



***Tentative Agenda for Special  
Meeting of Town Council***

***Tuesday, May 23, 2023 @ 6:30 PM***

*55 Victoria Street*

*Kensington, PEI*

*COB 1M0*

*Phone: (902) 836-3781*

*Fax: (902) 836-3741*

*Email: [mail@kensington.ca](mailto:mail@kensington.ca)*

*Web Site: [www.kensington.ca](http://www.kensington.ca)*

***Please ensure all cell phones and other electronic devices are turned off or placed on non-audible mode during the meeting.***

**Town of Kensington  
Special Meeting of Town Council  
Monday, May 23, 2023 – 6:30 PM**

- 1. Call to Order/Land Acknowledgement**
- 2. Adoption of Agenda**
- 3. Declaration of Conflict of Interest**
- 4. New Business**
  - 4.1 Request for Decisions**
    - 4.1.1 RFD2023-27 - Consolidation of Lands of the Town of Kensington
    - 4.1.2 RFD2023-28 - Development Permit Application & Variance Request – Island Structural Systems
- 5. Adjournment**

## Town of Kensington - Request for Decision

<b>Date:</b> May 18, 2023	<b>Request for Decision No:</b> 2023-27 <b>(Office Use Only)</b>
<b>Topic:</b> Consolidation of lands of the Town of Kensington – Kensington Business Park	
<b>Proposal Summary/Background:</b>  The attached consolidation plan #23110-C01, dated May 17, 2023, drawn by Locus Survey's Ltd. was received to facilitate the consolidation of 5 properties in the Kensington Business Park. The proposed consolidation is a condition of a signed purchase and sale agreement with the potential developer of the properties.  Attached to this request for decision is the proposed plan of consolidation.	
<b>Benefits:</b> <ul style="list-style-type: none"><li>• N/A</li></ul>	
<b>Disadvantages:</b> <ul style="list-style-type: none"><li>• N/A</li></ul>	
<b>Discussion/Comments:</b>  The current zoning (land use) of the properties is Industrial (M1).  Lot subdivisions and consolidations are dealt with under section 20 of the Town's Development Control Bylaw. While section 20 deals primarily with larger scale subdivisions, i.e. multi-lot development, section 20.9 allows Council to approve applications for single lot subdivisions, partial lots, and lot consolidations at its discretion, having regard for only those provisions of the Bylaw which it deems applicable to each individual application, provided the application conforms with all other sections of the Bylaw.  The consolidation plan has been reviewed by staff and DV8 Consulting and find it in compliance with the Town's Development Control Bylaw. The lot consolidation is supported by the policies of the Official Plan.	

**Options:**

1. Approve the lot consolidation, as recommended.
2. Not approve lot consolidation.
3. Refer the matter(s) back to staff for further direction and deliberation.

**Costs/Required Resources:**

N/A

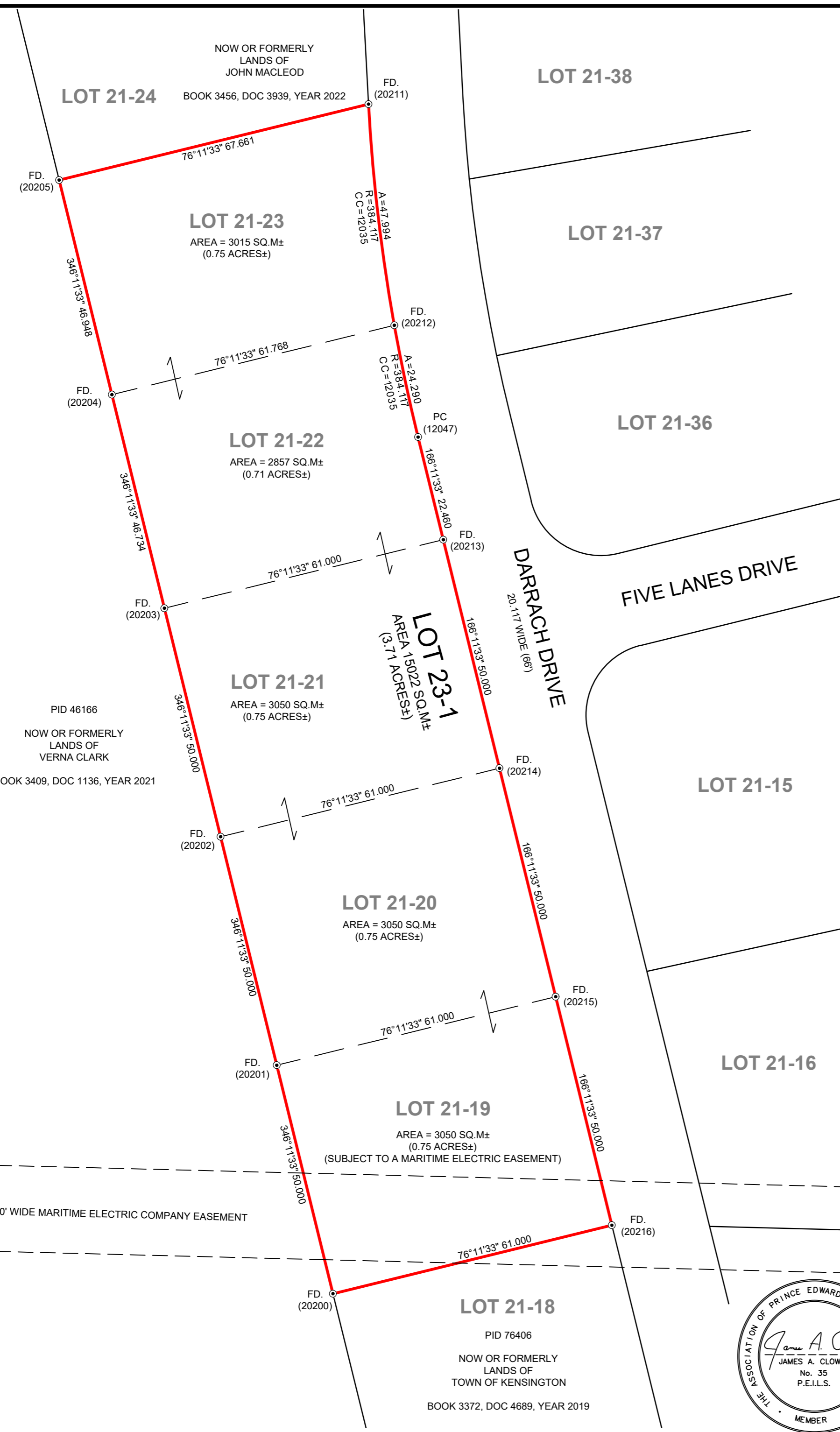
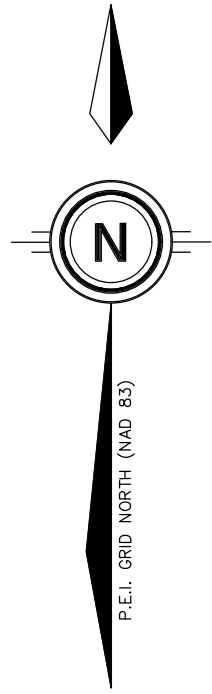
**Source of Funding:**

N/A

**Recommendation:**

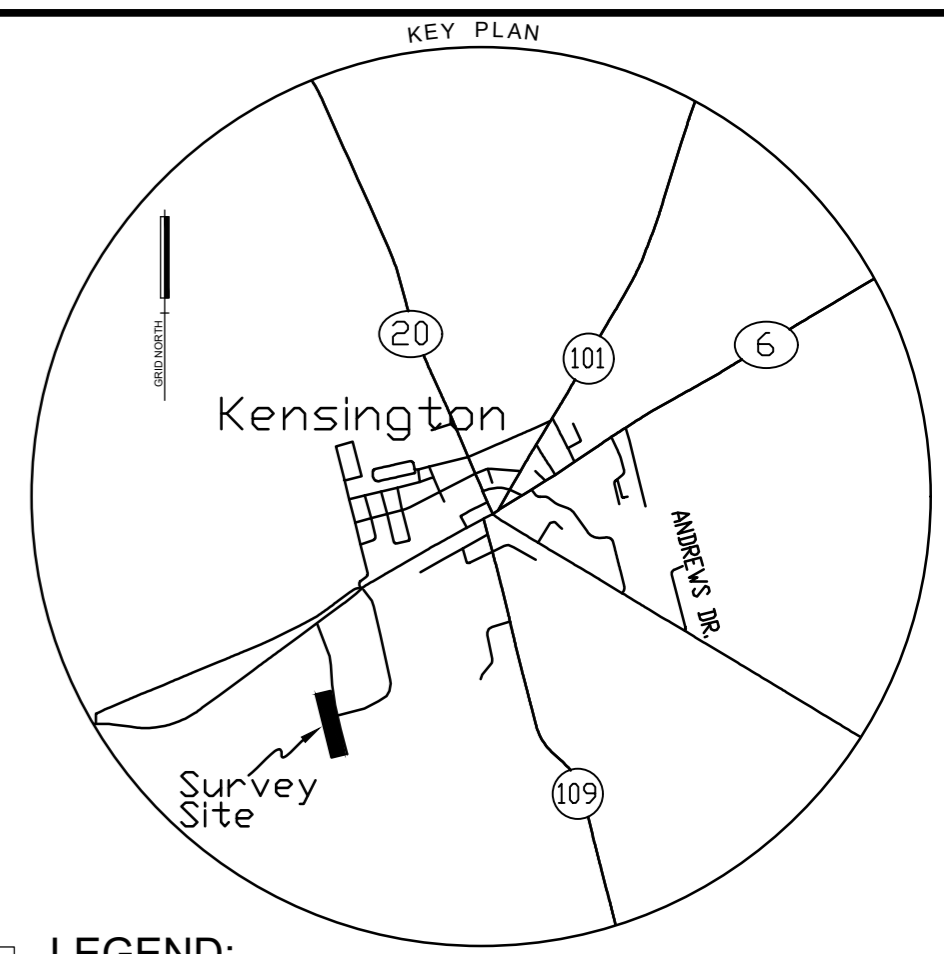
It is recommended that Town Council consider and adopt the following resolution:

***BE IT RESOLVED THAT Town Council approve consolidation plan #23110-C01 as the plan of consolidation for Lots 21-19, 21-20, 21-21, 21-22, and 21-23, being a portion of PID No. 76406, being lands of the Town of Kensington, located in the Kensington Business Park.***

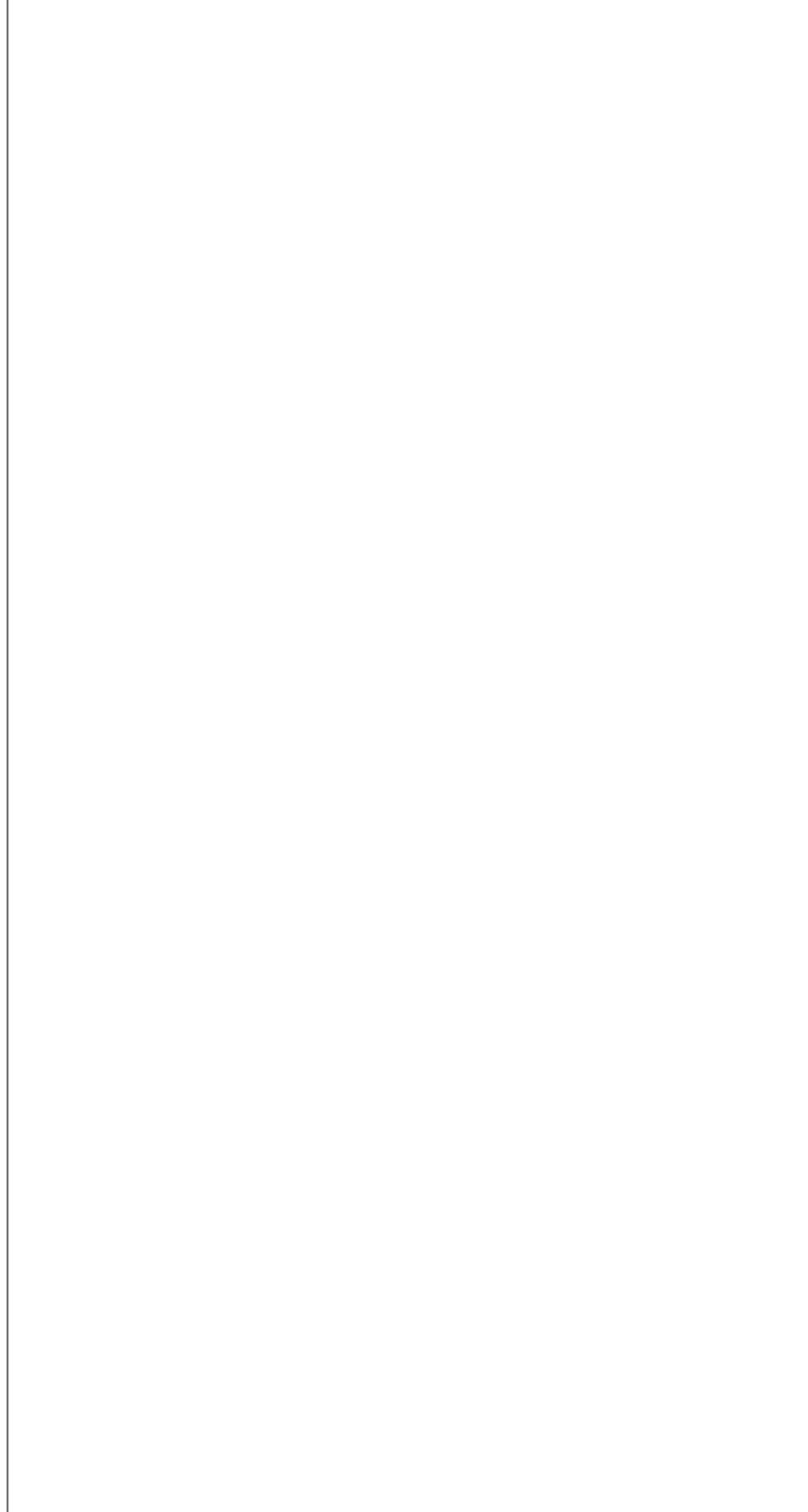


NAD83 (C.S.R.S.) COORDINATES  
P.E.I. DOUBLE STEREOGRAPHIC PROJECTION  
EXPRESSED IN METRES

Point	Northing	Easting
12035	708956.570	350548.091
12047	708864.897	350175.074
20170	708648.865	350228.166
20200	708682.862	350156.996
20201	708731.417	350145.063
20202	708779.973	350133.130
20203	708828.528	350121.197
20204	708873.911	350110.043
20205	708919.502	350098.839
20211	708935.650	350164.544
20212	708888.652	350170.026
20213	708843.086	350180.434
20214	708794.531	350192.367
20215	708745.976	350204.300
20216	708697.421	350216.233



**APPROVAL STAMP**



**LEGEND:**

- PL. PLACED SURVEY MARKER
- FD. FOUND SURVEY MARKER
- PL. PLACED
- FD. FOUND
- P.I.D. NO. PROPERTY IDENTIFICATION NUMBER
- SQ.M. SQUARE METRES
- U.M. UNMONUMENTED POINT

**NOTES:**

FIELD SURVEYS WERE CARRIED OUT ON MAY, 2023.

THIS PLAN IS METRIC AND ALL DISTANCES ARE IN METRES UNLESS OTHERWISE SPECIFIED.

DIRECTIONS ARE AZIMUTHS REFERENCED TO GRID NORTH.

COORDINATES SHOWN HEREON ARE DERIVED FROM OBSERVATIONS TO LOCAL PEI CONTROL MONUMENT 3927. PLANE COORDINATES PUBLISHED THEREON ARE REALIZED FROM A DOUBLE STEREOGRAPHIC PROJECTION REFERENCED TO A CANADIAN SPATIAL REFERENCE SYSTEM, NAD83 (CSRS).

THE DESIGNATORS, LOTS 21-19 THROUGH 21-23, ORIGINATE WITH DRAWING 19257-S01, BY LOCUS SURVEYS LTD., REVISED JULY 27, 2021, AND APPROVED SEPTEMBER 13, 2021.

THE DESIGNATOR, LOT 23-1, ORIGINATES WITH THIS DRAWING, AND IT REPRESENTS THE CONSOLIDATION OF LOTS 21-19 TO 21-23 INCLUSIVE.

FINAL APPROVAL IS REQUESTED FOR LOT 23-1.

**LOCUS SURVEYS LTD.**  
16 PARK ROAD  
P.O. BOX 35  
KENSINGTON, P.E.I.  
C0B 1M0  
PHONE 902-836-3823

Plan of Survey Showing  
LOT 23-1,  
being a Consolidation of Lands of  
TOWN OF KENSINGTON

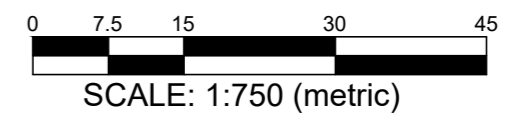
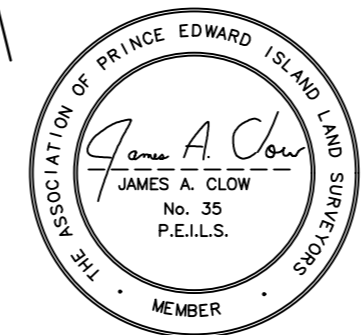
PID 76406  
KENSINGTON  
LOT/TOWNSHIP 19  
COUNTY OF PRINCE  
PROVINCE OF PRINCE EDWARD ISLAND

**SURVEYOR'S CERTIFICATE**

I, JAMES A. CLOW, PRINCE EDWARD ISLAND LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY WAS EXECUTED UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

DATED THIS 17TH DAY OF MAY, 2023

*James A. Clow*  
JAMES A. CLOW, P.E.I.L.S.



DATE: MAY 17, 2023  
DWG NO: 23110-C01  
DRAWN BY: BPT

## Town of Kensington - Request for Decision

<b>Date:</b> May 18, 2023	<b>Request for Decision No:</b> 2023-28 <b>(Office Use Only)</b>
<b>Topic:</b> Development Permit Application & Variance Request – Island Structural Systems	
<b>Proposal Summary/Background:</b>  <p>A development permit application has been received from Island Structural Systems for the construction of a Structural Systems Manufacturing Shop located at 42 Darrach Drive – Lots #21-23, 21-22, 21-21, 21-20, and 21-19 within the new business park.</p> <p>Island Structural Systems is the prospective purchaser of Lots #21-23, 21-22, 21-21, 21-20, and 21-19 located on Darrach Drive, within the new business park.</p> <p>Approval of the development permit application is listed as a condition of the sale of the properties.</p> <p>Attached to this Request for Decision is the development permit application, and a report from DV8 Consulting recommending approval of the permit and associated required variance.</p>	
<b>Benefits:</b> <ul style="list-style-type: none"><li>• Will provide industrial growth within the Town.</li><li>• Potential employment opportunities.</li></ul>	
<b>Disadvantages:</b> <ul style="list-style-type: none"><li>• N/A</li></ul>	
<b>Discussion/Comments:</b>  <p>The proposed development requires a front yard variance of 1.7 m (22.67%) to accommodate additional space at the rear of the property for vehicle circulation and the yard area which is to be located at the rear of the building. As the proposed lot is substantially wider than required and the front of the building is aligned with the fence line along the front of the property, the reduced frontage is not anticipated to cause any disruption to sight lines or to impact setbacks on adjacent properties.</p>	

The development permit application was reviewed against the Town's Development Control Bylaw and Official Plan by Town Staff in consultation with DV8 Consulting and is found to be in compliance therewith and is being recommended for approval subject to the approval of the 1.7 m (22.67%) variance to the front yard and the submission of an adequate drainage plan.

The applicant will be required to secure a building permit from the Province of PEI, Department of Transportation.

**Options:**

1. Approve the variance, and development permit application, as proposed.
2. Not approve the variance, and development permit application.
3. Refer the matter(s) back to staff for further direction and deliberation.

**Costs/Required Resources:**

N/A

**Source of Funding:**

N/A

**Recommendation:**

It is recommended that Town Council consider and adopt the following resolutions:

**Resolution #1**

*WHEREAS an application has been received from the prospective owner of Lots #21-23, 21-22, 21-21, 21-20, and 21-19 within the new business park., (P/O PID No. 76406) for a variance on the front yard requirements for the property to facilitate the construction of their Structural System Manufacturing Shop;*

*AND WHEREAS the variance has been reviewed against the Development Control Bylaw and the Official Plan in consultation with DV8 consulting, and it is found to be in general compliance therewith;*

*BE IT RESOLVED THAT Town Council approve a variance application from Island Structural*

*Systems, being the prospective owner of Lots #21-23, 21-22, 21-21, 21-20, and 21-19 within the new business park., (P/O PID No. 76406) to reduce the side yard requirement from 7.5 m to 5.8 m on the northeast side of the lot.*

**Resolution #2**

*THAT Town Council approve a Development Permit application for Island Structural Systems, being the prospective owner of Lots #21-23, 21-22, 21-21, 21-20, and 21-19 within the new business park (P/O PID No. 76406) for the construction of their Structural System Manufacturing Shop, subject to the submittal of an adequate drainage plan as determined by the Chief Administrative Officer.*



May 15, 2023

Town of Kensington  
 PO Box 418 Kensington, PE  
 C0B 1M0  
 Phone: (902) 836-3781  
 Fax: (902) 836-3741  
 Email: [cao@kensington.com](mailto:cao@kensington.com)

**Re: Island Structural Systems Inc (PID 76406)**

Dear Mr. Baker,

I have reviewed the Town of Kensington's *Official Plan and Zoning and Subdivision Control (Development) By-law* with respect to the proposed development on Lots 21-19, 21-20, 21-21, 21-22, and 21-23 on Darrach Drive in the new industrial/business park (PID 76406). The applicant has proposed the consolidation of five lots for the development of a structural systems manufacturing plant. The Town of Kensington is the current owner of the properties in question, and the applicant has submitted the consolidation and development permit application as a condition of sale. The lots in question are currently zoned Industrial (M1) and a manufacturing and assembly plant is a permitted use in this zone.

The proposed site plan indicates that the property will be enclosed by a 6 ft chain-link fence, along the front and side of the property, and a 14 ft high wooden fence on the rear of the property adjacent to agricultural land use. The fence encloses the proposed outdoor storage and manufacturing space required by the facility. Outside of the fence is a proposed parking lot accommodating 42 parking spaces. The parking lot and assembly yard are each accessed via a 9.1 m (30 ft) wide entrance, separated by approximately 91.44 m (300 ft) of lot frontage. Neither entrance is within close proximity of the intersection of Darrach Dr and Five Lanes Drive. The proposed access will require approval from the province under the *Roads Act, Highway Access Regulations*.

Development within the M1 Zone is subject to the regulations of Section 13.4 as summarized below:

	<b>Required</b>	<b>Proposed</b>
<i>Lot Area</i>	1,350 sq m	15,022 sq m
<i>Frontage</i>	30 m	244 m
<i>Front Yard</i>	<b>7.5 m</b>	<b>5.8 m</b>
<i>Rear Yard</i>	7.5 m	17.3 m
<i>Side Yard</i>	4.5 m	50 m / 132 m
<i>Maximum height</i>	<b>10.5 m (34.4 ft)</b>	<b>One-storey manufacturing facility; the height was not provided</b>

Based on the above table, the proposed development requires a **front yard variance** to accommodate additional space at the rear of the property for vehicle circulation and the “floor truss stacker” which is to be located at the rear of the building. As the proposed lot is substantially wider than required and the front of the building is aligned with the fence line along the front of the property, the reduced frontage is not anticipated to cause any disruption to sight lines or to impact setbacks on adjacent properties.

Drawings do not specify the height of the proposed structure, but the concept drawing shows that the proposed building is a single-storey manufacturing facility that should not exceed the maximum height permitted in the zone, 10.5 m (34.4 ft).

An 18.3m x 24.4m (60x80 ft) future building is also shown on the proposed site plan with setbacks of 3 m (10 ft) to the rear lot line and 4.6 m (15 ft) to the side lot line. The proposed rear yard setback is less than that required to treat this building as a second main building on a lot. As an accessory building, the minimum setback is 0.9 m (3 ft). The reduced setback is therefore permitted under the Bylaw but will still need to be reviewed as part of the Building Permit process to ensure it complies with the National Building Code requirements. **This building is otherwise not included in the current development permit application.**

The applicant has not yet submitted a stormwater management plan but has been in contact with the Town and Province to confirm requirements for stormwater management. The Province has indicated that the roads within the Kensington Business Park were designed with mountable curbs that were intended to allow surface water from the adjacent lots to sheet flow over the curb and be conveyed along the gutter to the nearest catch basin. So based on this, there would be no issue if the parking lot was designed in a way that would allow the surface water to sheet flow over the curb. However, if the parking lot is lower than the road or will result in the surface water being concentrated to a single discharge location, then it should be connected directly into the main storm sewer system.

The objectives of the Town’s Official Plan state that Council will actively direct industrial development in the Town to the industrial areas; promote a pleasant physical appearance of industrial uses; and support new industrial development which will create high-quality year-round employment in the Town. All of which are objectives that this development aligns with.

**I recommend that the Council approve the proposed lot consolidation, front yard setback variance and the development permit for the main building – pending and receipt of a stormwater management plan that complies with the above description and approval of the driveway access by the PEI Department of Transportation and Infrastructure.**

As always, please feel free to contact me with any further questions.

Best regards,



Hope Parnham, CSLA MCIP



Mailing Address:  
 55 Victoria Street E  
 PO Box 418  
 Kensington, PE  
 C0B 1M0  
 Tel: 902-836-3781  
 Fax: 902-836-3741  
 Email: [CAO@kensington.ca](mailto:CAO@kensington.ca)  
 Website: [www.kensington.ca](http://www.kensington.ca)

For Office Use Only	
Permit #:	
Date Received:	
Date Approved:	
PEI Planning:	
Permit Fee: \$	<input type="checkbox"/> Paid

## DEVELOPMENT PERMIT APPLICATION

### 1. Property Information

Project Address: \_\_\_\_\_ Property Tax Number (PID): \_\_\_\_\_  
 Lot No.: \_\_\_\_\_ Subdivision Name \_\_\_\_\_ Current Zoning: \_\_\_\_\_  
 Are there any existing structures on the property?:  No  Yes, please describe:

Land Purchased from \_\_\_\_\_ Year Purchased \_\_\_\_\_

Location of Development	Property Size	
<input type="checkbox"/> North <input type="checkbox"/> East	Road Frontage _____	Acreage _____
<input type="checkbox"/> South <input type="checkbox"/> West	Property Depth _____	Area sq. ft. _____

### 2. Contact Information

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 APPLICANT Phone: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Email: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Same as Above:   
 Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 OWNER Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 CONTRACTOR, ARCHITECT OR ENGINEER Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_ Postal Code: \_\_\_\_\_

### 3. Infrastructure Components

Water Supply  Municipal  Private      Sewage System  Municipal  Private

Entrance Way Permit (Department of Transportation and Infrastructure Renewal)  Attached

### 4. Development Description

New Building  Renovate Existing  Addition  Demolition  Other \_\_\_\_\_

<input type="checkbox"/> Single Family (R1)	<input type="checkbox"/> Commercial (C1)	<input type="checkbox"/> Public Serv./Institution (PSI)	<input type="checkbox"/> Other
<input type="checkbox"/> Semi-Detached (R2)	<input type="checkbox"/> Industrial (M1)	<input type="checkbox"/> Accessory Building	
<input type="checkbox"/> Multi-Unit Res. (R3)	<input type="checkbox"/> Mini Home (RM1)	<input type="checkbox"/> Decks/Fence/Pools	

Type of Foundation	External Wall Finish	Roof Material	Chimney
<input type="checkbox"/> Poured Concrete	<input type="checkbox"/> Vinyl Siding	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Brick
<input type="checkbox"/> Slab	<input type="checkbox"/> Wood Shingles	<input type="checkbox"/> Steel	<input type="checkbox"/> Prefab
<input type="checkbox"/> Pier	<input type="checkbox"/> Steel	<input type="checkbox"/> Other	<input type="checkbox"/> Other
<input type="checkbox"/> Other	<input type="checkbox"/> Other		

Number of Stories	Number of Bedrooms	Number of Bathrooms	Ground Floor (ft)
			Width _____ Length _____

Detailed Project Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated Value of Construction (not including land cost): \_\_\_\_\_

Projected Start Date: \_\_\_\_\_ Projected Date of Completion: \_\_\_\_\_

**Please provide a diagram of proposed construction:**

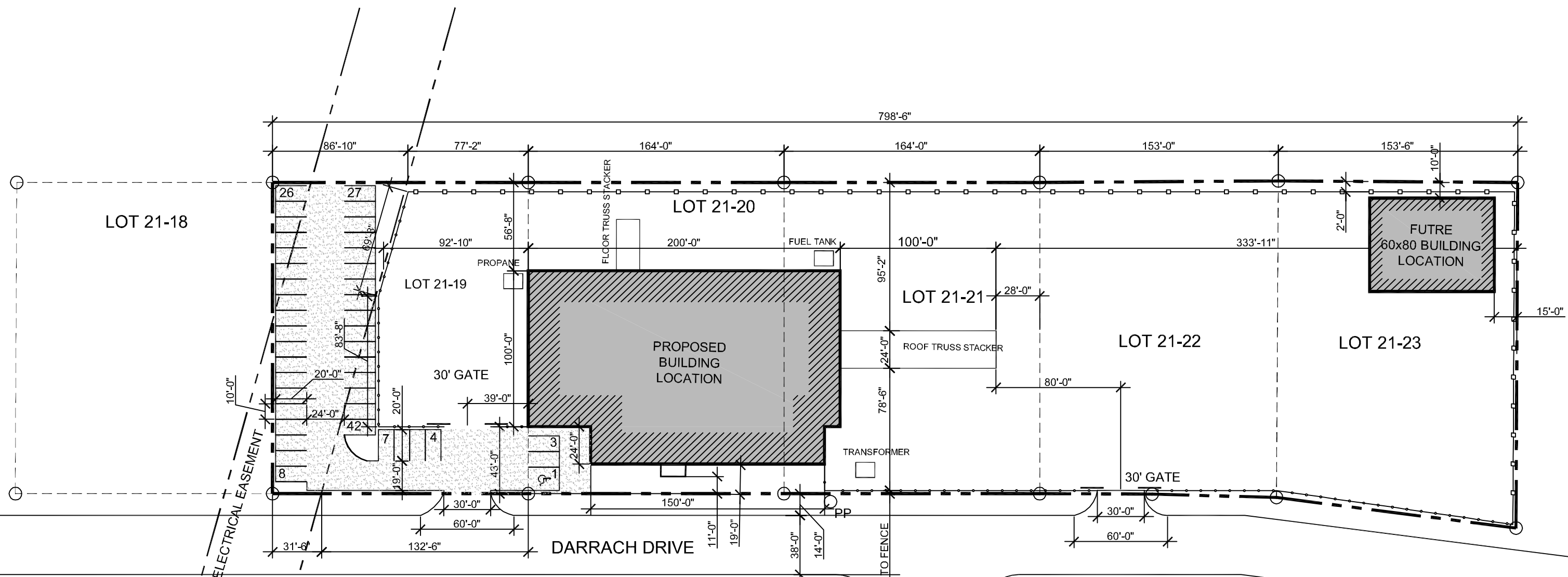
- a) Draw boundaries of your lot.
- b) Show existing and proposed buildings.
- c) Indicate the distance between buildings.
- d) Show location of driveway.
- e) Indicate distance to property lines.

**I DO SOLEMNLY DECLARE & CERTIFY:**

1. That I am the Authorized Agent of the Owner/the Owner named in the Application for a permit hereto attached.
2. That the information contained herein, the attached plans, and other included documents are true and complete and the development will be constructed or carried out in accordance with the plans and specifications as submitted.
3. Providing that the Town of Kensington and/or its agents or employees are acting in good faith in the administration of the Town Bylaws, I waive all rights of actions against Town of Kensington and/or its agents or employees in respect of any damages which may be caused through the operation of any provision(s) of its Bylaw or the revoking of a permit for any cause or irregularity or nonconformity with the Bylaw or regulations adopted by the Town of Kensington.
4. I assume responsibility for damage to any Town property including: sidewalks, curbs, streets or other infrastructure and I irrevocably agree to bear the cost of remediation repair or replacement of any Town damaged by myself or by any contractors, agents or employees working on the property which is the subject of this application to the complete satisfaction of the Town of Kensington.
5. Where services are available, properties must be serviced by municipal water and sewer in accordance with the Town of Kensington Water and Pollution Control Corporations minimum standards. I am responsible for costs associated with the connection as outlined in the IRAC (Island Regulatory and Appeals Commission) Regulations. Any connection to water or sewer must be inspected by the Town of Kensington Public Works Department and 24 hrs notice must be given and inspections must be made between the hours of 8 am and 5 pm, Monday to Friday.
6. That I know of no reason why the permit should not be granted in pursuance of the Application, and I make this declaration conscientiously believing it to be true.
7. I agree to comply with all laws of Canada, Province of Prince Edward Island, and Bylaws of the Town of Kensington pertaining to the construction/and use of the development applied for herein.
8. I understand that all Development Permits are valid for 12 months and subject to a 21-day appeal period following approval as stated under the PEI Planning Act.

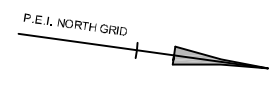
Further, I realize that the payment of monies for this application does not constitute approval of a permit nor approval to commence any part of the work applied for.

Signature of Applicant: [REDACTED] Date: \_\_\_\_\_



ELECTRICAL EASEMENT

- SYMBOL LEGEND:
- 6'-0" HIGH CHAINLINK FENCE
  - 14'-0" HIGH 6X6 WOOD FENCING
  - PP POWER POLE



1 SITE PLAN  
S1 SCALE: 1/64" = 1'-0"

NO.	DESCRIPTION	DATE:

**Callbecks designs**  
 Callbecks Home Hardware Building Centre  
 613 Water Street | Summerside, PEI | C1N 4H8  
 t 902.436.1100 | f 902.888.2751 | e houseplans@callbeds.com

PROJECT: **PROPOSED MANUFACTURING FACILITY**  
 Location To Be Determined  
 City, PEI

DRAWING TITLE: **PLOT PLAN**

DATE: 5/03/2023	DWG NO.
SCALE: AS NOTED	<b>S100</b>
DRAWN BY: G. ROACH	
CHECKED BY: -	
FILE NO: 23-001	