

AGENDA

Regular Council Meeting – Rural Municipality of North Shore

6:30 pm Wednesday, Nov 10th, 2021 at North Shore Community Centre

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

- 2.1. Disclosure of Pecuniary (Financial) or other Conflicts of Interest

3. APPROVAL OF THE MINUTES FROM

REGULAR MEETING 6:30PM OCT 13, 2021

- 3.1. Business arising from the minutes

4. DELEGATIONS SPECIAL SPEAKERS AND PUBLIC INPUT

- 4.1. None

5. REPORTS

- 5.1. EMO Committee Report
- 5.2. Water and Environment Committee Report
- 5.3. Recreation and Engagement Committee Report
- 5.4. Covehead and Tracadie Bay Enhancement Committee Report
- 5.5. Stanhope Peninsula Potable Water Research Committee Report
- 5.6. CAO Report
- 5.7. Finance and Administration Report
- 5.8. Planning Board and Development Permit Report

6. NEW BUSINESS (REQUESTS FOR DECISION)

- 6.1. RFD-021- 044 NS-21-085RZ Rezoning Request PID 1082056 First Reading and Approval
- 6.2. RFD-021- 045 NS-21-075 Request for Variance for Pool PID 857508
- 6.3. RFD-021- 046 NS-21-074SD Subdivision Request PID664722/135517
- 6.4. RFD-021- 047 Workplace Harassment Policy POL 2021-01

7. CORRESPONDENCE

- 7.1. Letter from Parks Canada re: Woodlands Trail, Dalvay

8. APPOINTMENTS TO COMMITTEES

9. NEXT MEETING Dec 8, 2021 6:30pm Grand Tracadie School Centre

10. ADJOURNMENT

APPROVED MINUTES

Regular Council Meeting – Rural Municipality of North Shore **Wednesday, November 10, 2021 @ 6:30 pm** **@ North Shore Community Centre**

PRESENT:

Mayor Gerard Watts, Deputy Mayor Nancy MacKinnon, Councilors - Krista Shaw, Peter Vriends, Derek Cook, Wanson Hemphill, Development Officer Michael Olubiyi and CAO Stephanie Moase.

Regrets Councilor Bob Doyle

2 members of the public

1. CALL TO ORDER: 6:30 pm by Mayor Gerard Watts

2. APPROVAL OF THE AGENDA:

It was duly moved and seconded that the agenda be approved as presented
Moved by Councilor Derek Cook, seconded by Councilor Krista Shaw

5-0

MOTION CARRIED

2021-11-109

2.1. Disclosure of Pecuniary (Financial) or Other Conflicts of Interest

Division 4, Section 96 of the Municipal Government Act

None declared

3. APPROVAL OF MINUTES:

It was duly moved and seconded that the minutes of the Regular Council Meeting of Oct 13, 2021 @ 6:30 pm be approved as presented.

Moved by Councilor Nancy MacKinnon, seconded by Councilor Wanson Hemphill

5-0

MOTION CARRIED

2021-11-110

3.1. Business arising from the minutes

The bill to allow free water testing to residents has passed third reading in the house, great news for all. ACOA Funding for ball field upgrades and Grand Tracadie parking lot still not approved, working towards a survey for the property.

Information is being shared from the hydrogeologist at the Province and will be forwarded to the Stanhope Peninsula Potable Water Research Committee and the consultant firm when hired regarding recharge rates on the Stanhope Peninsula

4. DELEGATIONS SPECIAL SPEAKERS AND PUBLIC INPUT:

Nil

5. REPORTS:

5.1. EMO Committee Report

Mayor Gerard Watts referred Council to the report circulated. Councilor Derek Cook stated that we are still waiting on York Council to decide what direction they want to take. Danny Kelly from Provincial EMO is happy with the EMO plan and ready to move forward. Next meeting on Nov 23, 2021 6:30pm

5.2. Water and Environment Committee Report

There was no meeting, next meeting on Wednesday Nov 17, 2021 1pm

5.3. Recreation and Engagement Committee Report

There was no meeting next meeting on Wednesday Nov 17, 2021 5:30pm

5.4. Covehead and Tracadie Bays Enhancement Committee Report

Planning a meeting for the end of Nov

5.5. Stanhope Peninsula Potable Water Research Committee Report

Mayor Gerard Watts referred Council to the report circulated. The RFP has been completed and sent out to a number of firms and posted on our website. Closing date will be Dec 10, 2021. Tentative date for completion would be June 2022.

5.6. CAO Report

Mayor referred Council to the report circulated. The capital project to extend the Grand Tracadie rink 16ft is listed on the capital budget for next year. Info has been received regarding speed on Pleasant Grove Rd, RCMP doing increased patrolling and radar signs will be installed near Maryland Rd to remind motorists of their speed. A Councilor mentioned speed is also a concern for Friston Rd. Councilors stated the completion of the new video equipment for the NSCC gym was a great addition.

5.7. Finance and Administration Report

No report meeting on Monday Nov 15, 2021 4pm. Beginning preliminary work on next years budget

5.8. Planning Board and Development Permit Report

Mayor referred Council to the Planning Board and Development reports circulated.

It was duly moved and seconded that Council approve all reports
Moved by Councilor Derek Cook, seconded by Councilor Krista Shaw

5-0

MOTION CARRIED

2021-11-111

6. NEW BUSINESS (REQUESTS FOR DECISION):

6.1. RFD-021-044 NS-21-085RZ Rezoning Request PID 1082056 First Reading and Approval

Michael reviewed the application to rezone PID 1082056 from Agricultural A) to Residential (R) zone for conformity with section 2.12.4 the Landuse Bylaw. CAO reviewed the process of this rezoning. It requires an Official Plan amendment for the Future Land Use Map, adopted by resolution of Council. It will also require a Land Use Bylaw amendment for the Zoning Map. Bylaw amendments require a first and

second reading with approvals and an adoption by resolution of Council. The two readings must be done at two meetings occurring on different days. Both amendments must be approved by the Minister.

