

**BEFORE THE ISLAND REGULATORY AND APPEALS COMMISSION**

IN THE MATTER OF an appeal pursuant to section 28 of the *Planning Act*, RSPEI 1988 c. P-8 by Daniel and Dorothy Gaudet with respect to the denial of a development permit application to construct an addition onto a cottage located on PID# 416701 in the community of Earnscliffe, Prince Edward Island

---

**RECORD OF DECISION PREPARED BY  
THE MINISTER OF HOUSING, LAND AND COMMUNITIES**

---

**Christiana Tweedy**  
Legal Services  
Justice and Public Safety  
95 Rochford Street, PO Box 2000  
Charlottetown, PE

**Lawyer for the Minister of  
Housing, Land and Communities**

Daniel and Dorothy Gaudet  
1462 Shediac River Road  
Shediac River, NB  
E4R 1X2

Appellants

## INDEX

<u>Tab</u>	<u>Description of Record</u>
------------	------------------------------

- |    |   |
|----|---|
| 1. | Decision of the Minister denying the development permit application, dated June 26, 2025  |
| 2. | Notice of Appeal received by IRAC July 16, 2025   |
| 3. | Development Permit Application C-2025-0154 and attached Application Sketch for PID #416701 received May 16, 2025  |
| 4. | Pre-Development and Subdivision Inspection Report dated June 4, 2025  |
| 5. | Email to Daniel Gaudet from Gerald McMillan dated June 26, 2025   |
| 6. | Interdepartmental Communications: <ul style="list-style-type: none"><li>A. Email correspondence from Gerald McMillan to Coastal Property dated June 4, 2025</li><li>B. Email correspondence from Gerald McMillan to Environmental Land Management dated June 4, 2025</li><li>C. Email correspondence from Dale Thompson to Gerald McMillan dated June 23, 2025</li><li>D. Interoffice Memorandum from Dale Thompson to Gerald McMillan dated June 23, 2025</li></ul>  |
| 7. | Other: <ul style="list-style-type: none"><li>A. Plan of Survey No. 40057 Approved by the Department of Communities, Land &amp; Environment on September 1, 2017</li><li>B. Geomatics – property information sheets generated on May 21, 2025</li><li>C. SSO Map generated on May 21, 2025</li><li>D. Environment Map generated on May 21, 2025</li><li>E. CHA Flood Hazard Map generated on June 4, 2025</li><li>F. Coastal Hazard Assessment undated</li><li>G. PEI Department of Agriculture &amp; Forestry Map undated</li></ul> |

**TAB**

**1**





31 Gordon Drive  
PO Box 2000, Charlottetown  
Prince Edward Island  
Canada C1A 7N8

Housing, Land  
and Communities

Logement, Terres  
et Communautés



31, promenade Gordon  
C.P. 2000, Charlottetown  
Île-du-Prince-Édouard  
Canada C1A 7N8

June 26, 2025

Daniel & Dorothy Gaudet  
1462 Shediac River Road  
Shediac, NB  
E4R 1X2

Dear Mr & Mrs Gaudet:

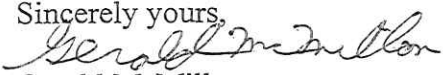
**Re: Application for development permit – Property # 416701 – Earnscliffe - PEI**

The Department of Housing, Land and Communities has completed evaluation of the application you submitted requesting permission to construct an addition onto your cottage on property # 416701 in the community of Earnscliffe

The proposed addition would be located within the buffer zone adjacent to the wetland area on the western side of the cottage. Therefore, the department has no alternative but to deny your application in accordance with Sections 3(2)(a)(d), 16(4) and 39(5)(c) of the Planning Act Subdivision and Development Regulations. I have attached a copy of these sections of the regulations for your information.

We regret any inconvenience caused by this decision; however, if you feel you have adequate grounds, you may appeal to the Island Regulatory and Appeals Commission. P.O. Box 577, Charlottetown, PE, C1A 7L1. Also, should you wish to appeal, your request for a hearing must be submitted within 21 days of the date of this letter or the Commission is under no obligation to hear your appeal.

If you have any questions with respect to this decision you can call me at (902) 368-4887.

Sincerely yours,  
  
Gerald McMillan  
Property Development Officer  
Department of Housing, Land & Communities  
31 Gordon Dr  
Charlottetown, PE  
C1A 7N8

Enclosure/

C - 2025 - 0154



**2.1 Exemption for acquisition from Part III, B - Subdivisions**

- (1) A parcel or part of a parcel, other than a parcel or part of a parcel to which Part IV of these regulations applies, that is being acquired by the Minister responsible for the *Roads Act* for the purposes of constructing, improving or realigning a public road is exempt from the requirements of Part III, B - Subdivisions, of these regulations.

**Exemption for acquisition from Part III, B - Subdivisions, and Part IV**

- (2) A parcel or part of a parcel to which Part IV of these regulations applies that is being acquired by the Minister responsible for the *Roads Act* for the purposes of constructing, improving or realigning a public road is exempt from the requirements of Part III, B - Subdivisions, and the provisions of Part IV of these regulations applicable to subdivision of land.

**Exemption for acquisitions - Slemon Park future development area**

- (3) A parcel or part of a parcel, including a parcel or part of a parcel to which Part IV of these regulations applies, that is being acquired by the Minister responsible for the *Roads Act* for the purpose of taking ownership of a road within the Slemon Park future development area, as that area is described in Appendix B to these regulations, is exempt from the requirements of Part III, B - Subdivisions, of these regulations, and the provisions of Part IV of these regulations applicable to subdivision of land. (EC539/18)

**2.2 Exemption for disposition from Part III, B - Subdivisions**

- (1) Where the government is disposing of a parcel or part of a parcel, other than a parcel or part of a parcel to which Part IV of these regulations applies, that parcel or part of it is exempt from the requirements of Part III, B - Subdivisions, of these regulations, where the parcel or part of it was
- (a) acquired by the Minister responsible for the *Roads Act* for the purposes specified in subsection 2.1(1) or (3); or
  - (b) purchased by the Minister responsible for the *Real Property Tax Act* R.S.P.E.I. 1988, Cap. R-5, pursuant to subsection 19(1) of that Act.

**Exemption for disposition from Part III, B - Subdivisions, and Part IV**

- (2) Where the government is disposing of a parcel or part of a parcel to which Part IV of these regulations applies, that parcel or part of it is exempt from the requirements of Part III, B - Subdivisions, and the provisions of Part IV of these regulations applicable to subdivision of land, where the parcel or part of it was
- (a) acquired by the Minister responsible for the *Roads Act* for the purposes specified in subsection 2.1(2) or (3); or
  - (b) purchased by the Minister responsible for the *Real Property Tax Act* pursuant to subsection 19(1) of that Act. (EC539/18)

**PART III - STANDARDS****A - GENERAL****3. General requirements - subdivisions**

- (1) No person shall be permitted to subdivide land where the proposed subdivision would

- (a) not conform to these regulations or any other regulations made pursuant to the Act;
- (b) precipitate premature development or unnecessary public expenditure;
- (c) in the opinion of the Minister, place pressure on a municipality or the province to provide services; or
- (d) have a detrimental impact.

**Idem, development permits**

- (2) No development permit shall be issued where a proposed building, structure, or its alteration, repair, location, or use or change of use would
  - (a) not conform to these regulations or any other regulations made pursuant to the Act;
  - (b) precipitate premature development or unnecessary public expenditure;
  - (c) in the opinion of the Minister, place pressure on a municipality or the province to provide services;
  - (d) have a detrimental impact; or
  - (e) result in a fire hazard to the occupants or to neighbouring buildings or structures.

**Forested area adjacent to watercourse or wetland**

- (3) Revoked by EC137/09.

**Entrance ways**

- (4) Notwithstanding any other provisions of these regulations, no development permit shall be issued in respect of a development involving the change of use of an entrance way or the creation of an entrance way to any highway where an entrance way permit is required unless an entrance way permit has first been granted by the Minister of Transportation and Public Works. (EC693/00; 137/09)

**4. Approval with conditions**

- (1) An approved subdivision or development permit may be made subject to any conditions necessary to ensure compliance with these regulations, other regulations made pursuant to the Act, or any relevant sections of the *Environmental Protection Act*, *Roads Act*, *Provincial Building Code Act* R.S.P.E.I. 1988, Cap. P-24, or the *Fire Prevention Act* R.S.P.E.I. 1988, Cap. F-11.

**Person ensures compliance**

- (2) Where a person is granted an approved subdivision or development permit subject to conditions in accordance with subsection (1), that person shall ensure that the subdivision or development complies with the conditions.

**Development agreement**

- (3) The conditions of approval may include a requirement that the person granted the permit enter into a development agreement specifying any special measures that must be carried out in order to ensure compliance with the regulations referred to in subsection (1). (EC693/00; 981/23)

**5. Other approvals required**

No approval shall be given pursuant to these regulations until the following permits or approvals have been obtained as appropriate:





**Number of lots**

- (4) For the purpose of determining the number of lots, all parcels to be severed from the original parcel shall be counted.

**Incremental subdivision**

- (5) All provisions of these regulations for subdivisions of six or more lots shall apply where a parcel has been subdivided incrementally so as to bring the number of lots created since June 12, 1993 to six or more. (EC693/00: 137/09)

**15. Open space**

- (1) On and after August 1, 2024, except for a residential subdivision having 20 or fewer lots, or a subdivision intended for commercial, industrial or other non-residential uses, the owner of lots being subdivided shall set aside open space in the subdivision for recreation or park use equal to a minimum of 10% of the total area of the lots being subdivided.

**Idem, held in common**

- (2) Open space set aside in accordance with subsection (1) shall be held in common by the owners of lots in the subdivision.

**Common ownership**

- (3) Where a buffer required under subsection 16(1) is included as permitted by subsection 16(5), the buffer may be counted as part of the open space required by this section. (EC693/00; 176/03; 655/10; 714/24)

**16. Buffer inside coastal area**

- (1) Where a subdivision is proposed within a coastal area, the proposed subdivision shall, where applicable, include the following:
- (a) where adjacent to a beach, a buffer having a minimum width of 60 feet (18.3 metres) or 60 times the annual erosion rate for the area, whichever is greater, measured from the top of the bank adjacent to the beach;
  - (b) where adjacent to a sand dune, a buffer having a minimum width of 60 feet (18.3 metres) measured from the inland boundary of the dune;
  - (c) where feasible and appropriate, access to the beach or watercourse for the use of the owners of the lots.

