

**Cornwall, Prince Edward Island
Regular Meeting of Council
Wednesday, September 25th, 2024
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
Tracey MacLean – Community/IT/HR Coordinator
Wendy MacKinnon – Manager of Corporate Services
Spencer Hay – Manager of Planning and Development

Regrets: Nil

CALL TO ORDER

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

LAND ACKNOWLEDGEMENT Read

APPROVAL OF THE AGENDA

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

Motion Carried

DISCLOSURE OF PECUNIARY OR OTHER CONFLICT OF INTEREST

Nil

APPROVAL OF THE MINUTES

a) **August 28, 2024, Regular Council Meeting:** Councillor Barnes moved, seconded by Councillor Stevenson that the minutes of August 28, 2024, 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 – August 21, 2024** - included in the package.

b) **Resolutions:**

COC-31-2024 Canada Community Building Fund – Capital Investment Plan

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

Whereas: The Town of Cornwall recognizes the importance of enhancing community development and improving the quality of life for residents;

And Whereas: The Community Capacity Building Fund (CCBF formerly the “Gas Tax” fund) aims to create predictable funding to help municipalities build or revitalize their infrastructure;

And Whereas: the Government of Canada and the Province of PEI have entered into an agreement for 2024-2034 and have committed to provide the Town of Cornwall \$3,239,402 over the period of 2024/25 to 2028/29;

And Whereas: Municipalities are required to submit and have approved five-year Capital Investment Plans to access funding through the CCBF;

Therefore, be it Resolved: That the Town of Cornwall approves the Capital Investment Plan discussed at the Committee of Council held September 18, 2024, and attached to this resolution.

Motion Carried 6-0

COC-32-2024 Tranquility Trail Extension – RFP Award

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

Whereas: The Town of Cornwall issued a Request for Proposal for construction of the Tranquility Trail Extension which is the Tranquility Trail to MacPhail’s Woods Trail Interconnection;

And Whereas: Proposals were received from six vendors, and these proposals were evaluated by WSP, the Town Engineers;

Therefore, be it Resolved: That the Town of Cornwall, pursuant to the recommendation of the Town's Engineers, hereby award the contract for the Tranquility Trail Extension to the low bidder Twins Landscaping in the amount of \$98,552.69 including HST.

Motion Carried 6-0

COC-33-2024 Audited Financial Statements

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

Whereas: Town Council has reviewed the audited financial statement for the fiscal year ending 2023/24;

And Whereas: The Town auditor MRSB has provided their opinion on the financial statements;

Therefore, be it Resolved: That the Town of Cornwall hereby accepts the audited financial statements for the fiscal year 2023/24 as presented by Michelle Burge from MRSB, and that the statements be posted on the Town of Cornwall website.

Motion Carried 6-0

COC-34-2024 Primrose Point Park/Drainage – RFP Award

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

Whereas; The Town of Cornwall issued a Request for Proposal (RFP) for the Primrose Point Park and Drainage Upgrade project, and only one proposal was received, and that proposal was substantially above the budgeted funds;

And Whereas: Negotiations were held with the bidder on the RFP to attempt to bring the proposal into alignment with the project budget and that effort was not successful;

And Whereas; The scope of the project was altered, and an RFP was reissued, and two proposals were received by the submission deadline of September 18, 2024, and these submissions were evaluated by WSP, the Town's Engineers;

Therefore, be it Resolved: That Town Council, pursuant to the recommendation of the Town's Engineers, hereby award the contract for the Primrose Point Park and Drainage Upgrade project to, the low bidder D&D Landscaping for the total amount of \$195,855.35, including HST.

Motion Carried 6-0

COC-35-2024 Blooming House – Sponsorship Request

Moved by Councillor Corey Frizzell
Seconded by Councillor Elaine Barnes

Whereas: Blooming House is preparing for its second annual fundraising event, the Ride for Refuge scheduled for Oct 5th 2024;

And Whereas: These sponsorships will enhance community engagement and demonstrate a commitment to social responsibility;

Therefore, be it Resolved: That the Town of Cornwall hereby sponsor the Ride for Refuge fundraiser as a Community Sponsor for \$500.

Motion Carried 6-0

COC-36-2024 Courageous K-9 – Sponsorship Request

Moved by Councillor Corey Frizzell
Seconded by Councillor Elaine Barnes

Whereas: Courageous K-9 is committed to providing support and resources for individuals with disabilities through the training and placement of service dogs;

And Whereas: This publication serves as an important tool for advocacy and fundraising, helping to ensure that more individuals can benefit from the services provided by Courageous Companions;

Therefore, be it Resolved: That the Town Council support Courageous Companions with the purchase of a business card size advertisement for \$319.00 plus HST in the Courageous K-9 magazine.

