

**Rural Municipality of Miltonvale Park Council
MINUTES**

Milton Community Hall

7:00 p.m., March 20, 2024

Present: Mayor Hal Parker, Councillors Paul Poole, Rosemarie Ramsay, Jamie Taylor, Andrew Frizzell, Leo Doucette and Spencer MacDonald; and CAO Shari MacDonald

1. CALL TO ORDER

Mayor Parker called the meeting to order at 7:00 p.m.

2. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of conflict of interest, although Councillor Frizzell will re-evaluate if any topic regarding his re-zoning is raised.

3. APPROVAL OF AGENDA

Motion 2024:15 – Moved by Councillor Spencer MacDonald, seconded by Councillor Jamie Taylor that **the agenda be approved**. Motion carried, 6-0.

4. PUBLIC PRESENTATIONS/PETITIONS/DELEGATIONS

There were no public presentations scheduled.

5. ADOPTION OF MINUTES

Motion 2024:16 – Moved by Councillor Rosemarie Ramsay, seconded by Councillor Paul Poole that **the minutes of the February 21, 2024, Regular Meeting be approved, with the correction of several typos**. Motion carried, 6-0.

Motion 2024:17 – Moved by Councillor Rosemarie Ramsay, seconded by Councillor Spencer MacDonald that **the minutes of the February 29, 2024, Public Meeting on the Finances be approved as circulated**. Motion carried, 6-0.

6. BUSINESS ARISING FROM THE MINUTES

- i. **Hall Renovation** – The Enabling Accessibility Fund contract has an end date of September 28, 2024, but could be extended one additional year. Councillors were reminded to continue to consider possible projects.
- ii. **[EV charger](#)** – The CAO contacted the Canadian Electric Vehicle Charging Solutions (CEVCS) to let him know the municipality will move ahead with the project.

7. CORRESPONDENCE

- i. **North Milton WI** -The Women’s Institute requested its annual donation of \$200 for expenses related to a Wedding Dress Exhibition they intend to hold June 21- 22. This exhibit may also be a part of Council’s New Horizons for Seniors Miltonvale Park in the Movies project.

Motion 2024:18 – Moved by Councillor Spencer MacDonald, seconded by Councillor Jamie Taylor that **the Rural Municipality of Miltonvale Park donate \$200 to the North Milton WI, for a wedding exhibit in accordance with the Donation Policy.** Motion carried, 6-0.

- ii. **The Federation of Canadian Municipalities (FCM)** shared information about upcoming events
 - a. **Webinar - Creative collaboration for climate adaptation: Innovative models for community resilience** March 19, 2024 at 12 p.m. ET.
 - b. **Webinar - Community stories: The real impact of energy efficiency financing** March 28, 2024 at 1 p.m. ET.
 - c. FCM launched a **social media campaign, Update Required**, calling for a new Municipal Growth Framework for infrastructure funding.
 - d. FCM's **[2024 Annual Conference and Trade Show \(AC2024\)](#)** takes place in Calgary from June 6-9, 2024.
- iii. **Recreation PEI** Shared a [link](#) to pre-prepared social media posts for March, with information on Brain Health Awareness Month, Nutrition Month, International Women's Day, International Day of Happiness and International Day of Forests
- iv. **ROCK Networks** has a promotion on communications systems and offered two free Hytera two-way radios.
- v. **PEI - 2 Billion Trees Program - The [municipal stream](#) of the [PEI - 2 Billion Trees Program](#)** will provide up to \$75,000 toward planting larger-caliper trees in urban areas and green spaces. Applications will be accepted on a first-come, first-served basis until March 15, 2024. The CAO made application for large trees for the new community park at StrathRae.
- vi. The mandatory **Code of Conduct** training module for all council members needs to be completed by March 31, 2024. Councillor MacDonald intends to complete the training this weekend. Mayor Parker is checking on his status, as he had gone through the training
- vii. **Atlantic Bug Busters** acknowledgement that the contracts for Miltonvale Park were received. Payment is due by early April in post-dated cheques.
- viii. The signed **EDI contract** for The Exploration of the Art of Drag project was returned to the Province.
- ix. **AT-PEI (Active Transportation PEI)** requested and received claim documents for the Active Transportation Plan project. The final claim of \$5500 was received.
- x. The **Island Community Food Security Program** reminded the municipality that the Final Report and Claim Form were due March 15, 2024. This report was submitted.
- xi. The Infrastructure Secretariat reminded the office of the March 31, 2024 deadline for submitting claims for the **Municipal Capital Expenditure Grant (MCEG)** for 2022-2023.
- xii. **ParticipACTION** – The funding application received by ParticipACTION was an incomplete version. A saved completed application was forwarded by March 20.
- xiii. The official launch of the **Earth Day 2024** campaign, focused on sustainable mobility, is via an [online press conference](#) on March 21st at 12:45pm. An email was circulated to Council with more information on the Mobilizing Municipalities movement.
- xiv. The March 2024 **Federation of PEI Municipalities (FPEIM)** e-News included information about the [AGM](#) on Monday April 29. Kathryn Kolaczek, CEO of [Alchemy Communications](#), will provide the keynote address on fostering trust in municipalities. The agenda includes an address from Scott Pearce, FCM president, updates from political leaders, information on the [provincial population framework](#), lessons from

the [Shape Stratford](#) project, discussions, business meeting, and networking. [Resolution forms](#) and [Nominations for awards](#) will be accepted until 4:00 pm on April 1, 2024 – [Bruce H. Yeo Award nomination form](#) and [Municipal Achievement Award nomination form](#). The registration fee is \$90 + HST/delegate. Mayor Parker, Councillor Ramsay and the CAO expressed interest in attending.

Motion 2024:19 – Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald that **the Rural Municipality of Miltonvale Park allocate up to \$270 +HST for registration fees for the FPEIM Annual Meeting**. Motion carried, 6-0.

- xv. Council was contacted by a resident regarding the **streetlights** which have not been working at the intersection of Rte. 2 and the Lower Malpeque Road. The CAO forwarded the concern to Transportation.
- xvi. Dale Sabeau, School Study Consultant, with the **Public Schools Branch of PEI** is reviewing school enrolments and current school capacities in some of its facilities, including West Royalty Elementary, and was asking if Miltonvale Park is aware of any planned residential developments (i.e. subdivisions or large-scale projects) in the area. The Development Officer responded.
- xvii. Elected Officials Education Series has two webinars: **Tackling Flooding Together: A Municipal Flood Risk Check-Up** on Thursday, March 28th at 1:00 pm ET; and [Effectively Leading Your Community: What Elected Officials Need to Know](#) - about the importance of clear communication during times of crisis on Wednesday May 22 at 1:00 pm.ET.
- xviii. **Taxation rolls** were received and the tax certificates confirming the tax rates for 2024 are to be returned by April 1.
- xix. Provincial Credit Union notified the municipality the 1-year **deposits** are coming due on April 20, 2024. They will have earned \$3,760.27 per \$100,000 for four deposits of \$100,000 and two of \$50,000. It is likely one or two will need to be cashed in advance to ensure the balance in the infrastructure account matches book balance on March 31, 2024.

Motion 2024:20 – Moved by Councillor Paul Poole, seconded by Councillor Rosemarie Ramsay that **the CAO be authorized to move the necessary funds from the deposits to the infrastructure account to match the book balance for March 31, 2024, and to re-invest the term deposits**. Motion carried, 6-0.

It was suggested the maturity dates be staggered.

- xx. PEI Infrastructure outlined requirements for the **Annual Expenditure Return (AER)**, which is due by 4 p.m. on May 15, 2024. Municipalities are encouraged to take care and ensure accuracy. A list of most common errors was included. The auditors are required to sign off on the report.
- xxi. Numerous emails were received from a non-resident requesting considerable information regarding the **Frizzell property**. Seven concern forms were received from residents of Milton Station, delivered by Ms. Detry Carragher on Friday afternoon March 15, although one does not contain a written signature. They were also sent by Detry Carragher to the Premier. The concern forms, which assure confidentiality, ask what the complainants have done to solve the issue. None reported doing anything prior to submitting the forms. The forms have been circulated to Council. Staff will review the concerns before the next meeting.

Motion 2024:21 – Moved by Councillor Spencer MacDonald, seconded by Councillor Rosemarie Ramsay that **the meeting move to a closed meeting, under the Municipal Government Act 118.1 to discuss (g) the conduct of an investigation under, or enforcement of, an Act or bylaw.** Motion carried, 6-0 at approximately 7:42 p.m.

Motion 2024: 22C - Moved by Councillor Spencer MacDonald, seconded by Councillor Leo Doucette that **the meeting return to an open meeting.** Motion carried, 5-0, at 8:07 p.m.

Motion 2024: 23 - Moved by Councillor Paul Poole, seconded by Councillor Leo Doucette that **Council confirms that, since the application for re-zoning parcels 283325 and 658799 was received in the spring of 2023, Councillor Frizzell was not involved with, or present for any discussion that took place at a Council meeting involving decision-making regarding the approval of Application MP-1198.** Motion carried, 5-0.

An email was also received from neighbours of Mr. Frizzell concerned about the potential for future expansion of the light industrial zoning in the area, and the increase in vehicles, storage containers, trailers and boats on the property, and noting that if Council is not prepared to protect the aesthetics and property value of their property, they would seek legal counsel.

Councillor Frizzell returned to the meeting at 8:09 p.m.

It was noted that a threat had been made at the Council office by a resident towards Councillor Frizzell before the public meeting on the rezoning in May, 2023. In light of changing circumstances regarding the individual who made the threat, it was recently reported to the RCMP for investigation.

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

a. **Environment and Community Living**

1. **Cornwall and Area Watershed** - Councillor Taylor reported on the March 13, 2024 CAWG Meeting. The draft Bylaw amendments were approved and will be voted on electronically on March 21, 2024 and enacted on April 10, 2024. Key changes include clearer definitions for the role of the board and the executive, clarity on executive honorariums, a membership plan and the modernization of banking procedures. The coordinator presented updates on Hyde Pond and other projects. All required funding has been secured for the Hyde Pond project, with contributions of \$240,000 through the Provincial Watershed Alliance, CAWG and the Province, and they plan to start work on May 1. They are putting security fences around lagoons, and a fish ladder and gates to make a fish bypass. Some plans for 2024-25 were reviewed. CAWG Coordinator Hannah MacLean is planning the AGM for either the Cornwall Civic Centre or the Milton Hall. CAWG is investigating a logo redesign contest, and are researching the purchase of a work phone for the coordinator. CAWG was notified that the provincial nursery will no longer be able to provide trees for free giveaways, such as Canada Day. The next meeting is April 10, 2024 at 7 p.m. at the Cornwall Town Hall.

2. **Projects**

1. **ACOA Canada Community Revitalization Fund/Rural Growth Initiative**

Community Garden, Miltonvale Community Park and StrathRae Park – The ACOA portion of the project has been completed. The final payment of \$17,151.78 was received on March 20. The StrathRae park plan was received from Spruce Grove Landscaping. The CAO ordered and received two additional 8-foot picnic tables. Black galvanized public park fence was ordered for the “upper” side for StrathRae Park, and for the front parcel by Royalty Road. Materials were ordered for the wooden fence and its installation. The province will fund a well and garden beds, plus some playground installation costs. The CAO needs to confirm the Canada Community Building Fund portion of expenses to adjust the bank balance in the infrastructure account and make arrangements for the installation of the greenhouse, gazebo, picnic tables and benches.

The developer of StrathRae is about to install streetlights and has contacted the office to see whether the province or municipality would pay for this. As the province owns the roads, the municipality would expect they would pay for lighting.

2. **Seniors**

a. **New Horizons for Seniors (2023-24)**– The “PEI Through the Years” Project is finishing in March. The square dancing group is planning to continue into spring. Dutch Thompson spoke at a Lunch and Learn on March 8 to about 45 people. The IRSA Lunch and Learn was cancelled as no one had signed up. It may be possible to reschedule a different topic in early April to include in the project. A concert celebrating Black culture is planned for Saturday, March 23 at 2 p.m. with Scott Parsons and K’eziah Collie. Registration numbers are low. Books have been purchased for book club meetings. There was also to have been one more speaker on an Indigenous topic.

b. **New Horizons for Seniors Program (NHSP) Community 2024-25** – An application was made for \$17,270 for *Miltonvale Park – Life in the Movies*, and \$9180 was approved. The CAO is waiting for further information on eligible expenses.

c. **PEI Seniors Secretariat Funding 2023-24 – (\$2100) “Miltonvale Park – Senior Matters”**. Ideally, the municipality should organize one other speaker. The Seniors Health Fair on March 8 was very much enjoyed, but the attendance was low. The office will share videos through social media. That report to the funders is due by March 31.

d. **PEI Seniors Secretariat Funding 2024-25** – Organizations and municipalities can apply for projects up to \$5000 by April 5, that promote positive images of aging/address ageism, support healthy aging, improve personal safety/address abuse or neglect of seniors, improve financial security of seniors, address social isolation, support intergenerational connection, or support aging in the right place for the individual senior. There were many suggestions received: a phone-a-friend or “check-in” program, and sending “thinking of you” cards, walks inside of the hall, followed by tea; activities to get seniors involved, garden party, bingo, a book reading with an author, a speaker on loneliness, a foot clinic, black light theatre, bus tour, youth/seniors activities -crafts/gardening/ cooking/games/handcrafts, make a movie, senior meals, board games, night; bridge night or a health fair. Council suggested that the CAO determine the application’s activities.

3. **Community Meals & Meal Boxes-** The municipality served homemade beans on March 13 and distributed 50 meal boxes on February 22. The report to the funders was submitted March 15. \$10,985 was spent, with \$10,000 to be reimbursed. There were some donations received, plus some donations were directed to the Milton Hall.
4. **Active Transportation Plan** –Councillor Taylor suggested that there were some ideas in the plan that were more attainable, such as a natural path walkway. A three-meter-wide walkway for walking and jogging from the Parker Cross Road to behind the hall, and then following downstream to Rte. 2 would be a good addition to the community. It might be difficult to keep 4 wheelers, dirt bikes, and e-bikes off of a walking trail. A tunnel under Rte. 2 would provide a safe crossing. Funding would be required to chainsaw and remove “matchstick” trees. Benches could be installed. People or businesses could adopt a section of trail. There may need to be an incentive for landowners, and liability would be a consideration. Councillor Poole suggested the municipality find out who owns the land across the road from his home, along the North York River.
5. **PEI 150 Celebration Fund** - Reports are due this month for the **antique vehicle show** and **Canada Day**.
6. **Car Show 2024** – It was suggested that the car show keep the same date – the Saturday of the Father’s Day Weekend, June 15, with a rain date of Sunday, June 16. CMP and the Winsloe Lions Club will be contacted. It was thought that 50% more spaces for cars may be required. There is also the opportunity to acquire sponsorships, and to provide some space for vehicle-related businesses, such as detailers. The budget should include funds for trophies. Car cleaning and other vehicle supplies could be prizes, Princess Auto, Novus, and other automotive establishments can be approached for prizes and to help to promote the car show. Live music should also be at the event.
7. **Gender | Equity | Diversity | Inclusion and Community Enhancement Program** -The municipality was approved for a grant of \$5330 for a drag brunch, story time, workshop/round table, and Outrageous Bingo to be held by December 31, 2024. The signed contract has been returned to the Province.
8. **ParticipACTION Community Challenge** The CAO applied for \$1250 for a community wide activity challenge (disk golf, painting, gardening, pickleball, walk, cycle, dog walk, Move More than Mayor, and a virtual walk)
9. **Family Violence Prevention Week** – takes place in May 2024. Some fleece has been purchased on sale and volunteer Linda Sullivan has started to prepare it for the annual blanket-making activity.

d. **Activities**

1. **Yoga** with Leone Curtis takes place on Tuesdays and Fridays at 9 a.m. for mat and 10:30 a.m. for chair classes. The Central Region Sport and Recreation Council was interested in sponsoring Friday classes
 2. **Exercise** – Instructor Michele Gallant is not able to return to class until the fall. The CAO is contemplating finding an alternate instructor, or exercise class, in the 9.am. Monday and Friday time slot for the spring.
- e. **Park** – Former councillor Lindsey Rhynes was at the community park today picking up litter with some youth and found a full shopping bag of needles and many condoms. It was suggested that better cameras be considered for the park. Needle

boxes are available when the park is open. Councillor Poole noted that pallets were recently burned and needles found on the Confederation Trail by the North York River Road.

