

Minutes  
Resort Municipality Monthly Council Meeting  
August 19, 2024  
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on August 19, 2024, at the Resort Municipality Office.

**PRESENT:** Acting Mayor George Clark Dunning, Acting Deputy Mayor Kay Hryckiwi. Councillors – Ryan Simpson. Zoom – Chris Robinson.  
Brenda MacDonald – CAO, Deputy CAO – Heather Hay.

**ABSENT:** Nil.

**VISITORS:** Jim Brown, John Carroll and Vivian Onyinye. Zoom – Sandy MacKay.

**1. CALL TO ORDER:**

Acting Mayor Clark Dunning called the meeting to order at 5:04 p.m.

**2. APPROVAL OF AGENDA:**

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

**3. APPROVAL OF MONTHLY COUNCIL MEETING JULY 15, 2024:**

It was moved by Acting Deputy Mayor Hryckiwi, seconded by Councillor Simpson that the Monthly Council Meeting Minutes of July 15, 2024, be approved as presented. All in favor 3, 1 non-voting. Motion Carried.

**APPROVAL OF SPECIAL COUNCIL MEETING JULY 29, 2024:**

It was moved by Councillor Simpson, seconded by Acting Deputy Mayor Hryckiwi that the Special Council Meeting Minutes of July 29, 2024, be approved as presented. All in favor 3, 1 non-voting. Motion Carried.

**4. DECLARATION OF CONFLICTS OF INTEREST:**

There were no conflicts of interest declared.

Acting Mayor Clark Dunning 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.

Acting Mayor Clark Dunning moved on to agenda item # 6 as Michelle Burge was not yet in attendance at the meeting.

**6. COMMITTEE REPORTS:**

**6.A. Bylaw Matrix:**

The review was completed on the bylaw matrix and comments were received from municipal affairs. The lawyer and the planner are also reviewing the information that was received and a meeting will be held to discuss these items further.

**6.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.

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.

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 # 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.

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. Awaiting comments from the Department of Tourism, the Provincial Fire Marshal's office, a moving permit be obtained from the Department of Transportation and 4) that the cottages be connected to the municipal sewer system.

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 that 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.

CBMF 2025 – PID # 1037423 – 8779 Cavendish Road - an application was received to have the 2025 CBMF Festival from July 9 – 12, 2025. Awaiting comments from the Department of Health, meets the requirements of the Provincial Fire Marshal's office, 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.

Sommo 2025 – PID # 1037423 – 8779 Cavendish Road - an application was received to have the 2025 Sommo Festival from September 12-13, 2025. Awaiting comments from 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.

**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.

**Development Permits:**

West Highland Contractors Ltd. – PID # 694976 – 9095 Cavendish Road - an application was received to upgrade 57 sites from 2 way to 3 way sites. It was moved by Acting Deputy Mayor Hryckiw, seconded by Councillor Simpson 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 Department of Environment regarding sewer connection and water system, and 3) meets the requirements of the Department of Environment regarding the work on the site. All in favor 3, 1 non-voting. Motion Carried.

Blue Heron Enterprises Inc. – PID # 233833 – 7381 Cavendish Road – an application was received to construct an addition onto the existing building of 117' X 20'. It was moved by Councillor Simpson, seconded by Acting Deputy Mayor Hryckiw that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office and 2) meets the requirements of the Department of Environment. All in favor 3, 1 non-voting. Motion Carried.

Catherine Peconi – PID # 1175041 – Simpson Mill Road – an application was received to construct three rental cottages of 29' X 28' with decks, hot tubs and a privacy fence. It was moved by Councillor Simpson, seconded by Acting Deputy Mayor Hryckiw 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 Department of Transportation re: access, 3) meets the requirements of the Provincial Fire Marshal's office, 4) meets the requirements of the Department of Environment regarding septic and land construction. All in favor 3, 1 non-voting. Motion Carried.

Sea Cross Inc. – PID # 231720 – 9139 Cavendish Road – an application was received to construct 5 new structures that consist of two buildings of 30' X 40', 1 building of 60' X 40', 1 building of 75' X 40', and one building of 54' X 30'. It was moved by Councillor Simpson, seconded by Councillor Robinson that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health, 3) meets the requirements of the Department of Environment and 4) meets the requirements of the Department of Transportation. All in favor 3, 1 non-voting. Motion Carried.

**Temporary Permits:**

John Carroll – PID # 233080 – 8808 Cavendish Road – an application was received to have a temporary permit for parking on September 13 – 14, 2024 for the Sommo Festival. It was moved by Councillor Simpson, seconded by Acting Deputy Mayor Hryckiwi that the application be denied based on the property having no use on it as it is vacant land, 2) comments from the RCMP and 3) safety issues with ingress and egress as a result of the main festival site. All in favor 3, 1 non-voting. Motion Carried.

**Demolition Permit:**

Peter Blier – PID # 994145 – 11 Sunset Lane – an application was received to demolish one of the existing buildings on the property. It was moved by Councillor Simpson, seconded by Councillor Robinson that the Council approve the application in principle subject to: 1) the building shall be removed from the site by Toombs Plumbing and Heating Ltd. and 2) the building shall be tarped when hauled away from the site. All in favor 3, 1 non-voting. Motion Carried.

