

Minutes  
Resort Municipality Monthly Council Meeting  
September 18, 2023  
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on September 18, 2023, at the Resort Municipality Office.

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

**ABSENT:** Kay Hryckiw.

**VISITORS:** Jim Brown. Zoom: Victoria Walton – CBC, Erna Watters and Ben Jelley.

**1. CALL TO ORDER:**

Mayor Jelley called the meeting to order at 5:02 p.m.

**2. APPROVAL OF AGENDA:**

Mayor Jelley advised that legal counsel is not attending the meeting, and a letter has been received for Council's review in camera. Mayor Jelley moved agenda item 5 "*in camera*" legal to agenda item # 11 under "*in camera*" legal and number 11 was moved to number 12 on the agenda for adjournment.

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

**3. APPROVAL OF MONTHLY COUNCIL MEETING AUGUST 21, 2023:**

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the Monthly Council Meeting Minutes of August 21, 2023, be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**APPROVAL OF SPECIAL COUNCIL MEETING AUGUST 21, 2023:**

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Special Council Meeting Minutes of August 21, 2023, be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**APPROVAL OF SPECIAL COUNCIL MEETING SEPTEMBER 6, 2023:**

It was moved by Deputy Mayor Lowther, seconded by Councillor Simpson that the Special Council Meeting Minutes of September 6, 2023, be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**4. DECLARATION OF CONFLICTS OF INTEREST:**

There were no conflicts of interest 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.

**5. COMMITTEE REPORTS:**

**5.A. Building and Signage Permits:**

**Follow Up Permits:**

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. Awaiting an update on the structure from the owners and approval under the Building Codes Act.

Chris Robinson – PID # 1053990 – 8537 Cavendish Road – an application was received for a change of use on the property into a two-bedroom Bed and Breakfast. Access on the property still needs to be widened to meet municipal bylaws and the Department of Transportation's comments.

Wayne and Judy Gallant – PID # 642074 – Cavendish Road – an application was received to construct a one and a half storey dwelling of 42' X 40' with a breezeway of 18' X 14' and a garage of 30' X 40'. Awaiting a final site plan.

Clifton Harding – PID # 999029 – (Angus Campbell Lane) – an application was received to construct a rental cottage of 47'6" X 49'6" with decks. Awaiting septic permit.

Gary Lowther & Others – PID # 1144179 (Lot 9) Jayne's Way. An application was received to construct a single-family dwelling of 53' X 76' that includes decks and a garage. Awaiting information from the Department of Transportation on the change to the survey plan for the one lot approval, a development agreement to be entered into, a performance bond to be posted, a septic permit to be provided and meets the requirements of the *Building Codes Act*.

Gary Lowther & Others – PID # 1144179 (Lot 9) Jayne's Way. An application was received to construct a private detached garage of 36' X 26' for storage only. Awaiting information from the Department of Transportation on the change to the survey plan for the one lot approval, a development agreement to be entered into, a performance bond to be posted and meets the requirements of the *Building Codes Act*.

Gary Lowther & Others – PID # 1144179 (Lot 10) Jayne's Way. An application was received to construct a single-family dwelling of 60' X 80' that includes decks and a garage. Awaiting subdivision agreement with substantial completion of the road to be completed, septic permit for the lot needs to be provided and development agreement to be completed in order for any development to proceed.

**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 survey plan to be provided and approval from the Department of Transportation for the access.

Gary & Linda Lowther and Others: - PID # 1144179 – (Cavendish Road) – an application was received to subdivide the property into 16 lots. A subdivision agreement to be entered into, that the application and survey plan be reviewed by the municipal legal counsel, that the roads meet all requirements of the Department of Transportation, 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.

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.

Roger Birt Inc. – PID # 723874 – Cavendish Road – an application was received to create a 44 lot subdivision. Awaiting an updated survey plan and information from the developer on the plans for the proposed subdivision as well as comments from Department of Transportation and the Department of Environment once the updated plan has been received.

**Temporary Permits:**

Cavendish Beach Music Festival Inc. – PID # 1037423 – 8779 Cavendish Road – an application was received to hold the Cavendish Beach Music Festival on July 4 – 7, 2024. Awaiting comments from the Provincial Fire Marshal's office, Liquor Control Commission, Department of Health and Wellness, that a development agreement be entered into, that a performance bond be posted, that comments be provided by the RCMP, and that proof of insurance be provided.

Cavendish Beach Music Festival Inc. – PID # 1037423 – an application was received to hold the Sommo Event on June 28-29, 2024, from 12:00 noon – 11:00 p.m. It was moved by Councillor Clark Dunning, seconded by Councillor Simpson, 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 Liquor Control Commission, 3) meets the requirements of the Department of Health and Wellness, 4) that a development agreement be entered into, 5) that a performance bond be posted, 6) that proof of insurance be provided and 6) comments to be received from the RCMP. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**Subdivision Applications:**

West Highland Contractors Ltd. – an application was received to subdivide .10 Parcel F off of PID # 694976 and to consolidate it with PID # 456673. Awaiting the owners of PID # 456673 to submit a lot consolidation form and deed for the property and that the final survey plan be completed.

Sharon MacNeill – PID # 841049 - MacNeill's Lane – an application was received to subdivide 5.9 acres off the main parcel and consolidate it with PID # 830687 and an application was received to subdivide 2.47 acres off of the main property. Awaiting a final survey plan, that the owners of PID # 830687 submit a lot consolidation form and deed for the property, that a letter of comfort be provided by Parks Canada and that the proposed subdivision meet all requirements of the bylaw including access to a main street.

**Change of Use:**

RK Holdings Inc. – PID # 1003748 (8527 Cavendish Road). An application was received to change the use of an existing cottage into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that Council approve the application 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.

Alyssa Hartwell – PID # 480285 – (16 Heron Court). An application was received to change the use of a summer cottage into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism, 2) that proof of ownership of the property is provided and 3) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Kay and Tony Wakelin – PID # 894741 (Lot 1) (Simpson Mill Road) An application was received to locate a mini-home on the property. It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Transportation, 2) that the perc tests be provided, 3) that a septic permit be provided, 4) that a final survey

plan be provided and 5) meets the requirements of the Department of Transportation. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**Permits Issued by CAO:**

The list of permits was provided that were approved by the CAO.

**Official Plan and Bylaw Review:**

**Official Plan Resolution:**

**Whereas** the Council of the Resort Municipality has approved the 2023 Official Plan;

**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 2023-RM-5, be hereby approved.

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther, that the Council approve the September 14, 2023, Official Plan. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**First Reading – Official Plan:**

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther, that the Council approve the first reading of the Official Plan. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**Land Use Bylaw Resolution:**

**Whereas** the Council of the Resort Municipality has reviewed the 2023 Land Use Bylaw.

**And whereas** Land Use Bylaw 2023-RM-6, has been reviewed.

**Be it resolved** that the Land Use Bylaw 2023-RM-6, be approved as presented.

It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that the Council approve the September 14, 2023, Land Use Bylaw. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**First Reading:**

It was moved by Councillor Clark Dunning, seconded by Councillor Simpson, that the Council approve the first reading of the Land Use Bylaw. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**5.B. Monthly Finances:**

The Monthly Finances for August 31, 2023, were presented. The revenues were \$281,963.67 and the expenses were \$235,614.02. It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the monthly finances for August 31, 2023, be adopted as presented. All in favor 5, 1 non-voting, 1 non-voting. Motion Carried.

**5.C. Emergency Services and Wellness Committee:**

**5.C.1. New Glasgow Fire Department:**

An e-mail was received from Jason Peters asking about the municipality's AGM as they are looking for additional water resources in the area.

CAO provided an update to Jason Peters on the Municipal processes now under the *Municipal Government Act* and that the information would be sent to the Council for review at their meeting in September.

Council asked for additional information from Jason Peters on what water sources he is looking for exactly as there are a number of locations currently available in the area.

**5.C.2. Emergency Management Training:**

A list was provided of upcoming training programs from the EMO Office and is in the meeting package for Council. Council can advise the CAO if they are interested in taking any sessions.

**5.D. Parks and Recreation Committee:**

**5.D.1 Landscaping:**

Doiron's Landscaping provided a quote on Landscaping Services but they were not available until next year.

The Finance Chair will work with the CAO on costs for a potential second staff person for the next meeting.

**5.D.2. Grahams Lane Research Project:**

A project was completed by a student at UPEI on the solar lighting on Grahams Lane.

At this time, it was decided by the Council that more information is required before a long term solution will be decided on for the trail.

Mayor Jelley advised that Andrew Wigston completed some small tree removal projects for the municipality and he has been asked to do a test area on Grahams Lane to see if his equipment can do the job. Information will be updated at the next Council Meeting.

**6. Cavendish Sewer Utility:**

**6.A. Monthly Updates and Engineering:**

The sewer board continues to work with Paul Crant and his Manager at the Bank of Montreal for the sewer loans and trying to get issues resolved with loans and trying to get signing completed by all board members. Business Customers' bills have been sent out as well as letters to outstanding sewer customers.

**7. Business Arising from Minutes:**

**7.A. Literary Tour Panels:**

Translation has been completed.

Terry, Katsue and Deputy Mayor Lowther have signed off on the panels.

The design and fabrication could be up to \$800.00 per panel not including shipping and installation.

It was moved by Councillor Simpson, seconded by Deputy Mayor Lowther that the Council allocate up to \$5,000.00 for the new panels to be completed. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**7.B. Strategic Plan:**

**1) Energy Independence.**

Councillor Brammer advised that there were no updates on this matter, but he would have information for the next meeting.

**2) Extended Year-Round Activities.**

Councillor Simpson and Councillor Robinson have met and are waiting to meet with Darcy to go over the extended year-round activities for snow shoeing as a possible activity.

**3) Dog Park.**

Councillor Robinson is to come up with a proposal for the Council to review on looking at the potential for realtor services and how this would be completed. He is expected to bring back a proposal to Council on how to implement this service.

**4) Emergency Preparedness.**

Deputy Mayor Lowther advised that Councillor Hryckiw and herself had attended a social for women councillors and Rob Lantz was in attendance and she advised him about the generator issue and the reception centre.

Mayor Jelley agreed to come up with some bullets on the generator discussions and timelines to send to Deputy Mayor Lowther so that she can prepare some information to send to Minister Lantz.

**5) Community Hub / Municipal Building.**

Councillor Brammer and Mayor Jelley are waiting for an update from Parks Canada and Danny Cusack has not yet provided any feedback. A follow up will be sent to Danny Cusack and Holly Hinds.

**6) Wayfinding.**

Deputy Mayor Lowther and Mayor Jelley worked on a modified application as the prices came in too high for the project. The application will now be for the three gateway signs only.

Deputy Mayor Lowther advised that there is no funding left in the Rural Development Fund and that it can be applied for again in the spring. She is also going to make application to the Destination Management Fund.

Deputy Mayor Lowther advised that an application had been submitted previously to the Destination Management Fund and it was not received. A confirmation form should be available to applicants submitting paperwork under the fund.

**7.C. Housing Accelerator Fund:**

Deputy Mayor Lowther advised that the initial application had been submitted and then the program extended the timelines so she is going to go in and submit some additional information before the new deadline.

**8. New Business:**

**8.A. Seniors Secretariat:**

Funding was applied for through this program to have events for Seniors and bring the community together. A grant of \$1,500.00 was allocated to the municipality for funding.

**8.B. Parks Canada:**

An e-mail was received from Jessica Foster with Parks Canada in response to a request from a property owner on vehicles having warning tickets put on them for parking along the side of the road.

Council questioned why a letter was sent through to the municipality regarding the parking concerns. The CAO advised that the property owners know that the letter will be addressed by Parks Canada if the concern is sent through the municipal office.

**8.C. Remembrance Day:**

Services to be held on November 11, 2023.

Funding was received in conjunction with PEI 150 Celebrations so part of the service will be information sharing on the history of PEI.

Ryan and Sarah Simpson are also looking to do a 50min hybrid lecture/recital that we would like to put on within the municipality with donations to be given to organizations selected.

Confirmation to be received from the funders to ensure that there are no conflicts with donations being requested based on the funding parameters for the event.

**8.D. Destination Management Fund:**

Mayor Jelley provided information on the Destination Management Fund and the funding in the plan to date. A meeting of the committee will be held on November 7th.

Deputy Mayor Lowther will follow up with Jillian O'Halloran on the confirmation form on the funding applications.

**8.E. Raspberry Point Oyster Co. Inc.:**

A letter was received looking for support to access funding for roof mounted solar panels at the new plant building under the PEI Climate Fund.

It was moved by Deputy Mayor Lowther, seconded by Councillor Simpson that a letter will be provided from the municipality supporting solar panels. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**8.F. Scent Free Space:**

A policy was drafted for Council on Scent Free Space.

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

**9. Concerns:**

**9.A. Councillors:**

Deputy Mayor Lowther asked the CAO to set up a meeting with the HR committee to do the three month review.

**Speaker / Microphone:**

Councillor Simpson commented on pricing for a speaker and microphone for holding meetings and information in the Visitor Centre.

The CAO will speak with Kevin Blacquiere on speakers and microphones as he has a system that works well in the centre when he comes to do events.

Councillor Simpson and the CAO will have additional information on the costs and what is available for the next meeting.

**9.B. Residents:**

Dede Wilson – information was sent through on the Town of North Rustico and a new large development that is happening as well as concerns about the trees in the National Park and fire concerns.

The municipality has no jurisdiction over the development in North Rustico, so these concerns would need to be addressed with the Town and Parks Canada.

Council has and continues to meet with Parks Canada over the tree issues and concerns over fire risk in the National Park.

Roger Sinclair – sent concerns over the costs and requirements for stamped drawings for tents.

Information was sent to Roger on the *Architects Act* and *Engineers Act* and the requirements by the province for stamped drawings from an engineer for tents. This is not a municipal requirement, but one that the municipality must follow under the Province of PEI.

It was moved by Councillor Simpson, seconded by Councillor Clark Dunning to go in camera in accordance with Sections 119(1)(f) of the *Municipal Government Act*. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

**11. “In Camera”:**

***Legal:***

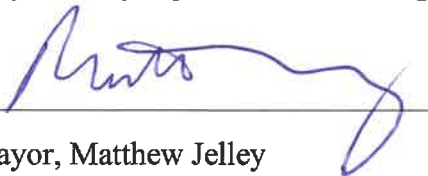
It was moved by Councillor Brammer, seconded by Councillor Simpson to come out of camera in accordance with section 119(2)(e) of the *Municipal Government Act*.

**11. “In Camera”**

**Legal:** Additional information was requested from the legal counsel for the next meeting that will be discussed in camera.

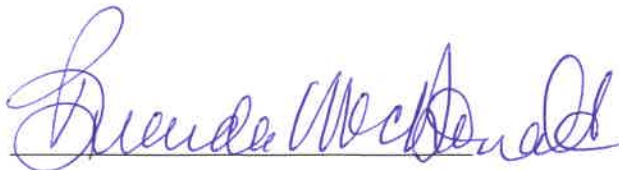
**12. ADJOURNMENT:**

Mayor Jelley adjourned the meeting at 6:42 p.m.



---

Mayor, Matthew Jelley



---

CAO, Brenda MacDonald