

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 Timothy Bank with respect to the denial of two applications for development and building permits at at PIDS 934274 and 943241 located at Lot #2 and Lot #30 in St. Peters Estates, Greenwich, PE

**RECORD OF DECISION PREPARED BY
THE MINISTER OF AGRICULTURE AND LAND**

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

**Solicitor for the Minister of
Agriculture and Land**

Gary Demeulenaere, K.C.
Stewart McKelvey
65 Grafton Street
Charlottetown, PE
C1A 1K8

Solicitor for the Appellant,
Timothy Banks

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2.	Notice of Appeal dated December 20, 2022
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4.	Building and Development Permit Application #2 (PID 943241) dated October 4, 2022
5.	December 8, 2004 Resort Development Use Approval
6.	Pre-Development and Subdivision Inspection Report dated December 13, 2022
7.	Internal Government Email Correspondence (Tabs A to X)
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TAB

1



Land Division

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

Agriculture
and Land

Agriculture
et Terres



Division de terres

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

December 15, 2022

Tim Banks
PO Box 2859 Station Central
Charlottetown,
PE C1A8C4

Dear Mr. Banks:

Subject: Application to develop Lot #2 and Lot #30 St.Peters Estates Greenwich.
Property ID #: 943241 and 943274
Property Location: Greenwich
Our File References: M-2022-0277 and M-2022-0278

A. The Application

The Minister of Agriculture and Land has reviewed your application to construct Accessory Buildings on both Lot #2 and Lot #30 in the St. Peters Estates Ltd. resort development in Greenwich PEI. We have determined the lots in the resort development have been approved with conditions as per subsection 4.(1) of the *Planning Act* Subdivision and Development Regulations as they were at the time of application in 2004.

B. Decision

The Minister of Agriculture and Land is denying the application to construct Accessory Buildings on both Lot #2 and Lot #30 in the St. Peters Estates LTD resort development in Greenwich PEI pursuant to subsections 5.(a) and 51.(1) of the *Planning Act* Subdivision and Development Regulations.

C. Reasons

The 2004 Subdivision approval was subject to a number of conditions as indicated on the approval stamp and as per the requirements of subsection 51.(1) of the *Planning Act* Subdivision and Development Regulations(SDRs).

The Department of Environment, Energy and Climate Action (EECA) has not received a Certificate of Inspection nor the as-built drawings from an Engineer licensed to practice on PEI of the Central Water System. Also, EECA has not granted approval of the

Environmental Management Plan or the Human Use Management Plan for the St. Peters Estates Ltd. resort development in Greenwich PEI. As well, the Environmental Protection Plan is required to be updated and resubmitted for further approval. These approvals are required as per the *Planning Act* Subdivision and Development Regulations subsection 5.(a) prior to granting a development permit. The Minister is denying the Application to develop Lots 2 and 30 in the St. Peters Estates LTD resort development as EECA does not have the necessary documentation to fulfill their requirements for the operation of the central water system. The Environmental Protection Plan, Environmental Management Plan and the Human Use Management Plan must be updated and resubmitted for approval.

Planning Act Subdivision and Development Regulations

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

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

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

(a) where an environmental assessment or an environmental impact statement is required under the Environmental Protection Act, approval has been given pursuant to that Act;

51. (1) A resort development shall be serviced by a central water supply system that complies with the Environmental Protection Act.

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) 368-4465 or emlloyd@gov.pe.ca.

Sincerely,



Eugene Lloyd
Manager (Acting) of Provincial Planning

TAB

2

RECEIVED

via email to Phil

DEC 21 2022 Jm

The Island Regulatory
and Appeals Commission**Notice of Appeal**(Pursuant to Sections 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 hereby appeal the decision made by the Minister of Agriculture and Land ("Minister") on the 15th day of December, 2022, wherein the Minister denied two applications for permits to construct a boathouse on each of Provincial Parcel No. 9436241 and 943274 in Greenwich, Prince Edward Island, being Lot 2 and Lot 30 - a copy of the decision is attached as Schedule "A".

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:

1. breached her duty of procedural fairness;
2. acted in an arbitrary manner;
3. procedural errors;
4. failed or refused to apply or enforce the conditions of the subdivision approval to the original developer and the successors in title in order to deny the permits;
5. erred in her interpretation of the *Planning Act* and associated Regulations;
6. erred in her interpretation of the requirements of the Department of Environment, Energy and Climate Action;
7. such other grounds as may be revealed upon review of the full record produced by the Minister;

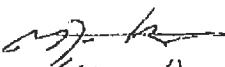
AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, I seek the following relief:

1. quash the decision of the Minister;
2. grant the permits as requested; and
3. such further and other relief as may be authorized under the *Planning Act* and the *Island Regulatory and Appeals Commission Act*.

Name(s) of
Appellant(s):

Timothy Banks

Signature(s)
of
Appellant(s):


(as agent)

Mailing

Address: c/o Stewart McKelvey

City/Town: Charlottetown

Province: Prince Edward Island

Postal Code: C1A 1K8

Email Address: gdemeulenaere@stewartmckelvey.com

Telephone: (902) 629-4509

Dated this 20th day of December, 2022.

TAB

3

1. Application Type

Building & Development Permit ☒

Development Permit Only ☐

Building Permit Only ☐

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.



2. Property Information

Property Tax Number: 943274

Community: Greenwich

Civic Address Number: TBD

Street Name: Ocean Court

Property Depth: see plans

Property Width: see plans

Property Acreage: 0.80 Acres

Lot Number
(if applicable) Lot#30

3. Applicant Information and Mailing Address

Name: Timothy R Banks
First Middle Initial Last

Company Name:

Street Address or PO Box: PO Box 2859 Station Central

Community: Charlottetown

Province: PEI

Postal Code:

Email: tbanks@apm.ca

Phone: (902) 628-7313

PAID

OCT 04 2022

Amount 250.00
Receipt # 1671

4. Property Owner Information if Different From Above

Name:
First Middle Initial Last

Company Name:

Street Address or PO Box:

Community:

Province:

Postal Code:

Email:

Phone:

PAID

OCT 04 2022

Amount 345.00
Receipt # 1671

M-2022-0277

5. Existing Land Use

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

- | | | |
|--|--|--------------------------------------|
| <input 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.

Vacant Cleared Land

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.

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.

Level Cleared Lot

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 checked="" 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 |

6. Proposal Information

a. What type of development or activity are you proposing? Please check all that apply.

- | | |
|---|--|
| <input checked="" type="checkbox"/> New, detached structure | <input type="checkbox"/> Changing the use of an existing structure |
| <input type="checkbox"/> Addition to existing structure | <input type="checkbox"/> Renovation of an existing structure |
| <input type="checkbox"/> Relocation of existing structure | <input type="checkbox"/> Demolition of an existing structure |

b. What will the proposed development be used for? Please check all that apply.

Boathouse

- | | | |
|--|--|--|
| <input 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"/> Aquaculture/Fisheries |
| <input type="checkbox"/> Rental accommodations | <input type="checkbox"/> Institutional | <input type="checkbox"/> Forestry |

c. If you are proposing a residential use, please indicate the number of bedrooms and dwelling units you intend to have in the structure. A dwelling unit is one or more rooms intended to be used as a single housekeeping unit and generally include their own cooking and toilet facilities.

Number of Bedrooms: None

Number of Dwelling Units: None

d. Is the proposed structure the main structure on the property?

☐ Yes

☒ No

e. Describe how the proposed structure will be used in detail.

New Two Storey Boathouse

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

Maximum Width (ft): see plans

First Floor Area (ft²): 1,175 sf

Maximum Depth (ft): see plans

Total Floor Area (ft²): 1,175 sf

Number of Stories: see plans

g. Provide the minimum distance from your proposed structure to the following.

Front Yard Property Line (ft): see plans 57'

Rear Yard Property Line (ft): 130'

Left Side Property Line (ft): 80'

Right Side Property Line (ft): 40'

Shoreline or Top of Bank (ft): _____

Wetland or watercourse (ft): _____

Dunes (ft): _____

Water Well (ft): _____

Septic Tank (ft): _____

Septic Filed Tile (ft): _____

h. What is the estimated dollar value of constructing, plumbing, wiring and finishing your proposed project (excluding costs for land, septic system and landscaping)? \$ 200,000

7. Access and Servicing Information

- a. Will the proposal require the creation of a new driveway or the relocation of an existing driveway? ☒ Yes ☐ No
- b. Was a soil assessment (perc test) completed on the property? ☐ Yes ☐ No
- c. Is there an existing septic system on the property? ☐ Yes ☒ No
- d. How will the proposed structure receive sewer services? **Not Required for Boathouse**
- ☐ New on-site system ☐ Municipal Central Waste Treatment
- ☐ Existing on-site system ☐ Private Central Waste Treatment

8. Technical Information

- a. What type of heating system are you proposing? Please check all that apply.

Oil: ☐ Baseboards ☐ Forced Air ☐ In-Floor

Electric: ☐ Baseboard ☒ Heat Pump ☐ In-Floor

Other:
Please
Describe

- b. What type of basement are you proposing for the structure?

☐ Full Basement ☐ No Basement

☒ Slab on Grade ☐ Crawlspace

- c. What type of foundation are you proposing for the structure?

☐ Standard Concrete ☒ Insulated Concrete Form (ICF) ☐ Wood Posts

Other:
Please De-
scribe

- d. What type of electrical service are you proposing for the structure?

☐ 100 Amp ☐ 200 Amp

Other:
Please De-
scribe

PHOTOVOLTAIC SOLAR PANELS WITH TESLA POWER WALL FOR LIGHTS AND HEAT.

- e. What siding material are you proposing for the structure?

Wood

- f. What roofing material are you proposing for the structure?

Metal

9. Contracting Information

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

	Name	Email Address	Phone Number
Surveyor:	Not Applicable		
Site Assessor:	Not Applicable		
Septic Contractor:	Not Applicable		
Lawyer:	Not Applicable		
Engineer:	Not Applicable		
Architect/Designer:	Not Applicable		
General Contractor:	APM MacLean	tbanks@apm.ca	(902) 628-7313
Heating Contractor:	To Be Determined		
Electrician:	To Be Determined		
Plumber:	To Be Determined		

10. Declaration

I, Timothy R Banks hereby certify that I am

☒ the registered owner of the land
proposed for development

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
(MANDATORY):

Applicant Signature:

Date October 04, 2022

Date

Date October 04, 2022

Please Note: In order for applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Building & Development Permit Application Sketch

Pursuant to the Planning Act

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

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

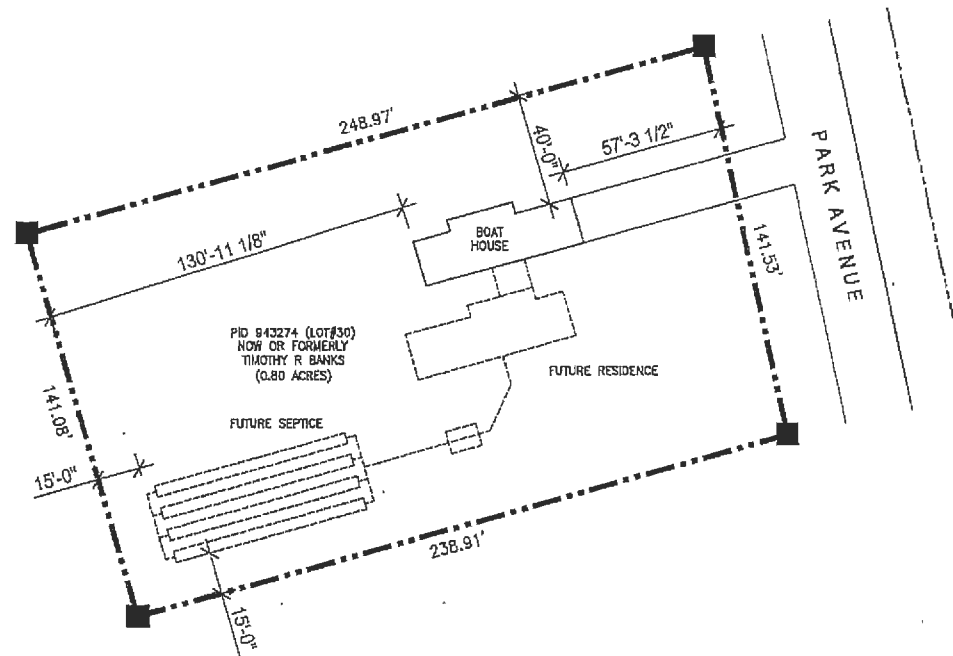
SKETCH



See ATTACHED

Property Owner's Signature or Applicant

Date



SITE PLAN - SCALE 1"=40'-0"

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SP-1.0

BLACKBUSH

GREENWICH BOATHOUSE #2
Grand Tracadie, PE - October 04, 2022

APM

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[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!

DEPARTMENT OF FINANCE
TAXATION AND PROPERTY RECORDS
GEOMATICS INFORMATION CENTRE

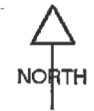
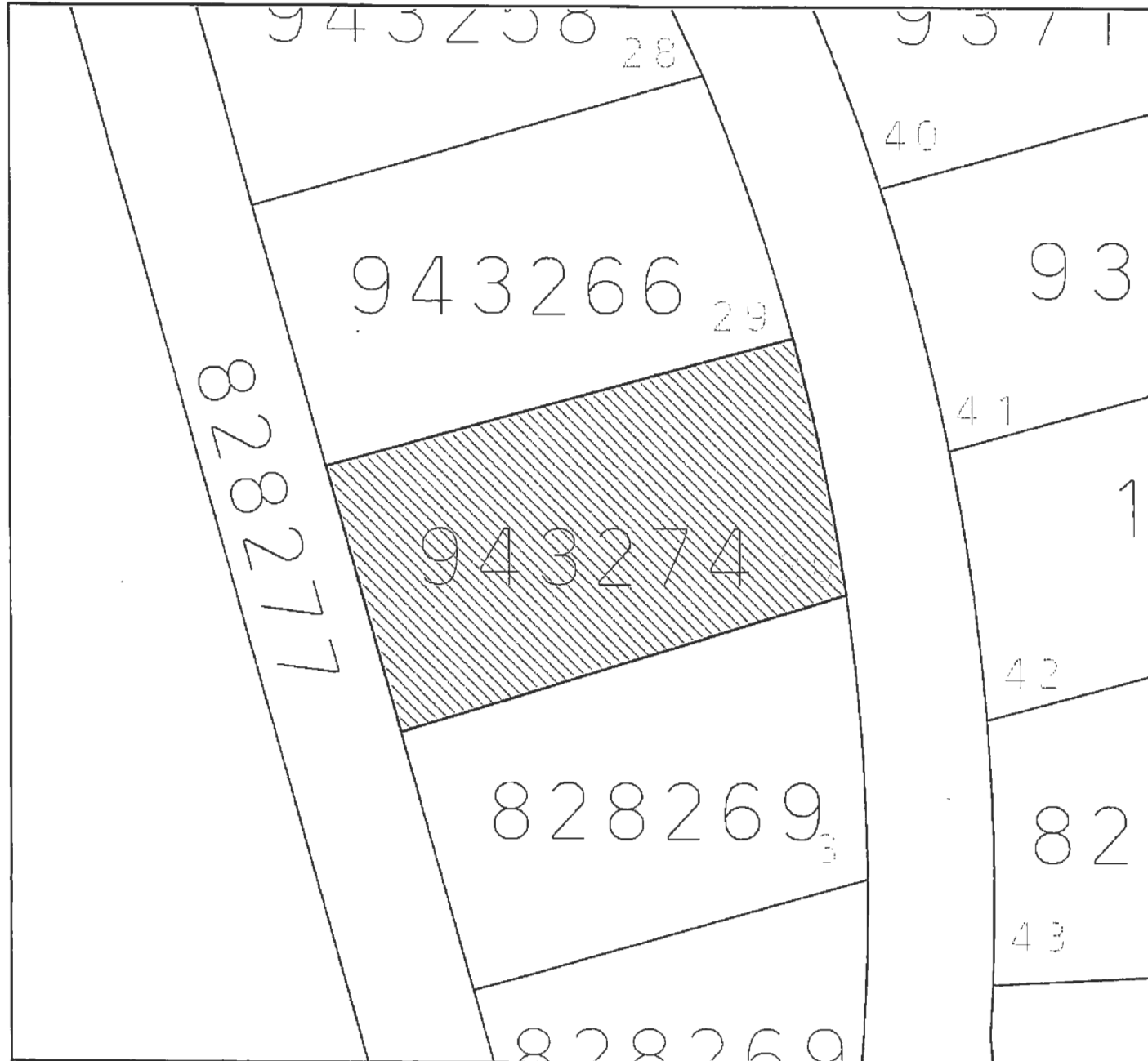
Property Assessment Information Listing
BY Parcel Number

