

**TOWN OF NORTH RUSTICO
SPECIAL COUNCIL MEETING AGENDA
FRIDAY MARCH 20th, 2026 @ 9:00AM
TOWN OFFICE, 106 RIVERSIDE DRIVE**

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Declarations of Conflict of Interest**
- 4. New Business**
 - 4.1 Memo Commercial Development Application 1753**
 - 4.2 Memo Multi-Family Development Application 1755**
 - 4.3 Appoint New Development Officer**
- 5. Next Meeting Dates – Monday April 13, 2026, at 6:30PM Regular Council Meeting**
- 6. Adjournment**

**Town of North Rustico
Special Council Meeting Minutes
Friday March 20th, 2026, at 9:00AM**

PRESENT:**Chair**

Deputy Mayor David LeClair

CouncillorsCouncillor Margaret Goulding, Councillor Linda McFalls,
Councillor Donna Coll**Staff**

Stephanie Moase, Jade Mckenna

RegretsCouncillor Michelle Pineau, Councillor Lana Penman,
Mayor Heather Mckenna**Other****1. CALL TO ORDER**

Deputy Mayor David LeClair called the meeting to order at 9:00AM.

2. APPROVAL OF THE AGENDA

It was moved by Councillor Donna Coll and seconded by Councillor Maragret Goulding that the agenda be approved as presented.

**(3-0) MOTION CARRIED
(2026-03-022)**

3. DECLARATIONS OF CONFLICT OF INTEREST

Nil

4. NEW BUSINESS**4.1 Memo Commercial Development Application 1753**

Council reviewed the memo from the Development Officer, recommending approval with conditions. There was discussion regarding the stormwater assessment for a commercial property, Council requested this be provided when available.

It was moved by Councillor Donna Coll and Seconded by Councillor Linda McFalls that Commercial application 1753 for a new ice cream shop be approved with the Developments Officer's listed conditions.

**(3-0) MOTION CARRIED
(2026-03-023)**

Council discussed the issue of the development being started prior to approval. CAO stated there were some mitigating factors in the delay, changes required to the drawing due to non-compliance, stormwater drainage and the Development Officer being away for a week.

It was moved by Councillor Donna Coll and Seconded by Councillor Linda McFalls that Council impose a fine of doubling the permit fee for starting the development without a permit.

**(3-0) MOTION CARRIED
(2026-03-024)**

4.2 Memo Multi-Family Development Application 1755

Council reviewed the memo from the Development Officer, he recommended approval with conditions.

It was moved by Councillor Linda McFalls and Seconded by Councillor Maragret Goulding that development application 1755 for a new storage shed at a multifamily dwelling be approved with the Developments Officer’s listed conditions.

**(3-0) MOTION CARRIED
(2026-03-025)**

4.3 Appointment of New Development Officer

The contract for current Development Officer Satyajit Sen has completed and a new Development Officer, John Ployer has signed a year contract with the Town. We thank Sen for his services and wish him all the best in his very busy role at FPEIM.

It was moved by Councillor Margaret Goulding and Seconded by Councillor Linda McFalls that Council appoint John Ployer as Development Officer for the Town of North Rustico.

**(3-0) MOTION CARRIED
(2026-03-026)**

5. NEXT MEETING– Regular Council Meeting Monday April 13th, 2026, at 6:30PM.

6. ADJOURNMENT

It was moved by Councillor Donna Coll and seconded by Councillor Linda McFalls that there being no further business the meeting be adjourned at 9:30AM.

**(3-0) MOTION CARRIED
(2026-03-027)**

Deputy Mayor David LeClair

Date

CAO Stephanie Moase

Date

TOWN OF NORTH RUSTICO

MEMO

File: 1753

Date: March 16, 2026

To: Planning Board /Town Council

From: Satyajit Sen, Development Officer

Subject: Development Permit Application – Maria Smith/Cricker’s Creamery

APPLICANT INFORMATION

Name: Maria Smith

Business: Cricker’s Creamery

Mailing Address:

Phone:

Email:

PROPOSED DEVELOPMENT

PID: 233916

Current Zoning: C1 - General Commercial

Proposed Use: Ice cream shop/commercial food service use

Servicing: Municipal water and sewer

Supporting Documents: Application, building plans, site drawings, updated site plan adjustments, waste container location, and storm water information.

Proposal Description: The proposed development is located in a serviced area of the Town, and development is required to connect to central water and sewer where such services are available. The property is located at 15 Harbourview Drive/Church Hill Avenue area, with frontage of approximately 183 feet on Church Hill Avenue and 132 feet on Harbourview Drive, and a site area of approximately 0.4 acres. The proposed building is identified as approximately 65 feet by 40 feet, with a ground floor area of approximately 241.5 m²/2,600 sq. ft., and the submitted plans also show a toilet, garage/service area, patio area, and 14 parking spaces.

APPLICATION SUMMARY

The applicant, Maria Smith, has submitted a development permit application for a new commercial development associated with Cricker’s Creamery: Ice cream shop. The applicant has recently submitted an updated site plan showing the required buffer areas adjacent to residential zones and identifying the waste container placement. The revised submission materially improves the application from a land-use compatibility perspective

and addresses important site design matters that were not clearly resolved in the earlier materials.

The updated submission also includes stormwater-related information. However, given the nature of the proposal and the sensitivity of drainage impacts on adjacent lands and municipal infrastructure, a formal Storm Water Assessment/Storm Water Management Plan should still be required prior to issuance of the Development Permit.

The revised site plan now shows the landscaped buffer strip adjacent to residentially abutting lands and a defined waste container placement. The stormwater concept submitted by the applicant indicates that runoff is intended to drain toward Harbourview Drive and into the existing Department of Transportation drain located in front of the barn/shop.

COMPLIANCE WITH OFFICIAL PLAN AND BYLAW

Official Plan (2014)

1. The Official Plan supports commercial development in appropriate serviced areas of the Town.
2. Policy PC-2 (Buffers) directs Council to establish adequate buffer areas adjacent to new or expanded commercial development in order to minimize negative effects on surrounding properties. This is directly relevant because the proposed commercial use abuts or is adjacent to residential land.
3. The Official Plan also recognizes the Town's commercial core as an area where traffic movement, pedestrian safety, and site design require particular attention.

Zoning and Subdivision Control (Development) Bylaw (2014)

1. The Development Officer does not have delegated authority to approve permanent commercial development permits; therefore, this application must be determined by Council.
2. In the C1 General Commercial Zone, Restaurants and Lounges are listed as a permitted use, and Council may also consider other compatible commercial uses. The proposed ice cream shop / food service use is therefore generally supportable in principle within the C1 zone.

3. Section 13.6 – Special Requirements: Commercial Zones Adjacent to Residential Zones or Agricultural Zones is directly applicable. It requires buffer treatment and addresses compatibility measures where commercial development abuts residential land.
4. Servicing: Where central sanitary sewer and/or water services are available, commercial development must be connected to them.
5. Lot Requirements: C1 developments must comply with applicable lot requirements under the bylaw.
6. Parking: Commercial development is also subject to the Town’s parking requirements under Section 7 of the bylaw.
7. Access/Entranceway/Sight Distance: General bylaw provisions respecting access, entranceway permits, and sight distance are also relevant to this proposal.
8. Site Grading/Runoff: The bylaw requires that the lot be graded in accordance with acceptable standards and that no additional or changed runoff be directed onto other lands unless legal permission has been obtained.
9. Landscaping: The proposal must also comply with the bylaw’s general landscaping provisions.
10. Additional Information Requirements: Section 4.11 of the Development Bylaw authorizes Council to require additional information it considers pertinent, including parking lot layout and internal circulation patterns, garbage container location and screening, storm water management plans, landscaping plans, traffic impact studies, and surveys. This section supports the Town’s ability to require the revised site plan details and additional stormwater information before permit issuance.

PLANNING CONSIDERATIONS

1. The revised submission is stronger than the earlier version because it now addresses the buffer treatment adjacent to residential land and identifies the waste container placement.

2. The proposal is generally consistent with the Official Plan's commercial policy direction, but approval should remain conditional, not unconditional, because buffering, parking, access, servicing, drainage, lighting, and waste screening must be controlled through permit conditions.
3. The final approved site plan should clearly maintain the residential buffer areas and keep them free of structures, parking, driveway encroachment, and waste storage.
4. Because the proposal is commercial in nature and may involve parking, customer traffic, paved or compacted surfaces, and runoff implications, a Storm Water Assessment/Storm Water Management Plan should be required as a condition of Council approval prior to permit issuance.
5. Any final approval should remain subject to compliance with servicing, parking, access, entranceway, sight distance, and other general bylaw requirements.
6. Council should ensure that the buffer strip remains clearly dimensioned on the final approved site plan.
7. Council should also require that the waste container area be screened from view where necessary, particularly from adjacent residential properties.
8. The final parking, access, and internal circulation layout should remain consistent with the approved drawings.
9. Any future change to the location of the waste container, parking layout, drainage design, or buffer strip should require further municipal review and approval.

RECOMMENDATION AND NEXT STEPS

It is recommended that Council approve Development Permit Application # 1753 for Maria Smith/Ciocker's Creamery, subject to conditions, because the revised submission now materially improves compliance with the Town's buffering and compatibility requirements and addresses waste container placement, while the remaining technical matters can be addressed through conditions of approval. Any approval should also remain subject to final compliance with parking, access, entranceway, and sight-distance requirements, given the importance of traffic movement and pedestrian safety in the Town's commercial core.

Recommended Conditions of Approval:

1. The development shall proceed in substantial accordance with the submitted application, building plans, drawings, and revised site plan adjustments.
2. The required buffer strip adjacent to residentially zoned land shall be maintained in accordance with Section 13.6 of the bylaw and shall remain free of structures, parking, driveways, and waste storage.
3. The waste container area shall remain in the location shown on the updated site plan and shall be screened as necessary to minimize impact on adjacent residential properties and to satisfy the bylaw's commercial-adjacency requirements.
4. Any exterior lighting or illuminated signage shall be arranged so as to deflect light away from adjacent residential properties.
5. Prior to issuance of the Development Permit, the applicant shall submit a Storm Water Assessment/Storm Water Management Plan, prepared by a qualified professional if required by the Town, demonstrating how runoff from the site will be managed so that there is no adverse impact on adjacent properties, municipal roads, or municipal drainage infrastructure. Any recommended mitigation measures shall be implemented to the satisfaction of the Town before occupancy or as otherwise required by the permit.
6. The site shall be graded in accordance with acceptable standards, and no additional or changed runoff shall be permitted onto adjacent lands unless legal permission has been obtained.
7. The development shall be connected to municipal water and sewer services, as required where such services are available.
8. Final approval remains subject to compliance with the Town's parking requirements, access/entranceway/sight distance requirements, and general landscaping provisions under the bylaw.
9. Any material change to the approved site layout, buffering, waste container placement, parking arrangement, access, servicing, or drainage design shall require further review and approval by the Town.

10. Where an entranceway permit is required under the Roads Act Highway Access Regulations, such permit shall be obtained prior to issuance of the Development Permit, and all access points shall satisfy minimum sight distance requirements.

11. The applicant shall obtain all required provincial approvals prior to construction.

Clear Recommendation:

Approve Application # 1753, subject to the conditions above.

Council Review and Decision:

Approved Denied

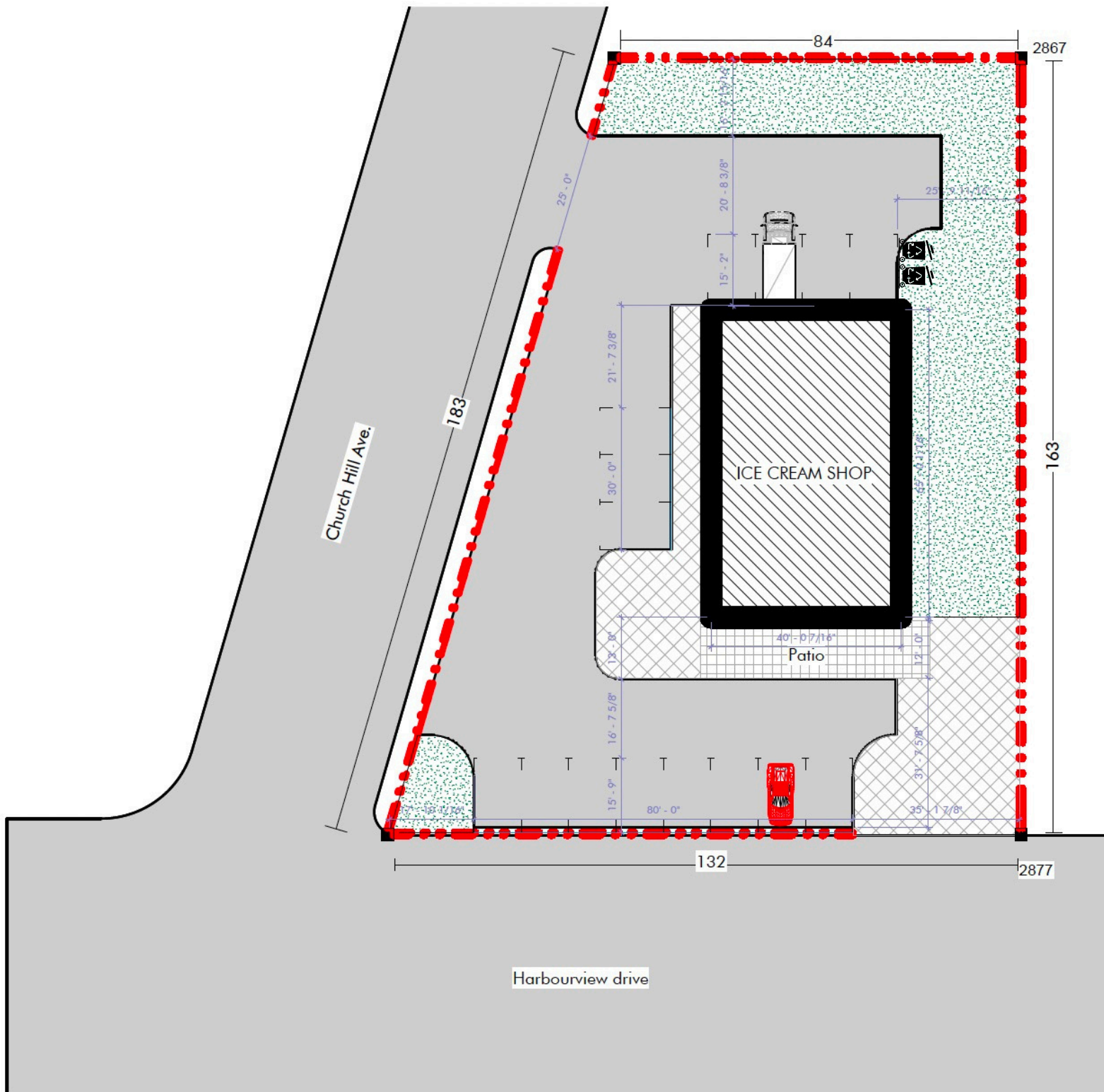
Additional Conditions Required: _____

Date: _____

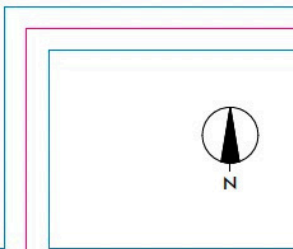
Mayor's Signature: _____ **CAO's Signature:** _____

Prepared by:

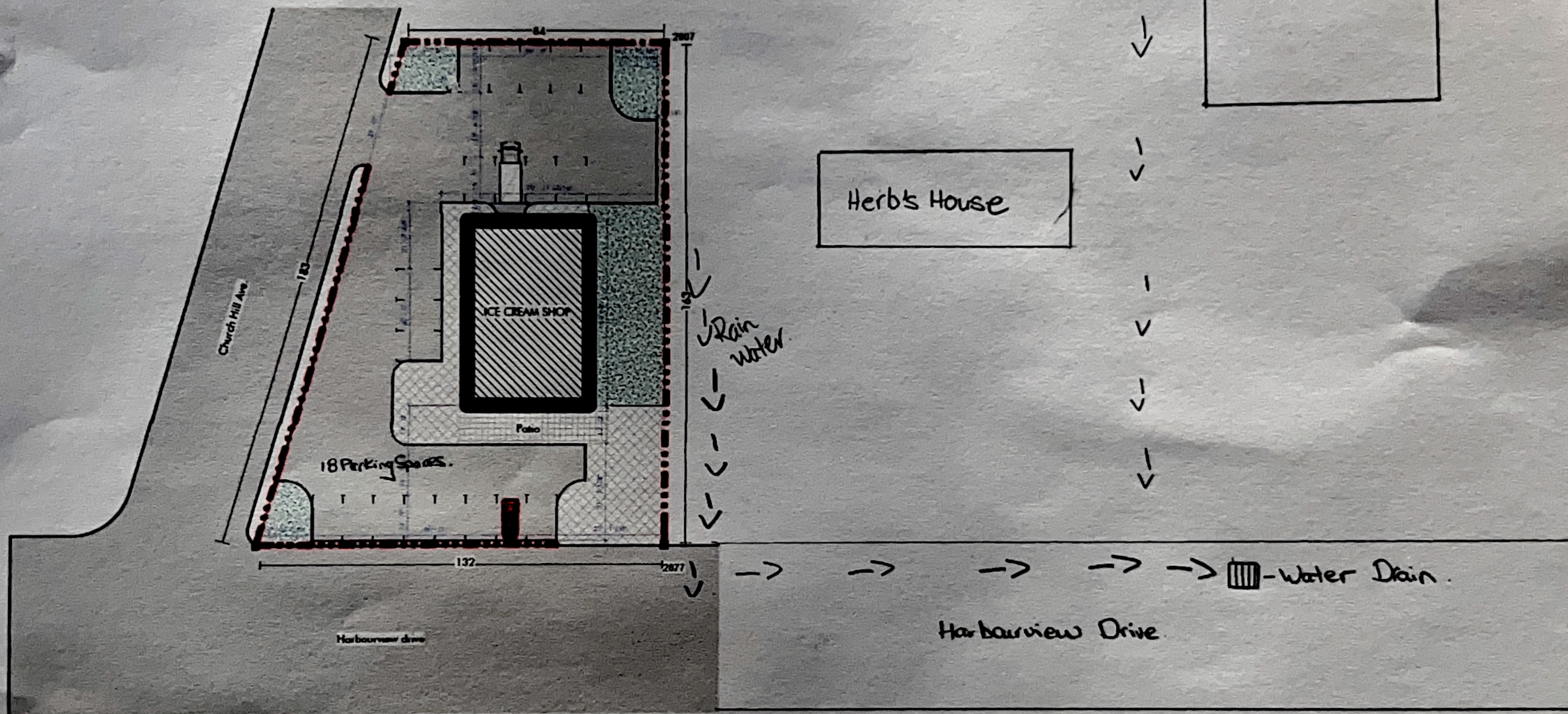
Satya Sen
Development Officer
Town of North Rustico



| | |
|------|---------|
| 1 | Site |
| A101 | 1 : 200 |



STORM WATER PLAN.



Site
1:100

Water will drain down Harbourview Drive into Dept of Transportation ^{storm} drain located directly in front of the Boat Shop.
The elevation of water that comes down is elevated towards the drain.

TOWN OF NORTH RUSTICO

MEMO

File: 1755

Date: March 19, 2026

To: Town of North Rustico Planning Board and Town Council

From: Satyajit Sen, Development Officer

Subject: Development Permit Application - Sunrise Lodge - Proposed Storage Shed

APPLICANT INFORMATION

Name: Sunrise Lodge

PID: 798011

Current Zoning: R3 - Multi Family Residential

Proposed Use: New storage shed accessory to an existing multi-family residential use

Supporting Documents: Development permit application, submitted drawings, site sketch, and supporting location images.

PROPOSED DEVELOPMENT

The application is for the construction of a new 16 ft. x 10 ft. storage shed on the Sunrise Lodge property. Based on the information provided and the clarifications received, the proposed structure is intended to be used for storage, is new construction, and is to function as a second shed on a property already developed with an existing multi-family residential use. The subject lands are zoned R3 - Multi Family Residential.

APPLICATION SUMMARY

This application is for a small accessory structure on an already developed residential property. The proposal does not create a new principal use and does not alter the essential residential character of the site. The application is properly assessed as an accessory building to existing multi-family residential use in the R3 Zone. The application is generally supportable in principle, subject to confirmation of final site placement and continued compliance with the applicable bylaw requirements.

COMPLIANCE WITH OFFICIAL PLAN AND DEVELOPMENT BYLAW

Official Plan (2014)

The proposed storage shed is supportable under the Official Plan because it is accessory to existing multi-family residential use on lands designated and zoned for residential purposes. The proposal does not introduce a new principal use. Rather, it is a small subordinate structure intended to support the ongoing operation and maintenance of an established residential development. The Official Plan's residential policies support not only new housing forms, but also the maintenance and orderly development of residential areas.

Policy PR-1: Zoning provides that Council shall establish residential zones that define standards for single family, two family and multi-family residential neighbourhoods, and the Plan Action specifically provides for an R3 Multi Family Residential Zone in the Development Bylaw. The significance of this policy here is that the subject property is already within the residential zoning framework intended for multi-family development. Since the proposed shed is accessory to existing residential use, the proposal remains within the residential land use structure contemplated by the Plan.

Policy PR-4: Residential Compatibility states that Council shall encourage a housing mix compatible with adjacent areas. Although the proposal is not for a new dwelling unit, the same compatibility principle still applies. An accessory storage shed is supportable to the extent that it remains clearly incidental and subordinate to the principal residential building and is sited in a way that does not negatively affect the surrounding residential character. Given its limited scale, the proposal is capable of satisfying this policy, subject to proper placement on the lot.

Policy PR-5: Residential Development Standards is the most directly relevant policy. It provides that Council shall establish standards relating to density, architectural harmony, setbacks, parking, buffering and other matters in order to enhance the health, safety and convenience of residents. The related Plan Action states that the Development Bylaw will establish standards for lot sizes, setbacks, servicing, open space, parking, buffering and other related matters, and that Council will encourage residential properties to be developed and maintained at a high standard. This policy supports the proposed accessory structure provided it complies with the bylaw requirements respecting setbacks, lot coverage, site layout, and general site conditions.

Overall, the Official Plan is supportive of the proposed shed to the extent that it remains incidental and subordinate to the existing residential use, maintains compatibility with adjacent residential properties, and complies with the development standards established through the bylaw. The strongest policy support comes from Policies PR-1, PR-4, and PR-5.

Zoning and Subdivision Control (Development) Bylaw (2014)

The bylaw defines an Accessory Building as a building whose use is incidental and subordinate to, and consistent with, the main or approved use of the lot on which the building is located. A storage shed serving an existing residential development meets that definition in principle.

Under Section 10.2, the R3 - Multi Family Residential Zone permits Multi Family Dwellings up to twelve (12) units, Accessory Buildings, and Private Garages. The bylaw therefore contemplates accessory structures as a permitted component of development in the R3 Zone.

Under Section 10.4, multi-family dwellings in the R3 Zone are subject to a maximum lot coverage of 35%. Since Section 4.25 provides that all accessory buildings shall be included in the calculation of maximum lot coverage, the proposed shed must be counted toward the overall lot coverage for the site.

Section 4.25 Accessory Structures is the key bylaw provision. It provides that accessory buildings shall not be used for human habitation, shall not be located in the front yard or flanking side yard, shall not be built closer than 5 feet to any lot line, shall not be built within 10 feet of the main building, and shall not exceed 22 feet in height or the height of the main building, whichever is less. Section 4.25(6) also provides that an accessory building shall not be permitted if one already exists, except, among other cases, where it is located on a lot greater than one acre, in which case one additional accessory building is permitted for each additional acre of land or part thereof.

The proposed shed has a floor area of 160 sq. ft. (16 ft. x 10 ft.), which is well below the 720 sq. ft. maximum floor area permitted for an accessory building under Section 4.25(7) of the bylaw. In that respect, the proposal complies with the size limitation for accessory structures.

Because the applicant has confirmed that this is a second shed, Section 4.25(6) is directly relevant. The proposal is supportable in principle as an accessory building, but final approval

should remain conditional on confirming that the lot satisfies the applicable requirement for an additional accessory building under that section.

Section 4.11 Other Information authorizes Council to require additional information it deems pertinent, including proposed storage areas, screening or fencing, stormwater information, and surveys. Section 4.15 Development Restrictions provides that Council shall not issue a permit if the development does not conform to the bylaw, lacks safe and efficient access, creates unsafe traffic conditions, is detrimental to nearby residents, or could damage neighbouring property due to water or drainage runoff. Section 4.39 Grade of Site is also relevant because site grading and runoff must be managed so that the development does not adversely affect adjacent lands.

PLANNING CONSIDERATIONS

The proposed shed is generally supportable in principle. It is a small storage structure accessory to existing residential use on lands zoned for multi-family residential development. The main remaining planning issue is not the use itself, but the final confirmation of bylaw compliance. Before permit issuance, the Town should confirm the final location of the shed, including its setback from all lot lines and from the main building, its height, and whether the total lot coverage remains compliant. The Town should also confirm compliance with Section 4.25(6) because an accessory building already exists on the property. Any approval should also remain subject to the general bylaw provisions respecting access, safety, drainage, and development in accordance with the approved application and plans. Council is authorized to request additional site information if necessary.

RECOMMENDATION AND NEXT STEPS

It is recommended that Planning Board recommend to Council that Development Permit Application#1755 be approved subject to conditions, because the proposed 16 ft. x 10 ft. storage shed is generally supportable as an accessory building to an existing multi-family residential use in the R3 Zone, provided final compliance with the Development Bylaw is confirmed before permit issuance.

Recommended Conditions of Approval

1. The development shall proceed in substantial accordance with the submitted application and drawings.

2. The proposed accessory building shall comply with Section 4.25 of the bylaw, including the requirements that it not be located in the front yard or flanking side yard, that it be at least 5 ft. from any lot line, and at least 10 ft. from the main building.
3. The proposed shed shall not exceed 22 feet in height or the height of the main building, whichever is less.
4. All accessory buildings on the lot, including the proposed shed, shall be included in the calculation of maximum lot coverage for the property.
5. The site shall be graded in accordance with acceptable standards, and no additional or changed runoff shall be directed onto adjacent lands unless lawful permission has been obtained.
6. Any material change to the approved location, size, or use of the proposed shed shall require further review and approval by the Town.
7. The applicant shall obtain all other required provincial approvals prior to construction.

Clear Recommendation:

Approve Application #1755, subject to the conditions noted above.

COUNCIL REVIEW AND DECISION

Approved Denied

Additional Conditions Required: _____

Date: _____

Mayor's Signature: _____ CAO's Signature: _____

Prepared by:

Satyajit Sen

Development Officer

Town of North Rustico

(West) Side

(South)

Front

Sur-Rise Lodge

Door

PARKING LOT

DRIVEWAY

225 FT

SUR RISE, C RESORT

Side (East)

Front

Back