**6.C. Monthly Finances:**

The Monthly Finances for July 31, 2024, were presented. The revenues were \$170,399.14 and the expenses were \$151,027.78. It was moved by Acting Deputy Mayor Hryckiwi, seconded by Councillor Simpson that the monthly finances for July 31, 2024, be adopted as presented. All in favor 3, 1 non-voting. Motion Carried.

**6.D. Emergency Services and Wellness Committee:**

North Rustico Fire Department has a rescue boat. They were working on some maneuvers with other departments. The next step will be to do a session with the coast guard.

New London Fire Department also has a rescue boat.

AED - sign near Councillor Robinson's house is gone.

Information will need to be checked into for liability as it is not a municipal AED through legal and the insurance company.

Tourism Maps – AED's should be looked at for locating them on the tourism mapping.

More review to be had on this item as some properties are only open seasonally and the municipality would not want to be creating a false sense of something being available and closer than it is and not being available in the winter months.

Dry Hydrant – awaiting information from Stephen Yeo at the Department of Transportation.

**6.E. Parks and Recreation:**

**6.E.1 Bench Dedication:**

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

**7. Cavendish Sewer Utility:**

**7.A. Monthly Updates and Engineering:**

Business Customers' bills are being processed.

Upgrades need to be completed to LS # 7 for next year.

**8. Business Arising from Minutes:**

**8.A.1. Community Hub:**

Awaiting information from Parks Canada and the Province of PEI.

**8.B.2.Planning matters:**

Awaiting information from the planning consultant.

**8.B.3.Walkway Project:**

CBCL has started work and has been out to view the walkway and is working on information for the project.

**8.B.4.Extended Year Round Activities:**

No update.

**8.B.5. Land Suitability and Analysis:**

No Update.

**8.B.6.Protecting View Plains:**

No Update.

**5. Audited Statements:**

Acting Mayor Clark Dunning welcomed Michelle Burge to the meeting to present the financial statements for March 31, 2024.

It was moved by Councillor Simpson, seconded by Acting Deputy Mayor Hryckiwi that the non-consolidated financial statements ending March 31, 2024, be approved as presented. All in favor 3, 1 non-voting. Motion Carried.

It was moved by Councillor Simpson, seconded by Acting Deputy Mayor Hryckiwi that the non-consolidated sewer utility financial statements ending March 31, 2024, be approved as presented. All in favor 3, 1 non-voting. Motion Carried.

It was moved by Councillor Simpson, seconded by Councillor Robinson that the consolidated financial statements ending March 31, 2024, be approved as presented. All in favor 3, 1 non-voting. Motion Carried.

**8.B. Active Transportation Project:**

Funding has been received through the Active Transportation Project to an amount of \$287,500.00.

Work will be reviewed with the engineer as they are working on the trails project. This is for Route 6 West towards Hammies Lane on the North Side of the Road.

**8.C. By-Election:**

A calendar for a By-Election to replace two Council Members is being completed to present to municipal affairs for a fall election.

**9.New Business:**

**9.A. Seniors Secretariat – Community Connections:**

Funding was received for \$1,000.00. for projects throughout the fall and winter months.

**9.B. Department of Agriculture Resiliency Program:**

Information was received on a program that is available for a resiliency program.

**9.C. Inclusive Communities:**

Funding is available for inclusive communities to translate wording into different language.

**9.D. FPEIM Semi-Annual Meeting:**

The Semi-Annual Meeting will be on October 19, 2024, in Abram's Village.

**9.E. CCBF Funding:**

Funding from Government over the next five years is expected to be \$500,000.00 for the Resort Municipality since we are a water utility.

**9.F. Canada Public Transit Fund:**

Funding is available to municipalities to support Public Transit.  
The municipality would need to look at doing public transit.

**9.G. Green and Inclusive Community Buildings:**

Funding is available for Green and Inclusive Community Buildings.  
More information will be gathered on the program.

**9.H. Hazard Materials Assessment:**

A document was presented by the Province that was completed on the Visitor Information Centre. None of the spaces leased by the municipality were checked.

**10. Concerns:**

**10.A. Councillors:**

Councillor Robinson commented on low cloud cover with smoke in the area and the air quality.  
The municipality has not provisions in the bylaw for fire and campfires as the province regulates this.

**10.B. Resident's Concerns:**

**Kelly Farrar:**

A letter was received regarding concerns over a dog park for people with dogs in the area.  
The Council has been reviewing this matter and no final decision has been made.

**Speed Bumps – Sandy MacKay:**

Sandy MacKay had asked about speed bumps being installed on Route 6 from Stanley Bridge to Cavendish.  
The Department of Transportation will be contacted as the province maintains the roads.

Sandy can also reach out to his MLA regarding his concerns.

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

*11. \*\*\*\* "In Camera"*

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

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

*11. a. "In Camera"*

**a. Legal – IRAC Appeal. 119(1)(f)**

Information was presented on the file and the Council is willing to do mediation to get the subdivision and lot

consolidation completed provided that all necessary paperwork is completed on the proposed development to meet the bylaw.

**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)**

The owner is waiting for the contractor to tear down the building.

**12. ADJOURNMENT:**

Acting Mayor Clark Dunning adjourned the meeting at 7:30 p.m.



\_\_\_\_\_  
Mayor, Lee Brammer



\_\_\_\_\_  
Brenda MacDonald, CAO