Oct 5, 2022
Page: 1

<u>Parcel</u>	<u>Map #</u>	<u>Property Location</u>	<u>Owner Name & Mailing Address</u>	
943274	11L076E4	GREENWICH	TIMOTHY BANKS	
Original Prop No:			PO BOX 2859 STATION CENTRAL CHARLOTTETOWN PE C1A 8C4	
School District:	3015			
Work Unit:	3295	St-Peters		
Lot/Township #:	40			
School Unit #:	4			
<u>Parcel and Lease</u>	<u>Acreage</u>	<u>Assessment Values</u>	<u>Taxable</u>	<u>Designated Taxpayer and Mailing Address</u>
943274 - 0	0.8	Commercial:	0	TIMOTHY BANKS
Account Status:	A	Non Commercial: \$ 36000	36000	
		Residential:	0	CHARLOTTETOWN
Farm Qual:	N	Farm:	0	PE
				PO BOX 2859 STATION CENTRAL C1A 8C4
Municipality:	3902			<u>Dates</u>
Region# and Assr:	2	DOUGLAS BOBBY		Assessment Effective:
% in Municip:	100			Last Inspection: 14-OCT-16
Spec Prop Code:		No. Farm Qual:		Last Owner Chg: 09-SEP-05
MHI Number:		No. Referrals:		Initially Filed:
		No. Transfers:		Dormant:
Owner ID Code:		No. Tax Credits:		
Ownership Code:	A01	No. Building Permits:		
Tax Exempt Code:		No. Appeals:		

PEI GEOMATICS
INFORMATION CENTRE

Owner Name: TIMOTHY BANKS
Location: null



PROVINCE OF PEI DEPARTMENT OF
PROVINCIAL TREASURY
GEOMATICS INFORMATION CENTRE
11 KENT ST. CHARLOTTETOWN
PEI C1A 7N8

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: 1:903
DATE: Oct 5, 2022
TIME: 08:48:35 AM
ACREAGE: 0.8
WORK UNIT: 3295

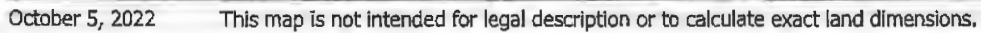
<u>Parcel</u>	<u>Map #</u>	<u>Property Location</u>	<u>Owner Name & Mailing Address</u>
943274	11L076E4	GREENWICH	TIMOTHY BANKS
		County:	PO BOX 2859 STATION CENTRAL CHARLOTTETOWN PE C1A 8C4
Status:	Active		
Last Parcel Update:	09-SEP-05		
Acres:	0.8		
School District:	3015		
Lot/Township:	40		

DOCUMENTS FILED ON PARCEL:

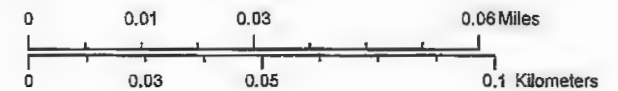
<u>Year</u>	<u>Description</u>	<u>Type</u>	<u>Doc No</u>	<u>Liber/Book</u>	<u>Folio/Page</u>
2017	POWER OF ATTORNEY	35	707	2163	-
2005	DEED	11	1977	2015	-
2005	MORTGAGE	51	1978	2015	-

PLANS FILED ON PARCEL:

Plan No
N7 21343
N8 30328



	Civic Address	No	4m	Infilling	Seasonal
	Coastal Hazard Assessment Zone	Yes	Lots under 25000 sq.ft.	L Access	Resource
	Property Boundary	Shared	15m Buffer	Collector	Ramp
	Wetland	2m Contour 2020 (OSVD2013)	Watercourse	Local 1	Federal
	Natural Area 2020	2m	Arterial	Local 2	Private
	Identified Lands	3m	2nd Arterial	Local 3	Residential



Scale: 1:2,257

TAB

4

1. Application Type

Building & Development Permit ☒

Development Permit Only ☐

Building Permit Only ☐

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.



2. Property Information

Property Tax Number : 943241

Community: Greenwich

Civic Address Number: TBD

Street Name: Ocean Court

Property Depth: see plans

Property Width: see plans

Property Acreage: 1.2 Acres

Lot Number (if applicable) Lot#2

3. Applicant Information and Mailing Address

Name: Timothy R Banks
First Middle Initial Last

Company Name:

Street Address or PO Box: PO Box 2859 Station Central

Community: Charlottetown

Province: PEI

Postal Code:

Email: tbanks@apm.ca

Phone: (902) 628-7313

PAID

OCT 04 2022

Amount 250.00
Receipt # 1070

4. Property Owner Information if Different From Above

Name: _____
First Middle Initial Last

Company Name: _____

Street Address or PO Box: _____

Community: _____

Province: _____

Postal Code: _____

Email: _____

Phone: _____

PAID

OCT 04 2022

Amount 345.00
Receipt # 1070

M-2022-0270

5. Existing Land Use

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

- | | | |
|--|--|--------------------------------------|
| <input 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.

Vacant Cleared Land

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.

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.

Level Cleared Lot

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 checked="" 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 |

6. Proposal Information

a. What type of development or activity are you proposing? Please check all that apply.

- | | |
|---|--|
| <input checked="" type="checkbox"/> New, detached structure | <input type="checkbox"/> Changing the use of an existing structure |
| <input type="checkbox"/> Addition to existing structure | <input type="checkbox"/> Renovation of an existing structure |
| <input type="checkbox"/> Relocation of existing structure | <input type="checkbox"/> Demolition of an existing structure |

b. What will the proposed development be used for? Please check all that apply. **Boathouse**

- | | | |
|--|--|--|
| <input 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"/> Aquaculture/Fisheries |
| <input type="checkbox"/> Rental accommodations | <input type="checkbox"/> Institutional | <input type="checkbox"/> Forestry |

c. If you are proposing a residential use, please indicate the number of bedrooms and dwelling units you intend to have in the structure. A dwelling unit is one or more rooms intended to be used as a single housekeeping unit and generally include their own cooking and toilet facilities.

Number of Bedrooms: None

Number of Dwelling Units: None

d. Is the proposed structure the main structure on the property? ☐ Yes ☒ No

e. Describe how the proposed structure will be used in detail.

New Two Storey Boathouse

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

Maximum Width (ft): see plans

First Floor Area (ft²): 1,175 sf

Maximum Depth (ft): see plans

Total Floor Area (ft²): 1,175 sf

Number of Stories: see plans

g. Provide the minimum distance from your proposed structure to the following.

Front Yard Property Line (ft): see plans 72'

Rear Yard Property Line (ft): 103'

Left Side Property Line (ft): 78'

Right Side Property Line (ft): 39' 9"

Shoreline or Top of Bank (ft): _____

Wetland or watercourse (ft): _____

Dunes (ft): _____

Water Well (ft): _____

Septic Tank (ft): _____

Septic Filed Tile (ft): _____

h. What is the estimated dollar value of constructing, plumbing, wiring and finishing your proposed project (excluding costs for land, septic system and landscaping)? \$ 200,000

7. Access and Servicing Information

- a. Will the proposal require the creation of a new driveway or the relocation of an existing driveway? ☒ Yes ☐ No
- b. Was a soil assessment (perc test) completed on the property? ☐ Yes ☐ No
- c. Is there an existing septic system on the property? ☐ Yes ☒ No
- d. How will the proposed structure receive sewer services? **Not Required for Boathouse**
- ☐ New on-site system ☐ Municipal Central Waste Treatment
- ☐ Existing on-site system ☐ Private Central Waste Treatment

8. Technical Information

- a. What type of heating system are you proposing? Please check all that apply.

Oil: ☐ Baseboards ☐ Forced Air ☐ In-Floor

Electric: ☐ Baseboard ☒ Heat Pump ☐ In-Floor

Other:

Please
Describe

- b. What type of basement are you proposing for the structure?

☐ Full Basement ☐ No Basement

☒ Slab on Grade ☐ Crawlspace

- c. What type of foundation are you proposing for the structure?

☐ Standard Concrete ☒ Insulated Concrete Form (ICF) ☐ Wood Posts

Other:

Please De-
scribe

- d. What type of electrical service are you proposing for the structure?

☐ 100 Amp ☐ 200 Amp

Other:

Please De-
scribe PHOTOVOLTAIC SOLAR PANELS WITH TESLA POWER WALL FOR LIGHTS AND HEAT.

- e. What siding material are you proposing for the structure?

Wood

- f. What roofing material are you proposing for the structure?

Metal

9. Contracting Information

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

	Name	Email Address	Phone Number
Surveyor:	Not Applicable		
Site Assessor:	Not Applicable		
Septic Contractor:	Not Applicable		
Lawyer:	Not Applicable		
Engineer:	Not Applicable		
Architect/Designer:	Not Applicable		
General Contractor:	APM MacLean	tbanks@apm.ca	(902) 628-7313
Heating Contractor:	To Be Determined		
Electrician:	To Be Determined		
Plumber:	To Be Determined		

10. Declaration

I, Timothy R Banks hereby certify that I am

☒ the registered owner of the land
proposed for development

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
(MANDATORY):

Applicant Signature:

Date October 04, 2022

Date

Date October 04, 2022

Please Note: In order for applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Building & Development Permit Application Sketch

Pursuant to the Planning Act

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

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

SKETCH

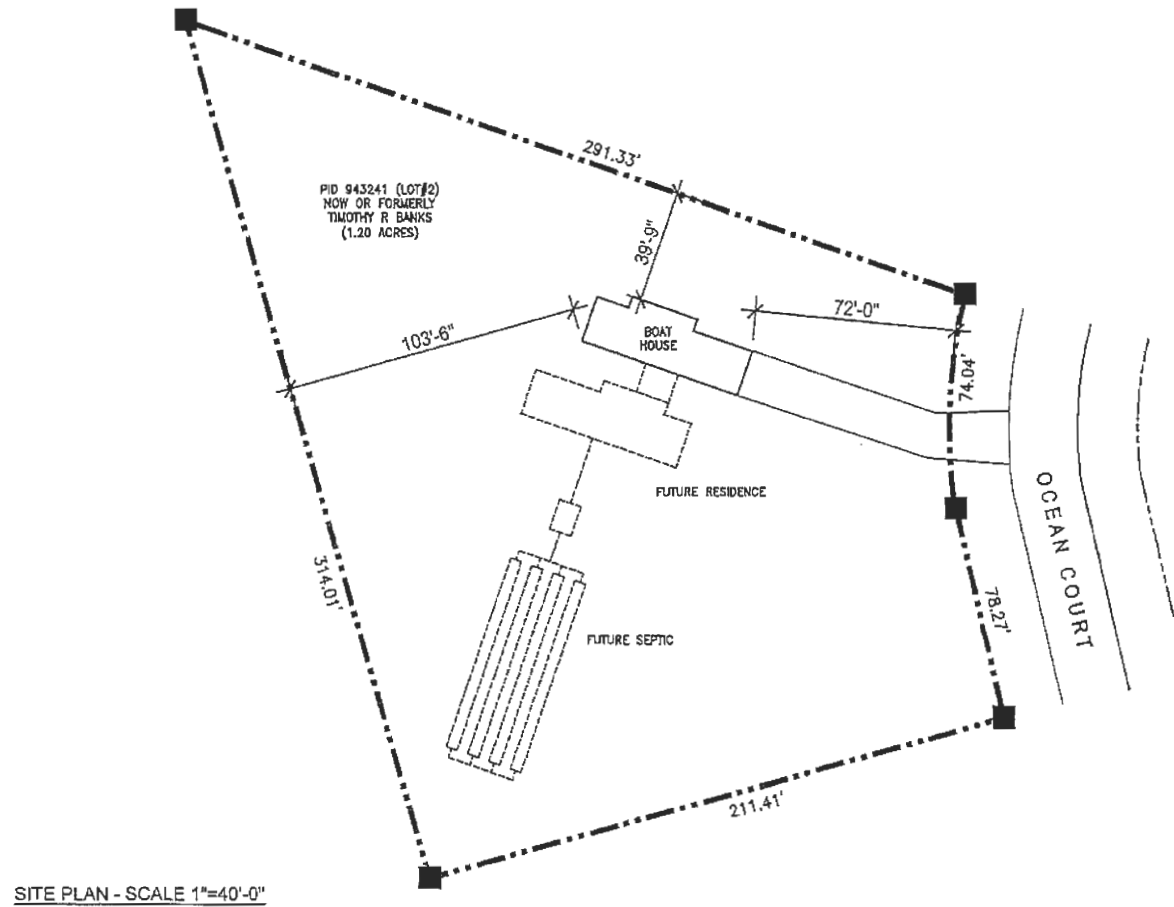


See ATTACHED

Property Owner's Signature or Applicant

OCT 4-22

Date



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SP-1.0



GREENWICH BOATHOUSE #1
Grand Tracade, PE - October 04, 2022



5



[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!

