

BEFORE THE ISLAND REGULATORY AND APPEALS COMMISSION

IN THE MATTER OF an appeal pursuant to s.6(c) of the *Planning Act*, RSPEI 1988 c. P-8 by Allan Weeks with respect to the denial of an Application to subdivide 37 lots for residential single unit dwelling use at PID 231399 located at Rte 13, Mayfield, Prince Edward Island

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

Mitchell O'Shea
Legal Services
Justice and Public Safety
95 Rochford Street, PO Box 2000
Charlottetown, PE C1A 7N8

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

Allan Weeks
PO Box 98
Hunter River, PE C0A 1N0

Appellant

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Allan Weeks
PO Box 98
Hunter River, PE C0A 1N0

Appellant

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<u>Tab</u>	<u>Description of Record</u>
1.	(a) Decision of the Minister dated June 23, 2025; and (b) Predevelopment and Subdivision Inspection Report dated June 18, 2025;
2.	Notice of Appeal dated July 10, 2025;
3.	(a) Application for Permission to Subdivide Land/Change Use dated July 14, 2004; (b) November 21, 2005 Preliminary Approval; (c) May 29, 2007 Preliminary Approval (d) Request for and granting of extension to preliminary approval dated 2009; and (e) Extension of Preliminary Approval dated December 13, 2013;
4.	(a) Planning Analysis by Alex O'Hara dated July 16, 2024 and revised June 18, 2025; (b) Internal Consultations conducted by Alex O'Hara; (c) Internal note of Alex O'Hara;
5.	(a) Internal notes related to the processing of the initial application; and (b) Internal maps and site plans.

TAB

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TAB

A



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

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

June 23, 2025

Allan Weeks
PO Box 98
Hunter River, PE C0A 1N0

Dear Applicant:

Subject: Application to subdivide 37 lots for Residential (single-unit) dwelling use.

Property ID #: 231399

Property Location: RTE 13, Mayfield, Queens County

Our File References: Case #20960

The Department of Housing, Land and Communities has reviewed your application to subdivide 37 lots for Residential (single-unit) dwelling use on Property #231399; application received on April 22nd, 2024, located in Mayfield.

A. The Application

Subdivision: The Subject Property is currently Resource (agriculture) use. The application was submitted to subdivide 37 Residential lots with access off RTE 13.

B. Decision

The Subject Property is within a geographic area where land use and development are not regulated by a local official plan or zoning by-law. Therefore, the Subject Property falls within the jurisdiction of this Department. Land use and development are regulated by the Planning Act Subdivision and Development Regulations and other provincial laws and regulations.

Pursuant to the Planning Act, as well as the Planning Act Subdivision and Development Regulations the above noted application is Denied.

C. Reasons

The reasons for this decision, as well as relevant subsections of the Planning Act & Planning Act Subdivision and Development Regulations are explained in detail on the attached report prepared by the Land Use and Planning Act Specialist.

D. Right of Appeal

Notice of this decision will be posted on the PEI Planning Decisions website. We suggest typing "PEI Planning Decisions" into your internet search engine to link to the website.

Please be advised that pursuant to section 28 of the *Planning Act*, this decision may be appealed to the Island Regulatory & Appeals Commission ("IRAC") (PO Box 577, Charlottetown, PE, C1A 7L1: <http://www.irac.pe.ca>). An appeal must be filed within 21 days after the date of this letter or the Commission is under no obligation to hear the appeal. For more information about appeals, please contact IRAC.

If you have any questions in regards to this decision, contact me at (902) 569-0573 or smacvarish@gov.pe.ca.

Sincerely,



Sarah MacVarish
Senior Development Officer

Enc: Land Use and Planning Act Specialist Report – Case #20960 – PID 231399 – Dated: July 16th, 2024

TAB

B



PRE-DEVELOPMENT AND SUBDIVISION INSPECTION REPORT

(updated July 18-2024 v1.2)

Section 1 - General Information

APPLICANT: Allan Weeks
SUBDIVISION CASE #
PROPERTY # 231399

LOCATION: Mayfield
DEVELOPMENT PERMIT #
DATE OF INSPECTION

Section 2 - Property Information - FLEXVIEW

- 1. Is the property identified? Attach confirmation. IRAC
2. Is the property in a Special Planning Area?
3. Is the property in a municipality with its own official plans and bylaws?
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?
6. Are there any existing structures on the property?
7. Existing land use Resource Proposed land use Residential
8. Is the lot existing? (created before 1979)
9. Was the lot approved previously?
10. Is a Coastal Hazard Assessment required?
Average Erosion Rate Calculated Setback Distance

11. Reference Cases:

Section 3 - Soil & Septic Information - ENVIRO

- a) What is the soil categorization? Permit #
b) Previously Assessed? Case # Assumed Permeable Soil Assessor Registered Document #
c) If multi-lot subdivision, has an SSA been submitted for each lot?
d) Is there an existing septic system on site?
e) Has a Sewage Disposal Form been submitted?
f) Does the existing septic exceed 1500 gallons / day

Section 4 - Road Information - DTI MAP

- a) Name of highway RTE 19 Route #
b) Highway classification Arterial, Arterial 2, Seasonal, Collector, C1, C2, C3, Subdivision, Heritage, Private, Infilling, Other:
c) Is an EWP required? (Seasonal/Arterial)
d) Is the proposal to access a new private road?
e) # of lots approved of private road since 2009?
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: *See attached report*
- 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:

planning



Officer

June 18th 2025

Date

TAB

2

RECEIVED: July 10, 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 _____ (name of City, Town or Community) on the _____ day of _____, _____, wherein the Minister/Community Council made a decision to _____

_____ (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)

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)

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

Name(s) of Appellant(s): _____ Signature(s) of Appellant(s):  _____
Please Print

Mailing Address: _____ City/Town: _____

Province: _____ Postal Code: _____

Email Address: _____ Telephone: _____

Dated this _____ **day of** _____, _____
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.

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TAB

A

APPLICATION FOR PERMISSION TO SUBDIVIDE LAND / CHANGE OF USE

P.E.I. Department of Community and Cultural Affairs

PAID

2 lots

OCT 27 2005

Amount 885.00
Receipt # 1570 *John*

NOT IDENTIFIED

per sqm DATE 07/14/04



38 lots

PAID

MAY 4 2007

Amount 1295.00
Receipt # 760 *37 lots*

CHECK AREA APPLIED FOR (✓)

SUBDIVIDE A PARCEL OF LAND ()

CHANGE THE USE OF AN APPROVED SUBDIVISION ()

1. LOCATION OF THE LAND BEING SUBDIVIDED:

PROPERTY TAX NO. 231399 COMMUNITY NAME: Mayfield
ROAD OR STREET NAME _____ HIGHWAY ROUTE NO. 13 **PAID**
CIVIC ADDRESS NUMBER (if applicable) _____

APR 22 2024

Amount \$110.00
Receipt # 09725
#3267

2. EXISTING USE OF LAND CHECK (✓)

SINGLE FAMILY DWELLING (✓)	COMMERCIAL (✓)	AGRICULTURE ACTIVE (✓)
DUPLEX DWELLING ()	INDUSTRIAL ()	IDLE (✓)
MULTIPLE FAMILY ()	INSTITUTIONAL ()	OTHER _____
SUMMER COTTAGE (✓)	FORESTRY ()	
MOBILE HOME ()	PUBLIC UTILITY ()	

3. NUMBER OF LOTS PROPOSED: 38 SUBDIVISION CASE #: 20960A

2 PROPOSED USE OF THE LAND: 2 Commercial + 37 Summer Cottages **EXISTING SFD**
 LOT 37 COMMERCIAL ANTIQUE SHOP LOT 38 COMMERCIAL RETAIL CONVENIENCE STORE

4. PRESENT OWNER OF THE LAND BEING SUBDIVIDED:

NAME: Alan + Phyllis Weeks (SIGNATURE) *[Signature]*
 ADDRESS: Hunter River POSTAL CODE: COA1W0
 TELEPHONE: _____ RESIDENCE: _____ BUSINESS: 628-9337 (Alan)

5. CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE ADDRESSED TO:

NAME: Alan + Phyllis Weeks
 ADDRESS: Hunter River PO Box 98 POSTAL CODE: COA1W0
 TELEPHONE: _____ RESIDENCE: 904-2591 BUSINESS: 628-9337 (Alan)
393-8255 cell
 OWNER(S) SIGNATURE *[Signature]* DATE Jan 20/03

20960A

PLEASE NOTE:

IN ORDER THAT APPLICATIONS MAY BE GIVEN ADEQUATE CONSIDERATION, IT IS NECESSARY TO CONSULT VARIOUS AGENCIES AND CARRY OUT A SITE INSPECTION.

ALL APPLICATIONS MUST BE ACCOMPANIED BY A COPY OF A GEO-LINC MAP ON WHICH THE LOT(S) TO BE SUBDIVIDED ARE OUTLINED IN RED

REQUIREMENTS FOR FINAL SURVEY PLANS

1. All subdivision plans must include the following information:
 - a. The name of the owner and the property being subdivided.
 - b. The tax number of the property being subdivided.
 - c. The date on which the survey was carried out, and the date on which the plan was prepared.
 - d. A small key plan showing the location of the property in relation to nearby communities, roads and geographical features.
 - e. The scales of the main drawing and the key plan. It is recommended that the scale of the main drawing be no smaller than 1 inch to 100 feet.
 - f. A north point
2. All lots and blocks of land within the subdivision must be clearly dimensioned and numbered, and the location of all survey pins must be shown with their coordinates.
3. The plan must indicate the location and width of all proposed roads or right-of-ways, and must show all adjacent roads and right-of-way upon which the subdivision abuts to a sufficient distance to indicate the relationship of the property to the general road pattern.
4. All natural and artificial features such as buildings, existing roads, watercourses, drainage ditches, swamps, wooded areas, etc. within or adjacent to the subdivision must be clearly shown.
5. The nature and extent of any restrictive covenants or easements affecting the land being subdivided must be shown or noted on the plan.
6. The boundaries of all lots to be included in the final approval must be clearly outlined in red.
7. The plan must be certified by a Provincial Land Surveyor. The certificate must read as follows:

I, _____, Prince Edward Island Land Surveyor, do hereby certify that this survey was executed under my direction and supervision, and that this plan is a true and correct representation of said survey.

P.E.I. Land Surveyor

8. In addition to the information listed above, plans should incorporate a sufficient amount of empty space to accommodate an approval stamp and approval conditions. For this reason, photocopies on legal or smaller sizes of paper will usually be considered not acceptable.
9. At least 5 copies of the plan must be submitted for final approval stamping. If the approval is for more than one lot, the Department of Community Services and Attorney General may request extra copies. Following approval stamping, one copy will be returned for the applicant's records; extra copies in addition to the number requested by the Department should be submitted if the applicant requires more than one returned for his or her records.

TAB

B

November 21, 2005

Allan and Phyllis Weeks
PO Box 98, Hunter river
PEI COA 1N0

Dear Mr and Mrs Weeks:

Re: Case # 20960B, Subdivision Proposal (3 lots) - Mayfield - PID # 231399

This will confirm that your subdivision application to have lot #1, #2 and lot # 40, as outlined on your preliminary plan # 20960B, considered by this Department has now been completed. Lot #1 is hereby approved in principle for single family dwelling use only and lot #'s 2 and 40 are hereby approved in principle for light commercial use only.

Final approval for these lots will be subject to the following conditions:

1. For lot #s 1 and 2, the lots having a minimum frontage of 100 feet and an area of at least 25000 square feet with dimensions sufficient to allow a circle having a diameter of 150 feet to fit between the lot boundaries.
2. For lot # 40, the lot having a minimum frontage of 100 feet and dimensions sufficient to allow a circle having a diameter of 150 feet to fit between the boundaries of the lot. The depth of this lot must also be sufficient to provide the 150 foot circle in the area west of the wetlands near the public road and in the area where the test pit was excavated.
3. The lots being surveyed by a qualified surveyor and at least 8 copies of the final survey plan being submitted to this Department for approval stamping.
4. For lot # 1, the location of the existing structures must be illustrated on the survey plan and minimum setback requirements from the structures to any new property boundaries must be provided in accordance with the Planning Act Subdivision and Development Regulations.
5. For lot # 40, the wetland area and a buffer zone having a width of at least 10 meters (32.8 feet) measured from the edge of the wetland, must be illustrated on the final survey plan.

Dec. 8/05 - Plans received for Lot 1 (CS-1) [initials]

... 2

2.

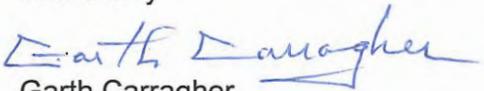
6. Highway access for lot # 40 being provided via the proposed 66 foot right of way only. The new right of way must be named and the name illustrated on the final survey plan. For road name approval, please contact Mr. Pat Kelly at the 911 administrative Office, Royal Trust Tower in Charlottetown. His phone number is 894-0299.
7. Lot #'s 1 and 2 being served by the existing highway access driveways only unless otherwise approved by this Department.

Please note that a lot stamped approved for **light commercial or commercial** use on a final survey plan does not guarantee the issuance/approval of a development permit for any and all proposals of a commercial nature. Each commercial proposal must be considered and evaluated on its own merit relative to the lot on which the business is to be located because the requirements to be satisfied can be so varied. Prospective purchasers for these lots are advised to have their individual proposals evaluated prior to purchasing the lot.

Note: Under the Planning Act subdivision and Development Regulations, this preliminary approval will expire 24 months from the date of this letter if you have not satisfied the conditions listed.

If either you or your surveyor have any questions on this matter, please do not hesitate to contact me at 368-4892.

Yours truly


Garth Carragher
Senior Subdivision Officer



Community and
Cultural Affairs

Affaires communautaires
et culturelles



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

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

December 9, 2005

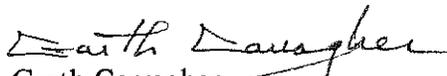
Allan & Phyllis Weeks
PO Box 98
Hunter River PE C0A 1N0

Dear Mr and Mrs Weeks:

Re: Case # 20960C - Allan & Phyllis Weeks, Mayfield, 231399

Approval date stamping (or filing for record purposes only) for the above mentioned plan has been completed by the Department of Community and Cultural Affairs, and at least one copy is enclosed for record purposes.

Yours truly,


Garth Carragher
Property Development Officer

enclosure

TPa10 - Feb. 10, 2004

TAB

C



Community and
Cultural Affairs

Affaires communautaires
et culturelles



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

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

May 29, 2007

David Hume
RR #2 Cornwall
PE C0A 1H0

Dear Mr. Hume:

Re: Case #20960 -Allan Weeks , Mayfield, Property #231399

This will confirm that the Department of Community and Cultural Affairs has granted preliminary approval for your application to subdivide, 37 lots for summer cottage use only, and 2 common areas from property #231399 (preliminary approval for lots 1,2 and 40 has been previously granted). Final approval will be subject to the following conditions:

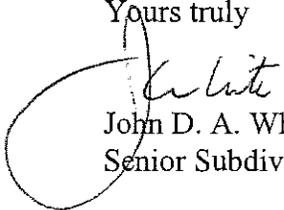
- 1. The lots, open areas, buffers and right of way being surveyed in accordance with your preliminary Plan, Gulf Surveys Drawing 6439A, dated December 17, 2004. The right of way change, due to the approval of lot 05-1 on Plan #20960 C, may require lot 40 to absorb a portion of lot 39 to allow for a 150 foot diameter circle within its boundaries, clear of the stream buffer and the right of way.*
- 2. The sewage disposal systems for the lots being designed in accordance with the Category I requirements of the sewage disposal regulations, with an assumed depth of permeable soil of 2.5 feet. The disposal fields on lots 38 to 40 must be located within 150 feet of the right of way. The disposal field for Lot #22 must be located within 90 feet of the north lot boundary.*
- 3. The right of way must be labelled with an approved name. The terminal cul de sac shall have a 66 foot radius. The right of way shall have an unobstructed path of travel 20 feet in width, including the watercourse crossing. The watercourse crossing may require an alteration permit from the Department of Environment. Contact Jennifer collins at 368-5000 prior to doing any work in the stream.*
- 4. The final survey must indicate the total area of the lots, buffers, open areas and right of way. The area of the open areas including buffers, must be equal to ten percent of the total area of the lots, including Lot 05-1.*
- 5. The subdivision must be phased, with up to 20 lots on the first phase, which must include the common area. When 50 % of the first phase has been sold, the balance of the subdivision may be granted final approval upon written request.*
- 6. The lots being surveyed by a qualified surveyor and at least (8) copies of the survey*

plan being submitted to our Department for approval stamping. The proposed lots must be outlined in red.

Note: Under the *Planning Act* Subdivision and Development Regulations, this preliminary approval will expire 24 months from the date of this letter if you have not met the conditions listed.

If you have any questions, please contact me at 368-4889, or jwhite@gov.pe.ca .

Yours truly



John D. A. White
Senior Subdivision Officer

TP6 - March 18, 2004, 2004

TAB

D

From: Allan Weeks <allan@allanweeks.com>
To: GJCARRAGHER@gov.pe.ca
Date: 5/26/2009 11:51:09 AM
Subject: Allan Weeks property

Department of Community Affairs
Subdivision Department

RECEIVED JUN 19 2009

Mr. Garth Carragher,

Re: Trout River Case File # 53044

I would like to ask for an extension to extend my final approval of my subdivision in Mayfield for up to a 2 year period. I have spent alot of time and money to bring it to this point but due to my financial abilities, the timing is not right, furthermore, with the real estate market the way it is and the economy in general in a slump, I would appreciate an extension.

CASE # 20966

Thanking you in advance for your consideration,

Sincerely,
Allan Weeks
Allan Weeks Real Estate Co
Phone: 626-7499
Toll Free: 1-888-861-3601
Fax: 367-4221

Statement of Confidentiality

This message (including attachments) may contain confidential or privileged information intended for a specific individual or organization. If you have received this communication in error, please notify the sender immediately. If you are not the intended recipient, you are not authorized to use, disclose, distribute, copy, print or rely on this email, and should promptly delete this email from your entire computer system.



Communities,
Cultural Affairs
and Labour

Communautés,
Affaires culturelles
et Travail



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

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

October 7, 2009

Allan Weeks
PO Box 98
Hunter River PE C0A 1N0

Dear Mr. Weeks

Re: Case #20960 - Allan Weeks, Mayfield, Property #231399

This will confirm that the Department of Communities, Cultural Affairs and Labour has granted an extension to the preliminary approval for subdivision of lots from Property #231399. The new expiry date is October 7, 2011.

Please be advised that all other conditions for approval must be satisfied as per the letter of May 29, 2007. (copy enclosed).

If you have any questions concerning the above, please contact me at 888-8056 or jwhite@gov.pe.ca.

Yours truly

John White
Senior Subdivision Officer



Environment,
Energy and Forestry

Environnement,
Énergie et Forêts



Environment Division
Inspection Services

120 Harbour Drive
Summerside
Prince Edward Island
Canada C1N 5L2

Division de l'environnement
Services d'inspection

120, promenade Harbour
Summerside
Île-du-Prince-Édouard
Canada C1N 5L2

December 08, 2009

Allan Weeks
PO Box 98
Hunter River PE C0A 1N0

Dear Mr. Weeks

Re: Case #20960 - Allan Weeks, Mayfield, Property #231399

This will confirm that the Department of Environment, Justice and labour has granted an extension to the preliminary approval for subdivision of lots from Property #231399. The new expiry date is December 08, 2013.

Please be advised that all other conditions for approval must be satisfied as per the letter of May 29, 2007. (copy enclosed).

If you have any questions concerning the above, please contact me at 888-8056 or jwhite@gov.pe.ca.

Yours truly

John White
Senior Subdivision Officer

TAB E



Environment,
Labour and Justice

Environnement,
Travail et Justice



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

Division de l'environnement
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

December 13, 2013

David Hume
RR#2 Cornwall
PE C0A 1H0

Dear Mr. Hume:

Re: Case # 20960 - Proposed Lot , Mayfield, Property # 231399

This will confirm that the Department of Environment, Labour and Justice has granted a third, and final, extension to the May 29, 2007 preliminary approval for the subdivision of 37 single family, or summer cottage lots from property #231399. To account for regulation changes since the original preliminary approval in 2007 some of the conditions were revised, therefore, final approval will be subject to the following conditions:

- 1. The lots having a minimum frontage of 100 feet and a minimum area of 25,000 square feet with dimensions that will permit the lot to contain a 150 foot diameter circle within its boundaries. With the approval of Lot 05-1 on Plan #20960 C, The change in the location of the right of way may require lot 40 to absorb part of Lot 39 in order to contain the 150 foot diameter circle. It is intended that the lots and the rights of way, along with the open space and required buffers be in general conformance with Drawing #6439A by Gulf Surveys, dated December 17, 2004.*
- 2. The right of way shall be designed by and constructed under the supervision of a professional engineer in accordance with the applicable standards for private roads and to the satisfaction of the Minister of Transportation and Infrastructure Renewal, as required by subsection 17(5) of the Subdivision and Development Regulations. Should the right of way cross the stream, a water course alteration permit is required. This permit may be obtained by contacting the Environment and Land Management Section of the Department at 368-5024.*
- 3. The subdivision shall proceed in phases, with the first phase not exceeding 20 lots. When 50 percent of the lots in the first phase are sold, permission to proceed with phase II may be obtained by writing to the Department.*
- 4. Please note that should the subdivision road serve more than 20 lots, the requirement for the road to become public comes into force (subsection 17(2) of the Subdivision and Development Regulations). Public roads serving subdivisions are required to be paved in accordance with the Department of Transportation and Infrastructure Renewal .*

5. *For each phase an area equal to 10 percent of the area of the lots in that phase, shall be set aside as an open area for the benefit of the owners of the lots in the subdivision.*
6. *Private and public roads adjacent to new subdivisions must be named and approved or verified by the 911 Administration Office and the names must be shown on the final survey plan before approval of the subdivision will be granted.*

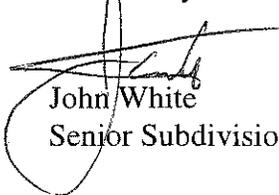
For road names, an application must be made through the 911 Administration Office, 134 Kent Street, Suit 600, Charlottetown PE, C1A 8L8; the telephone number is (902)-894-0385.

7. *The sewage disposal systems for the lots being designed and installed in accordance with the Category I requirements of the Sewage Disposal Systems Regulations, with an assumed depth of permeable soil of 30 inches. The sewage disposal system for Lot 22 shall be located on the northern 90 feet of the lot, and the disposal fields for Lots 38 to 40 shall be located within 150 feet of the right of way.*
8. *The lots being surveyed by a qualified surveyor and at least (8) copies of the survey plan being submitted to our Department for approval stamping. The proposed lot must be outlined in red.*

Note: This preliminary approval will expire on December 13, 2015 if you have not met the conditions listed.

If you have any questions, please contact me at 368-6279.

Yours truly



John White
Senior Subdivision Officer

TP6 - March 18, 2004, 2004

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TAB

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*In the absence of provincial land use policy, land use plans, land designations, and zoning in unincorporated areas of the Island, planning comments will be provided for each application based on sound planning principles and material considerations. These comments are intended to inform Development Officers in aid of their decision-making processes. **Specifics regarding ecology, safe access, ground water availability, soil quality, sewage disposal requirements, coastal erosion & saltwater intrusion, health & safety, wetlands and land identification, etc. will be addressed by applicable governmental departments, NGOs, and private licensed contractors in greater depth.** Comments are solely intended to advise on the appropriateness of the proposed development from a land-use planning perspective.*

<i>Case Number</i>	<i>Property Tax Number</i>	<i>Current Land Use</i>	<i>Proposed Land Use</i>
20960	231399	Combined 53.1-Acre Resource (Agriculture) Use	Subdivision of 37 Residential (Single unit) dwelling lots.

Planning Act R.S.P.E.I. 1988, Cap P-8, ‘Purposes’ 2 (1) (b),(c),(d), & (e)

- (b) to promote sustainable and planned development;
- (c) to protect the natural and built environment of the province;
- (d) to encourage co-operation and co-ordination among stakeholders; and
- (e) to address potential conflicts regarding land use.

Planning Act R.S.P.E.I. 1988, Cap P-8, ‘Statements of Provincial Interest’ 2.1 (1),(a),(g),(k),(l),(m),(n),(p),(q), & (r)

- (a) the protection, conservation and management of resource lands;
- (g) the adequate provision and efficient use of communication, transportation, sewage and water services, storm water management systems, waste management systems and other public services in relation to planning development, and the effect of planning development on those services
- (k) the direction of development to areas designed to support servicing;
- (l) the orderly and sustainable development of safe and healthy communities;
- (m) the adequate provision of a full range of housing options;
- (n) the promotion of a built environment that supports public transit and active transportation;
- (p) the adaptation of the built and natural environment to address the effects of climate change;
- (q) the mitigation of greenhouse gas emissions; and
- (r) adaptation to a changing climate.

Planning Act - Subdivision and Development Regulations



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.

Section 14. Application for subdivision

Six or more lots

- (3) An application for the subdivision of six or more lots shall be accompanied by:
- (a) a plan or plans showing
 - (x) *elevation contours and the proposed storm water drainage pattern within the subdivision and within 300 feet (91.4 metres) of the boundaries of the subdivision.*

General description – Including location, size, topography and physical features etc.

The subject parcel, PID # 20960, being 53.1 acres, is located within the community of Mayfield, Queens County. The subject parcel is observed to be an active resource (agricultural) use with a proposal to develop the property for residential use via the subdivision of 37 residential (single unit) lots. There were no structures observed on the property at the time of inspection.

The subject parcel is abutted to the east by RTE 13 (CL), which has approximately 430' of road frontage; to the north, along a common boundary of approximately 4,200', by resource (agricultural) use; to the west, along a common boundary of approximately 530', by resource (forestry) use; and to the south, along a common boundary of approximately 4,200', abutting three properties that are approved for residential use, CLI-observed industrial use, and resource (forestry) use.

The topography of the land is categorized as "gentle," averaging a 4% gradient, which slopes from the southern boundary towards the north with a peak elevation of 58 m at the south-western portion of the subject property. The lowest listed elevation is 42 m on the northern boundary of the property. The property has been used predominantly for agriculture (arable land) and has several hedgerows separating the property into four distinct farm parcels.

On December 9, 2005, case # 20960C subdivided the property once to allow a 0.90-acre lot for "Single Family Dwelling Use".

A site visit was conducted on Tuesday May 28, 2024 by Alex O'Hara. (Supplementary pictures attached)

Analysis: The Proposed Development's Alignment with the Planning Act, Associated Regulations and Land Use Policy from a Planning Perspective



#	Legislation, Frameworks & Guidelines	Interpretation
1	<p>The <i>Planning Act</i>: (1) The Minister in carrying out the Minister’s responsibilities in relation to planning matters and the effects of proposed development under this Act shall have regard but not be limited to matters of provincial interest, such as:</p> <p>(a) the protection, conservation and management of resource lands;</p>	<p>The property has a mixture of class 2, 3, and 4 CLI lands, with class 2 and 3 being the most prominent soil classes.</p> <p>Class 2 and Class 3 soils are considered to be the best soil classes for traditional agricultural use on P.E.I., with class 2 soils accounting for 31% of P.E.I. lands and class 3 soils accounting for 19% of P.E.I. lands.</p> <p>Losing the most optimal agricultural land either prematurely or unnecessarily, does not align with the provincial interest.</p>
2	<p>The <i>Planning Act</i>: (1) The Minister in carrying out the Minister’s responsibilities in relation to planning matters and the effects of proposed development under this Act shall have regard but not be limited to matters of provincial interest, such as:</p> <p>(g) the adequate provision and efficient use of communication, transportation, sewage and water services, storm water management systems, waste management systems and other public services in relation to planning development, and the effect of planning development on those services;</p>	<p>No storm water management plan was provided as required under Section 14 (3) (a) (x) of the <i>Planning Act – Subdivision and Development regulations</i>.</p> <p>Under section 13. Of the <i>Planning Act – Subdivision and Development Regulations</i>, subdivision designed shall be based on sound planning, engineering, and environmental principles.</p>
3	<p>The <i>Planning Act</i>: (1) The Minister in carrying out the Minister’s responsibilities in relation to planning matters and the effects of proposed development under this Act shall have regard but not be limited to matters of provincial interest, such as:</p> <p>(k) the direction of development to areas designed to support servicing;</p>	<p>The subject parcel is located approximately 100 m from the municipal boundary of the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish, and North Rustico. Permitting large-scale development, particularly on the periphery of a serviced municipality, does not align with the provincial interest.</p>
4	<p>The <i>Planning Act</i>: (1) The Minister in carrying out the Minister’s responsibilities in relation to planning matters and</p>	<p>The premise of sustainable development is the planning for the highest and best use of the land, development that meets the needs of the present</p>



#	Legislation, Frameworks & Guidelines	Interpretation
	<p>the effects of proposed development under this Act shall have regard but not be limited to matters of provincial interest, such as:</p> <p>(l) the orderly and sustainable development of safe and healthy communities;</p>	<p>without compromising the ability of future generations to meet their own needs. This style of development is not sustainable. It is proposing a singular housing type, inefficient use of land and transportation and has no elements of a healthy and connected community.</p> <p>Additionally, there are no comparable subdivisions in the community of Mayfield. Reference to attachment titled ‘Area Review’.</p>
5	<p>The <i>Planning Act</i>:</p> <p>(1) The Minister in carrying out the Minister’s responsibilities in relation to planning matters and the effects of proposed development under this Act shall have regard but not be limited to matters of provincial interest, such as</p> <p>(m) the adequate provision of a full range of housing options;</p>	<p>Of the approximately 65,000 Private dwellings occupied by usual residents found on PEI, single-detached units account for approximately 43,000. The proposed development is a singular housing type and does not provide a mix housing options.</p>
6	<p>The <i>Planning Act</i>:</p> <p>(1) The Minister in carrying out the Minister’s responsibilities in relation to planning matters and the effects of proposed development under this Act shall have regard but not be limited to matters of provincial interest, such as</p> <p>(n) the promotion of a built environment that supports public transit and active transportation;</p>	<p>The development is 100% car dependent and not connected to any transit.</p> <p>The government is pursuing an aggressive net zero (2040 target) with transportation comprising 44% of all greenhouse emissions. This target will not be met if this trend of development continues unabated.</p> <p>The proposal does not align with the provincial interest.</p>
7	<p>The <i>Planning Act</i>:</p> <p>(1) The Minister in carrying out the Minister’s responsibilities in relation to planning matters and the effects of proposed development under this Act shall have regard but not be limited to matters of provincial interest, such as</p> <p>(p) the adaptation of the built environment to address the effects of climate change;</p>	<p>The proposed development encourages and relies upon the use of private passenger vehicles and no scheduled public transportation options available.</p> <p>Please see below for how this related to PEI’s 2040 Net Zero Framework</p> <p>It is unclear how this development is adapted to extreme weather events due to climate change.</p>



#	Legislation, Frameworks & Guidelines	Interpretation
	(q) mitigation of greenhouse gas emissions; (r) adaption to a changing climate.	
8	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;	The proposal does not conform with the regulations. The community of Mayfield has; <ul style="list-style-type: none"> • 146 civic addresses • 53 undeveloped lots
9	Section 14. Six or more lots (3) An application for the subdivision of six or more lots shall be accompanied by: (a) a plan or plans showing (x) elevation contours and the proposed storm water drainage pattern within the subdivision and within 300 feet (91.4 metres) of the boundaries of the subdivision, (b) any additional information the Minister considers necessary.	The proposal provides elevation contours but does not provided proposed storm water drainage pattern within the subdivision and within 300 feet (91.4 metres) of the boundaries of the subdivision, as required.

Conclusion:

For the reasons noted in the above planning analysis, this proposed development does not meet the requirements of the Planning Act and the Planning Act Subdivision and Development Regulations. It is my recommendation that this development be *denied* based on, but not limited to, the above-noted considerations.

Alex O'Hara, MRTPI, MIPI, AssocRICS, CAHP-Intern, EPt, MSci
Land Use and Planning Act Specialist
July 16, 2024
Revised June 18, 2025



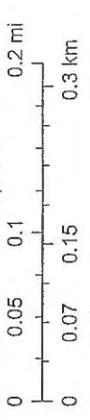
LAND USE MAP CLI 2020 PID 231399



5/30/2024

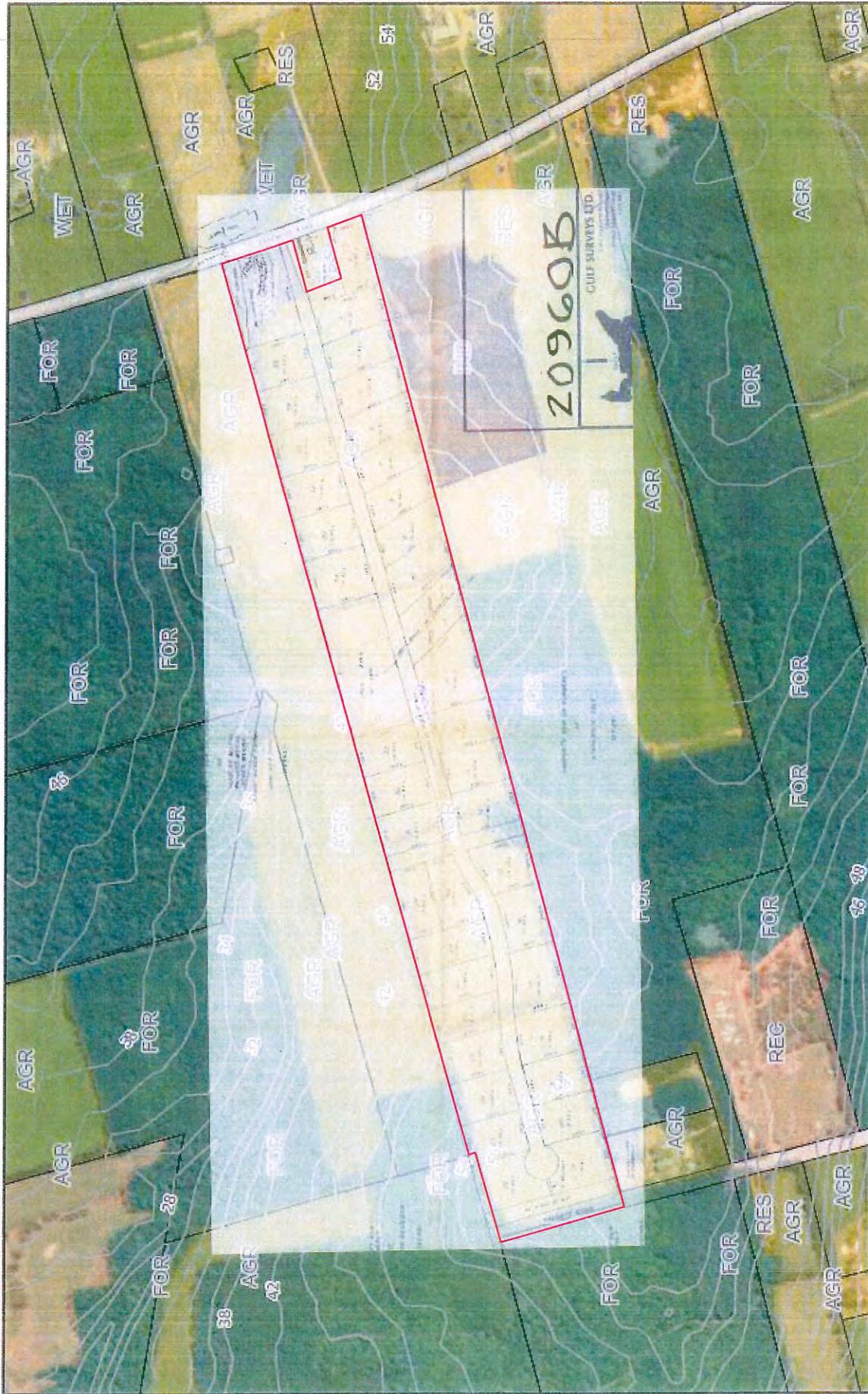
FOR
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 Perspective

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Maxar

LAND USE MAP CLI 2020 PID 231399



5/30/2024

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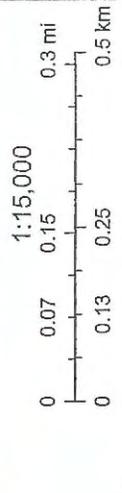
MAYER

LAND USE MAP CLI 2020 PID 231399

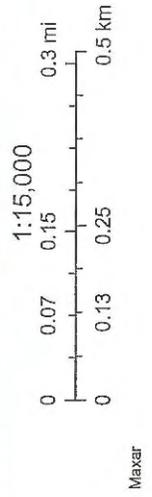


5/16/2024

Soils 4 99 2 5 Subject Property

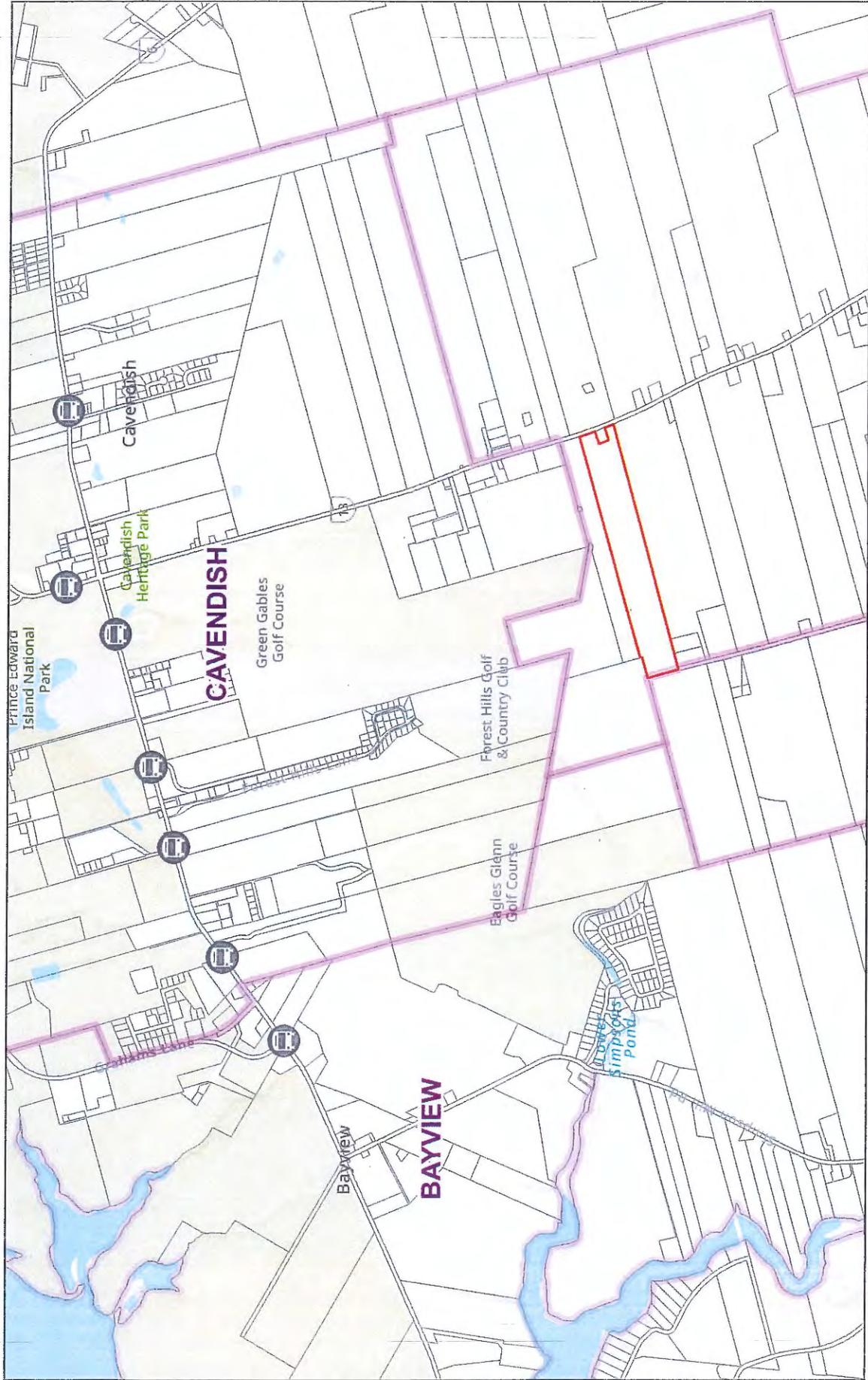


LAND USE MAP CLI 2020 Municipal Boundary



7/4/2024
Municipality 2024
Municipal Planning Authority Subject Property

Rural Transit Stops



2024-07-16



Rural Transit Stops and Times



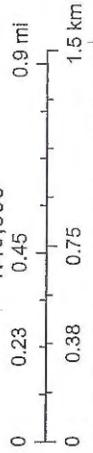
Civic Address Communities



Subject Property

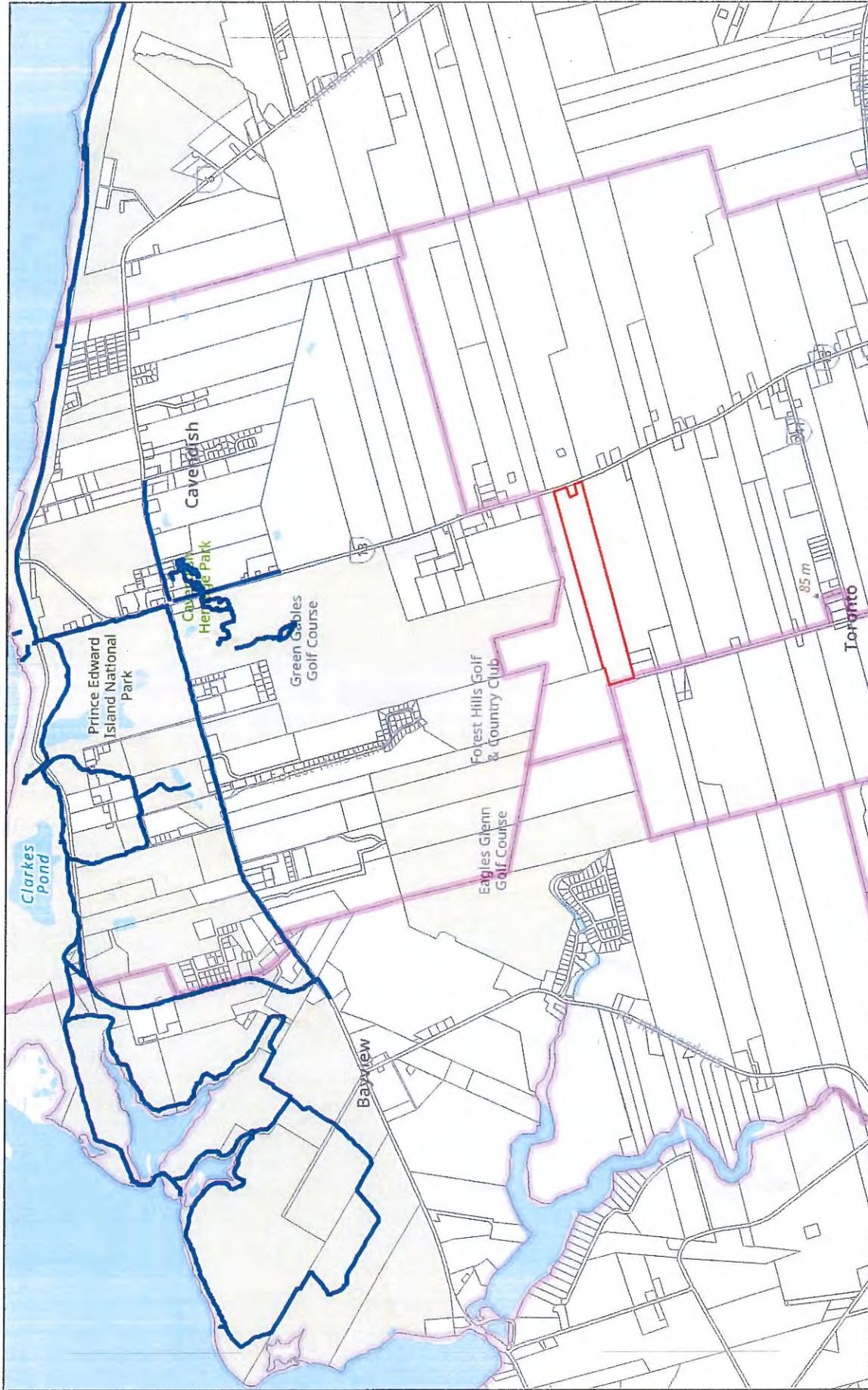
property_boundaries

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Provinces of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, METINASA, USGS, NRCan, Parks Canada, Esri, NASA, NGA, USGS

Active Transportation Routes



2024-07-16

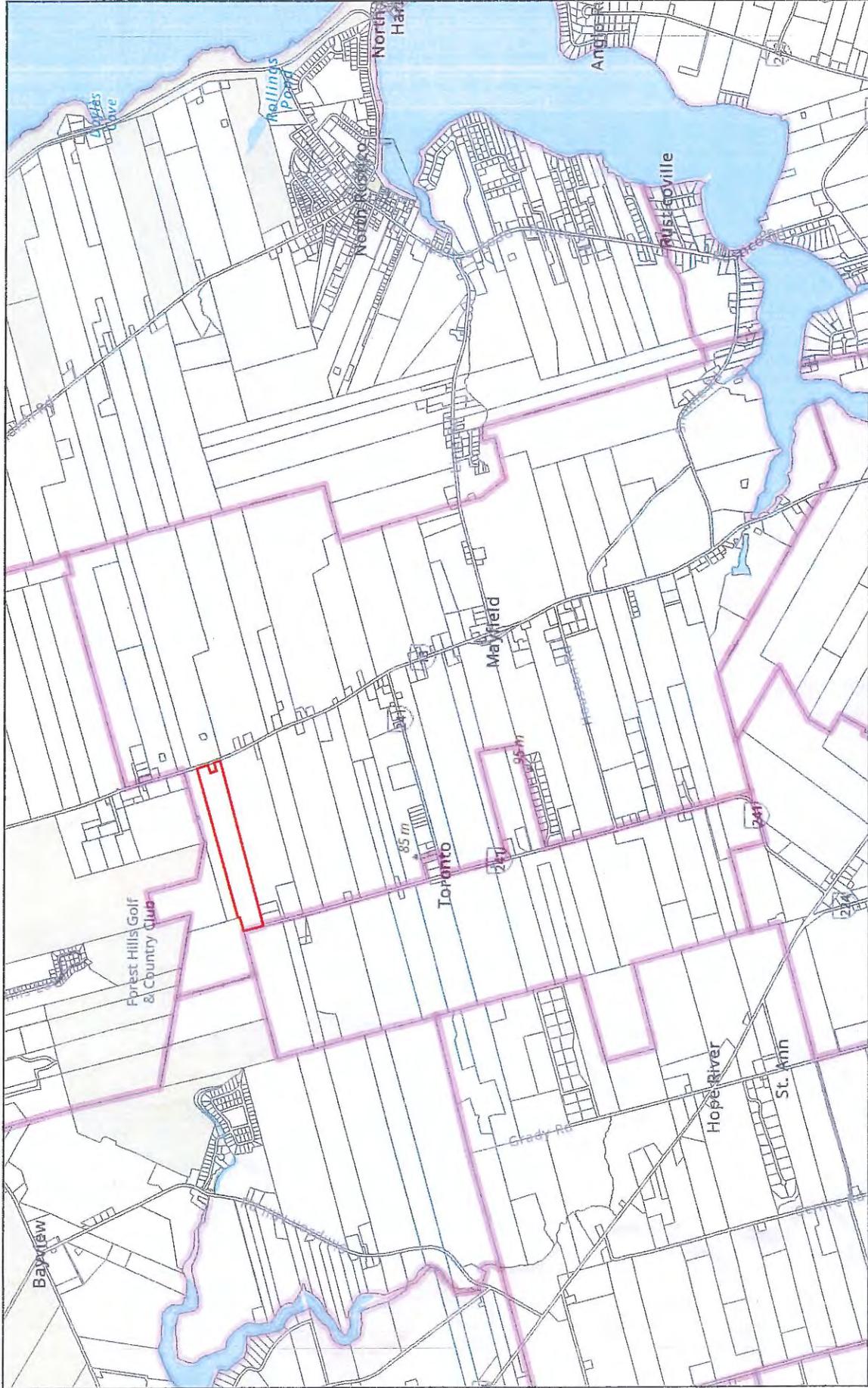
- PEI Active Transportation, Trail and Pathway Data
- Subject Property
- Civic Address Communities
- property_boundaries



1:50,000
0 0.28 0.47 0.95 1.1 mi
0 0.47 0.95 1.9 km

Province of Nova Scotia, Esri, Canada, Esri, TomTom, Garmin, SafeGraph, METINASA, USGS, NRCan, Parks Canada, Esri, NASA, NGA, USGS

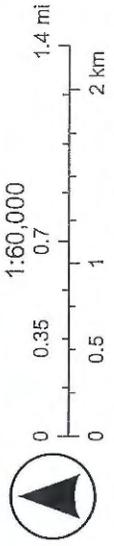
Area Review



2024-07-16

property_boundaries  Subject Property

Civic Address Communities 



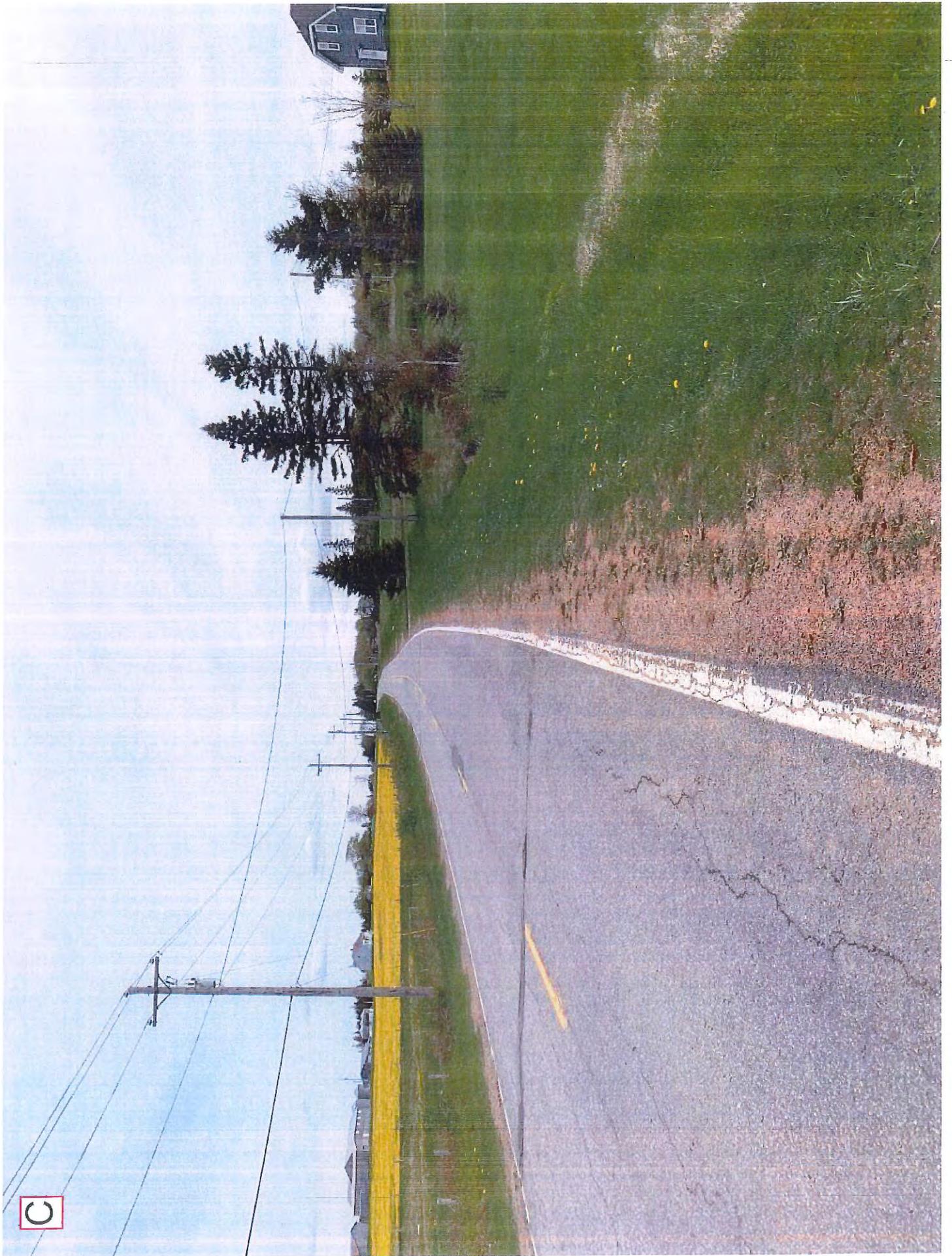
Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, MET/NASA, USGS, NRCan, Parks Canada, Esri, NASA, NGA, USGS



A



B

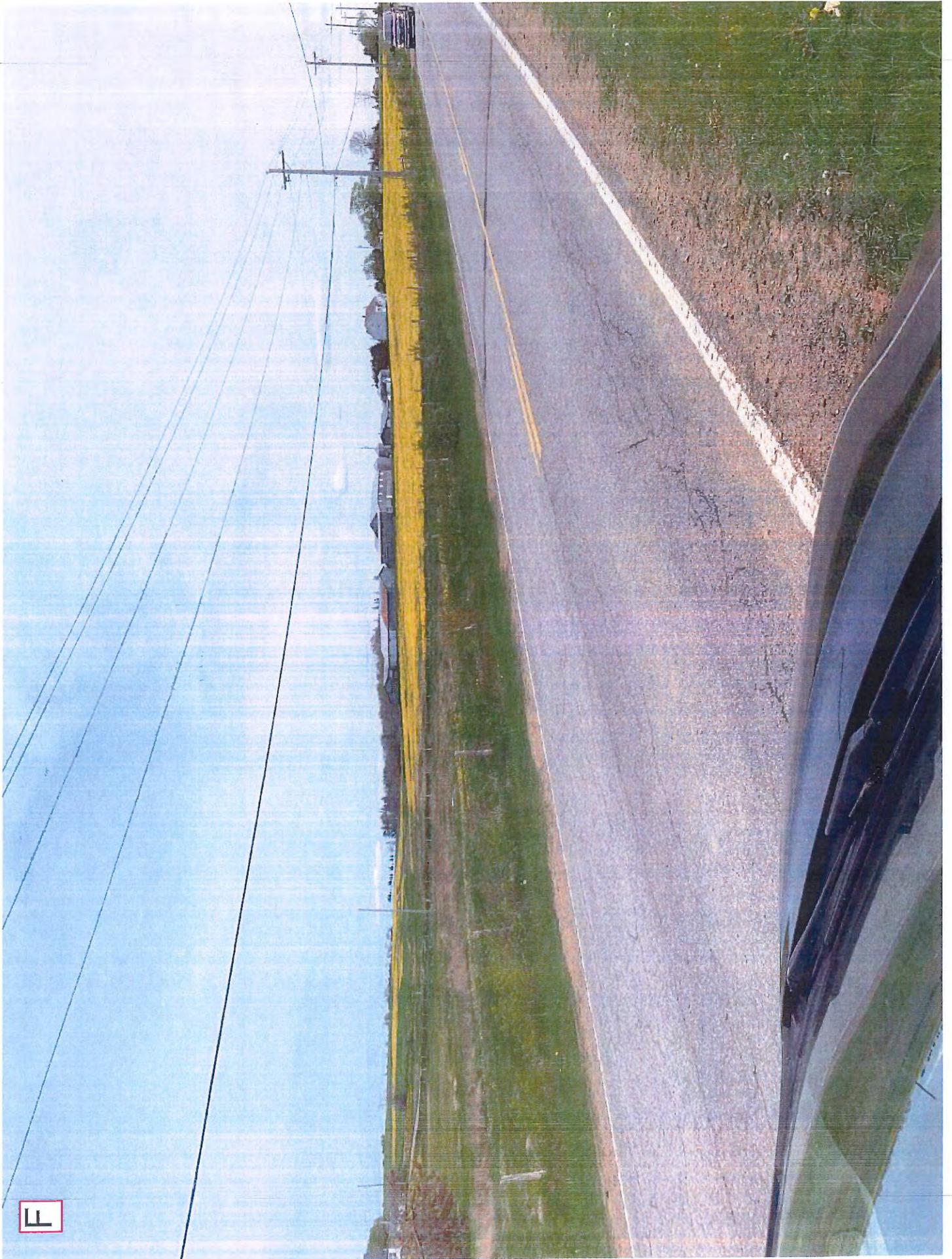


C



D





F



TAB

B

MEMORANDUM

To: Alex O'Hara; PEI Housing, Land and Communities
From: Tyler Wright, PEI Agriculture
Tel: (902) 314-0789 Cell
Date: March 27th, 2025
Subject: Review of agriculture land in Mayfield (PIDs 231,399)

As requested, I reviewed land in Mayfield from the perspective of agriculture and its value for that sector.

My review is based solely on analyzing GIS data available to the Department and no on-site visits were carried out.

Land use:

- This parcel is approximately 21.9 ha with 18.7 ha (85.4 %) of cleared land (measured on GIS).
- 1.3 ha appears to be unused cleared land – road frontage.
- Corporate Land Use identified were (GIS information)
 - Hay in 2000
 - Potato in 2010
 - Hay in 2020
- Reviewing some additional images in Google Earth Pro, they appear to be Potato fields in 2022.
- There are three dedicated hedgerows dividing this property into 4 fields

Developed areas:

- There is one home at the road that is surrounded by this PID.

Soils and Soil Classifications:

 There are several soils on this PID.

- 2.6 ha (12%) is a well-drained Charlottetown (Ch) soil with an 'I' slope phase (5 - 15%), pushing it out to a Class 4 soil. About 30% of this polygon is in the retired area along the road. The Soil map slope phase may be suspect though as the measured LiDar contour lines averages 5.4 % across. Steep sections are no more than 9.1%
- 0.6 ha (2.7 %) is a poorly drained Orwell (Or) soil with a 'C' slope phase (2 - 5 % slope). With the drainage it is a Class 7 soil. All this polygon is in the retired area along the road.
- 9.43 ha (43.4 %) is a well-drained Alberry (Al) soil with a 'C' slope phase (2 – 5 %), a Class 2 soil.

- 8.53 ha (39.3 %) is a well-drained Alberry (Al) soil with a 'D' slope phase (5 – 9 %), a Class 3 soil because of slope.
- 0.24 ha (1.1 %) is a poor drained Stream Complex (SC) soil pushing it out to a Class 7 soil. This polygon follows a natural narrow drainage swale across the property
- 0.30 ha (1.4 %) is a very well drained Culloden (CU) soil with a 'D' slope phase (5 – 9 %), a Class 3 soil.

Topography:

- There is one polygon that is “High Slope” restricted land for row cropping (9% and greater for contiguous areas of at least 1 ha) on this PID – about 1.03 ha (4.7 %)
- Slopes range from 0.3 % to 10 %
- Longest slope length is 227 meters – shortest is 149 meters
- Average slope would be in the range of 4 to 5 %.
- There is one area of concentrated flow

Wetlands, streams and buffers:

- There are no watercourses, wetlands or buffer zones.

Soil Conservation measures:

- Depending on the cropping system and rotations, the topography and concentrated flows indicates that enhanced soil conservation features will be required for row crops such as potatoes
- To produce row crops on the red area, a Management Plan would be required to be in compliance with the Environmental Protection Act
- Otherwise, this property has agricultural suitability for cereal, oilseed, forage, and pasture with a much-reduced requirement in soil conservation measures.

Storm Water Management Plan:

- Always important for these subdivisions to develop and implement effective storm water management plans
- This will reduce future landowner conflicts that blame agricultural landowners for their problems and expect them to pay for improvements

Assuming that the soil health and soil nutrients levels are suitable, and with proper soil conservation management, this land would be considered a productive area for agricultural production. The cropping system/rotation in use may require enhanced soil conservation measures or features as discussed above.

If you require additional details, please contact us.

Thank you

TAB

C

Case # 20960

Mayfield, PID 231399

Allan Weeks – Proposed 37 lot subdivision

- October 7, 2005 – Application for 2 lots paid (Commercial lots)
- May 4, 2007 – Application for 37 lots paid (Residential lots)
- February 20, 2003 – First EECA comments
 - Requires engineer soils testing
 - Ground water evaluation
 - Beware of nearby excavation pit on PID 231126
 - Verify drainage between Lots 8 and 9
- July 21, 2003 – Soils testing completed – mostly Cat 1 with question on Lots 20, 35, 36 and 37
- July 12, 2004 – SSD along Route 13 confirmed to be satisfactory
 - Access to Toronto Road to be further evaluated
- November 21, 2005 - Preliminary Approval for just 3 lots
- December 9, 2005 – Final Approval for those 3 lots
- August 20, 2006 – Further soils testing – Cat 1 for Lots 20, 35, 36 and 37
- May 29, 2007 – Preliminary Approval for 37 residential lots
- May 26, 2009 – First extension applied for
- October 7, 2009 – Extension granted
- December 8, 2009 (should be 2011 perhaps) - Another extension granted
- December 13, 2013 – Final extension granted - expired on December 13, 2015
 - Extension included new road requirements

Planning

Property is considered 'prime agricultural land' as per discussions with Ag.

TAB

5

TAB

A

MEMO

To: Shelley

From:

Date:

Subject: 20960 E

Ap'd
Lot 05-1 for SFD use only

Subj to: 1) Use of the existing
highway access driveway
only

2) The 2 sheds being removed
from the property or relocated to conform
with minimum setback
requirements.

No CAT No CIC

(New Envelope probably wouldn't hurt)



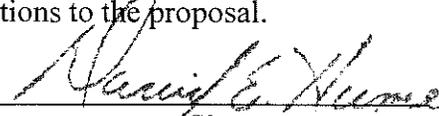
MEMORANDUM

To: Sean Ledgerwood, Environment
From: David Hume, Community & Cultural Affairs
Date: January 28, 2003
Subject: Case # 20960, Allan & Phyllis Weeks, PID #231339,
2 Commercial Lots and 35 Summer Home Lots

Enclosed is a copy of the above mentioned application for your consideration.

Would you kindly let me have your comments as an attachment or in the space provided below, and return this memo as soon as possible to the above address.

If any delays of the memo are foreseen, please contact us; otherwise, if no reply is received within two weeks, it will be assumed that you have no objections to the proposal.


Signature

Comments:

Date: _____ **Signed:** _____



[Click to return to Main Page](#)
 or
[Display Parcels Under Current Commission Consideration](#)

Identified Land Search Results

WARNING! The Land Information System databank is based on information filed as part of applications made under the [Lands Protection Act](#). The Commission does not warrant the accuracy of the information. Without limiting the generality of the foregoing, certain information may have changed after processing the applications including, in some cases, the assignment of new parcel numbers to identified land. The new parcel numbers are not necessarily contained in the databank. The databank does not include parcels that were identified prior to 1979.

Questions? Email us by clicking [here](#).

Please enter parcel number (you must enter 6 digits):

Confirmed Identification
[Signature]

Parcel ID:	231399
Original Parcel:	-
Application Number:	C3337A
Xreference Number:	-
Application Date:	Monday, November 25, 2002
Purchaser:	MLTH Holdings Inc.
Present Land Owner:	Allan Weeks and Phyllis Weeks
Location:	Mayfield
Lot:	23
County:	Queens
Acres:	54
Decision:	Approval with Identification
Decision Date:	Tuesday, December 10, 2002
Identification Notes:	-
Has Transaction Occurred:	Unknown
Date of Last Transaction Check:	-



PROVINCE OF PEI DE
OF PROVINCIAL TRE
GEOMATICS INFORMA
11 KENT ST. CHARLO
PEI C1A 7N8
PHONE: 902-368-516
FAX: 902-368-4399

WHILE THIS MAP MA
FREE FROM ERROR O
CARE HAS BEEN TAK
THE BEST POSSIBLE
THIS MAP IS A GRA
REPRESENTATION.
IT IS NOT A SURVE
INTENDED TO BE US
DESCRIPTIONS OR TO
EXACT DIMENSIONS

DATE: Mon., Jan. 20, 20
TIME: 09:21:03 AM

	<u>Map #</u>	<u>Property Location</u>	<u>Assessed Owner Name & Mailing</u>
	11L062F2	7035 RTE 13 MAYFIELD QUN	ALLAN & PHYLLIS WEEKS PO BOX 98 HUNTER RIVER PE
		County: Queens Parent No:	C0A1N0
Parcel Update:	Active 1998-09-04		
District:	54.0		
Shipping:	2089 23		

EVENTS FILED ON PARCEL:

<u>Description</u>	<u>Type</u>	<u>Doc No</u>	<u>Liber/Book</u>	<u>Folio/Page</u>
DEED	11	5695	955	2
MORTGAGE	51	5696	1045	6

LSH

ASURY
DIVISION

Property Assessment Information Listing
BY Parcel Number

Mar 10, 2004 2:08:16 PM
Page: 1

Parcel # 062F2	<u>Property Location</u> 7035 RTE 13 MAYFIELD QUN	<u>Assessed Owner Name & Mailing Address</u> ALLAN & PHYLLIS WEEKS PO BOX 98 HUNTER RIVER PE C0A1N0
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<u>Page</u> 0	<u>Assessment Values</u> Commercial: \$ 0 Non Commercial: \$ 104000 Residential: \$ 41900 Farm: \$ 0	<u>Designated Taxpayer and Mailing Address</u>
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FIRE DISTRICT OF NEW GLASGOW

