



Agriculture
and Land

Agriculture
et Terres



Land Division

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November 10, 2021

Mr. Tim Banks
c/o APM
PO Box 2859
Charlottetown, PE C1A 8C4

Dear Mr. Banks:

Re: Case # 54059C - Grand Tracadie, Property #'s 141853, 141937, 142133, 409094, 430421, 430454, 430462, 723932, 781377, 793786, 793794 & 793802

This will confirm that the Department of Agriculture and Land has granted **Final Approval** for a Resort as described in the resort application design brief titled "Blackbush at Tracadie Harbour Application for Resort Development – December 23, 2015" and the concept map "Master Plan for Blackbush at Tracadie Harbour – December 23, 2015" submitted to the Department on December 23, 2015. Final approval for the subdivision will be subject to the following conditions:

1. All subdivided lots and any development within the resort must be serviced by a central water and sewer system, designed and constructed to the satisfaction of the Department of Environment, Energy and Climate Action.
2. A common area (open space) shall be set aside for recreation or park use equal to a minimum of 10% of the total area of the lots being subdivided. This common area is for the use of all lot owners within the subdivision.
3. As per Section 52 of the *Planning Act* Subdivision and Development Regulations, all roads shall be private roads having a minimum width of 66 feet. All private roads within the resort **shall not** be maintained by a department or agency of the Government of PEI at public expense.

Section 52. (3) Responsibility for ensuring access to a lot in a resort development is a matter for determination between the owner of the road connecting the resort development to a public road, and the purchaser of a lot therein.

Section 52.(4) Notwithstanding any other provision of this section, the roads serving any portion of a resort development that is approved for year-round residential use shall be public roads, including any roads required to provide access from the subdivision to an existing public road maintained by the province on a year-round basis. (EC693/00; 352/01)

4. A walkway must be provided for access to the beach for all lot owners within the proposed subdivision.
5. Any surface water or storm water from this development must be properly addressed to ensure minimal detrimental impacts on adjacent lots, roadways and environmentally sensitive areas.
6. The *Environmental Protection Act* requires a minimum 15 meter buffer zone from the edge of any watercourse or wetlands within this proposal. There shall be no development within the 15 meter buffer, including the cutting of trees or shrubs, infilling of wetland areas or any disturbance of these sensitive areas unless the proper permits have been obtained and approved by the Department of Environment, Energy and Climate Action.
7. Development of any year-round multi-unit structures shall adhere to the following sections of the *Planning Act* Subdivision and Development Regulations:

Section 54. (1) The erection of a building for year-round residential use containing more than four dwelling units may be approved for a resort development, where the building

- (a) is equipped with an automatic fire extinguishing system installed in accordance with the National Fire Protection Association Standard NFPA13;***
- (b) does not exceed three storeys in building height, or has a maximum height not more than fifteen metres above grade,***
- (c) does not have a building height exceeding the capability of the serving fire department to gain direct access to each storey from the exterior of the building;***
- and***
- (d) is easily and readily accessible for fire-fighting vehicles and equipment on a year-round basis from a road adjoining the boundary of the building lot.***

Section 54.(2) Clause (1)(b) does not apply where a building that exceeds the limits in clause (1)(b) is equipped with a standpipe system designed and installed in accordance with the National Fire Protection Association Standard NFPA14. (EC693/00; 352/01)

Note: The existing public road known as Old Fisherman's Road is to be closed and conveyed to the adjoining property owners. As an additional access to the resort/subdivision within the resort is proposed utilizing this public road, in the event that the closing and conveyance of the public road is not completed, the cul-de-sac as shown on the subdivision plan near Lot 42 must be enlarged to a minimum 66 foot radius and an additional road name will need to be approved for Parcel R-1 as shown on the final survey plan.

Should you have any questions, please contact me at 902-368-4465 or emlloyd@gov.pe.ca.

Yours truly,



Eugene Lloyd
Manager of Provincial Planning (Acting)

Notice of this decision will be posted on the PEI Planning Decisions website. We suggest typing "PEI Planning Decisions" into your internet search engine to link to the website.

Please be advised that pursuant to section 28 of the Planning Act, this decision may be appealed to the Island Regulatory & Appeals Commission ("IRAC") (PO Box 577, Charlottetown, PE, C1A 7L1: <http://www.irac.pe.ca>). An appeal must be filed within 21 days after the date of this letter or the Commission is under no obligation to hear the appeal.