

Town of O’Leary
A Bylaw to Amend
the Town of O’Leary Zoning and Subdivision Control (Development) Bylaw (2014)
Bylaw BY-2021-01
Community Care Facilities and Public Service and Institutional Uses

The Council of Town of O’Leary, under the authority vested in it by Sections 15, 16, 18, and 19 of the *Planning Act* R.S.P.E.I. 1988 Cap. P-8, hereby enacts as follows:

1. The Town of O’Leary Zoning and Subdivision Control (Development) Bylaw (2014) is amended by the following:

1.1. The addition of the following immediately following subsection 2.5 “Alter”:

2.5.1 “Ancillary Use” or “Ancillary” means a listed, permitted land use that is additional, secondary, and complementary to a permitted principal use.

1.2. The addition of the following to subsection 2.25 “Community Care Facility” immediately following the words “the operator’s immediate Family”:

and may include ancillary institutional uses

1.3. The addition of the following to subsection 2.71 “Nursing Home” immediately following the words “after illness or injury”:

and may include ancillary institutional uses

1.4. The addition of the following to subsection 10.3 immediately following clause 10.3(3):

(4) Community Care Facilities, Nursing Homes, and Senior Citizen Homes.

1.5. The addition of the following to subsection 10.4 immediately following the words “central municipal sanitary sewer services.”:

The Lot Requirement Standards of subsections 16.3-16.5 of the PSI Zone shall apply to all Community Care Facilities, Nursing Homes, and Senior Citizen Homes.

1.6. The addition of the following to subsection 16.2 immediately following clause 16.2(8):

(9) Community Care Facilities, Nursing Homes, and Senior Citizen Homes.

1.7. The addition of the following immediately following subsection 16.4:

16.5 EXCEPTIONS TO MAXIMUM BUILDING HEIGHT

Notwithstanding Section 16.3(7), Council may approve an application for a structure exceeding the Maximum Building Height of 2.5 Storeys in the Public Service and Institutional (PSI) Zone provided:

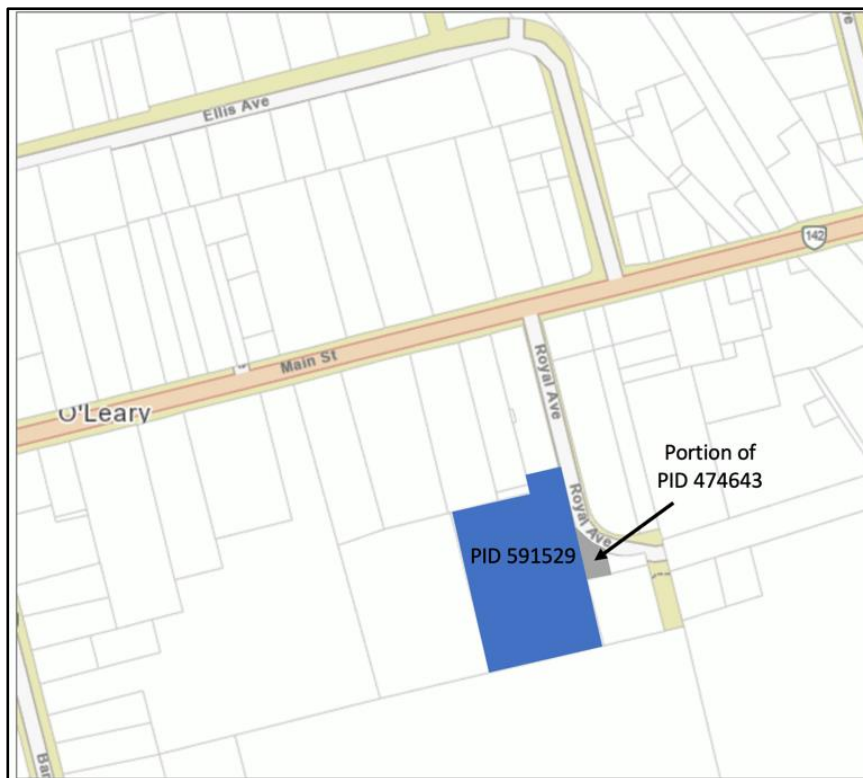
1. The applicant is willing to enter into a Development Agreement with Council.
2. The Structure conforms to all relevant sections of this Bylaw and other applicable fire and building codes, and
3. The proposed height of the Structure would not exceed 20 metres (66 ft.).

1.8. **The deletion of the word ‘stories’ and the substitution of the word ‘storeys’ in the following:**

- a) Clause 8.4(7)
- b) Clause 9.4(7)
- c) Clause 10.4(7)
- d) Clause. 11.2(7)
- e) Clause 12.4(6)
- f) Subsection 14.5
- g) Clause 15.3(6)
- h) Clause 16.3(7)

2. **Appendix “A”, Official Zoning Map, of the Town of O’Leary Zoning and Subdivision Control (Development) Bylaw (2014) is amended by the following:**

The zoning of the portion of Parcel PID 474643 adjacent to Parcel PID 591529 on Royal Ave is designated as Multi-Family (R3), hereby excluding it from its former designation of Commercial (C1).



3. **Effective Date**

- 3.1. This Amending Bylaw, Bylaw BY-2021-01, shall be effective on the date as signed below by the Minister of Agriculture and Land.

Approval and Adoption by Council:

Bylaw BY-2021-01, a bylaw to amend the Town of O’Leary Zoning and Subdivision Control (Development) Bylaw (2014), was adopted by a majority of Council members present at the Council meeting held on the 13th day of January, 2021.

4. Signatures

____Eric Gavin_____
Mayor (signature sealed)

____Beverley Shaw_____
Chief Administrative Officer (signature sealed)

Ministerial Approval

Bylaw BY-2021-01, a bylaw to amend the Town of O’Leary Zoning and Subdivision Control (Development) Bylaw (2014), is hereby approved.

Dated on this 23rd day of March, 2021

Signature of Hon. Bloyce Thompson on file
Minister of Agriculture and Land