



**TOWN OF SAINT ANDREWS
W. C. O'NEILL ARENA COMPLEX DINING ROOM
Regular Council Meeting
August 13, 2018 at 7:00PM**

MINUTES

RECORDING OF ATTENDANCE

A Regular Meeting of the Town of Saint Andrews Council was held at the W. C. O'Neill Arena Complex Dining Room beginning at 7:03 PM with the following members present: Mayor Doug Naish, Deputy Mayor Brad Henderson, Councillors Edie Bishop, Guy Groulx, Kurt Gumushel, and Andrew Harrison. Also present were: Angela McLean, Clerk and Nikki Mott, Administrative Assistant.

APPROVAL OF AGENDA

Motion 183 - 08/18

It was moved by Deputy Mayor Henderson, seconded by Councillor Bishop and carried that the Agenda be approved as presented.

Carried

DISCLOSURE OF CONFLICT OF INTEREST

None

APPROVAL OF THE MINUTES OF PREVIOUS MEETING

Motion 184 - 08/18 Regular Meeting of Council July 9, 2018

It was moved by Councillor Bishop, seconded by Deputy Mayor Henderson and carried that the Minutes of the July 9, 2018 Regular Meeting of Council be adopted as presented.

Carried

Motion 185 - 08/18 Special Meeting of Council July 23, 2018

It was moved by Councillor Bishop, seconded by Deputy Mayor Henderson and carried that the Minutes of the July 23, 2018 Special Meeting of Council be adopted as presented.

Carried

Motion 186 - 08/18 Special Meeting of Council July 30, 2018

It was moved by Deputy Mayor Henderson, seconded by Councillor Bishop and carried that the Minutes of the July 30, 2018 Special Meeting of Council be adopted as presented.

Carried

PRESENTATIONS

None

COMMUNICATIONS

None

STAFF REPORT

Cpl Jayson Hansen presented the Police report to Council on behalf of the RCMP.

Staff wishes to remind residents that the Harry Mallory Sports Field will be closing by mid-August this year to allow for significant field remediation work.

Residents are reminded that any questions regarding the region-wide Recycling Program should be directed to the Regional Service Commission at 1-833-BLUE-CRT.

FINANCIAL REPORT

Motion 187 - 08/18 Acceptance of Staff Reports

It was moved by Councillor Bishop, seconded by Councillor Groulx and carried that Council accept the Staff Reports as presented.

Carried

INTRODUCTION, CONSIDERATION AND PASSING OF BY-LAWS AND MOTIONS

Finance & Administration - Councillor Bishop

Motion 188 - 08/18 FA180701 Grant Request: A Walk to Remember Charlotte Co.

It was moved by Councillor Bishop, seconded by Deputy Mayor Henderson and carried that the Town supports the 2018 Charlotte County Walk to Remember with a donation of \$100.00.

Carried

Motion 189 - 08/18 FA180705 Advisory Committee Membership

It was moved by Councillor Bishop, seconded by Deputy Mayor Henderson and carried that the CAO, on behalf of Council, be instructed to seek nominations to the Wharf Advisory Committee, Cultural Asset Advisory Committee, Recreation Advisory Committee, Environment Advisory Committee, and Community Growth Advisory Committee, with terms of reference as specified in the Policy on Advisory Committees, and with Committee membership to be ratified by Council.

Carried

Motion 190- 08/18 FA180708 Kiwanis Request for Permit Fee Reimbursement – Signage for Van Horne Trail

It was moved by Councillor Bishop, seconded by Deputy Mayor Henderson and carried that the Town reimburse the Kiwanis Club for the \$450 in fees paid for signage permits for the Van Horne Trail.

Carried

Motion 191 - 08/18 FA180801 Request to change date of September Regular Council Meeting

It was moved by Councillor Bishop and seconded by Councillor Groulx that Council sets the date of Wednesday, September 5th for the Regular Meeting of Council in September.

Councillor Groulx explained that he submitted the request to amend the date because he will be away during the week of the Regular Council Meeting. Following discussion on proposed possible dates, the motion was withdrawn.

Withdrawn

Motion 191a - 08/18 Amended Date for September Regular Council Meeting

It was moved by Deputy Mayor Henderson, seconded by Councillor Bishop and carried that Council sets the date of Tuesday, September 4th for the Regular Meeting of Council in September.

Carried

Public Works - Councillor () Formerly Boyd

Mayor Naish asked Councillor Groulx to read the motion under the Public Works portfolio.

Motion 192 - 08/18 PW170404(i) Introduction of Vehicular Movement By-Law #18-01

Part #1 First Reading: By-Law #18-01 to Replace By-Law #94-2
It was moved by Councillor Groulx and seconded by Councillor Bishop that leave be granted to introduce for first reading By-Law #18-01, a By-Law to Replace By-Law #94-2 being A By-Law to Regulate Vehicular Traffic in the Town of Saint Andrews.

Motion 192a - 08/18 PW170404(i) Motion to Table

It was moved by Councillor Groulx, seconded by Deputy Mayor Henderson and carried that the motion be tabled until further consultations can be made.

Tabled

Council decided that due to the tabling of the motion to introduce first reading of By-Law #18-01, the motion to set a date for the Public Hearing of Objections was unnecessary and therefore withdrawn.

Withdrawn

Public Safety - Councillor Groulx**Motion 193 - 08/18 PS161101 Request to Increase Nuisance Deer Harvest Limit for Hunters**

It was moved by Councillor Groulx, seconded by Deputy Mayor Henderson and carried that the Mayor submit a request to Rick Doucet, Minister of Energy and Resource Development, requesting that Nuisance Permit Holders be permitted to harvest more than one deer, and be permitted to transfer the meat.

Carried

Following discussion, the CAO advised Council that the Federal Government is in the first stages of testing birth control as an option and that there is an opportunity for the Town to request to be a "test site". Since this method is in the testing stages, the CAO has suggested that the Mayor include, in his letter to Minister Doucet, a request to have Saint Andrews as one of the test sites. Council unanimously agreed.

Business, Tourism, Heritage and Culture - Deputy Mayor Henderson

None

Recreation and Community Services - Councillor Gumushel**Motion 194 - 08/18 RCS170108a Easement for Trail on Cemetery Property**

It was moved by Councillor Gumushel, seconded by Deputy Mayor Henderson and carried that the CAO be instructed to seek legal advice on entering into a "Grantee of Easement" agreement for the Van Horne Trail on Cemetery Property, and bring a draft agreement back to Council for final approval.

Carried

Motion 195 - 08/18 RCS170108a Van Horne Trail Development & Maintenance Agreement

It was moved by Councillor Gumushel and seconded by Councillor Bishop that the CAO be instructed to develop DRAFT Development and Maintenance Agreement options with the Kiwanis Club for the Van Home Trail for consideration by Council.

During deliberations, a suggestion to table the motion until a Trail and Active Transportation Master Plan was drafted and presented to Council. A formal motion to table the request was not brought to the table so Mayor Naish proceeded to call the vote resulting in 3 to 2 in favour of the original motion. Councillor Harrison and Councillor Groulx were opposed.

Carried

Motion 196 - 08/18 RCS180601 Increase in User Fees – W. C. O’Neill Arena Complex

It was moved by Councillor Gumushel, seconded by Councillor Bishop and carried that Council authorizes Staff to set the following Ice rental rates for the 2018/2019 season:

- Local Minor Hockey, Speed Skating & High School \$106.10/Hr
- Out of Town Minor Hockey \$124.00/Hr
- Regular Ice Rental \$161.96/Hr.

Carried

Motion 197 - 08/18 RCS180602 Proposed Street End Policy – P18-05

It was moved by Councillor Gumushel, seconded by Councillor Bishop and carried that Council adopts the Street End Policy #P18-05 dated August 2018, as presented. (See Appendix A)

Carried

Planning & Economic Development - Councillor Harrison

Motion 198 - 08/18 PED180401b By-Law Amendment Z18-03 - Nanobreweries

Part #1 First Reading: By-Law Z18-03 to Amend By-Law #10-04

It was moved by Councillor Harrison and seconded by Councillor Gumushel that leave be granted to introduce for first reading, Amendment Z#18-03 to By-Law No. 10-04, A By-Law of the Town of Saint Andrews Respecting Zoning.

During deliberations, Councillor Bishop expressed her concerns in the repercussions of approving the By-Law. Her letter outlining her concerns has been recorded as Appendix B1.

Motion 198a - 08/18 PED180401b Motion to Table Zoning By-Law Amendment Z18-03

It was moved by Councillor Bishop and seconded by Councillor Groulx to table Zoning By-Law Amendment Z18-03 regarding Nanobreweries so that the residents of Saint Andrews can submit opinions on the proposed zoning amendment. Mayor Naish called the vote which resulted in a 3 to 2 opposed to table the amendment. Deputy Mayor Henderson and Councillors Harrison and Gumushel were opposed. Motion defeated.

Defeated

Mayor Naish returned to the original motion which resulted in a vote of 4 to 1 in favour with Councillor Bishop opposed. (By-Law Amendment is Appendix B2)

Carried

Councillor Groulx suggested that another Hearing of Objections be circulated to the public. Council unanimously agreed to this request.

Motion 199 - 08/18 PED180401b By-Law Amendment Z18-03 - Nanobreweries**Part #2 Request written views of PRAC**

It was moved by Councillor Harrison, seconded by Councillor Groulx and carried that Council requests the written view of the Planning Review and Adjustment Committee on the proposed by-law amendments in accordance with Sections 110(1)(b) of the *Community Planning Act*. Councillor Bishop was opposed.

Carried

Motion 200 - 08/18 PED180601 Second Reading of Zoning By-Law Amendment Z18-02 – Central Commercial

It was moved by Councillor Harrison, seconded by Councillor Groulx and carried that By-Law Z18-02, a By-Law to amend By-Law No. 10-04 being the Zoning By-Law for the Town of Saint Andrews, be read for a second time. (See Appendix C).

Carried

Following the motion Mayor Naish proceeded to read By-Law Z18-02 – Central Commercial for a second time.

NEW BUSINESS

None

QUESTION PERIOD

- A resident inquired if the Town has received any Nanobrewery requests, which Council stated there has been some interest expressed.
- Vern Lister, President of the Kiwanis Club thanked Council for the reimbursement of the sign permit fees for Van Horne Trail.
- A town resident expressed thanks for the new sidewalks along Route 127, as well as congratulating the Town on the new website which has just been officially launched.
- A resident enquired as to the installation date for a new notice board. Staff responded that there is a six week delivery time. The resident also suggested that the front of the Medical Centre be painted.

COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

Councillor Gumushel: Stressed the importance of an Active Transportation Plan. He also wished to congratulate CHCO TV on all the improvements and upgrades they have done to their broadcast over the summer.

Councillor Groulx: Expressed concerns for when the Wharf is shut down completely for when a Cruise Ship is in. It sends a negative impression to tourists. He also noted that in the last three weeks he has come across at least three new families, which is a wonderful addition to our growing community.

Councillor Bishop: Expressed her condolences for the Fredericton shooting tragedy which happened on Friday, August 10th. Two Fredericton Police Officers and two civilians were killed. She expressed her gratitude toward all first responders for putting their lives on the line for the citizens of their community. Councillor Bishop also reiterated her concerns regarding the Nanobreweries By-Law Amendment.

Deputy Mayor Henderson: Also expressed his condolences for the Fredericton shooting tragedy and listed the names of the victims as: Const. Robb Costello and Const. Sara Burns, as well as civilians Donnie Robichaud and Bobbie Lee Wright.

Staff noted that the flags are at half mass and will remain so until after the funerals.

Councillor Harrison: Expressed that the nuisance deer issue is a top priority.

MAYOR'S COMMENTS

Mayor Naish acknowledged the participants and planners of the 2018 NB Woodcarving Competition, which was held August 10th to 12th for having a moment of silence following the Fredericton tragedy.

Mayor Naish closed by reading a letter he drafted to Mr. W. Dale Dauphinee congratulating him on his recent appointment to the Order of Canada.

ADJOURNMENT

Motion 201 - 08/18

At 8:44 PM, it was moved by Councillor Groulx, seconded by Deputy Mayor Henderson and carried that the meeting be adjourned.

Carried



Doug Naish, Mayor



Angela McLean, Clerk





TOWN OF SAINT ANDREWS

COUNCIL POLICY P18-05

POLICY ON STREET ENDS

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Definitions

The following definitions apply to this policy:

"Street End" means the dead end at the shoreline of a "short" (north/south) street within the Town plat, except at Douglas St. (Saint Andrews Yacht Club), and King St. (Market Wharf).

"Budget" means the Annual Budget as approved by Council.

"Council" means the Mayor and Council.

"Town" means the Town of Saint Andrews.

Background

Saint Andrews Town Council strives to maintain its street ends for public enjoyment.

Policy

Unless otherwise stated in a Town By-Law (including the Zoning By-Law and Municipal Plan By-law), the following provisions shall apply to street-ends within the Town of Saint Andrews:

1- Street ends shall be maintained in a manner which is conducive to public enjoyment of the space.

2- Street ends shall remain clear of visual obstructions, in order to allow for a clear sightline to the sea, where possible.

3- If possible, street ends should be grassed and there shall be no other in-ground plantings or permanent structures placed on street ends.

4- Where possible and where space allows, a bench and trash can shall be placed at each street end.

5- Development shall not be allowed on a street end.

6- Street ends shall not be sold.

7- Where appropriate, and as determined by Staff, signage will be installed to warn street-end visitors of safety concerns (re: tides, sharp rocks, etc.)

APPENDIX A

8- Council shall, during its annual budget deliberations, ensure that consideration is given to street end maintenance, including upgrades to seawalls and rip-wrap rock (such as Armour stone), as required.

Given under the Corporate Seal of the Town of Saint Andrews, this policy becomes effective this 13th day of August 2018.

COPY

Doug Naish
Mayor

COPY

Angela McLean
Chief Administrative Officer

PED180401b-Nanobreweries**APPENDIX B 1**

I wish to have recorded in the records that I vote No for this motion

I move that this matter be tabled until such time as the matter can be presented to the public so that the public can provide input and the public can vote on the matter.

The following are a few of the reasons that I want to present to Council

In this beautiful, quaint, quiet town I question why we would want to open the door to micro or nano breweries.

Yes cities have them but do we want them?

I am thinking of our residents, our families and our children; are we setting a good example to follow?

We currently have quite a number of outlets where liquor can be purchased.

How many outlets do we need?

Also, when looking at the recent RCMP report to Council; issues with liquor seem to be prevalent.

This could result in higher costs to maintain police presence and protection for our Town.

I believe, until Council addresses the major issue of parking concerns; traffic congestion will continue to follow.

Furthermore Council and the public should be reviewing and deciding on together where such businesses should be located; perhaps NOT in the busy DOWNTOWN.

I am asking that these comments and concerns be recorded in the records.

Edith C Bishop, Councillor

August 13, 2018

BY-LAW NO. Z18-03

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 to the list of CC Zone uses subject to Terms and Conditions (Conditional Uses) in Section 5.2.2 (1) the following:

(xvi) a *nanobrewery*;

2. Add a definition to the Town of Saint Andrews Zoning Bylaw (10-04) for a microbrewery:

“NANOBREWERY”

Means the small-scale manufacturing of beer, wine, spirits or other alcoholic beverages. The maximum total floorspace allowed for this use is 3,500 square feet. This use may include the sale of alcoholic beverages to the public for consumption within the premises. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises. This use does not include outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business. This use does not generate odour, sound, dust, waste or delivery traffic in excess of that which is characteristic of the Zone in which it is located.

3. By repealing paragraph (c) in Section 5.2.1 and substituting the following:

(c) A *licensed premises* as a *secondary use* within a *restaurant* or a *nanobrewery*; and

Read the first time this 13th day of August, A.D. 2018.

Read the second time this XXth day of September, A.D. 2018.

Read the third time this XXth day of October, A.D. 2018.

COPY

Doug Naish, Mayor

COPY

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 110 and 111 of the *Community Planning Act* have been complied with in respect to Bylaw No. Z18-03, A Bylaw to amend Bylaw No. 10-04, Being the Zoning 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 XX day of October A.D. 2018.

COPY

COMMISSIONER OF OATHS

COPY

Angela McLean, Clerk

APPENDIX C

BY-LAW NO. Z18-02

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 to section 5.2.1 (a) “or more” after “One”;
2. By repealing section 5.2.1 (b) and substituting it with the following:
 - (b) A residential *use* as a *secondary use*, provided that:
 - (i) the minimum living space requirements set out in Section 4.4.6 are met;
 - (ii) the residential *use* is not located on the first *storey* of a *building* in the Historic Business District;

Read the first time this 9th day of July, A.D. 2018.

Read the second time this 13th day of August, A.D. 2018.

Read the third time this XXth day of September, A.D. 2018.

COPY

Doug Naish, Mayor

COPY

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 110 and 111 of the *Community Planning Act* have been complied with in respect to Bylaw No. Z18-02, A Bylaw to amend Bylaw No. 10-04, Being the Zoning 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 XX day of September 4th A.D. 2018.

COPY

COPY

COMMISSIONER OF OATHS

Angela McLean, Clerk