

Minutes
Resort Municipality Monthly Council Meeting
Monday, February 27, 2017
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on February 27, 2017 at the Resort Municipality Office.

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

ABSENT: Kay Hryckiw.

VISITORS: Corinne Rowswell.

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 on the permit application for Sandspit Entertainment. Councillor Lowther declared a conflict of interest on the permit application for Sandspit Entertainment.

3. **APPROVAL OF AGENDA:**

It was moved by Councillor Gauthier, seconded by Councillor Wyand that the agenda be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

4. **APPROVAL OF MONTHLY COUNCIL MEETING MINUTES JANUARY, 16 2017:**

It was moved by Councillor Lowther, seconded by Councillor Wyand that the Monthly Council Meeting Minutes of January 16, 2017 be adopted as amended. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

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

6. **CBMF – Jeff Squires:**

Jeff Squires was welcomed to the meeting.

Destination Management Fund:

Jeff commented on the development fund. He advised that CBMF is prepared to go with the \$1.00 per ticket for 2017. He will review future ticket fees and provide more details on what he thinks is realistic to the Council by the fall for the 2018 season.

Jeff advised that he is anxious to see something completed with the funds. He wants to move forward and get it done and get some pictures showing people what the funds went towards in the community.

CBMF 2017:

Jeff advised that there will be some changes made to the site plan for CBMF for 2017 but they are still being worked on.

Jeff was asked to submit the plan that he had and then changes can be made up until the May 25, 2017 deadline, but the initial plan needs to be submitted.

Jeff was advised by the Council that the final site plan for CBMF for 2017 must be submitted to the municipal office and the Provincial Fire Marshal's office by May 25, 2017.

Jeff advised that as of now, the only event booked for the site for the 2017 season is CBMF on July 7 – 9, 2017.

Jeff advised that he would like to be on the April agenda to update the Council as the event moves forward.

Sewer Letter: Jeff commented on the meter issue at the festival site. It was agreed that that no municipal property shall be removed from the site in the future without written consent of the sewer utility. It was also agreed that Brodie will be on site at the start of the season to see the opening reading of the meter and will again be there in the fall for the closing reading of the meter. This will help with the confirmation on the readings on the meter.

Mark Crowther said his goodbyes at the last Senior Ops meeting as he will be leaving in March to start his new position in the North.

Chair Jelley thanked Jeff Squires for attending the meeting and providing updates for the 2017 season.

7. **COMMITTEE REPORTS:**

Planning Board Report:

Building Permit Applications:

Parkview Farms Inc. (8214 Cavendish Road) – an application was received to remove an existing storage building and construct a new one of 16' X 16' for storage only at property # 232652. It was moved by Councillor Richard, seconded by Councillor Lowther that the application be approved subject to: 1) that the building be located on the site in accordance with the site plan, 2) that the building shall be used for storage only, 3) that the building shall not be used for human habitation and 4) payment of building permit fee. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Odeh Zaidan (132 Cape Road) – Incomplete application – tabled.

PEI Dream Cottages (84 MacCoubrey Lane) – an application was received to construct a new pool of 20' X 40' with a deck surrounding the pool of 44' X 56' with a fence around the deck at property # 660829. 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 property shall be consolidated prior to the permit being approved, 4) payment of building permit fee and 5) the deck shall be constructed on the site in accordance with the attached site plan. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Chair Jelley and Councillor Lowther left the meeting due to a conflict of interest and turned the Chair to Councillor Gauthier.

Sandspit Entertainment Ltd. (8863 Cavendish Road) – an application was received to construct an addition onto the existing building of 18'4" X 7'9" X 31'5" X 22' for a new ice cream outlet. It was moved by Councillor Richard, seconded by Councillor Clark Dunning 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) meets the requirements of the Department of Environment, 4) the addition shall be constructed on the site in accordance with the attached site plan and 5) payment of building permit fee. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Chair Jelley and Councillor Lowther returned to the meeting.

Councillor Gauthier turned the Chair back to Chair Jelley.

Temporary Permit Applications:

101882 PEI Inc. (8451 Cavendish Road) – an application was received to have a temporary permit for a seasonal yard sale on the property from June 1 - September 5, 2017 from 10:00 a.m. – 3:00 p.m. on property # 232447. It was moved by Councillor Richard, seconded by Councillor Wyand that based on the permit request not meeting all requirements under Section 4.27 of the Zoning and Subdivision Development (Control) Bylaw that the application be denied. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

101882 PEI Inc. (8451 Cavendish Road) – an application was received to have a temporary permit for a food truck on the property from June 1 – September 30, 2017. It was moved by Councillor Richard, seconded by Councillor Lowther that based on fact that the application does not meet all requirements of Section 4.27 of the Zoning and Subdivision Development (Control) Bylaw that the application be denied. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Marco Polo Land: (7406 Route 13 – PID # 232298)

New developments are happening at Marco Polo Land and Marco Polo Land advertises them as Deluxe Cabins for rental purposes. The sales representative for the company that builds them refers to them as Park Model Trailers. Information has been requested from the Department of Environment, the Provincial Fire Marshal's office, Quality Tourism Services, the Department of Tourism and Inspection Services as well as the municipal legal counsel. We have received comments from some government departments, but are still awaiting comments from some departments.

Parks Canada:

Cavendish Grove project – Parks is waiting on the Master Plan document from the contractor. Implementation is not currently funded. Parks will be communicating with the Planning Board and Council to share the recommendations.

Green Gables - Phase 1 work continues on site. The visitor centre has been demolished. Work continues on the design for the new visitor centre building.

Update on Cavendish Sign Plan proposal. Parks has pushed-back their submission for proposed directional signage in the community as they complete revisions to the proposal following their meeting with the Province. The proposal, and appropriate application will be submitted for the March 10th deadline.

The administrator updated the board on the internet servicing proposal that was being worked on in the Stanley Bridge Area.

Cavendish Beach Music Festival – It was decided that the permit information and site plan must be supplied by March 10, 2017 for the 2017 event.

Concerns were raised about Scott Linkletter hauling oyster equipment to his new property that is zoned as Rural and that he is hauling the equipment through private property without the owner's consent. This shall be looked into further.

Comments were raised by the planning board on the deadline coming for the equipment to be moved from the properties in Seawood Estates as well.

7.A.1. **Parks Canada Signage:**

New signs are still being worked on by Parks Canada and the application is delayed until the March meetings.

7.A.2. **Second Reading of the Zoning and Subdivision Development (Control) Bylaw:**
RESOLUTION – SECOND 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 Resort Municipality Zoning and Subdivision Development (Control) Bylaw 2017 (Bylaw # 2017-1) was read and formally approved a first time at the Council meeting held on January 16, 2017;

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 second time.

It was moved by Councillor Wyand, seconded by Councillor Lowther that the second reading of the Zoning and Subdivision Development (Control) Bylaw 2017-1 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

RESOLUTION - APPROVAL OF SECOND 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 Resort Municipality Zoning and Subdivision Development (Control) Bylaw 2017 (Bylaw # 2017-1) was read and formally approved a first time at the Council meeting held on January 16, 2017;

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;

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

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 Gauthier, seconded by Councillor Lowther that the approval of the second reading of the Zoning and Subdivision Development (Control) Bylaw 2017-1 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Adoption of the Zoning and Subdivision Development (Control) Bylaw and repeal and replacement of existing bylaw:

RESOLUTION – ADOPTION OF BYLAW

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 and formally approved at two separate meetings of Council held on two separate days;

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 formally adopted.

It was moved by Councillor Gauthier, seconded by Councillor Lowther that the Zoning and Subdivision Development (Control) Bylaw 2017-1 be adopted as presented, repealing and replacing all previous and existing zoning bylaws. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Second Reading Summary Proceedings Bylaw:

It was moved by Councillor Richard, seconded by Councillor Gauthier that the Council approve the Summary Proceedings Bylaw. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Second 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 5, 1 non-voting, 1 absent. Motion Carried.

Second 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 5, 1 non-voting, 1 absent. Motion Carried

Approval of Second Reading Summary Proceedings Bylaw:

It was moved by Councillor Richard, seconded by Councillor Lowther that the Council approve the second reading of the Summary Proceedings Bylaw. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Approval of Second Reading Dangerous and Unsightly Premises Bylaw:

It was moved by Councillor Richard, seconded by Councillor Lowther that the Council approve the second reading of the Dangerous and Unsightly Premises Bylaw. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Approval of Second Reading Municipal Offence Ticket:

It was moved by Councillor Richard, seconded by Councillor Wyand that the Council approve the second reading of the Municipal Offence Ticket. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Adoption of Summary Proceedings Bylaw:

It was moved by Councillor Richard, seconded by Councillor Lowther that the Council adopt the Summary Proceedings Bylaw. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Adoption of Dangerous and Unsightly Premises Bylaw:

It was moved by Councillor Richard, seconded by Councillor Wyand that the Council adopt the Dangerous and Unsightly Premises Bylaw. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Adoption of Municipal Offence Ticket:

It was moved by Councillor Richard, seconded by Councillor Lowther that the Council adopt the Municipal Offence Ticket. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

7.A.3. **Municipal Affairs Newsletter:**

A copy of the newsletter was enclosed for Council's information.

