

Minutes
Resort Municipality Monthly Council Meeting
Monday, December 9, 2019
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on December 9, 2019 at the Resort Municipality Office.

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

ABSENT: Nil.

VISITORS: Jim Brown.

1. CALL TO ORDER:

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

2. APPROVAL OF AGENDA:

It was moved by Councillor Robinson, seconded by Deputy Mayor Lowther that the agenda be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES NOVEMBER 14, 2019:

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Monthly Council Meeting Minutes of November 14, 2019 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Deputy Mayor Lowther stated that she had a conflict of interest under David Macneill's agreement on the agenda.

Mayor Jelley stated that as per all meetings that if any Council member is in conflict to declare it and remove themselves from the meeting immediately.

5. COMMITTEE REPORTS:

PLANNING BOARD:

Follow Up Permits:

Jeremy Johnston - PID # 1064823 Seawood Drive – an application was received to construct a two storey summer cottage of 58' X 45' with decks. Awaiting decision on the sewer connection.

Swept Away Cottages – PID # 624379 Cavendish Road – an application was received to construct one 1-bedroom cottage, seven 2-bedroom cottages and three 3-bedroom cottages, one laundry facility, a pool, a water building and a pool equipment building. Awaiting comments from the Department of Transportation, Infrastructure and Energy, Department of Health and Wellness and the Department of Environment.

Frances Oschner – PID # 92650 – Wygant Place - an application was received to construct a summer cottage of 40' X 33' with decks in Seawood Estates. Awaiting confirmation of the purchase of the property.

Helen Stewart – PID # 231662 – Cavendish Road – a revised application has been received to subdivide two portions of land off of the main property and consolidate them together. 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 Transportation, Infrastructure and Energy and 2) that the subdivision survey plan be completed and 3) that an agreement be provided on the access. All in favor 6, 1 non-voting. Motion Carried.

Temporary Permits:

The Pearl Eatery – PID # 233429 (7792 Cavendish Road) – application was incomplete and was sent back to the owner for additional information.

Subdivision Permit:

Estate of Brian Stevenson – PID # 765636 – (Cavendish Road) – an application was received to subdivide 2.5 acres off of the main property and to consolidate it with PID # 233403 (Lori MacKinnon). It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval in principle be granted subject to: 1) meets the requirements of the Department of Environment and 2) meets the requirements of the Department of Transportation, Infrastructure and Energy and 3) that a subdivision survey plan be completed. All in favor 6, 1 non-voting. Motion Carried.

Other:

National Building Code: The CAO advised that Joshua Collins at the Department of Agriculture and Land Inspection Services has been contacted and he expects to get an update to the municipality within the next two weeks on the process moving forward on the Code and that residential properties will come into effect one year following the commercial enactment of the regulations.

It was moved by Councillor Clark Dunning seconded by Deputy Mayor Lowther to go “*In Camera*” to discuss matters falling under clauses 119(1)(e) of the Municipal Government Act. All in favor 6, 1 non-voting. Motion Carried.

“In Camera”

*** a) ***Strategic Plan Review:***

No decisions were made while in camera.

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 6, 1 non-voting. Motion Carried.

A number of recommendations from the planning board and Council were sent back to the consultant and Upland has been asked to present a further draft of the document for the next Council Meeting on January 20, 2020.

5.A.1.A.

Second Reading – Official Plan Amendment:

Estate of Brian Stevenson (Cavendish Road) – PID # 232702:

Official Plan Amendment Resolution

Whereas an application was received from the Estate of Brian Stevenson to amend the Resort Municipality Official Plan General Land Use Map for a 16 acre portion of land from Rural and Open Space land use to Residential land use;

And whereas Council has considered the following general criteria:

- Conformity with applicable legislation;

- Community objectives;
- Changes in technical content; and
- Water and sewer and other infrastructure plans;

Be it resolved that the official plan amendment 2019-5, to amend the 2017 Official Plan General Land Use Map be hereby read a second time.

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council amend the Official Plan General Land Use Map to change the designation of a 16 acre portion of Provincial Parcel # 232702 from the Rural and Open Space Zone to the Residential Zone. All in favor 6, 1 non-voting. Motion Carried.

Approval of Second Reading – Official Plan Amendment:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the second reading of the Official Plan Amendment be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

5.A.1.B. Second Reading – Zoning Amendment – Estate of Brian Stevenson (Cavendish Road) – PID # 232702:

Whereas an application was received from the Estate of Brian Stevenson for Cavendish Road, PID # 232702 for a zoning amendment from the Rural Zone to the Residential Zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2019-6 to change the zoning map from (RR) Rural Zone to (R1) Residential Zone;

And whereas zoning bylaw amendment 2019-6, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a second time.

Be it resolved that zoning bylaw amendment 2019 – 6, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a second time.

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the bylaw amendment to amend the Zoning map to show a 16 acre portion of Property # 232702 from the current Rural (RR) Zone to R1 (Residential) Zone be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

Approval of Second Reading:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the second reading of the Zoning Map Amendment for PID # 232702 to change a 16 acre portion of the land from the current Rural (RR) Zone to R1 (Residential) Zone be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

Adoption:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Zoning Amendment for PID # 232702 to change a 16 acre portion of the land from the current Rural (RR) Zone to R1 (Residential) Zone be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

5.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for November 30, 2019. The revenues were \$267,505.86 and the expenses were \$252,724.48.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for November 30, 2019 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

5.C. Trails and Paths Committee:

5.C.1. Streetlights:

A letter and drawing were received from Peter Fullerton from SEAL in Seawood Estates.

At the present time the lights within the subdivision are not in a provincial right-of-way. There are also a number of other private subdivisions within the municipality that have no street lighting and requests have been received for them to be looked at as well.

More information is required prior to a decision being made on streetlights being located in any private subdivisions, based on the fact that everything is privately owned and maintained.

Speed Radar Signs:

Information was provided in the meeting package on the new speed radar signs.

A copy of the report will be provided monthly to the Council on the stats for the signs.

5.D. Emergency Services Committee:

5.D.1. Citizens on Patrol:

Councillor Robinson provided feedback on the citizens on patrol survey and that the people that completed the survey were interested in Citizens on Patrol.

It was moved by Councillor Robinson, seconded by Councillor Clark Dunning that a session be held with the RCMP and the public on establishing a Citizens on Patrol. All in favor 6, 1 non-voting. Motion Carried.

Councillor Robinson will prepare information to be sent out to the community in the weekly updates to provide the public with information on a possible meeting depending on how many people express interest in attending a meeting with the RCMP on Citizens on Patrol.

The RCMP will be contacted to see about their schedule for a meeting as well once it is determined on how much interest there is from the public on attending a meeting.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

Driftwood Landing:

Lawyer is working on agreement information for the easement.

Outstanding Sewer Customers:

Money has been received from three outstanding sewer customers. Work is still being completed by the lawyer's office on a lien against one owner that has been outstanding since 2003.

LS # 4 Sewer Tender:

The sewer tender is still being worked on for LS # 4, as the Department of Environment needed additional information on the project as did Parks Canada. Parks Canada has to send the environmental assessment out to all Federal agencies and expects it to be three to four weeks to get a response back.

Lagoon Drawdown:

Approval has been granted to complete the drawdown of cell 2, 3 and 4, from December 9 – 20, 2019.

7 BUSINESS ARISING FROM MINUTES:

7.A. Heritage Park and Historical Committee

Coles Associates is working on the change order and credits for the project, so we are awaiting the final costs and the holdbacks for the project from Island Coastal.

7.A.1. Harvey Sawler:

It was moved by Councillor Drost, seconded by Councillor Lowther that \$13,814.00 plus HST be paid to Harvey Sawler for the current work that is completed to date and that no further payments shall be made until the final project work is completed and submitted to the municipality. All in favor 6, 1 non-voting. Motion Carried.

7.B. Liquor Control Commission Letter:

No response has been received to date from the Liquor Control Commission on the correspondence that was sent through regarding Cavendish Beach Music Festival. Council will await a response for the next meeting.

Mayor Jelley will follow up with Brad Trivers if no response is received on the matter.

7.C. Destination Management Fund:

Mayor Jelley met with Jeff Squires and a new agreement is being worked on as well as a new structure for the committee and review of applications. Once the agreement has been completed it will be brought forward to the Council.

A breakdown in the account information from the festival each year and the projects awarded will start being provided to the Council on a quarterly basis moving forward.

Deputy Mayor Lowther advised that the project recognition plaque for Cavendish Beach Music Festival at the Municipal Park is in process.

Payment was received from the Municipal Park Project through the funding application approval.

7.D. Stanley Bridge Session:

No one from Council attended the final session, so no updates have been received.

Deputy Mayor Lowther left the meeting due to a conflict of interest.

7.E. Agreement with David Macneill:

Mayor Jelley sent the agreement to David Macneill and is awaiting a response back from him.

Deputy Mayor Lowther returned to the meeting.

7.F. Council Disclosure Statements:

There are two Council Disclosure Statements waiting to be received from Councillor Robinson and Councillor Singleton. They will work on completing them prior to the next meeting.

7.G. Dawn Moase - Culvert Route 6 Mariner's Cove / Clarks Lane:

Awaiting a response from the province as it is under review by the Department of Transportation.

7.H. FPEIM Trade Program Overview:

Information was received and at the present time there is no trade allowance for companies that they work with for special rates for sewer meters, lift stations or generators. They are continuing to work on that.

7.I. Bell Mobility:

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the municipality allow Bell Mobility to install a new tower at Montgomery Park with a masking attachment for a flag, based on the pole installation being completed at Bell Mobility's Expense.

8. NEW BUSINESS:

8.A. FPEIM – Municipal Challenge:

Information only.

9. Concerns:

9.A. Councillor's Concerns:

There were no Councillor's Concerns raised.

10.B. Resident's Concerns:

Snow Fencing – Route 6 – Richard Moore:

Richard Moore raised concerns to the municipal office regarding snow fencing on Route 6 – Cavendish Road.

John Gallant from Transportation, Infrastructure and Energy was contacted and he advised the office to contact Matt Fortier for further review on the snow fencing request.

Matt Fortier from Transportation, Infrastructure and Energy was contacted and is checking into the situation further to determine if snow fencing will fix any of the snow issues in this area.

Ivor Sargent:

Information only.

10. "In Camera Matters"

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther to go "In Camera" to discuss matters falling under clauses 119(1)(d), 119(1)(e) and 119(1)(f) of the Municipal Government Act. All in favor 6, 1 non-voting. Motion Carried.

Cavendish Services Ltd. Performance Bond.

Dale Brown Insurance:

Staff Yearly Christmas Review:

2018 CAO's Evaluation.

2019 CAO's Evaluation.

No decisions were made while in camera.

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 6, 1 non-voting. Motion Carried.

Cavendish Services Ltd. Performance Bond:

Awaiting a date to be scheduled for a meeting due to schedule conflicts.

Dale Brown Insurance:

It was moved by Councillor Robinson, seconded by Councillor Brammer that the municipality accept the offer from the insurance company of \$25,325.47 plus HST less the \$2,500.00 deductible based on the storm damage

from Hurricane Dorian to complete the work on the damaged areas. All in favor 6, 1 non-voting. Motion Carried.

Staff Yearly Review:

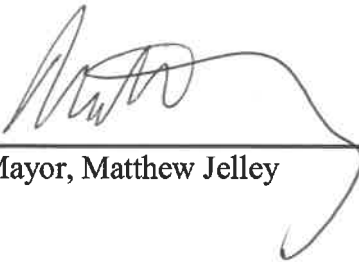
It was moved by Councillor Brammer, seconded by Councillor Drost that \$200.00 be allocated to the administrative assistant and that \$750.00 be allocated to the CAO. All in favor 6, 1 non-voting. Motion Carried.

2018 CAO's Evaluation. Information will be presented to the CAO prior to the new year.

2019 CAO's Evaluation. Information will be completed and presented to the CAO prior to the new year.

11. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 8:03 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO