

**TOWN OF SAINT ANDREWS  
W. C. O'NEILL ARENA COMPLEX DINING ROOM  
SPECIAL COUNCIL MEETING  
December 7<sup>th</sup>, 2017 AT 6:30PM**

**MINUTES**

**RECORDING OF ATTENDANCE**

A Special Meeting of the Town of Saint Andrews Council was held at the W. C. O'Neill Arena Complex Visitor Information Centre beginning at 6:30PM with the following members present: Mayor Doug Naish, Councillors Edie Bishop, Dan Boyd, Guy Groulx and Andrew Harrison. Also present were: Angela McLean, Clerk and Gail McLaughlin, Administrative Assistant.

Absent: Deputy Mayor Brad Henderson, Councillor Kurt Gumushel (arrived at 6:35p.m.)

**APPROVAL OF AGENDA**

**Motion:**

It was moved by Councillor Groulx, seconded by Councillor Boyd that the Agenda be approved as presented.

**DISCLOSURE OF CONFLICT OF INTEREST**

None

**PRESENTATIONS**

None

**COMMUNICATIONS**

None

**INTRODUCTION, CONSIDERATION AND PASSING OF BY-LAWS AND MOTIONS**

**PED170602 Related to 130 Prince of Wales Street**

**Motion 1:**

It was moved by Councillor Harrison, seconded by Councillor Groulx and carried to proceed to third and final reading of By-law MP17-02, related to 130 Prince of Wales Street, A By-law to Amend By-law 10-03, being the Municipal Plan By-law for the Town of Saint Andrews.

Mayor Naish read By-law MP17-02, related to 130 Prince of Wales Street in its entirety a third and final time.

**BY-LAW NO. MP17-02  
A BY-LAW TO AMEND BY-LAW NO. 10-03, BEING THE MUNICIPAL PLAN BY-LAW  
FOR THE TOWN OF SAINT ANDREWS.**

**BE IT ENACTED** by the Council of the Town of Saint Andrews as follows:

1. By-Law No. 10-03, the Municipal Plan By-Law for the Town of Saint Andrews, is amended by adding a policy to Section 2.8.2, which reads:
  - (4) Council may permit residential properties to be used for artistic or cultural uses by way of a rezoning of land where a proposal is determined to be compatible with the residential character of the area.
2. By-Law No. 10-03, the Municipal Plan By-Law for the Town of Saint Andrews, is amended by adding the following proposal, which reads:
  - 2.8.3 Any amphitheatre permitted by way of rezoning requires Council to take into consideration site design, parking (including temporary parking for events), noise, traffic, hours of operation and any other matter deemed appropriate.

Read the first time this 6th day of November, 2017.  
Hearing of Objections: November 20, 2017  
Read the second time this 4th day of December, 2017.  
Read the third time this        th day of December, 2017.

\_\_\_\_\_  
Doug Naish, Mayor

\_\_\_\_\_  
Angela McLean, Clerk

I, Angela McLean, of the Town of Saint Andrews, in the County of Charlotte and Province of New Brunswick, Town Clerk, DO SOLEMNLY DECLARE:

1. THAT I am the Town Clerk of the Town of Saint Andrews, a municipal corporation, and have personal knowledge of the facts herein declared.
2. THAT the requirements of Sections 25(1), 66 and 68 of the *Community Planning Act* have been complied with in respect to Bylaw No. 17-02, A Bylaw to amend Bylaw No. 10-03, Being the Municipal Plan Bylaw for the Town of Saint Andrews

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

DECLARED before me at the Town of Saint Andrews, in the County of Charlotte and Province of New Brunswick, this \_\_\_day of December, 2017.

\_\_\_\_\_  
COMMISSIONER OF OATHS

\_\_\_\_\_  
Angela McLean, Clerk

### **Motion 2:**

It was moved by Councillor Harrison, seconded by Councillor Groulx that the Town of Saint Andrews enter into a Development Agreement with Kingsbrae International Residence for the Arts(KIRA) as per Section 39 of the *Community Planning Act of New Brunswick*, and as presented to Council on December 7, 2017 and subject to third reading of By-law Z17-03.

### **Amendment- Motion 2:**

Following discussion, it was moved by Councillor Gumushel, seconded by Councillor Groulx and carried to amend the motion to include an amendment to the December 7, 2017 Development Agreement that removes Section 6 related to the limitation of public street access through Champlain Avenue.

### **Motion 2 as Amended:**

It was moved by Councillor Harrison, seconded by Councillor Groulx and carried that the Town of Saint Andrews enter into a Development Agreement with Kingsbrae International Residence for the Arts(KIRA) as per Section 39 of the *Community Planning Act of New Brunswick*, and as presented Council on December 7, 2017, and amended to remove Section 6 related to the limitation of public street access through Champlain Avenue and subject to third reading of By-law Z17-03.

### **Motion 3:**

It was moved by Councillor Harrison, seconded by Councillor Groulx and carried that Council proceed to third and final reading of By-law Z17-03, related to 130 Prince of Wales Street, A By-law to Amend By-law 10-04, Being the Zoning By-law for the Town of Saint Andrews.

Mayor Naish proceeded to read By-law Z17-03 in its entirety a third and final time.

**BY-LAW NO. Z17-03  
A BY-LAW TO AMEND BY-LAW NO. 10-04, BEING ZONING BY-LAW  
FOR THE TOWN OF SAINT ANDREWS.**

**BE IT ENACTED** by the Council of the Town of Saint Andrews as follows:

1. By adding immediately after Section 4.2.6 the following:
  - 4.2.7 SRC Zone Permitted Uses**  
Any land, *building* or *structure* may be used for the purposes of;
    - (a) One of the following *main uses*:
      - (i) One of the main uses prescribed in 4.2.1(a) above; or
      - (ii) An *Artist's Residence*.
    - (b) One or more of the following *secondary uses*:
      - (i) One of the *secondary uses* prescribed in 4.2.1(b) above; and
      - (ii) In addition to (i), one or more of the following *secondary uses*:
        - (A) *Artist's Residences*,
        - (B) Art galleries, or
        - (C) Art studios.
    - (c) One or more of the following *accessory uses*:
      - (i) One of the *accessory uses* prescribed in 4.2.1(c) above, and
      - (ii) An amphitheatre

**4.2.8 Application of SR Zone to SRC Zone**

Sections 4.2.2, 4.2.5 and 4.2.6 apply with the necessary modifications to the SRC Zone prescribed in 4.2.7. Section 4.2.3 applies with the modification to the maximum height for accessory buildings; in the SRC Zone it is 9.5 m (31 ft).

- 2. Add a definition to the Town of Saint Andrews Zoning Bylaw (10-04) for artist's residence and amphitheatre:  
**"ARTIST'S RESIDENCE"**  
 Means any *main or secondary use prescribed in 4.2.7* serving as temporary accommodations for artists, musicians, writers, or other similar cultural professionals, but does not include an apartment, rental suite, garden suite, hotel, inn, hostel, group home, or bed and breakfast.  
**"AMPHITHEATRE"**  
 Means a cultural performance stage with outdoor seating for an audience and may include accessory facilities, such as restrooms, change rooms, audio visual equipment, and storage.
- 3. Table 2.1: Zone Classifications under Section 2.1 (2) is amended by adding a row below the SR Zone, with the Short Form listed as "SRC Zone," with the Zone Designation listed as "Serviced Residential and Culture", and classified under the Residential Zones Classification.
- 4. Section 2.1(3) is amended by striking out "SR, ER and MR Zones, collectively, are referred to as Residential Zones" and substituting "SR, SRC, ER and MR Zones, collectively, are referred to as Residential Zones"
- 5. By-Law No. 10-04, the Zoning By-Law for the Town of Saint Andrews, is amended by changing the zone as shown on the Zoning Map attached to the said By-Law as Schedule "A" thereof for the lands shown on Schedule "1" attached hereto and forming part hereof from Serviced Residential to Serviced Residential and Cultural.

Read the first time this 6<sup>th</sup> day of November, 2017.  
 Hearing of Objections: November 20, 2017  
 Read the second time this 4<sup>th</sup> day of December, 2017.  
 Read the third time this  day of December, 2017.

\_\_\_\_\_  
 Doug Naish, Mayor

\_\_\_\_\_  
 Angela McLean, Clerk

**NEW BUSINESS**

**QUESTION PERIOD**

None

**COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

**Motion:**

At 6:50 PM, it was moved by Councillor Groulx, seconded by Councillor Boyd and carried that the meeting be adjourned.

  
 \_\_\_\_\_  
 Doug Naish, Mayor

  
 \_\_\_\_\_  
 Angela McLean, Clerk