- f. **Community Pasture** – The CAO still needs to prepare a lease for Earl Hambly to sign regarding the pasture.
- g. **Community signs** – The “Welcome to Miltonvale Park” sign at the Oyster Bed Bridge entrance to Miltonvale Park needs to be replaced.
- h. **APM Centre** – Communities 13 Inc. held a public meeting on March 19 to discuss their plans for expansion, and building a second ice surface. This was the same night as Miltonvale Park’s meeting on the Official Plan and Bylaw amendments. Manager Donna Butler shared with the office that the committee showed a concept for the expansion and asked the group to encourage municipal leaders and elected officials to support the project. There was considerable discussion about who should own the building and if the town were to own the building if it would be easier to access funding. Some of the Cornwall town officials said the expansion was not a priority for them now, as they do not own the building. There are currently no funding programs available for the proposed renovations, and the committee is waiting to see if any become available. The 150-200 people in attendance supported the concept of a new building and felt there was a definite need. Someone who had attended the meeting suggested that Cornwall represents about 49% of the population in the area, but council is split in their support and that West River, the next largest population base, is not in favour of moving forward with the expansion. It was noted that there are about 16,000 people in the area, and about 600 youth in the North River Minor Hockey. Tyne Valley built a \$10 million rink with a population of approximately 240. The rink in North Rustico experienced significant cost overruns.
- i. **[2 Billion Trees](#)** – The CAO applied for 28 large spruce trees and 14 maple trees for the new park lands at StrathRae.
- j. **Community Garden - Community Garden** – The CAO is hosting a meeting on Thursday, March 21 at 6:30 p.m. for those who have expressed interest in the community Garden. The municipality needs to get written permission from the landowners to install electricity. The municipality may be able to apply to the [Island Community Food Security Fund](#) for some items, such as seeds for the garden.

iii. **Emergency Measures**

- a. **PEI Disaster Financial Assistance Program for Municipalities** -The application due by fall 2026.
- b. **Emergency Radios** were referred back to the EMO committee, which hasn’t met.
- c. **Generators** –Simple instructions were compiled for the six 4000-watt generators, in storage. There still needs to be a loan agreement developed to mitigate liability concerns, and residents need to be made aware of the generators.
- d. **Red Cross** – There still needs to be a contract developed with the Milton Community Hall regarding its use as the municipal warming center.
- e. **Council generator** – An estimate was received from Jordan Chandler. Ranmac Electrical had not yet submitted one. Chandlers has two 50w Cummins generators available. Due to its larger size, it would likely need to be placed in a different location. The estimate was \$31,425 for the generator, including delivery, and set up on site, and start up/commissioning. Other costs that would be anticipated, with estimates were an upgraded Level 2 enclosure -\$1,200, concrete base- \$1500, removal (free if it was not too far), new automatic transfer switch recommended – \$1800, propane hook up - \$4000, electrical –\$4000, for a total of about

\$44,000. The generator is available in May, and would be about the same price as a 40w model. The Province currently has a [program](#) to outfit/upgrade designated warming centers, and will provide up to 80% of the generator costs up to \$50,000. Applicants must contribute at least 10% of costs.

Motion 2024: 24 - Moved by Councillor Spencer MacDonald, seconded by Councillor Jamie Taylor that **Council apply to the Reception Centre Resiliency Fund, and accept the quote for a 50w generator from Chandler Motor Repair.** Motion carried, 6-0.

- f. **Reception Centre Application**, the database that holds all reception centre information for all Emergency Coordinators, is now available. The CAO is the current contact to update the reception centre information. Once all users are confirmed, Municipal Affairs plans to host an online training session for all delegates in March 2024.
- g. **St. John's Anglican Church** inquired if the municipality would be interested in them being a municipal EMO warming center. This would be acceptable to the municipality, if an agreement could be made. If they were to become an alternate warming center, the current generator could be installed at the Church, if they have propane, or would be willing and able to connect to propane.

iii **Personnel Committee**

- a. The draft **CAO contract** needs to be finalized. The CAO is adding duties included in the Municipal Government Act to the draft developed by Councillor Ramsay.
- b. The employee **code of conduct** has not yet been adopted.

iv **Finance/Payment of Accounts**

- a. **Remittance** – The municipality is a quarterly remitter and has paid Canada Revenue Agency to the end of December 2023.
- b. **Reports and Payment of Accounts** – The financial statements were not available for the meeting.
- c. **Budget** – No comments were received after the public meeting, and no changes have been made to the budget since the February 29, 2024 meeting.

Motion 2024:25 -Moved by Councillor Rosemarie Ramsay seconded by Councillor Spencer MacDonald, that **the Rural Municipality of Miltonvale Park approve the [Operating Budget for 2024-25](#), with income totaling \$426,840 including Grants Revenue of \$385,300 Licenses and Permits of \$15,250, and Expense Recovery of \$26,290. Total expenses are budgeted at \$426,840, and include the following subtotals: Administration - \$119,975; Facilities and Public Property - \$108,820; Fire Protection of \$104,830; Planning and Zoning - \$22,050; Community Development -\$39,400; Professional Services and Memberships -\$18,860, and Recreation and Parks - \$46,750, for a balanced budget.** Motion carried, 6-0.

Motion 2024:26 – Moved by Councillor Rosemarie Ramsay, seconded by Councillor Leo Doucette, that **the Rural Municipality of Miltonvale Park approve the [Capital Budget for 2024-25](#), with income of \$157,000 from Grants Revenue, and total expenses of \$157,000, from Facilities and Public Property - \$5,000, Planning and Zoning (EMO) \$65,000, Community Development - \$2,000 and Recreation and Parks - \$85,000, and using capital reserves of \$2,000 from reserves to balance the Capital budget.** Motion carried, 6-0.

Motion 2024:27 - Moved by Councillor Rosemarie Ramsay, seconded by Councillor Paul Poole, that **the Rural Municipality of Miltonvale Park approve the [5-Year Capital Budget](#) for 2024-45.** Motion carried, 6-0.

Motion 2024:28 – Moved by Councillor Rosemarie Ramsay, seconded by Councillor Andrew Frizzell, that **the Rural Municipality of Miltonvale Park approve the asset management plan, as presented.** Motion carried, 6-0.

Motion 2024:29- Moved by Councillor Rosemarie Ramsay, seconded by Councillor Jamie Taylor that **the Rural Municipality of Miltonvale Park tax rates for 2024-25 be 16.6 cents per \$100 assessment for non-commercial properties in both the serviced and un-serviced areas, and 82.6 cents per \$100 for commercial properties in both the serviced and un-serviced areas.** Motion carried, 6-0.

- 9. REPORT FROM CAO** – The CAO sent regular email updates to residents and neighbours, completed the last report for the Business Payrolls Survey, spent time on the ACOA project and submitted its final report, wrote minutes for the Planning Board, Public Budget, and Council meetings. The final community meal, and second food box events were organized and the Food Security Program report was submitted. Items on the TO DO list include the applications for the Seniors Secretariat grant, Post-Secondary Student Program and Jobs for Youth, the EMO Warming Center grant; gathering more information on generators and installation, and the reports to Innovation PEI (Canada Day and Car Show), the 2023-24 Seniors Secretariat, and Municipal Capital Expenditure Grant (MCEG) by March 31. The CAO needs to complete the Code of Conduct Policy for Employees (s 86-2-f) and Terms and Conditions of Employment (section 95); EMO radios, the park EV project application, the lease for the pasture, continue to organize seniors activities, and apply for the GST rebate, and align the Infrastructure account to expenditures.

It was suggested that local businesses might be interested in sponsoring seniors or community meals though out the year. Meals on Wheels is working on an Island wide frozen food delivery program with \$5 meals.

10. RECOMMENDATIONS FROM THE PLANNING BOARD

Planning Board Chair Paul Poole reviewed the report from Planning Board, beginning with permits issued.

- a. **Permit 2024-03** was issued on 13/03/2024 at 635 Crabbe Road-Rte. 256, at PID 841296 for a detached garage, and temporary structure (sea can).
- b. Preliminary approval was granted to subdivide 1 lot from PID 585489, located at 871 Rustico Road, North Milton.