DEPARTMENT OF FINANCE
TAXATION AND PROPERTY RECORDS
GEOMATICS INFORMATION CENTRE

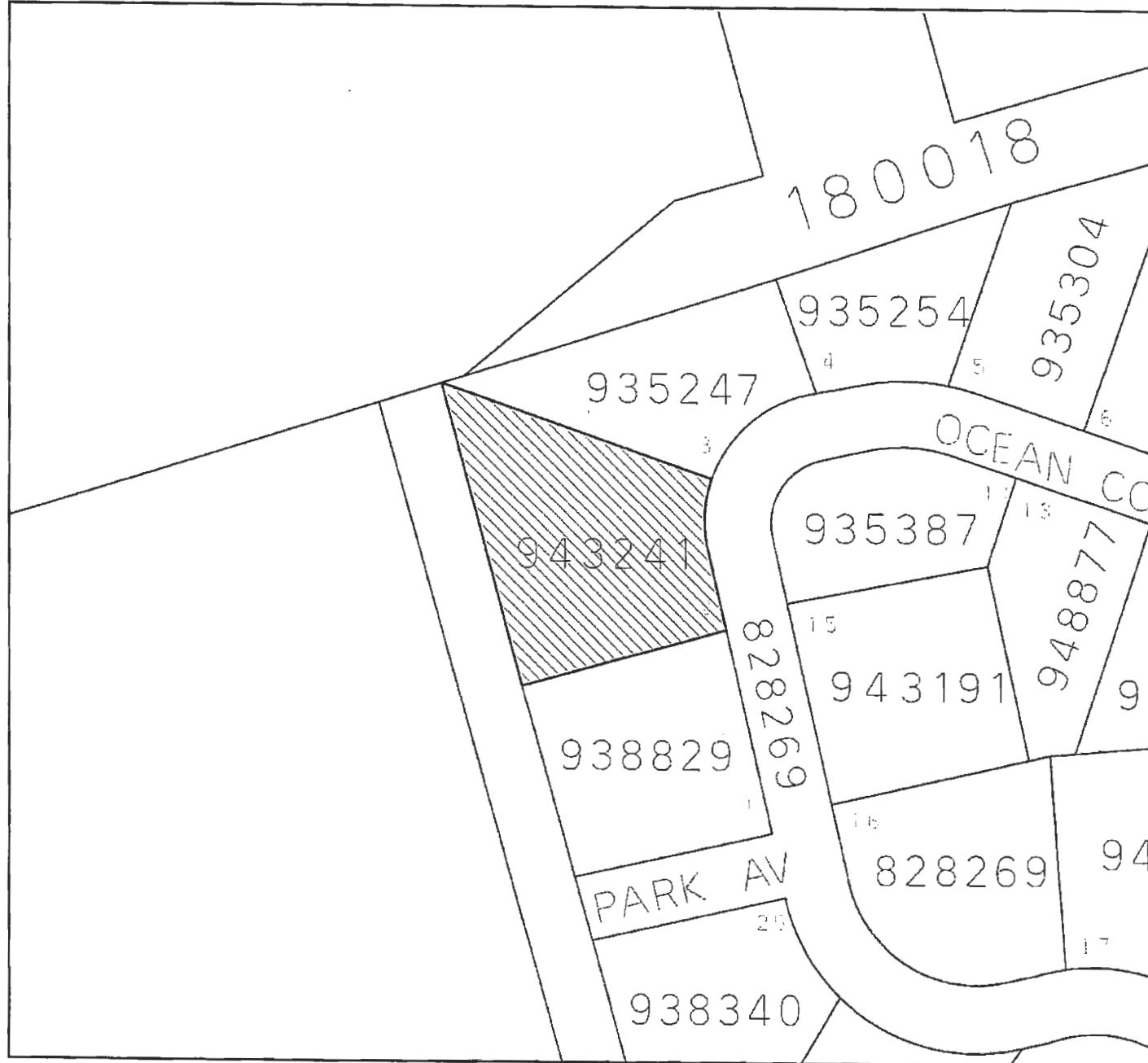
Property Assessment Information Listing
BY Parcel Number

Oct 5, 2022
Page: 1

<u>Parcel</u>	<u>Map #</u>	<u>Property Location</u>	<u>Owner Name & Mailing Address</u>	
943241	11L076E4	GREENWICH	TIMOTHY BANKS	
Original Prop No:			PO BOX 2859 STATION CENTRAL CHARLOTTETOWN PE C1A 8C4	
School District:	3015			
Work Unit:	3295	St-Peters		
Lot/Township #:	40			
School Unit #:	4			
<u>Parcel and Lease</u>	<u>Acreage</u>	<u>Assessment Values</u>	<u>Taxable</u>	<u>Designated Taxpayer and Mailing Address</u>
943241 - 0	1.2	Commercial:	0	TIMOTHY BANKS
Account Status:	A	Non Commercial: \$ 36000	36000	
		Residential:	0	CHARLOTTETOWN
Farm Qual:	N	Farm:	0	PE
				PO BOX 2859 STATION CENTRAL C1A 8C4
Municipality:	3902			
Region# and Assr:	2	DOUGLAS BOBBY		
% in Municip:	100			
Spec Prop Code:		No. Farm Qual:		<u>Dates</u>
MHI Number:		No. Referrals:		Assessment Effective:
		No. Transfers:		Last Inspection: 14-OCT-16
Owner ID Code:		No. Tax Credits:		Last Owner Chg: 09-SEP-05
Ownership Code:	A01	No. Building Permits:		Initially Filed:
Tax Exempt Code:		No. Appeals:		Dormant:

PEI GEOMATICS
INFORMATION CENTRE

Owner Name: TIMOTHY BANKS
Location: null



PROVINCE OF PEI DEPARTMENT OF
PROVINCIAL TREASURY
GEOMATICS INFORMATION CENTRE
11 KENT ST. CHARLOTTETOWN
PEI C1A 7N8

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: 1:1748
DATE: Oct 5, 2022
TIME: 09:16:10 AM
ACREAGE: 1.21
WORK UNIT: 3295

<u>Parcel</u>	<u>Map #</u>	<u>Property Location</u>	<u>Owner Name & Mailing Address</u>
943241	11L076E4	GREENWICH	TIMOTHY BANKS
		County:	PO BOX 2859 STATION CENTRAL CHARLOTTETOWN PE C1A 8C4
Status:	Active		
Last Parcel Update:	09-SEP-05		
Acres:	1.2		
School District:	3015		
Lot/Township:	40		

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>
2017	POWER OF ATTORNEY	35	707	2163	-
2005	DEED	11	1977	2015	-
2005	MORTGAGE	51	1978	2015	-

PLANS FILED ON PARCEL:

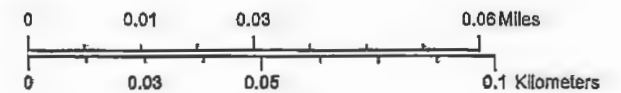
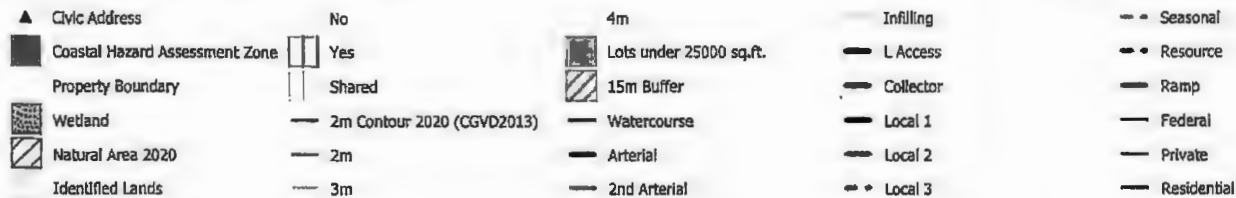
Plan No
N7 21343
N8 30328



October 5, 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



TAB

5

APPROVED

DEC 08 2004

Dept. of Community & Cultural Affairs
Per *[Signature]*

**Lots 1 to 70 for Resort Development use
(Summer Cottage)**

Category I -

Lots 2 to 9, 11 to 14, 26 to 34, 39 to 44

Category III -

Lots 1, 10, 15 to 25 45, 46, 51 to 54, 68

Subject to:

- a. All lots shall be serviced by a central water system that has been designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.
- b. Lots 35 to 38 and 45 to 70 shall be serviced by a central sewage disposal system designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.
- c. Category III lots that are not serviced by the central sewage disposal system shall be serviced by on-site disposal systems that have been designed by a professional engineer and approved by the Department of Environment, Energy and Forestry.
- d. The use of water conservation plumbing fixtures shall be mandatory throughout the development.
- e. The resort shall be developed and occupied in accordance with an Environmental Protection Plan, Environmental Management Plan and Human Use Management Plan as approved by the Department of Environment, Energy and Forestry.
- f. Direct lot access to the beach access road is prohibited.
- g. The areas containing bristly dewberry and bastard toad flax as indicated on this plan be maintained in their natural state.
- h. On all wooded lots, the limit of clearing shall be restricted to the building setback regulations in order to preserve forest cover.
- i. Every deed of conveyance of every lot providing for each lot owner to have a right-of-way from the lot to the public road, as shown on the plan.
- j. Rights-of-way shown on this plan remaining private; approval of this plan in no way implies that the Province of Prince Edward Island accept responsibility for construction or maintenance of roadways or associated drainage facilities.
- k. Construction and maintenance of roadways & associated drainage facilities within the bounds of the private rights-of-way shown on this plan being the responsibility of the subdivider, or of an association of lot owners formed for that purpose.

BRISTLY DEWBE
(ACK ZONE)

TAB

6



PRE-DEVELOPMENT AND SUBDIVISION INSPECTION REPORT

(updated Nov. 09-2019)

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: Tim Banks LOCATION: Greenwich
SUBDIVISION CASE # 21343 BUILDING PERMIT # M-2022-0277 & 0278
PROPERTY # 943274 & 943241 DATE OF INSPECTION: Various Oct 22 to Dec 22

Section 2 – Property Information

- a) Is the property identified? Attach confirmation. ☒ No ☐ Yes
- b) Is the property in a Special Planning Area? ☐ No ☒ Yes Greenwich SPA
- c) Is the property in a municipality with its own official plans and bylaws? ☒ No ☐ Yes
- d) The property has a: ☐ stream ☐ wetland ☐ watercourse ☐ pond
☐ primary sand dune ☐ secondary sand dune ☐ Other: Sensitive Environmental Features
- e) Are there any existing structures on the property? ☒ No ☐ Yes (sketch)
- f) Existing land use vacant - Approved Summer Cottage Proposed land use Boathouse
- g) Has the coastal erosion rate been checked? ☐ NA ☐ No ☐ Yes Not at this time (attach)

Section 3 – Soil Categorization

- a) What is the soil categorization? Category 1 for Lots 2 & 30
- b) Previously Assessed? yes Case # 21343 Assumed Permeable Soil At least 60cm
Assessor Engineer Registered Document N/A

Notes:

Section 4 – Highway Information

- a) Name of highway Park Ave. and Ocean Crt. Route No.
- b) Highway classification ☐ 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 ☐ Yes
- e) Highway access (culvert) ☒ new culvert required ☐ use existing entrance
☐ re-locate existing entrance may not require a culvert
- f) Does the proposed entrance way meet the sight distance requirements? ☐ No ☒ Yes ☐ NA Private Road
- g) Special Conditions:

- h) TIR comments (if applicable):

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
c) Has the Verification Template been checked? ☒ No ☐ Yes

N/A

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.)

Notes:

- See emails from EECA. The central water system has not been approved by EECA nor have the Environmental Protection Plan, Environmental Management Plan and the Human Use Management Plan - EECA would like this updated.
- All lots in a resort development must be serviced by a central water system as per 51.(1) S&D Regs.
- Discussed at length internally. Denial is recommended based on 5.(a) and 51.(1).

Section 7 – Subdivision Information (*subdivisions only*)

- a) Does the Duty to Consult Policy Apply? ☒ No ☐ Yes
b) Has this 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 8 – Status and Sign Off

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

☐ Environmental Health ☐ TIR (transportation) ☐ Quality Tourism ☐ Fire Marshall
☐ Municipality ☒ Environment ☐

Eugene Lloyd

Officer

December 13, 2022

Date

TAB 7

TAB A

Eugene Lloyd

From: Eugene Lloyd
Sent: Wednesday, November 23, 2022 2:43 PM
To: Greg Wilson; George Somers; Morley Foy; Dale Thompson
Cc: Glenda MacKinnon-Peters; Dean Lewis
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Greg Wilson <GBWILSON@gov.pe.ca>
Sent: Friday, September 23, 2022 3:58 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi, Guys:

I'm not sure what my availability (DESO responsibilities) will be next week depending on how bad this storm is, but any files we have associated with this site are sitting in my office and Dale Thompson should be able to help go through them looking for this information.

Regards,

Greg Wilson
Manager
Environmental Land Management Section
Dept. Environment, Energy and Climate Action
902-368-5274

From: George Somers <GHSOMERS@gov.pe.ca>
Sent: Friday, September 23, 2022 12:43 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
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Hi Eugene – sounds like something that will require a number of us to get together and sort out who has what information...Morley and Greg...maybe we could get together either in person or virtually sometime next week to compile a response?

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Friday, 23 September 2022 11:56
To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning,

Our Department is being asked to provide some answers to questions regarding the water system and the 3 'plans' stated in Mr. Key's email (highlighted in red). I believe Todd had already responded to the water system issues with Mr. Tim banks already but we need to also have that information supplied to Mr. Key.

Can someone please provide comments on the 'plans' and the water system?

Thank you

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Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Derek Key <derek.key@keymurraylaw.com>
Sent: Friday, September 16, 2022 11:01 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclean@keymurraylaw.com>
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Good morning.

Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

Notwithstanding the age of this file, and the fact that once approval is granted the developer/landowner tends to rely on the assurance provide by government, we are fortunate in this instance that the original documents were retained.

I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

- The water system facility certificate issued by Hon. Richard Brown
- Letter of approval for the system issued by George Somers. This is supported by George's notes at the time that the "system operator" is not required until such time as there is someone to actually hook up to the system.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

My review of the materials, and the obligations established at the time would indicate that all conditions were met – without exception.

We are left with the same two issues. One minor, and one substantive:

1. Why has Mr Carew not had returned to him his Application fee as assured by Mr Lewis?
2. Why has Mr Lewis misrepresented the status of the compliance and approvals relating to the relevant lots?

Eugene, I have no desire to get into a dispute with the Department. However, something appears to definitely be amiss, and Mr Carew is being severely prejudiced. If we have no resolution, I will be reaching out to the Minister and the Deputy on Tuesday, with a recommendation that we meet in advance of commencing litigation. If there is something else in the file that would indicate that my position is in error, or, in some way uninformed, please let me know.

Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4

asst Amanda MacLean | +1 (902) 436-4556



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From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Tuesday, September 13, 2022 9:55 AM

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Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.macleam@keymurraylaw.com>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

It is my understanding that the central water system has not been granted final approval by the Department of Environment, Energy and Climate Action (EECA). As there is no final sign off, that condition has not been met. We have reached out to EECA and they state they have not been given certain information for the water system in order for them to grant final approval.

Subject to:

- a. All lots shall be serviced by a central water system that has been designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.**

If your client wishes to reach out to EECA to determine what is outstanding, that may clarify the issue. I'd suggest reaching out to Ben Lanigan – 902-368-5043 or bpklanigan@gov.pe.ca.

As well, there are other conditions that may need updating or clarification from EECA regarding certain types of protection and management plans.

- a. The resort shall be developed and occupied in accordance with an Environmental Protection Plan, Environmental Management Plan and Human Use Management Plan as approved by the Department of Environment, Energy and Forestry.**

We have also reached out to EECA in regards to these plans as well.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

ot click links or open attachments unless you recognize the sender.

TAB
B

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Sent: Wednesday, November 23, 2022 3:07 PM
To: Eugene Lloyd; George Somers; Morley Foy; Dale Thompson
Cc: Glenda MacKinnon-Peters; Dean Lewis
Subject: Re: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

This was long forgotten about due to Fiona. Anyway we will have dig it out again.

