

Minutes  
Resort Municipality Special Council Meeting  
Monday, October 3, 2019  
5:00 p.m.

The Special Council Meeting of the Resort Municipality was held on October 3, 2019 at the Resort Municipality Office.

**PRESENT:** Mayor Matthew Jelley, Deputy Mayor Linda Lowther, Councillors: George Clark Dunning, and Lee Brammer. CAO – Brenda MacDonald.

**ABSENT:** Bill Drost and Chris Robinson. Kenny Singleton joined the meeting at 5:25 p.m..

**VISITORS:** Nil.

**1. CALL TO ORDER:**

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

**2. APPROVAL OF AGENDA:**

Deputy Mayor Lowther added to the agenda L.M. Montgomery Statue Request.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the agenda be adopted as amended. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**3. DECLARATION OF CONFLICTS OF INTEREST:**

No conflicts of interest were declared.

**4. COMMITTEE REPORTS:**

**\*\*\*Planning Board / Signage (In Camera)**

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 119(1)(f) of the Municipal Government Act. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

*Smooth Coat Drywall:*

*Sid & Marianne Curtis:*

*No decisions were made while in camera.*

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

**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 location by the owner.

Sea Cross Inc. – PID # 232033 (8779 Cavendish Road) – an application was received to change the use of an existing building of 60’ X 46’ from retail into a licensed restaurant. Awaiting information from the architect, engineer, Provincial Fire Marshal’s office and the Department of Health and Wellness.

Sea Cross Inc. – PID # 232033 (8779 Cavendish Road) – an application was received to change the use of an existing building of 50' X 30' from retail into a licensed restaurant. Awaiting information from the architect, engineer, Provincial Fire Marshal's office and the Department of Health and Wellness.

Swept Away Cottages – PID # 624379 (Cavendish Road) – an application was received to construct one 1 bedroom cottages of 30' X 24' with a deck, eight 2 bedroom cottages of 30' X 32' with a deck and three 3 bedroom cottages 36' X 28' with a deck, one laundry facility of 18' X 18', a pool / water building of 20' X 10', and a pool of 20' X 40' with a deck around the pool of 31' X 48'. Awaiting information from the engineer on the Comprehensive Site Plan, Provincial Fire Marshal's office, Quality Tourism Services and the Department of Transportation and Infrastructure Renewal and a decision on the right-of-way.

**Building Permits:**

Helen Stewart – PID # 231662 (Cavendish Road) – the application is tabled until a decision is made on the rezoning application.

**Rezoning Requests:**

**Estate of Brian Stevenson – PID # 232702:**

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council proceed to a public meeting for input on the Rezoning Request. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**Helen Stewart PID # 231662:**

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the request proceed to a public meeting following comments from the Department of Transportation, Infrastructure and Energy on the access. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**Upland Planning and Design Studio – sessions.**

Information was brought forward regarding the upcoming sessions on October 10, 2019 from 2 – 4 and 6 – 8 and the Cavendish Visitor Information Centre.

Board members discussed the process and wanted to ensure that there is enough feedback gathered for the event to get the vision for the future.

**Other:**

The CAO discussed the National Building Code. It will be coming into place in January 2020 for commercial properties and that will include motel, hotels and bed and breakfasts and inns even though they fall under residential occupancy. One story commercial cottages will be the next year.

A request was made by Peter Fullerton that a laminated copy of the zoning maps be made available for each board member. Then each member will have it during the meeting each month and return it to the CAO at the end of the meeting, so that they can follow along where the properties are located that are requesting permits.

**Official plan and Rezoning:**

**4.A.1. First Reading – West Highland Contractors Ltd. Amendment: (Simpson Mill Road) – PID # 231597:**

**Official Plan Amendment Resolution**

**Whereas** an application was received from West Highland Contractors Ltd. to amend the Resort Municipality Official Plan General Land Use Map for a portion of land from Resort Commercial land use to Resort Accommodations 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 2019-1, to amend the 2017 Official Plan General Land Use Map be hereby read a first time.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council amend the Official Plan General Land Use Map to change the designation of a portion of Provincial Parcel # 231597 from the Resort Commercial Zone to the Resort Accommodations Zone. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**4.A.2. First Reading – West Highland Contractors Ltd. (Simpson Mill Road) – PID # 231597:**

**Whereas** an application was received from West Highland Contractors Ltd. for Simpson Mill Road, PID # 231597 for a zoning amendment from the Resort Commercial Zone to the Resort Accommodations zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2019-2 to change the zoning map from (RD4) Resort Commercial Zone to (RD2) Resort Accommodations Zone;

**And whereas** zoning bylaw amendment 2019-2, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a first time.

**Be it resolved that** zoning bylaw amendment 2019 – 2, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a first time.

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that the bylaw amendment to amend the Zoning map to show a portion of Property # 231597 from the current Resort Commercial (RD4) Zone to RD2 (Resort Accommodations) Zone be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**Approval of First Reading:**

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the first reading of the Zoning Amendment for PID # 231597 to change a portion of the land from the current Resort Commercial (RD4) Zone to RD2 (Resort Accommodations) Zone be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**4.A.3. West Highland Contractors Ltd. PID # 694984:**

**First Reading – West Highland Contractors Ltd. Amendment: (Simpson Mill Road) – PID # 694984 – Official Plan Amendment Resolution**

**Whereas** an application was received from West Highland Contractors Ltd. to amend the Resort Municipality Official Plan General Land Use Map for a portion of the land from Resort Campground land use to Resort Accommodations 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 2019-1, to amend the 2017 Official Plan General Land Use Map be hereby read a first time.

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Council amend the Official Plan General Land Use Map to change the designation of Provincial Parcel # 694984 from the Resort Campground Zone to the Resort Accommodations Zone. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**4.A.4. First Reading – West Highland Contractors Ltd. (Simpson Mill Road) – PID # 694984:**

**Whereas** an application was received from West Highland Contractors Ltd. for Simpson Mill Road, for a portion of PID # 694984 for a zoning amendment from the Resort Campground Zone to the proposed Resort Accommodations zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2019-2 to change the zoning map for a portion of the property from (RD3) Resort Campground Zone to (RD2) Resort Accommodations Zone;

**And whereas** zoning bylaw amendment 2019-2, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw was read a first time.

**Be it resolved that** zoning bylaw amendment 2019 – 2, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a first time.

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that the bylaw amendment to amend the Zoning map to show a portion of Property # 694984 from the current Resort Campground (RD3) Zone to RD2 (Resort Accommodations) Zone be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**Approval of First Reading:**

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that the first reading of the Zoning Amendment for a portion of PID # 694984 from the current Resort Campground (RD3) Zone to RD2 (Resort Accommodations) Zone be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**4.A.5. Council Procedures and General Business Bylaw First Reading:**

It was moved by Councillor Brammer, seconded by Councillor Singleton that the first reading be approved. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**Approval of First Reading of the Bylaw:**

It was moved by Deputy Mayor Lowther, seconded by Councillor Singleton that approval of the first reading be approved. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**4.A.6. Sewer Bylaw – Second Reading:**

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the first reading of the sewer bylaw 2019 – MSB – 1 be approved as presented. All in favor 4, 1 non-voting 2 absent. Motion Carried.

**Approval of second reading:**

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval of the second reading be approved as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

**5. Other:**

**Workshop – Stanley Bridge:**

Deputy Mayor Lowther will attend the workshop on October 10, 2019.

Mayor Jelley and Councillor Clark Dunning will attend the workshop on October 24, 2019.

**L.M. Montgomery Statue:**

A request was received from a lady wanting to reproduce the L.M. Montgomery Statue.

Legal counsel is reviewing the documentation along with Kate MacDonald Butler.

**Route 6 Culvert on Route 6 by Clark's Lane and Mariner's Cove:**

Concerns were raised over a washout on the culvert on Route 6 by Clark's Lane and Mariner's Cove Boardwalk.

There is a 36" culvert on Mariner's Cove side of the road and an 18" culvert on the Clark's Lane side.

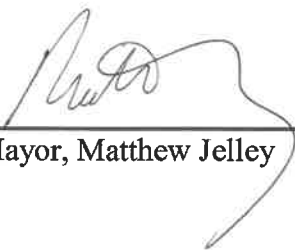
The Department of Transportation will be contacted to have them look into the issue.

**November Council Meeting:**

It was moved by Linda, seconded by George that the monthly Council Meeting for November be changed to November 14, 2019 due to the Mayor and Deputy Mayor being out of province. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

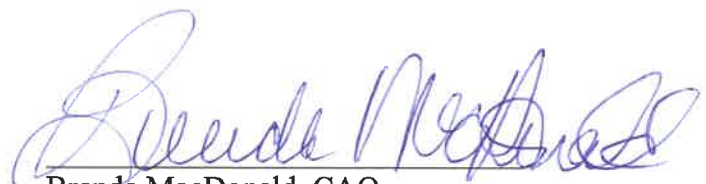
**6. ADJOURNMENT:**

Mayor Jelley adjourned the meeting at 6:27 p.m.



---

Mayor, Matthew Jelley



---

Brenda MacDonald, CAO