6. APPEALS -There are currently no appeals with IRAC.

7. ENFORCEMENT – The CAO has not yet written a letter regarding Council's disappointment in the developers of PID 283085 and their choice to not follow the consent order. Their letter noted there was a pile near the neighbour's barn, which may belong to the neighbour and be used in agriculture, to deflect from the pile of fill that was placed on the parcel without a permit. This pile which was not completely removed

was near the middle of the property, towards the back, and is visible in photos submitted to the developers.

- 8. APPLICATIONS IN PROGRESS** - In most instances, more information is required to finish processing the following applications:
- a. Application #MP-1195 to construct 23 new single unit dwellings at PID **444232**.
 - b. PID **901769** – for a single unit dwelling and private garage.
 - c. PID **283739** - The municipality has given preliminary approval for stages 2 and 3, and will grant final approval when the City of Charlottetown’s outstanding issues have been satisfied. The city wants full payment for the lift station plus a letter of understanding that the easements will be obtained.
 - d. Application #MP-1198-PID **283325 & 658799** - Rezone from Commercial (C1) and Agricultural (A1) to Light Industrial (M1) and lot revision.
 - e. Application #MP1207 PID **241059** for change of use.
 - f. Application #MP 1208 PID **922740** for a single unit dwelling.
 - g. Application #MP 1209 PID **280792** for a 1 Lot off subdivision.
 - h. Application #MP 1210 PID **281790** for a 1 Lot off subdivision
 - i. Application #MP 157 PID **280800** for a 1 Lot off subdivision
- 9. APPLICATIONS REQUIRING INPUT**
- a. **Rezoning - PID 283325 and 658799** – The planned February 28th public meeting date for the Official Plan and Bylaw amendments was changed to Tuesday, March 19 at 7:30 to allow notice requirements to be met. The amendments to be addressed included a change to the Future Land Use Map in the official plan and [amendments to the official plan and bylaws](#). A Development Agreement regarding the property to be rezoned would be finalized when any amendments to the bylaw are approved. A notification sign was posted on the subject parcel and letters were sent to property owners within 500 ft. The Council office was notified on March 13 that the letters had an error in the day, (Wednesday, March 19, as opposed to Tuesday, March 19); therefore, new letters with the correction were hand delivered on March 13, 2024. Ads for the rescheduled date were placed in The Guardian on Friday March 8 and Thursday March 14. Planning Board Chair Paul Poole presided over the meeting, and Planner Samantha Murphy outlined the proposed amendments to the public. Council will address the application at the April meeting, after Planning Board has made its recommendation.
 - b. **Application received to redesign an existing subdivision.** An application was received with a re-design of the subdivision which was approved about 50 years ago. Although it is currently zoned RS1, it is not currently serviced. The 2012 Memorandum of Understanding with Charlottetown included the possibility of servicing the land fronting on Heather Drive, but the City would not include that approved subdivision in that agreement for servicing. Permission would now be required from the City to connect to its services There are many issues with old design as roads are not designed to today’s standards, some properties were landlocked and lots are undersized. The developer now owns parcels 731158, 731141, 505289, 505081 and 283184. Council had said in the past they wouldn’t approve any more piecemeal changes until the entire subdivision was re-designed. As it is not currently serviced, the Special Planning Area regulations might apply unless servicing, which is crucial, is confirmed. The logistics surrounding the re-

design (e.g. consolidate, then re-subdivide, rather than lot revisions, any constraints of “Existing” parcels, and interpretation of the MOU clauses and Schedule B) need to be considered. It was noted that the servicing pipes are very deep in the Heather Drive area.

There are several parcels designated as open space in the new design. The province had funds in trust for servicing in the area, when the landfill site was operational but that was used in 2012 to service Heather Drive, Royalty Road, and Sleepy Hollow Road. Council recognizes the importance of providing housing for people in areas that are serviced and will preserve agricultural land. This land is not in agricultural use. Planning Board recommended Council move forward with this processing the redesign of the subdivision, which would include investigating servicing from Charlottetown. Council will wait for more information regarding the availability of servicing.

