



Agenda
Town of Three Rivers
Special Council Meeting

January 16, 2023

Immediately following Special Committee of Council meeting
Town Hall - Council Chambers

1. **Call to Order**
2. **Approval of Agenda**
Motion:
THAT the agenda be approved as presented.
3. **Disclosure of Conflict of Interest**
4. **Presentations and Delegations**
Speakers are allowed five (5) minutes to present to Council. Council will not debate or enter into a dialogue with speaker(s) during the presentation. Council may question speaker(s) after presentation.
5. **Planning Board Report**

5.1 Subdivision Application - Case 83.22.SDL, PID 689547, 338 Lower Montague Road, Lower Montague

Motion:

THAT the proposed 9 lot subdivision at 338 Lower Montague Rd, Lower Montague, PID#689547, be approved on the following conditions:

1. An Environmental Impact Assessment with Council's terms is provided.
2. Establish a Home Owner's Association which shall, at a point to be determined by Council, assume ownership and maintenance of all private Roads.
3. The road shall be constructed by the Developer in accordance with the standards established by the Provincial Government for public Roads, with the exception of finished pavement. Final subdivision approval shall not be granted by Council until the Road has been certified by a professional engineer licensed to practice on Prince Edward Island.
4. Final subdivision approval shall be granted by Council only after the applicant has complied fully with all applicable requirements of this Section and has submitted seven (7) copies of a final subdivision plan showing all Lots pinned and certified by an accredited member of the Association of Prince Edward Island Land Surveyors.
5. The Development Officer, on behalf of Council, shall give notice of final approval of a subdivision in writing to the applicant. Council shall place its approval stamp on the seven (7) copies of the survey plan and shall return one copy to the applicant.
6. Final approval of a subdivision plan shall not be given by Council until:
 1. the survey plan has been submitted for recommendations to any appropriate provincial or federal government departments.
 2. all agreements and other pertinent documents have been prepared and concluded to the satisfaction of Council.
 3. all transactions involving the transfer of money or land in conjunction with the subdivision of land have been secured to the satisfaction of Council,
 4. a digital file containing the (real earth) geographic co-ordinates of said plan of subdivision has been submitted.
7. Upon approval Council shall establish a reserve fund to reserve the funds that are received for upgrades and maintenance to existing public open spaces.

5.2 Subdivision Application - Case 93.22.SDL, PID 1022391, 62 Big Ben Road, Brudenell

Motion:

THAT the proposed subdivision of PID#1022391, 62 Big Ben Rd, Brudenell be approved on the following conditions:

Conditions:

1. All transactions involving the transfer of money or land in conjunction with the subdivision have been made to the satisfaction of Council.
2. The subdivision has been surveyed and the survey plan has been certified by a Prince Edward Island Land Surveyor & the planning department has received 6 copies.
3. Approval obtained from appropriate provincial departments.
4. Will not cause undue flooding or erosion or adversely affect the water table.
5. Has convenient public street access.
6. Furnish evidence that an on-site sewage disposal system permit has been obtained and meets the requirements, according to the PEI Sewage Disposal Regulations.
7. Provide proof of registered right of way agreement.

5.3 Development Application - Case 94.22.DEP, PID 193409, Lot 06-09 Robin Crescent, Lower Montague

Motion:

THAT the development permit for the single-family dwelling to be located at lot 06-09 Robin Ct, Lower Montague PID 193409, be approved subject to the following conditions:

Condition 1: Prior to issuing a development permit a drainage plan shall be submitted for approval by the planning & development officer.

Condition 2: prior to construction and prior to the establishment of a lawn, silt controls in the form of numerous strawbale filters shall be in the swales (drainage routes) identified on the approved drainage scheme. The installation and use of a silt fence shall be required.

Condition 3: For future consideration by the applicant, it is advised that an agreement is registered in the PEI Registry Office, binding on all landowners abutting or fronting on the right-of-way providing for the long term ownership and maintenance of the right-of-way, such agreement shall be binding on all heirs, successors and assigns of the current property owners, as suggested in the Community of Lower Montague Development Bylaw at part 4.12(iii).

Condition 4: The following constitutes the approved plans:

- Plan 2190SE dated 9 December 2022
- Application form dated 28 November 2022
- Site plan (revised) dated 21 December 2022

5.4 Development Application - Case 95.22.DEP, PID 193409, Lot 06-16 Robin Crescent, Lower Montague

Motion:

THAT the development permit for the single-family dwelling to be located at lot 06-16 Robin Ct, Lower Montague PID 193409, be approved subject to the following conditions:

Condition 1: Prior to issuing a development permit a drainage plan shall be submitted for approval by the planning & development officer.

Condition 2: Prior to construction and prior to the establishment of a lawn, silt controls in the form of numerous strawbale filters shall be in the swales (drainage routes) identified on the approved drainage scheme. The installation and use of a silt fence shall be required by the Development Officer if demanded by deteriorating site conditions at any point during construction.

Condition 3: For future consideration by the applicant, it is advised that an agreement is registered in the PEI Registry Office, binding on all land owners abutting or fronting on the right-of-way providing for the long term ownership and maintenance of the right-of-way, such agreement shall be binding on all heirs, successors and assigns of the current property owners, as suggested in the Community of Lower Montague Development Bylaw at part 4.12(iii).

Condition 4: The following constitutes the approved plans:

- Plan 2190SE dated 9 December 2022
- Application form dated 28 November 2022
- Site plan (revised) dated 21 December 2022

5.5 Subdivision Application - Case 96.22.SDL, PID 252916, 374 Lower Montague Road, Lower Montague

Motion:

THAT the proposed 3 lot subdivision 374 Lower Montague Rd, Lower Montague, PID 252916, be approved on the following conditions:

1. Final subdivision approval shall be granted by Council only after the applicant has complied fully with all applicable requirements of this Section and has submitted seven (7) copies of a final subdivision plan showing all Lots pinned and certified by a an accredited member of the Association of Prince Edward Island Land Surveyors.
2. The Development Officer, on behalf of Council, shall give notice of final approval of a subdivision in writing to the applicant. Council shall place its approval stamp on the seven (7) copies of the survey plan and shall return one copy to the applicant.
3. Final approval of a subdivision plan shall not be given by Council until:
 1. the survey plan has been submitted for recommendations to any appropriate provincial or federal government departments.
 2. all agreements and other pertinent documents have been prepared and concluded to the satisfaction of Council.
 3. all transactions involving the transfer of money or land in conjunction with the subdivision of land have been secured to the satisfaction of Council.
 4. a digital file containing the (real earth) geographic co-ordinates of said plan of subdivision has been submitted.

6. Adjournment

Motion:

THAT the meeting be adjourned.