

Minutes
Resort Municipality Monthly Council Meeting
December 12, 2022
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on December 12, 2022, at the Resort Municipality Office.

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

ABSENT: Councillor Hryckiwi joined the meeting at 5:09 p.m.

VISITORS: Jim Brown.

1. CALL TO ORDER:

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

2. APPROVAL OF AGENDA:

It was moved by Councillor Simpson, seconded by Councillor Robinson that the agenda be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES NOVEMBER 21, 2022:

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the Monthly Council Meeting Minutes of November 21, 2022, be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

No conflicts of interest were declared.

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.

Councillor Hryckiwi joined the meeting.

5. COMMITTEE REPORTS:

5.A. Building and Signage Permits:

Follow Up Permits:

Marco Polo Land Inc. – PID # 232298 (7406 Route 13) – an application was received to locate ten yurts on the property. Awaiting stamped drawings and comments from the Department of Health and Wellness, and the Provincial Fire Marshal's office.

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 requirements of 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 Inn, new fire pit and seating and a new pergola of 25' X 40'. Awaiting comments from the Department of Environment on the septic.

AMD PEI Growth Inc. – PID # 232413 – 8572 Cavendish Road – an application was received to have a snow cone operation on the property where the former coffee snack area was on the property. Awaiting comments from Department of Health, Provincial Fire Marshal's office and a more detailed floor plan to be provided for Department of Health.

Cavendish Maples Inc. – PID # 233270 – 43 Hammies Lane – an application was received to construct a two storey rental cottage of 50' X 44' with decks on the property. Awaiting a septic permit to be provided.

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – an application was received to change the use of the existing building into a food service and retail outlet, to construct a canopy for a beer garden of 20' X 38' and to construct a new kitchen area of 16' X 17'8". Awaiting comments from the Provincial Fire Marshal's Office, Department of Health and Wellness, Liquor Control Commission and the *Building Codes Act*.

Sea Cross Inc. – PID # 232033 – 8779 Cavendish Road – an application was received to change the use of the existing storage building into a bike rental space of 26' X 15'3". Awaiting comments from the Provincial Fire Marshal's Office and Department of Health and Wellness and revised site plan with distances to the structure.

Sharat and Smita Prakash – PID # 763755 – 7910 Cavendish Road – an application was received to construct an animal shed and fence on the property as well as to revise their original plans on the property. Renovations can be completed based on all parking requirements being met for the proposed development, and comments from the Provincial Fire Marshal's Office and the Department of Health and Wellness. Animal Shed cannot be approved until completion of the rezoning application and will need to be completed at that time and meet all requirements of the bylaw.

Temporary / Transient Use Permit:

Cavendish Beach Music Festival – PID # 1037423 – 8779 Cavendish Road – an application was received to have the 2023 music festival from July 5 – 8, 2023. Awaiting comments from the Department of Health and Wellness, Provincial Fire Marshal's Office, Liquor Control Commission, RCMP, a completed site plan for the event, development agreement and performance bond to be posted.

Subdivision Application:

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.

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 listed 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). Awaiting survey plan.

Sharon MacNeill – PID # 841049 (36 MacNeill Lane) – an application was received to subdivide 1 lot off of the property for the rental cottages. Awaiting survey plan.

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.

Les Zielinski – PID # 1011675 – Cavendish Road – to subdivide 4, (5 acre lots) off of the main property. Awaiting additional information from the developer on the lot sizes and perc tests.

West Highland Contractors Ltd. – PID # 694976 – 9095 Cavendish Road – an application was received to subdivide one lot off of the main property of 30' deep X 150' wide to consolidate with PID # 456673. Awaiting drawing from the owner from a surveyor and lot consolidation deed.

Kay and Tony Wakelin – PID # 894741 – 346 Simpson Mill Road – an application was received to subdivide one lot off of the main property. Awaiting an updated survey plan showing the property not being landlocked and a perc test to be completed on the property.

Planning Board Training:

Mayor Jelley attended the meeting to go over the role of planning board for the municipality and included information on the following items:

- Planning Act;
- Municipal Government Act;
- Official Plan;

- Zoning and Subdivision Control (Development) Bylaw;
- Conflicts of Interest;
- General Business Bylaw;
- Robert's Rules of Order;
- Code of Conduct;
- Motions;
- Building Codes Act;
- Development and Building Permits;
- Roles of the Development Officer in issuing permits;
- Roles of the Planning Board Chair;
- Roles of Council in issuing permits;
- Roles of planning board and information reviewed by the planning board in preparation for their monthly meeting;
- IRAC appeals;
- Schedules for planning board and that it is out for the year ahead and for members to be mindful of meeting dates;

Mayor Jelley advised that planning board members can come to the Mayor, Council or CAO at any time if there are any questions as well on any matters or if they are not sure on something.

Peter Fullerton asked Mayor Jelley about infilling on properties and in particular in Seawood Estates.

Mayor Jelley advised that there is a process in place on the development permit application for infilling, but that this is something that can be looked at in more depth during the Official Plan and Bylaw Review that is in process.

Mayor Jelley advised that the Official Plan and Bylaw Review has been a major project as it was looking at a new vision for the community and it has taken some time and we want to get it done right.

Peter Fullerton asked Mayor Jelley if there was an update on the bridge work.

Mayor Jelley advised that an update was sent out about a month ago to the community on the progress on the bridge work. No new updates have been received to date.

Mayor Jelley advised that the Council feels that there is a role for the planning board in the community and the input that they provide on development is valuable.

Mayor Jelley thanked the planning board for their work on the committee and the time that they contribute to planning board for the municipality.

Planning Board Chair Clark Dunning thanked Mayor Jelley for his valuable input and information at the meeting to the planning board.

Development Permit Applications:

Steve Gough – PID # 232553 - 8387 Cavendish Road – an application was received to change the use of the existing summer cottage into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's Office and 2) meets the requirements of the Department of Tourism. All in favor 6, 1 non-voting. Motion Carried.

KMAC Rentals Ltd. – PID # 506177 – Cavendish Road – an application was received to construct 4, one storey rental cottages of 30' X 38' with a verandah and deck. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's Office, 2) meets the requirements of the Department of Tourism and 3) meets the requirements of the Department of Transportation and Public Works. All in favor 6, 1 non-voting. Motion Carried.

Official Plan and Bylaw Review:

Council reviewed the documents provided by the planner and the lawyer and made changes to the documents and updated information to be sent back to the planner for final changes to be made and then sent back to the planning board and the Council for review prior to going to a public meeting.

5.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for November 30, 2022. The revenues were \$479,645.29 and the expenses were \$333,947.66. It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the monthly finances for November 30, 2022, be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

5.B.1. Budget Process:

Meet with Accountant by January 31, 2023, to review information on the yearly finances.

January 31 - February 11, 2023

Plan a public meeting to get feedback from property owners on the proposed budget for 2023 / 2024.

February 28, 2023

Public comments and finances to be reviewed by the Council and a draft budget to be looked at.

February 28 – March 6, 2023

Finance Chair to get a budget prepared for the Monthly Council Meeting on March 20, 2023, for the Council to adopt the budget.

March 31, 2023, Budget to be sent to the Province with tax rate set.

5.C. Emergency Services Committee:

A draft questionnaire was prepared for the Council to review.

The Committee, Deputy Mayor and the CAO reviewed the questions and Survey Monkey has a limit of 10 questions that can be asked.

Councillor Robison will prepare a paragraph to send to the public with the survey and ask that they respond to the survey.

The Committee still has to meet with the New London Fire Department.

A draft contract will be presented to all fire departments once input has been received from all three.

5.D. Trails and Paths Committee:

5.D.1. Active Transportation Project Route 6 East:

The Route 6 walkway will be completed in the spring due to some issues that happened during the project that delayed the schedule.

5.D.2. Active Transportation Project Route 6 Central:

An application was submitted to the Active Transportation Project on the Route 6 Central Trail.

Councillor Robinson questioned if funds could be received from the Destination Management Fund for the walkway project.

Mayor Jelley advised that funding would be looked at from various levels of government as well as the Destination Management Fund.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

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

A meeting was held with Laird Ferguson from CBCL on December 12, 2022, on LS # 4. The utility is waiting for the tender package to be prepared and it is expected to be ready to put out in January 2023.

Parks Canada has provided timelines of when work can't be completed so the engineer is working on dates for that information.

7. Business Arising from Minutes:

7.A. Literary Tour Panels - translation:

A letter was prepared to be sent to Harvey Sawler on the Literary Tour Panels regarding translation issues on the panels.

7.B. Water Study:

A meeting was held on November 22, 2022, at 1:00 p.m. and a breakdown has been provided in the Council meeting package. The next meeting will be scheduled in the new year.

7.C. Web Site:

Technomedia has been working on updating the municipal website.

Some pictures have been sent into the municipal office and a request will be sent out in the next weekly updates again looking for any additional pictures to be sent in.

7.D. New Office Computers:

New Computers were purchased through Dell.

Combat Computers was out to set up the new computers and update all systems.

7.E. Winterizing of Cavendish VIC:

A request was sent to Holly Hinds on winterizing the VIC with the patio doors and windows.

Awaiting a response from Holly Hinds.

8. New Business:

8.A. Legion Command Book:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the municipality buy a business card ad at a cost of \$217.39 plus tax. All in favor 6, 1 non-voting. Motion Carried.

9. Concerns:

9.A. Councillors:

Deputy Mayor Lowther commented on speaking with Minister Darlene Compton about a generator for the Visitor Centre. She thought it made perfect sense for a generator for a warming centre.

The Minister will get back to the Deputy Mayor on this matter.

9.B. Residents:

There were no resident's concerns.

10. "In Camera":

It was moved by Councillor Hryckiw, seconded by Councillor Simpson that the meeting go in camera based on Section 119(1)(e) for agenda items 10.a. and under 119(1)(c) for agenda item 10.b and c. All in favor 6, 1 non-voting. Motion Carried.

10.a. Alexander MacKay and Darlene MacKay:

10.b. Staff Bonuses:

10.c. CAO's Evaluation:

It was moved by Councillor Hryckiw, seconded by Councillor Clark Dunning to come out of camera under section 119(2)(e). All in favor 6, 1 non-voting. Motion Carried.

10.a. Alexander MacKay and Darlene MacKay:

All conditions of the bond have been met so the performance bond will be released.

CAO and Deputy CAO left the meeting.

10.b. Staff Bonuses:

It was moved by Councillor Hryckiw, seconded by Councillor Robinson that the staff bonuses of \$1,000.00 for the CAO, \$600.00 for the Deputy CAO and \$200.00 for the maintenance staff be approved and that this will be the final staff bonus through this process as they will be part of the yearly salary review. All in favor 6, 1 non-voting. Motion Carried.

10.c. CAO's Evaluation:

Council completed the CAO's evaluation.

CAO and Deputy CAO returned to the meeting.

CAO advised that her main item for Council to continue to address is for the safety of staff at the municipal office based on issues that have happened within the last year.

Council agreed that all steps would be taken that they felt are required for safety of the staff at the municipal office and to keep the Council updated on any items that need to be addressed.

11. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 7:20 p.m..



Mayor



CAO