**Exception**

- (2) Revoked by EC137/09.

**Buffer outside coastal area**

- (3) Where a subdivision is proposed outside a coastal area and adjacent to a watercourse, the proposed plan of subdivision may include an access to the watercourse for the use of the owners of the lots.

**Development prohibited in buffer**

- (4) No person shall undertake any development, including a sewage disposal system, within a required buffer.

**Ownership of buffer**

- (5) Any buffer required under subsection (1) may be included



*Section 39*

**Setback from beach, sand dune, wetland or watercourse**

- (5) The nearest exterior portion of a building or structure shall be located no closer than
- (a) 75 feet (22.9 metres), or 60 times the annual rate of erosion, whichever is greater, to a beach, measured from the top of the bank;
  - (b) 100 feet (30.5 metres) to a migrating primary or secondary sand dune, measured from the inland boundary of the dune;
  - (c) 75 feet (22.9 metres) to the inland boundary of a wetland or watercourse.

**Where greater setback required**

- (6) Notwithstanding subsection (5), if after consultation with the Department of Environment, Energy and Climate Action, it is determined that the setbacks listed in subsection (5) are not sufficient to protect the beach, wetland or watercourse from the adverse impacts of contaminants discharged from the proposed buildings or structures, it may be required as a condition of approval that the development be located at a greater distance from the beach, wetland or watercourse.

**Miscellaneous structures**

- (7) Subsection (5) shall not apply to buildings or structures used for fishing or bait sheds, aquaculture operations, boat launches, walkways, bridges, or wharves and piers and any associated buildings or structures, except where the Minister requires that these buildings or structures be located at some fixed distance from the top of the bank.

**"top of the bank", defined**

- (8) For the purposes of this section, the words "top of the bank" mean, where there is no embankment, the landward boundary of the beach. (EC693/00; 981/23)

**40. Development, primary and secondary dunes**

- (1) No person shall develop or construct a road on a sand dune.

**Other dunes**

- (2) Revoked by EC222/22.

**Conservation officer may enforce**

- (3) A conservation officer appointed under the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1 has the power and authority to enforce subsection (1). (EC693/00; 138/10; 222/22; 981/23)

**41. Grouped buildings**

Other than farm buildings, no person shall build or place more than one building on a parcel of land for commercial, industrial, recreational or institutional use, unless a site plan for such buildings has been approved by the Provincial Fire Marshal. (EC693/00)

**42. More than one dwelling on a lot -exception**

- (1) No person shall locate more than one building or structure for use as a part-time or year-round dwelling on a lot or existing parcel of land except
- (a) in conjunction with a farm parcel, where the use of the dwelling is clearly incidental to the use of the main building;

**TAB**

**2**





RECEIVED: July 16, 2025

## 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.irac.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 Earnscliffe (name of City, Town or Community) on the 26 day of June, 2025, wherein the Minister/Community Council made a decision to deny the development permit.

(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)

The basis of our appeal is that a holding tank, which is already present, is situated closer to the wetland than the proposed cottage extension. Given this existing condition, we are seeking a grandfather clause that would allow us to proceed with our construction plans.  
**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)  
If the decision does not allow us to continue building the full bedroom, bathroom extension, we would like to propose an alternative. Given the screw piles are already in place and the foundation is almost complete, we would be content with putting down a floor and using the space as a patio.

**EACH APPELLANT MUST COMPLETE THE FOLLOWING:** (print separate sheets as necessary)

Name(s) of Appellant(s): Daniel & Dorothy Gaudet Signature(s) of Appellant(s): [Signature]  
Please Print

Mailing Address: 1462 Shediac River Rd City/Town: Shediac River

Province: NB Postal Code: E4R 1x2

Email Address: drgrt8@gmail.com Telephone: 506-226-6916

Dated this 15 day of July, 2025  
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.

**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@irac.pe.ca.





31 Gordon Drive  
PO Box 2000, Charlottetown  
Prince Edward Island  
Canada C1A 7N8

Housing, Land  
and Communities

Logement, Terres  
et Communautés



31, promenade Gordon  
C.P. 2000, Charlottetown  
Île-du-Prince-Édouard  
Canada C1A 7N8

June 26, 2025

Daniel & Dorothy Gaudet  
1462 Shediac River Road  
Shediac, NB  
E4R 1X2

Dear Mr & Mrs Gaudet:

**Re: Application for development permit – Property # 416701 – Earnscliffe - PEI**

The Department of Housing, Land and Communities has completed evaluation of the application you submitted requesting permission to construct an addition onto your cottage on property # 416701 in the community of Earnscliffe

The proposed addition would be located within the buffer zone adjacent to the wetland area on the western side of the cottage. Therefore, the department has no alternative but to deny your application in accordance with Sections 3(2)(a)(d), 16(4) and 39(5)(c) of the Planning Act Subdivision and Development Regulations. I have attached a copy of these sections of the regulations for your information.

We regret any inconvenience caused by this decision; however, if you feel you have adequate grounds, you may appeal to the Island Regulatory and Appeals Commission. P.O. Box 577, Charlottetown, PE, C1A 7L1. Also, should you wish to appeal, your request for a hearing must be submitted within 21 days of the date of this letter or the Commission is under no obligation to hear your appeal.

If you have any questions with respect to this decision you can call me at (902) 368-4887.

Sincerely yours,

Gerald McMillan  
Property Development Officer  
Department of Housing, Land & Communities  
31 Gordon Dr  
Charlottetown, PE  
C1A 7N8

Enclosure/

**2.1 Exemption for acquisition from Part III, B - Subdivisions**

- (1) A parcel or part of a parcel, other than a parcel or part of a parcel to which Part IV of these regulations applies, that is being acquired by the Minister responsible for the *Roads Act* for the purposes of constructing, improving or realigning a public road is exempt from the requirements of Part III, B - Subdivisions, of these regulations.

**Exemption for acquisition from Part III, B - Subdivisions, and Part IV**

- (2) A parcel or part of a parcel to which Part IV of these regulations applies that is being acquired by the Minister responsible for the *Roads Act* for the purposes of constructing, improving or realigning a public road is exempt from the requirements of Part III, B - Subdivisions, and the provisions of Part IV of these regulations applicable to subdivision of land.

**Exemption for acquisitions - Slemon Park future development area**

- (3) A parcel or part of a parcel, including a parcel or part of a parcel to which Part IV of these regulations applies, that is being acquired by the Minister responsible for the *Roads Act* for the purpose of taking ownership of a road within the Slemon Park future development area, as that area is described in Appendix B to these regulations, is exempt from the requirements of Part III, B - Subdivisions, of these regulations, and the provisions of Part IV of these regulations applicable to subdivision of land. (EC539/18)

**2.2 Exemption for disposition from Part III, B - Subdivisions**

- (1) Where the government is disposing of a parcel or part of a parcel, other than a parcel or part of a parcel to which Part IV of these regulations applies, that parcel or part of it is exempt from the requirements of Part III, B - Subdivisions, of these regulations, where the parcel or part of it was

- (a) acquired by the Minister responsible for the *Roads Act* for the purposes specified in subsection 2.1(1) or (3); or
- (b) purchased by the Minister responsible for the *Real Property Tax Act* R.S.P.E.I. 1988, Cap. R-5, pursuant to subsection 19(1) of that Act.

**Exemption for disposition from Part III, B - Subdivisions, and Part IV**

- (2) Where the government is disposing of a parcel or part of a parcel to which Part IV of these regulations applies, that parcel or part of it is exempt from the requirements of Part III, B - Subdivisions, and the provisions of Part IV of these regulations applicable to subdivision of land, where the parcel or part of it was

- (a) acquired by the Minister responsible for the *Roads Act* for the purposes specified in subsection 2.1(2) or (3); or
- (b) purchased by the Minister responsible for the *Real Property Tax Act* pursuant to subsection 19(1) of that Act. (EC539/18)

**PART III - STANDARDS**

**A - GENERAL**

**3. General requirements - subdivisions**

- (1) No person shall be permitted to subdivide land where the proposed subdivision would

- (a) not conform to these regulations or any other regulations made pursuant to the Act;
- (b) precipitate premature development or unnecessary public expenditure;
- (c) in the opinion of the Minister, place pressure on a municipality or the province to provide services; or
- (d) have a detrimental impact.

**Idem, development permits**

- (2) No development permit shall be issued where a proposed building, structure, or its alteration, repair, location, or use or change of use would
  - (a) not conform to these regulations or any other regulations made pursuant to the Act;
  - (b) precipitate premature development or unnecessary public expenditure;
  - (c) in the opinion of the Minister, place pressure on a municipality or the province to provide services;
  - (d) have a detrimental impact; or
  - (e) result in a fire hazard to the occupants or to neighbouring buildings or structures.

**Forested area adjacent to watercourse or wetland**

- (3) Revoked by EC137/09.

**Entrance ways**

- (4) Notwithstanding any other provisions of these regulations, no development permit shall be issued in respect of a development involving the change of use of an entrance way or the creation of an entrance way to any highway where an entrance way permit is required unless an entrance way permit has first been granted by the Minister of Transportation and Public Works. (EC693/00; 137/09)

**4. Approval with conditions**

- (1) An approved subdivision or development permit may be made subject to any conditions necessary to ensure compliance with these regulations, other regulations made pursuant to the Act, or any relevant sections of the *Environmental Protection Act*, *Roads Act*, *Provincial Building Code Act* R.S.P.E.I. 1988, Cap. P-24, or the *Fire Prevention Act* R.S.P.E.I. 1988, Cap. F-11.

**Person ensures compliance**

- (2) Where a person is granted an approved subdivision or development permit subject to conditions in accordance with subsection (1), that person shall ensure that the subdivision or development complies with the conditions.

