

Minutes  
Resort Municipality Monthly Council Meeting  
Monday, March 21, 2016  
12:00 noon

The Monthly Council Meeting of the Resort Municipality was held on March 21, at the Resort Municipality Office.

**PRESENT:** Acting Chair David Gauthier. Councillors: Edmond Richard, Gwen Wyand and George Clark Dunning. Administrator, Brenda MacDonald.

**ABSENT:** Matthew Jelley, Linda Lowther and Kay Hrycki.

**VISITORS:** Nil.

1. **CALL TO ORDER:**  
Acting Chair Gauthier called the meeting to order at 12:01 p.m..
2. **DECLARATION OF CONFLICT OF INTEREST:**  
There were no conflicts of interest declared.
3. **APPROVAL OF AGENDA:**  
It was moved by Councillor Wyand, seconded by Councillor Richard that the agenda be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.
4. **APPROVAL OF MONTHLY COUNCIL MEETING MINUTES FEBRUARY 22, 2016:**  
It was moved by Councillor Clark Dunning, seconded by Councillor Richard that the monthly Council meeting minutes of February 22, 2016 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.
5. **RCMP:**  
Mark Crowther was unable to attend the meeting due to the weather and will attend that April Council meeting.
6. **CORRESPONDENCE:** Correspondence items for February that action is required on are listed on the agenda.
7. **COMMITTEE REPORTS:**  
**Fairways Cottages (7420 Route 13)** – an application was received to construct an addition onto the roof of their existing office to move it from 7' to 12' in height at property # 232306. It was moved by Councillor Richard, seconded by Councillor Wyand that the application be approved subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and 3) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.  
  
**Fairways Cottages (7420 Route 13)** – an application was received to construct a storage / boardroom building on the property of 48' X 24' at property # 232348. It was moved by Councillor Richard, seconded by Councillor Wyand that approval be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness, 3) the boardroom / storage building shall be used by guests of the property only if it is to be used by other groups not staying at the property then the land will have to be rezoned, 4) the boardroom / storage building shall be connected to the municipal sewer and 5) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Al-Mughrabi Ventures Ltd. (8339 Cavendish Road)**- an application was received to construct a new swimming pool on the property of 24' X 42' including the deck, to construct a fence around the pool as well as to construct a new pump house of 10' X 10 for storage only at property # 231936. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval be granted subject to: 1) meets the requirements of the Provincial Fire Marshal, 2) meets the requirements of the Department of Health and Wellness, 3) the old pool shall be filled in and 4) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Montgomery Cavendish Cottages (68 Sunset Lane)** – an application was received to construct a new rental cottage of 36' X 34' with a deck and a garage of 15' X 24' and to construct an accessory building of 12' X 14' for storage only at property # 563908. It was moved by Councillor Richard, seconded by Councillor Wyand that approval in principle be granted for the project subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) that approval for an on-site septic system be provided from the contractor and 3) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**KOA Campground (198 Forest Hills Lane)** – an application was received to change the existing washroom building with the showers and washrooms at property # 708255. It was moved by Councillor Richard seconded by Councillor Wyand that approval in principle be granted subject to: 1) meets the requirements of the Department of Health and Wellness, 2) meets the requirements of the Provincial Fire Marshal's office, 3) meets the requirements of Quality Tourism Services and 4) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**KOA Campground (198 Forest Hills Lane)** - an application was received to construct a new deck at site 83 of 24' X 12' at property # 708255. It was moved by Councillor Richard, seconded by Councillor Wyand that approval in principle be granted subject to: 1) that a detailed drawing be provided showing the setbacks for the deck to the closest boundaries and property lines and 2) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**100447 PEI Inc. 8885 Cavendish Road)** – an application was received to construct a new storage building of 82'6"1/4 X 35' at property # 947499. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval be granted in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Environment and 3) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Sandspit Entertainment Ltd. (8986 Cavendish Road)** – an application was received to construct a spring ride tower on the property of 40' X 60' at property # 233197. It was moved by Councillor Richard, seconded by Councillor Wyand that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness, 3) that the lawyer be consulted on the height of the ride for the bylaw, 4) that all necessary steps be taken to control noise from the new ride, 5) that a development agreement be entered into, 6) that a performance bond of \$1,000.00 be posted and 5) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Sandspit Entertainment Ltd. (8883 Cavendish Road)** – an application was received to construct a walkway and interpretive structure in front of Ripley's of 21' X 42' at property # 231977. It was moved by Councillor Richard, seconded by Councillor Wyand that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness and 3) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Sea Cross Inc. – (8779 Cavendish Road)** - an application was received to construct a new roadway and walkway access into property # 232033. The application was tabled as the information was incomplete.

