

**Cornwall, Prince Edward Island
Regular Meeting of Council
Wednesday, November 16, 2022
4:30 PM**

Present: Mayor Minerva McCourt - presiding
Deputy Mayor Cory Stevenson
Councillor Elaine Barnes
Councillor Corey Frizzell
Councillor Judy Herlihy
Councillor Jill MacIsaac
Councillor Shane McGuigan

Also: Kevin Coady – CAO
Spencer Hay – Manager of Planning and Development
Tracey MacLean – Engagement Coordinator

CALL TO ORDER

Mayor Minerva McCourt called the meeting to order at 4:30pm.
There were 14 members of the public present.

LAND ACKNOWLEDGEMENT Read

APPROVAL OF THE AGENDA

Councillor Barnes moved, seconded by Deputy Mayor Stevenson, that the agenda be approved as circulated with the addition of:

- 10-1 International Men's Day – Councillor Frizzell
- Correspondence – Deputy Mayor Stevenson

Motion Carried

DISCLOSURE OF PECUNIARY OR OTHER CONFLICT OF INTEREST

Mayor McCourt will recuse herself for section 9c
Councillor Frizzell will recuse himself for section 10g
Councillor Herlihy will recuse herself for section 10k

APPROVAL OF THE MINUTES

a) **October 19, 2022, Regular Council Meeting:** Councillor Frizzell moved, seconded by Councillor MacIsaac that the minutes of October 19, 2022, Regular Council Meeting be approved as circulated.

Motion Carried

BUSINESS ARISING

Nil

PRESENTATIONS

- a) Alan Thompson – Re: 522 Capital Drive – Alan Thompson of MacKinley Drive thanked Council for the opportunity to speak regarding the proposed rezoning of 522 Capital Drive. Mr. Thompson is not in favor of the rezoning and says that it is upsetting to the residents in the area. He does not think that an apartment building is a good fit for the land or the area. He is requesting the Town stop considering a rezoning until more information is obtained and a proper study has been done. He stated that the lot was zoned R1 in 1999 and should stay that way in his opinion. Mr Thompson noted that all interactions between himself, the Town and Arsenault Bros have been amicable.
- b) Arsenault Brothers Construction – Re: 522 Capital Drive – Dave Arsenault noted that a rezoning application has been submitted to the Town and that other properties around the property are commercial. He stated that the decision to apply for the rezoning is based on sound planning principles and has gone through the proper channels. He noted that the roads are governed by the Province and their request to access from Capital Drive has been reviewed and approved by the Province. Before any work were to be completed, the plans would have to go to the Department of Environment.

Councillor Frizzell asked how many properties in the area are R1. He was advised that one is and the rest that back on to MacKinley are commercial and that some properties on MacKinley are commercial.

Councillor McGuigan asked if there was an environmental clause in the proposed purchase/sale agreement and was advised that there was not.

CAO Coady noted that there are no building permit applications submitted yet and the only thing being considered currently is the rezoning of the property.

REPORTS OF COMMITTEES / RESOLUTIONS:

INFRASTRUCTURE

Reports & Resolutions

- a) **Minutes** – Meeting combined with Planning Committee.

PLANNING COMMITTEE

Reports & Resolutions:

- a) **Minutes** – November 2, 2022, included in the package.
- b) **Resolutions** –

PL-28-2022 Public Meeting Amendment to General Land Use Under the Official Plan

Moved by Councillor Cory Stevenson

Seconded by Councillor Elaine Barnes

Whereas: Council has received applications to amend the zoning of Parcel 777557 Cornwall

Road, and 522 Capital Drive (PID 245613).

And Whereas: both applications were presented to the public at an open meeting held on October 13, 2022.

And Whereas: an amendment to the Zoning Map, being Schedule “A” of the Zoning and Subdivision Control (Development) Bylaw #422, requires an amendment to the General Land Use Plan, being Figure 5 in Part 5 of the 2022 Official Plan, to ensure consistency between the Official Plan and the Development Bylaw;

Therefore, be it Resolved: that the proposed amendment of the General Land Use Plan in relation to the said applications be presented to the public at an open meeting held on November 30, 2022.

Motion Carried

Mayor McCourt left the meeting at 5:01pm

PL-29-2022 – Rezoning PID# 777557 Cornwall Road

Moved by Councillor Corey Frizzell

Seconded by Councillor Shane McGuigan

Whereas: Council has received an application to amend the zoning of Parcel 777557 on the Cornwall Road from Business Park (M2) to Rural Residential (RR) Zone;

And Whereas: Council has given consideration to the Town of Cornwall Official Plan policy statements regarding servicing, industrial and residential zoning and developments, and the criteria for Official Plan and Bylaw amendments under Part 22 of the Zoning and Subdivision Control (Development) Bylaw #422, including comments from the public;

And Whereas: the proposed amendment to the Development Bylaw Zoning Map was presented to the public at an open meeting held on October 13, 2022.

And Whereas: the proposed amendment to the designation of Parcel 777557 on the General Land Use Plan in Part 5, Figure 5 of the 2022 Official Plan will be presented to the public at an open meeting to be held on November 30, 2022, to ensure consistency between the 2022 Official Plan and the Development Bylaw;

Therefore, be it Resolved: that Council indicate support in principle for the application and proceed to first reading of a bylaw to amend the Zoning Map in Schedule “A” of the Development Bylaw upon completion of the consideration of associated amendments to the Official Plan General Land Use Plan.

Motion Carried

Mayor McCourt returned to the meeting at 5:04pm

PL-302022 – Rezoning 522 Capital Drive
Moved by Councillor Corey Frizzell
Seconded by Councillor Shane McGuigan

Whereas: Council has received an application to amend the zoning of Parcel 245613 at 522 Capital Drive from Single Detached Residential (R1) to General Commercial (C1) Zone;

And Whereas: Council has given consideration to the Town of Cornwall Official Plan policy statements regarding commercial and residential zoning and developments and the criteria for Official Plan and Bylaw Amendments under Part 22 of the Zoning and Subdivision Control (Development) Bylaw #422, including comments from the public;

And Whereas: the proposed amendment to the Development Bylaw Zoning Map was presented to the public at an open meeting held on October 13, 2022.

And Whereas: the proposed amendment to the designation of Parcel 245613 on the General Land Use Plan in Part 5, Figure 5 of the 2022 Official Plan will be presented to the public at an open meeting to be held on November 30, 2022, to ensure consistency between the Official Plan and the Development Bylaw;

Therefore, be it Resolved: that Council indicate support in principle for the application and proceed to first reading of a bylaw to amend the Zoning Map in Schedule “A” of the Development Bylaw upon completion of the consideration of associated amendments to the Official Plan General Land Use Plan.

Motion Carried

Main Street AT Trail Phase 3 Lighting – Spencer Hay has been looking into other options for the Phase 3 lighting. Just before the meeting Spencer received a letter advising against changing the lighting style for the safety aspect of it. A shorter pole would not provide the amount of light span that would be needed for the area. CAO Coady noted that functionality is key. Councillor Barnes requested that banner bars and electrical outlets be added to the poles. Councillor Frizzell was disappointed but thanked Spencer for his work looking into other options.

COMMITTEE OF COUNCIL

- (i) **FINANCE AND ADMINISTRATION**
 - Reports & Resolutions**
 - a) **Minutes** – October 12, 2022.
 - b) **Comparative Income Statements** –
 - c) **Resolutions** -

F/A-51-2022 Resident Recognition – Tom Stewart
Moved by Councillor Cory Stevenson
Seconded by Councillor Elaine Barnes

Whereas: The Town of Cornwall values and appreciates the numerous community residents that volunteer their time to various municipal initiatives that enhance the quality of life in the Town;

And Whereas: Tom Stewart is a long time resident of Cornwall who has volunteered and worked tirelessly to establish regular year round programming for court based sports including badminton, tennis and pickleball among others;

And Whereas: Many community residents have expressed their appreciation of Tom's efforts in the community and the Town of Cornwall desires to join in that expression of appreciation;

Therefore, be it Resolved: That the Town of Cornwall formally acknowledges and recognizes Tom Stewart, and his many efforts to enhance the health, fitness and well being of community residents, with a one hundred dollar gift card to the Cornwall business of Tom's choice and a commemorative plaque.

Motion Carried

Mayor McCourt presented a plaque and card to Tom Stewart – Tom thanked the Town for the recognition and spoke briefly about Pickleball and how it has benefited the participants.

F/A-52-2022 Rise and Climb Lease Renewal

Moved by Councillor Cory Stevenson

Seconded by Councillor Corey Frizzell

Whereas: The Town of Cornwall has had an ongoing lease arrangement for the use of town property with Rise and Climb Adventure Course since 2013 and the current lease expires in December 2022;

And Whereas: Rise and Climb Adventure Course desires to extend this lease with the Town and the Town finds that there are benefits for the Town in renewing the lease;

Therefore, be it Resolved: That the Town of Cornwall authorize the extension of the existing lease agreement with Rise and Climb Adventure Course for a five year period upon the same terms and conditions as in the existing lease except, there is to be addition of a provision for the annual fee for the lease to be adjusted equal to the previous year's consumer price index in the Province of Prince Edward Island as published by the Province of Prince Edward Island, this adjustment is to be effective January 1st of each year of the agreement, and the requirement for the Town to provide washroom facilities for the site shall be removed.

Motion Carried

F/A-53-2022 Turf Field Funding Application – Canada Community Building Fund (MSC)

Moved by Councillor **Corey Frizzell**
Seconded by Councillor **Cory Stevenson**

Whereas: The Town of Cornwall replaced the artificial turf soccer field at the Terry Fox Sports Complex in 2018 with funding assistance through the Municipal Strategic Component of the Gas Tax fund (Now the Canada Community Building Fund);

And Whereas: The artificial turf football field at the Terry Fox Sports Complex is now in need of replacement and the Town wishes to carry out this project in 2023;

Therefore, be it Resolved: That the Town of Cornwall apply to the Municipal Strategic Component of the Canada Community Building Fund for funding to assist in the replacement of the artificial turf football field at the Terry Fox Sports Centre.

Motion Carried

F/A-54-2022 TFSC Parking Lot Paving

Moved by Councillor **Cory Stevenson**
Seconded by Councillor **Corey Frizzell**

Whereas: The main Town parking lot at the Terry Fox Sports Centre (TFSC) is very busy and congested during larger Town and Sporting events and during Eliot River School functions; the parking lot is unpaved and unpainted, and this often contributes to ad hoc parking practices which often minimizes the effective parking spaces available in the lot;

And Whereas: The Town of Cornwall has budgeted \$40,000 and the provincial Department of Transportation has committed \$20,000 for this fiscal year to begin an incremental program of paving this parking lot;

And Whereas: The Town of Cornwall has a project nearing completion on Main Street involving paving contractors and the Town has secured preferred pricing, due to this project, to begin the incremental paving of the TFSC parking lot;

Therefore, be it Resolved: That the Town of Cornwall, pursuant to section 3.12 of the Town Purchasing Policy, engage Duffy Construction to pave 1138 Square meters, including fine grading, of the TFSC Parking Lot as the first phase of the incremental paving project of this lot at the cost of \$60,000 exclusive of HST.

Motion Carried

Councillor Frizzell left the meeting at 5:37pm

F/A-55-2022 Blooming House Donation

Moved by Councillor **Cory Stevenson**
Seconded by Councillor **Elaine Barnes**

Whereas: Blooming House Women’s Shelter provides an overnight shelter, support services and compassion for women in need, and the Town of Cornwall desires to assist Blooming House in the provision of these services;

Therefore, be it Resolved: The Town of Cornwall donate \$300 to Blooming House Women’s Shelter.

Motion Carried

Councillor Frizzell returned to the meeting at 5:38pm

F/A-56-2022 Crohn’s/Colitis Month

Moved by Councillor **Cory Stevenson**
Seconded by Councillor **Elaine Barnes**

Whereas: November is Crohn’s and Colitis month in Canada and Crohn’s and Colitis Canada, a national volunteer based charity that supports the 270,000 Canadians living with inflammatory bowel disease (IBD), requests that structural landmarks across Canada be illuminated in red for a day during November to show support for those affected by IBD;

Therefore, be it Resolved: That the Town of Cornwall illuminate the Cornwall Town Hall in red as a show of support for those affected by IBD on November 25, 2022.

Motion Carried

Deputy Mayor Stevenson requested that a picture be taken, and a post made on the day that the Town Hall is illuminated.

F/A-57-2022 CHANCES Donation

Moved by Councillor **Cory Stevenson**
Seconded by Councillor **Elaine Barnes**

Whereas: C.H.A.N.C.E.S. will be supporting approximately 140 vulnerable families over the upcoming holiday season and has been successful in past years in the provision of essentials such as food and clothing to these families;

And Whereas: The holiday season is a particularly difficult time for many who struggle throughout the year to meet the basic needs of their families;

And Whereas: C.H.A.N.C.E.S. is requesting financial support for this initiative and recognizes that the generosity of individuals and businesses is key to supporting families, especially children at this time of year;

Therefore, be it Resolved that the Town of Cornwall donate \$300 to CHANCES to assist in their continued work in the Town.

Motion Carried

F/A-58-2022 Christmas Concert – Maxwell/Pendergast

Moved by Councillor **Corey Frizzell**
Seconded by Councillor **Cory Stevenson**

Whereas: The Town of Cornwall continually looks for fun family events to provide for residents during the Christmas season;

Therefore, be it Resolved: That the Town of Cornwall engage Lawrence Maxwell and Shane Pendergast to perform a family Christmas show in December 2022 (Date and Location TBD), at a cost of \$500, with admission to the show being free of charge.

