
Rural Municipality of West River Council Meeting

Meeting No	20	Chair	Helen Smith-MacPhail
Meeting Date	Thursday, November 18, 2021	Phone	902-675-7000
Start Time	7:00 PM	E-mail	admin@westriverpe.ca
Location	Afton Community Center	Session	Public
Present	Mayor Helen Smith-MacPhail, Deputy Mayor Robert Clow, Councillor Lori Ashley, Councillor Stephen Gould, Councillor Sabrina Loughran, Councillor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Sharon Slauenwhite, Councillor John Yeo		
Also	Laala Jahanshahloo – CAO		
Regrets	Councillor Pam Baglole, Councillor Chad Stretch		

- **Call to order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:15 pm.

- **Approval of Agenda**

It was moved by Deputy Mayor Robert Clow and seconded by Councillor John Yeo; the agenda be approved as circulated.

Motion Carried

- **Declarations of Conflict of Interest**

No conflict of interest was declared.

- **Approval of Minutes**

It was moved by Councillor Shaun MacArthur, seconded by Councillor John Yeo; the minutes of October 14, 2021, Council meeting approved as circulated.

Motion Carried

- **Business Arising from Minutes**

Nil.

- **Mayor Report**

→ The Honourable Antoinette Perry, Lieutenant Governor of Prince Edward Island, presented the COVID 19 Warrior Coin award at a ceremony hosted by the Municipality on November 18, 2021, at 6:00 pm. And nominees received their awards from Lieutenant Governor:

- Argyle Shore Women's Institute
- Bonshaw Women's Institute
- Canoe Cove Women's Institute
- Clyde River Women's Institute
- Gass's Store's Owner and Staff
- Lincoln MacKenzie
- Long Creek Women's Institute
- Meadowbank Women's Institute
- Rice Point Women's Institute
- St. Catherine's Women's Institute

→ Mayor followed up on the concern not addressed in the letter received from the Minister of Land and Agriculture on September 14 by phone call. As a result of this conversation, the Province scheduled a meeting to discuss the concerns on November 10, 2021.

- **CAO Report**

→ CAO reached out to L'nuey to add Mi'kmaq name signage for the bridges over the West River (TCH # 1, Rte. 19, and West River Rd.), and L'nuey will be including the Mi'kmaq place name for West River in their 2022 list.

- ➔ As CAO had received an email regarding the dangerous situation of Trans Canada Highway and Bonshaw Bridge intersection, contacted Transportation and Infrastructure Department to request a Traffic Safety Evaluation. Alan Aitken, from the Traffic Operations division informed the Municipality that they are prepared to review this situation further and meet with Council to review their findings, but it may take some time to complete.
- ➔ Council adopted to approve Committees' minutes at the first available meeting either Council or same Committee until any amendment to the Bylaw#2021-01 has been requested. It was moved by Councillor Sabrina Loughran and seconded by Councillor John Yeo.

Motion Carried 7-1 (Deputy Mayor Robert Clow voted against it)

- **Emergency Measures Committee Report**

- ➔ Chair Shaun MacArthur noted the Committee met on November 10 and presented a summary of the meeting's report.
- ➔ Approval of Minutes

It was moved by Councillor Lori Ashley and seconded by Councillor Shaun MacArthur that the minutes of November 10, 2021, Emergency Measure Committee meeting were approved as circulated.

Motion Carried

- **Finance Committee Report**

- ➔ Chair Stephen Gould noted the Committee met on November 2 and presented a summary of the meeting's report.
- ➔ Approval of Minutes

It was moved by Councillor John Yeo and seconded by Councillor Sabrina Loughran that the minutes of November 2, 2021, Finance Committee meeting were approved as circulated.

Motion Carried

● **Planning Board Report**

- ➔ Chair Sharon Slauenwhite noted the Committee met on November 8 and presented a summary of the meeting's report.
- ➔ Approval of Minutes

It was moved by Councillor Sharon Slauenwhite and seconded by Councillor John Yeo that the minutes of November 8, 2021, Planning Board Committee meeting were approved as circulated.

Motion Carried

● **Properties Committee Report**

- ➔ Chair Chad Stretch noted the Committee met on November 1 and presented a summary of the meeting's report.
- ➔ Approval of Minutes

It was moved by Councillor Shaun MacArthur and seconded by Councillor Aaron MacEachern that the minutes of November 1, 2021, Properties Committee meeting were approved as circulated.

Motion Carried

● **Resolutions**

- ➔ **MOTION#2021 -122**

Moved by Councillor Shaun MacArthur **Seconded by** Councillor Lori Ashley

WHEREAS

According to Order EC2020-485, Section (13) (f), the Interim Council for the restructured Rural Municipality of West River shall comply with the requirements for a municipal emergency measures plan and program under subsection 14(c) of the Municipal Government Act by October 2022, and

WHEREAS

Rural Municipality of West River "Municipal Emergency Plan" has received final approval by PEI EMO, Department of Justice and Public Safety on October 28, 2021,

BE IT RESOLVED

The Council for the Rural Municipality of West River adopts the approved "Municipal Emergency Plan."

CARRIED 8- 0

→ MOTION#2021 -123

Moved by Councillor John Yeo

Seconded by Councillor Stephen Gould

BE IT RESOLVED

The Council for the Rural Municipality of West River approves to add \$500 as capital expenditures for Meadowbank Signage & Information Implementation (Gas Tax Project 53.1.1) to the Capital Budget of April 1, 2021-March 31, 2022.

CARRIED 8- 0

→ MOTION#2021 -124

Moved by Councillor Sabrina Loughran

Seconded by Councillor John Yeo

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Chief Administrative Officer to submit the "fund transfer request" to the PEI Infrastructure Secretariat to transfer \$400.00 from uncommitted funds to Meadowbank Signage and Information Implementation project (53.1.1).

CARRIED 8- 0

→ MOTION#2021 -125

Moved by Councillor Stephen Gould

Seconded by Councillor John Yeo

WHEREAS

The Council of former Community of New Haven-Riverdale on August 18, 2020, approved to allocate all surplus funds available as of August 31, 2020, in all the accounts of the Rural Municipality of New Haven Riverdale to a reserve account set up by the newly amalgamated Rural Municipality of West River to be used solely for Capital additions, repairs and maintenance of the recreational area located in the community of New Haven Riverdale, and

WHEREAS

Pursuant of Motion #2021-83, all the surplus of the 2020-21 operating budget has transferred to the Community Priority and Contingency Reserve account,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves reallocating \$10,000.00 from the Official Plan expenditure budget to a new expenditure item for the Mutter Park Improvement and revises the Operational Budget for April 1, 2021-March 31, 2022 accordingly.

It was deferred until the next Council meeting on January 13, 2022, for further discussion.

→ MOTION#2021 -126

Moved by Councillor Stephen Gould

Seconded by Councillor John Yeo

WHEREAS

Pursuant of Motion #2021-125, to spend the former Community of New Haven-Riverdale on surplus funds available as of August 31, 2020, only for Capital additions, repairs and maintenance of the recreational area located in the community of New Haven Riverdale,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves using the \$10,000.00 allocated for the Mutter Park Improvement to obtain \$100,000.00 through a guaranteed funding process by Grant Match (attached proposal) and authorizes the CAO to execute it.

It was deferred until the next Council meeting on January 13, 2022, for further discussion.

→ MOTION#2021 -127

Moved by Councillor John Yeo

Seconded by Councillor Sharon Slauenwhite

WHEREAS

Following Motion #2021-91, Council deemed the "Geodesic Domes" to be a Tourist Establishment (Section 8.2 (vi)) under Section 8.2(xii) of the Z&SC Bylaw and is compatible with the surrounding uses in the zone on August 9, 2021, and

WHEREAS

The Council for the Rural Municipality on September 9, 2021, approved New Haven-Riverdale Zoning & Subdivision Control (Development) Bylaw Amendment 2021-16 and New Haven-

Riverdale Official Plan Amendment 2021-17 to redesignate and rezone, and a 3-acre portion of PID No.1129816 to Commercial (C1) excluding it from the previous designation of Agriculture (A1), and

WHEREAS

The Minister of Agriculture and Land approved both amendments 2021-16 and 2021-17 on October 25, 2021,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves the Development Permit for the above-noted land (the 3-acre portion of PID No.1129816) and authorized the development officer to issue the permit subject to the following conditions:

- A sewage disposal system is required prior to the Province issuing a Building Permit. The approval needs to be obtained prior to the Development Permit being issued;
- Entrance off of Churchill Road. It is the understanding of the Development Officer that a commercial entrance permit cannot be obtained until the land is appropriately zoned. The existing entrance will have to be reclassified as a commercial entrance prior to the issuance of the Development Permit;
- A 30 ft. x 60 ft. building (Structure #1 as shown on Schedule "A") containing an office, café, storage and washrooms;
- 5 Geodesic domes (as shown as structures 2 through 6 on Schedule "B") as single unit tourist accommodation containing one bedroom, one bath and a kitchen on 40 ft. by 40 ft. platforms;
- A Tree-Walk Village consisting of six treehouses (8 ft. x 8 ft.) that are connected as a playground, the Tree-Walk village will involve the construction of rope bridges, slides, and treehouses which will be constructed in existing trees with some additional poles being inserted as required by the project design team. The treehouses are to be professionally engineered and designed by Trekking Group;
- All buildings and structures shall be located as shown on Schedule "A" and no closer than 20 feet to a property boundary;
- Parking shall be provided in the area shown on Schedule "A";
- The driveway within the commercial area shall be a minimum of 20 feet in width and located as shown on Schedule "A";

- That the recommendations from the Fire Marshall as contained in Schedule "B" be adhered to; and,
- This Permit is issued subject to obtaining a Building Permit from the Province for each building (office and Geodesic domes on platforms).

SCHEDULE A TO MOTION 2021-127



SCHEDULE A TO MOTION 2021-127



Produced by the Prince Edward Island Department of Agriculture & Forestry. This map is a graphic representation and is not intended to be used as legal description or as a substitute for a legal description.

SCHEDULE B TO MOTION 2021-127


Office of Public Safety
Tel: 902 368-4869
Fax: 902 368-5526

**Department of Justice
and Public Safety**
Provincial Fire Marshal
PO Box 2000
Charlottetown
Prince Edward Island
Canada C1A 7N8



March 17, 2021

Trevor & Kathy Lank
108 Charles Lane, New Haven, PE
C0A 1H3

Re: Domes, PID: 219339-000

Trevor and Kathy,

Your development proposal that has been submitted has been reviewed using NFPA 101 Life Safety Code, 2018 Edition and has been classified under “one and two family dwelling” as outlined in chapter 23 of the code.

Approval in principle is hereby granted under the following conditions.

- 1) In dwellings or dwelling units of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape, in accordance with section 24.2.2.1.1, and shall be arranged in accordance with section 24.2.3.
- 2) The primary means of escape shall be a door, stairway, or ramp providing a means of unobstructed travel to the outside of the dwelling unit at street or ground level, in accordance with section 24.2.2.2.
- 3) The secondary means of escape (only if the dome has a bedroom with no direct egress to the outside) shall be one of the means specified in 24.2.2.3 (A) through 24.2.2.3 (C) in accordance with section 24.2.2.3. All bedrooms shall have a secondary means of escape, by way of **an outside window or door operable from the inside without the use of tools, keys, or special effort and shall provide a clear unobstructed opening of not less than 0.53 m² (5.7 ft²). The width shall be not less than 510 mm (20 in.), and the height shall be not less than 610 mm (24 in.). The bottom of the opening shall be not more than 1120 mm (44 in.) above the floor.**

Such means of escape shall be acceptable where:

- The window is within 6100 mm (240 in.) of grade
- The window is accessible to rescuers and rescue apparatus
- The window or door opens onto an exterior balcony

SCHEDULE A TO MOTION 2021-127 (CONTINUED)

