

Minutes  
Resort Municipality Monthly Council Meeting  
Monday, June 19, 2017  
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on June 19, 2017 at the Resort Municipality Office.

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

**ABSENT:** Nil.

**VISITORS:** Hugh, and Holly Andrews, Wendy Taggart, Bruce MacDonald and Leanne Butler - RCMP.

1. **CALL TO ORDER:**

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

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

Matthew Jelley and Kay Hrycki declared conflicts as they had building permits in the package.

3. **APPROVAL OF AGENDA:**

7.B. Legal Advice – Action Attractions was added to the agenda. *“In Camera”*

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

4. **APPROVAL OF MONTHLY COUNCIL MEETING MINUTES MAY 15, 2017:**

It was moved by Councillor Gauthier, seconded by Councillor Wyand that the Monthly Council Meeting Minutes of May 15, 2017 be adopted as presented. All in favor 6 1 non-voting. Motion Carried.

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

6.A. **COMMITTEE REPORTS:**

**Parks Canada:**

**Cavendish Campground:**

- The entrance to the kiosk opened June 14.
- The free passes are going fast, visitors are tracked by their postal code.
- Cavendish Campground opens June 16, 2017. Parks Canada is still working on the new Entrance/exit to the site. It is best to avoid the area during construction around the Homestead Trail. The new “full service” Kiosk should be open before July 1<sup>st</sup> for people to go inside and access the Wi-Fi and other services.

**Cavendish Directional Signs:** Interim directional signs with pronounced letters will be posted at ends of the community (4 in total). Planning for the rehabilitation of trail signage at The Haunted Woods and Balsam Hollows is underway. They are updating the interpretive signage.

**Cavendish Dunelands Trail:** Closed- trail is unsafe. Planning on replacing it with sections of floating boardwalk, but having trouble accessing the materials from Greenwich. Work should be done by mid July if possible.

Green Gables: The barn extension is near completion. The gift shop opens June 21<sup>st</sup>. The “old” gift shop will be demolished between June 21 - 24 after hours. The parking lot will be closed after 5:00 and security will be working while the construction is underway.

Planning Board questioned the hours that the construction will be working, Parks will need to confirm.

The design for the new Visitor Centre will be underway in early July after the Music Festival.

Arnold commented that the “new” addition to the barn does not match a traditional barn look.

Barb to follow-up on the hours for the demolition and ensure that adjacent landowners are advised of the demolition plans.

Cavendish Grove: There are no funds or plan in place to date to complete any work at the site.

Planning Board recommended that Parks should have a meeting on the Cavendish Grove and the Green Gables building renovations with the public at the same in August to gather input from the community as that is what Barb had specified would be done in the spring.

Oceanview Project: They are in the process of hiring a Consultant for the landscape design. The washrooms in Old Cavendish East are to be demolished and then the new washrooms would be moved closer to the parking area. Plans are to involve the community before it is finalized. The funds are for design only, for completion next year. There is a design challenge as it could be used as a shelter and become “unsightly” as noted like the one in North Rustico. Arnold suggested that the building should be demolished as it is not sturdy enough to move.

Barb confirmed that the benches will be turned around at Oceanview to face the water.

Cavendish Campground: The Piping Plover are nesting in a fenced area along the beach Cavendish Sandspit area.

The bungalow that was located at the Cavendish Grove has been moved up to the visitor services area at the campground and staff will now use this as the “touchdown” station.

There is a great concern about the health of the sand dunes and people walking in the closed areas. Oceanview and Cavendish Beach will have more “closed by Superintendent Order” signs posted and more staff around to control people from walking in these areas.

Concerns were raised from the planning board about Wardens enforcing regulations about removing shells and driftwood from the beach, and feeding the foxes and rabbits.

Barb confirmed that people will be fined for feeding the animals and removing the shells from the beach.

Chair Jelley welcomed Hugh Andrews, Wendy Taggart and Bruce MacDonald to the meeting.

Hugh Andrews and Bruce MacDonald spoke on their development application at Action Attractions Ltd.

Chair Jelley thanked Hugh and Holly Andrews, Wendy Taggart and Bruce MacDonald for coming to the meeting.

7. **Building Permit Applications:**

- a) Action Attractions Ltd. (Bart Bourne) - 92635 (9739 Cavendish Road) –an application was received to have helicopter tours on the property on weekends from June 1-September 15, 2017 for Green Isle Air Tours. It was moved by Councillor Richard, seconded by Councillor Lowther 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 Marshall's office, 3) meets the requirements of Federal Aviation, 4) meets the requirements of the Department of Transportation, Infrastructure and Energy, 5) meets the requirements of the Department of Environment and 6) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Friendly Fisherman Inc. (Jamil Dow) – PID #232959 (Cavendish Rd) – an application was received to construct a new commercial / retail building of 48' x 24' with a deck on the vacant land beside Rachael's Ristorante. 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 Department of Transportation, Infrastructure, and Energy, 2) meets the requirements of the Department of Health and Wellness, 3) meets the requirements of the Provincial Fire Marshal's office, 4) property to be connected to the municipal sewer system and 5) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Tranquility By the Sea Resort- Lisa Richardson – PID #233411 – (132 Cape Road) – an application was received to construct an accessory building on the property of 8' x 10' for storage only. It was moved by Councillor Richard, seconded by Councillor Lowther that approval be granted subject to: 1) that the building be located on the site as shown on the plan and 2) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

CFMPEI Inc. – PID #231910 (8989 Cavendish Road) - an application was received to construct a new building of 20' x 20' on the property to be used as a juice bar. It was moved by Councillor Richard, seconded by Councillor Lowther 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) building to be connected to the municipal sewer system and 4) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

**Rezoning Application:**

Raspberry Point Oyster Co. Inc. – PID # 442608 (Cavendish Road). An application was received to rezone the current property from RR (Rural) to RD4 (Resort Commercial). It was moved by Councillor Richard, seconded by Councillor Clark Dunning that a Public Meeting be scheduled on the rezoning request. All in favor 6, 1 non-voting. Motion Carried.

**Temporary Permit Application:**

Cavendish Beach Music Festival – PID # 566869 (Boyle Crescent) – to have an access road from the main CBMF site through this property to Boyle Crescent. It was moved by Councillor Richard, seconded by Councillor Wyand that approval in principle be granted subject to: 1) written approval be provided by the land owner providing access to the road, 2) stringent compliance with a development agreement, 3) a performance bond shall be posted of \$5,000.00 and 4) payment of building permit fee. All in favor 6, 1 non-voting. Motion carried.

Chair Jelley tabled the planning board meeting to move to Leanne Butler with the RCMP.

Leanne Butler presented the RCMP plan for the music festival and summer policing for the area. She is acting in her position until it is filled.

- The plan for CBMF hasn't changed much.
- They are resourcing the same number of members.
- RCMP presence will be out there in the public from the start of the festival.
- The RCMP will have a presence on Forest Hills Lane with the police parking for access by the RCMP only.
- RCMP presence will be at the top of the gates for the event.
- Officer safety will be a priority.
- Fentanyl is a big concern this year and the RCMP are prepared for that.

Chair Jelley thanked Leanne Butler for attending the meeting and providing updates.

Chair Jelley went back to the planning board meeting.

1800625 Ontario Ltd. & Melissa Potofsky – PID #213852- an application was received to have a temporary permit for an axe throwing cage on the property from June 25-September 4, 2017. It was moved by Councillor Richard, seconded by Councillor Wyand that the application be denied as it does not comply with the Temporary / Transient Use section of the bylaw. All in favor 6, 1 non-voting. Motion Carried.

West Highland Contractors (PID # 694976) 9095 (Cavendish Road) – an application was received to locate Got Bobbled on the property from June 16- September 5, 2017 from 10:00 am. – 9:00 p.m. daily. It was moved by Councillor Richard, seconded by Councillor Gauthier 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 Fire Marshal's office, 3) Shawn MacArthur shall be contacted from the province to determine if his department has any conditions for this application and 4) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Cavendish Beach Music Festival (PID # 1037423 – 8779 Cavendish Road) – an application was received to have a tailgate party on July 6, 2017 and the Cavendish Beach Music Festival from July 7-9, 2017. It was moved by Councillor Richard, seconded by Councillor Wyand that approval in principle be granted subject to: 1) meets the requirements of the RCMP and the Traffic Management Plan, 2) a development agreement shall be entered into, 3) that a performance bond of \$50,000.00 be allocated for the music festival, 4) that porta potties, security and lighting shall be provided for the site, 5) that proof of insurance be provided with the Resort Municipality as additional named insured on their policy, 5) meets the requirements of the Provincial Fire Marshal's office, 6) meets the requirements of the Department of Health and Wellness, 7) meets the requirements of the Liquor Control Commission, 8) meets the requirements of the Department of Transportation, Infrastructure and Energy, and 9) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Chair Jelley left the meeting due to a conflict of interest.

100447 PEI Inc. – PID #947499 – 8885 Cavendish Road – an application was received to hold Multi-Cultural Community Heritage Day on the property on June 24, 2017. It was moved by Councillor Richard, seconded by Councillor Hryckiw 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 and 3) payment of building permit fee. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Chair Jelley returned the meeting.

Marco Polo Land Inc. – PID #232298 – 7406 Route 13 – an application was received to have a dog sitting, walking, and grooming business set up by Tina Doucette on the property from June – September 2017. It was moved by Councillor Richard, seconded by Councillor Gauthier, that approval be granted subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Fire Marshal's office, and 3) payment of temporary permit fee. All in favor 6, 1 non-voting. Motion Carried.

Marco Polo Land Inc. – PID #232298 – 7406 Route 10 – an application was received to have a craft sale at Marco Polo Land Inc. July 22, 2017 from 7:00 a.m. – 6:00 p.m. It was moved by Councillor Richard, seconded by Councillor Lowther, that approval be granted subject to: 1) payment of temporary permit fee. All in favor 6, 1 non-voting. Motion Carried.

Marco Polo Land Inc. – PID #232298 – 7406 Route 10 – an application was received to have fireworks on the property on September 2, 2017. It was moved by Councillor Richard, seconded by Councillor Richard Linda, that approval be granted subject to: 1) meets the requirements of the Fire Marshal's office and 2) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

#### **Liquor License Requests:**

The Pearl Eatery PID #233429 (7792 Cavendish Road) - an application was received to have a lounge liquor license 10:00 a.m. – 11:00 p.m. daily. It was moved by Councillor Richard, seconded by Councillor Hryckiwi 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 and 4) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

MBK Holdings -The Cavendish Lobster Shack – (9060 Cavendish Road) - PID #403931 - an application was received to have a restaurant / lounge liquor license from 11:00 a.m. – 10:00 p.m. daily. 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) meets the requirements of the Liquor Control Commission and 4) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

#### **Signage Permits:**

Sea Cross Inc. (Avonlea Village) – PID #232033 (8779 Cavendish Road) – an application was received to have a sign for Doughnuts By Design on the property of 60" x 62". It was moved by Councillor Richard, seconded by Councillor Hryckiwi that approval be granted subject to: 1) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Sea Cross Inc. (Avonlea Village) – PID #232033 (8779 Cavendish Road) – an application was received to locate a directional sign of 96" X 48" on the property for shopping and eateries and parking. It was moved by Councillor Richard, seconded by Councillor Wyand that approval be granted subject to: 1) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

MBK Holdings Inc. (Former Sam's) - PID #403931 (9060 Cavendish Road) – an application was received to construct two new signs. One primary sign of 7' x 4' and a roof sign of 12' x 2'. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval be granted subject to: 1) the sign sizes and locations need to be clarified. All in favor 6, 1 non-voting. Motion Carried.

Councillor Hryckiwi left the meeting due to a conflict of interest.

100242 PEI Inc./ Forest Hills Golf Course – PID #708255 (198 Forest Hills Lane) – an application was received to construct a multiple sign of 5' X 6.3' for KOA Campground, to construct a sign of 5' X 8.5'

for Forest Hills Golf Course and to construct a sign of 3.5' X 4' for Welcome / Bienvenu. It was moved by Councillor Richard, seconded by Councillor Gauthier, that approval be granted subject to: 1) the sign meets the square footage restrictions in the bylaw, 2) payment of building permit fee. All in favor 6, 1 non-voting. Motion Carried.

Councillor Hryckiwi returned to the meeting.

Chair Matthew Jelley left the meeting due to a conflict of interest.

Sandspit Entertainment Ltd. – PID # 458182 (18 Moore Road) – an application was received to construct a new multiple sign of 68 sq. ft. on Cavendish Road and a secondary sign of 6' x 4' at the entrance to the property. It was moved by Councillor Richard, seconded by Councillor Gauthier that approval be granted. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Chair Jelley returned to the meeting.

Wood Wheeler Inc. - PID # 232413 (8572 Cavendish Road) - an application was received to construct a new sign of 8' X 3' on the flankage yard and to construct a small sign on Route 6 of 18" X 6' on the multiple sign standard for art and Soul Paintings. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval be granted. All in favor 6, 1 non-voting. Motion Carried.

Cavendish Country Inn and Cavendish Tourist Mart Inc. were issued temporary permits by the CAO for taxis to operate out of the properties from July 1 - September 30, 2017.

Piatto Pizzeria – PID # 232033 – 8779 Cavendish Road. An application was received to have entertainment on the deck throughout the summer months. It was moved by Councillor Richard, seconded by Councillor Wyand that approval be granted subject to: 1) meets the requirements of the Department of Health, 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 6, 1 non-voting. Motion Carried.

Lost Anchor – PID # 232413 – 8451 Cavendish Road. An application was received to have a lounge license from 11:00 a.m. – 10:00 p.m. daily. It was moved by Councillor Lowther, seconded by Councillor Wyand that a letter of support be sent. All in favor 6, 1 non-voting. Motion Carried.

Ronnie & Irene Blacquiere – PID # 233569 – Cavendish Road - An application was received to rezone the property from RR (Rural) to C1 (General Commercial). It was moved by Councillor Lowther, seconded by Councillor Hryckiwi that the rezoning request be brought to a public meeting. All in favor 6, 1 non-voting. Motion Carried.

7.A.1. **CAVENDISH TOURISM COMPLEX DEVELOPMENT INC.:**

Reports were received from the engineer and additional information was required from the report to be answered prior to the application going to a public meeting.

7.A.2. **CBMF EVENT ACREDITATION:**

Council Members that wish to attend the event for a walk through please send your name to the CAO.

7.A.3. **MICHAEL WHEELER:**

Step access can remain on the eastern boundary of the site if the permit fee is paid.

7.A.4. **WILLIAM KNOWLES:**

It was moved by Councillor Lowther, seconded by Councillor Clark Dunning that an extension until June 30, 2017 be granted to the property owner for removal of the trailers from the property. All in favor 6, 1 non-voting. Motion Carried.

7B. **MONTHLY FINANCIAL REPORT:**

The monthly finances for May 31, 2017 were presented. Revenue was \$67,811.34 and the expenses were \$73,249.86. It was moved by Councillor Hryckiwi, seconded by Councillor Clark Dunning that the monthly finances ending May 31, 2017 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

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

7.C.1. **BOARDWALK REPAIRS:**

The CAO advised that she had contacted a number of companies regarding completing the boardwalk repairs and some quotes were received.

It was decided by Council to get clarification on the bids and that cement should be looked at for in front of the cemetery as a new option and to provide the Council with updated information on the walkways pricing and information once it is received.

It was moved by Councillor Wyand, seconded by Councillor Lowther that the walkway work be completed once additional information has been received on the materials and that the costs be split from the municipality, reallocate funds from the public park in the Gas Tax program and some funds from the Destination Management Fund. All in favor 6, 1 non-voting. Motion Carried.

Elwin Wyand can contact the municipality on behalf of the cemetery committee if there are any concerns on the walkway construction for this area.

7.C.2. **LIGHTS ALONG TRAIL:**

It was decided by Council that this matter would be tabled for the present time due to the theft issues on the lights.

It was moved by Councillor Lowther, seconded by Councillor Gauthier that the municipality contribute \$500.00 to Crime Stoppers towards an addition reward on the solar lights if a tip is found that leads to an arrest. All in favor 6, 1 non-voting, 1 absent. Motion Carried.

Island Technologies and Maritime Fun Group also provided an allocation of \$500.00 from each company as well.

7.C.3. **SWIMMING ROCK INFILLING:**

A quote will be requested from contractors on infilling on the property.

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

Councillor Clark Dunning advised that there were no updates from the fire departments from the meeting.

7.D.1. **COOKE INSURANCE:**

Information was provided in the package from Cooke Insurance on PTSD for firemen and for communities to be aware of this and risk considerations.

7.E. **TCBI:**

Councillor Hrycki presented the information on the Transit program and the rates for the bus.

7.E.1. **MEETING PACKAGE:**

The Annual Meeting package from TCBI was in the meeting package.

7.F. **CCTP:**

Information was presented on their waterways festival.

Best of the Sea Event is on and businesses in the area are part of it.

8. **CAVENDISH SEWER UTILITY REPORT:**

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

The Queens County Condo Corporation met with the sewer engineer. The sewer engineer had requested the final drawings on the site that were completed upon completion of the property. The information was just received last week and is currently under review by the engineer.

Cranberry Village lift station issues are still being worked as the alarms were going last week and on the weekend. Since last August there have been 4 power supplies burnt out and it is causing the station to go down when this happens. On the weekend there was also a fuse burnt out and this shut the station down as well. Malcolm Lodge was involved on the weekend as well on locating some fuses.

So far the company has just been sending a new power supply when one burns out, but this will not work once the busy time is here as we cannot have the lift station going down during peak season.

Maritime Electric has been contacted as well regarding monitoring the quality of the incoming feed with the low voltage issues in the area during the summer months.

9. **BUSINESS ARISING FROM MINUTES:**

9.A. **Internet Servicing:**

It was moved by Councillor Lowther, seconded by Councillor Wyand that \$11,668.00 be allocated from the municipality towards the Cavendish West Internet Servicing Project. All in favor 6, 1 non-voting, 1 absent. Motion Carried.

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

It was moved by Councillor Lowther, seconded by Councillor Richard that the signage report from Dan Glenn be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

Councillor Lowther and the CAO will meet with the legal counsel to review the information on signage with her and to start the signage bylaw review process.

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

A bank account was opened for the funds with the Chair of the municipality and Cavendish Beach Music Festival.

9.D. **Business Beautification Award:**

It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that the business beautification award be presented to the Cavendish United Church and the Cavendish Baptist Church. All in favor 6, 1 non-voting. Motion Carried.



9.E. **Residential Beautification Award:**

It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that the residential beautification award be presented to Joe and Glenna Kaczmarczyk of Seawood Drive. All in favor 6, 1 non-voting. Motion Carried.

9.F. **AMAPEI:**

The CAO will attend the session if time permits.

9.G. **HUMAN RESOURCE COMMITTEE INFORMATION:**

Agenda item was tabled until the next meeting.

9.H. **CENTRAL QUEEN'S CLIPPERS TOURNAMENT:**

It was moved by Councillor Hryckiwi, seconded by Councillor Wyand that \$250.00 be allocated to the soccer club. All in favor 6, 1 non-voting. Motion Carried.

10. **NEW BUSINESS:**

10.A. **FPEIM:**

Monthly meeting is on June 23, 2017 so there is no update from FPEIM. They are looking for a board member to represent Kings County.

10.A.1. **CLIMATE CHANGE ADAPTABILITY:**

Information only.

10.A.2. **FUNDING AVAILABILITY FOR ACCESSIBILITY:**

Information only.

10.A.3. **FCM FUNDING FOR MUNICIPAL ASSET MANAGEMENT:**

Information only.

10.A.4. **STAFF PERSON:**

Part-time staff person quit.

Position has been advertised for possible new candidates.

11.A. **COUNCILLORS CONCERNS:**

Council advised that letters should be sent to the property owners in the municipality that have long grass or building issues advising them of the new unsightly property bylaw along with a copy of the bylaw so that they are aware of it.

11.B. **RESIDENTS:**

**Dave and Cherie Harper – Signage:**

Seawood Estates Signs have been removed from the property.

**Judy Rowell – Library:**

It was determined that Chair Jelley would talk to Darcy Butler to see about having a library in the visitor center at the end of the building on the cabinet and then a shelf could be located on it for the books to be placed.

**Monty Drummond – Weekly Updates:**

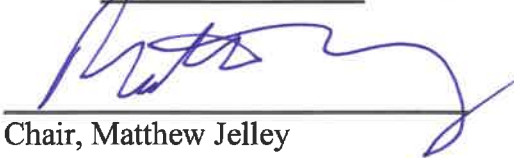
It was decided by the Council that the weekly updates would continue to be sent with any updates that come through to the municipality.

**Chris Opydo:**

Chair Jelley advised that he would talk with Barry Toombs regarding doing road work prior to the 7:30 a.m. timeline in the municipality.

Councillor Clark Dunning advised that he is willing to meet with property owners on Forest Hills Lane regarding their property prior to the CBMF event to check the property for each of them.

12. **ADJOURNMENT:** Chair Jelley adjourned the meeting at 9:00 p.m.



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Chair, Matthew Jelley