Minutes
Resort Municipality Monthly Council Meeting
Monday, July 17, 2017
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on July 17, 2017 at the Resort Municipality Office.

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

ABSENT: Nil.

VISITORS: Lorne Burgoyne.

1. CALL TO ORDER:
Chair Jelley called the meeting to order at 5:03 p.m.

2. DECLARATION OF CONFLICT OF INTEREST:
No conflicts of interest were declared.

3. APPROVAL OF AGENDA:
It was moved by Councillor Gauthier, seconded by Councillor Wyand that the agenda be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

4. APPROVAL OF PUBLIC MEETING MINUTES ON THE PEARL CAFÉ JUNE 5, 2017:
It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that the Public Meeting Minutes of June 5, 2017 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF PUBLIC MEETING MINUTES ON THE CAVENDISH BEACH MUSIC FESTIVAL JUNE 5, 2017: It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiw that the Public Meeting Minutes of June 5, 2017 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF MONTHLY COUNCIL MEETING MINUTES JUNE 19, 2017:
It was moved by Councillor Clark Dunning, seconded by Councillor Richard that the Monthly Council Meeting Minutes of June 19, 2017 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

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

6. COMMITTEE REPORTS:
6.A. Planning Board / Signage:
Building Permit Applications:
Marco Polo Land – PID # 232298 – (7406 Route 13) – an application was received to construct 22, 3 way camp sites on the property. It was moved by Councillor Richard, seconded by Councillor Hryckiw 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 the Department of Environment, 4) that the final site plan be provided by the engineer for the construction plans and 5) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Audrey Envik – PID # 839779 – (57 Cole Lane) – an application was received to locate a storage container on the property as an accessory building of 20' X 8'. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that the application be denied based on the fact that it does not comply with the setback requirements of Section 6 in the 2017 Zoning and Subdivision Control (Development) Bylaw. All in favor 6, 1 non-voting. Motion Carried.

Temporary Permit Applications:

Fairways Cottages (Scott & Sandi Lowther) PID # 232306 - (7420 Route 13) – an application was received to have a temporary permit to have a tent of 20' X 20' on the property on July 30, 2017 for a private function. It was moved by Councillor Richard, seconded by Councillor Wyand that the application be approved subject to: 1) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Sea Cross Inc. (Scott Linkletter) – PID # 232033 (8779 Cavendish Road) – an application was received to have entertainment at Avonlea Village between August 1 – 3, 2017. It was moved by Councillor Richard, seconded by Councillor Hryckiw that the application be approved in principle subject to: 1) meets the requirements of the Liquor Control Commission, 2) meets the requirements of the Provincial Fire Marshal's office and 3) payment of temporary permit fee. All in favor 6, 1 non-voting. Motion Carried. Carried.

Sea Cross Inc. (Scott Linkletter) – PID # 231720 (9139 Cavendish Road) – an application was received to have entertainment at the Cavendish Boardwalk between August 1 – 3, 2017. It was moved by Councillor Richard, seconded by Councillor Wyand that the application be approved in principle subject to: 1) meets the requirements of the Liquor Control Commission, 2) meets the requirements of the Provincial Marshal's office and 3) payment of temporary permit fee. All in favor 6, 1 non-voting. Motion Carried.

Marco Polo Land Inc. (Hennie Hoekstra) – PID # 232298 (7406 Cavendish Road) – an application was received to have East River Shellfish come into the property from July 1 – September 15, 2017 to sell mussels. It was moved by Councillor Richard, seconded by Councillor Wyand that the application be approved 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 and 3) payment of temporary permit fee. All in favor 6, 1 non-voting. Motion Carried.

Subdivision Application:

Kelly Doyle – PID # 684787 (507 Gulf Shore Highway) – This application was tabled until more information was received from Parks Canada and the legal counsel.

Public Meeting:

Environmental Impact Assessment – Cavendish Tourism Complex Development Inc. - PID # 232447: It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval in principle be granted on the environmental impact assessment for the development to proceed to the next step with the final site plan to be provided for final approval. All in favor 6, 1 non-voting. Motion Carried.

Rezoning Application:

First Reading – Raspberry Point Oyster Co. Inc. Official Plan Amendment: (Cavendish Road) – PID # 442608 –

Official Plan Amendment Resolution

Whereas an application was received from Raspberry Point Oyster Co. Inc. for Cavendish Road PID # 442608 to amend the Resort Municipality Official Plan General Land Use Map from Rural land use to proposed Resort Commercial land use;

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;

Be it resolved that the official plan amendment 2017-3, to amend the 2017 Official Plan be hereby formally adopted.

