



## Rural Municipality of West River Planning Board Committee Minutes

<b>Meeting No</b>	2025-20	<b>Time</b>	6:00 PM
<b>Session</b>	Regular - Public	<b>Date</b>	Thursday, May 8, 2025
<b>Chair</b>	Helen Smith-MacPhail - Mayor	<b>Location</b>	Afton Community Centre
<b>Adoption status</b>	Approved	<b>Contact Person</b>	Susan Morse - CAO
<b>Attendance</b>	Mayor Helen Smith-MacPhail Deputy Mayor Shaun MacArthur Councillor Aaron MacEachern Councillor Daniel Sud Councillor John Yeo Councillor Lillian MacCannell Councillor Steve Pollard, Susan Morse Interim CAO		
<b>Regret</b>	Nil		
<b>Guest</b>	Nil		

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 6:03 PM.

- **Adoption & Approval of Agenda**

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

- **Declarations of Conflict of Interest**

Nil

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

The minutes of May 1, 2025, Public Meeting were approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Daniel Sud and unanimously carried.

- **Recommended Items**

- **PLB.25.20.1 – Rezoning Request PID#681239 Update**

**Decision Type:** Action

**Status:** Referred

**Background:**

PUB MTG-25-01

**Description:**

The period for public comments related to the rezoning request will end tonight at 7 PM. The applicant, Mr. MacIsaac, submitted a response to the public comments made at the meeting, Appendix A attached hereto forming a part of these minutes.

The CAO asked committee members if they would like clarification regarding any of the public comments. The Committee requested clarification regarding concerns that were brought up at the public meeting:

- availability of adequate water supply for wells
- is there was a non-development clause in the property's deed
- Section 13.7.1(A) of the Land Use Bylaw pertaining to deeded beach access and if this section means that a developer must provide steps to the beach.
- Have there been buffer zone infringements or fines levied related to the clean up work that was done.

The committee stated it was regrettable that the applicant had not communicated with the Municipality or submitted a subdivision request prior to the clean-up work being done.

Deputy Mayor Shaun MacArthur informed the committee that a resident had asked him if Council has discretion to say no to a rezoning application. Mayor Helen Smith-MacPhail stated that Council must act in accordance with the Official Plan and Land Use Bylaw which states that 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. The committee was reminded that Council must be prepared to defend its decisions as they can be appealed to IRAC.

- **PLB.25.20.2 – Land Use Bylaw Amendments Update**

**Decision Type:** Action

**Status:** Recommended

**Background:**

PLB.25.19.1

**Description:**

The CAO presented the committee with a legal opinion that was received regarding private roads for subdivisions. The Municipality's lawyer recommends the best course of action is to continue to require public roads for subdivisions within the Rural Municipality of West River. The committee stated appreciation for the clarification and does not recommend changing the road standards in the Land Use Bylaw.

The CAO informed the committee that the above legal consultation was costly and clarified if they would like to proceed with obtaining a legal opinion related to Section 13.15.2 subsection b which requires that all lots including the parent parcel be surveyed and pinned when subdividing or consolidating land or doing boundary line adjustments. The committee directed the CAO to proceed with the same as they recognize the value in having reliable information easily available to inform the public of the reasons for the bylaw requirements.

The Committee inquired if the Land Use Bylaw includes restrictions regarding minimum street lengths. The CAO clarified that the Land Use Bylaw does not mention a minimum street length.

- **Information Items**

- **PLB.25.20.3– Permit Report – Permits issued in April**

**Decision Type:** Information

**Status:** Received

**Description:**

The Following permits were approved in April 2025

Permit Number	Description	Location
014-WR-25	Single Unit Dwelling & Accessory Structure	Green Road, Bonshaw
015-WR-25	Single Unit Dwelling (Mini-Home)	Rte 19, Canoe Cove
016-WR-25	Single Family Dwelling (Mini Home) & Accessory Structure	New Argyle Road, Canoe Cove
017-WR-25	Structure for Agricultural Use (Horizontal Silos)	Rte 19, Meadowbank
018-WR-25	Single Dwelling Unit with Attached garage	West River Road-Rte 9, St. Catherines

- **Delegations & Public Input or Questions from the Audience and Public Input**
  - Nil.
- **Adjournment**
  - Deputy Mayor Shaun MacArthur to adjourn the meeting at 6:58 PM.
  - The next meeting will be June 12, 2025

Helen Smith-MacPhail

Susan Morse

Mayor \_\_\_\_\_ Chief Administrative Officer \_\_\_\_\_

## Appendix A – Email from Dan MacIsaac

Thank you for meeting May 1 on my rezoning application.

While I am aware not everyone would be happy to see a change of land use happen close to them I do not see this application causing long term anguish from neighbours who are concerned it will disrupt their lifestyle. The land will never be used for agriculture or commercial use and should therefore be best used for single one acre lot residential as two acre lots are not of interest to prospective purchasers.

Our closest neighbours were concerned about foot traffic on their property from new residents and liability should a new resident hurt themselves on their property. While this can be the case for any neighbouring property anywhere on PEI we can provide signage if necessary covering private property use and even indemnify adjacent property owners of liability associated with third party claims related to injury on adjacent properties should we ever see a need and agree on a right of way on their property.

Local contractors have advised me that water supply has not been an issue in recent years and maybe technology and adjustments have eliminated those concerns in new construction.

I have previously explained how Fiona precipitated this application and the resulting need for trucks and equipment to access the total property to clean up the mess and remove the fire hazard. I think this shows we do care about our neighbours and that our property appearance post Fiona is better than most in similar circumstances.

Other comments like “there was a no development clause in the purchase and sale agreement” when I purchased the property in 1996 and “our property tax will increase” are not accurate .

While I understand this application will intensify use I do not expect this development will reach maturity for at least 5-6 years and will blend into the community in a receptive manner.

Dan MacIsaac