

Minutes
Resort Municipality Monthly Council Meeting
Monday, December 14, 2020
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on December 14, 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: Jim Brown, Lloyd Adams, Parks Canada - Jennifer Stewart and Tara McNally MacPhee.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:03 p.m.

2. APPROVAL OF AGENDA:

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

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES NOVEMBER 16, 2020:

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Monthly Council Meeting Minutes of November 16, 2020 be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

APPROVAL OF SPECIAL COUNCIL MEETING MINUTES NOVEMBER 24, 2020:

It was moved by Councillor Drost, seconded by Deputy Mayor Lowther that the Special Council Meeting Minutes of November 24, 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. PARKS CANADA:

Mayor Jelley welcomed Jennifer Stewart and Tara McNally MacPhee to the meeting.

Cavendish Campground:

The 7 bunkies will be constructed but will not open until the summer of 2022 in the National Park.

The bunkies will be rented from \$70.00 – \$90.00 per night based on a review that they completed with other areas with similar accommodations, but a final price has not yet been established.

Each bunky will have a bed and a loft with no running water.

Flat Rock:

Concern was raised on the access not being stable in this area and for the public to be able to get up and down from the site safely as the Irish moss harvesters are no longer using the area and it is not being maintained by the Park.

Parks is looking at what to do at the site as eventually with the erosion the parking lot will be lost at some point. Tara McNally MacPhee, Bill Courtney, Brad Romaniuk and Jennifer Stewart will be looking at options for this area.

Tree Reforestation:

With Hurricane Dorian a number of sites were impacted and are in disarray. Parks is going to locate some small signage in the area to advise that the area is under reforestation and explaining what happened in the area from the hurricane.

MacKenzie's Brook:

Construction has been completed at the site.

Green Gables Golf Course:

Parks has advised the lease holder at the golf course about the old Parks sign standard and the old sign posts at the site and mentioned the concerns on the signage from the municipality and about having them taken care of and removed.

Cavendish Grove:

Parks are working on the ecological restoration.

They hope to share some additional information in February / March 2021 on the restoration project.

Mayor Jelley confirmed that the adjacent neighbors will need to be involved in the discussions regarding the ponds.

Jennifer Stewart confirmed that the adjacent landowners would have information shared with them on the project.

Gulf Shore Highway:

Deputy Mayor Lowther raised concern over a bag bump on the Gulf Shore Highway.

Tara McNally MacPhee confirmed that Parks would check into the paving concern on the Gulf Shore Highway.

Mayor Jelley thanked Tara McNally MacPhee and Jennifer Stewart for attending the meeting.

6. COMMITTEE REPORTS:

Mayor Matthew Jelley to address planning board on concerns of planning applications:

Mayor Matthew Jelley thanked the planning board for their work throughout the year and their continued service to the community.

Discussion was had on the Planning Act and the duties and powers of planning board under Section 9.3 of the Planning Act that include:

- to investigate and survey the physical, social and economic conditions in relation to the development of the municipality;
- to recommend to the council, for its adoption, an interim planning policy;
- to prepare and recommend to council for its adoption a proposed official plan;
- to prepare and recommend to the council proposed alterations and additions to the official plan;
- to recommend to the council bylaws in respect of the official plan;
- to hold public meetings;
- when requested by the council so to do, to prepare estimates of the cost of any public work, improvement, or other project; and
- to perform such other duties of a planning nature as may be requested by the council.

Zoning and Subdivision Control (Development) Bylaw:

- recommendations on rezoning and variance requests;

Signage Bylaw:

10.6 of the Signage Bylaw - Any Sign permit application requiring Council's approval, or any proposed Sign for which the Administrator is experiencing difficulty in evaluating, shall be received by the Planning Board for its review and recommendation to Council within 28 days of the Administrator's receipt of the application.

The CAO has the ability to approve permits for sheds, garages, accessory buildings, summer cottages and single family dwellings without the planning board or Council's comments. The CAO also has the right to send permits through to the planning board and the Council if there are issues with the application that need their review and comments.

The intent of the municipality is to ensure that developments can continue to proceed forward and if there is something missing on an application when it is being reviewed by the planning board that it may be available for the Council meeting and the development can proceed forward rather than waiting for another month, to go forward to the planning board.

As part of the Official Plan and Bylaw Review there will be changes needed going forward and some areas of concern that have come up during development permit application reviews for changes that may be needed.

The results of the Official Plan and Bylaw Review may also see a planner being hired as a result of the review to do planning for the municipality as currently there is no planner for the municipality.

Comments were made regarding the CAO not being made responsible for all decisions on applications and that the planning board and the Council need to assist with the review process where needed.

Follow Up Permits:

Planning Board Chair Clark Dunning commented on the follow up permits and advised that they are still waiting for additional information on the applications.

Development Permit applications:

Raspberry Point Oyster Co. Inc. (PID #92692 – Cavendish Road) - an application was received to change the use of an accessory building into a private detached garage and to construct an addition onto the existing building of 11' 8 7/8" X 7' 5 3/8". It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval be granted subject to: 1) the property being consolidated together to include the main building and the private detached garage. All in favor 5, 1 non-voting. Motion Carried.

John McNally (PID # 560227 – Wygant Place) – an application was received to install solar panels on the roof of the existing summer cottage. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted subject to: 1) the solar panels being located on the cottage in accordance with the attached plan. All in favor 5, 1 non-voting. Motion Carried.

Evelyn Howatt (PID # 431122 – 9 Howatt's Lane) – an application was received to construct a 1 ½ storey summer cottage of 25' X 24'. It was moved by Councillor Clark Dunning, seconded by Councillor Chris Robinson that the application be denied based on the drawing not meeting the setback requirements of the Zoning and Subdivision Control (Development) Bylaw. All in favor 5, 1 non-voting. Motion Carried.

Permits issued by the CAO:

Buildco Construction Inc. – to construct a one storey summer cottage of 64' X 42' with decks at PID # 480535 on Bayview Drive.

Public Meeting:

Eddy MacKenzie (PID # 694745 - Cavendish Road) – an application was received for a change of use permit to change the farm house into a multi-family dwelling as well as to change the overall site plan. A public meeting will be held on December 14, 2020 at 7:00 p.m. on Zoom and in person with a maximum of 10 based on the Chief Public Health Office Regulations.

"In Camera Matters"

Justin Clark:

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) and (f) of the Municipal Government Act. All in favor 5, 1 non-voting. Motion Carried.

It was moved by Councillor Clark Dunning, 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.

“In Camera Matters”

Justin Clark (PID # 999060 – Angus Campbell Lane) – an application was received to construct a building of 12’ X 12’ under other to be used as a chattel. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that based on the structure not meeting the requirements of the permitted uses for the R1 Zone under the Zoning and Subdivision Control (Development) Bylaw that the application be denied. All in favor 5, 1 non-voting. Motion Carried.

Other:

Walkway:

A request was sent to the Active Transportation Trail funding program for engineering costs for the trail on the South Side of the road from the corner of Route 6 and 13 down to Grahams Lane as well as for a trail from the Inn at the Pier to the Stanley Bridge Harbour Authority Wharf on the North side of Cavendish Road / Route 6.

Funding was also requested for engineering costs for the trail on Cawnpore Lane to the Active Transportation Fund.

Official Plan and Bylaw Review RFP will be closing on December 12, 2020 at 12:00 noon. Planning board will have a special meeting to make a recommendation to the Council on the RFP on December 14, 2020.

6.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for November 30, 2020. The revenues were \$291,822.65 and the expenses were \$272,810.45. It was moved by Councillor Brammer, seconded by Councillor Drost that the monthly finances for November 30, 2021 be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

The budgeting timelines are in the meeting package to prepare the 2021 budget. Council was in agreement with the schedule.

6.C. Emergency Services Committee:

6.C.1. Emergency Plan:

A session is being held with FPEIM and the EMO office for CAO’s on December 16, 2020 on 10 Steps to Developing an Emergency Management Plan. The CAO will be attending.

6.C.2. COVID – 19:

CAO’s Update:

Staff have updated office protocol to by appointment only. Masks are required to be worn when coming into the building. Some meetings are being held with social distancing in place and masks being worn.

Mayor Jelley passed the Chair to Deputy Mayor Lowther.

6.D. Trails and Paths Committee:

6.D.1 Speed Radar Signs:

Monthly Stats are in the package.

6.D.2. Cawnpore Lane Trail – Active Transportation:

An application was submitted to the Active Transportation Fund for engineering on the Cawnpore Lane Trail.

6.C.3. Route 6 Bike Path:

Awaiting information from Alan Aitken.

6.C.4. Stanley Bridge Project:

An application was submitted to Active Transportation for funding of engineering on the Route 6 and 13 to Grahams Lane walkway on the South Side of the Road and for a walkway on Route 6 from the Inn at the Pier to the Stanley Bridge Harbour Authority Wharf in Stanley Bridge.

Dan Glenn completed project work on options for trail systems for Route 6 and they are in the meeting package.

The committee for the trail project is trying to meet before the holidays to go over the proposal.

6.C.5.a. Swimming Rock Steps:

Highfield Construction removed the steps at the site and they have raised concerns over the remaining portion that has been left as they feel that the base is compromised and the steps may not be there in the spring based on the current system.

Tom Harland was contacted regarding the steps to advise that they had been removed and could be fixed.

Deputy Mayor Lowther passed the Chair back to Mayor Jelley.

7. Cavendish Sewer Utility:

7.A. Cavendish Sewer - Monthly updates and engineering:

Lift Station # 4 is still being reviewed by the engineers, the project will not be going forward this fall based on timelines. Toombs was paid back their deposit cheque.

Parks Canada wants to meet with the sewer utility on December 18, 2020 to discuss expansion at the National Park Campground and expansion of lagoons.

7.B. Breakdown of Costs for Harold Tracz Property:

The Harold Tracz property breakdown is in the meeting package for the tax sale.

Some concern was expressed on the timelines and the information process on the sale of the property and how the information was distributed.

The information was processed according to the order issued by the judge and the direction of the lawyer by the sewer utility board.

Sewer Lagoons / land irrigation:

It was decided that the information would be gathered on the original discussion on the possibility of the effluent being used for land irrigation at the Golf courses.

8. BUSINESS ARISING FROM MINUTES:

8.A. Liquor Control Commission Letter:

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

8.B. Destination Management Fund:

The Committee will be meeting in January to move the process forward.

8.C. Agreement with David Macneill:

Awaiting an update on the draft agreement that was provided to David Macneill.

8.D. Generator:

There were no updates on this project.

8.E. Municipal Office Lease:

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the lease be signed based on the matters being addressed by the province in the letter. All in favor 5, 1 non-voting. Motion Carried.

8.F. Island Studies Work Placement:

Spencer Thompson has completed 8 interviews with property owners. The final session will be held as a group session on zoom with the group to finish the project.

8.G. EV Charging Stations:

MOU has been signed on the charging stations by the Department of Transportation, Infrastructure and Energy and the municipality.

9. New Business:

9.A. Family Violence Prevention Program:

FPEIM has provided an update on Family Violence Prevention Week from February 14, 2020.

A \$100.00 grant is available deadline is January 11, 2021.

It was decided that an updated would be provided in the municipal newsletter regarding family violence prevention week February 14 – 20, 2021.

9.B. Epilepsy Association:

They are looking for support of Purple Day on March 26, 2021.

Information will be sent out in the municipal newsletter regarding Purple Ribbon Day on March 26, 2021.

9.C. Access to Information and Protection of Personal Information Bylaw:

A draft document is in the meeting package that was presented by the legal counsel.

The CAO will distribute the information to the Council that was sent to municipal affairs raising concerns by the Council on the regulations not being consistent with the Act as well as a copy of the policy manual that will be reviewed at the next meeting.

9.D. CAO's Evaluation 2020:

A date has yet to be set for the evaluation to be completed for December 17, 2020 at 1:00 p.m..

It was moved by Councillor Drost, seconded by Councillor Brammer that the CAO receive a bonus of \$750.00 and the Administrative Assistant received a bonus of \$400.00. All in favor 5, 1 non-voting. Motion Carried.

10. Concerns:

10.A. Councillor's:

New arena – North Rustico:

Councillor Brammer asked if there was any further feedback on the new arena project in North Rustico.

Mayor Jelley confirmed that he did not receive any new information, nor did the municipal office.

Budget Process:

Information was requested on the budgeting process and if there should be more input requested from the public through the consultation process and what the community's thoughts are on the new rink.

Information on the budget consultations will be send out in the municipal newsletter.

10.B. Resident's:

10.B.1. Monty Drummond:

A few requests for information have been received from the property owner.

A letter will be send to the property owner to seek clarification on exactly what he is looking for from the municipality on his information request and it will be reviewed further at the next meeting.

11. "In Camera"

11. A. Official Plan and Bylaw Review RFP:

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 5, 1 non-voting. Motion Carried.

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.

11. A. Official Plan and Bylaw Review RFP:

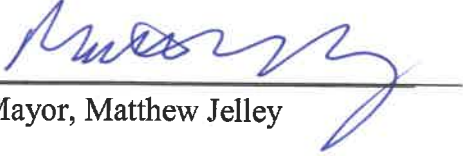
Three RFP's were received.

Upland Planning and Design, SJ Murphy Planning and Consulting and Stantec.

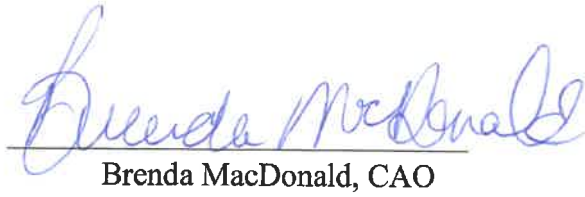
It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that based on scoring by the planning board and the Council that the RFP be awarded to SJ Murphy Planning & Consulting. All in favor 5, 1 non-voting. Motion Carried.

12. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 7:01 p.m.

A handwritten signature in blue ink, appearing to read "Matthew Jelley", written over a horizontal line.

Mayor, Matthew Jelley

A handwritten signature in blue ink, appearing to read "Brenda MacDonald", written over a horizontal line.

Brenda MacDonald, CAO