**Development agreement**

- (3) The conditions of approval may include a requirement that the person granted the permit enter into a development agreement specifying any special measures that must be carried out in order to ensure compliance with the regulations referred to in subsection (1). (EC693/00; 981/23)

**5. Other approvals required**

No approval shall be given pursuant to these regulations until the following permits or approvals have been obtained as appropriate:





**Number of lots**

- (4) For the purpose of determining the number of lots, all parcels to be severed from the original parcel shall be counted.

**Incremental subdivision**

- (5) All provisions of these regulations for subdivisions of six or more lots shall apply where a parcel has been subdivided incrementally so as to bring the number of lots created since June 12, 1993 to six or more. (EC693/00; 137/09)

**15. Open space**

- (1) On and after August 1, 2024, except for a residential subdivision having 20 or fewer lots, or a subdivision intended for commercial, industrial or other non-residential uses, the owner of lots being subdivided shall set aside open space in the subdivision for recreation or park use equal to a minimum of 10% of the total area of the lots being subdivided.

**Idem, held in common**

- (2) Open space set aside in accordance with subsection (1) shall be held in common by the owners of lots in the subdivision.

**Common ownership**

- (3) Where a buffer required under subsection 16(1) is included as permitted by subsection 16(5), the buffer may be counted as part of the open space required by this section. (EC693/00; 176/03; 655/10; 714/24)

**16. Buffer inside coastal area**

- (1) Where a subdivision is proposed within a coastal area, the proposed subdivision shall, where applicable, include the following:

- (a) where adjacent to a beach, a buffer having a minimum width of 60 feet (18.3 metres) or 60 times the annual erosion rate for the area, whichever is greater, measured from the top of the bank adjacent to the beach;
- (b) where adjacent to a sand dune, a buffer having a minimum width of 60 feet (18.3 metres) measured from the inland boundary of the dune;
- (c) where feasible and appropriate, access to the beach or watercourse for the use of the owners of the lots.

**Exception**

- (2) Revoked by EC137/09.

**Buffer outside coastal area**

- (3) Where a subdivision is proposed outside a coastal area and adjacent to a watercourse, the proposed plan of subdivision may include an access to the watercourse for the use of the owners of the lots.

**Development prohibited in buffer**

- (4) No person shall undertake any development, including a sewage disposal system, within a required buffer.

**Ownership of buffer**

- (5) Any buffer required under subsection (1) may be included

*Section 39*

**Setback from beach, sand dune, wetland or watercourse**

- (5) The nearest exterior portion of a building or structure shall be located no closer than
- (a) 75 feet (22.9 metres), or 60 times the annual rate of erosion, whichever is greater, to a beach, measured from the top of the bank;
  - (b) 100 feet (30.5 metres) to a migrating primary or secondary sand dune, measured from the inland boundary of the dune;
  - (c) 75 feet (22.9 metres) to the inland boundary of a wetland or watercourse.

**Where greater setback required**

- (6) Notwithstanding subsection (5), if after consultation with the Department of Environment, Energy and Climate Action, it is determined that the setbacks listed in subsection (5) are not sufficient to protect the beach, wetland or watercourse from the adverse impacts of contaminants discharged from the proposed buildings or structures, it may be required as a condition of approval that the development be located at a greater distance from the beach, wetland or watercourse.

**Miscellaneous structures**

- (7) Subsection (5) shall not apply to buildings or structures used for fishing or bait sheds, aquaculture operations, boat launches, walkways, bridges, or wharves and piers and any associated buildings or structures, except where the Minister requires that these buildings or structures be located at some fixed distance from the top of the bank.

**"top of the bank", defined**

- (8) For the purposes of this section, the words "top of the bank" mean, where there is no embankment, the landward boundary of the beach. (EC693/00; 981/23)

**40. Development, primary and secondary dunes**

- (1) No person shall develop or construct a road on a sand dune.

**Other dunes**

- (2) Revoked by EC222/22.

**Conservation officer may enforce**

- (3) A conservation officer appointed under the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1 has the power and authority to enforce subsection (1). (EC693/00; 138/10; 222/22; 981/23)

**41. Grouped buildings**

Other than farm buildings, no person shall build or place more than one building on a parcel of land for commercial, industrial, recreational or institutional use, unless a site plan for such buildings has been approved by the Provincial Fire Marshal. (EC693/00)

**42. More than one dwelling on a lot - exception**

- (1) No person shall locate more than one building or structure for use as a part-time or year-round dwelling on a lot or existing parcel of land except
- (a) in conjunction with a farm parcel, where the use of the dwelling is clearly incidental to the use of the main building;



**TAB**

**3**



RECEIVED

MAY 18 2025

Land Division  
CHARLOTTETOWN

# Development Permit Application

Where you live will determine what Development Permit Application you will need to complete.

If you live **outside** of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

Office Use Only	
Sub. Case File #:	15138 4-55145
Permit #:	C-2025-0154
PID #:	416701
Permit Fee:	\$250.00
Received:	
PIC Reviewed:	<input checked="" type="checkbox"/> May 29/25 KH

PAID

MAY 29 2025

Amount \$2500  
Receipt # 9310

If you live **inside** a Municipal Area with planning authority you will need to apply for a **Development Permit from that local Municipal Office**.

Are you wanting to subdivide your parcel of land into smaller lots or change the official use of the property? If yes, you are required to complete the **Subdivision of Land/Change of Use Application** before completing this Development Permit Application and any Building Permit Applications.

## Property Information:

Property Tax Number: 416701	Community Name:
Civic Address Number: 1225	Street Name: McInnis Point Rd
	Lot Number— if applicable:

## Property Owner Information:

Full Legal Name: Daniel & Dorothy Gaudet		
Company Name:		
Street Address: 1462 Shediac River Rd Shediac River, NB E4R1X2		
Community:	Province:	Postal Code:
Email: drgsrnt8@gmail.com	Phone: 506-226-6916	

## Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:	Phone:	

C-2025-0154



**What is the property currently used for?**

- ☒ Residential (Single-unit)   ☐ Residential (Duplex)   ☐ Residential (Multi-unit)   ☐ Rental Accommodation  
☐ Commercial   ☐ Industrial   ☐ Institutional   ☐ Agriculture   ☐ Aquaculture/Fisheries   ☐ Forestry  
☐ Recreational   ☐ Resource   ☐ Home-Based Business   ☐ Vacant   ☐ Other: \_\_\_\_\_

**Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".**

**Are there existing buildings on the property?** ☒ Yes   ☐ No

**Please describe the use of each building in detail:**

2 Story 3 Season Cottage

**What type of development or activity are you proposing? Please check all that apply:**

- ☐ New detached structure   ☒ Addition to existing structure   ☐ Relocation of structure  
☐ Change of use of existing structure

**What will the proposed development be used for? Please check all that apply:**

- ☒ Residential (Single-unit)   ☐ Residential (Duplex)   ☐ Residential (Multi-unit)   ☐ Accessory Dwelling Unit  
☐ Rental Accommodation   ☐ Commercial   ☐ Industrial   ☐ Institutional   ☐ Agriculture   ☐ Aquaculture/Fisheries  
☐ Forestry   ☐ Recreational   ☐ Resource   ☐ Home-Based Business   ☐ Vacant   ☐ Other: \_\_\_\_\_

**Will the proposed structure be the main structure on the property?** ☐ Yes   ☒ No

**Please describe how the proposed structure will be used in detail:**

Adding a bedroom + bathroom to existing Structure

**Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway?** ☐ Yes   ☒ No

**How will the new proposed structure receive sewer services?**

- ☐ New on-site septic wastewater system   ☒ Existing on-site system  
☐ Municipal wastewater treatment   ☐ Private central wastewater treatment

**Was a Site Suitability Assessment completed?**

- ☐ Yes   ☐ No   ☐ N/A

How many bedrooms are in the proposed/existing structure? 3

Are you proposing to add any additional bedrooms? If so, how many? 1

What type of foundation are you proposing for the structure?

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: \_\_\_\_\_

What siding material are you proposing for the structure? Cedar Shingles

What roofing material are you proposing for the structure? Asphalt Shingles

What are the dimensions of the structure that you are proposing?

Width (ft):	<u>20'</u>	Number of Storeys:	<u>1</u>
Depth (ft):	<u>16'</u>	Main Floor Area (ft <sup>2</sup> ):	
Height of Structure:	<u>12'</u>	Total Floor Area (ft <sup>2</sup> ):	<u>320'</u>

If your proposed development is Multi-unit residential, how many units are you proposing? \_\_\_\_\_

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? \_\_\_\_\_
- How many staff are you intending on having at this location? \_\_\_\_\_
- Will there be onsite parking for staff? ☐ Yes ☐ No ☐ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☐ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

--

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:			
Septic Contractor:			
Lawyer:			
Engineer:			
General Contractor:			

**Please Note:** Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid. For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

## Declaration

I, Daniel Gaudet hereby certify that I am (select one)

☒ the registered owner of the land proposed for development

☐ authorized to act on behalf of the registered owner of the land proposed for development


And hereby declare that all statements contained within this application are complete and true.

## Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: May 1/25  
Date: May 1/25  
Date: \_\_\_\_\_

Applicant:

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

## Submit Applications to a Land Division Office located at:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only	
DEVELOPMENT PERMIT FEES	
Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees .....	=
Total .....	=

Personal information on this form is collected under section 31 of the *Freedom of Information and Protection of Privacy Act* for the purpose of land development and services as expressly authorized under the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8. If you have any questions about this collection of personal information, you may contact the Land Division Office at (902) 368-5280 or [landsdivision@gov.pe.ca](mailto:landsdivision@gov.pe.ca) for more information.

Disclaimer: This application may be transferred to the subject municipality for processing if jurisdictional planning areas change from the Province to the municipality.



## Development Permit Application

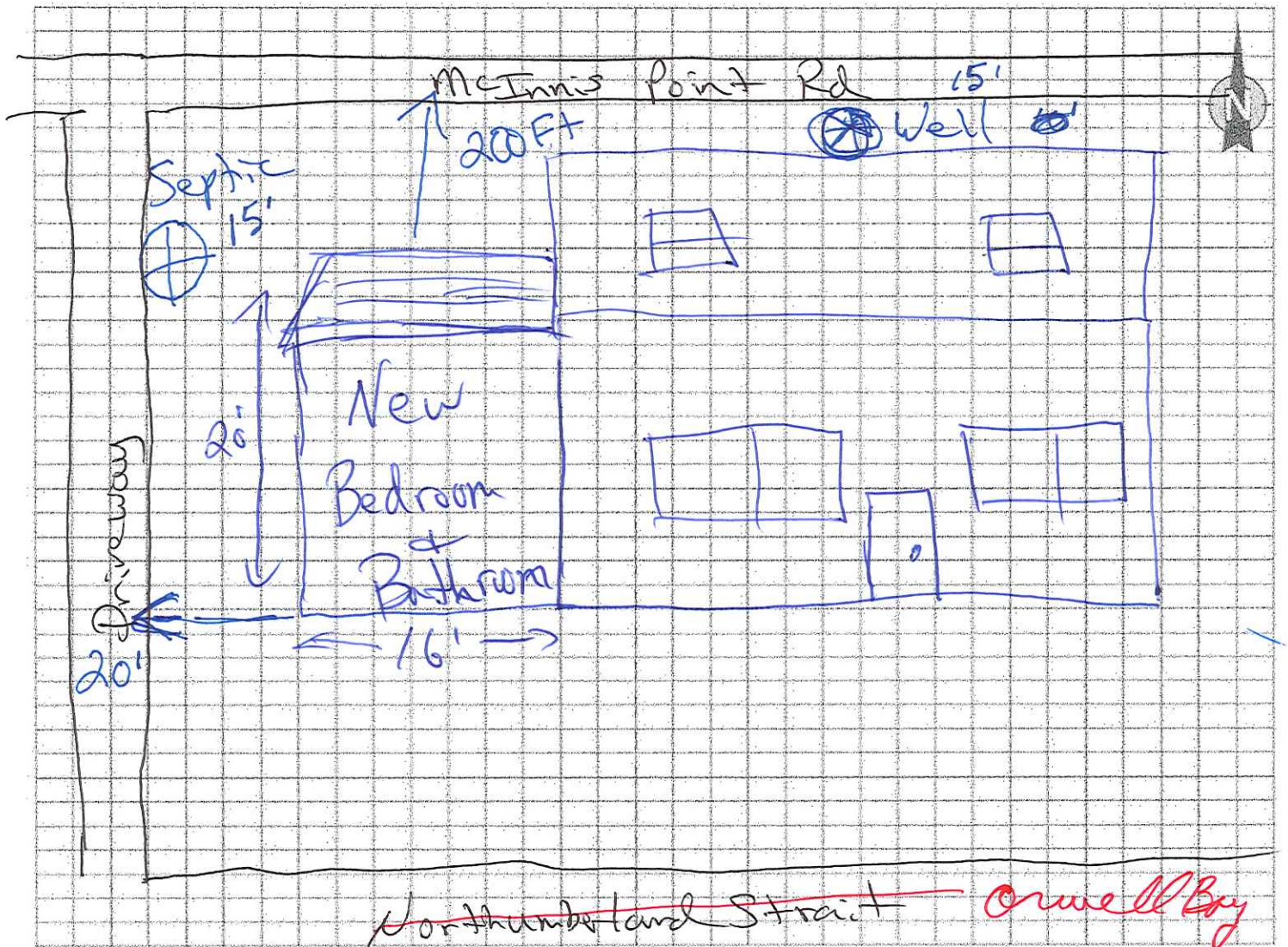
Pursuant to the Planning Act

This sketch is required as part of the Development Permit Application and must include the following:

- |  |  |
|--|--|
| <input type="checkbox"/> All Property lines with their lengths (in ft) | <input type="checkbox"/> All Buildings with their sizes listed (in ft)       |
| <input type="checkbox"/> Road(s), including their name(s)              | <input type="checkbox"/> Arrow showing the natural slope of the land         |
| <input type="checkbox"/> Distance from Septic Tank to Well (ft): _____ | <input type="checkbox"/> Distance from Septic Field Tile to Well (ft): _____ |

Provide the minimum distance from your proposed structure to the following:

- |  |   |
|--|---|
| <input type="checkbox"/> Centre of Road (front yard) (ft): _____ | <input type="checkbox"/> Rear Yard Property Line (ft): _____  |
| <input type="checkbox"/> Left Side Property Line (ft): _____     | <input type="checkbox"/> Right Side Property Line (ft): _____ |
| <input type="checkbox"/> Shoreline or Top of Bank (ft): _____    | <input type="checkbox"/> Wetland or Watercourse (ft): _____   |
| <input type="checkbox"/> Dunes (ft): _____                       | <input type="checkbox"/> Water Well (ft): _____               |
| <input type="checkbox"/> Septic Tank (ft): _____                 | <input type="checkbox"/> Septic Field Tile (ft): _____        |



Property Owner's Signature or Applicant

May 1/25  
Date



# Development Permit Application

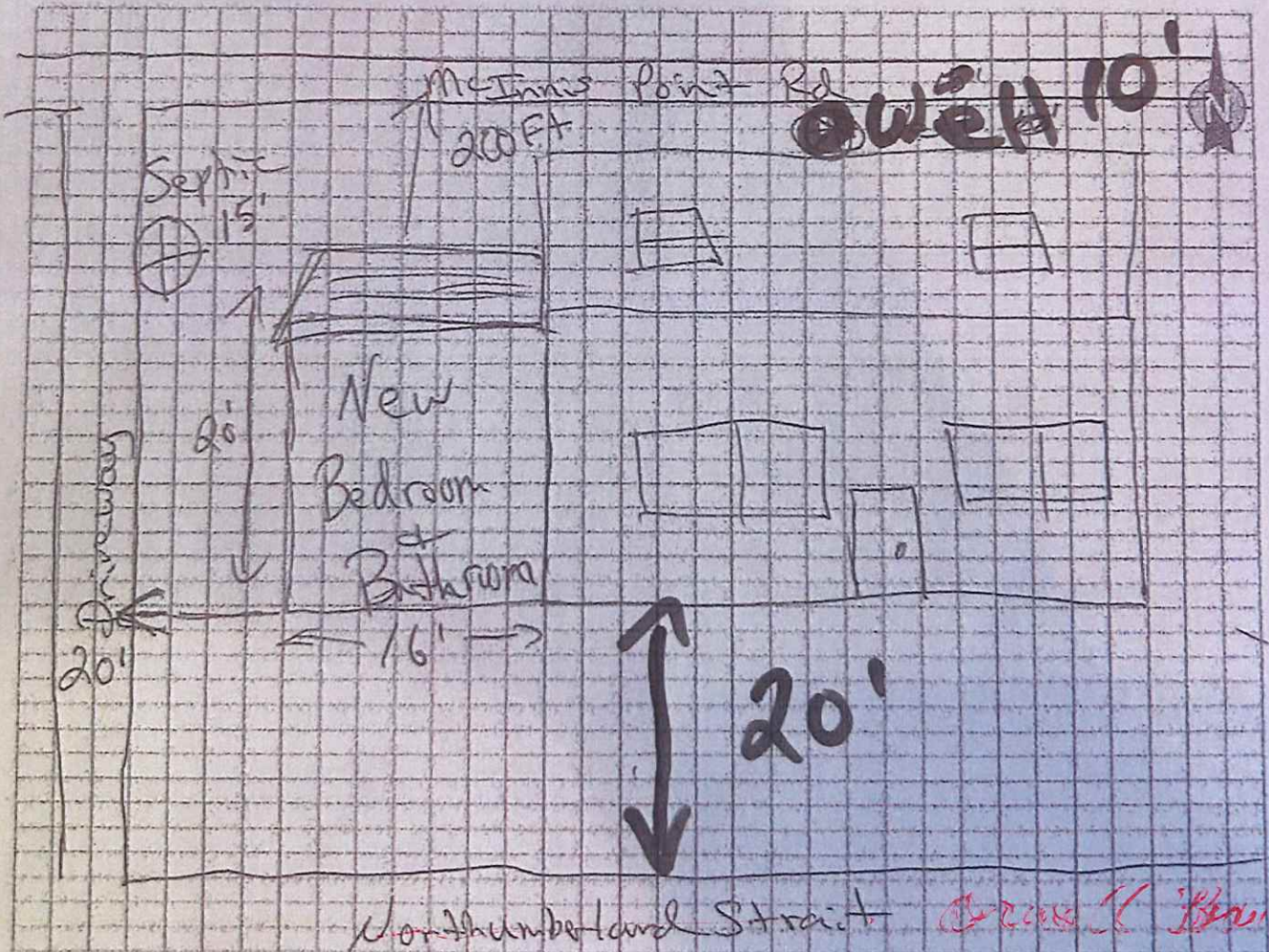
Pursuant to the Planning Act

This sketch is required as part of the Development Permit Application and must include the following:

- |  |  |
|--|--|
| <input type="checkbox"/> All Property lines with their lengths (in ft) | <input type="checkbox"/> All Buildings with their sizes listed (in ft)       |
| <input type="checkbox"/> Road(s), including their name(s)              | <input type="checkbox"/> Arrow showing the natural slope of the land         |
| <input type="checkbox"/> Distance from Septic Tank to Well (ft): _____ | <input type="checkbox"/> Distance from Septic Field Tile to Well (ft): _____ |

Provide the minimum distance from your proposed structure to the following:

- |  |   |
|--|---|
| <input type="checkbox"/> Centre of Road (front yard) (ft): _____ | <input type="checkbox"/> Rear Yard Property Line (ft): _____  |
| <input type="checkbox"/> Left Side Property Line (ft): _____     | <input type="checkbox"/> Right Side Property Line (ft): _____ |
| <input type="checkbox"/> Shoreline or Top of Bank (ft): _____    | <input type="checkbox"/> Wetland or Watercourse (ft): _____   |
| <input type="checkbox"/> Dunes (ft): _____                       | <input type="checkbox"/> Water Well (ft): _____               |
| <input type="checkbox"/> Septic Tank (ft): _____                 | <input type="checkbox"/> Septic Field Tile (ft): _____        |



Property Owner's Signature or Applicant

May 1/25  
Date

**TAB**

**4**





## PRE-DEVELOPMENT AND SUBDIVISION INSPECTION REPORT

(updated July 18-2024 v1.2)