- c. **Variance Request -PID 283242** - Watertight Plumbing & Heating at 996 Lower Malpeque Road, was recently re-approved for a new commercial building. They have since requested a variance to the front yard setback of the new building to 6.3 m from the previously approved 14.3 m, which had received a variance, under 10%, from the stated required setback of 15.24 m (50 ft). The building was approved in July 2022, and the same application was reapproved (Permit 2024-02) on February 14, 2024, after it had expired. Watertight requested the variance to allow delivery and garbage trucks to turn around on the property.

The greatest variance that Council could grant is a 7.62m front yard setback (up to 50%). The front, rear and flankage setbacks are all a minimum of 50 ft., with the side yard setback being a minimum of 15 ft. The Developers would be agreeable with a 7.62 front yard setback. Transportation has been asked for comments as the property is at a major intersection. They recently requested that the plan show the parking arrangement and a sketch of where the delivery/garbage trucks will turn on the property. Transportation also requested confirmation that the entrance on Rte. 2 has been removed, which has been completed.

Development Bylaw, section 3.14, outlines the procedure for a variance, and among other requirements, states that neighbours receive written notice for a variance greater than 10%. Planning Board recommended Council move forward with the variance request for PID 283242, if the Department of Transportation has no concerns with granting a variance of up to 50% for the front yard setback of a commercial building. The Development Officer is still waiting for comments from Transportation.

Motion 2024:30- Moved by Councillor Spencer MacDonald, seconded by Councillor Jamie Taylor that **if the Department of Transportation has no concerns with a variance of up to 50% for a front yard setback for the commercial building proposed for PID 283242, that the Rural Municipality of Miltonvale Park move forward with the process to grant such a variance.** Motion carried, 6-0.

d. **Possible Purchase and Rezoning to Public Service and Institutional**

Motion 2024:31- Moved by Councillor Spencer MacDonald, seconded by Councillor Jamie Taylor that **the meeting move to a closed meeting, under the authority of the Municipal Government Act clause 119. 1 (b) to discuss information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved.** Motion carried, 6-0, at 9:35 p.m.

Motion 2024:32C –Moved by Councillor Jamie Taylor, seconded by Councillor Spencer MacDonald that **the meeting return to an open meeting.** Motion carried, 6-0, at 9:45 p.m.

- e. **Proposed Bylaw and Official Plan Changes** - Planner Samantha Murphy may also update the PID numbers on the Zoning map in the Bylaw, as a mistake was recently noticed in a property number. A relative of a resident has been contacting the office frequently regarding the Frizzell properties and has requested a variety of information dating back to the 1980s. Megan Williams, Manager of Land Use Planning with the Province confirmed that while they do identify to the Minister if an appeal has been made on an application, their recommendation and the Minister’s decision do not factor into IRAC’s decision, nor does an appeal influence theirs. The department doesn’t get involved with the appeal process unless they had jurisdiction at some point in the development’s progress (i.e. they approved the subdivision, and the municipality is approving the land use change which is being appealed). Ms. Williams noted that the developer can move forward with their development when it’s been appealed, however it is at their risk. If IRAC overturns the decision a developer is not going to be compensated for any investments or improvements done to the property. If textual amendments and a rezoning are in the same bylaw, even if the appellants are only appealing the rezoning, the entire bylaw is affected. While changes could be adopted and implemented, but there would be risk involved.

11. INQUIRIES BY MEMBERS OF COUNCIL – Councillor Taylor noted that three people in the last few days have asked him about the speed sensor, set to 70 km entering Miltonvale Park from Winsloe. The speed limit leaving Winsloe is at 80, but quickly drops to 70 km/hr. It was asked if it should it remain at 70 km/hr. The limits are set by the Province.

12. OTHER – Councillors were reminded to complete the Code of Conduct Training. Councillor MacDonald will be absent for the May Planning Board meeting.

13. INTRODUCTION AND READING OF BYLAWS –There were no Bylaws to be read.

14. ADJOURNMENT

Motion 2024:33 –Moved by Councillor Spencer MacDonald that **the meeting be adjourned,** and Mayor Parker declared it so at 9:53 p.m.

Mayor

CAO

April 17, 2024

Date approved

Next Meetings: Regular Council Meeting- Wednesday, April 17 at 7 p.m.

Planning Board – April 4 at 7 p.m.