GW

Get [Outlook for iOS](#)

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Wednesday, November 23, 2022 2:42:47 PM
To: Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
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Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

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Sent: Tuesday, September 13, 2022 9:55 AM
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Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.macleam@keymurraylaw.com>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

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Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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TAB C

Eugene Lloyd

From: George Somers
Sent: Wednesday, November 30, 2022 1:57 PM
To: Greg Wilson
Cc: Morley Foy; Ben Lanigan
Subject: FW: Central water system
Attachments: Water Servicing Letter.pdf

Greg – see Sept 2022 email with attached January 2021 letter to George Dierks. You will also see from his note that no approval was issued for the wastewater system although Morley had reviewed the plans. If there other items you need let me know.

George

From: Ben Lanigan <bpklanigan@gov.pe.ca>
Sent: Thursday, 01 September 2022 12:39
To: Dean Lewis <dhlewis@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Cc: George Somers <GHSOMERS@gov.pe.ca>
Subject: RE: Central water system

Hi Dean,

Yes we were able to review this file in regards to water and sewer. Morley did approve the installation of a central water system for the development. However, we have not received any record drawings or letter of completion from the owner's engineer. We have spoken with the engineering consultant about this and were told that the owner has not paid them for their work so they did not issue the documents. He stated that most of the infrastructure may be in place but it was never tested or commissioned. Based on the fact we do not have these records we can not confirm the status of the water system now and would consider it inadequate until a proper assessment is completed. I believe this issue came up at the start of last year so we issued the attached letter to the owner requesting the documents needed above with no response from him.

As for the central sewer system, the design work was completed by his consultant and reviewed by Morley. However, no approval was issued to start that work and that system is not in place now.

Let me know if you need anything else.

Regards,
Ben

Ben Lanigan, EIT
Drinking Water and Wastewater Supervisor
Department of Environment, Energy, and Climate Action
11 Kent Street, PO Box 2000
Charlottetown, PE
C1A 7N8
902-368-5043

From: Dean Lewis <dhlewis@gov.pe.ca>
Sent: Thursday, September 1, 2022 10:34 AM
To: Morley Foy <MMFOY@gov.pe.ca>
Cc: Ben Lanigan <bpklanigan@gov.pe.ca>
Subject: FW: Central water system

Hi Morley and Ben

Where you able to find records of an approved central water system for St. Peters Estates in Greenwich PE. PID# 828269?

Thanks
Dean Lewis

From: Dean Lewis
Sent: Monday, August 22, 2022 3:13 PM
To: Morley Foy <MMFOY@gov.pe.ca>
Subject: Central water system

Hello Morley

Do you have a record of an approved central water system for St. Peters Estates in Greenwich PE. PID# 828269?

Thanks

Dean Lewis
Senior Development Officer
Department of Agriculture and Land
Province of PEI.
41 Wood Islands Road
Phone: **(902) 838-0650**
Fax: **(902) 838-0696**
Email: dhlewis@gov.pe.ca

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*Climate Change and
Environment Division*

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

**Environment,
Water and
Climate Change**

**Environnement,
Eau et
Changement climatique**



*Division du changement climatique et
de l'environnement*

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

January 26, 2021

George Diercks
59 Wild Rose Road
Greenwich, PE
COA 1S0

Hello Mr. Diercks,

I am writing in response to your request for the use of private well to service lot 24 in the Greenwich Dunes Estates development. In 2005, this subdivision was approved for the use of a central water and sewer system by our department. At that time, COA 2005-08 was issued for the first phase of construction on the water system which included the creation of a pump house, supply wells, and distribution piping for providing servicing to 41 of the total planned buildout of 70 lots. This was to be constructed under the direction of your consultant engineer, ADI.

It is the department's understanding this system has been constructed. However, the department does not have any records on what infrastructure is complete and which lots are currently serviced. As a condition of the Certificate of Approval, the consultant engineer is required to submit copies of the record drawings and a letter of completion upon final work of the project being concluded. From correspondence with the consultant, this documentation was not submitted to the department.

A record of completion and the associated drawings are needed for this water system before any development can take place. Once this documentation is submitted to the department, an assessment can be completed to determine if this lot is currently serviced by the system and if not, possible solutions moving forward for water supply.

If there are any questions I can be reached at 902-368-5043 or at my email bpklanigan@gov.pe.ca.

Regards,

Ben Lanigan, EIT
Drinking Water and Wastewater Supervisor

CC: Eugene Lloyd, Acting Manager of Provincial Planning Division
George Somers, Manager of Drinking Water and Wastewater Management Division
Morley Foy, Approvals and Compliance Engineer

TAB
D

Eugene Lloyd

From: Dale Thompson
Sent: Wednesday, November 30, 2022 3:05 PM
To: Eugene Lloyd
Cc: Glenda MacKinnon-Peters; Dean Lewis; Greg Wilson; George Somers; Morley Foy
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,

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Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
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Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

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Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Greg Wilson <GBWILSON@gov.pe.ca>
Sent: Friday, September 23, 2022 3:58 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
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Hi, Guys:

I'm not sure what my availability (DESO responsibilities) will be next week depending on how bad this storm is, but any files we have associated with this site are sitting in my office and Dale Thompson should be able to help go through them looking for this information.

Regards,

Greg Wilson

Manager

Environmental Land Management Section

Dept. Environment, Energy and Climate Action

902-368-5274

From: George Somers <GHSOMERS@gov.pe.ca>

Sent: Friday, September 23, 2022 12:43 PM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Friday, 23 September 2022 11:56

To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

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Can someone please provide comments on the 'plans' and the water system?

Thank you

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Manager (Acting) of Provincial Planning

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(ph) 902-368-4465

From: Derek Key <derek.key@keymurraylaw.com>

Sent: Friday, September 16, 2022 11:01 AM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclea@keymurraylaw.com>

Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning.

Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

Notwithstanding the age of this file, and the fact that once approval is granted the developer/landowner tends to rely on the assurance provide by government, we are fortunate in this instance that the original documents were retained.

I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

- The water system facility certificate issued by Hon. Richard Brown
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Thank you.

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TAB E

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Sent: Thursday, December 1, 2022 8:32 AM
To: Dale Thompson; Eugene Lloyd
Cc: Glenda MacKinnon-Peters; Dean Lewis; Greg Wilson; Morley Foy
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk
Attachments: FW: Central water system

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F

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Sent: Thursday, December 1, 2022 8:38 AM
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Cc: Glenda MacKinnon-Peters; Dean Lewis; Greg Wilson; Morley Foy
Subject: Correction RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Correction...thanks to Morley's eagle eye....it is the **water system** not the wastewater system that is mostly constructed.

Thanks Morley

George

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(ph) 902-368-4465

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TAB I

Eugene Lloyd

From: Eugene Lloyd
Sent: Tuesday, December 13, 2022 9:34 AM
To: Dale Thompson
Cc: Greg Wilson; Dean Lewis; George Somers
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk
Attachments: Dec 13th DL Drafts Banks Greenwich Estates formal denial.docx

See attached draft decision letter for your review. We ant to be ensure we capture your issues.

Thank you

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Deputy on Tuesday, with a recommendation that we meet in advance of commencing litigation. If there is something else in the file that would indicate that my position is in error, or, in some way uninformed, please let me know.

Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

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asst Amanda MacLean | +1 (902) 436-4556



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(ph) 902-368-4465

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December 12, 2022

Tim Banks
PO Box 2859 Station Central
Charlottetown,
PE C1A8C4

Dear Mr. Banks:

Subject: Application to develop Lot #2 and Lot #30 St.Peters Estates
Greenwich.
Property ID #: 943241 and 943274
Property Location: Greenwich
Our File References: M-2022-0277 and M-2022-0278

A. The Application

The Minister of Agriculture and Land has reviewed your application to construct Accessory Buildings on both Lot #2 and Lot #30 in the St. Peters Estates Ltd. resort development in Greenwich PEI. We have determined the lots in the resort development have been approved with conditions as per subsection 4.(1) of the *Planning Act* Subdivision and Development Regulations as they were at the time of application in 2004.

B. Decision

The Minister of Agriculture and Land is denying the application to construct Accessory Buildings on both Lot #2 and Lot #30 in the St. Peters Estates LTD resort development in Greenwich PEI pursuant to subsections 5.(a) and 51.(1) of the *Planning Act* Subdivision and Development Regulations.

C. Reasons

The 2004 Subdivision approval was subject to a number of conditions as indicated on the approval stamp and as per the requirements of subsection 51.(1) of the *Planning Act* Subdivision and Development Regulations(SDRs).

The Department of Environment, Energy and Climate Action has not received final approval of the Central Water System nor have they granted approval of the Environmental Management Plan or the Human Use Management Plan for the St. Peters

Estates Ltd. resort development in Greenwich PEI. These approvals are required as per the *Planning Act* Subdivision and Development Regulations subsection 5.(a) prior to granting a development permit. The Minister is denying the Application to develop Lots 2 and 30 in the St. Peters Estates LTD resort development as the Department of Environment, Energy and Climate Action has not received the necessary documentation to grant final approval of the central water system the Environmental Protection Plan, Environmental Management Plan or the Human Use Management Plan.

Planning Act Subdivision and Development Regulations

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

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

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

(a) where an environmental assessment or an environmental impact statement is required under the Environmental Protection Act, approval has been given pursuant to that Act;

51. (1) A resort development shall be serviced by a central water supply system that complies with the Environmental Protection Act.

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) 838-0650 or dhlewis@gov.pe.ca.

Sincerely,

Dean Lewis
Senior Development Officer

TAB J

Eugene Lloyd

From: George Somers
Sent: Tuesday, December 13, 2022 10:24 AM
To: Eugene Lloyd; Morley Foy
Cc: Greg Wilson; Dean Lewis; Dale Thompson
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – I believe this covers the issues for the Drinking Water and Wastewater Section, but I would value Morley Foy's take on this before signing off on this.

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Partner Emeritus

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Hi,

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Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – I believe this covers the issues for the Drinking Water and Wastewater Section, but I would value Morley Foy's take on this before signing off on this.

Thanks

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Manager

Environmental Land Management Section

Dept. Environment, Energy and Climate Action

902-368-5274

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Sent: Friday, September 16, 2022 11:01 AM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclea@keymurraylaw.com>

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Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4

asst Amanda MacLean | +1 (902) 436-4556



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Partner Emeritus

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494 Granville Street

PO Box 1570

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asst Amanda MacLean | +1 (902) 436-4556



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Eugene Lloyd

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Sent: Tuesday, December 13, 2022 11:27 AM
To: Morley Foy; George Somers
Cc: Greg Wilson; Dean Lewis; Dale Thompson
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk
Attachments: Dec 13th DL Drafts Banks Greenwich Estates formal denial.docx

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Morley Foy <MMFOY@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:03 AM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>
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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi,

Could I get a copy of the letter, and I will take a look?

Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
Tel: (902)-368-5036
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Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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Sent: Wednesday, November 30, 2022 3:05 PM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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Environmental Land Management Section
Dept. Environment, Energy and Climate Action
902-368-5274

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Sent: Friday, 23 September 2022 11:56
To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
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Sent: Friday, September 16, 2022 11:01 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.macleam@keymurraylaw.com>
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ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4

asst Amanda MacLean | +1 (902) 436-4556



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Cc: Greg Wilson; Dean Lewis; George Somers
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Partner Emeritus

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Eugene Lloyd

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Sent: Tuesday, December 13, 2022 11:38 AM
To: Eugene Lloyd; George Somers
Cc: Greg Wilson; Dean Lewis; Dale Thompson
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

DRAFT

Thanks, the department issued approval for the water system. The issue is that we have not received the record of completion or associated drawings as required by the condition stated on the Certificate of Approval. Please see the suggested revised wording.

The Department of Environment, Energy and Climate Action has not received final approval Certificate of Inspection nor the as-built drawings from an Engineer licensed to practice on PEI of the Central Water System. Also, the department has not ~~nor have they~~ granted approval of the Environmental Management Plan or the Human Use Management Plan for the St. Peters Estates Ltd. resort development in Greenwich PEI. These approvals are required as per the *Planning Act* Subdivision and Development Regulations subsection 5.(a) prior to granting a development permit. The Minister is denying the Application to develop Lots 2 and 30 in the St. Peters Estates LTD resort development as the Department of Environment, Energy and Climate Action has not received the necessary documentation to grant final approval of the central water system the Environmental Protection Plan, Environmental Management Plan or the Human Use Management Plan.

See what you think?

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
Tel: (902)-368-5036
Fax: (902)-368-5830

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
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Manager (Acting) of Provincial Planning
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Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Morley Foy <MMFOY@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:03 AM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi,

Could I get a copy of the letter, and I will take a look?

Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – I believe this covers the issues for the Drinking Water and Wastewater Section, but I would value Morley Foy's take on this before signing off on this.

Thanks

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, 13 December 2022 09:34
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To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,

We can confirm that we have what looks like an approved Environmental Protection Plan (dated March 29, 2005) and what appears to be a draft Environmental Management Plan (EMP). The EMP also includes a Human Use Management Plan section. The EMP cover page is undated but was attached to an email dated Sept 23, 2004. Obviously, given how old these documents are and that the EMP appears to be a draft, EECA would want these documents reevaluated and updated by an engineering/environmental consultant and submitted for approval in order to keep things consistent with the conditions requested in the original EIA Approval. We understand that George's Section will be commenting on the status of the water/wastewater approvals.

Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Wednesday, November 23, 2022 2:43 PM
To: Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Greg Wilson <GBWILSON@gov.pe.ca>
Sent: Friday, September 23, 2022 3:58 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi, Guys:

I'm not sure what my availability (DESO responsibilities) will be next week depending on how bad this storm is, but any files we have associated with this site are sitting in my office and Dale Thompson should be able to help go through them looking for this information.

Regards,

Greg Wilson

Manager

Environmental Land Management Section

Dept. Environment, Energy and Climate Action

902-368-5274

From: George Somers <GHSOMERS@gov.pe.ca>

Sent: Friday, September 23, 2022 12:43 PM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – sounds like something that will require a number of us to get together and sort out who has what information...Morley and Greg...maybe we could get together either in person or virtually sometime next week to compile a response?

George

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Sent: Friday, 23 September 2022 11:56

To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning,

Our Department is being asked to provide some answers to questions regarding the water system and the 3 'plans' stated in Mr. Key's email (highlighted in red). I believe Todd had already responded to the water system issues with Mr. Tim banks already but we need to also have that information supplied to Mr. Key.

Can someone please provide comments on the 'plans' and the water system?

Thank you

Eugene Lloyd

Manager (Acting) of Provincial Planning

31 Gordon Drive

Charlottetown, PE C1A 7N8

(ph) 902-368-4465

From: Derek Key <derek.key@keymurraylaw.com>

Sent: Friday, September 16, 2022 11:01 AM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclean@keymurraylaw.com>

Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning.

Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

Notwithstanding the age of this file, and the fact that once approval is granted the developer/landowner tends to rely on the assurance provide by government, we are fortunate in this instance that the original documents were retained.

I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

- The water system facility certificate issued by Hon. Richard Brown
- Letter of approval for the system issued by George Somers. This is supported by George's notes at the time that the "system operator" is not required until such time as there is someone to actually hook up to the system.
- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

My review of the materials, and the obligations established at the time would indicate that all conditions were met – without exception.

We are left with the same two issues. One minor, and one substantive:

1. Why has Mr Carew not had returned to him his Application fee as assured by Mr Lewis?
2. Why has Mr Lewis misrepresented the status of the compliance and approvals relating to the relevant lots?

Eugene, I have no desire to get into a dispute with the Department. However, something appears to definitely be amiss, and Mr Carew is being severely prejudiced. If we have no resolution, I will be reaching out to the Minister and the Deputy on Tuesday, with a recommendation that we meet in advance of commencing litigation. If there is something else in the file that would indicate that my position is in error, or, in some way uninformed, please let me know.

Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4



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From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Tuesday, September 13, 2022 9:55 AM

To: Derek Key <derek.key@keymurraylaw.com>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.macleam@keymurraylaw.com>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

It is my understanding that the central water system has not been granted final approval by the Department of Environment, Energy and Climate Action (EECA). As there is no final sign off, that condition has not been met. We have reached out to EECA and they state they have not been given certain information for the water system in order for them to grant final approval.

Subject to:

- a. All lots shall be serviced by a central water system that has been designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.

If your client wishes to reach out to EECA to determine what is outstanding, that may clarify the issue. I'd suggest reaching out to Ben Lanigan – 902-368-5043 or bpklanigan@gov.pe.ca.

As well, there are other conditions that may need updating or clarification from EECA regarding certain types of protection and management plans.

- a. The resort shall be developed and occupied in accordance with an Environmental Protection Plan, Environmental Management Plan and Human Use Management Plan as approved by the Department of Environment, Energy and Forestry.

We have also reached out to EECA in regards to these plans as well.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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TAB
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Eugene Lloyd

From: George Somers
Sent: Tuesday, December 13, 2022 11:41 AM
To: Morley Foy; Eugene Lloyd
Cc: Greg Wilson; Dean Lewis; Dale Thompson
Subject: Re: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks Morley....appreciate the amendments.
George

Get [Outlook for iOS](#)

From: Morley Foy <MMFOY@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:37:55 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

DRAFT

Thanks, the department issued approval for the water system. The issue is that we have not received the record of completion or associated drawings as required by the condition stated on the Certificate of Approval. Please see the suggested revised wording.

The Department of Environment, Energy and Climate Action has not received ~~final approval~~ Certificate of Inspection nor the as-built drawings from an Engineer licensed to practice on PEI of the Central Water System. Also, the department has not ~~nor have they~~ granted approval of the Environmental Management Plan or the Human Use Management Plan for the St. Peters Estates Ltd. resort development in Greenwich PEI. These approvals are required as per the *Planning Act* Subdivision and Development Regulations subsection 5.(a) prior to granting a development permit. The Minister is denying the Application to develop Lots 2 and 30 in the St. Peters Estates LTD resort development as the Department of Environment, Energy and Climate Action has not received the necessary documentation to grant final approval of the central water system the Environmental Protection Plan, Environmental Management Plan or the Human Use Management Plan.

See what you think?

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
Tel: (902)-368-5036
Fax: (902)-368-5830

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:27 AM
To: Morley Foy <MMFOY@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Morley Foy <MMFOY@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:03 AM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi,

Could I get a copy of the letter, and I will take a look?

Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
Tel: (902)-368-5036
Fax: (902)-368-5830

From: George Somers <GHSOMERS@gov.pe.ca>
Sent: Tuesday, December 13, 2022 10:24 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – I believe this covers the issues for the Drinking Water and Wastewater Section, but I would value Morley Foy's take on this before signing off on this.

Thanks

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, 13 December 2022 09:34
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

See attached draft decision letter for your review. We want to be ensure we capture your issues.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Eugene Lloyd
Sent: Monday, December 12, 2022 11:44 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

We would like to get the decision out by the end of the week. In the meantime, we'll include the issues you pointed out in our decision letter and send a copy to you for review before sending out.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:45 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,
We will chat and get back to you soon,
Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:33 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks Dale. So at this point, we need to create the decision letter which will include these outstanding items, if that's what they are to be considered. As the subdivision plan approval was subject to conditions, it does not appear as if all of these 'Plans' were approved at that time and some even to this date. As well, updates appear to be required.

How do I represent what you have researched in a decision letter properly to ensure it captures all that is required on your end? If the decision is to deny, the lack of approval of some of these 'Plans' may become part of the reasons for denial so we want to be sure we articulate your requirements as best we can.

Any thoughts on this?

Thank you

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Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

Eugene Lloyd

Manager (Acting) of Provincial Planning
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Manager
Environmental Land Management Section
Dept. Environment, Energy and Climate Action
902-368-5274

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From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Friday, 23 September 2022 11:56
To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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Sent: Friday, September 16, 2022 11:01 AM
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Good morning,

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Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

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Summerside PE C1N 4K4

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Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclean@keymurraylaw.com>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

It is my understanding that the central water system has not been granted final approval by the Department of Environment, Energy and Climate Action (EECA). As there is no final sign off, that condition has not been met. We have reached out to EECA and they state they have not been given certain information for the water system in order for them to grant final approval.

Subject to:

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As well, there are other conditions that may need updating or clarification from EECA regarding certain types of protection and management plans.

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Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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Eugene Lloyd

From: Eugene Lloyd
Sent: Tuesday, December 13, 2022 1:48 PM
To: Dale Thompson
Cc: Greg Wilson; Dean Lewis; George Somers; Morley Foy
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

the Department of Environment, Energy and Climate Action has not received the necessary documentation to grant final approval of the central water system the Environmental Protection Plan, Environmental Management Plan or the Human Use Management Plan.

In this statement, has the central water system already been granted final approval and the as-built drawings are a requirement to fulfill a condition of approval or is this statement correct?

As well, in an email from Dale, the EPP seems to have approval but the EMP and HUMP was in draft. Is this the case? If the EPP I approved, are we now stating that it is effectively not as updates are required?

I just want to be sure this letter corresponds correctly with previous emails we received regarding these matters.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:16 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,
This looks fine to me,
Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, December 13, 2022 9:34 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

See attached draft decision letter for your review. We want to ensure we capture your issues.

Thank you

Eugene Lloyd

Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Eugene Lloyd
Sent: Monday, December 12, 2022 11:44 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

We would like to get the decision out by the end of the week. In the meantime, we'll include the issues you pointed out in our decision letter and send a copy to you for review before sending out.

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Eugene Lloyd
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31 Gordon Drive
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Sent: Thursday, December 8, 2022 10:45 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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(ph) 902-368-4465

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Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
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Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclea@keymurraylaw.com>

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ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

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Summerside PE C1N 4K4

asst Amanda MacLean | +1 (902) 436-4556

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Sent: Tuesday, December 13, 2022 1:56 PM
To: Eugene Lloyd; Dale Thompson
Cc: Greg Wilson; Dean Lewis; Morley Foy
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Again I will defer to Morley but I believe the wording of the statement in yellow highlighter is correct, and the drawings are not a condition of approval but one of the items to grant final approval. Would it be even more clear would f we stated "the necessary documentation to grant final approval and issue a licence to operate the system"?
My two cents worth.

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, 13 December 2022 13:48
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
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Sent: Tuesday, December 13, 2022 2:36 PM
To: Eugene Lloyd
Cc: Greg Wilson; Dean Lewis; George Somers; Morley Foy
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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We can confirm that we have what looks like an approved Environmental Protection Plan (dated March 29, 2005) and what appears to be a draft Environmental Management Plan (EMP). The EMP also includes a Human Use Management Plan section. The EMP cover page is undated but was attached to an email dated Sept 23, 2004. Obviously, given how old these documents are and that the EMP appears to be a draft, EECA would want these documents reevaluated and updated by an engineering/environmental consultant and submitted for approval in order to keep things consistent with the conditions requested in the original EIA Approval. We understand that George's Section will be commenting on the status of the water/wastewater approvals.

Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Wednesday, November 23, 2022 2:43 PM
To: Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8

(ph) 902-368-4465

From: Greg Wilson <GBWILSON@gov.pe.ca>

Sent: Friday, September 23, 2022 3:58 PM

To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi, Guys:

I'm not sure what my availability (DESO responsibilities) will be next week depending on how bad this storm is, but any files we have associated with this site are sitting in my office and Dale Thompson should be able to help go through them looking for this information.

Regards,

Greg Wilson

Manager

Environmental Land Management Section

Dept. Environment, Energy and Climate Action

902-368-5274

From: George Somers <GHSOMERS@gov.pe.ca>

Sent: Friday, September 23, 2022 12:43 PM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – sounds like something that will require a number of us to get together and sort out who has what information...Morley and Greg...maybe we could get together either in person or virtually sometime next week to compile a response?

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Friday, 23 September 2022 11:56

To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning,

Our Department is being asked to provide some answers to questions regarding the water system and the 3 'plans' stated in Mr. Key's email (highlighted in red). I believe Todd had already responded to the water system issues with Mr. Tim banks already but we need to also have that information supplied to Mr. Key.

Can someone please provide comments on the 'plans' and the water system?

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Derek Key <derek.key@keymurraylaw.com>
Sent: Friday, September 16, 2022 11:01 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclea@keymurraylaw.com>
Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning.

Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

Notwithstanding the age of this file, and the fact that once approval is granted the developer/landowner tends to rely on the assurance provide by government, we are fortunate in this instance that the original documents were retained.

I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

- The water system facility certificate issued by Hon. Richard Brown
- Letter of approval for the system issued by George Somers. This is supported by George's notes at the time that the "system operator" is not required until such time as there is someone to actually hook up to the system.
- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

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We are left with the same two issues. One minor, and one substantive:

1. Why has Mr Carew not had returned to him his Application fee as assured by Mr Lewis?
2. Why has Mr Lewis misrepresented the status of the compliance and approvals relating to the relevant lots?

Eugene, I have no desire to get into a dispute with the Department. However, something appears to definitely be amiss, and Mr Carew is being severely prejudiced. If we have no resolution, I will be reaching out to the Minister and the Deputy on Tuesday, with a recommendation that we meet in advance of commencing litigation. If there is something else in the file that would indicate that my position is in error, or, in some way uninformed, please let me know.

Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.
Partner Emeritus
tel +1 (902) 436-4851 | fax +1 (902) 436-5063
494 Granville Street
PO Box 1570
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asst Amanda MacLean | +1 (902) 436-4556



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From: Eugene Lloyd <EMILLOYD@gov.pe.ca>
Sent: Tuesday, September 13, 2022 9:55 AM
To: Derek Key <derek.key@keymurraylaw.com>
Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclean@keymurraylaw.com>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

It is my understanding that the central water system has not been granted final approval by the Department of Environment, Energy and Climate Action (EECA). As there is no final sign off, that condition has not been met. We have reached out to EECA and they state they have not been given certain information for the water system in order for them to grant final approval.

Subject to:

- a. All lots shall be serviced by a central water system that has been designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.

If your client wishes to reach out to EECA to determine what is outstanding, that may clarify the issue. I'd suggest reaching out to Ben Lanigan – 902-368-5043 or bpklanigan@gov.pe.ca.

As well, there are other conditions that may need updating or clarification from EECA regarding certain types of protection and management plans.

- e. The resort shall be developed and occupied in accordance with an Environmental Protection Plan, Environmental Management Plan and Human Use Management Plan as approved by the Department of Environment, Energy and Forestry.**

We have also reached out to EECA in regards to these plans as well.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

ot click links or open attachments unless you recognize the sender.

TAB
T

Eugene Lloyd

From: Morley Foy
Sent: Tuesday, December 13, 2022 2:49 PM
To: George Somers; Eugene Lloyd
Cc: Greg Wilson; Dean Lewis; Todd Dupuis; Brad Colwill; Dale Thompson; Ben Lanigan
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk
Attachments: 2005-08 St Peter's Bay Estates Ltd.-Central Water System-ADI.pdf; 2005-55 St Peter's Bay Estates-ETCL.pdf

Hi,

The approval process for this subdivision was very complex spanning over several years. The current approval was conducted under a difference Act and regulations compared to what Act and regulations would be used today.

There was an approval issued for the construction and operation of the water system. Part I of this approval had a condition that Certificate of Inspection and as-built plans had to be submitted to the department. We have not received these documents, so it is unclear what has been installed. Part II of this approval provided the conditions to operate.

Through this review it was also determined that there was also an approval issued for the construction and operation of the wastewater collection and treatment system. Part I of the approval had a condition that a Certificate of Inspection and as-built plans had to be submitted to the department. To our knowledge, there have been no components of this system installed. Part II of this approval provided the conditions to operate.

While approvals to operate were issued for both systems, there are still outstanding conditions to construct in both cases. Our approvals do not use the "Final Approval" wording,

Approvals are attached for clarity.

Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
Tel: (902)-368-5036
Fax: (902)-368-5830

From: George Somers <GHSOMERS@gov.pe.ca>
Sent: Tuesday, December 13, 2022 1:56 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Again I will defer to Morley but I believe the wording of the statement in yellow highlighter is correct, and the drawings are not a condition of approval but one of the items to grant final approval. Would it be even more clear would f we stated "the necessary documentation to grant final approval and issue a licence to operate the system"?

My two cents worth.

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, 13 December 2022 13:48
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

the Department of Environment, Energy and Climate Action has not received the necessary documentation to grant final approval of the central water system the Environmental Protection Plan, Environmental Management Plan or the Human Use Management Plan.

In this statement, has the central water system already been granted final approval and the as-built drawings are a requirement to fulfill a condition of approval or is this statement correct?

As well, in an email from Dale, the EPP seems to have approval but the EMP and HUMP was in draft. Is this the case? If the EPP I approved, are we now stating that it is effectively not as updates are required?

I just want to be sure this letter corresponds correctly with previous emails we received regarding these matters.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:16 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,
This looks fine to me,
Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, December 13, 2022 9:34 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

See attached draft decision letter for your review. We ant to be ensure we capture your issues.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Eugene Lloyd
Sent: Monday, December 12, 2022 11:44 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

We would like to get the decision out by the end of the week. In the meantime, we'll include the issues you pointed out in our decision letter and send a copy to you for review before sending out.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:45 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,
We will chat and get back to you soon,
Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:33 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks Dale. So at this point, we need to create the decision letter which will include these outstanding items, if that's what they are to be considered. As the subdivision plan approval was subject to conditions, it does not appear as if all of these 'Plans' were approved at that time and some even to this date. As well, updates appear to be required.

How do I represent what you have researched in a decision letter properly to ensure it captures all that is required on your end? If the decision is to deny, the lack of approval of some of these 'Plans' may become part of the reasons for denial so we want to be sure we articulate your requirements as best we can.

Any thoughts on this?

Thank you

Eugene Lloyd

Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Wednesday, November 30, 2022 3:05 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
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Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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- Environmental Protection Plan
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31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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Sent: Friday, September 23, 2022 3:58 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
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Manager

Environmental Land Management Section

Dept. Environment, Energy and Climate Action

902-368-5274

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Sent: Friday, 23 September 2022 11:56

To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>

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Sent: Friday, September 16, 2022 11:01 AM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclean@keymurraylaw.com>

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Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4



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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

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We have also reached out to EECA in regards to these plans as well.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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Environment,
Energy and Forestry

Environnement,
Énergie et Forêts



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

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

No. 05-08

CERTIFICATE OF APPROVAL

In accordance with the authority provided by sections 3, 13, 16, 25 and 28 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9 and subject to regulations made there of, permission is granted for the following:

Applicant/Utility: St Peter's Bay Estates Ltd. - George Diercks
Greenwich Dunes Resort Subdivision
Central Water System - Phase I

Engineering Firm: ADI Ltd. - D. Fisher (4948002.1)

Description of Project:

This project involves the installation of a central water supply system to eventually service 70 lots located in the above community. Phase I construction involves the construction of a pump house and distribution piping, valves, hydrants to service 41 residential lots. Specifically, the construction involves the installation of approximately 40 metres of 300 mm DR 18 W/M, 1,150 metres of 150 mm DR 18 W/M, 3 flushing hydrants, two supply wells, pump house, chlorination system, submersible pumps, water meter, electrical wiring and service connections, site restoration, sediment control and engineering.

Estimate of Cost: \$325,000

PART I

By Order; Conditions of approval to construct, reconstruct or modify are as follows:

1. This "Certificate of Approval" is valid for 12 months from the date of approval.
2. Certificate of Inspection and as-built plans prepared by an engineer licensed to practice in P.E.I. shall be filed with Department of Environment, Energy and Forestry on completion of the project.
3. All work shall be conducted in accordance with approved Watercourse/Wetland Alteration Permits.
4. All ditches and exposed soil shall have proper sediment control systems during construction and must be maintained until reinstatement is complete.
5. All engineering plans and specifications shall conform with the latest version of the Atlantic Canada Standards and Guidelines Manual for the Collection, Treatment and Disposal of Sanitary Sewage and the *Environmental Protection Act* and Sewage Disposal Regulations.
6. All engineering plans and specifications shall conform with the latest version of the Atlantic Canada Guidelines for the Supply, Treatment, Storage, Distribution, and Operation of Drinking Water Supply Systems and the Water Well Regulations.
7. All engineering plans and specifications shall adhered to details and components as identified in the project description.
8. All water shall be dechlorinated prior to discharge to the environment.

PART II

By Order; Conditions of approval to operate are as follows:

1. The Utility shall operate the Water Supply System as outlines in the Groundwater Extraction Permit.
2. Water sampling program shall comply with the Drinking Water and Wastewater Facility Operating Regulations.
3. The principle operator of the system shall be certified as a Water Distribution Operator I pursuant to the Drinking Water and Wastewater Facility Operating Regulations.
4. This certificate to operate shall continue until such time as this approval to operate is altered or rescinded.
5. Pumping system must be operated in accordance with Operation & Maintenance Manuals.

Date of Approval:

April 18, 2005



Morley M. Foy, P.Eng., Approval & Compliance Engineer



Environment,
Energy and Forestry

Environnement,
Énergie et Forêts



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

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

No. 05-55

CERTIFICATE OF APPROVAL

In accordance with the authority provided by sections 3, 13, 16, 25 and 28 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9 and subject to regulations made there of, permission is granted for the following:

Applicant/Utility: St Peter's Bay Estates Ltd. - George Diercks
Greenwich Dunes Resort Subdivision, Greenwich, PEI
Wastewater Collection, Treatment and Disposal

Engineering Firm: Engineering Technologies Canada Ltd. - K. Galloway (4177)

Description of Project:

This project involves the installation of a Central Wastewater STEP Collection, Peatland Treatment and in ground Disposal Systems to service 30 residential lots located in the above community. Specifically, the construction involves the installation of 1000 metres of 75 mm series 200 sewermain, 10000 Litres Pump Tank, pump, pump controls, 600 m² peat filter, 380 m² wetland, 700 m² mantle, electrical wiring and service connections, site restoration, sediment control and engineering.

The following outlines design parameters:

Peak Flow (wwtp)	- 27 m ³ /day
BOD	- < 10 mg/l
TSS	- < 10 mg/l
NH ₄ -N	- < 2 mg/l
Nitrate/nitrite	- < 10 mg/l
Faecal Bacteria	- < 200 MPN/100 ml

Estimate of Cost: \$416,400

PART I

By Order; Conditions of approval to construct, reconstruct or modify are as follows:

1. This "Certificate of Approval" is valid for 12 months from the date of approval.
2. Certificate of Inspection and as-built plans prepared by an engineer licensed to practice in P.E.I. shall be filed with Department of Environment, Energy and Forestry on completion of the project.
3. All work shall be conducted in accordance with approved Watercourse/Wetland Alteration Permits.
4. All ditches and exposed soil shall have proper sediment control systems during construction and must be maintained until reinstatement is complete.
5. All engineering plans and specifications shall conform with the latest version of the Atlantic Canada Standards and Guidelines Manual for the Collection, Treatment and Disposal of Sanitary Sewage and the *Environmental Protection Act* and Sewage Disposal Regulations.
6. All engineering plans and specifications shall conform with the latest version of the Atlantic Canada Guidelines for the Supply, Treatment, Storage, Distribution, and Operation of Drinking Water Supply Systems and the Water Well Regulations.
7. All engineering plans and specifications shall adhered to details and components as identified in the project description.

Tel/Tél. : 902 368 5044

Toll free/Sans frais : 1 866 368 5044

www.gov.pe.ca

Fax/Télec. : 902 368 5830

8. Approval must be obtained under Sewage Disposal Systems Regulations prior to the installation of individual septic tanks servicing lots. The installation of septic tanks must comply with the original approved plan - Engineering Technologies Canada Ltd. Plan dated Sept 7, 2005 - Sheet No S4, Detail - STEP TANK 4750 (1255 usgal).
9. An approved Operation and Maintenance Plan (including operational by-laws) shall be submitted to the department prior to commissioning of facility

PART II

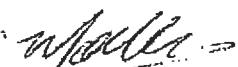
By Order; Conditions of approval to operate are as follows:

1. Maximum Effluent Limits for the wastewater treatment system shall not exceed:

Peak Flow (wwtp)	- 27 m ³ /day
BOD	- less than or equal to 20 mg/l
TSS	- less than or equal to 20 mg/l
Nitrate/nitrite	- <10 mg/l
2. Sampling frequency of effluent for the above parameters shall comply with the Drinking Water and Wastewater Facility Operating Regulations.
3. The operation of the system must comply with the original approved plan - Engineering Technologies Canada Ltd. Plan dated Sept 7, 2005 - Sheet No S4, Detail - STEP TANK 4750 (1255 usgal).
4. The principle operator of the Wastewater Systems shall be certified as a Wastewater Collection Class I Operator and Wastewater Treatment Class I Operator pursuant to the Drinking Water and Wastewater Facility Operating Regulations.
5. This certificate to operate shall continue until such time as this approval to operate is altered or rescinded.

Date of Approval:

November 18, 2005



Morley M. Foy, P.Eng., Approval & Compliance Engineer

TAB
U

Eugene Lloyd

From: Eugene Lloyd
Sent: Tuesday, December 13, 2022 2:56 PM
To: Morley Foy; George Somers
Cc: Greg Wilson; Dean Lewis; Todd Dupuis; Brad Colwill; Dale Thompson; Ben Lanigan
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks so much for the clarification.

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Morley Foy <MMFOY@gov.pe.ca>
Sent: Tuesday, December 13, 2022 2:49 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Todd Dupuis <tdupuis@gov.pe.ca>; Brad Colwill <bccolwill@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>; Ben Lanigan <bpklanigan@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi,

The approval process for this subdivision was very complex spanning over several years. The current approval was conducted under a difference Act and regulations compared to what Act and regulations would be used today.

There was an approval issued for the construction and operation of the water system. Part I of this approval had a condition that Certificate of Inspection and as-built plans had to be submitted to the department. We have not received these documents, so it is unclear what has been installed. Part II of this approval provided the conditions to operate.

Through this review it was also determined that there was also an approval issued for the construction and operation of the wastewater collection and treatment system. Part I of the approval had a condition that a Certificate of Inspection and as-built plans had to be submitted to the department. To our knowledge, there have been no components of this system installed. Part II of this approval provided the conditions to operate.

While approvals to operate were issued for both systems, there are still outstanding conditions to construct in both cases. Our approvals do not use the "Final Approval" wording,

Approvals are attached for clarity.

Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfof@gov.pe.ca
Tel: (902)-368-5036
Fax: (902)-368-5830

From: George Somers <GHSOMERS@gov.pe.ca>
Sent: Tuesday, December 13, 2022 1:56 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Again I will defer to Morley but I believe the wording of the statement in yellow highlighter is correct, and the drawings are not a condition of approval but one of the items to grant final approval. Would it be even more clear would f we stated "the necessary documentation to grant final approval and issue a licence to operate the system"?
My two cents worth.

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, 13 December 2022 13:48
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

the Department of Environment, Energy and Climate Action has not received the necessary documentation to grant final approval of the central water system the Environmental Protection Plan, Environmental Management Plan or the Human Use Management Plan.

In this statement, has the central water system already been granted final approval and the as-built drawings are a requirement to fulfill a condition of approval or is this statement correct?

As well, in an email from Dale, the EPP seems to have approval but the EMP and HUMP was in draft. Is this the case? If the EPP I approved, are we now stating that it is effectively not as updates are required?

I just want to be sure this letter corresponds correctly with previous emails we received regarding these matters.

Thank you

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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

See attached draft decision letter for your review. We ant to be ensure we capture your issues.

Thank you

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(ph) 902-368-4465

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Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

We would like to get the decision out by the end of the week. In the meantime, we'll include the issues you pointed out in our decision letter and send a copy to you for review before sending out.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
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Charlottetown, PE C1A 7N8
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To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks Dale. So at this point, we need to create the decision letter which will include these outstanding items, if that's what they are to be considered. As the subdivision plan approval was subject to conditions, it does not appear as if all of these 'Plans' were approved at that time and some even to this date. As well, updates appear to be required.

How do I represent what you have researched in a decision letter properly to ensure it captures all that is required on your end? If the decision is to deny, the lack of approval of some of these 'Plans' may become part of the reasons for denial so we want to be sure we articulate your requirements as best we can.

Any thoughts on this?

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(ph) 902-368-4465

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Sent: Wednesday, November 30, 2022 3:05 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,

We can confirm that we have what looks like an approved Environmental Protection Plan (dated March 29, 2005) and what appears to be a draft Environmental Management Plan (EMP). The EMP also includes a Human Use Management Plan section. The EMP cover page is undated but was attached to an email dated Sept 23, 2004. Obviously, given how old these documents are and that the EMP appears to be a draft, EECA would want these documents reevaluated and updated by an engineering/environmental consultant and submitted for approval in order to keep things consistent with the conditions requested in the original EIA Approval. We understand that George's Section will be commenting on the status of the water/wastewater approvals.

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Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

Eugene Lloyd

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31 Gordon Drive
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(ph) 902-368-4465

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To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi, Guys:

I'm not sure what my availability (DESO responsibilities) will be next week depending on how bad this storm is, but any files we have associated with this site are sitting in my office and Dale Thompson should be able to help go through them looking for this information.

Regards,

Greg Wilson
Manager
Environmental Land Management Section
Dept. Environment, Energy and Climate Action
902-368-S274

From: George Somers <GHSOMERS@gov.pe.ca>
Sent: Friday, September 23, 2022 12:43 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – sounds like something that will require a number of us to get together and sort out who has what information...Morley and Greg...maybe we could get together either in person or virtually sometime next week to compile a response?

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Friday, 23 September 2022 11:56
To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning,

Our Department is being asked to provide some answers to questions regarding the water system and the 3 'plans' stated in Mr. Key's email (highlighted in red). I believe Todd had already responded to the water system issues with Mr. Tim banks already but we need to also have that information supplied to Mr. Key.

Can someone please provide comments on the 'plans' and the water system?

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Derek Key <derek.key@keymurraylaw.com>
Sent: Friday, September 16, 2022 11:01 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclea@keymurraylaw.com>
Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning.

Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

Notwithstanding the age of this file, and the fact that once approval is granted the developer/landowner tends to rely on the assurance provide by government, we are fortunate in this instance that the original documents were retained.

I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

- **The water system facility certificate issued by Hon. Richard Brown**
- **Letter of approval for the system issued by George Somers. This is supported by George's notes at the time that the "system operator" is not required until such time as there is someone to actually hook up to the system.**
- **Human Use Management Plan**
- **Environmental Protection Plan**
- **Environmental Management Plan**

My review of the materials, and the obligations established at the time would indicate that all conditions were met – without exception.

We are left with the same two issues. One minor, and one substantive:

1. Why has Mr Carew not had returned to him his Application fee as assured by Mr Lewis?
2. Why has Mr Lewis misrepresented the status of the compliance and approvals relating to the relevant lots?

Eugene, I have no desire to get into a dispute with the Department. However, something appears to definitely be amiss, and Mr Carew is being severely prejudiced. If we have no resolution, I will be reaching out to the Minister and the Deputy on Tuesday, with a recommendation that we meet in advance of commencing litigation. If there is something else in the file that would indicate that my position is in error, or, in some way uninformed, please let me know.

Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4

asst Amanda MacLean | +1 (902) 436-4556



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From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Tuesday, September 13, 2022 9:55 AM

To: Derek Key <derek.key@keymurraylaw.com>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclean@keymurraylaw.com>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

It is my understanding that the central water system has not been granted final approval by the Department of Environment, Energy and Climate Action (EECA). As there is no final sign off, that condition has not been met. We have reached out to EECA and they state they have not been given certain information for the water system in order for them to grant final approval.

Subject to:

- a. All lots shall be serviced by a central water system that has been designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.

If your client wishes to reach out to EECA to determine what is outstanding, that may clarify the issue. I'd suggest reaching out to Ben Lanigan – 902-368-5043 or bpklanigan@gov.pe.ca.

As well, there are other conditions that may need updating or clarification from EECA regarding certain types of protection and management plans.

- e. The resort shall be developed and occupied in accordance with an Environmental Protection Plan, Environmental Management Plan and Human Use Management Plan as approved by the Department of Environment, Energy and Forestry,

We have also reached out to EECA in regards to these plans as well.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

ot click links or open attachments unless you recognize the sender.

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Eugene Lloyd

From: Eugene Lloyd
Sent: Tuesday, December 13, 2022 2:57 PM
To: Dale Thompson
Cc: Greg Wilson; Dean Lewis; George Somers; Morley Foy
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks Dale.

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Tuesday, December 13, 2022 2:36 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,
Yes, the EPP needs to be updated and resubmitted for approval. Sorry for any confusion,
Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, December 13, 2022 1:48 PM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
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Any thoughts on this?

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Dale Thompson <DETHOMPSON@gov.pe.ca>

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Any progress on this? We need to know if these additional “ plans” have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

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Regards,

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Dept. Environment, Energy and Climate Action
902-368-5274

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Can someone please provide comments on the 'plans' and the water system?

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Derek Key <derek.key@keymurraylaw.com>
Sent: Friday, September 16, 2022 11:01 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclea@keymurraylaw.com>
Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning.

Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

Notwithstanding the age of this file, and the fact that once approval is granted the developer/landowner tends to rely on the assurance provide by government, we are fortunate in this instance that the original documents were retained.

I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

- The water system facility certificate issued by Hon. Richard Brown
- Letter of approval for the system issued by George Somers. This is supported by George's notes at the time that the "system operator" is not required until such time as there is someone to actually hook up to the system.
- Human Use Management Plan
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My review of the materials, and the obligations established at the time would indicate that all conditions were met – without exception.

We are left with the same two issues. One minor, and one substantive:

1. Why has Mr Carew not had returned to him his Application fee as assured by Mr Lewis?
2. Why has Mr Lewis misrepresented the status of the compliance and approvals relating to the relevant lots?

Eugene, I have no desire to get into a dispute with the Department. However, something appears to definitely be amiss, and Mr Carew is being severely prejudiced. If we have no resolution, I will be reaching out to the Minister and the Deputy on Tuesday, with a recommendation that we meet in advance of commencing litigation. If there is something else in the file that would indicate that my position is in error, or, in some way uninformed, please let me know.

Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

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From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Tuesday, September 13, 2022 9:55 AM

To: Derek Key <derek.key@keymurraylaw.com>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclean@keymurraylaw.com>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

It is my understanding that the central water system has not been granted final approval by the Department of Environment, Energy and Climate Action (EECA). As there is no final sign off, that condition has not been met. We have reached out to EECA and they state they have not been given certain information for the water system in order for them to grant final approval.

Subject to:

- a. All lots shall be serviced by a central water system that has been designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.**

If your client wishes to reach out to EECA to determine what is outstanding, that may clarify the issue. I'd suggest reaching out to Ben Lanigan – 902-368-5043 or bpklanigan@gov.pe.ca.

As well, there are other conditions that may need updating or clarification from EECA regarding certain types of protection and management plans.

- e. The resort shall be developed and occupied in accordance with an Environmental Protection Plan, Environmental Management Plan and Human Use Management Plan as approved by the Department of Environment, Energy and Forestry.**

We have also reached out to EECA in regards to these plans as well.

Thank you

Eugene Lloyd
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ot click links or open attachments unless you recognize the sender.

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Eugene Lloyd

From: Eugene Lloyd
Sent: Wednesday, December 14, 2022 9:56 AM
To: Morley Foy; George Somers
Cc: Greg Wilson; Dean Lewis; Todd Dupuis; Brad Colwill; Dale Thompson; Ben Lanigan
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Both these certificates say they are valid for 12 months from the date of approval at number 1 of the conditions. If the work was not done, are these certificates of approval considered expired?

Thank you. Sorry for all the back and forth. This has a high probability of being appealed and as most of the reasons for the decision stem from EECA requirements. I want the letter to reflect as much detail as possible.

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Morley Foy <MMFOY@gov.pe.ca>
Sent: Tuesday, December 13, 2022 2:49 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Todd Dupuis <tdupuis@gov.pe.ca>; Brad Colwill <bccolwill@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>; Ben Lanigan <bpklanigan@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi,

The approval process for this subdivision was very complex spanning over several years. The current approval was conducted under a difference Act and regulations compared to what Act and regulations would be used today.

There was an approval issued for the construction and operation of the water system. Part I of this approval had a condition that Certificate of Inspection and as-built plans had to be submitted to the department. We have not received these documents, so it is unclear what has been installed. Part II of this approval provided the conditions to operate.

Through this review it was also determined that there was also an approval issued for the construction and operation of the wastewater collection and treatment system. Part I of the approval had a condition that a Certificate of Inspection and as-built plans had to be submitted to the department. To our knowledge, there have been no components of this system installed. Part II of this approval provided the conditions to operate.

While approvals to operate were issued for both systems, there are still outstanding conditions to construct in both cases. Our approvals do not use the "Final Approval" wording,

Approvals are attached for clarity.

Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
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Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
Tel: (902)-368-5036
Fax: (902)-368-5830

From: George Somers <GHSOMERS@gov.pe.ca>
Sent: Tuesday, December 13, 2022 1:56 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Again I will defer to Morley but I believe the wording of the statement in yellow highlighter is correct, and the drawings are not a condition of approval but one of the items to grant final approval. Would it be even more clear would f we stated "the necessary documentation to grant final approval and issue a licence to operate the system"?
My two cents worth.

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Tuesday, 13 December 2022 13:48
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

the Department of Environment, Energy and Climate Action has not received the necessary documentation to grant final approval of the central water system the Environmental Protection Plan, Environmental Management Plan or the Human Use Management Plan.

In this statement, has the central water system already been granted final approval and the as-built drawings are a requirement to fulfill a condition of approval or is this statement correct?

As well, in an email from Dale, the EPP seems to have approval but the EMP and HUMP was in draft. Is this the case? If the EPP I approved, are we now stating that it is effectively not as updates are required?

I just want to be sure this letter corresponds correctly with previous emails we received regarding these matters.

Thank you

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Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Tuesday, December 13, 2022 11:16 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
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Tks, Dale

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To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

See attached draft decision letter for your review. We ant to be ensure we capture your issues.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Eugene Lloyd
Sent: Monday, December 12, 2022 11:44 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

We would like to get the decision out by the end of the week. In the meantime, we'll include the issues you pointed out in our decision letter and send a copy to you for review before sending out.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:45 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,
We will chat and get back to you soon,

Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:33 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks Dale. So at this point, we need to create the decision letter which will include these outstanding items, if that's what they are to be considered. As the subdivision plan approval was subject to conditions, it does not appear as if all of these 'Plans' were approved at that time and some even to this date. As well, updates appear to be required.

How do I represent what you have researched in a decision letter properly to ensure it captures all that is required on your end? If the decision is to deny, the lack of approval of some of these 'Plans' may become part of the reasons for denial so we want to be sure we articulate your requirements as best we can.

Any thoughts on this?

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Wednesday, November 30, 2022 3:05 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,

We can confirm that we have what looks like an approved Environmental Protection Plan (dated March 29, 2005) and what appears to be a draft Environmental Management Plan (EMP). The EMP also includes a Human Use Management Plan section. The EMP cover page is undated but was attached to an email dated Sept 23, 2004. Obviously, given how old these documents are and that the EMP appears to be a draft, EECA would want these documents reevaluated and updated by an engineering/environmental consultant and submitted for approval in order to keep things consistent with the conditions requested in the original EIA Approval. We understand that George's Section will be commenting on the status of the water/wastewater approvals.

Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Wednesday, November 23, 2022 2:43 PM
To: Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
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(ph) 902-368-4465

From: Greg Wilson <GBWILSON@gov.pe.ca>
Sent: Friday, September 23, 2022 3:58 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi, Guys:

I'm not sure what my availability (DESO responsibilities) will be next week depending on how bad this storm is, but any files we have associated with this site are sitting in my office and Dale Thompson should be able to help go through them looking for this information.

Regards,

Greg Wilson
Manager
Environmental Land Management Section
Dept. Environment, Energy and Climate Action
902-368-5274

From: George Somers <GHSOMERS@gov.pe.ca>
Sent: Friday, September 23, 2022 12:43 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – sounds like something that will require a number of us to get together and sort out who has what information...Morley and Greg...maybe we could get together either in person or virtually sometime next week to compile a response?

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Friday, 23 September 2022 11:56
To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning,

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Sent: Friday, September 16, 2022 11:01 AM

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Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.macleam@keymurraylaw.com>

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Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

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I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

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We are left with the same two issues. One minor, and one substantive:

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Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.
Partner Emeritus
tel +1 (902) 436-4851 | fax +1 (902) 436-5063
494 Granville Street
PO Box 1570
Summerside PE C1N 4K4
asst Amanda MacLean | +1 (902) 436-4556



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Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

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We have also reached out to EECA in regards to these plans as well.

Thank you

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(ph) 902-368-4465

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Eugene Lloyd

From: Morley Foy
Sent: Wednesday, December 14, 2022 10:23 AM
To: Eugene Lloyd; George Somers
Cc: Greg Wilson; Dean Lewis; Todd Dupuis; Brad Colwill; Dale Thompson; Ben Lanigan
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Eugene,

As I have suggested previously, maybe a meeting or phone discussion would help smooth out the details??

In short, prior to the Water Act, water/wastewater systems were approved with the authority provided by sections 13 and 16 of the EPA. Section 13 (Part I of COA) provided approval to construction the system. Mostly, with the exception of very large projects, the approval to construct was valid for 12 months. Section 16 (Part II of COA) provides approval to operate the system. Mostly the approval to operate were valid until altered or it was rescinded.

Bottom line on this one is that we have no record of what if any pieces of the system were installed.

Morley

Morley Foy, P.Eng.
Approvals & Compliance Engineer
Environment, Energy and Climate Action
Drinking Water and Wastewater
11 Kent Street, PO Box 2000, Charlottetown
Prince Edward Island
C1A 7N8

E-mail: mmfoy@gov.pe.ca
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Sent: Tuesday, 13 December 2022 13:48

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Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

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Sent: Tuesday, December 13, 2022 9:34 AM

To: Dale Thompson <DETHOMPSON@gov.pe.ca>

Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

See attached draft decision letter for your review. We ant to be ensure we capture your issues.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8

(ph) 902-368-4465

From: Eugene Lloyd
Sent: Monday, December 12, 2022 11:44 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

We would like to get the decision out by the end of the week. In the meantime, we'll include the issues you pointed out in our decision letter and send a copy to you for review before sending out.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:45 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Greg Wilson <GBWILSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,
We will chat and get back to you soon,
Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Thursday, December 8, 2022 10:33 AM
To: Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Thanks Dale. So at this point, we need to create the decision letter which will include these outstanding items, if that's what they are to be considered. As the subdivision plan approval was subject to conditions, it does not appear as if all of these 'Plans' were approved at that time and some even to this date. As well, updates appear to be required.

How do I represent what you have researched in a decision letter properly to ensure it captures all that is required on your end? If the decision is to deny, the lack of approval of some of these 'Plans' may become part of the reasons for denial so we want to be sure we articulate your requirements as best we can.

Any thoughts on this?

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Dale Thompson <DETHOMPSON@gov.pe.ca>
Sent: Wednesday, November 30, 2022 3:05 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene,

We can confirm that we have what looks like an approved Environmental Protection Plan (dated March 29, 2005) and what appears to be a draft Environmental Management Plan (EMP). The EMP also includes a Human Use Management Plan section. The EMP cover page is undated but was attached to an email dated Sept 23, 2004. Obviously, given how old these documents are and that the EMP appears to be a draft, EECA would want these documents reevaluated and updated by an engineering/environmental consultant and submitted for approval in order to keep things consistent with the conditions requested in the original EIA Approval. We understand that George's Section will be commenting on the status of the water/wastewater approvals.

Tks, Dale

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Wednesday, November 23, 2022 2:43 PM
To: Greg Wilson <GBWILSON@gov.pe.ca>; George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Cc: Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Any progress on this? We need to know if these additional "plans" have been approved.

- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Greg Wilson <GBWILSON@gov.pe.ca>
Sent: Friday, September 23, 2022 3:58 PM
To: George Somers <GHSOMERS@gov.pe.ca>; Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Dale Thompson <DETHOMPSON@gov.pe.ca>
Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi, Guys:

I'm not sure what my availability (DESO responsibilities) will be next week depending on how bad this storm is, but any files we have associated with this site are sitting in my office and Dale Thompson should be able to help go through them looking for this information.

Regards,

Greg Wilson

Manager

Environmental Land Management Section

Dept. Environment, Energy and Climate Action

902-368-5274

From: George Somers <GHSOMERS@gov.pe.ca>

Sent: Friday, September 23, 2022 12:43 PM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Hi Eugene – sounds like something that will require a number of us to get together and sort out who has what information...Morley and Greg...maybe we could get together either in person or virtually sometime next week to compile a response?

George

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Friday, 23 September 2022 11:56

To: George Somers <GHSOMERS@gov.pe.ca>; Morley Foy <MMFOY@gov.pe.ca>; Greg Wilson <GBWILSON@gov.pe.ca>;

Dale Thompson <DETHOMPSON@gov.pe.ca>

Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning,

Our Department is being asked to provide some answers to questions regarding the water system and the 3 'plans' stated in Mr. Key's email (highlighted in red). I believe Todd had already responded to the water system issues with Mr. Tim banks already but we need to also have that information supplied to Mr. Key.

Can someone please provide comments on the 'plans' and the water system?

Thank you

Eugene Lloyd

Manager (Acting) of Provincial Planning

31 Gordon Drive

Charlottetown, PE C1A 7N8

(ph) 902-368-4465

From: Derek Key <derek.key@keymurraylaw.com>

Sent: Friday, September 16, 2022 11:01 AM

To: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda

MacLean <amanda.maclea@keymurraylaw.com>

Subject: FW: Wayne Carew/ Greenwich/ St Peters Estates/ 13647-017dk

Good morning.

Thank you for identifying those conditions that Mr Lewis felt were not fulfilled.

Notwithstanding the age of this file, and the fact that once approval is granted the developer/landowner tends to rely on the assurance provide by government, we are fortunate in this instance that the original documents were retained.

I have in my possession copies of each of those items referenced by you. As such, I am confident they are also in your files.

Specifically as regards those items you have referenced:

- The water system facility certificate issued by Hon. Richard Brown
- Letter of approval for the system issued by George Somers. This is supported by George's notes at the time that the "system operator" is not required until such time as there is someone to actually hook up to the system.
- Human Use Management Plan
- Environmental Protection Plan
- Environmental Management Plan

My review of the materials, and the obligations established at the time would indicate that all conditions were met – without exception.

We are left with the same two issues. One minor, and one substantive:

1. Why has Mr Carew not had returned to him his Application fee as assured by Mr Lewis?
2. Why has Mr Lewis misrepresented the status of the compliance and approvals relating to the relevant lots?

Eugene, I have no desire to get into a dispute with the Department. However, something appears to definitely be amiss, and Mr Carew is being severely prejudiced. If we have no resolution, I will be reaching out to the Minister and the Deputy on Tuesday, with a recommendation that we meet in advance of commencing litigation. If there is something else in the file that would indicate that my position is in error, or, in some way uninformed, please let me know.

Thank you.

ddk

Derek D. Key, CM., O.P.E.I., K.C.

Partner Emeritus

tel +1 (902) 436-4851 | fax +1 (902) 436-5063

494 Granville Street

PO Box 1570

Summerside PE C1N 4K4

asst Amanda MacLean | +1 (902) 436-4556



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From: Eugene Lloyd <EMLLOYD@gov.pe.ca>

Sent: Tuesday, September 13, 2022 9:55 AM

To: Derek Key <derek.key@keymurraylaw.com>

Cc: Dean Lewis <dhlewis@gov.pe.ca>; Glenda MacKinnon-Peters <GCMACKINNON-PETERS@gov.pe.ca>; Amanda MacLean <amanda.maclea@keymurraylaw.com>

Subject: RE: Wayne Carew/ Greenwich/ St Peters Estates

Good morning Derek,

It is my understanding that the central water system has not been granted final approval by the Department of Environment, Energy and Climate Action (EECA). As there is no final sign off, that condition has not been met. We have reached out to EECA and they state they have not been given certain information for the water system in order for them to grant final approval.

Subject to:

- a. All lots shall be serviced by a central water system that has been designed and constructed in accordance with the requirements of the Department of Environment, Energy and Forestry.

If your client wishes to reach out to EECA to determine what is outstanding, that may clarify the issue. I'd suggest reaching out to Ben Lanigan – 902-368-5043 or bpklanigan@gov.pe.ca.

As well, there are other conditions that may need updating or clarification from EECA regarding certain types of protection and management plans.

- e. The resort shall be developed and occupied in accordance with an Environmental Protection Plan, Environmental Management Plan and Human Use Management Plan as approved by the Department of Environment, Energy and Forestry.

We have also reached out to EECA in regards to these plans as well.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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TAB

8

TAB A

Eugene Lloyd

From: Tim Banks <tim@apm.ca>
Sent: Thursday, October 27, 2022 12:02 AM
To: Brian Matheson
Cc: Alex O'Hara; Dean Lewis; Eleanor Mohammed; Glenda MacKinnon-Peters; Joshua Collins; Morley Foy; Todd Dupuis; Eugene Lloyd
Subject: Greenwich Development

Brian,

I buy 4 lots in 2005 in an approved subdivision in Greenwich and pay taxes annually to the Province for 17 years. On August 9th this year I apply to build 2 quality rental properties and I get jerked around by everyone in the Lands division until September 13th (five weeks after I apply) they give me a denial letter. Here's a quote from Eugene Lloyd to staff on September 2nd, "We cannot let them have individual wells. Tim will have to take civil action against George Diercks. This has been our approach from the get go on this subdivision." Eugene knew back in 2012 and again in 2021 from correspondences from Environment that the water system wasn't technically approved but he along with other Lands staff didn't deal me in good faith. This is exactly his approach on everything we've brought before him including our Homestead development. How in good conscience do staff get away with dealing with the public like this? There is not hydrologist or an engineer in the world who wouldn't allow private wells to be drilled on these category 1 lots and your department should have been demanding the Developer to carry out the work as approved or find us taxpayers solutions like letting us proceed with wells.

Great staff you have!!!!

Tim

Tim Banks
CEO • APM MacLean

21 John Yeo Drive, Unit 2
Charlottetown, PE
Canada
C1E 2A1
tel 902-569-8400
cel 902-628-7313
email tim@apm.ca
APM.ca

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TAB
B

Dean Lewis

From: Tim Banks <tim@apm.ca>
Sent: November 17, 2022 9:51 PM
To: Sidney MacEwen
Cc: Brian Matheson; Eugene Lloyd; Glenda MacKinnon-Peters; Dean Lewis
Subject: P.E.I. premier describes talks with Ottawa over carbon pricing 'frustrating' | CBC News

If the Premier is frustrated negotiating with these guys he should try dealing with the Lands staff at the Province in securing any type of development permit as they are unbelievable.

https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.cbc.ca%2Fnews%2Fcanada%2Fprince-edward-island%2Fpei-politics-carbon-tax-gas-home-heating-oil-1.6655751%3F__vfz%3Dmedium%253Dsharebar&data=05%7C01%7Cdhlewis%40gov.pe.ca%7C347c4b22f1b5459dc81a08dac9076b6e%7Cc86b09eb7ad74aa29d8298a45bd8ec19%7C0%7C0%7C638043330968982301%7CUnknown%7CTWFpbGZsb3d8eyJWIjoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwILCJXVCi6Mn0%3D%7C3000%7C%7C%7C&psdata=EwLfymNXJ%2F8jwbSUk%2FSChLO7e0grGz108YOKzq9k%2BM%3D&reserved=0

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TAB C

Eugene Lloyd

From: Tim Banks <tim@apm.ca>
Sent: Thursday, November 17, 2022 10:03 AM
To: gdemeulenaere@stewartmckelvey.com
Cc: Brian Matheson; Dean Lewis; Glenda MacKinnon-Peters; Eugene Lloyd
Subject: Greenwich

Gary,

I've spoken with the Lands department and demanded an answer on our boathouse application that I submitted weeks ago and it's obvious to me that the Province is refusing to act on that application. You have my direction to start whatever legal actions it takes to secure a permit or an order to obtain my right to build on lots that I paid taxes on for 17 years. Aggressively do whatever it takes at whatever cost to defend my rights. Is there also a formal process for filing a complaint against a civil servant who has not carried out their duties in good faith and a truthful matter as I would like to pursue that? Furthermore, would you please draft a Letter to the Editor about this issue for my submission as we had discussed.

Thanks
Tim

Tim Banks
CEO • APM MacLean

21 John Yeo Drive, Unit 2
Charlottetown, PE
Canada
C1E 2A1
tel 902•569•8400
cel 902•628•7313
email tim@apm.ca
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Eugene Lloyd

From: Tim Banks <tim@apm.ca>
Sent: Thursday, November 17, 2022 10:54 AM
To: gdemeulenaere@stewartmckelvey.com
Cc: Sidney MacEwen; Brian Matheson; Dean Lewis; Glenda MacKinnon-Peters; Eugene Lloyd
Subject: Greenwich property

Gary,

I spoke with the Province on Monday and understood someone would be back to me on Wednesday regarding our application and I've hearing absolutely nothing. It appears that they are not going to respond to my right to build on properties that I paid them taxes on for 17 years. Please proceed ASAP with every legal instrument at your disposal to secure me a building permit no matter the cost. As previously discussed, please draft me a Letter to the Editor that I can use to make the public aware of the inaction on the part of the Lands division. If there is a formal process to make a complaint about a government employee not carrying out their duties to the public in good faith, please start that process as well.

I am tired of the inaction on progressive development on the part of this Division and it's time to take them to task legally and in the public. As one Minister quoted me, "We just invested in a \$5 million dollars to upgrade the road out there to create active transportation and development in the area and not issuing development permits is not in our plans."

Thanks
Tim

Tim Banks
CEO • APM MacLean

21 John Yeo Drive, Unit 2
Charlottetown, PE
Canada
C1E 2A1
tel 902•569•8400
cel 902•628•7313
email tim@apm.ca
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TAB E

Eugene Lloyd

From: Tim Banks <tim@apm.ca>
Sent: Friday, November 25, 2022 11:53 AM
To: Sidney MacEwen; Alex O'Hara; Brian Matheson; Dean Lewis; Glenda MacKinnon-Peters; Joshua Collins; Morley Foy; Todd Dupuis; Eugene Lloyd
Subject: Greenwich

Hi Folks,

I'm never quitting on this one so hopefully one of you will do your job and force the developer to complete the infrastructure so I can get a permit and continue to invest in my Community.

Tim

a sitter.

I babysat a lot for my uncle, who had four kids (including twins) under five. They also

During university, I worked at our local radio station when I didn't have classes on Fridays, I counted pills as a

oned to his cash.

I said to him, "How are you making out?"

To which he replied,

LETTER

Government inertia frus

Inertia (government). Noun 1. a tendency to do nothing or to remain unchanged.

Talking about an issue is not the same as addressing the issue. We often hear government talk about issues like employment, housing and growth – but we hear less about solutions.

Government expects that private industry will continue to make the required investments to foster development in all of these areas and this has generally been the case in this province. However, it is becoming increasingly difficult to continue to make these investments while government inertia for action and decisions grows incredibly frustrating.

Let me present an example of this difficulty and frustration.

I would like to construct two year-round rental units on building lots I have owned in Greenwich for the past 17 years. I have paid taxes each year that I have owned the lots, and I presume the nearby landowners in the same



P.E.I. National Park in Greenwich is near the community of a school of climate change and adaptation. The park also subdivision but has never been developed. **TAMAS SZABO**

subdivision have done the same. The lots were approved as residential lots before I bought them by the land division of the Department of Agriculture and Land. The land division requested the developers (not me) supply water to the subdivision, which appears to be completed. They are also denying building permits to the other

Islanders who own lots in subdivision as well.

As the icing on the cake, Parks Canada has now acquired the water infrastructure from the original developer. However, Parks Canada have refused to turn the water on – leaving me in a quagmire with both the province and Parks Canada seemingly content that the

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F

Eugene Lloyd

From: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Sent: Wednesday, December 7, 2022 3:45 PM
To: Eugene Lloyd
Cc: Tim Banks; Brian Matheson; Dean Lewis
Subject: Greenwich property - Lot 2 and Lot 30 - Request for Permits
Attachments: Letter to Eugene Lloyd - December 7, 2022.cleaned.pdf

This email had an attachment that has been modified because it contained a possible threat. It is now safe for use; however some functionality may have been removed.

Eugene

Please see attached letter in respect of Tim Bank's applications for permits for Lot 2 and 30, being PIDs 943241 and 943274.

You may contact me directly with any questions.

Gary G. Demeulenaere, K.C.*

Partner
Stewart McKelvey
D: 902.629.4509
C: 782.377.3733
*Law Corporation

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65 Grafton Street, P.O. Box 2140
Charlottetown PE C1A 8B9 Canada tel: 902.892.2485 fax: 902.566.5283
stewartmckelvey.com

File Reference: SM105-134

December 7, 2022

Gary G. Demeulenaere, K.C.
Direct Dial: 902.629.4509
Direct Fax: 902.566.5283
gdemeulenaere@stewartmckelvey.com

Via Email: emlloyd@gov.pe.ca

Eugene Lloyd, Manager (Acting) Provincial Planning
Department of Agriculture and Land – Land Division
31 Gordon Drive
P.O. Box 2000
Charlottetown, PEI
C1A 7N8

Dear Mr. Lloyd:

Re: Tim Banks – PIDs 943241 (Lot 2) and 943274 (Lot 4) – Greenwich, PEI

We act on behalf of Tim Banks, the owner of the above-noted PIDs, being Lots 2 and 30 of the St. Peters Estates Ltd. subdivision approved by the Department of Community and Cultural Affairs on December 8, 2004 as Case No. 21343.

We understand our client has applied to the Department in the standard form for a building and development permit for a boathouse on each of Lot 2 and Lot 30. The applications are dated October 4, 2022. Our client has corresponded directly to the Department seeking an update on the status of these applications. He has not been provided a timeline for processing.

Our client is not prepared to wait indefinitely for a response in respect of these applications. Accordingly, please take notice that if our client has not received a decision in respect of each application by the end of the business day on **December 16, 2022**, we have been instructed to seek an order from the Supreme Court of Prince Edward Island directing the Department to do so. We trust the Department will have the permits issued prior to this time.

Yours truly,

Stewart McKelvey

Gary G. Demeulenaere, Q.C.

GGD/

cc. Tim Banks

* Law Corporation

4143-2202-3491

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TAB
G

Dean Lewis

From: Eugene Lloyd
Sent: December 8, 2022 9:16 AM
To: Gary Demeulenaere
Cc: Tim Banks; Brian Matheson; Dean Lewis
Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

Thank you Gary. We are working diligently on this as we speak.

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Sent: Wednesday, December 7, 2022 3:45 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Tim Banks <tim@apm.ca>; Brian Matheson <BGMATHESON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: Greenwich property - Lot 2 and Lot 30 - Request for Permits

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Eugene

Please see attached letter in respect of Tim Bank's applications for permits for Lot 2 and 30, being PIDs 943241 and 943274.

You may contact me directly with any questions.

Gary G. Demeulenaere, K.C.*

Partner
Stewart McKelvey
D: 902.629.4509
C: 782.377.3733
*Law Corporation

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Dean Lewis

From: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Sent: December 15, 2022 10:18 AM
To: Eugene Lloyd
Cc: Tim Banks; Brian Matheson; Dean Lewis
Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

You don't often get email from gdemeulenaere@stewartmckelvey.com. [Learn why this is important](#)

Good Morning Eugene

Do you have any update on this?

Gary G. Demeulenaere, K.C.*

Partner
Stewart McKelvey
D: 902.629.4509
C: 782.377.3733
*Law Corporation

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Thursday, December 8, 2022 9:16 AM
To: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Cc: Tim Banks <tim@apm.ca>; Brian Matheson <BGMATHESON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

~~This is an external email.~~

Thank you Gary. We are working diligently on this as we speak.

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Sent: Wednesday, December 7, 2022 3:45 PM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Tim Banks <tim@apm.ca>; Brian Matheson <BGMATHESON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: Greenwich property - Lot 2 and Lot 30 - Request for Permits

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Eugene

Please see attached letter in respect of Tim Bank's applications for permits for Lot 2 and 30, being PIDs 943241 and 943274.

You may contact me directly with any questions.

Gary G. Demeulenaere, K.C.*

Partner

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D: 902.629.4509

C: 782.377.3733

*Law Corporation

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Eugene Lloyd

From: Eugene Lloyd
Sent: Thursday, December 15, 2022 10:31 AM
To: Gary Demeulenaere
Cc: Tim Banks; Brian Matheson; Dean Lewis
Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

You will have a decision by the end of the day today.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Sent: Thursday, December 15, 2022 10:18 AM
To: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Cc: Tim Banks <tim@apm.ca>; Brian Matheson <BGMATHESON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

Good Morning Eugene

Do you have any update on this?

Gary G. Demeulenaere, K.C.*

Partner
Stewart McKelvey
D: 902.629.4509
C: 782.377.3733
*Law Corporation

From: Eugene Lloyd <EMLLOYD@gov.pe.ca>
Sent: Thursday, December 8, 2022 9:16 AM
To: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Cc: Tim Banks <tim@apm.ca>; Brian Matheson <BGMATHESON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

This is an external email.

Thank you Gary. We are working diligently on this as we speak.

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

From: Gary Demeulenaere <gdemeulenaere@stewartmckelvey.com>
Sent: Wednesday, December 7, 2022 3:45 PM
To: Eugene Lloyd <EMILLOYD@gov.pe.ca>
Cc: Tim Banks <tim@apm.ca>; Brian Matheson <BGMATHESON@gov.pe.ca>; Dean Lewis <dhlewis@gov.pe.ca>
Subject: Greenwich property - Lot 2 and Lot 30 - Request for Permits

This email had an attachment that has been modified because it contained a possible threat. It is now safe for use; however some functionality may have been removed.

Eugene

Please see attached letter in respect of Tim Bank's applications for permits for Lot 2 and 30, being PIDs 943241 and 943274.

You may contact me directly with any questions.

Gary G. Demeulenaere, K.C.*

Partner
Stewart McKelvey
D: 902.629.4509
C: 782.377.3733
*Law Corporation

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J

Eugene Lloyd

From: Eugene Lloyd
Sent: Thursday, December 15, 2022 11:32 AM
To: Gary Demeulenaere
Cc: Tim Banks; Brian Matheson; Dean Lewis; Glenda MacKinnon-Peters
Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits
Attachments: Decision Letter Tim Banks Greenwich December 15 2022.pdf

Please find the attached decision letter for the two applications submitted for Lots 2 and 30 in Greenwich.

As well, please let me know whether you require a paper copy or whether this digital copy will suffice.

Thank you

Eugene Lloyd
Manager (Acting) of Provincial Planning
31 Gordon Drive
Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

Good Morning Eugene

Do you have any update on this?

Gary G. Demeulenaere, K.C.*

Partner
Stewart McKelvey
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Subject: RE: Greenwich property - Lot 2 and Lot 30 - Request for Permits

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Thank you Gary. We are working diligently on this as we speak.

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Manager (Acting) of Provincial Planning
31 Gordon Drive

Charlottetown, PE C1A 7N8
(ph) 902-368-4465

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Gary G. Demeulenaere, K.C.*

Partner
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