

Minutes
Resort Municipality Monthly Council Meeting
Monday, October 17, 2016
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on October 17, 2016 at the Resort Municipality Office.

PRESENT: Vice-Chair Linda Lowther. Councillors: Edmond Richard, Gwen Wyand and George Clark Dunning. Administrator, Brenda MacDonald.

ABSENT: David Gauthier, Kay Hryckiwi and Matthew Jelley.

VISITORS: Nil.

1. **CALL TO ORDER:**

Vice-Chair Lowther called the meeting to order at 5:10 p.m.

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

There were no conflicts of interest declared.

3. **APPROVAL OF AGENDA:**

It was moved by Councillor Richard, seconded by Councillor Wyand that the agenda be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

4. **APPROVAL OF MONTHLY COUNCIL MEETING SEPTEMBER 19, 2016:**

It was moved by Councillor Clark Dunning, seconded by Councillor Richard that the Monthly Council Minutes of September 19, 2016 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

APPROVAL OF OFFICIAL PLAN MINUTES SEPTEMBER 21, 2016:

It was moved by Councillor Clark Dunning, seconded by Councillor Richard that the official plan minutes on September 21, 2016 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

APPROVAL OF ZONING AND SUBDIVISION DEVELOPMENT CONTROL MINUTES SEPTEMBER 21, 2016:

It was moved by Councillor Wyand seconded by Councillor Clark Dunning that the Zoning and Subdivision Development Control Bylaw minutes of September 21, 2016 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

APPROVAL OF DANGEROUS AND UNSIGHTLY PROPERTY BYLAW, SUMMARY PROCEEDINGS BYLAW AND MUNICIPAL OFFENSE TICKET MINUTES SEPTEMBER 21, 2016:

It was moved by Councillor Richard, seconded by Councillor Wyand that the Dangerous and Unsightly Property Bylaw minutes of September 21, 2016 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

5. **CORRESPONDENCE:** Correspondence items for September that action is required on are listed on the agenda.

6. **COMMITTEE REPORTS:**

Planning Board Report:

Leonard Blacquiere:

A letter was received from the owner on the change or use for the building on the property.

Rezoning Application:

Chris & Margaret Opydo – an application was received to rezone the property from RR (Rural) to RD3 (Resort Campground).

It was moved by Councillor Lowther, second by Councillor Clark Dunning to take the rezoning request to a public meeting to get input from the community on the proposed application and that the \$1,000.00 fee must be paid before any public meeting will be advertised. All in favor 3, 1 non-voting, 3 absent.

Building Permit Applications:

Chris & Margaret Opydo - an application was received to construct 285 campsites, and to change the existing storage building into an office, food service, washrooms and staff space at PID # (7840 Cavendish Road). Application was tabled until a public meeting is held on the rezoning request.

PEI Dream Cottages Inc. – an application was received to construct a new pool of 20' X 40', with an 8' deck around three sides of the pool and a 16' deck around one side of the pool of 52' X 56' in total size, with a 6' fence surrounding the deck and pool, as well as to change the existing storage building into an office, washroom, laundromat at PID # 660829. (84 MacCoubrey Lane). It was moved by Councillor Lowther, seconded by Councillor Wyand that approval be granted in principle 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 the Department of Tourism, 4) clarification to be received from the owner on the lot amalgamation at the property based on the boundary line showing on the map and the location of the pool and deck and 5) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

The owners should also be advised that a change of use application will need to be filed for the current office and the new use in this space.

Paul & Linda Larkin – an application was received to construct an addition onto the existing building of 24' X 26' to expand the existing kitchen at PID # 536235 – 8947 Cavendish Road. It was moved by Councillor Lowther, seconded by Councillor Clark Dunning that approval 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 the Liquor Control Commission and 4) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Leonard Blacquiere – an application was received to change the use of the building on the property into a storage building of 26' X 36', at PID # 681155 – 7380 Cavendish Road. It was moved by Councillor Lowther, seconded by Councillor Clark Dunning that approval be granted subject to: 1) the storage building being located on the site in accordance with the site plan, 2) that the building is to be used for storage only and 3) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Lot Consolidation:

Oleksiyy Yenin & Svitlana Ienina – an application was received to append lot 71, PID # 858209 and lot 74, PID # 677591 on Stanley Road into one lot in Seawood Estates. It was moved by Councillor Lowther, seconded by Clark Dunning that approval in principle be granted subject to: 1) a survey plan being provided of the consolidated lot, 2) that the adjacent property owners in Seawood Estates be

consulted on the lot consolidation based on changes to the lots in the subdivision and 3) payment of lot consolidation fee. All in favor 3, 1 non-voting, 1 absent. Motion Carried.

