



Notice of Appeal

(Pursuant to Section 28 of the *Planning Act*)

TO: The Island Regulatory and Appeals Commission
National Bank Tower, Suite 501, 134 Kent Street
P.O. Box 577, Charlottetown PE C1A 7L1
Telephone: 902-892-3501 Toll free: 1-800-501-6268
Fax: 902-566-4076 Website: www.irc.pe.ca

NOTE:
Appeal process is a public process.

TAKE NOTICE that I/we hereby appeal the decision made by the Minister responsible for the administration of various development regulations of the *Planning Act* or the Municipal Council of CHARLOTTETOWN (name of City, Town or Community) on the 13th day of SEPTEMBER, 2021, wherein the Minister/Community Council made a decision to APPROVE AN APPLICATION TO DESIGNATE A SITE SPECIFIC AMENDMENT TO THE PROPERTY LOCATED AT 247 ROYALTY ROAD (PID# 404632) (attach a copy of the decision).

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, the grounds for this appeal are as follows: (use separate page(s) if necessary)
SECTIONS 4.3 AND 4.5.1 OF THE CITY OF CHARLOTTETOWN OFFICIAL PLAN AND SECTIONS 4.1.2, 4.12.1, 5.9.1 AND 5.9.4 OF THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAWS.

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, I/we seek the following relief: (use separate page(s), if necessary)
TO REVIEW THE DECISION AND THE RATIONALE PROVIDED BY VARIOUS COUNCILLORS IN SUPPORT OF THE APPLICATION.

Name(s) of Appellants GOOPS WOOLDRIDGE Signature(s) of Goops Wooldridge
LAURENA WOOLDRIDGE Appellant(s) Laurena Wooldridge
Please Print
Mailing Address 269 ROYALTY ROAD City/Town MILTON STATION
Province P.E.I. Postal Code C1E-3E6
Email Address goops@pei.sympatico.ca Telephone (902)218-5139

Dated this 30th day of September, 2021.
Day month Year

IMPORTANT

Under Section 28.(6) of the *Planning Act*, the Appellant must, within seven days of filing an appeal with the Commission serve a copy of the notice of appeal on the municipal council or the Minister as the case may be. In addition, the Commission requires the Appellant to provide the Notice of Appeal to any parties directly affected by the Notice of Appeal on the same date the municipal council or Minister is notified.

Service of the Notice of Appeal is the responsibility of the Appellant

Information on this Form is collected pursuant to the *Planning Act* and will be used by the Commission in processing this appeal. For additional information, contact the Commission at 902-892-3501 or by email at info@irc.pe.ca.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning
#5 A

MOTION CARRIED _____

MOTION LOST _____

Councillors MacLeod, Doiron 6-4 (In favour of the Resolution)
Ramsay & Duffy

Date: September 13, 2021

Moved by Councillor _____

Terry MacLeod

Terry MacLeod

Seconded by Councillor _____

Julie McCabe

Julie McCabe

RESOLVED:

That the request to:

- Amend “Appendix C – Approved Site Specific Exemptions” as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw; and
- Amend “Appendix A” – Future Land Use Map of the Official Plan from Low Density Residential to Commercial,

In order to allow for a commercial use (“automobile service center”) to be operated on a residential property out of an accessory building at 247 Royalty Road (PID #404632), which is prohibited as a Home Occupation and currently not a permitted use in the Single Detached Residential (R-1L) Zone, be rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning
#5 B

MOTION CARRIED 6-4 (Councillors Boies, MacLeod, Duffy & Ramsay opposed)

MOTION LOST _____

Date: September 13, 2021

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Alanna Janke

BE IT RESOLVED:

That the request to:

- Amend "Appendix C – Approved Site Specific Exemptions" as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw; and
- Amend "Appendix A" – Future Land Use Map of the Official Plan from Low Density Residential to Commercial,

In order to allow for a commercial use ("automobile service center") to be operated on a residential property out of an accessory building at 247 Royalty Road (PID #404632), which is prohibited as a Home Occupation and currently not a permitted use in the Single Detached Residential (R-1L) Zone, be approved, subject to the signing of a Development Agreement.

RECEIVED

Hand Delivered

OCT 01 2021

2:30 pm
The Island Regulatory
and Appeals Commission

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(Pursuant to Section 28 of the *Planning Act*)

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Fax: 902-566-4076 Website: www.irac.pe.ca

NOTE:
Appeal process is a public process.

SSA

TAKE NOTICE that I/we hereby appeal the decision made by the Minister responsible for the administration of various development regulations of the *Planning Act* or the Municipal Council of CHARLOTTETOWN (name of City, Town or Community) on the 13 day of SEPTEMBER, 2021, wherein the Minister/Community Council made a decision to APPROVE AN AUTOMOBILE SERVICE CENTER BE OPERATED ON A RESIDENTIAL PROPERTY OUT OF AN ACCESSORY BUILDING A 247 ROYALTY RD. (PID # 404632). (attach a copy of the decision).

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, the grounds for this appeal are as follows: (use separate page(s) if necessary)

PLEASE SEE ATTACHED

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, I/we seek the following relief: (use separate page(s) if necessary)

PLEASE SEE ATTACHED

Name(s) of Appellants ROBIN BOUTIER Signature(s) of [Signature]
BRIAN CHANDLER Appellant(s) Brian Chandler
Please Print
Mailing Address 270 ROYALTY RD. City/Town MILTON STATION
Province PE Postal Code C1E 3E5
Email Address BOU@ROBIN.YAHOO.CA Telephone 902-213-0348

Dated this 27 day of SEPTEMBER, 2021.
Day month Year

IMPORTANT
Under Section 28.(6) of the *Planning Act*, the Appellant must, within seven days of filing an appeal with the Commission serve a copy of the notice of appeal on the municipal council or the Minister as the case may be. In addition, the Commission requires the Appellant to provide the Notice of Appeal to any parties directly affected by the Notice of Appeal on the same date the municipal council or Minister is notified.
Service of the Notice of Appeal is the responsibility of the Appellant
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AND FURTHER TAKE NOTICE that, in accordance with the provisions of section 28.(5) of the *Planning Act*, the grounds for this appeal are as follows:

The application would compromise the integrity of the R-1L zone and the surrounding low density residential designation. Automobile uses were never meant to be operated in residential neighborhoods. The official plan does not support scattered rural commercial development, but encourages the use of mixed-use centers. Approval would set a precedent for other home occupation uses to be considered. The application would require multiple exemptions to the bylaw - sections 4.1.2, 4.12.1, 5.9.1, and 5.9.4.

AND FURTHER TAKE NOTICE that, in accordance with the provisions of section 28.(5) of the *Planning Act*, I/we seek the following relief:

That council reject the application to obtain a site specific exemption as it pertains to 247 Royalty Rd., (PID # 404632) to allow for an automobile shop to be operated out of the accessory building, which is not permitted use in the R-1L zone and is prohibited as a home occupation.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning
#5

MOTION CARRIED 6-4 (Councillors Poivan, MacLeod, Duffy & Ramsay opposed)

MOTION LOST _____

Date: September 13, 2021

Moved by Councillor _____ Terry Michon Terry Michon

Seconded by Councillor _____ Alanna Jankov Alanna Jankov

BE IT RESOLVED:

That the request to:

- Amend "Appendix C – Approved Site Specific Exemptions" as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw; and
- Amend "Appendix A" – Future Land Use Map of the Official Plan from Low Density Residential to Commercial,

In order to allow for a commercial use ("automobile service center") to be operated on a residential property out of an accessory building at 247 Royalty Road (PID #404632), which is prohibited as a Home Occupation and currently not a permitted use in the Single Detached Residential (R-1L) Zone, be approved, subject to the signing of a Development Agreement.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning
#5

MOTION CARRIED _____

MOTION LOST _____

Councillors MacLeod, Doiron 6-4 (In favour of the Resolution)
Ransay & Duffy

Date: September 13, 2021

Moved by Councillor _____

Terry MacLeod

Terry MacLeod

Seconded by Councillor _____

Julie McCabe

Julie McCabe

RESOLVED:

That the request to:

- Amend “Appendix C – Approved Site Specific Exemptions” as per Section 3.11 Site-Specific Exemptions of the Zoning and Development Bylaw; and
- Amend “Appendix A” – Future Land Use Map of the Official Plan from Low Density Residential to Commercial,

In order to allow for a commercial use (“automobile service center”) to be operated on a residential property out of an accessory building at 247 Royalty Road (PID #404632), which is prohibited as a Home Occupation and currently not a permitted use in the Single Detached Residential (R-1L) Zone, be rejected.