

Minutes
Resort Municipality Monthly Council Meeting
September 16, 2024
4:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on September 16, 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: Perlene Morrison – Legal counsel, Samantha Murphy – Planner, Sandy MacKay, Erna Watters, Matthew Jelley and Lloyd Adams.

1. CALL TO ORDER:

Mayor Brammer called the meeting to order at 4:00 p.m.

2. APPROVAL OF AGENDA:

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

It was moved by Councillor Simpson, seconded by Councillor Robinson that the meeting go in camera under Section 119(1)(f) of the Municipal Government Act. All in favor 4, 1 non-voting. Motion Carried.

Perlene Morrison and Samantha Murphy left the meeting.

3. “In Camera”

Planning Matters:

Legal Office:

FOIPP Request:

It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that the meeting come out of camera under Section 119(2)(e) of the Municipal Government Act. All in favor 4, 1 non-voting. Motion Carried.

Planning Matters - The Council will continue to work with Municipal Affairs, the lawyer and the planner to get the Official Plan and Bylaw approved to allow the community to move forward with the new documents.

Legal Office – The staff will continue to work with the various departments to resolve the outstanding issues.

FOIPP Request – The request for information from the Province of PEI will be processed to release the information requested on the property for the FOIPP request that they sent through.

4. APPROVAL OF MONTHLY COUNCIL MEETING AUGUST 19, 2024:

It was moved by Councillor Simpson, seconded by Councillor Robinson that the Monthly Council Meeting Minutes of August 19, 2024, be approved as presented. All in favor 4, 1 non-voting. Motion Carried.

APPROVAL OF SPECIAL COUNCIL MEETING SEPTEMBER 3, 2024:

It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that the Special Council Meeting Minutes of September 3, 2024, be approved as presented. All in favor 4, 1 non-voting. Motion Carried.

5. 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.

6. COMMITTEE REPORTS:

6.A.1. Bylaw Matrix:

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

6.B. Planning Board / Signage Applications:

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.

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.

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.

Subdivision Application:

Abby Lane PEI Inc. – PID # 496844 – (397 Simpson Mill Road) – an application was received to subdivide the main property into three lots. It was moved by 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 Environment and 2) meets the requirements of the Department of Transportation. All in favor 4, 1 non-voting. Motion Carried.

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. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the application be tabled as it was incomplete. All in favor 4, 1 non-voting. Motion Carried.

Development Permits:

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 Simpson that the application be tabled as no drawing was provided. All in favor 4, 1 non-voting. Motion Carried.

Richard and Roger Moore – PID # 232470 – (Cavendish Road) – an application was received to construct a single family dwelling of 60' X 32'/50' with a garage and deck. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) meets the requirements of the on-site septic. 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. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi 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 Environment, 3) meets the requirements of the Department of Transportation and 4) meets the requirements of the Department of Health. All in favor 4, 1 non-voting. Motion Carried.

Parkview Cottages Inc. – PID # 232637 – (8214 Cavendish Road) – an application was received to have an e-bike business to run out of the existing cottage business. It was moved by Deputy Mayor Clark Dunning seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) the business operating out of the existing cottage business. All in favor 4, 1 non-voting. Motion Carried.

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. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the application be approved in principle subject to: 1) meets the requirements of the Department of Tourism, 2) meets the requirements of the Department of Environment, 3) meets the requirements of the Provincial Fire Marshal's office and 4) that the units meet all of the bylaw requirements and licensing standards. All in favor 4, 1 non-voting. Motion Carried.

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'. It was moved by Deputy Mayor Clark Dunning, seconded by Councillor Hryckiwi that the application be approved in principle subject to: 1) meets the requirements of the Department of Tourism, 2) meets the requirements of the Department of Environment, 3) meets the requirements of the Provincial Fire Marshal's office and 4) that the units meet all of the bylaw requirements and licensing standards. All in favor 4, 1 non-voting. Motion Carried.

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. It was moved by 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 Department of Tourism and 3) that the deck be moved as part of the subdivision approval. All in favor 4, 1 non-voting. Motion Carried.

Change of Use Permit:

Alan and Sue MacKenzie – PID # 232942 (4 Friendly Lane) – 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 Councillor Hryckiwiw 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 Tourism. All in favor 4, 1 non-voting. Motion Carried.

6.C. Monthly Finances:

The Monthly Finances for August 31, 2024, were presented. The revenues were \$194,117.21 and the expenses were \$157,908.33. It was moved by Councillor Hryckiwiw, seconded by Councillor Simpson that the monthly finances for August 31, 2024, be adopted as presented. All in favor 4, 1 non-voting. Motion Carried.

6.D. Emergency Services and Wellness Committee:

Councillor Robinson had circulated information regarding a meeting with the fire departments. A meeting will be arranged with each of the Departments.

The Fire Departments are working on their boat equipment for rescues and making sure they have all the necessary equipment. They are working with the Coast Guard as well to make sure all criteria is met.

The dry hydrant was discussed and working with the Fire Departments on one for the area.

A meeting will be held on October 18, 2024, at the North Rustico Lion's Club on Hurricane Awareness for anyone interested in attending.

6.E.Parks and Recreation:

6.E.1 Bench Dedication:

Final information was presented to the Council on the Bench Dedication.

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.

Richard Moore has resigned from his position on the sewer utility board.

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 finalizing information for the project.

8.B.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.

8.B.5. Land Suitability and Analysis:

Work to be completed on the land suitability and analysis.

8.B.6.Protecting View Plains:

Councillors will work on updating this information.

8.B. Active Transportation Project:

CBCL is working on the costs for the Active Transportation Project for the Route 6 walkway.

8.C. By-Election:

It was moved by Councillor Simpson, seconded by Councillor Robinson that Brenda MacDonald will be the MEO and Heather Hay will be the Deputy MEO at the upcoming By-Election. All in favor 4, 1 non-voting. Motion Carried.

8.D. CCBF Funding:

Government is working on funding formulas for CCBF Funding.

Allocations will need to be made towards projects for the five year duration for the municipality.

9.New Business:

No New Business was raised.

10. Concerns:

10.A. Councillors:

Mayor Brammer congratulated the CAO on 30 years with the municipality.

Sommo Festival went over well in the community and businesses and the community were pleased about it.

A big thank you to the staff, government departments and volunteers for a well run event.

A public meeting will be scheduled in October to get the community's input into the event.

Councillor Hryckiwi thanked the CAO and Deputy CAO as well as Kevin, Garth, Donna and Heather MacNeill for their work on the garbage during the event and that they go above and beyond for the community.

10.B.Resident's Concerns:

Sarah Simpson:

A letter was received regarding concerns over Marco Polo Land.

The Department of Agriculture was out to the property and all requirements have been met on the site.

Information will be sent to Sarah Simpson that there is currently nothing in the municipal bylaws to address operations in a petting farm as we deal with land use and the Department of Agriculture monitors petting farms and requirements being met to operate them.

Dede Brewer Wilson:

A letter was received from Dede Brewer Wilson that was sent to Parks Canada regarding trees and wildfires.

Sandy MacKay Request – Planning Board Minutes:

Sandy MacKay sent through a request regarding minutes of planning board while he sat on the committee that he wanted a copy of and later changed his request to wanting to inspect the minutes.

Mayor Brammer asked Sandy MacKay if he wanted to speak on the matter for the record. There was no response from Sandy MacKay.

Due to the nature of the request and the time to gather minutes from the time that he was on planning board it was determined that a fee would be charged, and Sandy would be made aware of this for finding specific minutes from a specific timeline as they are in the archives.

It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that a fee be established for the time to locate and copy the minutes from the time that Sandy MacKay was a member of the planning board, and that the information would be provided to him to inspect at the municipal office on or before October 6, 2024. All in favor 4, 1 non-voting. Motion Carried.

By-Election Date:

Sandy MacKay asked what the date of the By-Election would be.

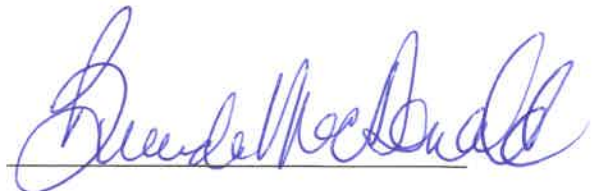
It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that the By-Election will be held on October 28, 2024, with the advanced poll on October 26, 2024. All in favor 4, 1 non-voting. Motion Carried.

12. ADJOURNMENT:

Mayor Brammer adjourned the meeting at 6:18 p.m.



Mayor, Lee Brammer



Brenda MacDonald, CAO