

APPROVED MINUTES
Planning Board Meeting
Thursday, June 4, 2020 6:00pm
North Shore Community Centre

PRESENT:

Chair Krista Shaw, Mayor Gerard Watts, Melissa Paquet, Jason Doyle, Wayne Ellis, Charlotte Vriends and CAO Stephanie Moase

Regrets- Eileen Bain

Meeting was on Facebook Live to include Public

1. CALL TO ORDER: 6:11 pm by Committee Chair Krista Shaw

2. APPROVAL OF THE AGENDA:

It was requested to switch agenda items 5.1 and 5.2 and add 5.3 Resident Letter received

It was duly moved and seconded that the agenda be approved with changes

Moved By Wayne Ellis, Seconded by Jason Doyle

All in Favor

MOTION CARRIED

2.1. Disclosure of Pecuniary or other Conflicts of Interest

Mayor Gerard Watts stated that there may be a perceived conflict of interest pertaining to item 5.2, he will recuse himself when that matter is discussed.

3. APPROVAL OF THE FEB 19, 2020 MINUTES:

It was noted that Charlotte Vriends was listed as both attending and regrets. She was not in attendance.

It was duly moved and seconded that the agenda be approved with changes

Moved By Melissa Paquet, Seconded by Wayne Ellis

All in Favor

MOTION CARRIED

Business arising from the minutes

The CAO was asked if there was an update on the Greenspace in Maryland subdivision. There is no greenspace owing to the Municipality at this time as an agreement was made with a previous Council in 2013, however the developer is willing to meet with the Council regarding an area that he may have available.

4. OLD BUSINESS

4.1. PID 490417 Subdivision and Rezoning Application

The public meeting set for March 23, 2020 for this rezoning was cancelled due to the restrictions put in place for COVID-19. A new date will have to be set as soon as we are able to have Public Meetings. New letters will have to be sent to surrounding lots. Application is on hold and chair may have to call a special meeting of Planning Board to set the new dates when able.

A question was brought up regarding the current Stanhope Resort Property, whether Council can discuss the derelict property be cleaned up as it is a source of animal nuisance as well as pieces of siding have been blowing off into neighbouring properties. Chair Krista Shaw stated this will be brought to Council as a Resident concern at next meeting.

5. NEW BUSINESS

5.1. PID 1062462 & 1062470 Special Permit Use Applications

Applications received for these lots zoned Resort Commercial fall under the Special Permit Use for that zone, request to place more than one dwelling per lot. As per section 4.5 of the 2014 Land Use Bylaw a Special Permit Use must be approved by Council through the same procedure as an Amendment and will be subject to a Public Meeting. Planning Board will choose a date for the Public Meeting and make a recommendation to Council as soon as we are able to once again have Public Meetings. As per section 1.6 of the Bylaw, Development Officer does not have authority over Special Permit Uses within a Resort Commercial Zone

Mayor Gerard Watts left the meeting at 6:22pm

5.2. PID 544940 Subdivision Application and Development Application

A subdivision application had been received for PID544940 previously, however two new development applications have been received for the property. One is for a residential dwelling and the other is a Special Permit Use. The reason this is on the agenda is to let Planning Board know that if the first application is denied, due to the zoning of Parks and Conservation not allowing a residential dwelling, then the second application for Special Permit use will require a Public Meeting and recommendation from Planning Board. Just trying to let Planning Board be aware of what is coming down the pipeline so they are prepared for possibly a third Public Meeting if required. A Committee member questioned why there were two applications and the CAO explained that this was not normally the case, that one is for a residence and in the case that is denied a Special permit use for a structure has been submitted. The preference for the applications is that a residence be approved, however currently the land is not zoned Residential so it would first have to undergo a rezoning. At this point the applications are still with the Development Officer and have not been moved to Planning Board so the contents are not able to be discussed in this Public Meeting at this time. Planning Board members discussed processes of typical applications and the steps that would be required for Rezoning and Special Permitted Uses to be approved.

5.3. Letter received from Resident

A letter was received last night at 8pm addressed to the Chair of Planning Board from the owner of PID544940 and requested to be addressed at this meeting. As the members of the Planning Board have not had sufficient time to read over the letter, Chair Krista Shaw addressed a couple of the points that could be addressed and the letter will be added to the agenda when the application is brought forward to the Planning Board from the Development Officer.

Chair Krista Shaw asked about point number three of the letter which stated :

“In recent months we have become aware that our residential property was erroneously zoned and mapped as "Parks and Conservation". We were told this designation was assigned during the 2014 Official Plan process, without any communication or notification to the land owners from the Municipality.”

CAO Stephanie Moase explained that the rezoning that took place during the 2014 Official Plan and LandUse Bylaw review included all properties in the whole Municipality. Previously only two zones existed, Agricultural zone and Coastal zone so during that review all new zones were created and all properties were reviewed to fall under one of the new zone types. This complete rezoning of properties is done following the processes of the Official Plan review which includes Public Meetings. These Public meetings serve as the notification of the rezoning. Residents are contacted directly only when a single property is being rezoned, not during a full process of zone creation.

Chair Krista Shaw also stated that this was not the only property zoned as Parks and Conservation during the process.

The Chair also addressed point number 6 in the letter that states

“We have been trying to communicate and explain our situation to the Municipality for the past 6-8+ months. We still have not had a response from the Municipality with regards to our concerns around the situation. As our requests were going unanswered, we had to resort to guidance from a lawyer in an attempt to navigate through the frustrating and autocratic process.”

Chair Krista Shaw indicates the original subdivision application was adjudicated and posted to the PEI Planning Decisions in April of 2019 and an email was sent to the applicant.

The Chair addressed the last of the letter that is a request to the Planning Board members from the Resident.

“My request to the Planning Board is:

1. Under the current Official Plan (2014) - our property, PID 544940 be changed to Residential and be zoned and mapped accordingly , ensuring potential future use by us as responsible landowners.
2. Subdivision applications submitted be approved as Residential.”

Chair Krista Shaw explained to the members of the Planning Board that they do not have the Authority to make a decision but that they are able to make a recommendation to Council who will make the decision on rezoning based on recommendations from Development Officer, Planning Board and Public input.

CAO Stephanie Moase explained that the Official Plan and Zoning Maps that go with it are a legal document approved by the Minister of Land and can only be changed by following the Procedures of an amendment to the Official Plan and Maps which includes a rezoning application and holding a Public Meeting.

6. NEXT MEETING: July 7, 2020 5pm

7. ADJOURNMENT: 6:49pm

It was duly moved and seconded that the meeting be adjourned

Moved By Melissa Paquet, Seconded by Jason Doyle

All in Favor

MOTION CARRIED

SIGNED: Krista Shaw, Chair

DATE:

SIGNED: Stephanie Moase, CAO

DATE: