



Rural Municipality of West River Council Meeting Minutes

Meeting No	2023-06	Time	7:00 PM
Session	Regular - Public	Date	Thursday, June 22, 2023
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Shaun MacArthur, Councillor Steve Pollard, Laala Jahanshahloo – CAO		
Regret	Nil		
Guest	Nil		

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:10 PM.

- **Adoption & Approval of Agenda**

The following topic was added to the circulated agenda by Councillor Shaun MacArthur:

- **PTY.2023.6.1 - Mutter Park Soccer Field**
- **WRC.2023.6.2 - Meeting Time Limit Revision**

The agenda was approved as circulated, including any added items. It was moved by Councillor Ryan Roggeveen and, seconded by Councillor Shaun MacArthur, unanimously carried.

- **Declarations of Conflict of Interest**

Nil.

- **Delegations & Public Input**

Nil.

- **Adoption of Previous Meeting's Minutes**

The minutes of May 25, 2023, Council Meeting were approved as circulated. It was moved by Councillor John Yeo and, seconded by Councillor Lillian MacCannell, unanimously carried.

The minutes of June 12, 2023, Committee of Council Meeting were approved as circulated. It was moved by Deputy Mayor Aaron MacEachern and, seconded by Councillor Shaun MacArthur, unanimously carried.

- **Discussion Items**

- **FIN.2023.6.1 - Afton Community Hall Expansion Project-Contemplated CO Holdback Release**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2023-49

Moved by Councillor John Yeo and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

According to Motion #2021-56, The Council for the Rural Municipality of West River approved the contemplated change order for the Afton Community Center (Gas Tax Project 27.1.1) at the cost of \$37,978.75 plus HST, and

WHEREAS

The contractor revised the final invoice and finished the work at the cost of \$26,665.28 HST included, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on June 12, 2023,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves the release of the \$3,999.79 holdback (HST included) of the Afton Community Hall Expansion Project-Contemplated Change Order and authorizes the CAO to execute it.

- **FIN.2023.6.2 - Afton Community Centre - Digital Sign Remote Access**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2023-50

Moved by Councillor John Yeo and **Seconded by** Councillor Shaun MacArthur

WHEREAS

The Afton Community Centre electronic sign was installed by the former Community of Afton in 2017 through funding received from ACOA, and

WHEREAS

Since 2017 no major service/upgrade has been done for this sign, and

WHEREAS

This sign is one of the primary sources of information for the Municipality residents, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on June 12, 2023,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts the proposal from Dalmac Signs to change out the radio on the Afton Community Centre digital sign to the cellular modem with lifetime cell service at the cost of \$5,600.00 plus HST and authorized the CAO to execute it.

- **FIN.2023.6.3 - 2-Billion Trees Planting Program Funding**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2023-51

Moved by Councillor Lillian MacCannell and **Seconded by** Councillor Ryan Roggeveen

WHEREAS

Federal and provincial funding will assist PEI municipalities in increasing their urban forest or replacing trees lost during Hurricane Fiona, and Municipal governments can apply for up to \$50,000 to cover costs associated with planting larger-calliper trees, and

WHEREAS

According to Municipal Government Act Section (156), agreements, contracts, and other legal or financial instruments shall be signed or authorized by both the Mayor and the Chief Administrative Officer of a municipality, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on June 12, 2023,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Mayor and CAO to sign the necessary documents and contracts for the PEI 2-Billion Trees Planting Program Funding on behalf of the Municipality.

- **PLB.2023.6.2 - Enforcement Officer Bylaw (Bylaw#2023-01) - Second Reading**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2023-52

Moved by Councillor Lillian MacCannell and **Seconded by** Deputy Mayor Aaron MacEachern

WHEREAS

WHEREAS The Rural Municipality of West River Bylaw number # 2023-01, Enforcement Officers Bylaw, be read and approved a first time on May 25, 2023,

BE IT RESOLVED

That the Rural Municipality of West River Bylaw number # 2023-01, Enforcement Officers Bylaw, be read and approved a second time.

- **Enforcement Officer Bylaw (Bylaw#2023-01) - Adoption**

Decision Type: Action

Status: Motion Carried (6-0)

Description: Motion 2023-

Moved by Councillor Lillian MacCannell and **Seconded by** Councillor Shaun MacArthur

WHEREAS

The Rural Municipality of West River Bylaw number # 2023-01, Enforcement Officers Bylaw, be read and approved a first time on May 25, 2023,

WHEREAS

The Rural Municipality of West River Bylaw number # 2023-01, Enforcement Officers Bylaw, be read and approved a second time on June 22, 2023,

BE IT RESOLVED

That the Rural Municipality of West River Bylaw number # 2023-01, Enforcement Officers Bylaw, be adopted by Council.

- **WRC.2023.6.1 - Animal Control Bylaw**

Decision Type: Action

Status: Referred

Background:

The Executive Director of PEIHS responded to the CAO inquiry (OTR.23.2.4) as follows:

- The PEIHS has agreements with the municipalities of Cornwall and Stratford to provide enforcement of their dog control bylaws. These contracts are negotiated every three years and for each year an increase is included in the contract and added to the previous year's cost. Often this increase is in keeping with the CPI.
 - Cornwall: \$12,564/year
 - Stratford: \$33,588/year

- PEIHS has signed Agreements with the Province (Department of Agriculture) and the City of Charlottetown. Still, due to the size of the territory covered and population, the cost of these Agreements is not remotely comparable. As a result, I did not include these numbers.
- Another possible option to enter into an agreement with PEIHS may be a pay-per-call service. PEIHS has something similar set up with the Department of Health regarding rabies observation cases. They pick up, transport, and house dogs that have bitten people (broke the skin) to observe for signs of rabies and report the findings back to the Department of Health. At the end of the required 10-day observation, the animal's behaviour is assessed, and if deemed a danger to the public, the dog is euthanized. If the dog is deemed adoptable, the dog is put up for adoption through PEIHS' program. The cost of this service is as follows:
 - o Capture Fee: \$100 per instance.
 - o Transport Fee: \$150.00 per instance.
 - o Dog Boarding Fee: \$26 per day (if the owner claims the dog, the owner pays the boarding fee)
 - o Euthanasia Fee (if deemed necessary): \$75 per instance.

Description:

The Council referred this item to be reviewed by the committee of the Whole.

▪ **PTY.2023.6.1 - Mutter Park Soccer Field**

Decision Type: Action

Status: Referred

Background:

Deviation in elevation from the original design grades as of October 8, 2020 (Appendix 6.1, attached hereto, forming a part of this minutes), PTY4.5, PTY 18.7, and some uneven spots/areas need to be fixed to make it suitable for usage as a soccer field.

Description:

The Council referred this item to be reviewed by the committee of the Whole.

- **WRC.2023.6.2 - Meeting Time Limit Review**

Decision Type: Action

Status: Referred

Background:

Motion#2023-15

Description:

The Council referred this item to be reviewed by the committee of the Whole.

- **Informational Items**

- **FIN.2023.6.5 - Bank Accounts Report**

Decision Type: Information

Status: Received

Description:

The Council reviewed the Bank Accounts Reconciliation Report as of May 30, 2023

- **FIN.2023.6.6 - 2023 Jobs for Youth Program Funding Agreement**

Decision Type: Information

Status: Received

Background:

Motion#2023-37

Description:

The CAO signed the "2023 Jobs for Youth Program Funding Agreement" on June 5, 2023.

- **EVT.2023.6.1 - Report of Events Committee Meetings**

Decision Type: Information

Status: Received

Background:

Motion#2023-45

Description:

Description: Mayor Helen Smith-MacPhail noted that the Event Committee met on May 31 and June 21, 2023, and presented a summary of the meetings' reports.

- **PLB.2023.6.1 - RMWR'OP&LUB - Update & Transition Process**

Decision Type: Information

Status: Received

Background:

PLB.23.5.1

Description:

On June 13, 2023, MLA of D17, Peter Bevan-Baker, questioned Minister Lantz about the approval of the West River Land Use Plan ([HANSARD](#) - PEI Legislative Assembly June 13, 2023, pp. 956-957).

On June 20, 2023, the new Manager of Land Use Planning, the CAO, received an email regarding OP&LUB approval status and the transition process (Appendix 6.2, attached hereto, forming a part of this minutes).

- **PLB.2023.6.2 - Fairview Development**

Decision Type: Information

Status: Received

Background:

PLB.23.5.1

Description:

After MLA of D17, Peter Bevan-Baker, questioned Minister Lantz and Premier King about the transparency and appeal extension of the Fairview permit ([HANSARD](#) - PEI Legislative Assembly June 13, 2023, pp. 957-958), the Planning Decision PEI Portal backdated the appeal date from 2023-06-01 to 2023-05-10 to and removed the "Proposed Number of Lots" row (Appendix 6.3, attached hereto, forming a part of this minutes).

CAO's report about the Planning Decision PEI Portal and administrative concerns will be presented at the next the Committee of the Whole meeting.

▪ **OTR.2023.6.1 - Municipal Approaches to Housing Supply and Affordability Workshop**

Decision Type: Information

Status: Received

Background:

OTR.23.5.1

Description:

The CAO presented a brief report of the attended workshop:

- [Municipal Approaches to Housing Supply & Affordability](#)
- [Housing Needs Assessment At-a-Glance](#)
- [Creation of Housing - Supports for Developers](#)

▪ **OTR.2023.6.2 - Report of RMWR's Liaison to Afton Community Center BOD**

Decision Type: Information

Status: Received

Description:

The Afton Community Centre's Board of Directors did not meet in June 2023.

▪ **OTR.2023.6.3 - Report of RMWR's Liaison to Bonshaw Community Center BOD**

Decision Type: Information

Status: Received

Background:

Motion#2023-12

Description:

Councillor Shaun MacArthur has not heard from the Bonshaw Board of Directors yet.

- **Adjournment**

- Councillor Shaun MacArthur motioned to adjourn the meeting at 8:15 PM.
- The next meeting will be on September 28, 2023.

Helen Smith-MacPhail

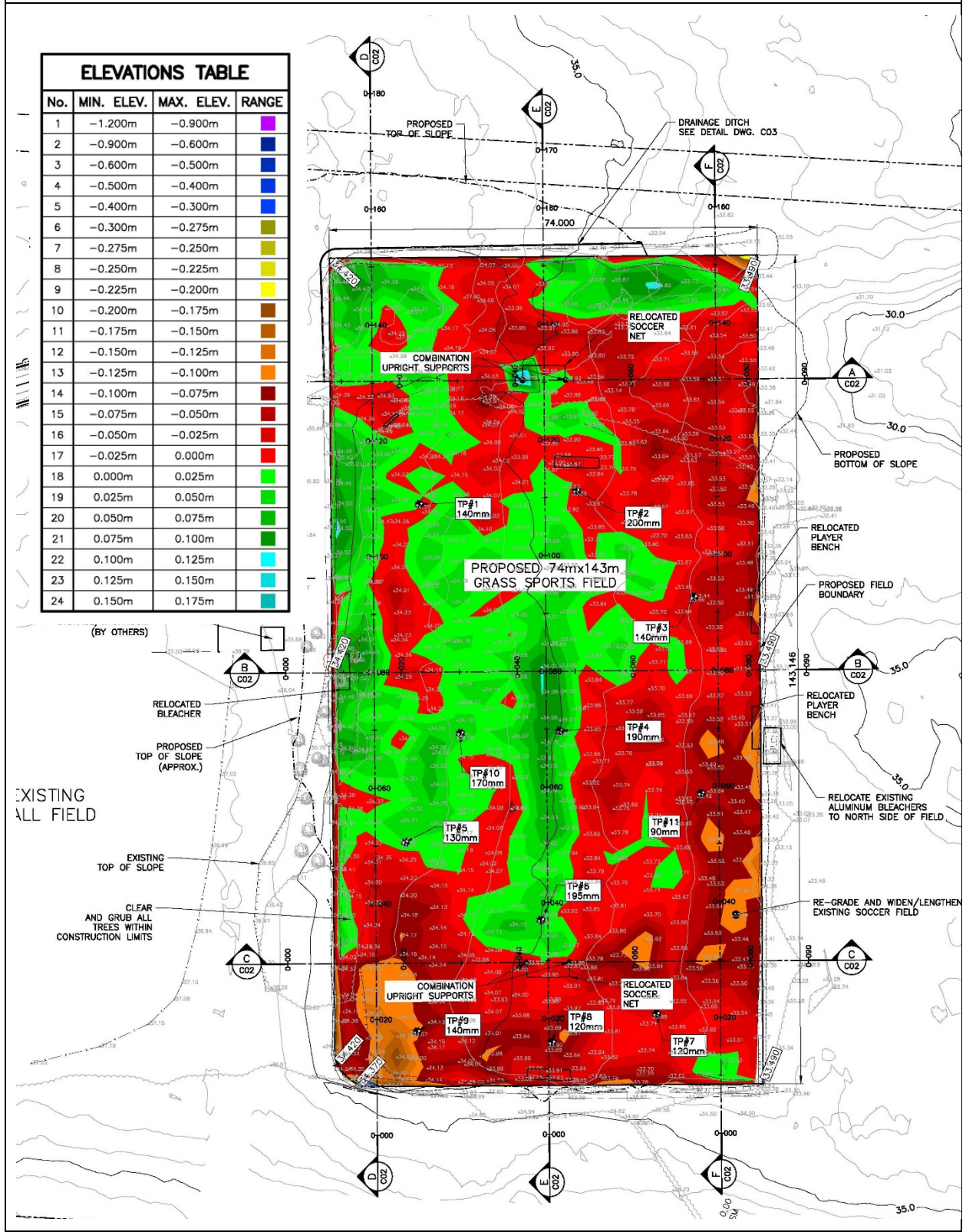
Laala Jahanshahloo

Mayor _____

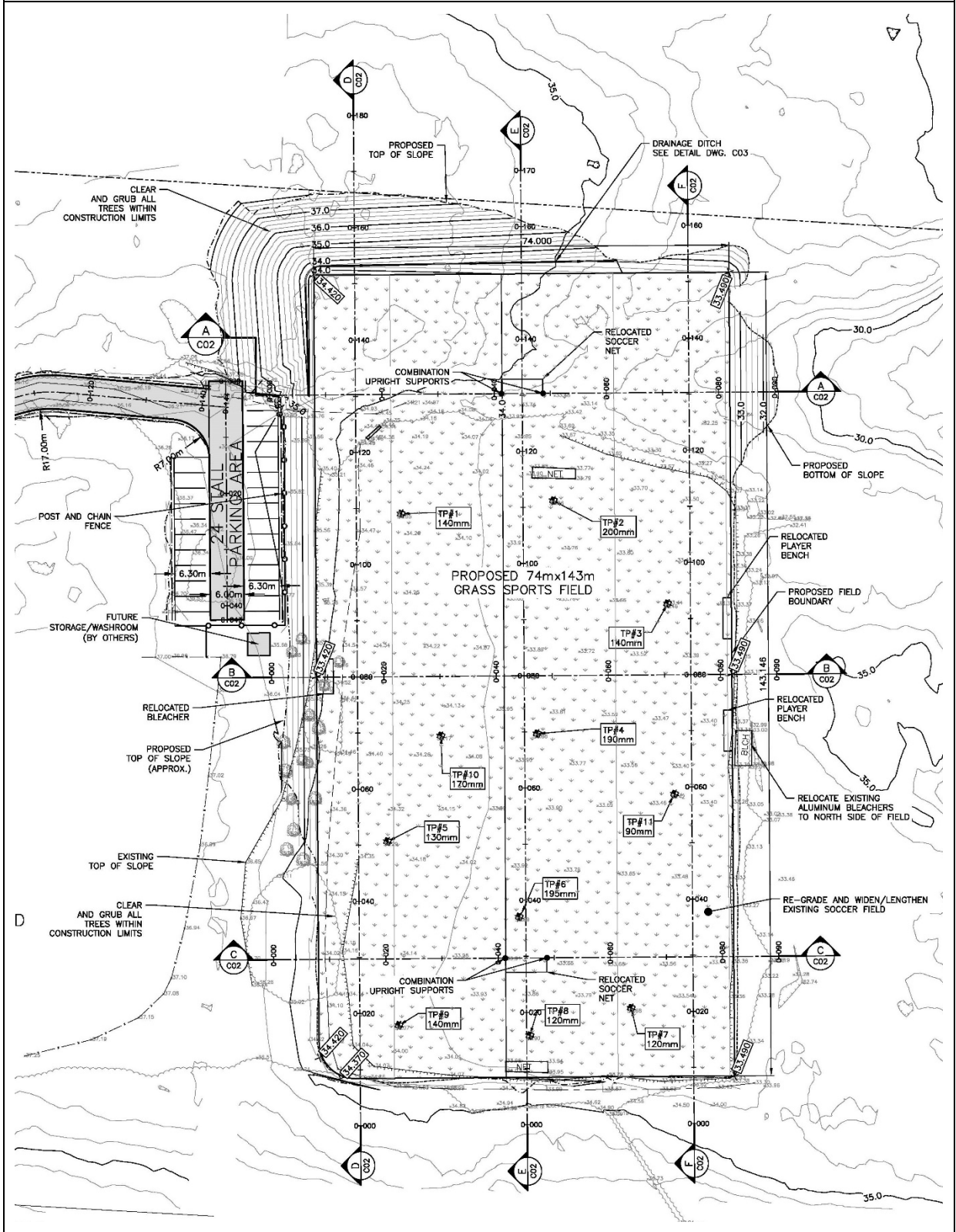
Chief Administrative Officer _____

Appendix 6.1

ELEVATIONS TABLE			
No.	MIN. ELEV.	MAX. ELEV.	RANGE
1	-1.200m	-0.900m	█
2	-0.900m	-0.600m	█
3	-0.600m	-0.500m	█
4	-0.500m	-0.400m	█
5	-0.400m	-0.300m	█
6	-0.300m	-0.275m	█
7	-0.275m	-0.250m	█
8	-0.250m	-0.225m	█
9	-0.225m	-0.200m	█
10	-0.200m	-0.175m	█
11	-0.175m	-0.150m	█
12	-0.150m	-0.125m	█
13	-0.125m	-0.100m	█
14	-0.100m	-0.075m	█
15	-0.075m	-0.050m	█
16	-0.050m	-0.025m	█
17	-0.025m	0.000m	█
18	0.000m	0.025m	█
19	0.025m	0.050m	█
20	0.050m	0.075m	█
21	0.075m	0.100m	█
22	0.100m	0.125m	█
23	0.125m	0.150m	█
24	0.150m	0.175m	█



Appendix 6.1 (Continued)



Appendix 6.2

From: [Megan Williams](#)
To: [Rural Municipality of West River](#)
Cc: hsMacPhail@westriverpe.ca; [Glenda MacKinnon-Peters](#); [Danny Jenkins](#); [Eugene Lloyd](#); [Christine MacKinnon](#)
Subject: RE: RMWR - OP&LUB
Date: June 20, 2023 4:16:24 PM

Good afternoon

Was lovely getting to speak to you on the phone, thank you for the information packages and the insight into the concerns RMWR has regarding the comments the Province has provided on the Rural Municipality of West River's Official Plan and Land Use Bylaw.

Just to reiterate, at this time we will be recommending the Minister approve the Official Plan. Before we can recommend approval of the Land Use Bylaw, the two outstanding items need to be addressed (the waiver and the development agreement clause). I'll be reaching out to our lawyer to ask them about the waiver, I'll also need to double check whether that opinion can be shared outside of the organization.

We're just about finished the response to the May 25th letter that was sent to us. There were a number of concerns I wanted to be sure were addressed properly, so I thank you for your patience while I pull everything together.

We didn't have a chance to speak about planning and development applications on the phone, I know the change in jurisdiction once the Official Plan and Land Use Bylaw are approved is one of the pressing concerns so I'll explain now. Once Ministerial Approval for both documents has been granted, any applications under review or with preliminary approval within the Rural Municipality of West River's boundaries will need to be cancelled. The Province will no longer have any jurisdiction to issue decisions once the plans are approved. Once the plans are approved, we will be refunding the applicants the fees they'd paid to us, and requesting their permission to send their application to the municipality.

We have started informing applicants that the jurisdictional change is coming, and what that means. I expect we won't be asking for permission to send the application over until both plans have been approved. We don't have to do it now, but we should discuss how the municipality would like to receive these applications, and to whom they should be sent to.

Feel free to reach out to me if you have questions, you can email or phone: 902-314-0712.

Megan Williams, BCD, RPP, MCIP
Manager of Land Use Planning
PEI Department of Housing, Land and Communities

Email: mwilliams@gov.pe.ca
Phone: (c) (902) 314-0712
31 Gordon Drive, P.O. Box 2000
Charlottetown, PEI, C1A 7N8

Appendix 6.3

The screenshot shows a web browser window with the following elements:

- Browser Tabs:** Permit Application: Official Site, Fee Schedule of Permit Applic..., planning decision per - Search, PEI Planning Decisions | Govern..., Planning Decisions, https://www.primcedwardland.ca/en/feature/pei-planning-decisions#/service/PlanningDecisionsOnline/PlanningDecisionsOnline/viewid=38359, Money Matters | Sc..., Plan RMWR.
- Page Content:**
 - Search bar with "Appeal Date To" dropdown (2023, JUL, 9) and a "Search" button.
 - Table of decision details:
- Table Data:**

Community	FAIRVIEW
Application Type	Subdivision
Address	1887 RTE 19, FAIRVIEW
File Number	56708
Nature of Decision	Approved
PID	201509
Consolidation PIDs	
Decision Date	2023-05-10
Posted Date	2023-06-01
Last Appeal Date	2023-06-01
Application Details	Residential Single
Proposed Number of Lots	
Approved Number of Lots	
Approving Authority	Province of PEI
- Map:** A "Planning Decision Map" showing a geographical area with a red location marker.
- System Tray:** Shows the time as 10:49 AM on 6/9/2023.

Appendix 6.3 (Continued)

Appeal Date To: 2023 Jul 20

Community	FAIRVIEW
Application Type	Subdivision
Address	1887 RTE 19, FAIRVIEW
File Number	56708
Nature of Decision	Approved
PID	201509
Consolidation PIDs	
Decision Date	2023-05-10
Posted Date	2023-05-10
Last Appeal Date	2023-06-01
Application Details	Residential Single
Approved Number of Lots	2
Approving Authority	Province of PEI