Dates
Assessment Effective: 2004-01-01
Last Owner Chg: 1998-09-04
Initially Filed:
Dormant:

(per Shawn MacFarlane).
(99) and Case #53044 (PID#235)

Account Code 237 2126
Objec APPLICATION 237

and Communities



RECEIVED

FEB 21 2003

Fisheries, Aquaculture and Environment

Planning & Inspection Services



Pêches, Aquaculture et Environnement

Tel 902 368 5024
Fax 902 368 5830
www.gov.pe.ca/

Pollution Prevention Division
P.O. Box 2000
Charlottetown
Prince Edward Island
Canada C1A 7N8

Tél.: 902 368 5024
Télééc.: 902 368 5830
www.gov.pe.ca/

Division de la prévention de la pollution
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

INTEROFFICE MEMORANDUM

To: David Hume
From: Sean Ledgerwood
Date: February 20, 2003
Subject: *Allan & Phyllis Weeks subdivision, Mayfield - Case#20960*

The Department of Fisheries, Aquaculture & Environment has reviewed the above noted 21 lot subdivision application for property #231399 and offers the following comments/recommendations:

- 1) Before our Department can complete the review of the subdivision proposal **the Developer will be required to contract the services of a qualified soil's consultant (at their expense) to undertake an assessment of the land proposed for subdivision.**

The assessment involves gathering information on environmental parameters such as: soil type, depth of permeable soil and permeability, depth to bedrock and/or the maximum water table elevation. This information will allow the consultant to determine lot classifications (lot sizing), the suitability for on-site sewage disposal, and in some cases to make recommendations regarding the most appropriate sewage disposal system design for the lots. For further information regarding soils assessments, the Developer may contact Delbert Reeves, Water Resources Division of Department of Fisheries, Aquaculture & Environment at 368-5043.

The consultant must submit a copy of the report to the Environmental Assessment Section of the Department of Fisheries, Aquaculture & Environment (Attention: Sean Ledgerwood) for review and approval by the Department.

- 2) Our Department recommends that the consultant review the entire subdivision proposal, not just Phase I.
- 3) In addition, the consultant's report must include an assessment of the groundwater quality in the area to determine the availability of good quality drinking water. For more information regarding groundwater assessments, the Developer may call Alan Robison, Water Resources Division of Department of Fisheries, Aquaculture & Environment at 368-5048.

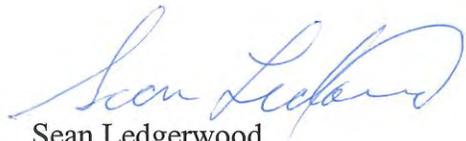
../2

The consultant should pay particular attention to how the excavation pit on PID#231126 may impact the water servicing/water quality of the proposed subdivision.

- 4) The consultant should verify the drainage area between lots 8 and 9 and it should be shown on the final survey plan.

NOTE: A copy of this memo should be forwarded to the consultant who is hired to perform the previously mentioned work.

Thank you for submitting the application for review, if you have any questions please do not hesitate to contact me at 368-5049.



Sean Ledgerwood
Environmental Assessment Officer

RECEIVED

AUG 01 2003



Fisheries, Aquaculture and Environment Planning & Inspection Services



Pêches, Aquaculture et Environnement

Pollution Prevention Division

P.O. Box 2000
Charlottetown
Prince Edward Island
Canada C1A 7N8

Division de la prévention de la pollution

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

Tel 902 368 5024
Fax 902 368 5830
www.gov.pe.ca/

Tél.: 902 368 5024
Télééc.: 902 368 5830
www.gov.pe.ca/

INTEROFFICE MEMORANDUM

To: David Hume
From: Sean Ledgerwood
Date: July 31, 2003
Subject: Allan & Phyllis Weeks, Mayfield - Case #20960, PID#231399

Our Department has received and reviewed the consultant's report (Jacques Whitford and Associates Ltd. - PEC71756, May 30, 2003) for the above mentioned subdivision proposal and offers the following comments:

- 1) Our Department concurs with the consultant regarding the soil classifications of the proposed lots, specifically **Category I** for lots 1-19 and 21-34.
- 2) The findings of the investigation indicate that lots 1-19 and 21-34 have a minimum of 2.5 feet of permeable soil.
- 3) A minimum of 0.5 feet of "Good-quality Fill" shall be placed in the area of the proposed sewage disposal fields.
- 4) All trenches for disposal field installations shall be excavated to ensure a minimum of 12 inches of permeable soil is maintained below the bottom of the trenches.
- 5) 12 to 15 inches of cover shall be placed over the systems.
- 6) Lot 20 will require additional testing to delineate the extent of the sandstone bedrock.
- 7) There is potential for lots 35, 36 and 37 to have a high water table in the spring of the year, therefore these lots will require additional testing in the spring to determine the depth to the maximum water table.
- 8) A copy of the revised preliminary plan should be forwarded to our Department for review, showing the extent of the drainage area between lots 8 and 9 (as requested in the February 20, 2003 memo).

Max trench depth of 1.5 ft into existing soil

If you have any questions please do not hesitate to contact me at 368-5049.

Sean Ledgerwood
Environmental Assessment Officer

Allan Weeks - Mayfield
Case # 20900

- ① lots 35-37 Require further testing in spring
 - ② ~~Additional~~ testing lot #20 (vernak)
 - ③ Extent of drainage Area between lots 8 & 9
(shown on survey)
 - ④ Water Quality ?
 - ⑤ land identification has been lifted.
 - ⑥ Fees Required - 37 lots = 1,235
phase I (20 lots)
- 40 lots \$1340.00

105

June 21/04

Math -

please see me, identification has been lifted and Allan wants to proceed!

Loganne

SITE INSPECTION REPORT

CASE # 20960A

NAME: Alan & Phyllis Weeks -COMMUNITY: Mayfield PID # 231399

This proposal filed 4AN/03 for 2 commercial and 35 Summer Cottage Lots.

West portion is on a seasonal portion (completely treed) off Toronto Road. No comments from DOT on file.

Comments from Env. on file since July/03.

No site report on file - check out with Dave Hume.

Site was identified when submitted for consideration.

No longer applicable according to DTH's note dated June 21/04. -

July 2/04 Caughy.

Need better map also. House & barns aren't indicated on the preliminary plan. Unsure of subdivision boundaries.

Met with Allan Weeks on Fri - July 9th/₀₄. The Toronto road at the west end of subdivision is completely wooded. He confirmed also that house and barns are on "one" of the lots at Rte 13. He may also try for an additional lot off Rte 13 (see sketch for lot 38). Both proposed lots - 37 & 38 - are for commercial use. No fee paid as yet. In the meantime, I'll ask DOT for comments regarding proposal particularly on the west end of Development. Water quality has not been addressed yet.

DATE: July 12 2004

Caughy Caughy.
SENIOR SUBDIVISION OFFICER



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

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

MEMORANDUM

To: Dawn Moase, Dept. Of Transportation, Summerside
From: Garth Carragher, Community & Cultural Affairs
Date: July 12, 2004
Subject: Case # 20960A, Allan & Phyllis Weeks, PID # 231399,
2 Commercial and 35 Summer Cottage Lots

Enclosed is a copy of the above mentioned application for your consideration.

Would you kindly let me have your comments as an attachment or in the space provided below, and return this memo as soon as possible to the above address.

If any delays of the memo are foreseen, please contact us; otherwise, if no reply is received within two weeks, it will be assumed that you have no objections to the proposal.

Garth Carragher
Signature

Comments:

Date: _____ **Signed:** _____



31 Gordon Drive
PO Box 2000
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Garth Carragher
Signature

Comments:

The Department of Transportation and Public Works has reviewed this application and found safe stopping sight distance along the frontage (complete) of parcel # 20960A. If you require further assistance please call me at 888-8273.

Date: *Aug 09/2004* Signed: *Dawn Moase*

TP2 - Feb. 18, 2004

From: Garth Carragher
To: Moase, Dawn
Date: 8/11/2004 8:51:43 AM
Subject: Weeks Subdivision - Mayfield - Case # 20960.

Hi Dawn

Your comments appear to be for the frontage on Rte 13. I also require your input for the area of the proposed subdivision at the west end which fronts on the Toronto road. I don't imagine his design is satisfactory to DOT.

He proposes to establish a new 66 foot ROW along the entire frontage immediately adjacent to the public ROW.

His preliminary plan indicates that his proposed ROW will not provide any land between the public and the private road. Do you need to finalize an Entranceway Permit for this aspect of the proposal? Please advise.

Garth

Aug. 11/04. Spoke to Allan Weeks and advised him to contact Dawn Moase regarding the above information. He agreed. △△

Sept 9/04 Discussed with Allan W. He also discussed with Dawn Moase while here (phone) Hold.

April 25/05 - Revised preliminary plans received. Spoke to Dawn Moase @ DOT. She will forward a writeup prepared by DOT for the Toronto Road end of this proposed subdivision. △△

May 16/05 - Reviewed - See enclosed. GC

MEMO

To: CASE 20960

From:

Date: Nov. 4/05

Subject: Allan Weeks - Mayfield

..... Measurements along frontage to
create lots 1, 2, 40 and a 66' ROW
appear to be inadequate because of
the wetland area adjacent to the
north boundary. Asked Jay Carr
to review his material. There
may not be room to create lot 40
with enough area for development.
Spoke to Allan Weeks by
phone. He'll visit office next
week to discuss.

..... Deeth

MEMO

To: CASE 20960
From:
Date: Nov. 17/05
Subject: ALLAN WEEKS MAYFIELD

Mr. Weeks visited office to discuss measurements along frontage and extent of wetlands adjacent to north boundary. He referred me to case # 17849 completed in 1998 where test pits had been checked on two lots having frontage on rte 13 and both having category 1 results. He advised me that he now wants to proceed with only lots 1, 2 & 4 at this time as illustrated on plan number 20960 B. He doesn't know what commercial use is proposed for lots 1 & 2 but suggested it would be a light use such as an antique shop or a convenience store.
Prepare letter — Earth

ALLAN WEEKS
MAYFIELD

CASE 20960B

20960B

- CALL ALLAN

- NOTE Spring testing requirement

- Note re-testing for lot 20

- DRAINAGE

AS PER NUMBERING ON
20960A

- FEES TO BE PAID..

- Clearance on groundwater quality -

- NEW PRELIMINARY PLAN DOESN'T ILLUSTRATE STRUCTURES

May 16/05 Earth

FEES REQUIRED:

#15 - 1st lot

#35 - for each additional lot

Advised Allan - Earth

May 19 - Phoned - left message to visit office EC

Oct. 27 Paid for 2 lots only. EC



Environment,
Energy and Forestry



Environnement,
Énergie et Forêts

Pollution Prevention
P.O. Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Prévention de la pollution
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

INTEROFFICE MEMORANDUM RECEIVED

To: Garth Carragher
From: Jay Carr
Date: August 16, 2006
Subject: *Allan & Phyllis Weeks subdivision, Mayfield - Case#20960*

AUG 17 2006

Planning & Inspection
Services

The Department of Environment, Energy & Forestry has received and reviewed the supplementary consultant's report (Jacques Whitford Job #1013414/File #2380 August 14, 2006) for the above noted subdivision application on property #231399 and offers the following comments:

- 1) Based on the consultant's report, lot 20 shall be classified as Category I provided that the sewage disposal system is located in the northern portion of the lot. Upon selection of a location for a disposal system, the depth to bedrock shall be reassessed in the disposal system area to confirm that at least 4.0 feet of overburden soil is present.
- 2) Based on the consultant's report, lots 35 to 37 shall be classified as Category I with 2.5 feet of permeable soil, provided that the sewage disposal systems are located in 150 foot diameter circles shown on the attached map (in consultant's report).

Thank you for submitting the application for review, if you have any questions please do not hesitate to contact me at 368-5049.

Jay Carr
Environmental Assessment Officer



Engineering,
Scientific,
Planning and
Management
Consultants

590 North River Rd.
Charlottetown PE
Canada C1E 1K1

Bus 902 566 2866
Fax 902 566 2004

Job No. 1013414 / File No. 2380

August 14, 2006

Mr. Allan Weeks
Allan Weeks Real Estate Company
PO Box 98
Hunter River PE C0A 1N0

Dear Mr. Weeks:

**Re: Lot 20 and Lot 35 to Lot 37 - Mayfield Subdivision
Property No. 231399, Queens County, PEI**

Further to your request and our initial soils report issued May 30, 2003, this letter contains additional comments and recommendations pertaining to the above noted lots.

Two test pits (TP 8 and TP 9) were initially excavated at Lot 20, located at the west end of the development, as shown on the attached Drawing No. 2380-1. Sandstone bedrock was encountered at a depth of 1.2 ft. below grade at TP 8 and was not encountered within the depth excavated (i.e. 6.0 ft.) at TP 9. Bedrock was not encountered within the depth excavated at TP 10 and TP 11, located immediately south of Lot 20. The test pit information indicates that the shallow bedrock encountered at TP 8 is likely a localized occurrence. It is therefore recommended that the disposal system for Lot 20 be located within the northern half of the lot where Category I conditions were encountered. It is further recommended that, upon selection of a location for a disposal system for Lot 20, the depth to bedrock be reassessed in the disposal system area to confirm that at least 4.0 ft. of overburden soil is present.

Our initial soils report recommended that the disposal systems for Lot 35 through Lot 37 be located within the Alberry (Al) or Charlottetown (Ch) soil map units where Category I conditions were encountered. Category III conditions, due to a high groundwater table, were expected within the Orwell (Or) soil map unit. A Jacques Whitford representative returned to the site on May 31, 2006 to visually assess the boundary between the Or and Al/Ch soils and to determine if additional test pits would be required. Our representative found that the boundary between the Category I and Category III conditions was well defined. The blue and red shaded areas shown on the attached drawing depict the limits of the Category I and Category III areas based on our site measurements. Additional test pits were not deemed necessary. The disposal systems for these lots should be located within the 150 ft. diameter circles shown on the attached drawing. Although the circles for Lot 35 and Lot 37 partially extend into the Or soil, the area occupied by Lot 35 (1 acre) and Lot 37 (2 acres) is considerably more than the 25,000 ft² minimum required for a Category I lot.

Administrative
4007 14 Ave
Department of Planning
Architecture & Design

**Jacques
Whitford**

An Environment
of Exceptional
Solutions

© Jacques Whitford, 2006



Mr. Allan Weeks
Page 2
August 14, 2006

We trust that this letter contains all of the information required at this time.
Should you have any questions or if we can be of further service, please contact
us at your convenience.

Yours very truly,

JACQUES WHITFORD LIMITED



George W. Zafiris, P.Eng.

GWZ/ik

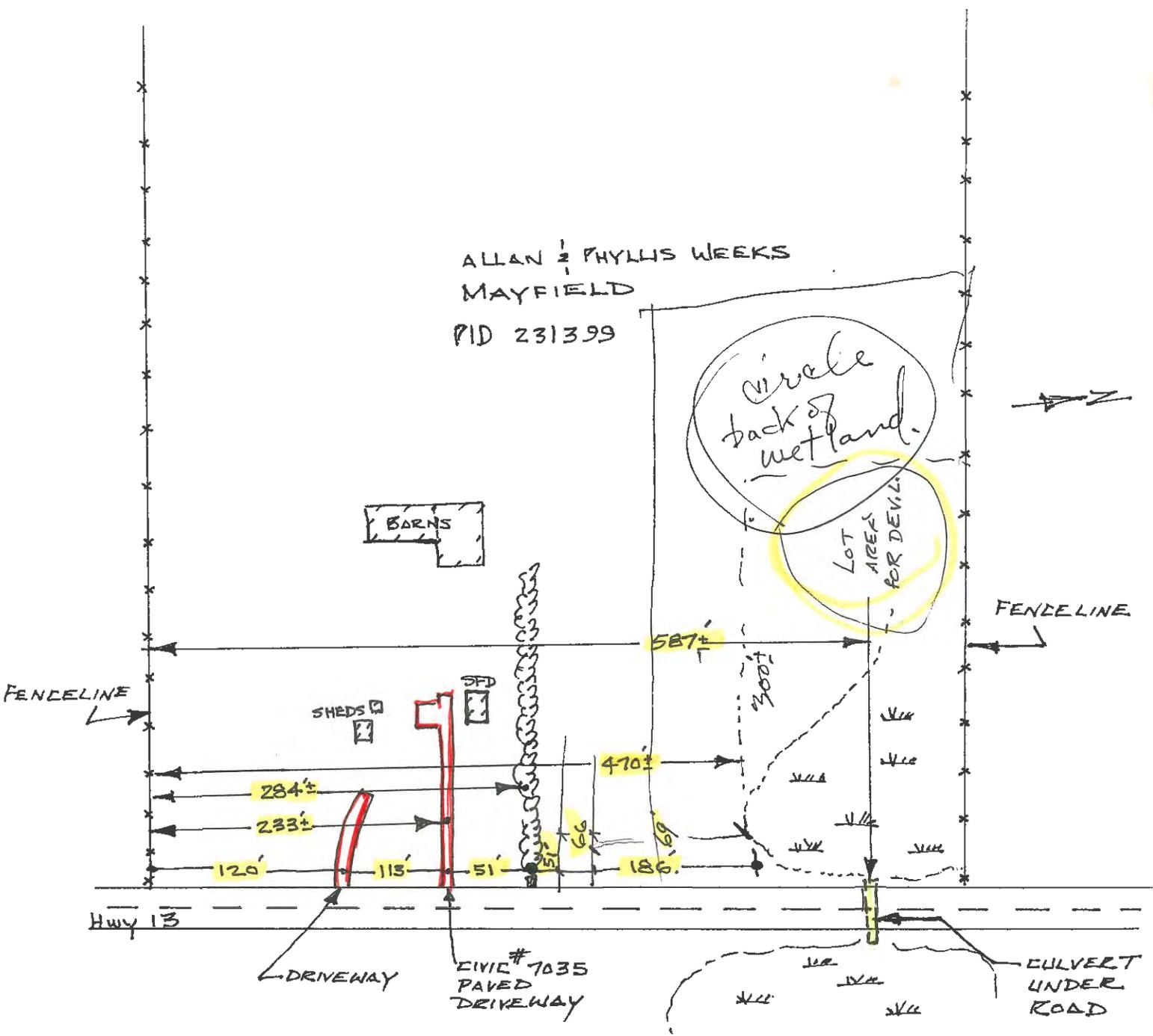
cc: Mr. Jay Carr, PEI Dept. of Environment, Energy and Forestry
attachment



TAB

B

ALLAN & PHYLLIS WEEKS
MAYFIELD
PID 231399



Compare to
Site plan (D's)

Measurements
don't match

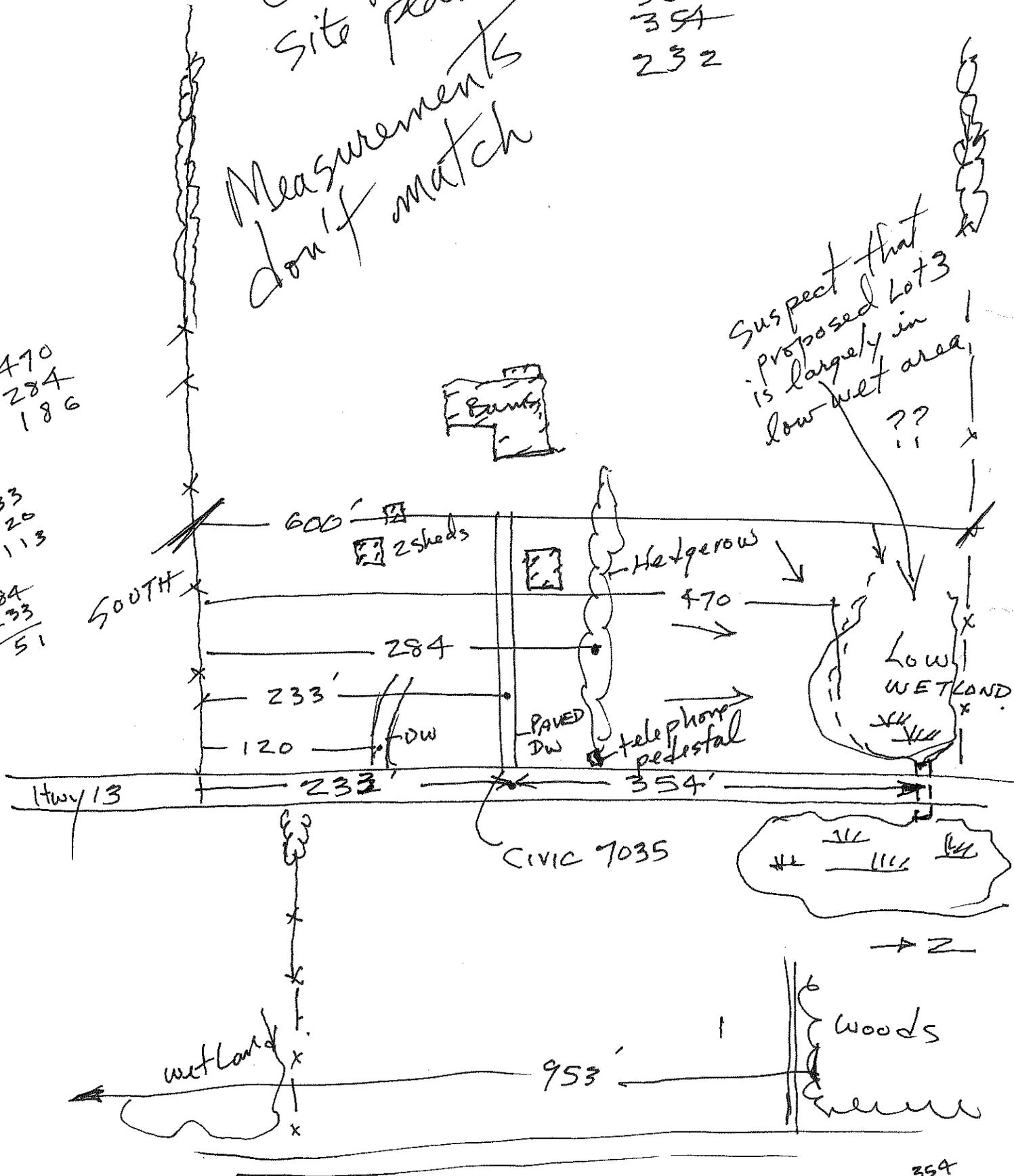
586
~~354~~
232

470
284
186

283
120
113

284
233
51

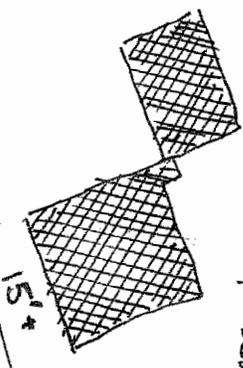
Suspect that
proposed lot 3
is largely in
low wet area
??
"



2 85 354
233
587

BSS CO
1510 y/Heaven

Existing Barns



REMAINDER
(Single family)

(TO REMOVED)



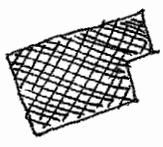
(Single family)

1.

COMMERCIAL

2333'

Existing home
& Access



Septic

10'

2.

7035
185'

Proposed 66' Right of Way

300'

150'

(Single family)
(Summer 60 Hqrs)
COMMERCIAL
(KITCH)

3.

Proposed
Access

200'

Highway # 6

(Collector)