- Windows having a sill height below or adjacent to grade shall be provided with a window well meeting the following criteria:
 - a) The window well shall have horizontal dimensions that allow the window to open fully.
 - b) The window well shall have an accessible net clear opening of not less than 0.82 m² (9 ft²) with a length and width of not less than 915 mm (36 in.).
 - c) A window well with a vertical depth of more than 1120 mm (44 in.) shall be equipped with an approved permanently affixed ladder or with steps meeting the following criteria:
 - i. The ladder or steps shall not encroach more than 150 mm (6 in.) into the required dimensions of the window well.
 - ii. The ladder or steps shall not be obstructed by the window.
- 4) Any required path of travel in a means of escape from any room to the outside shall not pass through another room or apartment not under the immediate control of the occupant of the first room or through a bathroom or other space subject to locking, in accordance with section 24.2.3.
- 5) Doors in any means of escape shall have a clear opening of at least 28 inches in width and 78 inches in height, in accordance with section 24.2.4.
- 6) All means of egress components (including but not limited to corridors, stairways and ramps) should be illuminated in accordance with section 7.8.
- 7) Stairs, ramps, guards, and handrails shall be in accordance with section 24.2.5.
- 8) Hallways (if any) shall be a minimum of 910 mm (36 in.) in width and 2135 mm (84 in.) in height, in accordance with section 24.2.6.
- 9) Interior wall and ceiling finish materials shall comply with section 10.2 and shall be Class A, Class B or Class C, in accordance with section 24.3.3.2.
- 10) Smoke alarms or a smoke detection system shall be provided and installed in accordance with section 24.3.4. In accordance with section 9.6.2.10, smoke alarms shall be installed in all sleeping rooms. Carbon monoxide alarms shall be required in dwelling units in accordance with section 24.3.4.2.
- 11) Electrical wiring and equipment used should conform to the current edition of the Canadian Electrical Code.
- 12) Heating, Ventilating, and Air-Conditioning, if any, shall conform to the current standards in accordance with section 24.5.1.
- 13) Any hazardous areas (mechanical / electrical rooms) should be separated from the remainder of the building by fire barriers (walls and ceiling) having a fire resistance rating of at least 1 hour with a 3/4 hour fire protection rated door, frame and hardware, equipped with a self closure. Penetrations in these barriers should be fire-stopped to

SCHEDULE A TO MOTION 2021-127 (CONTINUED)

maintain the integrity of the separation required.

- 14) Fire extinguishers should be installed within the occupancy and shall be maintained in accordance with NFPA 10.

The following comments by the Provincial Fire Marshal's Office in respect to this development application are provided within the scope of the Fire Prevention Act and the documents adopted under the Codes and Standards Regulations of that Act. The Provincial Fire Marshal's Office does not enforce the Architects Act or the Engineering Profession Act. If this application or portions thereof fall within the scope of these two Act's, the applicant should seek direction from those professional bodies.

Yours in Fire Safety



Dave Rossiter GFireE, ECFO, CFEI
Provincial Fire Marshal

CARRIED 8- 0

→ MOTION#2021 -128

Moved by Councillor Sharon Slauenwhite

Seconded by Councillor John Yeo

BE IT RESOLVED

The Council for the Rural Municipality of West River approves selected locations as the attached map for ten welcome signs.

It was deferred until the next Council meeting on January 13, 2022, for further discussion.

→ MOTION#2021 -129

Moved by Councillor Shaun MacArthur

Seconded by Councillor Aaron MacEachern

WHEREAS

The "Playground Equipment Compliance Inspection Report" conducted by Recreation Inc. found that specific pieces of equipment of the Legacy Park playground have been placed into Hazard

Class A (Life-threatening-or-debilitating) and Hazard Class C (May cause minor injury or equipment, not in compliance with CSA standard),

BE IT RESOLVED

The Council for the Rural Municipality of West River approved closing off the Legacy Playground for repair and authorized the CAO to execute it.

CARRIED 8- 0

→ **MOTION#2021 -130**

Moved by Councillor Aaron MacEachern Seconded by Councillor Shaun MacArthur

BE IT RESOLVED

The Council for the Rural Municipality of West River approves the attached Flag Flying Policy 2021-04.

It was deferred until the next Council meeting on January 13, 2022, for further discussion.

● **Other Business**

→ The Council has reviewed the survey result of the three concepts for the Municipality's Logo . However, the Logo selection was deferred, and Council will decide on this matter at its next meeting.

→ Council reviewed the request from a resident of Bonshaw to consider changing the Municipality to "Eliot River." Decision on this matter deferred pending further discussion.

→ The Council made a motion to cancel the December meeting (the next meeting will be on January 13, 2022). It was moved by Councillor Shaun MacArthur and seconded by Councillor John Yeo.

Motion Carried

→ Public attendance and participation in any public meeting govern by Bylaw#2021-01.

● **Questions from the Audience**

→ Municipality's Name change (deferred to WRC#21).

→ Bonshaw intersection speed limit (waiting for the reply).

→ Feedback on Logo (deferred until next Council meeting).

- **Adjournment**

- ➔ The meeting adjourned at 9:45 pm.
- ➔ The next meeting will be on January 13, 2022.

HELEN SMITH-MACPHAIL _____

MAYOR

LAALA JAHANSHAHLOO _____

CHIEF ADMINISTRATIVE OFFICER