

Minutes
Resort Municipality Monthly Council Meeting
June 19, 2023
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on June 19, 2023, at the Resort Municipality Office.

PRESENT: Mayor Matthew Jelley. Linda Lowther, Councillors George Clark Dunning. Zoom: Chris Robinson. Lee Brammer was in attendance for part of the meeting.
CAO - Brenda MacDonald, Deputy CAO – Heather Hay.

ABSENT: Ryan Simpson and Kay Hrycki.

VISITORS: Jim Brown. Zoom: Ronnie and Sandra LeBlanc, Lloyd Adams and Alexander MacKay.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:04 p.m.

2. APPROVAL OF AGENDA:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the agenda be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Councillor Brammer asked about moving the housing accelerator fund up earlier in the meeting if possible as he was unable to stay for the full meeting due to another commitment.

The Housing Accelerator Fund was moved up on the agenda to number 4 on the agenda.

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES MAY 15, 2023:

It was moved by Deputy Mayor Lowther, seconded by Councillor Robinson that the Monthly Council Meeting Minutes of May 15, 2023, be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

APPROVAL OF SPECIAL COUNCIL MEETING JUNE 8, 2023:

It was moved by Councillor Robinson, seconded by Councillor Clark Dunning that the Special Council Meeting Minutes of June 8, 2023, be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

APPROVAL OF PUBLIC REZONING MEETING MINUTES JUNE 8, 2023:

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Public Rezoning Minutes of June 8, 2023, be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

APPROVAL OF PUBLIC MEETING CBMF JUNE 8, 2023:

It was moved by Deputy Mayor Lowther, seconded by Councillor Robinson that the Public Meeting Minutes of June 8, 2023, be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

9.C. Housing Accelerator Fund:

There are two streams of funding that rural areas can apply for.

Deputy Mayor Lowther and Councillor Brammer will work on gathering information on the fund to present to the Council.

Deputy Mayor Lowther will attend an on-line session to gather more information on the funding streams.

5. DECLARATION OF CONFLICTS OF INTEREST:

Mayor Jelley declared a conflict of interest under planning board applications on the agenda.

Mayor Jelley advised that if any conflicts arise with a Council member during the meeting to ensure that they raise the conflict and leave the meeting without comment.

6. COMMITTEE REPORTS:

6.A. Building and Signage Permits:

Follow Up Permits:

AMD PEI Growth Inc. – PID # 232413 – 8572 Cavendish Road – an application was received to have a snow cone operation on the property where the former coffee snack area was on the property. Awaiting comments from Department of Health, Provincial Fire Marshal's office and a more detailed floor plan to be provided for Department of Health.

Cavendish Maples Inc. – PID # 233270 – 43 Hammies Lane – an application was received to construct a two storey rental cottage of 50' X 44' with decks on the property. Awaiting comments from the Provincial Fire Marshal's Office and a septic permit to be provided.

Sharat and Smita Prakash – PID # 763755 – 7910 Cavendish Road – an application was received to construct an animal shed and fence on the property as well as to revise their original plans on the property. Renovations can be completed based on all parking requirements being met for the proposed development, Provincial Fire Marshal's Office and the Department of Health and Wellness. Awaiting an update on the structure from the owners and approval under the *Building Codes Act*.

Cavendish Beach Music Festival Inc. – PID # 1037423 – 8779 Cavendish Road – an application was received to move the administration building on the property to another location. Awaiting comments from the Provincial Fire Marshal's office.

Chris Robinson – PID # 1053990 – 8537 Cavendish Road – an application was received for a change of use on the property into a two-bedroom Bed and Breakfast. Awaiting comments from the Department of Transportation on the access.

Wayne and Judy Gallant – PID # 642074 – Cavendish Road – an application was received to construct a one and a half storey dwelling of 42' X 40' with a breezeway of 18' X 14' and a garage of 30' X 40'. Awaiting the survey plan to be completed and approval from the Department of Transportation on access.

Gary and Kathleen MacDonald – PID # 701490 – MacCoubrey Lane – an application was received to construct a summer cottage of 40' X 24' with a deck. Awaiting clarification on the measurements on the drawing as well as the sewer connection paperwork to be completed.

Bill & Dee Power – PID # 1804038 – 51 Landing Drive – an application was received to change the summer cottage into a rental unit. Awaiting the purchase of the property by the new owner as well as comments from the Provincial Fire Marshal's office.

George, Ian and Kenneth Stewart – PID # 231639 – Simpson Mill Road – an application was received to construct a one and a half storey single family dwelling of 80' X 30' with a garage and decks on the property. Awaiting subdivision approval.

Temporary / Transient Use Permit:

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have the 2023 music festival from July 5 – 8, 2023. Awaiting information from Provincial Fire Marshal's

Office, Department of Health and Wellness, Liquor Control Commission, proof of insurance, performance bond and Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 1037423 - 8779 Cavendish Road – a temporary / transient use application was received to have the RCMP trailer of 40' X 28' on site from June 28 – July 15, 2023. Awaiting comments from the Provincial Fire Marshal's office and Department of Health and Wellness.

Cavendish Tourist Mart Inc. – PID # 233130 – 8934 Cavendish Road – a temporary / transient use application was received to have parking on the property from July 5 – 8, 2023 for the Cavendish Beach Music Festival. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Sommo Festival - Cavendish Beach Music Festival – an application was received to have a temporary / transient use permit for a second event on July 14 – 15, 2023 from 12:00 noon – 11:00 p.m. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, Liquor Control Commission, proof of insurance, performance bond and Development Agreement.

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – an application was received to have parking on the property from July 5 – 8, 2023 for the CBMF event. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, proof of insurance, performance bond and Development Agreement.

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – an application was received to have parking on the property from July 14 – 15, 2023 for the Sommo Festival. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, proof of insurance, performance bond and Development Agreement.

Raspberry Point Oyster Co. Inc. – PID # 232041 – Cavendish Road – an application was received to have parking on the property from July 5 – 8, 2023 for the CBMF Festival. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, proof of insurance, performance bond and Development Agreement.

Raspberry Point Oyster Co. Inc. – PID # 232041 – Cavendish Road – an application was received to have parking on the property from July 14 – 15, 2023 for the Sommo Festival. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, proof of insurance, performance bond and Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 566896 – to have access through the residential property for RCMP parking from July 3 – 9, 2023. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, proof of insurance, performance bond and Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 566896 – to have access through the residential property for RCMP parking from July 10-17, 2023. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, proof of insurance, performance bond and Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 1037423 – 8779 Cavendish Road – an application was received to have the RCMP trailer on the property from July 3 – 9, 2023 for the CBMF Event. Awaiting information from

Provincial Fire Marshal's Office, Department of Health and Wellness, Liquor Control Commission, proof of insurance, performance bond and Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 1037423 – 8779 Cavendish Road – an application was received to have the RCMP trailer on the property from July 10 – 17, 2023 for the CBMF Event. Awaiting information from Provincial Fire Marshal's Office, Department of Health and Wellness, proof of insurance, performance bond and Development Agreement.

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – an application was received to have parking on the property from July 5 – 8, 2023 for the CBMF event. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – an application was received to have parking on the property from July 14 – 15, 2023 for the Sommo Festival. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Raspberry Point Oyster Co. Inc. – PID # 232041 – Cavendish Road – an application was received to have parking on the property from July 5 – 8, 2023 for the CBMF Festival. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Raspberry Point Oyster Co. Inc. – PID # 232041 – Cavendish Road – an application was received to have parking on the property from July 14 – 15, 2023 for the Sommo Festival. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 566896 – to have access through the residential property for RCMP parking from July 3 – 9, 2023. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 566896 – to have access through the residential property for RCMP parking from July 10-17, 2023. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 1037423 – 8779 Cavendish Road – an application was received to have the RCMP trailer on the property from July 3 – 9, 2023 for the CBMF Event. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Cavendish Beach Music Festival Inc. – PID # 1037423 – 8779 Cavendish Road – an application was received to have the RCMP trailer on the property from July 10 – 17, 2023 for the CBMF Event. Awaiting proof of insurance, security to be provided, lighting to be provided, performance bond and a Development Agreement.

Subdivision Application:

Jennie Macneill – an application and preliminary plan was received to subdivide Property # 232512 (8523 Cavendish Road) into two lots. Awaiting a more detailed survey plan to be provided and approval from the Department of Transportation for the access.

Sharon MacNeill – PID # 841049 (MacNeill Lane) – an application was received to subdivide 1 lot off of the main property and consolidate it with PID # 830687 (Kent MacNeill). Application was tabled until the survey plan is completed.

Sharon MacNeill – PID # 841049 (36 MacNeill Lane) – an application was received to subdivide 1 lot off of the property for the rental cottages. Application was tabled until the survey plan is completed.

Gary & Linda Lowther and Others: - PID # 1144179 – (Cavendish Road) – Awaiting information on a lot consolidation deed to consolidate PID # 645515 with PID # 1144179, that a subdivision agreement be entered into, that a storm water management plan be completed, that the application and survey plan be reviewed by the municipal legal counsel, that the roads meet all requirements of the Department of Transportation, Infrastructure and Energy, meets the requirements of the Department of Environment and that a special permit use be applied for on the triplex lot by the developer for approval of the use requested with a public meeting to gather feedback from adjacent landowners.

Les Zielinski – PID # 1011675 – Cavendish Road – to subdivide 4, (5 acre lots) off of the main property. Awaiting additional information from the developer on the lot sizes and perc tests.

West Highland Contractors Ltd. – PID # 694976 – 9095 Cavendish Road – an application was received to subdivide one lot off of the main property of 30' deep X 150' wide to consolidate with PID # 456673. Awaiting drawing from the owner from a surveyor and the lot consolidation deed.

Kay and Tony Wakelin – PID # 894741 – 346 Simpson Mill Road – an application was received to subdivide one lot off of the main property. An updated plan was received, now we are awaiting the perc test and final site plan.

Andrew and Joanne Wigston – PID # 778100 – 7936 Cavendish Road – an application was received to subdivide three lots on the main property. Application was tabled until the official plan and bylaw review is complete as well as based on comments received from the Department of Transportation on access.

BGB Holdings – PID # 937144 and 233437 – Cavendish Road – an application was received to consolidate PID # 937144 with PID # 233437. Awaiting a final survey plan to be completed.

George, Ian and Kenneth Stewart – PID # 231639 – Simpson Mill Road – an application was received to 1.10 acres off of the main property. Awaiting a final survey plan to be completed of the property.

Raspberry Point Oyster Co. Inc. – PID # 442608 – Cavendish Road – an application was received to subdivide 8.80 acres off of the main property. Awaiting a final survey plan to be completed of the property.

Roger Birt Inc. – PID # 723874 – Cavendish Road – an application was received to subdivide 44 lots on the permit application with 33 lots being shown on the environmental plan. Application was tabled until the detailed information is provided and is consistent with the survey plan and environmental report.

Rezoning Application:

Andrew and Joanne Wigston – PID # 778100 – 7936 Cavendish Road – an application was received to rezone the property from RR (Rural) to R1 (Residential) Zone. Tabled until the Official Plan and Bylaw Review are completed and access is resolved based on comments from the Department of Transportation.

Development Permits:

George MacEwen – PID # 92668 – 9799 Cavendish Road – an application was received to move a building onto the property of 28' X 20' for storage only. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Environment and 2) that a moving permit be obtained from the Department of Transportation and Infrastructure. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – an application was received to construct a deck onto the existing building for the Turkey Tavern of 36' X 20'. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Liquor Control Commission and 3) meets the requirements of the Provincial Fire Marshal's office. All in favor 4, 1 non-voting, 2 non-voting. Motion Carried.

Sue Humby – PID # 92403 – 4880 St. Mary's Road – an application was received to construct a deck of 20' X 23'. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Gary and Kathy MacDonald – PID # 701490 – MacCoubrey Lane – a revised application was received to construct a summer cottage of 52' X 24' with a deck and to have a lesser setback which has been established on adjoining properties to 40'. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) the cottage being connected to the municipal sewer and 2) that the front yard setback allowance be 40' based on current setbacks on adjoining properties. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Alexander and Darlene MacKay – PID # 706150 – 9946 Cavendish Road – an application was received to have a change of use permit to change an accessory building into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther, that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Temporary / Transient Use Permit:

John Carroll – PID # 509562 – 8808 Cavendish Road – an application was received for extra parking at the property for an event on July 2, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council deny the application based on there being no permitted use on the property as it is vacant. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

John Carroll – PID # 509562 – 8808 Cavendish Road - an application was received to have a taxi drop off location on the property for July 6 - 8, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council deny the application based on there being no permitted use on the property as it is vacant. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

John Carroll – PID # 509562 – 8808 Cavendish Road - an application was received to have a taxi drop off location on the property for July 14 - 15, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council deny the application based on there being no permitted use on the property as it is vacant. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

It was recommended that if the owner wishes to do something on this property that it could be consolidated with the existing restaurant property at PID # 509562, to allow for development on the property.

Sea Cross Inc. – PID # 231720 – 9139 Cavendish Road – an application was received to have a temporary permit for parking from June 15 – September 4, 2023, for staff and overflow parking. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council to approve the application. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road - an application was received to have a truck on the property for ALC July 6 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for a snowbird activation on the site from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Red Bull on the property from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for a backstage container for CBMF from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Chris Robinson that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for backstage container for Sommo from July 14 – 15, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for speakeasy container for CBMF from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 5, 1 non-voting. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for speakeasy container for Sommo from July 14-15, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Clark Dunning that the Council approve the application in principle 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) that approval of the festival be completed. All in favor 5, 1 non-voting. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Molson container for CBMF from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council approve the application in principle 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) that approval of the festival be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Molson container for Sommo from July 14-15, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office, meets the requirements of the Liquor Control Commission and 4) that approval of the festival be completed. All in favor 5, 1 non-voting. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Colliding Tides container for CBMF from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle 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) that approval of the festival be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Colliding Tides container for Sommo from July 14-15, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council approve the application in principle 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) that approval of the festival be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for fireworks on the property on July 8, 2023, or July 15, 2023 – rain date. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council to approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 2, nay 2, 1 non-voting, 2 absent. Mayor Jelley broke the tie for a motion to support approval of the fireworks. Motion Carried.

Mayor Jelley welcomed Michelle Burge to the meeting.

4. Michelle Burge - Audits:

Michelle Burge presented the non-consolidated statements for the Resort Municipality.

It was moved by Councillor Brammer, seconded by Councillor Robinson that the Resort Municipality non-consolidated statements be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Michelle Burge presented the non-consolidated statements for the Cavendish Sewer Utility.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the Cavendish Sewer Utility non-consolidated statements be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Michelle Burge presented the consolidated statements for the Resort Municipality.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the Resort Municipality consolidated statements be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Asset Retirement:

Michelle Burge advised that there are new requirements in place for asset retirement. One of the items that would fall under this would be the sewer lagoons.

It was moved by Councillor Brammer, seconded by Councillor Robinson, that there is no asset retirement to be completed for the Resort Municipality for 2022 / 2023. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Mayor Jelley thanked Michelle Burge for her work on the audit.

Councillor Brammer left the meeting at 6:42 p.m.

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for an Amazon Bus for CBMF from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 3, 1 non-voting, 3 absent. Motion Carried

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Bell to have pergolas on the property for CBMF from July 5 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 3, 1 non-voting, 3 absent. Motion Carried

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Bell to have pergolas on the property for Sommo from July 14 -15, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office and 3) that approval of the festival be completed. All in favor 3, 1 non-voting, 3 absent. Motion Carried

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have a temporary permit for Diego Activation on the property for CBMF from July 5-8, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle 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) that approval of the festival be completed. All in favor 3, 1 non-voting, 3 absent. Motion Carried

Cavendish Tourist Mart Inc. – PID # 233130 – an application was received to have temporary parking on the property from July 14 – 15, 2023. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) that a development agreement be entered into, 2) that a performance bond be posted, 3) that proof of insurance be provided, 4) that lighting be provided, 5) that porta potties be provided and 6) that security be provided. All in favor 3, 1 non-voting, 3 absent. Motion Carried

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

Shining Waters Family Fun Park – PID # 947499 – 8885 Cavendish Road – an application was received to construct an addition onto the existing building and to renovate the existing structure. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson, that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Environment and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 2, 1 non-voting, 4 absent. Motion Carried.

Mayor Jelley returned to the meeting.

Liquor License:

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – a letter was received for support of a dining room / lounge liquor license on the property from 11:30 a.m. 10:00 p.m.. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council support a dining room / lounge liquor license both inside the building and on the deck from 11:30 a.m. – 10:00 p.m. daily. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Chair Clark Dunning commented on the permits issued by the CAO.

Ron and Sandra LeBlanc Variance Request:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther, that a minor variance be granted based on the general intent of the Bylaw can continue to be upheld, the variance being sought is merely minor in nature, the applicant for the permit has been able to document a compelling reason why the requirements of this Bylaw cannot be precisely met, the Lot in question has peculiar physical conditions, including small Lot size, irregular Lot shape, or exceptional topographical conditions, which make it impractical to develop in strict conformity with Bylaw standards; strict application of all Bylaw standards would impose undue hardship on the applicant by excluding the applicant from the same rights and privileges for reasonable Use of the applicant's Lot as enjoyed by other Persons in the same Zone; the variance is of the least magnitude required to enable reasonable Use of the Lot; and the proposed variance would not impact unduly on the enjoyment of adjacent properties, or on the essential character of the surrounding neighbourhood. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

The property will be advised that according to the bylaw that variance approval should have been received before any construction commenced.

