

**Rural Municipality of Miltonvale Park Council
DRAFT MINUTES**

Milton Community Hall

7:30 p.m., April 21, 2021

Present: Mayor Hal Parker, Councillors Paul Poole, Phil Hooper, Spencer MacDonald, Tamsyn Cosh-MacKenzie, Andrew Frizzell and Lindsey Rhynes; CAO Shari MacDonald

1. CALL TO ORDER

Mayor Parker called the meeting to order at 7:31 p.m.

2. DECLARATION OF CONFLICT OF INTEREST

There were no conflict-of-interest issues identified.

3. APPROVAL OF AGENDA

Motion 2021:38 – Moved by Councillor Phil Hooper, seconded by Councillor Lindsey Rhynes that **the agenda be approved**. Motion carried, 6-0.

4. PUBLIC PRESENTATIONS/PETITIONS/DELEGATIONS

There were no presentations scheduled.

5. ADOPTION OF MINUTES

Motion 2021:39 - Moved by Councillor Spencer MacDonald, seconded by Councillor Tamsyn Cosh-MacKenzie that **the Regular Council Meeting minutes of March 17, 2021 be approved with the correction of a typo**. Motion carried, 6-0.

6. BUSINESS ARISING FROM THE MINUTES

- i. **Investing in Canada Infrastructure Program (ICIP)** -The CAO is working towards the April 30, 2021 deadline to apply for the Hall elevator and the widened shoulder on the road between Meadowvale Park and the Community Park.
- ii. **Bylaws** – There has not been administrative time available to deal with updates to select bylaws after recent changes to provincial legislation. (Election Bylaw, Procedural Bylaw and Record Retention Bylaw)
- iii. **MRSB** can audit the Annual Expenditure Report if the necessary information is received at their office by early May.
- iv. **Summer Students** -Funding applications were made for three Post Secondary Student Positions. There have been no decisions yet from the Canada Summer Jobs and Jobs for Youth funding applications.

1. READING OF CORRESPONDENCE

- a. There was a request from a resident for the municipality to consider **seniors' activity bursaries**. The municipality provides significant seniors programming. The Child Bursaries were introduced as the municipality did not provide youth programming. The request could be considered when the 2022-23 budget is being drafted.
- b. A request was received from a resident for copies of **Development Bylaws from 1981-2005** inclusive. The CAO posted them on the website so they are now accessible to all who may be interested.
- c. Recreation PEI -June is **Parks & Recreation Month**. The theme is Nature Education for All Ages, so Recreation PEI is compiling and promoting a list of all the nature-based activities that organizations are planning for June. Details for any events are requested by April 30, 2021.
- d. **FCM** – The FCM Annual Conference will be held virtually from May 30-June 4, 2021. The early bird registration deadline is April 23, 2021, with reduced fees of \$600 or \$135 for a student. No councillors were available to attend the virtual conference.
- e. **National Pharmacare** – MP Peter Julian asked for support for a petition regarding a recently defeated Private Member's Bill C-213, An Act to Enact the Canada Pharmacare Act. If individual Councillors are interested, they could sign the petition.
- f. Ethelo – was hosting an eDemocracy webinar on Thursday, April 22nd on **Practical Lessons from the Frontlines of the Climate Emergency**.
- g. Earth Day Canada is holding a cross-Canada **EcoHack-a-city initiative**, comprised of virtual events to develop solutions to environmental issues facing Canadian Municipalities. Moncton is hosting the first free virtual public session on Thursday, April 29th from 12:00-1:30 p.m. to explore small-scale green energy solutions. Information is available [here](#).
- h. **FPEIM**
 - i. The videos from the recent **CAO education and training** sessions are now available on the FPEIM website - <https://fpeim.ca/municipal-cao-education-and-training/>.
 - ii. Councillor Poole attended a webinar on the **Maritime Electric Municipal Solar Project** on Wednesday, April 21, 2021. Maritime Electric is investigating locations with cleared land not in agricultural production, and large enough for a significant portion of the approximately 20-megawatt solar farm. They need 70-80 acres for a 10-megawatt installation. The municipalities involved would own 90% of the farm, with Maritime Electric retaining 10% ownership. The initial contribution and interest would be paid back over 25 years. Maritime Electric would recommission the land when the solar farm is no longer viable. Possible sites within the municipality were discussed. Municipalities must make their intentions known by April 30, 2021.

Motion 2021:40 - Moved by Councillor Paul Poole, seconded by Councillor Tamsyn Cosh-MacKenzie that **the Municipality continue to investigate participation in the Maritime Electric Solar Project**. Motion carried, 6-0.

- iii. The **2021 FPEIM virtual annual meeting** will be held on Monday, April 26, 2021 from 9:30 am – 2:30 pm. The registration fee is \$60 + HST for FPEIM members.

Motion 2021:41 - Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Phil Hooper that **the Municipality pay registration fee for CAO Shari MacDonald to attend the FPEIM annual meeting**. Motion carried, 6-0.

- i. The Green Municipal Fund launched a \$167 million **Community Buildings Retrofit** initiative to help Canadian municipalities and not-for-profit organizations retrofit existing community facilities, such as arenas, pools and libraries, to significantly reduce GHG emissions, and are hosting a webinar on Wednesday, April 28, 2021.
- j. **TELUS Security** is planning a webinar to help municipalities address security concerns and are asking municipalities to share concerns regarding cyber attacks with FPEIM before a webinar in late May.
- k. A new list of the approved suppliers was received from the **Rural Municipalities of Alberta buying program**.
- l. **Falun Dafa Canada** requested a Proclamation to recognize of Falun Dafa Day on May 13, 2021.
- m. Innovation, Science and Economic Development (ISED) Canada is holding a [public consultation](#) until May 17, 2021 on proposed amendments to Client Procedures Circular CPC-2-0-03 [Radiocommunication and Broadcasting Antenna Systems](#), and forwarded information about **cell towers**.
- n. **From PEI Infrastructure** -The Federal Government recently announced a new five-year program “Green and Inclusive Community Buildings” (GICB) in which application are submitted electronically to Infrastructure Canada, with a rolling intake.
<https://www.infrastructure.gc.ca/gicb-bcvi/index-eng.html>.
- o. Peggy Miles, with **PEI Community Navigators** sent the latest newsletter with information about PEI’s rural communities and new residents, and asked it be shared.
<https://drive.google.com/file/d/1YDiCkFpgNxqflQ1y59zEuBCumR3W9lWd/view?usp=sharing> They also have a new website:
www.PEIcommunitynavigators.com They are willing to work with communities to provide presentations to Councils, explore partnership opportunities for activities, and to build welcoming communities.
- p. **Annual Capital and Repair Expenditures Survey: Actual 2020** from Statistics Canada is mandatory and due in late April.
- q. Michel Arsenault, councillor in the Rural Municipality of **Warren Grove** – They have been exploring options to add **active transportation (AT)**

infrastructure along the North York River Rd - Rte 248. They are working towards a protected lane, separate from traffic and are currently seeking support in principle from neighbouring communities and interested groups, and exploring funding programs. It was noted that Brackley and Cornwall do not maintain their active transportation paths in the winter, although they may require sweeping in the spring.

Motion 2021:42 - Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald that **the Rural Municipality of Miltonvale Park endorse the Warren Grove Active Transportation Plan for a protected lane separate from traffic along Rte. 248, the North York River Road.** Motion carried, 6-0.

- r. **Healthy Communities Initiative** – The results of funding for the application to widen the side of road between the Miltonvale Community Park and Meadowvale Community are expected by May 14, 2021. Round two funding will be accepted from May 11-June 25, 2021.