Motion Carried 6-0

ENVIRONMENT AND SUSTAINABILITY

- a) **Minutes/Reports:**
 - i) **Minutes** - (Draft) September 9, 2024. Councillor Herlihy reported that the seed packets for the Wildflower Campaign have arrived and are available at Town Hall for pick up.
- b) **Resolutions:** Nil

MUNICIPAL AND EMERGENCY SERVICES

- a) **Minutes/Reports:**

- i) **Minutes** – (Draft) September 4, 2024. Councillor Frizzell provided the following updates:
 - Police Chief Brad McConnell was unable to make the meeting but will attend the October CofC meeting to present on the E-Watch program.
 - Consultant Aaron Campbell presented information on adding the Cornerstone Church reception centre to the Town’s Emergency Measures Plan. There will be upcoming EMO training available for staff and Council.
 - T-3 ridership was up 4177 for August 2024 over 3201 for August 2023. Year to date is 24765 up from 19034 for 2023.
 - There was discussion on the upcoming resolution for the Forrest Green Criminal Record Checks.
- ii) NRRFD, RCMP, Bylaw, Humane Society, Transit Reports are all included in the package.

b) Resolutions:

Councillor Herlihy brought a motion to the floor seconded by Deputy Mayor MacIsaac to amend Resolution **MES-04-2024** to include a disclaimer that there are also free options available for criminal record checks. The motion passed unanimously.

MES-04-2024 Forrest Green Inc. – Municipal Criminal Records Check (As Amended)

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

Whereas: Forrest Green Solutions is a Canadian web development company specializing in software solutions for police agencies and governmental entities, facilitating online requests for criminal record checks;

And Whereas: Forrest Green Solutions has proposed a no-cost partnership opportunity for the Town of Cornwall, allowing the municipality to offer residents a convenient online option for criminal record checks through the PoliceSolutions.ca platform;

And Whereas: Participation in this program will incur no costs to the Town of Cornwall, while generating revenue based on the number of checks processed, and will improve service delivery to people;

Therefore, be it Resolved: That the Town of Cornwall approves the partnership with Forrest Green Solutions to facilitate online criminal record checks, including the signing of a Memorandum of Understanding (MOU) between Forrest Green, a participating Police Force, and the Town of Cornwall;

Be it Further Resolved: That a disclaimer be added to the Town website to inform residents of the Town of Cornwall that they are eligible for Criminal Record Checks with the local RCMP detachment when presenting valid proof of residency. Residents may contact the Cornwall RCMP detachment for further information.

Motion Carried 6-0

MES-05-2024 Emergency Measures Plan – Addition of Reception/Comfort Centre

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

Whereas: The Town of Cornwall is exploring additional locations for a reception and comfort centre under the Municipal Emergency Measures Plan (EM Plan);

And Whereas: Cornwall Cornerstone Church (Cornerstone) has expressed interest in offering its facility and services for use as a reception/comfort centre during emergencies;

And Whereas: The church is undertaking substantial renovations and expansion to better accommodate these services;

And Whereas: Cornerstone is willing to operate the centre using primarily its own staffing, under the direction of the Town;

And Whereas: Including Cornerstone in the Emergency Measures Plan may enable the Town to assist the facility in securing funding under the provincial Reception Centre Resiliency Fund for necessary upgrades, including showers and an emergency generator;

Therefore, be it Resolved: That the Town of Cornwall approves an amendment to the Emergency Measures Plan to designate Cornerstone as a reception/comfort centre, subject to the facility securing the necessary designations from provincial EMO and the Canadian Red Cross, and entering into a Memorandum of Understanding with the Town.

Motion Carried 6-0

PARKS AND RECREATION

a) **Minutes/Reports:**

- **Minutes** – (Draft) September 11, 2024
- i) **Manager’s Report** – September 2024

Councillor Stevenson provided the following updates:

- Cornwall Cornfest will take place this weekend with lots of great events for the whole family and everyone is welcome to attend. A complete list can be found in the event flyer online or at various flyer stand locations. Some of the highlight events are Trivia with Greg Lucas, Red Rock Wrestling, Family Fun Day and the ever-popular Celebrity Corn Shucking.
- The kickoff for naming of the new Town Mascot will take place with a suggestion ballot box at various events.
- The Fall Newsletter is now available.
- The new turf with beautiful new end zones at the Terry Fox Sports Complex is

- now open. The turf will provide great social and economic opportunities.
- The Events Committee is looking at events for the upcoming holiday season.
 - Councillor Barnes asked if the new mascot and current costumes will include cooling vests. Councillor Stevenson confirmed that the new costume will have a cooling vest and will inquire about the others.

b) **Resolutions:**

PR-10-2024 Anti Racism Charter

Moved by Councillor Cory Stevenson
Seconded by Councillor Steven Campbell

Whereas: Recreation PEI has recognized that racism in sport is present in PEI and has drafted an Anti-Racism Charter to address the issue;

And Whereas: Recreation PEI has requested that municipalities including the Town of Cornwall sign and adopt the Anti-Racism Charter;

Therefore, be it Resolved: That the Town of Cornwall sign and adopt the Recreation PEI Anti-Racism Charter and draft an action plan to implement the charter.

Motion Carried 6-0

PLANNING AND DEVELOPMENT

Reports & Resolutions:

- a) **Minutes/Reports:**
- i) **Public Meeting Minutes** – August 29, 2024
 - ii) **Minutes** (Draft) September 4, 2024

b) **Resolutions:**

PL-25-2024 Bylaw #422G (56 Lakeview Drive) First Reading

Moved by Councillor Jill MacIsaac
Seconded by Councillor Elaine Barnes

Whereas: Council has received an application to rezone 56 Lakeview Drive, being PID 719328, from Single Detached Residential (R1) to Multiple Unit Residential (R4);

And Whereas: Pursuant to Section 2.2.1 and Section 22 of the *Zoning & Subdivision Control (Development) Bylaw #422* (the “Bylaw”) Council may concurrently consider an amendment to the Zoning Map, being Schedule “A” to the Bylaw, and the General Land Use Plan, being Part 5, Figure 5 of the *2022 Official Plan* (the “Official Plan”)

And Whereas: The proposed amendment to the designation of said PID 719328 on the Zoning Map and General Land Use Plan was presented to the public at an open meeting held on August 29, 2024.

And Whereas: Council has considered the Town of Cornwall Official Plan policy statements regarding servicing, commercial and residential zoning, and the criteria for Official Plan and Bylaw amendments under Section 6.4 of the Official Plan and Section 22 of the Bylaw.

Therefore, be it Resolved: that Bylaw #422G, a bylaw to amend the Zoning Map being Schedule “A” to the Bylaw, is hereby read and approved a first time.

Motion Carried 6-0

PL-26-2024 Official Plan Amendment (56 Lakeview Drive)

Moved by Councillor Jill MacIsaac
Seconded by Councillor Elaine Barnes

Whereas: Council has received an application to redesignate the Future Land Use of a portion of PID 719328 from Single-detached Residential to Multiple Unit Residential.

Whereas: Pursuant to Section 2.2.1 and Section 22 of the *Zoning & Subdivision Control (Development) Bylaw #422* (the “Bylaw”) Council may concurrently consider amendment to the Zoning Map, being Schedule “A” to the Bylaw, and the General Land Use Plan, being Part 5, Figure 5 of the *2022 Official Plan* (the “Official Plan”).

And Whereas: the proposed amendment to the designation of said PID 719328 on the Zoning Map and General Land Use Plan was presented to the public at an open meeting held on August 29, 2024.

And Whereas: Council has considered the Town of Cornwall Official Plan policy statements regarding servicing, commercial and residential zoning, and the criteria for Official Plan and Bylaw amendments under Section 6.4 of the Official Plan and Section 22 of the Bylaw.

Therefore, be it Resolved: that Official Plan Amendment OPA-2024-03, an amendment to the General Land Use Plan, being Part 5, Figure 5 of the Official Plan, is hereby approved and adopted.

Motion Carried 6-0

PL-27-2024 Bylaw #422H (346 York Pt Road) First Reading

Moved by Councillor Corey Frizzell
Seconded by Councillor Steven Campbell

Whereas: Council has received an application to rezone 346 York Point Road, being PID 248971, from Agricultural Reserve (R1) to Public Service and Institutional (PSI);

And Whereas: Pursuant to Section 2.2.1 and Section 22 of the *Zoning & Subdivision Control (Development) Bylaw #422* (the “Bylaw”) Council may concurrently consider amendment to the Zoning Map, being Schedule “A” to the Bylaw, and the General Land Use Plan, being Part 5, Figure 5 of the *2022 Official Plan* (the “Official Plan”)

And Whereas: the proposed amendment to the designation of said PID 248971 on the Zoning Map and General Land Use Plan was presented to the public at an open meeting held on August 29, 2024.

And Whereas: Council has considered the Town of Cornwall Official Plan policy statements regarding servicing, commercial and residential zoning, and the criteria for Official Plan and Bylaw amendments under Section 6.4 of the Official Plan and Section 22 of the Bylaw.

Therefore, be it Resolved: that Bylaw #422H, a bylaw to amend the Zoning Map being Schedule “A” to the Bylaw, is hereby read and approved a first time.

Motion Carried 6-0

PL-28-2024 Official Plan Amendment (346 York Pt Road)

Moved by Councillor Elaine Barnes

Seconded by Councillor Corey Frizzell

Whereas: Council has received an application to redesignate the Future Land Use of a portion of PID 248971 from Agricultural Reserve to Public Service and Institutional.

Whereas: Pursuant to Section 2.2.1 and Section 22 of the *Zoning & Subdivision Control (Development) Bylaw #422* (the “Bylaw”) Council may concurrently consider amendment to the Zoning Map, being Schedule “A” to the Bylaw, and the General Land Use Plan, being Part 5, Figure 5 of the *2022 Official Plan* (the “Official Plan”).

And Whereas: the proposed amendment to the designation of said PID 248971 on the Zoning Map and General Land Use Plan was presented to the public at an open meeting held on August 29, 2024.

And Whereas: Council has considered the Town of Cornwall Official Plan policy statements regarding servicing, commercial and residential zoning, and the criteria for Official Plan and Bylaw amendments under Section 6.4 of the Official Plan and Section 22 of the Bylaw.

Therefore, be it Resolved: that Official Plan Amendment OPA-2024-04, an amendment to the General Land Use Plan, being Part 5, Figure 5 of the Official Plan, is hereby approved and adopted.

Motion Carried 6-0

PL-29-2024 Development Concept Amendment – York Pt Meadows (PID 248997)

Moved by Councillor Corey Frizzell
Seconded by Councillor Elaine Barnes

Whereas: The Town received a request to amend the Development Concept for Phase 1 of the York Point Meadows Subdivision, being a portion of PID 248997, from a combination of Single-detached Dwellings and Semi-Detached Dwellings, to also include Townhouse Dwellings.

And Whereas: The Amended Development Concept was presented at a Public Meeting on August 29, 2024.

And Whereas: Council has considered the Town of Cornwall 2022 Official Plan and Zoning and Subdivision Control (Development) Bylaw #422.

Therefore, be it Resolved: That Council grant approval to amend the Development Concept for Phase 1 of York Point Meadows Subdivision (portion of PID 248997) to include Townhouse Dwellings, subject to the Developer entering into a Subdivision and Development Agreement with the Town.

Motion Carried 6-0

PL-30-2024 Development Concept – Scottsview Meadows Phase 2

Moved by Councillor Steven Campbell
Seconded by Councillor Corey Frizzell

Whereas: The Town received an application to subdivide and develop a portion 1148626 (the “Property”) known as Phase 2 of the Scottsview Meadows Subdivision.

And Whereas: The Development Concept was presented at a Public Meeting on August 29, 2024.

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 of Scottsview Meadows Phase 2, as depicted in the Preliminary Plan of Survey drawing 24038-CP6, prepared by Sandstone Surveying & Engineering and dated August 2, 2024, subject to the Developer entering into a Subdivision Agreement and Development Agreement with the Town.

Motion Carried 6-0

PL-31-2024 Bylaw #422F – Housing Accelerator Fund Initiatives – First Reading

Moved by Councillor Elaine Barnes
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 to the Bylaw.

And Whereas: The proposed amendments to the Bylaw were presented to the public at an open meeting held on August 29, 2024.

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.

Therefore, be it Resolved: that Bylaw #422F, 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 6-0

PL-32-2024 Official Plan Amendment – Housing Fund Initiatives

Moved by Councillor Elaine Barnes
Seconded by Councillor Corey Frizzell

Whereas: Council has undertaken a review of the Town of Cornwall *2022 Official Plan* (the “Official Plan”) and considered several amendments for the Official Plan;

Whereas: The proposed amendments to the Official Plan were presented to the public at an open meeting held on August 29, 2024.

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.

Therefore, be it Resolved: that Official Plan Amendment OPA-2024-02, an amendment to the *2022 Official Plan*, is hereby approved and adopted.

Motion Carried 6-0

PL-33-2024 91 Kingston Road – Variance Denial

Moved by Councillor Corey Frizzell

Seconded by Councillor Steven Campbell

Whereas: Permits #C-143-23 and #C-158-23 were issued on September 14, 2023, for two (2) Accessory Buildings, both permits were subsequently revoked by the Town’s Development Officer for non-compliance. Written Notice of revocation and an order to demolish or remove the structure, dated April 3, 2024, was provided (via email and registered mail) to the Applicant;

And Whereas: The Applicant submitted revised plans for a portion of the Accessory Building to remain and a Variance Application requesting an 8% rear lot line setback variance, in an attempt to bring the development into compliance;

And Whereas: In consideration of the 8% Variance Application and revised plans, the Accessory Building remains non-compliant pursuant to Accessory Buildings & Structures requirements under Section 4.1 of the *Zoning & Subdivision Control (Development) Bylaw #422* (the “Bylaw”);

And Whereas: Council has considered the tests for justifying variance approval under Section 21.1.4 of the Bylaw;

And Whereas: Council has considered the criteria for granting variances where the matter is the result of intentional or negligent conduct, or where the difficulty can be remedied in some other reasonable manner under Section 21.1.6 of the Bylaw;

Therefore, be it Resolved: That the Variance Application is denied and that the Accessory Building shall be demolished or removed from the property pursuant to the Notice of Revocation and order to demolish or remove dated April 3, 2024;

And, be it Further Resolved: That should the Accessory Building not be removed from the property by October 31, 2024, the Town of Cornwall Council shall, among any other actions available to the Town at law, authorize Town of Cornwall Administration to issue a *Notice* pursuant to Part VII of the *Property Maintenance Bylaw #221*, containing all necessary particulars pursuant to s.21 of the *Property Maintenance Bylaw #221*, to the Owner requiring the Building to be demolished or removed.

Motion Carried 6-0

PUBLIC WORKS

a) **Minutes/Reports:**

- i) **Minutes:** (Draft) August 28, 2024. Councillor Campbell noted that the Committee will meet after tonight's Council meeting.

b) **Resolutions:** Nil

WATER/SEWER UTILITY

a) **Minutes/Reports:**

i) **Minutes:** (Draft) August 26, 2024.

b) **Resolutions:**

U-05-2024 CWWA Board Member

Moved by Councillor Cory Stevenson

Seconded by Councillor Elaine Barnes

Whereas: The Canadian Water and Wastewater Association (CWWA) has a vacancy on its Board of Directors to represent Prince Edward Island. The CWWA Board of Directors has a Director from each Province and Territory plus a representative from each Member Association. Directors of the Board shall be an employee of a Member Utility in the Province they represent and serve a 3-year term;

And Whereas: Doug Longmoore, Infrastructure Manager for the Town of Cornwall, has expressed interest in being nominated to represent Prince Edward Island as a Board Director with the CWWA;

Therefore, be it Resolved: To nominate Doug Longmoore, Infrastructure Manager for Town of Cornwall, an employee of a Member Utility in the jurisdiction (PEI), to become the Director for CWWA for a 3-year term.

Motion Carried 6-0

CORRESPONDENCE

- Councillor Frizzell noted that there has been a lot of tragedy on the Island in the last little while. Last night driving with his son and friends they came across an accident on Highway 2 which was impactful on them. Councillor Frizzell passed on condolences to Brodie Craswell and family and as well to the family of Audrey Godfrey. He expressed what a lovely lady Audrey was.
- Councillor Frizzell noted that the Terry Fox Sports Complex is very near and dear to his heart, and it was an honor to emcee at the new turf opening event. Thanks to Mayor McCourt, Mayor Brown, Councillors Barnes, Campbell, and Stevenson for attending. Mayor McCourt and Mayor Brown did a jersey exchange prior to a great night of games.
- Mayor McCourt expressed sympathy to Audrey Godfrey's family on her passing. Despite her many health challenges, she made the best of everything and was always ready for a chat. Audrey was one of the first postmasters in Cornwall.
- Mayor McCourt thanked organizers and staff for the great Cenotaph Service and reception.
- Councillor Campbell noted that at the Citizens on Patrol family pizza party there were visits from Cpl Pierce and his K9 partner Nitro as well as Cpl. Wiltie and Cst. Robichaud. Children had the opportunity to meet Nitro and check out hard

body armor. Thank you to the RCMP for stopping in and for the Town for sponsoring.

- Councillor Campbell reminded everyone that the Eliot River Battery Blitz is happening October 1-31. Eliot River has been a National leader in collecting batteries.
- Councillor Campbell congratulated his parents Betty and Earl Campbell on recently celebrating their 56th Anniversary.

OTHER BUSINESS

IN CAMERA

Per MGA s.119(1)(a)(d), it was moved by Deputy Mayor MacIsaac and seconded by Councillor Campbell to go in camera at 5:29pm.

The meeting resumed regular session at 6:17pm.

ADJOURNMENT

Meeting was adjourned at 6:18pm.

MAYOR

CHIEF ADMINISTRATIVE OFFICER