Special Event Guidelines:

The planning board made some recommendations to the planner and legal counsel on the documents. A draft document will be completed and brought forward to the next planning board meeting in July and then brought to the Council for review following that.

6.A.1. Samantha Murphy - Official Plan and Bylaw Review:

Final changes are being made to the documents and the maps. The Council expects to bring the documents to the public this summer on the draft review.

The planner needs the map review completed by the Council in order to proceed to a public meeting. The CAO will get the map printed and have available for the Council to review at their next meeting.

Change of Use:

Anne's Windy Poplars – PID # 1814219 – 7195 Route 13 – an application was received to change the use of the summer cottage into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) meets the requirements of the Department of

Tourism and 2) meets the requirements of the Provincial Fire Marshal's Office. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

West Highland Contractors Ltd. – PID # 694976 – 9095 Cavendish Road – an application was received for a yard sale on the property on June 23 – 25, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval be granted. All in favor 3, 1 non-voting, 3 absent. Motion Carried. The owners will be reminded that signage for the event is not to be located on streetlight poles.

Heather Praught & Debra Rogers – PID # 612606 – 9808 Cavendish Road – an application was received to construct a summer cottage of 40' X 25' with an enclosed deck of 25' X 16'. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval be granted in principle subject to: 1) meets the requirements of the Department of Environment and 2) that septic permit be provided for the property. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Official Plan Amendment Resolution – PID #815902:

Whereas an application was received from Ernest and Sharon MacEwen to amend the Resort Municipality General Land Use Map in the Official Plan 2017 to re-designate a portion of the parcel from the current Rural Open Space to Residential;

And whereas Council has considered the following general criteria:

- Conformity with applicable legislation;
- Community objectives;
- Changes in technical content; and
- Water and sewer and other infrastructure plans.

Be it resolved that the official plan amendment 23-3, to amend the 2017 Official Plan General Land Use Map be hereby approved.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council amend the Official Plan General Land Use Map to change the designation of a portion of PID # 815902 from Rural & Open Space to Residential. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Approval of First Reading Official Plan Amendment - PID # 815902:

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the first reading of the official plan amendment be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Zoning Amendment – Ernest and Sharon MacEwen (Reid Road) – PID # 815902:

Whereas an application was received from Ernest and Sharon MacEwen (Reid Road) – to amend the Zoning Map of the Zoning and Subdivision Control (Development) Bylaw 2017 to rezone a portion of the parcel from the current RR (Rural) to R1 (Residential) Zone.

And whereas zoning bylaw amendment 23-4, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be approved.

Be it resolved that zoning bylaw amendment 23-4, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be approved.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve a bylaw amendment to amend the Zoning map to show a portion of PID # 815902 from the current RR (Rural) to R1 (Residential) Zone be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Approval of First Reading Rezoning Amendment – PID # 815902:

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the first reading of the rezoning amendment be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

6.B. Monthly Finances:

The Monthly Finances for May 31, 2023, were presented. The revenues were \$77,394.19 and the expenses were \$55,999.78. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the monthly finances for May 31, 2023, be adopted as presented. All in favor 3, 1 non-voting, 3 non-voting. Motion Carried.

6.C. Emergency Services and Wellness Committee:

6.C.1. EMO Session – Post Tropical Storm Fiona After Action Review:

The EMO table-top session will be held on May 29, 2023.

Councillor Robinson commented on the campgrounds and evacuation plans for them.

The Mayor and CAO will remind campground operators about their plans prior to the CBMF event.

The CAO and Deputy CAO attended a session with EMO on the Post Tropical Storm Fiona After Action Review along with Charlottetown, Cornwall and North Shore.

The Consultants will have a plan to present to government by the end of July and a report is expected to be presented to the public in the fall.

6.D. Parks and Recreation Committee:

6.D.1 Swimming Rock:

6.D.2. Tree Stumps Montgomery Park:

6.D.3. Montgomery Park Landscaping:

Work was completed by Andrew Wigston at the Swimming Rock at a reduced rate.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that \$3,100.00 plus HST be allocated to Andrew Wigston for costs of work to be completed at the Swimming Rock and Montgomery Park. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

7. Cavendish Sewer Utility:

7.A. Monthly Updates and Engineering:

Working with Paul Crant and his Manager at the Bank of Montreal on the sewer loans and trying to get issues resolved with loans.

Waiting for a business license to be completed with Parks Canada to complete the work from Danny Cusack.

Sewer bills have been sent out to residential customers.

Business Customers bills will be sent out in July once the meters are read.

7.A.1. UPEI – Clinic Program 2023 – 2024:

At the present time there are no projects to be reviewed by the municipality.

8. Business Arising from Minutes::

8.A. Literary Tour Panels:

The panels are being worked on for the revisions.

Costs for the signs to be revised will need to be discussed once the costs are known for the changes.

8.B. Strategic Plan:

1) Energy Independence.

Councillor Brammer and Councillor Hryckiwi are working on information.

2) Extended Year-Round Activities.

Councillor Simpson and Councillor Robinson will meet and go over the extended year-round activities for the next Council Meeting.

3) Dog Park.

Councillor Robinson and Councillor Hryckiwi were looking at areas for a dog park and are to come up with a plan to present to the Council.

4) Emergency Preparedness.

Councillor Robinson and Councillor Hryckiwi

Councillor Hryckiwi met with the North Rustico Lion's Club the New London Fire Department to see what they need from the municipality for their warming centre.

5) Community Hub / Municipal Building.

Councillor Brammer and Mayor Jelley are waiting for an update from Parks Canada.

6) Wayfinding.

Deputy Mayor Lowther and Mayor Jelley are working on an application for wayfinding signage and gathering some pricing for the proposed project.

8.C. Land Valuation Process:

Information was received from other municipalities on their land valuation process and the information was circulated to the Council for review.

9.A. Destination Management Fund:

The Destination Management Fund awarded a portion of funds requested for the Cavendish Active Transportation Trail for \$25,000 at this time. The committee would like to match a municipality investment of \$25,000 to allow a total of \$50,000 to be used for initial engineering work on a portion of the trail, ideally between Cavendish Corner to Sunset Campground. This was an area that the committee felt needed the initial focus to be on.

9.B. Run 4 Wishes:

No funds have been allocated to this project as it does not fall under the municipal policy for funding.

9.C. was dealt with earlier in the agenda.

9.D. PEI Stepping Up Annual Planting to 1.3 million trees:

Funding will be applied for to the program by the municipal office for Montgomery Park and the Swimming Rock.

Information will be sent out to the public in the municipal newsletter to advise them of the program that is available.

Information will be sent to Stig Andersen as well for the Trout River Environmental Committee.

10. Concerns:

10.A. Councillors:

Concerns were raised about getting the information out about fireworks happening during the Cavendish Beach Music Festival to property owners, farmers and visitors.

The CAO will send out information in the municipal newsletter.

10.B. Residents:

Alexander MacKay – an e-mail was sent regarding children playing signs.

The municipal office will reach out to the Department of Transportation to find out information on signage for children playing in this area.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther to go in camera in accordance with Sections 119(1)(e) and (g). All in favor 3, 1 non-voting, 3 absent. Motion Carried.

11, "In Camera":

Beautification Awards:

Dr. Kent Ellis Memorial Award:

Susan Johnston:

Eric Blacquiere:

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson to come out of camera in accordance with section 119(2)(e) of the Municipal Government Act..

Beautification Awards:

Council will contact the CAO back with some suggestions on the award.

Dr. Kent Ellis Memorial Award:

Council will contact the CAO back with some suggestions on the award.

Susan Johnston:

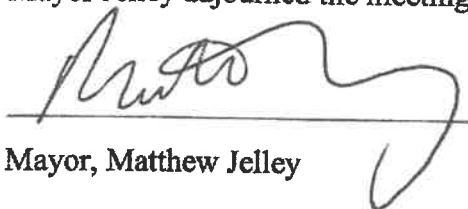
Susan Johnston – a letter was received regarding run off in her yard with the construction that took place on the adjacent property. Information was sent to the Province as they approved all development on the site and all environmental standards.

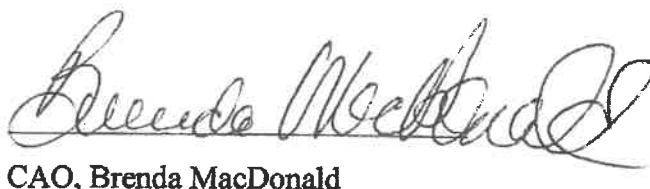
Eric Blacquiere:

Eric Blacquiere – concerns were raised over water coming into his property from the new development. Information was sent to the Province of PEI as they approved all development on the site and all environmental standards.

12. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 8:01 p.m.


Mayor, Matthew Jelley


CAO, Brenda MacDonald