**Cavendish Beach Music Festival (8779 Cavendish Road)** – an application was received to construct a new roadway and walkway access into property # 1037423. The application was tabled since the information was incomplete.

**Cavendish Beach Music Festival (8779 Cavendish Road)** – an application was received to construct new water and sewer lines on the property at property # 1037423. It was moved by Councillor Richard, seconded by Wyand that approval be granted in principle subject to: 1) that the sewer connection meets all requirements of the Cavendish Sewer Utility, 2) that the water and sewer line system meets all requirements of the Department of Environment and 3) payment of permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Temporary Permit Applications:**

**5.A. Cavendish Beach Music Festival (8779 Cavendish Road)** – an application was received to hold the Big Red at the Beach Event on July 2 – 3, 2016. It was moved by Councillor Richard, seconded by Councillor Wyand that the temporary permit be approved in principle subject to: 1) the event be approved for up to 10,000 people max, 2) meets the requirements of the Liquor Control Commission, 3) meets the requirements of the Department of Health, 4) meets the requirements of the Provincial Fire Marshal, 5) that the event shall not be fully licensed based on the family market and branding with the Vacation the Kids Took Over, 6) that a development agreement be entered into and a performance bond posted, 7) meets the requirements of the RCMP, 8) meets the requirements for security, 9) payment of permit fee and 10) that the previous approval in principle for 5000 people be rescinded. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Update was provided to Planning Board on the approval for the Fan Fest event on July 7, 2016 for up to 3000 people.

**Signage Permit Applications:**

Sea Cross Inc. – an application was received to locate signage on the property for the Big Red at the Beach Event at property # 232033 – 8779 Cavendish Road. The application was tabled as it was incomplete.

Cavendish Beach Music Festival – an application was received to locate signage on the property for the Big Red at the Beach Event at property # 1037423 – 8779 Cavendish Road. The application was tabled as it was incomplete.

Sandspit Entertainment Ltd. – an application was received to create a new multiple sign of 70 sq. ft. at property # 231977 - # 8883 Cavendish Road. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval granted based on the drawing submitted. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Belcourt Centre – (5 Reid Road)** – The draft environmental impact assessment had been provided for PID # 687137.

It was moved by Councillor Richard, seconded by Councillor Wyand that a public meeting be held to bring forward the revised site plan and environmental impact assessment to the public. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Phil Davison – moving of a building (Cavendish Road)** - an application was received to move a building onto the property. A comprehensive site plan has been received. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval be granted in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness, 3) that a development agreement be entered into, 4) that a performance bond of \$500.00 be posted, 4) that the property owner has 6 months from the date the permit is issued to complete all work on the building and 5) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Jessica McClintick (Cavendish Road – Swimming Rock)** – It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval be granted in principle subject to: 1) that a development agreement be entered into, 2) that a bond of \$300.00 be posted for the wedding that will be returned if the property is left as it is found prior to the wedding, 3) that the lawyers comments be met as part of the agreement, 4) that the insurance company provide their comments and 5) payment of temporary permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Lori MacKinnon (Cavendish Road)** – A detailed site plan and development agreement are to be completed for the property.

**David Lorenzetti (Cavendish Road)** – Awaiting information from the property owner.

**Official Plan / Rezoning Raspberry Point** – PID #'s 771832 (9539 Cavendish Road) and 231670 (9585 Cavendish Road).

The review is still underway by the municipal lawyer and we are awaiting her comments prior to a final decision being made.

**Marco Polo Land – Legal Matter:**

The matter was resolved.

**Bylaw Review Document:** It was moved by Councillor Richard, seconded by Councillor Wyand that the Zoning and Subdivision (Development) Control Bylaw be brought to a public meeting with the amendments proposed. All in favor 3, 1 non-voting, 3 absent.

**General Land Use Map**

It was moved by Councillor Richard, seconded by Councillor Clark Dunning that the General Land Use Map in the Official Plan document be brought to a public meeting. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Zoning Map:**

It was moved by Councillor Richard, seconded by Councillor Wyand that the Zoning Map be brought to a public meeting. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**Parks Canada Update:**

**Green Gables House:** Open by appointment as of April 15.  
- checking into tree falls on Haunted Wood trail

**Green Gables Lift Station**

- Greg will be meeting with Matthew to review options for the location of the lift station.

**Oceanview**

- new washroom is still being looked at for future work--no date specified

**Roads Project**

Work to start back up in May. Seal coat of asphalt and landscaping is all that is left. Work is expected to be completed by mid-June.

**Cavendish Campground**

- Site work on-going for additional 2 way sites, additional 3 way sites, conversion of unserved sites to 2 way and conversion of some 30 amp sites to 50 amp.
- Sewer and water work to start in May.
- Design beginning for a new reconfigured registration area.

**Dunelands Trail**

- this work deferred until fall.

**Parks Canada Infrastructure Removal**

- work begun to remove old assets at former wildlife park

7.A.1. **CBMF AFTER ACTION REPORTS:**

Minutes from the recent meeting as well as the final meeting in 2015 were in the package for the Council's review.

7.A.2. **ALAN AITKEN – ENTRANCEWAY APPLICATIONS:**

Entranceway applications have been changed by the Province. Property owners are required to have the application completed and the fee paid in full of \$1,500.00 before a permit will be granted.

7.B. **MONTHLY FINANCIAL REPORT:**

The administrator presented the monthly finances for February 29, 2016, revenue was \$40,869.92 and the expenses were \$12,295.46. It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that the monthly finances ending February 29, 2016 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

7.C. **TRAILS AND PATHS REPORT:**

7.C.1. **Grahams Lane Walkway and License Agreement with Parks Canada.**

The License of Occupation was signed and the fee of \$150.00 has been paid to Parks Canada.

7.C.2. **Walkway Assessment:**

It was moved by Councillor Wyand, seconded by Councillor Richard that \$389.00 plus HST be paid to the Central Development Corporation for services to oversee the walkway assessment project. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that the RFP from Stantec be accepted at a cost of \$7,708.00 plus HST for completion of the walkway assessment. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

7.C.3. **Lighting along Grahams Lane:**

Waiting for information on various types of lighting options from the engineer and the tender closing of the trail to determine what funds are remaining in the budget for the lighting options and what would work best.

7.D. **FIRE COMMITTEE REPORT:**

7.D.1. **North Rustico Fire Department:**

Allison Larkin is the first female fire chief on PEI.

7.D.2. **New Glasgow Fire Department:**

A copy of their annual meeting package is in the meeting package.

It was noted by Councillor Wyand that she was told that Councillor Clark Dunning made a great presentation on behalf of the municipality at their Annual Meeting.

Councillor Clark Dunning advised that the fire department would like information sent out to property owners reminding them that it is nice to have trees down your driveway or coming into your property but if the fire truck cannot gain entrance to your property than your property is at risk if a fire were to break out and the departments cannot gain access.

Information will be sent to property owners in the summer newsletter.

8. **CAVENDISH SEWER UTILITY REPORT:**

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

All lift stations with generators now do a test every Thursday that puts through a call to the security company advising that the generators are running.

One pump at Cranberry Village has been repaired and the other one is being sent out for repairs now since the first one has been reinstalled.

Gas Tax Generator project is still being worked on. A meeting is being held with Parks Canada to determine if one can be placed next to the lift station at Green Gables and what would be acceptable.

8.B. **Stephen Lank:**

It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that a letter shall be sent to the property on the utility's position on his billing as well as Irac's comments on the review. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

9. **Business Arising From Minutes:**

9A. **Website:**

Some dates had been provided to Councillor Lowther on availability to meet with Technomedia for training on the website but was not able to be completed prior to Councillor Lowther going away.

9.B. **Internet Service:**

Awaiting information from Bell Aliant, Eastlink and Island Telecom since meeting with them.

9.C. **Multicultural Day Funding:**

Funding has been approved for Multicultural Community Heritage Day from the Department of Canadian Heritage for \$1,700.00. The event will be held on June 25, 2016.

9.D. **Asset Management:**

The final information on the asset management for the municipality from the engineer is in the meeting package and has been sent to the province.

9.E. **Lecky Law Invoices:**

It was moved by Councillor Wyand, seconded by Councillor Richard that the invoice for the injunction matter be paid in the amount of \$3,000.00 and considered to be paid in full. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

It was moved by Councillor Wyand, seconded by Councillor Richard the invoice to lay the charge be paid in full and that the matter not be pursued any further. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

10. **NEW BUSINESS:**

10.A.1 **FPEIM:**

Donation was made from FPEIM to AMAPEI to help keep the organization going.

A meeting was held by the nominating committee and all vacant positions have names coming forward at the Annual Meeting that will be held on April 25, 2016 in St. Peters.

The travel policy for FPEIM has been worked on for Travel of the President and Executive Director.

The tool kit for municipalities is being worked on for municipalities to assist them through the amalgamation process.

Steven Gould did a presentation on family violence.

10.B. **Maintenance Position:**

The seasonal position will be advertised to fill the vacant position.

10.C. **Garbage Services:**

A request will be sent for pricing on garbage services for 2016.

10.D. **Gas Tax Municipal Strategic Component:**

Letter was received from Darlene Rhodenizer at the Infrastructure office regarding the Municipal Strategic Component of the Gas Tax Funds with the deadline of April 18, 2016. The Municipal Growth Management Study can be funded through this program. Additional information is required and a special meeting of the Council to review this information further.

10.E. **Municipal Growth Management Study:**

Letter was received from Municipal Affairs on the Municipal Growth Management Study and the deadline for submissions on April 18, 2016. Additional information will be gathered on what is needed for the study and a special meeting held by Council to discuss the process further.

10.F. **Policing Services:**

Letter was provided from Premier Wade MacLauchlan advising that an RFP has been issued by the Department of Justice and Public Safety to hire a firm with expertise in crime prevention and policing services to conduct a review of policing services in the province.

10.G. **Emergency Preparedness:**

Documents have been provided by the EMO office on a template as well as information that should be gathered when completing an EMO plan.

The current document will need to be updated and relevant information gathered on various resources in

the community. This can be worked on as part of the summer student responsibilities.

10.H. **Communities in Bloom:**

Information was provided on Canada's 150<sup>th</sup> Anniversary and how to showcase your community off for the Communities in Bloom Program.

10.I. **Polar Bear Plunge:**

Letter was received from Jodi Harper with the 2016 Polar Bear Plunge Challenge. If anyone is interested in participating it is happening on April 10, 2016 in Charlottetown and Summerside in support of Special Olympics.

10.J. **Destination Management Fund:**

Council felt that more information was required on the management fund including:

- 1) Collecting of the funds and how the structure would be set up?
- 2) When are the funds paid out for what is collected through the fund?
- 3) Who will be monitoring the project that the funds support once the funding is made?
- 4) does the organization apply for funding at the start of the project and receive it or do they have The funding approved and is presented at the end of the project for the amount of funding requested to ensure that the project met all the requirements?
- 5) Is all funding committed to one project each year or are there several projects funded?

11. **CONCERNS:**

11.A. **COUNCILLORS** – There were no Councillor's concerns raised.

11.B. **RESIDENTS:**

Scott and Sandi Lowther – a request was made to make a new entrance on Route 13, similar to Route 6 with the widening of the road starting at Marco Polo Land up to the intersection of Route 6 and 13 and move the sidewalks and the lighting to one side of the road to make Route 13 welcoming as the main entrance to the community.

It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that based on the current budget that there are no current plans to complete changes to the walkway and streetlights on Route 13 and that the Department of Highways would control any changes to the highway widening and entrance to the community. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

They will also be informed that the municipality is in the process of completing a walkway assessment that will determine what the future steps will be in dealing with all current trail systems throughout the area.

**White Gables at Hope River:** A letter had been previously sent to the owner advising him of the Resort Municipality Signage bylaw and no further response will be sent.

12. **ADJOURNMENT:** Chair Jelley adjourned the meeting at 2:45 p.m..

  
Chair, Matthew Jelley  
Monthly Council Meeting