Whereas an application has been received from Eugene Doyle (Doyle Feehan Construction) for PID 1082056 to amend the Community of North Shore 2014 Official Plan “Future Land Use Map” from Agriculture (A) designation to Residential (R) designation;

And whereas in accordance with Section 18(2) of the Planning Act, the Rural Municipality of North Shore Council may amend the Community of North Shore 2014 Official Plan to ensure the continued responsiveness of the Official Plan to the development goals of the municipality;

And whereas approval of the application has been recommended by Planning Board;

Be it resolved that Official Plan amendment OPA-01-2021 to amend the Community of North Shore 2014 Official Plan “Future Land Use Map” be hereby formally adopted and declared passed

Moved by Councilor Peter Vriends, seconded by Councilor Nancy MacKinnon

5-0

MOTION CARRIED

2021-11-112

Whereas an application has been received from Eugene Doyle (Doyle Feehan Construction) for PID 1082056 to amend the Community of North Shore 2014 Land Use Bylaw “Zoning Map” from Agriculture (A) designation to Residential (R) designation;

And whereas in accordance with Section 11 of the Community of North Shore 2014 Land Use Bylaw, the Rural Municipality of North Shore Council may amend the Community of North Shore 2014 Land Use Bylaw to ensure conformity with the Official Plan;

And whereas approval of the amendment has been recommended by Planning Board;

Be it resolved that the zoning bylaw amendment BY-01-2021, a bylaw to amend the Community of North Shore 2014 Land Use Bylaw Zoning Map, be hereby read a first time.

Moved by Councilor Derek Cook, seconded by Councilor Nancy MacKinnon

5-0

MOTION CARRIED

2021-11-113

Whereas an application has been received from Eugene Doyle (Doyle Feehan Construction) for PID # 1082056 to amend the Community of North Shore 2014 Land Use Bylaw “Zoning Map” from Agriculture (A) designation to Residential (R) designation;

And whereas in accordance with Section 11 of the Community of North Shore 2014 Land Use Bylaw, the Rural Municipality of North Shore Council may amend the Community of North Shore 2014 Land Use Bylaw to ensure conformity with the Official Plan;

And whereas approval of the amendment has been recommended by Planning Board;

And whereas bylaw amendment BY-01-2021, a bylaw to amend the Community of North Shore 2014 Land Use Bylaw Zoning Map, was read a first time at this Council meeting;

Be it resolved that the first reading of bylaw amendment BY-01-2021, a bylaw to amend the Community of North Shore 2014 Land Use Bylaw Zoning Map, be hereby approved.

Moved by Councilor Derek Cook, seconded by Councilor Peter Vriends

5-0

MOTION CARRIED

2021-11-114

6.2. RFD-021-045 NS-21-075 Request for Variance for Pool PID 857508

Michael reviewed his recommendation and Planning Board's recommendation with Council. Council discussed the recommendation in reference to requirements in Section 15 of the Landuse Bylaw.

Whereas an application was received to approve a 40% variance for the rear yard setback on PID 857508;

And whereas the Council has reviewed the application, recommendations from the Development Officer and Planning Board and considered all items under Section 15 of the 2014 Land Use Bylaw;

And whereas Planning Board has reviewed and recommended to approve a 20% variance with the requirement for letters of support from adjoining and abutting lots;

Be it resolved that Council approve a 20% variance with the conditional requirement for letters of support from adjoining and abutting lots for PID 857508

Moved by Councilor Peter Vriends, seconded by Councilor Nancy MacKinnon

5-0

MOTION CARRIED

2021-11-115

6.3. RFD-021-046 NS-21-074SD Subdivision Request PID 664722/135517

Michael reviewed the application, his recommendation and Planning Board's recommendation with Council. Council discussed

Whereas an application was received to approve a subdivision and consolidation for PID's 664722/135517;

And whereas Development Officer and Planning Board have reviewed and recommended to give Preliminary approval with Final Approval to meet conditions;

And whereas the Council has reviewed the application and recommendations from the Development Officer and Planning Board;

Be it resolved that Council grant Preliminary Approval for the application to subdivide PID 664722 into two lots (Lot 21-1 and Lot 21-2) and the consolidation of the remnant land (parcel 21-A) to PID 135527 with Final Approval being subject to:

1. The applicant must provide a letter or report certified by a licensed professional engineer stating that the shared on-site water and septic systems meet current provincial standards.
2. Submission of seven (7) copies of a final subdivision plan showing all lots pinned and certified by a surveyor registered to practice in Prince Edward Island.
3. The portion of PID 664722 being appended to PID 135527 and not approved as a separate parcel of land.

Moved by Councilor Nancy MacKinnon, seconded by Councilor Derek Cook

5-0

MOTION CARRIED

2021-11-116

6.4. RFD-021-047 Workplace Harassment Policy POL 2021-01

Mayor referred Council to draft circulated and available on website. CAO discussed comments received.

Whereas Section 27 of the Employment Standards Act R.S.P.E.I 1988, Cap. E-6.2 require employers to issue a policy statement on sexual harassment;

And whereas the Province of Prince Edward Island amended the Occupational Health and Safety Legislation effective July 1, 2020 to include requirements for employers around harassment and bullying in the workplace;

And whereas Council is desirous of setting acceptable standards of behavior in the workplace for management of employees

Be it resolved that the Workplace Harassment Policy, POL 2021-01 be hereby formally adopted as presented.

Moved by Councilor Krista Shaw, seconded by Councilor Derek Cook

5-0

MOTION CARRIED

2021-11-117

7. CORRESPONDENCE:**7.1. Letter from Parks Canada re: Woodlands Trail, Dalvay**

Mayor referred Council to letter circulated. Great to hear they are going to make efforts to keep this trail in good condition.

8. APPOINTMENTS TO COMMITTEES:**9. NEXT MEETING: Wednesday, Dec 8, 2021 @ 6:30 pm at Grand Tracadie School Centre****10. ADJOURNMENT:**

There being no further business the meeting was adjourned at 7:30 pm

Moved by Councilor Wanson Hemphill, seconded by Councilor Derek Cook

5-0

MOTION CARRIED

2021-11-118

SIGNED: Gerard Watts, Mayor

DATE:

SIGNED: Stephanie Moase, CAO

DATE:

EMO Report for Nov 2021 Council Meeting

Last EMO meeting was held on Oct 19th ,In attendance was Danny Kelly from the provincial EMO ,he was given a copy of our emo plan at the previous meeting he attended.He took the plan we submitted made a few changes and gave us a updated version which he approved of .The plan is now 99% complete and the next step will be to create a new emo bylaw . The community of York is still on the fence on what there interest is regarding a shared Emo with us,Union Rd is on board and will create there own Emo bylaw ,and plan ,a memorandum of understanding will be created and emo needs and financial details will be stated in that . The next Emo meeting will be on Nov 23rd

Tks Derek Cook chair.

Stephanie Moase -Rural Municipality of North Shore <administrator@northshorepei.ca>

to Qing, Morley, Gerard, Douglas

Hi Qing,

You had spoke to the North Shore Stanhope Peninsula Potable Water Research Committee on June 29, 2021. We thank you so much for all the info you provided.

At that meeting you stated the Stanhope Peninsula "did not have a really high recharge rate". When presenting info to the Public in a newsletter recently, the Committee stated "the Stanhope Peninsula water recharge is relatively low". We had someone become upset that perhaps those statements were not the same and that by saying "relatively low" the information to the Public may be misleading.

I am just wondering from your stance, is stating "the water recharge on the Stanhope Peninsula is relatively low" incorrect or misleading?

I appreciate your info on this matter.

Thank-you,

--

Stephanie Moase
CAO Rural Municipality of North Shore
2120 Covehead Road
York, PE, C0A 1P0
Ph:902-672-2600
Email: administrator@northshorepei.ca

Qing Li

Oct 19,
2021,
4:38 PM

to Morley, me, Douglas, Gerard

Hi, Stephanie,

"the **total groundwater** recharge on the Stanhope Peninsula is relatively low" is correct in my opinion and the reason is the limited land area or recharge area in the peninsula compared to other ocean front land in PEI which can have large inland recharge area from where groundwater flows to ocean front area. But the annual recharge rate in same area on the Stanhope Peninsula is similar to other places in PEI due to similar hydrogeology, around 400 mm/year. I recommend the better statement as the total groundwater recharge on the Stanhope Peninsula is limited due to the limited land area in the peninsula or the recharge area, and the fresh water discharge to the ocean front land is limited due to the limited recharge area supplying the groundwater in the peninsula.

Regards,

Qing Li M.Sc. P.Geo.
Hydrogeologist
Environment, Energy and Climate Action
902-368-4668

CAO's REPORT

November 2021

- Fielding Bylaw infraction complaints and reviewing permits with Bylaw Enforcement Officer
- Maintaining and updating website- getting quotes on migration to new platform
- Preparation of minutes for Council and committees
- Working with contractors on completing Capital Projects, Maintenance Projects
- Working with Development Officer with property issues, GT Parking Lot, Public Meeting on rezoning
- Working with Rec Coordinator on Remembrance Day, Community School, Christmas Party
- Working with Patsy on MCEG for 2020-2021 F/Y
- Updates to Septic Bylaw, Tobacco Free Policy
- Completed Workplace Harassment Policy
- Put forward RFP for Water Study, waiting on Proposals
- Working with Legal on items
- Working on Procedural Bylaw, Committee Policy, Employee Code of Conduct
- Working with Finance on 2022-2023 Budgets

Capital and Maintenance Projects

New/Replacement Signs for Municipality- CIP for Gas Tax not approved, Signs for promenade, Grand Tracadie grounds, NSCC grounds, GT Building

NSCC and GT Grounds Upgrades- Budget Gas Tax, and approx. \$50,000 CCRF will include benches, grandstands, garbage receptacles, bike racks, picnic tables, water station, waiting on if ballfield fencing will be approved under this fund, funding was not approved through the Healthy Communities Initiative- Awaiting feedback from CCRF Funding. Will also include new parking lot at Grand Tracadie

Master Recreation Plan- not approved under MSC, applying to Provincial Capacity Building

Kayak Launch- Budget \$7000- Quote \$2795 +tax+shipping

Stanhope Promenade- 3 benches to be replaced where missing

Grand Tracadie Generator Project- Budget \$42,000 Using safe restart funds (\$13,000) and did not get climate challenge funding this year but will re-apply when open

Chairlift/Elevator at NSCC- Budget \$77,000 Have had one preliminary quote on elevator. Cannot locate any info regarding elevator pre-wiring. Will need architect to review drawings. Council request to move to next year. Fire Marshall coming to review original chairlift design.

NSCC and GT Water stations: Quote \$1500 plus tax and installation

Extension of Rink- Budget – Quote 2420 plus tax- Was in 2022-2023 budget

Grand Tracadie – Maintenance COMPLETED \$262.21 new door between kitchen and classroom

Grand Tracadie- Budget \$500 COMPLETED \$515 for installation new fire door for electrical room

Grand Tracadie- Budget \$6000 COMPLETED \$6992 new fire panel, pulls, smokes and wiring

New Sign for West Covehead- Budget \$180 COMPLETED

NSCC Audio/Visual Upgrades- Budget \$22,000 COMPLETED \$21,935.68 COVID Safe restart fund

Grand Tracadie Playground Slide- Budget-Recreation-COMPLETED

Promenade- Paving patch at Point Pleasant Lane- COMPLETED

Oil Tank Replacement for Stanhope Place- Budget COMPLETED

Stanhope Place Basement Crack- Budget \$1000 COMPLETED Repair and Maintenance

Dog Waste Receptacle- along Promenade – 2 COMPLETED

Pleasant Grove Sign- COMPLETED

Stanhope Peninsula Potable Water Research Ad Hoc Committee - Update #4

The Ad Hoc Committee met on September 16, 2021 to review a draft Request For Proposals (RFP) entitled: “Stanhope Peninsula Potable Water System/Utility: Analysis and Conceptual Design”. The document was revised pursuant to the input of Committee members.

On October 13, 2021 the Municipal Council reviewed the document, a point of clarification was raised/addressed and a motion was passed approving the issuance of the RFP. Subsequent to Council’s approval the Ad hoc Committee met on November 3, 2021 to determine: the date of issuance for the RFP, the deadline for submission of proposals, the draft final report submission date and the final report submission date. As well, a list of engineering firms with expertise in municipal water system design, as provided by Engineers PEI, was reviewed and it was agreed that all listed firms would receive the RFP.

The RFP will be issued not later than November 9, 2021 and proposals must be received on or before December 10, 2021 at 2:00 p.m. The successful proponent will be selected and advised within 10 days of the submission deadline. The draft final report is to be received by April 30, 2022 and the final report submitted on or before June 15, 2022.

The ‘Scope of Work’ and the ‘Services to be Provided by the Consultant’ as detailed in the Request for Proposals are provided below:

SCOPE OF WORK

1. Update pertinent statistical data:
 - a. Number of Stanhope Peninsula residents – year-round and seasonal
 - b. Number of lots available for future development
 - c. Past, current and forecast ‘build-out rates’
 - d. Consumption estimates
 - e. Well density
 - f. Review and consider any reported issues concerning potable water supply – quality and quantity
 - g. Review previous studies and statistical reports which examined the issue of aging septic systems and the potential impact on the potable water supply.
2. Develop detailed, practical and technical options for the establishment of a potable water system for the Stanhope Peninsula area. The options developed are to be:
 - a. technically detailed conceptual designs
 - b. recommend a tariff structure for the system
 - c. fully costed,
 - d. identify potential capital funding sources,
 - e. consider the merits and disadvantages of a system phased-in over a period of years versus a system built to accommodate all peninsula residents at the time of commissioning,

- f. meet all government regulatory requirements,
- g. include a detailed structure for a water utility entity,
- h. provide annual operating budget forecasts including user fee structure, revenue estimates, operational cost estimates (including interest payments),
- i. a capital debt repayment plan,
- j. reference similar water utilities established in other PEI communities and provide a critique of lessons learned/best practices.

SERVICES TO BE PROVIDED BY THE CONSULTANT

1. Conduct a review and analysis of all available information pertaining to Stanhope peninsula potable water supply (quantitative and qualitative). [Reference the Google Drive – Shared File, compiled by the CAO].
2. Meet and consult with the Ad Hoc Committee, Council, residents, regulatory bodies, subject matter experts, funding agencies, IRAC and others, as required.
3. Develop a project timeline complete with milestones and reporting dates.
4. Submit an interim report as scheduled in the project timeline.
5. Provide a draft final report on or before April 30, 2022 for the Ad Hoc Committee's review, consideration and comment.
6. Finalize and submit the Final Report on or before June 15, 2022.

A smaller group of Ad Hoc Committee members and advisors have agreed to review the proposals received and to recommend to the Chief Administrative Officer which proposal should be accepted. The Ad Hoc Committee is next scheduled to meet on January 11, 2022.

Planning Board Report for Nov 2021 Council Meeting

The committee met to discuss a variance for a pool, subdivision approval and a rezoning for a subdivision. After a lively discussion the committee decided that since the pool size that was requested did not fit into setbacks allowed by the RMNS it is recommended to be 36' by 20' and that would be a 20% variance.

The notice for a public meeting on the proposed subdivision rezoning has been sent out by Stephanie. Feedback is due back on November 4th and the public meeting will be held on Tuesday, November 9th at 6:30pm at the North Shore Community Centre.

Date for next meeting to be decided.

Nancy MacKinnon- Chair

NOV 2021 DEVELOPMENT PERMITS REPORT
THE RURAL MUNICIPALITY OF NORTH SHORE

PERMIT NUMBER	DATE PERMIT ISSUED	STATUS	PROPERTY NUMBER	APPLICANT'S NAME	Property Address	TYPE
NS-21-089	01-Nov-21	Approved	138511	Patrick Shea	Lot B31 MacMillan Pt Rd West Covehead	New Single Family Dwelling
NS-21-092	08-Nov-21	Approved	138511	Chris and Lyndsay MacMillan	Lot B17 MacMillan Pt Rd West Covehead	New Single Family Dwelling
NS-21-091	08-Nov-21	Approved	1141548	Legacy Homes Inc (Christal Maddix)	Lot 54 Sunset Cres West Covehead	New Cottage
NS-21-087	15-Nov-21	Approved	496315	Stephen & Carol Fitzpatrick	21 Lily Lane Stanhope	Addition to an existing cottage

Rural Municipality of North Shore
REQUEST FOR DECISION
Topic: NS-21-085Z Rezoning Request PID 1082056

Date: Nov 1, 2021	Request No: RFD-2021-044 <i>(Office Use Only)</i>
-----------------------------	---

Person: Nancy MacKinnon	Representing: Planning Board
-----------------------------------	--

Background: Development Officer received an application for a rezoning request for PID 1082056. Planning Board met and set date for Public Meeting. Public Meeting was held Nov 9, 2021.

Request: Council to make decision to approve or deny the rezoning request for PID 1082056

Advantages	Disadvantages

Required Resources:	
----------------------------	--

Staff Comments	
-----------------------	--

CAO's Review / Comments	
--------------------------------	--



Rural Municipality of North Shore

West Covehead Covehead Road

Stanhope

Pleasant Grove Grand Tracadie

2120 Covehead Road, Rte 25

York, PE C0A 1P0

(902) 672-2600

administrator@northshorepei.ca

www.stanhopecovehead.pe.ca

October 20, 2021

Dear Sir or Madam:

Application #NS-21-085RZ—Doyle Feehan Construction Ltd.

I am writing to notify you that the Rural Municipality of North Shore received an application to rezone Parcel #1082056 from Agricultural (A) to Residential (R) zone. The property is located at Maryland Road, Covehead Road.

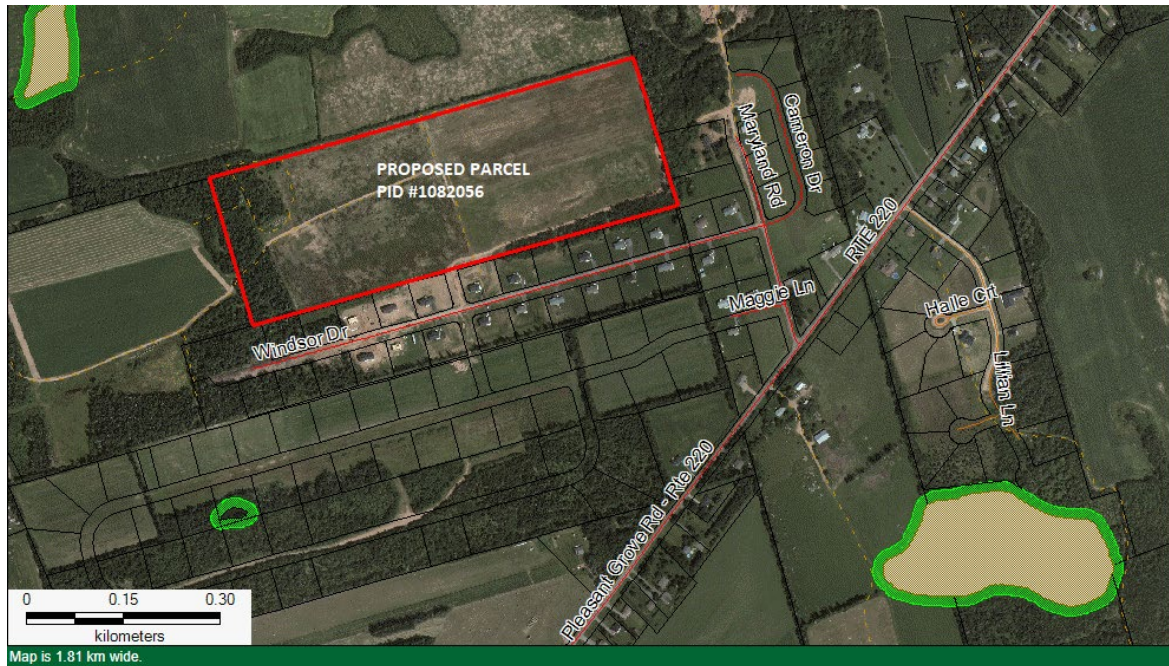
In accordance with Subclause 2.12.4.4(b) of the Municipality's Development Bylaw, the Development Officer must notify all landowners within 60 m (197 ft) of the boundary of the subject property and give them the opportunity to comment on the application within 7 days of the date of the notice. We believe you are one of those owners.

The Applicant formally applied to rezone his property from Agricultural (A) to Residential (R) zone to subdivide the parcel into twenty (20) or more residential lots. The owner intends to build single family homes in each of the lots. The Land Use bylaw does not permit such subdivision of lots in the Agricultural zone. Section 7.5 (Subdivision of Land) of Land Use Bylaw, restricts subdivision from a parent parcel of Land in the Agricultural (A) zone to "*no more than four (4) residential lots*". However, according to Subsection 2.12.2(3)(5) of the Land Use Bylaw, residents and landowners can apply for bylaw amendment and rezoning.

You are hereby offered the opportunity to provide any comment or reservation you may have with regard to Doyle Feehan Construction's application for rezoning. The Planning Board will review the comments from you and other landowners within the 60 m (197 ft) of the boundary of the subject property and make recommendations to the Council before a decision would be made.

Kindly send your written submission to the Municipal Council Office at the above address or by email at development@northshorepei.ca. Your submission must be received no later than 4 PM, Thursday, Nov 4 2021, to be considered. A Public meeting will be held Tuesday Nov 9, 2021 at 6:30pm at the North Shore Community Centre.

The following sketch shows the approximate location of the development.



For more information about the municipal planning, and Land Use bylaw, kindly check information online at <http://www.stanhopecovehead.pe.ca/>

Please contact me by telephone (902-672-2600) or email (development@northshorepei.ca) if you would like more information or would like to view the application.

Many thanks.

Yours truly,

Michael Olubiyi
Development Officer

Rural Municipality of North Shore
REQUEST FOR DECISION
Topic: NS-21-075 Variance Request PID 857508

Date: Nov 1, 2021	Request No: RFD-2021-045 <i>(Office Use Only)</i>
-----------------------------	---

Person: Nancy MacKinnon	Representing: Planning Board
-----------------------------------	--

Background: Development Officer received an application for a variance request for PID 857508. Planning Board met Oct 18, 2021 to discuss. Request was for 40% variance reducing the 20ft setback to 12ft (to allow a 40ft long pool). After discussion Planning Board recommended to Council to approve a 20% variance reducing the 20ft setback to 16ft (to allow a 36ft long pool), and request letters of support from adjoining and abutting lots

Request: Council to make decision to approve, deny or approve with changes, the variance request for PID 857508

Advantages	Disadvantages
Allow residents to come to Council for a variance when circumstances out of their control make certain setbacks unable to be followed	

Required Resources:	
----------------------------	--

Staff Comments	
-----------------------	--

CAO's Review / Comments	Information attached
--------------------------------	----------------------

Rural Municipality of North Shore - Request for Decision 2021-045

Date: November 9th , 2021

Topic: Variance for Pool

Proposed Summary and Background:

Development Officer received an application for a variance request for PID 857508. Planning Board met Oct 18, 2021 to discuss. Request was for 40% variance reducing the 20ft setback to 12ft (to allow a 40ft long pool). After discussion Planning Board recommended to Council to approve a 20% variance reducing the 20ft setback to 16ft (to allow a 36ft long pool), and request letters of support from adjoining and abutting lots

Benefits:

Allow residents to come to Council for a variance when circumstances out of their control make certain setbacks unable to be followed

Discussion/Comments:

It is recommended by Planning Board that Council review and approve the 20% variance with the requirement for letters of support from adjoining and abutting lots. The 20% was suggested as in the newly approved 2021 Bylaw (awaiting ministerial approval) there is a 20% cap on variances. Applicant stated that the requirement for the 40% variance was due to a medical practitioner stating that a 40ft was optimum for joint health. Planning Board did not feel that this was a mitigating requirement as many people have many lengths of pools and a shortened length could easily be overcome by swimming additional laps.

Options:

1. Approve the 40% variance as requested
2. Approve the 20% variance with letters as recommended by Planning Board
3. Not approve the variance
4. Approve the variance with own changes and requirements
5. Refer the matter back to Planning Board for further deliberation.

Recommendation:

Proposed Resolution

It is recommended that Council consider and adopt the following resolution as recommended by the Planning Board:

WHEREAS A application was received to approve a 40% variance for the rear yard setback on PID 857508;

AND WHEREAS the Council has reviewed the application, recommendations from the Development Officer and Planning Board and considered all items under Section 15 of the 2014 Land Use Bylaw;

AND WHEREAS Planning Board has reviewed and recommended to approve a 20% variance with the requirement for letters of support from adjoining and abutting lots;

BE IT RESOLVED THAT Council approve a 20% variance with the conditional requirement for letters of support from adjoining and abutting lots for PID 857508

TO: Planning Board

FROM: Michael Olubiyi, Development Officer

DATE: October 4, 2021

RE: Variance Application PID #857508

APPLICANT: Lynne-Marie Nantes/ NS-21-075-SD

LOCATION: 46 Alvin's Drive, Stanhope

ZONING: Residential (R)

PLANNING AUTHORITY:

The Municipality of North Shore 2014 Land Use Bylaw

SUMMARY OF PROPOSAL:

The applicants applied for a setback variance in order to construct a 20 ft by 40 ft. swimming pool on their property located at 46 Alvin's Drive, Stanhope. The proposed swimming pool would be located in the rear yard. Due to the irregular shape of the lot, well location on the property, and as a result of the angle in which the house is positioned, it would be difficult to keep the setback requirements. The applicants are applying for a variance to allow 12 ft rear yard setbacks instead of the 20 ft minimum requirement for structures in the residential zone.

EVALUATION:

According to the Land Use Bylaw 2014, Swimming Pool is a structure. In appendix A (Definitions), a Swimming Pool means any structure used for bathing or swimming purposes which is sunk into the ground or is erected above the ground and which has a possible maximum depth of greater than 0.6m. While structure means any construction fixed to, supported by or sunk into land or water, and includes sewerage lagoons, manure pits, underground storage tanks, and fences over four (4) feet in height.

All developments in the Residential (R) Zone are expected to conform to the bylaw provision for the zone. Section 8.4 requires a minimum of 6 m (20 ft) and 4.6 m (15 ft) setbacks for the rear yard and side yard respectively. The proposed development meets the minimum setback for the side yard but would require a variance of forty (40%) per cent (8 ft) to meet the rear yard requirement.

The Land Use Bylaw 2014 allows the council to consider variance in excess of 10 per cent given that certain conditions are met and the general intent and purpose of the Bylaw are maintained. Section 15.5 states: *"Notwithstanding any other section of this Bylaw, Council may,*

authorize variances in excess of ten (10%) percent variance from the provisions of this Bylaw if Council deems such a variance desirable and appropriate and if such variance is in keeping with the general intent and purpose of this Bylaw.”

Section 15.2 provided the criteria to assess variance application:

Variance applications shall be considered against the following tests for justifying a variance:

a) That the lot in question has peculiar physical conditions, including small lot size, irregular lot shape, or exceptional topographical conditions, which make it impractical to develop in strict conformity with Bylaw standards;

b) That strict application of all Bylaw standards would impose undue hardship on the applicant by excluding them from the same rights and privileges for reasonable use of their lot as enjoyed by other persons in the same zone;

c) That the variance is of the least magnitude required to enable reasonable use of the lot; and

d) That the proposed variance would not impact unduly on the enjoyment of adjacent properties, or on the essential character of the surrounding neighbourhood.

The applicants' reasons for variance and plan for pool location is dictated by the well location on the property which limits the width of the proposed pool, the slope of the land, and the angle in which the house is positioned. Also, the applicant was advised to maintain the proposed size (20 ft. by 40 ft) to have sufficient room to swim lengthwise for stress management, joint relief, relaxation, and exercise.

The location of the proposed pool would be significantly far from neighbours' homes. It would also be screened by the trees separating the property from one of their neighbours' properties and by the proposed 1.8 m fence. The applicants have also informed their neighbours within the lot boundaries about their proposed development.

DEVELOPMENT OFFICER RECOMMENDATION:

- 1. That the Planning Board recommend to Council to grant the variance provided that:**
 - a. The Applicants provide a letter from a medical professional or pool expert stating that the size is required for health and fitness reasons**
 - b. The majority of adjacent neighbours provide supportive comments regarding the variance in line with Subsection 2.12.4.4 (b).**
- 2. If the above conditions (a and b) are not met, Council should advise the applicants to reduce the size of the pool to 20 feet by 34 feet which would allow the Development Officer to grant a 10 per cent variance for the rear yard setbacks. Otherwise, the application should be rejected.**

**Rural Municipality of North Shore
REQUEST FOR DECISION
Topic: NS-21-074SD Variance Request PID 664722/135517**

Date: Nov 1, 2021	Request No: RFD-2021-046 <i>(Office Use Only)</i>
-----------------------------	---

Person: Nancy MacKinnon	Representing: Planning Board
-----------------------------------	--

Background: Development Officer received an application to subdivide PID #664722 into two lots (showing as Lot 21-1 and Lot 21-2 on the attached survey drawing). The remnant land (showing as parcel 21-A) would be appended to PID #135517 to make the parcel (showing as Lot 21-3) a conforming lot (1 acre).
The applicant intends to share easements (well and septic) between the proposed lots. Easement E1 shall encumber Lot 21-1 in favour of Lot 21-2. Easement E2 and E3 shall encumber Lot 21-3 in favour of Lot 21-1.
The proposed PID #664722 to be subdivided is zoned Resort Commercial (RC) which requires Council's approval.

Request: Council to approve the subdivision

Advantages	Disadvantages

Required Resources:	
----------------------------	--

Staff Comments	
-----------------------	--

CAO's Review / Comments	Information attached
--------------------------------	----------------------

Rural Municipality of North Shore - Request for Decision 2021-046

Date: November 9th , 2021

Topic: Subdivision Request PID 664722/135517

Proposed Summary and Background:

Development Officer received an application to subdivide PID #664722 into two lots (showing as Lot 21-1 and Lot 21-2 on the attached survey drawing). The remnant land (showing as parcel 21-A) would be appended to PID #135517 to make the parcel (showing as Lot 21-3) a conforming lot (1 acre). The applicant intends to share easements (well and septic) between the proposed lots. Easement E1 shall encumber Lot 21-1 in favour of Lot 21-2. Easement E2 and E3 shall encumber Lot 21-3 in favour of Lot 21-1.

The proposed PID #664722 to be subdivided is zoned Resort Commercial (RC) which requires Council's approval.

Benefits:

A formally small non conforming lot will be increased to 1 acre

Discussion/Comments:

Planning Board met on Oct 18, 2021 and discussed this matter. Current easements on the property provide shared services between the lots for water and wastewater. An engineer report would be required to determine if these shared services meet the minimum Provincial standards for the current development on the lots. Any future development would still require approvals based on whatever new development was being proposed.

Options:

1. Give Preliminary Approval for the subdivision with Final approval to meet conditions
2. Not approve the subdivision
3. Refer the matter back to Planning Board for further deliberation.

Recommendation:

Proposed Resolution

It is recommended that Council consider and adopt the following resolution as recommended by the Planning Board:

WHEREAS an application was received to approve a subdivision and consolidation for PID's 664722/135517;

AND WHEREAS Development Officer and Planning Board have reviewed and recommended to give Preliminary approval with Final Approval to meet conditions;

AND WHEREAS the Council has reviewed the application and recommendations from the Development Officer and Planning Board;

BE IT RESOLVED THAT Council grant Preliminary Approval for the application to subdivide PID #664722 into two lots (Lot 21-1 and Lot 21-2) and the consolidation of the remnant land (parcel 21-A) to PID #135527 with Final Approval being subject to:

1. The applicant must provide a letter or report certified by a licensed professional engineer stating that the shared on-site water and septic systems meet current provincial standards.
2. Submission of seven (7) copies of a final subdivision plan showing all lots pinned and certified by a surveyor registered to practice in Prince Edward Island.
3. The portion of PID #664722 being appended to PID #135527 and not approved as a separate parcel of land.

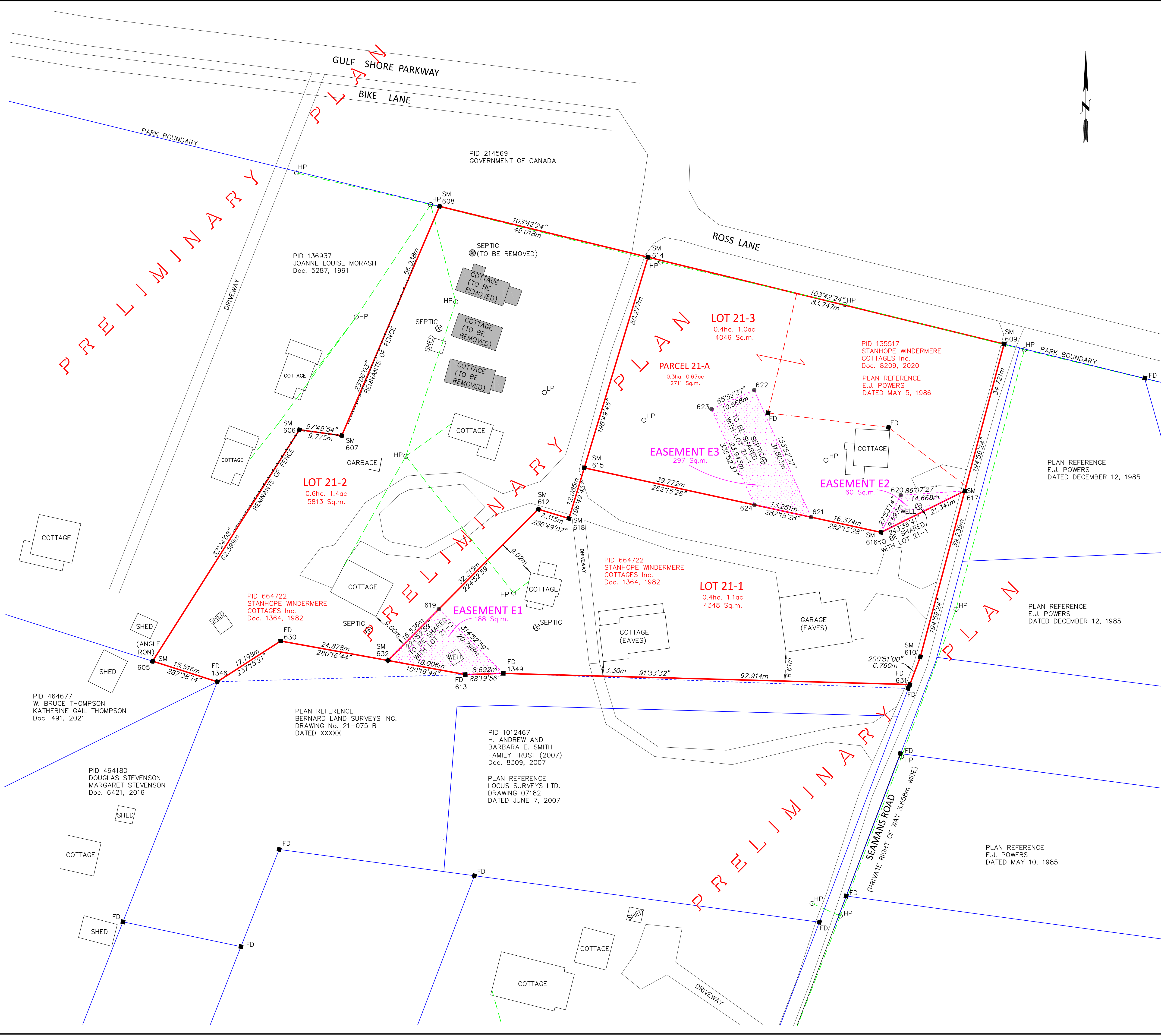
INTENT OF SURVEY

PARCEL 21-A IS A PROPOSED SEVERANCE OF LANDS IDENTIFIED AS PID 664722 TO BE CONSOLIDATED WITH PID 135517 BOTH IN POSSESSION OF STANHOPE WINDERMERE COTTAGES INC. TO CREATE LOT 21-3

LOT 21-1 AND LOT 21-2 ARE PROPOSED SEVERANCES OF LANDS IDENTIFIED AS PID 664722 IN POSSESSION OF STANHOPE WINDERMERE COTTAGES INC.

