

ISLAND REGULATORY AND APPEALS COMMISSION

BETWEEN:

JUDY SHAW

Appellant

AND:

RURAL MUNICIPALITY OF WEST RIVER

Respondent

SUPPLEMENTARY APPEAL RECORD

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Rural Municipality of West River Planning Board Committee Tentative Agenda

Meeting No: PLB-24-06

Time: 7:00 PM

Date: Tuesday, January 9, 2024

Session: Regular - Public

Location: Afton Community Centre

Contact Person: Laala Jahanshahloo - CAO

Chair: Helen Smith-MacPhail - Mayor

Contact Info.: 902 675 7000 - admin@westriverpe.ca

Order of Business

1. **Call to Order**
2. **Land acknowledgement**
3. **Adoption & Approval of Agenda**
4. **Declarations of Conflict of Interest**
5. **Adoption of Previous Meeting's Minutes**
 - 5.1. **PLB-23-05** - November 9, 2023, Planning Board Committee Meeting
 - 5.2. **PUB MTG-23-01** - November 14, 2023, Public Meeting
 - 5.3. **PUB MTG-23-02** - November 14, 2023, Public Meeting
6. **Recommendation Items**
 - 6.1. **PLB.24.06.1** - Rezoning Application PID 202671
 - 6.2. **PLB.24.06.2** - Rezoning Application PID 491324
 - 6.3. **PLB.24.06.3** - Rezoning Application PID 818500
 - 6.4. **PLB.24.06.8** - Variance / Subdivision Application PID 219329
 - 6.5. **PLB.24.06.4** - Excavation Pit Development Agreement
 - 6.6. **PLB.24.06.5** - Subdivision Agreement
 - 6.7. **PLB.24.06.6** - OP&LUB Amendments
 - 6.8. **PLB.24.06.7** - Schedule of Fees Revision - Bylaw #2022-04

7. Informational Items

7.1. PLB.24.06.6 - 2023 Permit Reports

8. Adjournment



Rural Municipality of West River Planning Board Committee Minutes

Meeting No	PLB-24-06	Time	7:00 PM
Session	Regular - Public	Date	Tuesday, January 9, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse – Administrative Assistant, Mirko Terrazsas - Development Officer, Satyajit Sen – Special Advisor		
Regret	Nil		
Guest	Sterling Buchanan		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor John Yeo, seconded by Councillor Lillian MacCannell, and unanimously carried.

▪ Declarations of Conflict of Interest

No Conflict of interest was declared.

▪ Adoption of Previous Meeting's Minutes

The minutes of PLB-23-05, November 9, 2023, Planning Board Committee Meeting were approved as circulated. It was moved by Councillor John Yeo, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

The minutes of the Public Meeting on November 14, 2023, Public Meeting were approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Steve Pollard and unanimously carried.

The minutes of the Public Meeting on November 14, 2023, Public Meeting were approved as circulated. It was moved by Councillor John Yeo, seconded by Councillor Aaron MacEachern, and unanimously carried.

- **Recommendation Items**

- **PLB.24.06.1 – Rezoning Application PID 202671**

Decision Type: Action

Status: Deferred

Background:

PLB.23.05.1, [PUB MTG-23-01](#), and Registered Professional Planner Report prepared by Samantha Murphy (Appendix 6.1, attached hereto, forming a part of this minutes).

Description:

The Planning Board reviewed the minutes from the Public Meeting of November 14, 2023, and the review report from Samantha Murphy (RPP). The Planning Board recommends deferring the rezoning until receiving a legal opinion from the Municipality's lawyer regarding the ownership of the right of way (ROW) at Fraser Lane and whether the road can become public. It was moved by Councillor John Yeo and seconded by Deputy Mayor Shaun MacArthur, and the motion was carried (4-2).

- **PLB.24.06.2 – Rezoning Application PID 491324**

Decision Type: Action

Status: Denied

Background:

PLB.23.05.2, [PUB MTG-23-02](#), and Registered Professional Planner Report prepared by Samantha Murphy (Appendix 6.2, attached hereto, forming a part of this minutes).

Description

The Planning Board reviewed the minutes from the Public Meeting of November 14, 2023, and the review report from Samantha Murphy (RPP). The Planning Board recommended that this rezoning application be denied. It was moved by Councillor Aaron MacEachern, seconded by Councillor John Yeo, and unanimously carried.

- **PLB.24.06.3 - Rezoning Application PID 818500**

Decision Type: Action

Status: Recommended

Description:

The Applicant presented their request to rezone PID 818500 for subdivision of 13 lots in varying sizes of greater than or equal to 1 acre. The Committee reviewed the Development Officer's report and recommended that the Council authorize the CAO to proceed with holding a public meeting according to Rural Municipality of West River's Land Use Bylaw#2022-04 Section (12.4) for the PID 818500 rezoning request. It was moved by Councillor John Yeo and, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **PLB.24.06.4 – Variance/Subdivision Application PID 219329**

Decision Type: Action

Status: Recommended

Background:

A variance application was submitted to subdivide PID 219329 into two lots of 1 acre and 0.91 acre.

Description:

The Committee recommended approval of variation for subdivision of PID 219329. Deputy Mayor Shaun MacArthur moved that the Planning Board recommend this request to the council, seconded by Councillor Steve Pollard, and unanimously carried.

- **PLB.24.06.5 - Excavation Pit Development Agreement**

Decision Type: Action

Status: Recommended

Background:

Motion#2023-48

Description:

The Committee reviewed the excavation pit development agreement drafted by SJM as part of the "Excavation Pit Administration Add-on" and recommended that it be sent for legal review.

- **PLB.24.06.5 - Subdivision Agreement**

Decision Type: Action

Status: Recommended

Background:

PLB.2023.9.3 & Land Use Bylaw #2022-04 Section (13.14)

Description:

The Committee reviewed the subdivision agreement drafted by SJM. It was recommended that as this is a template and needs to be tailored for each case when it is required to be prepared, send it to the municipality's lawyer for review and revision. It was moved by Councillor Lillian MacCannell, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **PLB.24.06.6 – OP & LUB Amendments**

Decision Type: Action

Status: Recommended

Background:

[Minister of Housing, Land and Communities - Approval Letter](#)

Description:

The Planning Board recommends that the Council authorize the CAO to initiate the process of looking into future amendments to the Official Plan and Land Use Bylaw. It was moved by Councillor John Yeo, seconded by Councillor Lillian MacCannell, and unanimously carried.

- **PLB.24.06.7 – Schedule of Fees Revision – Bylaw #2022-04**

Decision Type: Action

Status: Deferred

Background:

The RMWR Fee Schedule was drafted in 2021 and revised in October 2022.

Description:

The Committee recommended this item be deferred until the RMWR 2024-25 Financial Plan has been approved. It was moved by Councillor Aaron MacEachern, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **Informational Items**

- **PLB.24.06.9 –Permit Reports**

Decision Type: Information

Status: Received


Description:

The Development Officer presented a summary of permits issued in 2023 by RMWR.

- **Adjournment**

- Deputy Mayor Shaun MacArthur motioned to adjourn the meeting at 7:55 PM.
- The next meeting is TBD.

Helen Smith-MacPhail

Mayor 

Laala Jahanshahloo

Chief Administrative Officer



Appendix 6.1

SJ Murphy Planning & Consulting

Planning Report

REPORT FOR: Planning Board

DATE: November 28, 2023

PREPARED BY: Samantha Murphy, RPP, LPP, FCIP

REPORT NUMBER: WR-2023-03.2

SUBJECT: Rezoning land from RA to RR on Fraser Lane for purpose of 18 new one-acre lots

BACKGROUND

An application has been submitted to rezone the parcel of land, PID 202671, from Rural Area (RA) to Rural Residential (RR). The purpose is to eventually be allowed to subdivide the subject parcel into 18 one-acre lots for residential development.

A planning opinion has been requested for the application, to be based on consideration of the requested zoning amendment, the material presented at the public meeting on November 14, 2023, public feedback received, and sound planning principles founded in the Rural Municipality of West River's Official Plan policies.

As the Rural Municipality of West River's Future Land Use Map and Zoning Map are mirrored, this application, as with any zoning application, also involves an amendment to the Municipality's official plan, which may be considered concurrently.

RECOMMENDATION

Upon review of the matters outlined below, at this time and given the information presented, a decision on the proposed rezoning appears to be premature.

It is recommended that a decision on the requested rezoning of the subject parcel be deferred until the issues of securing public access and provincial acceptance of the new street have been adequately addressed and on-site servicing for residential uses have been confirmed.

LIMITATIONS

Information provided by the Municipality included the application form, a preliminary site plan by SCL Engineering, the Site Suitability Assessment report by EastTech Engineering, the coastal hazard assessment and an associated flood hazard map. All technical analysis of the submission is based on these documents.

DISCLOSURE

None

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Appendix 6.1 - Continued

[illegible]

Appendix 6.1 - Continued

Criteria	Compliance	Notes
b. conformity with all requirements of this Bylaw	Insufficient information	<p>13.9 – Road standards – all new streets (or extension of roads) shall be served by a public street: the parcel in the proposal has no frontage on a public street for any of the parent parcel.</p> <p>The private access through which the parent parcel has access to Route 19 needs to be evaluated to determine the appropriateness of it as a future ROW upgraded to public standard and the traffic impact involved.</p> <p>It does not appear that the subdivision application has been reviewed by the Province for an entranceway permit or other access.</p> <p>Applicant's statements at the public meeting suggest that the requirement for a public road is understood, but a preliminary assessment should be undertaken for whether a more intensive level of traffic could be accommodated in that location, even with the provision of a public street.</p>
c. suitability of the site for the proposed development;	Insufficient information	A determination cannot be made at this time based on the portion of the SSA that was provided, although the summary provided suggests it is suitable for on-site services. Confirmation is required.
d. compatibility of the proposed development with surrounding land uses, including both existing and future uses as per the Zoning Map;	Mostly Consistent	This is one of two similar RA lots surrounded by residential development and coastline that are cut off from other resource lands. As such, transitioning out of RA to RR may reduce land use conflicts between existing rural and residential uses.
e. any comments from residents or other interested persons;	Weighing Required	<p>Public meeting took place on November 14, 2023.</p> <p>Questions and comments generally covered the following:</p> <ul style="list-style-type: none"> • road access, road upgrades, traffic implications in area, connection to other parcels and roads in area, bussing • future plans for subdivision and potential for more than the proposed 18 lots • likely nature of future homes and potential for large buildings and possibility of other types of residential uses permitted under the zone • construction plans • need for more housing in the community
f. adequacy of existing water supply, wastewater treatment and disposal systems, streets, stormwater management, and parks and parkland for accommodating the development, and any projected infrastructure requirements;	Insufficient information	<ul style="list-style-type: none"> • Water supply – adequacy unknown (no information provided). Would be individual wells. • Soils for septic systems – given the limited portion of SSA provided, it is unclear if any additional assessment was provided on how soil permeability would need to be addressed. • Streets – a private right-of-way owned by a third party links the existing Fraser Lane (a private road) to Route 19. Street frontage requirements are not met and more information is required to determine future arrangements

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Appendix 6.1 - Continued

Criteria	Compliance	Notes
		<p>relating to the access over that private right-of-way for a new public street</p> <ul style="list-style-type: none"> One lot is being set aside as “open space” – the final location and size would be assessed as part of the subdivision stage.
g. impacts from the development on pedestrian and vehicular access and safety, and on public safety generally;	Weighing required	<p>This proposal adds a long roadway with no turnaround to the Province’s system requiring road maintenance. It would also involve crossing over a private road to access the new street unless the portion of Fraser Lane immediately adjacent to Route 19 is also made public. The Province would have to be willing to take on the new street.</p> <p>However, a new subdivision street is being proposed for the new lots, reducing the number of potential lots being subdivided with separate accesses along more general routes. The addition of a new road in the area could also provide an additional emergency access for the properties immediately to the east, which would not be connected on a permanent basis but which are currently accessed only through Darrach Rd.</p>
h. compatibility of the development with environmental systems;	Mostly consistent	There appears to be no wetlands or sensitive areas on the site. If not all lots can support onsite services, then the number of lots may need to be reduced. A coastal hazard assessment was provided and no concerns were flagged.
i. impact on the Municipality’s finances and budgets; and	Mostly consistent	It is anticipated this development would have a limited impact on the municipal budget, with the exception of an increase in parkland and a moderate increase in tax revenues from the associated development over time.
j. other planning matters as considered relevant by the Planning Board or Council.	Not applicable	None identified
Additional Considerations for Site-Specific Amendments under subsection 12.2(1) of the Bylaw		
a. the proposed site-specific amendment is not contrary to the Official Plan. If an application is contrary to the policies in the Official Plan, an application to amend the Official Plan must be filed in conjunction with the application to amend the Bylaw;	Not applicable	
b. the proposed use of land or a building that is otherwise not permitted in a zone is sufficiently similar to or	Not applicable	

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Appendix 6.1 - Continued

Criteria	Compliance	Notes
compatible with the permitted uses in that zone; and		
c. the proposed use does not undermine the overall integrity of the zone, is in the public interest, and is consistent overall with sound planning principles.	Not applicable	
Special Planning Area considerations (section 13.6):		
In the areas subject to the <i>Cornwall Region Special Planning Area</i> , the requirements of clause 63(10)(d) of the <i>Subdivision and Development Regulations</i> shall apply. (See Schedule F)	Not applicable	

Comments from residents or other interested persons

Public feedback expressed at the public meeting:

Comment	Consideration
ROW access to property – is there a limit to number of lots?	If the road becomes a public road and is taken on by the Province, there be no limits to the number of lots that could be approved, other than lot size, other bylaw requirements, and any transportation-related limits identified by the Province.
Concern about noise and mess during construction period	This is a temporary issue and should not be a concern in making the decision about long-term land use changes. A construction plan could be included in a subdivision agreement.
Connectivity of subdivision with other roads. Large increase in traffic potentially.	Traffic safety may be an area of concern, to be identified in discussions with the Department of Transportation. Connectivity of subdivision with other roads would make sense instead of dead-end streets, particularly in relation to long term emergency management.
Not going to be an affordable type of development when a public road is required.	Public safety must be ensured through development of a public street.
Need for housing	Two speakers referenced the need for additional housing in the community.
Potential for other uses	Some speakers questions whether other residential uses would be permitted, notwithstanding the applicant's concept for single detached residential lots.

OPTIONS FOR CONDITIONS

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Appendix 6.1 - Continued

Amendments (Changes in Zoning) to Permit Residential Subdivisions:

The Planning Act and the Bylaw do not permit the imposition of conditions for subdivision or development at the rezoning stage, such as limiting the subdivision to the type of residential uses proposed at the time of zoning application; however the ability of the site to accommodate the proposed use is a consideration during the rezoning process and some considerations are highlighted in the assessment above.

OPTIONS

Council has several options available in relation to this application:

1. Denial – As the application is currently incomplete and aspects of the proposal may not be deemed to be consistent with the Official Plan, Council may choose to deny this application outright.
2. Approval – Land use planning requires a need for balancing interests in a community. Council will need to consider this balance of various Official Plan policies to determine which ones will be prioritized for this development. If Council feels that the proposal is consistent with the balance of Official Plan policies, it can approve the amendments to the Official Plan (change in designation on the Future Land Use Map) and Land Use Bylaw (change in zoning on the Zoning Map).
3. Deferral – Given that the application is missing several critical elements based on the information provided for this assessment (i.e., information on the access and the conversion of the private land to a public street, drinking water supply, and the number of lots that can be supported given soil suitability), it may be in the community (and developer's) best interests for Council to defer its decision on this matter until such time as there is adequate and fulsome information before Council to make an informed decision.

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Appendix 6.1 - Continued

APPENDIX A – CURRENT ZONING AND ADJOINING USES

Future Land Use Designation and Zoning - PID 202671

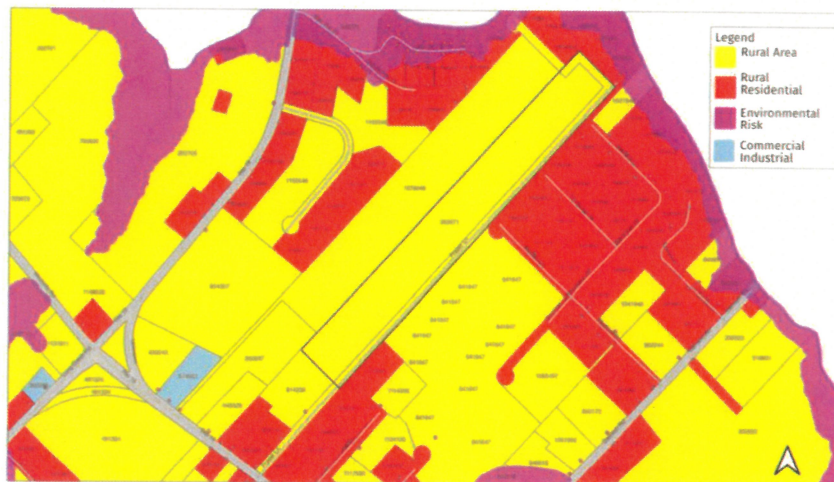


Figure 1 - Current Land Use Designations and Zoning



Figure 2 - Source: Google Maps, Nov 2023

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Appendix 6.1 - Continued

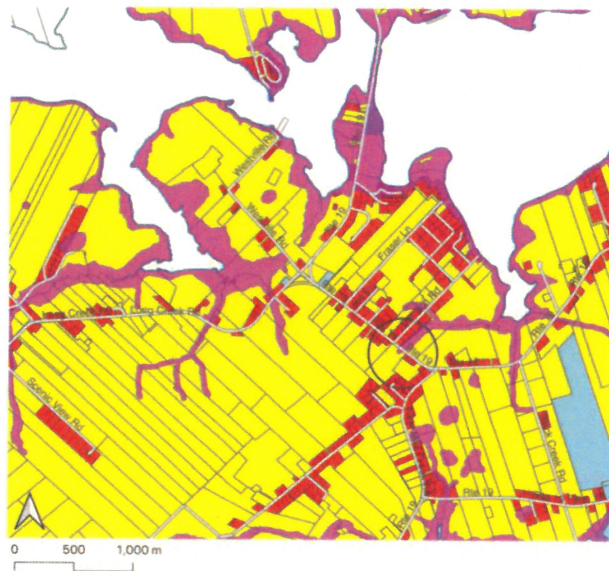


Figure 3 - Designations from Future Land Use Map with Community/Future Node indicated (official plan)

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Appendix 6.2

SJ Murphy Planning & Consulting

Planning Report

REPORT FOR: Rural Municipality of West River

DATE: November 28, 2023

PREPARED BY: Samantha Murphy, RPP, LPP, FCIP

REPORT NUMBER: WR-2023-03.1

SUBJECT: Rezoning and Site-Specific Amendment – PID 491324 – Clustered Housing

BACKGROUND

An application has been submitted for subdivision for Parcel 491324 for 6-10 lots of 1-5 acres. The proposed final use is believed to be a number of apartment buildings on two lots. The application deals with 16 acres out of 71 acres, with the remaining portion of the property to be retained by the current owner.

A planning opinion has been requested for the application, to be based on consideration of the requested approval, the material presented at the public meeting on November 14, 2023, public feedback received, and sound planning principles.

As the Rural Municipality of West River's Future Land Use Map and Zoning Map are mirrored, this application, as with any zoning application, also involves an amendment to the Municipality's official plan, which may be considered concurrently.

Based on the information provided by the Applicant at the public meeting, all parties agree that the current application being considered by Council is for a change in zoning and future land use designation from Rural Area to Rural Residential. Any application for a site-specific amendment to permit clustered housing and/or a subdivision application and ultimately a development permit, would be considered in a future stage.

RECOMMENDATION

Upon review of the matters enumerated below, the application appears to be incomplete. Based on the information provided, it is not possible to provide a full assessment on all criteria associated with changes in zoning.

Notwithstanding the above, based on a preliminary assessment consisting of a review of the Official Plan policies and the appropriateness of the location for the proposed higher density residential use, approval of the requested change in zoning is not recommended at this time.

LIMITATIONS

All professional analysis of the submission is based on the documents provided by the Municipality, which included:

- An application form for the Municipality's file WR-0022 for a subdivision for 6-10 lots ranging in size from 1-5 acres
- A preliminary site plan on an aerial image of the parcel showing 6 lots as well as a green space and a remnant parcel, along with a second map document with PID 491324 indicated as Parcel A.

WR-2023-03.1 | Planning Report | Rezoning Application: PID 491324, Route 19 & 19A | 1

Appendix 6.2 - Continued

- A copy of the notice for the public meeting
- An initial internal review which included Appendix 1 that showed a different site plan showing 2 lots and six apartment buildings
- A copy of the response letter to the applicant regarding their concurrent application to rezone and subdivide.

DISCLOSURE

None noted

OVERVIEW

While the documentation supplied dealt primarily with an application for subdivision, the public meeting held on November 14, 2023 dealt specifically with the change in zoning required to permit a subdivision of more than 4 lots and/or clustered housing and apartment uses.

Planning Analysis:

Completeness of application

- The application form supplied was for a subdivision but also indicated a request to rezone. The application form did not include the property owner's signature and it is unclear if the owner has provided permission for the application to proceed in another document. The documentation supplied is incomplete in other forms as well, indicating simply 'dwellings' for proposed use, does not include a road name for the parcel location, and includes a range of potential lots sizes and number of lots. The application provided is lacking the additional information indicated on page 2 of the application form, which provide the basis for a more in-depth review of the proposed subdivision.
- Based on the information provided, given the number of lots the applicant is seeking, a rezoning from Rural Area (Ra) to Rural Residential (RR) is required. For a rezoning application, a specific application form is required. While it is possible this has been submitted, it was not in the documentation supplied.
- Based on the indication of more than one residential building on a parcel, the proposed future use is clustered housing. Clustered housing is a site-specific amendment use in the RR zone, requires a public meeting, and is subject to terms and conditions based on an analysis of the suitability of the site for the proposed use.
- A number of different proposed site and subdivision plans have been provided and it is unclear which is the most current.
- Traffic and access considerations, as well as a site assessment for the property, do not appear to have been undertaken for the current proposal.

Process

The proposed development is a complex project and involves multiple stages of approval. Based on the clustered housing component, the appropriate required steps would be:

- Initial assessment of proposal for completeness of application, as well as appropriateness and consistency with the Official Plan and Bylaw.

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Appendix 6.2 - Continued

- Once a complete application is received and the initial assessment is complete, Planning Board and Council would consider the appropriateness of bringing the proposal to the public for comment. At this point, there are two options:
 - Entertain an application to rezoning to Rural Residential on the basis of a desire to develop more than five lots and/or build apartments, followed by a second consideration to entertain a site-specific amendment application for clustered housing (also an amendment process requiring a public meeting); OR
 - Entertain a combined application to rezone to Rural Residential and permit a site-specific amendment use – these can be considered at the same public meeting if the proper procedures are followed.
- In the consideration of the rezoning request, the compliance of the proposed use (multi-lot subdivision) with the Official Plan and suitability of the site for a multi-lot subdivision use would be assessed. **Rezoning to Rural Residential on its own would not indicate that a site-specific use of clustered housing would be permitted.** This assessment would extend to a preliminary assessment of the impacts of the proposed end use, recognizing that it could change based on permitted uses in the zone. Provincial departments of Transportation and Environment would be consulted to ensure the site could be used in a manner consistent with the proposed zone.
- In the consideration of a site-specific amendment request, the Municipality would be expected to give a more in-depth analysis of the proposed final use and the appropriateness of the site and may establish conditions appropriate to ensuring compatibility of the proposed use with the Official Plan policies and the Bylaw. This process would involve a greater degree of consultation with provincial departments and other qualified professionals. Depending on the scale of the proposed development, the Department of Environment should be consulted to see if an environmental impact assessment is required.
- If the rezoning and site-specific amendment use are approved and following approval by the minister responsible for the Planning Act, the applicant would submit a complete application for subdivision approval. The subdivision would be assessed on, among other criteria, the intended use of the parcel(s) to ensure that any lots approved can be developed in the desired manner. Matters to be considered would include, but not be limited to: stormwater management; anticipated traffic volume; location of accesses; parkland dedications; site assessments; and water and wastewater treatment requirements. Depending on the scale of subdivision and anticipated uses, a subdivision agreement may be appropriate.
- Once the subdivision process is complete, the applicant would submit a development permit application. Given the clustered housing component, the development would be subject to any conditions identified at the time of the site-specific amendment process. This stage requires the highest level of details on matters such as water and wastewater treatment, location of the entranceway(s), stormwater management, and other items identified through the process and in the Bylaw. A development agreement would be recommended.

Potential Uses in the RA Zone

Considered on its own, the change in zoning for the parcel would permit the following as permitted uses: single-detached dwellings; duplex dwellings and semi-detached dwellings; apartment dwellings; and townhouse dwellings. Clustered housing and conservation subdivisions are site-specific amendment uses and would require a second public meeting and amendment process.

Appendix 6.2 - Continued

The number of lots permitted to be subdivided in the RR Zone is determined by on-site servicing requirements, accesses, and other similar considerations.

In determining the appropriateness of applying the RR Zone to the area in question, Council needs to be comfortable that the full range of permitted uses are appropriate to the area and that a more intensive residential use on the property is in keeping with the intent and policies of the Official Plan.

Site-Specific Amendment Uses

The Bylaw defines clustered housing as a land *development* project for more than two *residential use buildings* on the same *lot* intended for rental, condominium, cooperative or other form of ownership.

The proposal includes multiple apartment buildings on the proposed parcels, making the use clustered housing. Clustered housing is a site-specific housing use in the RR zone (clause 7.4 (1) (a)). The Bylaw allows Council to establish conditions for the use. The approval process criteria include, among other things, that the proposed *use* does not undermine the overall integrity of the *zone*, is in the public interest, and is consistent overall with sound planning principles. The Official Plan sets out matters that may be addressed or required under the Bylaw in Policy PHY-3, plan action (d). The Official Plan also includes a number of other policies that should be included in the consideration of the proposed use. Where the policies require weighing, the proposed use would be considered against them as a whole and any potential conditions (including limits in scale) would identify how the project could be developed to ensure compliance.

WR-2023-03.1 | Planning Report | Rezoning Application: PID 491324, Route 19 & 19A | 4

Appendix 6.2 - Continued

ASSESSMENT

Subsection 12.3(4) of the Bylaw establishes criteria to be considered when reviewing applications for Official Plan and Bylaw amendments. These include:

Criteria under Land Use Bylaw ss 12.3(4)	Compliance	Notes - elaborate
a) conformity with the Official Plan;	Weighing Required	See below
Relevant Official Plan Policies (check those that apply):		
Economic Policies: <input type="checkbox"/> RU-1 <input checked="" type="checkbox"/> RU-2 <input checked="" type="checkbox"/> RU-3 <input type="checkbox"/> RU-4 <input type="checkbox"/> RU-5 <input type="checkbox"/> CI-1 <input type="checkbox"/> CI-2 <input type="checkbox"/> CI-3 <input type="checkbox"/> CI-4 <input type="checkbox"/> CI-5 <input type="checkbox"/> EI-1 <input type="checkbox"/> EI-2	Weighing Required	<p>The Rural Area zone was created to support a range of rural uses, including resource uses, rural scale residential uses, and institutional and small-scale commercial uses.</p> <p>Policy RU-2: identifies the goal of protecting resource lands and activities and limiting unserviced development, with the exception of areas identified as community nodes. The subject parcel is beyond the community node in that area. While the parcel may not be suited to agricultural uses, it is largely surrounded by RA-zoned properties and its transition to other uses could increase conflicts between resource and other uses as the residential population grows in a concentrated area.</p> <p>Policy RU-3: This policy speaks to development patterns more suitable to a rural landscape. A larger residential development enabled under the RR zone, particularly with the proposed intensive apartment uses is not typical or consistent with a rural landscape.</p>
Physical Policies <input type="checkbox"/> PHY-1 <input type="checkbox"/> PHY-2 <input checked="" type="checkbox"/> PHY-3 <input checked="" type="checkbox"/> PHY-4 <input type="checkbox"/> PHY-5 <input type="checkbox"/> PHY-6 <input checked="" type="checkbox"/> PHY-7 <input type="checkbox"/> PHY-8 <input type="checkbox"/> PHY-9 <input checked="" type="checkbox"/> TI-1 <input checked="" type="checkbox"/> TI-2 <input checked="" type="checkbox"/> TI-3 <input type="checkbox"/> TI-4	Weighing Required	<p>Policy PHY-3: While the application involves clustered housing, the area immediately adjacent involves a more rural landscape and the development of the property would not involve the expansion of an existing residential cluster or infill. Grouped housing (clustered housing) is explicitly contemplated but where siting, servicing, and impacts can be managed.</p> <p>Policy PHY-4: The policy speaks to the purpose of the community nodes or future nodes identified on the Future Land Use Map. While not exact fixed areas, the nodes identify priority areas for future growth at such a time as their development is appropriate. As this site is outside of a community node, it could be considered premature, should Council be of the opinion that it is too far removed from an identified node.</p> <p>Policy PHY-7: this is an application for a change in zoning, the RR zone would permit more intensive residential development, and depending on scale, a</p>

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		<p>form of residential development that may be challenging to integrate into the surrounding natural and built landscape.</p> <p>Policy TI-1: coordination with the Province in assessing, at least to a preliminary level, the suitability of the location for more intensive residential development is recommended.</p> <p>Policy TI-2: Provincial confirmation of the ability of the site to provide access for a significant number of vehicles has not been confirmed.</p> <p>Policy TI-3: this will be a larger consideration at a site-specific amendment or subdivision stage.</p>
Social Policies <input checked="" type="checkbox"/> R-1 <input checked="" type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-4 <input type="checkbox"/> R-5 <input type="checkbox"/> CS-1 <input type="checkbox"/> CS2 <input type="checkbox"/> CS-3 <input type="checkbox"/> CS-4 <input checked="" type="checkbox"/> PR-1 <input type="checkbox"/> PR-2 <input type="checkbox"/> PR-3 <input type="checkbox"/> PR-4 <input type="checkbox"/> EDI-1 <input type="checkbox"/> EDI-2 <input type="checkbox"/> EDI-3	Weighing Required	<p>Policy R-1: This policy area provides a number of criteria for consideration for the location of future RR zones. Plan action (g) in particular encourages residential development to be located in areas adjacent to existing housing clusters and where appropriate, identified future nodes.</p> <p>Policy R-2: The policy references small-scale multi-unit dwellings as one objective, but did not include more intensive multi-unit dwelling developments.</p> <p>Policy R-4: Plan action (a) references development constraints and other matters relating to health and safety. It is premature based on the information available to fully assess this.</p> <p>Policy PR-1: This will be a greater consideration in a site-specific amendment assessment or during a subdivision phase.</p>
Environmental Policies <input checked="" type="checkbox"/> EN-1 <input checked="" type="checkbox"/> EN-2 <input checked="" type="checkbox"/> EN-3 <input type="checkbox"/> EN-4 <input checked="" type="checkbox"/> EN-5 <input type="checkbox"/> EN-6 <input type="checkbox"/> EN-7 <input type="checkbox"/> EN-8 <input checked="" type="checkbox"/> EN-9 <input type="checkbox"/> EN-10 <input type="checkbox"/> EN-11	Insufficient information	<p>Policy EN-1: an assessment of the suitability of the site for more intensive residential uses has not yet been undertaken. The proposed clustered housing could create a significant area covered in impervious surfaces.</p> <p>Policy EN-2: a further assessment should be undertaken in future phases if the change in zoning is approved.</p> <p>Policy EN-3: a further assessment should be undertaken in future phases if the change in zoning is approved.</p> <p>Policy EN-5: more information is needed to ensure that the site is suitable for more intensive residential development.</p> <p>Policy EN-9: more intensive residential development that replaces sprawl further away from employment and service centres can reduce emissions through</p>

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		reduced trip time and provide the critical mass to support transit.
b. conformity with all requirements of this Bylaw;	Insufficient information	Site suitability, transportation, stormwater, compatibility matters yet to be identified
c. suitability of the site for the proposed development;	Insufficient information	Location appears to be an open field that could accommodate residential uses and is close to but not immediately in the future node.
d. compatibility of the proposed development with surrounding land uses, including both existing and future uses as per the Zoning Map;	Insufficient information	This would depend on the final scale of the project
e. any comments from residents or other interested persons;	Weighing Required	Residents that spoke to the application clearly felt that the use of the site for more intensive residential development was not appropriate or compatible with the rural character in the immediate area. Comments are more fully described below.
f. adequacy of existing water supply, wastewater treatment and disposal systems, streets, stormwater management, and parks and parkland for accommodating the development, and any projected infrastructure requirements;	Insufficient information	Information needed from the Province on servicing of water and wastewater.
g. impacts from the development on pedestrian and vehicular access and safety, and on public safety generally;	Insufficient information	
h. compatibility of the development with environmental systems;	Insufficient information	Significant residential density, more information required from the Province.
i. impact on the Municipality's finances and budgets; and	Not applicable Insufficient information	No immediate impacts are identified. An increase in tax base would make municipal services more affordable over time. There are limited public services in the area currently.
j. other planning matters as considered relevant by the Planning Board or Council.	Not applicable	None identified at this time.

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Appendix 6.2 - Continued

Additional Considerations for Site-Specific Amendments under subsection 12.2(1) of the Bylaw		
a. the proposed site-specific amendment is not contrary to the Official Plan. If an application is contrary to the policies in the Official Plan, an application to amend the Official Plan must be filed in conjunction with the application to amend the Bylaw;	Weighing Required	See above analysis - this will need to be considered if the project moves to a site-specific amendment stage.
b. the proposed use of land or a building that is otherwise not permitted in a zone is sufficiently similar to or compatible with the permitted uses in that zone; and	Not applicable yet	This will need to be considered if the project moves to a site-specific amendment stage. While the proposed use is residential, the surrounding area is lower-density (rural) residential and agricultural uses – the difference in scale presents questions of compatibility, particularly in terms of the rural character.
c. the proposed use does not undermine the overall integrity of the zone, is in the public interest, and is consistent overall with sound planning principles.	Not applicable yet	This will need to be considered if the project moves to a site-specific amendment stage.
Special Planning Area considerations (section 13.6):		
In the areas subject to the Cornwall Region Special Planning Area, the requirements of clause 63(10)(d) of the <i>Subdivision and Development Regulations</i> shall apply. (See Schedule F)	Not applicable	The subject site is outside of the special planning area.

Comments from residents or other interested persons

Public feedback expressed at the public meeting covered the following matters:

Comment Theme	Consideration
Remaining portion of parent parcel	As there is no application for the proposed remnant and the applicant states that there is no intent to purchase more than 16 acres, this is not relevant to the decision at hand.
Servicing – ability of site to accommodate anticipated intensity of use	This is a valid question and one that would have to be answer before approval could be considered.

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Environmental suitability	The nature and suitability of the site for more intensive residential uses is something that should be confirmed both through the Department of Environment and through a site suitability assessment before approval could be considered
Impacts of more intensive residential uses and compatibility	Speakers noted the impact of the proposed apartment buildings and their compatibility with the immediate area, given the rural development pattern, potential stormwater concerns, and suitability of the site for more intensive residential uses given the lack of transit and services. The questions of lighting, traffic, and intensity of use given the more typically rural adjoining uses should be given careful consideration given the policies in the Official Plan regarding preservation of the rural character of the community.
Traffic impacts	Additional information is required on the potential traffic impacts and the Province's position on the proposed level of use before approval could be considered.
Future rental prices, tenants	Projected rents and who the potential future tenants might be are not considerations in this process.
Concern about noise and mess during construction period	This is a temporary issue and should not be a concern in making the decision about long-term land use changes. A construction plan could be included in a subdivision agreement.
Timing of application given recent adoption of the Official Plan	The planning process always allows for the option for applications for amendments. The suitability of the proposed change should be assessed in the context of the continued relevance of the adopted goals, objectives, policies, and plan actions. In some cases, an amendment is appropriate, in others, it would be determined to conflict. This is assessed on a case by case basis.
Need for some flexibility in light of housing constraints	The local need for housing is something that should be considered, with consideration given to whether the proposed intensity of use and the potential impacts are acceptable on the site in question.
Alternatives to apartment buildings, such as clustered tiny homes	The applicant noted that tiny homes are still required to meet minimum lot sizes, making the costs of such a development not feasible.

Ability of Council to Apply Conditions

Amendments (Changes in Zoning) to Permit Residential Subdivisions:

The Planning Act and the Bylaw do not permit the imposition of conditions for subdivision or development at the rezoning stage; however the ability of the site to accommodate the proposed use is a consideration during the rezoning process and is highlighted in the assessment above, particularly where the proposed use is clustered housing.

Site-Specific Amendment Uses:

While the application currently before Council is the change in zoning, many of the questions raised pertain to the proposed future use of clustered housing. Subsection 3.10(1) of the Bylaw allows for the imposition of conditions on development permits subject to such conditions being directly related to and consistent with the Municipality's bylaws and Official Plan. The zone provisions in the specific zones further allow the approval of specified site-specific amendment uses, subject to such conditions as Council deems necessary. Such conditions would be noted as part of the Site-Specific Amendment process. This provision allows for the

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imposition of conditions necessary to ensure that the Official Plan policies and the criteria under 12.2(1) are met.

Potential considerations for this application should it proceed to a site-specific amendment stage include the following:

- Scale or intensity of development and overall number of units: the Official Plan contemplates a mix of housing types, including apartments. It also speaks to the value place on rural character and environmental sustainability.
- The increase in housing options should be weighed against intensive rural development with on-site services.
- While the clustered housing option is available as a site-specific amendment use, there is a significant difference between a cluster of 8-12 townhouse units in a number of buildings, a tiny home or mini-home, or even grouped single detached units and 48-72 units.

Summary

Insufficient information is available at this time to provide a full assessment beyond the general policies of the Official Plan. Given the scale of development and the anticipated intensity of use, consultation with the required provincial departments is needed, at a minimum, should the location of the proposed zone and use be determined to be consistent with the policies of the Official Plan.

Traffic Impacts

Information supplied by the Applicant in their presentation at the public meeting noted ongoing discussions with the Province dating to before the Municipality assumed jurisdiction over planning. The presentation indicated that the Department of Transportation had already indicated that access on Route 19 would be problematic, particularly in relation to individual driveways. The concept presented at the public meeting therefore included an access from Route 19A. For the consideration of a change in zoning to RR alone, the suitability of the site to provide access for more than 4 lots should be assessed. Should the first application be successful and an application for apartments on individual lots or as clustered housing through a site-specific amendment proceed, additional consideration of specific traffic volumes would also need to be assessed.

Environmental Considerations

Given the intensity of either a multi-lot subdivision or a cluster of apartment buildings, a site assessment for the property is essential to determine the suitability of the site for the proposed zoning, should the location of the proposed zone and use be determined to be consistent with the policies of the Official Plan. While there is no ER zone identified for the property, it is possible that a detailed site assessment would identify sensitivities on the site. It is strongly recommended that the Department of Environment be consulted prior to any further consideration.

Density of Development

The development proposal involves high density residential development in an area of the Municipality that has never been considered for such intensive use. The proposal appears to be inconsistent with the rural

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nature of the area, and indeed, of the Municipality as a whole, as well as the intent of the Official Plan to help preserve the rural nature of the area appears.

OPTIONS

Council has several options available in relation to this application:

1. Denial – if Council determines that the Official Plan policies and information provided on the site for the proposed intensification of residential uses through a change in designation and zoning is sufficient to determine the requested amendments are not appropriate, Council could, by resolution, deny the application. A response in writing with reasons would be required and the decision would be posted in accordance with the Bylaw and the Planning Act.
2. Approval – if Council determines the Official Plan policies sufficiently support the requested changes in designation and zoning, approval would be undertaken through the adoption of an amendment to the Official Plan and Future Land Use Map and the full set of readings, approval and adoption of the amendment to the Land Use Bylaw and Zoning Map. A site-specific amendment and subdivision process would then follow.
3. Deferral – if Council determines that the additional information relating to traffic and access considerations and site suitability for on-site services will contribute to their ability to make a decision on the application, the consideration of whether or not to amend the Official Plan Future Land Use Map and the Land Use Bylaw Zoning Map should be deferred until such time as the required information is provided.

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APPENDIX A – CURRENT ZONING AND CONTEXT

Future Land Use Designation and Zoning - PID 491324

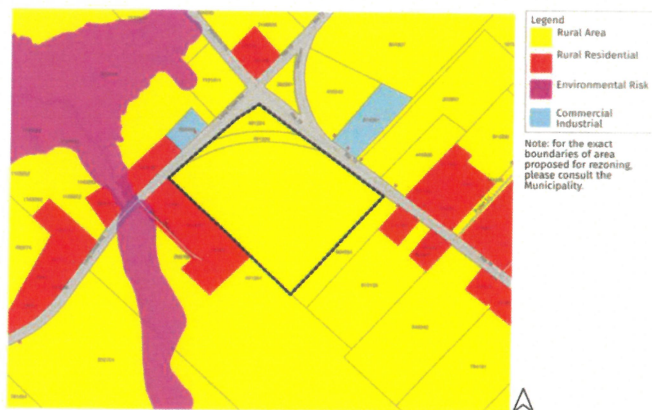


Figure 1 - portion of the parcel that is the subject of the application for a change in designation and zoning.

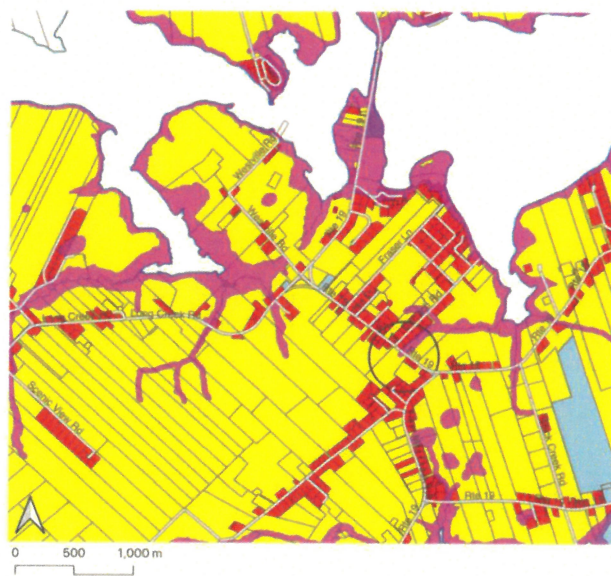


Figure 2 - Zoning and Designation on Future Land Use Map with Future/Community Node indicated.

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Rural Municipality of West River Planning Board Committee Tentative Agenda

Meeting No: PLB-24-06

Time: 7:00 PM

Date: Tuesday, January 9, 2024

Session: Regular - Public

Location: Afton Community Centre

Contact Person: Laala Jahanshahloo - CAO

Chair: Helen Smith-MacPhail - Mayor

Contact Info.: 902 675 7000 - admin@westriverpe.ca

Order of Business

✓ 1. Call to Order 7:02

✓ 2. Land acknowledgement

✓ 3. Adoption & Approval of Agenda John / Lillian.

✓ 4. Declarations of Conflict of Interest →

5. Adoption of Previous Meeting's Minutes

✓ 5.1. PLB-23-05 - November 9, 2023, Planning Board Committee Meeting John/Shawn

✓ 5.2. PUB MTG-23-01 - November 14, 2023, Public Meeting Shawn/Steven.

✓ 5.3. PUB MTG-23-02 - November 14, 2023, Public Meeting John / Aaron

6. Recommendation Items

✓ 6.1. PLB.24.06.1 - Rezoning Application PID 202671

✓ 6.2. PLB.24.06.2 - Rezoning Application PID 491324

✓ 6.3. PLB.24.06.3 - Rezoning Application PID 818500 Mr Buchanan, - Shelina.

✓ 6.4. PLB.24.06.8 - Variance / Subdivision Application PID 219329 Shawn/Wharf Rd

✓ 6.5. PLB.24.06.4 - Excavation Pit Development Agreement

✓ 6.6. PLB.24.06.5 - Subdivision Agreement

✓ 6.7. PLB.24.06.6 - OP&LUB Amendments - John/Lillian.

✓ 6.8. PLB.24.06.7 - Schedule of Fees Revision - Bylaw #2022-04

Aaron / Shawn.

- Develop Property
- Big lots - Acres over 1 acre
- Restrictive Covenants
- Gravel area
- Revitalize
13 large lots -
- Public Rd Specs.
- 1

7. Informational Items

7.1. PLB.24.06.6 - 2023 Permit Reports

8. Adjournment

Action



Rural Municipality of West River Planning Board Committee Minutes

Meeting No	PLB-23-05	Time	7:00 PM
Session	Regular - Public	Date	Thursday, November 9, 2023
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adaptation status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Satyajit Sen - Special Advisor, Susan Morse - Administrative Assistant		
Regret	Nil		
Guest	Nil		

▪ Call to Order

Deputy Mayor Shaun MacArthur called the meeting to order at 7:00 PM.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Deputy Mayor Shaun MacArthur and, seconded by Councillor Lillian MacCannell, unanimously carried.

▪ Declarations of Conflict of Interest

No Conflict of interest was declared.

▪ Adoption of Previous Meeting's Minutes

The minutes of PLB-23-04, October 12, 2023, Planning Board Committee Meeting were approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Lillian MacCannell, and unanimously carried.

- **Information Items**

- **PLB.23.05.1 - Applicant Presentation - Rezoning Application PID 202671**

Decision Type: Presentation

Status: Received

Description:

The Committee had a Q&A session after the applicant's presentation for the proposed amendments to the Official Plan and Land Use Bylaw, which would be to rezone PID #202671 from a Rural Area (RA) to a Rural Residential (RR) zone to subdivide the parcel located at Fraser Lane into 18 residential lots.

The public notice for this rezoning request was published in "The Guardian" on November 4, 2023. The public meeting will be held on November 14 at 4 PM. Public comments and feedback about the proposal will be accepted until November 21 at 4 PM.

- **PLB.23.05.1 - Applicant Presentation - Rezoning Application PID 491324**

Decision Type: Presentation

Status: Received

Description:

The Committee had a Q&A session after the applicant's presentation for the proposed amendments to the Official Plan and Land Use Bylaw, which would be to rezone a portion of PID #491324 from a Rural Area (RA) to a Rural Residential (RR) zone to subdivide the parcel into two residential lots and build a total of six, 12-unit apartment buildings, located at Long Creek Rd - Rte. 19 A, New Dominion.

The public notice for this rezoning request was published in "The Guardian" on November 4, 2023. The public meeting will be held on November 14 at 6 PM. Public comments and feedback about the proposal will be accepted until November 21 at 6 PM.



Rural Municipality of West River Public Meeting (Rezoning PID 202671) Minutes

Meeting No	2023-01	Time	4:30 PM
Session	Special - Public	Date	Tuesday, November 14, 2023
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor John Yeo, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo – CAO, Satiya Sen - Special Advisor, Samantha Murphy – SJ Murphy Consulting, Mirko Terrazzas – Development Officer, Susan Morse – Administrative Assistant, Philip Hogan – Applicant, Paul Hogan – Applicant, Robert MacArthur – Legal Advisor to Hogans		

▪ Call to Order

Mayor Helen Smith-MacPhail called the Meeting to order at 4:05 PM.

Mayor Helen Smith-MacPhail gave a land acknowledgement, welcomed everyone, and introduced Council and Planning Board Committee members present, Applicants, CAO and Development Officer, Consultant, and Special Advisor.

She reminded the attendees:

- To sign the roster so that we can record attendance.
- CAO will take minutes of the Meeting.
- That the Meeting would be conducted in a mannerly order.
- That written feedback will be accepted until November 21, 2023, at 4 PM.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor Shaun MacArthur and seconded by Councillor John Yeo, unanimously carried.

▪ Declarations of Conflict of Interest

Nil

2

4

- bussing for school
- support of single-family home development

▪ **Adjournment**

The Meeting Adjourned at 4:50 PM.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____



Rural Municipality of West River Public Meeting (Rezoning PID 491324) Minutes

Meeting No	2023-02	Time	6:00 PM
Session	Special - Public	Date	Tuesday, November 14, 2023
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor John Yeo, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo – CAO, Satiya Sen - Special Advisor, Samantha Murphy – SJ Murphy Consulting, Mirko Terrazzas – Development Officer, Susan Morse – Administrative Assistant, Tim Hamel – Applicant		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 6:00 PM.

Mayor Helen Smith-MacPhail gave a land acknowledgement, welcomed everyone, and introduced Council and Planning Board Committee members present, Applicants, CAO, and Development Officer, Consultant, and Special Advisor.

She reminded the attendees:

- To sign the roster so that we can record attendance.
- CAO will take minutes of the Meeting.
- That the meeting would be conducted in a mannerly order.
- That written feedback will be accepted until November 21, 2023, at 6 PM.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor Shaun MacArthur and, seconded by Councillor John Yeo, unanimously carried.

▪ Declarations of Conflict of Interest

Nil

- lengthy development timeline
- noise from construction
- noise and traffic related to construction materials being brought in due to these accordingly
- site suitability, including perc tests
- increased traffic
- the community is growing, and affordable housing is a need
- development should aim to be affordable
- rezoning would set a precedent
- property tax rates
- development should promote rural landscapes
- development should be in line with our Official Plan and LUB
- rural area is not the right place for development like this

■ Public Input

Mayor Smith MacPhail thanked the audience for their attendance and input. She reminded attendees that written Public Feedback is welcome until November 21 at 4 PM.

Mr. Hamel thanked the audience.

■ Adjournment

The Meeting Adjourned at 7:30 PM.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____

▪ **Meeting Purpose**

Public Meeting pursuant to Resolution #2021-69 to consider a rezoning application for PID 491324 located at the corner of Route 19 & Route 19A from Rural Area to Rural Residential.

▪ **Public Notice**

Public Notice was published in "The Guardian" on November 4, 2023.

A letter was sent to all landowners within 153 m. (502 ft.) of all boundaries of the PID 491324.

A sign was placed on PID 491324 on November 7, 2023, directing people to contact the municipality for specific details.

▪ **Development Officer Presentation**

The Municipality's Development Officer presented technical information related to the rezoning application for PID 491324 (Appendix 2.1, attached hereto, forming a part of this resolution).

▪ **Applicant Presentation**

Tim Hamel presented a development proposal on behalf of Arsenault Bros. Construction (Appendix 2.2, attached hereto, forming a part of this resolution).

▪ **Public Input**

Eighty-four people attended the meeting. The audience asked questions and gave feedback concerning

- utilities for the property
- the environmental impact of existing utilities & water table
- light pollution from parking lot lights
- significant increase in traffic
- lack of amenities in the area for the large influx of population that 72 units would create
- the land is marshy

Planning Report “Compliance” Legend

- Weighing required

✓ *Council Discretion*

☐ Aligned with Policy

☐ Need Professional Review

☐ Non-Compliance

- Insufficient information

✓ *Required via*

☐ Public Meeting

☐ Professional Review

☐ Desk top Review

- Inconsistent / Generally consistent / Not applicable

✓ *Development Officer*

☐ Accept

☐ Reject

☐ Request Professional Review

PLANNING REPORT

REPORT NO: _____
RURAL MUNICIPALITY OF WEST RIVER

REPORT FOR	PLANNING BOARD, RURAL MUNICIPALITY OF WEST RIVER
REPORT TYPE	PRELIMINARY
PREPARED BY	MIRKO TERAZZAS – DEVELOPMENT OFFICER
REVIEWED BY	SATYAJIT SEN, SPECIAL ADVISOR LAALA JAHANSHAHLOO, CHIEF ADMINISTRATIVE OFFICER
DATE	JANUARY 09, 2024
APPLICATION	WR-0040
APPLICANT	STERLING BUCHANAN
PROPERTY IDENTIFICATION NUMBER (PID)	818500
LOCATION	SHAW'S WHARF RD, ST CATHERINES
ZONING	RURAL AREA
PLANNING AUTHORITY	RURAL MUNICIPALITY OF WEST RIVER <i>pursuant to 2022 OFFICIAL PLAN & 2022 LAND USE BYLAW (BYLAW # 2022-04) as approved by MINISTER OF HOUSING, LAND AND COMMUNITIES, GOVERNMENT OF PRINCE EDWARD ISLAND on July 20, 2023</i>
SUBJECT	APPLICATION FOR REZONING PID # 818500 FROM RURAL AREA TO RURAL RESIDENTIAL ON SHAW'S WHARF RD, ST CATHERINES FOR THE PURPOSE OF SUBDIVIDING THE PARCEL INTO 13 RESIDENTIAL LOTS

BACKGROUND SUMMARY

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines has been submitted to the Rural Municipality of West River. The Applicant applied to rezone his property from Rural Area (RA) to Rural Residential (RR) zone so that they could eventually be allowed to subdivide the subject parcel into 13 lots for residential development.

The current Land Use Bylaw # 2022-04 does not permit such subdivision of lots in the Rural Area zone. Subsection 13.5 (1) of the Land Use Bylaw states that "Within a Rural Area Zone, subdivisions shall be restricted to existing parcels only and no person shall be permitted to subdivide more than four (4) lots, no more than two (2) of which may be approved for uses other than residential uses or resource-related uses." However, there is no explicit restriction to subdivide existing parcels in Rural Residential. Hence, the applicant applied to re-zone the parcel (PID #818500) from Rural Area (RA) to Rural residential (RR).

This rezoning application involves changes to the Rural Municipality of West River's Future Land Use Map and Zoning Map, and hence also involves an amendment to the Rural Municipality of West River 2022 Official Plan, which may be considered concurrently.

TECHNICAL INFORMATION

Information provided by the applicant included the application form, a preliminary site map, and the On-Site Sewage Disposal System, Site Soil Assessment and Site Categorization report by EastTech Engineering Consultants. All technical analysis of the submission is based on these submitted documents (Please see the annexures).

OTHER DISCLOSURE

No other disclosure has been made by the applicant in their application.

REZONING PROCESS

The proposed rezoning would require amendment to the zoning map. Subsection 12.1(2) of the Land Use Bylaw, states that "A change to either the text of this Bylaw or the Zoning Map is an amendment, and any amendment shall be consistent with the policies of the Official Plan."

Hence, in accordance with Subsection 12.4(b)(ii) of the Land Use Bylaw, written notice will be provided to property owners wholly or partially within 153 m (502 ft) of all boundaries of the subject property where the property is the subject of the meeting for an amendment to the Official Plan or the Bylaw, including a change in zoning or site-specific amendments. Moreover, according to Subsection 12.2. 2 (b) a public meeting is required to receive comments on the proposed site-specific amendment use in

accordance with the requirements of Subsection 12.4.

Now, in accordance with Subsection 12.3.3. “Following the public meeting, Planning Board shall consider the feedback received from the public by way of written responses and comments made at the public meeting. The applicant may be provided with another opportunity to present to the Planning Board to answer any further questions that may have arisen at or following the public meeting. The Planning Board shall make a recommendation to the Council on the application.”

Following the public meeting and after having considered the recommendation of the Planning Board, Council shall formulate a decision on the

proposed amendment. The council shall have the authority to determine whether an amendment request is approved, modified, or denied in accordance with the procedures established under the Planning Act.

Amendments to the Official Plan or the Land Use Bylaw approved by the Council also require approval by the province’s minister responsible for administering the Planning Act or any successive legislation. No development permits or subdivisions related to a proposed amendment shall be approved until the approval from the Minister responsible for administering the Planning Act or any successor legislation has been granted for the necessary amendments.

ASSESSMENT

Subsection 12.3(4) of the Land Use Bylaw # 2022-04 establishes criteria to be considered by the Council and Planning Board when reviewing applications for Official Plan and Bylaw amendments. These include:

CRITERIA	COMPLIANCE	NOTES
As per Land Use Bylaw #2022-04 Subsection 12.3(4)		
a) Conformity with the Official Plan	Weighing required	Some aspects of this application do confirm with the Official Plan, while others do not.
Relevant Official Plan Policies		
Economic Objectives and Policies	Weighing required	

PLANNING REPORT

Policy RU-1: Designation and Zoning	Inconsistent	
Policy RU-2: Protection for Agricultural and Other Resource Uses	Weighing required	
Policy RU-3: Subdivision of Primary Resource Land	Weighing required	
Physical Objectives and Policies	Weighing required	
Policy PHY-3: Ribbon and Strip Development	Weighing required	
Policy PHY-4: Community Nodes	Inconsistent	
Policy PHY-5: Development Constrains	Insufficient information	
Policy PHY-6: Development Subject to Flood Risk	Insufficient information	
Social Objectives and Policies		
Policy R-1: Designation and Zoning		
Policy R-2: Density and Housing Variety		
Policy R-4: Residential Development Standards		

Policy PR-1: Recreation Services and Facilities		
Environmental Objectives and Policies	Weighing required	
Policy EN-3: Stormwater Management	Insufficient information	
Policy EN-5: On-Site Sewage Treatment Systems	Weighing required	
Policy EN-10: Sustainable Practices	Weighing required	
b) conformity with all requirements of this Bylaw.	Generally consistent	The proposed concept plan of single-family dwellings and duplex dwelling for the proposed property to be rezoned is a permitted use in Rural Residential Zone.
c) suitability of the site for the proposed development.	Weighing required	
d) compatibility of the proposed development with surrounding land uses, including both existing and projected uses as Per the Zoning Map	Generally consistent	The proposed property is located close to an existing residential zone.
e) any comments from residents or other interested persons.	Weighing required	A public meeting is yet to be conducted to receive feedback. Notice calling for submission of comments and written responses has not been published yet.
f) adequacy of existing water supply, wastewater treatment and disposal systems, streets, stormwater management, and parks and parkland for accommodating the development, and any projected infrastructure requirements.	Weighing required Insufficient Information	The property will be serviced by a public road, and private onsite water and sewer system.

PLANNING REPORT

g) impacts from the development on pedestrian/vehicular access and safety, and on public safety generally.	Weighing required	The proposed subdivision would be required to be reviewed by the Department of Transportation and Infrastructure for Safe Stopping Sight Distance (SSD)
h) compatibility of the development with environmental systems	Insufficient information	No costal hazard assessment has been provided.
i) impact on Municipal finances and budgets	Generally consistent	It is anticipated this development would have a limited impact on the municipal budget, with the exception of an increase in parkland and a moderate increase in tax revenues from the associated development over time.
j) other planning matters as considered relevant by the Planning Board or Council.	Not applicable	Not identified
Considerations for Site-Specific Amendments under Subsection 12.2.1 of the Land Use Bylaw		
a) the proposed site-specific amendment is not contrary to the Official Plan. If an application is contrary to the policies in the Official Plan, an application to amend the Official Plan must be filed in conjunction with the application to amend the Bylaw.	Not applicable	
b) the proposed use of land or a building that is otherwise not permitted in a zone is sufficiently similar to or compatible with the permitted uses in that zone; and	Not applicable	
c) the proposed use does not undermine the overall integrity of the zone, is in the public interest, and is consistent overall with sound planning principles.	Not applicable	

PLANNING REPORT

Considerations for Special Planning Area under Subsection 13.6.1 of the Land Use Bylaw

In the areas subject to the <i>Cornwall Region Special Planning Area</i> , the requirements of clause 63(10)(d) of the <i>Subdivision and Development Regulations</i> shall apply. (See Schedule F)	Not applicable	
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RECOMMENDATION

It is recommended that the application to rezone PID # 818500 located at Shaw's Wharf Rd, St Catherines, from Rural Area to Rural Residential, be recommended to Council for public meeting.



Rural Municipality of West River Public Meeting (Rezoning PID 818500) Agenda

Meeting No: PUB MTG-24-03

Time: 6:00 p.m.

Date: Thursday, February 29, 2024

Contact Info.: 902 675 7000 - rmwr@westriverpe.ca

Location: Afton Community Center

Chair: Helen Smith-MacPhail - Mayor

Order of Business

1. Call to Order
2. Declarations of Conflict of Interest
3. Purpose of the Meeting
4. Given Public Notice
5. Applicant Presentation
6. Public Input
7. Comment Period
8. Adjournment



Rural Municipality of West River Public Meeting (Rezoning PID 818500) Minutes

Meeting No	2024-03	Time	6:00 PM
Session	Special - Public	Date	Thursday, February 29, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Laala Jahanshahloo – CAO, Satyajit Sen - Special Advisor, Mirko Terrazzas – Development Officer, Sterling Buchanan – Applicant		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 6:00 PM.

Mayor Helen Smith-MacPhail gave a land acknowledgement, welcomed everyone, and introduced Council and Planning Board Committee members present, including the Applicant, CAO, Development Officer, and Special Advisor.

She reminded the attendees:

- To sign the roster so that we can record attendance.
- CAO will take minutes of the Meeting.
- The meeting will be conducted in a mannerly order.
- That written feedback would be accepted until March 8, 2024, at 6 P.M.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor Lillian MacCannell and, seconded by Councillor Ryan Roggeveen, unanimously carried.

▪ Declarations of Conflict of Interest

Nil

▪ **Meeting Purpose**

This is a Public Meeting pursuant to Resolution #2021-69 to consider a rezoning application for PID 818500, located at Shaws Wharf Rd, from Rural Area to Rural Residential.

▪ **Meeting Rescheduled**

- This meeting was originally scheduled for February 15 at 5 p.m., but it was cancelled due to inclement weather.
- Public Notice for the original date was published in “The Guardian” on February 7, 2024.
- 42 letters were sent to all landowners within 153 m. (502 ft.) of the boundaries of the PID 818500.
- A sign was placed on PID 818500 on February 9th, 2024, directing people to contact the municipality for specific details.
- The municipality covered the costs associated with rescheduling the meeting, including public notification and room rental.

▪ **Public Notice**

- Public Notice for the rescheduled meeting was published in “The Guardian” on February 21, 2024.
- 42 letters were sent to all landowners within 153 m. (502 ft.) of the boundaries of the PID 818500.
- A sign was placed on PID 818500 on February 9th, 2024, directing people to contact the municipality for specific details.

▪ **Development Officer Presentation**

The Municipality's Development Officer presented a development proposal to rezone 34 acres from RA to RR, subdivide into 13 residential lots of varying sizes, greater than or equal to 1 acre each near the water as well as technical information related to the rezoning application. The presentation is attached hereto forming a part of this minutes.

■ Public Input

Twenty people attended the meeting. The audience asked questions and gave feedback concerning:

- Losing the landscape and unique beauty of the vista and the necessity of protecting the viewscape
- The loss of agricultural land
- The flow of water and flooding
- Wastewater management
- Environmental impact
- Who will pay for the road
- Increased traffic and safety concerns for the current residents
- Surrounding utilities are underground, and some residents do not want utility poles nearby
- Possible loss of and how to preserve the view
- Some residents stated there is enough of a slope to the land that scenic views will not be impacted much
- Development is needed, and this is a good idea
- What is the buffer zone between agricultural land and residential land?
- Existing access to the beach must not be blocked
- Is it mandatory that 10% of land be dedicated to parkland?
- Will this development increase the land and property value and, consequently, raise property tax?
- Development should aim to be affordable
- Resident voiced appreciation for the process and public engagement

- Rising water levels along the shore due to the climate change
- Concerns about buffer zone, septic system and quality of well water
- Protecting the land for the next generation

▪ **Adjournment**

Mayor Smith MacPhail thanked the audience for their attendance and input. She reminded attendees that written Public Feedback is welcome until March 8th at 6 P.M.

Mr. Buchanan thanked the audience.

The Meeting Adjourned at 7:30 P.M.

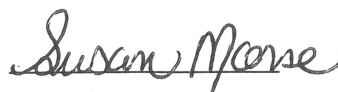
Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer



Appendix 3.1



Rural Municipality of West River

Public Meeting Rezoning Proposal PID#818500

February 29th, 2024 5pm

Meeting Agenda

Development officer will make a presentation on the proposed development.

You are more than welcome to make verbal comments upon completion of the presentation.

The Planning Board / Council will review your comments and all written comments by nearby landowners prior to final decision.

Process of Meeting

Planning Board recommended holding this public meeting.

43 letters to surrounding landowners/ residents within 153m (502 ft) of the boundary of the subject property to provide comments regarding the rezoning application

Appendix 3.1 (Continued)

Process of Meeting

Ads in the paper. One ad 7 clear days (Feb 21) before the public meeting date.

Hold public meeting Feb 29, 2024

Planning Board reviews information and comments and decides on recommendation to Council.



PID # 818500

Existing Zone:

The Rural Municipality of West River

July 21, 2022

Map Index: D4

— Road Network (2020)

- Commercial Industrial (C1)
- Parks and Recreation (PR)
- Rural Area (RA)
- Rural Residential (RR)
- Environmental Risk (ER)



Appendix 3.1 (Continued)

Rural Area Zone (RA)



Permitted uses :

- a. agricultural uses;
- b. fishery uses;
- c. forestry uses;
- d. resource-related commercial uses;
- e. animal sanctuaries;
- f. single-detached dwellings;
- g. duplex dwellings and semi-detached dwellings; and
- h. commercial uses.

Subdivision in the Rural Area zone (RA)

Land Use Bylaw states that "Within a Rural Area Zone (RA), subdivisions shall be restricted to existing parcels only and no person shall be permitted to subdivide more than four (4) lots, no more than two (2) of which may be approved for uses other than residential uses or resource-related uses." However, there is no explicit restriction to subdivide existing parcels in Rural Residential. Hence, the applicant applied to re-zone the parcel from Rural Area (RA) to Rural residential (RR). The proposed rezoning would require amendment to the zoning map.

Subsection 12.1(2) of the Land Use Bylaw, states that "A change to either the text of this Bylaw or the Zoning Map is an amendment, and any amendment shall be consistent with the policies of the Official Plan."

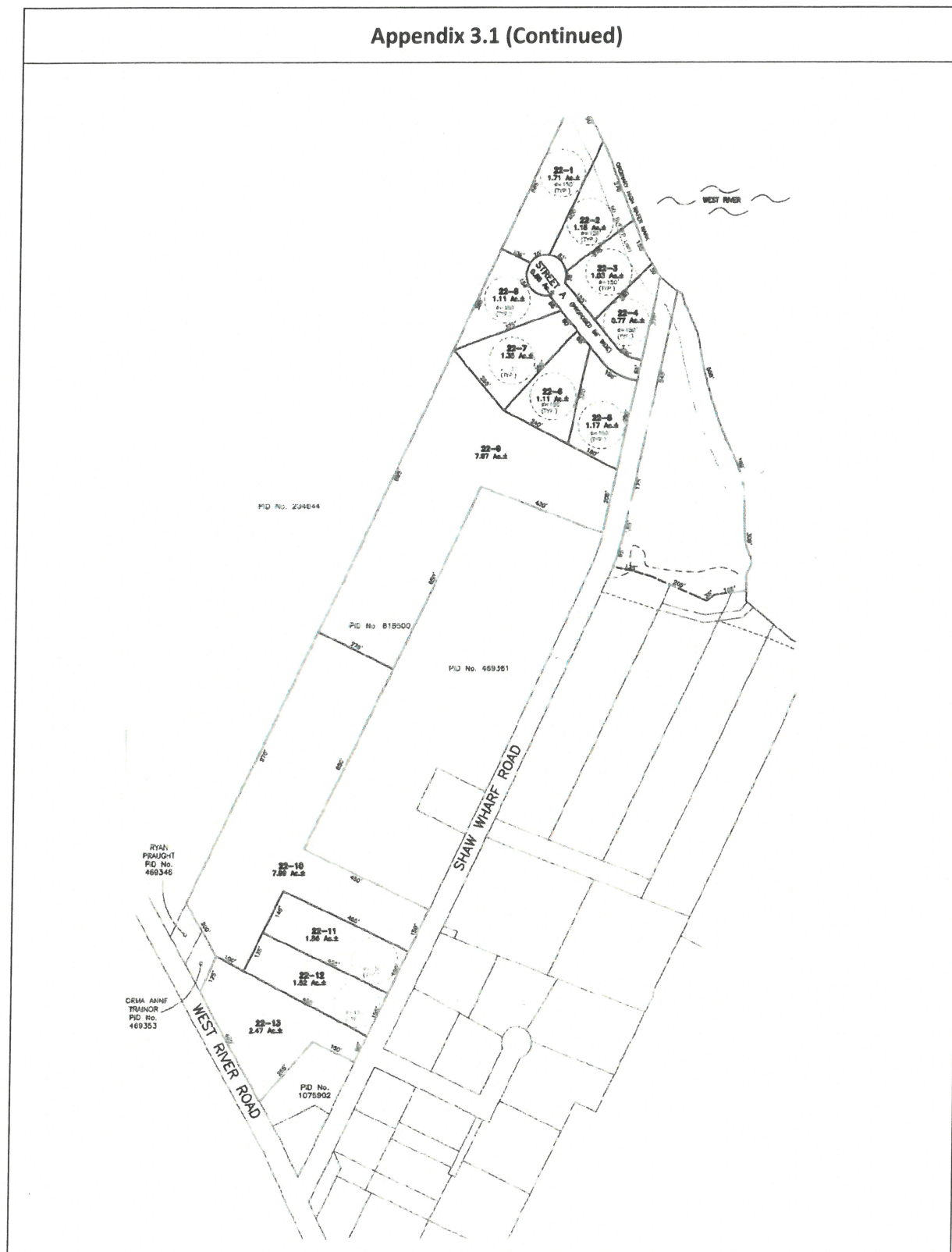
Rural Residential (RR)



Permitted uses :

- a. single-detached dwellings;
- b. duplex dwellings and semi-detached dwellings;
- c. apartment dwellings; and
- d. townhouse dwellings.

Appendix 3.1 (Continued)



Name	Community	Contact
Joan MacInnis	St. Catharines	
Shaun Kiklio	St. Catharines	
Susan Williams	St. Catharines	
Ryan Fraught	St. Catharines	
Ruth DeLong	St. Catharines	
Libby Grant	"	
Judy Shaw	"	
PETER BENN JAMES	Bonskew	
Colin MacPhail	Meadowbank	
Anne Mackay	St. Catharines	
Amber Fox	St. Catharines	
Carolyn Wood	Clyde River/St. Catharines	
LEIGH McISAC	Fairview	
Brian Nogo	Amherst	
Shirley Herlihy	Clyde River	
Paul Hogan	Cumham	
Joey Giordani	St. Catharines	

Public Meeting Feb 29, 2024	
PID 818500	Application WR-0040
Name & Contact	Message
David Dalton [REDACTED]@icloud.com>	Coming across the West River bridge today and look into my left. I think it would be a huge mistake to have 13 houses to my left that view. Specially, the water is exactly why I moved out here two years ago.
Anne MacKay St. Catherines PE	I attended the meeting regarding the rezoning of the above property. The owner of the property wants to subdivide existing productive farmland and turn it into building lots. The owner of the land does not live on the property. I am against the rezoning plan for several reasons: 1. Productive and quality food-producing farmland will be lost forever. 2. There are legitimate concerns from a neighboring property owner, who actually lives in the community and her productive potato fields share a lengthy border with the property described above. 3. I am also concerned about the construction that includes 10 or more septic tanks; wells, yard landscaping, road construction and paving that would take place in the lower riverside area. For environmental reasons this area needs to be protected from building and recreational development. The property in question is impacted from winds and high tides from the north and northeast. For 47 years my husband and I have lived in an older home in St Catherines with river frontage on the same side of the West River and we have witnessed, along with a great many other property owners, a shocking loss of shoreline due to undercut riverbanks from high tides during hurricanes and also the loss of mature trees along those riverbanks. Most of the loss of river frontage has occurred in the last 10 years and Fiona was the most destructive. My husband and I are fortunate to live quite a distance up from the bank. 4. Another reason why I am against this rezoning is: the protection of disappearing beautiful rural Island landscapes. We need to protect the landscape of this particular location. It can be viewed by looking down towards the river from Route 9 especially as you travel along the stretch from the Dunedin Bridge to the turn at the top of the hill in St Catherines, and from there what you see are large fertile fields that gently roll down to a buffer of woodland along the West River. Over the years, my husband and I have taken many beautiful photos from several vantage points overlooking that view. The scene is lovely. We are fortunate to have such a beautiful landscape in our community.
Judy Shaw Strathnairn Farm 3040 West River Rd St Catherines, PE COA 1H1 [REDACTED]@gmail.com 902 [REDACTED]	RE: Rezoning St Catherines Property, PID #818500 from Rural Agriculture to Rural Residential to Subdivide into 13 Residential Lots (File Number WR-0040) Dear Committee: I am writing in regards to the above subject as the property owner adjacent (west side) to the full length of PID 818500. Background: My farm field (PID 204644) is adjacent to the full length of the property referred to above (please see attached diagram). My field, which is approximately 68 acres (the majority of which is class 2 farmland), has been rented out for potato production (under rotation) for about 60 years. It has been sought after for this use by various farmers. For your information, the total acreage of my farm is 151.54 acres, which also includes a woodlot (65 A) and class 3 land farmed by a livestock producer. This farm, which belonged to the Honourable W R Shaw, is a registered heritage place under the Heritages Places Protection Act as of 2021. It may be the only heritage property on private land in West River. Strathnairn also received Century Farm Designation in 1964 and the farm has remained in the family since then. My specific comments regarding the rezoning are as follows: Agricultural land related: 1. Potato land is required to be ploughed, planted, sprayed for pests (e.g. for Potato Late Blight, Colorado Potato Beetle, etc.) and harvested. These various activities can cause conflict (due to resulting drift, dust, etc.) between a residential homeowner and the farmer. Although most farmers are very respectful and try to keep the homeowner informed, this does not always work. The neighbour may harass the farmer leading to added stress being placed on the farmer. Since my current potato farmer (Sterling Buchanan) is planning to retire from farming, another farmer has expressed interest in taking over this field (Alex Docherty). When I informed him that the adjacent field may be subdivided into 13 lots, he informed me that he may have to review the decision to farm my field. This will lead to lost economic opportunity for me as well as a devaluation of my land for farming. 2. As my field is mainly class 2 land, I would expect that most of PID#818500 would also be class 2 land as it is very similar and, potatoes were also grown there for many years. Since PEI is economically dependent on agriculture as an industry, and I understand there is a serious concern about the speed that good farmland like this is disappearing, taking this land out of agriculture should be reconsidered by the Rural Municipality and the Province. This development will also negatively affect the freedom to farm on my land. 3. Although the law is on my side in that I have a legal right to farm without any buffer next to these lots, practically, with residential neighbours so close to the field, there will be a problem. 4. On the topic of continuing agriculture in the Rural Municipality of West River, I would like to suggest that the province and the municipality work together on a pilot program designed to encourage and, help farmers keep land in agriculture by supporting young farmers to acquire land without paying residential prices for farmland. Availability of Lots for Sale in the area: 1. There has been a great deal of publicity regarding the availability of homes. In the Rural Municipality of West River (Long Creek, St Catherines, New Dominion, Fairview, etc.) and its neighbouring communities (e.g. Clyde River, Cornwall), there are a number of existing subdivisions (also on what was agricultural land) with many available lots for sale. Many of these lots have been for sale for a number of years. As such, adding more lots seems to be premature. Would it not be preferable to keep this land in agriculture for the time being? 2. On site septic systems, which are required for these potential properties, also require more land and result in the loss of agricultural land.

508
Judy Shaw
Strathnairn Farm
3040 West River Rd
St Catherines, PE
COA 1H1
[REDACTED]@gmail.com
902 [REDACTED]

Environmental Considerations:

My first comment is that I was very surprised that an environmental assessment was not carried out. Where the environment is concerned, the precautionary principle is generally followed in most jurisdictions. When I asked this question, I was told that they didn't want the owner to face the expense before the rezoning was approved.

The flow of storm water should be of primary concern to the municipality particularly with climate change as a major focus today. Much of this review could have been done at no cost to the owner and reviewed prior to the public consultation. There has been no assessment of the sustainability or environmental effects of the development short or long term.

Details comments are as follows:

1. Stormwater Management: The stormwater runs from the West River Rd roadside ditches from the east and west, plus, from the fields across the road (sloping down to the road) through the culvert under the West River Road to the east side of my field (adjacent to the property in question). A grassy strip has been established through my field following good agricultural practices to reduce erosion and allow the water flow to be managed as it flows down and across PID 818500 to the West River. This has been completely ignored in the drawing provided by the municipality and in fact where the water flows there is a lot planned for development. If this land is developed, there would be a need for fill to be trucked in resulting in the backflow of the water from the area into my field or, there would need to be ditches indicated in the drawing. I am therefore requesting that there be an environmental review of the stormwater management plan and a proposal for structures to be put into place allowing for the flow of water prior to the rezoning being approved.
2. Osprey: Although this may be a minor point for people moving to the country, the area of PID 818500 (north end by the river), is an important area for nesting Osprey. As much of the land on the West River seems has been sold for residential development, this is leading to trees along the waterways being cut, etc., and osprey habitat in this area is disappearing. Very unfortunate for a Rural Municipality to allow this to happen.
3. Septic systems: would be required here which do take up more land and may result in more fill being necessary resulting in the poor flow of stormwater. The suitability of the land for septic systems has not been tested.

Iconic Island View:

The view from the West River Rd bend where it meets the St Catherines Rd is a much photographed and painted island pastoral view of farmland, trees and waterways. It is so representative of the beauty of PEI. It is there for everyone's enjoyment, Islanders and tourists alike. Additionally, it is on the route of the Island Walking Trail. Tour buses from cruise ships frequent this route in the summers for the views and it is not uncommon to see cars parked at the roadside with their passengers taking pictures.

In closing, I would urge the Rural Municipality of West River to have the courage to prevent the further spread of urban sprawl into our beautiful landscape and to protect our good agricultural land.

I have attached some pictures of the view, as well as a drawing indicating the water flow and the posted drawing of the lots which have been requested for development.

Thank you for taking the time to consider my comments.

Sincerely,

Judy Shaw

Owner of Strathnairn Farm

Attachments: Pictures of the view, Map showing water flow, Map showing planned lots

Cc: Minister R. Lantz, MinisterHLC@gov.pe.ca, Minister B. Thompson, MinisterAg@gov.pe.ca, Minister S. Myers, samyersMinister@gov.pe.ca, Christine MacKinnon, CGMACKINNON@gov.pe.ca, Peter Bevan-Baker, psbevanbakermila@assembly.pe.ca, Alex Docherty, [REDACTED]@gmail.com, Coalition for the Protection of PEI Lands, coalitionforpeilands@gmail.com

Patricia Shaw
26 Tranby Ave
Toronto ON
M5R 1N5
[REDACTED]@gmail.com
416 [REDACTED]

Dear Committee:

I am writing in regards to the above subject as the property owner of PID 204651, on West River Rd, and the sister of Judy Shaw, owner of the farm adjacent (west side) to the full length of PID 818500. Judy's farm, previously owned by the Honourable W.R. Shaw, is a registered place under the Heritages Places protection Act as of 2021. It received Century Farm Designation in 1964, and the farm continues to be family owned.

My specific concerns regarding the proposal are as follows:

1. Potential devaluation of land for farming

a. The introduction of 13 new neighbouring residential lots immediately adjacent to an existing crop (potato) field significantly alters the appeal of the property to any prospective farmer. It would take only one of these new neighbours to cause difficulties with the farmer, and potential economic loss.

b. My land, zoned agricultural, includes an 18 acre field used for grain crops. Generally the same farmer who uses my sister's land also uses my smaller property, so that my much smaller property may also have less appeal.

2. Loss of Prime Agricultural Land

a. Our family has always been and continues to be very supportive of PEI's farmers. The continued loss of high quality farmland in the community for yet another subdivision does not seem to align with the Island's reliance on agriculture as a major industry.

b. There appear to be numerous lots for sale in the community, including other properties for sale along the West River. The exchange of farmland for a subdivision should not be a priority.

3. Lack of an Environmental Assessment

a. It is my understanding that a change in zoning is planned before an environmental assessment is undertaken. Given the waterfront location, proximity to nesting Osprey, and real and potential issues with storm water drainage, I would fully support an environmental assessment prior to changing the zoning.

4. Loss of Iconic View

a. Without question the build of houses on small lots on the riverfront will alter one of the much loved area views, which is on the Island Walking Trail.

Yours sincerely,

Patricia Shaw

Cc: Minister R. Lantz, MinisterHLC@gov.pe.ca, Minister B. Thompson, MinisterAg@gov.pe.ca, Minister S. Myers, samyersMinister@gov.pe.ca, Christine MacKinnon, CGMACKINNON@gov.pe.ca, Peter Bevan-Baker, psbevanbakermila@assembly.pe.ca, Coalition for the Protection of PEI Lands, coalitionforpeilands@gmail.com

Judith Gay 902- [REDACTED]	<p>Unfortunately I was unable to attend the meeting on February 29th, 2024. Here are my concerns re: proposed subdivision</p> <ol style="list-style-type: none"> 1. Development residential or commercial on or near a waterway, this case a river 2. Has there been an environmental impact study done or will it be done? 3. endangered or at risk birds & mammals on site (or near) such as bank swallows, eagles, grosbeaks, otters, etc. 4. Increased traffic and noise on Shaws Wharf Rd.
Ruth DeLong St. Catherines 902- [REDACTED]	<p>To the of Rural Municipality of West River:</p> <p>I wish to express my sense of loss if this property is allowed to be developed for housing. We 'the public', will lose one of the loveliest views in St. Catherines forever. Our land is so precious, and with much of it being urbanized so quickly in the Rural Municipality of West River the rural composition of the community is being lost. What will our community look like if good farmland and views are not part of the future plans for the area?</p> <p>As Mr. Buchanan mentioned at the meeting on March 1st, he wants to give his daughter a lot to build on. Is there any way that the property in question could be divided somewhat differently than what is proposed? Look at the view, then divide the upper (south) half into one or two lots leaving the lower section (north) near the river undeveloped. This section could continue to be farmed or another option would be for a group like Island Nature Trust, Nature Conservancy of Canada, a Trust or Foundation be formed to purchase the property from Mr. Buchanan and have it protected forever. What a great legacy for him and his family to leave to the community. The purchase price would be fair value but not development value. It will be very, very expensive to put in roads, power, water, sewer, etc.</p> <p>Other reasons for not allowing a housing development on this parcel include:</p> <ul style="list-style-type: none"> • rising water levels along the shore - the climate change map shows a predicted rise in water levels in this area. In just the 7 years I've lived in St. Catherines I have noticed the water level has definitely increased on the high tide. Add storm surges onto that and houses would be compromised. • the proposed lots along the shore legally need a 15 m buffer zone, therefore, those lots become, in reality, a lot smaller. Would there even be room to put in a septic system? • as the land is already quite low the chance of having poor water due to the infiltration of river water into the wells should be a big concern. • the same goes for septic systems. What issues would happen with them if river water gets into them and they can't function properly? The chance of sewer water leaking into the river would become an issue. <p>The property on the other side of the Shaw Wharf Road (east) - on the map which was shown us on March 1st is divided into 3 lots. I think these are owned by The Gray Group. These lots should also be protected to protect the view. The lots are full of springs and are extremely wet. The Gray Group is a very wealthy company and I would propose they be contacted to see if they would donate that land to INT or NCC. Then along with Mr. Buchanan's land the whole area would be protected into perpetuity.</p> <p>We are here on earth for such a short time. Being good stewards of the land is very important to me and many, many more. We need the Land to survive. I ask that the Rural Municipality of West River be bold and strong, so that it can make a good decision for the people now and into the future.</p>
Comments from the Public Meeting	
Judy Shaw	<p>potato field, agricultural land</p> <p>flow of water</p> <p>wastewater management</p> <p>Environmental impact</p>
Joey Giorani	<p>Who will pay for the road?</p> <p>Increased traffic</p> <p>Firedance Lan has underground electrical power - I don't want power lines next to my property</p>
Amber Fox	<p>will there only be one residence on each of the large lots?</p> <p>Increased traffic</p>
Ruth DeLong	<p>beautiful views, how to we keep those? How to preserve the land?</p> <p>Is there a 15m buffer zone?</p>
Ryan Praught	there is enough of a slope that you can still see the view, the view will change but not change too much
Sharon Kikard	there is a good slope, we will keep the view
Paul Hogan	good idea, more development is needed in our municipality
Judy Shaw	<p>What is the buffer zone between agricultural and residential land?</p> <p>Concerned about the views</p>

Amber Fox	access to the beach must be maintained
Ruth DeLong	there is a 15m buffer zone from the shore 10% of the land will be parkland
Sharon Kikard	what will the price of the land be? Will it affect our property taxes, making them higher? How will propoerty values be controlled?
Special Advisor response	Property taxes are determined by the province and the municipality. The provincial charge is \$1.00 and the Municpal Charge is \$0.16
Carolyn Wood	live beside Matos winery this is wonderful, appreciates the process
Lee MacIsaac	From Shaws Wharf Rd
Libby Grant	would like to see the whole proposed plot

From: permits@westriverpe.ca
To: admin@westriverpe.ca
Cc: "Susan Morse"; sen@westriverpe.ca
Subject: Final Report PID 818500
Date: Saturday, March 9, 2024 7:18:34 PM
Attachments: [Planning Report Sterling Buchanan 2024-03-09.docx](#)

Hi Lalaa,

Attached I sent the Final Report for the Rezoning of PID 818500

Sincerely

Mirko Terrazas
Development Officer
Rural Municipality of West River
1552-B Rte.19
New Dominion, PE C0A 1H6
Tel 902-675-7000

PLANNING REPORT

REPORT NO: _____
RURAL MUNICIPALITY OF WEST RIVER

REPORT FOR	PLANNING BOARD, RURAL MUNICIPALITY OF WEST RIVER
REPORT TYPE	FINAL
PREPARED BY	MIRKO TERAZAS – DEVELOPMENT OFFICER
REVIEWED BY	SATYAJIT SEN, SPECIAL ADVISOR LAALA JAHANSHAHLOO, CHIEF ADMINISTRATIVE OFFICER
DATE	MARCH 09, 2024
APPLICATION	WR-0040
APPLICANT	STERLING BUCHANAN
PROPERTY IDENTIFICATION NUMBER (PID)	818500
LOCATION	SHAW’S WHARF RD, ST CATHERINES
ZONING	RURAL AREA
PLANNING AUTHORITY	RURAL MUNICIPALITY OF WEST RIVER <i>pursuant to</i> 2022 OFFICIAL PLAN & 2022 LAND USE BYLAW (BYLAW # 2022-04) <i>as approved by</i> MINISTER OF HOUSING, LAND AND COMMUNITIES, GOVERNMENT OF PRINCE EDWARD ISLAND on July 20, 2023
SUBJECT	APPLICATION FOR REZONING PID # 818500 FROM RURAL AREA TO RURAL RESIDENTIAL ON SHAW’S WHARF RD, ST CATHERINES FOR THE PURPOSE OF SUBDIVIDING THE PARCEL INTO 13 RESIDENTIAL LOTS

BACKGROUND SUMMARY

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines has been submitted to the Rural Municipality of West River. The application has been submitted concurrently with a subdivision application for 13 lots on the subject parcel. The applicant applied to rezone his property from Rural Area (RA) to Rural Residential (RR) zone so that they could eventually be allowed to subdivide the subject parcel into 13 lots for residential development.

The current Land Use Bylaw # 2022-04 does not permit such subdivision of lots in the Rural Area zone. Subsection 13.5 (1) of the Land Use Bylaw states that "Within a Rural Area Zone, subdivisions shall be restricted to existing parcels only and no person shall be permitted to subdivide more than four (4) lots, no more than two (2) of which may be approved for uses other than residential uses or resource-related uses." However, there is no explicit restriction to subdivide existing parcels in Rural Residential. Hence, the applicant applied to re-zone the parcel (PID #818500) from Rural Area (RA) to Rural residential (RR).

This rezoning application involves changes to the Rural Municipality of West River's Future Land Use Map and Zoning Map, and hence also involves an amendment to the Rural Municipality

of West River 2022 Official Plan, which may be considered concurrently.

TECHNICAL INFORMATION

Information provided by the applicant included the application form, a preliminary site map, and the On-Site Sewage Disposal System, Site Soil Assessment and Site Categorization report by EastTech Engineering Consultants. All technical analysis of the submission is based on these submitted documents (Please see the annexures).

OTHER DISCLOSURE

No other disclosure has been made by the applicant in their application.

REZONING PROCESS

The proposed rezoning would require amendment to the zoning map. Subsection 12.1(2) of the Land Use Bylaw, states that "A change to either the text of this Bylaw or the Zoning Map is an amendment, and any amendment shall be consistent with the policies of the Official Plan."

Hence, in accordance with Subsection 12.4(b)(ii) of the Land Use Bylaw, written notice will be provided to property owners wholly or partially within 153 m (502 ft) of all boundaries of the subject property where the property is the subject of the meeting for an amendment to the Official Plan or the Bylaw, including a change in zoning or site-specific amendments. Moreover,

PLANNING REPORT

according to Subsection 12.2. 2 (b) a public meeting is required to receive comments on the proposed site-specific amendment use in accordance with the requirements of Subsection 12.4.

Now, in accordance with Subsection 12.3.3. “Following the public meeting, Planning Board shall consider the feedback received from the public by way of written responses and comments made at the public meeting. The applicant may be provided with another opportunity to present to the Planning Board to answer any further questions that may have arisen at or following the public meeting. The Planning Board shall make a recommendation to the Council on the application.”

Following the public meeting and after having considered the recommendation of the Planning

Board, Council shall formulate a decision on the proposed amendment. The council shall have the authority to determine whether an amendment request is approved, modified, or denied in accordance with the procedures established under the Planning Act.

Amendments to the Official Plan or the Land Use Bylaw approved by the Council also require approval by the province’s minister responsible for administering the Planning Act or any successive legislation. No development permits or subdivisions related to a proposed amendment shall be approved until the approval from the Minister responsible for administering the Planning Act or any successor legislation has been granted for the necessary amendments.

ASSESSMENT

Subsection 12.3(4) of the Land Use Bylaw # 2022-04 establishes criteria to be considered by the Council and Planning Board when reviewing applications for Official Plan and Bylaw amendments. These include:

CRITERIA	COMPLIANCE	NOTES
As per Land Use Bylaw #2022-04 Subsection 12.3(4)		
a) Conformity with the Official Plan	Weighing required	Some aspects of this application do confirm with the Official Plan, while others do not.
Relevant Official Plan Policies		
Economic Objectives and Policies	Weighing required	Some aspects of this application do not confirm with the Economic Objectives and

PLANNING REPORT

		Policies, while others require weighing by the Planning Board and Council.
Policy RU-1: Designation and Zoning	Inconsistent	The developer wants to rezone 34 Acres from Rural Area to Rural Residential. The land over 23 years ago, has been used for agricultural purposes. The Official Plan and Future Land Use Map shows the existing use of land as Agricultural, with no indication to change to residential use.
Policy RU-2: Protection for Agricultural and Other Resource Uses	Weighing required	
Policy RU-3: Subdivision of Primary Resource Land	Weighing required	
Physical Objectives and Policies	Weighing required	Some aspects of this application do not confirm with the Physical Objectives and Policies, while others require more information and weighing by the Planning Board and Council.
Policy PHY-3: Ribbon and Strip Development	Weighing required	The proposed residential development on four lots out of the proposed 13 lot subdivision will be alongside Shaw Wharf Road. The location of the proposed subdivision is neither a community node as per the current Official Plan nor it is intended to be as such as per the Future Land Use Map. Information on coastal hazard assessment has not yet been provided.
Policy PHY-4: Community Nodes	Inconsistent	
Policy PHY-5: Development Constrains	Insufficient information	
Policy PHY-6: Development Subject to Flood Risk	Insufficient information	
Social Objectives and Policies	Weighing required	Some aspects of this application require more information and weighing by the Planning Board and Council to confirm with the Official Plan Social Objective and Policies.

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Policy R-1: Designation and Zoning	Weighing required	The applicant is proposing year-round single-family dwellings on 9 lots, and duplex dwelling on 1 lot, with a minimum size of 1 acre for each lot.
Policy R-2: Density and Housing Variety	Weighing required	The proposed development will use Shaw Wharf Road, and the construction of Street A to access the proposed subdivision. The proposed development will have private onsite water and sewer system for each lot. The land is close to residential zones, and a buffer zone between adjoining agricultural land shall be made to avoid possible risks.
Policy R-4: Residential Development Standards	Weighing required	
Policy PR-1: Recreation Services and Facilities	Weighing required- Insufficient information	The applicant will have to provide land to the municipality for open space area a total of 10% of the lot subdivision area (approx. 3.40 acres). The proposal doesn't show an open space area. The subdivision would have to be subjected to providing adequate unencumbered parkland to service the proposed residential development.
Environmental Objectives and Policies	Weighing required	Some aspects of this application do confirm with the Environmental Objectives and Policies, while others require more information and weighing by the Planning Board and Council.
Policy EN-3: Stormwater Management	Insufficient information	The information on stormwater management on the proposed subdivision has not yet been provided by the applicant. This information will be required at the subdivision approval stage.
Policy EN-5: On-Site Sewage Treatment Systems	Generally consistent	On-Site Sewage Treatment

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Policy EN-10: Sustainable Practices	Weighing required	systems can be constructed as per Category I requirements on this proposed subdivision.
b) conformity with all requirements of this Bylaw.	Generally consistent	The proposed concept plan of single-family dwellings and duplex dwelling for the proposed property to be rezoned is a permitted use in Rural Residential Zone.
c) suitability of the site for the proposed development.	Generally consistent	The parcel of land has been classified as Category I. It is anticipated that Multiple Trench, Alternative Multiple Trench, or Chamber type drainage fields will be used in the majority of the lots.
d) compatibility of the proposed development with surrounding land uses, including both existing and projected uses as Per the Zoning Map	Generally consistent	The proposed property is located close to an existing residential zone.
e) any comments from residents or other interested persons.	Inconsistent	A public meeting was held, and public feedback received. Not relevant comments from the Public, regarding the rezoning proposal that can go against the conformity of the Official Plan and Land Use Bylaw.
f) adequacy of existing water supply, wastewater treatment and disposal systems, streets, stormwater management, and parks and parkland for accommodating the development, and any projected infrastructure requirements.	Weighing required Insufficient Information	The proposed subdivision will be serviced by an existing public road and a proposed new street, and private onsite water and sewer system.
g) impacts from the development on pedestrian/vehicular access and safety, and on public safety generally.	Weighing required	The proposed subdivision would be required to be reviewed by the Department of Transportation

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		<p>and Infrastructure for Safe Stopping Sight Distance (SSD).</p> <p>The province would have to be willing to take on the new street. However, a new subdivision street is being proposed for the new lots, reducing the number of potential lots being subdivided with separate access along more general routes.</p>
h) compatibility of the development with environmental systems	Insufficient information	No costal hazard assessment has been provided.
i) impact on Municipal finances and budgets	Generally consistent	It is anticipated this development would have a limited impact on the municipal budget, with the exception of an increase in parkland and a moderate increase in tax revenues from the associated development over time.
j) other planning matters as considered relevant by the Planning Board or Council.	Not applicable	Not identified
Considerations for Site-Specific Amendments under Subsection 12.2.1 of the Land Use Bylaw		
a) the proposed site-specific amendment is not contrary to the Official Plan. If an application is contrary to the policies in the Official Plan, an application to amend the Official Plan must be filed in conjunction with the application to amend the Bylaw.	Not applicable	
b) the proposed use of land or a building that is otherwise not permitted in a zone is sufficiently similar to or compatible with the permitted uses in that zone; and	Not applicable	
c) the proposed use does not undermine the overall integrity of the zone, is in the	Not applicable	

PLANNING REPORT

public interest, and is consistent overall with sound planning principles.		
Considerations for Special Planning Area under Subsection 13.6.1 of the Land Use Bylaw		
In the areas subject to the <i>Cornwall Region Special Planning Area</i> , the requirements of clause 63(10)(d) of the <i>Subdivision and Development Regulations</i> shall apply. (See Schedule F)	Not applicable	

Comments from residents or other interested persons**Public feedback expressed at the public meeting.**

Comment	Consideration
Potato Farm Close to the Rezoning	An environmental assessment was not carried out. This concern should be addressed in the subdivision stage, regarding agricultural practices that will possibly impact residential use.
Stormwater Management	Flow of the stormwater management plan from the fields across the road, this concern should be addressed in the subdivision stage, it's a requirement to present for subdivision of more than 3 lots.
The suitability of the land for septic has not been tested.	This concern should be addressed in the subdivision stage, it's a requirement to present for residential use.
Increased traffic and noise	This concern should be addressed in the subdivision stage, The road has to be deeded to the public, therefore has to comply with all the Roads Act of the Province, that includes the increased of traffic.
Lots along the shore	This concern should be addressed in the subdivision stage, That portion of any property having a wetland, water course or buffer zone shall be included in the Environmental Risk Zone, and the application for subdivision and development permits on that portion will be referred to the Department of Environment, Energy and Climate Action.
Parkland required	This concern should be addressed in the subdivision stage, there is a chart designated in the Land Use Bylaw.
Increase of property taxes	Property taxes are determined by the Province and the Municipality.

RECOMMENDATION

The Planning Act and the Land Use Bylaw do not permit the imposition of conditions for subdivision or development at the rezoning stage, for instance limiting the subdivision to the type of residential uses proposed at the time of zoning application; however the ability of the site to accommodate the proposed use is a consideration during the rezoning process and some considerations are described in the assessment above.

It is recommended that the application to rezone PID # 818500 located at Shaw's Wharf Rd, St Catherines, from Rural Area to Rural Residential for the purpose of subdividing the parcel into 13 lots, be recommended to Council for approval.



Rural Municipality of West River Planning Board Committee Tentative Agenda

Meeting No: PLB-24-07

Time: 6:00 PM

Date: Tuesday, March 12, 2024

Session: Regular - Public

Location: Afton Community Centre

Contact Person: Laala Jahanshahloo - CAO

Chair: Helen Smith-MacPhail - Mayor

Contact Info.: 902 675 7000 - admin@westriverpe.ca

Order of Business

1. **Call to Order**
2. **Land Acknowledgement**
3. **Adoption & Approval of Agenda**
4. **Declarations of Conflict of Interest**
5. **Adoption of Previous Meeting's Minutes**
 - 5.1. **PLB-23-06** - January 9, 2024, Planning Board Committee Meeting
 - 5.2. **PUB MTG-23-03** - February 29, 2024, Public Meeting
6. **Recommendation Items**
 - 6.1. **PLB.24.07.1** - Rezoning Application PID 202671
 - 6.2. **PLB.24.07.2** - Rezoning Application PID 818500
 - 6.3. **PLB.24.07.3** - Excavation Pit - Application Guide
 - 6.4. **PLB.24.07.4** - OP&LUB Amendments - Request for Proposal
 - 6.5. **PLB.24.07.5** - Schedule of Fees Revision - Bylaw #2022-04
 - 6.6. **PLB.24.07.5** - Monthly Meeting Schedule
7. **Informational Items**
 - 7.1. **PLB.24.07.1** - Permit Reports
8. **Adjournment**



Rural Municipality of West River Planning Board Committee Minutes

Meeting No	PLB-24-07	Time	6:00 PM
Session	Regular - Public	Date	Tuesday, March 12, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse – Administrative Assistant, Mirko Terrazas - Development Officer		
Regret	Councillor John Yeo		
Guest	Nil		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 6:05 PM.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor Lillian MacCannell, seconded by Councillor Aaron MacEachern, and unanimously carried.

▪ Declarations of Conflict of Interest

No Conflict of interest was declared.

▪ Adoption of Previous Meeting's Minutes

The minutes of PLB-24-06, January 9, 2023, Planning Board Committee Meeting were approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Steve Pollard and unanimously carried.

The minutes of PUB-24-03, February 29, 2024, Public Meeting were approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Ryan Roggeveen and unanimously carried.

- **Recommendation Items**

- **PLB.24.07.1 - Rezoning Application PID 202671**

Decision Type: Action

Status: Recommended (Conditional)

Background:

Fraser Lane is presently a private road. Based on the information provided by the developer's lawyer, it appears the developer owns one section of Fraser Lane. Still, the section that intersects with the existing public road, Route 19, is owned by PID#814236 owner.

PLB.24.06.1

Description:

The municipality's lawyer agrees with the planner's assessment that additional information is required from the developer before a decision on the rezoning. From the Municipality's perspective, the Municipality needs confirmation of whether the road can become public. As part of that process, the Province will require a certificate of title from the developer's lawyer certifying that the Province will have good title to all the lands that will form part of the public road.

The Planning Board recommends that the Council give conditional approval for rezoning subject to receiving confirmation that the Province will accept Fraser Lane as a public road. Councillor Aaron MacEachern moved this motion, which was seconded by Councillor Steve Pollard and unanimously carried.

- **PLB.24.07.2 - Rezoning Application PID 818500**

Decision Type: Action

Status: Recommended

Background:

PLB.24.06.3 and [PUB-24-03](#)

Description

The Committee recommends that the Council approve this rezoning request. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Ryan Roggeveen, and unanimously carried.

- **PLB.24.07.3 - Excavation Pit - Application Guide**

Decision Type: Action

Status: Deferred

Background:

PLB.23.03.1

Description:

The Committee reviewed the excavation pit development flowchart drafted by SJM as part of the "Excavation Pit Administration Add-on." As the Committee's concern about the flowchart was not addressed, a question was raised about the invoice received for updates to excavation pit resources on March 2, 2024. The Committee directed the CAO to schedule a meeting with SJM and deferred until then. It was moved by Councillor Lillian MacCannell, seconded by Councillor Aaron MacEachern, and unanimously carried.

- **PLB.24.07.4 - OP&LUB Amendments – Request for Proposal**

Decision Type: Action

Status: Referred

Background:

PLB.24.06.6

Description:

The Planning Board recommends that the CAO inquire about the legal requirements and level of professional skills and qualifications required to review and amend the OP&LUB.

- **PLB.24.07.5 - Schedule of Fees Revision - Bylaw #2022-04**

Decision Type: Action

Status: Recommended/Referred

Background

The RMWR Bylaw-2022-04 Fee Schedule C was drafted in 2021, revised in October 2022, and approved in July 2023.

Description:

The Committee recommended that the Council approves the fee increase to cover the operational cost of RMWR's planning activities. It also referred the CAO to present the detailed draft of Fee Schedule C for 2024 to the Council.

- **PLB.24.07.5 - Monthly Meeting Schedule**

Decision Type: Action

Status: Recommended

Description:

Moving forward, the Planning Board Committee adopts a monthly meeting schedule for its regular public meeting on the second Thursday of each month except for July, August, and December, before the Committee of the Whole meeting.

- **Informational Items**

- **PLB.24.07.1 –Permit Reports**

Decision Type: Information

Status: Received

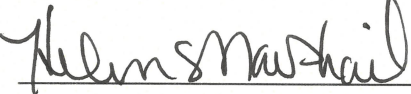
Description:

The Development Officer presented a summary of permits received/issued in 2023 & 2024 by RMWR.

- **Adjournment**

- Deputy Mayor Shaun MacArthur motioned to adjourn the meeting at 7:00 PM.
- The next meeting will be April 11, 2024.

Helen Smith-MacPhail

Mayor 

Laala Jahanshahloo

Chief Administrative Officer





Rural Municipality of West River Planning Board Committee Tentative Agenda

Meeting No: PLB-24-06

Time: 6:00 PM

Date: Tuesday, March 12, 2024

Session: Regular - Public

Location: Afton Community Centre

Contact Person: Laala Jahanshahloo - CAO

Chair: Helen Smith-MacPhail - Mayor

Contact Info.: 902 675 7000 - admin@westriverpe.ca

Order of Business

✓ 1. Call to Order

✓ 2. Land acknowledgement

✓ 3. Adoption & Approval of Agenda

Lillian / Aaron

✓ 4. Declarations of Conflict of Interest

✓ 5. Adoption of Previous Meeting's Minutes

✓ 5.1. PLB-23-06 - January 9, 2024, Planning Board Committee Meeting

Stewen / Shawn.

✓ 5.2. PUB MTG-23-03 - February 29, 2024, Public Meeting

Shawn / Ryan.

6. Recommendation Items

✓ 6.1. PLB.24.04.1 - Rezoning Application PID 202671 - Legal Review

✓ 6.2. PLB.24.07.2 - Rezoning Application PID 818500

✓ 6.3. PLB.24.07.3 - Excavation Pit - Application Guide

✓ 6.4. PLB.24.07.4 - OP&LUB Amendments – Request for Proposal

✓ 6.5. PLB.24.07.5 - Schedule of Fees Revision - Bylaw #2022-04

✓ 6.6. PLB.24.07.5 - Monthly Meeting Schedule

7. Informational Items

✓ 7.1. PLB.24.07.1 - Permit Reports

8. Adjournment



Rural Municipality of West River Planning Board Committee Minutes

Meeting No	PLB-24-06	Time	7:00 PM
Session	Regular - Public	Date	Tuesday, January 9, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse – Administrative Assistant, Mirko Terrazsas - Development Officer, Satyajit Sen – Special Advisor		
Regret	Nil		
Guest	Sterling Buchanan		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor John Yeo, seconded by Councillor Lillian MacCannell, and unanimously carried.

▪ Declarations of Conflict of Interest

No Conflict of interest was declared.

▪ Adoption of Previous Meeting's Minutes

The minutes of PLB-23-05, November 9, 2023, Planning Board Committee Meeting were approved as circulated. It was moved by Councillor John Yeo, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

The minutes of the Public Meeting on November 14, 2023, Public Meeting were approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Steve Pollard and unanimously carried.

The minutes of the Public Meeting on November 14, 2023, Public Meeting were approved as circulated. It was moved by Councillor John Yeo, seconded by Councillor Aaron MacEachern, and unanimously carried.

- **Recommendation Items**

- **PLB.24.06.1 – Rezoning Application PID 202671**

Decision Type: Action

Status: Deferred

Background:

PLB.23.05.1, [PUB MTG-23-01](#), and Registered Professional Planner Report prepared by Samantha Murphy (Appendix 6.1, attached hereto, forming a part of this minutes).

Description:

The Planning Board reviewed the minutes from the Public Meeting of November 14, 2023, and the review report from Samantha Murphy (RPP). The Planning Board recommends deferring the rezoning until receiving a legal opinion from the Municipality's lawyer regarding the ownership of the right of way (ROW) at Fraser Lane and whether the road can become public. It was moved by Councillor John Yeo and seconded by Deputy Mayor Shaun MacArthur, and the motion was carried (4-2).

- **PLB.24.06.2 – Rezoning Application PID 491324**

Decision Type: Action

Status: Denied

Background:

PLB.23.05.2, [PUB MTG-23-02](#), and Registered Professional Planner Report prepared by Samantha Murphy (Appendix 6.2, attached hereto, forming a part of this minutes).

Description

The Planning Board reviewed the minutes from the Public Meeting of November 14, 2023, and the review report from Samantha Murphy (RPP). The Planning Board recommended that this rezoning application be denied. It was moved by Councillor Aaron MacEachern, seconded by Councillor John Yeo, and unanimously carried.

- **PLB.24.06.3 - Rezoning Application PID 818500**

Decision Type: Action

Status: Recommended

Description:

The Applicant presented their request to rezone PID 818500 for subdivision of 13 lots in varying sizes of greater than or equal to 1 acre. The Committee reviewed the Development Officer's report and recommended that the Council authorize the CAO to proceed with holding a public meeting according to Rural Municipality of West River's Land Use Bylaw#2022-04 Section (12.4) for the PID 818500 rezoning request. It was moved by Councillor John Yeo and, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **PLB.24.06.4 – Variance/Subdivision Application PID 219329**

Decision Type: Action

Status: Recommended

Background:

A variance application was submitted to subdivide PID 219329 into two lots, of 1 acre and 0.91 acre.

Description:

The Committee recommended approval of variation for subdivision of PID 219329. Deputy Mayor Shaun MacArthur moved that the Planning Board recommend this request to the council, seconded by Councillor Steve Pollard, and unanimously carried.

4

- **PLB.24.06.5 - Excavation Pit Development Agreement**

Decision Type: Action

Status: Recommended

Background:

Motion#2023-48

Description:

The Committee reviewed the excavation pit development agreement drafted by SJM as part of the "Excavation Pit Administration Add-on" and recommended that it be sent for legal review.

- **PLB.24.06.5 - Subdivision Agreement**

Decision Type: Action

Status: Recommended

Background:

PLB.2023.9.3 & Land Use Bylaw #2022-04 Section (13.14)

Description:

The Committee reviewed the subdivision agreement drafted by SJM. It was recommended that as this is a template and needs to be tailored for each case when it is required to be prepared, send it to the municipality's lawyer for review and revision. It was moved by Councillor Lillian MacCannell, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **PLB.24.06.6 – OP & LUB Amendments**

Decision Type: Action

Status: Recommended

Background:

[Minister of Housing, Land and Communities - Approval Letter](#)

Description:

The Planning Board recommends that the Council authorize the CAO to initiate the process of looking into future amendments to the Official Plan and Land Use Bylaw. It was moved by Councillor John Yeo, seconded by Councillor Lillian MacCannell, and unanimously carried.

- **PLB.24.06.7 – Schedule of Fees Revision – Bylaw #2022-04**

Decision Type: Action

Status: Deferred

Background:

The RMWR Fee Schedule was drafted in 2021 and revised in October 2022.

Description:

The Committee recommended this item be deferred until the RMWR 2024-25 Financial Plan has been approved. It was moved by Councillor Aaron MacEachern, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **Informational Items**

- **PLB.24.06.9 –Permit Reports**

Decision Type: Information

Status: Received

Description:

The Development Officer presented a summary of permits issued in 2023 by RMWR.

- **Adjournment**

- Deputy Mayor Shaun MacArthur motioned to adjourn the meeting at 7:55 PM.
- The next meeting is TBD.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____



Rural Municipality of West River Public Meeting (Rezoning PID 818500) Minutes

Meeting No	2024-03	Time	6:00 PM
Session	Special - Public	Date	Thursday, February 29, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Laala Jahanshahloo – CAO, Satyajit Sen - Special Advisor, Mirko Terrazzas – Development Officer, Sterling Buchanan – Applicant		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 6:00 PM.

Mayor Helen Smith-MacPhail gave a land acknowledgement, welcomed everyone, and introduced Council and Planning Board Committee members present, including the Applicant, CAO, Development Officer, and Special Advisor.

She reminded the attendees:

- To sign the roster so that we can record attendance.
- CAO will take minutes of the Meeting.
- The meeting will be conducted in a mannerly order.
- That written feedback would be accepted until March 8, 2024, at 6 P.M.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor Lillian MacCannell and, seconded by Councillor Ryan Roggeveen, unanimously carried.

▪ Declarations of Conflict of Interest

Nil

▪ **Meeting Purpose**

This is a Public Meeting pursuant to Resolution #2021-69 to consider a rezoning application for PID 818500, located at Shaws Wharf Rd, from Rural Area to Rural Residential.

▪ **Meeting Rescheduled**

- This meeting was originally scheduled for February 15 at 5 p.m., but it was canceled due to inclement weather.
- Public Notice for the original date was published in "The Guardian" on February 7, 2024.
- 42 letters were sent to all landowners within 153 m. (502 ft.) of the boundaries of the PID 818500.
- A sign was placed on PID 818500 on February 9th, 2024, directing people to contact the municipality for specific details.
- The municipality covered the costs associated with rescheduling the meeting, including public notification and room rental.

▪ **Public Notice**

- Public Notice for the rescheduled meeting was published in "The Guardian" on February 21, 2024.
- 42 letters were sent to all landowners within 153 m. (502 ft.) of the boundaries of the PID 818500.
- A sign was placed on PID 818500 on February 9th, 2024, directing people to contact the municipality for specific details.

▪ **Development Officer Presentation**

The Municipality's Development Officer presented a development proposal to rezone 34 acres from RA to RR, subdivide into 13 residential lots of varying sizes, greater than or equal to 1 acre each near the water as well as technical information related to the rezoning application. The presentation is attached hereto forming a part of this minutes.

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■ Public Input

Twenty people attended the meeting. The audience asked questions and gave feedback concerning:

- Losing the landscape and unique beauty of the vista and the necessity of protecting the viewscape
- the loss of agricultural land
- the flow of water and flooding
- wastewater management
- environmental impact
- who will pay for the road
- increased traffic and safety concerns for the current residents
- surrounding utilities are underground, and some residents do not want utility poles nearby
- lack of amenities in the area for the large influx of population that 72 units would create
- possible loss of and how to preserve the view
- some residents stated there is enough of a slope to the land that scenic views will not be impacted much
- development is needed, and this is a good idea
- what is the buffer zone between agricultural land and residential land?
- existing access to the beach must not be blocked
- Is it mandatory that 10% of land be dedicated to parkland?
- Will this development increase the land and property value and, consequently, raise property tax?
- development should aim to be affordable
- resident voiced appreciation for the process and public engagement

(a)

- rising water levels along the shore due to the climate change
- Concerns about buffer zone, septic system and quality of well water
- Protecting the land for the next generation

▪ **Adjournment**

Mayor Smith MacPhail thanked the audience for their attendance and input. She reminded attendees that written Public Feedback is welcome until March 8th at 6 P.M.

Mr. Buchanan thanked the audience.

The Meeting Adjourned at 7:30 P.M.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____

REPORT NO: _____
RURAL MUNICIPALITY OF WEST RIVER

REPORT FOR	PLANNING BOARD, RURAL MUNICIPALITY OF WEST RIVER
REPORT TYPE	FINAL
DATE	FEBRUARY 09, 2024
APPLICATION	WR-0040
APPLICANT	STERLING BUCHANAN
PROPERTY IDENTIFICATION NUMBER (PID)	818500
LOCATION	SHAW'S WHARF RD, ST CATHERINES
ZONING	RURAL AREA
PLANNING AUTHORITY	RURAL MUNICIPALITY OF WEST RIVER <i>pursuant to 2022 OFFICIAL PLAN & 2022 LAND USE BYLAW (BYLAW # 2022-04) as approved by MINISTER OF HOUSING, LAND AND COMMUNITIES, GOVERNMENT OF PRINCE EDWARD ISLAND on July 20, 2023</i>
SUBJECT	APPLICATION FOR REZONING PID # 818500 FROM RURAL AREA TO RURAL RESIDENTIAL ON SHAW'S WHARF RD, ST CATHERINES FOR THE PURPOSE OF SUBDIVIDING THE PARCEL INTO 13 RESIDENTIAL LOTS

BACKGROUND SUMMARY

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines has been submitted to the Rural Municipality of West River. The application has been submitted concurrently with a subdivision application for 13 lots on the subject parcel. The applicant applied to rezone his property from Rural Area (RA) to Rural Residential (RR) zone so that they could eventually be allowed to subdivide the subject parcel into 13 lots for residential development.

The current Land Use Bylaw # 2022-04 does not permit such subdivision of lots in the Rural Area zone. Subsection 13.5 (1) of the Land Use Bylaw states that "Within a Rural Area Zone, subdivisions shall be restricted to existing parcels only and no person shall be permitted to subdivide more than four (4) lots, no more than two (2) of which may be approved for uses other than residential uses or resource-related uses." However, there is no explicit restriction to subdivide existing parcels in Rural Residential. Hence, the applicant applied to re-zone the parcel (PID #818500) from Rural Area (RA) to Rural residential (RR).

This rezoning application involves changes to the Rural Municipality of West River's Future Land Use Map and Zoning Map, and hence also involves an amendment to the Rural Municipality of West River 2022 Official Plan, which may be considered concurrently.

TECHNICAL INFORMATION

Information provided by the applicant included the application form, a preliminary site map, and the On-Site Sewage Disposal System, Site Soil Assessment and Site Categorization report by EastTech Engineering Consultants. All technical analysis of the submission is based on these submitted documents (Please see the annexures).

OTHER DISCLOSURE

No other disclosure has been made by the applicant in their application.

REZONING PROCESS

The proposed rezoning would require amendment to the zoning map. Subsection 12.1(2) of the Land Use Bylaw, states that "A change to either the text of this Bylaw or the Zoning Map is an amendment, and any amendment shall be consistent with the policies of the Official Plan."

Hence, in accordance with Subsection 12.4(b)(ii) of the Land Use Bylaw, written notice will be provided to property owners wholly or partially within 153 m (502 ft) of all boundaries of the subject property where the property is the subject of the meeting for an amendment to the Official Plan or the Bylaw, including a change in zoning or site-specific amendments. Moreover, according to Subsection 12.2. 2 (b) a public meeting is required to receive comments on the proposed site-specific amendment use in

accordance with the requirements of Subsection 12.4.

Now, in accordance with Subsection 12.3.3. "Following the public meeting, Planning Board shall consider the feedback received from the public by way of written responses and comments made at the public meeting. The applicant may be provided with another opportunity to present to the Planning Board to answer any further questions that may have arisen at or following the public meeting. The Planning Board shall make a recommendation to the Council on the application."

Following the public meeting and after having considered the recommendation of the Planning Board, Council shall formulate a decision on the

proposed amendment. The council shall have the authority to determine whether an amendment request is approved, modified, or denied in accordance with the procedures established under the Planning Act.

Amendments to the Official Plan or the Land Use Bylaw approved by the Council also require approval by the province's minister responsible for administering the Planning Act or any successive legislation. No development permits or subdivisions related to a proposed amendment shall be approved until the approval from the Minister responsible for administering the Planning Act or any successor legislation has been granted for the necessary amendments.

ASSESSMENT

Subsection 12.3(4) of the Land Use Bylaw # 2022-04 establishes criteria to be considered by the Council and Planning Board when reviewing applications for Official Plan and Bylaw amendments. These include:

CRITERIA	COMPLIANCE	NOTES
As per Land Use Bylaw #2022-04 Subsection 12.3(4)		
a) Conformity with the Official Plan	Weighing required	Some aspects of this application do confirm with the Official Plan, while others do not.
Relevant Official Plan Policies		
Economic Objectives and Policies	Weighing required	Some aspects of this application do not confirm with the Economic Objectives and Policies, while others require

Policy RU-1: Designation and Zoning	Inconsistent	weighing by the Planning Board and Council.
Policy RU-2: Protection for Agricultural and Other Resource Uses	Weighing required	The developer wants to rezone 34 Acres from Rural Area to Rural Residential. The land over 23 years ago, has been used for agricultural purposes. The Official Plan and Future Land Use Map shows the existing use of land as Agricultural, with no indication to change to residential use.
Policy RU-3: Subdivision of Primary Resource Land	Weighing required	
Physical Objectives and Policies	Weighing required	Some aspects of this application do not confirm with the Physical Objectives and Policies, while others require more information and weighing by the Planning Board and Council.
Policy PHY-3: Ribbon and Strip Development	Weighing required	
Policy PHY-4: Community Nodes	Inconsistent	The proposed residential development on four lots out of the proposed 13 lot subdivision will be alongside Shaw Wharf Road. The location of the proposed subdivision is neither a community node as per the current Official Plan nor it is intended to be as such as per the Future Land Use Map. Information on coastal hazard assessment has not yet been provided.
Policy PHY-5: Development Constrains	Insufficient information	
Policy PHY-6: Development Subject to Flood Risk	Insufficient information	
Social Objectives and Policies	Weighing required	Some aspects of this application require more information and weighing by the Planning Board and Council to confirm with the Official Plan Social Objective and Policies.
Policy R-1: Designation and Zoning	Weighing required	

Policy R-2: Density and Housing Variety	Weighing required	lot, with a minimum size of 1 acre for each lot.
Policy R-4: Residential Development Standards	Weighing required	The proposed development will use Shaw Wharf Road, and the construction of Street A to access the proposed subdivision. The proposed development will have private onsite water and sewer system for each lot. The land is close to residential zones, and a buffer zone between adjoining agricultural land shall be made to avoid possible risks.
Policy PR-1: Recreation Services and Facilities	Weighing required- Insufficient information	The applicant will have to provide land to the municipality for open space area a total of 10% of the lot subdivision area (approx. 3.40 acres). The proposal doesn't show an open space area. The subdivision would have to be subjected to providing adequate unencumbered parkland to service the proposed residential development.
Environmental Objectives and Policies	Weighing required	Some aspects of this application do confirm with the Environmental Objectives and Policies, while others require more information and weighing by the Planning Board and Council.
Policy EN-3: Stormwater Management	Insufficient information	The information on stormwater management on the proposed subdivision has not yet been provided by the applicant. This information will be required at the subdivision approval stage. On-Site Sewage Treatment systems can be constructed as per Category I requirements in this proposed subdivision.
Policy EN-5: On-Site Sewage Treatment Systems	Generally consistent	
Policy EN-10: Sustainable Practices	Weighing required	

b) conformity with all requirements of this Bylaw.	Generally consistent	The proposed concept plan of single-family dwellings and duplex dwelling for the proposed property to be rezoned is a permitted use in Rural Residential Zone.
c) suitability of the site for the proposed development.	Generally consistent	The parcel of land has been classified as Category I. It is anticipated that Multiple Trench, Alternative Multiple Trench, or Chamber type drainage fields will be used in the majority of the lots.
d) compatibility of the proposed development with surrounding land uses, including both existing and projected uses as Per the Zoning Map	Generally consistent	The proposed property is located close to an existing residential zone.
e) any comments from residents or other interested persons.	Inconsistent	A public meeting was held, and public feedback received. Not relevant comments from the Public, regarding the rezoning proposal that can go against the conformity of the Official Plan and Land Use Bylaw.
f) adequacy of existing water supply, wastewater treatment and disposal systems, streets, stormwater management, and parks and parkland for accommodating the development, and any projected infrastructure requirements.	Weighing required Insufficient Information	The proposed subdivision will be serviced by an existing public road and a proposed new street, and private onsite water and sewer system.
g) impacts from the development on pedestrian/vehicular access and safety, and on public safety generally.	Weighing required	The proposed subdivision would be required to be reviewed by the Department of Transportation and Infrastructure for Safe Stopping Sight Distance (SSD).

		The province would have to be willing to take on the new street. However, a new subdivision street is being proposed for the new lots, reducing the number of potential lots being subdivided with separate access along more general routes.
h) compatibility of the development with environmental systems	Insufficient information	No costal hazard assessment has been provided.
i) impact on Municipal finances and budgets	Generally consistent	It is anticipated this development would have a limited impact on the municipal budget, with the exception of an increase in parkland and a moderate increase in tax revenues from the associated development over time.
j) other planning matters as considered relevant by the Planning Board or Council.	Not applicable	Not identified
Considerations for Site-Specific Amendments under Subsection 12.2.1 of the Land Use Bylaw		
a) the proposed site-specific amendment is not contrary to the Official Plan. If an application is contrary to the policies in the Official Plan, an application to amend the Official Plan must be filed in conjunction with the application to amend the Bylaw.	Not applicable	
b) the proposed use of land or a building that is otherwise not permitted in a zone is sufficiently similar to or compatible with the permitted uses in that zone; and	Not applicable	
c) the proposed use does not undermine the overall integrity of the zone, is in the public interest, and is consistent overall with sound planning principles.	Not applicable	

Considerations for Special Planning Area under Subsection 13.6.1 of the Land Use Bylaw

In the areas subject to the <i>Cornwall Region Special Planning Area</i> , the requirements of clause 63(10)(d) of the <i>Subdivision and Development Regulations</i> shall apply. (See Schedule F)	Not applicable	
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Comments from residents or other interested persons
Public feedback was expressed at the public meeting.

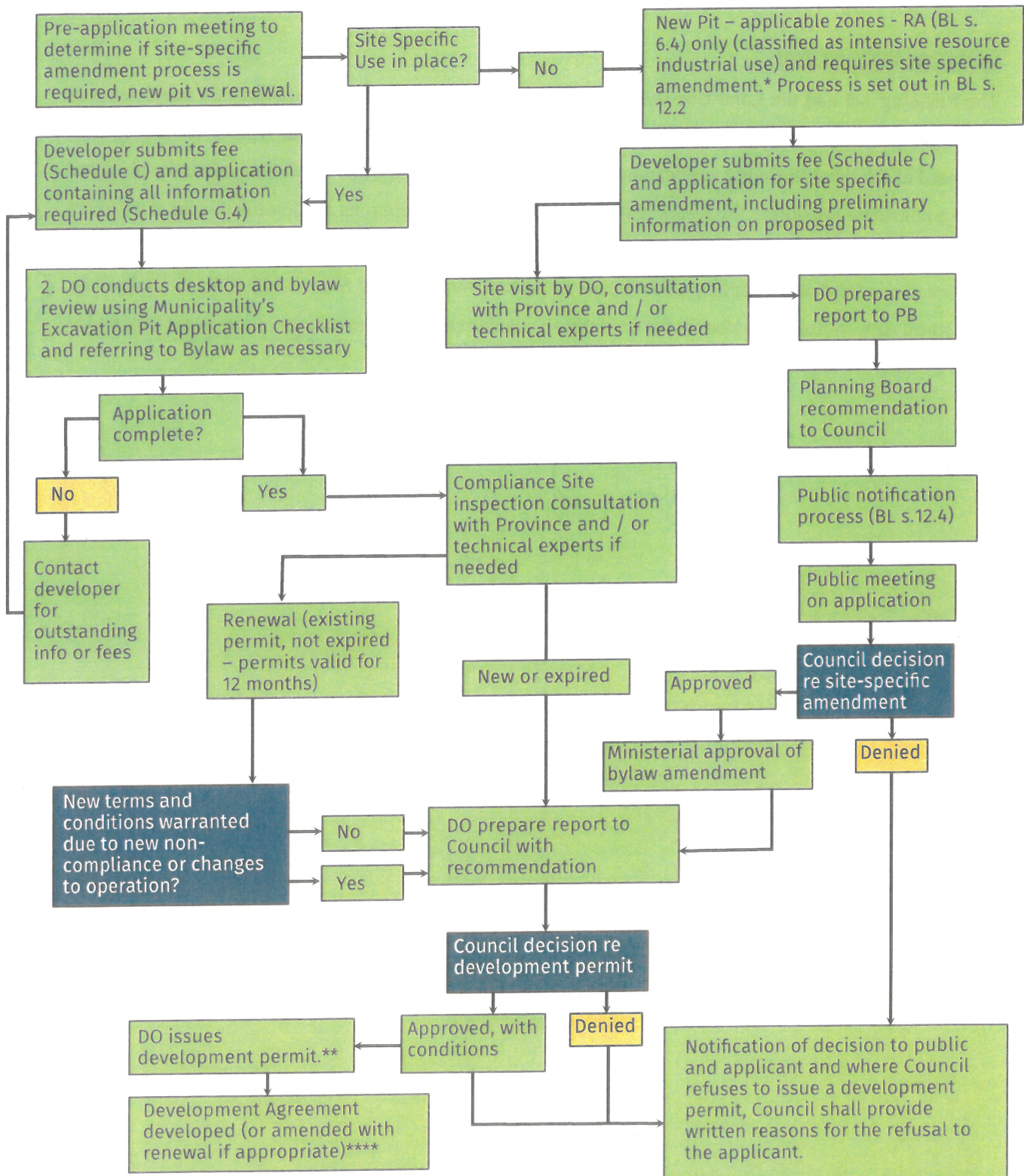
Comment	Consideration
Potato Farm Close to the Rezoning	An environmental assessment was not carried out. This concern should be addressed in the subdivision stage regarding agricultural practices that possibly impact residential use.
Stormwater Management	The flow of the stormwater management plan from the fields across the road should be <u>addressed in the subdivision stage</u> . It's a requirement to present for subdivisions of more than 3 lots.
The suitability of the land for septic has not been tested.	This concern should be addressed in <u>the subdivision stage</u> ; it's a requirement to present for residential use.
Increased traffic and noise	This concern should be addressed in the subdivision stage. The road has to be deeded to the public, so it has to comply with all the Roads Act of the Province, including the increased traffic.
Lots along the shore	This concern should be addressed in the subdivision stage, That portion of any property having a wetland, watercourse or buffer zone shall be included in the Environmental Risk Zone, and the application for subdivision and development permits on that portion will be referred to the Department of Environment, Energy and Climate Action.
Parkland required	This concern should be addressed in <u>the subdivision stage</u> ; a chart is designated in the Land Use Bylaw.
Increase in property taxes.	The Province and the Municipality determine property taxes.

RECOMMENDATION

The Planning Act and the Land Use Bylaw do not permit the imposition of conditions for subdivision or development at the rezoning stage, for instance, limiting the subdivision to the type of residential uses proposed at the time of zoning application; however, the ability of the site to accommodate the proposed use is a consideration during the rezoning process, and some considerations are described in the assessment above.

It is recommended that the application to rezone PID # 818500, located at Shaw's Wharf Rd, St Catherines, from Rural Area to Rural Residential for the purpose of subdividing the parcel into 13 lots be recommended to the Council for approval.

- Shawn }
- Ryan }



* The information provided during the site-specific amendment application will include most of the information required during the development permit application stage. Pre-application meetings with the Municipality strongly recommended.

**The permit is issued by the Development Officer (DO) based on Council's decision.

***Development Agreement (DA) optional under Bylaw but is recommended in most, if not all cases. If it is required by Council, the development permit would not take effect until the DA is finalized and signed by both parties.

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Rural Municipality of West River Council Meeting Tentative Agenda

Meeting No: 2024-13

Time: 7:00 PM

Date: Tuesday, March 19, 2024

Session: Regular - Public

Location: Afton Community Centre

Contact Person: Laala Jahanshahloo - CAO

Chair: Helen Smith-MacPhail - Mayor

Contact Info.: 902 675 7000 - admin@westriverpe.ca

Order of Business

1. **Call to Order**
2. **Land Acknowledgement**
3. **Adoption & Approval of Agenda**
4. **Declarations of Conflict of Interest**
5. **Delegations & Public Input**
6. **Adoption of Previous Meeting's Minutes**
 - 6.1. **WRC.2023.12** - February 22, 2024, Council Meeting
 - 6.2. **CW.2024.11** – March 12, 2024, Committee of Council Meeting
7. **Discussion Items**
 - 7.1. **FIN.2024.13.1**- Awarding Grant - March 2024
 - 7.2. **FIN.2024.13.2**- Transfer from Reserve Account to General Account
 - 7.3. **FIN.2024.13.3** - Gas Tax Fund Transfer Request
 - 7.4. **PLB.2024.13.1** - Rezoning Request PID#202671
 - 7.5. **PLB.2024.13.2** - Rezoning Request PID#818500
 - 7.6. **PLB.2024.13.3** - Bylaw #2022-04 Schedule of Fees (Schedule C) - Revision

8. Informational Items

8.1. EMO.2024.13.1 - Hurricane Fiona disaster relief letter - P30006694

8.2. PLB.2024.13.4 - Report of PLB Committee Meeting of March 12, 2024

8.3. OTR.2024.13.1 - Letter of Support - Canoe Cove Community Association

9. Adjournment



Rural Municipality of West River Council Meeting Minutes

Meeting No	2024-13	Time	7:00 PM
Session	Regular - Public	Date	Tuesday, March 19, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse - Administrative Assistant		
Regret	Councillor John Yeo, Councillor Lillian MacCannell		
Guest	Nil		

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Aaron MacEachern, and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Delegations & Public Input**

The Council heard concerns from Paul and Philip Hogan regarding their rezoning request.

- **Adoption of Previous Meeting's Minutes**

The minutes of February 22, 2024, Council Meeting were approved as circulated. It was moved by Councillor Steve Pollard, seconded by Councillor Aaron MacEachern, and unanimously carried.

The minutes of March 12, 2024, Committee of Council Meeting were approved as circulated. It was moved by Councillor Aaron MacEachern, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **Discussion Items**

- **FIN.2024.13.1 - Awarding Grant - March 2024**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-27

Moved by Deputy Mayor Shaun MacArthur, and **Seconded by** Councillor Steve Pollard

WHEREAS

Pursuant to Municipal Grant Bylaw #2022-02, the Committee of the Whole reviewed the grant request application and completed Schedule C for the Bonshaw Women's Institute and Long Creek Women's Institute, and,

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves awarding a one-time grant for each applicant from the 2024-25 operating budget as follows and authorized the CAO to execute it:

- An in-kind donation to waive the rental cost of one available room in the Bonshaw Community Center for Bonshaw Women's Institute to hold monthly meetings. This waiver is for monthly meetings and cannot be used to hold any events by Bonshaw Women's Institute. Any paid booking, the EMO/Emergency Reception Center activation, and the Election PEI rental period take priority.
- \$2,000 to Long Creek Women's Institute.

- **FIN.2024.13.2- Transfer from Reserve Account to General Account**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-28

Moved by Councillor Aaron MacEachern and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

Pursuant to Reserve Funds Bylaw#2021-15 Section (6) Clause (6.3), all withdrawals from the Reserve Fund must be approved by a resolution of the Council, and

WHEREAS

The RMWR received the statement of municipal taxes levied for the tax year 2023 on February 29, 2024, showing the Balance owed to the municipality as of December 31, 2023, is \$15,095.30, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approved the transfer of \$12,000 from the "Reserve Fund" to the Municipality's General Bank Account and replace it as soon as taxes levied for the tax year 2023 have been received and authorized the CAO to execute it.

- **FIN.2024.13.3 - Gas Tax Fund Transfer Request**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-29

Moved by Councillor Steve Pollard and **Seconded by** Deputy Mayor Shaun MacArthur

WHEREAS

The Rural Municipality of West River has expended 100% of fully committed CCBF (Gas Tax) funding for all four active 58.1.1, 27.1.1, 32.1.1, and 57.1.1 projects, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Chief Administrative Officer to request fund transfers between projects (Appendix A, attached hereto, forming a part of this resolution) from the PEI Infrastructure Secretariat to balance and reconcile the allocated budget of the four active projects to prepare the final Annual Expenditure Report 2023-24.

▪ **PLB.2024.13.1 - Rezoning Request PID#202671**

Decision Type: Action

Status: Deferred

Background:

[PLBR#2024-01](#)

Description:

The item was deferred until the Council receives the following documents:

- Written confirmation from the Department of Transportation and Infrastructure that they will accept Fraser Lane as a public road; and
- Written confirmation from the owners of Fraser Lane that they have agreed to convey Fraser Lane to the Government of Prince Edward Island.

Moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Aaron MacEachern, and unanimously carried.

▪ **PLB.2024.13.2 - Rezoning Request PID#818500**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-30

Moved by Councillor Steve Pollard and **Seconded by** Deputy Mayor Shaun MacArthur

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time.

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-31

Moved by Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Steve Pollard

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time.

▪ **PLB.2024.13.3 - Bylaw #2022-04 Schedule of Fees (Schedule C) – Revision**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-32

Moved by Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

According to Schedule-A of the Fee Bylaw # 2021-11, Planning Permits must be determined by the Rural Municipality of West River Land Use Bylaw (#2022-04), and

WHEREAS

Schedule of Fees (Schedule C) of Bylaw #2022-04 sets the fee for applications under the Rural Municipality Official Plan and Land Use Bylaw, and

WHEREAS

According to Section 6.2 of the Rural Municipality of West River Official Plan, the Council may amend the schedule from time to time by resolution in accordance with Section 135 of the Municipal Government Act and may enact new user fees for other municipal services; and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River adopts the attached Schedule of Fees- Schedule C of Bylaw #2022-04- (Appendix A, attached hereto, forming a part of this resolution), with an effective date of March 19, 2024.

- **Meeting Time Extension**

At 8:30 PM, Councillor Aaron MacEachern motioned to extend the meeting, seconded by Deputy Mayor Shaun MacArthur, and it was unanimously carried.

- **Informational Items**

- **EMO.2024.13.1 - Hurricane Fiona disaster relief letter - P30006694**

Decision Type: Information

Status: Received

Background:

EMO.2024.12.1

Description:

The Intact Public Entities provided a denial letter according to section (1.3) of the PEI Disaster Financial Assistance Program, as the EMOPEI did not accept t the insurance company's email with the same content.

- **PLB.2024.13.4 - Report of PLB Committee Meeting of March 12, 2024**

Decision Type: Information

Status: Received

Description:

The Committee received the report of the Planning Board Committee Meetings on March 12, 2024.

- **OTR.2024.13.1 - Letter of Support - Canoe Cove Community Association**

Decision Type: Information

Status: Received

Description:

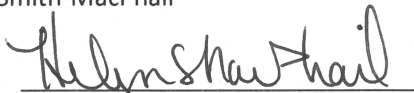
On March 14, 2024, per the Canoe Cove Community Association (CCCA) request, the CAO provided a letter of support for the Frank & Dorothy Lewis Community Strength Fund, as CCCA has applied for a grant to restore the landscaping at the Canoe Cove Schoolhouse.

- **Adjournment**

- Deputy Mayor Shaun MacArthur motioned to adjourn the meeting at 8:40 PM.
- The next meeting will be on April 26, 2024.

Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer



Appendix A – Motion#2024-29



Infrastructure Secretariat
 85 Fitzroy St., 3rd Floor, Suite
 901 PO Box 2000,
 Charlottetown, PE Canada
 C1A 7N8

GAS TAX FUND TRANSFER REQUEST FORM

Municipality: West River
Date: March 2024

TRANSFER FUNDS BETWEEN PROJECTS

Please enter the name and number of the projects you wish to transfer funds between in the table below

Moving Funds From:

Amount	Project #	Project Name	New Project Total
\$7,999.55	58.1.1	Upgrades to Canoe Cove Park	\$226,828.43
\$46,672.55	57.1.1	Mutter Park Upgrades	\$224,005.30

Moving Funds To:

Amount	Project #	Project Name	New Project Total
\$54,672.10	32.1.1	Bonshaw Community Cultural Centre Upgrades	\$208,226.32

ADD UNCOMMITTED FUNDS TO AN EXISTING PROJECT

If you would like to add funds that you have yet to allocate to an existing project, please indicate in the table below. **Note: All new projects must have their own Capital Investment Plans**

Amount	Project #	Project Name	New Project Total

DECOMMIT FUNDS FROM AN EXISTING PROJECT

If you are overcommitted and would like to reduce your allocation to an existing project, please indicate in the table below.

Amount	Project #	Project Name	New Project Total

Laala Jahanshahloo

Chief Administrative Officer

Appendix A – Motion#2024-32

SCHEDULE C | SCHEDULE OF FEES

Last revised: March 19, 2024 (Motion #2024-32)

Application Type	Fee
Residential	
All residential (incl. additions, attached garages, basement floor area) (Commercial fees apply for residential buildings with 4+ dwelling units)	\$0.25/sq. ft. New (Min \$350 - Max \$1500) Renovation or addition (Min \$200 - Max \$1500)
Accessory structures	\$0.25/sq. ft. (Min \$100 - Max \$1,500)
Agricultural	
Agricultural/ Forestry building or structure	\$0.20/sq. ft. (Min \$300 - Max \$1500)
Commercial / Industrial/Institutional/Recreational	
New construction, additions, and renovations, includes storage and accessory structures	\$0.40/sq. ft. New (Min \$500 - Max \$3,000) Renovation or addition (Min \$400 - Max \$2,000)
Excavation Pit	\$1,500 new \$600 renewal
Wind Turbine	\$4.00/\$1,000.00 construction costs (Min \$200 - Max \$2,000)
Miscellaneous	
Change of use – existing building	\$150 + associated costs* if applicable
Demolition	\$150
Solar array, ground or roof mounted	\$150
Other non-commercial (decks, temporary permits, etc.)	\$100
Variance, Amendment, Rezoning	
Variances - No public meeting required	\$200 + associated costs*
Variances - Public meeting required	\$450 + associated costs. Deposit of \$4,000 before final council consideration*
Official Plan Amendment	\$500 + associated costs. Deposit of \$4,000 before final council consideration*
Bylaw Amendment/ Rezoning/ Site Specific Amendment	\$500 + associated costs. Deposit of \$4,000 before final council consideration*
Concurrent Official Plan and Bylaw Amendment (including concurrent amendments to Future Land Use Map and Zoning Map)	\$500 + associated costs. Deposit of \$4,000 before final council consideration*
Subdivision Applications	
Subdivision—up to 4 lots per subdivision	\$450 (1 lot) + \$200/additional lot
Subdivision—5 or more lots per subdivision	\$900 (5 lots) + \$150/additional lot
Lot Consolidation (includes boundary line adjustments through severance and consolidation)	\$350
Subdivision of attached building	\$400
Agreements	
Development or Subdivision Agreement	\$400 + Deposit of \$4,000 for cost of registration at Registry Office & costs incurred by the Municipality in the preparation of the agreement, including professional and legal fees.

Appendix A - Motion #2024-32 (Continued)

Application Type	Fee
Other Agreements	\$400 + Deposit of \$4,000 for cost of registration at Registry Office & costs incurred by the Municipality in the preparation of the agreement, including professional and legal fees.
General Fees	
Permit Extension (prior to expiration of permit)	\$250, subject to council approval
Permit Renewal (after expiration of permit)	Full fees after expiry
Permits obtained after work has started	\$500 or double the permit fee, whichever is greater
Zoning Inquiry	\$100
<p>* Associated costs shall be actual, quantifiable costs incurred by the Municipality in order to process the application or amendment, including professional and legal fees, notification fees for newspaper ads, hall rental, rental of public address system, and advertisement costs, postage, signage and any other the cost associated with the public meeting. A \$4,000.00 deposit must be paid by the applicant prior to the holding of any public meetings required under the Bylaw or by Council. Any monies paid in excess of the applicable fees and associated costs shall be refunded to the applicant.</p>	
Policy for Refunds for Applications	
All fees are non-refundable.	



Rural Municipality of West River Council Meeting Tentative Agenda

Meeting No: 2024-13

Time: 7:00 PM

Date: Tuesday, March 19, 2024

Session: Regular - Public

Location: Afton Community Centre

Contact Person: Laala Jahanshahloo - CAO

Chair: Helen Smith-MacPhail - Mayor

Contact Info.: 902 675 7000 - admin@westriverpe.ca

Order of Business

- ✓ 1. Call to Order - 7:02.
- ✓ 2. Land Acknowledgement →
- ✓ 3. Adoption & Approval of Agenda Shawn / Aaron.
- ✓ 4. Declarations of Conflict of Interest -
- ✓ 5. Delegations & Public Input - Email = Resolution Lawyer.
- ✓ 6. Adoption of Previous Meeting's Minutes
 - ✓ 6.1. WRC.2023.12 - February 22, 2024, Council Meeting Stephen / Ryan.
 - ✓ 6.2. CW.2024.11 - March 12, 2024, Committee of Council Meeting Aaron / Shawn.
- 7. Discussion Items
 - ✓ 7.1. FIN.2024.13.1- Grant Request
 - ✓ 7.2. FIN.2024.13.2- Transfer from Reserve Account to General Account
 - ✓ 7.3. FIN.2024.13.3 - Gas Tax Fund Transfer Request
 - ✓ 7.4. PLB.2024.13.1 - Rezoning Request PID#202671
 - ✓ 7.5. PLB.2024.13.2 - Rezoning Request PID#818500
 - ✓ 7.6. PLB.2024.13.3 - Bylaw #2022-04 Schedule of Fees (Schedule C) - Revision

8. Informational Items

- ✓ 8.1. EMO.2024.13.1 - Hurricane Fiona disaster relief letter - P30006694
- ✓ 8.2. PLB.2024.13.4 - Report of PLB Committee Meeting of March 12, 2024
- ✓ 8.3. OTR.2024.13.1 - Letter of Support - Canoe Cove Community Association

grant roof repair,

9. Adjournment

8:42



Rural Municipality of West River Council Meeting Minutes

Meeting No	2024-12	Time	7:00 PM
Session	Regular - Public	Date	Thursday, February 22, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo – CAO, Susan Morse – Administrative Assistant		
Regret	Deputy Mayor Shaun MacArthur		
Guest	Peter Doiron from - Colliers		

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Councillor Lillian MacCannell, seconded by Councillor Steve Pollard, and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Delegations & Public Input**

Nil

- **Presentation**

- **FIN.24.12.1 - Building Condition Assessment Dashboard**

Peter Doiron from Colliers presented the building assessments via Zoom.

- **Adoption of Previous Meeting's Minutes**

The minutes of January 25, 2024, Council Meeting were approved as circulated. It was moved by Councillor John Yeo, seconded by Councillor Aaron MacEachern, and unanimously carried.

The minutes of February 8, 2024, Committee of Council Meeting were approved as circulated. It was moved by Councillor Aaron MacEachern, seconded by Councillor Lillian MacCannell, and unanimously carried.

- **Discussion Items**

- **WRC.2024.12.1 - Bylaw # 2024-01 - Code of Conduct Bylaw - Second Reading**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2024-20

Moved by Councillor John Yeo, and **Seconded by** Councillor Ryan Roggeveen.

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-01, the Code of Conduct Bylaw, be read and approved a first time on January 25, 2024,

BE IT RESOLVED

That the Rural Municipality of West River Bylaw number # 2024-01, the Code of Conduct Bylaw, be read and approved a second time.

- **WRC.2024.12.2 - Bylaw # 2024-01 - Code of Conduct Bylaw - Adoption**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2024-21

Moved by Councillor Lillian MacCannell and **Seconded by** Councillor Steve Pollard

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-01, the Code of Conduct Bylaw, be read and approved a first time on January 25, 2024,

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-01, the Code of Conduct Bylaw, be read and approved a second time on February 22, 2024.

BE IT RESOLVED

That the Rural Municipality of West River Bylaw number # 2024-01, the Code of Conduct Bylaw, be adopted by the Council.

- **WRC.2024.12.3 - Amendment - Abuse, Neglect and Harassment Policy**

Decision Type: Action

Status: Motion Carried

Background:

Policy #2023-01

Description:

The Council for Rural Municipality of West River accepts the correction of the typo in Section (6.4) Abuse, Neglect and Harassment Policy #2023-01 from "Everyone" to "No Individual." It was moved by Councillor John Yeo, seconded by Councillor Aaron MacEachern, and unanimously carried.

- **WRC.2024.12.4 - Public Meeting's Storm Date**

Decision Type: Action

Status: Recommended

Background:

Public Meeting scheduled for February 15, 2024, was cancelled due to weather.

Description:

The Council for the Rural Municipality of West River adopts the practice of setting storm/second dates for public meetings alongside the original date of the meeting. It was

moved by Councillor John Yeo and seconded by Councillor Aaron MacEachern and unanimously carried.

- **EMO.2024.12.1 - Fiona Claim #2**

Decision Type: Action

Status: Referred

Background:

EMO.24.10.1

Description:

The Council referred this item to the Mayor to contact both MLAs for Districts 16 and 17.

- **FIN.2024.12.2 - 2024 Property Tax Rate**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2024-22

Moved by Councillor John Yeo and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to the Municipal Government Section (160) (1) (a), a Council shall, by resolution, after estimating the probable revenue from all sources other than taxes, approve a tax rate or rates applicable to all real property within the jurisdiction and boundaries of the municipality for the purpose of raising revenue sufficient to defray projected municipal expenditures for that year including any deficit carried forward from the previous year, and shall notify the Provincial Tax Commissioner in accordance with the Real Property Tax Act respecting the approved tax rate or rates, and

WHEREAS

According to Tax Rate Groups Bylaw # 2021-14 Section (6), the Municipality establishes commercial, non-commercial resident, and non-commercial non-resident tax rate groups, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 8, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves the following property tax rate increase for 2024:

- The property tax for the Black Fly program for all the properties located with a border of the former community of New Haven River-Dale will increase from \$0.03 per \$100 of assessment to \$0.04 per \$100 of assessment.
- The property tax for all Commercial properties will increase from \$ 0.2425 per \$100 of assessment to \$0.2525 per \$100 of assessment.
- The property tax for all Non-Commercial Resident will increase from \$ 0.16 per \$100 of assessment to \$0.17 per \$100 of assessment.
- The property tax for all Non-Commercial Non-Resident will increase from \$ 0.16 per \$100 of assessment to \$0.20 per \$100 of assessment.

BE IT FURTHER RESOLVED

The Council for the Rural Municipality of West River approves the following property tax rate for 2024:

Community	Non-Commercial Resident per \$100 of assessment	Non-Commercial Non-Resident per \$100 of assessment	Commercial per \$100 of assessment
Afton	0.17	0.20	0.2525
West River	0.17	0.20	0.2525
Bonshaw	0.17	0.20	0.2525
New Haven River-Dale	0.21	0.24	0.2925
Meadowbank	0.17	0.20	0.2525

▪ **FIN.2024.12. 3 - 2024-25 Financial Plan**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2024-23

Moved by Councillor John Yeo and **Seconded by** Councillor Lillian MacCannell

WHEREAS

Under section 150 of the Municipal Government Act, on or before March 31 of each year, a Council shall, by resolution, adopt a financial plan for the upcoming fiscal year, and

WHEREAS

According to Motion # 2024-03, the Rural Municipality of West River held a public meeting on February 6, 2024, and no negative feedback was received from the public, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on February 8, 2024,

BE IT RESOLVED

Council for Rural Municipality of West River adopts the Financial Plan for 2024-2025 (Appendix A, attached hereto, forming a part of this resolution).

▪ **FIN.2024.12.4 - 2024 Assessment Rolls/Tax Certificates**

Decision Type: Action

Status: Recommended

Description:

The Council for the Rural Municipality of West River authorizes the CAO to sign the permission form but requests to receive Municipal Assessments Rolls and Tax Certificates in hard copy and digital format. It was moved by Councillor Aaron MacEachern, seconded by Councillor Steve Pollard, and unanimously carried.

▪ **FIN.2024.12.5 - Black Fly Program 2024**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2024-24

Moved by Councillor Steve Pollard and **Seconded by** Councillor Aaron MacEachern

WHEREAS

The former community of New Haven-Riverdale started the Black Fly Program in 1996, and

WHEREAS

The property owners within the boundaries of the former community of New Haven-Riverdale pay \$0.04 more than the other property owners of the former communities of Afton, Bonshaw, Meadowbank, and West River for their property tax per \$100 assessment to cover the cost of this program, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on February 8, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts the attached proposed offer (Appendix A, attached hereto, forming a part of this resolution) from Atlantic Bug Busters Company for the Black Fly Program at the cost of \$16,500.00, HST included. and authorized the CAO to execute it.

▪ **FIN.2024.12.6 - Bonshaw Community Centre Improvement Project - Holdback Release**

Decision Type: Action

Status: Motion Carried (5-0)

Description: Motion 2024-25

Moved by Councillor Aaron MacEachern and **Seconded by** Councillor Ryan Roggeveen



Rural Municipality of West River Committee of the Whole Meeting Minutes

Meeting No	2024-11	Time	7:00 PM
Session	Regular - Public	Date	Tuesday, March 12, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adaptation status	To be approved	Contact Person	Laala Jahanshahloo - CAO

Attendance Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo – CAO, Susan Morse – Administrative Assistant

Regret Councillor John Yeo

Guest Nil

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 7:15 PM.

▪ Adoption & Approval of Agenda

The agenda was approved as circulated. It was moved by Councillor Lillian MacCannell, seconded by Councillor Aaron MacEachern, and unanimously carried.

▪ Declarations of Conflict of Interest

Nil

▪ Questions from the Audience and Public Input

Nil

• Recommendation Items

▪ FIN.24. 11.1 - Insurance 2024

Decision Type: Action

Status: Referred

Background:

There is no other option for changing the company for the Municipality's insurance. RMWR, we can switch brokers to Peake & McInnis, a local island-owned and operated business. It would not save anything but would give a better customer experience with quicker response times and prompt service.

Description:

The Committee referred it to the CAO to change the municipality's insurance broker.

▪ FIN.24. 11.2 - Grant Request

Decision Type: Action

Status: Recommended

Background:

Grant Request Applications received from Bonshaw Women's Institute on March 7, 2024 (Appendix 11.1, attached hereto, forming a part of these minutes) and Long Creek Women's Institute on March 8, 2024 (Appendix 11.2, attached hereto, forming a part of these minutes).

The RMWR's 2024-25 Financial Plan has a budget line of \$8,750.00 for the Community Building & Engagement Grant.

Description:

The Committee completed Schedule C for both applicants (Appendix 11.3, attached hereto, forming a part of these minutes) and recommended that the Council approves the following grants:

- The donation in kind will waive the rental cost of the Bonshaw Community Center for Bonshaw Women's Institute to hold their monthly meetings. This waiver is only for the WI meeting and cannot be used to hold any events by Bonshaw Women's. Any paid booking, the EMO/Emergency Reception Center activation, and the Election PEI rental period take priority.
- To award \$2,000 to Long Creek Women's Institute (although they requested \$1,500). They are the only center in RMWR holding AA meetings and, with a limited number of members, are making an impressive contribution to the community.

▪ **FIN.24. 11.3 - Community Centers Operating and Maintenance Cost**

Decision Type: Action

Status: Referred

Background:

Motion# 2023-59: From September 2023, RMWR has paid around 35K for maintenance and operation costs of both the Afton and Bonshaw facilities.

Description:

The Committee referred this item to the Interim Community Services Committee to invite the Afton and Bonshaw Community Centers' BOD and discuss the transfer of grants to RMAR paid by former Municipalities and RMWR to repair, upkeep, maintain and operate the facilities.

▪ **FIN.24. 11.4 - Transfer from Reserve Account to General Account**

Decision Type: Action

Status: Recommended

Background:

The RMWR received the statement of municipal taxes levied for the tax year 2023 on February 29, 2024, showing the Balance owed to the municipality as of December 31, 2023, is \$15,095.30.

Description:

The Committee recommended that the Council authorizes the CAO to transfer \$12,000 from the " Reserve Fund" to the Municipality's General Bank Account and replace it as soon as taxes levied for the tax year 2023 have been received.

▪ **FIN.24.11.5 - Bonshaw Community Center – Rental**

Decision Type: Action

Status: Referred

Background:

The Committee RMWR proposed a rental cost of \$ 5,500/month to EPEI. This cost will include power, heat/AC, and building cleaning during occupancy. They have been advised that they need to be flexible about the watershed group using their space and are willing to allow this.

The fee structure for the 2024 year is to rent half the room to the watershed group for \$500/month, utilities included, and the space for the shed included.

Description:

The Committee referred this item to the CAO to execute the rental agreements.

▪ **FIN.24.11.6 - CIVONUS Engagements Platform**

Decision Type: Action

Status: Referred

Background:

OTR.24.10.1

Description:

The Committee referred the item to the CAO to request a proposal from the CIVONUS Engagements Platform to explore the possibility of using it to increase community engagement in RMWR.

▪ **FIN.24.11.8 - COM 13 -Contribution to Capital Fund**

Decision Type: Action

Status: Not Recommended

Background:

APM requested an increase from \$14,539.00 to \$0.005 per \$100 of property tax assessment; 2024 will be \$21448.76.

Description:

The Committee denied this request and directed the CAO to inform Communities 13 Inc. that future requests must be received before the financial plan is approved.

▪ **PTY.24.11.1 - Rice Point Wharf - Fence**

Decision Type: Action

Status: Deferred

Background:

Motion#2024-18

Description:

The Committee deferred this item to the next meeting on April 11, 2024, for further discussion after visiting the site.

▪ **PTY.24.11.2 - Bonshaw Community Center Opening**

Decision Type: Action

Status: Referred

Description:

The Committee referred this item to the Interim Community Services Committee.

• **Informational Items**

▪ **EMO.24.11.1 - Fiona Claims – TimeLine**

Decision Type: Information

Status: Received

Background:

EMO.24.10.1

Description:

The CAO represented the RMWR's Fiona claim timeline (Appendix 11.4, attached hereto, forming a part of these minutes).

▪ **FIN.24.11.9 - 2024 - 2 Billion Tree Funding**

Decision Type: Information

Status: Received

Description:

RMWR applied for 2 Billion Tree Funding on February 22, 2024

▪ **FIN.24.11.10 - Seniors Community Meal Grant Pilot Program**

Decision Type: Information

Status: Received

Background:

For the Seniors Community Meal Grant Pilot Program, successful applicants can receive up to \$5,000. The grant can be used to cover the cost of food, delivery (fuel) expenses, honorarium for cooking/preparation staff and other miscellaneous equipment supplies (i.e. Hairnets, napkins, gloves, disposable cookware).