It was moved by Councillor Lowther, seconded by Councillor Gauthier that Council amend the Official Plan General Land Use Map to change the designation of Provincial Parcel # 442608 from the Rural Zone to the Resort Commercial Zone. All in favor 5, 1 non-voting, 1 neigh. Motion Carried.

First Reading – Raspberry Point Oyster Co. Inc. (Cavendish Road) – PID # 442608:
Whereas an application was received from Raspberry Point Oyster Co. Inc. for Cavendish Road, PID # 442608 for a zoning amendment from the Rural zone to the proposed Resort Commercial zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2017-3 to change the zoning map from (RR) Rural to (RD4) Resort Commercial;

Be it resolved that zoning bylaw amendment 2017 – 3, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a first time.

It was moved by Councillor Richard, seconded by Councillor Hryckiw that the bylaw amendment to amend the Zoning map to show Property # 442608 from the current Rural (RR) Zone to RD4 (Resort Commercial) Zone be approved as presented. All in favor 5, 1 non-voting, 1 neigh. Motion Carried.

Approval of First Reading:
Whereas an application was received from Raspberry Point Oyster Co. Inc. for Cavendish Road, PID # 442608 for a zoning amendment from the Rural zone to the proposed Resort Commercial zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2017-3 to change the zoning map from RR (Rural) to RD4 (Resort Commercial);

And Whereas zoning bylaw amendment 2017-3, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw was read a first time at this Council Meeting.

Be it resolved that zoning amendment 2017-3, be hereby approved.

It was moved by Councillor Richard, seconded by Councillor Wyand that the first reading of the bylaw amendment 2017-3 be approved as presented. All in favor 5, 1 non-voting, 1 neigh. Motion Carried.

First Reading – Ronnie and Irene Blacquiere Official Plan Amendment: (Cavendish Road) – PID # 233569 –

Official Plan Amendment Resolution

Whereas an application was received from Ronnie and Irene Blacquiere for Cavendish Road PID # 233569 to amend the Resort Municipality Official Plan General Land Use Map from Rural land use to proposed General Commercial land use;

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;

Be it resolved that the official plan amendment 2017-4 to amend the 2017 Official Plan be hereby formally adopted.

It was moved by Councillor Lowther, seconded by Councillor Gauthier that Council amend the Official Plan General Land Use Map to change the designation of Provincial Parcel # 233569 from the Rural Zone to the General Commercial Zone. All in favor 5, 1 non-voting, 1 neigh. Motion Carried.

First Reading – Ronnie and Irene Blacquiere (Cavendish Road) – PID # 233569:
Whereas an application was received from Ronnie and Irene Blacquiere for Cavendish Road, PID # 233569 for a zoning amendment from the Rural zone to the proposed General Commercial zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2017-4 to change the zoning map from RR to C1;

Be it resolved that zoning bylaw amendment 2017 – 4, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a first time.

It was moved by Councillor Richard, seconded by Councillor Wyand that the Council amend the Zoning Map in the 2017 Zoning and Subdivision Control (Development) Bylaw to change the designation of Provincial Parcel # 233569 from the (RR) Rural Zone to (C1) General Commercial Zone. All in favor 6, 1 non-voting. Motion Carried.

Approval of First Reading:
Whereas an application was received from Ronnie and Irene Blacquiere for Cavendish Road, PID # 233569 for a zoning amendment from the Rural zone to the proposed General Commercial zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2017-4 to change the zoning map from RR (Rural) to C1 (General Commercial);

And Whereas zoning bylaw amendment 2017-4, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw was read a first time at this Council Meeting.

Be it resolved that zoning amendment 2017-4, be hereby approved.

Cavendish Beach Music Festival:
There were some issues raised on the fencing along the properties in Forest Hills Lane as it was gone through again by the public leaving the site and some items were taken near an adjacent property and the festival is currently dealing with their concerns. A public meeting will be held on August 2, 2017 to gather input from the public.

It was decided that a letter be sent to Chris Jones and Janet Wood regarding compliance officers being in the area during the festival event as well as that they need to have someone attend the meetings regularly as well with the Senior Operations team throughout the year.

Parks Canada: CBMF – Things went well during the festival in the National Park Campground. Some

people were removed and charges were laid but overall a good weekend.

Green Gables House – visitation was up 60% for May, 27% for June and 34% to date for July. There are a lot of Islanders that have visited the site this year due to the free entry and this has increased the visitation as well. They are having issues with the parking lot being full and they will hire staff on the site to direct traffic. There is overflow parking at the Cavendish Grove and Oceanview for the Green Gables Site as well.

Demolition of the Gift Shop at the site went well and the building came down fast.

Cavendish Grove and the Simpson Property – a meeting will be held on September 14, 2017 to get public input on the sites.

Barb advised that the trails at the Grove will remain as they are as that will not be part of the project review in the fall for the Cavendish Grove.

Cavendish Campground – work is finishing up on the new building and the trail extension from the municipal walkway to the new building and Parks trail has been completed.

Barb advised that visitation in the campground for trailers and RV's has increased and the Otentiks are 90% fully booked during the season.

Beaches - There is an on line parking tool with Parks Canada now to determine what parking areas are full and they are encouraging the public to use them.

Parks will also be introducing their new mobility chair and mats for accessibility at the beach which is exciting for anyone with mobility issues to allow them access to the beach and the water.

Dunelands Trails is being worked on. The walkway has been put in place and final work should be completed on the walkway within the week.

On Labour Day Weekend Parks is going to have the Great Island campout at the campgrounds and are going to encourage people to come out and stay.

A permit was issued for KOA Campground – to have a truck come in to sell vegetables each week from July 12 – September 2017 on the property.

It was decided by the Council that a letter be sent to Karen Jans on the building at Green Gables stressing the concerns of planning board and the Council on the proposed new building to see if anything further can be done to change the overall appearance of the building.

Other:

Trailers / RV's – letters have been sent out to all properties owners that have trailers / RV's on their property. They were either hand delivered or sent by e-mail to each of the owners. Lawyer's letters will be sent to five property owners that had trailers located on their properties without approval.

It was moved by Councillor Richard, seconded by Councillor Lowther that lawyer's letters be sent to a property owner and we are awaiting an update from them on the trailers being removed from their property. All in favor 6, 1 non-voting. Motion Carried.

Two trailers were removed from a property that had received notification from the municipality on the trailers being used as residences without approval.

Sandersmith Enterprise Ltd.- (48 Bayview Drive) PID #92775: an application was received to have a tent on the property for a wedding from August 2 – 5, 2017. It was moved by Councillor Richard, seconded by Councillor Lowther 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) meets the requirements of the Liquor Control Commission, 4) that a development agreement be entered into, 5) that a $1,000.00 bond be posted and 6) payment of permit fee. All in favor 6, 1 non-voting.

6.A.1. CBMF – Buses on MacCoubrey Lane:
Concern was raised by a property owner on buses travelling on MacCoubrey Lane during the festival weekend.

Adam Doiron had responded back and he advised that they had not advised the buses to travel on the laneway and it only happened with one driver.

6.A.2. Hidden Acres Cottages:
A letter was received from the property owner advising that they were not aware of the signage bylaw and that they removed the signage that was in non-compliance with the bylaw.

It was decided by the Council that the owners were notified of the signage that was in non-compliance with the signage bylaw on their property and that at this time no further action would be taken.

6.A.3. Unsightly Properties:
It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that all properties owners with grass in excess of 8" in height under the Dangerous and Unsightly Premises Bylaw be sent letters giving them 14 days to comply with the bylaw. All in favour 6, 1 non-voting. Motion Carried.

6.B. MONTHLY FINANCIAL REPORT:
The monthly finances were tabled until the next monthly meeting.

6.B.1 MRSB Letter:
The auditor's letter on the 2016 audit was presented.

6.B.2 Sewer Utility Audit Information: It was moved by Councillor Hryckiw, seconded by Councillor Lowther that the audited statements for 2016 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

6.B.3. Proposed Budget:
A meeting will be held on July 21, 2017 on the 2018 proposed budget.

6.C. TRAILS AND PATHS REPORT:
6.C.1. BOARDWALK REPAIRS:
Awaiting further information from the contractors on the trail project and pricing on the exact details in the breakdown of costs for the work and materials being provided and clarification on the marine grade product.

It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that the funds allocated for the Heritage Park Project through the Gas Tax Funds be allocated to the Route 6 and 13 trail project. All in favor 6, 1 non-voting. Motion Carried.

6.C.2. LIGHTS ALONG TRAIL:
A request was received from a property owner wanting to know if the community was willing to sell some solar lights that were left from the Grahams Lane Trail.

Decision of Council was that no lighting would be sold until a final decision is made on how the trail will be lit.

6.C.3. SWIMMING ROCK INFILLING:
Awaiting quotes on the work at the swimming rock from the contractors.

6.D. FIRE COMMITTEE REPORT:
Councillor Clark Dunning advised that there were no updates from the fire departments for the meeting. He discussed the campgrounds and representation at each of them with the fire departments and whether or not the fire departments have information on each of the campgrounds with the number of people in the campgrounds during the summer.

6.E. TCBI:
Councillor Hryckiw advised that there were no updates during the summer months as the committee does not meet.

6.F. CCTP:
6.F.1. Ann/LMM Roundtable Notes:
Information is in the package.

