

Minutes
Resort Municipality Monthly Council Meeting
Monday, April 15, 2019
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on April 15, 2019 at the municipal office.

PRESENT: Mayor Matthew Jelley, Councillors: George Clark Dunning, Bill Drost, Kenny Singleton, Lee Brammer and Chris Robinson. CAO – Brenda MacDonald.

ABSENT: Linda Lowther.

VISITORS: Jim Brown was present for a portion of the meeting.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:05 p.m.

2. APPROVAL OF AGENDA:

The CAO advised that under New Business, Section 8.D. water testing needs to be added to the agenda.

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the agenda be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

3. APPROVAL OF COUNCIL MEETING MINUTES MARCH 19, 2019:

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Council Meeting Minutes of March 19, 2019 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

4. DECLARATION OF CONFLICT OF INTEREST:

Bill Drost declared a Conflict of Interest under Planning Board on the agenda for Smooth Coat Drywall 5.A.1. Mayor Jelley declared a Conflict of Interest on the agenda for 5.A. Planning board for Sandspit Entertainment Ltd. as well as Cavendish Services Ltd.

5. COMMITTEE REPORTS:

Building Permits:

Follow up Permits:

Cavendish Beach Music Festival (8776 Cavendish Road) – PID # 1037423 - Awaiting additional information on the main event permit application, that will also require engineer's drawings and possible architect's drawings

Melanie Assing – PID # 600825 (32 Wygant Place). Awaiting Additional Information from the owner and the Department of Tourism.

Stuart Drummond – PID # 563908 (68 Sunset Lane). Awaiting information on the septic permit.

Ronnie & Irene Blacquiere PID # 233569 – (Cavendish Road) – the application has been cancelled, as the purchasers decided not to proceed with the purchase of the property.

Cavendish Beach Music Festival (Road Access) – PID # 566869 (227 Forest Hills Lane) - an application was received to use the Forest Hills Lane as an access for RCMP parking. Final decision to be completed once a

final decision is made on the Cavendish Beach Music Festival.

Sea Cross Inc. – PID # 232033 (Parking) – (8779 Cavendish Road) - an application was received to have parking on the property from July 5 – 7, 2019 for the Cavendish Beach Music Festival. Final decision to be completed once a final decision is made on the Cavendish Beach Music Festival.

Raspberry Point Oyster Company (Parking) – PID # 232041 (Cavendish Road) an application was received to have parking on the property from July 5 – 7, 2019 for the Cavendish Beach Music Festival. Final decision to be completed once a final decision is made on the Cavendish Beach Music Festival.

Cavendish Beach Music Festival Inc. (Signage) – An application was received to locate signs on the property for the Cavendish Beach Music Festival. Final decision to be completed once a final decision is made on the Cavendish Beach Music Festival.

Discussions were held on fencing on the West side of the property adjacent to the residential properties on Forest Hills Lane due to the yearly issues of breaches on the fence during the festival.

Mayor Jelley and Councillor Clark Dunning will meet with Jeff Squires to discuss the fence issues prior to the next Council meeting.

“In Camera”:

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer to go *“In Camera”* to discuss matters falling under clauses 119(1)(e) and 119(1)(f) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Councillor Drost left the meeting due to a conflict of interest.

Building Permits:

****** 5.A.1. Bylaw Amendment: Smooth Coat Drywall Ltd. - 9940 Cavendish Road - PID # 92593 – an application was received to make a bylaw amendment to the C1 (General Commercial) Zone to amend the permitted used to allow for an automobile sales business. Awaiting for confirmation from the owner on the payment of the public meeting fees to book a meeting.**

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

“No Decisions were made while in camera.”

Councillor Drost returned to the meeting.

Joshua Garbish – Seawood Estates – Stanley Road – (PID # 534180) - an application was received to locate a one and a half story summer cottage of 40’ X 28’ with steps on the property. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval be granted subject to: 1) that the property be connected to the municipal sewer, 2) that the property be connected to the private water system, 3) that a moving permit be obtained from the Department of Transportation, Infrastructure and Energy, 4) that all work including any debris, construction materials, and any fill, be completed or removed from the property within 6 months of the permit approval date and 5) that the hours of construction on the site shall be between 7:30 a.m. and 7:30 p.m. daily. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Cavendish Marina & Beach Resort Inc. (Inn at the Pier) - 9796 Cavendish Road (PID # 411124) – an application was received to locate a building of 16' X 12' on the property for storage. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval be granted in principle subject to: 1) that the building be approved as storage only, 2) meets the requirements of the Provincial Fire Marshal's office, 4) the hours of construction on the site shall be from 7:30 a.m. – 7:30 p.m. daily, 5) that all work on the building including debris, construction materials, and any fill, and skirting be completed or removed from the property within 6 months of the permit approval date and 6) payment of building permit fee. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Mayor Jelley left the meeting due to a conflict of interest and turned the Chair to Councillor Brammer.

Sandspit Entertainment Ltd. (Mariner's Cove) – 8863 Cavendish Road (PID # 231977) - an application was received to add a turning lane on the entrance on the existing property. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval in principle be granted subject to: 1) meets the requirements of the Department of Transportation, Infrastructure and Energy and 2) that the hours of construction on the site shall be from 7:30 a.m. – 7:30 p.m. daily. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Sandspit Entertainment Ltd. (Mariner's Cove) – 8863 Cavendish Road (PID # 231977) – an application was received to change the existing food service floor plan for Subway. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval in principle be granted subject to: 1) meets the requirements of the Department of Health, and Wellness, 2) meets the requirements of the Provincial Fire Marshal's office, 3) that architect's drawings be provided, and 4) that the hours of construction on the site shall be from 7:30 a.m. – 7:30 p.m. daily. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Sandspit Entertainment Ltd. (Mariner's Cove) – 8863 Cavendish Road (PID # 231977) – an application was received to construct a covered deck / picnic area on the property of 50' X 24'. 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 Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness, 3) meets the requirements of the Department of Environment, 4) that engineered drawings be provided and 5) the hours of construction on the site shall be from 7:30 a.m. – 7:30 a.m. daily. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Services Ltd – 7550 Route 13 (PID # 512871) – a floor plan and a building code design certificate were received from Wil Lawrence for the new Tim Horton's space. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness, 3) that engineered drawings be provided and 4) that the hours of construction on the site shall be from 7:30 a.m. – 7:30 p.m. on the site. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Services Ltd. – 7550 Route 13 (PID # 512871) – a signage application was received for a multiple sign and four new secondary building signs on the property. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the signage permit be approved in principle, subject to the final drawing being provided. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Mayor Jelley returned to the meeting and resumed his position.

Sidewalks:

Jeff Squires advised that he wanted to voice his opinion for the record on the need of the municipality having

sidewalks on both sides of the roads on Route 6 and 13 in Cavendish based on the amount of development and traffic in the area.

The Council thanked Jeff for his input on the sidewalks.

Sundance Cottages – 42 MacCoubrey Lane (PID # 648329) – an application was received to remove the existing pool tub and replace it with a new one. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval be granted 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 the hours of construction on the site shall be from 7:30 a.m. – 7:30 p.m. daily. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Temporary / Transient Permit:

100242 PEI Inc. (KOA Campground) – 198 Forest Hills Lane – to locate a cell tower on the property from May 1 – August 31, 2019. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval be granted subject to: 1) that the tower be located on the property from May 1 – August 31, 2019 only, 2) that the hours for locating the tower on the site shall be from 7:30 a.m. – 7:30 p.m. daily and 3) that the tower be secured on the site so that the general public cannot access the tower. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Signage Permits:

Chez Yvonne's Inc. (Cavendish Road) – 8947 Cavendish Road – Tabled as no permit application was received.

Other:

Parks Canada:

The CAO commented on the upcoming session with Parks Canada on April 11, 2019 from 6:30 – 8:30 p.m. at the Visitor Information Centre on the Green Gables Visitor Centre Interpretation.

The CAO also advised that there will no longer be a representative updating on a monthly basis to the planning board meetings as they will be attending the Council meeting quarterly and providing updates. If there are any issues that need to be addressed by planning board, they can be raised with the CAO and sent to Parks.

The CAO commented on the municipal park project and the literary tour and communities of interest component of the tour.

Concerns on ongoing maintenance in the municipal park:

Jeff Squires commented on the ongoing costs of the Park and how the municipality is going to sustain the site and that the Council should be looking to business owners to help support the park similar to the Eastlink Centre in Charlottetown and Summerside as it will be costly to maintain.

Cavendish Beach Music Festival Permits: Cavendish Beach Music Festival (8776 Cavendish Road) – PID # 1037423 – to construct a washroom structure in the existing VIP area of 20' X 20'. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval in principle be granted subject to: 1) meets the requirements of the Department of Environment, 2) meets the requirements of the Provincial Fire Marshal's office, 3) the building shall be connected to the municipal sewer and 4) that the hours of construction on the site shall be from 7:30 a.m. – 7:30 p.m. daily. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Cavendish Beach Music Festival (8776 Cavendish Road) – PID # 1037423 – an application was received to run a new sewer line on the east side of the property. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval in principle be granted subject to: 1) meets the requirements of the Department

of Environment, 2) meets the requirements of the Provincial Fire Marshal's office, 3) meets the requirements of the Cavendish Sewer Utility and 4) that the hours of construction on the site shall be from 7:30 a.m. – 7:30 p.m. daily. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Proposed Music Festival Dates until 2020 - 2024: July 10 – 12, 2020, July 9 – 11, 2021, July 8 – 10, 2022, July 7 – 9, 2023, July 5 – 7, 2024

It was moved by Councillor Clark Dunning, seconded by Councillor Drost that the proposed dates for the music festival be approved. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

CBMF Banding:

Mayor Jelley will meet with the Liquor Control Commission and CBMF and bring the Council's Concerns to the group on the banding process for 2019. An update will be provided at the May Council Meeting.