EASEMENT E1 SHALL ENCUMBER LOT 21-1 IN FAVOUR OF LOT 21-2

EASEMENT E1 AND E2 SHALL ENCUMBER LOT 21-3 IN FAVOUR OF LOT 21-1 TO PROVIDE SERVICES FOR EXISTING GARAGE



KEY PLAN

LEGEND

- LANDS DEALT WITH BY THIS PLAN
- FD SURVEY MARKER FOUND
- SM SURVEY MARKER SET
- WIT WITNESS SURVEY MARKER SET
- FENCE
- CALCULATED POINT
- MON MONUMENT
- WELL WELL
- HP UTILITY POLE
- MH MANHOLE
- CB CATCH BASIN

NOTES

1. PROPERTY REGISTRY INFORMATION SHOWN HEREON OBTAINED FROM THE GEOMATICS INFORMATION CENTRE, TAXATION AND PROPERTY RECORDS, A DIVISION OF THE PEI DEPARTMENT OF PROVINCIAL TREASURY.
2. THIS PLAN IS METRIC AND ALL DISTANCES ARE IN METRES UNLESS OTHERWISE SPECIFIED
3. DIRECTIONS ARE AZIMUTHS REFERENCED TO GRID NORTH.
4. AZIMUTHS AND COORDINATES SHOWN ON THIS PLAN ARE REALIZED FROM A DOUBLE STEREOGRAPHIC PROJECTION REFERENCED TO NAD83 (CSRS) EPOCH 2010. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD2013), AS ACCESSED FROM THE PRINCE EDWARD ISLAND ACTIVE CONTROL NETWORK. LOCAL PRINCE EDWARD ISLAND CONTROL MONUMENTS WERE ALSO OBSERVED AND THE VALUES SHOWN ON THIS PLAN ARE THE VALUES AS OBSERVED DURING THIS FIELD CAMPAIGN USING THIS NETWORK.

REVISIONS

PLAN REFERENCE
E.J. POWERS
DATED DECEMBER 12, 1985

APPROVALS

Professional Land Surveying Services

Land Surveyor • Consultant
SERGE J. BERNARD
Arpenteur - Géomètre • Consultant

5 Edies Way
Stratford, PEI C1B 0I7

tel: (902) 314-9510
fax: (902) 569-5600
Email: bernardsurveys@gmail.com
Website: www.bernardsurveys.com

PLAN OF SURVEY
SHOWING PARCEL 21-A
BEING A PROPOSED SEVERANCE OF LANDS IDENTIFIED AS PID 664722 TO BE CONSOLIDATED WITH PID 135517 BOTH IN POSSESSION OF

STANHOPE WINDERMERE COTTAGES INC.
FORMING

LOT 21-3
AND

LOTS 21-1, 21-2, EASEMENT E1, E2, AND E3
BEING PROPOSED SEVERANCE OF LANDS IDENTIFIED AS PID 664722 IN POSSESSION OF

STANHOPE WINDERMERE COTTAGES INC.
STANHOPE, TOWNSHIP 36
QUEENS COUNTY, PRINCE EDWARD ISLAND

JOB NO.: 21-075 A	FIELDWORK BY: S. ARSENAULT / B. LUMLEY
DATE OF PLAN: JULY 30, 2021	SCALE: 1:400

CERTIFICATION
I, SAM M.F. ARSENAULT, PRINCE EDWARD ISLAND LAND SURVEYOR DO HEREBY CERTIFY THAT THIS SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION, AND THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

PRELIMINARY PLAN

**Rural Municipality of North Shore
REQUEST FOR DECISION
Topic: Workplace Harassment Policy POL 2021-01**

Date: Nov 1, 2021	Request No: RFD-2021-047 <i>(Office Use Only)</i>
-----------------------------	---

Person: Stephanie Moase, CAO	Representing: RMNS
--	------------------------------

Background: A workplace free from harassment is based upon mutual trust and understanding. The Municipality is committed to creating a positive working environment that is based in mutual trust and understanding and free from harassment of all kinds. A Workplace Harassment policy is a requirement from Worker’s Compensation Board.

Request: For Council to adopt a clear Workplace Harassment Policy that provides a framework that defines harassment and a process to file complaints

Advantages	Disadvantages
<ul style="list-style-type: none"> • Reduce staff turnover and increase morale • Creates a harmonious environment-employee engagement • Diminished litigation costs • Good for Municipality reputation 	

Required Resources:	
----------------------------	--

Staff Comments	
-----------------------	--

CAO’s Review / Comments	Employee loyalty, cooperation among staff and engagement are 3 important markers in the success of the Municipality. Please see attached
--------------------------------	--



November 2, 2021

Mayor Gerard Watts
Rural Municipality of North Shore

Dear Mayor Watts,

Thank you for your recent inquiry regarding the Woodlands Trail in Dalvay, PEI National Park.

In response to the Rural Municipality of North Shore's request for maintenance on the Woodlands trail, please note that Parks Canada will not maintain this trail on a regular basis. However, we are pleased to advise you that Parks Canada will remove excess vegetation along this trail twice annually.

Under the Canada National Parks Act, it is illegal to cut any vegetation in PEI National Park. Any fallen trees should be reported to Parks Canada by calling the information line: 902-566-7050. Parks Canada will then assess the area and will remove the vegetation if appropriate.

Should you have any questions or concerns, please don't hesitate to contact me directly.

Sincerely,

Karen Jans
Field Unit Superintendent, Parks Canada-PEI

Karen.Jans@pc.gc.ca

Cc: Jennifer Stewart, Manager, External Relations, Parks Canada
Tara McNally MacPhee, Manager, Visitor Experience, PEI National Park
Jamie Hughes, Asset Manager, Parks Canada