

Minutes
Resort Municipality Monthly Council Meeting
Monday, January 16, 2017
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on January 16, 2017 at the Resort Municipality Office.

PRESENT: Chair Matthew Jelley. Councillors: Linda Lowther, Gwen Wyand, Kay Hryckiwi, Edmond Richard, David Gauthier and George Clark Dunning. CAO – Brenda MacDonald.

ABSENT: Nil.

VISITORS: Nil.

1. **CALL TO ORDER:**

Chair Jelley called the meeting to order at 5:00 p.m.

2. **DECLARATION OF CONFLICT OF INTEREST:**

Chair Jelley declared a conflict of interest as he had a permit application in the package.

Councillor Hryckiwi declared a conflict of interest as she had a permit application in the package.

3. **APPROVAL OF AGENDA:**

Chair Jelley added Emergency Management to the agenda.

It was moved by Councillor Lowther, seconded by Councillor Gauthier that the agenda be adopted as amended. All in favor 6, 1 non-voting. Motion Carried.

4. **APPROVAL OF ANNUAL MEETING MINUTES AUGUST 8, 2016:**

It was moved by Councillor Richard, seconded by Councillor Clark Dunning that the Annual Meeting Minutes of August 8, 2016 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF MONTHLY COUNCIL MEETING MINUTES DECEMBER 19, 2016:

It was moved by Councillor Lowther, seconded by Councillor Wyand that the Monthly Council Meeting Minutes of December 19, 2016 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF PUBLIC MEETING OFFICIAL PLAN AMENDMENT DECEMBER 19, 2016:

It was moved by Councillor Gauthier, seconded by Councillor Lowther that the Public Meeting Official Plan Amendment Minutes be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF PUBLIC MEETING REZONING AMENDMENT DECEMBER 19, 2016:

It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that the Public Meeting Rezoning Amendment minutes be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF PUBLIC MAJOR DEVELOPMENT MEETING DECEMBER 19, 2016:

It was moved by Councillor Gauthier, seconded by Councillor Hryckiwi that the Public Major Development Meeting minutes be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

5. **CORRESPONDENCE:** Correspondence items for December for which actions are required are listed on the agenda.

COMMITTEE REPORTS:

Planning Board Report:

Planning Board Members:

Councillor Richard advised that Linda Young is the new planning board member on the committee and she has replaced Garth MacNeill. He advised that there are now five planning board members with Barb MacDonald from Parks Canada being ex-officio.

Public Meetings – Cavendish Tourism Complex Development Inc. (8451 Cavendish Road)

Official Plan Amendment: It was moved by Councillor Richard, seconded by Councillor Lowther that an official plan amendment be approved for a portion of PID # 232447 to be changed from Resort Accommodations to General Commercial subject to: 1) that a subdivision plan be completed for the property and 2) that a lot consolidation be completed on the property. All in favor 6, 1 non-voting. Motion Carried.

Public Meetings – Cavendish Tourism Complex Development Inc. (8451 Cavendish Road)

Rezoning Amendment: It was moved by Councillor Richard, seconded by Councillor Wyand that a rezoning amendment be approved for a portion of PID # 232447 to be changed from Resort Accommodations to General Commercial subject to: 1) that a subdivision plan be completed for the property and 2) that a lot consolidation be completed on the property. All in favor 6, 1 non-voting. Motion Carried

Major Development – Cavendish Tourism Complex Development Inc. (8451 Cavendish Road)

It was moved by Councillor Richard, seconded by Councillor Gauthier that approval in principle be granted for a major development on PID # 232447 subject to: 1) that an environmental impact assessment for the property is completed and 2) that the major development meets all municipal, provincial and federal regulations. All in favor 6, 1 non-voting. Motion Carried.

Building Permits:

Deshend Li and Hui Xian Che (9055 Cavendish Road – PID # 231761) – an application was received to construct a garage of 24' X 20' for storage only. It was moved by Councillor Richard, seconded by Councillor Lowther that approval be granted subject to: 1) the garage shall be used for storage only; 2) the garage shall be located on the site in accordance with the attached site plan and 3) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Chair Jelley and Councillor Hryckiwi left the room due to a conflict of interest.

Councillor Richard commented on the delays in permit approvals from the Provincial Fire Marshal's office and that it has led to some delays with permit approvals for property owners.

It was decided by Council that a letter be sent to the Fire Marshal's office regarding the delays in permit approvals as well as asking if there is anything the municipality can do to assist in getting more staff to assist with the review of applications since they are short staff with staff on leave.

It was moved by Councillor Gauthier, seconded by Councillor Wyand that a letter be sent to Matthew Jelley and Victor Hryckiwi on the construction happening on their properties, prior to approval being granted by Council due to the delays with the Fire Marshal's office on their applications. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Chair Jelley and Councillor Hryckiwi returned to the meeting.

Parks Canada:

The Green Gables redevelopment project is underway.

The Cavendish Campground tender was delayed and was expected to close on January 12, 2017.

Work at the former wildlife park in North Rustico has been completed.

The plan for Cavendish Grove is almost completed. It is expected that a meeting will be held in the spring to gather input from the public. Parks will make a presentation to planning board and Council over the next couple of months prior to going to the public. Part of the plan for the Grove will involve restoring the ponds.

The Duneland's Trail will be restored in the spring.

The management plan review and consultation process is complete and they are reviewing all comments that were received prior to finalizing the plan and bringing it to the Minister.

Parks has received funding to improve way finding signage in the Park.

Parks is looking to see what can and can't be done with signage in the area to see what will work best for them.

The administrator advised that Parks staff were made aware of municipal and provincial requirements on signage and banners for the Green Gables site.

The signage at Green Gables will have a new sign at the road with Green Gables House on it. The main Parks Canada sign that is at the road now will be moved into the driveway entrance and the existing sign with the horse and buggy on it will be moved up to the entrance to the house.

Information was provided by planning board on having signage that is not too wordy that people can see and understand, as well as about having an entrance and exit sign for people to know where to enter properly as well as having the civic address listed on the signs.

Signage along Route 6 and 13 should be clear so that people will be able to find places easier.

Follow Up Permits:**Hunter Warehousing:**

Final survey plan has been submitted and approval can be finalized.

PEI Dream Cottages:

Preliminary plan has been submitted with all detailed information and the approval can be finalized once the survey plan and lot consolidation deed have been submitted.

6.A.1. Susan Roberts:

It was moved by Councillor Richard, seconded by Councillor Hryckiw that the owners have until June 30, 2017 to attach the two sheds together. All in favor 6, 1 non-voting. Motion Carried.

6.A.2. First Reading of the Official Plan:**Official Plan Review Resolution – Minor Review**

Whereas Section 15.1 of the *Planning Act* requires that the municipal official plan and implementing bylaw be reviewed every five years;

And whereas Council has determined that a minor review was required to meet the requirements of Section 15.1 of the *Planning Act* and *EC 640/97 – Planning Act Minimum Requirements for Municipal Official Plans*;

And whereas Council has complied with Section 13.3 of *EC 640/97 – Planning Act Minimum Requirements for Municipal Official Plans*, which requires full public participation in the case of a major review;

And whereas Council has considered the following general criteria:

- Conformity with applicable legislation;

- Community objectives;
- Changes in technical content; and
- Water and sewer and other infrastructure plans;

And whereas Council has identified minor amendments to this Official Plan;

And whereas Section 14.1 of *EC 640/97 – Planning Act Minimum Requirements for Municipal Official Plans* states that major amendments will be treated as new official plans;

Be it resolved that the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico Official Plan 2017 be hereby adopted.

Schedule A: Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico Official Plan.

It was moved by Councillor Richard, seconded by Councillor Lowther that the first reading of the official plan be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

First Reading of the Zoning and Subdivision Development (Control) Bylaw:

RESOLUTION – FIRST READING

Whereas Section 16 of the *Planning Act* allows municipalities to adopt bylaws to implement their Official Plan;

And whereas Council has complied with the process established in Section 18 of the *Planning Act* and with *EC 640/97 – Planning Act Minimum Requirements for Municipal Official Plans*;

And whereas the adoption of the Resort Municipality Zoning and Subdivision Development (Control) Bylaw 2017 (Bylaw # 2017-1) has the effect of repealing and replacing all previous and existing zoning bylaws;

Be it resolved that the Resort Municipality Zoning and Subdivision Development (Control) Bylaw 2017 (Bylaw # 2017-1) be hereby read a first time.

It was moved by Councillor Wyand, seconded by Councillor Lowther that the first reading of the Zoning and Subdivision Development (Control) Bylaw 2017-1 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

RESOLUTION – APPROVAL OF FIRST READING of Zoning and Subdivision Development (Control) Bylaw 2017-1:

Whereas Section 16 of the *Planning Act* allows municipalities to adopt bylaws to implement their Official Plan;

And whereas Council has complied with the process established in Section 18 of the *Planning Act* and with *EC 640/97 – Planning Act Minimum Requirements for Municipal Official Plans*;

And whereas the Resort Municipality Zoning and Subdivision Development (Control) Bylaw 2017 (Bylaw # 2017-1) was read a first time at the Council meeting;

And whereas the adoption of the Resort Municipality Zoning and Subdivision Development (Control) Bylaw 2017 (Bylaw # 2017-1) has the effect of repealing and replacing all previous and existing zoning bylaws;

Be it resolved that the Resort Municipality Zoning and Subdivision Development (Control) Bylaw 2017 (Bylaw # 2017-1) be hereby approved.

It was moved by Councillor Wyand, seconded by Councillor Lowther that the first reading of the Zoning and Subdivision Development (Control) Bylaw 2017-1 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

First Reading Summary Proceedings Bylaw:

It was moved by Councillor Richard, seconded by Councillor Clark Dunning that the Council approve the Summary Proceedings Bylaw. All in favor 6, 1 non-voting. Motion Carried.

First Reading Dangerous and Unsightly Premises Bylaw:

It was moved by Councillor Richard, seconded by Councillor Wyand that the Council approve the Dangerous and Unsightly Premises Bylaw. All in favor 6, 1 non-voting. Motion Carried.

First Reading Municipal Offence Ticket:

It was moved by Councillor Richard, seconded by Councillor Gauthier that the Council approve the Municipal Offence Ticket. All in favor 6, 1 non-voting. Motion Carried

Approval of First Reading Summary Proceedings Bylaw:

It was moved by Councillor Richard, seconded by Councillor Lowther that the Council approve the first reading of the Summary Proceedings Bylaw. All in favor 6, 1 non-voting. Motion Carried.

Approval of First Reading Dangerous and Unsightly Premises Bylaw:

It was moved by Councillor Richard, seconded by Councillor Lowther that the Council approve the first reading of the Dangerous and Unsightly Premises Bylaw. All in favor 6, 1 non-voting. Motion Carried.

Approval of First Reading Municipal Offence Ticket:

It was moved by Councillor Richard, seconded by Councillor Wyand that the Council approve the first reading of the Municipal Offence Ticket. All in favor 6, 1 non-voting. Motion Carried.

6.A.3. Coastal Property Guide:

Information was provided from the Department of Communities, Land and Environment on the Coastal Property Guide.

6.A.4. Update from Stewart McKelvey on the Municipal Government Act:

Stewart McKelvey provided an update on the Municipal Government Act and information that municipalities had to work on with respect to new bylaws under the Act.

6.B. MONTHLY FINANCIAL REPORT:

The monthly finances for December 31, 2016, were presented. Revenue was \$333,071.92 and the expenses were \$322,820.49. It was moved by Councillor Hrycki, seconded by Councillor Lowther that the monthly finances ending December 31, 2016 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

6.B.1 Audit Quote:

It was moved by Councillor Wyand, seconded by Councillor Richard that the audit quote for 2016 from MRSB of \$2,200.00 plus HST be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

6.C. TRAILS AND PATHS REPORT:

6.C.1 Walkway Assessment:

The administrator is dealing with the insurance company on getting the damaged light near the tourist mart resolved. The administrator will also follow up with the electrician on the lighting being installed at the start of the season.

6.D. **FIRE COMMITTEE REPORT:**

Jason Peters from the New Glasgow Fire Department was provided a copy of the list of businesses who have AED 's in the community.

6.E. **TCBI:**

The new brand will be launched in February.

The transit service from Charlottetown to Cavendish is still being worked on for 2017.

6.F. **CCTP:**

Membership letters have been sent out to business owners for 2017.

A new river festival is being worked on for June 2017.

7. **CAVENDISH SEWER UTILITY REPORT:**

7.A. **Monthly Updates and engineering:**

Parks Canada continues to raise issues over meter readings. A recommendation from Darrell Fisher at Stantec was in the meeting package.

It was moved by Councillor Gauthier, seconded by Councillor Lowther that the flow of 3,567 cubic meters be adopted as presented based on the engineer's recommendation as well that alternative measures be completed at the site prior to the 2017 operating season. All in favor 6, 1 non-voting. Motion Carried.

Green Gables Lift Station has had issues as a result of power outages. Malcolm Lodge has been working on the issues as well as Security First.

Water Based consultancy. Information only.

Outstanding sewer bill payments are coming in slowly. We still have a number of customers outstanding and letters will be sent to outstanding sewer customers giving them 30 days to respond.

It was moved by Councillor Gauthier, seconded by Councillor Clark Dunning that a letter be sent to Parks Canada on the 2016 meter readings and that Parks be advised that if they wish to have a flow meter installed on the property before the geothermal pump that it will be done so at their expense and that Parks be on site at the start of the year with the sewer utility contractor to confirm the starting numbers on the meter and then in the fall to determine the ending numbers. All in favor 6, 1 non-voting. Motion Carried.

Audit Quote:

It was moved by Councillor Gauthier, seconded by Councillor Hryckiw that the audit quote for 2016 for the sewer utility of \$3,200.00 before taxes for the sewer audit, be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

8. **BUSINESS ARISING FROM MINUTES:**

8.A. **Internet Servicing:**

It was moved by Councillor Richard, seconded by Councillor Gauthier that a proposal for internet servicing for Seawood Estates, Inn at the Pier, the Retreat Center and Raspberry Point Oyster Company be applied for based on securing funding from the Federal and Provincial Government to complete the project. All in favor 6, 1 non-voting. Motion Carried.

- 8.B. **Signage RFP:**
A breakdown in information was submitted by Harvey Sawler on the meetings to date.
- 8.C. **Destination Management Fund:**
A copy of the Memorandum of Understanding is in the meeting package. We are awaiting information from the Cavendish Beach Music Festival to proceed as they did not attend the last scheduled meeting.
- 8.D. **Bruce & Nancy Creighton:** Awaiting a meeting with the Department of Transportation on crosswalks on Route 6.
- 8.E. **Copier:** It was moved by Councillor Lowther, seconded by Councillor Hryckiwi that the current copier lease with Xerox remain at a cost of \$320.12 per quarter. All in favor 6, 1 non-voting. Motion Carried.
- 8.F. **Snow Removal:** Toombs Plumbing has provided proof of insurance as well as confirmation that the walkway will be fixed in the spring so everything is now finalized with the snow removal contract.
- 8.G. **AMA PEI:** The administrator attended the session in Summerside in December. They are working with the Municipal Financial Officers of Atlantic Canada on trying to bring in an Atlantic association that would consist of a yearly membership. Municipalities would have access to RFP's and financial processes that other communities work on rather than starting from scratch each time an RFP is issued. Municipalities would have access to the site and all information is readily available. The group is to distribute additional information once they see what the Atlantic interest with municipalities is and they will forward additional information once it is gathered.
- 8.H. **Trail Ride Property:** Carol Craswell with the province has advised that Toombs Plumbing and Heating Ltd. will be removing the trailer from the government property as soon as the weather permits as there was no response received from the owner of the trailer.
- 8.I. **Cameras Route 6 and 13:** Awaiting a meeting with the province to gather input from them on the process and costs involved.
9. **NEW BUSINESS:**
- 9.A. **FPEIM:** Next meeting will be on January 25, 2017.
- 9.A.1. **FCM update:** The board is seeking members for the organization to make the voice strong for municipal government. The Resort Municipality is a member of the organization.
- 9.A.2. **Canada Summer Jobs:** Funding deadline has been extended until February 3, 2017.
- 9.B. **Run to Quit Program:** The program is looking for community champions. Information only.
- 9.C. **Canada's Volunteer Awards:** Information was provided in the meeting package with the deadline date of February 3, 2017 for any submissions.
- 9.D. **Canada Day Challenge Contest:**
Information was provided in the meeting package with the deadline date of March 31, 2017 for any submissions.
- 9.D. **Building Communities through Arts and Heritage:** Information was provided in the meeting package with the deadline of January 31, 2017 for any submissions.

9.E. **Emergency Management Training:** Chair Jelley advised that Emergency Management Training sessions are available. The administrator will check with Tanya on having some sessions in Cavendish.

10. **CONCERNS:**

10.A. **COUNCILLORS –** Councillor Lowther requested who is taking Nicole Warren’s place with the CDC office. The administrator will follow up on the new contact person.

Councillor Gauthier raised concerns over no signage at the corner of Route 6 and 13 for Route 13. The administrator will contact the Department of Transportation, Infrastructure and Energy.

10.B. **RESIDENTS:**

David Harper – Signage issues within Seawood Estates will be addressed in the spring.

Philip MacLellan – letter regarding internet concerns in Seawood Estates.
Chair Jelley will respond to the property owner.

The administrator left the meeting.

ADMINISTRATOR’S EVALUATION:

The evaluation forms were reviewed by the Council.

It was moved by Councillor Wyand, seconded by Councillor Hrycki that a human resource committee be established to work with staff members that will consist of Councillor Richard and Councillor Clark Dunning. All in favor 6, 1 non-voting. Motion Carried.

The administrator returned to the meeting.

11. **ADJOURNMENT:** Chair Jelley adjourned the meeting at 7:15 p.m.


Chair, Matthew Jelley