

An Application to restructure the Town of Kensington
pursuant to Sec. 15 of the Municipal Government Act,
R.S.P.E.I 1988, cap M-12.1

/sp

Public Hearing
Credit Union Place
October 15, 2020

/sp

1 MS. MITCHELL: Good evening, folks.
2 We're going to get started here shortly. There are
3 a few individuals who have registered with us that
4 aren't yet here. So I think we'll wait maybe five
5 minutes and then we'll begin. So if you could just
6 bear with us a few more minute, thanks.

7 Okay, I think we'll get started. So
8 welcome, everyone. This hearing is now in session.
9 My name is Erin Mitchell. I'm a commissioner with
10 the Island Regulatory and Appeals Commission. I am
11 the chair of the panel here this evening.

12 I'm joined by Doug Clow, who is the vice-
13 chair of the commission, and we're also assisted
14 here this evening by staff members Jonah Clements,
15 who is our general counsel, as well as Courtney
16 Bryenton, one of our regulatory analysts. I have
17 lost where Courtney is. Maybe she is still outside.
18 Oh, she is still outside. She is the lovely person
19 who helped you register when you came in.

20 So this hearing is pursuant to a
21 restructuring proposal received from the Town of
22 Kensington to annex certain unincorporated areas
23 surrounding its existing Town boundary.

24 I'm just going to provide you with a bit
25 of background in terms of how this process has

1 developed to date. On the 24th of January in 2020 a
2 proposal to restructure the Town of Kensington was
3 received by the commission. The applicants propose
4 to annex 106 properties surrounding the Town.

5 On March the 6th, 2020 the commission
6 published a public notice of that proposal, and this
7 included physically posting copies of the notice in
8 and around the Town, publishing notice in the
9 Guardian newspaper as well as online.

10 Individuals and other municipalities had
11 30 days to file written objections or comments with
12 the commission, and that objection period closed on
13 April 7th.

14 The commission did receive some objections
15 from residents in the area, and having reviewed
16 those objections and the submissions that were
17 received, we determined that it was in the public
18 interest to hold a public hearing, and of course, we
19 scheduled this hearing here this evening.

20 Now, normally I would note that we try to
21 hold these public hearings in the municipality
22 that's impacted. In this instance, obviously we're
23 not in the Town of Kensington. We elected to come
24 to Summerside and to Credit Union Place because of
25 the social distancing requirements. We weren't sure

1 and be heard at a public hearing..."

2 So we will consider all of the evidence and the
3 submissions that are filed here this evening when we
4 prepare our report to the minister as is required
5 under the Act.

6 So what the process is, essentially we
7 have this hearing here this evening. There will be
8 an opportunity for about a week after today's
9 hearing for both you and other individuals who may
10 be interested in providing feedback to the
11 commission to provide that to us. We take that into
12 account, and then within 45 days we prepare a
13 recommendation to the minister having considered all
14 of that feedback.

15 So in terms of the process that we will
16 follow here this evening, the Town will be making a
17 presentation to explain the proposal. They have
18 prepared a PowerPoint presentation and will be
19 speaking to the restructuring application shortly.

20 That PowerPoint presentation was posted on
21 the IRAC web page, on the municipal government web
22 page and it remains there. So if after this evening
23 anyone wishes to go and review that PowerPoint
24 presentation, you're certainly able to do so.

25 When the Town has completed its

1 presentation...you'll notice that we have a couple
2 of mics set up in the audience. There will be an
3 opportunity for you to ask questions of the Town
4 pertaining to its proposal, and then when the
5 questions are complete, that's when we will
6 have...I'll call it an open mic. That's when you'll
7 be invited essentially to come, and if you have
8 statements that you wish to make with respect to the
9 proposal, that will be your opportunity to do so.

10 We have a good turnout here this evening,
11 and so I would ask you to keep your comments as
12 succinct as possible, just so that everyone can have
13 an opportunity to say what they may wish to say with
14 respect to the proposal.

15 The hearing is being recorded you will
16 note. So all of the comments that are made this
17 evening, we ask that you do make them at the
18 microphones so that they are recorded for the
19 purposes of the record.

20 I would also note that this hearing is
21 being broadcast live on YouTube. I'm trying not to
22 think about that too much, but it is for the
23 purposes of ensuring...again, we are in this sort of
24 new odd era of physical distancing and the like, and
25 so in an effort to make sure that there is as much

1 ability to reach individuals with the information
2 here this evening, we are providing that broadcast.

3 After everything is done, the audio and
4 the video of the public hearing will be put on our
5 website, is my understanding. I'm looking at Jonah.
6 Yes. So it will be put on our website. So again,
7 if there is a desire to review or to look at the
8 presentations that were made here this evening,
9 you'll have an opportunity to do that.

10 I mentioned that there is a window of a
11 week. That's pursuant to the legislation for
12 individuals to write further submissions, or if
13 there is anything that you would wish to provide to
14 the commission not here this evening or other
15 members of the public who may be watching from home,
16 there is that opportunity for others to provide that
17 commentary.

18 These comments can be e-mailed to the
19 commission at...it's an e-mail address that we can
20 provide after the fact as well, but it's
21 proposal@irac.pe.ca, attention to Jonah Clements.
22 So if anyone wants to get those particulars
23 afterwards, please approach one of us from the
24 commission and we will ensure that you have that
25 information.

1 As I indicated, the role and the power and
2 the function of the commission is set out in the
3 Municipal Government Act. So anything that we do
4 here this evening is pursuant to that legislation.

5 So without further ado, I am going to turn
6 to the Town, and invite them to begin their
7 presentation, and then I would ask you to hold your
8 questions until the end, and then there will be an
9 opportunity. So I'm going to turn it over.

10 MS. PARNHAM: Good evening, everyone.
11 I'll get comfortable for the camera. My name is
12 Hope Parnham. I'm a planner and landscape
13 architect. I work under...my company's name is Dv8
14 Consulting.

15 Before I get started tonight, I just
16 wanted to declare any perceived conflict of
17 interest. I prepared this report on behalf of the
18 Town of Kensington in 2019, and earlier this year,
19 in 2020, I have taken a position with the provincial
20 government in a different department than what is
21 considering this application. I'm in the Department
22 of Environment, Water and Climate Change on a
23 contract, but this report has been known and the
24 Province in my current position is aware that I am
25 here representing the Town on this work done prior

1 to that work.

2 So as I mentioned, my name is Hope. My
3 pronouns are she/her/hers, and again, before I start
4 tonight, I wanted to recognize that we're here in
5 the city of Summerside, but on the traditional and
6 unceded territory of the Mi'kmaq First Nations.

7 Tonight's application is on the
8 restructuring of the boundary of the Town of
9 Kensington. This work started much earlier than the
10 actual project that we're looking at tonight in that
11 the Town recognized that it needed to undertake this
12 study in their official plan and the official plan
13 bylaw review started in January, 2019.

14 We started that process and put that
15 project on hold in order to undertake this current
16 study. So I have been working with the Town for a
17 number of years on planning-related matters, and all
18 of that work sort of coalesced into this report that
19 we will be presenting here tonight.

20 I'm not going to present all of the
21 material on the slides as we go through, because
22 they are quite thorough. For the sake of those
23 watching at home, I just wanted to download the
24 report, but I can go back to any of the slides
25 afterwards, if you have questions as we go through.

1 So the outline of our presentation here
2 tonight, let me first talk about the background
3 information about the Town, really the services that
4 it currently provides and the challenges that the
5 existing boundary presents to the Town and its
6 opportunity for growth and future sustainability.

7 We will have a look at the current
8 boundary, as well as the proposed boundary. I put
9 the maps in the presentation again at the end of the
10 presentation because I know we can probably just
11 leave the map up for most of the evening, and people
12 would want to talk on that. So if I skip past the
13 map slides quickly, rest assured I can bring that up
14 again at the end.

15 We will go through the criteria for the
16 restructuring. The Town established criteria and
17 objectives of the restructuring independent of what
18 is required for an application through IRAC and
19 through the Municipal Government Act, and so I
20 wanted to discuss that criteria first, and then I
21 will go through the requirements of the Municipal
22 Government Act, fundamental principles and questions
23 that needed to be answered as a part of their
24 application for restructuring.

25 So to get down to the nitty-gritty of the

1 numbers, background information on the Town of
2 Kensington, the Town is small. The land area is
3 just 3.25 square kilometres and a population of just
4 over 1,600 in 2016. That doesn't reflect all of the
5 development, which has been significant over the
6 past four years. A new census will be done this
7 next year, and so we will be able to reflect the
8 growth.

9 The growth has been steady since 2000,
10 significantly higher than the average provincial
11 growth, seven percent between 2011 and 2016 alone.
12 Really what to take away from the message of
13 population and land area for those not familiar with
14 whether or not that is big or not, the Town is very
15 small and it has a high population density,
16 significantly higher than most municipalities in
17 PEI. They are fully developed to its current
18 boundaries.

19 The Town's tax rates are separated, as
20 most municipalities are, commercial and non-
21 commercial. Commercial tax rates are 1.3 and non-
22 commercial 55 cents for every 100 of assessed value,
23 and that reflects...in the current assessment value
24 you can see that the non-commercial significantly is
25 more substantial in terms of the assessment value in

1 the Town than the commercial.

2 Most people, when they think about
3 municipal services, they immediately think of the
4 hard infrastructure services, like water and sewer,
5 and the Town of Kensington does offer those
6 services.

7 Those customers that are connected to
8 those services pay for those services, but that is
9 not covered within the general municipal tax base.
10 So I just wanted to make that clear upfront in terms
11 of municipal services. They offer a substantial
12 other wide range of services, everything from public
13 safety, fire, police, emergency management, general
14 government and administrative services, such as
15 planning, development control, financial management,
16 human resources, public works and maintenance.

17 The Town no longer owns its own roads, but
18 they do maintain sidewalks and green spaces and open
19 public spaces within the Town.

20 Cultural and recreation services, such as
21 the pool and the playgrounds, green spaces, these
22 are all municipally run and offered municipal
23 services, services that are benefitting areas far
24 outside the current municipal boundaries. Residents
25 and property owners come to the Town to take benefit

1 of these services, whether or not they're currently
2 located within the Town.

3 Beyond the municipal services, there are
4 also community services that many people rely on,
5 including social services, like the libraries,
6 medical centre, daycares, dental offices, veterinary
7 clinic and certainly retail stores, related to
8 grocery, flower shops, real estate, restaurant. I
9 don't need to go through them all.

10 If you live in the surrounding area of
11 Kensington, you're aware of the wide range of
12 services that are available to you. I have a summer
13 property as far away as Hope River, and that's where
14 I get my groceries. You know, it certainly is a
15 broad service area in terms of the number of people
16 and properties that fall within the service
17 distribution area for the Town of Kensington.

18 Institutional services, such as the
19 Legion, churches, schools, also have a broad service
20 area far beyond the current boundaries of the Town
21 of Kensington.

22 This is the current boundary. It is
23 unlike any municipal boundary I have ever seen
24 outside PEI or inside PEI. I would challenge
25 anybody to try to draw it on a map without looking

1 at it.

2 The boundary reflects ad hoc planning. It
3 reflects property by property applications of people
4 wanting to be added to the Town, which is how it has
5 grown over the past few years. It reflects the
6 desire of the Town to grow to its maximum boundary
7 limits without disrupting the adjacent
8 unincorporated areas, and unfortunately what it has
9 resulted in is a very piecemeal arrangement where
10 there are literal doughnut holes of properties
11 within the boundary that are outside the boundary.

12 So the current challenges that the Town is
13 facing as a result of its current arrangement are
14 quite simple in that the Town needs to grow in order
15 to remain sustainable. The Town is unable to grow
16 because it has grown to its maximum capacity of its
17 current boundary.

18 The health and future of the Town, its
19 future sustainability, impacts not just the Town,
20 itself, as a municipality, not just the residents of
21 the Town, but all property owner and residents that
22 live within the unincorporated area in the
23 surrounding area outside the boundary of the Town.

24 When we started this discussion about
25 restructuring and undertaking this study, as a

1 planner, my first instinct was to look at school
2 zones. We went so far as to get a map of the hockey
3 district, to look at the fire district boundary.
4 Those are very big, very massive change type
5 restructuring, and we have seen similar applications
6 around the province where municipalities have
7 amalgamated, and have gone from being very small to
8 now being some of the largest in land area in the
9 province.

10 The Town is not interested in that type of
11 restructuring at this time, and they specifically
12 wanted to make that known, that their interest is
13 not to just be bigger for the sake of being bigger
14 at this time.

15 If that discussion comes down the road, it
16 will come as a collaborative effort with surrounding
17 areas and with the unincorporated areas.

18 At this time, the objectives are very
19 specific and very clear. The objectives of this
20 application are to increase future development and
21 economic growth opportunities and to expand land use
22 planning to ensure sustainable growth and
23 environmentally sensitive growth for the future of
24 the Town.

25 So this is the map of the proposed area.

1 The yellow properties are the properties that have
2 been proposed to be annexed by the Town. I'll leave
3 that up for a minute for you to have a look at.

4 The dashed areas are large properties that
5 have extensions of land that are currently
6 inaccessible, and so the entire property wasn't
7 necessarily warranted to be brought in through this
8 process. So this application excluded portions
9 of...I think it's just the three properties, two to
10 the south and one to the northwest.

11 How that works from a taxation perspective
12 is that it's just the percentage of the land area
13 within the Town would be taxed accordingly. As I
14 mentioned, I can bring the map up again during the
15 question period.

16 So as I mentioned, the Town was not
17 interested in a large scale annexation based on
18 service boundaries, such as the school or fire
19 district. We took a very measured approach to this
20 application with four very specific criteria
21 established for whether or not a property warranted
22 being annexed by the Town. I'm going to go through
23 each of these four individually.

24 So the first one was is the property
25 currently benefitting from municipal services, but

1 not within the municipal boundary. As I mentioned,
2 the service boundary is actually quite large. So
3 properties benefit from fire, police services,
4 schools, recreation services if you live within
5 close proximity to the existing boundary as a
6 resident and also as a local business.

7 There are local businesses...the cemetery,
8 for example, the Kensington cemetery, outside the
9 boundary. If you incorporate the name of the Town
10 in your business name, perhaps you should be within
11 the Town boundary.

12 So those properties that were included for
13 this reason are residents who benefit from the local
14 services equivalent to that of Town residents. It's
15 fair to say that those residents should pay the same
16 tax rates and contribute to the services that the
17 Town is providing because they are just like
18 everybody else within the Town.

19 They benefit from fire, police,
20 recreational facilities, the businesses, and 10
21 properties are actually already connected to the
22 water and/or sewer services. So they're physically
23 connected to the utilities of the Town, but not yet
24 within the Town boundary.

25 The second criteria that we set was that

1 if the municipality has leapfrogged you in the past,
2 if you're one of those doughnut properties that
3 you're surrounded by properties within the boundary,
4 but you're not yet in the boundary, then it was
5 warranted time to bring you into the boundary.

6 The Town can't service, whether it is hard
7 infrastructure services like water or sewer or even,
8 you know, just providing other types of services,
9 like emergency management, when it's skipping
10 properties to get to the next property that it is
11 providing that service to.

12 Think of Hurricane Dorian and the number
13 of stories of residents outside the boundary that
14 came to the Town for help who didn't know that they
15 actually weren't within Town boundary limits. The
16 Town is where they come to for all their services,
17 and they were looking for help from the Town in the
18 recovery efforts. So where we have holes and the
19 potential for land use conflict in those holes
20 because the Province currently does not have any
21 land use planning regulations.

22 It means that while the Town has zoning
23 and regulations on development, there is no process
24 to determine the land use within those holes within
25 the Town's planning structure.

1 So the third criteria that we used to
2 determine if a property was warranted to be brought
3 in was whether it presented an opportunity for
4 future economic growth and investment through
5 subdivision and development.

6 Now, this benefits not just the Town, but
7 certainly benefits the property owner as well, with
8 the opportunity to develop or subdivide their land.
9 It's no secret that the Town has proposed a 38-lot
10 commercial industrial park, but in order for the
11 Town to grow the businesses, the work opportunities,
12 the services that that industrial park could provide
13 the area, it needed to acquire the land for that,
14 and that land exists beyond the current boundary.

15 The final category or criteria was to
16 require improved environmental management and
17 protection through the provision of land use
18 planning. Most people think of land use planning as
19 development control, but it actually relates to a
20 whole lot of other issues that, if done well, no one
21 should notice. People only notice land use planning
22 when it's not done well, and then you think, "What
23 in the world were they thinking?" right?

24 There are many locations along the
25 existing boundary where roads actually kind of dead

1 end into the boundary of the municipality. In order
2 for subdivisions and residential development to
3 continue to grow beyond the boundary, those road
4 networks need to be planned in advance, and if you
5 don't have municipal planning working on that other
6 side of the boundary, that road is going to nowhere
7 right now under provincial jurisdiction.

8 So there was some targeted annexation of
9 properties where services would be extended and
10 where it is most likely to extend for those
11 residential type developments.

12 Land use planning also provides land use
13 protection, especially from an environmental
14 perspective. The Town currently has a water source
15 that everybody that is on the Town service relies
16 on, but there is always a risk to your water.
17 Without water the Town isn't very sustainable.

18 The Town conducted a study on a potential
19 second source of water as a backup plan. That's
20 good planning practices. That study was done...how
21 many years ago? About three years ago.

22 In the study they identified five
23 potential sites of a second water source for the
24 Town, and so in order to protect that land area...it
25 doesn't mean not to develop it. It just means to

1 develop it with sensitivity to the fact that there
2 is a water resource underneath and so you don't
3 want, for example, high intensity industrial uses
4 within your water well area.

5 So we have included the parcels that are
6 within two of those potential well sites as areas
7 that we would want to include under the municipal
8 land use planning in order to regulate what
9 potential uses could go there to protect the
10 potential future water source for the Town.

11 I mentioned this earlier. The future
12 sustainability of the Town isn't just about the Town
13 and its tax base. It's about the existing residents
14 as much as it is about the proposed residents and
15 those in the larger service area.

16 The annexation that is being proposed
17 benefits many. It will allow for the municipality
18 to continue offering services and programs. It will
19 provide a sharing of the cost of the services that
20 are already provided, many of which are provided
21 outside the current boundary but over a larger
22 population, and it will enable the Town to enhance
23 the current services that it provides and develop
24 new programs and attract investments.

25 I already mentioned the proposed

1 industrial park. That is new work opportunities,
2 new services, new businesses for your Town.

3 An example of the recent initiative that
4 everyone will benefit from is the new emergency
5 reception centre for severe weather events, power
6 outages, so that not just Town residents within the
7 current boundary can benefit from that. If your
8 power is out and you need help, you can come to the
9 Town.

10 So just a quick overview of the stats, the
11 figures of what this annexation actually looks like
12 in numbers, the annexation includes 106 properties
13 which account for about 1.57 square kilometres of
14 land area.

15 It increases the Town's land area by
16 almost 50 percent. So it sounds pretty substantial,
17 but you have to remember you're the third smallest
18 municipality in PEI. You have room to grow.

19 It increases the number of properties by
20 13 percent. So even though it's 50 percent bigger,
21 it's a small number of properties. A number of
22 those are large parcels.

23 We don't know an exact census number
24 because the census doesn't follow the new proposed
25 boundary, but it's approximately 11 percent new

1 residents within the Town.

2 It increases the tax assessment by only
3 7.8 percent. What that demonstrates is that this
4 isn't a tax grab. The potential growth of those
5 properties is where tax assessment will be
6 influenced over time. There are no immediate
7 properties to benefit...like, that the Town is going
8 to benefit off of a substantial tax increase, but
9 the potential growth of the Town benefits everybody.

10 This is a breakdown of the tax assessment
11 for those that want to get into the figures. Most
12 of you are probably here as residents, as individual
13 property owners. You'll be most interested in the
14 note at the bottom, which indicates that your taxes,
15 if approved, if you're annexed by the Town, will be
16 phased in. The changes in the taxes will be phased
17 in over four years.

18 So the Town has made that commitment that
19 there would only be a 25 percent increase in the
20 first year, 50 percent second year, 75 percent in
21 the third year, and then you would be paying
22 equivalent taxes to those of Town residents after
23 four years.

24 So as I mentioned before, those were the
25 criteria that the Town set out in order to undertake

1 this study of what properties were warranted to come
2 into the annexation. The Municipal Government Act
3 states that there are five questions that have to be
4 answered as part of the application. So I wanted to
5 answer those questions for you as well. The first
6 one is:

7 "...Does the proposal demonstrate that the
8 municipality has or will have the ability
9 and capacity to meet the immediate and
10 long-term needs of the residents within the
11 boundary proposed?..."

12 I would argue that the Town already does. There are
13 very few properties beyond the boundary of the Town
14 that don't currently benefit from the Town's
15 municipal services, police, fire, recreational
16 services. Those are municipal services that, you
17 know...and even the commercial businesses that are
18 privately owned that aren't operated by the
19 municipality, the municipality supports those to be
20 there. So yes, the municipality has demonstrated
21 the capacity to meet the needs of those residents,
22 of those property owners.

23 I mentioned earlier 10 properties are
24 already connected to the Town's water and sewers,
25 and the Town does have plans to extend services to

1 some of the areas that are within the proposed new
2 boundary. The second question asked is:

3 "...Is the proposed municipality
4 financially viable?..."

5 Again, yes. The Town not only is financially viable
6 and able to offer its current services, but it's
7 able to invest in and develop and grow a new
8 industrial park, a new emergency shelter, services
9 that everyone can benefit from. The third question
10 is:

11 "...Does the proposed municipality have..."

12 Oh, I missed one, sorry. They are in different
13 order:

14 "...Will the proposed municipality hinder
15 an existing municipality's ability to
16 expand its boundaries or provide services
17 to its residents?..."

18 The closest municipalities to the Town of Kensington
19 are a kilometre and a half to the north, Malpeque
20 Bay, and almost 15 kilometres to the west, the City
21 of Summerside. So if either of those municipalities
22 decided to grow, the proposed boundary, what is
23 being proposed here today, doesn't impact those
24 municipalities in any way.

25 If anything, the municipality of Malpeque

1 Bay, they still rely on the Town for their general
2 commercial services as well.

3 Does the...I didn't make a slide for the
4 other question, so that's why I missed it, sorry:

5 "...Does the proposed municipality have a
6 stable base of economic activity?..."

7 It certainly does. The final question:

8 "...Does the proposal demonstrate that the
9 municipality has a vision of its services
10 it intends to provide its residents in the
11 immediate and long term?..."

12 So in 2019 the Town undertook a strategic plan
13 exercise and set out an action plan for the next 10
14 years. This strategic plan is different from its
15 official plan in that it was strategic in looking at
16 financial opportunities for growth, for
17 collaboration with nearby municipalities,
18 communities, organizations and that plan will guide
19 its official plan process as we get underway over
20 the next year, but we first want to include these
21 additional properties, if this annexation is
22 approved, in that process as well.

23 That's everything. Thank you very much.
24 I'm happy to take questions.

25 MS. MITCHELL: So I'm going to open the

1 floor now to any questions that anyone may have of
2 Ms. Parnham, or I think of the other officials from
3 the Town. Mayor Caseley is here as well as CAO
4 Geoff Baker. Yes, please do. I just ask that you
5 approach the mic and then...

6 MR. CUZEL: I will tell you my name is
7 Mike Cuzel. I am 204 Calvin Road and I am here 14
8 years. Now, I just want to ask you I notice when
9 you said that after four years our taxes will go 100
10 percent higher like we have, right?

11 MS. PARNHAM: Not 100 percent higher
12 than what you have. It's 100 percent of...you will
13 be charged the municipal tax rate, yes.

14 MR. CUZEL: Right, so and as well, it
15 should benefit me what I'm paying the taxes for. I
16 don't have water. I don't have sewage. I don't
17 have lights. I don't have sidewalks. So you want
18 me to pay increased 25 percent first year, second
19 whatever. After four years...are you going to give
20 it to me after four years so I can really enjoy it?

21 MS. PARNHAM: So as I mentioned, water
22 and sewer services...

23 MR. CUZEL: Yes?

24 MS. PARNHAM: ...are not charged to
25 properties that are not serviced. Those are

1 services that are separate from the municipal
2 services that...

3 MR. CUZEL: No, you mentioned...if I may
4 say, you mentioned I will be able to enjoy services
5 what the Town people have, right?

6 MS. PARNHAM: Yes.

7 MR. CUZEL: Okay, so how come you tell
8 me that I cannot enjoy the services if you don't
9 provide it for me? I don't have, as I said,
10 sidewalks, what you mentioned, water, sewage and
11 lights, which they have it all around the city. So
12 it means are you going to guarantee that after four
13 years I will have this one? Otherwise, I will give
14 you signed blank cheque and you can put whatever you
15 want to on it? What I will be paying for, this four
16 years?

17 MS. PARNHAM: So the range of municipal
18 services are beyond that of the hard infrastructure.
19 As I mentioned earlier, there is a wide range.

20 MR. CUZEL: I know, but what...my
21 question is I give you more money. So what I am
22 going to get for this money for this four years?

23 MS. PARNHAM: You will get the services
24 that you currently get without paying for them.

25 MR. CUZEL: I don't have any services

1 from you.

2 MS. PARNHAM: Do you have fire?

3 MR. CUZEL: Fire, if I understand well,
4 every tax what you get, you have a fire inside what
5 I am paying, right? So you don't tell me that I will
6 get more fire protection what I have already now.
7 Is it true? When you have a tax, a payer tax, it's
8 divided how much you pay for education, how much you
9 pay for your property, how much you pay for your
10 garbage collection and how much you pay for your
11 fire protection, including the police.

12 So don't tell me I will get more police
13 protection. So it means I don't have it now? This
14 is very questionable, you know what, because let's
15 say four years from now, if I'm still good and well,
16 I will be here, but you will get my money for
17 nothing, because all what I have now, it's okay, but
18 you will increase the payment from my whatever, 7.8
19 percent first year...no, 25 percent first year,
20 right?

21 MS. PARNHAM: M'hm.

22 MR. CUZEL: Second year, 50 percent,
23 third, 75 percent and after four years, 100 percent
24 what I am paying now. So what? What it means if I,
25 let's say, pay \$500, I will pay \$1,000, and I won't

1 get anything for it? That's little bit fishy. I am
2 sorry, and I don't agree with it.

3 You know, if you propose something like
4 this, is it something like what you say people
5 should really have some impact to it. In my mind,
6 you already rubber stamped this one. Do you? No,
7 do you? You mentioned that you are going ahead with
8 it.

9 MS. PARNHAM: No, I...

10 MR. CUZEL: No, did you ever...

11 MS. PARNHAM: I don't make that
12 decision.

13 MR. CUZEL: Did you ever mention that
14 maybe we will cancel it? No, I didn't hear in your
15 speech that you said, "Maybe we will change it."
16 You never said so. You said you did the 10 years
17 program and you will go ahead with it. So what you
18 are here for only to prove that we have some impact
19 to it, which is for nothing, right? Okay, well,
20 think about it because I think a lot of people maybe
21 will ask the same way.

22 I am sorry that I said like this way, but
23 that's really...that's reality. Some people enjoy,
24 like you said, all the services and they should pay
25 for it because they have it.

1 You know, you go on my way up there, and
2 you are like in Siberia. There are no lights, no
3 sidewalks. Police protection is somewhere on the
4 other side. So what is better for me in this
5 proposal, let's say after...I will wait four years,
6 but what happens after when you don't do it? Are
7 you going to give me my money back?

8 MS. MITCHELL: Can I just interrupt for
9 one moment?

10 MR. CUZEL: Yes.

11 MS. MITCHELL: I just didn't catch your
12 name at the beginning.

13 MR. CUZEL: Cuzel, Mike Cuzel, C-U-Z-E-
14 L, 204 Calvin Road.

15 MS. MITCHELL: Thank you very much.
16 That's one thing that I would state as well, is when
17 you're coming up to the mic, if you could state your
18 name and then your address...

19 MR. CUZEL: I said it first.

20 MS. MITCHELL: ...just so that we have
21 that on the record. I'm sorry, I didn't hear it.
22 Thank you.

23 MR. CUZEL: Okay. Anyway, that's...

24 MS. PARNHAM: If I may respond to your
25 comments...

1 MR. CUZEL: That's okay.

2 MS. PARNHAM: ...I haven't had a chance
3 to respond.

4 MR. CUZEL: I would like to, if you have
5 somewhere written that I said it, and you will
6 respond to it somehow, anyone.

7 MS. PARNHAM: Can I respond?

8 MR. CUZEL: Sure, go ahead.

9 MS. PARNHAM: I 100 percent appreciate
10 where you're coming from, and I 100 percent realize
11 that every property owner here representing an
12 unincorporated property has no interest in being
13 annexed into a Town.

14 They don't want to because the Province
15 currently provides services for free. So...

16 MR. CUZEL: No, no, nobody provides
17 services for me free.

18 MS. PARNHAM: As long as the Province...

19 MR. CUZEL: Where did you get this one?

20 MS. PARNHAM: As long as the Province...

21 MR. CUZEL: No, listen, tell me what...

22 MS. MITCHELL: Okay, folks, folks,
23 excuse me, excuse me.

24 MS. PARNHAM: Can I answer?

25 MR. CUZEL: Sure, go ahead.

1 MS. MITCHELL: Excuse me. Hope, just
2 give me one moment, please. So folks, what I would
3 like to do...as I stated at the outset, this is
4 being recorded. We do have individuals that may not
5 be in the room that are potentially watching. So
6 would like to keep it as orderly as possible.
7 Everybody will have an opportunity to speak if they
8 wish to speak.

9 MR. CUZEL: All right, thank you very
10 much.

11 MS. MITCHELL: Okay, so what I would ask
12 is that if you have a question that...

13 MR. CUZEL: No, that's fine what I...

14 MS. MITCHELL: ...let's have an
15 opportunity to get the answer and then we can move
16 on.

17 MR. CUZEL: Yes, I have to tell you
18 that, and I did. So I'm happy with it and hopefully
19 we will have some good reception of this whatever I
20 said.

21 MS. MITCHELL: Okay, thank you, Mr.
22 Cuzel. I'm going to turn it over to Ms. Parnham,
23 just if you have any further follow-up to that
24 particular question.

25 MS. PARNHAM: I would like to clarify on

1 the response. I didn't get to finish. PEI is very
2 unique. We have a very unique planning landscape
3 because we have 90 percent of our land area that is
4 either unincorporated or is within a municipality
5 that doesn't have the capacity to provide services.
6 This is unique across our country.

7 It is not a healthy or sustainable way to
8 have municipal governance, to have land use
9 planning, to have environmental protections. It is
10 something that planners in the province have been
11 advocating for change for a very long time.

12 You see significant restructurings
13 happening in other municipalities across the
14 province. Those are municipalities that are
15 amalgamating. You know, if two or three
16 municipalities are side-by-side, they can
17 collaborate together and they can realize that, "We
18 are more sustainable together. We are more
19 sustainable if we're bigger. We can share services
20 and we can move forward as a bigger municipality."

21 The Town of Kensington does not have that
22 option. So if the Town of Kensington is going to
23 have a sustainable future it needs to grow into an
24 unincorporated area.

25 Those properties are currently taxed

1 through the Province just the same as the municipal
2 properties are taxed by the Province, but the
3 properties outside the boundary currently receive
4 services from the Province that the residents within
5 the Town boundary do not benefit from.

6 So if we're going to grow, if we're going
7 to be sustainable, if we're going to have economic
8 development, boundaries need to change, and nobody
9 wants to pay more taxes. I understand that. Thank
10 you for your comments.

11 MS. MITCHELL: Okay. Are there any
12 other questions? Yes, please, to the mic, and
13 you'll notice, as well, Courtney is going and just
14 taking a wipe and wiping them down. Again, this is
15 Covid times. It's...we're not...please nobody take
16 offence at that. It's just we're trying to maintain
17 a germ-free environment. So please proceed. State
18 your name and your address, please.

19 MR. MURPHY: My name is Reg Murphy. I
20 live at 8 Andrews Drive just outside the borders of
21 Kensington.

22 MS. MITCHELL: Okay.

23 MR. MURPHY: I would like to know why
24 the Town seems to take sole ownership of the fire
25 department when most of...I shouldn't say most. A

1 lot of the volunteers and most of the financing
2 comes from outside the Town borders. It sounds like
3 you're saying that the Town provides the fire
4 department and all these services, but most of the
5 volunteers and the financing comes from outside the
6 Town.

7 MS. MITCHELL: Ms. Parnham, I don't know
8 if you are...

9 MS. PARNHAM: I don't know if I can
10 answer that more appropriate. That may be me just
11 speaking and including it in amongst other municipal
12 services. The fire department is certainly
13 centrally located within the Town and I can't speak
14 to the budgets of the Town and how it supports
15 the...

16 MR. MURPHY: My name is Leeman Murphy,
17 and I'm 24 Andrews Drive. I am in that same
18 district or same area as Reg, and I pay my fire dues
19 through the municipal...or the provincial collection
20 system, and that area outside of the Town from
21 Margate down...adjoining New London all the way
22 through to Sherman's Point contributes \$165,000 a
23 year to the Town, plus the municipality of Malpeque
24 contributes as well.

25 Now, from your proposal, it's \$249,000 per

1 year. 165 of that comes from the north end...or
2 from the south end and southeast, and I don't know
3 what the Malpeque, but I don't think the Town pays
4 anything.

5 If you're doing...you know, and they're so
6 noble about it. We're paying and we're paying well.
7 Thank you.

8 MS. PARNHAM: Thank you for your
9 comments.

10 MS. MITCHELL: Okay, any other
11 questions? Okay, yes, please, go ahead.

12 MR. MOUSE: My name is Wyman Mouse. I
13 have been to some of the previous Town proposals,
14 and one of the things that they stated which might
15 solve Mike's question was in Mike's situation...he
16 lives in Calvin Grove. He has no water, no sewer,
17 no street lights and no sidewalks.

18 At previous meetings they said his tax
19 rate would not be going up by 55 cents per 100.
20 He'll be phased in based on the services he
21 received. If that is, in fact, the way it is going
22 to work, you would save a lot of people complaining
23 if you would clarify that.

24 MS. PARNHAM: I will pass that off to
25 Geoff.

1 MR. BAKER: I'm not sure I have a great
2 answer to that, but in 2012 we did hire a consultant
3 who did do a boundary...an initial boundary
4 restructuring proposal for us and one of the rate
5 structures that was proposed through that process
6 was what the Province had referred to at the time as
7 sort of a bull's eye effect. So your tax rate would
8 be based upon your proximity to core services, and
9 some of those core services included some of those
10 that were referenced this evening, like sidewalks
11 and street lights and water and sewer, those types
12 of things, which are very reach-out and able to
13 touch tangible services.

14 While I don't think we can stand here this
15 evening and say that we're going to...that we're
16 going to install sidewalks within the next three to
17 five years along Calvin Grove Road, I can't stand
18 here tonight and commit to that, because that
19 depends on budgets and funding availability and
20 priorities and things of that nature.

21 What I can tell you is that the services
22 that will be delivered is exactly as we enunciated
23 this evening, which are planning and land use, water
24 and sewer at some point in the future. We do have a
25 couple of water and sewer projects planned over the

1 next couple of years, public works and maintenance
2 services, things like the pool, private union
3 centre, recreation centre, things of that nature are
4 the types of services that we're going to be in a
5 position to deliver right away.

6 So as part of this current study, the
7 initial bull's eye proposal of paying a tax rate
8 commensurate to your proximity to the core level of
9 services is not something that we considered as part
10 of this current study.

11 MR. MOUSE: Okay, thank you.

12 MS. MITCHELL: Any other questions
13 before we open it up for general feedback or
14 commentary? Just state your name and your address,
15 please.

16 MR. CROCKEN: My name is Rudy Crocken
17 and I live in Kensington, 90 Broadway. On one of
18 the slides it mentioned that there was going to be
19 land annexed next to Lynnwood Drive to access
20 Broadway Street North. Is that to put in a road?

21 90 Broadway Street is the last house in
22 Town now currently on that side of Broadway North,
23 and I'm just wondering is that referring to access
24 Broadway Street North. Is it a new road that is
25 going to be put in there or what is the...could you

1 just explain that?

2 MS. PARNHAM: So the municipality
3 doesn't build roads. Developers do. So...

4 MR. CROCKEN: I don't care who builds
5 it.

6 MS. PARNHAM: Yes, no, but the
7 municipality isn't proposing to build a road, a
8 connection, but without the land within the Town
9 there is no opportunities for roads to connect from
10 the north and back out.

11 So we have got a dead end subdivision with
12 no potential to network...street network is
13 extremely important for service provisions, for
14 emergency response, to have multiple access points.
15 So that was one area that was identified as a
16 potential street network opportunity for future
17 planning.

18 MR. CROCKEN: So the answer is yes?

19 MS. PARNHAM: Only if a developer, a
20 property owner, proposes to develop the property.

21 MR. CROCKEN: The reason...and the
22 officials of the Town understand why I'm asking this
23 question, because I have been fighting this fight
24 since 1979. I'm a 45-year resident of Kensington,
25 and that whole area...and I don't know if you're

1 aware, but up on Lynnwood Drive was built with no
2 storm sewers.

3 The storm sewer is over my property.
4 That's where the water runs because there is no
5 place else for it to go, and I have brought this to
6 the Town just as recently within the last...well,
7 before Covid-19, for sure.

8 Where have we got in all that time?
9 Sadly, no place. We still have that same problem,
10 and my concern is if they're going to put anything
11 more up on that hill, now after being...talking to
12 the Town for years, they say, "No, it's not our
13 problem. It's now the Province's problem because
14 they do that. They do the roads." It doesn't solve
15 my problem, but before any more roads should be put
16 up on that northwest end of the Town, those issues
17 have to be dealt with, absolutely have to be dealt
18 with.

19 I agree with Wyman and I think this is my
20 fourth go at these meetings, and I think what Wyman
21 said...I remember that being discussed, and I think
22 it has a lot to do with the problems of those
23 people.

24 My daughter, in the municipality she lived
25 in, all the places, as far as I can figure out, were

1 all taxed at the same rate, okay, and this is a
2 provincial problem. It's not a Kensington problem.

3 If Leeman has a house worth 300,000 and I
4 have a house, living in Town, that's worth 300,000,
5 we should be both taxed at the same rate, just for
6 the house and that half-acre property or whatever
7 you want to include.

8 I have sidewalks. So I should be taxed at
9 a little higher rate there. I have street lights.
10 So I should be taxed at a higher rate there. Leeman
11 doesn't have those things. He shouldn't be taxed at
12 that.

13 The same thing. My daughter was very
14 close to the library. So she was charged a higher
15 rate than those people that lived a way out in North
16 Preston, and all of those were added into the tax.
17 Whereas maybe I have had another \$500 added to my
18 taxes, people that lived way outside the district on
19 the other end, they wouldn't see any of that
20 increase.

21 To me, that's a fair way, but the
22 Province, to me, has to do that, and whether they
23 have the wherewithall...it would have to be done
24 within three weeks after an election, because there
25 would be some feedback on it, and they might not get

1 elected again, but no one has got the guts to do it.

2 I will tell you, for our water problem,
3 fight for something for 45 years, you weren't even
4 around 45 years ago. So thank you.

5 MS. PARNHAM: Thank you.

6 MS. MITCHELL: Thanks, Courtney. Any
7 other questions? Yes, please?

8 MR. MCGILL: My name is T.J. McGill. I
9 live at 131 Broadway Street. I'm just...a little
10 bit of a follow-up to Rudy, because you again
11 mentioned that access from Broadway Street North to
12 Lynnwood Drive.

13 I think I know where that will be going
14 and it's right between our two houses. So we
15 literally last year just bought a house in the
16 country outside of Town because we wanted to be
17 outside of Town. So it was a little bit of a shock
18 to us to find out that this whole process was going
19 on.

20 So we took possession of our property
21 October 11th. Surveys were sent out December 9th or
22 11th, I believe, but the people on the registration
23 were not updated at that point. We were not
24 consulted on the first round of consultation.

25 So it was the publication in January when

1 we suddenly found out that our new, nice property
2 outside of Town might no longer be outside of Town.

3 MS. MITCHELL: When you say "the first
4 round" you mean the proposal or the...

5 MR. MCGILL: The initial consultation.

6 MS. MITCHELL: ...initial report that
7 was being...

8 MR. MCGILL: Yes, in December.

9 MS. MITCHELL: ...prepared by the
10 consultant, okay.

11 MR. MCGILL: Yes. So if there is a plan
12 for a subdivision or something like that behind my
13 house out of nowhere, I would really like to see
14 some more detail on that. We certainly don't
15 support the current proposal as is. The proposal
16 had a lot of, to me, buzz words, very little detail
17 on what the plan is, other than the new industrial
18 park, which I think people are...people understand
19 the need for, but it's not going right beside my
20 house. So that is my concern.

21 Again, to add to some other people's
22 points, we don't have water or sewer. Okay, we
23 understand that's not covered by the municipal
24 services. There are no sidewalks to my house.
25 There are no street lights. Our entire property is

1 completely dark at night.

2 The municipal services, as mentioned, some
3 of that is covered in our taxes already. The point
4 I would like to make is all of the services
5 downtown, all of the businesses, the people outside
6 of town avail of, the restaurants, hardware stores
7 and lumber yards, those are not supported by the
8 1,700 people of Kensington.

9 There is simply not enough of a population
10 there. So we are already paying our way. We are
11 supporting those businesses. We are providing
12 employment opportunities and to suddenly get an
13 increase in our taxes with ostensibly no extra
14 benefit, again, I just disagree with it.

15 MS. MITCHELL: Thank you. I'm going to
16 open it now. I don't know if there is any...if you
17 folks want to respond to any of the commentary, but
18 I think what we will do is, as opposed to questions,
19 if people want to come up and say their...if they
20 have things they want to share with the panel,
21 please do so, and then we can just make this more of
22 a conversation if there are questions that arise
23 during that time.

24 MS. PARNHAM: I just wanted to thank you
25 for your comments and just to respond to a couple of

1 the points made. With regards to the sidewalks and
2 street lighting, you don't have it right now because
3 you're outside Town limits.

4 So for an opportunity for those types of
5 services to be extended, there is a necessary need
6 to extend boundaries, right. So specific to just
7 those types of services. If you already had those
8 outside the boundary, you wouldn't want to be paying
9 more taxes for something you already receive anyway,
10 but with regards to a future road and future
11 subdivision, I want to be clear that the land beyond
12 the boundary that has been proposed for annexation
13 currently does not have land use planning
14 regulations associated with it.

15 Applications for planning development go
16 through the provincial process right now. Property
17 owners have the right to develop their land, and
18 currently that would be under the Planning Act and
19 planning and subdivision regulations.

20 Through the official plan and bylaw review
21 process that the Town will undertake, that is when
22 zoning would be assigned to that property, assuming
23 it is annexed into the Town.

24 So should it be annexed, then a zone would
25 be applied, whether it remains agricultural or

1 residential...you have stated you wouldn't want an
2 industrial park in your backyard. That would be the
3 opportunity to speak to what is potential
4 development opportunities on that land.

5 There is no development proposal
6 associated with this application, other than the
7 industrial park, which has been publicly made aware,
8 but any of the property owners on those types of
9 parcels, if they have no intention to develop it,
10 the Town is not developing it.

11 MS. MITCHELL: Okay, and I'll open the
12 mic now for anyone else who wishes to say a few
13 words. Yes, please, and again, if you could just
14 state your name and your address, that would be
15 great.

16 MR. NURICK: This is for the panel.
17 Hello, my name is Ivan Nurick. I live at 252 Irish
18 Town Road. I have already submitted a letter to
19 IRAC, but I put down some words to share here
20 tonight.

21 I live approximately half a kilometre past
22 Kensington Town limits, give or take. I'm not sure
23 the exact distance, out the Irish Town Road. So I
24 don't know if you guys are familiar with where the
25 Irish Town Road is or where the cemetery is. So up

1 in the northeast corner, I guess, and I'm the house,
2 the last house, on the right-hand side of the road.
3 Across from me there is another little house that is
4 seasonal. They just live there in the summer
5 months, and of course, there is the graveyard there.

6 Now, I'm probably the farthest away from
7 the Town's proposed industrial park expansion, and I
8 can understand them wanting to expand for the
9 industrial park, but I can't see why my property is
10 so important to the Town's annexation plans being so
11 far away.

12 There are no other houses between the Town
13 and my property, only a forest that has been donated
14 by the Gorman family and designated a green space.
15 If that forest hadn't been given to the Town, I
16 would never have bordered Town land. That's all
17 forest from the Town limits out to my house.

18 It's a green space and it's supposed to be
19 kept as a green space. So...

20 MS. MITCHELL: If I can just...that's
21 that...so your property is that sort of corner of
22 that triangle?

23 MR. NURICK: Little pie.

24 MS. MITCHELL: Right, and then the rest
25 of the triangle is the green space. Is that

1 correct?

2 MR. NURICK: Yes.

3 MS. MITCHELL: Okay, that was my
4 understanding. I just wanted to clarify, okay.

5 MR. NURICK: My point is is I'm a long
6 ways away from what they really want to do with this
7 property, right.

8 So how can my property be an issue with
9 Town expansion being so far away? The mayor and
10 Geoff Baker told us it was nothing personal, I can
11 understand. That a firm included our property to
12 square up a boundary so it would look better on
13 paper is basically what they told me, and yes, it
14 does look better because it goes straight up. I
15 have to agree with that.

16 If it is no big deal, I asked them to
17 exclude us from the proposal, but we were told there
18 would be no exception made.

19 We spoke to Ministers McKay and Fox, and
20 both gentlemen said they could not see why an
21 exception can't be made. They were very concerned
22 and helpful and they suggested that I come here
23 tonight.

24 The Town has said they won't be bringing
25 water and sewer out, which we don't need anyway.

1 The only thing we would receive is Kensington Police
2 Services, and we're happy with the RCMP, thanks, and
3 you know, everybody mentions about the stores and
4 whatnot, but people can go to Summerside and buy.

5 I would imagine that the Save-Easy and the
6 pharmacy are damn lucky and they are thankful that
7 people from the country do come to their stores to
8 buy stuff, but like I don't see why it's an honour
9 for me to buy from the Save-Easy. I can go to the
10 Superstore and buy in Summerside. Well, we came in
11 here tonight. It's not hard to come to Summerside.
12 So that's a silly little point, I think.

13 We would receive absolutely nothing for
14 paying the Town \$1,600 more in taxes. I would have
15 to make about 2,000 more a year. I'm a seasonal
16 carpenter and my wife is a laid off daycare worker.
17 It says in the County Line Courier the Town isn't
18 interested in the extra tax money. So why pick on
19 us? Our tax money would be a small drop in the
20 bucket for the Town, but a crippling bill for my
21 family.

22 Besides these points, my wife, two
23 children and my elderly mother-in-law who lives with
24 us and myself just can't afford to pay the Town that
25 \$1,600.

1 Where would the money come from? Really,
2 I mean, I have told the Town we would have to
3 be...we would be forced to sell our house because I
4 just don't have the money and I can't come up with
5 an extra \$2,000 every year.

6 This whole process has kind of left a bad
7 feeling, and I don't expect anyone to feel sorry for
8 us, but in the spirit of fairness, I ask the panel
9 to please drop our property...and common sense as
10 well.

11 Like, I think it's a common sense
12 situation where we are on the outer fringes. We're
13 not in between land that the Town already owns.
14 We're not handy to the industrial park. We're on
15 the outer fringes, getting nothing in return. I
16 just ask that you at least consider dropping us off
17 the proposal. Thank you for your time.

18 MS. MITCHELL: Thank you very much. I
19 have just a couple of questions for the Town at this
20 point. The first is in the...in the last
21 presenter's presentation he indicated that there was
22 a significant portion of land that was designated
23 green space.

24 Is that in the deed or is that...is...I'm
25 just curious as to what the status is of that.

1 MR. BAKER: Do you mean the property
2 that borders Mr. Nurick's property?

3 MS. MITCHELL: That I believe the
4 Gormans had donated, I think, was the...

5 MR. BAKER: That property was donated to
6 the community through an Environment Canada eco-gift
7 program. It was certainly before my time of coming
8 to the Town. I believe it was in 2006, 2007.

9 It formed part of a larger proposal. So
10 the Town took ownership of a large of chunk of
11 property in the vicinity of its well field to
12 provide protection for its well field, so that the
13 property would never be developed in a way that
14 could jeopardize our water system.

15 So as part of that process, and I don't
16 know all the details of that, but there was a wood
17 lot that was donated to the Town as well that formed
18 part of this eco-gift program that has to be kept in
19 its current state in perpetuity for the benefit of
20 the community.

21 So there are walking trails. We have
22 allowed the local Scouts, Cubs, Girl Guides to
23 plant...do their tree planting programs and things
24 of that nature on that property.

25 MS. MITCHELL: Okay. Then to the...this

1 is north of...

2 MR. BAKER: Yes.

3 MS. MITCHELL: So to the north, that's
4 sort of that form the corners of the proposed...new
5 proposed boundary. That's the cemetery?

6 MR. BAKER: The cemetery would be
7 the...kind of the second property from the...from
8 the top right-hand corner there, yes.

9 MS. MITCHELL: Okay.

10 MR. BAKER: So that would be the
11 cemetery program. You'll see a small block behind
12 that, which is four acres that we donated to the
13 cemetery about eight, 10 years ago.

14 MS. MITCHELL: That the Town donated?

15 MR. BAKER: The Town.

16 MS. MITCHELL: So who owns the cemetery?

17 MR. BAKER: The cemetery is owned...I'm
18 not 100 percent sure who the actual owners are. I
19 believe it would be a Board of Directors.

20 MS. MITCHELL: Okay.

21 MR. BAKER: It's known as the Kensington
22 People's Cemetery, and so we took ownership of a
23 larger piece of property adjacent to the Gorman
24 property back in and around 2009.

25 MS. MITCHELL: Okay.

1 MR. BAKER: And as part of that, we
2 subdivided four acres off of that, and donated it to
3 the Kensington People's Cemetery. They had
4 approached us to see if we had any interest and so
5 we donated four acres to them for that purpose.

6 MS. MITCHELL: Okay, great, thank you.
7 I apologize if I...I just wanted to get some things
8 clear in my own mind before we go any further.

9 The last question that I have is the
10 number that was cited in terms of what the potential
11 impact of the annexation on the tax rate was \$1,600
12 a year, I believe was the amount that you had
13 estimated.

14 MR. NURICK: I pay around \$3,000
15 [inaudible] be around \$1,600.

16 MS. MITCHELL: And I guess my question
17 is is there an average or do you know what the
18 average impact is on residential tax rate in...you
19 know, in terms of these properties or is that...

20 MR. BAKER: I don't know what the...

21 MS. MITCHELL: Is it even possible to
22 calculate?

23 MR. BAKER: Within a couple of seconds,
24 it's probably a difficult number to ascertain.

25 MS. MITCHELL: Okay.

1 So I was quite shocked of the big tax
2 bill, and I asked the Province to look at the taxes,
3 and they dropped it down a little bit. So it has
4 dropped down from what it was. So it's...like I
5 say, it's a little over \$3,000.

6 So it was a struggle to come up with extra
7 money to pay these taxes, and to come up with
8 another 1,600, I explained to you, it's just a
9 struggle that we're not going to be able to handle.
10 Thank you again.

11 MS. MITCHELL: Okay, thank you. Would
12 anyone else like to speak? Yes, please.

13 MR. McDOUGALL: Hi, Spencer McDougall.
14 I'm at 213 Calvin Road.

15 MS. MITCHELL: Okay.

16 MR. McDOUGALL: Our tax impact is about
17 similar to Ivan's, 12, 13 hundred a year additional.
18 I was just wondering if any consideration was given
19 to the, like, the times we are in with Covid. Is it
20 fair to ask, when most people are just kind of
21 worried on a day-to-day basis if we're going to keep
22 our jobs, let alone have to plan for this additional
23 tax increase. So that's a point to consider.

24 Something else I wanted to bring up is
25 could we anticipate any revised assessment values

1 provincially? Like, would this trigger something
2 like that?

3 MS. MITCHELL: Do you want to take...

4 MR. BAKER: Do want me to address...I
5 think it's a possibility. The Town doesn't have
6 anything to do with the assessment of properties,
7 but certainly we would have very little issue of
8 having those discussions with the Province about
9 questioning some of the assessments, and I know
10 dealing with Mr. Nurick's property in particular, we
11 would agree with him from the perspective that we
12 also found his assessment to be quite high for the
13 property, and I made several phone calls on his
14 behalf, as I know Mayor Caseley made several phone
15 calls on his behalf as well to provincial property
16 taxation in an effort to get them to come out and
17 review the assessment of his property, to ensure
18 that the assessment was accurate.

19 So while we would have no direct control
20 over how the Province assesses property values, we
21 would certainly be willing to work with the Province
22 to have property assessments reviewed, absolutely.

23 MR. McDOUGALL: Yes, so just so
24 everybody in the room knows, I mean, if you're
25 underassessed and then the assessment goes up,

1 that's a double hit, right, potentially, yes.

2 I'm definitely in agreement, the whole
3 listing banking and retail as, you know, a taxable
4 benefit, I don't really consider that to be a
5 taxable benefit, to be honest, right?

6 With the water and sewer hookup, I'm on
7 the same road as Mike. I don't really consider it
8 Siberia, but it's...yes, it's fair to say that for
9 those that do eventually, you know, according to the
10 10-year plan or whatever, if water and sewer is
11 available, it's totally up to the landowner to pay
12 for the hookup, correct?

13 MR. BAKER: It is the...according to
14 water and sewer...provincial water and sewer
15 legislation, the Town is required to bring the water
16 and sewer connection to your property line, and it
17 will be the responsibility of the homeowner to bring
18 it from the property line into the house.

19 MR. McDOUGALL: So in our case, I
20 believe...

21 SPEAKER: Do you know offhand what 600
22 metres would run us?

23 MR. McDOUGALL: Yes, I believe we got a
24 quote, and our quote was 20,000 which we would have
25 to absorb. You know, so for the few hundred a year

1 that we pay to maintain our own system, it just
2 wouldn't...it wouldn't work. I think that's all I
3 have got. Thank you.

4 MS. MITCHELL: Okay, thank you. Just on
5 the question of the potential tax implications to
6 the parcels that are being proposed to be annexed,
7 would it be possible for the Town to provide a
8 parcel-by-parcel estimate to the commission so that
9 we have an understanding of what the impacts are?

10 MR. BAKER: Yes, that would be quite
11 easy to do. Actually we may have a copy here this
12 evening. I thought it was included within the
13 application as well, but it may not have, but we
14 certainly have...

15 MS. MITCHELL: We have got a lot of
16 paper here, and if it has been, I apologize.

17 MR. BAKER: Understood, understood.

18 MS. MITCHELL: Okay.

19 MR. BAKER: We certainly have provided
20 correspondence to every impacted property owner as
21 to what their individual...what their estimated
22 individual impact would be at this point, based on
23 their current assessment, current tax rate.

24 MS. MITCHELL: We just want to make sure
25 we have all of that before us as well, okay.

1 MR. BAKER: If you don't, we'll make
2 sure you do get a copy, yes.

3 MS. MITCHELL: Fantastic, thanks. Any
4 other comments or submissions?

5 MR. MURPHY: It's Leeman Murphy, 24
6 Andrews Drive, Kensington, and I just wanted to
7 reiterate what someone said earlier, if Kensington
8 enjoys the benefits and the business opportunities
9 that are there, it's because of the rural areas, not
10 in spite of, and that has to be understood very
11 clearly.

12 Kensington at 1,600 people couldn't
13 survive with Kensington, and it's not very far to go
14 to Summerside and ignore Kensington if you have to.
15 Anyway, I don't want to do that, but...and the other
16 thing is I guess we talk to the commissioners here,
17 there was 106 properties included, and there was a
18 letter sent out on the 14th or 15th of December to
19 be returned by the 31st of.

20 At that point, it was a very timely
21 questionnaire. The situation was that there were 16
22 people responded to that and they said yes. There
23 were 31 people who said no, and so myself and two or
24 three others, following that, prepared a petition
25 and we have identified the 31 plus coming to 57

1 people who said no, and the...when you look at the
2 number of eligible, which is...you know, there is no
3 survey or no election that is...they actually have
4 the number of eligible voters, but the decision is
5 made on those that vote.

6 So for the yeses, it's 16 out of 73, and
7 that is a 22 percent approval rating, and for the
8 nos, it's 57 over 73, and that's 78 percent who
9 oppose.

10 Does the commission have...take this kind
11 of information into account as to whether the
12 proposed...the proposal as presented, it doesn't
13 reduce that possibility that there can be an altered
14 proposal which would include more in the industrial
15 park kind of thing and leave the rest of us alone,
16 because that's a pretty strong mandate that says no,
17 78 percent of those that voted.

18 MS. MITCHELL: So with respect to your
19 question of whether we take that into account, we
20 absolutely do. We take into account all of the
21 materials that have been provided by the Town in the
22 form of the proposal itself, the presentation, the
23 information that they are providing here this
24 evening, the submissions that we have received
25 during the course of this process, including all of

1 the objections. We have a copy of the petition. We
2 have all of those materials before us, and that all
3 gets put into what we take into account before we
4 make our recommendations to the minister.

5 So I will assure you that that does form
6 part of what we consider in crafting our
7 recommendations.

8 MR. MURPHY: But I guess, you know, I
9 guess here in the presentation here today, and in
10 the document, the whole world revolves around poor
11 Kensington. The whole world doesn't revolve around
12 poor Kensington. Kensington is enjoying the other
13 part of the world, and we...you know, we all
14 participate in...you know, Kensington doesn't have a
15 whole lot of say in the credit union...Malpeque
16 Credit Union, I wouldn't expect.

17 They don't own it. They may be members,
18 but they don't own it, and they live in the Town.
19 The streets that I drive to get to the co-op...or
20 not the co-op, but the co-op as well, but to the
21 credit union, is owned by the Province. Anyway,
22 thank you.

23 MS. MITCHELL: Okay, thank you. Anyone
24 else like to speak?

25 MR. MURPHY: Reg Murphy, 8 Andrews

1 Drive.

2 MS. MITCHELL: Hi there. Go ahead.

3 MR. MURPHY: My wife, Nancy, and I live
4 at 8 Andrews Drive, District of Kensington. My
5 family has lived in and around the Town of
6 Kensington for generations.

7 We have always loved the Town, and over
8 the years have worked, played and volunteered with
9 numerous individuals and organizations within its
10 boundaries.

11 The proposal from the Town of Kensington
12 to expand its borders states that the main objective
13 is to create opportunities for growth and
14 development, and not just to increase its tax base.
15 To be able to add acreage for future subdivisions or
16 a business park, in my opinion, is commendable and
17 will no doubt lead you to reach that goal.

18 I don't know where there is room for new
19 development on Andrews Drive. I don't see how
20 moving the Town border approximately 100 metres to
21 include us in the Town will help to achieve your
22 main objective.

23 As well, my needs are adequately met in
24 our present situation. I have my own well, sewer
25 system. I'm kind of off the road like this other

1 gentleman who spoke. So it's going to take a bundle
2 to get that water into my house, if it ever gets on
3 the street.

4 I purchase fire protection through the
5 Kensington Area Fire District, which is an entity
6 outside the Town of Kensington.

7 Provincial police protection is provided
8 through the RCMP. Streets are maintained by the
9 Province and I have a political voice through our
10 elected MLA.

11 I feel I have a symbiotic relationship
12 with the Town. I do commerce with its businesses.
13 I participate in events and groups that are an
14 integral part of the Kensington area culture, and
15 they are often headquartered in the Town itself.

16 We help each other. That doesn't mean I
17 want to join the municipality. Many of us have
18 signed a petition expressing our wishes to remain
19 separate. To have a choice whether to join the Town
20 or not is one thing, but to be forced to become a
21 resident is another.

22 For the Town, the inclusion of Andrews
23 Drive will conveniently and immediately add to its
24 tax base, but for me, my only change will be higher
25 taxes. Thank you.

1 MS. MITCHELL: Thank you. Would anyone
2 else like to speak? Okay. If I wait long enough,
3 hopefully people will come.

4 MR. MILLIGAN: Nick Milligan. I live at
5 215 Calvin Road. I would be pretty well the last
6 one affected heading out that way.

7 I have a lot of the same comments and
8 concerns about increased taxes as everybody else.
9 So I'm not going to run down the line with those
10 again.

11 I am wondering, one of the major proposals
12 seems to be for land planning, and other than
13 protecting what is inside a well field or maybe
14 keeping heavy industrial out of the area, what other
15 concerns does the Town have with that. What on my
16 property requires that level of oversight and
17 another level of government over the top? Anybody
18 can answer it. It's okay.

19 MS. PARNHAM: Well, as the planner, I'll
20 try to answer that. Land use planning is a service
21 that, as I mentioned earlier, nobody notices until
22 it's not done well, right.

23 So if the properties...it's not
24 necessarily your property that the land use planning
25 is regulating, but adjacent properties. Property

1 owners have the right to develop their land and so
2 if your neighbour, for example, wants to
3 develop...yes.

4 Property ownership changes, right. If
5 your neighbours want to subdivide land and create
6 multiple lots...I don't know how large your lots
7 are, whether they would be...land use planning
8 protects people from what happens on adjacent
9 properties, as well as protects them from
10 themselves.

11 In many ways, in terms of doing things
12 without proper...you know, we currently are adopting
13 building code regulations across the Province right
14 now, but many municipalities have been enforcing
15 building code for quite a few years.

16 Land use planning addresses environmental
17 concerns, but also storm water management. We heard
18 about water issues earlier. I can assure you that
19 the engineered road designs of today, through land
20 use planning, meet a higher standard than they used
21 to.

22 Land use planning addresses the need for
23 green space for public parks in subdivisions. I
24 could go on and on.

25 Currently I work in the field of climate

1 change, and you know, land use planning should
2 address flood risk, erosion control of coastal
3 properties. That's not a concern here in the Town
4 of Kensington, but land use planning addresses such
5 a wide variety of issues.

6 It's not just development control. It's
7 not just setbacks, but it is about creating a
8 community that is for the greater good.

9 Nobody likes regulations for themselves,
10 but they certainly want their neighbours to be
11 regulated because they will be looking to complain
12 to somebody if their neighbours decide...and your
13 neighbour might be great right now. Problems only
14 happen usually when property owners change hands.

15 So land use planning is something that
16 most Islanders go most of their lives without paying
17 much attention to, until they become a developer or
18 until their neighbour does something that is
19 disruptive, and I get that, but from our
20 perspective, from the Town's perspective, it's about
21 bringing everybody collectively together so that you
22 have an opportunity to contribute in the development
23 of the official plan which will outline policies and
24 objectives and plan actions for the Town for the
25 next five years.

1 Those policies and objectives will inform
2 the bylaw regulations. So if you want to continue
3 to live in a large lot residential area where your
4 neighbours can't subdivide and create a village of
5 tiny homes, that will be your opportunity to have
6 your say then.

7 MR. MILLIGAN: Okay. I am blessed with
8 the fact that I was able to take some of those steps
9 whilst choosing my property. My parents recently, I
10 guess prior to me buying our house, they had bought
11 a house and had somebody come and build within 15
12 feet of the property line, and within regulations.
13 It wasn't ideal. They have to put up with it.

14 I controlled that by buying somewhere
15 where I have 300 feet to a property line, and not
16 everybody is in the same situation as me, and I
17 appreciate that side of it. I also made the choice
18 at that point in time to select a property that was
19 unincorporated. It was a selling feature of the
20 house to me. It's something that I looked at. I
21 come from Summerside to here, previously lived up
22 west, previously in Fredericton as well.

23 All of these things were taken into
24 account when I was making my decision on where to
25 live. All of that gets flipped in a switch in a

1 three-week process in December.

2 It seemed like a short time. It also
3 seems like this is our first opportunity to voice
4 much in the way of opinion. It doesn't look the
5 same whenever you're on paper than whenever you have
6 to look me in the eye while I talk.

7 I don't get the warm and fuzzies from this
8 whole process, that the back and forth and the
9 consultation, whenever we talk about bylaws in the
10 future, is going to go much different than this is.
11 There is not anybody that I can see in this room
12 that is in favour of this, and it's up to you, who
13 is ultimately not in the Town of Kensington.

14 So I think everything could have been done
15 a little bit better. We could have had a few more
16 questions answered a little bit earlier on. Maybe
17 it would have helped. It's still a hard sell.
18 There is nobody that wants to pay any more tax.

19 It's difficult to swallow the additional
20 tax whenever the other features that are being
21 proposed don't appeal to me personally. So that's
22 my two cents, but it's kind of where I think in the
23 whole deal.

24 MS. MITCHELL: Thank you.

25 MR. MURPHY: Again, it's Leeman Murphy,

1 24 Andrews Drive. I just wanted to say that the
2 Province has permitting processes in place, and they
3 have boundaries and regulations that they are
4 forced...not forced, but are administered, and the
5 Town of Kensington, in all their wonderful things
6 that are going to happen, aren't the only people
7 that have some capacity to say yea or nay. Thank
8 you.

9 MS. MITCHELL: Thank you.

10 MR. MCGILL: This is a point that came
11 up just based on the comments there about rezoning.
12 Should this incorporation go through, all these new
13 properties, the applications for rezoning from
14 agricultural to residential would now go through the
15 Town. Am I right in thinking that?

16 MS. PARNHAM: Currently, your property
17 has no zoning. It may have a land use if it's
18 currently farm, but it has no zone, and that's why I
19 meant by the Province not having land use zoning.

20 So there is no designated area in the
21 unincorporated areas for commercial, industrial,
22 any...what is assumed is that it's agricultural or
23 that it's single detached residential, and any other
24 types of uses have to go through a change of use
25 application with the Province.

1 So no other uses are as of right, but no
2 other uses are rejected as of right either.
3 When...if this was to go through, you would remain
4 under provincial jurisdiction until the official
5 plan and the bylaw were adopted, in which case then
6 you would have a zone and new regulations and new
7 policies.

8 MR. MCGILL: Okay. I'm more concerned,
9 actually, about the plan of incorporation around my
10 property being rezoned to residential. It is
11 currently agricultural, and I believe there was a
12 zone in the Town which was switched from
13 agricultural to residential without a whole lot of
14 oversight, and it was a bit of a surprise to people
15 to learn that that had been approved.

16 My concern would be that happening around
17 my property some time in the future.

18 MS. MITCHELL: So I think we're talking
19 about a potential subsequent process that
20 would...right, and so it would be what the process
21 that the Town would use in terms of amending its
22 official plan and then whatever the consultation
23 process would be in terms of designating the
24 new...the proposed new annexed properties in that
25 official plan, correct? Is that...yes.

1 So it's...we're almost into a hypothetical
2 on a hypothetical, right, like, and so...but I take
3 your point about...and I think that it would be, you
4 know, beneficial for the Town to hear that as well
5 in terms of what the expectations would be in terms
6 of what further processes would occur in the event
7 that this annexation is approved, fair? Okay.

8 Anyone else? Okay, I think, I think that
9 we are closing in on the end of our evening. I am
10 going to just give the folks from the Town...Mr.
11 Clow, I neglected to ask if you had any questions.
12 I have been doing all the talking. Okay, my
13 apologies.

14 So if there is anything further that the
15 representatives from the Town would wish to state
16 before we wrap things up, I would invite you to do
17 so.

18 MR. BAKER: Thank you very much on
19 behalf of the Town. I would like to thank all the
20 people who did come out tonight and share their
21 thoughts and concerns.

22 It's good to hear the feeling of the
23 people who potentially may become residents of the
24 Town of Kensington. We do give this a lot of
25 thought. We know there is a concern and we know

1 that nobody...it has been mentioned a good many
2 times that nobody likes to pay increased taxes,
3 including myself.

4 I guess we will see how the board received
5 the information that has been presented here
6 tonight. They'll evaluate and we'll move forward
7 whichever direction is required, and on behalf of
8 the Town and council and staff, I would certainly
9 like to thank you all for your feedback, for your
10 comments and we'll still be friendly neighbours even
11 when this is all said and done. Thank you.

12 MS. MITCHELL: Okay, thank you. So just
13 before we wrap up, there are a few things that I
14 would...that I do want to clarify just in terms of
15 where we go from here.

16 So I mentioned at the outset that the
17 proceedings this evening have been recorded. They
18 will be put on our website if you wish to go and
19 review things afterwards, and all of you, and any
20 member of the public who may have been viewing
21 tonight or will view the proceedings has until
22 October 22nd at four o'clock if there is anything
23 further in writing that you wish to share with the
24 commission following tonight's proceedings.

25 Again, you can e-mail those submissions to

1 my colleague, Jonah Clements. The address is
2 proposal@irac.pe.ca.

3 I would say, as well, I noted that several
4 speakers this evening had written submissions with
5 them. If you want to even just drop those with us,
6 we can take them now and save the extra hassle but
7 I'll leave it to you. You can find Jonah and give
8 that to him if that suits you.

9 I stated as well that we are bound to
10 follow the provisions of the Municipal Government
11 Act. So in terms of the process that we go through
12 from here, is we, under the legislation, are
13 required to provide a report to the minister within
14 45 days of today's hearing.

15 We will be taking into account all of the
16 submissions made here orally, anything that we
17 receive in writing and obviously the presentation
18 and the proposal that has been put in by the Town.

19 The minister then accepts that report, and
20 under the Act, the minister then makes a
21 recommendation to cabinet. So though we are the
22 ones that are here before you today, taking the
23 information and making a recommendation to the
24 minister about this proposal, ultimately the
25 minister then takes our recommendation, and the

1 minister can put forward our recommendation, alter
2 our recommendation or reject our recommendation, but
3 ultimately the end of the line decision rests with
4 the provincial cabinet.

5 I just wanted to make that clear in terms
6 of what our role is in the process here this
7 evening.

8 I want to thank you all for coming. I
9 know that it was a beautiful day today and a
10 beautiful evening, and I think it's nice to
11 see...recognizing the motivation for coming here
12 tonight. You know, you expressed that it's not
13 necessarily a nice thing. I think that it's good to
14 see the interest and the commitment to your
15 community and to issues of public importance in the
16 Province. So I want to thank you for coming.

17 As I indicated, if there is anything
18 further than anyone wishes to share with us, we are
19 open to receive written submissions until, like I
20 said, October 22nd at four p.m.

21 So unless there is anything that I have
22 missed...yes? Would you just come to the...again,
23 sorry, it's just because we are recording and want
24 to catch it all.

25 MR. MURPHY: You said that you had 45

1 days to send it to the minister. I don't mean to
2 nail you down, but will it happen in five days, 30
3 days, 35, or will it be closer to the 45 day?

4 MS. MITCHELL: It's hard to say. Like,
5 if we get 100 submissions in the next week, then
6 that may alter our timeline. I mean, we want to get
7 this...you know, we want...we have the sort of hard
8 deadline in the legislation that we will be
9 obviously mindful of and we have to respect that,
10 but my philosophy is always try to get it out the
11 door as quickly as we can.

12 MR. MURPHY: Will it be published in
13 the Journal or the Guardian, pardon me?

14 MS. MITCHELL: Our report...

15 MR. MURPHY: No, I mean, like your
16 report has been sent to the minister, you know what
17 I'm saying, just to give people...

18 MS. MITCHELL: No, we don't.

19 MR. CLEMENTS: The fact that it is sent
20 to the minister is not published.

21 MR. MURPHY: That's not published, so...

22 MS. MITCHELL: Right.

23 MR. MURPHY: So we won't really know.

24 It could be a long time before...

25 MS. MITCHELL: Jonah?

1 MR. MURPHY: I'm just trying to get a
2 timeline of when we would actually know that
3 something was...

4 MR. CLEMENTS: Yes. So a copy of our
5 report is sent to the minister within that timeline.
6 It is also sent to the Town as well, at that time,
7 once it's sent to the minister. What they choose to
8 do with the report is certainly up to them, and I'll
9 not bind them to it, but they get a copy as well.

10 So and eventually within a very short
11 period after that, we do tend to put them on our
12 website as well so the public can see.

13 So it goes to the minister first. The
14 Town gets a copy as well under the Act. They're
15 entitled to a copy, and then we do tend to publish
16 them on our website afterwards.

17 So it will be made available outside of
18 the minister within a short period of time.

19 MR. MURPHY: Okay, thank you.

20 MS. MITCHELL: Okay. I think that
21 brings today's proceedings to a close. So again, I
22 want to thank you all for coming and safe travels
23 home. Thanks all.

