

Minutes
Resort Municipality Monthly Council Meeting
Monday, January 15, 2018
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on January 15, 2018 at the Resort Municipality Office.

PRESENT: Mayor – Matthew Jelley. Deputy Mayor – Linda Lowther. Councillors: Kay Hryckiwi, David Gauthier, George Clark Dunning and Gwen Wyand. CAO – Brenda MacDonald.

ABSENT: Edmond Richard.

VISITORS: Brian and Lucy Donovan.

1. CALL TO ORDER:

Chair Jelley called the meeting to order at 5:03 p.m..

2. APPROVAL OF AGENDA:

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

3. DECLARATION OF CONFLICT OF INTEREST:

No conflicts of interest were declared.

4. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES DECEMBER 11, 2017:

It was moved by Councillor Gauthier, seconded by Deputy Mayor Lowther that the Monthly Council Meeting Minutes of December 11, 2017 be adopted as amended. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

APPROVAL OF ANNUAL MEETING MINUTES AUGUST 14, 2017:

It was moved by Deputy Mayor Lowther, seconded by Councillor Gauthier that the Annual Meeting Minutes of August 14, 2017 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5. CORRESPONDENCE:

Correspondence items for December for which actions are required are listed on the agenda.

Mayor Jelley asked Deputy Mayor Lowther to present the planning board report as Councillor Richard was absent from the meeting.

6. COMMITTEE REPORTS:

Building Permit Applications:

Action Attractions Ltd. – PID # 589358 – (9018 Cavendish Road) – an application was received to enclose the existing deck and to expand food service in this area. It was moved by Deputy Mayor Lowther seconded by Councillor Hryckiwi that approval be granted in principle subject to: 1) meets the requirements of the Department of Health and Wellness, 2) a floor plan with seating plan to be provided of the deck area, 3) the CAO shall consult with the Architect's Association to determine if there is anything required by them on the plans as part of the review and 4) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

John & Karen McNally (Blue Heron Enterprises Inc.) – PID # 560227 (Wygant Place) – an application was received to construct a one storey summer cottage of 46' X 36' with decks. It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that approval be granted in principle subject to: 1) the summer cottage

being connected to the private water utility, 2) the summer cottage being connected to the municipal sewer, 3) inspection costs for the connection to the municipal sewer shall be borne by the developer and 4) connection to the water and sewer is preferred to be completed during the summer season, but if connection is wanted prior to May 31 and after November 30, any additional costs for servicing the lots shall be borne by the developer. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Sea Cross Inc. - PID # 231720 – (9138 Cavendish Road) – an application was received to enclose the existing verandah of 14'2" X 19'6" to allow the front counter to move forward and to have additional prep space. It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that approval be granted in principle subject to: 1) meets the requirements of the Department of Health and Wellness, 2) the CAO shall consult with the Architect's Association to determine if there is anything required by them on the plans as part of the review and 3) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Kelly Doyle – PID # 885178 – Gulf Shore Parkway – an application was received to construct an addition onto the existing barn that is located on the property of 36' X 28' for equipment for cottages and storage. It was moved by Deputy Mayor Lowther, seconded by Councillor Gauthier that approval be granted subject to: 1) the addition being constructed on the site in accordance with the site plan. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Odeh Zaidan – PID # 233411 (132 Cape Road) – an application was received to locate a one storey building of 32' X 18' to be used as storage. It was moved by Deputy Mayor Lowther, seconded by Councillor Hryckiw that approval in principle be granted subject to: 1) the building shall be located on the site in accordance with the attached site plan and 2) that a development agreement be signed with the owner confirming that there is to be no other use of the building until an engineer provides information on the water and sewer services on the property and it is approved by the Department of Environment. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Follow up Permits:

Bill & Michelle DeBlois – PID # Lot 17-1 (507 Gulf Shore Parkway West) – Awaiting septic permit information.

Don & Rita Carmichael and Angelo and Janice Leonarduzzi – Awaiting Survey information to be resolved on the right-of-way size.

