

Minutes
Resort Municipality Monthly Council Meeting
Monday, April 16, 2018
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on April 16, 2018 at the Resort Municipality Office.

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

ABSENT: Kay Hryckiwi and David Gauthier.

VISITORS: Nil.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:10 p.m..

2. APPROVAL OF AGENDA:

It was decided that agenda item 9D be removed from the agenda.

It was moved by Councillor Wyand, seconded by Deputy Mayor Lowther that the agenda be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES MARCH 19, 2018:

It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that the Monthly Council Meeting Minutes of March 19, 2018 be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried

4. DECLARATION OF CONFLICT OF INTEREST:

There were no conflicts of interest declared.

5. CORRESPONDENCE:

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

6. COMMITTEE REPORTS:

Building Permit Applications:

Beverley Rieger – PID # 1047687 (45 Wayne's Lane) – an application was received to construct a one storey accessory building on the property of 16' X 10' for storage only. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) the building shall be used for storage only, and 2) the building shall not be used for human habitation. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Cavendish Tourism Complex Development Inc. – PID #232247 - (Cavendish Road) – a revised plan was received to construct 19 rental cottages, three 3 bedroom cottages of 41' X 26' with an expanded deck of 4' X 6' and sixteen 2 bedroom cottages of 28' X 32' including the deck, to construct a maintenance building of 28' X 12' and to construct a swimming pool 24' X 44' with a 10' deck surrounding the pool and a fence surrounding the deck. It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that approval in principle be granted subject to: 1) meets the requirements of the Department of Environment, 2) meets the requirements of the Department of transportation, Infrastructure and Energy, 3) meets the requirements of the Provincial Fire Marshal's office, 4) that the approval shall be for phase 1 of the development only, 5) that a performance bond of \$25,000.00 be posted, 6) that a development agreement be entered into and 7) payment of permit fee. All in

favor 3, 1 non-voting, 2 absent. Motion Carried.

Temporary Permits:

Glenn Gaudet – PID # 509562 (8812 Cavendish Road) – an application was received to extend the hours for the liquor license from July 5 – 10, 2018 from 9:00 a.m. – 2:00 a.m. as well as to have a tent on the property from July 6 - 9, 2018 from 11:00 a.m. – 9:00 p.m. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval in principle be granted subject to: 1) meets the requirements of the Liquor Control Commission, 2) meets the requirements of the Provincial Fire Marshal's office, 3) meets the requirements of the Department of Health, 4) that a performance bond of \$5,000.00 be posted, 5) that a development agreement be entered into, 6) that security be provided at the site, 7) that there is to be no food service in the tent during the event, 8) that the extension of hours until 2:00 a.m. is for inside the building only and that the curfew on the outside deck is until 12:00 midnight daily only and 9) payment of temporary permit fee. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 (8779 Cavendish Road) – The application was tabled.

Raspberry Point Oyster Co. Inc. – PID # 232041 – (Cavendish Road) – The application was tabled.

Sea Cross Inc. – PID # 232033 – (8779 Cavendish Road) – The application was tabled.

100242 PEI Inc. – PID # 708255 (Forest Hills Lane) - to locate a cell tower on the property from May 1– August 31, 2018. It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that approval in principle be granted subject to: 1) that the tower be located on the property from May 1 – August 31, 2018 and 2) that the tower be kept in a fenced area on the property. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

CFM PEI Inc. – PID # 231910 (8989 Cavendish Road) – an application was received to locate a euro bungee on the property from June 1 – September 15, 2018. It was moved by Deputy Mayor Lowther, 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 inspection services and 4) payment of permit fee. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Signage Permits:

Cavendish Beach Music Festival – PID # 1037423 (8779 Cavendish Road) – The application was tabled.

Sea Cross Inc. – PID # 232033 (8779 Cavendish Road) – The application was tabled.

Follow up Permits:

Action Attractions Ltd. – PID # 589358 – (9018 Cavendish Road) – Awaiting comments from the owner.

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

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

Eric MacLauchlan – PID # 936955 (MacCoubrey Lane) – Awaiting comments from the owner.

Melanie Numsen – PID # 1803931 – (9 Landing Drive) – Awaiting information on the setbacks.

CFM PEI Inc. – PID # 231910 – (8989 Cavendish Road) – Awaiting information from the Department of Tourism.

Cavendish Services Ltd. - PID # 512871 (7550 Route 13) - Awaiting information from the Department of Health and Wellness, the Provincial Fire Marshal's office and the Department of Transportation, Infrastructure and Energy.

West Highland Contractors Ltd. – PID # 694984 - (Simpson Mill Road) – Awaiting information on the survey plan for the subdivision. The rezoning of the property needs to be completed and septic information has not been provided on the plan as well.

Municipal Government Act:

New Bylaws and changes are being made to meet the dates to be in compliance with the Act.

National Building Code Act:

National Building Code Act was discussed, and no updates have been received from the province to date. All commercial permit applications will require stamped architect's plans.

Parks Canada:

Information was received from CBMF regarding a signed agreement with Parks and a copy of insurance. No permit or agreement is issued for this property from the municipality.

PEINP Wayfinding Sign Project:

Staff will be starting preparatory work later this month. Preparatory work to include removal of tree limbs at Orby Head and Cape Turner, while a few trees and shrubs will be removed along Grahams Lane and the Gulf Shore Parkway near Terre Rouge Lane at Oceanview.

Entrance Kiosks:

Construction on the new kiosks at Cawnpore Lane and North Rustico is underway and they are still on track for completion by mid-June. Sometime over the next month, the contractor will need to work on the electrical pole for the Cawnpore kiosk which will mean they need to go in close to a cottage owner in the area. They are double checking to ensure that the access road to the pole is on park property and as a courtesy we will advise the landowner when this work will be done.

Homestead Trail:

Archaeologists will be on site next week to do test pits on the area where the trail will be realigned. Work is anticipated to begin by early May and to take 2 months, so the estimated completion date is the end of June. As indicated previously, signs will be in place to let people know what parts of the trail are closed and the bridge will remain in place until the realignment has been completed.

Green Gables Redevelopment Project:

Work continues on the visitor center building and is going well. The building is on schedule and will be complete at the end of September 2018.

Parking lot work will begin in the next week or so and will be complete by June 29. There will always be parking available for visitors throughout the construction. The work will include site work, curbing (mid May) and paving (early June), and will see the addition of parking spots and a reconfiguration of the flow. During construction, there will be times when the parking lot is graveled and available for use. The east entrance will be permanently closed, and the west driveway will become the entrance/exit. The Parks Canada site identifier sign will be moved to the new entrance as planned. It will be located in an island in the middle of the entry/exit in a way that will provide appropriate sight lines when entering and exiting the site. Parks Canada staff will be stationed in the parking lot again this year to help direct visitors to parking spots. There will be some trees removed at the entry to improve visibility. Park staff will identify the trees to be removed.

A small portion of the Cavendish Grove parking area will be used temporarily as a laydown area for construction. Storage containers and materials will be located in a fenced area close to Route 6. There is no available space at Green Gables for this purpose.

The first meeting of the stakeholder advisory committee on the interpretive media was held on April 6. Members of the group provided excellent feedback which will be very helpful as the project moves forward.

Early bird passes:

Parks Canada is pleased to offer early bird season passes for Prince Edward Island National Park at a discounted “early bird” rate until June 15th, 2018. Season passes offer unlimited access to PEI National Park’s stunning white sand supervised beaches, over 50 km of trails, special events, summer programs, and well-maintained visitor facilities. Families and groups can enjoy all this and more for only \$49. Adult (\$19.60) and senior individual (\$17.10) season passes are also available.

Season passes can be purchased at the following Parks Canada locations: Ardgowan National Historic Site (8:30 a.m. – 4:30 p.m., Monday to Friday), Green Gables Heritage Place (9:00 a.m. to 5:00 p.m. as of May 1st), Stanhope and Cavendish Campground kiosks (8:00 a.m. to 10:00 p.m. as of June 8th), or online.

In 2018 and beyond, the Government of Canada is celebrating families and the importance of our protected places with free admission for youth 17 and under to all Parks Canada’s places. Families and their children are invited to experience the outdoors and learn more about our environment and history.

Operating dates:

PEI National Park campgrounds open on June 8th, and interpretation programming begins on July 2nd, including *Sensational Sandcastles* with Maurice Bernard, *A’tuken* with the Mi’kmaq Heritage Actors, and *Campground Ceilidh*.

Green Gables Heritage Place is open by appointment from April 15th to 30th by calling 902-963-7874 in advance, and will open daily beginning on May 1st. For a full schedule of programs and activities, please visit the website.

Signage Bylaw:

The signage bylaw was reviewed based on the planning board’s recommendations and changes were made to the draft bylaw.

Section 3.(m) - Shoulder Season Signs shall be changed to display in the shoulder season prior to July 1 and 7 days prior to Labour Day.

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the changes to Shoulder Season Signs be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

5.4.C. - Side Road Sign shall be changed from the sign is self-standing to permanent.

It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the change to Side Road Signs be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.2 M – Flags, with the exception of two flags per property indicating whether the Businesses on the property are opened or closed and the display of Provincial and Federal Flags. This section shall reference open and closed signs only and that Provincial or Federal Flags shall not be included as part of the two flags allowance.

It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that the change to Flags be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

9.13 – Self-Supporting Signs, mounted in an affixed location and not attached to any Building or other structure, shall have a maximum vertical height of sixteen feet above the natural grade level.

It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that the change to Self-Supporting Signs be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

9.16 – The area of Signs having 2 or more faces shall be calculated by including the area of all faces unless the copy is identical on both faces and the 2 faces are placed back to back in which case the larger face should determine the area.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the change to Section 9.16 be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

10.3 – Sign permit applications shall only be submitted by the owner of the property.

It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the change to Section 10.3 be adopted as amended. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the Signage Bylaw be presented at a public meeting. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

MEO for Election – It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the CAO be designated as the MEO for the election. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Election Bylaw – It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the Election Bylaw be presented at a public meeting. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.A.3. Liquor Control Commission:

It was decided by Council that the Mayor would follow up with Andrew MacMillan at the Liquor Control Commission on the concerns that were sent through on the fully licensed venue for the Cavendish Beach Music Festival and not receiving a response to date back to the Council on the letter.

6.B. MONTHLY FINANCIAL REPORT:

The CAO presented the monthly finances for March 2018. Revenue was \$49,871.88 and the expenses were \$40,381.28.

It was moved by Deputy Mayor, seconded by Councillor Clark Dunning that the monthly finances for March 31, 2018 be adopted as presented. All in favor 3, 2 non-voting, 1 absent. Motion Carried.

6.B.1. CAPITAL BUDGET:

It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the Capital Budget of \$309,299.76 for 2018 / 2019 be adopted as presented. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.C. TRAILS AND PATHS REPORT:

Deputy Mayor Lowther advised that she had talked with the School of Sustainable Design Engineering and they have agreed to discuss coming up with some suggestions on a lighting plan for the Grahams Lane Trail. The light and supports for the light will be taken to them for their review.

6.D. FIRE COMMITTEE REPORT:

There were no updates from the Fire Departments.

6.E. TCBI:

The RCMP Rider Program is still under review based on changes needed from the RCMP for the rider and the additional costs required.

6.F. CCTP:

There are a number of upcoming training sessions happening with CCTP that have been circulated if anyone is interested in attending.

7. CAVENDISH SEWER UTILITY REPORT:

7.A. Monthly Updates and engineering:

Toombs have removed the pump at LS # 3 - Green Gables and have sent it to be fixed.

Driftwood Landing is reviewing the list of recommendations that was sent out from the sewer utility board. We are waiting for confirmation from the engineer on the confined space entry size on the lift station to ensure that it meets provincial requirements.

We have received some payments on the outstanding sewer customers. Collection letters now need to be sent by the lawyer for disconnection on properties.

Nothing has been received from IRAC to date regarding having a process in place either through the water and sewer regulations or through the utility tariff to allow the utility to bill customers in advance for services each year similar to the process in place with Maritime Electric. By allowing this to happen the utility would then have the fees paid in advance.

A revised easement has been sent out from Stewart McKelvey for review on the properties owned by Action Attractions and Sandspit Entertainment Ltd. We are waiting for the agreement to be sent out to be signed once all parties agree to the terms and conditions.

Lagoon drawdown is taking place from April 5, 2018 and must be completed by April 20, 2018.

8. BUSINESS ARISING FROM MINUTES:

8.A. Destination Management Fund:

8.A.1 Terms of Reference:

The Committee is waiting for a copy of the on-line application that was being worked on by CBMF.

8.B. Heritage Park and Historical Committee:

Deputy Mayor Lowther is working on an RFP to be brought back to the committee as well as the Council for final review.

8.C. Streetlights: Awaiting comments from the Department of Transportation, Infrastructure and Energy on the request for Streetlights at the turn on Route 6 East as well as near Bruce Simpsons.

8.D. MCHDAY – Funding Approval:

The CAO advised that \$1,600.00 was approved for Multi-Cultural Community Heritage Day on June 30, 2018.

8.D.1. Beautification and Dr. Kent Ellis Memorial Awards:

A request will be sent out in the weekly updates looking for input from the public on the awards for the next Council meeting.

8.E. Internet Meeting:

A meeting was held with property owners in North Rustico. The Mayor will complete a letter to be sent to the property owners looking for funding from both residential and business customers to assist with the costs for the project.

8.F. Council Remuneration Review:

Minutes were provided to the Council of the Council Remuneration Review.

It was decided by the Council that a decision would be made at the next Council meeting based on the input received from the Committee.

9. NEW BUSINESS:

9.A. FPEIM:

Updates were provided on FPEIM that included:

- Mike Farmer on the Airport Authority;
- Asset Management Phase 2 is being worked on;
- FPEIM website is more user friendly;

9.A.1 FPEIM Annual Meeting:

The FPEIM Annual Meeting will be held at the Dutch Inn on April 30, 2018. Anyone interested in attending should contact the CAO.

9.B. Water Testing:

Mayor Jelley spoke with Jim Young on taking over the water testing for 2018 as the Province is not hiring staff to maintain the testing in Cavendish for 2018.

It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that if the surcharge is agreed to by the Department of Communities, Land and Environment that the municipality would take over the water testing for 2018. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Mayor Jelley will follow up with the Department of Environment on the samples.

9.C. Military Service Book:

It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the municipality purchase an ad with the PEI Command of the Royal Canadian Legion at a cost of \$230.00 taxes included. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

9.D. Tax Rate Groups:

A copy of the Tax Rate Groups Bylaw was in the meeting package.

It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that the tax rate group bylaw be brought to a public meeting. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

10. CONCERNS:

10.A. Councillors Concerns:

Councillor Wyand raised concerns over lighting for business owners' signs. It was suggested that information be sent in the weekly updates reminding property owners to check their lighting on their signs to ensure that it is not directed into vehicular traffic.

The CAO advised that one of the unsightly property owners had responded asking for an additional month to deal with his buildings. It was decided by the Council that additional time would be granted.

The CAO advised that Bell Aliant is installing mini cell towers. They are being placed on the Maritime Electric Poles that Bell Aliant uses for their services. Their plan is to locate them throughout the area this summer.

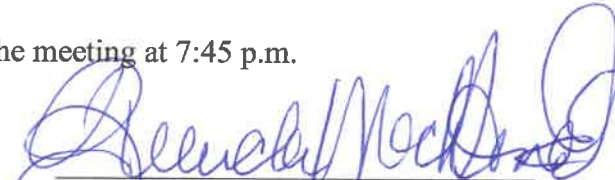
10.B. Residents:

There being no residents in attendance Mayor Jelley moved on to adjourn the meeting.

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



Mayor, Matthew Jelley



CAO, Brenda MacDonald