

Minutes
Resort Municipality Monthly Council Meeting
July 19, 2021
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on July 19, 2021 at the Resort Municipality Office and electronically with Zoom.

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

VISITORS: In Person: Jim Brown and Ryan Lowther. Zoom: Vic Greenwood, Eddie MacKenzie and Michelle Burge (MRSB).

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:01 p.m.

2. APPROVAL OF AGENDA:

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

3. APPROVAL OF MONTHLY COUNCIL MEETING, JUNE 21, 2021:

It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that the Monthly Council Meeting Minutes of June 21, 2021 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Deputy Mayor Lowther declared a Conflict of Interest under Section 5A for Planning Board – Estate of Brian Stevenson.

Councillor Chris Robinson declared a conflict of interest under Section 5A for planning board for his development permit application.

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

5. COMMITTEE REPORTS:

5.A. Planning Board / Signage:

Rezoning:

Estate of Brian Stevenson - Rezoning Request – PID # 729087 – (Cavendish Road) - An application was received to rezone 10 acres of the land from RR to RD2 as part of the subdivision application request. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that the rezoning request be brought to a public meeting. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Subdivision:

Estate of Brian Stevenson – Rezoning Request – PID # 729087 – (Cavendish Road) – An application was received to subdivide a 17 acre portion of land into 20 lots. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that approval of the subdivision be granted in principle subject to: 1) that a decision be complete on the rezoning request for the property, 2) that the perc tests be completed for the property and meet the requirements of the Resort Municipality Zoning and Subdivision Control (Development) Bylaw, 3) meets the requirements of the Department of Transportation, Infrastructure and Energy for access as well as all requirements for the road for the subdivision, 4) that a final survey plan be provided and 5) payment of subdivision fees or parkland dedication to the municipality. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Deputy Mayor Lowther returned to the meeting.

Ryan Lowther left the meeting at 5:14 p.m.

Councillor Chris Robinson left the meeting due to a conflict of interest.

Development Permits:

Chris Robinson – PID # 1003748 - (8527 Cavendish Road) – an application was received to construct a deck of 12' X 10' X 8' X 5' and to locate a hot tub on it of 6' X 7'. 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 Health and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Councillor Robinson returned to the meeting.

Debbie Godfrey and Glenn Johnston – PID # 627554 (6 Pickering Place) – an application was received to construct a one and a half storey detached garage of 45' X 30' for a craft room, storage, garage and workshop. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) the detached private garage shall not exceed the square footage of the main building on the property and that the maximum lot coverage is not more than 25% of the property. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Temporary / Transient:

Cavendish Beach Music Festival – PID # 1037423 – (8779 Cavendish Road) – an application was received to have an event on the site on August 27 – 28, 2021, from Noon – 11:00 p.m. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that approval in principle 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 Liquor Control Commission, 4) that the RCMP provide feedback on the event, 5) that a comprehensive site plan be provided, 6) that a development agreement be entered into, 7) that a performance bond be posted and 8) that proof of insurance be provided with the municipality named as additional insured. All in favor 6, 1 non-voting. Motion Carried.

It was suggested that the Council review the policy document for Festivals and Events that was completed following a review and comprehensive research and consultations on events.

Marco Polo Land – PID # 232298 (7406 Route 13) – an application was received to have fireworks on the property on July 31, 2021 from 9:00 – 9:30 p.m. (Storm Date – August 7, 2021). 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 Provincial Fire Marshal's office and 2) that the fire department be on site during the event. All in favor 6, 1 non-voting. Motion Carried.

Marco Polo Land – PID # 232298 (7406 Route 13) – an application was received to have fireworks on the property on August 14, 2021 from 9:00 – 9:30 p.m. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office and 2) that the fire department be on site during the event. All in favor 6, 1 non-voting. Motion Carried.

Marco Polo Land – PID # 232298 (7406 Route 13) – an application was received to have fireworks on the property on September 4, 2021 from 9:00 – 9:30 p.m. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that approval in principle be granted subject to: 1) meets the requirements of the Provincial

Fire Marshal's office and 2) that the fire department be on site during the event. All in favor 6, 1 non-voting, 1 absent. Motion Carried.

FIREWORKS PERMITS:

It was moved by Councillor Clark Dunning, seconded by Councillor Drost that any applications for fireworks be processed by the CAO moving forward. All in favor 6, 1 non-voting. Motion Carried.

Eddie MacKenzie:

A new drawing was received from Eddie MacKenzie for the Council's review, asking for the Council to consider his application to be approved in phases rather than the drawing that was presented at the public meeting to be approved at one time.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the original decision on the application by the Council stands and that all information must be completed on the drawing for the development for the multi-family dwelling and the vacant land condominium to be approved. All in favor 6, 1 non-voting. Motion Carried.

If the developer wants the application to be reviewed as a new application, then the process will start at the beginning with a public meeting being called to go through the process from the beginning again.

FIREWORKS:

Planning Board raised concerns over the number of fireworks allowed in the municipality throughout the year and that it appears that more permits are being asked for each year. Planning Board is wondering if this is something the community wants to see. A recommendation was put forward to have it looked at as part of the Official Plan and Bylaw Review.

Firework temporary permits will now be reviewed and approved by the CAO based on all requirements of the Resort Municipality Zoning and Subdivision Control (Development) Bylaw being met.

Walkway:

MacCoubrey Lane Trail - we are waiting for the tender to be completed by the Province.

Cawnpore Lane Trail – we are waiting for comments from Parks Canada and L'nuey as well for the tender to be put out by the Department of Transportation and Public Works.

Stanley Bridge Trail Project is still waiting information from the Province on the trail.

Other:

Official Plan and Bylaw Review Public Meeting will take place on July 21, 2021 6:30 p.m. at the North Rustico Lion's Club. The public must register to attend the event based on CPHO guidelines.

5.A.1. Architect's Act:

Glenda MacKinnon Peters provided information for the Council that was in the package.

The municipality's development permit process remains the same. However, with the new provincial Building Code program, Inspection Services will now be the authority that will deal with the Engineers and Architects on professional design requirements.

The municipal office staff have also checked with the City of Summerside, City of Charlottetown and the Town of Stratford who do all their own building and development permits and they have nothing specific to give to the public on the Architect's Act.

The Town of Kensington, Miltonvale Park, Three Rivers, Alberton, Town of Cornwall and North Rustico issue development permits only. Architect and Engineers Act dealt with by the Province of PEI.

Jim Brown left the meeting at 5:48 p.m.

5.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for June 30, 2021. The revenues were \$83,970.75 and the expenses were \$125,028.15. It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for June 30, 2021 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

Mayor Jelley commented on the deficit being as a result of the CMHC payment that will be coming from the Cavendish Sewer Utility back to the municipality.

5.B.1. Audited Statements:

Councillor Brammer welcomed Michelle Burge to the meeting to present the audited statements.

Michelle Burge presented the audited statements.

Resort Municipality Non-Consolidated Statements:

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the Resort Municipality non-consolidated statements be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

Cavendish Sewer Utility Non-Consolidated Statements:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the Council approve the Cavendish Sewer Utility non-consolidated financial statements concurrently with the Cavendish Sewer Utility's decision. All in favor 6, 1 non-voting. Motion Carried.

Resort Municipality Consolidated Statements:

It was moved by Councillor Brammer, seconded by Councillor Robinson that the Resort Municipality consolidated statements be approved as presented. All in favor 6, 1 non-voting.

Mayor Jelley thanked Michelle for coming to the meeting. Michelle Burge left the meeting at 6:33 p.m. Mayor Jelley moved back to Section 5.C. on the agenda.

5.C. Emergency Services Committee:

5.C.1. Emergency Plan:

The draft document was sent to the EMO office and is under review by Bradley MacIsaac. Once he completed his review he will respond back to the municipal office with any comments.

5.D. Trails and Paths Committee:

5.D.1 Cawnpore Lane Trail – Active Transportation:

The municipality is waiting for approval from Parks Canada and the L'neuey review of the trail project.

The Cawnpore Lane trail project is funded at \$140,250.00 which is 50% of the approved funding costs with the remaining 50% to be paid out by the municipality.

The Department of Transportation is waiting for the Parks Canada and L'neuey review of the project to send out the tender.

Stanley Bridge Trail Project:

The Department of Transportation is still working on some ideas for this portion of the project.

Route 6 East to MacCoubrey Lane and Cawnpore Lane:

The trail project is funded at \$75,000.00 from the Department of Transportation only for the total cost of the project.

The Department of Transportation is waiting for the tender to be put out with the Cawnpore Lane project. It will be done with the tendering of the roadway shoulder projects on Route 6 and 13 as well.

5.D.2. Swimming Rock Steps:

CBCL has provided details to the municipality on the current steps and a proposal for the bank. They are tidying up some notes and having another engineer review the drawings with an expected timeline to have the drawings at the municipal office on July 23, 2021 and to follow to tender after that. The expected timeline for the work to be completed would be Labour Day weekend.

Tom Harland was also sent a letter by the municipality giving him two weeks to respond. No response was received so now a legal letter has been sent through to him by Stewart McKelvey.

5.D.3. Montgomery Park Shelters:

Funding has been approved for the Infrastructure Office at a cost of \$130,326.09 with 40% from the Federal Government at \$52,130.44, 33.33% Provincial for \$43,437.69 and the remainder 26.67 % to be funded by the municipality \$34,757.96.

CBCL has provided a plan on the proposed shelters. Some features have to be updated and notes on the structures from the drawings shown in the package.

Maintenance Staff installed bracing on the three remaining shelters at the upper corners of the post and beam to secure them at the Montgomery Park site.

5.D.4. Speed Signs:

The speed sign stats are in the package. The RCMP have been out ticketing speeding violators in the area.

6. Cavendish Sewer Utility:

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

The rate increase proposal feedback timeline has closed at IRAC on July 2, 2021 and is currently under review by the Board. No comments had been received by IRAC on July 2, 2021.

The sewer utility board is looking for a new board member to replace Vic Greenwood who has stepped down from the Committee.

7. Business Arising from Minutes:

7.A. Student Engineering Projects:

Three projects were submitted to the Faculty of Sustainable Design Engineering at UPEI.

The low level lighting project was approved for second year students. Work is expected to start the first or second week of October.

UPEI is sending a contract and insurance coverage that has to be completed by the municipality for the project. A report will be completed for the first term in December.

End of April there will be a comprehensive report with concepts, designs and prototypes.

The team will complete an end of the year presentation in person or virtually depending on CPHO requirements. There will be ongoing dialogue between the faculty staff, students and the municipality throughout the process.

7.B. Institute of Island Studies:

Logan Dawson completed his report for his project from the Institute of Island Studies on land based irrigation. The report is in the meeting package and a presentation was completed on Zoom of all the projects. Questions were asked from the municipality and the students from various people that participated. Some were from around the world.

A small edit will be made to the document changing the Northumberland Strait for the Gulf of St. Lawrence.

Some discussions were had on looking at future steps for work to be completed on land based irrigation and bringing this forward to CBCL for their information as well.

7.C. Healthy Communities Initiative:

Marcy Boucie was contacted and the CAO is still waiting to meet with her based on her schedule on the Age Friendly Communities.

7.D. Maritime Electric Charging Stations:

Adam MacKenzie from Maritime Electric has provided an update on the charging stations. It is expected that the charging station at the Cavendish Visitor Information Centre will be installed in the fall.

7.E. Community Revitalization Program:

Councillor Drost provided feedback on the possibility of funding for a generator for the Warming Centre at the Visitor Centre. Holly Hinds was contacted in the spring regarding the plans for the Visitor Centre for the next 10 years and to try to arrange a meeting with her on the plans for the building and if the municipality could have a generator for a warming centre.

Holly Hinds was reviewing the information and going to respond back to us but was on vacation until today's meeting. Information will be gathered as well from ACOA on the project with an application to be submitted for the deadline of July 23, 2021.

7.F. Eastlink North Rustico Servicing:

The municipality received an invoice from Eastlink for \$15,600.00 plus HST for costs for Eastlink to service the North Rustico end of the municipality. Eastlink says this is the municipal portion of funding for the project.

Mayor Jelley had talked with Joe Rowledge regarding provincial funding to assist with this project.

As the province was not part of the discussion with Kim Champion at Eastlink, she has advised that the project was to be funded by the municipality and Eastlink as she had been given direction from the Mayor to proceed with the project.

Mayor Jelley will follow up with the province on the project to get clarification.

7.G. Access to Information and Protection of Personal Information Bylaw:

Mayor Jelley read through the document for the Council.

It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that the First Reading of the Access to Information and Protection of Personal Information Bylaw be approved as amended. All in favor 6, 1 non-voting. Motion Carried.

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the approval of the First Reading of the Access to Information and Protection of Personal Information Bylaw be approved. All in favor 6, 1 non-voting. Motion Carried.

8. New Business:

8.A. Active Transportation Network Plan:

There is a list of upcoming sessions in person or on Zoom that people can attend and provide input. Council can sign up directly if they are interested in participating in a session.

The CAO will be attending the session on July 27, 2021 and Councillor Brammer will try to attend as well if time permits.

8.B. Basic Emergency Management Course:

A Beginner Level Course is being offered on an on-line format using the PEI Emo Moodle site. The course takes four hours to complete. Anyone interested in attending can sign up.

9. Concerns:

9.A. Councillors:

Translation of panels:

Deputy Mayor Lowther advised that there were a couple of mistakes in the Japanese translation of the Literary Tour panels and she has gone back to the translator to have her interpret some additional information. More information will be provided at the next Council meeting.

Green Gables Post Office:

Deputy Mayor Lowther advised that Green Gables Post office needs some maintenance work to the fence and the sign. She requested that we find out what is happening with the Post Office since it has now been closed for two years and what the plans are for the site.

Councillor Robinson also commented on overgrown trees at the site that need to be tidied up as well.

A letter will be prepared and sent to the Federal Government and Canadian Museums and copied to Hon. Wayne Easter's office.

Postal Codes:

Councillor Brammer commented on civic addresses for postal codes for the area and getting Canada Post to go with proper civic addresses in each postal code rather than several throughout the area.

A letter will be sent to Canada Post on this matter.

Retirement of Hon. Wayne Easter:

A letter will be sent to Hon. Wayne Easter thanking him for his work in the area throughout his years as MP.

Archway - Always Yours:

Tourism Cavendish Beach has an archway left from the Always Yours Events. They had asked about whether or not the municipality would be interested in using it at the Montgomery Park Site.

It was decided that it may only last this season and would be best to go to a private business as part of the new Love Installation.

Signage – Parks Canada:

Deputy Mayor Lowther commented on signage for Parks Canada at Green Gables being 75 to 80 sq. ft. and that the current signs in two official languages at Cavendish Grove are 24 sq. ft. and 45 sq. ft., so there should be no reason why the new signage at Cavendish Grove could not be smaller.

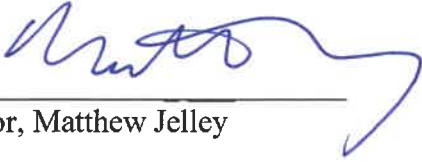
No information has been provided by Parks Canada to the municipality on signage for the Cavendish Grove since the information was sent along on the size of the sign.

9.B. Residents:

No concerns were raised from residents.

10. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 7:15 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO