

EXCERPT'S FROM RECORD FILED BY THE CITY OF SUMMERSIDE VOLUME 2 OF 3

IN THE MATTER OF CLARE FAGAN. V. CITY OF SUMMERSIDE

DOCKET NO. #LA21025

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CLARE FAGAN
192 Putters Street
Summerside, PE C1N 4J8
cfagan2@gmail.com
Appellant

Darcie Perry

From: Nathan Kember <nkember@strategicenterprises.ca>
Sent: Wednesday, July 7, 2021 5:31 PM
To: Mike Straw
Cc: Linda Stevenson; Aaron MacDonald; Thayne Jenkins
Subject: Re: Fire wall 4 plex

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Mike thanks for your concerns I will address this with my staff as they should have gave more noticed the foundation for Lot 23 sat there for a week before it was filled it was the first time the city ever did see this I thought Sean had a good working relationship with you and we want this to continue moving forward as I have put a lot of time and energy into working in this city. I appreciate your efforts as well and look forward to getting this next project going if we can get it there thanks and have a great evening

On Wednesday, July 7, 2021, Mike Straw <mike.straw@city.summerside.pe.ca> wrote:

Nathan,

Per the building and zoning bylaws you cannot commence construction or development (site alteration) without permit approval, which at this point you do not have.

Recently there have been issues with the projects you have under construction in the city.

On 6/29/21 at 178-180 Putters; A spot inspection was done of the foundation and numerous deficiencies were noted that required rework. I was advised on site that backfilling was to start on 6/30 even though Technical Services had not been contacted to arrange for an inspection the required three working days in advance. While on site it was noted the footing was in place for 174-176 Putters even though a building permit had not been issued. You were contacted and advised of the two issues and a building permit application was submitted for 174-176 later on 6/29.

On 7/5/21 I received a text at 7:42am from your site superintendent on Putters saying backfilling had started at 174-176 and 178-180 Putters even though Technical Services was not contacted three working days in advance to arrange for the inspections. The inspections were accommodated, with no notice, however had the foundations been backfilled without inspection, an uncover order would have been issued requiring the entire foundation and footings be excavated to allow for inspection.

The two instances above are just the latest examples of non-compliance to the permit requirements. Your site superintendent has been advised of the multiple violations. Please be advised your company is subject to enforcement action if there is a continuation of ignoring the conditions on the permits and the requirements of the Act, Regulations and Bylaws.

WHY IS THIS ALLOWED TO
CONTINUE? CONTINUAL
NON-COMPLIANCE?

Regards,

Mike Straw CET

Building Officer

City of Summerside

Technical Services Department

275 Fitzroy Street

Summerside PE C1N 1H9

(902) 439-2991

From: Nathan Kember <nkember@strategicenterprises.ca>
Sent: July 7, 2021 12:05 PM
To: Mike Straw <mike.straw@city.summerside.pe.ca>
Cc: Linda (Irving) Stevenson <linda.stevenson@city.summerside.pe.ca>; Aaron MacDonald <aaron.macdonald@city.summerside.pe.ca>
Subject: Re: Fire wall 4 plex

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Okay we are very close ~~as we have gone back and forth with the city for a while now we just need your help to help bring this all together so we can get going as we are kind of blind to all the requirements that will be needed the goal is to create housing and better our city as we all have this common goal your help is very appreciated my understanding is that I can dig and lay out the footings but I'm not allowed to pour them without a permit is this still correct?~~

On Wed., Jul. 7, 2021, 11:58 a.m. Mike Straw, <mike.straw@city.summerside.pe.ca> wrote:

Nathan,

No permit will be issued and construction is not to start without the required plans being submitted and approved. To do so is a violation of the Building Bylaw and you would be subject to fines and potential additional delays.

Regards,

Mike Straw CET

Building Officer

City of Summerside

Technical Services Department

275 Fitzroy Street

Summerside PE C1N 1H9

(902) 439-2991

From: Nathan Kember <nkember@strategicenterprises.ca>
Sent: July 7, 2021 11:53 AM
To: Mike Straw <mike.straw@city.summerside.pe.ca>
Subject: Fwd: Fire wall 4 plex

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Jeff is going to provide the drawing from Nick Sharkey could we do a foundation permit so that we could get moving for now?

----- Forwarded message -----
From: Berry, Jeffrey <Berry.Jeffrey@kent.ca>
Date: Wed., Jul. 7, 2021, 11:49 a.m.
Subject: RE: Fire wall 4 plex
To: Nathan Kember <nkember@strategicenterprises.ca>

Nick's design has to be specific to your project.

He will provide the drawing for the wall.

From: Nathan Kember <nkember@strategicenterprises.ca>
Sent: Wednesday, July 7, 2021 11:47 AM
To: Berry, Jeffrey <Berry.Jeffrey@kent.ca>
Subject: Re: Fire wall 4 plex

External Email Alert

Caution: This email originated from outside the organization. If you suspect this email is suspicious, please forward the email to 'phishing@jdirving.com' to notify JDI Security

September 15, 2020

Mr. Tony Gallant
City Of Summerside
275 Fitzroy Street
Summerside, PE
C1N 1H9

Attention Tony Gallant, P.Eng.

RE: Putters Lane Nathan Kember Development, Contractor Agreement & Responsibilities

In accordance with the approved drawings and specifications provide by IDEA Group Inc, named (21008-Strategic Enterprises Putters Lane-21.07.27), and after review of the Provincial and City of Summerside's Approved Drawings and specifications provided for this project, designed by IDEA Group Inc. Strategic Construction is fully committed that the construction of all municipal underground utilities will be completed in accordance with the project drawings and specifications. Site visits and construction logs will be maintained during the project as ① required to perform proper construction of all Municipal Infrastructure. All deficiencies raised by the project engineer will be corrected for Final Acceptance by the City.

① CAN CONSTRUCTION
LOGS BE PROVIDED?
DOES IT EXIST?

Regards,

Nathan Kember