Cavendish Tourism Complex Development Inc. – Engineer has not yet provided any further information.

Andrew Sark – PID # 232405 (7591 Cawnpore Lane) – Awaiting information from the province.

Christine Perry & Gary Kelley – PID # 92927 (Cavendish Road – Swimming Rock) – An application was received to have a wedding on August 11, 2018 from 2:00 p.m. – 6:00 p.m. No response has been received to date from the couple.

West Highland Contractors Ltd. – PID # 694984 - (Simpson Mill Road) Rezoning, subdivision and building permit are all pending as we are waiting for clarification on the subdivision plan as well as the engineer's information on the sewer servicing for the property.

Letter to Property owners – National Building Code / Architect's Act:

Deputy Mayor Lowther will draft a letter for the Council to review that will be sent out to property owners in the municipality to make them aware of the changes that are coming forward for development applications in the community because of new legislation and the *Architect's Act*.

Parks Canada:

- Light on Cawnpore Lane has been fixed.
- Trees that had fallen around the visitor center were checked. Barb is to follow up as no response

was sent to the municipal office from Parks on the trees.

- Signage project has been changed to complete signage within the Park and the main gateway entrances as Alan Aitken from Department of Transportation has not responded back to Parks Canada on their request.
- Parks had issues using the provincial sign company so they have now had to go to the National Office to have their signage made. There was an issue with the green for the signage and having the proper color since they have national sign standards and the signs will be much costlier to produce.

Q. Jeff questioned Barb on rolling the funds into the next fiscal year for the signage.

A. Barb confirmed that the funding is through the Federal Infrastructure fund under deferred maintenance for the signage and their other programs have limited funding.

Q. Barb advised that some questions had been asked about Oceanview and the monument.

A. Chantel indicated that they hope to have a draft plan ready for the end of January and they will send and circulate it to the Council and planning board.

Cawnpore Lane Kiosks:

Q. Concerns were raised by Monty Drummond on the kiosks.

- Barb confirmed that phase 1 had been presented to the Council and that there will be a pass holder lane on Cawnpore Lane.
- The lane and kiosk will also be designed for future ways to be able to collect fees and pay for flexible parking, but they do have to follow the National Guidelines on fees.
- The plan is to have new kiosks at Cawnpore Lane, North Rustico, Dalvay and Bayshore this year and in 2019 they will do Grahams Lane and Brackley.

Homestead Trail:

- work is underway, and the two smaller bridges are near completion.
- the larger bridge will be removed this week and is expected to be installed by the end of January.
- resurfacing will be done in the spring and there may be some partial closures from April – June while this work is being done.

Green Gables:

- work continues on the interpretive design.
- they hope to have a concept plan available for January 22 and to have a stakeholder review on January 25, 2018.
- Barb advised that she understands that Darcy and Sandi are working on a statue for Anne / LM Montgomery. One is planned for Green Gables Site, so they want to make sure that the statues are coordinated.
- Interpretive panels were discussed and that they really need to be updated.

Q. Joe Kaczmarczyk asked if Parks ever considered putting markers along the trail for the winter so that people know where the actual trail is located as it is done in other areas.

A. Barb advised that she would bring this back to Parks for their comments.

Q. Arnold questioned the advertising on the radio that Parks were working on the trails as he felt that the way it was presented was done to discourage people from using the trails.

A. Barb advised that is not the intent. They want people to use the trails, but they also want the public to be aware that the trails are not groomed, checked or maintained during the winter months.

Green Gables Management Plan:

If anyone is interested in attending a session they would like to have a few members between Council and Planning Board participate. Parks will send out an invitation to the municipal office.

Once the report is completed they will make it available to everyone for review. The session will be held in Dalvay.

Gulf Shore Highway:

Barb advised that Bill Courtney is working on a plan to protect the highway near MacKenzie's Brook as the erosion is dangerously close to the highway. They may need to do some culvert replacement and shoreline protection with rock. They may have to close the road for part of the season to complete the work and it may happen in the fall.

Beach Facilities:

They are looking at upgrading the Cavendish Beach Facilities and providing a wheelchair accessible dune crossing. There is a study being done to look at the possibility of relocating the crossing as well.

Green Gables Interpretation Open House:

An updated letter was provided with an invitation to the public to attend an open house on the Green Gables Interpretation on January 25, 2018 at 6:30 p.m. at the Visitor Information Centre.

Temporary Permits:

Cavendish Beach Music Festival – to have a temporary / transient permit for a second event from July 9 – 13, 2018.

It was moved by Deputy Mayor Lowther, seconded by Councillor Hryckiwi that the request be brought to a public meeting for input prior to any decisions being made on the request once a date has been determined by the developer, as well as after gathering input from the Liquor Control Commission, the Provincial Fire Marshal's Office and the Department of Health and Wellness. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.A.1. Hon. Robert Mitchell – Municipal Government Act:

A letter was included in the package from Hon. Robert Mitchell advising that the *Municipal Government Act* has been proclaimed.

6.A.2. Samantha Murphy – Architect's Act:

A letter was received from the Department of Communities, Land and Environment with information about the case in Brackley and the requirement for municipalities to ensure that they are applying all Acts when reviewing development permit applications.

6.A.3. Stewart McKelvey – Architect's Act:

A letter was received from Stewart McKelvey summarizing IRAC's planning decision on the case in Brackley and advising municipalities to ensure that they are following the Architect's Act and any other Acts in place within the province when reviewing development permit applications.

6.A.4. Stewart McKelvey – Client Update:

A letter was receiving outlining four appeals over the past year and for Councils to be aware of general land use planning principles and to ensure that they are satisfying existing regulations when reviewing development permit applications.

6.A.5. Sunny Gallant Composting Toilets:

A letter was sent through to the owner advising her of the review process for composting toilets and the

requirements of the Department of Communities, Land and Environment for review of applications. A larger development project was discussed for the property and the owner was advised that a permit application would have to be submitted before any final decisions would be made on any servicing on the property.

6.A.6 Phil Davison Extension of Development Agreement:

It was moved by Deputy Mayor Lowther, seconded by Councillor Hryckiwi that a final extension until June 30, 2018 be granted for the completion of the project. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.A.7. Dale Gallant:

All paperwork and the development agreement has been completed.

6.A.8. Parks Canada – Green Gables Silt Fencing and stream alteration:

Parks has confirmed that they have all measures in place on the property for work on the site including silt fencing and that they will continue to ensure that all environmental measures are met during construction.

6.A.9. Municipal Government Act – Transitions Checklist:

A copy of the checklist is in the package for the Council on what needs to be worked on right away for new bylaws.

It was decided that the elections bylaw would be worked on right away as it is the most urgent matter and that the sewer bylaw can be reviewed as well by the legal counsel.

Council Remuneration Bylaw:

It was suggested that Eric Blacquiére, Lloyd Adams and Alvin and Garth MacNeill be contacted to see if they would be interested in sitting on a Council Remuneration Committee. The CAO will contact each of them to see if they are interested in sitting on a committee.

6.B. MONTHLY FINANCIAL REPORT:

Councillor Hryckiwi presented the monthly finances for December 2017. Revenue was \$386,304.19 and the expenses were \$344,977.79.

It was moved by Councillor Hryckiwi, seconded by Councillor Gauthier that the monthly finances for December 2017 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.B.1. INFRASTRUCTURE SECRETARIAT NEW STAFF:

Jesse MacDougall is temporarily assigned to Alex Dalziel's position with the Department.

6.C. TRAILS AND PATHS REPORT:

The trail project was completed.

6.D. FIRE COMMITTEE REPORT:

Fuel was taken from the New London Fire Department and Island Petroleum donated the fuel to replace the empty tank.

6.D.1. NATIONAL WILDFIRE COMMUNITY PREPAREDNESS DAY:

Community Preparedness Funding can be applied for from FireSmart Canada from January 15 - March 9, 2018. Information only.

6.E. TCBI:

No update has been received to date on having Councillor Hryckiwi act as a liaison for Council with TCBI. The CAO will follow up with Darcy on this.

6.F. CCTP:

6.F.1 STEP PROGRAM:

Sessions were held on the Step Program in Kensington and another one will be coming up on January 17, 2018 in North Rustico.

Deputy Mayor Lowther has tried to reach Johanna Egan at ACOA and has not been able to get further information so far.

7. CAVENDISH SEWER UTILITY REPORT:

7.A. Monthly Updates and engineering:

7.A.1 Seawood Estates Rails:

Brett Wallace from Stantec has provided a price on rails that will need to be reviewed at the next sewer meeting.

7.A.2. LS # 3 Pump Repairs:

Prices were received from Toombs Plumbing and Heating Ltd. on pump repairs for LS # 3 at Green Gables and will be reviewed by the sewer board at the next meeting.

7.B. Driftwood Landing Information:

A decision needs to be made by the board on the information that has been received from the condo corporation at their next meeting.

8. BUSINESS ARISING FROM MINUTES:

8.A. Small Cities Challenge:

Deputy Mayor Lowther advised that she did not have a chance to get more information on the challenge but will gather more input for the next meeting.

8.B. David MacNeill – Site of L.M. Montgomery’s Cavendish Home:

The CAO advised that a second request was made as David MacNeill had not yet submitted a letter to the Council, on his proposal to use the municipality’s park land for a shared walkway and for access to his site. Discussions ensued regarding the future development of the municipal park and the L.M. Montgomery Cavendish Home site and, specifically, the potential for funding through the Tourist Association and other government departments, the appropriate location for a statue of L.M. Montgomery, and the potential installation of washrooms and a crosswalk.

The CAO was directed to contact procurement services and the Central Development Corporation to gather information on preparing an RFP for landscape architects.

It was decided that the Committee reviewing the proposal be directed to (1) prepare a draft RFP and proposed budget for the addition of washrooms and for any other proposed municipal park work and (2) present the draft RFP and proposed budget to Council at its next regular meeting.

8.C. Wedding Policy – Municipal Parks:

Deputy Mayor Lowther presented a revised policy. It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the revised wedding policy be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

8.D. STRATEGIC DEVELOPMENT COMMITTEE:

Deputy Mayor Lowther advised that the terms of reference are being worked on and will be sent out for review and comments by the Council.

9. NEW BUSINESS:

9.A. FPEIM: FPEIM held their meeting at Harmony House and had a good meal and discussion.

9.B. FCM:

It was moved by Deputy Mayor Lowther, seconded by Councillor Hryckiw that the FCM dues for 2018 be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

9.C. PROPOSED CAPITAL IMPROVEMENT PLAN POLICY:

A sample Capital Improvement Plan policy is in the package for information only.

10. CONCERNS:

10.A.1. Councillors Concerns:

Councillors questioned how Green Gables is going to be open by May 11, 2018 because of construction on the site.

The guests introduced themselves as Brian & Lucy Donovan, the former owners of Beavertails.

10.B. Residents:

Monty Drummond – Parks Canada Kiosks.

A response was sent to him in response to his questions.

The CAO left the meeting for the evaluation to be completed.

Police Association – A request was received for sponsorship at an upcoming event.


It was decided that the Council supports the RCMP and Crime Stoppers as they provide police services to the area.

CAO'S EVALUATION:

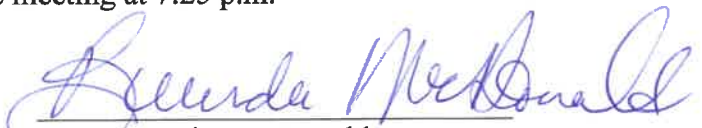
The CAO's evaluation was completed at the meeting.

The CAO returned to the meeting.

12. ADJOURNMENT: Mayor Jelley adjourned the meeting at 7:25 p.m.



Mayor, Matthew Jelley



CAO, Brenda MacDonald