

**Town of Kensington
Minutes of Regular Council Meeting
Monday, May 10, 2021
7:00 PM**

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

Staff Members Present: Chief Administrative Officer, Geoff Baker; Deputy Chief
Administrative Officer, Wendy MacKinnon; Administrative
Assistant, Kim Caseley

Visitors: Jason Simmonds – Journal Pioneer
Hon. Matthew MacKay – MLA Kensington-Malpeque

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 April meeting of Kensington Town Council.

2. Approval of Tentative Agenda

2.1 *Moved by Deputy Mayor Pickering, seconded by Councillor Toombs to approve the tentative agenda for the May 10, 2021 regular meeting of Town Council. 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 Spencer, seconded by Councillor Toombs to approve the minutes from the April 12, 2021 regular meeting of Town Council. Unanimously carried.*

5.2 *Moved by Councillor Gallant, seconded by Councillor Spencer to approve the minutes from the April 22, 2021 public meeting of Town Council. Unanimously carried.*

6. Business Arising from Minutes

6.1 April 12, 2021 Regular Meeting

6.1.1 *Nil.*

6.2 April 22, 2021 Public Meeting

6.2.1 *Nil.*

7. Reports

7.1 Chief Administrative Officer Report

7.1.1 *Moved by Councillor Toombs, seconded by Councillor Spencer to adopt the April 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 Deputy Mayor Pickering to approve the March 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 Gallant, seconded by Councillor Spencer to approve the March 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 May 2021 Development Permit Summary Report. Unanimously carried.*

7.5 Bills List

7.5.1 *Moved by Councillor Gallant, seconded by Councillor Mann to approve the March 2021 Bills in the amount of \$305,324.70. Unanimously carried.*

7.5.2 *Moved by Councillor Toombs, seconded by Councillor Gallant to approve the March 2021 WPCC Bills in the amount of \$12,965.50. Unanimously carried.*

7.6 Summary Income Statement

7.6.1 *Moved by Councillor Gallant, seconded by Councillor Spencer to approve the Summary Income Statement for the month of March 2021. Unanimously carried.*

7.7 Credit Union Centre Report

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

7.8 Mayor's Report

7.8.1 *Moved by Councillor Gallant, seconded by Councillor Toombs to approve the Mayors report for the month of May 2021 as presented by Mayor Caseley. Unanimously carried.*

7.8.2 Council discussed the process of naming the new Business Park streets. Deputy Mayor Pickering suggested asking the students at KISH to submit names. It was determined that staff will open the call for name suggestions to the students and the public. The deadline for submissions will be June 18, 2021.

7.9 Federation of PEI Municipalities (FPEIM) Report

7.9.1 Councillor Mann reported that the FPEIM AGM was held virtually on April 26, 2021.

7.10 Heart of the Island Initiative Report

7.10.1 Deputy Mayor Pickering confirmed the unveiling of the art mural and fiddle structure for May 14 at 4:00 pm.

7.11 Kensington Area Chamber of Commerce (KACC) Report

7.11.1 KACC Presidents Dinner will be held at Clinton Hills on May 13.

7.12 PEI 55 Plus Games

7.12.1 *Nil.*

8. New Business

8.1 Request for Decisions

8.1.1 New Deal for Cities and Communities (Gas Tax) – Capital Investment Plan Fund Re-Profiling

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

BE IT RESOLVED THAT Town Council authorize the CAO to proceed with re-profiling funds within the Town's Capital Investment Plan as per the attached plan dated April 26, 2021, as follows:

- *Train Station/Boardwalk Upgrades and Replacement (\$350,095.17)*
- *Barrett Street/Broadway Street/Victoria Street Sidewalk Installation (\$476,075.00)*
- *Parks and Recreation Improvements – Various (\$86,558.69)*
- *Wellfield Emergency Back-Up Power (\$42,500.00)*
- *Senior's Centre Paving (\$26,410.00)*
- *Water Meter System Upgrade (\$65,000.00)*

- *Sewage Lagoon Mechanical Upgrades (\$146,000.00)*
- *Sidewalk Improvements and Replacement (\$351,144.68)*
- *Water Utility Model (\$50,000.00)*

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.

8.1.2 Prince County Hospital Foundation – Funding Request

8.1.2.1 Moved by Councillor Gallant, seconded by Councillor Toombs

THAT Town Council approve a financial contribution to the Prince County Hospital Foundation in the amount of \$50,000 payable at \$5,000 per year for 10 years, starting in 2021 and ending in 2030.

Unanimously carried.

Councillor Spencer declared a conflict and excused himself from the Council Chamber at 7:17 pm.

8.1.3 Go!Fish Window Replacement and Awning Installation

8.1.3.1 Moved by Deputy Mayor Pickering, seconded by Councillor Gallant

BE IT RESOLVED THAT Kensington Town Council authorize staff to proceed with the replacement of a deteriorated window at Go! Fish and that the window be replaced with a plain frame vinyl glider window. The Town's contribution to the window replacement will be the difference in cost between the glider window and the fixed window plus any rot or further deterioration that may be encountered.

BE IT FURTHER RESOLVED THAT that Town Council authorize the operators of Go!Fish to install a 38 inch by 36 inch awning over the take out window at their expense.

Unanimously carried.

Councillor Spencer returned to the Council Chamber at 7:22 pm.

8.1.4 Kensington Business Park Construction - Tender Recommendation

8.1.4.1 Mayor Caseley expressed his appreciation to Hon. Matthew MacKay for his continued support and leadership to ensure the Business Park project was a success.

8.1.4.2 Moved by Deputy Mayor Pickering, seconded by Councillor Gallant

BE IT RESOLVED THAT Kensington Town Council award the contract for the Kensington Business Park Construction project to AJL Ltd. as per their tender submission in the amount of \$4,820,125.00 plus HST.

Unanimously carried.

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

WHEREAS Section 164 of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1. authorizes a Town Council to borrow money for the completion of a capital project;

AND WHEREAS the Town of Kensington is intent on proceeding with the construction of the Kensington Business Park Project in 2021;

AND WHEREAS funds have been secured through Innovation PEI in the amount of \$700,000.00;

AND WHEREAS funds have been secured through the Municipal Strategic Component of the Gas Tax Program in the amount of \$2,050,000.00;

AND WHEREAS The Town recently tendered the construction of the Kensington Business Park project, and the lowest tendered price was \$4,820,125.00 plus HST;

AND WHEREAS engineering services and contingency for the Kensington Business Park are estimated at \$700,000.00;

BE IT RESOLVED THAT Town Council authorize the CAO to borrow \$2,770,125.00 through Scotiabank to finance the Kensington Business Park Construction project under the following terms:

- repayable in full by Town Council over an amortization period not to exceed 25 years.***
- at an interest rate of Prime, less 0.3% per annum with interest payable monthly.***
- Advances repayable on demand.***

Unanimously carried.

8.1.5 *Town of Kensington Emergency Management Program Bylaw – Bylaw #2021-02*

First Reading

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

WHEREAS the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1. requires municipalities to provide emergency management planning for all areas of the municipality;

AND WHEREAS subsection 145(1) of the Act requires council to, by Bylaw, establish an emergency management program for the municipality that, in the opinion of the provincial Emergency Measures Organization, is adequate and properly integrated with the provincial emergency measures plan;

BE IT RESOLVED THAT the Town of Kensington Emergency Management Program Bylaw (Bylaw #2021-02) be hereby read a first time.

Unanimously carried.

Approval of First Reading

8.1.5.2 Moved by Councillor Toombs, seconded by Deputy Mayor Pickering

WHEREAS the Municipal Government Act, R.S.P.E.I. 1988, c M-12.1. requires municipalities to provide emergency management planning for all areas of the municipality;

AND WHEREAS subsection 145(1) of the Act requires council to, by Bylaw, establish an emergency management program for the municipality that, in the opinion of the provincial Emergency Measures Organization, is adequate and properly integrated with the provincial emergency measures plan;

AND WHEREAS the Town of Kensington Emergency Management Program Bylaw was read a first time at this meeting;

BE IT RESOLVED THAT the Town of Kensington Emergency Management Program Bylaw (Bylaw #2021-02) be hereby approved.

Unanimously carried.

8.1.6 Proposed Development Control Bylaw Amendment (Portion of PID No. 78014 – Lot 21-1)

First Reading

8.1.6.1 Moved by Councillor Mann, seconded by Deputy Mayor Pickering

WHEREAS a request has been received from the St. Mary's Holy Family Roman Catholic Church Parish Inc., the owner of a property located at 30 Pleasant Street (Lot 21-1, Plan # 21036-S01, portion of PID No 78014) to re-zone their property from its current Public Service and Institutional (PSI) designation to a Multi-Unit Residential (R3) designation.

AND WHEREAS a public meeting was held on April 22, 2021, in accordance with the PEI Planning Act and the Town's Development Control Bylaw;

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

BE IT RESOLVED THAT Kensington Town Council give first reading to amend the Zoning and Subdivision Control Bylaw to re-zone a portion of PID No. 78014 (Lot 21-1, Plan # 21036-S01) from Public Service and Institutional (PSI) to Multi-Unit Residential (R3).

Unanimously carried.

Approval of First Reading

8.1.6.2 *Moved by Councillor Mann, seconded by Councillor Gallant*

WHEREAS a request has been received from the St. Mary's Holy Family Roman Catholic Church Parish Inc., the owner of a property located at 30 Pleasant Street (Lot 21-1, Plan # 21036-S01, portion of PID No. 78014)) to re-zone their property from its current Public Service and Institutional (PSI) designation to a Multi-Unit Residential (R3) designation.

AND WHEREAS a public meeting was held on April 22, 2021, in accordance with the PEI Planning Act and the Town's Development Control Bylaw;

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

AND WHEREAS the Bylaw amendment was read a first time at this meeting;

BE IT RESOLVED THAT Kensington Town Council approve first reading to amend the Zoning and Subdivision Control Bylaw to re-zone a portion of PID No. 78014 (Lot 21-1, Plan # 21036-S01) from Public Service and Institutional (PSI) to Multi-Unit Residential (R3).

Unanimously carried.

8.1.7 Subdivision of Lands of the Town of Kensington and E&W Brown Holdings Inc.

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

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 Holdings 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 Holdings 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 Holdings 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.

8.2 Other Matters

- 8.2.1** Mayor Caseley acknowledged May 10-16 as National Nursing Week.
- 8.2.2** Mayor Caseley noted that the Canadian Flag was lowered to half-mast for the 76th anniversary of V-E Day on Saturday, May 8, 2021. Mayor Caseley was joined by members of the Kensington Legion and Town Council to lay a wreath.
- 8.2.3** Mayor Caseley expressed his appreciation to everyone who participated in the Annual Town Clean-up on Saturday, May 8.

8.2.4 Hon. Matthew MacKay spoke to Town Council on projects in the area over the past two years and looking forward to the next two. He also expressed appreciation to Minister Myers for his support towards the Business Park development.

9. Correspondence

9.1 An update from the Kids Help Phone

9.2 A letter from Julia Folland, Sponsorship Chair for the 2021 KISH Relay for Life.

Moved by Councillor Gallant, seconded by Councillor Toombs to donate \$1,000 to the KISH Relay for Life. Unanimously carried.

9.3 An email from the KARSİ Steering Committee on their new sponsorship project.

10. In-Camera

10.1 *Nil*

11. Adjournment

Moved by Councillor Spencer, seconded by Deputy Mayor Pickering to adjourn the meeting at 7:51 PM. Unanimously carried.

Geoff Baker,
CAO

Rowan Caseley,
Mayor