

Planning Report

Rezoning Application – PID 138263

REPORT FOR

Rural Municipality of North Shore

DATE

June 24, 2026

PREPARED BY

Samantha Murphy, RPP, FCIP

MUNICIPAL FILE NUMBER

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SUBJECT

Rezoning Application (Agricultural A to Multi-Unit Residential R3) and Concurrent Official Plan Future Land Use Map Amendment — PID 138263, West Covehead Road

Background

A planning opinion has been requested for an application to rezone the portions of PID 138263 zoned Agricultural Zone (A) to Multi-Unit Residential Zone (R3) on the Land Use Bylaw Zoning Map. In order to ensure the required consistency between the Official Plan and the Land Use Bylaw, a concurrent amendment to the Official Plan Future Land Use Map is also required, to change the Future Land Use designation of the relevant portions of the subject property from Agricultural to Residential. Both amendments may be considered concurrently.

This planning opinion is based on a review of the documents provided by the municipality and the applicant, which included:

- North Shore 2021 Official Plan (the OP), current to May 2026
- North Shore 2021 Land Use Bylaw (the Bylaw), current to May 2026
- Rezoning Request Form, Application #261007, signed March 4, 2026
- Correspondence between Coles Associates, the development officer, and the CAO (January–June 2026)
- Interoffice Memorandum from the Department of Environment Environmental Land Management office (ELM) to Rural Municipality of North Shore, Case# RMNS CU, PID #138263 (undated; received by municipality prior to June 2026)
- Email correspondence from DoE ELM (Garett MacDougall, EIA Officer) confirming site inspection completed, June 19, 2026
- Email from development officer (Danny Cusack) confirming DTIE safe stopping distance (SSD) compliance and DoE assessment status, June 2 and June 9, 2026

- Draft Plan of Survey for Lots 1 to 13, PID 138263, Island Surveying & Engineering (A.D. Inman, P.E.I.L.S.), October 25, 2023

Note: References to 'designation' or 'zone' in this report may be assumed to apply to both the Future Land Use Map and the Zoning Map except where a specific map is named.

Site Overview

PID 138263 is an approximately 8.7-hectare (21.5-acre) parcel located on West Covehead Road. The parcel is currently vacant agricultural land with no buildings or structures. It fronts on Route 25 and the West Covehead Road.

Existing Use and Area

The property is currently designated Agricultural (A) Zone and Future Land Use: Agricultural. It is currently vacant, with no buildings or structures present. The North Shore Community Centre is located across from the parcel on Route 25. Other nearby uses are a mix of residential, agricultural, and other rural uses. The North Shore Fire Hall is less than a kilometre away on Route 25.

Environmental Context

An assessment was completed by the provincial office of Environmental Land Management (ELM), and the following was confirmed:

- The provincial mapping for watercourses and wetlands on this property is accurate. No additional watercourses or wetlands are present. The *Environmental Protection Act* requires a minimum 15-metre buffer zone adjacent to this feature. Development (including buildings, structures, fill, tree cutting, heavy equipment operation, and excavation) is prohibited within the watercourse, wetland, and buffer zone.
- Recent beaver activity was observed on site during the inspection.

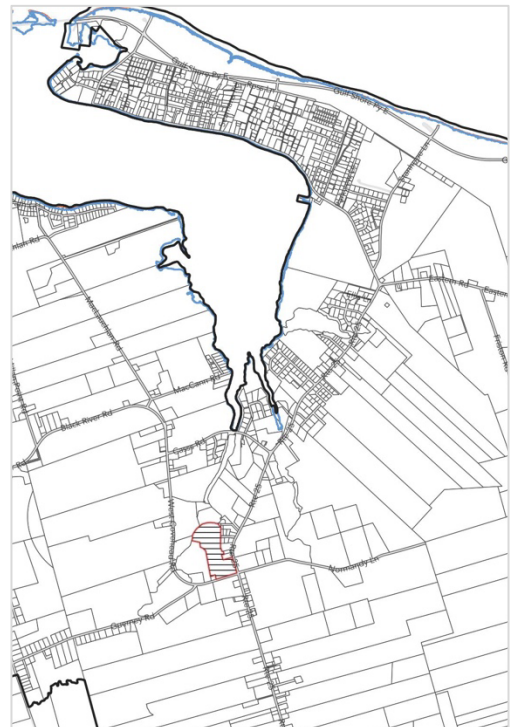


Figure 1 – Site Context

The draft ISE survey plan (October 2023) shows an environmental buffer area at the northwest end of the property, encompassing the required 15m buffer. The existing Environmental Conservation Zone will follow and include the 15m buffer.

Road Access

Access to the property is proposed from the West Covehead Road. The development officer confirmed that the Department of Transportation, Infrastructure, and Energy (DTIE) has reviewed the proposed access and confirmed that the safe stopping distance (SSD) requirements are met (DO emails, June 2 and June 9, 2026). A new public road is required to serve the proposed 13-lot subdivision. DTIE will supply road construction specifications to the contractor upon approval. The road must be constructed to provincial standards and deeded to the Province.



Figure 2 - Aerial

Overview of Proposal

The subdivision details considered in this analysis help inform the determination of the suitability of the site for the proposed use. Specific questions on the preliminary concept itself are not assessed at the zoning stage and are only used as an aid to understanding whether the proposed use is feasible and appropriate.

The applicant proposes to rezone PID 138263 from Agricultural (A) Zone to Multi-Unit Residential (R3) Zone to permit the subdivision of the parcel into 13 residential lots, with one-storey duplexes and townhouse-style dwellings designed for senior living.

The applicant has indicated an intention to develop in phases, which would be addressed at the subdivision and development stage. The rezoning application applies to the full parcel, excluding areas where a hard Environmental Conservation zone exists.

A large parcel to the south of the Community Centre was rezoned to Residential in 2024, the development of which would create a greater concentration of residential uses in the immediate area.

Rural Municipality of North Shore - Rezoning Application - PID 138263, West Covehead

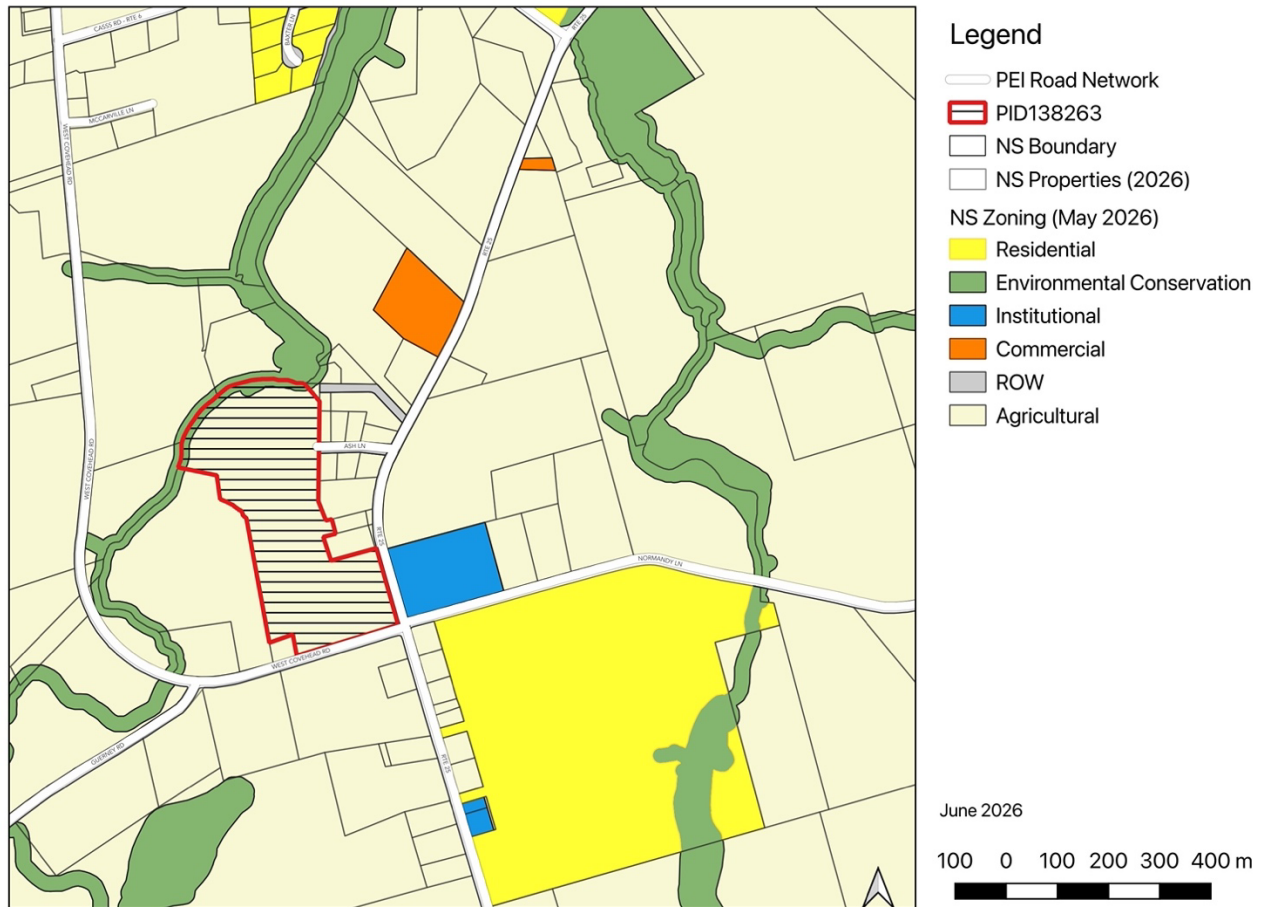


Figure 3 - Area Zoning

Assessment

Subsection 3.10(7) of the Bylaw establishes criteria to be considered when reviewing applications for Official Plan and Bylaw amendments. The following table summarizes each criterion, the compliance finding, and the rationale. Criteria are then considered in further detail in the Official Plan policy conformity section below.

Bylaw Requirements

Criteria for Zoning Amendments	Compliance	Comment
a. Conformity with requirements and intent of the Bylaw	Conditional	The parcel is zoned Agricultural (A). Rezoning to R3 and a concurrent OP Future Land Use Map amendment are required. Full conformity conditional on successful public meeting process, Council and Ministerial approval.
b. Conformity with the policies and objectives of the Official Plan (assessed in Part B below)	Weighing required	Detailed policy analysis provided below. Key considerations: agricultural land conversion (s.7.2.1), residential standards (s.9.2.1–9.2.3), environmental buffer (s.10.2.1, 10.2.3, 10.2.4), and road/servicing standards (s.8.2.3).
c. Suitability of the site for the proposed development	Conditional	Approximately 8.7-hectare vacant agricultural parcel. Soil/perc assessment (Eastech) confirms on-site septic suitability. The site is near a potential well-water restricted area and any implications would have to be confirmed through the Department of Environment prior to a final decision.
d. Compatibility of the proposed development with surrounding land uses, including both existing and projected uses	Conforms	Surrounding uses: Agricultural (A) to west/north; small residential lots on Ash Lane to northeast; Institutional (fire hall) to southeast; a commercial cluster further north on Route 25. Residential uses are generally compatible. The Environmental Conservation zone would remain on the portion of the site subject to the watercourse and wetland buffer.
e. Adequacy of existing or proposed water, sewer, highway or private road, storm water and electrical services, and parks for accommodating the development, and any	Conforms	Private wells and on-site septic (Eastech perc assessment submitted). A new public road would be required, constructed to provincial standards and deeded to Province; SSD confirmed by DTIE (DO email, June 9, 2026). Additional subdivision features and

projected infrastructure requirements		requirements would be addressed at the subdivision and development stage.
f. Impacts from the development on pedestrian/vehicular access and safety, and on public safety generally	Conditional	Road access from West Covehead Road confirmed to meet DTIE safe stopping distance requirements. An increase in local pedestrian activity could result from the additional dwellings, with potential for future pressure for a crosswalk to access the community centre. A subdivision-style development would reduce ribbon development.
g. Compatibility of the development with agricultural, environmental, scenic and heritage resources	Weighing required	Vacant agricultural land; conversion discouraged by OP s.7.2.1 but the site is in a central location near a site already zoned for future residential development. The watercourse/wetland buffer would continue to be protected through the EC zoning.
h. Impact on municipal finances and budgets	Conforms	Developer responsible for full road construction and infrastructure costs per OP s.11.2.7. Positive tax base impact. No municipal cost exposure identified.
i. Commentary received from the public	Pending	No public meeting held to date. The meeting will be required prior to Council vote. Neighbour notification (150 m) and newspaper notice (7 clear days) also required.
j. Other matters as specified in the Bylaw	N/A	None identified
k. Other matters as considered relevant	N/A	None identified

Relevant Official Plan Policies

The table below records a conformity finding for each policy area of the Official Plan (2021) relevant to this application. Areas marked 'conditional' do not present a concern but include requirements that would apply at the subdivision or development stage.

OFFICIAL PLAN (2021) POLICY CONFORMITY			
Section	Policy Area / Criteria	Compliance	Analysis / Notes
ECONOMIC OBJECTIVES, POLICIES AND PLAN ACTIONS (Section 7)			

7.2.1	Agricultural Designation Policy: Conversion of agricultural/resource lands to non-resource uses discouraged; agricultural and resource uses protected from conflicting uses	Weighing required	Conversion of vacant agricultural land discouraged. Council must weigh residential need against agricultural loss.
7.2.3	Intensive Livestock Operations Policy: Separation distances from residential; existing operations protected from encroachment	Conforms	No identified intensive livestock operations in vicinity.

PHYSICAL OBJECTIVES, POLICIES AND PLAN ACTIONS (Section 8)

8.2.1	Conflicting Land Use Policy: Buffers, landscape edges, and/or separation distances established between incompatible zones and land uses	Conforms	R3 zone would abut Agricultural (A) to west/north; EC zone and environmental features would offset any potential conflicts.
8.2.2	Minimum Lot Size Policy: Minimum lot size based on proposed use and servicing; no less than provincial minimum standards	Conditional	Proposed lots appear to meet minimums; to be confirmed at subdivision stage.
8.2.3	Minimum Road Standards Policy: All new roads to meet provincial minimum standards and be deeded to Province; no new private or seasonal roads	Conditional	New public road required; DTIE SSD confirmed. Road to be constructed to DTIE standards and deeded to Province.
8.2.4	Alternative Forms of Transportation Policy: Pathways and parks for non-motorized transportation; connectivity to National Park	Conditional	Site is proximate to PEI National Park. Pedestrian connectivity not addressed in application materials. Adequate space for alternative forms of transportation to be address at the subdivision stage.
8.2.6	Sewage Disposal Systems Policy: On-site systems to meet all EPA and Planning Act requirements; standards for existing undersized lots	Conditional	Perc assessment confirms suitability. All systems must meet EPA and Planning Act requirements. To be confirmed at development permit stage.

8.2.7	Water Supply Policy: Private water supply to meet all EPA and Planning Act requirements; standards for at-risk areas	Conditional	To be confirmed at development permit stage. Potential nearby well water restricted area to be confirmed.
SOCIAL OBJECTIVES, POLICIES AND PLAN ACTIONS (Section 9)			
9.2.1	Residential Land Use Policy: Sufficient land designated for residential use; low-density residential permitted in Agricultural Zone	Conforms	OP supports in residential uses. Multi-unit residential requires R3 zoning. Senior-living development meets recognized housing need, although future uses could include any use permitted in the new zone.
9.2.2	Residential Development Standards Policy: Standards for density, lot size, lot coverage, setbacks, height, servicing, parking, secondary uses, and buffers	Conditional	R3 zone standards apply. Detailed compliance to be confirmed at development permit stage.
9.2.3	Residential Density Policy: Low-density character maintained; multi-unit residential, mini homes, and modular homes supported with standards	Conforms	13-lot subdivision with one-storey duplexes/townhouses is consistent with low-density residential character. The development would increase the concentration of housing in a central area near services and facilities. R3 zone is an appropriate designation.
9.2.8	Open Space and Recreation Policy: Parkland dedication or payment-in-lieu required for subdivisions; Recreation and Open Space Strategy to be developed	Conditional	Open space dedication to be confirmed at subdivision stage.
ENVIRONMENTAL OBJECTIVES, POLICIES AND PLAN ACTIONS (Section 10)			
10.2.1	Environmentally Sensitive Areas Policy: Environmental Conservation Zone for coastlines, watercourses and wetlands; erosion and siltation controls during construction	Conditional	Watercourse/wetland on north/northeast boundary. Erosion and siltation controls required during construction.

10.2.4	Environmental Buffer Policy: Environmental Conservation Zone on all watercourse/wetland adjacent lands; setbacks at least as stringent as provincial regulations; Watercourse, Wetland and Buffer Zone Activity Permit required	Conditional	Required 15 m buffer adjacent to watercourse/wetland protected by EC zone. Development prohibited in watercourse, wetland, and buffer zone. Watercourse, Wetland and Buffer Zone Activity Permit required for any work in buffer.
ADMINISTRATION AND IMPLEMENTATION (Section 11)			
11.2.7	Capital Cost Sharing Policy: Developer pays full cost of new roads and infrastructure; contributes to capital costs required by development	Conforms	Developer responsible for full cost of new public road and infrastructure per OP s.11.2.7. DO confirmed road must be public and built to provincial standards (January 2026). Road to be deeded to Province.

Public Comments

A public meeting has not yet been held. The table below will be completed following the public meeting process, which requires: neighbour notification (within 150 m radius); newspaper notice posted for a minimum of 7 clear days; and a minimum 14-day written comment period. Public commentary will be recorded and considered in the Planning Board recommendation to Council.

Summary

The primary considerations in Council's decision on this application are: (1) whether the proposed conversion of agricultural land is appropriate given the identified residential need; (2) whether the intensification of residential uses in that area presents an opportunity for the further development of a community node or a concern about an inappropriate shift towards suburbanization.

The application is generally consistent with the residential objectives of the Official Plan. The site can accommodate the environmental buffer requirements; the requirements for lots to be designed to meet requirements exclusive of any buffers would be assessed and applied at the subdivision stage.

The options for Council's consideration are:

Proceed to Public Meeting

Council may determine that the application is sufficiently complete to proceed to a public meeting. A public meeting would be held in accordance with the notice requirements of the Land Use Bylaw

(s.3.10(13)), including neighbour notification (150 m radius), newspaper notice (7 **clear** days), and a 14-day written comment period. Planning Board would provide a recommendation to Council following the public meeting. If approved by Council, any bylaw and/or Official Plan amendment also requires approval by the Minister responsible for administering the *Planning Act* before taking effect. A subdivision application and development permit process would follow as subsequent steps.

Denial

Council has the option under subsection 3.10(10) to reject an application if such request is deemed to be inconsistent with appropriate land use planning standards or the Official Plan. Should Council not proceed with a public meeting, the application fee shall be returned to the applicant, not including the non-refundable administration fee. A response in writing with reasons for denial would be required, and the decision would be posted publicly in accordance with the Bylaw and the *Planning Act*.

OVERALL ASSESSMENT AND RECOMMENDATION

Key Areas of Conformity:

- Proposed residential use meets OP residential land supply objectives and is near community services and facilities and another large parcel already zone for residential uses.
- Site suitable for on-site septic systems
- DTIE confirmed road access meets SSD requirements
- ELM confirmed existing provincial mapping remains accurate and 15 m buffer can be accommodated
- Developer responsible for all road and infrastructure costs
- Property is outside coastal flood/erosion risk area

Key Areas of Non-Conformity or Concern:

- Agricultural land conversion contrary to OP s.7.2.1
- Confirm any implications of possible nearby well-water restricted area

Recommended Conditions / Mitigations (if any):

Advise applicant that zoning approval does not imply approval of the proposed plan of subdivision, and that all lots will need to be designed to meet all lot and setback requirements exclusive of the watercourse/wetland and buffers, in addition to plan policy 8.2.4 and all other applicable Bylaw requirements.

Recommendation to Planning Board / Council:

Proceed to Public Meeting

Rationale:

The application is suitable to advance to a public meeting. The proposed residential development is generally consistent with the residential objectives of the Official Plan, the site is outside any coastal flood or erosion risk area, and the application demonstrates reasonable conformity with servicing and environmental buffer requirements. A concurrent amendment to the Official Plan Future Land Use Map is required.

Appendix A

Reference Materials

Uses permitted in Agricultural Zone (A) (LUB s.5)

No building or land in the Agricultural Zone shall be used for any purpose other than:

a. Single detached dwelling	h. Semi-detached dwelling
b. Duplex dwelling	i. Agricultural use (barns, stables, greenhouses and other buildings related to agricultural/resource land use)
c. Home occupation	j. Marine access, including wharfs, buildings and structures related to fisheries
d. Accessory building	k. Forestry land use
e. Parks	l. Resource commercial use
f. Active recreational uses	m. Resource industrial use
g. Secondary suite	n. Excavation pit

Permitted uses in Multi-Unit Residential Zone (R3) (LUB s.7)

No building or land in the Multi-Unit Residential Zone shall be used for any purpose other than:

a. Single detached dwelling	g. Nursing home or community care facility
b. Semi-detached dwelling	h. Home occupation
c. Duplex dwelling	i. Secondary suite
d. Multi-unit row dwellings (maximum 8 units per building)	j. Accessory building
e. Multi-unit dwellings (maximum 8 units per building)	k. Parks
f. Group home	