

File No. LA23-017

BEFORE THE ISLAND REGULATORY AND APPEALS COMMISSION

IN THE MATTER OF an appeal pursuant to s.28 of the *Planning Act*, RSPEI 1988 c. P-8 by Martin Dutton with respect to the denial of an application to subdivide PID# 400919, located at 19398 Route 2, Greenvale, Prince Edward Island

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

Richard A. Collier
Legal Services
Justice and Public Safety
95 Rochford Street, PO Box 2000
Charlottetown, PE

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

Martin Dutton
19398 Route 2
Greenvale, PE
C0A 1N0

Appellant

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<u>Tab</u>	<u>Description of Record</u>
1.	Decision of Minister denying subdivision, dated June 19, 2023
2.	Notice of Appeal dated on and received by IRAC July 10, 2023
3.	Subdivision Application/Change of Use for PID #400929 dated and received July 22, 2022, including: <ul style="list-style-type: none">a. Application Form;b. Subdivision Application Sketch; andc. Attached Sketch.
4.	Pre-Development and Subdivision Inspection Report dated June 19, 2023
5.	Interdepartmental Communications <ul style="list-style-type: none">a. Email exchange between Sarah MacVarish, Qing Li and Katie Winter dated July 28, 2022 to July 29, 2022;b. Emails exchange between costalproperty@gov.pe.ca (Catherine) and Sarah MacVarish dated July 28, 2022 to August 1, 2022;c. Email exchange between Dale Thompson and Sarah MacVarish dated July 28, 2022 to August 8, 2022; andd. Email exchange between Alan Aitken, Sarah MacVarish, Brett Wallace and Jeff Sampson dated June 16, 2023 to June 19, 2023.
6.	Other <ul style="list-style-type: none">a. Geomatics – property information sheets generated on July 22, 2022b. LIS Database Search Results generated on July 22, 2022c. SSO Map generated on July 22, 2022

TAB

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Agriculture and Land

Agriculture et Terres



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

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

June 19, 2023

Martin Dutton
19398 RTE 2
Greenvale, PE C0A 1N0

Dear Mr. Dutton:

Subject: Application to subdivide 1 lot for Residential (single-unit dwelling) use
Property ID #: 400919
Property Location: RTE 2, Greenvale, Queens County
Our File References: Case # 56579

The Department of Agriculture and Land has reviewed your application to subdivide one lot for Residential (single-unit dwelling) use from Property #400929, application received on July 22nd, 2022 located in Greenvale.

A. The Application

Subdivision: The Subject Property currently has a Residential (single-unit) dwelling on it. The application was submitted to subdivide an additional Residential (single-unit dwelling) lot from the parcel with access off RTE 2.

B. Decision

The Subject Property is within a geographic area where land use and development is 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 clause 6(c) of the Planning Act and subsections 3.(1)(a), 5.(d) and 25.(2) of the Planning Act Subdivision and Development Regulations, the above noted application is Denied. The reasons for this decision are explained in detail below.

C. Reasons

The *Planning Act* Subdivision and Development Regulations provide provisions for the subdivision of land under Section 12 of the *Planning Act* Subdivision and Development Regulations. As well, Section 25 of those Regulations provide provisions for the access requirements for new, proposed lots. Property # 400929 is an 3-acre Residential lot. To allow new lots to be subdivided there must be access granted by the Department of Transportation, Infrastructure. It has been determined from the Department of Transportation, Infrastructure that this parcel cannot have legal access to the proposed lots from RTE 2. Therefore, we have no choice but to deny the application at this time. You may contact that Department to discuss and obtain more details at 902-368-5006. Please refer to the *Planning Act* Subdivision and Development Regulations sections 3.1)(a), 5.(d) and 25.(2).

***Planning Act* Subdivision and Development Regulations**

3.(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;

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

(d) where, pursuant to the *Roads Act*, an entrance way permit or approval is required, the required permit or approval has been obtained;

25.(2) No person shall subdivide a parcel of land that abuts, and requires access to, an arterial highway unless an entrance way permit, where required, has been issued by the Minister responsible for the *Roads Act* Highway Access Regulations.

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
Property Development Officer

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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.lrac.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 19 day of JUNE, 2023, wherein the Minister/Community Council made a decision to DENY APPLICATION TO DEVELOP LAND AT 19398 ROUTE 2 GREENVALE PE COA INO. PROPERTY ID 400919 CASE 56579 (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)

- ① NO EXPLANATION GIVEN FOR DENIAL OTHER THAN 'CANNOT HAVE LEGAL ACCESS'
- ② SEVERAL PROPERTIES WITHIN 1 KM HAVE SHARED ACCESS ONTO ROUTE 2
- ③ NO ONE FROM EITHER DEPT OF AGRICULTURE OR TRANSPORTATION CONTACTED US TO DISCUSS. WE CAN CREATE SEPERATE ACCESS TO PROPERTY IF REQUIRED IF DEPARTMENTS CAN GIVE GUIDANCE

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)

- ① EITHER ALLOW APPLICATION AS SUBMITTED
- OR
- ② INSTRUCT DEPARTMENT OF TRANSPORTATION TO DISCUSS/GUIDE APPLICANT TO ALLOW CONFORMITY WITH CURRENT REGULATION

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

Name(s) of Appellant(s): MARTIN DUTTON Signature(s) of Appellant(s): [Signature]
Please Print

Mailing Address: 19398 ROUTE 2 City/Town: GREENVALE

Province: PE Postal Code: COA 1N0

Email Address: dartinmutton@hotmail.com Telephone: 902 213 3877

Dated this 10 day of JULY, 2023.
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@lrac.pe.ca.

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two lots 110
55
2 @ EV, Pei

Subdivision Application/Change of Use



PAID

JUL 22 2022

Amount \$ 280.00
Receipt # 0277

A. Before You Apply

All applicants should read through the application form carefully to determine if they have all of the information on hand to complete it.

If you are applying to create lots for anything other than a residential use, please contact us at (902) 368-5280 to schedule an appointment with a senior development officer. Make sure to have this application completed prior to meeting with our staff.

B. Application Package Requirements

Before an application is considered complete and will be accepted for review, it must contain:

- A subdivision application form that has all of the questions answered and is signed and dated by the registered owners of the property, or someone authorized to act on their behalf, as well as the applicant.
- A Subdivision Proposal Map, drawn to scale and including a north arrow, showing the following, as applicable to your proposal:
 - The boundaries of the property involved, including dimensions
 - All existing roads and rights-of-way on and adjacent to the property
 - All existing structures on the property or within 100 feet (30.4 metres) of the property, including exterior dimensions
 - Any existing well or septic system (tank and field tile) on the property involved
 - Any watercourse, wetland, beach, sand dune, forested area, designated natural area or conservation zones on, or adjacent to, the land proposed to be subdivided
 - The shape, dimensions, area and use of any proposed lot, including lot numbers
 - All proposed roads or rights-of-way to provide access to the lots from a public highway
 - All land proposed to be use for open space, parks, recreation or other common areas
 - The location of any existing and proposed driveways, including the distance from the centre of the driveway to the nearest property boundary
 - Proposed stormwater drainage patterns for water within and leaving the subdivision
 - Any special planning areas affecting the site

C. How to Submit Your Application

Once you have completed the application form, and reviewed it to ensure all questions have been answered, and that all information provided is clear and accurate, deliver your application to Inspection Services, located at 31 Gordon Drive, Charlottetown. Alternatively, you can deliver your application form to one of the Access PEI locations listed below:

- O'Leary - 45 East Dr, O'Leary, PE, C0B-1V0
- Summerside - 120 Heather Moyse Dr, Summerside, PE, C1N-5Y8
- Montague - 41 Wood Islands Rd, Montague, PE, C0A-1R0

Your application will be considered incomplete and will be returned if any of the requirements outlined in section B are missing, unclear or illegible, or if fees have not been paid.

Personal information on this form is collected under section 31 (c) of the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I. 1988, c. F-15.01 as it relates directly to and is necessary for the review of your application. If you have any questions about this collection of personal information, you may contact (902) 368-5280 for more information.



1. Property Information

Property Tax Number: 400929-000 Property Acreage: 2.5
Community: GREENVALE Property Depth: 255'
Street Name: 19398 Route 2 Property Width: 408'
Civic Address Number Lot Number
(if applicable): 19398 (if applicable): _____

2. Applicant Information

Name: MARTIN B DUTTON
First Middle Initial Last

Company Name: _____

Street Address or PO Box: 19398 Route 2
Community: GREENVALE
Province: PE
Postal Code: COA 1N0
Email: martindutton2@hotmail.com
Phone: 902 213 3877

3. Registered Owner Information—If Different From Above

Name: _____
First Middle Initial Last

Company Name: _____

Street Address or PO Box: _____
Community: _____
Province: _____
Postal Code: _____
Email: _____
Phone: _____

Same as above

CASE #: 56579

4. ~~10A~~
Existing Land Use

a. How is the property currently used? Please check all that apply.

- | | | |
|---|--|--------------------------------------|
| <input checked="" type="checkbox"/> Single-unit residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Agriculture |
| <input type="checkbox"/> Multi-unit residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Forestry |
| <input type="checkbox"/> Rental accommodations | <input type="checkbox"/> Institutional | <input type="checkbox"/> Other |

b. Describe the current land use in detail. If the property is used for a livestock operation, include the type of livestock, the number of animals, and whether there is a manure storage facility.

Residential

c. Are there existing buildings on the property? Yes No

d. If there are existing buildings on the property, please describe the use of each building in detail.

HOUSE (RESIDENCE)
GARDEN SHED
GARDEN SHED

e. What is the physical nature of the land? Please check all that apply.

- | | | |
|--|---|---|
| <input type="checkbox"/> Wooded or treed | <input type="checkbox"/> Pasture | <input type="checkbox"/> Along the coast |
| <input type="checkbox"/> Low or swampy | <input type="checkbox"/> Hilly | <input type="checkbox"/> Near a waterbody |
| <input type="checkbox"/> Cultivated | <input checked="" type="checkbox"/> Level or flat | <input type="checkbox"/> Other |

f. Describe the physical nature in detail.

MAINLY GRASS
SOME GARDEN AROUND HOUSE
SLIGHT SLOPE AWAY FROM ROUTE 2
OPEN FARMLAND PASTURE BEHIND

g. Are any of the following located within one kilometre of the proposed development?

- | | | |
|--|--|---|
| <input type="checkbox"/> Livestock operation | <input type="checkbox"/> Waste disposal site | <input type="checkbox"/> Residential lots |
| <input type="checkbox"/> Quarry or pit | <input type="checkbox"/> Airport | <input type="checkbox"/> Shellfish processing |
| <input type="checkbox"/> Sewage treatment facility | <input type="checkbox"/> Cemetery | <input type="checkbox"/> Active wharf |

5. Proposal Information

a. What type of subdivision are you proposing? Please select all that apply.