Updates were provided on permit applications that were still awaiting information.

Municipalities Act Review:

The Council had met with the Minister on October 3, 2016 to discuss the proposed changes to the Municipalities Act. There are a number of changes proposed as this is the first review of the Act in 40 years so there are a lot of updates. The government is planning to allow up to 15 months for municipalities to get the changes in place as there will be a number of bylaw changes as well as budgeting and meeting dates required based on the proposed Act. A letter will be sent from the municipality outlining all of the concerns with the proposed new Act.

Bylaw Review:

Councillor Richard advised that there were 5 comment sheets received on the bylaw review that all dealt with the Dangerous and Unsightly Property Bylaw.

Official Plan: It was moved by Councillor Lowther, seconded by Councillor Wyand that the Official Plan be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Zoning and Subdivision Development (Control) Bylaw: It was moved by Councillor Lowther, seconded by Councillor Clark Dunning that the Zoning and Subdivision Development (Control) Bylaw be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Summary Proceedings Bylaw: It was moved by Councillor Lowther, seconded by Councillor Wyand that the Summary Proceedings Bylaw be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Dangerous and Unsightly Property Bylaw: Tabled as more information is required based on the comments raised in the letters submitted on farm vehicles and vehicles with no valid inspection sticker.

Municipal Offense Ticket: It was moved by Councillor Lowther, seconded by Councillor Clark Dunning that the municipal offense ticket be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

PARKS CANADA:

Management Plan meeting on October 24, 2016 from 6:00 – 8:30 p.m. at the North Rustico Lion's Club. A notice will be sent to stakeholders by Parks Canada.

Meeting will be held on the draft management plan with key stakeholders chosen by Parks Canada on October 26, 2016 from 1:00 – 3:00 p.m. at UPEI. Two representatives from Council and two from the planning board can attend the session.

Green Gables project has been awarded to Root Architecture Inc. from Halifax and Public Works and Government Services Canada will be overseeing the project.

Chantel and Ocel are working on an interim offer and Route at the site that will be used during construction at the site next summer. An invitation will follow for key stakeholders to come to the site and review the offer and route to provide feedback.

Architects will have a draft design in early 2017 and it will be brought to the public for comments. Parks is limited in what can be done at the site with the ridged rules that are followed through Public Works and Government Services Canada.

George questioned if the architecture firm has experience in working with National Historic Sites and Barb advised that she was not sure of that but that they have worked on lots of older structures and designs.

The administrator questioned if the site will be cleared during the winter and what the plan will be for visitors in the winter and spring during construction.

Barb advised that was a good question and that she would have to follow up on that with the managers.

Barb asked about the signage RFP for the municipality and asked if Parks could be one of the stakeholders that meets during the RFP process as they have had issues in trying to meet the bylaw requirements.

Vice-Chair Lowther confirmed that Parks would be one of the stakeholders met with during the signage review process.

Garth asked when the meeting would be held on Cavendish Grove.

Barb advised that the meeting had been put on hold as Parks currently does not have any funds to complete any projects at that site. It was stated that funding has now been applied for and it is expected to have word back on the request in January 2017 and they would then go to a public meeting as they would know what projects could go forward.

Garth advised that based on the information from Parks that nothing will be done at the Grove for 2017 and Barb advised that there was no plans to do anything in 2017 as there was no money allocated for project work at the site.

Garth advised that in that case the sign at the site should at least be marked with symbols so that people would have an idea of what is located at the site.

Barb advised that this was a good idea and that she would bring the information back to Parks.

Beach Access will be open again in the winter for certain areas as per previous years.

Cavendish Campground tender has been awarded and Barb provided a copy of the site plan. Parks will also be extending the trail in front of the new parking area to tie in with the municipal trail.

