

Community of Miltonvale Park

COUNCIL MINUTES

Milton Community Hall

7:30 p.m., Wednesday, October 19, 2016

PRESENT: Chair Hal Parker, Councillors Tamsyn Cosh-MacKenzie, Philip Hooper, Helen Shaw, Denise MacDonald-Vail and Sheila Curtis; Administrator Shari MacDonald

ABSENT: Councillor Sheila MacKinnon

1. **CALL TO ORDER** – Chair Hal Parker called the meeting to order at 7:32 p.m.
2. **PRESENTATION OF AGENDA** – The agenda was circulated to Council previously.
3. **INTRODUCTION OF ADDITIONAL AGENDA ITEMS**

Motion 2016:91 - Moved by Councillor Tamsyn Cosh-MacKenzie and seconded by Councillor Helen Shaw **that Council approve the agenda with the addition of “Appreciation Night”** under Christmas Activities. Motion carried.

4. DISCLOSURE OF PECUNIARY OR OTHER CONFLICT OF INTEREST

Councillor Hooper will reclude himself from the discussion and vote on the annual grant to the Milton Community Hall.

5. APPROVAL OF MINUTES

Motion 2016:92 – Moved by Councillor Phil Hooper, seconded by Councillor Denise MacDonald-Vail **that the minutes of September 21, 2016 be approved as circulated.** Motion carried.

6. PRESENTATIONS

No presentations were scheduled.

7. BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS

- a. **Communities 13 AGM** - The chair and administrator attended the Communities 13 AGM. Operations and finances are going well. Don Aitken was named the representative for Miltonvale Park again. If Brian Dollar is still interested, there are still openings on the board.
- b. **Notional Gas Tax/Internet** – Eastlink is currently pricing the area; for 960 MB service, and expect to have a price within a month. Wicked Eh are still interested in moving ahead with an internet servicing project.
- c. **THREE for MVP** –No applications have been received for events or funding.

- d. **Community Pasture** –The contract has been signed by Earl Hambly. The soil has not yet been tested.
- e. **FPEIM** –The semi-annual general meeting will take place on Saturday, October 22 at Credit Union Place, Summerside. Topics include the Charlottetown Youth Retention Initiative; the new Toolkit for Municipal Restructuring; revenue sharing and an update and roundtable discussions on the Municipal Government Act, as well as entertainment by storyteller Dennis King. Chair Parker, Councillor Shaw and the administrator are registered. A door prize with a value of \$25 will be purchased, and a THREE for MVP water bottle will be included.

f. **Infrastructure**

i. **Provincial Infrastructure Fund**

Motion 2016:93 - Moved by Councillor Tamsyn Cosh-MacKenzie and seconded by Councillor Helen Shaw **that Council accept Provincial Infrastructure Funding of \$5000 for fencing at the Community Park.** Motion carried.

Motion 2016:94 - Moved by Councillor Tamsyn Cosh-MacKenzie and seconded by Councillor Helen Shaw **that Council authorize the Chair, Administrator and Finance Chair to review the estimates and chose the best suppliers for the fencing/tennis/pickleball project..** Motion carried

ii. **Canada 150 Community Infrastructure Program -**

Motion 2016:95 - Moved by Councillor Philip Hooper and seconded by Councillor Tamsyn Cosh-MacKenzie **that Council accept the Canada 150 Community Infrastructure Program funding of \$21,218.85 for up to half the costs to establish tennis/pickleball courts.** Motion carried

Council reviewed field measurements and decided to reduce the football field to regulation U 12 size (50x80 yards) to allow for adequate area between the field and courts, and to preserve the mature trees on site. Council preferred the option of tennis court fencing which was 10 feet high on the ends and 6 feet high on the sides.

- g. **Website** – No further progress has been made regarding revising the website.
- h. **Cooperation/Amalgamation** –No further meetings have been scheduled. It is believed that some of the communities on the other side of Cornwall are discussing cooperating in a smaller group, with about half of the communities which had been meeting.
- i. **Canada 150 –Community Foundation of PEI** -The Community Fund for Canada’s 150th is a small grants program that will support grassroots community initiatives to encourage participation in community activities to mark Canada’s 150th anniversary of Confederation; to inspire a deeper understanding about the people, places and events

that shape our country and our communities; or build vibrant communities engaging all Canadians. It requires 50% other, or in-kind, funding.

Motion 2016:96 – Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Philip Hooper **that the Community of Miltonvale Park authorize administrator Shari MacDonald to apply to the Canada 150 Community Foundation of PEI, for a project involving youth and seniors in the community to provide opportunities to come together, celebrate our shared heritage, and compile and produce a multi-media record of stories of the history of the Community of Miltonvale Park to commemorate the 150th anniversary of Canada.** Motion carried.

Motion 2016:97 – Moved by Councillor Denise MacDonald-Vail, seconded by Councillor Tamsyn Cosh-MacKenzie **that the Community of Miltonvale Park authorize administrator Shari MacDonald to apply to the Canada 150 Fund, through the Department of Canadian Heritage, for a project involving youth and seniors in the community to provide opportunities to come together, celebrate our shared heritage, and compile and produce a multi-media record of stories of the history of the Community of Miltonvale Park to commemorate the 150th anniversary of Canada.** Motion carried.

- j. **Bus service** – Council had been approached by residents in the Meadowvale Community regarding whether it would be possible for the transit bus to travel the Royalty Road. T3 Transit had noted they were at their maximum capacity; however, they recently acquired ten additional busses. The administrator was requested to contact Mike Cassidy at T3 Transit to see if the situation had changed.
- k. **Municipal Government Act** - The Province is seeking feedback on the Draft Municipal Government Act. (<https://www.princeedwardisland.ca/en/service/municipal-government-act>). No feedback was forthcoming at the meeting.

8. CORRESPONDENCE -

- a. **Requests for donations** were received from Springvale WI (for \$200 for donations to the Central Queens healthy snack program and the Bluefield High school breakfast program), the North Milton WI for \$200 to celebrate the 70th anniversary of the branch on November 18, from the South Milton WI for the flowerbeds at the intersection of Rte 2 & 7 and for WI projects. All were allowed within Council's Donation and Gift Policy.

Motion 2016: 98 Moved by Councillor Philip Hooper, seconded by Councillor Denise MacDonald-Vail **that Community of Miltonvale Park donate \$200 each to the Springvale, South Milton and North Milton WI Branches.** Motion carried.

- b. A request for donation was received from the Milton Community Hall for a \$1500 donation for the parking lot lighting project. Finance Chair Phil Hooper excused himself from the discussion.

Motion 2016: 99 Moved by Councillor Helen Shaw, seconded by Councillor Tamsyn Cosh-MacKenzie that **Community of Miltonvale Park donate \$1500 to the Milton Community Hall, in accordance with the Donation and Gift Policy.** Motion carried.

- c. The City of Charlottetown is hosting a free **Green Stormwater Workshop** - October 25, from 9 -12 at the Rodd Charlottetown. For more information <http://www.sustainableprosperity.ca/>. Information will be forwarded to Councillor Cosh-MacKenzie in the event she can attend.
- d. The deadline to apply for the **National Disaster Mitigation Program** is October 31, 2016. Funding is available for risk assessments, flood mapping, mitigation planning and investments in non-structural and small-scale structural mitigation projects. No projects were suggested.

9. REPORTS

A. Environment and Community Living

- a. **Watershed Update** --The Cornwall and Area Watershed Group (CAWG) met October 12, 2016. They are participating in a byways project in the development beside Hyde Pond. They have been asked by a local school to apply for a solar project. Scott Rolston is monitoring the watershed levels and has started electrofishing. There are plans to stock the North River with fish. The HSP project also includes REDD surveys. The board is also preparing a contract for the coordinator.

b. Seniors Projects

- 1. **New Horizons for Seniors Program** –The chair yoga has started on Wednesday mornings, with 12-14 attending. Fourteen attended the first mindfulness class (10 non-residents), with several others still planning to participate. The Healthy Eating classes are scheduled for Tuesdays at 6:30 p.m.: November 1 “Cooking for One or Two; November 22 - Festive Dishes to Make Ahead; and January 24 - New Ways with Winter Vegetables; No dates have been set yet for the community kitchens and craft days with the 4-Hers.
- 2. **Play for 2016-17** – Auditions for people interested in being in the community play are scheduled for 7:00 p.m. on October 25 & 26.
- 3. **Exercise Classes** – Fitness classes began the first week in October; daily attendance is around 12-14.

- c. **Community Park** – The park will be winterized and closed as late in the season as possible. The washroom will be locked and gate closed for Halloween.

Motion 2016: 100- Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Denise MacDonald-Vail that **Community of Miltonvale Park pay Joanie MacKinnon \$400 for garbage disposal and park oversight for the summer.** Motion carried.

d. **Halloween** –The Community party will take place from 2-4:00 p.m. on Saturday, October 29, 2016 at the Milton Community Hall. Six children have pre-registered already, with four of them being pre-school age. Councillors Cosh-MacKenzie and MacDonald-Vail will assist. Chair Parker offered that Parker Realty could be contacted to sponsor the party.

B. **Emergency Measures** – The EMO office will hold a Hazard Risk Assessment with council on Wednesday, November 23 from 6:30-9:30 p.m. This will assist in both identifying and prioritizing possible hazards in the area. Council members will review a list of questions dealing with natural or man made events and how that would affect both municipal infrastructure, businesses and residents. The fire chief from North River Fire Department could also be invited, to share his unique insight into vulnerabilities concerning fire or hazardous goods issues. Responses will be scored and a report will be completed by the EMO office.

C. **Finance/Payment of Accounts**

a. **Remittance** –The Receiver General is now paid quarterly. The remittance from July-September 2016 was paid in early October.

b. **Reports and Payment of Accounts** –The financial statements were circulated before the meeting. There have been no unusual expenditures.

Motion 2016: 101 - Moved by Councillor Philip Hooper, seconded by Councillor Sheila Curtis that **Community of Miltonvale Park approve the financial statements for September 2016.**
Motion carried

c. **Insurance** –The Finance committee is still planning to do a Request for Proposals for the community's policy which expires in mid-March, 2017/ Cooke Insurance invited representatives from Miltonvale Park to attend a JLT Municipal Insurance presentation on Loss Control & Insurance Issues Facing Municipalities at 9:00 a.m. October 25, 2016 at the West Royalty Community Center. The administrator is planning to attend.

D. **Personnel** The administrator's hours are slightly under 24 hours/week at this point in the year. The hours for the past month were circulated.

E. **Planning Board**

1. **Permits Issued Since Last Planning Board Meeting** - The following permits were recently issued:

i. **Permit No. 2016-17** was issued on 2016-09-19 to Parcel 0281691 at 813 Rustico Road to erect a 1,200 square foot agricultural building (machine shed).

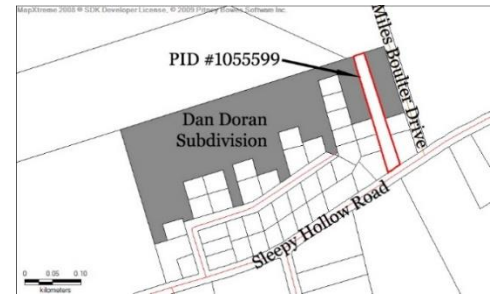
ii. **Permit No.2016-18** was issued on 2016-09-19 to Parcel 0281691 at 813 Rustico Road to erect a 672 square foot barn.

iii. **File No. MPS-245** was approved on 2016-10-03 at 804 Rustico Road for Parcel 0281618 and involved final approval to a revised plan to subdivide 10.01 acres, to correct the plan to the written description which was used to draw the map. It had been altered slightly by the lawyer many years ago, shortly after the original plan was approved.

2. Applications

- i. There no further developments in the following files: #MPS-279, MPS-280 & Rezoning (Andrew Frizzell); the Coffee Compost File (O'Halloran); Applications #MP-0914 & MP-0934—(O'Halloran) and its request for IRAC to act.
- ii. **Application #MP-0988—Cody & Shanna Farrell** -The Applicants had applied to permit a 1184 square foot mini home as an “accessory apartment”. In July, Council approved variances to permit an accessory apartment of up to 960 square feet and to permit three accessory buildings on the parcel. The Applicants subsequently appealed to The Island Regulatory and Appeals Commission, and staff has provided the file information to IRAC, as requested. The Appellants will file their submission by the end of October. Options include advancing to a hearing or holding mediation to determine if the matter can be resolved without going to a hearing. Planning Board and Council preferred continuing with the IRAC process. The applicants have recently written to ask if the community knew of any other options open to them, and for clarification regarding subdivision.
- iii. **Application #MP-0976—Trevor Pyke & Rhonda Gallant** -The Applicants erected an accessory building on their parcel without a development permit in the summer of 2015. The matter went to the Supreme Court. On October 7, 2016, the court found in Council’s favour, and awarded costs to the Community. Lawyer Johnathan Coady is preparing a submission regarding costs.
- iv. **Application #MP-0987—Trevor Pyke & Rhonda Gallant** -The Applicants applied for a development permit to erect a greenhouse; however, its size exceeded the maximum size permitted in the bylaws, and the permit was denied as it was submitted. Lawyer Jonathan Coady recommended that Council take no further action until Application MP-0976 was decided by the Supreme Court.
- v. **Application #MP-0993—Cory & Jill Gallant** -The applicants applied for a 4,000 square foot “resource industrial use” building at 1214 Loyalist Road for an existing forestry business. A revised drainage plan will be required due to the driveway position. Staff is awaiting confirmation of compliance with the Architects Act, and has previously been authorized by Council to issue the permit once all requirements are met and Planning Board approval is given.

vi. **Alexius McQuaid/Dan Doran Subdivision** -The subdivision was approved in the mid-1970s, and most remains undeveloped. Parcel #1055599 was apparently subdivided from the parent parcel without benefit of subdivision approval and is not recognized by the Community as an independent lot. It is 66 feet wide and likely did not meet development standards at the time, nor does it today, therefore; it is doubtful Council could issue a development permit for a building on the parcel. There is concern that Council may assume liability by not addressing the issue. Planning board discussed options for obtaining advice without incurring significant legal costs, as any errors which may have occurred were not those of Council. Staff were instructed to proceed with obtaining advice or cost estimates, through Council's insurance company, the FPEIM Legal Advice Program, or by asking our lawyer for an estimate to address the issue.



vii. **Other Applications, Inquiries**

1. Additional information has been requested for Application #MP-0992 for an addition to a single detached dwelling at 793 Rustico Road, North Milton.
2. An inquiry was received about subdividing a parcel on the Rustico Road, but it is believed the Provincial Collector Highway Regulations would prohibit the subdivision. An inquiry was also received about building a barn to house 40-50 beef cattle.
3. Another resident inquired about the possibility of Council assisting in a boundary dispute with a neighbouring land owner, and that a building had been moved approximately five years but was advised the boundary dispute was a civil matter and that the second issue occurred too long ago to pursue.
4. A real estate agent inquired about using Parcel #283267 for commercial purposes (snow clearing business). The sale is conditional on confirmation the parcel is zoned Commercial; however, it is zoned Agricultural. The agent is following up with the purchaser.

Motion 2016: 102- Moved by Councillor Denise MacDonald-Vail, seconded by Councillor Helen Shaw that **Community of Miltonvale Park send a registered letter to Allan Weeks Real Estate to confirm the “Agricultural” zoning for Parcel 283267.** Motion carried.

5. An application made for a mini home on the Crabbe Road to be placed on sauna tubes, with the intent to grade the lot so that water flows around the mini-home, and would like Council to waive the requirement for a signed drainage plan. Council reviewed the bylaw, and confirmed that a signed drainage plan would be required by the bylaw.

3. Proposed Municipalities Act

The Council Chair, Administrator & Development Officer attended an open house hosted by the Municipal Affairs Section of the Department of Communities, Land & Environment in late September. Municipal Affairs staff and Minister Robert Mitchell made a presentation and answered several questions. Some smaller communities were vocal against amalgamation. The Province is still accepting feedback on the draft Act.

F. Report from Staff – The administrator will be completing the newsletter, working on seniors projects, the RFP for the website, the tennis/pickleball project, gathering internet information, and organizing the Halloween party.

10. BUSINESS

- a. **Celebrate Canada Funding** – The deadline to apply for funding is November 21. Councillors were asked to consider if there would be any special activities to commemorate Canada’s 150th birthday. Brainstorming included distributing Canada Day hats, holding a special logo contest, having a drone take a special 150 photo, or having an art contest. A decision will be made at the November meeting.
- b. **Christmas** –As Council is not holding the decorating contest this year, they will encourage people to decorate. Council Appreciation Night will be at the Top of the Park, either on Friday, November 25 or December 9. It was hoped that we could be accommodated at one large table. Chair Parker offered to make the reservation.

11. NEXT MEETING DATE – The next regular Council meeting is scheduled for Wednesday, November 16, 2016 at 7:30 p.m.

12. ADJOURNMENT

Motion 2016:103 - Moved by Councillor Denise MacDonald-Vail that the **meeting be adjourned**, and Chair Harold Parker declared it so at 8:56 p.m.

Chair

Administrator

Date approved