### Section 1 – General Information

APPLICANT: Daniel Gaudet

LOCATION: Earnscliffe

SUBDIVISION CASE # \_\_\_\_\_

DEVELOPMENT PERMIT # C-2025-0154

PROPERTY # 416701

DATE OF INSPECTION \_\_\_\_\_

### Section 2 – Property Information - FLEXVIEW

1. Is the property identified? Attach confirmation. IRAC ☒ No ☐ Yes – EC Order: \_\_\_\_\_
2. Is the property in a Special Planning Area? ☒ No ☐ Yes – SPA: \_\_\_\_\_
  - a. Is the property considered existing in that SPA (before 1994)? ☐ No ☐ Yes
3. Is the property in a municipality with its own official plans and bylaws? ☒ No ☐ Yes – Municipality: \_\_\_\_\_
4. The property has a: ☐ stream ☐ wetland ☒ watercourse ☐ pond  
☐ primary sand dune ☐ secondary sand dune ☐ Other: \_\_\_\_\_
5. Does the property have poorly or imperfectly drained soils? ☐ No ☒ Yes
6. Are there any existing structures on the property? ☐ No ☒ Yes
7. Existing land use SFD Proposed land use SFD
8. Is the lot existing? (created before 1979) ☐ No ☒ Yes
  - a. If no, First Lot Off (1979 to 1993 to 2002) ☐ No ☐ Yes
  - b. If no, Over 10 Acres (1979 to 2002) ☐ No ☐ Yes
9. Was the lot approved previously? ☒ No ☐ Yes  
Case # \_\_\_\_\_ Lot # \_\_\_\_\_ Approved Use \_\_\_\_\_
10. Is a Coastal Hazard Assessment required? ☐ No ☐ Yes ☐ N/A  
Average Erosion Rate \_\_\_\_\_ Calculated Setback Distance \_\_\_\_\_
11. Reference Cases:

### Section 3 – Soil & Septic Information - ENVIRO

- a) What is the soil categorization? n/a Permit # n/a
- b) Previously Assessed? n/a Case # n/a Assumed Permeable Soil n/a  
Assessor n/a Registered Document # n/a
- c) If multi-lot subdivision, has an SSA been submitted for each lot? ☐ No ☐ Yes ☒ N/A
- d) Is there an existing septic system on site? ☐ No ☒ Yes ☐ N/A
- e) Has a Sewage Disposal Form been submitted? ☐ No ☐ Yes ☒ N/A
- f) Does the existing septic exceed 1500 gallons / day ☐ No ☐ Yes ☒ N/A

### Section 4 – Road Information - DTI MAP

- A.O.W. of the Inver Point Road*
- a) Name of highway McInnis Point Road Route # 270
  - b) Highway classification ☐ Arterial ☐ Arterial 2 ☐ Seasonal ☐ Collector  
☒ ~~C1~~ ☐ C2 ☐ C3 ☐ Subdivision  
☐ Heritage ☒ Private ☐ Infilling ☐ Other: \_\_\_\_\_
  - c) Is an EWP required? (Seasonal/Arterial) ☒ No ☐ Yes
  - d) Is the proposal to access a new private road? ☒ No ☐ Yes
    - a. If yes: Has the road name been approved by 911? ☐ No ☐ Yes
    - i. Road Name: \_\_\_\_\_
  - e) # of lots approved of private road since 2009? \_\_\_\_\_
    - a. If over 5 lots – Road upgrade may be required.
  - f) Highway access (culvert) ☐ new culvert required ☒ existing entrance  
☐ relocate existing entrance

Notes:



**Section 5 – Building Information**

- a) Will the proposal meet the minimum building setbacks? ☐ No ☐ Yes  
b) Will a variance be required? ☐ No ☐ Yes

**Section 6 – Comments**

Was the subdivision proposal sent out to corresponding departments? – See Department Comment Sheet

- a. Coastal Properties ☐ No ☒ Yes ☐ N/A Notes:
- b. Fire Marshal's Office ☐ No ☐ Yes ☒ N/A Notes:
- c. Environment ☒ No ☒ Yes ☐ N/A Notes:
- d. Environmental Health ☐ No ☐ Yes ☒ N/A Notes:
- e. Transportation ☐ No ☐ Yes ☒ N/A Notes:
- f. Planning ☐ No ☐ Yes ☒ N/A Notes:
- g. Building Code ☐ No ☐ Yes ☒ N/A Notes:
- h. Water Quality ☐ No ☐ Yes ☒ N/A Notes:
- i. Other: \_\_\_\_\_ ☐ No ☐ Yes ☐ N/A Notes:

**Section 6 – Additional Information**

- a) Does the proposal exceed 2 lots since 1993? ☐ No ☐ Yes  
a. If yes, has the proposal been circulated to the Hydrogeologist? ☐ No ☐ Yes
- b) Does the proposal exceed 5 lots since 1993? ☐ No ☐ Yes  
a. If yes, there may be requirements for incremental subdivision. Open Space, etc.
- c) Is a survey plan required? ☐ No ☐ Over 10 acres ☐ Yes
- d) Will this plan supersede or supplement a previously approved file? ☐ No ☐ Yes Plan: \_\_\_\_\_

Notes:

**Section 7 – Decision and Sign Off**

- a) Immediately prior to final approval, has the identification status been confirmed? ☐ Yes
- b) Decision: ☐ Approve ☐ Deny

- a. If Denied: Please indicate which sections of PASDRs:

  
Officer

  
Date

**TAB**

**5**

## Gerald McMillan

---

**From:** Gerald McMillan  
**Sent:** Thursday, June 26, 2025 2:52 PM  
**To:** drgsrt8@gmail.com  
**Subject:** Denial of application for development permit - Property # 416701 - 1225 McInnis Point Road - Earnscliffe  
**Attachments:** 20250626142407455.pdf

Mr. Gaudet:

Unfortunately, your application to construct an addition onto your cottage had to be denied because the proposed addition would be located within the buffer zone. I have attached a copy of the denial letter. I will send the original letter to you in the mail.

Regards,

Gerald McMillan  
Property Development Officer  
Department of Housing, Land and Communities  
31 Gordon Dr  
Charlottetown PEI  
C1A



**TAB**

**6**

**TAB**

**A**

## Gerald McMillan

---

**From:** Gerald McMillan  
**Sent:** Wednesday, June 4, 2025 9:03 AM  
**To:** coastalproperty  
**Subject:** C-2025-0154 - Daniel and Dorothy Gaudet - Property # 416701 - 1225 McInnis Point Road - Earnscliffe  
**Attachments:** C-2025-0154.pdf; C-2025-0154-Land on line map.pdf

Hi Guys:

We received the attached application from Daniel and Dorothy Gaudet requesting permission to construct an addition onto their cottage on property # 416701 at 1225 McInnis Point Road in the community of Earnscliffe.

Can you review this application and provide the rate of erosion for the property.

Regards,

Gerald McMillan  
Property Development Officer  
Department of Housing, Land and Communities  
31 Gordon Dr  
Charlottetown PEI  
C1A 7N8



**TAB**

**B**

## Gerald McMillan

---

**From:** Gerald McMillan  
**Sent:** Wednesday, June 4, 2025 8:49 AM  
**To:** Environmental Land Management  
**Subject:** C-2025-0154 - Daniel and Dorothy Gaudet - Property # 416701 - 1225 McInnis Point Road - Earnscliffe  
**Attachments:** C-2025-0154.pdf; C-2025-0154-Land on line map.pdf

Hi Guys:

We received the attached application from Daniel and Dorothy Gaudet requesting permission to construct an addition onto a summer cottage located on property # 416701 at 1225 McInnis Point Road in the community of Earnscliffe Earnscliffe.

Can you flag the buffer zone on this property and provide comments on this proposal.

Regards,

Gerald McMillan  
Property Development Officer  
Department of Housing, Land and Communities  
31 Gordon Dr  
Charlottetown PEI  
C1A 7N8

**TAB**

**C**



## Gerald McMillan

---

**From:** Dale Thompson  
**Sent:** Monday, June 23, 2025 7:38 AM  
**To:** Gerald McMillan  
**Subject:** RE: C-2025-0154 - Daniel and Dorothy Gaudet - Property # 416701 - 1225 McInnis Point Road - Earnscliffe  
**Attachments:** Gaudet, Earnscliffe, PID # 416701 - COM.pdf

Hi Gerald,  
The proposed addition is located within the 15 m buffer zone – **this application should be denied**,  
Tks, Dale

Dale Thompson  
Environmental Assessment Officer  
PEI Department of Environment, Energy and Climate Action  
(902)368-5049

**From:** Gerald McMillan <GTMCMILLAN@gov.pe.ca>  
**Sent:** Wednesday, June 4, 2025 8:49 AM  
**To:** Environmental Land Management <ELM@gov.pe.ca>  
**Subject:** C-2025-0154 - Daniel and Dorothy Gaudet - Property # 416701 - 1225 McInnis Point Road - Earnscliffe

Hi Guys:

We received the attached application from Daniel and Dorothy Gaudet requesting permission to construct an addition onto a summer cottage located on property # 416701 at 1225 McInnis Point Road in the community of Earnscliffe Earnscliffe.

Can you flag the buffer zone on this property and provide comments on this proposal.

Regards,

Gerald McMillan  
Property Development Officer  
Department of Housing, Land and Communities  
31 Gordon Dr  
Charlottetown PEI  
C1A 7N8

**TAB**  
**D**



Environment,  
Energy and  
Climate Action

Environnement,  
Énergie et  
Action climatique



PO Box 2000, Charlottetown  
Prince Edward Island  
Canada C1A 7N8

C.P. 2000, Charlottetown  
Île-du-Prince-Édouard  
Canada C1A 7N8

### INTEROFFICE MEMORANDUM

**To:** Gerald McMillan  
**Subject:** C-2025-0154 – Gaudet, Earnscliffe, PID # 416701  
**Date:** June 23, 2025

---

The Environmental Land Management (ELM) Section has reviewed the above noted Development Permit Application dated May 1, 2025. We understand that the applicant proposes to construct a 16' x 20' addition to an existing dwelling. We further understand that the proposed addition would be located within the 15 m buffer zone of the adjacent watercourse.

Based on our understanding of the information provided, a desktop watercourse/wetland assessment (using provincial GIS mapping) and an inspection of the site, the ELM Section offers the following comments:

1. The *Environmental Protection Act* provides protection for watercourses and wetlands, and the *Act* requires a 15 meter buffer zone adjacent the watercourse located at/near the south boundary of this property. The applicant is advised that no development (including, but not limited to, the placement/construction of a building or other structure, the cutting of trees/shrubs, the operation of heavy equipment and any excavation/disturbance of the ground) is permitted in a watercourse, wetland or buffer zone without a Watercourse, Wetland and Buffer Zone (WWBZ) Activity Permit. For information on permitting requirements or for assistance in determining the location of a watercourse, wetland or buffer zone, the applicant should contact the Department of Environment, Energy and Climate Action at [ELM@gov.pe.ca](mailto:ELM@gov.pe.ca) or (902)368-5700.
2. The proposed addition is located within the 15 m buffer zone of the watercourse and a permit would not be issued for this development. **This application should be denied.**

Thank you for submitting the application for review. If you have questions feel free to contact me at [dethompson@gov.pe.ca](mailto:dethompson@gov.pe.ca) or (902)368-5049.

Dale Thompson  
Environmental Assessment Officer



**TAB**

**7**

**TAB**

**A**

# INTENT OF SURVEY

LOTS 17-1, 17-2 AND 17-3 ARE PROPOSED EXCHANGES BETWEEN RICHARD MACRAE AND MERILYN MACRAE.

POINT NUMBER	COORDINATE	POINT NUMBER	COORDINATE
500	674326.633	404558.574	
501	674326.633	404442.706	
502	674326.633	404442.706	
503	674326.633	404442.706	
504	674326.633	404558.574	
505	674326.633	404558.574	
506	674326.633	404558.574	
507	674326.633	404558.574	
508	674326.633	404558.574	
509	674326.633	404558.574	
510	674326.633	404558.574	
511	674326.633	404558.574	
512	674326.633	404558.574	
513	674326.633	404558.574	
514	674326.633	404558.574	
515	674326.633	404558.574	
516	674326.633	404558.574	
517	674326.633	404558.574	
518	674326.633	404558.574	
519	674326.633	404558.574	
520	674326.633	404558.574	

## APPROVALS

APPROVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

FOR: \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public for the Province of Ontario

My Commission Expires: \_\_\_\_\_

My Office Address: \_\_\_\_\_

My Residential Address: \_\_\_\_\_

My Business Address: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_

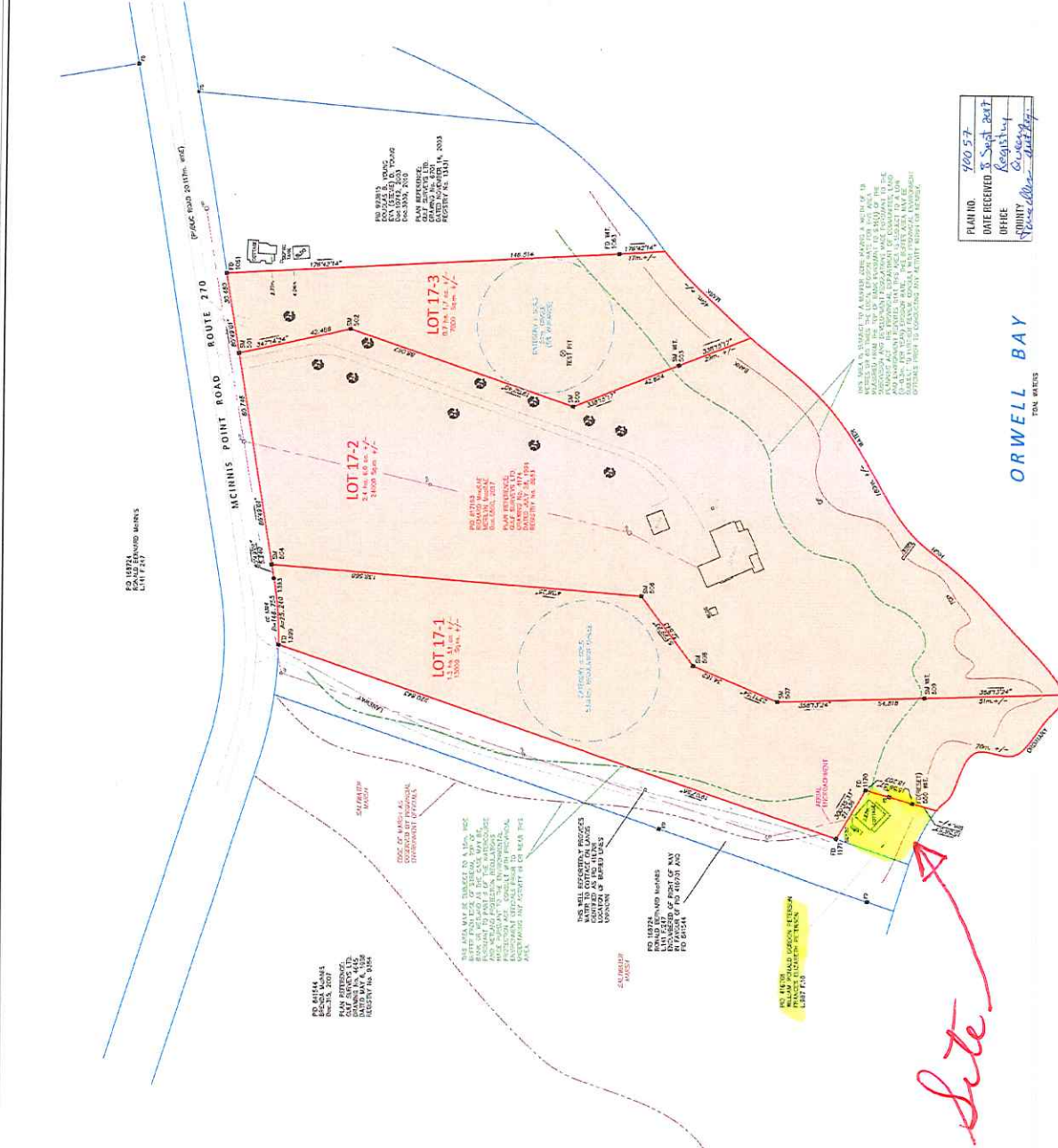
My Mobile Phone Number: \_\_\_\_\_

My Pager Number: \_\_\_\_\_

My E-mail Address: \_\_\_\_\_

My Telephone Number: \_\_\_\_\_

My Fax Number: \_\_\_\_\_



PLAN NO. 900577  
DATE RECEIVED 28 Sept 2017  
OFFICE REGISTRY  
CITY OF TORONTO

THIS IS NOT A CONFIRMED COPY.  
For certified copies, please refer to Section 42 of the Registry Act.

CS-17-0140-R1

ORWELL BAY

TON MARSH

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD



## KEY PLAN

LEGEND

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

LOT 17-2

LOT 17-3

McINNIS POINT ROAD

LOT 17-1

**Professional Land Surveying Services**  
**Serge J. Bernard**  
Land Surveyor - Consultant  
Serge J. Bernard  
1000 Highway 7 East  
Suite 101  
Markham, Ontario L3R 9V7  
Tel: (905) 477-1111  
Fax: (905) 477-1112  
www.sjbernard.com

**PLAN OF SURVEY**  
**SHOWING LOTS 17-1, 17-2 AND 17-3**  
THIS MAP WAS PREPARED BY THE SURVEYOR FOR THE PURPOSES OF THE REGISTRY ACT AND FOR THE PURPOSES OF THE REGISTRY ACT.

**RICHARD MACRAE**  
**MERILYN MACRAE**

MARKHAM, TORONTO, ONTARIO  
COUNTY OF YORK, PROVINCE OF ONTARIO

DATE: 17-09-2017  
BY: S. J. BERNARD  
SCALE: 1:250

**CERTIFICATION**  
I, the undersigned, being a duly qualified and licensed Professional Land Surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the parties to the survey.



PLAN REFERENCE:  
GULF SURVEYS LTD.  
DRAWING No. 4645  
DATED MAY 6, 1996  
REGISTRY No. 9384

**SALTWATER  
MARSH**

1.3 ha. 3.1 ac. +/-  
13000 Sq.m. +/-

PLAN REI  
GULF SUF  
DRAWING  
DATED JL  
REGISTRY

THIS WELL REPORTEDLY PROVIDES  
WATER TO COTTAGE ON LANDS  
IDENTIFIED AS PID 416701  
LOCATION OF BURIED LINES  
UNKNOWN

PID 168724  
RONALD BERNARD McINNIS  
L141 F.247  
ENCUMBERED OF RIGHT OF WAY  
IN FAVOUR OF PID 416701 AND  
PID 841544

## AERIAL ENCROACHMENT

FD(RESET,  
550 WT.

CATEGORY II SOILS  
0.34m. REGULATION CIRCLE

COTTAGE

**STEP**

TOP HIGH

**TAB**

**B**

# PROPERTY INFORMATION



CREATED ON 2025-05-21 11:19 AM

**PARCEL NUMBER**

416701

**SCALE**

1:367

**ACREAGE**

0.2

**OWNER**

DOROTHY EILEEN & DANIEL ROBERT GAUDET

**ADDRESS**

1225 MCINNIS POINT RD - RTE 270, EARNSCLIFFE



**DISCLAIMER:** Care has been taken to provide high quality information from the data available to the Department. However, the user is cautioned that data may have been obtained from third party sources and it may be incomplete or inaccurate. Conditions may also have changed since the collection of the data.

**GOVERNMENT OF PRINCE EDWARD ISLAND  
DEPARTMENT OF FINANCE  
TAXATION AND PROPERTY RECORDS DIVISION**

95 Rochford Street  
1st Floor Shaw Building - South  
Charlottetown, PE C1A 7N8

Office: (902) 368-4070  
Fax: (902) 368-6164  
taxandland@gov.pe.ca



Map



Parcel

416701

Original Parcel Number

N/A

Property Location

1225 MCINNIS POINT RD - RTE 270

Owner Name

DOROTHY EILEEN & DANIEL ROBERT GAUDET

Acreage

0.2

Disclaimer

Care has been taken to provide high quality information from the data available to the Department. However, the user is cautioned that data may have been obtained from third party sources and it may be incomplete or inaccurate. Conditions may also have changed since the collection of the data.



Parcel	Original Parcel Number	Map #	Property Location	Owner Name & Mailing Address
416701	N/A	11L021C1	1225 MCINNIS POINT RD - RTE 270 EARNSCLIFFE	DOROTHY EILEEN & DANIEL ROBERT GAUDET 1452 SHEDIAC RIVER RD SHEDIAC NB E4R 1X2
School District:	2033			
Work Unit:	2033			
Lot/Township #:	50			
School Unit #:	3			

Parcel & Lease	Acreage	Assessment Values (2025)	Taxable	Designated Taxpayer & Mailing Address
Account Status:	A	Commercial: \$0.00	\$0.00	DOROTHY EILEEN & DANIEL ROBERT GAUDET
Farm Quality:	N	Non-Commercial: \$152,000.00	\$141,700.00	SHEDIAC NB
Municipality:	Vernon River	Residential: \$152,000.00	\$141,700.00	E4R 1X2
Region Number:	2	Farm: \$0.00	\$0.00	Dates
Assessor:	DOUGLAS BOBBY	Buildings		Last Inspection: 19-JUN-98
% in Municip:	100	Line No: Building Type:		Last Owner Chg: 01-NOV-24
Spec Prop Code:		0 06-001 Seas. Structure - 500		Initially Filed: 01-JAN-00
MHI Number:		2 06-060 Patio, No Railing		Dormant:
Owner ID Code:		1 06-015 Patio		
Ownership Code:	A02			
Tax Exempt Code:				

Parcel	Original Parcel Number	Map #	Property Location	Owner Name & Mailing Address
416701	N/A	11L021C1	1225 MCINNIS POINT RD - RTE 270 EARNSCLIFFE	DOROTHY EILEEN & DANIEL ROBERT GAUDET 1452 SHEDIAC RIVER RD SHEDIAC NB E4R 1X2

DOCUMENTS FILED ON PARCEL

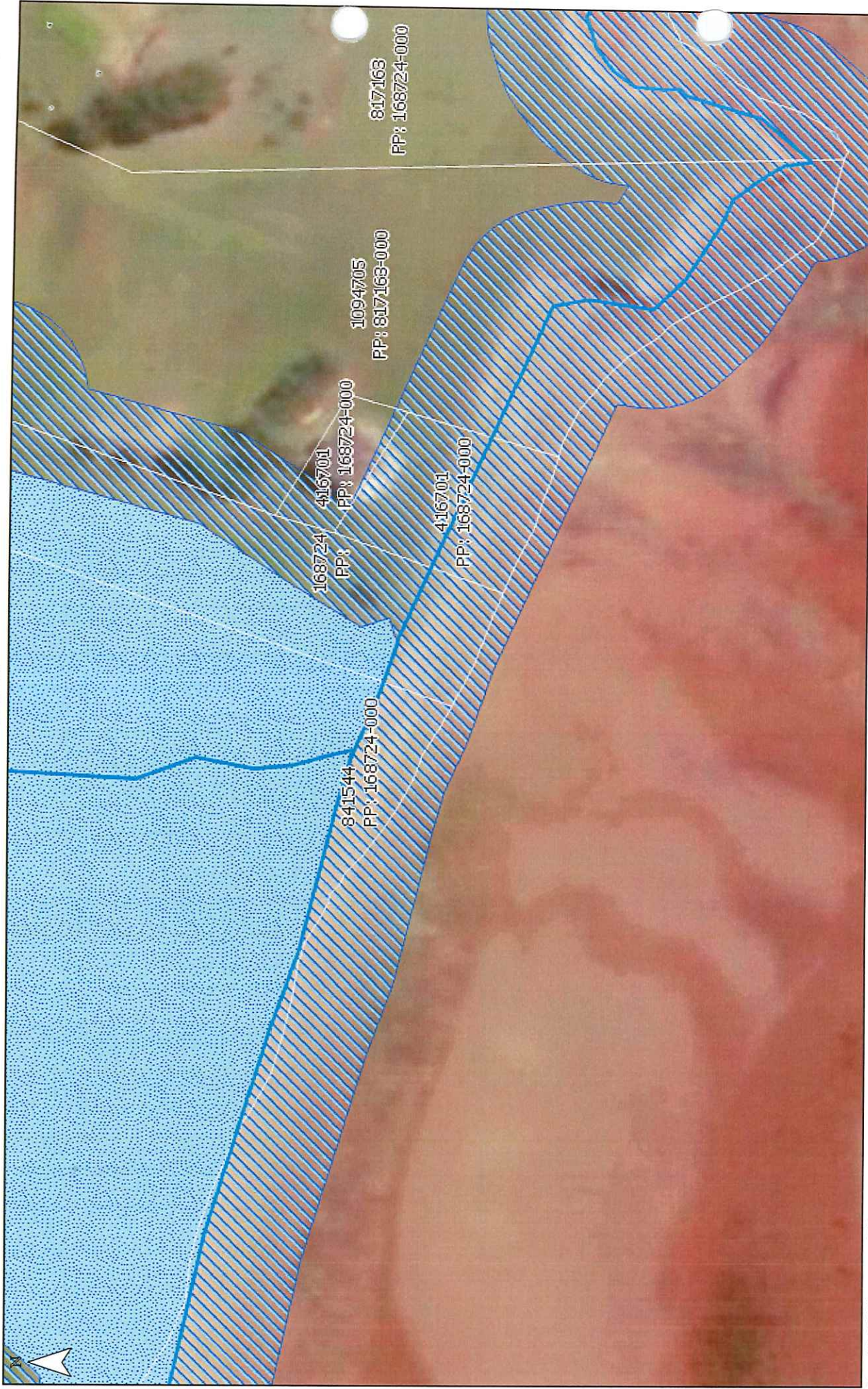
Year	Description	Type	Document Number	Liber/Book	Folio/Page	Consideration
2024	MORTGAGE	51	9578	6104		
2024	DEED	11	9577	6104		\$240,000.00
1999	DEED	11	1995	987	16	\$0.00
1998	ESTATE DEED (EXECUTORS' OR ADMINISTRATORS' DEEDS)	12	8006	971	11	\$0.00
1998	DEED	11	3662	940	21	\$0.00
1966	DEED	11	19661435	156	695	

**TAB**

**C**

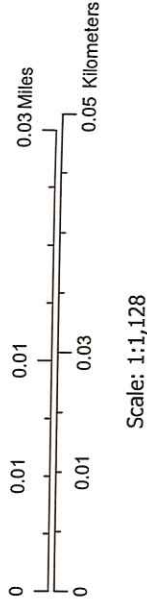
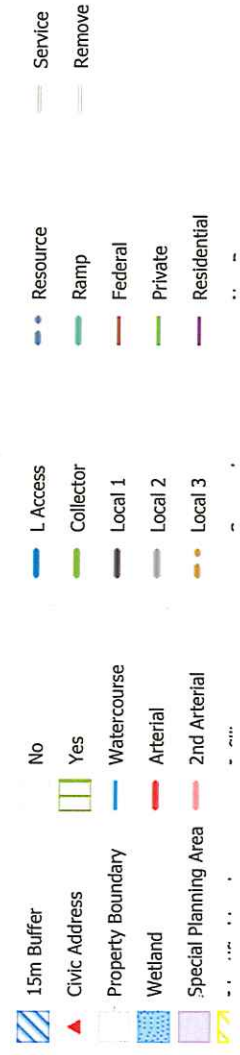


SSU



May 21, 2025

This map is not intended for legal description or to calculate exact land dimensions.



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



**TAB**  
**D**

Environment



May 21, 2025 This map is not intended for legal description or to calculate exact land dimensions. Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Statistics Canada

Farming Not Permitted	Imperfect	OPEN WATER OR MARSH COMPONENT
Highway	Poor	SALT OR BRACKISH MARSH
Secondary	Watercourse	SAND DUNE
Street	LAND LOCKED POND	Property
Unpaved	NO OPEN WATER OR MARSH COMPONENT	

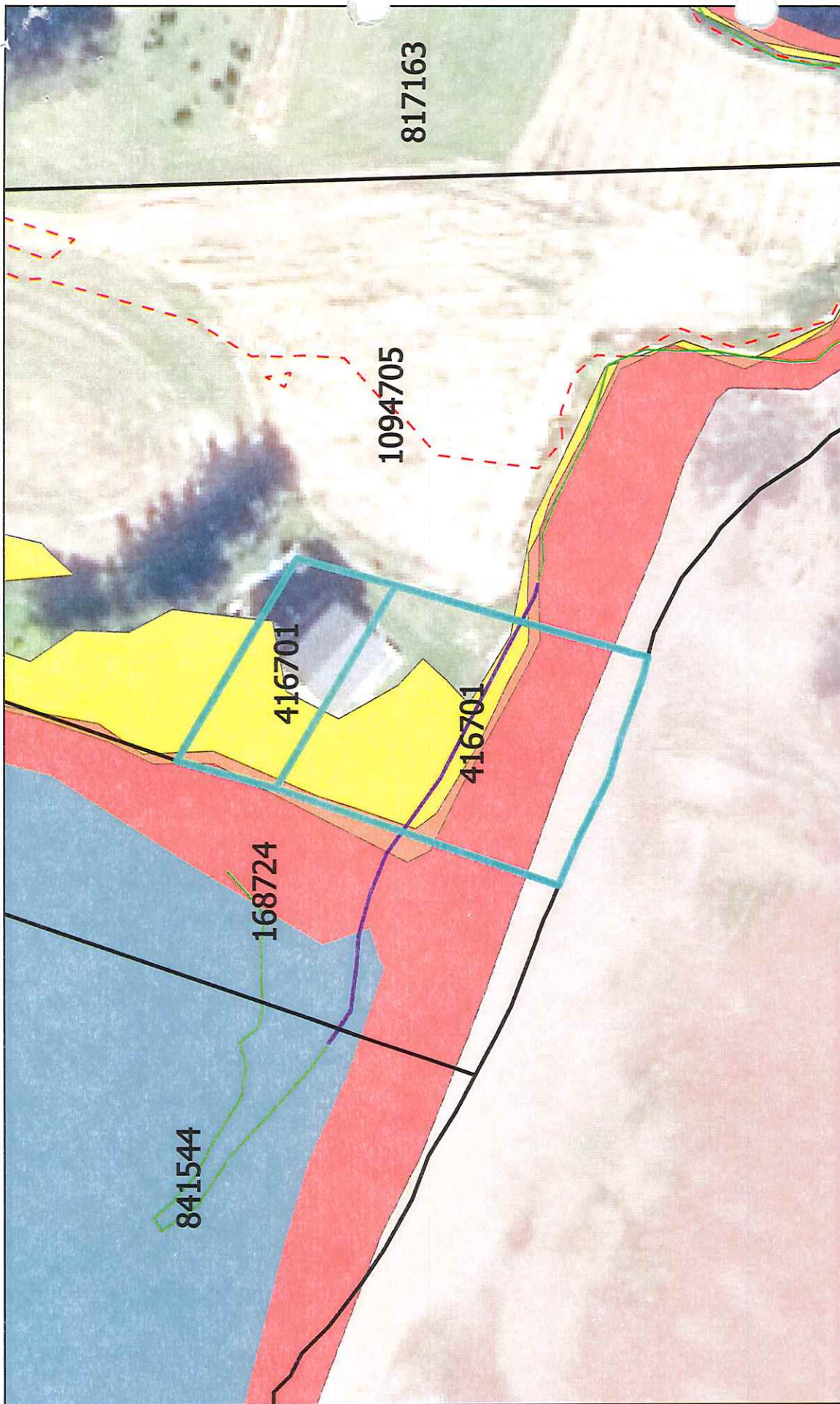
00.010.010.030.03Miles

00.010.030.05Kilometers

Scale: 1:1,128

# TAB E





6/4/2025 This map is not intended for legal description or to calculate exact land dimensions Statistics Canada

### Flood Plains

- High Flood Hazard (2020)
- Moderate-High Flood Hazard (2050)
- Moderate-Low Flood Hazard (2100)
- Extreme Flood Scenario

### Coastal Properties

- Properties

### Wetlands and HydroNetwork

- OPEN WATER OR MARSH COMPONENT

Scale: 1:500

0 0.01 0.01 0.01 0.02 Miles  
0 0.01 0.01 0.03 Kilometers



**TAB**

**F**



A Coastal Hazard Assessment provides information on a property's potential erosion and flood hazards. Actual or potential damage to all property assets is beyond the scope of this assessment. This includes, but is not limited to, building structures and on-site services. The CHA should not be considered a definitive statement as to where and when future damage may occur.

Please consider taking the following steps before you develop or subdivide a coastal property:

Think about how long you want the development to last, how much is being invested, and how comfortable you are with the risk.

Learn about previous erosion and flood damage to the property and

Ensure new builds, retrofits, and materials being used are accounting for future climate considerations by designing for future flood and erosion events.

### PROPERTY INFORMATION

Property Identification Number (PID)	416701		
Civic Address/Lot Number	1225 MCINNIS POINT RD - RTE 270		
Community/Municipality	Earnsliffe / Earnsliff		
Shoreline Classification Type	Cliff, Coast exposure		
Watershed Name	Earnsliffe	Watershed ID	WS 32

### COASTAL EROSION CLASSIFICATION

By using the historical (1968-2020) rate of erosion, the level of hazard can be attributed to an individual property. Hazard classifications are as follows:

High Erosion Hazard	more than 90 cm/yr
Moderate Erosion Hazard	30-90 cm/yr
Low Erosion Hazard	less than 30 cm/yr

Please note that:

If the coastline has been altered (e.g., shoreline armouring) the historical rate of erosion may not accurately reflect current conditions.

The historical rate of erosion is currently not available for coastlines adjacent to salt marshes

COASTAL EROSION HAZARD ASSESSMENT	
Average Coastal Erosion Rate (cm/year)	18.00
Maximum Coastal Erosion Rate (cm/year)	34.00
Coastal Erosion Hazard Classification	Low
Comments: Aerial imagery suggests that a shoreline structure may be present on the property, which may influence the rate of coastal change. The effectiveness of a shoreline installation in mitigating coastal risk is likely to decrease with time.	

### COASTAL FLOOD HAZARD CLASSIFICATION

**High Flood Hazard:**

This area of the property falls within the current (2020) coastal floodplain. This low-lying coastal land may experience flooding now during extreme storm events and will be impacted more often as sea level rises and storm water levels reach higher elevations more frequently. As mean sea level continues to rise, a portion of this area will be permanently inundated by sea water during regular high tides.

**Moderate-High Flood Hazard:**

This area of the property falls within the 2050 coastal floodplain. It is less likely that this area will experience flooding now, but the likelihood of flooding during an extreme storm event will increase over time.

**Moderate-Low Hazard:**

This area of the property falls within the 2100 coastal floodplain. It is unlikely that this area will experience coastal flooding now, but the likelihood of flooding during an extreme storm event will increase over time.

**Minimal Flood Hazard:**

This area of the property is elevated above the 2100 coastal floodplain.

A worst-case-scenario designated flood elevation, indicating an additional 0.65m of sea level rise, is also provided on the CHA map of the property. All land above this elevation is considered outside the coastal flood hazard zone.

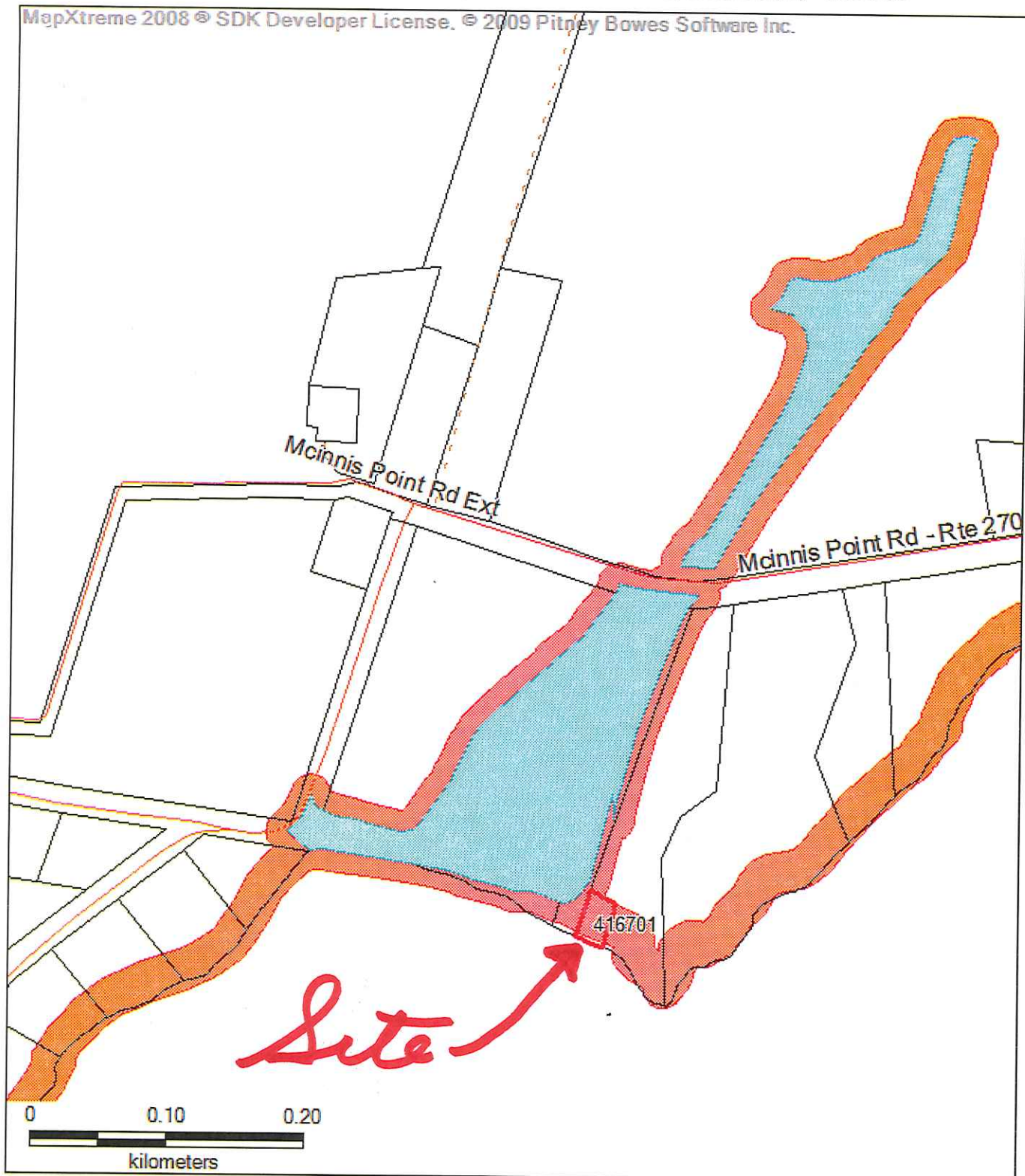
COASTAL FLOOD HAZARD ASSESSMENT	
	Approximate proportion (%) of the property within each flood hazard zone
High Flood Hazard	0
Moderate-High Flood Hazard	<5
Moderate-Low Flood Hazard	50
Minimal Flood Hazard	>45
<p>Comments: Approximately 0% of this property falls within the High Flood Hazard Zone, &lt;5% falls within the Moderate-High Flood Hazard Zone, 55% falls within the Moderate-Low Flood Hazard Zone, and &gt;45% falls within the Minimal Flood Hazard Zone.</p> <p>Portions of the adjacent road fall within the High Flood Hazard Zone and may compromise access or egress during a flood event.</p> <p>If available, local knowledge of previous occurrences of flooding will also help to inform the property owner regarding current and future flood risk.</p> <p>A portion of this parcel is saltmarsh, which is expected to expand (inland) as sea level continues to rise.</p>	

If you require additional information to support detailed design criteria, such as risk tolerance and minimum design standard threshold, a Watershed Flood Project Report (WFPR) is available to download from: [www.princeedwardisland.ca/coastalhazards](http://www.princeedwardisland.ca/coastalhazards).

**TAB**

**G**





Map is 0.7407 km wide.