Vice-Chair Lowther advised that she was concerned to see a huge apple tree in the National Park with apples all over the ground going bad when there are so many hungry people and the food banks could use the apples and that she knows that their mandate is to leave things in nature but it is an awful waste.

Barb advised that she was not aware of the apple tree but would check into it.

Barb advised that the fire modification plan is underway and work is scheduled for the Cavendish area this fall. She advised that at the last meeting planning board had suggested that the corner area should be the priority around the Visitor Center to be cleaned up. Barb advised that there are leases in place

with the province and the golf course so Parks does not have the availability to come in and cut trees around the visitor center and this will have to be reviewed.

Barb suggested that Arja attend the November meeting to discuss the fire plan.

Garth advised that he could provide a dump truck and a chain saw and get a few people and the trees could be cleaned up in no time.

Barb advised that the public cannot do any tree cutting on the Park properties.

The administrator advised that Parks Canada has to have an environmental review completed prior to any trees being cut and it would take months just to get it approved.

The board advised that the trees should be able to be removed with no question by Parks themselves and it is not safe and unsightly for people coming to the area.

Barb advised that the head of fire services for the Park was on the Island five years ago and commented on the sections in his report that should be dealt with first.

The administrator advised that there have been a lot of changes in five years in the National Park and the trees and should be revisited.

The administrator asked about the Parks Wardens leaving the Cavendish Visitor Center and what this means for the area as to whether or not there will be a warden presence in the area any longer.

Barb advised that this was just decided on recently as they need to be in Dalvay where the rest of the staff are working.

Barb was asked to have a response on the warden matter for the Council meeting on October 17, 2016 as there were concerns raised on this at the Council meeting.

Barb confirmed that she would provide a response on the wardens.

6.A.1. Cavendish Beach Music Festival:

A copy of the CBMF After Action Minutes were in the package.

6.A.2. Parks Canada Meetings:

It was decided that Peter Fullerton and Arnold Smith would be contacted on attending the meeting on behalf of the planning board.

6.A.3. Raspberry Point Oyster Company Inc.:

Second Reading – Official Plan Amendment: (9539 Cavendish Road) – PID # 771832 – It was moved by Councillor Richard, seconded by Councillor Lowther that the Council amend the Official Plan General Land Use Map to change the designation of Provincial Parcel # 771832 from the C1 (General Commercial) Zone to RD4 (Resort Commercial) Zone. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Second Reading – Rezoning Amendment: (9539 Cavendish Road) – PID # 771832: It was moved by Councillor Richard, seconded by Councillor Lowther that the bylaw amendment to amend the Zoning map to show Property # 771832 from the current C1 (General Commercial) Zone to RD4 (Resort Commercial) Zone be approved as read. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Adoption of Official Plan Amendment: It was moved by Councillor Richard, seconded by Councillor Wyand that the Official plan General Land Use Map amendment for Provincial Parcel # 771832 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Adoption of Rezoning Amendment: It was moved by Councillor Richard, seconded by Councillor Lowther that the Rezoning Amendment for Provincial Parcel # 771832 from C1 (General Commercial) Zone to RD4 (Resort Commercial) Zone be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Second Reading – Official Plan Amendment: (9581 Cavendish Road) – PID # 231670 – It was moved by Councillor Richard, seconded by Councillor Wyand that the Council amend the Official Plan General Land Use Map to change the designation of Provincial Parcel # 231670 from the C1 (General Commercial) Zone to RD4 (Resort Commercial) Zone. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Second Reading – Rezoning Amendment: (9581 Cavendish Road) – PID # 231670: It was moved by Councillor Richard, seconded by Councillor Clark Dunning that the bylaw amendment to amend the Zoning map to show Property # 231670 from the current C1 (General Commercial) Zone to RD4 (Resort Commercial) Zone be approved as read. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Adoption of Official Plan Amendment: It was moved by Councillor Richard, seconded by Councillor Wyand that the Official plan General Land Use Map amendment for Provincial Parcel # 231670 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Adoption of Rezoning Amendment: It was moved by Councillor Richard, seconded by Councillor Clark Dunning that the Rezoning Amendment for Provincial Parcel # 231670 from C1 (General Commercial) Zone to RD4 (Resort Commercial) Zone be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

6.B. **MONTHLY FINANCIAL REPORT:**

The monthly finances for September 30, 2016, were presented. Revenue was \$212,928.09 and the expenses were \$235,484.85. It was moved by Councillor Wyand, seconded by Councillor Richard that the monthly finances ending September 30, 2016 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

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

Grahams Lane Walkway: Awaiting for holes to be filled in along the trail from the settling around the posts by Island Coastal Services Ltd..

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

No updates to report.

6.E. **TCBI:**

Strategic Plan and new branding are being worked on.
Fall meeting will be held in November.

6.F. **CCTP:**

Fall meeting will be held in November.

6.G. **PLANNING BOARD MEMBERS:**

Some positions were eliminated based on members being absent from meetings.

One member advised that perhaps the Council should look at some type of honorarium for members as if they are missing work they should get something for their time even if it is just travel money.

Council recommended that this was a good idea and that it would be reviewed under the policy manual.

Council recommended that a gift card and a plaque be given to the members that have finished their time on planning board.

It was decided by Council that some ladies be approached about sitting on planning board. The administrator will contact them regarding filling Garth MacNeill's position.

6.H. **EVENT GUIDELINES:**

It was moved by Councillor Richard, seconded by Councillor Clark Dunning that Council agreed that the event guidelines from VMG be adopted as the new event guidelines for the municipality. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

7. **CAVENDISH SEWER UTILITY REPORT:**

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

It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that the quote from Stantec for Toombs to complete the work on the base for the generator at Green Gables at a cost of \$10,026.22 plus HST be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

7.A.1. **Generator Work at Green Gables:**

Work is underway and is expected to be completed within the next two weeks.

7.B. **Lagoon Upgrades:**

Work has been completed at the lagoon site and the work at Cranberry Village Lift Station has been completed as well.

8. **BUSINESS ARISING FROM MINUTES:**

8.A. **Internet Servicing:**

A meeting was held with Eastlink and Bell Aliant. Eastlink has provided information and is going to meet with the community again, but nothing has been received from Bell Aliant.

It was decided that Bell Aliant would be contacted to see where their information is.

8.B. **Signage RFP:**

Only one bid was received. It was decided by Council that the signage RFP would be put back out to tender.

8.C. **Warden's Office:**

Parks Canada has provided a letter advising that the warden service would remain in Cavendish but that in 2017 the wardens will no longer be operating out of the Visitor Center building.

The municipality has put in a request to the province to use this space for storage.

8.D. **Copier –** We are awaiting more information and pricing from Rob MacKenzie with Xerox.

received, interviews were not able to be scheduled.

9. **NEW BUSINESS:**

9.A. **FPEIM:**

The FPEIM Board is working with the Minister on the new Municipal Government Act and trying to get them to extend the timelines for introducing the Act, based on the fact that there are a number of issues still concerning municipalities and the regulations have been provided to date.

9.B. **Administrator's Evaluation:**

It was decided that Chair Jelley, Councillor Lowther and Councillor Clark Dunning would sit on the committee. If Councillor Lowther is out of province then Councillor Richard will fill her place on the committee.

10. **CONCERNS:**

10.A. **COUNCILLORS –**

Work on the roundabout in Stanley Bridge has started.

Stanley Bridge Harbour Authority is extending the breakwater by 50'.

10.B. **RESIDENTS:**

Jozef and Judy Lodeweyckx: Concerns were raised over rocks being put onto the roadway on Seawood Drive. The municipality does not have jurisdiction over roadways in Seawood Estates and the owners were advised to contact Seawood Estates directly on the matter.

Cavendish Country Inn & Cottages:

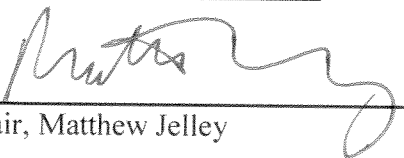
Concerns were raised over two RV's being located on an accommodation property.

The Council will check with the lawyer to get her comments on the RV's on this property.

Bruce and Nancy Creighton: A request was received for a crosswalk to be located on Route 6 near the Tourist Mart for people crossing the road safely.

It was decided by the Council that this would be looked at by the municipality with the Department of Transportation and Infrastructure Renewal to get input from them on having one installed.

11. **ADJOURNMENT:** Vice-Chair Lowther adjourned the meeting at 7:03 p.m..


Chair, Matthew Jelley