

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

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

PRESENT: Councillors: George Clark Dunning, Ryan Simpson, Kay Hryckiwi and Lee Brammer. Zoom: Chris Robinson. CAO - Brenda MacDonald, Deputy CAO – Heather Hay.

ABSENT: Matthew Jelley, Linda Lowther.

VISITORS: Jim Brown. Zoom: Sandy MacKay.

1. CALL TO ORDER:

Councillor Clark Dunning was asked to Chair the meeting in the Mayor and Deputy Mayor's absence.

Councillor Clark Dunning called the meeting to order at 5:00 p.m.

2. APPROVAL OF AGENDA:

It was moved by Councillor Simpson, seconded by Councillor Brammer that the agenda be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING SEPTEMBER 18, 2023:

It was moved by Councillor Brammer, seconded by Councillor Simpson that the Monthly Council Meeting Minutes of September 18, 2023, be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

There were no conflicts of interest declared.

Councillor Clark Dunning 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. 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.

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.

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 17 lots. Awaiting a subdivision agreement being 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, 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.

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 a development agreement being entered into, that a performance bond be paid, that the structures not be occupied or sold until an occupancy permit has been granted and that the Department of Transportation has granted this for one lot only 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 a development agreement being entered into, that a performance bond be paid, the structure shall not be used or sold until a permit has been granted, and that the Department of Transportation has granted this for one lot only and meets the requirements of the *Building Codes Act*.

Based on the updated information for the development to happen on Lot 9 and based on section 4.18 of the bylaw, it is only possible to have one main building on a lot, so Lot 10 cannot proceed at this time until the subdivision agreement is completed and the subdivision is approved.

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 the subdivision being approved, that substantial completion of the road be completed by the developer, that a development agreement be entered into and that the structures are not to be occupied or sold until an occupancy permit has been granted and the road signed off by the Department of Transportation and meets the requirements of the *Building Codes Act*.

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.

Kay and Tony Wakelin – PID # 894741 (Lot 1) (Simpson Mill Road) An application was received to locate a mini-home on the property. Awaiting a final survey plan, meets the requirements of the Department of Transportation, that the perc tests be provided, and that a septic permit be provided.

Roger Birt Inc. – PID # 723874 – Cavendish Road – an application was received to subdivide 44 lots on the property. Awaiting final plans from the developer.

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 final survey plan.

Sharon MacNeill – PID # 841049 - MacNeill's Lane – an application was received to subdivide 5.9 acres off of 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 final plans that meet all requirements of the Zoning and Subdivision Control (Development) Bylaw.

Joan and Gordon Lawson - PID # 427435 (8349 Cavendish Road). An application was received to make alterations to the existing cottage to change a bedroom into a washroom. It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that Council approve the application in principle subject to: 1) a letter be provided from the septic contractor on the existing septic system that it can handle the change of use in the space in the building and 2) meets the requirements of the *Building Codes Act*. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Garth & Kevin MacNeill – PID # 493460 – (15 Isidores Lane). An application was received to change the existing lower deck and expand the kitchen area where the deck was located. It was moved by Councillor Simpson, seconded by Councillor Brammer that Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism, 2) meets the requirements of the Provincial Fire Marshal's office and 3) meets the requirements of the *Building Codes Act*. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Lowther Heights – PID # 1144179 - (Brian's Lane) An application was received to construct a single family dwelling of 71' X 61'8" on the property. Application was tabled as information was not complete on the application and the subdivision is not yet finalized.

Dreams to Sea Inc. – PID # 498170 – (8285 Cavendish Road) – An application was received to construct an accessory building of 10' X 22' for storage only. It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that 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 *Building Codes Act*. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Alexander and Darlene MacKay – PID # 706150 – 9946 Cavendish Road – An application was received to construct a sun shelter on the property of 10' X 12'. It was moved by Councillor Simpson, 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 and 2) meets the requirements of the *Building Codes Act*. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Erroll & Dionne Callbeck – PID # 1805472 – 38 Jems View – An application was received to construct an addition onto the existing unit of 12' X 10'. It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that the planning board recommend to Council to approve the application in principle subject to: 1) meets the requirements of the condo corporation. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

6) **Subdivision Permit:**

John and Rhonda Melanson – PID # 677609 – (16 Pickering Place). An application was received to subdivide the property into two lots.

Based on Section 17.14(2) of the bylaw - where an application to subdivide land would reduce the area, change the dimensions or the Use of a Lot in an existing approved Residential Subdivision Development, Council shall notify all Property Owners within 400 feet of the boundaries of the Lot in writing, informing them of the details

of the application and soliciting their comments. Letters to be sent to adjacent landowners allowing them until November 10, 2023, to provide written comments to the municipality.

Permits Issued by CAO:

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

5.A.1. Municipal Planning Services:

An e-mail has been received from a company that offers planning services. Information only as Samantha Murphy is currently providing planning services to the municipality.

5.B. Monthly Finances:

The Monthly Finances for September 30, 2023, were presented. The revenues were \$312,475.06 and the expenses were \$275,754.68. It was moved by Councillor Brammer, seconded by Councillor Hryckiwi that the monthly finances for September 30, 2023, be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

5.C. Emergency Services and Wellness Committee:

Councillor Hryckiwi has been down helping out at the Food Bank in North Rustico. It is open to everyone to come to.

