

Minutes  
Resort Municipality Monthly Council Meeting  
Monday, October 19, 2020  
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on October 19, 2020 at the Resort Municipality Office and electronically with Zoom.

**PRESENT:** Mayor Matthew Jelley, Deputy Mayor Linda Lowther, Councillors: George Clark Dunning, Bill Drost, Lee Brammer and Chris Robinson. CAO – Brenda MacDonald. Administrative Assistant - Heather Hay.

**ABSENT:** Nil.

**VISITORS:** Lloyd Adams, Vic Greenwood and Bill Power.

**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 5, 1 non-voting. Motion Carried.

**3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES SEPTEMBER 21, 2020:**

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Monthly Council Meeting Minutes of September 21, 2020 be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

**APPROVAL OF SPECIAL COUNCIL MEETING MINUTES OCTOBER 13, 2020:**

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Special Council Meeting Minutes of October 13, 2020 be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

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

There were no conflicts of interest declared.

**5. COMMITTEE REPORTS:**

**Planning Board / Signage Report:**

**Development Permit applications:**

**Follow Up Permits:**

Ronnie Blacquiere – an application was received to construct a single family dwelling of 30' X 50' with decks as well as to construct three rental cottages of 25' X 25' with decks. The purchaser has withdrawn from purchasing the property based on input from the Department of Transportation, Infrastructure and Energy regarding the access so the application will not be moving forward.

Eddy MacKenzie – an application was received for a change of use permit to change the farm house into a multi-family dwelling. We are waiting to receive drawings for the property to bring to a public meeting.

**Development Permit applications:**

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. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted 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 Health and Wellness, 4) meets the requirements of the Department of Transportation, Infrastructure and Energy, 5) the rental cottages shall be connected to the municipal sewer, 6) a sewer inspection shall be completed by the municipal sewer inspector prior to the connection being covered over at the developer's expense, 7) that a development agreement be entered into for the project and 8) that a performance bond be posted of \$15,000.00. All in favor 5, 1 non-voting. Motion Carried.

Justin Clark – PID # 999060 – (Angus Campbell Lane) – an application was received to have an accessory building of 12' X 12' on the property for storage only. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the application be denied based on it not meeting the requirements of the Zoning and Subdivision Control (Development) Bylaw as there is no main building on the property. All in favor 5, 1 non-voting. Motion Carried.

Buildco. Construction – PID # 480335 – an application was tabled as it was incomplete.

Jamie Clark – Stacey Clark – PID # 480269 – (Bayview Drive) – an application was received to locate a sea can on the property as an accessory building for storage only of 20' X 8'. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted subject to: 1) that the container shall be painted as the same color as the house as per the owners information on the permit. All in favor 5, 1 non-voting. Motion Carried.

Alan Champion – PID # 233304 – an application was received to construct a sunroom of 6' X 17' with a deck of 24' X 8' on the property. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval in principle be granted subject to: 1) the additions being constructed on the site in accordance with the site plan. All in favor 5, 1 non-voting. Motion Carried.

Bruce MacKay – PID # 233452 – an application was received to locate an accessory building 26' X 12'5" on the property. It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that approval in principle be granted subject to the information being provided by the owner on the minor variance and the compelling reasons for the variance in size. All in favor 5, 1 non-voting. Motion Carried.

Kelly Doyle – PID # 885178 – an application was received to construct a storage building of 60' X 40' for vehicles. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that the request be denied based on the fact that it does not meet the requirements of the Zoning and Subdivision Control (Development) Bylaw. All in favor 6, 1 non-voting. Motion Carried.

**Subdivision / Lot Consolidation Application:**

Steve Dimond – PID # 719492 – an application was received to subdivide one lot off of the main property. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted subject to: 1) a final survey plan being received and 2) the lot shall be consolidated by the new owner to their existing parcel of land. All in favor 5, 1 non-voting. Motion Carried.

Steve Dimond – PID # 719492 and 761692 – application was tabled as the owner had not signed the form and updated drawings had not been completed.

St. Lawrence Motel – PID # 233676 – an application was received to subdivide the existing property into two parcels. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) meets the requirements of Parks Canada for access to the Gulf Shore Highway, 2) meets the requirements of the Department of Environment and 3) a final decision to be made by the Council based on the access. All in favor 5, 1 non-voting. Motion Carried.

**Other:**

**Walkway.**

The CAO updated the committee on the project to date. The municipality was working with ACOA to secure funding for Dan Glenn to complete the work for the application. This will allow the municipality to apply for funding in December through the Active Transportation fund.

**Watershed Group.**

Information was presented on a project that the Watershed Group is looking at doing in the area and wanted to get some feedback from the municipality on whether they felt it was a good idea.

Amy Radbourne attended the planning board meeting and she will take the lead on the project. They are planning to work with the Gulf Shore School to have children take a seedling and care for it for a year and understand the tree growing and planting process. They will then take it to a location approved by Parks Canada to plant. The watershed group would dig the holes in advance and then when the children came to plant the tree the next year it would be 4' to 5' tall by that time. It would be an easier process for them to plant their seedling and they would have a place to come back to each year to see their seedling and how it was growing.

It was felt that this is a great initiative and the watershed group will work with the school as well as Parks Canada at the same time to ensure that all groups are working together to keep the project moving as working with Parks Canada is normally a lengthy process.

**Permit breakdown 2019 / 2020.**

A breakdown in the approved permits was provided to the board. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the information be provided to Jim Brown.

**5.B. Monthly Finances:**

Councillor Brammer presented the monthly Finances for September 30, 2020. The revenues were \$237,497.40 and the expenses were \$213,575.52. It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for September 30, 2020 be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

**2021 Budgeting Process:**

Councillor Brammer advised that the CAO did up a schedule for the budgeting process for 2021. The information will be presented to the Council for the next meeting so the Council can provide comments on the process and timelines.

**Official Plan and Bylaw Review:**

Discussion was held on the Official Plan and Bylaw Review. Council suggested starting the process in December. The CAO will get some information together on an RFP for the Official Plan and Bylaw Review for the next meeting.

**Communities of Interest:**

Arrivals and Departures will be contacted regarding completing the process for the Communities of Interest project based on funding partners wanting the process to be completed to close the file. It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther to wind up the project with Arrivals and Departures on the Communities of Interest. All in favor 5, 1 non-voting. Motion Carried.

**Headset:**

It was suggested that a headset be purchased for meetings for the municipal office. The CAO advised that she was trying to get a set, but it has been difficult with supplies due to COVID. She will follow up on getting a set.

**5.C. Trails and Paths Committee:**

**5.C.1 Speed Radar Signs:**

Signs were fixed by Garth Thompson from the Department of Transportation, Infrastructure and Energy.

**5.C.1.A. Yearly Monitoring Costs:**

It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that \$400.00 per sign be allocated for the speed radar sign monitoring. All in favor 5, 1 non-voting. Motion Carried.

**5.C.2. Route 13 Trail project:**

Work was done on the pavement curb drop. Flower box at Anne Shirley Motel has to be completed as well as seeding of the ditch at Marco Polo Land.

**5.C.3. Route 6 Bike Path:**

Alan Aitken will review what is needed for a bike lane and markings on Route 6 and advised that it will take some time to review.

An application will be prepared for the Active Transportation Fund for the concept drawings from Route 6 and 13 down to the Gulf Shore Highway.

**5.C.4. Stanley Bridge Project:**

The Municipality is working with ACOA to obtain funding for a concept plan to be completed for the Route 6 project. Once the concept plan has been completed a funding application will be submitted for the first week of December 2020 to the Active Transportation Fund.

Mayor Jelley and Deputy Mayor Lowther met with Phyllis Carr and Dale Larkin on the project. They have agreed to sit on a new committee and that the municipality will take the lead for the project for the trail system within the municipality. The two projects would be funded separately for each area.

Mayor Jelley will provide terms of reference for the new committee for Council to review at the next meeting. Jeff Squires from the planning board has asked to sit on the committee.

#### **5.C.5. Brad Parsons – Culvert Route 6 – Mariner’s Cove and Clark’s Lane.**

Work has been completed at Clarks Lane.

Brad had decided to complete the work that was approved and that a meeting was not required with the municipality and adjacent owners for what was being worked on.

#### **5.C.6 Swimming Rock Steps:**

Highfield Construction will be asked for a price to remove the steps at the Swimming Rock Property.

Additional work will need to be looked at for the base for structural support for the steps in the spring

#### **5.C.7. Municipal Signage:**

We are waiting for highways to determine where the sign can go on Cavendish Road. The MacNeill’s removed the posts for us until a new location is determined.

Some discussion was had on planting flowers under the existing signs and perhaps lighting at each of the signs.

#### **5.D. Emergency Services Committee:**

##### **5.D.1. Emergency Plan:**

The plan is being worked on and updates are being made to it as we receive them from Parks Canada.

##### **5.D.2. COVID – 19:**

Staff are working on updating protocols as needed to meet Public Health requirements. Masks are being used more frequently by people coming into the office. Some meetings are being held with social distancing in place.

#### **6. Cavendish Sewer Utility:**

##### **Cavendish Sewer - Monthly updates and engineering:**

The property is going up for sale on October 28, 2020 at the court house. It will be advertised in the paper on October 16 and October 23, 2020. If the property does not sell through the court process, then it will be sent to a realtor to list for sale.

The Reid Road lift station has been having some issues, so the contractor has ordered some parts.

##### **Lift Station # 4:**

The new engineers are looking at the information on the stations and the projects as well as the inspection process for the municipality.

**7. BUSINESS ARISING FROM MINUTES:**

**7.A. Heritage Park and Historical Committee:**

Deputy Mayor Lowther confirmed that Island Coastal Services Ltd. has finished the reseeding of the grass and that this agenda item can now be removed as all work with the project will be completed.

**7.B. Liquor Control Commission Letter:**

A MOU was received, and comments were sent back on it to Mayor Jelley. Awaiting further information.

**7.C. Destination Management Fund:**

Mayor Jelley will bring a new terms of reference to the Council for the next meeting.

**7.D. Agreement with David Macneill:**

Awaiting an update on the draft agreement that was provided to David Macneill as the municipal maintenance staff completed the cleaning at the site this year because of COVID-19.

**7.E. Generator:**

Mayor Jelley met with Jamie Fox and discussion was held regarding applying for funding for support of a generator. Minister Fox asked for a breakdown of the space to be sent through to his department for review and to contact Kellie Mulligan regarding a funding application through Rural Development.

**7.F. Municipal Office Lease:**

Awaiting information on the lease from Holly Hinds with the Department of Transportation, Infrastructure and Energy.

**7.G. Engineering - CBCL:**

Mayor Jelley advised that the CAO and himself had met with Jody MacLeod and Tim LeLacheur and he feels that they had a good understanding of what the municipal needs are. They are in the process of scanning all the sewer plans for the municipality as well as working on information for current projects and reviewing the existing tenders that were sent out.

**7.H. Councillor Position:**

A request was sent through to municipal affairs for a breakdown on the process for the elections since we have a vacancy on the Council.

**7.I. Parks Canada Visitor Stats:**

Tara McNally MacPhee sent through the Visitor Stats for the Council's information on the National Park.

**7.J. Island Studies Work Placement:**

Laurie Brinklow from the Institute of Island Studies has talked with the student and the university and is coming to meet with the CAO on October 21, 2020 regarding the heritage project.

**8. NEW BUSINESS:**

**8.A. PEI POLICE ASSOCIATION:**

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the Resort Municipality continue to support Crime Stoppers as they cover municipal jurisdiction. All in favor 5, 1 non-voting. Motion Carried.

**8.B. REMEMBRANCE DAY ADVERTISING:**

No decision has yet been made on Remembrance Day services for the North Shore as they are waiting for further information from the Chief Public Health Officer. The Council will await further information but thought it would be good to at least have a small ceremony.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that some small advertising be done in the County Line Courier to show support for funding from the municipality as they are a small paper advertising in our municipality and the paper is distributed to property owners at no cost. All in favor 5, 1 non-voting. Motion Carried.

**8.C. Diversity, Turnover and Innovation in the Tourism Sector:**

Information has been received from Dr. Susan Graham with the Faculty of Business looking to see if the municipality is interested in working with the Faculty on a project for Diversity, Turnover and Innovation in the Tourism Sector. They are wondering if we want to participate and possibly be a partner. A zoom meeting will be scheduled with Dr. Susan Graham and all Council are welcome to join the meeting.

**8.D. CAO'S EVALUATION:**

The human resource committee will set a date to meet with the CAO on the 2020 evaluation.

**9. Concerns:**

**9.A. Councillor's Concerns:**

Mayor Jelley moved on to resident's concerns.

**9.B. Resident's:**

Bill Power raised concerns over sea cans and the bylaw and the confusion that seems to exist in the bylaw with them. He will be sending a letter as he would not want to see this type of development location on all properties in the municipality.

The Council can review requests on bylaw amendments, and they can either be dealt with throughout the year or during official plan and bylaw reviews depending on the urgency of the matter.

**Dog Bylaw – Letter to the Minister:**

The municipality will send a letter of support to the province for the Dog Bylaw to be brought in province-wide for both incorporated and unincorporated municipalities.

**9.B.1. Monty Drummond – Dog Act:**

He would like to see the municipality adopt the Provincial Dog Act into the municipal bylaws.

At the FPEIM Meeting information was brought forward by the Minister regarding province-wide legislation to include in incorporated and unincorporated municipalities.

**9.B.2. Gordon Cameron – Noise Bylaw:**

A letter was received from Gordon Cameron regarding noise complaints with the neighbors. It was suggested that the CAO reach out to the owner to make them aware of the formal complaint from the neighbor and that the Council look at adopting a policy on noise complaints between neighbors before they escalate.

If a noise complaint happens again the owner needs to contact the RCMP and he needs to be advised that this is a civil matter.

**9.B.3. Michael Bergeron – Dog Bylaw:**

An e-mail was received with concerns over dogs and if the municipality has a bylaw in place.

Information will be shared with the property owner on the legislation that the province is bringing in province-wide for both incorporated and unincorporated areas.

**9.B.4. Lloyd Adams:**

Sent through a letter with his support on Zoom Meetings and copied it to Minister Fox.

**Seawood Estates:**

Mayor Jelley met with a group under SEAL in Seawood Estates regarding the roads as they continue to be an issue for safety of the public and travelling within the subdivision.

Mayor Jelley advised that there were some preliminary discussions and the group will need to get the support of the people within the subdivision to start the process. Then the municipality will have to look at how they proceed forward with public consultation and fees through land taxes with the Province of PEI.

**10. “In Camera Matters”**

It was moved by Councillor Robinson, 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 5, 1 non-voting. Motion Carried.

**10.2. 2018 & 2019 CAO’s Evaluation.**

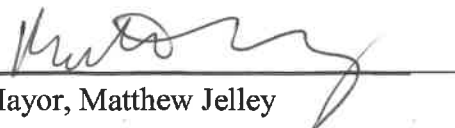
It was moved by Deputy Mayor Lowther, seconded by Councillor Robinson to come out of camera under section 119(2)(e) of the Municipal Government Act. All in favor 5, 1 non-voting. Motion Carried.


**10.2. 2018 & 2019 CAO’s Evaluation.**

It was moved by Councillor Drost, seconded by Councillor Robinson to ratify the contract with the CAO. All in favor 5, 1 non-voting. Motion carried.

**11. ADJOURNMENT:**

Mayor Jelley adjourned the meeting at 8:17 p.m.

  
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Mayor, Matthew Jelley

  
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Brenda MacDonald, CAO