

## Committee Meetings Agenda

### September 7, 2021

Call to order 5pm

Agenda was amended at meeting time and Police Committee was removed

#### **Technical Service Committee**

- 1) Accessing Water Street east from Small and Bay Avenues

#### **Economic Development**

- 1) Future re-zoning requests for industrial space
- 2) Venture Centre

#### **Special Council**

- 1) Approval of Special Council meeting minutes of June 1, 2021
- 2) Resolution COS 21-154 114 Merriam Drive

#### **Committee of the Whole**

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

## Special Council Meeting Minutes

June 1, 2021

**Present**

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

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

The meeting was called to order by Mayor Stewart

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

**COS 21-096**

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

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

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

**COS 21-097**

It was moved and seconded

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

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

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

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

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

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

Motion carried 8 – 0

**COS 21-098**

It was moved and seconded

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

**AND WHEREAS** zoning bylaw amendment 0153, a bylaw to amend the *City of Summerside Zoning Bylaw* was read and declared as read a first time at the Council meeting held on May 12, 2021;

**BE IT RESOLVED THAT** zoning amendment 0153, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby declared as read a second time.

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

[schedule A text is attached]

**ZONING AMENDMENT 0153  
A BYLAW TO AMEND THE CITY OF SUMMERSIDE ZONING BYLAW**

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

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

**Section 19.5 b of the High Density Residential R4 zone**

- **Amendment #1**  
Floor Area Ratio – ~~Delete: 0.6 and with a bonus of up to 0.25 for every enclosed parking space below the main building or within an attached garage, as long as its roof is landscaped and is accessible to residents and;~~ Insert: 0.8
- **Amendment #2**  
Lot Coverage – ~~Delete: 30%~~ and; Insert: 35%
- **Amendment #3**  
New Density Bonus - Insert: Density Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.

R4 zone	Lot area	Lot Depth	Floor Area Ratio – FAR %	Lot Coverage - LC	Frontage	Front Yard	Side Yards	Rear Yard	Max Height	Flankage Yard
m	930	30	--	--	30	6	4	5	14	5
ft	10,010 .5	98.4	--	--	98.4	19.7	13.1	16.4	45.9	16.4
Floor Area Ratio	Maximum of <del>0.60</del> <u>0.8</u> Main buildings, <del>with a bonus of up to 0.25 for every enclosed parking space below the main building or within an attached garage, as long as its roof is landscaped and is accessible to residents</del>									
Lot Coverage	Maximum of <del>30%</del> <u>35%</u> Main buildings, not counting any attached garage <del>as long as its top surface is landscaped and is accessible to building residents</del>									
Maximum building height	May be higher than 14m (46 ft) at Council's discretion									
Density Bonus	Bonus of 20% on total number of units, provided a minimum of 75% of the required parking is located underground or at grade within the main building footprint.									

**Proposed Amendment Section 2 Bylaw Definitions**

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

Motion carried 8-0

**COS 21-099**

It was moved and seconded

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

**AND WHEREAS** zoning bylaw amendment 0153, 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 0153, a bylaw to amend the *City of Summerside Zoning Bylaw* be hereby formally adopted.

Motion carried 8-0

**COS 21-100**

It was moved and seconded

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

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

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

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

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

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

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

**Discussion:**

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

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

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

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

**Motion carried 8-0**

**COS 21-101**

It was moved and seconded

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

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

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

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

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

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

Motion carried 8-0

**Adjournment**

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

Basil L. Stewart  
Mayor

Brian Hawrylak  
HR Officer

**September 7, 2021**

Moved by Councillor \_\_\_\_\_

Seconded by Councillor \_\_\_\_\_

**Resolution:**

Carried	
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For	
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Defeated	
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Against	
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Be it resolved that

The City of Summerside (CAO) allow an Inspector to enter upon the property situated at 114 Merriam Drive (PID # 558650) in the City of Summerside and have the property brought into compliance with the requirements of the 'City of Summerside Dangerous, Hazardous and Unsightly Premises Bylaw CS-11'. This cost is to be initially borne by the city and invoiced to the owner.

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