

Minutes
Resort Municipality Monthly Council Meeting
July 15, 2024
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on July 15, 2024, at the Resort Municipality Office.

PRESENT: Acting Mayor Lee Brammer, Acting Deputy Mayor George Clark Dunning. Councillors – Kay Hryckiw and Ryan Simpson.
Brenda MacDonald – CAO, Deputy CAO – Heather Hay.

ABSENT: Chris Robinson

VISITORS: Jim Brown. Zoom – Sandy MacKay.

1. CALL TO ORDER:

Acting Mayor Brammer called the meeting to order at 5:00 p.m.

2. APPROVAL OF AGENDA:

It was moved by Councillor Simpson, seconded by Councillor Hryckiw that the agenda be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING MAY 27, 2024:

It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Hryckiw that the amended Monthly Council Meeting Minutes of May 27, 2024, be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

APPROVAL OF MONTHLY COUNCIL MEETING JUNE 17, 2024:

It was moved by Councillor Simpson, seconded by Councillor Hryckiw that the Monthly Council Meeting Minutes of June 17, 2024, be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Councillor Hryckiw advised that she had a conflict under planning board applications with Greenfield Capital Inc.

Acting Mayor Brammer 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.

Council Positions:

Acting Mayor Brammer advised that Councillor Clark Dunning will become the Acting Deputy Mayor until the Council positions are filled.

5. COMMITTEE REPORTS:

5.A. Municipal Affairs:

The review was started by Municipal Affairs but has not yet been completed.

5.B. Planning Board / Signage Applications:

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. Access on the property still needs to be widened.

Subdivision Application:

Roger Birt Inc. – PID # 723874 – Cavendish Road – Awaiting information from the developer on the perc tests that need to be completed by the owner or a letter from the Minister of Municipal Affairs advising that he does not need a perc test completed for every lot to meet the Province-Wide Minimum Development Standards, that a storm water management plan be completed, that the private road be constructed and signed off by an engineer licensed to practice in the Province of PEI, that an agreement providing for the long term ownership and maintenance of the Private Road is registered in the Province's Land Registry Office, binding on the Owner of the Private Road, the Lot Owner making application for the Development Permit, and their respective heirs, successors and assigns, that a subdivision agreement be entered into once all requirements have been met and that a performance bond be posted.

Subdivision Application:

Greenfield Capital Inc. – PID # 708255 (198 Forest Hills Lane) – an application was received to subdivide a portion of PID # 708255 and consolidate it with PID # 802132. Awaiting completed survey plan from the surveyor with all required information to be provided.

Greenfield Capital Inc. – Lot consolidation – PID # 802124 (Forest Hills Lane) – an application was received to consolidate PID # 802124 with PID # 708255. Awaiting completed survey plan from the surveyor with all required information to be provided.

Ernest and Sharon MacEwen – PID # 815902 – Reid Road – an application was received to subdivide 5 lots off of the main property. Awaiting final survey plan to be submitted from the owner and naming of the roadway.

Andrew Wigston – PID # 806976 & PID # 778100 – 7936 Cavendish Road – an application was received to subdivide two pieces of land off of the property and consolidate it with PID # 806976. The current plan as shown does not meet the requirements of the Zoning and Subdivision Control (Development) Bylaw. Information was sent along to the owner to allow him to provide the updated information on the plan to meet the bylaw requirements.

Eagles Glenn Golf Inc. – PID # 432195 – Cavendish Road – an application was received to subdivide one lot off of the main property. Application was incomplete and tabled.

Richard and Roger Moore – PID # 232470 – Cavendish Road - an application was received to subdivide 1 acre off of the main property. Awaiting a perc test to be completed, a final survey plan and the 66' wide right-of-way to be provided with the registered agreement on the roadway.

Richard and Roger Moore – PID # 232280 – Route 13 – an application was received to subdivide a lot of 220' X 220' off of the main property. Awaiting approval from the Department of Transportation, 2) that perc test be provided, and 3) that a detailed survey plan be provided.

Les Zielinski – PID # 1011659 – (Janina's Way) – an application was received to construct two rental cottages of 20' X 44'. Awaiting for information from the owner, Department of Transportation and the Department of Environment.

Wayne and Judy Gallant – PID # 642074 (Cavendish Road) – an application was received to construct rental cottages, a shop and a single family dwelling. Awaiting a decision on the bylaw.

George, Kenneth and Ian Stewart – PID # 231639 – (Simpson Mill Road) – an application was received to construct three rental cottages of 29' X 28' with decks. Awaiting information from the owner on sewer and a comprehensive site plan.

Greenfield Capital Inc. – PID # 708255 – (Forest Hills Lane) – an application was received to construct 18 camp sites. Awaiting information from the Provincial Fire Marshal's office, Department of Health and the Department of Environment.

Diane Godin – PID # 232140 – (8586 Cavendish Road) – an application was received to change the use of the property. Awaiting information from the owner.

CFM PEI Inc. – PID # 231910 – (8989 Cavendish Road) – an application was received to construct of 50' X 30' for a summer cottage. Awaiting a completed application from the owner and the comprehensive site plan.

Temporary Permits:

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road - an application was received to locate containers on the property for villas of 73' X 50' with decks. Awaiting approval from the Provincial Fire Marshal's office, Liquor Control Commission, Department of Health and Wellness and those stamped drawings be provided.

Cavendish Beach Music Festival Inc. – PID # 1037423 – 8779 Cavendish Road – an application was received to have fireworks on the property for the Sommo Festival on September 13 from 10:45 – 11:05 p.m. rain date September 14, 2024. Awaiting festival approval, all requirements of the development agreement to be met and a performance bond to be posted.

Cavendish Tourist Mart – PID # 233130 – 8934 Cavendish Road – an application was received for parking during the Sommo Festival on September 13 – 14, 2024. Awaiting festival approval, all requirements of the development agreement to be met and a performance bond to be posted.

Maritime Fun Group (PEI) Ltd. – PID # 233197 – 8986 Cavendish Road – an application was received to have parking for the Sommo Festival from September 13-14, 2024. Awaiting festival approval, all requirements of the development agreement to be met and a performance bond to be posted.

Greenfield Capital Inc. – PID # 231977 – 8863 Cavendish Road – an application was received to have parking on the property for the Sommo Festival on September 13 – 14, 2024. Awaiting festival approval, all requirements of the development agreement to be met and a performance bond to be posted.

Sea Cross Inc. - PID # 232033 – 8779 Cavendish Road – an application was received to have parking on the property for the Sommo Festival from September 13-14, 2024. Awaiting festival approval, all requirements of the development agreement to be met and a performance bond to be posted.

Raspberry Point Oyster Co. Inc. - PID # 232041 – Cavendish Road – an application was received to have parking on the property for the Sommo Festival from September 13-14, 2024. Awaiting festival approval, all requirements of the development agreement to be met and a performance bond to be posted.

Rezoning Applications:

Wayne and Judy Gallant (Mike Buote) – Cavendish Road – an application was received to rezone the property from Residential to Resort Accommodations. Awaiting bylaw changes.

Greenfield Capital Inc. – PID # 708255 – (198 Forest Hills Lane) – an application was received to rezone a portion of the property from RD3 to R1. Awaiting bylaw changes.

Greenfield Capital Inc. – PID # 802124 – (Forest Hills Lane) – an application was received to rezone a portion of the property from R1 to RD3. Awaiting bylaw changes.

Subdivision Permit:

Lennie Gallant – PID # 681155 – (Cavendish Road) - an application was received to subdivide one lot off of the main property of 150' X 150'. It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) that a final survey plan be completed and 2) meets the requirements of the Department of Transportation. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Development Permits:

101986 PEI Inc. – PID #706762 – 39 MacCoubrey Lane - an application was received to locate 2 rental cottages of 24' X 24' with decks on the property and to locate one rental cottage of 20' X 26' with decks on the property. It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism, 2) meets the requirements of the Provincial Fire Marshal's office, 3) that a moving permit be obtained from the Department of Transportation and 4) that the cottages be connected to the municipal sewer system. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Lenny and Sherry Blacquiere – PID # 681155 – 7380 Cavendish Road - an application was received to construct a single family dwelling of 60' X 30' with decks. It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) that a septic permit be provided, 2) that the subdivision be finalized and 3) meets the requirements of the Department of Transportation. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Temporary Permits:

CBMF 2025 – PID # 1037423 – 8779 Cavendish Road - an application was received to have the 2025 CBMF Festival from July 9 – 12, 2025. It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Simpson 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) that a development agreement be entered into, 3) that a performance bond be posted, 4) proof of insurance to be provided and 5) that a final site plan be provided. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Sommo 2025 – PID # 1037423 – 8779 Cavendish Road - an application was received to have the 2025 Sommo Festival from September 12-13, 2025. It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi 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) that a development agreement be entered into, 3) that a performance bond be posted, 4) proof of insurance to be provided and 5) that a final site plan be provided. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Marco Polo Land – PID # 232298 – 7406 Route 13 - an application was received to have fireworks on the property on August 18, 2024, from 8:30 – 10:30 p.m. (rain date – August 19, 2024) It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal’s office, 2) that the New Glasgow Fire Department be on site and 3) that proof of insurance be provided. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Marco Polo Land – PID # 232298 – 7406 Route 13 - an application was received to have fireworks on the property on August 31, 2024, from 8:30 – 10:30 p.m. (rain date – September 1, 2024) It was moved by Acting Deputy Mayor, seconded Councillor Simpson that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal’s office, 2) that the New Glasgow Fire Department be on site and 3) that proof of insurance be provided. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Permits Issued by CAO:

John Campbell Professional Services Inc. – PID # 1172543 – Jayne’s Lane - to construct a single family dwelling of 71’ X 61’8” including decks.

David & Windsor & Sharon Millar - PID # 232124 - to complete foundation repairs to walls 1, 2 and 3 on the existing summer cottage at 126 Spruce Lane.

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Henry Grabowy & Tabitha Rogers – PID # 998963 - to change the use of the existing summer cottage into a rental cottage at 240 Angus Campbell Lane.

CBMF Public Meeting:

The public meeting was held on June 5, 2024. No written comments were received following the public meeting.

Acting Mayor Brammer passed the Chair to Acting Deputy Mayor Clark Dunning.

5.C. Monthly Finances:

The Monthly Finances for June 30, 2024, were presented. The revenues were \$104,953.43 and the expenses were \$105,573.53. It was moved by Acting Mayor Brammer, seconded by Councillor Hryckiwi that the monthly finances for June 30, 2024, be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Acting Deputy Mayor Clark Dunning passed the Chair back to Acting Mayor.

5.D. Emergency Services and Wellness Committee:

New London is working on a fundraiser for the firemen and the equipment needed for them when out doing rescues in the new boat.

5.E.Parks and Recreation:

5.E.1 Bench Dedication:

A draft was presented. Some final work will be completed on it as there is no room for additional trees to be planted at the site.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

Business Customers’ bills will be completed shortly.

Hauling for CBMF was not completed to the lagoon site this year. It was taken to Charlottetown. Upgrades are being worked on the lift stations at LS # 7 and 5. Generators had to be used during CBMF as the voltage issues were happening during the concert.

7.Business Arising from Minutes:

7.A.1.Community Hub:

Awaiting information from Parks Canada and the Province of PEI.

7.B.2.Planning matters:

Awaiting information from the planning consultant from Dillon Planning.

7.B.3.Walkway Project:

CBCL has stated work on the project and is expected to have a site visit following the music festival to assess the walkway.

7.B.4.Extended Year Round Activities:

No update.

7.B.5. Land Suitability and Analysis:

No Update.

7.B.7.Protecting View Plains:

No Update.

7.B.8 Bylaw Enforcement:

Bylaw Enforcement will be removed from the agenda and will continue to be done within the municipal office by office staff.

7.B.By-Election:

The By-Election will be held on August 12, 2024, from 9:00 a.m. – 7:00 p.m. with the Advanced Poll being on August 10, 2024, from 10:00 a.m. – 1:00 p.m..

7.C. CBMF Post Meeting:

It was decided by Council that there will be two separate meetings. One for the CBMF Event and one for the Sommo Event. The CBMF meeting will be scheduled for July 29, 2024.

8.New Business:

8.A.Housing Accelerator Fund:

Applications will be accepted from July 15 – September 13, 2024.

On-line sessions will be held every two weeks during this time to answer questions from CMHC.

No old applications will be accepted from the first round, they all have to be new ideas and initiatives.

Projects need to be on public roads.

8.B. Municipal Infrastructure Fund:

Project is available through government and projects must be on public roads.

9. Concerns:

9.A. Councillors:

No Councillor's Concerns were raised.

9.B. Resident's Concerns:

Sandy MacKay raised the question to the Council on having speed bumps along Route 6 to slow traffic down.

Council advised that they check this request out with the Department of Transportation as the public roads are all owned by the Province of PEI.

It was moved by Acting Deputy Mayor Clark Dunning, seconded by Councillor Simpson that the meeting go in camera under Section 119 (1) (f). All in favor 3, 1 non-voting, 3 absent. Motion Carried.

10. ** "In Camera" (7:00 – 7:30)**

- a. Legal – IRAC Appeal. 119(1)(f)
- b. Legal – Office. 119(1)(f)
- c. Unsightly Properties. 119(1)(f)
- e. CBMF Bonds. 119(1)(d)

It was moved by Acting Deputy Mayor, seconded by Councillor Hryckiwi to come out of camera under Section 119(2)(e). All in favor 3, 1 non-voting, 3 absent. Motion Carried.

10. a. "In Camera"

a. Legal – IRAC Appeal. 119(1)(f)

Information was presented on the file and the municipal legal counsel will be responding back to the appeal.

b. Legal – Office. 119(1)(f)

The municipal office is working with property owners and providing information to get any issues resolved.

c. Unsightly Properties. 119(1)(f)

A letter was sent to the property owner and we are awaiting a response from them.

e. CBMF Bonds. 119(1)(d)

It was moved by Councillor Simpson, seconded by Acting Deputy Mayor Clark Dunning that \$1,000.00 be taken for non-compliance of hours at the festival site and that \$5,000.00 be taken from the parking bond based on non-compliance of the fencing at the site. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

11. ADJOURNMENT:

Acting Mayor Brammer adjourned the meeting at 6:31 p.m.



Acting Mayor, George Clark Dunning



Brenda MacDonald, CAO