

Public Meeting  
July 11, 2017  
6:30 p.m.

The Council of the Resort Municipality held a public meeting on Tuesday, July 11, 2017 at 6:30 p.m., at the North Rustico Lion's Club. The purpose of the meeting was to provide the public with an opportunity to review and comment on **ALL** of the items listed below:

**PID#232447 – owned by Cavendish Tourism Complex Development Inc.:** The Environmental Impact Assessment for a 43 unit cottage development, a playground, an office, 6 year round rental units and a swimming pool.

**PID #442608 – owned by Raspberry Point Oyster Co. Inc. in Stanley Bridge:** An amendment to the General Land Use Map in the Official Plan 2017 to re-designate this parcel from the current Rural to Resort Commercial and an amendment to the Zoning Map of the Zoning and Subdivision (Control) Bylaw 2017 to rezone this parcel from the current RR (Rural) Zone to RD4 (Resort Commercial) Zone. The purpose of these amendments is to allow for commercial use and storage on the property for the company.

**PID #233569 – owned by Ronnie and Irene Blacquiere in North Rustico:** An amendment to the General Land Use Map in the Official Plan 2017 to re-designate this parcel from the current Rural to General Commercial and an amendment to the Zoning Map of the Zoning and Subdivision (Control) Bylaw 2017 to rezone this parcel from the current RR (Rural) Zone to C1 (General Commercial) Zone. The purpose of these amendments is to allow for a house and a commercial business on the parcel.

**PRESENT:** Chair: Matthew Jelley. Councillors: Linda Lowther, Edmond Richard, George Clark Dunning, Kay Hryckiw and CAO - Brenda MacDonald.

**ABSENT:** David Gauthier and Gwen Wyand.

**VISITORS:** There were 10 visitors in attendance at the meeting. Janeen McGuigan and Dale Conroy were present from Stantec. Jackie MacIntyre for Raspberry Point Oyster Co. Inc. Ronnie Blacquiere.

**CALL TO ORDER:**

Planning Board Chair Richard called the meeting to order at 6:30 p.m.

Planning Board Chair Richard advised the public of the agenda and the meeting process and that the only items being discussed at the meeting tonight are the items listed on the agenda.

Planning Board Chair Richard turned the meeting over to Chair Jelley.

Chair Jelley advised that the meeting is being taped for office use only.

Chair Jelley advised everyone to sign in at the back of the room if they haven't done so for the record.

Chair Jelley advised that each agenda item will be discussed in the order presented and once one agenda item is dealt with it, it will not be revisited again during the meeting.

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Chair Jelley advised that if someone would like to speak to an agenda item to stand and state their name for the record.

Chair Jelley advised the public that the first agenda item is the Environmental Impact Assessment for Cavendish Tourism Complex Development Inc. for a 43 unit cottage development, a playground, an office, 6 year round rental units and a swimming pool.

Chair Jelley turned the meeting over to Dale Conroy from Stantec.

Dale Conroy and Janeen McGuigan were at the meeting from Stantec and they confirmed that they were hired by Jay Dong to complete the environmental impact assessment for the property along with the sewer, water and road development.

Janeen presented the document regarding the phases of the project as it will be completed in three phases. In 2017, it will include 17, two-bedroom cottages, 4, three-bedroom cottages, the new road, sewer and wells, the swimming pool and deck, playground, and maintenance building.

Janeen commented on the large wetland that is on the property and that it will be maintained as outlined by the Department of Environment.

Janeen commented on the on-site wells and having two of them on site to have one as a redundant system. The municipal sewer will be central and piped to the Cavendish Sewer Lagoons and an assessment was completed on the flows. The storm water will meet the provincial requirements as outlined by the Department of Transportation, Infrastructure and Energy.

Vic Greenwood questioned if there will be a sewer station on the property. Janeen advised that there probably won't be as the system will be designed to go with the gravity flow.

Janeen confirmed that if this portion of the project is approved, the next step would be for the engineers to take the plan of the sewer, water and storm water to Communities, Land and Environment for approval.

Vic Greenwood advised that in the document it shows about six year round units and he wanted to know where those stand as there is no mention of it tonight at the meeting.

Dale advised that the site is a seasonal site and there will be no year round units. He advised that the printed document that was presented at the meeting tonight by the municipality said that there is year round units and there is none planned.

The CAO advised that the permit that was submitted confirmed that there was six year round units.

Jay Dong explained that there will be year-round units as part of phase two on the plan.

Dale advised that it will be in phase two based on what Jay advised as it will be part of the year round office complex.

Brian Kingston asked how much impact this has on sewer capacity in the whole community.

Janeen noted that on page section 2.12 of the report it dictates the water and sewer plan for the site. She advised that they expect the flows to be between 21 and 27 cubic meters per day from phase one to phase two of the development.

Chris Robinson questioned what is the likely impact and the expected usage on the property with the full development of 43 rental cottages and a pool.

Janeen confirmed that based on the size of the development, they have to get a wastewater extraction permit for the property. She advised that in total it is expected that there will be 7,344 cubic meters pumped to the lagoons and that the water usage is equivalent to that of the sewerage usage.

Chris Robinson asked if they find that there is an issue with the well testing and that you know that there is a constraint on the water, is that known before the development is started.

Janeen advised that it is not expected to be an issue based on the usage in the area.

Chair Jelley confirmed that over the last couple of years that there were improvements made at the lagoon site as two of the cells were not being used. Work was completed to the cells and now they can be used for sewer flows as well and this amount of sewerage would have little impact on the system.

Chair Jelley advised that there have been three people into the office for information as well as two phone calls received but no written comments were received as of tonight's meeting.

After receiving all the input from the meeting tonight and by the deadline date, the planning board will meet and review the information that has been received and provide a recommendation to the Council on the application.

Chair Jelley moved on to PID #442608 – owned by Raspberry Point Oyster Co. Inc. in Stanley Bridge: A request has been received for an amendment to the General Land Use Map in the Official Plan 2017 to re-designate this parcel from the current Rural to Resort Commercial.

Chair Jelley turned the meeting over to Jackie MacIntyre to present the information on behalf of Sea Cross Inc.

Jackie commented on Raspberry Point Oyster Company and on their properties. She noted that with the expansion of the business in the former Fiddles and Vittles property they are needing more space to store their equipment and supplies for their commercial business. She advised that they now have 30 – 35 employees working year-round processing mussels and oysters. She advised that they will only be using a portion of the land for commercial purposes and that they will be maintaining the rest in agriculture production.

Chair Jelley advised that that there were three calls received at the office looking for more information but no written comments were received as of today's meeting.

There were no questions raised by the public.

Chair Jelley moved on to an amendment to the Zoning Map of the Zoning and Subdivision (Control) Bylaw 2017 to rezone this parcel from the current RR (Rural) Zone to RD4 (Resort Commercial) Zone. The purpose of this amendment is to allow for commercial use and storage on the property for the company.

Jackie asked if there were any further questions as the same information applies to this portion of the meeting.

Chair Jelley held up the drawing for the property showing the area in which they wish to have commercial activities on the property with the storage of commercial equipment.

Jackie advised that the highway access for the property will be in the existing location on the site.

Chair Jelley advised that that there were three calls received at the office looking for more information but no written comments were received as of today's meeting.

Chair Jelley moved on to the next agenda item. PID #233569 – owned by Ronnie and Irene Blacquiere in North Rustico: An amendment to the General Land Use Map in the Official Plan 2017 to re-designate this parcel from the current Rural to General Commercial

Chair Jelley turned the meeting over to Ronnie Blacquiere to present the information on his proposal.

Ronnie presented the information on his permit application.

Ronnie presented a petition in support of his application that he had signed from property owners in the North Rustico area.

Ronnie explained that he has the opportunity to sell his property and that is why he is requesting the commercial zoning for a year round residence and a small commercial business that will have low impact on the neighboring properties.

Brian Kingston advised that the first issue he has with the request is regarding the entranceway as the Department of Environment will not allow anything to be developed in this area but the property owner has already taken trees out illegally as the owner was advised to not cut any trees down around the stream.

Ronnie noted that the Department of Environment advised him that he could cut down anything that was dying on the property.

Brian Kingston advised that the entrance is now grass and that it is a "mortal sin" as he should have followed the rules.

Chair Jelley explained that on Brian's first point that this is a general land use amendment to the General Land Use Map in the official plan.

Chair Jelley advised that highway access is determined by the Department of Transportation regarding an access being granted for this property.

Chair Jelley advised that if Brian wants to address concerns then he has to bring up relevant information to the General Land Use Map Amendment as that is what is being discussed.

Brian Kingston advised that the amendment will cause him undue hardship and that it is not compatible with the surrounding uses.

Brian explained that his property was rezoned as commercial for his wife's pottery shop and she will be retiring in two years and he will be taking over the shop. He advised that he currently builds guitars out of his house and will be moving to the shop once she retires. He noted that he builds guitars worth tens of thousands of dollars and sells them in the states. He also noted that the noise from vehicles coming into the gift shop on this property will disrupt him when he will work on his guitars as he cannot have noise over certain decibels.

Brian Kingston advised that when he bought his property he did so as he was told that the properties around him would not be changed to commercial as it was rural land.

Brian Kingston advised that Ronnie hasn't spent a night on the property and wants to rezone the property so he can sell it to someone else to develop a commercial business.

Chair Jelley advised that there were five people into the office to get information on the proposal along with seven calls received at the office and two letters have been received for the meeting tonight.

Brian Kingston suggested that the property could be zoned as R1 as there is no need for a commercial zoning of the property to General Commercial as the R1 zoning allows for business and professional office and this type of development falls under this zoning.

Chair Jelley advised that he wants to make sure that the public has the correct information as Ronnie Blacquiere has applied for C1 (General Commercial) Zoning and based on the suggestion from Brian Kingston the R1 (Residential) Zone does not allow for a commercial gift shop as they are not having a business or professional office. They are looking to have a commercial business for the sale of products and goods and that is not the same.

Chair Jelley moved on to the next portion of the meeting on an amendment to the Zoning Map of the Zoning and Subdivision (Control) Bylaw 2017 to rezone this parcel from the current RR (Rural) Zone to C1 (General Commercial) Zone. The purpose of these amendments is to allow for a house and a commercial business on the parcel.

Chair Jelley advised that part of the review by the planning board and the Council is that there is appropriate use around the property that is proposed to be rezoned.

Chair Jelley advised that the zoning on the property owned by Brian and Kerry Kingston was rezoned to RD4 and they could apply to have an attraction on their property as it is the most open zone in the municipality.

Brian Kingston advised that he is the adjacent landowner and this rezoning deeply affects his property.

Brian Kingston talked about the next issue being the Pearl Café and the changes that were made to that property. He noted that its use has changed over the years from the residence, lawn and garden to a café and now a lounge.

Chair Jelley advised that the Council has a role in the municipality and part of that role is to follow the process to take rezoning applications to the public for input as well as to look at the complete bylaw when making decisions on applications for all property owners.

Brian Kingston advised that he has been on his property for 20 years now and there are plenty of craft shops in the area and he feels that the rural land should be preserved for pastoral land.

Chair Jelley advised Brian that he is going to ask the public in the room if they have any questions on the meeting as no one else has had a chance to ask any questions since this portion of the meeting started and he assured Brian that he would come back to him on his questions but wanted to make sure that everyone had a chance to ask questions or provide input to the Council.

Chair Jelley advised that the Council must look at all sections of the bylaw when reviewing a rezoning request. He also advised that there are commercial developments throughout the North Rustico end of the municipality and the Council has to weigh all input that is received when making a decision on a rezoning request.

Chair Jelley advised that there were five people into the office to get information on the proposal along with seven calls to the office looking for more information and two written comments were received for the meeting tonight.

Chair Jelley read out the letters received from Kerry Kingston adding to the comments that were presented at the meeting tonight asking for her name to be removed from the petition information as she does not support the rezoning.

Chair Jelley advised that a letter was received from David and Weston Rollings opposing the rezoning based on the fact that they are going to have a potato farmer using their property in 2018 and that they don't want a conflict with a commercial business next door.

Chair Jelley advised the public that we are now discussing the Rezoning Amendment request for Ronnie & Irene Blacquiere to Rezone property # 442608 from the Current (RR) Rural Zone to C1 (General Commercial) Zone to allow for a house and gift shop on the property.

Ronnie Blacquiere asked if there were any further questions on his information that was presented.

Brian Kingston advised that he had some more issues to raise during this portion of the meeting.

Brian Kingston established his concerns again over the highway access as well as about the trees being cut at the entrance to the property and about the adjacent landowner going to have a potato farmer using the land.

Brian Kingston raised concerns again on the use of the property and being incompatible with the bylaw.

Brian Kingston raised concerns again over the non-conforming use on the property.

Chair Jelley advised that the property is a vacant lot now so it cannot be incompatible with the uses of the land as it is not developed.

Chair Jelley advised that this is an approved lot and you cannot take away approval from an approved lot once it has been granted as it has met all requirements provincially and municipally to be granted.

Brian Kingston advised that it fits under Section 4.46 of the bylaw and that if the property is going to be rezoned that it should be under the R1 zoning.

Kerry Kingston had advised that Ronnie came into her shop to get her to sign a petition in support of his rezoning request while she had someone in her shop so she signed it just to get him to leave.

Chair Jelley advised that he wanted to read for the record that an e-mail had been received from Kerry Kingston to have her name officially removed from the petition of support for Ronnie Blacquiere's request and it has been removed from the record as was discussed in the earlier portion of the meeting.

Chair Jelley stated that if a property owner brings forward a request to rezone land that this Council will bring their request forward to the public to gather input on the request prior to making a decision on the rezoning as this is the required process under the bylaw.

Chair Jelley advised that there were five people into the office to get information on the proposal along with seven calls to the office looking for more information and two written comments were received for the meeting tonight.

Chair Jelley read out the letters received from Brian Kingston as well as David and Weston Rollings for the record.

Chair Jelley advised that a letter was received from David and Weston Rollings opposing the rezoning based on the fact that they are going to have a potato farmer using their property in 2018 and that they don't want a conflict with a commercial business next door.

Chair Jelley thanked everyone for attending the meeting and reminded everyone that there were comment sheets at the back of the room and that the public had until July 14, 2017 to send in written comments to the municipal office on any of the proposals that were presented at the meeting.

ADJOURNMENT:

Chair Jelley adjourned the meeting at 8:00 p.m..

  
Chair Matthew Jelley

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