



**TOWN OF SAINT ANDREWS
SPECIAL MEETING OF COUNCIL
W.C. O'NEILL ARENA DINING ROOM**

Electronic Meeting

Monday, September 21, 2020, at 6:00 PM

MINUTES

RECORD OF ATTENDANCE

A Special Meeting of the Town of Saint Andrews Council was held on Monday, September 21, 2020, at 6:00 p.m. with the following members present Mayor Doug Naish, Councillors Kate Akagi, Guy Groulx, Edie Bishop, Andrew Harrison and Kurt Gumushel. Also, present: Chris Spear, CAO/Treasurer, Paul Nopper Clerk – Senior Administrator, Alexander Gopen, Planner, Southwest New Brunswick Service Commission.

Absent – Deputy Mayor Brad Henderson

APPROVAL OF AGENDA

Motion: 333 - 09/20

It was moved by Councillor Groulx, seconded by Councillor Gumushel, and carried that the Agenda Amended with the addition of the Federation of Canadian Municipalities Report, Glyphosate Spraying in Chamcook Watershed, and 38 Ernest Street Development Fee Return Request.

Motion: 334 - 09/20

It was moved by Councillor Groulx, seconded by Councillor Gumushel, and carried that the Amended Agenda be approved as presented.

Carried 5 - 0

PRESENTATIONS

NONE

DISCLOSURE OF CONFLICT OF INTEREST

NONE

INTRODUCTION, CONSIDERATION, AND PASSING OF BY-LAW AND MOTIONS

PED200501

Council Workshop on the Draft Zoning By-Law Z20-02

Alexander Gopen, Planner, SWNBSC discussed suggested changes to the Zoning By-Law Z20-02 including:

- *Allowing Public Works to have storage.*
- *Short-Term Rental By-Law and regulations.*
- *Highlighting the need for improving the document before to a comfort level of limited change prior to sending to Public Hearing of Objections.*

Councillor Harrison

Section 6.1.3. PIDs and why are they exempt?

- *This is the Huntsman institutional zone for Short-Term Rentals as they have a facility to be rented out.*
- *Issue with properties being cut up and not having appropriate frontages. For these properties, can they be grandfathered or can we do an audit on current mixed-use properties and their issues.*

- Some properties may see issues with setbacks based on size and property style.

Councillor Groulx

- Zoning Map still needs to be addressed with properties on Argyle Court and Chandler Drive not located in the Town Plat or Environs. These need to be added to prevent large height fences.
- We need to be clear on Short-Term Rentals versus Long-Term Rentals and one versus another. Can a Bed and Breakfast be a Short-Term Rental as definition is close?
 - Clear difference between Bed and Breakfast and Airbnb. B&B is a secondary use to main use and provide breakfast. Short-Term similar but not the same.
- Bike parking and institutions, what are the impacts across town?
- Page 68 of the Zoning By-Law Z20-02, the SR Zone standards, there is a challenge on permitted uses. Seem to be applying same uses for triplexes as single-family dwelling.
 - Focus is on the least impactful uses in town. To maintain visual character, uniform standards are needed for the outside. Lot standards and zoning deal with that. Address general concerns and provisions with terms and conditions with converted dwellings.
 - Spear – lots with multiple residential, under the new method of planning and new design methods. Important to do densification with stringent guidelines like MR2.
- Please fix 3.8.1 subparagraph 3.
- Please fix 5.4.1 paragraph A subparagraph 2 MR1 zone should be 4.5 not 4.4.3.
- Need to get resolution on deer fencing in Town.
- Need to review licences for premises and do we go with terms and conditions or another form of guidance to make it easier for businesses.
 - Policy is currently restrictive as this was precedence set with prior Councils. Can be moved to terms and conditions, could be subject to general provisions. This does not have to go through zoning or Public Safety.
 - Public Safety only looks at the Zoning. This would allow lounges to go without food and server until 2:00 a.m.
 - Terms and conditions are an option for each individual business.
 - First time a request like this has approached Council in over 10 years. Staff suggesting protecting residents first.

CAO Spear

- Definitions on grade. Finish grade definition kind of refer to themselves. Can clarity be provided on natural grade versus finished grade?
 - Do work on the earth and then measure where you want to put the building after. This is like how the previous Zoning By-Law has it defined.
 - Is raising the natural ground by a metre natural grade?
 - Anyone in the Climate Change overlay should have least amount of red tape to help them raise their properties based on climate change.
 - Need to ensure height of buildings and roofline considerations.
- 2.7 Rezoning fee of \$1,000. Cost seems prohibitive and restrictive; can we go with \$500?
 - This can be changed but meant to show that work was serious on commencing.
 - Council does have the ability to waive fees.

PED200501c
Motion: - 09/20

Zoning By-Law Z20-02 Second Reading

Move that Council moves to grant leave for Second Reading to the Zoning By-Law Z20-02.

PED200501d
Motion: - 09/20

Obtain Views of PRAC for Zoning By-Law Z20-02

Moves that Council request written view of the Planning Review and Adjustment Committee on the proposed Zoning By-Law Z20-02 in accordance with Section 110 of the Community Planning Act.

PED200501e**Motion: - 09/20****Setting Date of the Public Hearing of Objection to Zoning By-Law Z20-02**

Move that Council sets 6:00 p.m. on Wednesday, October 14th, 2020 at the W.C. O'Neill Arena and electronic meeting for the Public Hearing of Objection for the Zoning By-Law Z20-02 in accordance with Section 111 of the Community Planning Act.

PED200501c,d,e**Motion: 335 - 09/20****Table – Motions PED 200501c,d,e to move the Zoning By-Law Z20-02 to Second Reading, PRAC, and Public Hearing of Objections**

It was moved by Councillor Groulx, seconded by Councillor Harrison and carried that Council tables the motions PED200501 c, d, and e, to move the Zoning By-Law Z20-02 to Second Reading, PRAC, and Public Hearing of Objection.

Carried 5 - 0**FA200901****Motion: 336 - 09/20****Federation of Canadian Municipalities – Application for Municipal Asset Management Program (MAMP)**

It was moved by Councillor Bishop, seconded by Councillor Akagi and carried that be it resolved that Council of the Town of Saint Andrews directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for the Town of Saint Andrews. – Condition Assessments, GIS Mapping Updates and Knowledge Sharing.

Be it therefore resolved that the Town of Saint Andrews commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- 1) Continue Condition Assessments on in-ground infrastructure.*
- 2) Update the GIPS maps in our asset management system.*
- 3) Present the results to the Atlantic Infrastructure Management Network at a meeting in 2021.*

CAO Spear – The Town has an opportunity to get \$50,000 grant and the Town has to set aside \$12,500 for asset management updates.

Carried 5 - 0**PS200902****Motion: 337 - 09/20****Letter to the Province of New Brunswick Opposing Glyphosate Spraying in the Chamcook Watershed**

It was moved by Councillor Groulx, seconded by Councillor Bishop and carried that the Council of the Town of Saint Andrews send a letter to the Province of New Brunswick indicating firm opposition to Glyphosate Spraying in the Chamcook Watershed.

Carried 5 - 0**PED200903****Motion: 338 - 09/20****Reimbursement of Development Fees for 38 Ernest Street, Saint Andrews – Garth and Marisa Browne**

It was moved by Councillor Groulx, seconded by Councillor Bishop and carried that the Town of Saint Andrews will reimburse development fees of \$1,000 to

Garth and Marisa Browne of 38 Ernest Street, Saint Andrews.

Carried 5 - 0

QUESTION PERIOD

1. *Understanding the By-Law process, when can we expect all the Municipal Plan, Secondary Plan, and Zoning By-Law to be completed?*
 - A. *Anticipated that all documents will be passed either in November or at the December Council meeting.*
2. *When can we see a draft of the Short-Term Rental By-Law?*
 - A. *The Clerk has provided a draft copy to Council for review. We will work with Council to get the document to First Reading. It will be presented at the Committee Meeting at the end of September and if Council is ready, they will send it to the October Regular Council Meeting for debate and First Reading.*
3. *Does the By-Law require 3 readings?*
 - A. *Yes, all By-Laws require 3 readings of Council to pass. Council has also directed staff to host public information sessions on all By-Laws that are passed.*
4. *Since the Short-Term Rental By-Law is anticipated, are we going to pass this By-Law at the same time as the Municipal Plan By-Laws? I do not think there is enough time to do this.*
 - A. *We will amend the By-Laws and change the schedule as necessary. We might be able to get to second reading of the Zoning By-Law in October, after a Hearing of Objections. The hope is to have the Short-Term By-Law in line to pass with the other By-Laws.*
5. *In a six-week window or two-month period, is it unethical to pass a By-Law in this short amount of time?*
 - A. *It is not an unethical process as this is the process outlined in the Local Governance Act of the Province of New Brunswick. The process typically takes two months but can take longer. It is not unethical or illegal to pass in two months.*
6. *Is it possible for Council to remove all references to the Short-Term Rentals in all the Municipal Planning documents and save them for next Council to review?*
 - A. *This is something that Council can consider but not in favour of that process. The next Council election may not be until May 2021. This Council has sufficient time to complete all the documents and pass all By-Laws.*
7. *There is a worry that Council has been working on these three big documents, it would be great to get these past and then bring the Short-Term By-Law forward in a few months. We have not seen a draft of the Short-Term Rental By-Law forwarded to Council. Can we get those big documents passed and then move onto the Short-Term Rental By-Law? You may want to leave it for the next Council.*
 - A. *The Short-Term Rental is part of the Municipal Plan and Zoning By-Law. We feel that all the documents and the new By-Law can be passed in time.*
 - B. *One challenge that is faced is that the Zoning By-Law references the Short-Term Rentals can only occur with a permit. The Short-Term Rental By-Law will be in process, so they are connected.*
8. *Are wells allowed in the Town Plat?*
 - A. *No. Lots are not big enough in the Town Plat and water and sewer services are available.*
9. *Can triplexes have two entries to the property?*
 - A. *Was it one entrance or either?*
 - B. *One entrance facing the street. A triplex can have multiple entrances in the back of the dwelling. Council wished to limit the front entrances.*
 - C. *Council did not want to have staircases running all over the building, especially at the front of the property.*
 - D. *Can have multiple entrances, off of a vestibule inside the building but only one main entrance on the front of the building.*
10. *The 10% height rule, is that for the Town Plat or the Historic Business District and is this a new or old rule?*

A. Like Section 9 of the previous Zoning By-Law and was made more restrictive. Now this is highlighted in the Secondary Municipal Plan. Can build up to 10% higher than the rest of the block.

B. Clarification, 10% of the average of the block. This is for both the Town Plat and Historic Business District.

11. Is this height standard for Municipalities'?

A. Each municipality varies in their style of height. The idea with zoning is to have different area with different standards and designs. It is how to fit into a zone, never a blanket zone across a whole municipality with one height.

COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

MAYOR'S COMMENTS

CLOSED SESSION

ADJOURNMENT

Motion: 339 - 09/20

At 7:22 p.m., it was move by Councillor Akagi, seconded Councillor Bishop that the meeting be adjourned.

5-0 Carried



Doug Naish, Mayor



Paul Nopper, Clerk – Senior Administrator

