



RURAL MUNICIPALITY OF KINKORA

Established 1835, Incorporated 1956

The Island Regulatory and Appeals Commission
Attn.: Philip Rafuse, Appeals Administrator
National Bank Tower
Suite 501
134 Kent Street
PO Box 577
Charlottetown PE C1A 7L1

November 15, 2018

Re: Appeal Docket LA18006, Filed By: Marlene E. Waddell and Ronald E. Thomson, for PID#s 1080811, 1080829 and 1080837, McGuigan Lane, Somerset Estate Subdivision in the Community of Kinkora for a proposed change in the Zoning By-law from R3 to R4.

Dear Mr. Rafuse:

In response to your email dated November 1, 2018, I have prepared the following comments.

The Rural Municipality of Kinkora intends to call the following witnesses: Developer, David MacLeod, Len Keefe, KABC and Planner, Derek French if a public hearing is necessary.

Planner, Derek French, MCIP is an experienced Municipal Planner who is a member in good standing with the PEI Association of Planners, Atlantic Planners Institute and the Canadian Institute of Planners. Derek presently offers planning and development officer services to over eleven (11) municipalities throughout PEI. Derek shall discuss the merits why the Community approved the subject rezoning. Mr. French will refer to sound planning principals and the goals and objectives that the Community instilled in the 2016 Official Plan. Derek is quite familiar with the document as he was hired in 2015 to review and update it along with the Development Bylaw. Mr. French still recalls the many meetings with planning board, Council and residents which resulted in the present goals and objectives.

The subject land is designated on the Official Plan General Land Use Plan of the 2016 Official Plan as Residential. This designation will not change. The Official Plan encourages single family housing and multi-unit housing. In the Residential Objectives in section 4.3 of the Plan it states:

- “ • To encourage a broad range of residential development opportunities in the Community.
- To maintain an adequate supply of serviced residential land within the boundaries of the Community.
- To target the specific housing needs of seniors, young families and other housing market segments.

- To offer better protection to established residential areas.
- To impose residential development standards which stress safety, efficiency, aesthetic appeal, land use compatibility and fostering of healthy lifestyle.”

The proposed rezoning does not increase the number of units that can go on the total holding. So the impact with respect to the number of units is unchanged. The majority of the housing within Kinkora is single family houses that are primarily owner occupied. There is limited units that provide accommodation for those who choice not to own or are unable to afford home ownership. This includes young families and seniors who wish to downsize and live in rental accommodation. The proposed triplexes offer this type of accommodation which is limited in Kinkora. To provide this type of accommodation is in keeping with the objectives of the official plan.

With respect to land use compatibility, the abutting land to the south is zoned R4 Multiple Family Residential which permits: Semi-Detached Dwellings; Row or Townhouse Dwellings up to five units; and Apartments up to 12 units. To the west is one lot that would serve as access to the lands to the south zoned R4. To the east is a storm water detention pond. To the north the land is zoned R1 Single Family Residential (Restricted) and is currently undeveloped.


The residents who have objected or expressed concerns are located on Shamrock Crescent. Those who reside on the west side of Shamrock Crescent would have their rear lots backing onto the storm water pond that abuts the proposed development or on the land that is already zoned R4. From an aesthetic and land use compatibility perspective the impact of the proposed development should be minimal or non-existent. It is also has a maximum number of dwellings of three units per lot or a total of six units. The lands to the south of the proposed development could have up to 12 units on it in the form of an apartment building. Attached to this submission is a copy of the approved zoning map (February 2016).

The Rural Municipality of Kinkora will not be retaining legal counsel. It is felt that this is straight forward case and should not proceed to a hearing. The Community’s decision to approve the rezoning is within accepted planning principals and should be upheld.

The Rural Municipality of Kinkora will rely on Derek French’s experience and the 2016 Official Plan to justify the approval.

If you have any questions or require additional information, please feel free to contact me.

Sincerely,



Derek A. French, MCIP
Planner / Development Officer
Rural Municipality of Kinkora