

Minutes
Resort Municipality Monthly Council Meeting
August 15, 2022
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on August 15, 2022 at the Resort Municipality Office.

PRESENT: Mayor Matthew Jelley, Deputy Mayor Linda Lowther. Councillor George Clark Dunning, Councillor Kay Hryckiw, Councillor Lee Brammer. Zoom – Councillor Chris Robinson.
CAO - Brenda MacDonald and Deputy CAO Heather Hay.

ABSENT: Councillor Bill Drost.

VISITORS: Jim Brown. Zoom – Vic & Moe Greenwood and Lloyd Adams.

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 Hryckiw 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 JULY 18, 2022:

It was moved by Councillor Brammer, seconded by Councillor Robinson that the Monthly Council Meeting Minutes of July 18, 2022 be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

APPROVAL OF SPECIAL COUNCIL MEETING MINUTES JULY 28, 2022:

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Special Council Meeting Minutes of July 28, 2022 be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Deputy Mayor Lowther advised that she had a conflict on the agenda under planning board applications for Fairways Cottages and Cavendish Maples Cottages.

Mayor Jelley advised that if any conflicts arise with a Council member during the meeting to ensure that they raise the conflict and leave the meeting without comment.

5. Michelle Burge – MRSB – Audits:

Mayor Jelley moved on to the planning board report on the agenda as Michelle Burge was not present.

6. COMMITTEE REPORTS:

6.A. Building and Signage Permits:

Follow Up Permits:

Marco Polo Land Inc. – PID # 232298 (7406 Route 13) – an application was received to change 11 sites from 2 way sites into 3-way sites. Awaiting stamped drawings and comments from the Department of Health and Wellness, Department of Environment and the Provincial Fire Marshal's office.

Jamil Dow – Property # 232959 (8544 Cavendish Road) - an application was received to construct an addition of 32' X 28' to increase the retail space on the existing building. Awaiting comments from the Provincial Fire Marshal's Office and meets the requirements of the *Building Codes Act*.

Sea Cross Inc. – PID # 826107 (60 Reid Road) – an application was received to construct an addition onto the existing house of 13' 6 ½" X 12' 2 ½". Awaiting a decision on the sewer and confirmation on the existing septic system having capacity or connection to the municipal sewer.

Sharat and Smita Prakash – PID # (7910 Cavendish Road) - an application was received to add a new parking area 47'4" X 18', a new electrical room in the garage 6'9" X 3'8", building addition 6'10" X 7', new yoga pavilion of 20' X 20', two new three season cottages of 25' X 25' with a deck of 10'w X 39'6"l, new space allotted for new septic tile field 115' X 85', new sauna of 7' X 7', new door and deck on the Inn, new stone fire pit and seating and a new pergola of 25' X 40'. Awaiting comments from the Department of Environment on the septic.

Alexander and Darlene MacKay – PID # 706150 & 706127 (9946 Cavendish Road) – an application was received to have a petting farm on the property along with the construction of two structures, picnic tables and play items for the animals on the property. Awaiting comments from the Department of Health and Wellness, the Provincial Fire Marshal's Office, that confirmation be received on the lot consolidation of the property for the business, that a performance bond be posted, that a development agreement be entered into, meets the requirements of the *Building Codes Act*, meets the requirements of the Department of Agriculture and that the property be rezoned.

AMD PEI Growth Inc. - PID # 232413 (8572 Cavendish Road) – an application was received to add coffee service to the existing retail space and combine retail space 0 and 1 into one space. Awaiting comments from the Department of Health and Wellness, the Provincial Fire Marshal's office and the *Building Codes Act*.

Subdivision Application:

Dale Gallant – PID # 729087 (Cavendish Road) – an application and preliminary plan was received to subdivide the property into 33 lots. Awaiting comments from the Department of Transportation on the road and storm water plan, meets the requirements of the Department of Environment, that all the lots meet the province-wide minimum standards, that a final survey plan be completed, that an Environmental Impact Statement be completed with the storm water management plan and that a subdivision agreement be entered into.

Jennie Macneill – an application and preliminary plan was received to subdivide Property # 232512 (8523 Cavendish Road) into two lots. Awaiting a more detailed plan to be provided, meets the setback requirements for the new boundary lines and that a preliminary survey plan be provided of the property.

Abby Lane PEI Inc. – an application and preliminary plan was received to subdivide Property # 496844 (397 Simpson Mill Road) into two lots. Awaiting information from the Department of Transportation on access, meets all setback requirements for buildings to the property lines and that a survey plan be completed.

Andrew Wigston – (PID #'s 778100 and 806976 - an application and preliminary plan was received to subdivide the properties into three lots from the existing properties to have two single family lots and one hobby farm lot. Awaiting clarification from the owner on the property boundaries, the original farm parcel acreage and boundaries based on the previous survey plan that was approved for the property as well as the zoning of the property for the new proposed boundaries. This may also require a rezoning of the lands proposed to be changed.

Roger Birt Inc. – (PID # 723874 – 138 Eagles Glenn Blvd.) – an application and preliminary plan was received to subdivide the Property into 48 lots. Awaiting information from the Department of Transportation on access, that the perc tests be completed for the property, that an Environment Impact Statement be completed with a storm water management plan. The development is a major development with special permit uses for the development and will require a public meeting to go over the project once the necessary information has been submitted.

Kevin MacNeill – (PID # 410985 - Route 13) – an application was received to subdivide the property into two lots. Awaiting comments from the Department of Transportation on access, a perc test to be completed on the property and a final survey plan to be completed.

Sharon MacNeill – PID # 841049 (MacNeill Lane) – an application was received to subdivide 1 lot off of the main property and consolidate it with PID # 830687 (Kent MacNeill). Application was tabled until the rezoning is completed by the Minister and a survey plan is completed.

Sharon MacNeill – PID # 841049 (36 MacNeill Lane) – an application was received to subdivide 1 lot off of the property for the rental cottages. Application was tabled until the rezoning is completed by the Minister and a survey plan is completed.

Gary & Linda Lowther and Others: - PID # 1144179 – (Cavendish Road) – Awaiting information on a lot consolidation deed to consolidate PID # 645515 with PID # 1144179, that a subdivision agreement be entered into, that a storm water management plan be completed, that the application and survey plan be reviewed by the municipal legal counsel, that the roads meet all requirements of the Department of Transportation, Infrastructure and Energy, meets the requirements of the Department of Environment and that a special permit use be applied for on the triplex lot by the developer for approval of the use requested with a public meeting to gather feedback from adjacent landowners.

Major Development / Special Permit Use:

Dale Gallant – PID # 729087 – a public meeting was held on April 25, 2022 at 7:00 p.m. to gather feedback from adjacent property owners on the proposed development. A decision to be made on the major development and special permit use based on the input received at the public meeting. Awaiting approval of the subdivision application and that a subdivision agreement be entered into with the developer.

Temporary / Transient Use Permit:

AMD PEI Growth Inc. - PID # 232413 (8572 Cavendish Road) – an application was received for a temporary / transient permit for a licensed event on the property on September 10, 2022 from 1:00 – 3:00 p.m. Awaiting comments from the Department of Health and Wellness, the Provincial Fire Marshal's office and the Liquor Control Commission.

AMD PEI Growth Inc. - PID # 232413 (8572 Cavendish Road) – an application was received for a temporary / transient permit for a licensed event on the property on November 19, 2022 from 1:00 – 3:00 p.m. Awaiting comments from the Department of Health and Wellness, the Provincial Fire Marshal's office and the Liquor Control Commission.

Official Plan and Bylaw Review:

Council discussed the official plan and bylaw review and rezoning requests that come into the municipal office until the plan and bylaw review are completed.

Rezoning Request:

Sharat and Smita Prakash – PID # 763755 (7910 Cavendish Road) – an application was received to rezone the property from the current RD2 (Resort Accommodations) Zone to RD4 (Resort Commercial) Zone. 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 if the property owners wish to proceed forward now based on the status of the current official plan and bylaw still being under review. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5. Michelle Burge – MRSB:

Mayor Jelley welcomed Michelle Burge to the meeting.

Michelle Burge presented the Resort Municipality non-consolidated statements.

The standard auditor's report is in the package and the audit has provided a clean bill of health for the municipality.

Councillor Robinson asked about an office building space based on the audit and the financial position of the municipality.

Michelle advised that the municipality pays a littler over \$10,000.00 per year for office rent now and the current lease is in place until 2027. A new office space would be a significant investment for the municipality, but the Council has until 2027 to review it further based on the current lease arrangements and what they would like to do moving forward.

It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the March 31, 2022 Resort Municipality Non-Consolidated Audited Statements be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Cavendish Sewer Utility non-consolidated financial statements:

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that conditional approval be granted by the Council concurrently with the decision by the sewer utility board on the March 31, 2022 Cavendish Sewer Utility non-consolidated audited statements. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Resort Municipality Consolidated Statements:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the March 31, 2022 Resort Municipality Consolidated Audited Statements be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Mayor Jelley thanked Michelle Burge for attending the meeting and presenting the auditor's reports.

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

6.A. Planning Board:

Development Permits:

Cavendish Maples Cottages – PID # 233270 – 43 Hammies Lane - an application was received to demolish the existing cottage on the property. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that the Council approve the application in principle subject to: 1) that the company hauling the cottage shall tarp the materials when removing them from the site, 2) any debris that falls on the road shall be cleaned up by the developer and 3) that ownership of the property be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Subdivision Application:

David MacNeill – PID # 232439 – an application was received to subdivide .36 of an acre off of PID # 232439. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Council approve the application in principle subject to: 1) that the subdivision be completed in accordance with the survey plan and 2) that the lot be consolidated with PID # 232348. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Fairways Cottages - PID # 232348 – an application was received to consolidate .36 of an acre from PID # 232439 with PID # 232348. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Council approval the application in principle subject to: 1) that a lot consolidation deed be provided. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Deputy Mayor Lowther returned to the meeting.

Temporary / Transient Use Permit:

Sea Cross Inc. – PID # 231720 – 9139 Cavendish Road - an application was received to use the field for parking from September 1 – 5, 2022 from 8:00 a.m. – 11:00 p.m. for parking for the final weekend to keep traffic off of the road during the Labor Day Sale. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiw that the Council approve the application in principle subject to: 1) that a temporary permit for parking during the Labor Day weekend be approved for the area. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Scarlett’s Ideal Cottage Life Inc.: PID # 232025 – 8821 Cavendish Road – an application was received to construct two rental cottages. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the application be approved in principle subject to: 1) meets the requirements of the Department of Tourism, 2) meets the requirements of the Provincial Fire Marshal’s office, 3) that a comprehensive site plan be provided and 4) meets the requirements of the Department of Transportation and Infrastructure. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Cavendish Horizons: PID # 729087 – Cavendish Road – an update in information was received from the Department of Transportation on the requirements on the plan for the subdivision. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the subdivision be approved in principle subject to the Department of Transportation and the Department of Environment. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Gladys Pardo & Manuel Sarmiento – PID #737122 - 10 Boyle Crescent – an application was received for a change of use application from a summer cottage into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval be granted in principle subject to: 1) meets the requirements of the Department of Tourism and 2) meets the requirements of the Provincial Fire Marshal’s Office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Official Plan and Bylaw Review:

Additional feedback was sent to the municipal legal counsel for further review on the documents and the planner.

Permits Issued by the CAO:

John Doyle – to locate an accessory building of 16’ X 10’ on the property for storage only at PID # 233510 – 508 Gulf Shore Highway.

Kevin & Lourdes O’Leary – to construct an accessory building of 20’ X 12’ for storage only at PID # 906537 at 105 Forest Hills Lane.

Suzanne & Paul Tobin – to construct a one storey summer cottage of 60’ X 45’8” with a deck at PID # 607838 at 61 Driftwood Lane.

Joshua Garbish – to locate an accessory building of 24’ X 12’ for storage only at PID # 534180 – 73 Stanley Road.

Brian & Vaunda Murray – to locate an accessory building of 20’ X 10’ for storage only on the property at PID # 617274 – 272 Forest Hills Lane.

6.A.1. CBMF After Action Meeting:

The public meeting was held on July 26, 2022 and no further comments were received following the public meeting.

Councillor Hryckiw raised a concern with respect to garbage still around the property from the music festival. Ben Murphy will be contacted regarding the garbage still on site as he was to go to the site to inspect it following the public meeting.

6.A.2. Dog Park Meeting:

The Dog Park Meeting was held on July 26, 2022. There was broad support from those in attendance.

The new Council will review this once they are in power and the committee chair that is named will continue to explore the dog park.

6.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for July 31, 2022. The revenues were \$208,570.91 and the expenses were \$199,112.20. It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the monthly finances for July 31, 2022 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Councillor Brammer asked to move agenda item 9.A. up on the agenda.

Hunter Clyde Watershed Group:

It was moved by Councillor Brammer, seconded by Councillor Hryckiw that \$100.00 be allocated to the Hunter Clyde Watershed Group. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Trout River Watershed Group:

It was moved by Councillor Brammer, seconded by Councillor Hryckiw that \$100.00 be allocated to the Trout River Watershed Group. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.C. Emergency Services Committee:

Councillor Hryckiw commented on upcoming training sessions available through the EMO office.

CAO advised that meetings are being set up with each of the fire departments and we are working on a schedule to meet with them.

6.C.1 Emergency Shelters / Generator:

No update was received from the EMO Office to see if there has been any progress on working to push government and assist the municipality with being able to have a generator at the municipal office building.

6.D. Trails and Paths Committee:

6.D.1. Active Transportation Trail:

Route 6 East has been approved at \$75,000.00. The tender is being prepared to go out with a fall construction date.

7. Cavendish Sewer Utility:

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

Sewer Loans - Awaiting information from Paul Crant's Manager at the Bank of Montreal on the sewer loans as no further information had been provided by Paul.

LS # 4 – Laird Ferguson from CBCL is working on the lift station project with Parks Canada as they are determining if a new review is required based on the footprint at the site and whether it is increasing in size or not.

8. Business Arising from Minutes:

8.A. Literary Tour Panels - translation:

The Mayor received a draft letter from the Deputy Mayor, he will review it and send it along to Harvey Sawler.

8.B. Water Study:

No updates have been provided from Jody MacLeod with CBCL to date.

9. New Business:

9.A. Hunter / Clyde Watershed Group:

This agenda item was discussed earlier in the meeting.

9.B. Municipal Climate Adaptation Needs Assessment:

A questionnaire has been received from FPEIM on a Climate Adaptation needs assessment from FPEIM.

FPEIM is going to choose two communities to work with.

Councillor Brammer will work on completing the questionnaire and perhaps Seawood Estates and Inn at the Pier could be looked at.

9.C. CAO's Holidays:

Deputy Mayor Lowther advised that the CAO's list of holidays were provided to the Mayor and Deputy Mayor.

10. Concerns:

10.A. Councillors:

Councillor Robinson commented on poison ivy along the walkway on Cawnpore Lane and Deputy Mayor Lowther advised that there is also some on the Dunelands Trail.

Mayor Jelley will raise the issue with Parks Canada.

Deputy Mayor Lowther thanked Mayor Jelley and the Council for their work over the last four years.

Mayor Jelley advised that this is the final meeting for the 10th Council for the municipality and again he would like to thank everyone for their contributions and efforts to the community.

Mayor Jelley advised that everyone should be proud of the results of the election and to Council Clark Dunning for getting the second highest number of votes for the election.

The new Council will be sworn in on September 1, 2022 at 5:00 p.m.

Council Committees will be established at the September 19, 2022 Council meeting.

Mayor Jelley advised that there is one new Councillor elected and he looks forward to working with him over the next four years.

Mayor Jelley advised that this was the first election under the new Municipal Government Act and government was getting forms and paperwork prepared as we were going through the election process with the remainder of municipal elections happening in November.

10.B. Residents:

Frank Morrison – An e-mail was received regarding emergency plans at Golf Courses as a golfer had been missing and when he was found had died from taking a heart attack. They are looking for all golf courses to have an emergency plan in place.

Lloyd Adams thanked the Council for their four years on Council and welcomes working with Council over the next four years and congratulated them on the election win. He advised that the Council has left the municipality in a good financial position and looks forward to seeing projects come forward over the next four years.

Vic and Moe Greenwood thanked the Council for their work on behalf of the community.

The CAO thanked Lloyd Adams and Bill Power for their work as witnesses for the election process.

11. ADJOURNMENT:

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



Mayor, Matthew Jelley



Brenda MacDonald, CAO