

Town of Kensington
Minutes of Regular Council Meeting
Monday November 8, 2010
7:00 PM

Council Members Present: Mayor Gordon Coffin; Councillors: Gallant, Caseley, Spencer, Mill and MacLean

Staff Members Present: Chief Administrative Officer, Geoff Baker ; Deputy Administrator, Wendy MacKinnon; Administrative Assistant, Maria Hickey; Police Chief, Lewis Sutherland

Visitors: Dale Sabean, Clifford & Frances Donald, Terry Gorrill, Don & Sheila Barrett, Trevor & Lynn Ann Hogan, Marguerite & Jack Maroney, Nathan Archibald, Andrew Windsor

Regrets: Deputy Mayor Chessman

1. Calling of Meeting to Order

1.1 Mayor Gordon Coffin called the meeting to order at 7:00 PM and welcomed Council members, staff and visitors.

2. Approval of Tentative Agenda

2.1 *Moved by Councillor MacLean, seconded by Councillor Caseley to approve the tentative agenda for the November 8th, 2010 regular meeting of Town Council. The Princeton Subdivision Zoning application will be moved to Item #3 to accommodate the Rosewood Drive residents that are in attendance at the meeting. Unanimously carried.*

3. Princeton Subdivision Extension – Zoning Bylaw and Official Plan Amendment

Mayor Coffin requested the CAO to deliver a report to Town Council. The CAO prefaced his report with an indication that he had not included a formal recommendation in his report due to his proximity to the issue at hand, being a full time resident of Rosewood Drive. It was further indicated that the report included relevant policies of the Official Plan and Development Control Bylaw and the results of any research completed on this issue. The report is appended and forms part of the official record for the November 8th meeting.

Mayor Coffin opened the floor to any of the residents in attendance if they have new information to provide to Town Council.

Don Barrett, 18 Rosewood Drive, asked if the Town had the final word on this

issue. He stated that when he purchased his property and built in this subdivision he had to sign a restrictive covenant stating that only single family residential dwellings would be constructed on his property.

Andrew Windsor, 21 Rosewood Drive, asked about the drainage and what the plan would be.

Town Manager replied that the existing ditches would be extended into the subdivision extension. Also a drainage easement has been accounted for in the engineering plans.

The Mayor then requested Councillors to provide their opinions on the re-zoning application.

Councillor Caseley considered Rosewood Drive to be a single family residential street as was originally indicated to residents by the developer at the time of purchase. He indicated that this was further solidified as recently as two months ago when Mr. Dale Sabeau was requested to sign a single family residential restrictive covenant. Councillor Caseley referenced the fact the Town's own website had erroneously indicated that this was a single family residential area. It should be a priority of Town Council to ensure that purchasers of property within the Town be fully aware of the zoning and use of neighbouring properties. This subdivision extension should have been properly zoned when it was annexed inside the Town boundaries in 2005. It would be unfair to the residents of Rosewood drive, who had an understanding and were given a degree of commitment that this was a single family residential street, to now zone the neighbouring property as mixed use.

Councillor Spencer stated that the issue of property values is not a concern in his opinion. There is no indication that the development as proposed would have a negative impact on neighbouring property values. The primary issue was what the developer had communicated to residents at the time of purchase and now things seemed to have changed. The area should stay R1.

Councillor MacLean stated his ideas to Council and the residents of Rosewood in attendance. He was not happy with the way the developer is making changes from his original plan of single family residential. For him it was all about principles, values and a person's word. He thought that the developer should leave Rosewood Drive as a dead end street and create a new subdivision with access off of Garden Drive. He spoke of compromise and the fact that R2 would be acceptable but not R3. He questioned the residents on whether they could accept R2. The response from the residents indicated that any use heavier than R1 would be unacceptable. He also stated there was not enough planning into this extension and was not in favor of the re-zoning application as proposed.

Councillor Gallant stated that he did not agree with the way this subdivision was being developed. It seems to be in piece meal which lends itself to creating problems from a planning perspective. He further explained that phase 2 is underway with no plan for the entire development. He would like to see a revised subdivision plan and zoning application before the subdivision development is allowed to proceed further.

Don Barrett, 18 Rosewood Drive, stated that the original number of lots in the first phase was 115.

Councillor MacLean replied that the original plan for these lots should have been set a long time ago.

Councillor Caseley suggested the meeting should focus on the current application.

Councillor Mill agreed with focusing on the current residents of Rosewood Drive for the present time and it should stay the way it is as R1. The current zoning application should not be approved.

Mayor Coffin advised the residents present that a public meeting will be held at the Murray Christian Centre on November 24th, at 6:30 PM. The purpose of the meeting is to provide residents with an opportunity to aid the Town Council in the formulation of a long term vision for the community.

Councillor MacLean asked the residents again about the idea of R2 lots as opposed to the R3 lots.

Nathan Archibald, 26 Rosewood Drive, stated he would not support R2, as not too many duplexes would be as nice as what was agreed upon at 23 Rosewood Drive.

Dale Sabean, was definitely under the assumption that his lot was R1 and was not in favor of any R2 zoning on the street.

Don Barrett, 18 Rosewood Drive, was also very opposed to R2 as it would create increased traffic.

Motion by Councillor Caseley, seconded by Councillor Spencer to recess for 5 minutes at 8:05 PM. Unanimously carried.

Meeting called back to order at 8:20 PM

Motion by Councillor Caseley, seconded by Councillor Spencer to approve an amendment to the general land use map that is part of the Town's Official Plan to designate Lot B37 (Plan # 09258A) in the Princeton Subdivision as a single family residential (R1) property to facilitate the construction of a single family residential dwelling. Unanimously carried.

Motion by Councillor Caseley, seconded by Councillor Spencer to approve first reading to amend the Town of Kensington Zoning and Subdivision Control (Development) Bylaw to zone Lot B37 (Plan # 09258A) in the Princeton Subdivision as a single family residential (R1) property to facilitate the construction of a single family residential dwelling. Unanimously carried.

Motion by Councillor Caseley, seconded by Councillor Spencer to approve first reading to amend the Town of Kensington Zoning and Subdivision Control (Development) Bylaw to zone the following properties in the Princeton

Subdivision as two-family residential (R2); Lots B34, B35, B36 and B40 (Plan # 09258A). 0 for, 5 against. Motion defeated.

Motion by Councillor Caseley, seconded by Councillor Gallant to approve first reading to amend the Town of Kensington Zoning and Subdivision Control (Development) Bylaw to zone Lot B41 (Plan # 09258A) in the Princeton Subdivision as multi-family residential (R3). 0 for, 5 against. Motion defeated.

Councillor MacLean requested the Town Manager to discuss with the developer the possibility of developing the second phase of the Princeton Subdivision as a separate street off of Garden Drive.

Councillor Caseley indicated that he does not agree with this idea as it may discourage the developer from continuing with the development.

4. Minutes of Previous Regular and Special Meeting

4.1 *Moved by Councillor Caseley, seconded by Councillor Spencer to approve the minutes of the October 12th, 2010 regular meeting of Town Council. Unanimously carried.*

4.2 *Moved by Councillor Spencer, seconded by Councillor Mill to approve the minutes of October 28th, 2010 public meeting. Unanimously carried.*

5. Business Arising from Minutes

5.1 Nil

6. Committee Reports

6.1 Police Report

Moved by Councillor MacLean, seconded by Councillor Caseley to adopt the October, 2010 Police Report as prepared by Police Chief Lewis Sutherland. Unanimously carried.

Chief Sutherland requested that a member or possibly two members of Town Council serve on an alternative measures committee with respect to the youths that have done damage at the rail yards area. Councillors MacLean and Gallant agreed to serve on the aforementioned committee.

Discussion was held on the level of service being received from Summerside Chrysler Dodge with respect to maintenance work required on the 2010 cruiser. It was decided that a letter would be forwarded to Chrysler Canada indicating the Town's dissatisfaction with the level of service being received.

6.2 Property Committee Report

Motion by Councillor Spencer, seconded by Councillor MacLean to approve a building permit for Ron Blakeney, 15 MacLean Avenue, PID # 574087, to

replace siding on the exterior of the house. Such approval is subject to compliance with all other applicable municipal, provincial and federal government legislation and regulations. Unanimously carried.

6.3 Parks, Recreation and Special Events Committee Report

6.3.1 The 7th annual Christmas Parade is scheduled for Sunday December 5th, 2010. Cindy Doucette has agreed to organize again this year. The Chamber of Commerce has agreed to send the information to area businesses.

6.3.2 The Winter Carnival volunteer organizing committee has met and are discussing ideas for the 2011 Winter Carnival activities.

6.3.3 The soccer complex committee is having their first meeting on November 9th, 2010. Councillor Mill could not attend and asked if anyone could replace him. Councillors will forward any ideas or concerns to Councillor Mill and he will forward the information to the committee through email.

6.3.4 *Motion by Councillor Mill, seconded by Councillor Gallant to adopt the October 2010 report for Parks, Recreation and Special Events as prepared by Councillor Mill. Unanimously carried.*

6.4 Public Works Report

6.4.1 Councillor Gallant brought forward issues regarding drainage along Broadway Street North over the previous weekend because of heavy rains. It was noted that this is a recurring issue. The Province is intent on completing some ditch excavation behind Broadway Street North to help alleviate the problem however they are waiting for freeze-up so as to minimize any opportunity for property damage. It was recognized that to properly resolve the issue a permanent solution is required.

6.4.2 The Town Manager was directed to seek clarification on the status of the 2011 provincial snow clearing contract. There was a question as to whether or not the Town would cover the cost of the trailer park streets for snow removal in 2010/2011. It was decided that the Town would continue this past practice for the 2010/2011 season however the service would be discontinued in the future. It was felt that it was too late in the year to advise the trailer park owners of the change and that ample notice would be provided in 2011/2012.

6.5 Fire Report

6.5.1 It was indicated that Halloween weekend was very quiet this year.

6.5.2 The pumpkin display at the intersection was a great compliment to the Town and was not vandalized.

6.5.3 Fire Fighter, Steven Burt is retiring from the Fire Department after 35 years of service. He is the longest serving member in the department therefore it was suggested that he be invited to the next Town Council meeting and be presented with a formal certificate of appreciation.

6.5.4 Councillor Spencer inquired about grief counseling for the first responders as a result of a recent tragedy in our community. It was reported that there is a Chaplain available for the Town.

6.5.5 *Motion by Councillor Gallant, seconded by Councillor Mill to adopt the Fire Report as prepared by Fire Chief Folland. Unanimously carried.*

6.6 Finance Report

6.6.1 Borrowing Resolution – Patrick Glover Property

WHEREAS the Town Council of Kensington have agreed to purchase a property owned by Patrick Glover located at 27 School Street in the Town of Kensington;

AND WHEREAS the owner of the property has agreed to a final purchase price of \$40,000;

AND WHEREAS the closing costs, building demolition costs, and initial property maintenance costs are estimated at \$10,000.00

BE IT RESOLVED that the Town of Kensington be empowered to borrow up to \$50,000.00 from the Scotiabank, Summerside repayable in full by Town Council over an amortization period not to exceed 25 years.

Unanimously carried.

6.6.2 Borrowing Resolution – Fire Truck

WHEREAS the Town Council have formally resolved to borrow funds in the amount of 273,899.00 plus applicable taxes for the procurement of a new Freightliner fire truck for the Kensington Fire Department and to retrofit and upgrade the donated Tanker Truck;

AND WHEREAS two change orders have been approved to the Freightliner truck design which has resulted in an increase to the final cost of the truck in the amount of \$4,962.00;

BE IT RESOLVED that the Town of Kensington be empowered to increase the borrowing associated with the freightliner fire truck and upgrade to the donated tanker truck from \$273,899.00 plus applicable taxes to \$316,000.00 plus applicable taxes to cover any further additions to the truck design. The funds are to be borrowed from the Scotiabank, Summerside repayable in full by Kensington Town Council over an amortization period not to exceed 15 years.

Unanimously carried.

- 6.6.3** It was discussed and agreed that the Town Council honorariums for 2010 would be prorated from January 1st to November 15th.

The Town Manager discussed the requirement to entrench policies with respect to Town Council honorariums in the form of a bylaw. This was referred to Finance Committee for discussion at a later date.

- 6.6.4** The Mayor, Town Councillors and their spouses are invited to attend the Kensington Area Tourist Association Dinner at Cole's restaurant on Thursday, December 9, 2010. Tickets are \$15.00 per person and the Town will cover the cost. The Deputy Administrator to email everyone to determine who would like to attend.

- 6.6.5** The monthly summary income statement was presented by Councillor Caseley.

- 6.6.6** Mayor Coffin and Councillor Caseley met with Peter Murray of Grant Thornton to discuss the Town's financial reporting. Issues were identified however it was recognized that the Town is heading in the right direction with respect to financial reporting.

- 6.6.7** *Motion by Councillor Caseley, seconded by Councillor Gallant to approve the financial report as presented by Councillor Caseley. Unanimously carried.*

- 6.6.8** *Motion by Councillor Caseley, seconded by Councillor Spencer to approve the payment of bills in the amount of \$144,592.00 for the month of October, 2010. Unanimously carried.*

Motion by Councillor Caseley, seconded by Councillor Mill to recess for 5 minutes at 9:35 PM

Mayor Coffin called meeting back to order at 9:40 PM.

6.7 Mayor's Report

Mayor Coffin made a presentation to students at KISH regarding finances.

Mayor Coffin and the CAO attended the small business week breakfast held by the Summerside Chamber of Commerce.

Mayor Coffin thanked those who attended the KACC awards Gala Dinner at Camp Triumph in Malpeque.

Mayor Coffin attended a Habitat for Humanity function where the keys to the new Habitat Home in Kensington were presented to its new owners.

Mayor Coffin attended the Fun Times Early Childhood Education Centre open house.

Mayor Coffin spoke about the Town Hall Public Meeting scheduled for the 24th of November at 6:30 PM at Murray Christian Centre. He stated that the primary purpose of the meeting is to provide residents with an opportunity to aid the Town Council in the formulation of a long term vision for the community.

Mayor Coffin attended a rural development session at the Emerald Recreation Centre.

7. Zoning Bylaw Amendment – Lot A11 – Princeton Subdivision – First Reading

Motion by Councillor Gallant, seconded by Councillor Spencer to approve first reading to amend the Town of Kensington Zoning and Subdivision Control (Development) Bylaw to re-zone PID No. 914549 (23 Rosewood Drive) from single family residential (R1) to two-family residential (R2) to facilitate a semi detached dwelling which was constructed on the property in 2003.

8. Committee of the Whole – In Camera Session

Motion by Councillor Mill, seconded by Councillor MacLean to move into an in-camera session at 9:50 PM. Unanimously carried.

Motion by Councillor Caseley, seconded by Councillor MacLean to rise and move out of the In-Camera session at 10:40 PM. Unanimously carried.

9. Correspondence

A letter from Island Trails was received stating the Town of Kensington will be recognized at their fall volunteer and awards evening on Thursday November 25th, 2010 at Stratford Town Hall at 7:00 PM.

KISH newsletter is available for viewing.

An invitation from the Town of Souris to join in the celebration of 100 Years of Incorporation on Sunday November 14th, 2010 at Eastern Kings Sportsplex.

A poster was received regarding Kristen Cameron who was injured and a fundraiser is organized for Saturday November 27th, 2010 at Kanata Club in Kinkora.

A letter was received from Kids Help Phone requesting a donation.

A letter was received from the KISH yearbook committee requesting a donation in the form of an advertisement.

Motion by Councillor Caseley, seconded by Councillor Gallant to purchase a full page ad in the KISH yearbook for the sum of \$300.00. Unanimously carried.

A request from PCH Lights for Life campaign requesting a donation.

A letter was received from the Salvation Army requesting a donation.

Information was received from the Lung Association regarding Christmas Seals.

10. Adjournment

Motion by Councillor MacLean, seconded by Councillor Caseley to adjourn the meeting at 10:50 PM. Unanimously carried.

Wendy MacKinnon,
Deputy Administrator

Gordon Coffin,
Mayor