8. **REPORTS FROM STANDING AND AD HOC COMMITTEES**

i. **Environment and Community Living**

a. **Watershed Update** -Cornwall and Area Watershed Group (CAWG) met on April 14, 2021. Year end reports are being submitted. Partial core funding has been received. Their annual meeting is Tuesday, May 11, from 6-8 p.m. at the Milton Community Hall. Professional agrologist Gwen Vesey will be speaking about the Agri-Watershed Fund. Matthew McIver, a Forest and Wildlife technician, will talk about maintaining the value of your marginal lands and wet forests. CAWG hopes to rehire many of last year's staff, and have two Skills PEI positions from May 3- September 3, with the rest of the staff working during July and August.

b. **Projects**

- i. **NHS -2020-2021-** No “**Year in France**” events have been held recently. This project ends in March 2022.
- ii. **New Horizons for Seniors** – The “**Miltonvale Park COVID 19 Seniors Care**” project has Jessie Inman’s “Tall Ship to Antarctica” Stories Fill Me Up presentation on Wednesday, April 28. Videos from Margaret Prouse’s food presentations and David Hooper’s Stories Fill Me Up are online. This project finishes in June 2021.
- iii. **New Horizons for Seniors – A Year of Summer** – Two pot jigs and grow lights were purchased and flowering and vegetable plants have been started. A garden workshop with Heidi Riley is planned for Wednesday, May 5 at 10 a.m. Names are being accepted of residents aged 55+ until May 2 for National Park Passes. The winners will be given the opportunity to upgrade to a family pass by

paying the difference in cost. Current pass sale prices are family - \$50.08, adult -\$20.03 and senior- \$17.48. It is hoped to arrange a month of some type of exercise classes after the Monday and Friday morning classes are finished on May 14. Nancy Hooper has agreed to teach a drawing class later in the year.

- iv. **PEI Senior Secretariat Funding** –The report for the previous project was submitted. Applications will be accepted until May 25. This year's priority are projects which reduce the social isolation of seniors, promote positive images of aging, address Home First/Age in Place or financial security and safety. The Milton Community Hall intends to apply for a series of activities and speakers. Council will decide on a project at the May meeting.
- v. **Active Transportation Fund** –The contract for the bike repair station, bench and three bicycle racks was signed by the municipality but still needs the Minister's signature. The CAO will check with the province regarding the placement of the equipment on the North York River Road.
- vi. **The ParticipACTION Community Better Challenge** - June 2021- The grant application for the Community Better Challenge has been approved; however, the amount has not yet been confirmed. Miltonvale Park is planning a virtual walk for its residents to Miltonvale, Kansas, as well as weekly special events during June - including a bike ride, walk, and outdoor line dancing. The municipality has to track all physical activity minutes on the Community Better Challenge website before the end of June and complete a survey. The CAO will be participating in a phone call with the funders on April 26 and a webinar May12 at 2 p.m.

vii. **c. Park**

- i. **Shelter** -The UV bulb and a new water filter were obtained. Brad Coles expects to open the facility this week.
- ii. **Charlottetown Minor Baseball** had asked if the city truck could drag and chalk the field on the days they use the field, if City Parks and Recreation agree to do so. An agreement should be signed for liability.
- iii. **Lawn cutting** – An estimate was received for grass cutting at the park for 2021 for the same price as 2020.

Motion 2021:43 - Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Spencer MacDonald that **the municipality contract DNS Grass Cutting to mow the Miltonvale Community Park for the 2021 season, including grass cutting, whipper snipping, and cutting the dog park with a push mower for \$158.50 + HST per cut.** Motion carried, 6-0

- iv. **Community Garden** - Gina Beaton has expressed interest in using the community garden this year. Compost will be added, and the garden will be tilled soon.

- v. Recreation PEI offers a free park **inspection** annually.

Motion 2021:44 - Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Spencer MacDonald that **unless funding is received to allow a park student to be hired early in the season, that Joanie MacKinnon be contracted to both clean the park shelter and remove the garbage for \$500 annually.** Motion carried, 6-0

- vi. **Pickleball** – The people who play pickleball would be agreeable to having a storage box, rather than new shed, near the tennis court. It was suggested that the Council consider a Greenlee box, or a Husky box available at Home Depot.

Motion 2021:45 - Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Spencer MacDonald that **the municipality budget up to \$500 for a storage box for pickleball equipment.** Motion carried, 6-0

d. Park Project -A Request for Proposals was prepared for the dog ramp and circulated online. It will also be posted on the municipal bulletin boards. Mayor Parker agreed to order the remainder of the supplies for the cedar and concrete picnic tables, which are expected to be 8 feet long. Holes should be filled with resin, and concrete screws might be required. Gravel or sand and patio stones will be used for a base for the tables. Suitable dates will be picked for Councillors to construct them this spring. Councillor MacDonald may be able to take a small tractor down to help in the construction. The cricket players are eager to meet to discuss use of the cricket field this summer. Council has concerns about the safety of park users, and do not want to put people on the road or in the park in danger. The players are now proposing to move the pitch closer to the dog park and play in the other direction so that balls would go towards the road. CAO asked them to indicate on a diagram the likely range of balls. It may require someone going to see a game to see if there is a comfort level with the new plan, but there is no plan to change the field at this time. A regulation cricket field is approximately 192 ft. by 246 ft. The Province will be asked for crushed asphalt for the parking lot.

e. Activities – Regular Monday and Friday line dancing has finished for the season, although there may be sporadic outdoor line dancing. Chair yoga is now being held on Tuesday mornings at 10:30, Thursdays at 10; and mat yoga occurs on Tuesdays at 9 a.m. Exercise classes with Michele Gallant finish May 14.

ii **Emergency Measures**

a. **Emergency Plan Bylaw– SECOND READING**

Motion 2021:46 - Moved by Councillor Spencer MacDonald, seconded by Councillor Paul Poole

Whereas Municipalities are required to have an Emergency Measures Bylaw to protect their citizens and property,

And whereas Bylaw 2021-13, the “Miltonvale Park Emergency Measures Bylaw” was read and formally approved a first time a Council meeting on March 17, 2021,

Be it resolved that Bylaw 2021-13, the “Miltonvale Park Emergency Measures Bylaw,” be read a second time. Schedule A is attached. Motion carried, 6-0.

APPROVAL OF SECOND READING

Motion 2021:47 - Moved by Councillor Lindsey Rhynes, seconded by Councillor Tamsyn Cosh-MacKenzie

Whereas Municipalities are required to have an Emergency Measures Bylaw to protect their citizens and property,

And Whereas the “Bylaw 2021-13”, the “Miltonvale Park Emergency Measures Bylaw” was read and formally approved for at the Council Meeting held on March 17, 2021 and read a second time at the Council Meeting on April 21, 2021

Be it resolved that Bylaw 2021-13, the “Miltonvale Park Emergency Measures Bylaw” be hereby approved. Schedule A is attached. Motion carried, 6-0.

ADOPTION

Motion 2021:48 - Moved by Councillor Paul Poole, seconded by Councillor Phil Hooper

Whereas Municipalities are required to have an Emergency Measures Bylaw to protect their citizens and property,

And whereas the Bylaw 2021-13, the “Miltonvale Park Emergency Measures Bylaw” was read and approved at two separate meetings of Council held on different days;

Be it resolved that Bylaw 2021-13, the “Miltonvale Park Emergency Measures Bylaw” be hereby formally adopted. Schedule A is attached. Motion carried, 6-0.

- b. **COVID -19** -Masks are still available at the hall.
- c. **Online training** – PEI EMO offers an online professional development series for Municipal Emergency Management where there are short videos of specific topics delivered. The CAO, Mayor, Councillors Rhynes, Poole, and MacDonald, as well as Sheila Curtis will be registered.

v. **Personnel Committee** –

- a. **Shared Services Bylaw** – A shared services bylaw will be required if the Rural Municipalities of Kingston and North Shore agree to share the services of the Development Officer. Both municipalities are currently in favour of the opportunity. The agreement section of it can be changed by resolution.

FIRST READING

Motion 2021:49 - Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald,

Whereas Municipalities who wish to share services are required to have a shared services bylaw, and

Whereas several Municipalities intend to share the services of one Development Officer,

Be it resolved that Bylaw 2021-14, the Miltonvale Park Shared Services Bylaw be hereby read a first time. Schedule B is attached.

APPROVAL OF FIRST READING

Motion 2021:50 -Moved by Councillor Philip Hooper, seconded by Councillor Paul Poole

Whereas Municipalities who wish to share services are required to have a shared services bylaw, and

Whereas Bylaw 2021-14, the Miltonvale Park Shared Services Bylaw was read a first time at the Council Meeting held on April 21, 2021,

Be it resolved that Bylaw 2021-14, the Miltonvale Park Shared Services Bylaw be hereby approved. Motion carried, 6-0.

The second reading, approval, and adoption are scheduled to take place at the May 19, 2021 Council meeting.

- b. **Summer Student** -Applications for funding were submitted to the Provincial Jobs for Youth (JFY) and Post Secondary Student Programs (PSSP) and the Canada Summer Jobs (CSJ) Program. The municipality has not been notified of funding for any of the programs.

iv **Finance/Payment of Accounts**

a. **Remittance** –Canada Revenue Agency has been paid the remittances monthly until the end of March 2021.

b. **Reports and Payment of Accounts** – Finance Chair Councillor Hooper reviewed the circulated financial statements. Revenue for March was \$38,327, with total revenue for 2020-21 of \$395,079. Expenses for March were \$67,675, with total annual expenses of 343,723. Currently the net loss for March 2021 is -29,348 with a net income for the year of \$51,356. There are still year end adjusting entries to be made to the financial statements, although approximate depreciation expenses have accounted for throughout the year. A significant portion of the \$42,341 in Gas Tax funds will be adjusted to deferred revenue, as well as there will be adjustments made to the seniors projects to account for their year ends.

Councillor MacDonald left the meeting room at 8:36 p.m.

Fire dues were higher than budgeted, as were legal fees due to the IRAC appeal. The Parks and Recreation expenses were higher than anticipated, due to additional staff positions that were funded by various programs.

Councillor MacDonald returned to the meeting room at 8:38 p.m.

Total assets are \$456,412. Total liabilities are \$88,705, with over \$73,600 of this is deferred revenue. Equity for the municipality totals \$367,707.

Motion 2021:51 -Moved by Councillor Philip Hooper, seconded by Councillor Paul Poole that **the March 2021 financial statement be approved as presented**. Motion carried, 6-0.

c. **Capital Expenses** – No further progress has been on the EMO communications system project.

d. **Audit** –MRSB will audit the Gas Tax Annual Expenditure Return (AER) before the May 15 deadline. MRSB will perform the annual municipal audit on June 9-10.

e. **Purchasing Policy** – A revised Purchasing Policy was presented.

Motion 2021:52 -Moved by Councillor Philip Hooper, seconded by Councillor Lindsey Rhynes that **the Purchasing Policy as revised be approved as presented**. See Appendix C. Motion carried, 6-0.

f. The approved **Financial Plan** for 2021-22 was submitted to the Province and posted online.

g. **Infrastructure** – There has been no response from Hon. Catherine McKenna, federal Minister of Infrastructure and Communities regarding including land as an eligible expense for Infrastructure funding.

9. REPORT FROM CAO – The CAO applied for the Municipal Capital Expenditures Grant (MCEG) and \$697.10 was received for the 2019 year. Applications were made to provincial student funding programs, and reports were submitted for the PEI Seniors Secretariat and Physical Literacy projects. A request for proposals was developed and circulated for a dog ramp at the park. The CAO attended a Land Use Planning training session. There was considerable time devoted to the Official Plan and Bylaw Review. The office printer has required several parts recently. A medical appointment in Toronto that was planned for April 26 is being rescheduled, so the CAO will now be in the office for the two weeks after that date. The following items are priorities for the future: ICIP application for the Hall renovation and road shoulder widening; Stats Canada Capital Expenditures and Repairs Survey, contacting the City regarding sewer rates to residents, summer student hiring, opening the park,

ordering bike fix it kit, benches and bike racks, updates to several bylaws EMO updates, and organizing ParticipACTION events. Development Officer Michael Olubiyi is no longer planning a participatory research school project although the community survey he prepared can be used by the municipality in the future.

10. RECOMMENDATIONS FROM THE PLANNING BOARD

1. Development Permits Issued Since Last Planning Board Meeting

- a. **Permit 2021-11** was issued on 1/03/2021 to 1171 Rustico Road on Parcel 281808 to upgrade an approximately 480- square foot existing building (cottage) and 80-square foot existing baby barn.
- b. **Permit 2021-12** was issued on 18/03/2021 to 942 Loyalist Road, Springvale on Parcel 795369 to add a 624-square foot attached garage and a 224- square foot mudroom to an existing single detached dwelling.
- c. **Permit 2021-13** was issued on 18/03/2021 to 68 New Glasgow Road, North Milton on Parcel 869669 to add a 72-square foot extension to an existing deck.
- d. **Permit 2021-14** was issued on 29/03/2021 to 315 Mackenzie Rd, Rte. 256, North Milton on Parcel 548149 to repair and add a 290-square foot deck to an existing single detached dwelling.
- e. **Permit 2021-15** was issued on 05/04/2021 to 1288 Loyalist Road, on Parcel 281329 to construct a new 1600-square foot storage building.
- f. **Permit 2021-16** was issued on 05/04/2021 to 18070 Rte. 2, Springvale, Parcel 912261 to construct 144' x 72' and 48' x 48' additions to an existing dairy barn.
- g. **Permit 2021-17** was issued on 05/04/2021 to 793 Rustico Road, North Milton, on Parcel 790600 to construct a 75' x 100' livestock barn.
- h. **Permit 2021-18** was issued on 05/04/2021 to 6 Amber Ave, Milton Station, Parcel 1516723 to erect a new 255-square foot deck. This may be amended as they subsequently requested it be a foot wider.
- i. **Permit 2021-19** was issued on 13/04/2021 to 278 Royalty Road, Milton Station, on Parcel 283747 to erect a 1.8 m (6 ft) fence.

2. **Application No. MPS-296 – Parcels No. 283739 & 699919** - The Applicant wishes to subdivide two parcels into 56 lots. The Applicant has allocated approximately 15% of the land, which includes a stormwater sentiment pool for open space. The Developer has provided the Department of Transportation and Infrastructure (DOTI) with the latest set of drawings and the DOTI will finalize the Subdivision Road Agreement after the review. The preliminary approval would be issued in three phases after the Road Agreement and the Subdivision Agreement from the Municipality is signed by both parties. The Development Officer prepared a draft Development Agreement which was circulated to Planning Board for comments. Any conditions from the Department of the Environment and Transportation will be included before it is reviewed by the lawyer. The municipality is waiting to receive written approval from the Departments

responsible for Environment and Transportation. Special effort must be taken to mitigate dust, not only during the installation of roads and services, but also during the construction of homes, as there were complaints of significant dust in the summer of 2020. A sediment pond to collect stormwater is at the lower portion of the property, with a gravel pathway from a cul-de-sac. Planning Board would like to have further discussion regarding either the dedication of parkland or cash in lieu. Council and Planning Board will meet on Wednesday, April 28 at 7:00 p.m. to discuss this further together and with the developer. The bylaw requires either 10% of the land be dedicated to the community or 10% of the assessed value of the parcel, at the discretion of Council. A trail along the water's edge could be an option to consider.

3. **Application No. MP-1099- Parcel No. 658559- Private Utility/ Solar Panel**

On July 15, 2021 approval was granted to erect a 1,084-square foot Private Utility Structure (Photovoltaic Solar Array) on Parcels 658559 and 856922 located at 999 Loyalist Road, Springvale. This decision was appealed to IRAC on August 5. IRAC is currently considering the written submissions, and a decision is expected in about two months.

4. **The full adoption of the National Building Code** - Building Permits, which are issued by the Province are now required for single-family, semi-detached homes and their accessory structures such as detached garages and decks. This marks the full adoption of the National Building Code and National Energy Code for Buildings across PEI. The Development Officer will send all development permit records to the Province, and developers are to apply to the province for a building permit. More information is at www.PrinceEdwardIsland.ca/BUILDING
The Council's Development Application Forms should be edited to reflect this.

Councillor Frizzell left the meeting room at 9:05 p.m.

Motion 2021:53 -Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald that **the information about Building Permits be added to the Development Application. See Appendix D.** Motion carried, 5-0.

Councillor Frizzell returned to the meeting at 9:07 p.m.

5. **Other Applications, Inquiries, etc.**

- a. **Parcel No. 597757** – A resident inquired about moving a house onto his newly acquired 2.9-acre property located at Old Rte. 2, Springvale. The Development Officer has requested more information.
- b. **Parcel No. 281998** – A resident inquired if a pre-built structure could be located at 2696 North York River Road as an accessory apartment;

however, it was larger than the maximum size, and the area of a structure is not eligible for a variance.

- c. **Parcel No. 471847 and 281030** – A resident inquired about the possibility of subdividing and selling a portion of their parcel located at Crabbe Road and a meeting is scheduled.
 - d. **Parcel No. 448910**- The owner applied to erect a 1500-square foot single detached dwelling on Parcel No. 448910 on Heather Drive, Milton Station, on October 7, 2019. The Applicant has been contacted to provide outstanding information.
 - e. **Parcel No. 283259** – An application to replace the foundation and add to an accessory building is being processed.
6. **2021 OFFICIAL PLAN REVIEW** - The second public engagement in the review process was held on Tuesday, March 30, 2021 and a draft Official Plan and Development Bylaws was circulated to Council, Planning Board and posted on the website on April 9, 2021. A revised version was circulated on April 19 in advance of the April 22, 2021 Public Meeting. The Planner is working on a document summarizing the changes between the current and proposed Official Plans and Development Bylaws.

As of the planning board meeting, updates on the review process include the following:

a. **Official Plan**

The consultants are awaiting confirmation from L'nuey regarding the inclusion of the information about **Indigenous peoples**.

R.15 – Rezoning Agricultural land to Unserviced Residential – There would be criteria for the application and Council would review applications to ensure good agricultural land was not being removed from production. The Watershed Group could also be consulted regarding forested land. Council can establish its own guidelines and should have firm criteria, which is less prone to challenges. Council could ask for comments from the Departments of Agriculture and Forestry.

The Planner is still in discussions with Transportation regarding **minimum widths** for safe lots. There are national standards.

Mini homes – There was support at the public meeting for mini homes in all zones, although feedback was received after the meeting about them not being appropriate in the RS1 and RS zones. There are currently mini-homes in the RS1

zone, and it is hoped they could be replaced with newer mini-homes, if the owners desire. New mini homes are now constructed to a higher standard. In the proposed documents, mini homes are treated as Single Unit Dwellings and permitted in all zones. They could again be defined distinctly and excluded from certain residential zones and this possibility will be discussed again at the public meeting.

The land below the manufactured housing park zone would be pre-zoned to **PURD**, including the land between the mini-home park and the Community Park and shown as residential in the Future Land Use Map (FLUM). The 4m contour maps of the area show there is a significant amount of land at risk of future flooding. It is recommended that land below the 3-meter mark not be considered for significant built infrastructure. Land could be infilled if wet land would not be lost.

P.35 C110 – **Home Based Industrial** will be included as a discretionary use, as some industrial uses would not necessarily impact neighbours. Industrial development could range from sea salt manufacturing or home brewing to an autobody shop.

Development Agreements or conditions on the permits could be used for **home businesses**.

Maps of **rivers** and their (1st, 2nd, 3rd or 4th) order are included in the Official Plan. Buffers are not included in the required setbacks, and the order of the rivers does not currently impact the buffer zones in the plan.

It was noted on p.16 section 3.6 that there is only one Women's Institute branch still active in the municipality.

b. Development Bylaw

P.1 – In the bylaws the authority of the Development Officer should be clearly indicated, and it was proposed that it exclude the following:

- a) Commercial Developments with a building having an area greater than 600 sq. m. (6,458.35 sq. ft.);
- b) Institutional Developments with a building having an area greater than 600 sq. m. (6,458.35 sq. ft.);
- c) Industrial Developments with a building having an area greater than 600 sq. m. (6,458.35 sq. ft.);
- d) Multi-Unit Dwellings of greater than 2 units;
- e) Subdivisions of **three or more Lots**;
- f) Variances of more than ten percent (10%); and

g) Special Permits [or other discretionary approvals as identified in this bylaw].

The requirement for deeding parkland or cash in lieu would be moved to subdivisions of three or more lots.

P. 35. C.1. 6 - **The Development Bylaw may be amended on application to apply the C1 zone to lands determined to be unsuited for primary resource uses, for new small-scale commercial activities appropriate to a rural area, where the objective of limiting unserviced commercial development and the other policies of this official plan can be met.** Council would want to avoid land use conflicts. There are policies to balance the impacts of development.

There were minor changes to the list of when a permit is required. Clauses 4.2.1. g. ii and iii can be removed. There was discussion about removing **accessory structures** under 20 square meters (215 sq. ft.) from development that requires a permit as that is the threshold for the National Building Code. These accessory buildings would still have to meet the setbacks and total allowable sizes required in the bylaw.

3.1.2.k. – The minimum size of a temporary **tent** would be increased to 20 m².

3.3.4 – A permit may now be **revoked** if incorrect information was included on the permit application. i.e. if the correct information had been included, the permit likely wouldn't have been issued. It is not meant to be used for enforcement issues.

Fee schedule – The fees can be amended by resolution, according to the Municipal Government Act.

The Consultants will adjust the clause pertaining to 240 sq. ft. **temporary structures/tents** being allowed up to six months.

3.2.6. was a duplication of a previous clause so will be removed.

3.15 – **Variances** previously had no upper limit, so a threshold of 50% variance was instituted. Variances above 10% must be reviewed by Planning Board, which is the practice, but it was not previously included in the bylaw.

3.18 **Reconsiderations** were removed from the bylaw, as they exposed Council to liability.

3.16 **Bylaw amendments** must also be reviewed by Planning Board.

3.5.3 A **footing certificate** could be required if the structure is very close to a setback (e.g., within 1 foot of the minimum). It would be an additional cost to the applicant.

4.4 **Accessory Buildings** – Planning board had discussed changing the total maximum floor space of accessory buildings to no more than 10% of the lot area. Total lot coverage requirement is under 25%. This would allow accessory buildings sizes to be in direct proportion of the lot size. Most parcels in the R1 and RS1 zones are less than an acre. Council could return to the current method of limiting accessory buildings in the next bylaw review if it desires. In the A1 zone the size or numbers of accessory buildings would only be limited to the 10% lot coverage rule. There was discussion of limiting accessory buildings to the size of the residence; however, this was thought to be too restrictive for mini or tiny homes.

The proposed maximum accessory building sizes for each zone would still apply. The consultants will revisit these regulations considering the new direction and circulate new regulations as soon as possible.

4.7 **Home Occupations** – Language was added enabling working from home. The number of students who may be instructed will be clarified, as 4.7.2. spoke of one student and 4.7.4 allows up to six.

4.7.7 Planning Board felt if **outdoor storage** is allowed it should be restricted to the back yard.

4.8 **Decks** – The current wording may be difficult to understand. Decks are permitted to encroach into the side yard by 1 meter. Decks of a certain height and size are included within the National Building Code.

4.13.3 – **Insurance requirements** were added to reduce liability for accessory apartments in non-conforming lots.

4.20 – **Livestock operations** – The Province and some municipalities use 7 animal units per acre for their [Regulations](#), pg. 26. Intensive farming is greater than seven animal units per acre, and there are also provincial setback restrictions for residential and intensive livestock. The residential and A1 zones will be treated differently, with a smaller number of animals permitted in the residential zone. Roosters should be banned in the residential zones. The ratio of animals could be shown by ½ acre. Clause 4.21.1 could be removed and the 7 animal units per acre could be used.

4.31.1.c. “Water from the **swimming pool** shall be de-chlorinated and disposal shall be either through the sewerage disposal system or carried off the lot by truck unless otherwise authorized by Council;” would be removed as it was noted it is not possible to dechlorinate the water.

4.27 – **Recreational Trailer or Vehicles** – Permanent living in an RV is not permitted, but normal temporary use (e.g., children camping in the yard, relatives for a short stay) would not require a permit.

4.29 - Ground mounted **solar panels** require a permit. Setbacks would be 15 feet or the height of the array at the highest point, if it is taller than 15 feet. Some shading can be expected about 2.5 times the height of the structure. The municipality and the Province want to encourage sustainability. Those who install them on their properties weigh many factors, including the efficiency, cost/benefit analysis of different locations, future plans for the property, as well as the appearance. Options were considered to allow them in the front yard of either residential lots or zones only if the side or rear yards were not appropriate; however this could lead to delays, additional costs for installations, or for confirmation if unbiased opinions were required, and the additional discretion of Council could open the municipality to IRAC appeals, which can be costly; therefore, it was recommended that solar panels be allowed in any yard as long as required setbacks could be met. Clauses 4.29.2.b and 4.29.4 will be removed and it will be clarified they are allowed in any yard.

It was noted “**private garages**” were removed as permitted uses in zones, as they are considered accessory structures.

Farm Gate operations can be added to the bylaw.

PURD Zone – Transportation would have to approve the roads.

If **tiny homes** were used, a smaller lot size could be considered, such as 5000 sq. ft. Curved roads may require a smaller minimum road frontage. It may be desirable to have a smaller front yard and larger back yard. PURD applications would require a public meeting.

9.3.3. It was suggested that the following clause should be included on all permits, rather than just the A1 zone. “All permits for residential Uses in an Agricultural (A1) Zone shall contain a caveat informing the applicant that they are choosing to construct a home in an **established Agricultural area**, and they should expect to be exposed to normal agricultural activities such as manure spreading; chemical spraying; planting, cultivating and harvesting activities; and slow-moving equipment on roadways.”

15.13.3. The first phrase was preferred: Notwithstanding subsection 1 and clause 15.12(1)(d), the requirement for a **survey plan** where lots are in excess of 4 ha (10 acres) may be waived.

Fences must be on the developer’s property, and setbacks do not apply.

Motion 2021:54 -Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald that the meeting move **to a Closed Meeting under section 119.1.g. of the Municipal Government Act to discuss the conduct of an investigation under, or enforcement of, an Act or bylaw.** Motion carried, 6-0 at 9:20 p.m.

Motion 2021:55 -Moved by Councillor Spencer MacDonald, seconded by Councillor Tamsyn Cosh-MacKenzie that **the meeting return to an Open Meeting.** Motion carried, 6-0 at 9:34 p.m.

Motion 2021:56 -Moved by Councillor Phil Hooper, seconded by Councillor Spencer MacDonald that as **requested by the lawyer for the Developer of Property 700443, an extension be granted until April 28, 2021 for the applications requested.** Motion carried, 6-0 at 9:34 p.m.

11. INQUIRIES BY MEMBERS OF COUNCIL

There were no inquiries by Councillors.

12. OTHER

There was no other business.

13. ADJOURNMENT

Motion 2021:57 – Moved by Councillor Tamsyn Cosh-MacKenzie that the meeting be adjourned, and Mayor Parker declared it so at 9:35 p.m.

Mayor

Chief Administrative Officer

Date approved

Next meetings:

Public Meeting Official Plan– 7:30 p.m. Thursday, April 22

2021 FPEIM Annual Meeting - Monday, April 26, 2021 (virtual)

Joint Special Council and Planning Board Meeting – Wednesday, April 28 7:00 p.m.

Next Regular Council Meeting –7:30 p.m. Wednesday, May 19, 2021

APPENDIX A - BYLAW 2021-13

Rural Municipality of Miltonvale Park, PEI Municipal Emergency Management Program Bylaw Bylaw # 2021-13

BE IT ENACTED by the Council of the Rural Municipality of Miltonvale Park as follows:

1. Title

- 1.1. This bylaw shall be known as, and may be cited as, the “Municipal Emergency Management Program Bylaw.”

2. Purpose

- 2.1. The purpose of this bylaw is to establish a Municipal Emergency Management Program for the Rural Municipality of Miltonvale Park.

3. Authority

- 3.1. Section 14.(c) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap.M12.1., provides that a municipality must provide emergency management planning for all areas of the municipality.

4. Application

- 4.1. This bylaw applies to all members of Council, the Chief Administrative Officer, members of Council Committees, Rural Municipality of Miltonvale Park employees, those who appear before Council and members of the general public.
- 4.2. In the event of any conflict between the provisions of the Act and this bylaw, the Act will prevail.

5. Definitions

- 5.1. “Act” means the *Municipal Government Act*.
- 5.2. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under clause 86.(2)(c) of the *Municipal Government Act*.
- 5.3. “Council” means the Mayor and other members of the Council of the municipality.
- 5.4. “Deputy Municipal Emergency Co-ordinator” means the person appointed by Council as the Deputy Municipal Emergency Co-ordinator pursuant to this bylaw.
- 5.5. “Emergency” means a present or imminent event in respect of which the Rural Municipality of Miltonvale Park believes prompt coordination of action or regulation of persons or property must be undertaken to protect property or

the health, safety or welfare of residents of the Rural Municipality of Miltonvale Park.

- 5.6. “Emergency Measures Organization (EMO)” means the Prince Edward Island EMO established under section 3 of the *Emergency Measures Act*.
- 5.7. “Emergency Operations Centre (EOC)” means the location where designated members of the EOC team (municipal and external agencies) will work on coordinated decision making and emergency management for the response or recovery from an event.
- 5.8. “Local Authority” means a local authority as defined in the *Emergency Measures Act*.
- 5.9. “Municipal Emergency Co-ordinator” means the person appointed by Council as the Municipal Emergency Co-ordinator pursuant to this bylaw.
- 5.10. “Municipal Emergency Management Planning Committee” means the committee established pursuant to this bylaw.
- 5.11. “Municipal Emergency Management Program” means the program established pursuant to the bylaw.
- 5.12. “Municipal Emergency Management Standing Committee” means the standing committee established pursuant to this bylaw.
- 5.13. “Minister” refers to the member of Executive Council charged by the Lieutenant Governor in Council with the administration of the *Emergency Measures Act*.
- 5.14. “State of Emergency” means a state of emergency declared by the Minister pursuant to *Emergency Measures Act* subsection 9.(1).
- 5.15. “State of Local Emergency” means a state of local emergency declared by the Council or Mayor pursuant to subsection 146.(1) or 146.(2) of the *Municipal Government Act* when satisfied that an emergency exists or may exist in the municipality.

6. Municipal Emergency Management Program

- 6.1. Pursuant to section 144 of the *Municipal Government Act*, despite any other section in the Act, Council may take any temporary measures necessary in the municipality to respond to and deal with an emergency as defined in the *Emergency Measures Act*.
- 6.2. Pursuant to subsection 145.(1) of the Act, Council hereby establishes a Municipal Emergency Management Program, hereinafter referred to as the Rural Municipality of Miltonvale Park Emergency Management Program.
- 6.3. In accordance with subsection 145.(2) of the Act, the Municipal Emergency Management Program shall contain, at a minimum:
 - (a) the Municipal Emergency Management Plan;

- (b) any required delegation of authority;
 - (c) plans for training and exercise; and
 - (d) any other component required by the PEI Emergency Measures Organization (EMO).
- 6.4. Council shall, in accordance with subsection 145.(4) of the Act, appoint a Municipal Emergency Co-ordinator and a Deputy Municipal Emergency Co-ordinator who shall be responsible for the implementation, maintenance and execution of the Municipal Emergency Management Program.

7. Municipal Emergency Coordinator and Deputy Municipal Emergency Coordinator

- 7.1. The Municipal Emergency Coordinator and a Deputy Municipal Emergency Coordinator report to, and receive direction from, the Council.
- 7.2. In accordance with subsection 145.(4) of the Act, the Municipal Emergency Co-ordinator and a Deputy Municipal Emergency Co-ordinator are responsible for the implementation, maintenance and execution of the Municipal Emergency Management Program.
- 7.3. The Municipal Emergency Coordinator and Deputy Municipal Emergency Coordinator shall:
- (a) develop and coordinate the Municipal Emergency Management Program;
 - (b) coordinate plans for the continued functioning of municipal services which would be required in the event of an emergency;
 - (c) coordinate and conduct, on an annual basis, training and exercises to test the Municipal Emergency Management Program for the training of personnel who have an emergency role;
 - (d) coordinate public education programs related to emergency management; and
 - (e) coordinate and manage the municipal operational response for an emergency upon activation of all or part of the Municipal Emergency Management Program or a declaration of a state of local emergency.

8. Committees

- 8.1. Council shall establish a Municipal Emergency Management Standing Committee and a Municipal Emergency Management Planning Committee.

9. Municipal Emergency Management Standing Committee

- 9.1. The Emergency Management Standing Committee will be appointed in accordance with the municipality's Procedural Bylaw.
- 9.2. The Municipal Emergency Management Standing Committee shall:

- (a) advise Council on the development of a Municipal Emergency Management Plan;
- (b) submit emergency management policy recommendations to Council;
- (c) name or assign such persons under the Municipal Emergency Management Plan to perform duties related to the continuity of municipal government in the case of an emergency or disaster;
- (d) present the Municipal Emergency Management Plan to Council for approval; and
- (e) inform and update Council on developments during an activation of all or part of the Municipal Emergency Management Plan.

10. Municipal Emergency Management Planning Committee

10.1. The Municipal Emergency Management Planning Committee will consist of:

- (a) the Municipal Emergency Coordinator and Deputy Municipal Emergency Coordinator; and
- (b) a person to represent the functions of assigned emergency functions under the Municipal Emergency Management Plan:
 - 1) Law enforcement and fire protection
 - 2) Transportation and water/wastewater service
 - 3) Communications and public information
 - 4) Human resource management
 - 5) Finance and administration
 - 6) Social services including emergency feeding, shelter, clothing and personal services

10.2. The Municipal Emergency Management Planning Committee will:

- (a) prepare recommendations for the Municipal Emergency Management Standing Committee;
- (b) assist the Municipal Emergency Co-ordinator and Deputy Municipal Emergency Co-ordinator in the preparation and coordination of Municipal Emergency Management Plans;
- (c) prepare a Municipal Emergency Management Plan for their Municipality;
- (d) respond and participate as members of the Municipal Emergency Operations Centre staff upon full or partial activation of the Municipal Emergency Management Program;
- (e) prepare plans, including the development of memorandums of understanding or mutual aid agreements, for cooperation and mutual assistance between municipal governments and other organizations in the event of a disaster or emergency; and
- (f) collaborate with authorities of the municipality, neighbouring municipalities, provincial authorities, and other organizations who have been assigned comparable duties.

- 10.3. Any memorandum of understanding or agreement negotiated under clause 10.2(e) of this bylaw shall take effect upon approval of the memorandum of understanding of agreement by a resolution of Council.

11. Municipal Emergency Management Plan

- 11.1. In accordance with subsection 145.(2) of the Act, the Municipal Emergency Management Program shall contain an Emergency Management Plan.
- 11.2. Council shall, by resolution, approve a Municipal Emergency Management Plan under the authority of this bylaw.
- 11.3. The Municipal Emergency Management Plan will be activated by Council when required to ensure effective coordination exists in response to an emergency.
- 11.4. The Municipal Emergency Management Plan can be activated in whole or in part and does not require the declaration of a state of emergency to be activated.
- 11.5. A Municipal Emergency Management Plan will be activated if a state of local emergency is declared or upon declaration of a provincial State of Emergency for all, or part of, the Municipality.

12. Exercise Work Plan for the Municipal Emergency Management Program

- 12.1. In accordance to subsection 145.(3) of the Act, the Municipal Emergency Management Program for the municipality shall include an exercise work plan that, at a minimum, provides for:
 - (a) an annual discussion-based exercise to be commenced by not later than one year after the approval of the program by the PEI Emergency Measures Organization; and
 - (b) an operational-based exercise, which includes participants by the appropriate response agencies referred to in the Municipal Emergency Management Program, to be undertaken by the municipality once every five years, commencing not later than five years after the approval of the Municipal Emergency Management Program by the PEI Emergency Measures Organization.

13. Declaring a State of Local Emergency

- 13.1. Pursuant to subsection 146.(1) of the Act, Council shall, when satisfied that an emergency exists or may exist in the municipality, declare a state of local emergency.
- 13.2. Where the Council is unable to act promptly in declaring a state of local emergency in the Municipality the Mayor of the Municipality may, in accordance with subsection 146(2) of the Act, after consulting a majority of the members of Council where practicable, declare a state of local emergency in the municipality.

- 13.3. Pursuant to section 10 of the *Emergency Measures Act*, Council shall immediately cause the details of the declaration of a state of local emergency to be communicated or published by such means as considered the most likely to make the contents of the declaration known to the people within the Municipality.
- 13.4. Pursuant to subsection 14.(2) of the *Emergency Measures Act*, Council may terminate a state of local emergency when it believes on reasonable grounds the emergency no longer exists in the Municipality.

14. Expenditures Related to the Municipal Emergency Management Program

- 14.1. In response to the declaration of a state of local emergency as described in 13.1 and 13.2 of this bylaw or in order to implement the Municipal Emergency Management Program in whole or in part, Council in accordance with subsection 145. (8) of the Act may authorize the Chief Administrative Officer to incur any liabilities that the Chief Administrative Officer considers necessary.
- 14.2. In accordance with subsection 145. (9) of the Act, the Chief Administrative Officer is responsible for keeping records of the expenditures made and the equipment used in implementing the Municipal Emergency Management Program or responding to a declared emergency.

15. Review of the Municipal Emergency Management Program

- 15.1. In accordance with subsection 145.(5) of the Act, Council shall submit its municipal Emergency Management Program to the PEI Emergency Measures Organization for review and approval.
- 15.2. After the Municipal Emergency Management Program has been approved the PEI Emergency Measures Organization and in accordance with clause 145. (6)(a) of the Act, the Municipal Emergency Management Program will be reviewed annually by Council and, where necessary, revisions will be made.
- 15.3. In accordance with clause 145. (6)(b) of the Act, within 60 days of making any revisions of the Municipal Emergency Management Program, the revised program will be provided to the PEI Emergency Measures Organization.
- 15.4. In accordance with subsection 145. (7) of the Act, any revisions required by the PEI Emergency Measures Organization shall be carried out by count to the satisfaction of the PEI Emergency Measures Organization.

16. Repeal of Existing Bylaw

- 16.1. On adoption, this bylaw replaces Bylaw #2010-EMO.

17. Effective Date

- 17.1. This Municipal Emergency Management Program Bylaw, Bylaw# 2021-13, shall be effective on the date of approval and adoption below.

First Reading:

This Municipal Emergency Management Program Bylaw, Bylaw# 2021-13, was read a first time at the Council meeting held on the 17th day of March, 2021.

This Municipal Emergency Management Program Bylaw, Bylaw# 2021-13, was approved by a majority of Council members present at the Council meeting held on the 17th day of March, 2021.

Second Reading:

This Municipal Emergency Management Program Bylaw, Bylaw# 2021-13, was read a second time at the Council meeting held on the 21st day of April, 2021.

This Municipal Emergency Management Program Bylaw, Bylaw# 2021-13, was approved by a majority of Council members present at the Council meeting held on the 21st day of April, 2021.

Approval and Adoption by Council:

This Municipal Emergency Management Program Bylaw, Bylaw# 2021-13, was adopted by a majority of Council members present at the Council meeting held on the 21st day of April, 2021.

18. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Municipal Emergency Management Program Bylaw adopted by the Council of the Rural Municipality of Miltonvale Park on April 21, 2021 is certified to be a true copy.

Chief Administrative Officer Signature

Date

APPENDIX B

Rural Municipality of Miltonvale Park A Bylaw to provide for entering into an Agreement regarding Shared Services

Bylaw # 2021 – 14

BE IT ENACTED by the Council of the Rural Municipality of Miltonvale Park as follows:

1. Title

- 1.1. This bylaw shall be known and cited as the “Shared Services Bylaw.”

2. Authority

- 2.1. Subsection 138.(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., enables Council to enter into an agreement, if authorized by bylaw, with another Council for the provision of any service which each has the power to provide within its own boundaries.

3. Application

- 3.1. This bylaw applies to Council. It enables Council to enter into an agreement with another Council for the sharing of services.

4. Definitions

- 4.1. “Act” means the Municipal Government Act.
- 4.2. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.
- 4.3. “Council” means the mayor and other members of the council of the municipality.
- 4.4. “Councillor” means a member of council other than the mayor.

5. General

- 5.1. The Council may enter into an agreement with the municipalities listed in section 5.2 for the purposes of sharing the following services:
 - (a) planning and development services
- 5.2. Council wishes to enter into an agreement with the following municipalities for the sharing of services:
 - i. Rural Municipality of North Shore
 - ii. Rural Municipality of Kingston
- 5.3. The agreement with municipalities listed above in section 5.2 is attached to this bylaw and identified as “Appendix A” and it forms part of this bylaw.

5.4. The Mayor and Chief Administrative Officer (CAO) of the Rural Municipality of Miltonvale Park are hereby authorized to sign and execute the attached agreement identified as "Appendix A".

5.5. This bylaw shall come into force and take effect immediately upon approval.

6. Effective Date

6.1. This Shared Services Bylaw, Bylaw# 2021 – 14, shall be effective on the date of approval and adoption below.

First Reading:

This Shared Services Bylaw, Bylaw# 2021 – 14, was read a first time at the Council meeting held on the _____ day of _____, 2021.

This Shared Services Bylaw, Bylaw# 2021 – 14, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2021.

Second Reading:

This Shared Services Bylaw, Bylaw# 2021 – 14, was read a second time at the Council meeting held on the _____ day of _____, 20XX.

This Shared Services Bylaw, Bylaw# 2021 – 14, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2021.

Approval and Adoption by Council:

This Shared Services Bylaw, Bylaw# 2021 – 14, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2021.

7. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Shared Services Bylaw Bylaw adopted by the Council of the Rural Municipality of Miltonvale Park on ____ (date) _____ is certified to be a true copy.

Chief Administrative Officer Signature

Date

Appendix A of Shared Service Bylaw (Appendix B in Minutes)

Fundamentals of the agreement:

The Parties and their Contact information:

Rural Municipality of Miltonvale Park

7 B New Glasgow Road-Rte 224

North Milton PE C1E 0S7

(902)368-3090

admin@miltonvalepark.com

Rural Municipality of Kingston

PO Box 648, Cornwall Post Office, Cornwall, PE, C0A 1H0

(902) 675-3670

Alancurtismiller@gmail.com

Rural Municipality of North Shore

2120 Covehead Road, Rte. #25, York, PEI C0A 1P0

(902) 672-2600

administrator@northshorepei.ca

Objectives

The three municipalities listed above agree to share the services of Michael Olubiyi for a period of at least one year.

Division of Responsibilities:

The Rural Municipality of Miltonvale Park will be Mr. Olubiyi's employer, and will calculate and pay wages biweekly, and calculate and submit mandatory employer related costs (CPP, EI, Income Tax and WCB) as required.

The Rural Municipality of Kingston and the Rural Municipality of North Shore shall contract the services of Mr Olubiyi from his employer, the Rural Municipality of Miltonvale Park

Job supervision - The CAO of each municipality is responsible for providing a job description, training and supervision, and performance feedback, for Mr. Olubiyi as he performs work for their municipality.

Mr. Olubiyi will provide biweekly, on every second Monday, a timesheet to each municipal CAO, for the hours worked in their municipality and these timesheets will also be provided to the CAO for Miltonvale Park, for payroll records.

Scheduling

Mr. Olubiyi is responsible for prioritizing his time between the municipalities, taking into account the priorities and needs of each municipality. It is expected that he would work

approximately 13 hours for the Rural Municipality of Miltonvale Park, 16 hours for North Shore and 5 hours for Kingston weekly, although these numbers may be flexible, depending on the activity in each municipality during each period.

Cost

The Rural Municipality will pay Mr. Olubiyi biweekly, and will invoice the other municipalities at the end of each four-week period, for the hourly cost of Mr. Olubiyi's wages allocated to their municipalities, plus vacation pay, Workers' Compensation Board of PEI costs of \$1.09/ \$100, and an amount equivalent to the EI and CPP employer remittance portions (calculated proportionately according to the percentage of hours worked in each pay period). Payment from the municipalities to Miltonvale Park is expected within 21 days. Any additional insurance costs incurred by The Rural Municipality of Miltonvale Park related to work performed under this contract shall be billed to the other two municipalities on a proportional basis (based on hours worked).

Training costs – The Municipalities will share the costs of the membership to the Atlantic Bylaw Officer Association (\$100 annually) and training opportunities, (up to \$400 in total, annually) applicable to Development Officers offered locally or virtually, in the following cost sharing ratio. Kingston -15%; Miltonvale Park -40% and North Shore – 45%. If other training opportunities arise, the CAOs and Municipal Mayors would negotiate an agreement for cost-sharing that is acceptable to all municipalities. If Mr. Olubiyi requires First Aid training to comply with WCB requirements, the costs of this training would also be shared in the above ratio.

The three municipalities agree to share the full-time hiring of Development Officer Michael Olubiyi for a period of at least one year, if his job performance is satisfactory.

Wages and working conditions –The Municipalities shall notify the Council Office for the Rural Municipality of Miltonvale Park of their wage rates.

Expenses

The municipalities shall reimburse expenses, such as mileage, postage, paper and office supplies directly to Mr. Olubiyi as they are invoiced by him, in such amounts as they have agreed.

Working Conditions

Each Municipality will provide a workplace which meets the regulations of the Occupational Health and Safety Act, and Employment Standards Act, and the Municipal Government Act, including a code of conduct for employees, a workplace free of harassment, including a Workplace Harassment Policy, a Work Alone Policy, and taken any necessary steps to prevent workplace violence.

Notice of Termination

The first six months of employment is considered a probationary period. During this period, the employer may terminate an employee without any requirement for notice or compensation. The employee, likewise, can terminate their employment without any requirement for notice or penalty. Between six months- five years employment, the

municipality must give Mr. Olubiyi two weeks' notice or pay in lieu of notice. If there is just cause for dismissal, notice requirements are waived. After six months, Mr. Olubiyi must provide one week's written notice to terminate his employment.

At the end of the one-year contract that is required by Immigration, the Municipalities can decide whether to continue sharing the services of the Development Officer through this agreement, or the agreement can be dissolved and the Municipalities can choose to retain Mr. Olubiyi as an employee, or not, on their own terms.

Dispute Resolution – In the event of any disputes

The CAOs and/or Mayors will meet to discuss any disputes. FPEIM or staff at Municipal Affairs will be asked to mediate if it is deemed necessary, as agreed to by the designated representative from each Municipality.

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APPENDIX C

Purchasing Policy – Rural Municipality of Miltonvale Park

1. Purpose:

The purpose of this policy is to ensure the Council (“Council”) of the Rural Municipality of Miltonvale Park (Municipality) maintains high standards in the management of the resources entrusted to it. The Council must ensure that goods and services are acquired in a manner that:

- a. Obtains optimum value by incurring the lowest overall cost based upon full life cycle costing in the fulfillment of specified needs with appropriate levels of quality and service;
- b. Uses a fair and open process when calling for, receiving, and evaluating quotations and tenders; and
- c. Meets its legal and ethical obligations in the acquisition of goods and services by purchase or lease.

2. Definitions:

- a. **Quotation** is an offer or bid from an approved or qualified supplier used for the purchase of goods and services where criteria including service, quality, and delivery will be evaluated, as well as price.
- b. **Invited Tender** is a solicitation to selected qualified suppliers. Invited Tenders are normally used for large value purchases. Tenders are normally requested by a specific time and are opened and evaluated by a committee.
- c. **Public Tender** is an advertised solicitation to qualified suppliers. Public Tenders are normally used for large purchases, projects, or contracts. Public tenders are advertised in appropriate publications and differ from invited tenders in that any supplier may respond.
- d. **Request for Proposal (RFP)** is an invitation to suppliers to submit offers to provide a solution to a problem or a need that the Board has identified. In a RFP the supplier’s experience, qualifications and proposed solution will be formally evaluated, as well as the price. All RFP submissions are evaluated on a set of criteria based upon the solution required.
- e. **Sole Source** is the supply of a good or service that is available from only one known supplier, based on the technical expertise or specification of the good or service.
- f. **Service** is any professional or other services supplied by an independent contractor. Service in this policy does not include Board employment.

3. Responsibility & Application:

- a. The Chief Administrative Officer (CAO) has the general responsibility for administering this policy under the overall direction of the Council.
- b. Goods and services are to be acquired according to the following principles:

- i. **Planning** - Goods and services shall be acquired after consideration of needs, alternatives, timing, and availability of funds.
- ii. **Sourcing** – Goods and services shall be obtained through a process which is be open, fair, consistent, and non-discriminatory.
- iii. **Procurement** - Goods and services shall be acquired competitively from qualified suppliers to meet specified needs, and to achieve the greatest possible value for money expended.
- iv. **Accountability** - Approvals shall be obtained and documentation be retained for review and audit.
- v. **Life Cycle Costing** - In the procurement of goods and services, consideration must be given to the full life cycle costing, including the cost of installation, operating costs and cost of disposal.
- vi. **Standardization** - Standardization of supplies, materials and equipment is to be achieved wherever possible.

4. Purchasing Authority

- a. Each of the CAO, Mayor and Finance Chair are authorized to approve budgeted purchases under \$3,000. These purchases do not require competitive quotes, but the Council is encouraged to consider more than one supplier of the product, and obtain a documented quotation from the vendor which outlines the terms & conditions, purchase price, shipping costs, etc.
- b. Acting together, the CAO, Mayor and Finance Chair may approve budgeted purchases of \$3,000 to \$10,000 providing at least two competitive quotations are obtained, and the Council is informed of the details in advance of the purchase.
- c. Purchases of \$10,000 to \$25,000 will generally require three competitive quotations and require final approval of the Council.
- d. Purchases in excess of \$25,000 will generally require either a public tender or Request for Proposals (RFP) process and require final approval of the Council.
- e. Existing supplier agreements and arrangements are to be reviewed every four years by the Finance Committee and reported to the Council.
- f. Competitive quotations and tenders are not required for goods or services where the only supplier is a department, agency, or utility of the federal, provincial, regional, or municipal government; or when a regulatory authority has approved the price or rate; or when the purchase is for media advertising time or space.
- g. The Council may authorize an RFP process for the procurement of any goods or services when it deems it appropriate to do so.

5. Local Suppliers

The Board recognizes the intrinsic value of goods and services obtained from local suppliers.

6. Guidelines

- a. **Normal Operating Expenses** - Normal Operating Expenses such as electricity, telephone, rent, web site hosting, advertising, wages, honoraria, and normal office supplies such as stamps/paper/ink/toner/stationery and consumables for the park shelter, shall be paid with approval from the Mayor or Finance Chair, as witnessed by their countersignature on the cheque, and reported at the following Council meeting.
- b. **Capital Expenditures** -All Capital Expenditures (durable goods over **\$1000**) should receive prior approval at a Council meeting. The CAO or appropriate committee chair may prepare a motion for approval with supporting information to be circulated for the meeting. Council may choose to require specific information (brand/model/price/store) or may chose to approve a purchase stating a maximum price. In the event of an emergency or a situation that requires a purchase be made prior to a meeting, information shall be circulated by email, or telephone (as appropriate) and approval requested from Councillors. If approval is received from four Council members, and comments circulated to the remainder of Council, the purchase shall be made, and approved at the following Council meeting.
- c. **Recreation Program** - Summer staff, in consultation with the CAO and/or the Environment and Community Living Committee, will have responsibility for the Recreation Program budget. A budget will be approved at the beginning of the summer season, and circulated to Council for approval. If summer staff is not in place prior to the June council meeting, the budget will be circulated to councillors for comments, and adjusted if necessary.
- d. **Reimbursement of Expenses**- Councillors and staff must provide receipts to the council office and complete appropriate "Expense Recovery" paperwork, and receive written approval from the Finance Chair or Mayor when submitting expenses.
- e. **Bursaries** - Child Bursaries, which meet the posted guidelines, may be granted by the CAO with approval from the Mayor or Finance Chair and reported at the following council meeting. Bursaries applications which are not straightforward will be brought to Council for approval.
- f. **Donations** - All requests for donations shall come before Council. Council has adopted a Donation and Gift Policy.

- g. **Services** - It shall be the policy of Council that any formal or informal contract for services shall be advertised publicly every four years. If the service and quoted price are acceptable in the interim years, Council may continue to engage the services of these contractors (flowerbed care, lawn mowing, park maintenance, snow blowing, Canada Day suppliers, insurance agency, landlord). Local service providers shall be given priority.
- h. **Core Services** – For certain services considered core to the operation of the Municipality; including banking, audit, internet and telephone, insurance and long-term rentals, the following process shall apply:
 - i. The CAO and the Finance Committee shall conduct a formal review every four years of the services provided by the current supplier.
 - ii. The Finance Committee shall then provide a recommendation to Council on whether (a) to proceed to a formal RFP or to obtain three new quotations for the service, as appropriate or (b) to renew the contract of the current supplier, including details on the terms of the recommended renewal.
 - iii. The final decision rests with Council.
- i. **Pasture** -Council shall advertise publicly every five years for interest in rental of the community pasture. A committee of Council shall recommend the approval and conditions of any tenant and lease, for final decision by Council.
- j. **Loyalty cards and programs** Councillors and staff, who make purchases for the Council using loyalty cards may retain their “points” for personal use.
- k. **Disposal of Goods** Council shall ensure the maximum value is gained when disposing of surplus goods, and that any goods for disposal shall be advertised publicly.

7. Conflict of Interest

- a. Councillors, Staff and Committee members shall exclude themselves from influencing the purchase of any goods or services wherever a conflict of interest or perceived conflict of interest exists. High standards for procurement shall be applied at all times, with particular attention whenever the business interests of Councillors, Staff and Committee Members and their immediate relatives or friends, are involved in supplying goods and services to the Municipality.

- b. Supplier information shall not be used as leverage to solicit donations to the Municipality, nor procurement be influenced by donations to the Municipality by current or potential suppliers.
- c. Under no circumstances is a Councillor, Staff or Committee member permitted to use the name of the Municipality or his/her position with the Municipality to obtain discounts for personal purchases of goods and/or services.

Approved – April 21, 2021

APPENDIX D – Addition to Development Application

In addition to being issued a Development Permit by the Rural Municipality of Miltonvale Park, you are required to apply for the Provincial Building Permit before embarking on any development, except for developments described below that are exempted from the building regulations and Codes;

(a) sewage, water, electrical, telephone, rail or similar systems located above, below or on an area of land which has been dedicated or deeded for public use;

(b) public utility towers and poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to buildings;

(c) flood control, dams for public water supply, hydroelectric dams and their related structures, not including buildings;

(d) mechanical or other equipment and appliances not specifically regulated by the codes;

(e) above-ground or below-ground bulk storage tanks not regulated under Part 6 of the Building Code or the National Farm Building Code of Canada, 1995, issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada;

(f) a building that is within the scope of the National Farm Building Code of Canada, 1995, issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada;

(g) free-standing signs;

(h) fences;

(i) retaining walls or exterior steps not attached to, and forming part of a building's construction;

(j) in respect of a building within the scope of Division B of Part 9 of the Building Code, interior and exterior non-structural material alterations and material repairs such as

(i) removing and replacing roofing with similar materials,

(ii) removing and replacing cladding with similar materials,

(iii) replacement or repair of drywall or other interior finish,

(iv) installation of additional insulation or replacement of insulation,

(v) replacement of a furnace or boiler,

(vi) installation or replacement of an air-conditioning unit or heat pump,

(vii) replacement of windows or doors, where there is no change in location or size of the window or door and the structural support for the opening is not affected,

- (viii) installation or replacement of cabinets, shelving, millwork or flooring, and
- (ix) waterproofing or damp-proofing of foundation walls or repair or replacement of foundation drainage;
- (k) a building used for a resource use as that term is defined in the Subdivision and Development Regulations (EC693/00) made under the Planning Act R.S.P.E.I. 1988, Cap. P-8, where the occupant load is expected to be not more than one person for each 40 square metres of floor area during normal use; (l) an accessory building not greater than 20 square meters in area;
- (m) a single-storey exterior wooden deck for residential use that is less than 600 millimetres above ground level and less than 55 square metres in area and does not support a roof;
- (n) a tent with a floor or ground area of less than 223 square metres that is erected for a temporary purpose;
- (o) in respect of a building within the scope of Division B of Part 3 of the Building Code, interior and exterior non-structural material repairs or maintenance with a monetary value of \$10,000 or less. (EC177/20)

For information on Building Codes Regulations, visit https://www.princeedwardisland.ca/sites/default/files/legislation/b05-1-1-building_code_act_building_code_regulations.pdf.

For the Provincial Building Permit application and submission process, please contact the Land Division, Department of Agriculture and Land;

Email: landsdivision@gov.pe.ca Tel: 902-368-5590