Motion Carried

Councillor Herlihy left the meeting at 5:42pm

F/A-59-2022 CAWG Hyde Pond Project

Moved by Councillor **Corey Frizzell**
Seconded by Councillor **Elaine Barnes**

Whereas: The Cornwall Area Watershed Group (CAWG) has applied for funding to carry out a rehabilitation project to Hyde Pond in the Town of Cornwall, which pond the Town owns;

And Whereas: The project, which was first considered at the Committee of Council meeting held on November 9, 2022, will include some change to the shape of the pond (smaller/narrower), the dredging of the pond, and the replacement of the existing fish impoundment and the construction of a bypass channel for adequate fish passage;

And Whereas: The expected outcomes of the project include among other things, a restored fish passage, temperature restored to sustainable values for trout resulting in increased trout habitat, increased recreational use for fishing and increased biodiversity in the pond;

And Whereas; The Town of Cornwall also desires the improvements that may be achieved to Hyde Pond through this project, there are still details to the proposal that are outstanding;

Therefore, be it Resolved: That the Town of Cornwall supports, in principle, the CAWG Hyde Pond Rehabilitation Project and final approval is subject to obtaining further details, satisfactory to the Town, regarding financial and logistical implications this project may have on the Town.

Motion Carried

Councillor Herlihy returned to the meeting at 5:45pm

F/A-60-2022 International Men’s Day

Moved by Councillor **Corey Frizzell**
Seconded by Councillor **Cory Stevenson**

Whereas: International Men’s Day, which celebrates the positive value men bring to the world, their families and communities, is November 19, and the theme for 2022 is “Helping Men and Boys”;

And Whereas: International Men’s Day is an opportunity for people everywhere of goodwill to appreciate and celebrate the men in their lives and the contribution they make to society for the greater good of all;

And Whereas: The Town of Cornwall values the positive contributions men, and all people, make to our community;

Therefore, be it Resolved: That Saturday November 19, 2022, is declared International Men’s Day in the Town of Cornwall Prince Edward Island.

Motion Carried

(ii) MUNICIPAL SERVICES
Monthly Reports were included in the package.

- 1) Reports & Resolutions**
 - (a) Humane Society Report**
 - (b) Fire Department Report**
 - (c) Police Report**
 - (d) Bylaw Enforcement**
 - (e) Transit – Transit numbers**
 - (f) Engagement.**

iii) PARKS & RECREATION

- a) **Minutes:** October 26, 2022
- b) **Monthly Report:** October 2022
- Councillor Frizzell noted that it was a very busy year with a recorded 33,373 people visiting the Terry Fox Sports Complex and how great it was to have so many people access the facility. He gave kudos to Town staff, businesses, participants and spectators.

- Deputy Mayor Stevenson and Councillor Barnes noted that the Events Committee would be meeting on Monday to finalize the holiday events.

CORRESPONDENCE

- Deputy Mayor Stevenson congratulated two local authors Beth and Stacey MacKinnon on their new book “Reigniting Curiosity and Inquiry in Higher Education: A Realistic Guide to Getting Started with Inquiry Based Learning.”
- Deputy Mayor Stevenson Congratulated authors Sam MacPhail and Bill Hogg on the release of their book “Ron MacKinley – No One’s Fool” and upcoming book launch at the Cornwall Library on November 23, 2022. Proceeds from the book will go to the Bluefield family of schools breakfast program.
- Deputy Mayor Stevenson noted that the Bluefield School Band’s Christmas Craft Fair will take place on November 18th and 19th.
- Councillor Frizzell wished best of luck to the U14 Timberwolves tackle football team and in particular #24 Cohen Frizzell as they head to the Ross Young Championship in Summerside.
- Councillor Herlihy congratulated the Lenentine curling team on being selected to participate in the 2023 Canada Games.
- Mayor McCourt expressed thanks to Sam’s Restaurant, staff and volunteer drivers on a very successful Veteran’s Dinner. Everyone was very appreciative of the meals.
- Councillor Frizzell gave kudos to Councillor MacIsaac on bringing the Veteran’s Dinner initiative to the Town. Councillor MacIsaac noted that she is very happy on how successful the event is each year.
- Mayor McCourt noted that she attended the Remembrance Day Service at the Kingston Legion.
- Mayor McCourt passed along condolences to Bev and Ray Gaudet on the sudden passing of Bev’s brother in Newfoundland
- Mayor McCourt thanked Councillor McGuigan for his 8 years of service on Town Council. Councillor McGuigan served the residents well, was a big supporter of bringing development to the Town and will be missed.

OTHER BUSINESS

Nil

IN CAMERA

Nil

ADJOURNMENT

The meeting was adjourned at 6:08pm.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

