

Minutes
Resort Municipality Monthly Council Meeting
October 21, 2024
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on October 21, 2024, at the Resort Municipality Office.

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

ABSENT: Nil.

VISITORS: Jim Brown. Zoom - Lloyd Adams, Sandy MacKay.

Mayor Brammer advised that the municipality does its best to provide the meetings through Zoom, but we have no controls over service providers when people are joining in. The meetings are all public and the public can attend in person at the municipal office.

1. CALL TO ORDER:

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

2. APPROVAL OF AGENDA:

Mayor Brammer added Destination Management Fund to section 8.C. under New Business on the Agenda.

It was moved by Councillor Hryckiwi, seconded by Councillor Simpson that the agenda be approved as amended. All in favor 4, 1 non-voting. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING SEPTEMBER 16, 2024:

It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that the Monthly Council Meeting Minutes of September 16, 2024, be approved as presented. All in favor 4, 1 non-voting. Motion Carried.

APPROVAL OF SPECIAL COUNCIL MEETING OCTOBER 15, 2024:

It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the Special Council Meeting Minutes of October 15, 2024, be approved as presented. All in favor 4, 1 non-voting. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

There were no conflicts of interest declared.

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.

5. COMMITTEE REPORTS:

5.A.1. Bylaw Matrix:

Awaiting a meeting with the Minister, the lawyer and the planner on the official plan and bylaw.

5.B. Planning Board / Signage Applications:

Subdivision Application:

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.

Abby Lane PEI Inc. – PID # 496844 – (397 Simpson Mill Road) – an application was received to subdivide the main property into three lots. Awaiting information from the Department of Transportation.

Rodney Dempsey and Catherine Know – PID # 626911 – (Clarence Lane) – an application was received to subdivide a lot of 135' X 420' off of the main property. Awaiting more information from the landowner.

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. Awaiting a comprehensive site plan, stamped engineered drawings, Provincial Fire Marshal's office, Department of Health, and Department of Environment.

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'. Awaiting comments from Department of Health, Department of Environment, Provincial Fire Marshal's office and the Department of Transportation.

Maritime Fun Group (PEI) Ltd. – PID # 233197 – (8986 Cavendish Road) – an application was received to move the existing rides around the site. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the Council approve the application in principle subject to: 1) that the setbacks be clarified, 2) meets the requirements of the Provincial Fire Marshal's Office, 3) meets the requirements of the Department of Health and Wellness and 4) meets the requirements of the Department of Environment. All in favor 4, 1 non-voting. Motion Carried.

Raspberry Point Oyster Co. 2023 Inc. – PID # 771832 (9539 Cavendish Road) – an application was received to change the use of a portion of the existing building into fish market and take-out style restaurant. Awaiting information from the Department of Transportation, Department of Environment, Department of Health and Provincial Fire Marshal's office.

Pandaville Inc. – PID # 463745 – (27 Clarence Lane) - an application was received to add 3 modular units of 18' X 13' on the property with decks. Awaiting information from the engineer, Department of Environment, Provincial Fire Marshal's office and Department of Tourism.

Red Rock Property Management Inc. – PID # 231746 – 7 Moore Road – an application was received to locate 5 prefab cottages of 50' X 16' with decks on the property and one laundry building of 36' X 16'. Awaiting information from the engineer, Department of Environment, Provincial Fire Marshal's office and Department of Tourism.

Abby Lane PEI Inc. – PID # 496844 – (397 Simpson Mill Road) – an application was received to move the deck on the existing pool to meet the setbacks from the new property line. Awaiting information from the Department of Health and the final subdivision plan to be approved.

Temporary Permits:

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 Provincial Fire Marshal's office, Department of Health Department of Environment, RCMP, that a development agreement be entered into, that a performance bond be posted and that proof of insurance 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 Provincial Fire Marshal's office, Department of Health, Department of Environment, RCMP, that a development agreement be entered into, that a performance bond be posted and that proof of insurance 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:

102741 PEI Inc. - Dale Gallant – PID # 729087 – Cavendish Road – an application was received to change the use of the structure into a vacant land condominium. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Robinson that approval be granted subject to: 1) that a new development agreement be entered into and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 4, 1 non-voting. Motion Carried.

Justin Chaisson – PID # 1814359 – 7195 Route 13 – an application was received to construct a vacant land condominium on the property. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Simpson that approval in principle be granted subject to: 1) that a comprehensive site plan be provided, 2) meets the requirements of the Department of Environment, 3) meets the requirements of the Provincial Fire Marshal's office, 4) that confirmation of the septic be provided and 5) that the development agreement be amended to reflect the changes to the plan. All in favor 4, 1 non-voting. Motion Carried.

West Highland Contractors Ltd. – PID # 694976 – 9095 Cavendish Road – an application was received to renovate the existing bathroom. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the Council approve the application in principle subject to: 1) that the plan be clarified, 2) meets the requirements of the Provincial Fire Marshal's Office, 3) meets the requirements of the Department of Health and Wellness and 4) meets the requirements of the Department of Environment. All in favor 4, 1 non-voting. Motion Carried.

CFM PEI Inc. – PID # 231910 – 8989 Cavendish Road – an application was received to change the use of one of the spaces into a fish market. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the Council approval the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's Office, 3) meets the requirements of the Department of Health and Wellness and 3) meets the requirements of the Department of Environment. All in favor 4, 1 non-voting. Motion Carried.

Marco Polo Land – PID # 232298 – 7406 Route 13 – an application was received to upgrade 29 existing sites with water and sewer. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the Council recommend approval in principle subject to: 1) that a comprehensive site plan be provided, 2) meets the requirements of the Provincial Fire Marshal's Office, 3) meets the requirements of the Department of Health and Wellness and 4) meets the requirements of the Department of Environment. All in favor 4, 1 non-voting. Motion Carried.

Marco Polo Land – PID # 232298 – 7406 Route 13 – an application was received to add two glamping sites to the property. Application was tabled since minimal information was provided.

Robert Augustine – PID # - 92940 – 125 Seawood Dive – an application was received to change the use of the summer cottage into a rental cottage. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Simpson that the Council recommend approval in principle subject to: 1) meets the requirements of the Provincial

Fire Marshal's Office and 2) meets the requirements of the Department of Tourism. All in favor 4, 1 non-voting. Motion Carried.

Blue Heron Construction – PID # 1013168 – Briar Lane – an application was received to construct a one storey summer cottage of 60' X 30'. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Robinson that the Council recommend approval in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's Office, 2) and meets the requirements of the Department of Tourism. All in favor 4, 1 non-voting. Motion Carried.

William McNally – PID # 92866 – 181 Seawood Drive - an application was received to change the use of a summer cottage into a rental cottage. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Simpson that the Council recommend approval in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's Office, 2) and meets the requirements of the Department of Tourism. All in favor 4, 1 non-voting. Motion Carried

103363 PEI Inc. - Johnny Wang – PID # 92775 – 48 Bayview Drive – an application was received to change the use of the summer cottage into a rental cottage. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiw that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's Office, 2) and meets the requirements of the Department of Tourism. All in favor 4, 1 non-voting. Motion Carried.

5.C. Monthly Finances:

The Monthly Finances for September 30, 2024, were presented. The revenues were \$230,977.94 and the expenses were \$255,997.80. It was moved by Councillor Hryckiw, seconded by Councillor Simpson that the monthly finances for September 30, 2024, be adopted as presented. All in favor 4, 1 non-voting. Motion Carried.

5.C.1. Audit Information:

Information was provided by the auditor on the yearly audit to the Council.

5.D. Emergency Services and Wellness Committee:

New London Fire Department will be visited in December for their meeting. Stanley Bridge had a list of activities for wellness that people can attend. They will be having lunches on Mondays and games on Saturdays for the public.

5.E.Parks and Recreation:

5.E.1.Bench Dedication:

Final information was completed on the bench dedication.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

Readings for second billing for sewer customers is being completed. A new board member has been chosen to sit on the sewer board to replace Richard Moore. Ben Jelley will be the new sewer board member.

7.Business Arising from Minutes:

7.A.1.Community Hub:

Awaiting information from Parks Canada and the Province of PEI.

7.A.2.Planning matters:

Awaiting information from the planning consultant on timelines going forward.

7.A.3.Walkway Project:

CBCL has started work and has been out to view the walkway and is working on finalizing information for the project. A final plan is expected in November.

7.A.4.Extended Year Round Activities:

Work needs to be done to see what additional programs can be added to assist business with year round activities.

Remembrance Day service will be held on November 11. Plans are being finalized for the event.

Deputy Mayor Clark Dunning will host the event as the Mayor will be out of the Province.

7.A.5. Land Suitability and Analysis:

No updates.

7.A.6.Protecting View Plains:

No updates.

7.B. Active Transportation Project:

Money has been received from the Active Transportation Fund on the Route 6 West trail project.

7.C. By-Election:

The advanced poll will be on October 26, 2024 from 10:00 – 1:00 and the election day will be October 28, 2024 from 9:00 a.m. – 7:00 p.m.

The MEO appointed Heather MacNeill as the Returning Officer for the election.

8.New Business:

8.A. Rural Municipality of Breadalbane:

Deputy Mayor Clark Dunning will read the report and bring a recommendation back to Council on whether or not a formal presentation be made to the Council from the group.

8.B. Statement PEI National Park:

Information has been received from Parks Canada and will be distributed in the municipal newsletter.

8.C. Destination Management Fund:

Mayor Lee Brammer and Matthew Jelley will be the Resort Municipality representatives on the committee.

Councillor Simpson left the meeting due to another commitment.

9. Concerns:

9.A. Councillors:

Mayor Brammer asked to check into a new mic system for the meeting availability.

Councillor Robinson talked about low flow fixtures and looking to apply rebates to them for property owners in the municipality. This would help to improve efficiency for local residents.

Deputy Mayor Clark Dunning will bring the information back to the sewer board and see what options may be available.

9.B. Resident's Concerns:

Sandy MacKay had sent an e-mail to the Council and brought his comments to the meeting.

Mayor Brammer thanked Sandy for his comments and information.

It was moved by Councillor Hryckiw, seconded by Deputy Mayor Clark Dunning to go in camera in accordance with section 119(1)(f) of the Municipal Government Act. All in favor 3, 1 non-voting, 1 absent. Motion Carried.

"In Camera"

10.A. Planning Matters:

10.B. Legal Office:

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

10.A. Planning Matters:

It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiw that a request be sent to Sandy MacKay based on his e-mail correspondence dated September 18, 2024, wherein he stated "*I am also making an official complaint as per section 19 19.1*", Council is looking for more information from him regarding the specifics of his complaint and how it relates to the grounds of complaints listed under section 19.1 of Bylaw No. 2021-RM-1. All in favor 3, 1 non-voting, 1 absent. Motion Carried.

10.B. Legal Office:

No decisions made.

11. ADJOURNMENT:

Mayor Brammer adjourned the meeting at 7:08 p.m.



Deputy Mayor, George Clark Dunning



Brenda MacDonald, CAO