

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

**Present:** Mayor Minerva McCourt – presiding  
Deputy Mayor Jill MacIsaac  
Councillor Steven Campbell  
Councillor Corey Frizzell  
Councillor Elaine Barnes  
Councillor Cory Stevenson

**Also:** Kevin Coady – CAO  
Wendy MacKinnon – Corporate Services Manager  
Lori Bingley – Corporate Services Coordinator  
Spencer Hay – Manager of Planning and Development

**Regrets:** Councillor Judy Herlihy

**CALL TO ORDER**

Mayor Minerva McCourt called the meeting to order at 4:30pm.  
There was no public in attendance.

**LAND ACKNOWLEDGEMENT** Read

**APPROVAL OF THE AGENDA**

Councillor Barnes moved, seconded by Deputy Mayor MacIsaac, that the agenda be approved as circulated with the addition of 15a by Councillor Stevenson.

**Motion Carried**

**DISCLOSURE OF PECUNIARY OR OTHER CONFLICT OF INTEREST**

Mayor McCourt will recuse herself for 12-b-7 due to family connection.

**APPROVAL OF THE MINUTES**

a) **September 27, 2023, Regular Council Meeting:** Deputy Mayor McIsaac moved, seconded by Councillor Stevenson that the minutes of September 27, 2023, Regular Council Meeting be approved as circulated.

**Motion Carried**

**BUSINESS ARISING**

Nil

**GUESTS/PRESENTATIONS/PETITIONS/DECLARATIONS**

Nil

## **REPORTS OF COMMITTEES / RESOLUTIONS:**

### **COMMITTEE OF COUNCIL**

a) **Minutes/Reports:**

- i) **Minutes – September 20, 2023** - included in the package.
- ii) 2<sup>nd</sup> Quarter Financials

b) **Resolutions:**

#### **COC-25-2023 – Donation – PEI Curling Hall of Fame and Museum**

**Moved by Councillor**        **Cory Stevenson**  
**Seconded by Councillor**    **Steven Campbell**

**Whereas:** The Cornwall Curling Club is hosting the 2023 PEI Curling Hall of Fame Induction Ceremony at the Cornwall Curling Club;

**And Whereas:** The Town of Cornwall has previously financially supported the Ceremony when it was held in Cornwall;

**And Whereas:** The Town has again been requested to support the event;

**Therefore, be it Resolved:** That the Town of Cornwall donate \$200 to the PEI Curling Hall of Fame Induction Ceremony.

**Motion Carried**

#### **COC-26-2023 Ad Purchase – Courageous Companions**

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

**Whereas:** Courageous Companions of Canada provides service dogs at no charge to injured veterans and first responders in Canada, is a 100% volunteer driven organization, and have requested that the Town of Cornwall support the organization through the purchase of an advertising space in their Courageous K9 magazine;

**And Whereas:** The Town of Cornwall has been a supporter of this organization and values the services provided to injured veterans and first responders;

**Therefore, be it Resolved:** That the Town of Cornwall purchase a colour business card size ad in the Courageous K9 magazine for the amount of \$295 plus HST.

## **Motion Carried**

### **ENVIRONMENT AND SUSTAINABILITY**

- a) **Minutes/Reports:** The Committee did not meet.
- b) **Resolutions:** Nil

### **MUNICIPAL AND EMERGENCY SERVICES**

- a) **Minutes/Reports:**
  - i) **Minutes – September 6, 2023** – Included in the package. Councillor Frizzell provided the following updates:
    - There was presentation from the Canadian Red Cross Emergency Coordinator highlighting emergency management logistics and volunteer availability.
    - There was discussion with the Town’s consultant Aaron Campbell and the work on the Town’s Emergency Plan.
    - Council and staff will be participating in Provincial EMO’s Incident Command System 100 (ICS) training in early November.
    - T3 Transit was recently in the news reporting all-time high ridership numbers. Cornwall is projected to surpass 30,000 fares for the first time this year.
    - CAO Coady noted that the Capital Area Transit Consultant’s “Let’s Talk Transit” will hold a virtual Open House on October 26.
  - ii) NRRFD, RCMP, Bylaw, Humane Society, Transit Reports
- b) **Resolutions:** Nil

### **PARKS AND RECREATION**

- a) **Minutes/Reports:**
  - i) **Minutes – September 13, 2023** – included in the package. Councillor Stevenson provided the following updates:
    - Upcoming Halloween events:
      - October 27<sup>th</sup> 6-730pm – Youth Halloween Dance for grades 3-6.
      - October 28<sup>th</sup> 4-530pm – Children’s Halloween Activities and Trail Walk.
      - October 28<sup>th</sup> 630-8pm – Annual Haunted Woods, admission by donation.
    - The Holiday event schedule is being worked on and will be released soon.

- The scoreboards at the Terry Fox Complex are not working and are unfixable due to outdated technology. Staff are getting prices and new ones will be considered for next year's budget.
- Local sports updates and congratulations to the following:
  - Cross Country Running:
    - a. Eliot River received Gold in Pre-novice girls and Bronze in Novice girls.
    - b. East Wiltshire received Gold in Bantam girls and Gold in Intermediate boys.
    - c. Bluefield won the Championship in Juvenile women's and Bronze in Individual.
  - Bluefield men captured their first AAA Baseball championship.
  - Bluefield saw great results at the recent Golf Championships:
    - a. Bronze – Female team.
    - b. Gold – AAA Men.
    - c. Silver – second AAA Men's team.
- Councillor Stevenson recently attended the Communities 13 AGM as Cornwall's representative. Discussions included recent letters sent from the Town.
- The Veteran's Dinner will take place on November 4<sup>th</sup> 2pm at the Kingston Legion.
- Thanks again to all Town staff, the Event Committee and volunteers for all their efforts to make events successful.

ii) **October Manager's Report** - included in the package.

b) **Resolutions:** Nil

## **PLANNING AND DEVELOPMENT**

### **Reports & Resolutions:**

a) **Minutes/Reports:**

i) **September 6, 2023** – included in the package.

ii) **Public Meeting** – October 31, 2023 - included in the package.

b) **Resolutions:**

### **PL-22-2023 – Development Bylaw Amendment #422C – 1<sup>st</sup> Reading**

**Moved by Councillor**

**Jill MacIsaac**

**Seconded by Councillor**

**Steven Campbell**

**Whereas:** Council has undertaken a review of the Town of Cornwall Zoning & Subdivision Control (Development) Bylaw #422 (the “Bylaw”) and considered several amendments for the Bylaw;

**And Whereas:** the proposed amendments to the Bylaw were presented to the public at an open meeting held on August 31, 2023;

**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 Section 22 of the Development Bylaw, including comments from the Public;

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

**Motion Carried**

**PL-23-2023 - Variance – 22 Townview Crescent**

**Moved by Councillor**        **Corey Frizzell**  
**Seconded by Councillor**    **Steven Campbell**

**Whereas:** The Town received a Development Permit Application on September 6, 2023, for an above-ground pool and fence at 22 Town View Crescent, being PID 1037183.

**And Whereas:** A subsequent Variance Application was received requesting a 46.7% Rear Yard setback Variance for the location of a proposed above-ground pool.

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

**Therefore, be it Resolved:** That Council grant approval to allow a 46.7% Rear Yard setback Variance relating to Development Permit Application C-150-23 at 22 Town View Crescent, being PID 1037183.

**Motion Carried**

**PL-24-2023 – Special Permit – 39 Livingston Crescent**

**Moved by Councillor**        **Steven Campbell**  
**Seconded by Councillor**    **Corey Frizzell**

**Whereas:** The Town received a Development Permit Application on September 22, 2023, for an

accessory building at 39 Livingston Crescent, being PID 1151968 (the “Property”).

**And Whereas:** The Application requests placing the Accessory Building in the Front Yard adjacent to the attached garage and driveway of the Property due to accessibility requirements.

**And Whereas:** Placement of an Accessory Building in the front yard requires a Special Permit pursuant to Section 4.4.1.6 of the *Zoning & Subdivision Control (Development) Bylaw #422* (the “Bylaw”).

**Therefore, be it Resolved:** That Council grant approval of the Special Permit to allow an Accessory Building in the Front Yard at 39 Livingston Crescent, being PID 1151968, in accordance with the site plan submitted with the Application.

**Therefore, be it Further Resolved:** That should the property change ownership, the property shall be brought into compliance by moving the Accessory Building to the side or rear yard, subject to all other provisions of the Bylaw.

**Motion Carried**

#### **PL-25-2023 – Special Permit – 522 Capital Drive**

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

**Whereas:** The Town received a Development Permit Application on August 1, 2023, for a three (3) storey 18-unit Apartment Dwelling at 522 Capital Drive, being PID 245613, which is zoned General Commercial (C1).

**And Whereas:** Apartment Dwellings are a Special Permit Use in the General Commercial (C1) Zone pursuant to Section 14.3.1 of the *Zoning & Subdivision Control (Development) Bylaw #422*.

**And Whereas:** Council has considered the Town of Cornwall 2022 *Official Plan* and the *Zoning & Subdivision Control (Development) Bylaw #422* and determined the development would not unduly impact adjacent properties.

**Therefore, be it Resolved:** That Council grant approval of a Special Permit Use to allow a three (3) storey 18-unit Apartment Dwelling at 522 Capital Drive, being PID 245613, subject to review by the Department of Environment, submission of satisfactory engineering and architectural plans to the Town, and entering into a Development Agreement with the Town.

**Motion Carried**

## **PL-26-2023 – Preliminary Approval – Jessie Street Development**

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

**Whereas:** The Town received an application to sever the existing Jessie Street Extension road corridor from PID 246884 and append to the Public Right of Way, and subsequent Development Application for construction of two (2) 6-unit Townhouses on the remnant of PID 246884.

**And Whereas:** The Property is zoned Planned Unit Residential Development (PURD), and the Subdivision and Development Concepts were presented at a Public Meeting on August 31, 2023;

**And Whereas:** Preliminary Approval is subject to further review and document submissions including but not limited to legal survey plans and engineered drawings to finalize development and subdivision conditions and grant Final Approval;

**And Whereas:** Council has considered the Town of Cornwall *Official Plan* and *Zoning and Subdivision Control (Development) Bylaw #422*;

**Therefore, be it Resolved:** That Council grant Preliminary Approval to sever the constructed road corridor from PID 246884, as depicted in Plan of Survey drawing 22-004-S01 dated August 16, 2023.

**And be it further Resolved:** That Council grant Preliminary Approval for Development of two (2) 6-unit Townhouses on the remnant of PID 246884, as depicted in the Preliminary Survey Plan drawing 20235-DP dated February 28, 2022, subject to the Developer entering into a Development Agreement with the Town.

### **Motion Carried**

## **PL-27-2023 – Lot Consolidation – Lakeview Drive**

**Moved by Councillor**      **Jill MacIsaac**  
**Seconded by Councillor**      **Steven Campbell**

**Whereas:** The Town received an application to consolidate nine (9) lots on Lakeview Drive, being PIDs 431486, 419291, 419309, 245308, 464859, 464891, 464909, 464917, and 464867 (the “Properties”).

**And Whereas:** The Properties are zoned Planned Unit Residential Development (PURD), and the consolidation concept was presented at a Public Meeting on August 31, 2023;

**And Whereas:** Preliminary Approval is subject to further review and document submissions including but not limited to legal survey plans and engineered drawings, to finalize subdivision

conditions and grant Final Approval;

**And Whereas:** Preliminary Approval of said consolidation of lots does not amend the approved Planned Unit Residential Development (PURD) Zoning granted by Council Resolution PL-19-2017 on November 15, 2017, and subsequent 30-unit Townhouse Development Concept.

**And Whereas:** Council has considered the Town of Cornwall *Official Plan and Zoning and Subdivision Control (Development) Bylaw #422*;

**Therefore, be it Resolved:** That Council grant Preliminary Approval to consolidate nine (9) lots on Lakeview Drive, being PIDs 431486, 419291, 419309, 245308, 464859, 464891, 464909, 464917, and 464867, as depicted in Plan of Survey drawing 23-014 dated March 3, 2023, subject to entering into a Subdivision Agreement with the Town.

### **Motion Carried**

Mayor McCourt left the meeting at 4:57pm – Deputy Mayor MacIsaac assumed the Chair position.

### **PL-28-2023 – Variance – 202 Cornwall Road**

**Moved by Councillor        Corey Frizzell**

**Seconded by Councillor    Elaine Barnes**

**Whereas:** The Town received a Development Permit Application on September 14, 2023, for a two (2) storey building containing a business office with additional industrial use, at 202 Cornwall Road, being PID 777557.