They are offering a one time slip for \$400.00 to help with heating costs.

They are also looking for donations to help with the heating program, so if anyone is interested in donating, please do so.

They are offering Christmas hampers to the public and anyone can submit their name if they are in need of one. They are looking for elders to go out in the community and reach out to people. They can contact the food bank if they wish to participate.

Access Roads – Campgrounds:

Comments were raised on access roads at the campgrounds.

Information will be sent out on the municipal newsletter once information has been received from Emergency Measures and Tourism PEI to see what they have in place for operators under their departments.

5.C.1. New Glasgow Fire Department:

Additional information will be updated at the November Council meeting as the Mayor was in discussions with Jason Peters with the New Glasgow Fire Department on dry hydrants.

They need year round access to a dry hydrant.

5.D. Parks and Recreation Committee:

5.D.1 Landscaping:

The landscaping at the Swimming Rock work was approved and the removal of steps from the site will be completed.

The landscaping may not be able to be completed until the spring now due to contractors and their availability.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

We are working with Jean MacDougall at the Halifax office of BMO and Yue Yang as our new loans officer at the Charlottetown Branch with BMO.

We are working on having the new loan completed as well as the existing loan at the Provincial Credit Union put into one loan.

Additional information is expected by October 19, 2023, on the updated offer and payment of fees that were charged in error for the loans not being paid out on time due to their error.

7. Business Arising from Minutes:

7.A. Literary Tour Panels:

Awaiting an update on the panels and their completion date.

7.B. Strategic Plan:

1) Energy Independence.

Councillor Brammer advised that until any updates are received on the Visitor Information Centre there is nothing that can be done on the project.

2) Extended Year-Round Activities.

Councillor Simpson and Councillor Robinson will be meeting with Darcy over the next couple of weeks to discuss extended year-round activities for snow shoeing as a possible activity.

3) Dog Park.

Councillor Robinson submitted a draft proposal on the day of the meeting so it was unable to be circulated to the Council for review before the meeting. It will be discussed at the November meeting.

4) Emergency Preparedness.

We are still working on securing a generator for the building and updating property owners on being prepared in the event of an emergency in the area.

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 will work on an application to the Destination Management Fund on Wayfinding signage.

7.C. Remembrance Day:

Remembrance Day Services will be held on November 11, 2023, at 12:30 p.m.

The service will be held on Terre Rouge Lane at the Monument.

Anyone wishing to attend the luncheon must register as we have limited space.

Anyone wanting to lay a wreath should contact the municipal office.

Ryan and Sarah Simpson will complete their Canadian Pipers and Pipe Tunes on the Western Front at 1:30 p.m. immediately following the municipality's event.

8. New Business:

8.A. Maintenance Staff:

Based on costs received for landscaping and maintaining Montgomery Park 7 days a week during the summer months.

Additional maintenance required throughout the community.

Active transportation trails maintenance.

Strategic development initiatives to be completed.

Ongoing upgrades to benches, walkways and garbage cans.

It was recommended that an additional maintenance staff person should be budgeted for in the 2024 / 2025 budget.

8.B. Maintenance Vehicle:

The maintenance staff raised concerns over a vehicle for hauling maintenance equipment by the municipality as his truck was getting old and requires a lot of maintenance.

The municipality needs to haul equipment throughout the community daily including lawn mowers, trailers, and supplies.

The liability of use of personal vehicles of staff for maintenance.

The hiring of a potential second maintenance person.

The yearly budget being around \$4,600.00 for maintenance travel expenses.

It was recommended that funds be looked at in the 2024 / 2025 budget for the purchase of a secondhand vehicle.

8.C. Sound Equipment:

The municipality needs its own sound equipment for hosting meetings and events.

It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that up to \$1,600.00 be spent on a sound system. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

9. Concerns:

9.A. Councillors:

Councillor Simpson raised concerns over a streetlight out by Bruce and Susan Simpson's property.

Maritime Electric had been contacted on the matter as the lighting was moved as a result of the bridgework and has to be fixed.

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9.B. Residents:

Sandy MacKay raised concerns over the new bylaw and the costs that will be required for people to get plans completed.

The CAO advised that the province already requires plans for commercial drawings and there are also more stringent regulations in place now with the Province on lands that are in or around wetland and watercourse areas since Fiona. The current bylaw also requires comprehensive site plans to be provided for properties so this is not something that is new.

It was moved by Councillor Simpson, seconded by Councillor Hryckiwi to go in camera based on section 119 1(d) and 1(f) of the Municipal Government Act. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

10. "In Camera":

HR Committee:

Unsightly Property:

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

HR Committee: It was moved by Councillor Simpson, seconded by Councillor Hryckiwi to approve the recommendations of the HR Committee. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Unsightly Property: It was moved by Councillor Simpson, seconded by Councillor Hryckiwi that the Council send a letter to the property owner regarding the Unsightly Property and allow them until November 10, 2023, to clean the property. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

11. ADJOURNMENT:

Councillor Clark Dunning adjourned the meeting at 6:13 p.m.



Mayor, Matthew Jelley

CAO, Brenda MacDonald