Carpenterish Road

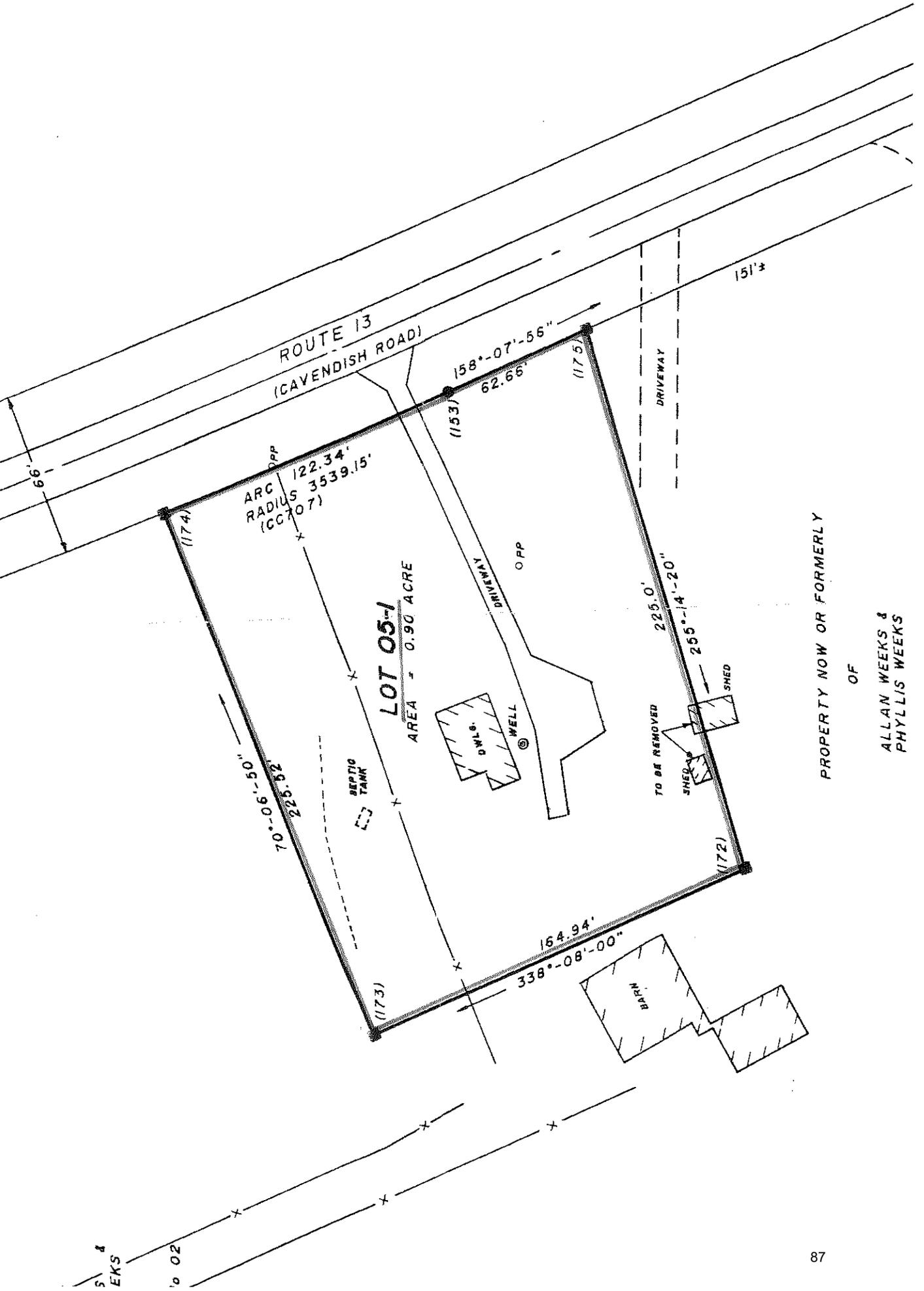
- PROPERTY OF

MONUMENT NO. 42257

FORMERLY

S & EKS

'0 02

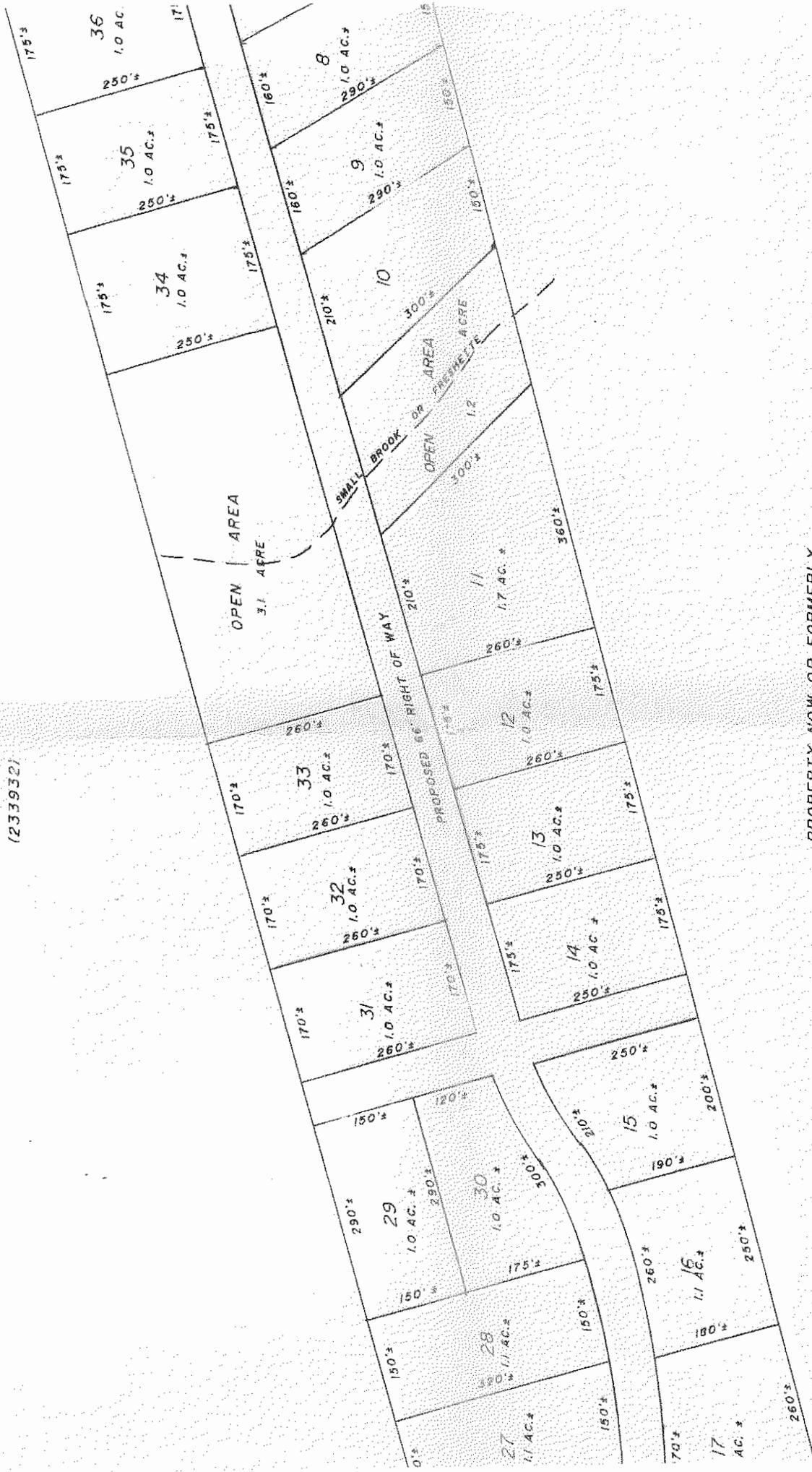


PROPERTY NOW OR FORMERLY
 OF
 ALLAN WEEKS &
 PHYLLIS WEEKS

(BONNIE ACRES FARM)

Liber 669 Folio 21

(233932)



PROPERTY NOW OR FORMERLY
OF

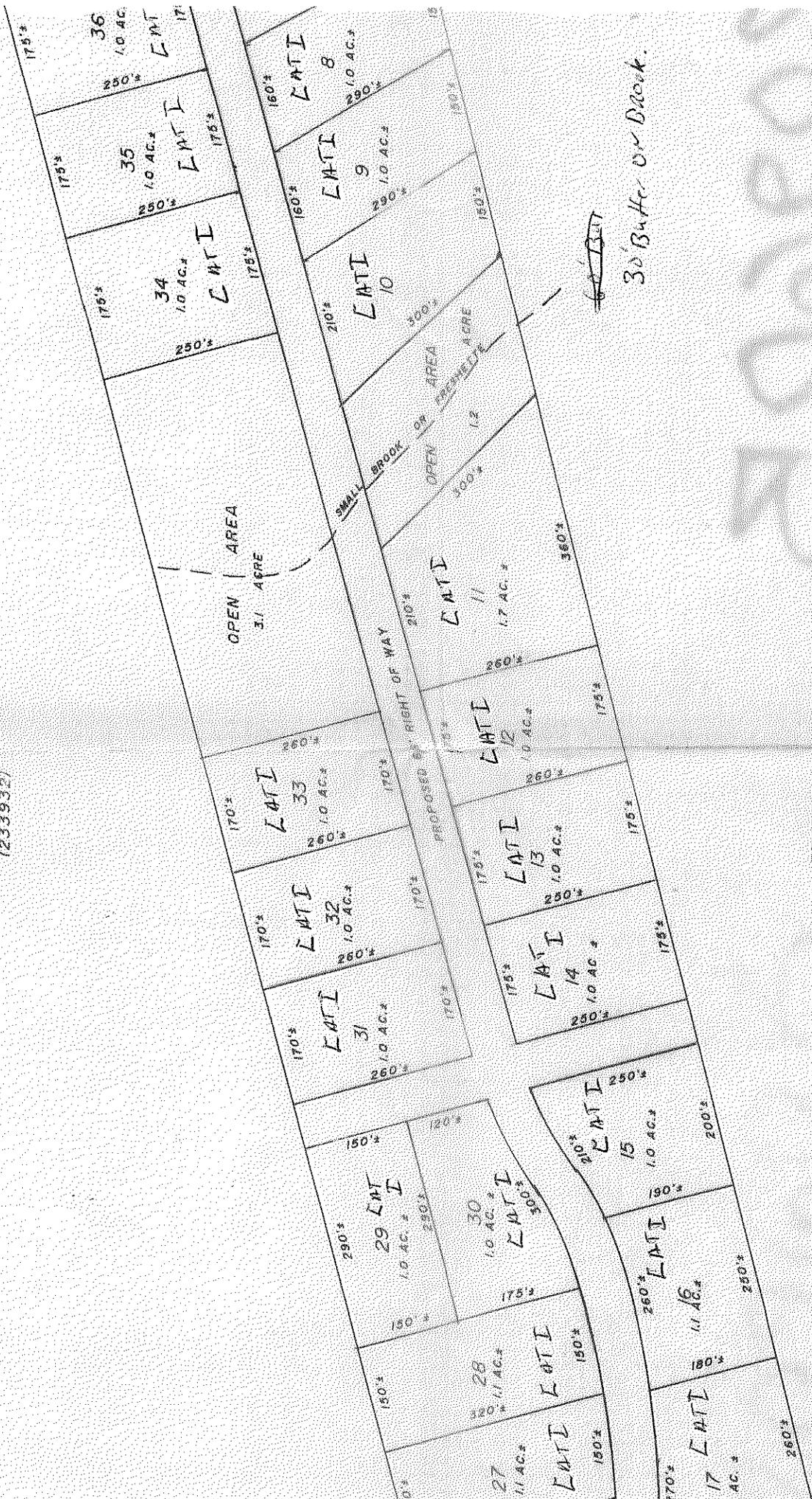
STERLING R. COLE

(231126)

(BONNIE ACRES FARM)

Liber 669, Folio 21

(233932)



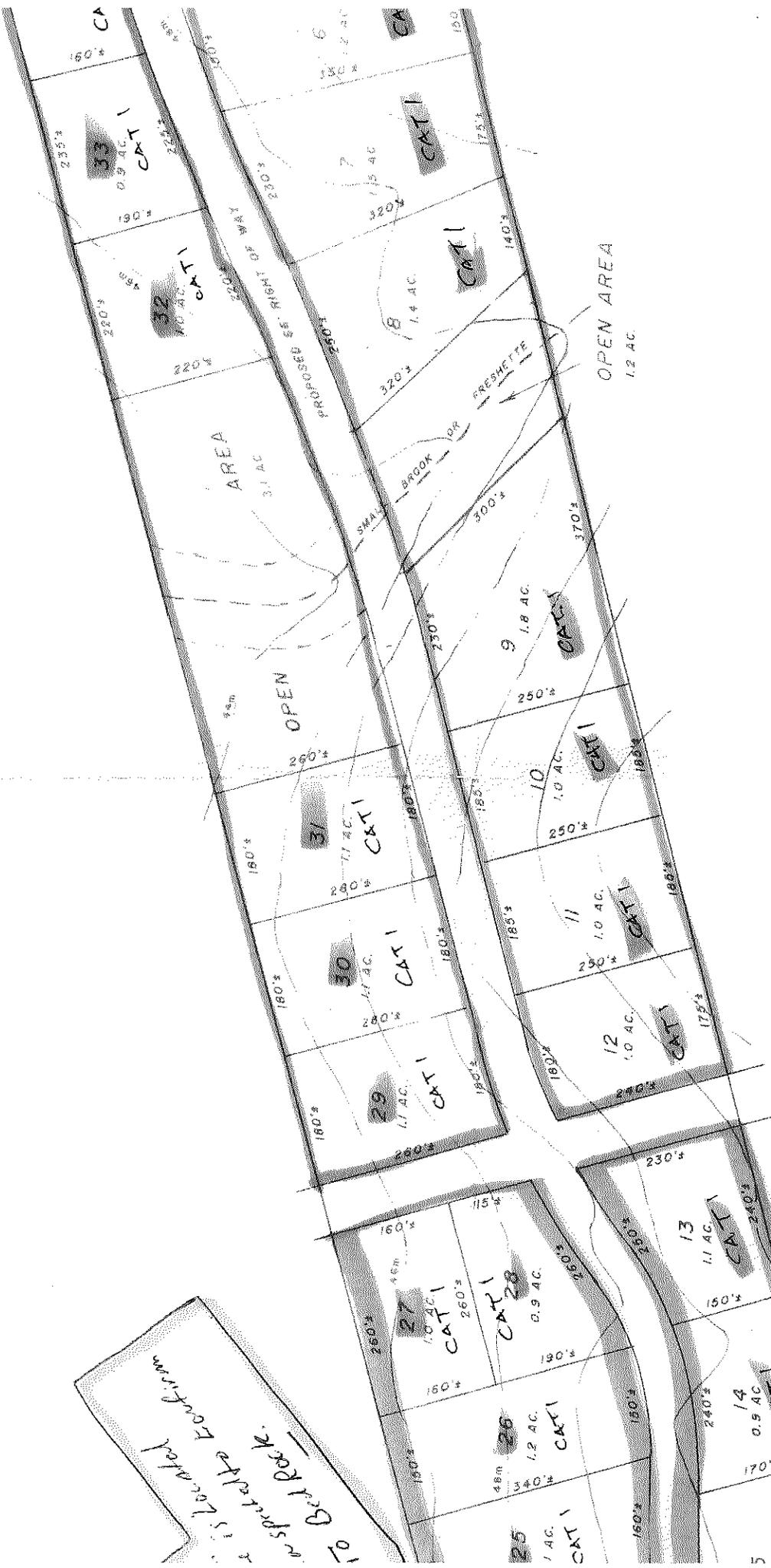
PROPERTY NOW OR FORMERLY OF

STERLING R. COLE

(231126)

Down

Liber 669, Folio 21
(233932)



To Cedar Rock.
 is located
 in Spruce Knob
 formation

PROPERTY NOW OR FORMERLY

OF

STERLING R. COLE

(23/126)

CATI - 2.5 Permenh.