7.A.4. **Samantha Murphy – Planning Act Changes, Municipal Legislation Changes:**

Information was in the package on the new Planning Act and Municipal Legislation changes that are coming forward by the province.

Councillor Lowther will meet with Samantha Murphy to discuss the changes moving forward for the new official plan and bylaw review to ensure that all requirements have been provided for the review.

7.A.5 **Response from Fire Marshal's office on permit approvals:**

The Provincial Fire Marshal apologized for the delay in approving permit applications. The issue has since be resolved and now all applications are being sent to all four department staff to be reviewed and responded to.

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

Chair Jelley asked the administrator to present the monthly financial statements in Councillor Hryckiw's absence.

The monthly finances for December 31, 2016 were presented. Revenue was \$333,881.80 and the expenses were \$331,887.75. It was moved by Councillor Wyand, seconded by Councillor Gauthier that the monthly finances ending December 31, 2016 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

The monthly finances for January 31, 2017 were presented. Revenue was \$23,853.87 and the expenses were \$6,598.39. It was moved by Councillor Wyand, seconded by Councillor Gauthier that the monthly finances ending January 31, 2017 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

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

7.C.1 **Insurance Matter Damaged Streetlight:**

It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that the offer of \$5,378.38 be accepted from TD Insurance for the damage to the streetlight and walkway. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

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

The Annual Meeting for the New London Fire Department was held.

Councillor Clark Dunning declared a gift of a hat from the New London Fire Department from their meeting.

New Glasgow Fire Department Annual meeting will be held on March 1, 2017.

7.E. **TCBI:**

A business mixer was held at the North Rustico Lion's Club on February 24, 2017.

Transit Service:

The transit service from Charlottetown to Cavendish is still being worked on for 2017. TCBI is looking for a commitment from the municipality for \$5,000.00. It was moved by Councillor Lowther, seconded by Councillor Clark Dunning that \$5,000.00 be allocated towards the transit service, provided that all other funding partners are secured. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

RCMP Rider Program:

It was moved by Councillor Clark Dunning, seconded by Councillor Lowther that \$5,000.00 be allocated toward the RCMP Rider horse program for 2017, provided that all other funding partners are secured. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

7.F. **CCTP:**

The association is looking for members to fill their treasurer position on the board.

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

It was decided to send the request to the public on the weekly municipal updates, to see if anyone is interested in filling the treasurer's position on their board.

8. **CAVENDISH SEWER UTILITY REPORT:**

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

Cranberry Village Lift station is still facing some challenges with the flow meter installation. A transducer had to be ordered to resolve some of the issues and the technician was on site. There was a large flow of water going through the lift stations during the last four days.

A letter has been received from a landowner asking for fees to be reduced for the development, as well as asking about taking over the sewer line for the development. The utility board will be meeting in the next two weeks and will make a recommendation to Council on what should be done and will also consult with IRAC on the fees.

\$39,740.42 was owing in outstanding sewer dues as of January 31, 2017. We are now at \$34,640.67 in outstanding dues since the letters had been sent out by the office to the outstanding customers. The sewer utility board will need to make a decision on further steps for collecting the remaining outstanding accounts when they meet.

9. **BUSINESS ARISING FROM MINUTES:**

9.A. **Internet Servicing:**

A funding application and additional information had been sent through to ACOA on the internet servicing project for Stanley Bridge. We are now waiting for confirmation on funding from all partners

to proceed with the project.

9.A.1. **Senator Mike Duffy:**

An e-mail had been received from Senator Mike Duffy on Connect Canada regarding trying to secure better internet for the rural areas.

The Council felt that the municipality was not shown on their coverage area and with the speed that they are providing would not be much better off than what the rural areas currently have.

It was decided by the Council that a copy of the ACOA proposal for servicing Stanley Bridge would be sent to Senator Mike Duffy and Hon. Wayne Easter - MP for Malpeque.

9.B. **Signage Bylaw Report:**

A request for a meeting was sent to the Glenn Group requesting a meeting as additional information is required in the report as the scope of the project has not been met.

9.C. **Destination Management Fund:**

This was discussed earlier in the meeting with Jeff Squires.

Chair Jelley left the room while discussion was held on the copier.

9.D. **Copier:** The administrator advised that Xerox is billing the municipality for the copies that they had not billed out since 2013.

The administrator is now securing pricing from other copier companies on the Island to see if there is better services and pricing available for the municipality. Pricing was not received from the other company in time for the meeting to be reviewed and the administrator will send the information to Council once it has been received.

9.E. **Developing Natural Areas Lens Workshop:**

Councillor Richard attended a session in Stratford. The information was very useful and a copy of the map for the municipality has been provided in the meeting package.

9.F. **EMO Session:** A session is being held with CBMF on the ICS 200 on March 2 – 3, 2017. You have to have the ICS 100 before you can take this course.

It was decided that the EMO office be requested to see if they can come to an afternoon session on May 15, 2017 at 2:30 p.m. to do the ICS 100 training, prior to the Council meeting.

10. **NEW BUSINESS:**

10.A. **FPEIM:**

The board is meeting on Wednesday nights now.

Jim Young and Glenda MacKinnon Peters attended the meeting to discuss the National Building Code and regulations coming forward with the changes to the new *Municipal Government Act*.

Commercial buildings over 300 square meters and three storey's high will be required to have an architect's or engineer's stamp on them. It will also cost \$1,500.00 for an inspection to be completed by the province.

Council advised Councillor Wyand that FPEIM should be seeking input from municipalities on the Building Code implementation. There is not enough staff within the province to be able to regulate it so how are they going to manage the Act if it is implemented.

Chair Jelley advised that the Council's concerns should be raised to John Dewey at FPEIM and that he will speak with him on the changes as well.

10.A.1. **Annual Meeting:**

The Annual Meeting will be held in Charlottetown on April 24, 2017. Anyone who is interested in attending should advise the administrator.

The Semi-Annual will be held in Montague on November 4, 2017.

10.A.2. **Resolutions:**

Council to review and submit any resolutions to the office.

10.A.3. **Bruce H. Yeo Memorial Award:**

Council to review and submit any suggestions to the office.

10.A.4. **Municipal Achievement Award:**

Information was provided in the meeting package with the deadline date of February 3, 2017 for any submissions.

10.A.5. **Connect to Innovate Program:**

Information only as this was discussed earlier in the agenda.

10.B. **L.M. Montgomery Round Table Session:**

A session was held at the Confederation Center of the Arts on February 7, 2017. A copy of the report is in the package. The roundtable discussions focused on what they wanted to get out of the session; dreams / goals; challenges; promotion; partnerships; and product ideas.

The takeback from the session was that all groups need to do more to promote the significance of Lucy Maud Montgomery and what she has done for the community, tourism and the Island.

10.C. **Communities in Bloom:**

Information only.

10.D. **Healthy Eating:**

Morgan Palmer has been hired by the province and is a Healthy Eating Program Officer with the Department of Health and Wellness. She is reaching out to municipalities to see if there is any interest in providing information on food preparation and menu development, as well as budgeting and food preparation. Information only.

10.E. **PEI Crime Stoppers:**

It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that \$50.00 be allocated to PEI Crime Stoppers for 2017. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

10.F. **Canadian Postmasters and Assistants Association:**

Information only.

10.G. **Epilepsy Association of Nova Scotia:**

Information only.

10.H. **Royal Canadian Legion War Time Recognition Book:**

It was moved by Councillor Gauthier, seconded by Councillor Richard that a business card ad at a cost of \$230.00 plus HST be purchased to support the Veterans. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was decided by the Council that a formal policy needs to be put into place for donations from the municipality when the policy manual review is completed

10.I. **Tax Credit for Restoration of Heritage Properties:**

Information only as no properties in the municipality fall under the criteria.

10.J. **Municipal Strategic Component – Gas Tax:**

It was decided by the Council that there were no projects to apply for funding under this component at the present time.

11.A. **COUNCILLORS –**

Chair Jelley advised that he feels that the Department of Transportation needs to assess the water issues with stream alterations and culverts on Route 6 near Mariner's Cove.

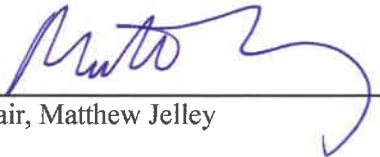
Councillor Lowther advised that the manhole at the bottom of MacCoubrey Lane has to be reviewed as well as there are some drainage issues there as well.

It was decided that the drainage issues on the crosswalk on Route 6 be mentioned as well when the Chair and administrator meet with the Department of Transportation.

10.B. **RESIDENTS:**

There being no residents in attendance Chair Jelley adjourned the meeting.

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



Chair, Matthew Jelley