or defeated by vote of Council.  
**(Steps 2 - 3 take place at Council’s second meeting)**

Please note, that in accordance with section 5.21 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].

**Boardwalk Project**

**Whereas** tenders were called for the Boardwalk Replacement Project 2019.

**And whereas** the following tenders were received:

<b>Bidders</b>	<b>Bid Amount</b>	<b>Schedule (Weeks)</b>
<b>JD Diving inc</b>	<b>\$ 277,777.21 15 % HST Inc.</b>	<b>12.6</b>
MacAuslands Construction	\$ 319,899.87 15 % HST Inc.	10.6
Earthform Corporation	\$ 344,971.25 15 % HST Inc.	15.6

**Be it resolved** that the tender submitted by JD Diving Inc. for Boardwalk Replacement Project 2019 to a total amount of **\$ 277,777.21 (15 % HST included)** be accepted as it was the lowest tender received.

This bears the recommendation of the Technical Services Committee.

**Adjournment**

**Motion** It was moved and seconded;

**That** The meeting be adjourned.

**Motion Carried**

Basil L. Stewart  
Mayor

Brian Hawrylak  
HR Officer