

**Town of Kensington  
Minutes of Regular Council Meeting  
Monday, September 13, 2021  
7:00 PM**

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

**Staff Members Present:** Chief Administrative Officer, Geoff Baker; Deputy Chief Administrative Officer, Wendy MacKinnon

**Visitors:** Kyle Reid – Journal Pioneer

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**1. Calling of Meeting to Order**

**1.1** Mayor Caseley called the meeting to order at 7:00 PM and welcomed Council members, staff, and visitors to the September 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 Spencer, seconded by Councillor Toombs to approve the tentative agenda for the September 2021 regular meeting of Town Council with the removal of one in camera item. Unanimously carried.*

**3. Declaration of Conflict of Interest**

**3.1** *Nil.*

**4. Delegations / Presentations**

**4.1** *Nil.*

**5. Approval of Minutes of Previous Meeting**

**5.1** *Moved by Councillor Toombs, seconded by Councillor MacRae to approve the minutes from the August 9, 2021 regular meeting of Town Council. Unanimously carried.*

**5.2** *Moved by Councillor MacRae, seconded by Councillor Spencer to approve the minutes from the June 21, 2021 special meeting of Town Council. Unanimously carried.*

**6. Business Arising from Minutes**

**6.1** **August 9, 2021 Regular Meeting**

6.1.1 *Nil.*

**6.2 June 21, 2021 Special Meeting**

6.2.1 *Nil.*

**7. Reports**

**7.1 Chief Administrative Officer Report**

7.1.1 *Moved by Councillor MacRae, seconded by Councillor Toombs to adopt the August 2021 CAO Report as prepared by CAO, Geoff Baker. Unanimously carried.*

**7.2 Fire Department Statistical Report**

7.2.1 *Moved by Councillor Toombs, seconded by Councillor Spencer to approve the July 2021 Fire Statistical report as prepared by Fire Chief, Rodney Hickey. Unanimously carried.*

**7.3 Police Department Statistical Report**

7.3.1 *Moved by Councillor Spencer, seconded by Deputy Mayor Pickering to approve the July 2021 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

**7.4 Development Permit Summary Report**

7.4.1 *Moved by Councillor Spencer, seconded by Councillor Toombs to approve the September 2021 Development Permit Summary Report. Unanimously carried.*

**7.5 Bills List**

7.5.1 *Moved by Councillor Mann, seconded by Councillor Toombs to approve the July 2021 Bills in the amount of \$247,745.13. Unanimously carried.*

7.5.2 *Moved by Councillor Mann, seconded by Councillor Spencer to approve the July 2021 Water & Sewer Utility Bills in the amount of \$5,887.54. Unanimously carried.*

**7.6 Summary Income Statement**

7.6.1 *Moved by Councillor MacRae, seconded by Councillor Mann to approve the Summary Income Statement for the month of July 2021. Unanimously carried.*

**7.7 Credit Union Centre Report**

**7.7.1** *Moved by Councillor Toombs, seconded by Councillor Spencer to approve the Credit Union Centre report for the month of July 2021. Unanimously carried.*

**7.8 Mayor's Report**

**7.8.1** *Moved by Councillor Toombs, seconded by Councillor Spencer to approve the Mayor's report for the month of September 2021 as presented by Mayor Caseley. Unanimously carried.*

**7.8.2** Mayor Caseley presented a 60<sup>th</sup> wedding anniversary certificate to Bill & Laura Pidgeon.

**7.8.3** Correction to Mayors report: Tessa MacKinnon (not MacDonald)

**7.8.4** *Moved by Deputy Mayor Pickering, seconded by Councillor Gallant to authorize the CAO Geoff Baker to move forward with the completion of the remaining upgrades to the KISH Tennis Courts. Unanimously carried.*

**7.9 Federation of PEI Municipalities (FPEIM) Report**

**7.9.1** FPEIM will hold their Semi-Annual meeting on November 6, 2021 at the Credit Union Place, Summerside.

**7.9.2** FPEIM recently met with Minister Fox to discuss municipal issues.

**7.10 Heart of the Island Initiative Report**

**7.10.1** The committee met and discussed fundraising options and decided to have an online auction. Artists are encouraged to submit artwork to be displayed around the area.

**7.11 Kensington Area Chamber of Commerce (KACC) Report**

**7.11.1** *Nil.*

**7.12 PEI 55 Plus Games**

**7.12.1** *Nil.*

**8. New Business**

**8.1 Request for Decisions**

**8.1.1 Resolution to Remove Project # 9.5.3 "Broadway Street South/Barrett Street Sidewalk Installation and Replacement" Project from Capital Investment Plan**

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

***BE IT RESOLVED THAT Town Council formally remove Project 9.5.3 the “Broadway Street South/Barrett Street Sidewalk Installation and Replacement” project from their Capital Investment Plan, under the New Deal for Cities and Communities.***

*Unanimously carried.*

**8.1.2 Public Works Maintenance Shop Upgrades – Installation of Heating System**

**8.1.2.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Gallant***

***BE IT RESOLVED THAT Town Council award a contract to Capital T Electric for the installation of a heat pump unit at the Public Works Storage Building as per their quote dated August 19, 2021, in the amount of \$3,800.00 plus HST.***

*5 for 1 against (Gallant) – Motion carried.*

**8.1.3 Development Permit Application – 30 Pleasant Street (Former Roman Catholic Church Parish)**

**8.1.3.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Gallant***

***BE IT RESOLVED THAT Kensington Town Council approve a development permit application for the conversion of a structure located at 30 Pleasant Street from its original Institutional use to a Multi-Unit Residential use, subject to full compliance with the Town’s Development Control Bylaw and all other applicable municipal, provincial, and federal legislation and regulations.***

*Unanimously carried.*

**8.1.4 Development Permit Application – 24 Park Road**

**8.1.4.1 *Moved by Councillor Mann, seconded by Councillor Spencer***

***WHEREAS an application has been made for the construction of a new building, renovation of an existing building, construction of a new driveway and other general site work on a property located at 24 Park Road in the Kensington Industrial Park;***

***AND WHEREAS an application has been made for Town Council’s consideration of authorizing a variance on the rear yard requirement of the property from 25 feet to 20 feet;***

*AND WHEREAS Section 18.1(4) of the Town's Development Control Bylaw authorizes Town Council to authorize a variance in excess of ten (10%) percent from the provisions of the Bylaw if Council deems such a variance desirable and appropriate and if such variance is in keeping with the general intent and purpose of the Bylaw;*

*AND WHEREAS the development permit application and variance application have been reviewed by staff and is being recommended for approval;*

*BE IT RESOLVED THAT Town Council approve a variance on the rear yard requirement for a property located at 24 Park Road in the Kensington Industrial Park (PID No 917583) to reduce the requirement from 25 feet to 20 feet;*

*BE IT FURTHER RESOLVED THAT Town Council approve a development permit application for a property located at 24 Park Road (PID No 917583) to construct a new 80' x 20' storage building, to renovate an existing building on the property to accommodate the addition of office space and a reception area, to construct a new access to the property and other general site work, subject to compliance with the Town's Development Control Bylaw and all other applicable municipal, provincial and federal legislation and regulations.*

*Unanimously carried.*

**8.1.5 Consolidation/Subdivision of Lands of the Town of Kensington and E&W Brown Holdings Inc. – Kensington Business Park**

**8.1.5.1 Resolution 1 (Rescission of May 10, 2021 Resolution)**

*Moved by Councillor Toombs, seconded by Councillor Spencer*

*BE IT RESOLVED THAT Town Council rescind the following resolution from the May 10, 2021 regularly held meeting approving Survey Plan Numbers 19257-S02 and 19257-S01:*

*“WHEREAS a subdivision/consolidation plan (Plan #19257-S02) has been drafted to facilitate the transfer of property between the Town of Kensington and E&W Brown Inc.;*

*AND WHEREAS a subdivision/consolidation plan has been drafted to facilitate the consolidation of the former Waugh and Caseley Properties and to subdivide the consolidated property into 38 business park lots;*

***BE IT RESOLVED THAT approval be granted to consolidate Parcel A with PID No. 76216, being lands of E&W Brown Inc., as per Survey Plan No. 19257-S02, dated May 5, 2021, drawn by Locus Surveys Ltd;***

***BE IT FURTHER RESOLVED THAT approval be granted to subdivide Parcel B from PID No. 76216, being lands of E&W Brown Inc., as per Survey Plan No. 19257-S02, dated May 3, 2021, drawn by Locus Surveys Ltd;***

***BE IT FURTHER RESOLVED THAT approval be granted to consolidate Parcel B to PID No. 767673, being lands of the Town of Kensington, as per Survey Plan No. 19257-S02, dated May 3, 2021, drawn by Locus Surveys Ltd;***

***BE IT FURTHER RESOLVED THAT approval be granted to consolidate PID No.'s 76406 and 767673, being lands of the Town of Kensington, as per Survey Plan No. 19257-S01, dated May 3, 2021, drawn by Locus Surveys Ltd;***

***BE IT FURTHER RESOLVED THAT approval be granted to subdivide the previously approved consolidated properties, PID No.s 76406 and 767673, into 38 business park lots, associated right of ways, and remaining lands, as per Survey Plan No. 19257-S01, dated May 3, 2021, drawn by Locus Surveys Ltd.”***

***Unanimously carried.***

**8.1.5.2 Resolution 2 (Property Consolidation/Subdivision)**

***Moved by Deputy Mayor Pickering, seconded by Councillor Toombs***

***WHEREAS a subdivision/consolidation plan (Plan #19257-S02) has been drafted to facilitate the transfer of property between the Town of Kensington and E&W Brown Inc.;***

***AND WHEREAS the subdivision/consolidation plan has been drafted to facilitate the subdivision of Parcel A from PID No 767673 (former Caseley Property) and to consolidate Parcel A to PID No. 76216 (E&W Brown Holdings Inc.);***

***AND WHEREAS the subdivision/consolidation plan has been drafted to facilitate the subdivision of Parcel B from PID No 76216 and to consolidate Parcel B to PID No. 767673);***

***BE IT RESOLVED THAT approval be granted to subdivide Parcel A from PID No. 767673 and to consolidate Parcel A to PID No.***

*76216, being lands of E&W Brown Inc., as per Survey Plan No. 19257-S02, dated May 5, 2021, drawn by Locus Surveys Ltd;*

*BE IT FURTHER RESOLVED THAT approval be granted to subdivide Parcel B from PID No. 76216, being lands of E&W Brown Inc., and to consolidate Parcel B to PID No. 767673, as per Survey Plan No. 19257-S02, dated May 5, 2021, drawn by Locus Surveys Ltd;*

*Unanimously carried.*

**8.1.5.3** *Resolution 3 (Business Park Consolidation/Subdivision)*

*Moved by Councillor Spencer, seconded by Councillor Toombs*

*AND WHEREAS a subdivision/consolidation plan (Plan #19257-S01) has been drafted to facilitate the consolidation of PID No's 76406 and 767673 (including the newly consolidated Parcel B) into a singular parcel;*

*AND WHEREAS subdivision/consolidation plan (Plan #19257-S01) has been drafted to facilitate the subdivision of the newly consolidated properties into 38 business park lots, associated right of ways, and remaining lands;*

*BE IT RESOLVED THAT approval be granted to consolidate PID No.'s 76406 and 767673 (including the newly consolidated Parcel B), being lands of the Town of Kensington, as per Survey Plan No. 19257-S01, dated May 7, 2021, and revised on July 27, 2021, as drawn by Locus Surveys Ltd;*

*BE IT FURTHER RESOLVED THAT approval be granted to subdivide the previously approved consolidated properties, PID No's 76406 and 767673 (including the newly consolidated Parcel B), into 38 business park lots, associated right of ways, and remaining lands, as per Survey Plan No. 19257-S01, dated May 7, 2021, and revised on July 27, 2021, as drawn by Locus Surveys Ltd. It is the intention of Town Council to zone the 38 newly created 38 business park lots as Industrial (M1);*

*BE IT FURTHER RESOLVED THAT Town Council approve the subdivision of Lot 21-17 (Plan #19257-S01) with a reduced lot frontage of 15.240 meters due to its configuration and location facing the new cul-de-sac within the Business Park, as per Section 4.11 of the Town's Development Control Bylaw.*

*Unanimously carried.*

## **8.1.6 Victoria Street East Sidewalk Extension - 2021**

### **8.1.6.1 *Moved by Councillor Spencer, seconded by Councillor Gallant***

***BE IT RESOLVED THAT Kensington Town Council award the contract for the Victoria Street East Sidewalk Installation project to Curran and Briggs Ltd. as per their tender submission in the amount of \$99,882.00 plus HST.***

***Unanimously carried.***

## **8.1.7 Town of Kensington – New Business/Industrial Park Land Use and Zoning**

### **8.1.7.1 *Moved by Councillor Mann, seconded by Councillor Spencer***

***BE IT RESOLVED THAT Kensington Town Council, following a detailed review of the preliminary information provided by staff and DV8 Consulting, authorize staff to proceed with the process to amend the Town of Kensington Official Plan General Land Use Map to include the 38 new business park properties and to apply an Industrial (M1) land use designation to the 38 properties;***

***BE IT FURTHER RESOLVED THAT Kensington Town Council, following a detailed review of the preliminary information provided by staff and DV8 Consulting, authorize staff to proceed with the process to amend the Town of Kensington Development Control Bylaw to include the new business park and to apply an Industrial (M1) zone to the 38 business park properties, and to amend section 13 of the Bylaw by inserting the following section before Section 13.2.1 under the existing subheading “permitted uses”, as follows:***

- 1. Uses as permitted in the General Commercial Zone (C1) Zone subject to the regulations of Section 10 for uses permitted in the C1 Zone, excluding the following uses:***
  - a. Hotels, Motels, or other Tourist Establishments***
  - b. Institutional Buildings***
  - c. Funeral Homes***
  - d. Multi-Unit Dwellings***
  - e. Child Care Facilities***
  - f. Dwelling Units in a Commercial Building***

***Unanimously carried.***

## **8.2 Other Matters**



- 8.2.1** The Honourable Antionette Perry, Lieutenant Governor of Prince Edward Island will be presenting Covid Warrior Coins to the Kensington Volunteer Fire Department, Kensington Police Service and Credit Union Centre as a token of appreciation and gratitude for going above and beyond for providing help or care to fellow Islanders on Thursday, September 16<sup>th</sup> at 10:30 AM at the Credit Union Centre.
- 8.2.2** Discussion was held on the traffic congestion at the corner of Victoria St. and Woodleigh Dr. when making a left hand turn into the entrance of the Tim Hortons drive thru. Deputy Mayor Pickering suggested to add the right and left arrow at the exit of the Tim Hortons Drive Thru. Mayor Caseley will contact the Minister of Transportation and Infrastructure to discuss the issue.
- 8.2.3** Councillor Toombs suggested that Town Council consider placing a swing set and slide at Centennial Park. Councillor MacRae suggested that the Alysha Toombs Memorial Park would be a more suitable location.
- 8.2.4** Councillor Toombs noted that the gravel around the Railyards Gazebo becomes muddy when raining and suggested an alternative type of gravel be considered.
- 8.2.5** Deputy Mayor Pickering expressed her appreciation towards the Province of PEI for upgrading the walkway at the student drop off at the QEES.

## **9. Correspondence**

- 9.1** Request for donation from PEI Community Navigators for a PEI Neighbour Week event to be held at Ross's Community Garden on September 27, 2021.

*Moved by Councillor Toombs, seconded by Councillor MacRae to donate \$200.00 to PEI Community Navigators for the PEI Neighbour Week event.*

*Unanimously carried.*

- 9.2** Request for donation from Island Nature Trust.

*Moved by Deputy Mayor Pickering, seconded by Councillor Spencer to donate \$250.00 to Island Nature Trust.*

*5 for 1 opposed (Gallant) – Motion carried.*

- 9.3** Information on an advertising opportunity with the Rotary Supplement. *Received.*
- 9.4** Kids Help Phone Newsletter.
- 9.5** Thank you letter from PCH Foundation for donation.

*Kyle Reid excused themselves from the Council Chamber at 8:20 pm.*

**10. In-Camera (Closed session) One item under Sections 119 (d) and (f) of the Municipal Government Act.**

**10.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Spencer to move in camera at 8:21pm Unanimously carried.***

**10.2 *Moved by Councillor Spencer, seconded by Deputy Mayor Pickering to come out of in camera at 8:37pm Unanimously carried.***

**11. Adjournment**

***Moved by Councillor Toombs, seconded by Councillor Spencer to adjourn the meeting at 8:37 PM. Unanimously carried.***

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Geoff Baker,  
CAO

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Rowan Caseley,  
Mayor