Description:

RMWR applied for this grant on March 4, 2024.

▪ **FIN.24.11.11 - Reception Centre Resiliency Funding**

Decision Type: Information

Status: Received

Background:

Motion#2024-05

Description:

RMWR submitted the final claim form for Community Revitalization Program (RCR) Funding Agreement #2345-20-R87 on March 12, 2024.

- **PTY.24.11.3 - Bonshaw Community Center - Notice of Name Change**

Decision Type: Information

Status: Received

Background:

PTY.2024.12.1

Description:

The document for Bonshaw Community Notice of Name Change was signed by the Mayor and CAO on March 11 and witnessed by the Municipality's Lawyer for the registrar of deeds for Queens County, province of Prince Edward Island.

- **OTR.24.11.1 - Community Fridge**

Decision Type: Information

Status: Received

Background:

WRCH#27

Description:

The Committee received an update from the Community Fridge Organizers regarding the use of the fridge, the liability associated with the food being distributed, and the community's generosity. The Committee expressed interest in helping the Community Fridge Group by accepting donations on their behalf if they would be interested in that. The Committee invited the organizers to provide semi-annual updates in March and September.

- **OTR.24.11.2 - APM Expansion Committee**

Decision Type: Information

Status: Received

Background:

OTR.2024.12.2

Description:

Communities 13 Inc Expansion Committee accepted the invitation to attend the RMWR's Committee of the Whole meeting on April 11, 2024, to discuss the expansion to the APM facility.

- **Adjournment**

- Deputy Mayor Shaun MacArthur motioned to adjourn the meeting at 8:30 PM.
- The next meeting will be on April 11, 2024.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____



Rural Municipality of West River

Resolution

Title: Awarding Grant - March 2024

Motion Carried _____ **Motion No** 2024-27
Motion Lost _____ **Date** March 19, 2024
Motion Withdrawn _____ **Council Meeting No** 2024-13
Moved by Choose an item. Shawn
Seconded by Choose an item. Stephanie

WHEREAS

Pursuant to Municipal Grant Bylaw #2022-02, the Committee of the Whole reviewed the grant request application and completed Schedule C for the Bonshaw Women's Institute and Long Creek Women's Institute, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves awarding a one-time grant for each applicant from the 2024-25 operating budget as follows and authorized the CAO to execute it:

- The donation in kind will waive the rental cost of the Bonshaw Community Center for Bonshaw Women's Institute to hold their monthly meetings. This waiver is only for the WI meeting and cannot be used to hold any events by Bonshaw Women's. Any paid booking, the EMO/Emergency Reception Center activation, and the Election PEI rental period take priority.
- \$2,000 to Long Creek Women's Institute.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____



Rural Municipality of
WEST RIVER

Motion No 2024-27

Page 2 of 2



Rural Municipality of West River
Resolution

Title: Transfer from Reserve Account to General Account

Motion Carried	_____	Motion No	2024-28
Motion Lost	_____	Date	March 19, 2024
Motion Withdrawn	_____	Council Meeting No	2024-13
Moved by Choose an item.	_____ <i>Aaron</i>		
Seconded by Choose an item.	_____ <i>Ryan</i>		

WHEREAS

Pursuant to Reserve Funds Bylaw#2021-15 Section (6) Clause (6.3), all withdrawals from the Reserve Fund must be approved by a resolution of the Council, and

WHEREAS

The RMWR received the statement of municipal taxes levied for the tax year 2023 on February 29, 2024, showing the Balance owed to the municipality as of December 31, 2023, is \$15,095.30, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approved the transfer of \$12,000 from the "Reserve Fund" to the Municipality's General Bank Account and replace it as soon as taxes levied for the tax year 2023 have been received and authorized the CAO to execute it.

*- 30 Days ago
- 6 emails
- 3 phone calls.*

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail	Laala Jahanshahloo
Mayor _____	Chief Administrative Officer _____





Rural Municipality of West River
Resolution

Title: Gas Tax Fund Transfer

Motion Carried	_____	Motion No	2024-29
Motion Lost	_____	Date	March 19, 2024
Motion Withdrawn	_____	Council Meeting No	2024-13
Moved by Councillor Steve Pollard	_____		
Seconded by Councillor Lillian MacCannell	_____ <i>Shawn</i>		

WHEREAS

The Rural Municipality of West River has expended 100% of fully committed CCBF (gas Tax) funding for all four actives 58.1.1, 27.1.1, 32.1.1, and 57.1.1 projects, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Chief Administrative Officer to request a fund transfer between projects from the PEI Infrastructure Secretariat to balance the *and* reconciliation of the allocated budget of the four active projects for preparing the final Annual Expenditure Report 2023-24.

- done ab gas tax.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer .. _____



Rural Municipality of
WEST RIVER

Motion No 2024-29

Page 2 of 2



Rural Municipality of West River Planning Board Resolution

Title: PID 202671 Rezoning

Motion Carried	_____	Motion No	2024-01
Motion Lost	_____	Date	March 12, 2024
Motion Withdrawn	_____	Committee Meeting No	2024-06
Moved by	Councillor Aaron MacEachern _____		
Seconded by	Councillor Steve Pollard _____		

WHEREAS

An application to rezone a parcel of land, PID#202671, located at Fraser Lane, New Dominion, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 18 lots for residential development; and

WHEREAS

The Rural Municipality of West River held a public meeting at 4:00 pm on November 14, 2023, and gathered all the feedback until November 21, 2023, at 4:00 pm, on a proposed amendment to the Official Plan and the Land Use Bylaw #2022-04 with respect to PID#202671 rezoning; and

WHEREAS

PID#202671 is presently located in the Rural Area (RA) Zone and Policy R-1 of the Official Plan directs multi-lot subdivisions to the Rural Residential (RR) Zone; and

WHEREAS

Fraser Lane is presently a private road, and in order to satisfy sections Policy T1-2 in the Official Plan 13.9(1), (3.18), and (4.9) of Bylaw #2022-04, Fraser Lane will have to become a public road; and

WHEREAS

The Planning Board reviewed the application considering public inputs, development officer report, conformity with the Official Plan, and criteria in subsection 12.3 (4) Bylaw #2022-04;

BE IT RESOLVED

the West River Planning Board recommends that the Council approve the proposed rezoning of PID#202671 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved subject to the receipt of the following:

1. Written confirmation from the Department of Transportation and Infrastructure that they will accept Fraser Lane as a public road; and
2. Written confirmation from the owners of Fraser Lane that they have agreed to convey Fraser Lane to the Government of Prince Edward Island.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____



Rural Municipality of West River
Resolution

Title: Bylaw # 2024-02 - Bylaw to Amend Rural Municipality of West River 2022
Official Plan First Reading

Motion Carried	_____	Motion No	2024-30
Motion Lost	_____	Date	March 19, 2024
Motion Withdrawn	_____	Council Meeting No	2024-13
Moved by Choose an item.	<u>Steven.</u>		
Seconded by Choose an item.	<u>Shawn,</u>		

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Mayor _____

Laala Jahanshahloo

Chief Administrative Officer .._____



Motion No 2024-30

Page 2 of 2

RURAL MUNICIPALITY OF WEST RIVER**Bylaw to Amend Rural Municipality of West River 2022 Official Plan****Bylaw # 2024-02****Effective Date**

The effective date of Bylaw # 2024-02, the bylaw to Amend Rural Municipality of West River 2022 Official Plan, is the date as signed below by the Minister of Housing, Land and Communities.

Authority - Bylaw Amendment

The Council for the Rural Municipality of West River, under the authority vested in it by Sections 18 and 19 of the Planning Act R.S.P.E.1.1988 Cap p-8, hereby enacts as follows:

Amendment - Official Plan Bylaw

The Official Plan for a 34-acre parcel of land (PID 818500) at Shaws Wharf Rd, Saint Catherine's, PE, as shown in Schedule A attached to this bylaw, amends SCHEDULE A – FUTURE LAND USE MAP of the Rural Municipality of West River Official Plan Bylaw#2022-04 insofar as it affects the land (PID 818500) Identified on Schedule A, which is zoned Rural Residential RR, thereby excluding it from the former zone of Rural Area RA.

First Reading

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02 was read for the first time and approved by a majority of Councillors present at the Council meeting held on the 19th day of March 2024.

Second Reading

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02 was read for the second time and approved by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

Adoption and Approval by Council

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02 was adopted by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02 is declared to be passed on the ____ day of _____ 2024.

Helen Smith-MacPhail

Mayor

Laala Jahanshahloo

Chief Administrative Officer

Ministerial Approval

The 2022 Official Plan Amendment, Bylaw # 2024-02 is hereby approved.

Dated on this ____ day of _____ 2024.

Hon. Rob Lantz

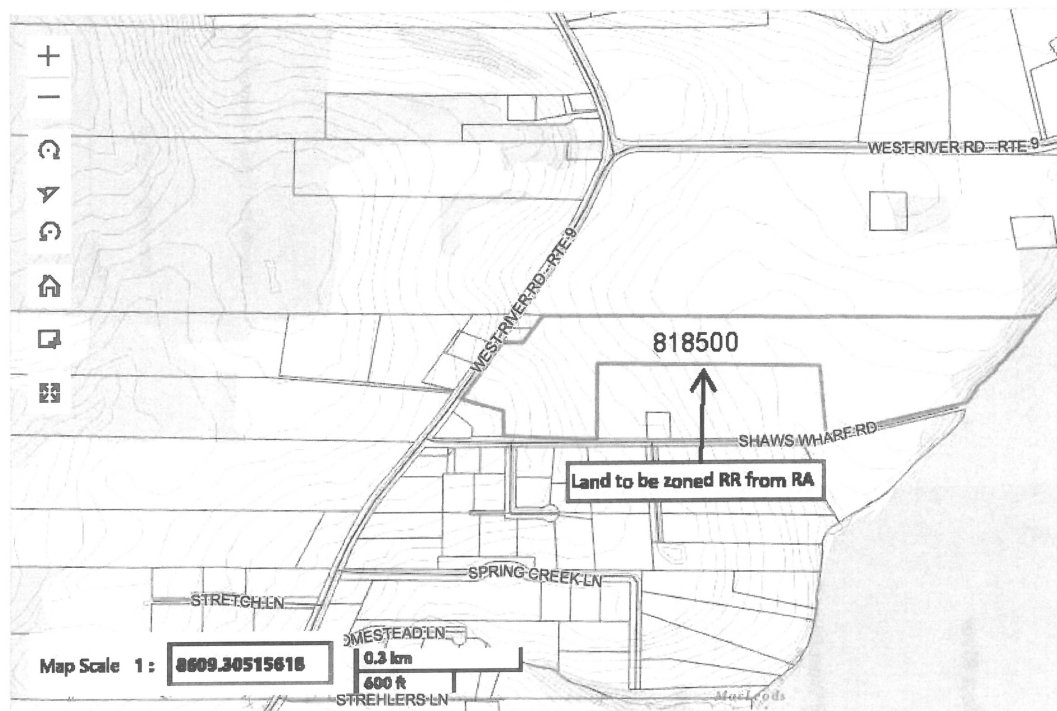
Minister of Housing, Land and Communities

Schedule A

Bylaw to Amend Rural Municipality of West River 2022 Official Plan

Bylaw # 2024-02

Geolinc Plus Property Map





Rural Municipality of West River
Resolution

Title: Bylaw # 2024-03 - Bylaw to Amend Rural Municipality of West River 2022
Land Use Bylaw - First Reading

Motion Carried	_____	Motion No	2024-31
Motion Lost	_____	Date	March 19, 2024
Motion Withdrawn	_____	Council Meeting No	2024-13
Moved by Choose an item.	_____ <i>Shawn</i>		
Seconded by Choose an item.	_____ <i>Steven</i>		

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time.

Land Use Bylaw

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer .._____



Motion No 2024-31

Page 2 of 2

RURAL MUNICIPALITY OF WEST RIVER**Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw****Bylaw # 2024-03****Effective Date**

The effective date of Bylaw # 2024-03, the bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw (Bylaw#2022-04), is the date as signed below by the Minister of Housing, Land and Communities.

Authority - Bylaw Amendment

The Council for the Rural Municipality of West River, under the authority vested in it by Sections 18 and 19 of the Planning Act R.S.P.E.1.1988 Cap p-8, hereby enacts as follows:

Amendment - Land Use Bylaw

The land use for a 34-acre parcel of land (PID 818500) at Shaws Wharf Rd, Saint Catherine's, PE, as shown in Schedule A attached to this bylaw, amends SCHEDULE A-ZONING MAP of the Rural Municipality of West River Land Use Bylaw#2022-04 insofar as it affects the land (PID 818500) Identified on Schedule A, which is zoned Rural Residential RR, thereby excluding it from the former zone of Rural Area RA.

First Reading

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03 was read for the first time and approved by a majority of Councillors present at the Council meeting held on the 19th day of March 2024.

Second Reading

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03 was read for the second time and approved by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

Adoption and Approval by Council

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03 was adopted by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03 is declared to be passed on the ____ day of _____ 2024.

Helen Smith-MacPhail

Mayor

Laala Jahanshahloo

Chief Administrative Officer

Ministerial Approval

The 2022 Land Use Bylaw Amendment, Bylaw # 2024-03 is hereby approved.

Dated on this ____ day of _____ 2024.

Hon. Rob Lantz

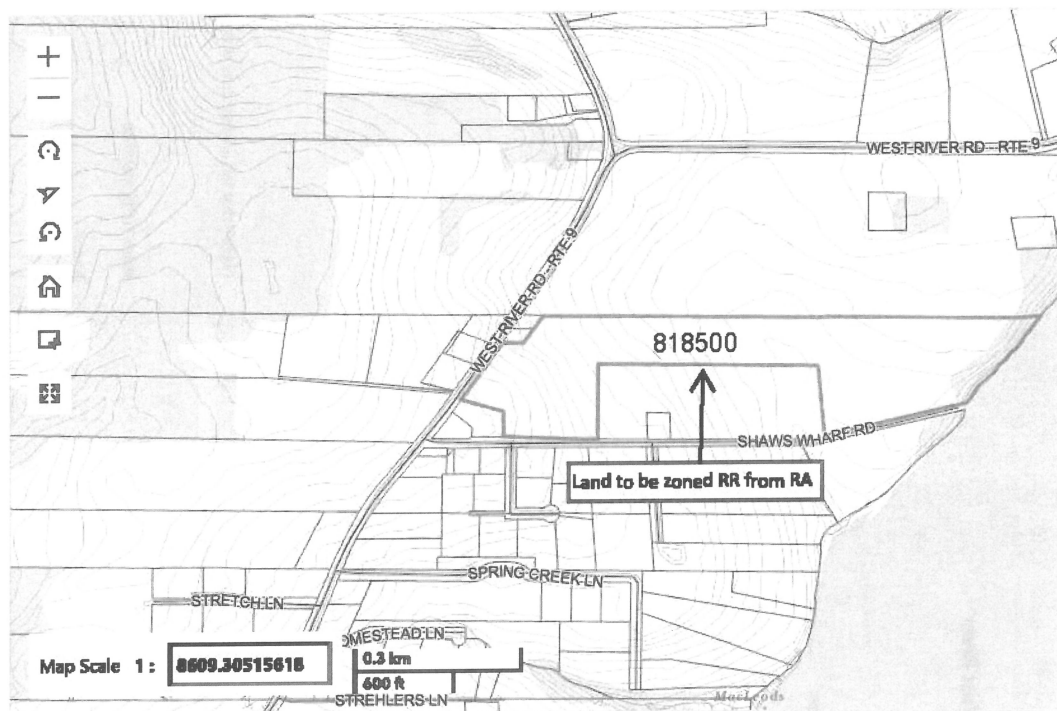
Minister of Housing, Land and Communities

Schedule A

Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw

Bylaw # 2024-03

Geolinc Plus Property Map





Rural Municipality of West River
Resolution

Title: Bylaw #2022-04 Schedule of Fees (Schedule C) - Revision

Motion Carried	_____	Motion No	2024-29
Motion Lost	_____	Date	March 19, 2024
Motion Withdrawn	_____	Council Meeting No	2024-13
Moved by Choose an item.	_____ <i>Shawn</i> _____		
Seconded by Choose an item.	_____ <i>Ryan</i> _____		

WHEREAS

According to Schedule-A of the Fee Bylaw # 2021-11, Planning Permits must be determined by the Rural Municipality of West River Land Use Bylaw (#2022-04), and

WHEREAS

Schedule of Fees (Schedule C) of Bylaw #2022-04 sets the fee for applications under the Rural Municipality Official Plan and Land Use Bylaw, and

WHEREAS

According to Section 6.2 of the Rural Municipality of West River Official Plan, the Council may amend the schedule from time to time by resolution in accordance with Section 135 of the Municipal Government Act and may enact new user fees for other municipal services; and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River **adopts the attached Schedule of Fees-Schedule C** of Bylaw #2022-04- (Appendix A, attached hereto, forming a part of these minutes), with an effective date of March 19, 2024.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer .._____



Motion No 2024-32

Page 2 of 4



Rural Municipality of West River Council Meeting Minutes

Meeting No	2024-14	Time	7:00 PM
Session	Regular - Public	Date	Thursday, April 25, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor John Yeo, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse - Administrative Assistant		
Regret	Nil		
Guest	Nil		

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Councillor Steve Pollard, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Adoption of Previous Meeting's Minutes**

The minutes of March 19, 2024, Council Meeting were approved as circulated. It was moved by Councillor Ryan Roggeveen, seconded by Councillor Lillian MacCannell and unanimously carried.

The minutes of April 11, 2024, Committee of Council Meeting were approved as circulated. It was moved by Councillor John Yeo, seconded by Councillor Aaron MacEachern, and unanimously carried.

- Discussion Items

- FIN.2024.14.1- Awarding Grant - April 2024

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-33

Moved by Deputy Mayor Shaun MacArthur, and **Seconded by** Councillor Steve Pollard

WHEREAS

Under Municipal Grant Bylaw #2022-02, the Committee of the Whole reviewed the grant request application and completed Schedule C for St. Catherine's Women's Institute, Meadowbank Women's Institute, Canoe Cove Community Association, The GooRoos Group, and the Central Queens Branch of the PEI Wildlife Federation (CQWF), and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves awarding a one-time grant for each applicant from the 2024-25 operating budget as follows and authorized the CAO to execute it:

- An in-kind donation to the GooRoos group to waive the rental cost of using available space in Afton so that the GooRoos can rehearse.
- An in-kind donation to CQWF for office space rental costs in Bonshaw Community Center, only for this year, will decrease it from \$500+HST to \$250, including HST.
- \$2,000 to St. Catherine's Women's Institute.
- \$1,000 to Meadowbank Women's Institute.
- \$2,000 to Canoe Cove Community Association.

▪ **FIN.2024.14.2- CIVONUS Engagements Platform**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-34

Moved by Councillor John Yeo, and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

The Committee of the Whole heard a presentation about Civonus as an online tool designed to help Municipalities facilitate public participation in the development of policy and programming on February 8, 2024, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 11, 2024

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts Civonus's proposal (Appendix A - attached hereto, forming a part of this resolution) at \$7500 plus HST and authorizes the CAO to execute it.

BE IT RESOLVED

The contract will be paid from the budget allocated for Professional Fees (50%) and Official Plan (50%).

▪ **FIN.2024.14.3- Bonshaw Community Center Project - Deficiency Holdback Release**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-35

Moved by Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to Motion#2024-25, the Council for the Rural Municipality of West River approved the release of the holdback for the original contract and 14 change orders for the Bonshaw Community Center Improvement project, and

WHEREAS

According to Motion #2021-55, the project admin approved the release of the deficiency holdback (Appendix A, attached hereto, forming a part of this resolution), and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approved the release of the deficiency holdback for \$20,000 plus HST for the works that were not entirely completed by the trades by January 31, 2024, in the Bonshaw Community Center Improvement project and authorized the CAO to execute it.

▪ **FIN.2024.14.4 - Seniors Community Meal Grant Pilot Program Agreement**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-36

Moved by Councillor John Yeo and **Seconded by** Councillor Steve Pollard

WHEREAS

The municipality applied for the Seniors Community Meal Grant Pilot Program on March 4, 2024, and received approval from the Department of Social Development and Seniors for \$5,000 on March 21, 2024, and

WHEREAS

According to the Municipal Government Act Subsection (156) (5), a council may, by resolution, authorize the chief administrative officer alone to sign contracts and agreements, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council acknowledges that signing this agreement to participate reflects the municipality's understanding of shared objectives and terms established by the 2024 Seniors Community Meal Grant Pilot Program Funding Agreement between the Government Province of PEI and the Rural Municipality of West River and authorizes the CAO to sign the necessary documents and contracts on behalf of the Municipality.

▪ **FIN.2024.14.5 - Grass Cutting**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-37

Moved by Councillor Steve Pollard and **Seconded by** Deputy Mayor Shaun MacArthur

WHEREAS

The Committee reviewed the received quotes and the scope of work according to Policy# 2022-03, also including the history of the vendor services, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts the proposal from J W Gass Cemetery Services for lawn-cutting services for the 2024 season for weekly/biweekly services for Afton Community Centre, Roy Mutter Recreation Fields, Legacy Park, Rice Point, Bonshaw Community Centre, and Bonshaw Cemetery at a cost of \$13,685.00 (including HST) and authorizes the CAO to execute it.

- **FIN.2024.14.6 - Community Revitalization Program – Playgrounds Construction**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-38

Moved by Councillor Lillian MacCannell and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

The Municipality has applied to receive funding to build playgrounds at Afton Community Center and Bonshaw Community Center through the Community Revitalization Program funding program, and

BE IT RESOLVED

The Council acknowledges that by applying to this grant, the Municipality's understanding of shared objectives and terms established by the Community Revitalization Program Funding Agreement between the Government Province of PEI and the Rural Municipality of West River and authorizes the CAO to sign the necessary documents and contracts on behalf of the Municipality.

- **PLB.2024.14.1 - Bylaw #2024-02 - RMWR OP Amendment - PID 818500**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-39

Moved by Councillor John Yeo and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time on March 19, 2024,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a second time.

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-40

Moved by Deputy Mayor Shaun MacArthur and **Seconded by** Councillor John Yeo

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time on March 19, 2024, and

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a second time on April 25, 2024,

BE IT RESOLVED

That the Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be adopted by the Council.

- **PLB.2024.14.2 - Bylaw #2024-03 - RMWR LUB Amendment - PID 818500**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-41

Moved by Councillor Steve Pollard and **Seconded by** Councillor John Yeo

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time on March 19, 2024,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a second time.

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-42

Moved by Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time on March 19, 2024,

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a second time on April 25, 2024,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be adopted by the Council.

▪ **PLB.2024.14.3 - Development Permit Extension - PID 219139**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-43

Moved by Councillor Steve Pollard and **Seconded by** Councillor John Yeo

WHEREAS

Development Permit W-12-05 was issued under the authority of Rural Municipality of West River for that portion of the municipality with the former municipality of New Haven – Riverdale as regulated by the New Haven – Riverdale Zoning and Subdivision Control (Development) Bylaw on April 6, 2021, and

WHEREAS

This resolution bears the recommendation of the Planning Board Committee, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River grants a 24-month permit extension without any cost as it is the last outstanding permit issued under the NHR OP&ZDB.

▪ **PLB.2024.14.4 - Secondary Suites – Development Agreement**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2024-44

Moved by Councillor Lillian MacCannell and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

According to Bylaw #2022-04 section 11.1 (3) (b) & (c), that strict application of all bylaw standards would impose an undue hardship on the applicant by excluding them from the same

rights and privileges for reasonable use of their lot and the variance is of the least magnitude required to enable the reasonable use of the lot; and

WHEREAS

The new Subdivision and Development Regulations under the Planning Act came into effect on February 10, 2024, to support Accessory Dwelling Units, and

WHEREAS

This resolution bears the recommendation of the Planning Board Committee, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves excluding development agreement requirements for any eligible Secondary Suites applicant who submits the Variance application and pays the required fees.

▪ **OTR.2024.14.1 - APM Center Expansion Support**

Decision Type: Action

Status: Deferred

Moved by Councillor John Yeo and **Seconded by** Councillor Lillian MacCannell and unanimously carried.

Background:

OTR.24.12.1

Description:

The Council deferred this item until they can organize a joint meeting with the AMP Expansion Committee and the Leaders of member Municipalities, as more information is needed to protect the vested interest of RMWR and all the Communities.

- **Delegations & Public Input**

- The Council heard concerns from a pit owner in the municipality about the cost of obtaining a permit for an excavation pit.

- **Informational Items**

- **EMO.2024.14.1 - Hurricane Fiona - Claim#2**

Decision Type: Information

Status: Received

Background:

EMO.2024.13.1

Description:

The RMWR only received 11K out of 52K claim#2.

- **EMO.2024.14.2 - Report of EMO Committee Meeting**

Decision Type: Information

Status: Received

Description:

The Council received the report of the EMO Meetings on April 25, 2024.

- **ICS.2024.14.1 - Report of ICS Committee Meeting**

Decision Type: Information

Status: Received

Description:

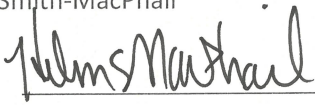
The Council received the report of the Interim Community Service Meetings on April 03, 2024.

- **Adjournment**

- Councillor Ryan Roggeveen motioned to adjourn the meeting at 8:30 PM.
- The next meeting will be on May 23, 2024.

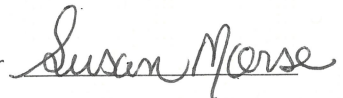
Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer



Appendix A – Motion#2024-34

March 22, 2024



Ms. Laala Jahanshahloo
Chief Administrative Officer
Rural Municipality of West River

Thank you for inviting me to submit a proposal for the use of the Civonus web application in your municipality. We would be pleased to facilitate the development of recommendations on a policy issue for consideration by your Council.

CIVONUS OFFER

We propose to:

- Facilitate the development of policy recommendations on your chosen policy topic using the innovative Civonus web application and its built-in policy development process.
- Help you to frame the policy question(s) for your chosen policy topic.
- Provide direction, support and training/orientation to the participants in the policy development process.
- Help you to identify and recruit participants for the policy development process.
- Provide technical support for the web application.
- Make you aware of any issues that arise during the term of this engagement.
- Deliver a progress report to participants at the end of each step.
- Deliver a final report to you at the conclusion of the policy development process, with one or more recommended policy options and supporting information, for consideration by your Council.

CLIENT COMMITMENT

What we need from you to ensure a successful result is to:

- Identify a suitable policy topic;
- Identify stakeholders to participate in the policy development process.
- Promote participation in the policy development process to citizens and identified stakeholders.
- Confirm that those who register to participate are legitimate stakeholders, if that is something that you are concerned about.
- Nominate one or more persons to represent your administration to share policy topic research, answer any questions that participant may have, and generally participate in the policy development process.
- Share honest and timely feedback on the policy development process and web application.
- Pay the agreed upon price for the delivery of the policy recommendations.

Proposal to the Rural Municipality of West River

Page 1 of 2

Appendix A – Motion#2024-34 (Continued)

FEE PROPOSAL

For communities with a population between 1000 and 10,000 persons, we have set a price of \$15,000 for each policy development process to recover our facilitation and development cost. However, given that we are in the early stages of developing the web application and honing the policy development process, and that we require early adopters to help us with that by providing feedback, we are prepared to discount that rate by 50% to \$7500. Payment would be due as follows:

- 25% upon contract signing.
- 25% after the completion of Step 3 in the process.
- 25% after completion of step 6 in the process
- 25% upon receipt of the final report.

Please do not hesitate to contact me if you have any questions or concerns about this proposal.

Respectfully submitted,

Robert Hughes

Robert Hughes, FEC, P.Eng.
 President and CEO,
 Civonus Inc.
rhughes@civonus.ca
 902-218-3739

Appendix A - Motion #2024-35

W.D. Lawrence Architecture



MAYFIELD P.O. BOX 21 HUNTER RIVER, P.E.I. COA 1N0 TEL. (902) 620-1237

PROGRESS CLAIM CERTIFICATE

March 22, 2024

Owner: The Rural Municipality of West River 1552-B Rte. 19 New Dominion, PE C0A 1H6	Contractor: Ridgeline Construction Ltd 234 Scenic View Road Long Creek PEI C0A 1H1
---	--

Laala, please find attached the final invoice # 21215 from Ridgeline Construction Ltd. dated 27/11/23, and summarized as follows:

1. The final construction cost was \$ 871,580.78 +HST.
2. As per Provincial regulations (Mechanics Lien Holdback), on January 31, 2024 we reviewed and issued to you a Holdback Release Certificate for 15% of this amount (ie. a total of \$ 130,737.12 + HST) for which I understand was paid to Ridgeline Construction Ltd.
3. The attached \$ 20,000 + HST from invoice # 21215 represents the final Contractor deficiency holdback totals identified in Inv. # 14 and Inv. # 15 as the deficiencies were not totally complete by the trades at those times.
4. In other words, the invoice total of \$ 10,000.00 + \$ 10,000.00 + HST is part of the approved overall construction cost of \$ 871,580.78 and is now due.

Please advise if you have any questions concerning this invoice.

Regards,

Wilfred D. Lawrence, President, WDLA

1



Rural Municipality of West River Council Meeting Tentative Agenda

Meeting No: 2024-14

Time: 7:00 PM

Date: Thursday, April 25, 2024

Session: Regular - Public

Location: Afton Community Centre

Contact Person: Laala Jahanshahloo - CAO

Chair: Helen Smith-MacPhail - Mayor

Contact Info.: 902 675 7000 - admin@westriverpe.ca

Order of Business

- ✓ 1. Call to Order *7:01*
- ✓ 2. Land Acknowledgement
- ✓ 3. Adoption & Approval of Agenda *Stephen / Shuman*
- ✓ 4. Declarations of Conflict of Interest *- John / Lillian / Helen.*
- ✓ 5. Adoption of Previous Meeting's Minutes
 - ✓ 5.1. WRC.2023.13 - March 19, 2024, Council Meeting *Ryan / Lillian.*
 - ✓ 5.2. CW.2024.12 - April 11, 2024, Committee of Council Meeting *John / Aaron.*
- ✓ 6. Discussion Items
 - ✓ 6.1. FIN.2024.14.1- Awarding Grant - April 2024
 - ✓ 6.2. FIN.2024.14.2- CIVONUS Engagements Platform
 - ✓ 6.3. FIN.2024.14.3- Bonshaw Community Center Project - Deficiency Holdback Release
 - ✓ 6.4. FIN.2024.14.4 - Seniors Community Meal Grant Pilot Program Agreement
 - ✓ 6.5. FIN.2024.14.5 - Grass Cutting
 - ✓ 6.6. FIN.2024.14.6 - Rural Growth Initiative Funding - Playgrounds
 - ✓ 6.7. PLB.2024.14.1 - Bylaw #2024-02 - RMWR OP Amendment - PID 818500

TCH -
2 Boyle Rd } Pre existing
TCH - } if not
Churchill Rd } Zoning Amendment

- ✓ 6.8. PLB.2024.14.2 - Bylaw #2024-03 - RMWR LUB Amendment - PID 818500
- ✓ 6.9. PLB.2024.14.3 - Development Permit Extension - PID 219139
- ✓ 6.10. PLB.2024.14.4 - Secondary Suites - Development Agreement
- ✓ 6.11. OTR.2024.14.1 - APM Center Expansion Support
- ✓ 7. Informational Items Logan Docherty. -
- ✓ 7.1. EMO.2024.14.1 - Hurricane Fiona - Claim#2 - 11000 of 52000 →
- ✓ 7.2. EMO.2024.14.2 - Report of EMO Committee Meeting of April 25, 2024 →
- ✓ 7.3. ICS.2024.14.1 - Report of ICS Committee Meeting of April 03, 2024 →
- ✓ 7.4. PLB.2024.14.3 - Report of PLB Committee Meeting of April 11, 2024

8. Delegations & Public Input → ✓

\$ 200 per year

9. Adjournment

Excavation Pit
West River

2km 75\$ per year.
600\$ - 1500 New pit.

Kingston CAO -
- \$75 → \$200 existing

Build a building

- changing the
foot print everyday

- Environmental Impact
- Not to provide for other
\$ requirements
- 600 → community members had
mailed a letter
to every land owner.

What do you get for the
\$.

North side Boyle Rd.
- New pit based on land
size of pit?

Province Rules → 3/1 slope,
- return to plan B.



Rural Municipality of West River Council Meeting Minutes

Meeting No	2024-13	Time	7:00 PM
Session	Regular - Public	Date	Tuesday, March 19, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse - Administrative Assistant		
Regret	Councillor John Yeo, Councillor Lillian MacCannell		
Guest	Nil		

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Aaron MacEachern, and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Delegations & Public Input**

The Council heard concerns from Paul and Philip Hogan regarding their rezoning request.

- **Adoption of Previous Meeting's Minutes**

The minutes of February 22, 2024, Council Meeting were approved as circulated. It was moved by Councillor Steve Pollard, seconded by Councillor Aaron MacEachern, and unanimously carried.

The minutes of March 12, 2024, Committee of Council Meeting were approved as circulated. It was moved by Councillor Aaron MacEachern, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **Discussion Items**

- **FIN.2024.13.1 - Awarding Grant - March 2024**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-27

Moved by Deputy Mayor Shaun MacArthur, and **Seconded by** Councillor Steve Pollard

WHEREAS

Pursuant to Municipal Grant Bylaw #2022-02, the Committee of the Whole reviewed the grant request application and completed Schedule C for the Bonshaw Women's Institute and Long Creek Women's Institute, and,

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves awarding a one-time grant for each applicant from the 2024-25 operating budget as follows and authorized the CAO to execute it:

- An in-kind donation to waive the rental cost of one available room in the Bonshaw Community Center for Bonshaw Women's Institute to hold monthly meetings. This waiver is for monthly meetings and cannot be used to hold any events by Bonshaw Women's Institute. Any paid booking, the EMO/Emergency Reception Center activation, and the Election PEI rental period take priority.
- \$2,000 to Long Creek Women's Institute.

▪ **FIN.2024.13.2 - Transfer from Reserve Account to General Account**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-28

Moved by Councillor Aaron MacEachern and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

Pursuant to Reserve Funds Bylaw#2021-15 Section (6) Clause (6.3), all withdrawals from the Reserve Fund must be approved by a resolution of the Council, and

WHEREAS

The RMWR received the statement of municipal taxes levied for the tax year 2023 on February 29, 2024, showing the Balance owed to the municipality as of December 31, 2023, is \$15,095.30, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approved the transfer of \$12,000 from the "Reserve Fund" to the Municipality's General Bank Account and replace it as soon as taxes levied for the tax year 2023 have been received and authorized the CAO to execute it.

▪ **FIN.2024.13.3 - Gas Tax Fund Transfer Request**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-29

Moved by Councillor Steve Pollard and **Seconded by** Deputy Mayor Shaun MacArthur

WHEREAS

The Rural Municipality of West River has expended 100% of fully committed CCBF (Gas Tax) funding for all four active 58.1.1, 27.1.1, 32.1.1, and 57.1.1 projects, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Chief Administrative Officer to request fund transfers between projects (Appendix A, attached hereto, forming a part of this resolution) from the PEI Infrastructure Secretariat to balance and reconcile the allocated budget of the four active projects to prepare the final Annual Expenditure Report 2023-24.

▪ **PLB.2024.13.1 - Rezoning Request PID#202671**

Decision Type: Action

Status: Deferred

Background:

[PLBR#2024-01](#)

Description:

The item was deferred until the Council receives the following documents:

- Written confirmation from the Department of Transportation and Infrastructure that they will accept Fraser Lane as a public road; and
- Written confirmation from the owners of Fraser Lane that they have agreed to convey Fraser Lane to the Government of Prince Edward Island.

Moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Aaron MacEachern, and unanimously carried.

▪ **PLB.2024.13.2 - Rezoning Request PID#818500**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-30

Moved by Councillor Steve Pollard and **Seconded by** Deputy Mayor Shaun MacArthur

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time.

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-31

Moved by Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Steve Pollard

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time.

▪ **PLB.2024.13.3 - Bylaw #2022-04 Schedule of Fees (Schedule C) – Revision**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2024-32

Moved by Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

According to Schedule-A of the Fee Bylaw # 2021-11, Planning Permits must be determined by the Rural Municipality of West River Land Use Bylaw (#2022-04), and

WHEREAS

Schedule of Fees (Schedule C) of Bylaw #2022-04 sets the fee for applications under the Rural Municipality Official Plan and Land Use Bylaw, and

WHEREAS

According to Section 6.2 of the Rural Municipality of West River Official Plan, the Council may amend the schedule from time to time by resolution in accordance with Section 135 of the Municipal Government Act and may enact new user fees for other municipal services; and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on March 12, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River adopts the attached Schedule of Fees- Schedule C of Bylaw #2022-04- (Appendix A, attached hereto, forming a part of this resolution), with an effective date of March 19, 2024.

- **Meeting Time Extension**

At 8:30 PM, Councillor Aaron MacEachern motioned to extend the meeting, seconded by Deputy Mayor Shaun MacArthur, and it was unanimously carried.

- **Informational Items**

- **EMO.2024.13.1 - Hurricane Fiona disaster relief letter - P30006694**

Decision Type: Information

Status: Received

Background:

EMO.2024.12.1

Description:

The Intact Public Entities provided a denial letter according to section (1.3) of the PEI Disaster Financial Assistance Program, as the EMOPEI did not accept the insurance company's email with the same content.

- **PLB.2024.13.4 - Report of PLB Committee Meeting of March 12, 2024**

Decision Type: Information

Status: Received

Description:

The Committee received the report of the Planning Board Committee Meetings on March 12, 2024.

- **OTR.2024.13.1 - Letter of Support - Canoe Cove Community Association**

Decision Type: Information

Status: Received

Description:

On March 14, 2024, per the Canoe Cove Community Association (CCCA) request, the CAO provided a letter of support for the Frank & Dorothy Lewis Community Strength Fund, as CCCA has applied for a grant to restore the landscaping at the Canoe Cove Schoolhouse.

- **Adjournment**

- Deputy Mayor Shaun MacArthur motioned to adjourn the meeting at 8:40 PM.

- The next meeting will be on April 26, 2024.

-

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____

Appendix A – Motion#2024-29



Infrastructure Secretariat
65 Fitzroy St., 8th Floor, Suite
501, PO Box 2000,
Charlottetown, PE Canada
C1A 7W9

GAS TAX FUND TRANSFER REQUEST FORM

Municipality: West River
Date: March 2024

TRANSFER FUNDS BETWEEN PROJECTS

Please enter the name and number of the projects you wish to transfer funds between in the table below

Moving Funds From:

Amount	Project #	Project Name	New Project Total
\$7,999.55	58.1.1	Upgrades to Canoe Cove Park	\$226,828.43
\$46,872.55	57.1.1	Mutter Park Upgrades	\$224,005.30

Moving Funds To:

Amount	Project #	Project Name	New Project Total
\$54,872.10	32.1.1	Bonshaw Community Cultural Centre Upgrades	\$208,226.32

ADD UNCOMMITTED FUNDS TO AN EXISTING PROJECT

If you would like to add funds that you have yet to allocate to an existing project, please indicate in the table below. **Note: All new projects must have their own Capital Investment Plans**

Amount	Project #	Project Name	New Project Total

DECOMMIT FUNDS FROM AN EXISTING PROJECT

If you are overcommitted and would like to reduce your allocation to an existing project, please indicate in the table below.

Amount	Project #	Project Name	New Project Total

Laala Jahanshahloo
Chief Administrative Officer

Appendix A – Motion#2024-32

SCHEDULE C | SCHEDULE OF FEES

Last revised: March 19, 2024 (Motion #2024-32)

Application Type	Fee
Residential	
All residential (incl. additions, attached garages, basement floor area) (Commercial fees apply for residential buildings with 4+ dwelling units)	\$0.25/sq. ft. New (Min \$350 - Max \$1500) Renovation or addition (Min \$200 - Max \$1500)
Accessory structures	\$0.25/sq. ft. (Min \$100 - Max \$1,500)
Agricultural	
Agricultural/Forestry building or structure	\$0.20/sq. ft. (Min \$300 - Max \$1300)
Commercial / Industrial/ Institutional/ Recreational	
New construction, additions, and renovations, includes storage and accessory structures	\$0.40/sq. ft. New (Min \$500 - Max \$3,000) Renovation or addition (Min \$400 - Max \$2,000)
Excavation Pit	\$1,500 new / \$600 renewal
Wind Turbine	\$4.00/\$1,000.00 construction costs (Min \$200 - Max \$2,000)
Miscellaneous	
Change of use - existing building	\$150 + associated costs* if applicable
Demolition	\$150
Solar array, ground or roof mounted	\$150
Other non-commercial (decks, temporary permits, etc.)	\$100
Variance, Amendment, Rezoning	
Variances - No public meeting required	\$200 + associated costs*
Variances - Public meeting required	\$450 + associated costs. Deposit of \$4,000 before final council consideration*
Official Plan Amendment	\$500 + associated costs. Deposit of \$4,000 before final council consideration*
Bylaw Amendment/ Rezoning/ Site Specific Amendment	\$500 + associated costs. Deposit of \$4,000 before final council consideration*
Concurrent Official Plan and Bylaw Amendment (including concurrent amendments to Future Land Use Map and Zoning Map)	\$500 + associated costs. Deposit of \$4,000 before final council consideration*
Subdivision Applications	
Subdivision—up to 4 lots per subdivision	\$450 (1 lot) + \$200/additional lot
Subdivision—5 or more lots per subdivision	\$900 (3 lots) + \$150/additional lot
Lot Consolidation (includes boundary line adjustments through servitude and consolidation)	\$350
Subdivision of attached building	\$400
Agreements	
Development or Subdivision Agreement	\$400 + Deposit of \$4,000 for cost of registration at Registry Office & costs incurred by the Municipality in the preparation of the agreement, including professional and legal fees.

93 Rural Municipality of West River | Land Use Bylaw | Bylaw #2022-04 | Effective July 20, 2023

Appendix A - Motion #2024-32 (Continued)

Application Type	Fee
Other Agreements	\$400 + Deposit of \$4,000 for cost of registration at Registry Office & costs incurred by the Municipality in the preparation of the agreement, including professional and legal fees.
General Fees	
Permit Extension (prior to expiration of permit)	\$250, subject to council approval
Permit Renewal (after expiration of permit)	Full fees after expiry
Permits obtained after work has started	\$500 or double the permit fee, whichever is greater
Zoning Inquiry	\$100
* Associated costs shall be actual, quantifiable costs incurred by the Municipality in order to process the application or amendment, including professional and legal fees, notification fees for newspaper ads, hall rental, rental of public address system, and advertisement costs, postage, signage and any other the cost associated with the public meeting. A \$4,000.00 deposit must be paid by the applicant prior to the holding of any public meetings required under the Bylaw or by Council. Any monies paid in excess of the applicable fees and associated costs shall be refunded to the applicant.	
Policy for Refunds for Applications	
All fees are non-refundable.	



Rural Municipality of West River Committee of the Whole Meeting Minutes

Meeting No	2024-12	Time	7:00 PM
Session	Regular - Public	Date	Thursday, April 11, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor John Yeo, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse - Administrative Assistant		
Regret	Nil		
Guest	Trevor MacNeil and Rob McAdam - Communities 13 Inc Expansion Committee		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

▪ Adoption & Approval of Agenda

The following items were added to the agenda by Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, and Councillor John Yeo:

- OTR.24.12.1 - Municipality Office - In-House Phone Communication
- OTR.24.12.2 - Unsightly Property - Fire Hazard
- WRC.24.12.1 - Scheduling Conflicts with Public Meetings

The agenda was approved as circulated, including any added items. It was moved by Councillor John Yeo, seconded by Councillor Aaron MacEachern, and unanimously carried.

▪ Declarations of Conflict of Interest

Mayor Helen Smith-MacPhail, Councillor Lillian MacCannell and Councillor John Yeo recused themselves from item FIN.24.12.4, citing a conflict of interest.

• Presentation

▪ APM Centre Expansion

Decision Type: Action

Status: Recommended

Background:

Motion #2021-116 & OTR.2024.12.2

Description:

The Committee heard a presentation from Trevor MacNeil and Rob McAdam regarding APM Centre Expansion (Appendix 12.1, attached hereto, forming a part of these minutes). The Committee recommends that the Council support the expansion subject to protecting RMWR interest and keeping the same share as Letters Patent of Communities 13 Inc. (May 31, 2001).

• Recommended Items

▪ FIN.24.12.1 - Policy #2024-01 - Donation Policy

Decision Type: Action

Status: Referred

Background:

WRC.23.2.1

Description:

The Committee referred this item to the CAO for drafting a Policy enabling RMWR to receive donations and issue tax receipts.

▪ FIN.24.12.2 - CIVONUS Engagements Platform – Proposal

Decision Type: Action

Status: Recommended

Background:

OTR.24.10.1

Description:

The Committee recommends that the Council accept the Ciconus Engagements Platform for community engagement proposal.

▪ **FIN.24.12.3 - Bonshaw Community Center Project - Deficiency Holdback Release**

Decision Type: Action

Status: Recommended

Description:

The Committee recommends that the Council authorize the Bonshaw Community Center Deficiency Holdback release.

▪ **FIN.24.12.4 - Grant Request**

Decision Type: Action

Status: Recommended

Background:

The Municipality received the following Grant Request Applications:

- St. Catherine Women's Institute (NFP/NGO) on March 19, 2024, requesting \$4000.
- Meadowbank Women's Institute (NFP/NGO) on March 28, 2024, requesting \$1000.
- Canoe Cove Community Association (NFP/NGO) on April 10, 2024, requesting \$3000.
- The GooRoos requested the free use of a room at the Bonshaw Community Center or Afton Community Center on March 28, 2024.
- On April 2, 2024, the Central Queens Branch of the PEI Wildlife Federation (CQWF) (NFP/NGO) requested a reduction of office rental space in Bonshaw Community Center from \$500+HST to \$250, including HST.

The remaining grant budget for the Community Building & Engagement Grant for the 2024-25 fiscal year is \$6,750.00.

Description:

The Committee completed Schedule C of Bylaw#2022-02 for all applicants and recommended that the Council approve the following grants:

- To award \$2,000 to St. Catherine Women's Institute.
- To award \$1,000 to Meadowbank Women's Institute.
- To award \$2,000 to Canoe Cove Community Association.
- The donation is in-kind to waive the rental cost of using available space in Afton so that the GooRoos can rehearse.
- The donation in-kind to CQWF for office space rental costs in Bonshaw Community Center, only for this year, will decrease it from \$500+HST to \$250, including HST.

▪ **FIN.24.12.5 - Seniors Community Meal Grant Pilot Program**

Status: Recommended

Background:

FIN.24.11.10

Description:

The Committee recommended that the Council sign this agreement to participate in the Seniors Community Meal Grant Pilot Program.

▪ **FIN.24.12.6 - Grass Cutting**

Decision Type: Action

Status: Recommended

Background:

ICS.24.03.2; The Municipality of West River requests quotes for lawn-cutting services for the 2024 season, which requires weekly/biweekly services for Afton Community Centre, Roy

Mutter Recreation Fields, Legacy Park, Bonshaw Community Centre, and Bonshaw Cemetery.

The following quotes were received by the deadline of 5:00 PM on April 11, 2024:

- South Shore Enterprises Inc., \$38709.00 (including HST).
- Lewis Property Management, \$13685.00 (including HST).
- JW Gass Cemetery Services, \$13685.00 (including HST).
- Chad Cormier, Bonshaw Cemetery free, \$11,600.00 (including HST).
- John Nordquist, only two locations, \$2900.00 (Not HST)

Description:

The Committee reviewed the received quotes according to [Policy# 2022-03](#) and recommended that the Council award the contract to J W Gass Cemetery Services.

▪ **PTY.24.12.1 - Rice Point Wharf - Fence**

Decision Type: Action

Status: Not Recommended

Background:

PTY.24.11.1

Description:

The committee decided to install street lights from Maritime instead of the fence to increase safety and security at Rice Point Wharf.

▪ **OTR.24.12.1 - Municipality Office - In-House Phone Communication**

Decision Type: Action

Status: Referred

Description:

The committee recommends that municipal staff explore the options available for phone answering directory services so that more information can be provided when staff are unable to answer phone calls.

▪ **OTR.24.12.2 - Unsightly Property**

Decision Type: Action

Status: Referred

Background:

PTY.24.9.4

Description:

The Committee reviewed the Unsightly property complaint regarding a property on Meadowbank Road and referred this item to the Mayor to contact MLA of District 16 again.

▪ **WRC.24.12.1 - Scheduling Conflicts with Public Meetings**

Decision Type: Action

Status: Referred

Description:

The Committee discussed concerns regarding the need for a dedicated space for Council and Committee meetings. Such space would be easily accessible for public attendees and free from noise disruption arising from concurrent activities in the building. The Committee referred this matter to the Community Service Manager to take provisions to ensure that the main hall at Afton Community Centre is blocked off for all pre-scheduled meetings.

• **Informational Items**

▪ **EMO.24.12.1 - Fiona Claims - Budget Deficit**

Decision Type: Information

Status: Received

Description:

As all the expenses for Fiona's clean-up and recovery have been paid from the RMWR's operating budget, the municipality will face a budget deficit if the submitted claim to EMOPEI does not reimburse the entire paid cost.

- **FIN.24.12.7** - PEI Seniors' Secretariat Grant

Decision Type: Information

Status: Received

Description:

The Municipality submitted an application requesting funding from the PEI Seniors' Secretariat on April 5, 2024.

- **PTY.24.12.2** - Mutter Park Boundary Encroachment

Decision Type: Information

Status: Received

Background:

PTY.24.9.2

Description:

The adjacent property owners at the north end of Mutter Park accepted the proposed price of \$4,000.

- **OTR.24.12.2** - Messages Received from Website

Decision Type: Information

Status: Received

Description:

The following messages were received via RMWR's portal:

- From a Nine Mile Creek resident: "The APM building and the ice surface are among our community's heartbeats. Our district very much needs a second ice surface. Our

- communities are growing, and as exciting as that is, our services need to grow as well. Please make this expansion a priority."
- Complain about roaming dogs.

- **Adjournment**

- Councillor Shaun MacArthur motioned to adjourn the meeting at 8:25 PM.
- The next meeting will be on May 9, 2024.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____

Appendix 12.1

APM CENTRE EXPANSION

March 19th 2024

COMMUNITIES 13 INC.

The APM Centre was constructed in 2001. Communities 13 Inc. is a not-for-profit charitable organization incorporated to construct, own and operate the APM Centre multi-use recreational complex. Each resident of the 13 communities is a member of the organization.

In 2024 there are eight communities

- Cornwall
- Clyde River
- Miltonvale Park
- West River
- Kingston
- Hampshire
- North Wiltshire
- Warren Grove

WHERE WE STARTED...

- Three years ago we noticed that teams from NRMHA, Wildcats & Matrix were often practicing & playing outside of the APM Centre. 46 KM away in Borden for example.
- The population is increasing in our 8 communities and other infrastructures are being expanded to reflect this growth. (Schools, Roads, Subdivisions, Water/Sewer etc).
- In 2021 members of our committee decided to attend the Communities 13 AGM to inquire about expansion and learn more about the APM Centre.



GROWING
POPULATION

Appendix 12.1 (Continued)

THE VISION

To create a community recreation facility that reflects the needs and growth of our community.

WHY DOES THIS MAKE SENSE?

- The land is already available, the original design allowed for expansion and the current Cornwall master plan features an expansion.
- Firland Feasibility study in 2022 confirmed the need.
- The population of Cornwall has grown 48% since 2001, making our area one of the fastest growing in Canada. With 16,000 residents in our 8 communities, we are larger than Summerside.
- There is a significant demand for community recreation space. There is an opportunity to expand the gymnasium, fitness centre and add a dedicated racquet sports area.

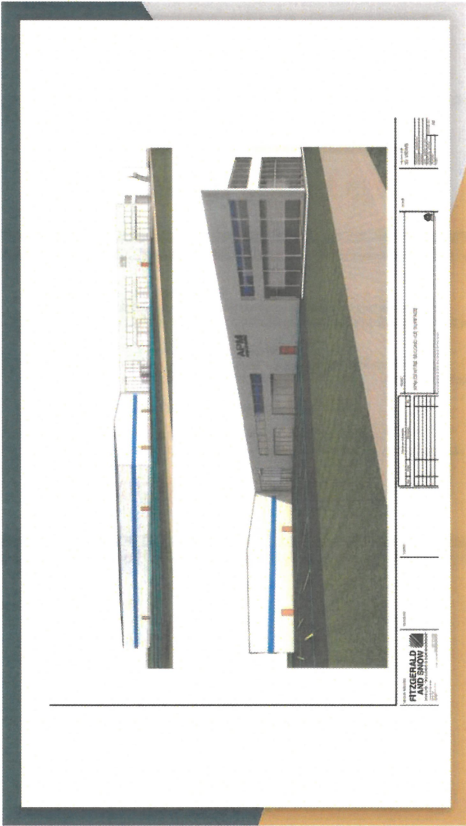
WHY DOES THIS MAKE SENSE?

- NRMHA is the second largest minor hockey association with over 600 registrations and only one ice surface.
- All other associations with at least 400 registered players have at least 2 ice surfaces
- Our facility cannot meet our current ice time demands and there are limited opportunities for other ice sports (ringette) and other activities.
- With 16,000 residents, we deserve and have the population to support an expansion

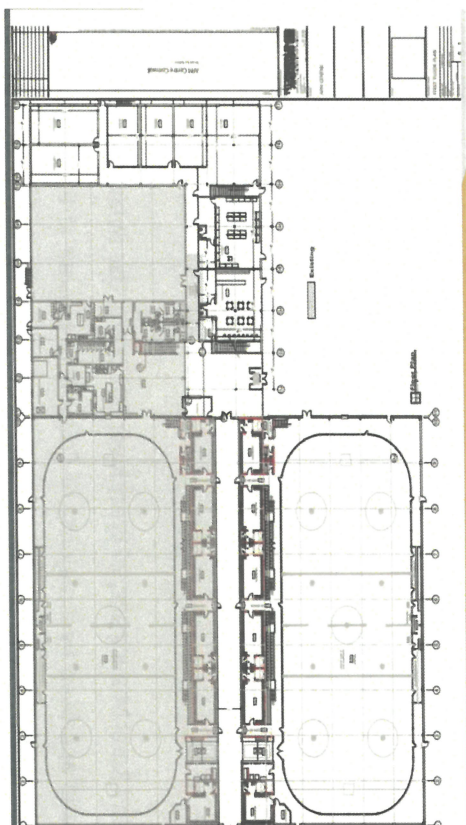
Appendix 12.1 (Continued)



Appendix 12.1 (Continued)



Appendix 12.1 (Continued)



Appendix 12.1 (Continued)

FUNDING

Projects like this typically get funding from 3 parts of Government

- 1/3 Federal
- 1/3 Provincial
- 1/3 13 Communities (Fundraise, Gas Tax, etc.)



WHAT CAN YOU DO?

Reach out by email or phone to your...

1. Town Council Members and Mayor
2. Mark McLane
3. Heath MacDonald

Let them know that you support this project.

This project will only move forward if the 3 levels of Government know that our communities want to make this a priority.



FINAL THOUGHTS

Such an expansion would not only meet current demands but also cater to future growth trends predicted for our 13 Communities. It's time we invest in infrastructures that reflect who we are as a community - vibrant and growing!

Join us in urging local authorities to support this much-needed expansion of the APM centre – let's create spaces where every member of our community can thrive!

RURAL MUNICIPALITY OF WEST RIVER**Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw****Bylaw # 2024-03****PID 818500, Shaws Wharf Rd, Saint Catherine's, PE****Effective Date**

The effective date of Bylaw # 2024-03, the bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw (Bylaw#2022-04), is the date as signed below by the Minister of Housing, Land and Communities.

Authority - Bylaw Amendment

The Council for the Rural Municipality of West River, under the authority vested in it by Sections 18 and 19 of the Planning Act R.S.P.E.1.1988 Cap p-8, hereby enacts as follows:

Amendment - Land Use Bylaw

The land use for a 34-acre parcel of land (PID 818500) at Shaws Wharf Rd, Saint Catherine's, PE, as shown in Schedule A attached to this bylaw, amends SCHEDULE A-ZONING MAP of the Rural Municipality of West River Land Use Bylaw#2022-04 insofar as it affects the land (PID 818500) Identified on Schedule A, which is zoned Rural Residential RR, thereby excluding it from the former zone of Rural Area RA.

First Reading

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, was read for the first time and approved by a majority of Councillors present at the Council meeting held on the 19th day of March 2024.

Second Reading

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, was read for the second time and approved by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

Adoption and Approval by Council

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, was adopted by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, is declared to be passed on the ____ day of _____ 2024.

Helen Smith-MacPhail

Mayor

Laala Jahanshahloo

Chief Administrative Officer

Ministerial Approval

The 2022 Land Use Bylaw Amendment, Bylaw # 2024-03 is hereby approved.

Dated on this ____ day of _____ 2024.

Hon. Rob Lantz

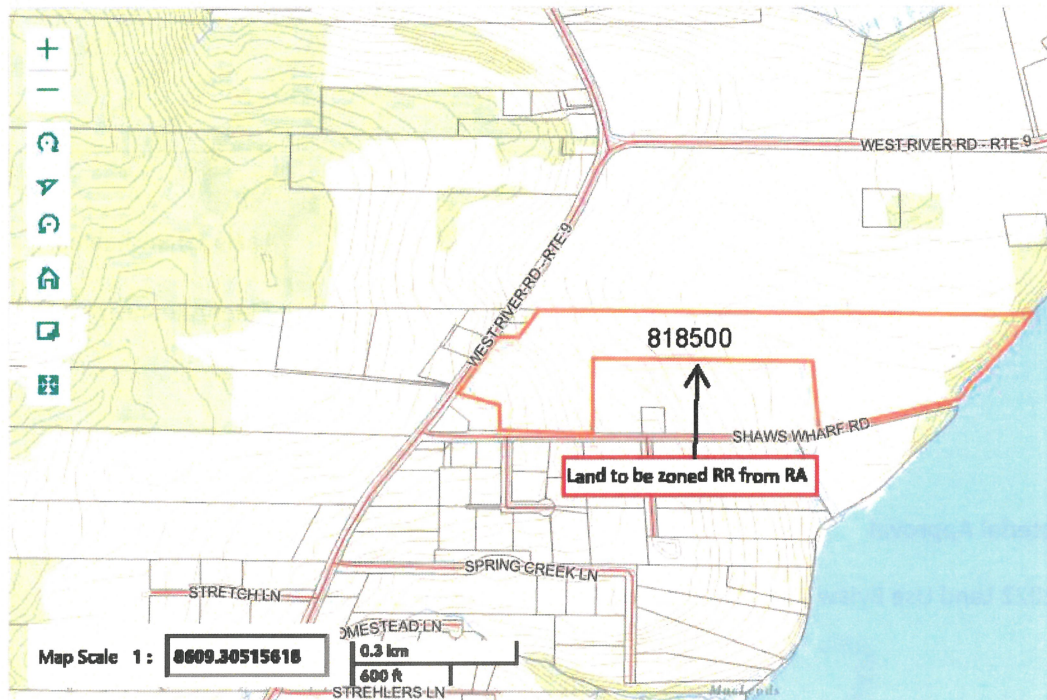
Minister of Housing, Land and Communities

Schedule A

Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw

Bylaw # 2024-03

Geolinc Plus Property Map



RURAL MUNICIPALITY OF WEST RIVER**Bylaw to Amend Rural Municipality of West River 2022 Official Plan****Bylaw # 2024-02****PID 818500, Shaws Wharf Rd, Saint Catherine's, PE****Effective Date**

The effective date of Bylaw # 2024-02, the bylaw to Amend Rural Municipality of West River 2022 Official Plan, is the date as signed below by the Minister of Housing, Land and Communities.

Authority - Bylaw Amendment

The Council for the Rural Municipality of West River, under the authority vested in it by Sections 18 and 19 of the Planning Act R.S.P.E.1.1988 Cap p-8, hereby enacts as follows:

Amendment - Official Plan Bylaw

The Official Plan for a 34-acre parcel of land (PID 818500) at Shaws Wharf Rd, Saint Catherine's, PE, as shown in Schedule A attached to this bylaw, amends SCHEDULE A – FUTURE LAND USE MAP of the Rural Municipality of West River Official Plan Bylaw#2022-04 insofar as it affects the land (PID 818500) identified on Schedule A, which is zoned Rural Residential RR, hereby excluding it from the former zone of Rural Area RA.

First Reading

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, was read for the first time and approved by a majority of Councillors present at the Council meeting held on the 19th day of March 2024.

Second Reading

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, was read for the second time and approved by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

Adoption and Approval by Council

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, was adopted by a majority of Councillors present at the Council meeting held on the ____ day of _____ 2024.

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, is declared to be passed on the ____ day of _____ 2024.

Helen Smith-MacPhail

Mayor

Laala Jahanshahloo

Chief Administrative Officer

Ministerial Approval

The 2022 Official Plan Amendment, Bylaw # 2024-02 is hereby approved.

Dated on this ____ day of _____ 2024.

Hon. Rob Lantz

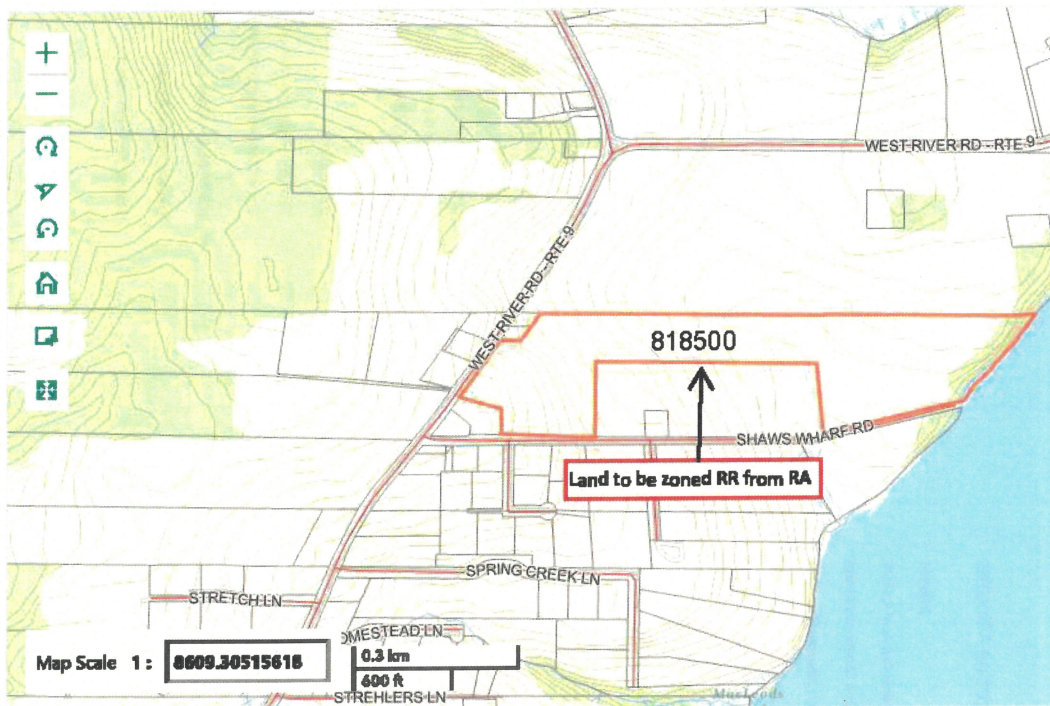
Minister of Housing, Land and Communities

Schedule A

Bylaw to Amend Rural Municipality of West River 2022 Official Plan

Bylaw # 2024-02

Geolinc Plus Property Map





Rural Municipality of West River ICSC Meeting Minutes

Meeting No	2024-03	Time	7:00 PM
Session	Regular - Public	Date:	Wednesday, April 3, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Lori Ashley, Bev MacIsaac, Laala Jahanshahloo - CAO, Cody MacDonald - Community Services Manager		
Regret	Councillor Lillian MacCannell		
Guest	Jim Matheson from Afton BOD - Marion Copleston, Jonathan Simons, and Tim Hamming from Bonshaw BOD		

▪ Call to Order

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

▪ Adoption & Approval of Agenda

The following items were added to the agenda by Deputy Mayor Shaun MacArthur and Councillor Aaron MacEachern:

- ICS.24.03.9 - Bonshaw Community Center Flagpole
- ICS.24.03.10 - Bonshaw Community Center Plaques and Display
- ICS.24.03.11 - Bonshaw Community Center Cleaner
- ICS.24.03.12 - Fire Alarm at Bonshaw Community Center

The agenda was approved as circulated, including any added items. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Aaron MacEachern, and unanimously carried.

▪ Declarations of Conflict of Interest

Nil

• Adoption of Previous Meeting's Minutes

The September 28, 2023, Event Committee Meeting minutes were approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Mayor Helen Smith-MacPhail and unanimously carried.

The January 23, 2024, Interim Community Services Committee Meeting minutes were approved as circulated. It was moved by Bev MacIsaac, seconded by Lori Ashley, and unanimously carried.

• Recommendation Items

▪ ICS.24.03.1 – Bonshaw Community Center Office Rental

Decision Type: Action

Status: Recommended

Background:

Motion#2024-10: The Central Queens Branch of the PEI Wildlife Federation, who previously rented office space in Bonshaw Community Center, requested a lower rental fee until next year to give them time to build the rent increase into their next year's budget. The group will submit a grant request for in-kind donations to cover a portion of the rental expense for 2024-25.

Description:

The Committee recommended that the Council accept this grant request for in-kind donation and offset the rental fee to \$250, including HST.

▪ ICS.24.03.2 – Grass Cutting

Decision Type: Action

Status: Recommended

Description:

The Committee reviewed outsourcing grass-cutting versus buying equipment and hiring staff for five municipally owned properties. The committee recommends hiring third-party vendors and directs the CAO to follow the Municipality's policy to obtain quotes for the required service.

- **ICS.24.03.3 - Afton and Bonshaw Community Centers' BODs – Financial Transition**

Decision Type: Action

Status: Recommended

Background:

ICS.24.02.6

Description:

Afton and Bonshaw Community Center BOD representatives discussed a vision for the funds remaining in their accounts. They were advised that the RMWR, as a municipality, is qualified and able to receive directed charitable donations. The Afton and Bonshaw Community Center BODs could donate their funds to RMWR, which will be kept in separate bank accounts and used per their instructions for charitable purposes.

- **ICS.24.03.4 - Bonshaw Community Center Opening Ceremony**

Decision Type: Action

Status: Deferred

Description:

The official re-opening ceremony for the Bonshaw Community Center was discussed. The committee deferred this matter to their next meeting. It was moved by Councillor Aaron MacEachern, seconded by Deputy Mayor Shaun MacArthur, and unanimously carried.

- **ICS.24.03.5 – Programming for Approved Funding**

Decision Type: Action

Status: Referred

Background:

The Municipality has received funding through various resources, including the Central Region Sport & Recreation Council, New Horizons for Seniors, and Senior's Community Meal Grant.

Description:

The Committee referred this item to the Community Services Manager to draft an operational plan for funding expenditures according to the agreement requirement.

- **ICS.24.03.6 - Canada Day Celebration Preparation**

Decision Type: Action

Status: Referred

Background:

Motion# 2023-83

Description:

The Committee referred this item to the Community Services Manager to start planning the event and secure entertainment, including but not limited to a musical band, face painting, clown or magician.

- **ICS.24.03.9 - Bonshaw Community Center Flagpole**

Decision Type: Action

Status: Referred

Background:

PTY 17.6

Description:

The Committee referred this item to the Maintenance Manager to coordinate with the vendor to install the flagpole.

▪ **ICS.24.03.10 - Bonshaw Community Center Plaques and Display**

Decision Type: Action

Status: Referred

Background:

The War Memorial plaque from Bonshaw Community Center was previously installed in the lobby, the rooms had dedication plaques, and the Canada 150 plaques contained valuable information about the community.

Description:

The Committee referred this item to the Community Services Manager to build stands and install the plaques.

▪ **ICS.24.03.11 - Bonshaw Community Center Cleaner**

Decision Type: Action

Status: Referred

Description:

The Committee referred this item to the Community Services Manager to contact the former cleaner of Bonshaw Community Center and discuss the terms of resuming the work.

▪ **ICS.24.03.12 - Fire Alarm at Bonshaw Community Center**

Decision Type: Action

Status: Referred

Background:

The Fire Marshal advised that if more than one room is to be used for the care of children, pull station fire alarms must be installed in the Bonshaw Community Center building.

Description:

The Committee referred this item to the CAO and Community Services Manager to look for funding to install the required fire safety equipment.

• **Information Items**

▪ **ICS.24.03.7 - RMWR's Expenditure for Afton Community Centre**

Decision Type: Information

Status: Received

Description:

The CAO provided a summary of the maintenance and operational expenses paid by RMWR for upkeep and day-to-day operation of Afton Community Center.

▪ **ICS.24.02.8 -RMWR's Expenditure for Bonshaw Community Center**

Decision Type: Information

Status: Received

Description:

The CAO provided a summary of the maintenance and equipping expenses paid by RMWR for facilitating the opening of the Bonshaw Community Center.

• **Adjournment**

▪ Councillor Aaron MacEachern motioned to adjourn the meeting at 8:30 PM.

▪ The next meeting will be on May 6, 2024.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____



Rural Municipality of West River Council Meeting Minutes

Meeting No	2024-14	Time	7:00 PM
Session	Regular - Public	Date	Thursday, April 25, 2024
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	To be approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor John Yeo, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse - Administrative Assistant		

Regret

Guest

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Choose an item, seconded by Choose an item., and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Adoption of Previous Meeting's Minutes**

The minutes of March 19, 2024, Council Meeting were approved as circulated. It was moved by Choose an item., seconded by Choose an item. and unanimously carried.

The minutes of April 11, 2024, Committee of Council Meeting were approved as circulated. It was moved by Choose an item , seconded by Choose an item , and unanimously carried.

- **Discussion Items**

- **FIN.2024.14.1- Awarding Grant - April 2024**

Decision Type: Action

Status: Motion Carried (__ - __)

Description: Motion 2024-33

Moved by *Shawn*, and **Seconded by** *Steven*.

WHEREAS

Under Municipal Grant Bylaw #2022-02, the Committee of the Whole reviewed the grant request application and completed Schedule C for St. Catherine Women's Institute, Meadowbank Women's Institute, Canoe Cove Community Association, The GooRoos Group, and the Central Queens Branch of the PEI Wildlife Federation (CQWF), and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves awarding a one-time grant for each applicant from the 2024-25 operating budget as follows and authorized the CAO to execute it:

- An in-kind donation to the GooRoos group to waive the rental cost of using available space in Afton so that the GooRoos can rehearse.
- An in-kind donation to CQWF for office space rental costs in Bonshaw Community Center, only for this year, will decrease it from \$500+HST to \$250, including HST.
- \$2,000 to St. Catherine Women's Institute.
- \$1,000 to Meadowbank Women's Institute.
- \$2,000 to Canoe Cove Community Association.

*/per month
for 12 months*

■ **FIN.2024.14.2- CIVONUS Engagements Platform**

Decision Type: Action

Status: Motion Carried (_ - _)

Description: Motion 2024-35/

Moved by John ~~Choose an item~~, and **Seconded by** ~~Choose an item~~. Ryan.

• Official plan amendment

• New Horizon
- face to face
w seniors

• community services committee.

WHEREAS

The Committee of the Whole heard a presentation about Civonus as an online tool designed to help Municipalities facilitate public participation in the development of policy and programming on February 8, 2024, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 11, 2024

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts Civonus's proposal (Appendix A - attached hereto, forming a part of this resolution) at \$7500 plus HST and authorizes the CAO to execute it.

BE IT RESOLVED

The contract will be paid from the budget allocated for Professional Fees (50%) and Official Plan (50%).

■ **FIN.2024.14.3- Bonshaw Community Center Project - Deficiency Holdback Release**

Decision Type: Action

Status: Motion Carried (_ - _)

Description: Motion 2024-35

Moved by Shawn ~~Choose an item~~, and **Seconded by** Killian ~~Choose an item~~.

WHEREAS

According to Motion#2024-25, the Council for the Rural Municipality of West River approved the release of the holdback for the original contract and 14 change orders for the Bonshaw Community Center Improvement project, and

WHEREAS

According to Motion #2021-55, the project admin approved the release of the deficiency holdback (Appendix A, attached hereto, forming a part of this resolution), and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approved the release of the deficiency holdback for \$20,000 plus HST for the works that were not entirely completed by the trades by January 31, 2024, in the Bonshaw Community Center Improvement project and authorized the CAO to execute it.

▪ **FIN.2024.14.4 - Seniors Community Meal Grant Pilot Program Agreement**

Decision Type: Action

Status: Motion Carried (___-___)

Description: Motion 2024-36

Moved by John Choose an item. **and Seconded by** Stephen Choose an item.

WHEREAS

The municipality applied for the Seniors Community Meal Grant Pilot Program on March 4, 2024, and received approval from Department of Social Development and Seniors for \$5,000 on March 21, 2024, and

WHEREAS

According to the Municipal Government Act Subsection (156) (5), a council may, by resolution, authorize the chief administrative officer alone to sign contracts and agreements, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council acknowledges that signing this agreement to participate reflects the municipality's understanding of shared objectives and terms established by the 2024 Seniors Community Meal Grant Pilot Program Funding Agreement between the Government Province of PEI and the Rural Municipality of West River and authorizes the CAO to sign the necessary documents and contracts on behalf of the Municipality.

- \$5000.00*
- Food safety course, required insurance, vendors/ seniors meal.
- May 6th.
- **FIN.2024.14.5 - Grass Cutting**

Decision Type: Action

Status: Motion Carried (_ - _)

Description: Motion 2024-37

Moved by *Steven* Choose an item. **and Seconded by** *Shawn* Choose an item.

WHEREAS

The Committee reviewed the received quotes and the scope of work according to Policy# 2022-03, also including the history of the vendor services, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts the proposal from J W Gass Cemetery Services for lawn-cutting services for the 2024 season for weekly/biweekly services for Afton Community Centre, Roy Mutter Recreation Fields, Legacy Park, Bonshaw Community Centre, and Bonshaw Cemetery at a cost of \$13,685.00 (including HST) and authorizes the CAO to execute it.

- Rice Point - Bonshaw Cemetery -*
- **FIN.2024.14.6 - Community Revitalization Program – Playgrounds Construction**

Decision Type: Action

Status: Motion Carried (__ - __)

Description: Motion 2024-38

Moved by *Lillian* Choose an item. and **Seconded by** *Ryan* Choose an item.

WHEREAS

The Municipality has applied to receive funding to build playgrounds at Afton Community Center and Bonshaw Community Center through the Rural Growth Initiative funding program, and

BE IT RESOLVED

The Council acknowledges that signing this agreement to participate reflects the municipality's understanding of shared objectives and terms established by the Community Revitalization Program Funding Agreement between the Government Province of PEI and the Rural Municipality of West River and authorizes the CAO to sign the necessary documents and contracts on behalf of the Municipality.

- PLB.2024.14.1 - Bylaw #2024-02 - RMWR OP Amendment - PID 818500

Decision Type: Action

Status: Motion Carried (__ - __)

Description: Motion 2024-39

Moved by *John* Choose an item. and **Seconded by** *Ryan* Choose an item.

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, ^{was} be read and approved a first time on March 19, 2024,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a second time.

Decision Type: Action

Status: Motion Carried (__ - __)

Description: Motion 2024-40

Moved by *Shawn* and **Seconded by** *Joh.*

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, ^{was} be read and approved a first time on March 19, 2024,

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a second time on April 25, 2024,

BE IT RESOLVED

That the Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be adopted by the Council.

■ **PLB.2024.14.2 - Bylaw #2024-03 - RMWR LUB Amendment - PID 818500**

Decision Type: Action

Status: Motion Carried (_ - _)

Description: Motion 2024-41

Moved by *Steven* and **Seconded by** *Joh.*

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, ^{was} be read and approved a first time on March 19, 2024,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a second time.

Decision Type: Action

Status: Motion Carried (__ - __)

Description: Motion 2024-42

Moved by *Sham* *WNS* and **Seconded by** *Ry* *WNS*

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time on March 19, 2024,

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a second time on April 25, 2024,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be adopted by the Council.

▪ **PLB.2024.14.3 - Development Permit Extension - PID 219139**

Decision Type: Action

Status: Motion Carried (__ - __)

Description: Motion 2024-43

Moved by *Steve* *WNS* and **Seconded by** *John* *WNS*

WHEREAS

Development Permit W-12-05 was issued under the authority of Rural Municipality of West River for that portion of the municipality with the former municipality of New Haven – Riverdale as regulated by the New Haven – Riverdale Zoning and Subdivision Control (Development) Bylaw on April 6, 2021, and

WHEREAS

This resolution bears the recommendation of the Planning Board Committee, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River grants a 24-month permit extension without any cost as it is the last outstanding permit issued under the NHR OP&ZDB.

▪ **PLB.2024.14.4 - Secondary Suites – Development Agreement**

Decision Type: Action

Status: Motion Carried (___-___)

Description: Motion 2024-44

Moved by *Willis* **and Seconded by** *Ryan*

WHEREAS

According to Bylaw #2022-04 section 11.1 (3) (b) & (c), that strict application of all bylaw standards would impose an undue hardship on the applicant by excluding them from the same rights and privileges for reasonable use of their lot and the variance is of the least magnitude required to enable the reasonable use of the lot; and

WHEREAS

The new Subdivision and Development Regulations under the Planning Act came into effect on February 10, 2024, to support Accessory Dwelling Units, and

WHEREAS

This resolution bears the recommendation of the Planning Board Committee, as discussed at a meeting held on April 11, 2024,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves excluding development agreement requirements for any eligible Secondary Suites applicant who submits the Variance application and pays the required fees.

▪ **. OTR.2024.14.1 - APM Center Expansion Support**

Decision Type: Action

Status: Motion Carried (___-___)

Deferred - further information

182

Description: Motion 2024-45

Moved by Choose an item. **and Seconded by** Choose an item.

WHEREAS

Trevor MacNeil and Rob McAdam gave a presentation similar to the one held at the APM centre the previous Tuesday with greater detail.

WHEREAS

The difficulty in moving this worthwhile project forward is based on the requirement to have a single municipal principal initiator in order to move the feasibility study beyond the drawing phase to seek quotes and to subsequently seek Federal and Provincial funding.

WHEREAS

The current model of Communities 13 as a non-profit owning and running the facility was not viable in the context of expanding the centre to include a second ice surface and additional racket and commercial spaces.

BE IT RESOLVED

Council was supportive of the work being done by the expansion committee, but without any hard estimates or a formula for municipal funding, no financial commitment to the project was made.

12-15million
(25million).

Council supports the APM centre expansion committee and the Communities 13 board to explore options to allow a single government entity to take the lead in moving the project forward, to seek quotes and to apply for Federal and Provincial Funding. Council will maintain its current capital funding to the centre and will evaluate further support at such a time as is appropriate should the project advance beyond the concept phase.

- **Meeting Time Extension**

At ____ PM, Choose an item. motioned to extend the meeting, seconded by D Choose an item., and it was unanimously carried.

We need to invite - Consultant or lawyer
- lawyer on retainer.

*Change the Bylaw ?? →

- **Informational Items**

- **EMO.2024.14.1 - Hurricane Fiona - Claim#2**

Decision Type: Information

Status: Received

Background:

EMO.2024.13.1

Description:

Only received 11K out of 52K claim#2

Federal funding from ACOA done no chance to submit any application

- **EMO.2024.14.2 - Report of EMO Committee Meeting**

Decision Type: Information

Status: Received

Description:

The Committee received the report of the Emergency Measures Committee Meetings on April 25, 2024.

- **ICS.2024.14.1 - Report of ICS Committee Meeting**

Decision Type: Information

Status: Received

Description:

The Committee received the report of the Interim Community Service Meetings on April 03, 2024.

- **PLB.2024.14.3 - Report of PLB Committee Meeting**

Decision Type: Information

Status: Received

Description:

The Committee received the report of the Planning Board Committee Meetings on April 11, 2024.

- **Delegations & Public Input**

The Council heard concerns from

- **Adjournment**

- Choose an item, motioned to adjourn the meeting at ____ PM.
- The next meeting will be on May 23, 2024.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____

RURAL MUNICIPALITY OF WEST RIVER

Bylaw to Amend Rural Municipality of West River 2022 Official Plan

Bylaw # 2024-02

PID 818500, Shaws Wharf Rd, Saint Catherine's, PE

Effective Date

The effective date of Bylaw # 2024-02, the bylaw to Amend Rural Municipality of West River 2022 Official Plan, is the date as signed below by the Minister of Housing, Land and Communities.

Authority - Bylaw Amendment

The Council for the Rural Municipality of West River, under the authority vested in it by Sections 18 and 19 of the Planning Act R.S.P.E.1.1988 Cap p-8, hereby enacts as follows:

Amendment - Official Plan Bylaw

The Official Plan for a 34-acre parcel of land (PID 818500) at Shaws Wharf Rd, Saint Catherine's, PE, as shown in Schedule A attached to this bylaw, amends SCHEDULE A – FUTURE LAND USE MAP of the Rural Municipality of West River Official Plan Bylaw#2022-04 insofar as it affects the land (PID 818500) identified on Schedule A, which is zoned Rural Residential RR, hereby excluding it from the former zone of Rural Area RA.

First Reading

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, was read for the first time and approved by a majority of Councillors present at the Council meeting held on the 19th day of March 2024.

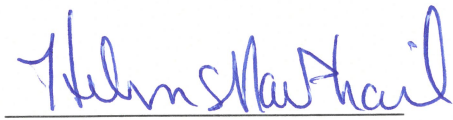
Second Reading

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, was read for the second time and approved by a majority of Councillors present at the Council meeting held on the 25th day of April 2024.

Adoption and Approval by Council

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, was adopted by a majority of Councillors present at the Council meeting held on the 25th day of April 2024.

The bylaw to Amend Rural Municipality of West River 2022 Official Plan, Bylaw #2024-02, is declared to be passed on the 25th day of April 2024.



Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer

Ministerial Approval

The 2022 Official Plan Amendment, Bylaw # 2024-02 is hereby approved.

Dated on this ____ day of _____ 2024.

Hon. Rob Lantz

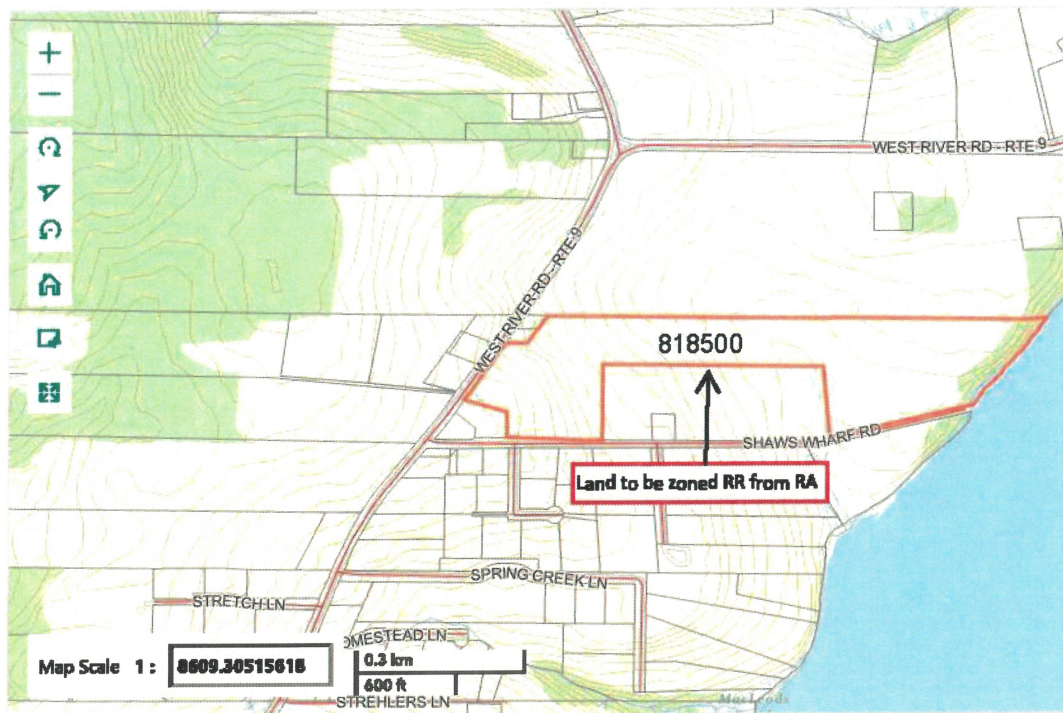
Minister of Housing, Land and Communities

Schedule A

Bylaw to Amend Rural Municipality of West River 2022 Official Plan

Bylaw # 2024-02

Geolinc Plus Property Map







Rural Municipality of West River

Resolution

Title: Bylaw # 2024-02 - Bylaw to Amend Rural Municipality of West River 2022

Official Plan - First Reading

Motion Carried	<u>4-0</u>	Motion No	2024-30
Motion Lost	_____	Date	March 19, 2024
Motion Withdrawn	_____	Council Meeting No	2024-13
Moved by Councillor Steve Pollard			
Seconded by Deputy Mayor Shaun MacArthur			

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

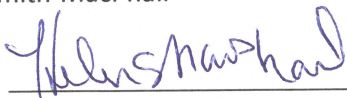
BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer





Rural Municipality of West River

Resolution

Title: Bylaw # 2024-02 - Bylaw to Amend Rural Municipality of West River 2022

Official Plan - Second Reading

Motion Carried	<u>6-0</u>	Motion No	2024-39
Motion Lost	_____	Date	April 25, 2024
Motion Withdrawn	_____	Council Meeting No	2024-14
Moved by Councillor John Yeo	_____ 		
Seconded by Councillor Ryan Roggeveen	_____ 		

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time on March 19, 2024,

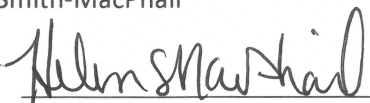
BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a second time.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer

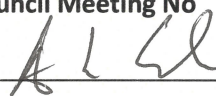





Rural Municipality of West River

Resolution

Title: Bylaw # 2024-02 - Bylaw to Amend Rural Municipality of West River 2022
Official Plan - Adoption

Motion Carried	<u>6-0</u>	Motion No	2024-40
Motion Lost	<u> </u>	Date	April 25, 2024
Motion Withdrawn	<u> </u>	Council Meeting No	2024-14
Moved by Councillor Aaron MacEachern			<u></u>
Seconded by Councillor John Yeo			<u></u>

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a first time on March 19, 2024, and

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be read and approved a second time on April 25, 2024,

BE IT RESOLVED

That the Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Official Plan, be adopted by the Council.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer



RURAL MUNICIPALITY OF WEST RIVER**Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw****Bylaw # 2024-03****PID 818500, Shaws Wharf Rd, Saint Catherine's, PE****Effective Date**

The effective date of Bylaw # 2024-03, the bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw (Bylaw#2022-04), is the date as signed below by the Minister of Housing, Land and Communities.

Authority - Bylaw Amendment

The Council for the Rural Municipality of West River, under the authority vested in it by Sections 18 and 19 of the Planning Act R.S.P.E.1.1988 Cap p-8, hereby enacts as follows:

Amendment - Land Use Bylaw

The land use for a 34-acre parcel of land (PID 818500) at Shaws Wharf Rd, Saint Catherine's, PE, as shown in Schedule A attached to this bylaw, amends SCHEDULE A-ZONING MAP of the Rural Municipality of West River Land Use Bylaw#2022-04 insofar as it affects the land (PID 818500) Identified on Schedule A, which is zoned Rural Residential RR, thereby excluding it from the former zone of Rural Area RA.

First Reading

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, was read for the first time and approved by a majority of Councillors present at the Council meeting held on the 19th day of March 2024.

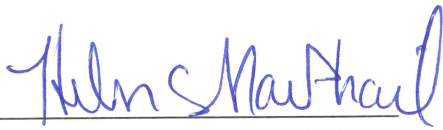
Second Reading

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, was read for the second time and approved by a majority of Councillors present at the Council meeting held on the 25th day of April 2024.

Adoption and Approval by Council


The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, was adopted by a majority of Councillors present at the Council meeting held on the 25th day of April 2024.

The bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw, Bylaw #2024-03, is declared to be passed on the 25th day of April 2024.



Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer

Ministerial Approval

The 2022 Land Use Bylaw Amendment, Bylaw # 2024-03 is hereby approved.

Dated on this ____ day of _____ 2024.

Hon. Rob Lantz

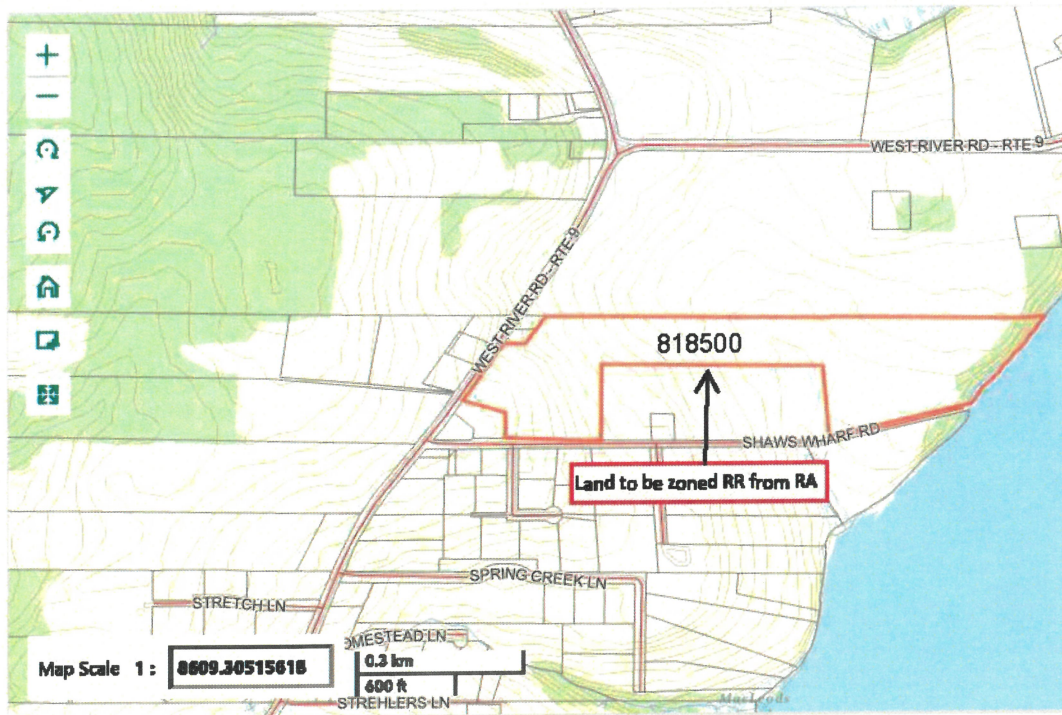
Minister of Housing, Land and Communities

Schedule A

Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw

Bylaw # 2024-03

Geolinc Plus Property Map





Rural Municipality of West River

Resolution

Title: Bylaw # 2024-03 - Bylaw to Amend Rural Municipality of West River 2022

Land Use Bylaw - First Reading

Motion Carried

4-0

Motion No

2024-31

Motion Lost

Date

March 19, 2024

Motion Withdrawn

Council Meeting No

2024-13

Moved by Deputy Mayor Shaun MacArthur

Seconded by Councillor Steve Pollard

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

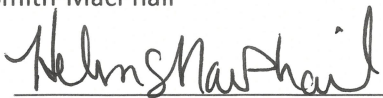
BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer ..





Rural Municipality of West River

Resolution

Title: Bylaw # 2024-03 - Bylaw to Amend Rural Municipality of West River 2022

Land Use Bylaw - Second Reading

Motion Carried

6-0

Motion No

2024-41

Motion Lost

Date

April 25, 2024

Motion Withdrawn

Council Meeting No

2024-14

Moved by Councillor Steve Pollard

Seconded by Councillor John Yeo

WHEREAS

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time on March 19, 2024,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a second time.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Mayor

Laala Jahanshahloo

Chief Administrative Officer



Rural Municipality of West River

Resolution

Title: Bylaw # 2024-03 - Bylaw to Amend Rural Municipality of West River 2022

Land Use Bylaw - Adoption

Motion Carried

6-0

Motion No

2024-42

Motion Lost

Date

April 25, 2024

Motion Withdrawn

Council Meeting No

2024-14

Moved by Deputy Mayor Shaun MacArthur

Seconded by Councillor Ryan Roggeveen

WHEREAS

An application to rezone a parcel of land, PID # 818500, located at Shaw's Wharf Rd, St Catherines, has been submitted concurrently with a subdivision application for the subject parcel so the owner could eventually be allowed to subdivide the subject parcel into 13 lots for residential development; and

WHEREAS

The West River Planning Board recommended the approval of this proposed rezoning of PID#818500 from Rural Area (RA) to Rural Residential (RR) and that appropriate amendments to the official plan and land use bylaw be prepared and approved,

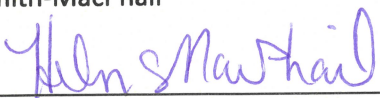
BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2024-02, Bylaw to Amend Rural Municipality of West River 2022 Land Use Bylaw#2022-04, be read and approved a first time.

I certify that this is a true copy of the resolution.

Helen Smith-MacPhail

Mayor



Laala Jahanshahloo

Chief Administrative Officer ..