6.F.2. Invitation Shipwreck of the Marco Polo Experience:
Invitation was in meeting package to the Marco Polo Experience anyone wishing to attend needs to confirm their attendance with the CAO.

7. CAVENDISH SEWER UTILITY REPORT:
7.A. Monthly Updates and engineering:
Awaiting easement agreement between Sandspit Entertainment Ltd. and Actions Attractions Ltd. for shared services.
Parks Canada meter will be read each month at the site for clarity on the meter.
The seal was fixed completely around the light at LS #2.
Relay was changed on LS # 4 at Herbie Moore's.

7.A.1. Stanley Bridge Marina: A request for sewer hauling was received from the Marina to the lagoons.

7.A.2. Cavendish Lodge and Cottages Sewer Flow Rates:
A request was received for a reduction in flow rates based on work being completed at the site on with washing of decks and the amount of flow that would have been used for the cleaning.

7.A.3. Xylem LS # 2:
Additional work was required on the station and the engineer has advised that it was not an expected cost based on the work that was completed to the station with the flow meter.

7.B. Driftwood Landing Information:
The utility is awaiting information on the system from the engineer.

8. BUSINESS ARISING FROM MINUTES:
8.A. Internet Servicing:
Work is continuing on the project with tree trimming and the installation of poles within the subdivision. It is expected that work will be completed by the fall.

8.B. Signage Bylaw Report:

Councillor Lowther and the CAO will be meeting with the lawyer to lay out the bylaw review process.

8.C. Destination Management Fund:
Councilllor Lowther is working on finishing the application form and an agreement is needed on the fund.

Chair Jelley will meet with Jeff to get the details finalized.

8.D. Human Resource Committee:
Amendments to the document were discussed.

It was moved by Councillor Richard, seconded by Councillor Hryckiw that the amendments to the Human Resource Documents be approved as presented. All in favor 6, 1 non-voting.

It was moved by Councillor Richard, seconded by Councillor Hryckiw that the committee would be made up of Councillor Richard, Councillor Clark Dunning and Councillor Gauther as well as Chair Jelley as ex-officio. All in favor 6, 1 non-voting. Motion Carried.

8.E. MADD CANADA:
Councillor Lowther and Councillor Clark Dunning met with Crystal Gillis. A location was shown at the site for the monument.

It was moved by Councillor Lowther, seconded by Councillor Clark Dunning that before anything is finalized that the location should be staked at the site for the monument and a model of the monument should be provided. All in favor 6, 1 non-voting. Motion Carried.

9. NEW BUSINESS:
9.A. FPEIM: They have had a few conference calls over the summer. Councillor Wyand missed the last meeting due to the lateness of the meeting package coming out.
The municipal tool kit is being worked on.

9.A.1. OFFICE OF THE BISHOP:
A letter was received from the Office of the Bishop thanking the Chair, Council and the CAO for their work during the Retreat Centre construction.

10.A. CONCERNS:
10.A.1.COUNCILLORS CONCERNS:
Map Stop Signs were discussed. A price will be requested from Kenny Pineau to complete the work on the map stops. Councillor Lowther will work on having the map stop signs updated and bring back to Council for further information.

Crosswalk on Route 13 was discussed and the concerns for safety of the public trying to cross the road at the Site of LM Montgomery's Cavendish Home and the Haunted Wood Walk.

Chair Jelley will try to discuss this further with Stephen Yeo, to see if more information can be received from the province on this area and a crosswalk being established.

Councillor Clark Dunning raised concerns over the lights on the Grahams Lane Trail and has advised that he has walked the trail and that he will work on getting pricing for lights in this area as well as throughout the community and lights that may be needed in other areas.

10.B. RESIDENTS:

Bruce and Susan Simpson – concerns were raised over internet servicing in the municipality. Bruce was provided the contact information for Eastlink to work with the service provider on whether or not internet servicing could be obtained at his property.

Jeff Squires – Boardwalk – Jeff raised concerns over the condition of the municipal boardwalk as during the festival the public raised concerns to him over the condition of the walkway.

Upgrades will be completed this fall on some of the sections of the walkway and will continue to work forward. The maintenance staff has also started the replacement of the walkway on Route 6 West just prior to Grahams Lane.

Darrell Doucette – concerns over garbage containers on MacCoubrey Lane. Councillor Lowther will follow up with him on this matter.

Silverwood Motel – concerns were raised over wild animals being located at Avonlea Cottages. A letter will be sent to the owner of Avonlea Cottages as wild animals are not a permitted use in the RD4 zone.

11. ADJOURNMENT: Chair Jelley adjourned the meeting at 7:45 p.m.

Chair, Matthew Jelley