- Dividing a parcel into two or more lots
- Joining two or more parcels together
- Attach part of one or more parcels to another parcel
- Reconfiguring multiple lots in an approved subdivision
- Changing the use of one or more lots

b. Are you planning to subdivide the land in phases?

Yes

No

If yes, how many phases are you proposing? There is a maximum of 20 lots per phase. _____

c. What is the intended use of the proposed lots? Please check all that apply.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Single-unit residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Multi-unit residential | <input type="checkbox"/> Industrial | <input type="checkbox"/> Aquaculture/Fisheries |
| <input type="checkbox"/> Rental accommodations | <input type="checkbox"/> Institutional | <input type="checkbox"/> Forestry |

d. Describe the proposed land use in detail.

Subdivide to allow future development for sons to build

e. Describe your reasons for making this application and provide any other information that you think may be helpful.

As above to allow sons to, eventually, build given the PE housing market.

6. Access and Servicing Information

- a. Will the proposal require the creation of a new public road? Yes No
- b. Will the proposal require the creation of a new private road? Yes No
- c. Will the proposal require the creation of new driveways or the relocation of existing driveways? Yes No
- d. Was a soil assessment (perc test) completed for the proposed subdivision? Yes No
- e. How will the proposed subdivision receive sewer services?
- New on-site system(s) Municipal Central Waste Treatment
- Existing on-site system(s) Private Central Waste Treatment
- f. How will the proposed subdivision receive water services?
- New on-site well(s) Municipal Central Water System
- Existing on-site well(s) Private Central Water System

7. Contracting Information

Please provide the name, email address and phone number for the various individuals that will be involved in your proposed subdivision: *Not Known*

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:			
Lawyer:			
Soils Engineer:			

8. Declaration

I, MARTIN DUTTON hereby certify that I am

- the registered owner of the land proposed for subdivision **OR** authorized to act on behalf of the registered owner of the land proposed for development

and hereby affirm that all statements contained within this application are complete and true, and I make this declaration conscientiously believing it to be true.

Registered Owner(s) Signature: *Martin Dutton*

Date 22/7/22

Date _____

Applicant Signature: _____

Date _____

TAB

B

Subdivision Application Sketch

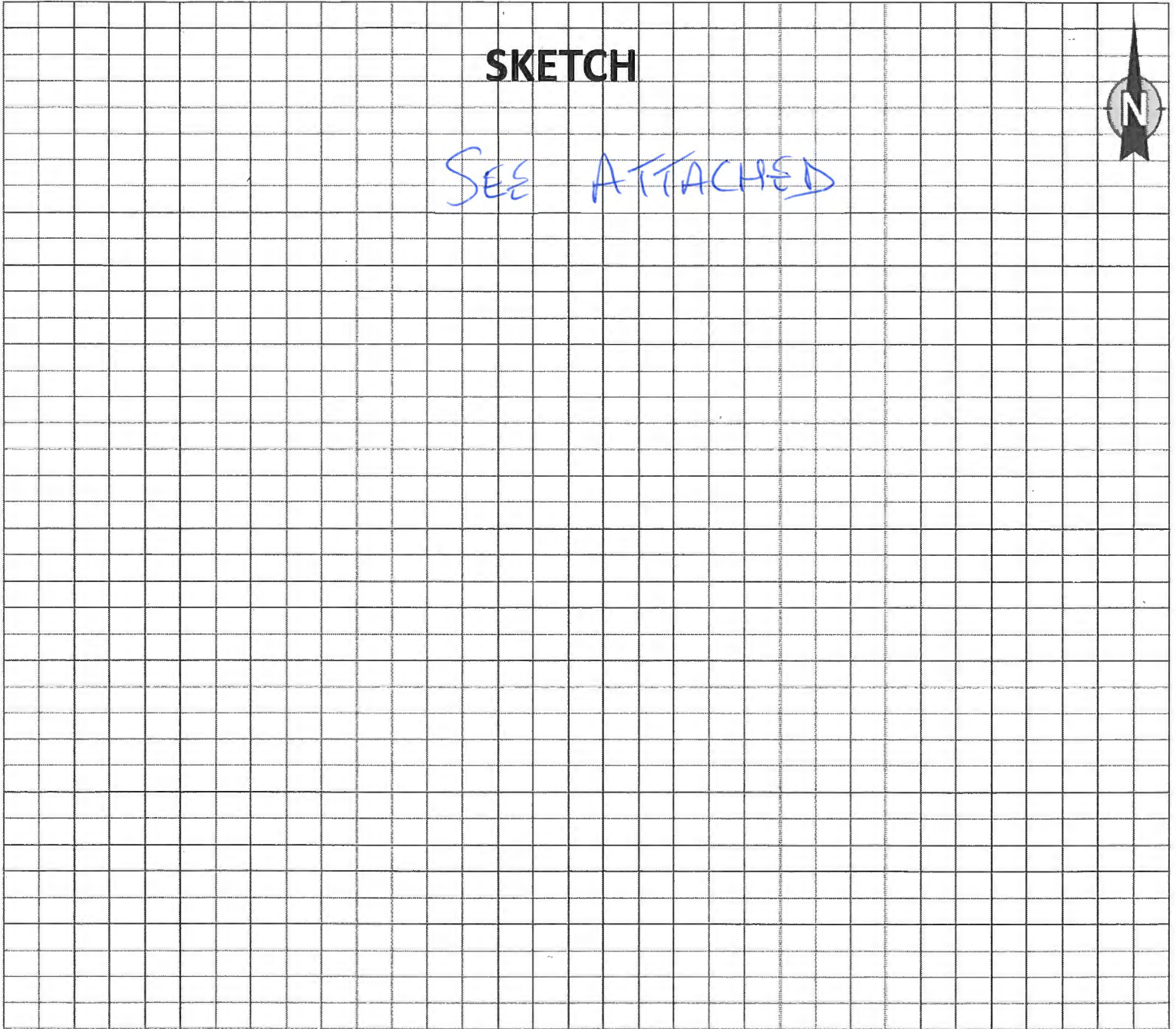
Pursuant to the Planning Act

Note: This sketch is required as part of the Subdivision Application. The information below must be checked, where applicable, and shown to scale in the sketch provided.

- Show property boundaries and dimensions
- All structures including exterior dimensions
- Distance of structures from centre of roads
- Location of driveway from the centre to the nearest property boundary
- Location of well, septic tank, and field tile and show distances from structures
- Show roads
- Setback from side and rear yard property lines
- Distance from watercourse, top of bank, and sand dune
- Natural slope of the land
- Separation distance between well and septic system

SKETCH

SEE ATTACHED





Property Owner's Signature or Applicant

22/7/22

Date

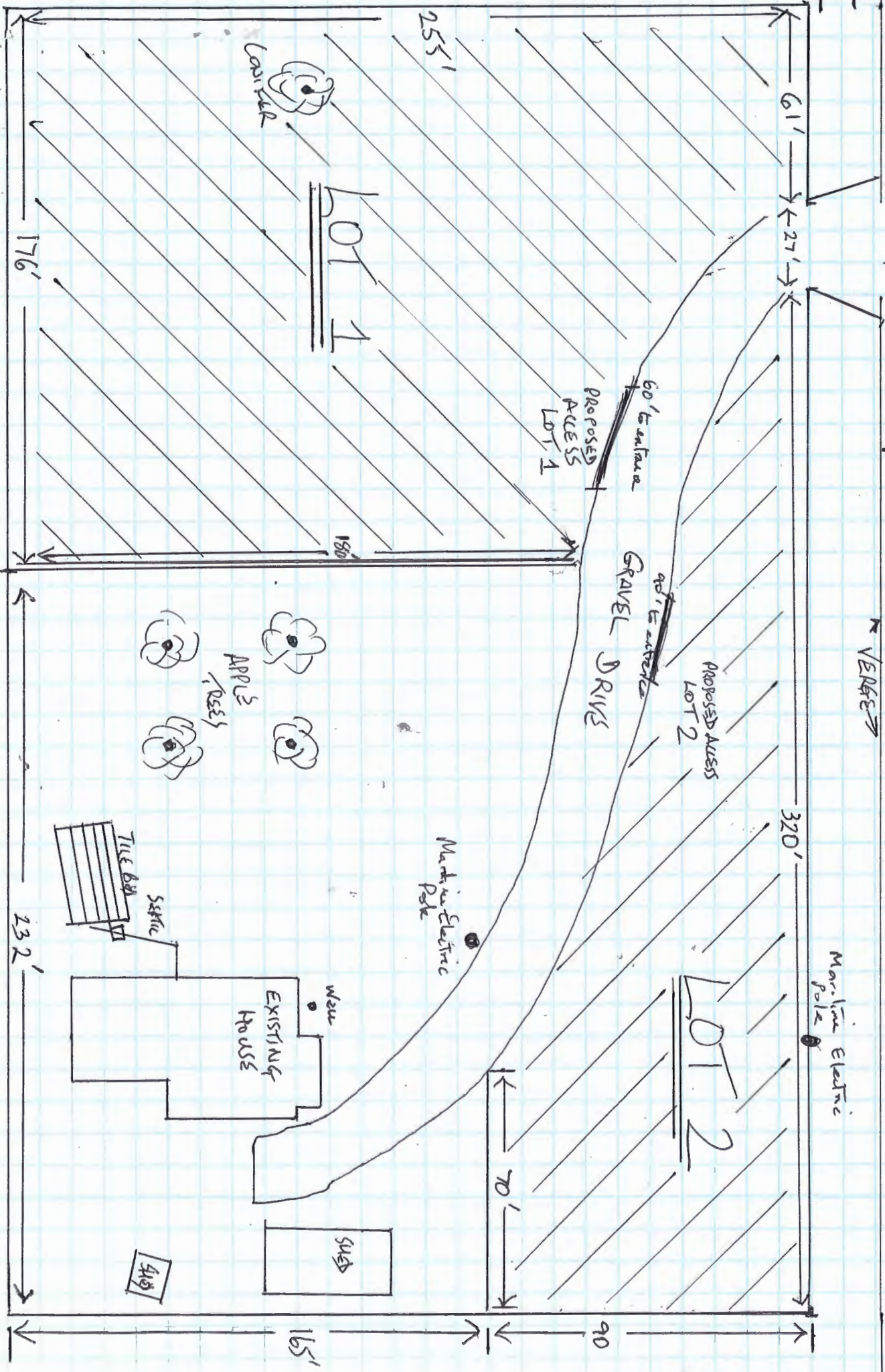
TAB

C

North ↙

ROUTE 2

SLOPE SOUTH TO NORTH



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4



PRE-DEVELOPMENT AND SUBDIVISION
INSPECTION REPORT

(updated May 22-13)

This form is to be used for ALL development and subdivision files. If an existing file does not have a similar report included in the file, one must be created for it.

Section 1 - General Information

APPLICANT: Martin Dutton LOCATION: Greenvale
SUBDIVISION CASE # 56579 DEVELOPMENT PERMIT #
PROPERTY # 400929 DATE OF INSPECTION:

Section 2 - Property Information

- a) Is the property identified? Attach confirmation. [X] No [] Yes
b) Is the property in a Special Planning Area? [X] No [] Yes
c) Is the property in a municipality with its own official plans and bylaws? [X] No [] Yes
d) The property has a: [] stream [] wetland [] watercourse [] pond
[] primary sand dune [] secondary sand dune [] Other: N/A
e) Are there any existing structures on the property? [] No [X] Yes (sketch)
f) Existing land use Residential Proposed land use Residential
g) Has the coastal erosion rate been checked? [X] NA [] No [] Yes (attach)

Section 3 - Soil Categorization

- a) What is the soil categorization?
b) Previously Assessed? Case# Assumed Permeable Soil
Assessor Registered Document
Notes:

Section 4 - Highway Information

- a) Name of highway Route No. 2
b) Highway classification [X] Arterial [] Arterial 2 [] Seasonal [] Collector
[] C1 [] C2 [] C3 [] Non-Essential
[] Heritage [] Private ROW [] Subdivision Road
[] Other
c) How many lanes? [] one [] two [] more than 2
d) Is an Entrance way permit required? [] No [X] Yes
e) Highway access (culvert) [X] new culvert required [] use existing entrance
[] re-locate existing entrance
f) Does the proposed entrance way meet the sight distance requirements? [] No [] Yes [] NA
g) Special Conditions:
h) TIR comments (if applicable): see attached email from Brett

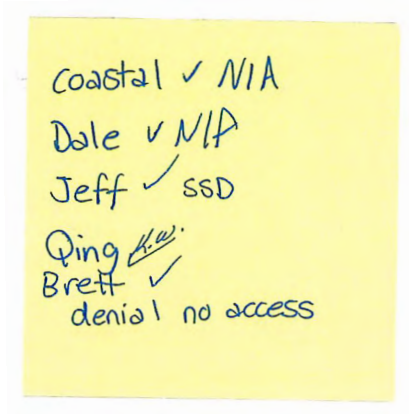
over ->

Section 5 – Building Information (building permits only)

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

Section 6 – Sketch

This area can be used to show features of the property (e.g. slope direction, surface drainage, structures, lot layouts, special features, etc.)



Section 7 – Notes

Notes: see email from Brett

Section 8 – Subdivision Information (subdivisions only)

- a) Does the Duty to Consult Policy Apply? No Yes
- b) Has the property been previously subdivided? No Yes
- c) Is a survey required? No Yes
- d) Immediately prior to final approval, has the identification status been confirmed (attach confirmation)? No Yes

Section 9 – Status and Sign Off

Copies of the application have been sent to the following for comment:

- Planning TIR (transportation) Quality Tourism Fire Marshall
- Environment Coastal Erosion/Flood Risk _____

Officer

June 19th 2023
Date

Sarah MacVarish

From: Brett Wallace
Sent: Monday, June 19, 2023 10:59 AM
To: Sarah MacVarish; Alan Aitken
Cc: HighwayAccess; Jeff Sampson
Subject: RE: Case 56579 - PID 400929
Attachments: Case-56579.pdf

Hi Sarah,

We have reviewed that attached application for the subdivision of PID: 400929 along Route 2 in Greenvale and cannot approve the proposed subdivision under **Section 20.(1)(e)** of the Highway Access Regulations, which notes that:

20.(1) The Minister may issue an entrance way permit to authorize placement of a new entrance way or a change of use of an existing entrance way, to a portion of an arterial highway outside of an area that has been designated for infilling in Schedule "A-3", except no entrance way permit shall be issued:

- (e) to provide an entrance way to a parcel of land created after March 22, 1992 or the date upon which the adjacent highway was designated as an arterial highway, whichever is later, other than to enable:*
- (i) the creation of a new farm (does not apply in this case);*
 - (ii) the creation of a new parcel of land subdivided from a farm for the purpose of establishing one new single-family dwelling or the creation of a separate parcel of land that includes a single-family dwelling to allow the farmer to retain the dwelling and sell the remainder of the farm, provided that the existing entrance way to the farm is used for access to the new or separate parcel of land and any other entrance way to the new or separate parcel of land is removed (does not apply in this case since the property is not considered a farm);*
 - (iii) cultivation of a natural resource (does not apply in this case).*

Regards,

Brett A. Wallace, P.Eng.
Traffic Data Engineer
Transportation & Infrastructure

From: Sarah MacVarish <smacvarish@gov.pe.ca>
Sent: Monday, June 19, 2023 10:10 AM
To: Brett Wallace <bawallace@gov.pe.ca>; Alan Aitken <AAAITKEN@gov.pe.ca>
Subject: RE: Case 56579 - PID 400929

Yes I have this one, was waiting on you guys for comments. They proposed to use the existing accessway to service the lot they wanted to subdivide off, are you saying this isn't possible? If not I will deny this.

Thanks,
Sarah

From: Brett Wallace <bawallace@gov.pe.ca>
Sent: Monday, June 19, 2023 10:06 AM
To: Alan Aitken <AAAITKEN@gov.pe.ca>; Sarah MacVarish <smacvarish@gov.pe.ca>
Cc: HighwayAccess <highwayaccess@gov.pe.ca>; Jeff Sampson <JJSAMPSON@gov.pe.ca>
Subject: RE: Case 56579 - PID 400929

Hi Alan,

I see that Jeff sent me this file a while back and I must have missed it. I'll create a file for it, but as you noted I'm pretty sure we can't approve it.

Brett A. Wallace, P.Eng.
Traffic Data Engineer
Transportation & Infrastructure

From: Alan Aitken <AAAITKEN@gov.pe.ca>
Sent: Friday, June 16, 2023 4:20 PM
To: Sarah MacVarish <smacvarish@gov.pe.ca>
Cc: HighwayAccess <highwayaccess@gov.pe.ca>; Brett Wallace <bawallace@gov.pe.ca>; Matt Langille <mlangille@gov.pe.ca>; Jeff Sampson <JJSAMPSON@gov.pe.ca>
Subject: Case 56579 - PID 400929

Sarah.

Do you have a case file for case # 56579 – PID 400929 on Rte 2 in Greenvale? Was there a request to S/D or COU?

Only roughly 3 acre parcel on an arterial so COU or S/D would be denied!

Alan A. Aitken
Traffic Operations Engineer,
and Registrar of Signs
aaaitken@gov.pe.ca
902-368-5006

TAB

5

TAB

A

Katie Winter

From: Sarah MacVarish
Sent: Friday, July 29, 2022 11:18 AM
To: Katie Winter
Subject: FW: Case #56579 - PID 400929 - Greenvale

Print and attach please 😊

From: Qing Li <qli@gov.pe.ca>
Sent: Friday, July 29, 2022 10:54 AM
To: Sarah MacVarish <smacvarish@gov.pe.ca>
Subject: RE: Case #56579 - PID 400929 - Greenvale

No concern to have on-site wells for the proposed lots.

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

From: Sarah MacVarish <smacvarish@gov.pe.ca>
Sent: Thursday, July 28, 2022 11:40 AM
To: coastalproperty <coastalproperty@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>; Jeff Sampson <JJSAMPSON@gov.pe.ca>; Qing Li <qli@gov.pe.ca>
Subject: Case #56579 - PID 400929 - Greenvale

Good morning,

Please see attached subdivision file and provide comments when possible.

Thanks,

Sarah MacVarish
Property Development Officer
Provincial Planning
Dept. of Agriculture and Land
(902) 569-0573

TAB

B

Sarah MacVarish

From: coastalproperty
Sent: Monday, August 1, 2022 8:17 AM
To: Sarah MacVarish
Subject: RE: Case #56579 - PID 400929 - Greenvale

This parcel falls outside of the assessment zone so no CHA is required.

Catherine

From: Sarah MacVarish <smacvarish@gov.pe.ca>
Sent: Thursday, July 28, 2022 11:40 AM
To: coastalproperty <coastalproperty@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>; Jeff Sampson <JJSAMPSON@gov.pe.ca>; Qing Li <qli@gov.pe.ca>
Subject: Case #56579 - PID 400929 - Greenvale

Good morning,

Please see attached subdivision file and provide comments when possible.

Thanks,

Sarah MacVarish
Property Development Officer
Provincial Planning
Dept. of Agriculture and Land
(902) 569-0573

TAB

C

Sarah MacVarish

From: Dale Thompson
Sent: Monday, August 8, 2022 10:18 AM
To: Sarah MacVarish
Subject: RE: Case #56579 - PID 400929 - Greenvale

Hi Sarah,
There are no protected features on this property so I have no concerns,
Tks, Dale

From: Sarah MacVarish <smacvarish@gov.pe.ca>
Sent: Thursday, July 28, 2022 11:40 AM
To: coastalproperty <coastalproperty@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>; Jeff Sampson <JJSAMPSON@gov.pe.ca>; Qing Li <qli@gov.pe.ca>
Subject: Case #56579 - PID 400929 - Greenvale

Good morning,

Please see attached subdivision file and provide comments when possible.

Thanks,

Sarah MacVarish
Property Development Officer
Provincial Planning
Dept. of Agriculture and Land
(902) 569-0573

TAB

D

Sarah MacVarish

From: Brett Wallace
Sent: Monday, June 19, 2023 10:59 AM
To: Sarah MacVarish; Alan Aitken
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Attachments: Case-56579.pdf

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- (e) to provide an entrance way to a parcel of land created after March 22, 1992 or the date upon which the adjacent highway was designated as an arterial highway, whichever is later, other than to enable:*
- (i) the creation of a new farm (does not apply in this case);*
 - (ii) the creation of a new parcel of land subdivided from a farm for the purpose of establishing one new single-family dwelling or the creation of a separate parcel of land that includes a single-family dwelling to allow the farmer to retain the dwelling and sell the remainder of the farm, provided that the existing entrance way to the farm is used for access to the new or separate parcel of land and any other entrance way to the new or separate parcel of land is removed (does not apply in this case since the property is not considered a farm);*
 - (iii) cultivation of a natural resource (does not apply in this case).*

Regards,

Brett A. Wallace, P.Eng.
Traffic Data Engineer
Transportation & Infrastructure

From: Sarah MacVarish <smacvarish@gov.pe.ca>
Sent: Monday, June 19, 2023 10:10 AM
To: Brett Wallace <bawallace@gov.pe.ca>; Alan Aitken <AAAITKEN@gov.pe.ca>
Subject: RE: Case 56579 - PID 400929

Yes I have this one, was waiting on you guys for comments. They proposed to use the existing accessway to service the lot they wanted to subdivide off, are you saying this isn't possible? If not I will deny this.

Thanks,
Sarah

From: Brett Wallace <bawallace@gov.pe.ca>
Sent: Monday, June 19, 2023 10:06 AM
To: Alan Aitken <AAAITKEN@gov.pe.ca>; Sarah MacVarish <smacvarish@gov.pe.ca>
Cc: HighwayAccess <highwayaccess@gov.pe.ca>; Jeff Sampson <JJSAMPSON@gov.pe.ca>
Subject: RE: Case 56579 - PID 400929

Hi Alan,

I see that Jeff sent me this file a while back and I must have missed it. I'll create a file for it, but as you noted I'm pretty sure we can't approve it.

Brett A. Wallace, P.Eng.
Traffic Data Engineer
Transportation & Infrastructure

From: Alan Aitken <AAAITKEN@gov.pe.ca>
Sent: Friday, June 16, 2023 4:20 PM
To: Sarah MacVarish <smacvarish@gov.pe.ca>
Cc: HighwayAccess <highwayaccess@gov.pe.ca>; Brett Wallace <bawallace@gov.pe.ca>; Matt Langille <mlangille@gov.pe.ca>; Jeff Sampson <JJSAMPSON@gov.pe.ca>
Subject: Case 56579 - PID 400929

Sarah.

Do you have a case file for case # 56579 – PID 400929 on Rte 2 in Greenvale? Was there a request to S/D or COU?

Only roughly 3 acre parcel on an arterial so COU or S/D would be denied!

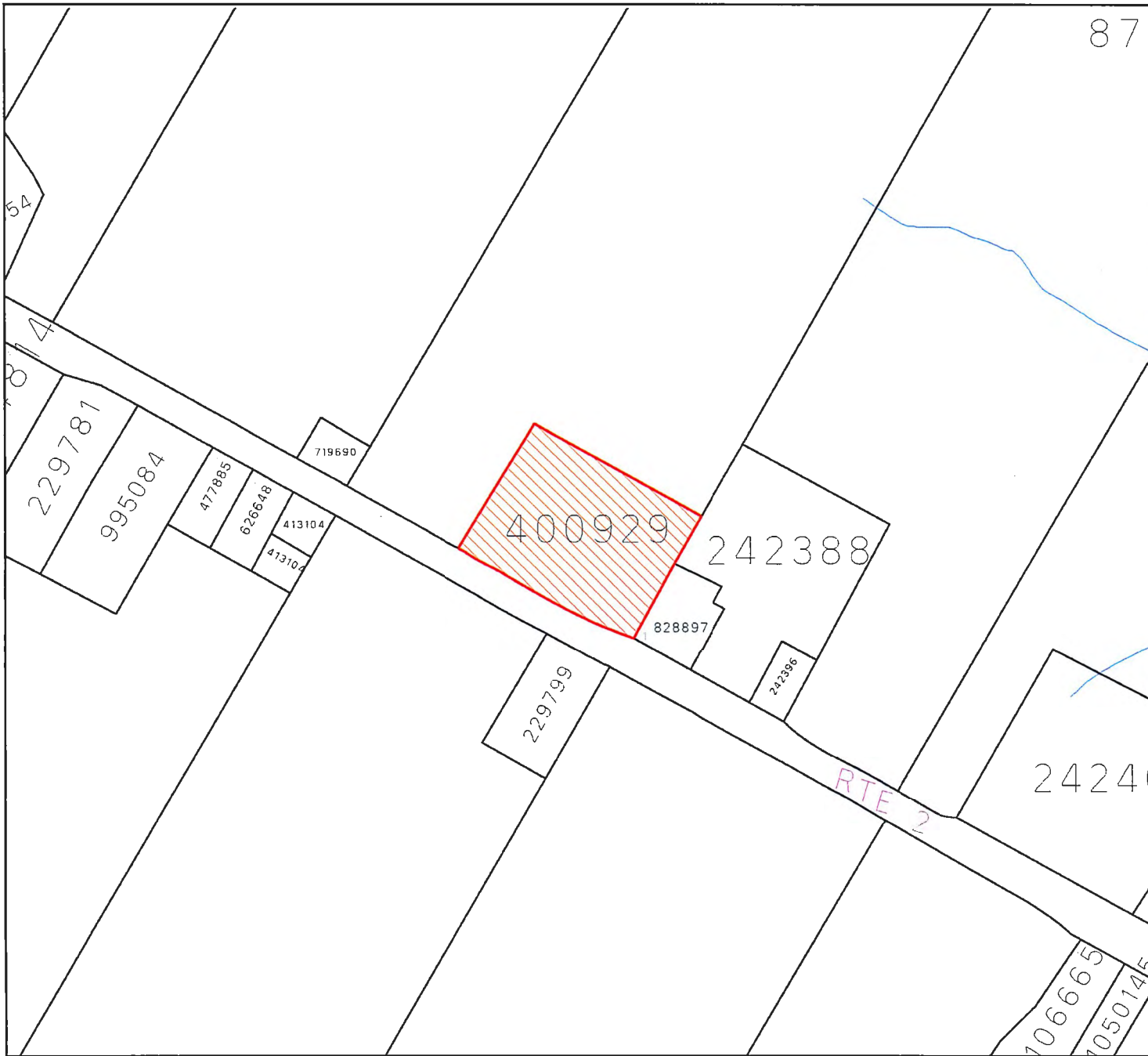
Alan A. Aitken
Traffic Operations Engineer,
and Registrar of Signs
aaaitken@gov.pe.ca
902-368-5006

TAB

6

TAB

A



PROVINCE OF PEI DEPARTMENT OF
PROVINCIAL TREASURY
GEOMATICS INFORMATION CENTRE
11 KENT ST. CHARLOTTETOWN
PEI C1A 7NB

PHONE: 902-368-5178
FAX: 902-368-4399

WHILE THIS MAP MAY NOT BE FREE
FROM ERROR OR OMISSION, CARE HAS
BEEN TAKEN TO ENSURE THE BEST
POSSIBLE QUALITY. THIS MAP IS A
GRAPHICAL REPRESENTATION. IT IS NOT
INTENDED TO BE USED TO CALCULATE
EXACT DIMENSIONS OR AREAS.

SCALE: 1:3704
DATE: Jul 22, 2022
TIME: 01:40:29 PM
ACREAGE: 2.96
WORK UNIT: 2112

<u>Parcel</u>	<u>Map #</u>	<u>Property Location</u>	<u>Owner Name & Mailing Address</u>
400929	11L063C2	19398 RTE 2 GREENVALE	MARTIN BRIAN DUTTON 19398 RTE 2 HUNTER RIVER PE C0A 1N0

Original Prop No:

School District: 2112
Work Unit: 2112 New Glasgow

Lot/Township #: 23
School Unit #: 3

<u>Parcel and Lease</u>	<u>Acreage</u>	<u>Assessment Values</u>	<u>Taxable</u>	<u>Designated Taxpayer and Mailing Address</u>
400929 - 0	3.0	Commercial:	0	MARTIN BRIAN DUTTON
Account Status: A		Non Commercial: \$ 86500	78400	19398 RTE 2
		Residential: \$ 81900	73800	HUNTER RIVER
Farm Qual: N		Farm:	0	PE C0A 1N0

Municipality: 2903
Region# and Assr: 2 KELLY JOHN MICHAEL
% in Municip: 100

Spec Prop Code:
MHI Number:

Owner ID Code:
Ownership Code: A01
Tax Exempt Code:

No. Farm Qual:
No. Referrals:
No. Transfers:
No. Tax Credits:
No. Building Permits:
No. Appeals:

Dates
Assessment Effective:
Last Inspection: 30-JUL-92
Last Owner Chg: 02-NOV-12
Initially Filed: 01-JAN-00
Dormant:

<u>Parcel</u>	<u>Map #</u>	<u>Property Location</u>	<u>Owner Name & Mailing Address</u>
400929	11L063C2	19398 RTE 2 GREENVALE	MARTIN BRIAN DUTTON 19398 RTE 2
		County:	HUNTER RIVER PE C0A 1N0

Status: Active
Last Parcel Update: 02-NOV-12

Acres: 3.0
School District: 2112
Lot/Township: 23

DOCUMENTS FILED ON PARCEL:

<u>Year</u>	<u>Description</u>	<u>Type</u>	<u>Doc No</u>	<u>Liber/Book</u>	<u>Folio/Page</u>
2015	MORTGAGE	51	8032	5582	-
2015	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	8031	5582	-
2013	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	240	5449	-
2012	DEED	11	8409	5440	-
2012	POWER OF ATTORNEY	35	7610	5436	-
2012	POWER OF ATTORNEY	35	7611	5436	-
2012	MORTGAGE	51	8410	5440	-
2008	MORTGAGE	51	5780	5209	-
2000	DEED	11	6498	1087	1
2000	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	7328	-	-
1998	DEED	11	899	921	31
1996	DEED	11	4458	829	27
1992	DEED	11	19925079	669	90
1992	MORTGAGE	51	19925080	745	11
1979	DEED	11	19793823	286	82

The information contained in this screen attempts to match Registry Documents with specific Parcel identifiers. While care has been taken in the interpretation of matching documents to parcel identifiers, errors and omissions may occur.

TAB

B



[Click to return to Main Page](#)

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 or 7 digits):

No records found!

TAB

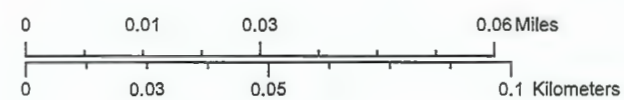
C



July 22, 2022 This map is not intended for legal description or to calculate exact land dimensions.

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Statistics Canada

- ▲ Civic Address
- Coastal Hazard Assessment Zone
- Property Boundary
- Wetland
- Natural Area 2020
- Identified Lands
- No
- Yes
- Shared
- 2m Contour 2020 (CGVD2013)
- 2m
- 3m
- 4m
- Lots under 25000 sq.ft.
- 15m Buffer
- Watercourse
- Arterial
- 2nd Arterial
- Infilling
- L Access
- Collector
- Local 1
- Local 2
- Local 3
- Seasonal
- Resource
- Ramp
- Federal
- Private
- Residential



Scale: 1:2,257 43