

**Cornwall, Prince Edward Island
Regular Meeting of Council
Wednesday, January 25, 2023
4:30 PM**

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

Also: Kevin Coady – CAO
Shelley Rector – Manager of Corporate Services/DCAO
Kim Meunier – Manager of Parks and Recreation
Lori Bingley – Corporate Services Coordinator

CALL TO ORDER

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

LAND ACKNOWLEDGEMENT Read

APPROVAL OF THE AGENDA

Councillor Stevenson moved, seconded by Councillor Frizzell, that the agenda be approved as circulated.

Motion Carried

DISCLOSURE OF PECUNIARY OR OTHER CONFLICT OF INTEREST

Mayor McCourt will recuse herself for section 12-iv&v.

APPROVAL OF THE MINUTES

a) **December 21, 2022, Regular Council Meeting:** Councillor Herlihy moved, seconded by Deputy Mayor MacIsaac that the minutes of December 21, 2022, Regular Council Meeting be approved as amended.

Motion Carried

BUSINESS ARISING

Nil

PRESENTATIONS

Nil

REPORTS OF COMMITTEES / RESOLUTIONS:

COMMITTEE OF COUNCIL

- a) **December 14, 2022** minutes were in the package. CAO Coady stated that the Town will be on a new structure for committee meetings and starting next month the full set of committee minutes will be included in the package.

ENVIRONMENT AND SUSTAINABILITY

- a) **Minutes:** N/A – did not meet
- b) **Reports:** Councillor Herlihy noted the committee did not meet in January due to conflicting schedules with other meetings, so the committee will have their first meeting on Monday, February 13, 2023.

FINANCE AND MUNICIPAL SERVICES

- a) **Minutes/Reports:** The comparative income statements were included in the package. Councillor Frizzell noted that Deputy Chair for this committee is Councillor Herlihy and they will be meeting on the 1st Wednesday of the month at 6:00pm.
- b) **Resolutions:**

FMS-01-2023 Football Turf Field MSC Application

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 Centre 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 Centre is now in need of replacement, at an estimated cost of \$1,375,000 exclusive of HST, 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;

And be it further Resolved: That the Town of Cornwall will fund the ongoing operation and maintenance of the field through its annual budgeting process and the use of internal staff and contract resources.

Motion Carried

FMS-02-2023 AT Trail Phase 3 Reinstate CCBF CIP

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

Whereas: The Town of Cornwall previously had an approved project (CCBF # 5.5.12.) for Phase 3 of the Main Street Active Transportation Trail under the direct allocation of the Gas Tax fund (Now the Canada Community Building Fund) through the Canada-PEI Infrastructure Secretariat;

And Whereas: The Town rescinded that project to use some of that funding to assist in the construction of Phases 1 and 2 of the AT Trail;

And Whereas: The Town is presently constructing Phase 3 of the Main Street Active Transportation Trail and desires to reinstate CCBF Project #5.5.12. and allocate \$649,255.75 from currently allocated Phase 4 (CCBF #5.5.13.), of the Main Street Active Transportation Trail leaving a remainder of \$169,031.06 in the Phase 4 project;

Therefore, be it Resolved: That the Town of Cornwall apply to the Canada-PEI Infrastructure Secretariat for reinstatement of previously approved Main Street Active Transportation Phase 3 project #5.5.12. and transfer the funds as noted in the paragraph above.

Motion Carried

FMS-03-2023 Quarterly Financial Reporting

Moved by Councillor **Judy Herlihy**
Seconded by Councillor **Elaine Barnes**

Whereas: Town of Cornwall financial staff currently prepare a monthly report which is included in council and committee packages to ensure the accountability of management to council in relation to finances of the town and utility;

And Whereas: Many financial allocations such as large payments for police and fire and staffing allocations are done on a quarterly basis and are therefore missing from monthly reports, which leads to less relevant, and potentially confusing information reported on a monthly basis;

And Whereas: Financial reporting on a quarterly basis would provide council with a more comprehensive report, including the status of capital and operations and would improve the readability of the reports for the public;

Therefore, be it Resolved: That the Town of Cornwall convert to a quarterly financial reporting system.

Motion Carried

FMS-04-2023 Donation – Strathcona Cup Curling

Moved by Councillor **Elaine Barnes**
Seconded by Councillor **Judy Herlihy**

Whereas: The Strathcona Cup is an over century long curling competition between Scotland and Canada, held every five years and in 2023 Canada is hosting, with a tour leg in Cornwall hosted by the Cornwall Curling Club;

And Whereas: The Cornwall Curling Club has requested financial support for the event and the Town wishes to provide support for this local leg of this prestigious event;

Therefore, be it Resolved: That the Town of Cornwall donate three hundred dollars to the Cornwall Curling Club to help offset the costs of hosting the 2023 Strathcona Cup Curling event.

Motion Carried

FMS-05-2023 Signing Authority

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

Whereas: The Town of Cornwall is required to update signing authorities for the National Bank of Canada whenever there is an internal change in those authorities;

Therefore, be it Resolved: That the signing authorities for the Town of Cornwall National Bank of Canada accounts on behalf of Cornwall Council are Mayor Minerva McCourt and Deputy Mayor Jill MacIsaac;

And, be it further Resolved: That the signing authorities for the Town of Cornwall National Bank of Canada accounts on behalf of administration are Kevin Coady, Chief Administrative Officer, and Shelley Rector, Manager of Corporate Services and Deputy Chief Administrative Officer.

Motion Carried

PARKS AND RECREATION

- a) **Minutes/Reports:** Councillor Stevenson noted the Parks and Recreation committee met in January and discussed the successful number of events that occurred during December, as well as the upcoming ones for Snowfest that will occur mid-February.

Councillor Stevenson also stated the Deputy for Parks and Recreation Committee is

Councillor Campbell.

Canada Games rally was very well received and many acknowledged the Town's rally was one of the best to date – so a shout out to staff and volunteers who helped make this successful.

The Patrick Ledwell show is happening on Saturday, February 11th and tickets are currently 80% sold out.

b) Resolutions:

Councillor Stevenson, seconded by Councillor Herlihy put forward the original resolution **PR-01-2023 – Facility Field Fees 2023**

There was a lengthy discussion on whether or not to have a standing resolution on what the fees will cost over a four year period vs a one year period. There was also discussion based on cancellations due to weather – which was made clear by the Manager of Parks and Recreation, Kim Meunier, that there will be no penalty for such conditions.

Councillor Stevenson and Councillor Herlihy agreed to have resolution **PR-01-2023 – Facility Field Fees 2023** amended to state there would be no penalty for cancellations due to weather.

PR-01-2023 Facility Field Fees 2023

Moved by Councillor Cory Stevenson
Seconded by Councillor Judy Herlihy

Whereas: The Town of Cornwall continues to recognize the valuable benefits that non-profit, volunteer minor sport organizations bring to the community, and the Town is committed to the continued promotion of recreation and leisure activities and as such passed a resolution in 2021 (PR-05-2021) reducing facility rental fees for Cornwall minor sports groups;

And Whereas: The Town would like to continue with the facility fees as established by resolution PR-05-2021 for the 2023 field usage season, with the addition of a provision mandating that any minor sport organization that fails to show up for their field booking without providing 48 hours advance notice of a cancellation will be charged an hourly fee of \$25/hour for a turf field booking, or \$12.50/hour for a ball field booking for the missed booking;

Therefore, be it Resolved: The Town of Cornwall extend the facility fees as established by resolution PR-05-2021 for the 2023 field usage season, using the years 2019, 2021, and 2022 to determine the average use, and with the addition of a provision mandating that any minor sport organization that fails to show up for their field booking without providing 48 hours advance notice of a cancellation will be charged an hourly fee of \$25/hour for a turf field booking, or \$12.50/hour for a ball field booking for the missed booking; cancellations due to weather conditions will not be charged.

Motion Carried

PLANNING AND DEVELOPMENT

Reports & Resolutions:

a) **Minutes** – The report was in the package. Deputy Mayor MacIsaac stated the Deputy Committee Chair for Planning and Development is Councillor Frizzell.

b) **Resolutions** –

PL-01-2023 Variance Application – 130 Jewell Road

Moved by Councillor **Corey Frizzell**
Seconded by Councillor **Jill MacIsaac**

Whereas: The Town received an application on December 22, 2022, requesting a 79% lot coverage variance for the construction of an Accessory Building at 130 Jewell Road, being Parcel ID No. 568303, which has an overall lot size of 5 acres, the total lot coverage with the variance is 2%;

And Whereas: Council considered the Official Plan and the Town of Cornwall Zoning and Subdivision Control (Development) By Law #422, including Section 21;

Therefore, be it Resolved: That Council grant approval to allow a 79% lot coverage variance at 130 Jewell Road, being Parcel ID No. 568303, subject to the property owner entering into a Development Agreement with the Town.

Motion Carried

**PL-02-2023 – Second Reading and Approval Rezoning of 522 Capital Drive (PID #245613)
Bylaw #422A, Bylaw to Amend the Town of Cornwall Zoning & Subdivision
Control (Development) Bylaw**

Moved by Councillor **Corey Frizzell**
Seconded by Councillor **Judy Herlihy**

Whereas: Council has received an application to amend Schedule A (Zoning Map) of the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw by changing the zoning of 522 Capital Drive (PID #245613) from Single Detached Residential (R1) to General Commercial (C1);

And Whereas: Council has considered the Town of Cornwall Official Plan policy statements regarding servicing, commercial and residential zoning and developments and the criteria for Official Plan and Bylaw amendments under Part 22 of the Development Bylaw, including comments from the Public;

And Whereas: the proposed amendment to Schedule A (Zoning Map) of the Development Bylaw was presented to the public at an open meeting held on October 13, 2022;

And Whereas: the proposed amendment to the designation of 522 Capital Drive (PID #245613) on the Official Plan, General Land Use Plan, was presented to the public at an open meeting held on November 30, 2022;

And Whereas: the proposed amendment to the Official Plan, being OPA-2022-1, was approved at a public meeting of council on December 21, 2022;

And Whereas: Bylaw #422A, a bylaw to amend the Town of Cornwall's Zoning and Subdivision Control (Development) Bylaw, was read and approved a first time at a public meeting of council on December 21, 2022;

Therefore, be it Resolved: that Bylaw #422A, a bylaw to amend the Town of Cornwall's Zoning and Subdivision Control (Development) Bylaw, is hereby read and approved a second time.

Motion Carried

PL-03-2023 - Adoption of Zoning & Subdivision Bylaw #422A, A Bylaw to Amend the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw

Moved by Councillor **Corey Frizzell**

Seconded by Councillor **Judy Herlihy**

Whereas: Town of Cornwall Zoning & Subdivision Control (Development) Bylaw #422A, a Bylaw to Amend the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw, was read and approved for the first time at the Town of Cornwall regular council meeting held on December 21, 2022;

Whereas: Town of Cornwall Zoning & Subdivision Control (Development) Bylaw #422A, a Bylaw to Amend the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw, was read and approved for the second time at the Town of Cornwall regular council meeting held on January 25, 2023;

Therefore, be it Resolved: That the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw #422A, a Bylaw to Amend the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw, is hereby formally adopted as a Bylaw of the Town of Cornwall.

Motion Carried

Mayor McCourt left the meeting at this time.

**PL-04-2023 – Second Reading and Approval - Rezoning of PID #777557 Cornwall Road
Bylaw #422B, Bylaw to Amend the Town of Cornwall Zoning & Subdivision
Control (Development) Bylaw**

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

Whereas: Council has received an application to amend Schedule A (Zoning Map) of the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw by changing the zoning of PID #777557 from Business Park (M2) to Rural Residential (RR);

And Whereas: Council has considered the Town of Cornwall Official Plan policy statements regarding servicing, commercial and residential zoning and developments and the criteria for Official Plan and Bylaw amendments under Part 22 of the Development Bylaw, including comments from the Public;

And Whereas: the proposed amendment to Schedule A (Zoning Map) of the Development Bylaw was presented to the public at an open meeting held on October 13, 2022;

And Whereas: the proposed amendment to the designation of PID #777557 on the Official Plan, General Land Use Plan, was presented to the public at an open meeting held on November 30, 2022;

And Whereas: the proposed amendment to the Official Plan, being OPA-2022-1, was approved at a public meeting of council on December 21, 2022;

And Whereas: Bylaw #422B, a bylaw to amend the Town of Cornwall's Zoning and Subdivision Control (Development) Bylaw, was read and approved a first time at a public meeting of council on December 21, 2022;

Therefore, be it Resolved: that Bylaw #422B, a bylaw to amend the Town of Cornwall's Zoning and Subdivision Control (Development) Bylaw, is hereby read and approved a second time.

Motion Carried

**PL-05-2023 - Adoption of Zoning & Subdivision Bylaw #422B, A Bylaw to Amend the
Town of Cornwall Zoning & Subdivision Control (Development) Bylaw**

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

Whereas: Town of Cornwall Zoning & Subdivision Control (Development) Bylaw #422B, a Bylaw to Amend the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw, was read and approved for the first time at the Town of Cornwall regular council meeting held on December 21, 2022;

Whereas: Town of Cornwall Zoning & Subdivision Control (Development) Bylaw #422B, a Bylaw to Amend the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw, was read and approved for the second time at the Town of Cornwall regular council meeting held on January 25, 2023;

Therefore, be it Resolved: That the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw #422B, a Bylaw to Amend the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw, is hereby formally adopted as a Bylaw of the Town of Cornwall.

Motion Carried

Mayor McCourt returned to the meeting at this time.

PUBLIC WORKS

- a) **Minutes:** NA
 - b) **Monthly Report:** The committee is meeting for the first time after the regular council meeting and will assign a deputy at that time. The committee will meet on the 4th Wednesday of the month at approximately 5:15pm directly after the regular council meeting.
- Councillor Frizzell stated the new snow removal machines are working great, and he is appreciative of staff for their great work with them tis season.

WATER/SEWER UTILITY

- a) **Minutes/Reports:** The committee met on January 4th, 2023, and will be meeting on the first Monday of the month at 4:30pm, unless there is a holiday on that particular day. Councillor Stevenson was appointed as Deputy Chair of the committee.

North River lagoon repair has officially been completed and cell number two is filling up properly, in the spring there will be fencing, and other maintenance completed.

The committee reviewed events from Hurricane Fiona and will be having more lengthy discussions on how to better prepare for emergency events in the future. Councillor Barnes thanked staff again for all of their hard work during Fiona and the weeks afterwards.

- b) **Resolutions:** N/A

CORRESPONDENCE

- Councillor Stevenson congratulated resident Kent MacPhee for being one of the recipients of the Holland College Alumni Award.
- Councillor Barnes stated the annual meeting for FPEIM will be April 24th and will be held in Souris.

- Councillor Campbell noted on January 18th he attended his first Citizens on Patrol meeting and it was announced that Brian and Margaret Simpson, who have been volunteers with COP for the past seven years, have retired. The Town would like to thank and recognize Brian and Margaret for their service over the last seven years.
- Councillor Frizzell also congratulated Kent MacPhee and Brian and Margaret Simpson. He also reiterated the remarks made by Councillor Stevenson regarding the Canada Games rally and thanked Manager Kim Meunier and the staff from the Parks and Recreation department for their coordination and hard work.
- Councillor Frizzell noted there is a survey online (website and social media) looking for comments, concerns, and questions regarding the upcoming budget.
- Councillor Frizzell stated this is the first full month for the new council and he is excited to be working with everyone over the next four years.
- Councillor Stevenson asked for clarification regarding the survey and public consultation for the budget. Councillor Frizzell confirmed the survey will close on February 6th and the public consultation meeting will be held on Monday, February 13th at 7:00pm.
- Mayor McCourt thanked citizens on patrol for their quick work on the damage done at St. Francis of Assisi church, and thanked the Parks and Recreation staff for assisting the church in what to use to clean up the graffiti on the playground.
- Mayor McCourt also noted she attended the Strathcona Curling Club event last Saturday and it was a great atmosphere of joy and fun.
- It was noted the regular council meetings will be held on the fourth Wednesday of the month moving forward and are all open to the public and residents are invited to attend.

OTHER BUSINESS

Nil

IN CAMERA

Nil

ADJOURNMENT

The meeting was adjourned at 5:21pm.



MAYOR



CHIEF ADMINISTRATIVE OFFICER