5.A.2. Atlantic Bylaw Officers Association:

They are looking for members from PEI to join the association. Information only.

5.B.3. CBMF Senior Operations Meeting:

Minutes of the meeting were in the package.

The RCMP will be asked to attend the May Council meeting for an update on the 2019 festival and policing during the event.

5.B. MONTHLY FINANCIAL REPORT:

Councillor Brammer presented the monthly finances for March 31, 2019. Revenue was \$447,803.86 and the expenses were \$403,697.87.

It was moved by Councillor Brammer, seconded by Councillor Robinson that the monthly finances for March 31, 2019 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Tourism Cavendish Beach – Shuttle Request:

It was moved by Councillor Brammer, seconded by Councillor Singleton that \$5,000.00 be allocated to the shuttle request for Tourism Cavendish Beach. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.1. Gas Tax Funds 2019 - 2024:

Allocation of funds were sent through to the Gas Tax office for review of the five-year list of projects.

5.C. TRAILS AND PATHS REPORT:

5.C.1. Lighting price from Maritime Electric:

Maritime Electric provided a price on lighting.

At this time, the information will be kept on file for reference.

5.D. EMERGENCY SERVICES REPORT:

Councillor Robinson talked about looking into a neighbourhood watch program.

The CAO will check with other areas to gather information for the next Council Meeting.

Meetings were held with New London and North Rustico Fire Department. One will be scheduled with North

Rustico. Updated list of information and volunteer firefighters have been requested from each department.

A meeting will also be scheduled with the RCMP and Parks Canada.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

A request was received from a property owner requesting information from the sewer utility board. The sewer board will meet, and a decision will be made on the request.

No updates were received from Driftwood Landing.

Lagoon drawdown is underway.

7. BUSINESS ARISING FROM MINUTES:

7.A. Destination Management Fund:

Mayor Jelley will follow up with CBMF on the fund announcement.

7.B.1 Agreement with David Macneill:

Mayor Jelley is working on an agreement with David to bring back to the Council for approval.

7.B.2. RFP LMM Project Management:

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the RFP for the LMM Project Management be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

7.B.3. L.M. Montgomery Literary Tour & Project Management:

Harvey is working on the Literary Tour Information and will be meeting with the various stakeholders and holding a workshop with designated sites.

If any Council Members has any further comments on the document from MRSB that they would like changed, please send through your comments to the office.

7.C. Internet – North Rustico:

Awaiting information from Eastlink of current pricing for the project to be completed as well as confirmation from the Province on funding availability.

7.D. Pictorial Record:

Deferred until the next Council Meeting when all members are in attendance.

7.E. CAO's Evaluation:

To be completed at the end of the meeting.

8. NEW BUSINESS:

8.A. FPEIM:

8.A.1. FPEIM Annual Meeting:

The FPEIM Annual General Meeting will be held on April 29, 2019 in St. Peter's.

If anyone is interested in attending, please advise the CAO.

8.B. was discussed earlier in the meeting under Monthly Finances.

8.C. Paperless Meetings:

The May Council meeting will be done paperless for the Council Members wishing to go this way with one .pdf file being sent to each member with all the information on it

The Mayor and the Planning Board will continue to receive hard copies of the Council Meeting Package.

8.D. Water Testing:

It was moved by Councillor Drost, seconded by Councillor Robinson that the decision on the water testing be left at the discretion of the CAO. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

This will be the final year for water drop off in the municipality as the province will be cutting the service.

9. CONCERNS:

9.A. Councillor's Concerns:

Councillor Brammer advised that he feels that the Dangerous and Unsightly Property Bylaw needs to be updated.

The lawyer will be asked to complete the remainder of the bylaws for the next meeting and if a special meeting is required to just deal with the bylaws then this will be scheduled with the Council.

Councillor Brammer commented on social media and getting information out to the public on things that are happening in the community like the larger centers.

Mayor Jelley advised that the municipality does send out information on weekly updates as well as on projects to the media as they are coming forward.

Councillor Drost advised that the Council Chambers are not overly receptive and wondered if the municipality had ever thought of holding the meetings in another location such as the Lion's Club.

The CAO advised that the municipal boardroom has just been changed around to be more accommodating to the public and that we now also have additional space to store things for the community in our new space in the lower level.

10.B. Resident's Concerns:

Beverley Reiger and Donna Nicholson:

Information was received requesting that the Council review a request for an amendment to allow for temporary camping through a permit process in the RD2 Zone.

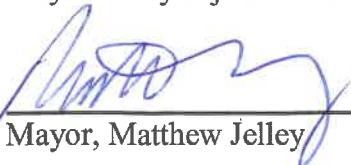
The request will be sent to the planning board at the May meeting for a recommendation to the Council.

CAO's Evaluation:

Council will present information at the next Council Meeting for review.

10. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 10:35 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO