

**Town of Kensington
Minutes of Regular Council Meeting
Monday, July 8, 2024
7:00 PM**

Council Members Present: Mayor Rowan Caseley; Deputy Mayor Jeff Spencer
Councillors: Toombs, Gallant, Mann, Doucette, and MacRae

Staff Members Present: CAO, Geoff Baker; Municipal Clerk, Kim Caseley

1. Calling of Meeting to Order

1.1 Mayor Caseley called the meeting to order at 7:00 PM and welcomed Council members and staff to the July meeting of Kensington Town Council. Mayor Caseley acknowledged that the land on which we gather is the traditional and unceded territory of the Mi'kmaq First Nation.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor Gallant, seconded by Councillor Toombs to approve the tentative agenda for the July 8, 2024, regular meeting of Town Council. Unanimously carried.*

3. Declaration of Conflict of Interest

3.1 *Councillor MacRae declared a conflict with item 8.1.3.*

4. Delegations / Presentations

4.1 *Nil.*

5. Approval of Minutes of Previous Meeting

5.1 *Moved by Councillor MacRae, seconded by Deputy Mayor Spencer to approve the minutes from the June 10, 2024 regular meeting of Town Council. Unanimously carried.*

6. Business Arising from Minutes

6.1 June 10, 2024 Regular Meeting

6.1.1 *Nil.*

7. Reports

7.1 Chief Administrative Officer Report

7.1.1 *Moved by Deputy Mayor Spencer, seconded by Councillor MacRae to adopt the*

June 2024 CAO Report as prepared by CAO, Geoff Baker. Unanimously carried.

7.1.2 Councillor Gallant noted that the new gate located across Lowther Street behind the Credit Union Centre had the chain disconnected so vehicles could access the area. It was requested the chain be more secure and additional signage be installed.

7.2 Fire Department Statistical Report

7.2.1 *Moved by Councillor Doucette, seconded by Councillor MacRae to approve the May 2024 Fire Statistical report as prepared by Fire Chief, Rodney Hickey. Unanimously carried.*

7.3 Police Department Statistical Report

7.3.1 *Moved by Councillor Toombs, seconded by Deputy Mayor Spencer to approve the May 2024 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

7.4 Development Permit Summary Report

7.4.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Doucette to approve the July 2024 Development Permit Summary Report as prepared by Municipal Clerk, Kim Caseley. Unanimously carried.*

7.4.2 Councillor Gallant inquired if the finished side of a property fence is required to face outward to the neighbouring property. Mr. Baker confirmed that the Town's Land Use bylaw is silent on the matter.

7.5 Bills List Town (General)

7.5.1 *Nil.*

7.6 Bills List Water & Sewer Utility

7.6.1 *Nil.*

7.7 Bills List Capital Expenditures

7.7.1 *Nil.*

7.8 Summary Income Statement

7.8.1 *Nil.*

7.9 Credit Union Centre Report

7.9.1 *Moved by Councillor Toombs, seconded by Councillor Doucette to approve the*

Credit Union Centre report for the month of May 2024. Unanimously carried.

7.10 Mayor's Report

7.10.1 *Moved by Councillor Toombs, seconded by Deputy Mayor Spencer to approve the Mayor's report for the month of June 2024 as presented by Mayor Caseley. Unanimously carried.*

7.10.2 Town Council discussed the potential closure of Imperial Street where it meets the open area by the Confederation Trail/Railyards.

Councillor Gallant noted he would like to see the street closed off to through traffic.

Councillor Toombs expressed concern about closing the area off to through traffic; it is used by local traffic to navigate across Town. Closing the area off will pose snow removal difficulties.

Deputy Mayor Spencer raised concerns about the density of residential units along that section of Imperial Street and the adequacy of access in the event of emergency situations. The two entry points allow traffic to flow more smoothly and provide a loop option.

Councillor Doucette inquired about the location of where the street is proposed to be closed off.

Mr. Baker addressed the proposed road closure option, noting concerns about service vehicles having difficulties turning around on the closed street without the presence of a cul-de-sac. The land is currently under review by surveyors to determine the accurate property lines.

7.10.3 Councillor Toombs inquired about the status of the Train Engine restoration and the replacement of the storyboards along the trail. Mayor Caseley confirmed that the Department of Transportation has committed to painting the Engine and are working on having the storyboards replaced.

7.11 Federation of PEI Municipalities (FPEIM) Report

7.11.1 *Nil.*

7.12 Kensington Area Chamber of Commerce (KACC) Report

7.12.1 *Nil.*

7.13 Heart of PEI Initiative Report

7.13.1 Deputy Mayor Spencer confirmed that the Heart of PEI will meet in early August.

8. New Business

8.1 Request for Decisions

8.1.1 Canada Community Building Fund (CCBF – Gas Tax Direct Allocation) – Capital Investment Plan Fund Re-Profiling

8.1.1.1 *Moved by Deputy Mayor Spencer, seconded by Councillor Toombs*

BE IT RESOLVED THAT Town Council authorize the CAO to proceed with re-allocation of funds within the Town's current Canada Community Building Fund (Gas Tax) Capital Investment Plan as follows:

- \$44,906.57 from the Playground Equipment/Roy Paynter Park Project to the Victoria Street West Infrastructure Extension Project.***
- \$22,464.33 from the Active Transportation System Extension Project to the Victoria Street West Infrastructure Extension Project.***
- \$236,658.21 from the Sidewalk Improvements & Replacement Project to the Victoria Street West Infrastructure Extension Project.***

The Council understands that all future operational costs associated with and resulting from the project will be the responsibility of the Town of Kensington.

Unanimously carried.

8.1.1.2 Councillor Doucette stressed the importance of ensuring the Broadway Street S. sidewalk project is completed.

Mayor Caseley and CAO, Mr. Baker confirmed the projects will be included in the next Capital Investment Plan under the Canada Community Building Funding Program (Gas Tax).

8.1.2 Resolution of Support – GP Developments Application to the Municipal Infrastructure Fund

8.1.2.1 *Moved by Councillor Toombs, seconded by Councillor Doucette*

WHEREAS the Town of Kensington recognizes the need for expanded residential housing to accommodate the growing population and to support the economic development of our community;

AND WHEREAS, GP Developments Inc. has proposed the Ranchland Estates Residential Subdivision Project, which is designed to provide housing options and includes the construction of 86 residential lots, associated infrastructure and green spaces;

AND WHEREAS the total cost of the Ranchland Estates Residential Subdivision Project, as proposed by GP Developments Inc., is estimated to cost \$7,719,958.51;

AND WHEREAS the infrastructure constructed as part of the Ranchland Estates Residential Subdivision Project will be owned by the Town of Kensington upon completion;

AND WHEREAS, the Town Council acknowledges the importance of, and commits to maintaining, operating, and insuring the infrastructure associated with the Ranchland Estates Residential Subdivision Project to ensure its sustainability and the safety and well-being of its residents;

BE IT RESOLVED THAT Kensington Town Council hereby expresses its full support for the Ranchland Estates Residential Subdivision Project developed by GP Developments Inc. and acknowledges that the total project cost is estimated at \$7,719,958.51;

BE IT FURTHER RESOLVED THAT Kensington Town Council commits to the ongoing maintenance, operation, and insurance of the water, sewer and street infrastructure associated with the Ranchland Estates Residential Subdivision Project, ensuring that all necessary resources are allocated to sustain the infrastructure and to protect the interests and safety of the community.

Unanimously carried.

Councillor MacRae declared a conflict and excused herself from the Council Chamber at 7:34 pm.

8.1.3 Land Use and Development Bylaw Amendment to Zoning Map – PID No. 77768

8.1.3.1 First Reading and Approval of Land Use and Development Bylaw Amendment

Resolution 1

Moved by Councillor Mann, seconded by Councillor Toombs

WHEREAS a request has been received from the prospective owners of a property located at 23 Broadway Street South (PID No. 77768)

to re-zone the property from its current Multi-Unit Residential (R3) zoning designation to Commercial (C1) to facilitate the construction of a commercial development on the property;

AND WHEREAS the application is supported by the current owner (seller) of the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on June 26, 2024, in accordance with the PEI Planning Act and the Town's Land Use and Development Bylaw;

AND WHEREAS town staff have evaluated the application, in consultation with DV8 Consulting, and are recommending that Town Council proceed with the Land Use and Development Bylaw amendment;

BE IT RESOLVED THAT Kensington Town Council give first reading to amend the Land Use and Development Bylaw to re-zone PID No. 77768 located at 23 Broadway Street South, from its current Multi-Unit Residential (R3) designation to Commercial (C1) to facilitate the construction of commercial development on the property.

4 for, 1 opposed (Doucette), 1 recused (MacRae) - Motion carried.

8.1.3.2 Resolution 2

Moved by Councillor Mann, seconded by Deputy Mayor Spencer

WHEREAS a request has been received from the prospective owners of a property located at 23 Broadway Street South (PID No. 77768) to re-zone the property from its current Multi-Unit Residential (R3) zoning designation to Commercial (C1) to facilitate the construction of a commercial development on the property;

AND WHEREAS the application is supported by the current owner (seller) of the property;

AND WHEREAS a public meeting to solicit comments/feedback from the public was held on June 26, 2024, in accordance with the PEI Planning Act and the Town's Land Use and Development Bylaw;

AND WHEREAS town staff have evaluated the application, in consultation with DV8 Consulting, and are recommending that Town Council proceed with the Land Use and Development Bylaw amendment;

AND WHEREAS this bylaw amendment was read for a first time at this meeting;

BE IT RESOLVED THAT Kensington Town Council formally approve and adopt first reading to amend the Land Use and Development Bylaw to re-zone PID No. 77768 located at 23 Broadway Street South, from its current Multi-Unit Residential (R3) designation to Commercial (C1) to facilitate the construction of commercial development on the property.

4 for, 1 opposed (Doucette), 1 recused (MacRae) - Motion carried.

- 8.1.3.3** Council discussed the future development of the lot. Mr. Baker confirmed that items such as entranceway permit, traffic flow, and parking would be addressed through the Development Permitting process and reviewed for compliance against the Development Control Bylaw.

Councillor MacRae returned to the Council Chamber at 7:50 pm.

- 8.1.4 Home Occupation Request – Rebecca Cyr (29 Pleasant Street – PID No. 80093)**

- 8.1.4.1** *Moved by Councillor Doucette, seconded by Councillor Toombs*

BE IT RESOLVED THAT Town Council approve a request from Rebecca Cyr to operate a home occupation dog grooming business out of a property located at 29 Pleasant Street, subject to full compliance with the Town of Kensington Land Use and Development.

Unanimously carried.

8.2 Other Matters

- 8.2.1** Mayor Caseley noted that Nancy MacRae, the Manager of Finance, expressed her appreciation to the Kensington Fire Department for their response to a recent fatal motor vehicle accident involving a family member of hers. The Fire Department, being the first on the scene, was recognized by the family for their professionalism and timely assistance during this tragic situation.
- 8.2.2** Mayor Caseley notified Town Council that he will be out of the Province from July 16-23, 2024.
- 8.2.3** Mayor Caseley confirmed that a Public Meeting will be held on July 24, 2024 at 6:00 pm in the Council Chamber.

- 8.2.4** Mayor Caseley discussed the potential cancellation of the June Committee of Council meeting.
- 8.2.5** Councillor Doucette noted that the eavestrough along the South side of the Credit Union Centre is leaking above the solar panels and requested it to be sealed.
- 8.2.6** Councillor Doucette shared that he has received many compliments on the newly installed gate at the ballfields and noted it is much safer for the children using the area.
- 8.2.7** It was requested that the drink machine located in the Fitplex be removed as it is no longer being used.
- 8.2.8** Councillor Toombs thanked all staff and Town Council for another great Canada Day event.
- 8.2.9** Councillor MacRae observed that the garbage cans in the railyards area were overflowing over the weekend. It was suggested that these cans be emptied after the Summer Music Series event on Friday afternoons. Additionally, staff were asked to reach out to the Frosty Treat Dairy Bar regarding the issue of excessive garbage along the trail, which is not being properly contained by the restaurant.
- 8.2.10** Deputy Mayor Spencer inquired about the status of installing barriers to prevent large vehicles from parking over the sidewalk along Victoria Street, adjacent to the Barrett's Cross building parking lot. Mayor Caseley confirmed that, at present, the property owner does not plan to install these barriers. However, staff will continue to push the issue.
- 8.2.11** Councillor Doucette reported that the garbage dumpsters behind the railyards area are frequently overflowing. Mr. Baker confirmed that he recently spoke with the landlord, who mentioned that the public is using the dumpster. To address this issue, locks have been ordered for the dumpsters. A request has also been made for the construction of a fence to restrict access to the bins.
- 8.2.12** Councillor MacRae raised concerns about the recent closure announcement from Chances Family Centre and its impact on daycare services within the Town. She requested an update on the discussions regarding the Boys and Girls Club potentially opening a location in the Town. Mayor Caseley confirmed that initial discussions have taken place and that he will attend a meeting later this week to continue conversations with interested parties. Additional information will be provided once it becomes available.
- 8.2.13** Councillor Mann suggested installing additional power outlets in the Railyards area near the vendor stands, noting that the use of extension cords currently presents a tripping hazard.

9. Correspondence

- 9.1 A thank-you note was received from Sandi Clark and family, expressing their gratitude for the donation made in memory of Ken Clark.
- 9.2 A thank-you letter from the PCH Foundation for the Town's continued financial support.
- 9.3 A letter from Kevin Gallant requesting the Town of Kensington to donate the rental fees for the upcoming Danny Hughes Memorial Baseball Tournament.

Moved by Councillor Toombs, seconded by Councillor MacRae to approve a financial donation to the Danny Hughes Memorial Baseball Tournament to cover the cost of the field rental fees. Unanimously carried.

10. In-Camera (Closed session)

10.1 Nil.

11. Adjournment

Moved by Councillor Toombs, seconded by Councillor MacRae to adjourn the meeting at 8:16 PM. Unanimously carried.

Geoff Baker,
CAO

Rowan Caseley,
Mayor