**And Whereas:** A subsequent Variance Application was received requesting a 45ft Front Yard setback Variance for the location of the proposed building.

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

**Therefore, be it Resolved:** That Council grant approval to allow a 45ft Front Yard Setback Variance, resulting in a 70ft Front Yard Setback, relating to Development Permit Application C-159-23 at 202 Cornwall Road, being PID 777557, subject to entering into a Development Agreement with the Town.

### **Motion Carried**

Deputy Mayor MacIsaac noted that the Development Bylaw previously mandated a minimum 25ft setback and that the current maximum 25ft setback was an error in the revised Development Bylaw. This error is the reason these two setback variances are required. There will be a proposal put forward to amend this.

Mayor McCourt returned to the meeting at 5:02pm and resumed as Chair.



## **PL-29-2023 – Variance – 68 WB MacPhail Drive**

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

**Whereas:** The Town received a Development Permit Application on September 27, 2023, for a one (1) storey self-storage building at 68 W.B. MacPhail Drive, being PID 1063098 (the “Property”).

**And Whereas:** A subsequent Variance Application was received requesting a 187.5ft Front Yard setback Variance for the location of the proposed building.

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

**Therefore, be it Resolved:** That Council grant approval to allow a 187.5ft Front Yard Setback Variance, resulting in a 212.5ft Front Yard Setback, relating to Development Permit Application C-165-23 at 68 W.B. MacPhail Drive, being PID 1063098, subject to entering into a Development Agreement with the Town.

### **Motion Carried**

## **PUBLIC WORKS**

### **a) Minutes/Reports:**

- a) **Minutes – September 27, 2023**, included in the package. Councillor Campbell provided the following update:
- Work at the Civic Centre which included doors, lighting, change table and acoustic panels, has been completed.
  - Town Hall repairs including lettering, exterior window caulking, and roof snow guard installation has been completed. Work is still to be done on walkways.
  - Staff will post on social media for residents to avoid on street parking in winter to allow for snow removal.
  - There has been occasional graffiti on the blower building.
  - The Synergy Signs proposal is still in progress.
  - There will not be a meeting for October.
  - Deputy Mayor MacIsaac would like to see a request sent to the Province to have speeds reduced on Cornwall Road.
  - There was discussion on crosswalk painting and potential locations for additional crosswalks.

### **b) Resolutions: Nil**

## **WATER/SEWER UTILITY**

- a) **Minutes/Reports:** The Committee did not meet.
- b) **Resolutions:** Nil

## **CORRESPONDENCE**

- Councillor Stevenson passed along condolences to Darrel Constable and family on the recent passing of Beth Constable.
- Mayor McCourt congratulated Mark MacDougall from Eliot River School on his recent induction into the St FX Hall of Fame.
- Mayor McCourt provided a reminder of the 8pm Trick or Treating curfew.
- Mayor McCourt noted that the Remembrance Day Ceremonies will take place at the Clyde River Cenotaph.
- Councillor Barnes apologized for being unable to attend the public meeting as she was attending the Annual FPEIM meeting with Minister Lantz. There were great discussions on Land Use Planning and supporting Municipalities. If Council have anything to bring to a future meeting, please pass along.
- Councillor Campbell reminded Council of the Eliot River Scream Park taking place this evening. Thank you to the Town for their continued support of the event.
- Councillor Frizzell noted that October 29<sup>th</sup> would be the last regular season games for the PEI Tackle Football season. The U14, U16 and U18 Cornwall teams will be playing against the three Charlottetown teams at the Terry Fox Sports Complex at 11am, 1pm and 3pm.
- Councillor Frizzell noted that November 5<sup>th</sup> is Championship Sunday for the Community Tackle Championship games: U14 Ross Young Memorial at 11:30am, U16 Ed Hilton Memorial at 2pm and the U18 Potato Bowl at 4:30pm.
- Mayor McCourt reminded everyone that the Food Drive drop off locations for Saturday are at the NRFD, Good's Independent Grocer, Cornwall Lion's Club and York Point Community Centre.

## **OTHER BUSINESS**

Nil

## **IN CAMERA**

Nil

## **ADJOURNMENT**

The meeting was adjourned at 5:21pm.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER