

SPECIAL COUNCIL MEETING
APRIL 1, 2021

Mayor Eric Gavin called this April 1, 2021 special meeting of Council to create priority list for sidewalk work and to consider subdivision application from Stanley MacDonald. Called to order at 5:30 pm.

Present: Mayor Eric Gavin; Deputy Mayor Darren MacKinnon; Councillors Judy MacIsaac, Kevin Maynard, Joey Dumville, and Darrel Wood; and CAO Bev Shaw.
Regrets: Councillor Valene Gallant.

Agenda Item # 1 - Subdivision application from Stanley MacDonald

At last council meeting, Council reviewed this application but requested more information on whether the Town can grant a variance to the lot sizes and requirements as the Town cannot be less stringent than the Province Wide Minimum Development Standards Regulations (PWMSDR). Bev consulted with Samantha Murphy, PEI Planner, and was advised that the Town is required to follow the PWMSDR which states new lots must be 15000 square feet with the ability to fit a 100 foot circle within it and to grant a variance, a soil assessment must be done by developer to determine what Lot Category the soil is which determines what size the lot needs to be to provide proper drainage. Advice from the Province states it is their practise to allow such a variance when a central sewer system is available and not require the soil assessment even though it's a requirement under PWMSDR. Both Ms Murphy and the Province remarked that this requirement is obviously an error in the regulations. Email messages from George Somers, Manager, Drinking Water and Wastewater Section of the PEI Department of Environment and Eugene Lloyd, Acting Manager of Provincial Planning of the Department of Agriculture and Land reinforce the recommendation that the application be approved without the soil assessment. It states in the Provincial Planning Act, that the Minister can revoke authority and power for issuing development permits from the Town if non compliant with PWMSDR and the Planning Act.

Moved by D. MacKinnon, seconded by J. MacIsaac and carried that development permit application from Stanley and Adrienne MacDonald to subdivide PID #42564 be approved with requested 7.8% variant on the condition that Hon. Bloyce Thompson, Minister of Agriculture and Land provides permission for the Town to be non compliant to PWMSDR and the Planning Act in not requiring a soil assessment when connection to the Town's central sewer system is available and mandatory when possible.

Agenda Item # 2 - 2021 Sidewalk Project

The Town of O'Leary has been approved for funding through PEI Active Transportation Fund for new sidewalks valued at \$343,280. Ineligible expenses total \$43,035 which is refundable HST. The AT Fund will provide straight funding of \$75,000 with the remainder cost-shared 50/50 between the Town and AT Fund. (\$112,622.50 from AT Fund; \$20,000 from

Town budget; & \$92,622.50 from Town's gas tax direct allocation)

Priorities for new sidewalks were agreed upon as follows:

#1 Water Street from Main to Café with possibility of sidewalk following MacLean's Farm's parking lot (PID 844324) if permission from owner granted.

#2 Community Street from east boundary of Centennial Park to Barclay Road.

#3 Parkview Drive from Community Street to Dewar lane.

#4 Extension to Centennial or Community adjacent to Eric Shaw property.

Moved by D. Wood, seconded by D. MacKinnon and carried that Town contract with WSP Engineers for services regarding assessment of proposed sidewalk locations prioritized by Council and listed above.

Adjournment

Moved by D. Wood, seconded by K. Maynard and carried that meeting adjourn at 7:00 pm.