

**Town of Kensington  
Minutes of Regular Council Meeting  
Monday, September 14, 2015  
7:00 PM**

**Council Members Present:** Mayor Rowan Caseley; Councillors: Deputy Mayor Mann, Spencer, MacLean, Pickering, Mill and Doucette

**Staff Members Present:** Chief Administrative Officer, Geoff Baker; Deputy Administrator, Wendy MacKinnon; Administrative Assistant, Kim Caseley; Police Chief, Lewis Sutherland

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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 and staff.

**2. Approval of Tentative Agenda**

**2.1** *Moved by Councillor Spencer, seconded by Councillor Mill to approve the tentative agenda for the September 14, 2015 regular meeting of Town Council with the addition of item #10 – RFD – Subdivision of Lands of the Province of PEI. Unanimously carried.*

**3. Declaration of Conflict of Interest**

**3.1** Mayor Caseley discussed that Members of Town Council or staff who believe they may have a conflict of interest on any matter that will be discussed at this meeting should declare that potential conflict at this time, withdraw at the time of discussion and vacate the Council Chambers during deliberation and decision.

**4. Delegations / Presentations**

**4.1** Nil

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

**5.1** *Moved by Councillor MacLean, seconded by Councillor Pickering to approve the minutes from the August 10, 2015 regular meeting of Town Council. Unanimously carried.*

**5.2** *Moved by Councillor Spencer, seconded by Councillor Doucette to approve the minutes from the August 12, 2015 public meeting of Town Council. Unanimously carried.*

**5.3** *Moved by Councillor MacLean, seconded by Councillor Mill to approve the minutes from the August 12, 2015 special meeting of Town Council. Unanimously carried.*

**5.4** *Moved by Councillor Pickering, seconded by Deputy Mayor Mann to approve the minutes from the September 1, 2015 special meeting of Town Council with the addition of Cameron Mill in attendance. Unanimously carried.*

**6. Business Arising from Minutes**

**6.1** *Regular Council Meeting August 10, 2015 - Nil.*

**6.2** *Public Council Meeting August 12, 2015 – Nil*

**6.3** *Special Council August 12, 2015 – Nil*

**6.4** *Special Council Meeting September 1, 2015 - Nil*

**7. Committee Reports**

**7.1 Public Safety Committee**

**7.1.1** *Moved by Councillor Spencer, seconded by Councillor Doucette to adopt the August 2015 Public Safety Committee Report as presented by Councillor Spencer. Unanimously carried.*

**7.1.2** *Moved by Councillor Spencer, seconded by Councillor Pickering to adopt the August 2015 Fire Chiefs Report as prepared by Fire Chief Sudsbury. Unanimously carried.*

**7.1.3** *Moved by Councillor Spencer, seconded by Councillor Doucette to approve the August 2015 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

**7.2 Community Services Committee**

**7.2.1** *Moved by Councillor Spencer, seconded by Councillor Mill to approve the August 2015 Community Services Committee report as presented by Councillor Spencer. Unanimously carried.*

**7.2.2** *Moved by Councillor Spencer, seconded by Councillor Doucette to approve the Building Permit Summary Report for August 2015. Unanimously carried.*

**7.2.3** Councillor MacLean expressed concern regarding a vehicle parking in the designated parking spot for the Sun Country electronic vehicle charging station located at the Railyards parking area. CAO Geoff Baker indicated that he would advise the police department to look into the issue. He further indicated that the parking stall is expected to be marked appropriately as an EV Charging station at some point in the very near future.

### **7.3 Wellness and Culture Committee**

**7.3.1** *Moved by Councillor Pickering, seconded by Councillor Mill to approve the August 2015 Wellness and Culture Committee report as prepared by Councillor Pickering. Unanimously carried.*

**7.3.2** The next Wellness & Culture committee meeting is scheduled for Monday, September 21, 2015 at 6:30 pm.

### **7.4 Finance and Administration Committee Report**

**7.4.1** *Moved by Deputy Mayor Mann, seconded by Councillor Spencer to adopt the Finance and Administration Committee report for the month of August 2015, as presented by Deputy Mayor Mann. Unanimously carried.*

**7.4.2** *Moved by Deputy Mayor Mann, seconded by Councillor Doucette to approve the payment of bills in the amount of \$208,196.64 for the month of August 2015. Unanimously carried*

**7.4.3** *Moved by Deputy Mayor Mann, seconded by Councillor MacLean to approve the August 2015 Summary Income Statement as presented by Deputy Mayor Mann. Unanimously carried.*

### **7.5 Mayor's Report**

**7.5.1** *Moved by Deputy Mayor Mann, seconded by Councillor MacLean to approve the Mayors report for the month of August 2015 as presented by Mayor Caseley. Unanimously carried.*

## **8. Council Representative Reports**

**8.1** Deputy Mayor Mann reported that the FPEIM Semi Annual Meeting will be held on November 14, 2015 at the Tignish Legion.

**8.2** Deputy Mayor Mann reported that the Kensington Area Chamber of Commerce has hired a new Membership and Events Coordinator, Jessica Caseley.

**8.3** CAO, Geoff Baker updated Town Councillors on several ongoing projects and issues:

**8.3.1** Strategic Tourism Expansion Program - Several 30 minute meetings have been scheduled on September 23 and 24 with local businesses to compile data for the STEP Program. Laurel Reid, tourism consultant, has been hired by ACOA to complete the initial screening of the Kensington Area.

**8.3.2** A Civic Numbering Policy is being worked on and should be ready to present to the Community Services Committee in October.

- 8.3.3** A Vender Licensing Bylaw is in draft form and will be forwarded to the Finance and Administration Committee for review.
- 8.3.4** The Maple Lane/Linwood Drive Storm Water Management project has been approved for funding under the Building Canada Fund. Design is ongoing.
- 8.3.5** The Pleasant Street Lift Station project has been awarded to Duffy Construction. Work is scheduled to begin in early October with completion in late November/Early December.
- 8.3.6** The School Street Paving and Woodleigh Drive Sidewalk projects will be tendered shortly in anticipation that construction can be completed this year.
- 8.3.7** The Camp Nathan Smith Flag Unveiling Ceremony will be scheduled once all parties have agreed to a date.
- 8.3.8** The Sewage Treatment Plant Wind Turbine – no further details are available.
- 8.3.9** Deputy Administrator, Wendy MacKinnon, has been working on the final details for the Water and Sewer rate study. Staff are hopeful that an application will be completed and presented to Town Councillors at their regular October meeting.
- 8.3.10** Deputy Administrator, Wendy MacKinnon has prepared a Request for Proposals (RFP) for the 2016 to 2018 Municipal Auditing Services. Staff are hopeful that the RFP can be issued, closed and a recommendation for award by the October regular meeting of Town Council.
- 8.3.11** The Island Regulatory Appeals Commission has advised the Town that the annexation application for the property of Matt Gallant (149 Kelvin Grove Road) will have to be re-started. It is apparent that the Town was required to provide Mr. Gallant with four weeks' notice of Town Council's annexation resolution in the instance that Mr. Gallant might object to his own application. Staff have forwarded the required notice to Mr. Gallant and it is anticipated that a new resolution will be presented for Council's consideration at their regular October meeting.
- 8.3.12** Staff have been in discussions with Innovation PEI regarding a business registration process to ensure that efforts from the Town to create a Business Registry Bylaw are not being duplicated.

**9. Development Control Bylaw/Official Plan Amendment – Re-Zoning of PID No's 1038454 and 1038462**

**9.1 *Moved by Councillor Spencer, seconded by Councillor Pickering***

***WHEREAS a request has been received from the prospective owners of PID No's 1038454 and 1038462 to amend the Town of Kensington Development Control***

*Bylaw to re-zone the aforementioned properties from Public Service and Institutional (PSI) to Single Family Residential (R1) for the purpose of constructing a single family residential dwelling;*

*AND WHEREAS the request is fully supported by the current owners of the property;*

*AND WHEREAS DV8 Consulting has evaluated and analyzed the request and has recommended that Town Council proceed with the Bylaw amendment;*

*AND WHEREAS the Bylaw amendment was first read and approved at a special meeting of Town Council held on August 12, 2015;*

*BE IT RESOLVED THAT Kensington Town Council approve second reading to amend the Zoning and Subdivision Control Bylaw to re-zone PID No's 1038454 and 1038462 (Lots B42 & B43) along Barrett Street from Public Service and Institutional (PSI) to Single Family Residential (R1) to facilitate the construction of a single family residential dwelling.*

*Unanimously carried.*

**9.2 Moved by Councillor Spencer, seconded by Councillor Doucette,**

*WHEREAS a request has been received from the prospective owners of PID No's 1038454 and 1038462 to amend the Town of Kensington Development Control Bylaw to re-zone the aforementioned properties from Public Service and Institutional (PSI) to Single Family Residential (R1) for the purpose of constructing a single family residential dwelling;*

*AND WHEREAS the request is fully supported by the current owners of the property;*

*AND WHEREAS DV8 Consulting has evaluated and analyzed the request and has recommended that Town Council proceed with the Bylaw amendment;*

*AND WHEREAS the Bylaw amendment was first read and approved at a special meeting of Town Council held on August 12, 2015;*

*AND WHEREAS the Bylaw Amendment was read a second time at this meeting;*

*BE IT RESOLVED that the Bylaw Amendment to re-zone PID No's 1038454 and 1038462 (Lots B42 & B43) along Barrett Street from Public Service and Institutional (PSI) to Single Family Residential (R1) to facilitate the construction of a single family residential dwelling be hereby approved.*

*Unanimously carried.*

**9.3 Moved by Councillor Spencer, seconded by Councillor MacLean,**

***WHEREAS a request has been received from the prospective owners of PID No's 1038454 and 1038462 to amend the Town of Kensington Development Control Bylaw to re-zone the aforementioned properties from Public Service and Institutional (PSI) to Single Family Residential (R1) for the purpose of constructing a single family residential dwelling;***

***AND WHEREAS the request is fully supported by the current owners of the property;***

***AND WHEREAS DV8 Consulting has evaluated and analyzed the request and has recommended that Town Council proceed with the Bylaw amendment;***

***AND WHEREAS the Bylaw amendment was read and formally approved at two separate meetings of Town Council on different days;***

***BE IT RESOLVED that the Bylaw Amendment to re-zone PID No's 1038454 and 1038462 (Lots B42 & B43) along Barrett Street from Public Service and Institutional (PSI) to Single Family Residential (R1) to facilitate the construction of a single family residential dwelling be hereby formally adopted and approved.***

***Unanimously carried.***

**9.4 Moved by Councillor Spencer, seconded by Councillor Mill,**

***WHEREAS a request has been received from the prospective owners of PID No's 1038454 and 1038462 to amend the Town of Kensington Development Control Bylaw to re-zone the aforementioned properties from Public Service and Institutional (PSI) to Single Family Residential (R1) for the purpose of constructing a single family residential dwelling, which has triggered a requirement for an amendment to the Official Plan Future Land Use Map ;***

***AND WHEREAS the request is fully supported by the current owners of the property;***

***AND WHEREAS DV8 Consulting has evaluated and analyzed the request and has recommended that Town Council proceed with the Bylaw amendment and the subsequent amendment to the Official Plan Future Land Use Map;***

***AND WHEREAS the Bylaw amendment was formally adopted by Town Council at this meeting;***

***BE IT RESOLVED that the Town of Kensington approve an amendment to the Future Land Use Map that is part of the Official Plan to designate PID No's 1038454 and 1038462 from PSI to Residential.***

***Unanimously carried.***

**10. Subdivision of Lands of the Province of Prince Edward Island – PID No. 76885**

**10.1 Moved by Councillor Spencer, seconded by Councillor Pickering,**

*WHEREAS it has been identified that a portion of two commercial buildings (Kensington Liquor Store and Kensington Area Tourist Association Building) owned by the Town of Kensington are encroaching on lands of the Province of Prince Edward Island (Confederation Trail – PID No. 76885);*

*AND WHEREAS The Province of Prince Edward Island have expressed their desire in writing to correct the encroachments through subdividing appropriate portions of their property (PID No. 76885), as indicated on survey plan number 151-08784-S01, and appending such property to lands of the Town of Kensington (PID No. 868646);*

*AND WHEREAS Kensington Town Council, through its Finance and Administration Committee, has indicated their desire to move forward and correct the encroachments;*

*BE IT RESOLVED that Kensington Town Council approve a subdivision of Parcel's CT-A and CT-B from PID No. 76885, being lands of the Province of Prince Edward Island., as per Plan No. 151-08784-S01, dated September 3, 2015, drawn by WSP.*

*Unanimously carried.*

**10.2 Moved by Councillor Spencer, seconded by Councillor MacLean,**

*BE IT FURTHER RESOLVED that Kensington Town Council approve a consolidation of Parcel's CT-A and CT-B to PID No. 868646, being lands of the Town of Kensington, as per Plan No. 151-08784-S01, dated September 3, 2015, drawn by WSP.*

*Unanimously carried.*

**11. Correspondence**

**11.1** A newsletter from the Trans Canada Trail on current and upcoming initiatives.

**11.2** An email, expressing appreciation to the Kensington Police department from Rusty Rover Tours regarding a recent customer who had lost her purse and it was returned to its owner by Kensington Police Service.

**11.3** An email from Health and Wellness Minister Doug Currie, announcing that the Community Gardens Complex has been approved for the Arena Support Grant in the amount of \$9,000.00.

**12. Committee Of The Whole (In - Camera)**

**12.1** *Moved by Councillor Mill, seconded by Councillor MacLean to commence into a Committee of the Whole meeting at 8:08 PM. Unanimously carried.*

**12.2** *Moved by Councillor Mill, seconded by Councillor Spencer to come out of the Committee of the Whole meeting at 8:24 PM. Unanimously carried.*

**13. Adjournment**

*Moved by Councillor Doucette, seconded by Councillor MacLean to adjourn the meeting at 8:25 PM. Unanimously carried.*

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Wendy MacKinnon,  
Deputy Administrator

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Rowan Caseley,  
Mayor