

Minutes
Resort Municipality Monthly Council Meeting
March 15, 2021
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on March 15, 2021 at the Resort Municipality Office and electronically with Zoom.

PRESENT: Zoom: Deputy Mayor Linda Lowther, Councillors: Bill Drost, Lee Brammer and Chris Robinson. Heather Hay. In Person: Councillors George Clark Dunning, Kay Hryckiw. CAO – Brenda MacDonald

ABSENT: Mayor Jelley was absent for a portion of the meeting.

VISITORS: In Person: Jim Brown. Zoom: Vic Greenwood, Lloyd Adams, Tanyia Kingyens, Bill Power, Jennifer Stewart – Parks Canada and Constable Lorenz Sanders – RCMP.

1. CALL TO ORDER:

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

2. APPROVAL OF AGENDA:

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

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES FEBRUARY 22, 2021:

It was moved by Councillor Robinson, seconded by Councillor Brammer that the Monthly Council Meeting Minutes of February 22, 2021 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

APPROVAL OF PUBLIC MEETING MINUTES MARCH 1, 2021:

It was moved by Councillor Drost, seconded by Councillor Hryckiw that the Public Meeting Minutes of March 1, 2021 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Deputy Mayor Lowther and Councillor Drost declared a Conflict of Interest on the application for the Inn at the Pier.

Deputy Mayor Lowther welcomed Jennifer Stewart to the meeting.

5. PARKS CANADA:

Cavendish Campground:

The reservation system will be operational on April 23, 2021.

The campground will start with 45% occupancy at the start of the season.

Cavendish and Stanhope Campground will be open for the season.

They will be monitoring the campgrounds based on COVID-19 restrictions and the shared washroom facilities.

There is no plan to go beyond 75% occupancy at the campgrounds after June 22 and they will evaluate the situation every two weeks during the season.

September 6 the occupancy will go back to 45% occupancy.

September 26 the campground will be closed for the season.

They are working on the area of the campground that was most impacted by Dorian.

They are looking at installing a new campground area for tent sites on the other side of the road closer to the lagoon property.

Green Gables House:

Green Gables House will be open during the summer this year. Tours will be done differently with a white glove approach with 10 visitors in the house at a time.

Deputy Mayor Lowther thanked Jennifer Stewart for attending the meeting.

Deputy Mayor Lowther welcomed Constable Lorenz Sanders to the meeting.

6. RCMP – Constable Lorenz Sanders:

Constable Lorenz Sanders commented on the monthly stats for the speed radar signs and the reports that he completed and he confirmed that he would work on the stats over the next few months and come up with a monthly report to send to the municipality.

Deputy Mayor Lowther thanked Constable Sanders for attending the meeting.

7. COMMITTEE REPORTS:

Planning Board / Signage:

Official Plan and Bylaw Review Plan for review:

Council Clark Dunning updated the Council on the Official Plan and Bylaw Review and the survey and SWOT questionnaire.

Planning board and the Council have been asked to respond to the Community Survey Form and Planning Board Feedback Form.

Planning Board has provided their feedback on the information by March 15, 2021.

Council was asked to send their comments back by March 22, 2021.

Official Plan Committee:

The CAO advised that we are still working on getting people to fill in on the list for representatives of each of the interest groups.

- 1) Residents / Seasonal Residents - Bill Power
- 2) Accommodations – to be determined.
- 3) Attractions – Jeff Squires.
- 4) Campgrounds – Kay Hryckiw
- 5) Farmers – Richard Moore
- 6) Golf – to be determined.
- 7) Parks Canada – Tara McNally McPhee
- 8) Restaurants – Rod and Tanyia Kingyens.
- 9) Retail – to be determined.

Comments from Property Owners Official Plan Review:

Monty Drummond.

Comments from Kevin Dallimore.

Lori MacKinnon.

Councillor Clark Dunning commented on the follow up permits:

PLANNING BOARD – FOLLOW UP PERMITS:

Fiona Mitchell (PID # 760215 – Carberry Court) – an application was received to construct a summer cottage of 30' X 40' with decks. Awaiting for confirmation on the purchase of the property.

The Cavendish Motel Inc. (PID # 522102 - Cavendish Road) – an application was received to construct a swimming pool of 32' X 16', with an 8' deck surrounding the pool. Awaiting comments from the Department of Health and the Province must approve a building permit under the National Building Code.

Swept Away Cottages – (PID # 624379 - Cavendish Road) – an application was received to construct 1, 1 bedroom cottages, 7, 2 bedroom cottages and 3, 3 bedroom cottages, 1 laundry facility, a pool, a water building and a pool equipment building. Awaiting information from the owner and the Department of Health on the pool permit, development agreement and performance bond.

Raspberry Point Oyster Co. Inc. (PID #92692 – Cavendish Road) - an application was received 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". Awaiting confirmation of the lot consolidation.

Eddie MacKenzie (PID # 694745) (1805415) (8420 Cavendish Road) – an application was received for a special permit use for a multi-family dwelling at PID # 1805415, as well as to amend the plans for the vacant land condominium development (original parcel # 694745). Awaiting information on the declaration and bylaws for the vacant land condominium as well as the signing of the development agreement and payment of the performance bond.

Steve Dimond – (PID # 719492 and 761692) – an application was received to subdivide one piece of land off of the main property PID # 719492 and consolidate it with PID # 761692. Four Winds Lane. A preliminary plan has been received. Awaiting a copy of the lot consolidation deed from the lawyer.

St. Lawrence Motel – (PID # 233676) – an application was received to subdivide the existing property into two parcels. A preliminary plan has been received. Awaiting a decision on the subdivision application from the owner.

Marco Polo Land – (PID # 232298) (7406 Route 13) – an application was received to locate playground equipment on the property in 7 locations on the site. Awaiting comments from the Provincial Fire Marshal's office and the Department of Health and Wellness.

Anne's Windy Poplars - PID # 232215 (7195 Route 13) – an application was received to enclose the pool with a building on the site of 50'x 40'. Awaiting comments from the Department of Health and Wellness, the Provincial Fire Marshal's office and stamped drawings to be provided.

The Lowther Group – PID # 232538 (Cavendish Road) – an application was received to locate a summer cottage on the property of 26' X 8' ½" with a deck. Awaiting the existing cottage being moved off of the site and the structure being located on posts, so that is not on wheels and chassis.

Change of Use – Special Permit Use:

Anne’s Windy Poplars - PID # 232215 (7195 Route 13) – an application was received to change the use of the property to a vacant land condominium. Public Meeting to be held on March 15, 2021 at 7:00 p.m. at the Resort Municipality Office.

Subdivision Application:

Earl Reid, Garth Reid, Anne Berkholtz, Barbara Schuller – PID # 231571 (Simpson Mill Road) – an application was received to subdivide two parcels off of the main property. Awaiting a final survey plan, waiting for comments from of the Department of Transportation, Infrastructure and Energy, meets the requirements of the Department of Environment, that a letter be received from Kay and Tony Wakelin confirming that they agree to the 66’ wide right-of-way running through their property for the remainder of PID # 231571.

Development Permit applications:

Cavendish Sunset Campground – PID # 694976 (9095 Cavendish Road) – an application was received to change the use of an existing space in the recreation building into a canteen. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi 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 Health and Wellness, 3) meets the requirements of the Building Codes Act and 4) clarification to be received from the owner on the overall use of the space. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Rod and Tanyia Kingyens – PID # 233429 (7792 Cavendish Road) – an application was received to add a building of 14’ X 10’ to be used as a food service / take-out. All food items will be prepared inside the main restaurant. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi 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 Health and Wellness and 3) meets the requirements of the Building Codes Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Deputy Mayor Lowther tabled the application until later in the meeting as Mayor Jelley was not in attendance. Inn at the Pier – PID # 411124 (9796 Cavendish Road).

Official Plan Amendment:

It was moved by Councillor Clark Dunning, seconded by Council Hryckiwi to rescind Council’s September 21, 2020 and October 13, 2020 resolutions to amend the Official Plan General Land Use Map as set out in Official Plan Amendment 2020-3. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Official Plan Amendment:

WHEREAS an application was received from George, Kenneth and Ian Stewart to amend the Resort Municipality’s Official Plan General Land Use Map to change the designation of a four acre portion of PID # 231639 from Accommodations land use to Commercial land use;

AND WHEREAS Council has considered the following general criteria:

- *conformity with applicable legislation;*
- *compatibility with surrounding land uses, including both existing and projected uses;*
- *community objectives;*
- *changes in technical content; and*
- *water and sewer and other infrastructure plans;*

BE IT RESOLVED that Official Plan Amendment 2021-1, to amend the 2017 Official Plan General Land Use Map by changing the designation of a four acre portion of PID 231639 from Accommodations to Commercial, be hereby formally adopted.

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

Temporary Permit Application:

Ian Stewart, Kenneth and George Stewart – PID # 231639 (Cavendish Road and Simpson Mill Road) - an application was received to hold a wedding on the property on September 4, 2021 from 11:00 a.m. – 12:00 a.m. Awaiting comments from the Department of Health and Wellness, the Provincial Fire Marshal's office and the Liquor Control Commission.

Signage:

Cavendish Services Ltd. (PID # 512871) – an application was received for digital signage in the drive-thru for Tim Horton's for their menu boards of 6' 11/16" and 2' 7/16" and a sign of 6' 11/16" X 6' 1 1/2". It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted subject to: 1) meets all requirements of the signage bylaw. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Walkway:

Cawnpore Lane Trail design and construction costs survey has been approved through the Active Transportation Trail. Route 6 project is in the final review stages with an announcement to be made shortly on the funding.

Other:

Anne's Windy Poplars Cottage Resort – a public meeting will be held on March 15, 2021 at 7:00 p.m.

7.A.1. Public Meeting request for comments following public meeting:

Draft comments were sent to the Council for review.

7.A.2. Sharing Services of a Development Officer:

Awaiting comments from Shari MacDonald at Miltonvale Park on the Development Officer process and the services that they provide the municipality.

7.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for February 28, 2021. The revenues were \$376,272.91 and the expenses were \$368,015.87. It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the monthly finances for February 28, 2021 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

7.B.2. 2021 Budget and 7.B.3. Reserve Funds was tabled until later in the meeting as the Mayor was not yet in attendance.

7.C. Emergency Services Committee:

7.C.1. Emergency Plan:

The plan is being worked on and we are updating the information with a list of property owners that could be available in the event of an emergency as well as some equipment that they might be able to provide.

The Mayor and the Deputy Mayor in the Mayor's absence would oversee the team.

There would be a yearly exercise each year to put in place for the emergency plan to work out the plan with all service providers.

This was currently being done each year with the Cavendish Beach Music Festival Event and the Mayor was the lead for the municipality as part of the team at the sessions

7.C.2. COVID – 19:

CAO's Update:

The municipal office is following all public health protocols and adjusting to all requirements as needed.

Mayor Jelley joined the meeting at 6:45.

Deputy Mayor turned the meeting over to Mayor Jelley.

7.D. Trails and Paths Committee:

7.D.1 Cawnpore Lane Trail and Stanley Bridge Project– Active Transportation:

CBCL is working on the plans for the project and work is expected to be completed prior to March 31, 2021.

Stanley Bridge Project:

Dan Glenn is working on the drawings and trail information as more detailed was requested on the project and costing for it.

Route 6 East to MacCoubrey Lane:

Mayor Jelley commented on a new trail project from the Cavendish Petro Canada to MacCoubrey Lane as the Province had reached out to the municipality about completing this project by the summer of 2021.

The exits and entranceways for each of the properties was discussed and about ensuring that the province understands where each one is located even if there is currently no access being used for an existing property.

Councillor Robinson raised concerns over signage on private properties.

Mayor Jelley advised that if signs are on private properties as was approved, then there shouldn't be any issue with signs needing to be moved, but if signs are located in the highway right-of-way then they will have to be removed as they are not in the proper location on the property.

7.D.2. Route 6 Bike Path:

Alan Aitken is still reviewing the details as the office has been quite busy with development and highway projects.

8. Cavendish Sewer Utility:

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

Sewer Meeting was held on March 12, 2021 to go over the budget for 2021 / 2022 and contract details.

Sewer Budget:

It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the sewer budget revenue of \$425,350.00 and the expense budget of \$425,350.00 for a balance budget be approved as presented.

Discussion:

Mayor Jelley advised that the sewer budget is based on an increase for 2021 as the revenue have been down due to COVID-19 and the decrease in visitation and businesses being closed as well as expenses for maintenance costs as well as repairs to stations being up.

All in favor 6, 1 non-voting. Motion Carried.

Sewer Capital Budget:

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the Capital Sewer Budget revenue of \$353,605.00 and the expense budget of \$353,605.00 for a balanced budget be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

The project funds in the Capital Budget are for LS#4 upgrades.

Mayor Jelley moved back to planning board.

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

Planning Board:

Inn at the Pier – PID # 411124 (9796 Cavendish Road) – an application was received to put in a retaining Seawall on the property. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that that approval in principle be granted subject to: 1) meets the requirements of the Department of Environment and 2) that a comprehensive site plan be provided. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Deputy Mayor Lowther and Councillor Drost returned to the meeting.

Mayor Jelley moved on the 2021 Resort Municipality Budget.

Resort Municipality Budget 2021 / 2022:

Councillor Brammer presented the 2021 / 2022 budget for the Resort Municipality.

It was moved by Councillor Brammer, seconded by Councillor Drost that the Revenues of \$508,769.63 be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

It was moved by Councillor Brammer, seconded by Councillor Hryckiwiw that the total administration of \$263,600.00 be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the total expenses of \$508,769.63 for a balanced budget be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the tax rate remain the same at \$.20 / \$100.00 for non-commercial and \$.30 / \$100.00 for commercial be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

Resort Municipality Capital Budget 2021 / 2022:

It was moved by Councillor Brammer, seconded by Councillor Hryckiwiw that the Resort Municipality Capital Budget for Gas Tax project totals be \$957,156.95 and the municipal projects of \$1,200,000.00 for a total revenue of \$2,167,156.95 and a total expenses of \$2,167,156.95 be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

Reserve Funds:


It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the reserve funds budget of \$555,185.00 be allocated in the reserve funds as shown. All in favor 6, 1 non-voting. Motion Carried.

Sections 9.A. – 11.B.

These agenda items were tabled due to timing of the Public Meeting and that each Council member would distribute any information on their agenda item to the Council following the meeting by e-mail with any further updates.

12. ADJOURNMENT:

Deputy Mayor Lowther adjourned the meeting at 7:00 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO