

Minutes
Resort Municipality Monthly Council Meeting
January 16, 2023
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on January 16, 2023, at the Resort Municipality Office.

PRESENT: Mayor Matthew Jelley, Deputy Mayor Linda Lowther. Councillor George Clark Dunning, Councillor Lee Brammer, Councillor Kay Hryckiwi and Councillor Ryan Simpson. Zoom - Councillor Robinson joined the meeting at 5:03 p.m. Brenda MacDonald – CAO, Deputy CAO – Heather Hay.

ABSENT: Nil.

VISITORS: Jim Brown and Sandi Lowther. Zoom: Janet MacDonald and Lloyd Adams.

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 Hryckiwi that the agenda be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Councillor Robinson joined the meeting.

3. APPROVAL OF PUBLIC MEETING MINUTES JULY 26, 2022:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Public Meeting Minutes of July 26, 2022, be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF MONTHLY COUNCIL MEETING MINUTES DECEMBER 12, 2022:

It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the Monthly Council Meeting Minutes of December 12, 2022, be approved as presented. All in favor 6, 1 non-voting. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Mayor Jelley declared a conflict on the application for Scarlet Ideal Country Life Inc..

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. COMMITTEE REPORTS:

5.A. Building and Signage Permits:

Follow Up Permits:

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 stone fire pit and seating and a new pergola of 25' X 40'. Awaiting comments from the Department of Health and Wellness.

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 from the owner.

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 comments from the Provincial Fire Marshal's Office and 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*.

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, 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.

KMAC Rentals Ltd. – PID # 506177 – Cavendish Road – an application was received to construct 4, one storey rental cottage of 30' X 38' with a verandah and deck. Awaiting comments from the Department of Transportation, Infrastructure and Energy on the access.

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 information from the Provincial Fire Marshal's Office, Department of Health and Wellness, Liquor Control Commission, proof of insurance, Development Agreement to be entered into and a 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.

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 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 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.

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 to be received and a perc test to be completed on the property.

Development Permits:

Sandstone Properties – PID # 610030 - 25 Burns Avenue – 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 Councillor Simpson that approval in principle be granted subject to: 1) meets the requirements of the Department of Tourism and the Provincial Fire Marshal's Office. All in favor 6, 1 non-voting. Motion Carried.

Temporary / Transient Use Permit:

Cavendish Beach Music Festival – an application was received to have a temporary / transient use permit for a second event on July 14 – 15, 2023 from 12:00 noon – 11:00 p.m. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that based on the Special Event Guidelines that the application be brought to a public meeting for public input. All in favor 6, 1 non-voting. Motion Carried.

The Graham Inn – an application was received to have a temporary / transient use permit for food service and a liquor license on the property from February 10 – April 30, 2023, for in house guests and day guests. It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiw that approval in principle be granted subject to: 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) confirmation be completed on parking on the property for in house and outside guests, 5) confirmation on the septic capacity for the property with the additional use and 6) confirmation on parking spaces required based on the use of the property. All in favor 6, 1 non-voting. Motion Carried.

Liquor License Request:

Just Johnny's – A request was received to have an extension of hours until 2:00 a.m. during the Cavendish Beach Music Festival July 6 – 8, 2023. It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that approval be granted subject to: 1) that a development agreement be entered into, 2) meets the requirements of the Provincial Fire Marshal's Office, 3) meets the requirements of the Liquor Control Commission and 4) performance bond to be posted. All in favor 6, 1 non-voting. Motion Carried.

Official Plan and Bylaw Review:

Awaiting information from the lawyer and the planner on the bylaw review.

Permits issued by the CAO:

Carrie & Kendall Toombs – PID # 7642 Cavendish Road – to locate solar panels on the roof of the existing house.

Avonlea Village – Lone Oak Brewing:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that a dining room / lounge liquor license from 10:00 a.m. – 12:00 a.m. daily be issued to Lone Oak Brewing. All in favor 6, 1 non-voting. Motion Carried.

Mayor Jelley left the room due to a conflict of interest.

Scarlet Ideal Country Life Inc.:

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 Department of Tourism, meets the requirements of the Department of Transportation, Infrastructure and Energy, 3) that the existing driveway on the East side of the property be removed and the West side be the access only for all cottages and 4) meets the requirements of the Department of Tourism. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Mayor Jelley returned to the meeting.

Other Business:

Animal Control Concern:

Concern was raised by a planning board member on an Animal Control Bylaw.

Council advised that this can be reviewed as part of the process going forward on the bylaw review.

5.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for December 31, 2022. The revenues were \$513,873.86 and the expenses were \$306,402.54. It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the monthly finances for December 31, 2022, be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

5.C. Emergency Services Committee:

5.C.1. Survey Results:

Some additional responses were received on the survey. Chris and Kay will need to sit down and go through the report for the next meeting and provide a summary and stats for the next Council meeting.

5.D. Parks and Recreation Committee:

No updates have been received to date from the Province on the Route 6 Central Trail project.

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 had been provided by Paul.

A tender was sent through from CBCL for review on LS # 4 and a list of items was returned to them for review and updates or corrections on it. Tender is expected to be sent out shortly for quotations.

7. Business Arising from Minutes:

7.A. Literary Tour Panels - translation:

A response was received from Harvey Sawler on the literary tour panels with a table of questions that he is looking for responses to from the municipality. A copy of the information was in the meeting package.

The Mayor and Deputy Mayor will provide a response to Harvey Sawler.

7.B. Water Study:

CBCL is working on gathering information on the water study. Information that was requested by the municipality was sent back to them.

CAO to get an update from CBCL for the February meeting.

7.C. Web Site:

Deputy Mayor Lowther presented the website.

There were a lot of pictures sent though but not all were chosen.

Linda will get Heather Ogg to send the staging page for the CAO to go through.

The search button was questioned and whether it could be added. Deputy Mayor to check into that with Heather. E-mail addresses are not the same throughout the document.

Permit applications and are they fillable. Deputy Mayor to check into that with Heather.

Full paid Acrobat might be needed for the fillable forms. Deputy Mayor to check into that with Heather.

7.D. Winterizing of Cavendish VIC:

A request was sent to Holly Hinds on winterizing the VIC with the patio doors and windows. Staff are coming to the building to complete the work.

Women's Institute will make a decision on staying or disbanding.

The Municipality may start to do events in place of them and should be looked at as part of the budget.

7.E. Christmas Event:

Event went well and lots of positive comments were received following the event as well.

Christmas Visits to Seniors:

The municipal staff also did up treat plates and a wrapped box of chocolates and a Christmas card and hand delivered them to seniors in the area that were alone or sick to brighten the season to a total of 15 homes. The visits and treats were appreciated by the property owners that were visited and the CAO recommends that this should be a yearly tradition in our budget as there is a need for it in the municipality and engaging our seniors.

8. New Business:

8.A. Matt Langille:

Council advised that page 73, detail 4 of the Subdivision Roadway Development Policy be adopted as the standard for private roads in subdivisions and that they be signed off by an engineer for the developer at their expense.

If a developer was to decide on a seasonal road, an engineer would need to provide a surface water management plan for 6 – 20 lots.

6 – 20 lot subdivision discretion to develop a road that meets the basics of the provincial standards to be tested to a particular standard under the supervision of the engineer and would require:

300 mm of select borrow

150 mm of granular base Class A

For a year round subdivision it is not required, but recommended to include the top seal mix and base and would require:

300 mm of select borrow

150 mm of granular base Class A

60 mm of asphalt base Type A
44 mm of asphalt seal mix Type B

8.B. PEI Citizen Advocacy:

A brochure is in the meeting package from the Citizen Advocacy regarding a program they have with pairing up individuals with disabilities in a community. They are looking to see if there is any interest in it in the municipality.

8.C. Strategic Plan Session:

Three places were checked with on prices. It was decided to check with another three locations on prices for a meeting and food and come back to the Council with the information on a location to be chosen for the meeting.

Councillor Simpson advised that the New London Community Complex could be checked with as well.

8.D. Community Services Recovery Fund:

A session was held on January 12, 2023, at 3:00 p.m.

The municipality is unable to apply for funding through this program.

9. Concerns:

9.A. Councillors:

Councillor Robinson commented on dangerous dogs and looking at something in the bylaw for them. CAO will check with FPEIM to see what other municipalities may have in place.

Councillor Robinson asked about the Women's Institute and perhaps there is a way for the Avonlea WI to amalgamate with Stanley Bridge or New Glasgow.

9.B. Residents:

Sandi Lowther commented on the Sterling Women's Institute and that they are doing a lot of things in the area and perhaps the Avonlea WI could join their group.

Sandi Lowther discussed the Cavendish Beach Music Festival proposed second event and the fact that she received information on the event on December 22, 2022, prior to any application being submitted to the municipality and that was going against the Special Event Guidelines.

Mayor Jelley advised that the first step for the second event is to go to a public meeting to get input as per the Special Event Guidelines and that is what the Council has decided tonight.

Mayor Jelley advised that there are nothing in the guidelines to prohibit sending out information on the event as it is not listing any entertainment or other information.

Deputy Mayor Lowther advised that the presentation at the Public Meeting on July 26, 2022, advised that they were planning for an event in September of this year.

Sandi Lowther expressed that she understands that there is a process to follow, but that the developer is going ahead to book rooms and providing information to the public before anything is approved.

Mayor Jelley advised that the Council will follow the process and the next steps which are to go to a public meeting.

10. ADJOURNMENT:

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

A handwritten signature in blue ink, appearing to read "Jelley", written over a horizontal line.

Mayor

A handwritten signature in blue ink, appearing to read "Brenda McDonald", written over a horizontal line.

CAO