



**TOWN OF SAINT ANDREWS
SPECIAL COUNCIL MEETING
MINUTES**

**March 15, 2021, 6:00 p.m.
Electronic Meeting**

A. RECORDING OF ATTENDANCE

A Special Meeting of the Town of Saint Andrews Council was held on Monday, March 15, 2021, at 6:00 p.m. with the following members present:

Mayor Doug Naish, Deputy Mayor Brad Henderson, Councillor Kate Akagi, Edie Bishop, Guy Groulx, Andrew Harrison

Late: Councillor Kurt Gumushel 6:03 p.m.

Staff: Chris Spear, CAO/Treasurer, Paul Nopper, Clerk - Senior Administrator, Alexander Gopen, Planner, Southwest New Brunswick Service Commission

B. APPROVAL OF AGENDA

Motion: Motion: 106 - 03/21

Moved by Councillor Groulx

Seconded by Councillor Bishop

That the agenda be amended to move PED200901c to the first time on the agenda for discussion.

6 – 0

Carried

Motion: Motion: 107 - 03/21

Moved by Councillor Bishop

Seconded by Councillor Groulx

That the Amended Agenda be approved as presented.

6 – 0

Carried

C. DISCLOSURE OF CONFLICT OF INTEREST

D. PRESENTATIONS

1. PED210204a Public Presentation on By-Law Amendment to the Municipal Plan MP20-03

Alexander Gopen, Planner of the Southwest New Brunswick Service Commission provided a public presentation on the Municipal Plan amendment for 108 Sophia Street. Mr. Gopen provided the background for the process of the amendment, reason for rezoning, sale of the property, and purpose. For the Municipal Plan, it is a change to the Municipal Plan Future Land Use Map followed by rezoning to the Zoning By-Law.

Dr. McAllister and Dr. Matheson wanted to address Council on the consideration of the property. Both have been in the area for years and have operated vet clinics in the past. With respect to noise, any kenneling will be done in a soundproof room. For parking across the street, it is not included in the sale of the property. Parking provided is sufficient for the use of the facility.

Deputy Mayor Henderson: We are setting a hearing of objections later. Initial reaction, a wonderful addition to our community, and a great repurposing of the building. Thank you for investing in our community.

E. INTRODUCTION, CONSIDERATION AND PASSING OF BY-LAWS AND MOTIONS

1. PED200501f Zoning By-Law Z21-01 Third and Final Reading

Deputy Mayor Henderson: About the Zoning By-Law, an update to 3.29 for mobile vending facilities. It gives reference to a permit in the line item, but we are repealing the permit process. Is this to bring something quicker?

Planner Gopen: The memo and the rescinding happening that is the amendment to the Peddler's Permit By-Law. Because of the change to the Zoning By-Law, we do not have to make the amendments to the Peddler's Permits.

Councillor Groulx: In my opinion, this is not ready for the third and final reading. The former medical centre is residential, short-term rentals, etc. The Zoning By-Law falls short on protecting the public and introduces chickens into town with no regard for noise and excrement. The fact that we have two amendments on the agenda tonight, indicates this By-Law is not ready for third reading. There are even more amendments to come. I think we need to take a pause on this. I have concerns with this and if the By-Law is ready.

Mayor Naish: Mr. Gopen, is there an urgency to passing this By-Law or issues with passing it?

Planner Gopen: If you do not do a third reading of this, you will not be able to proceed with rezoning 108 Sophia. We have discussed the By-Law, had lots of consultation, and lots of opportunities to bring issues forward. You have developments waiting based on the By-Law passing. It is ready to be passed and in the best interests to do so tonight.

Mayor Naish: All By-Laws are subject to amendments. An incoming Council can look at this going forward.

CAO Spear: For the movements coming forward, these were going to be here to the existing or new By-Law. We will still follow the Community Planning Act. These developments are a subject of bad timing, not bad planning.

Deputy Mayor Henderson: I see some of Councillor Groulx's comments, I do not see passing it this meeting or next. I am not 100% sure about everything in the document. I would present a motion to table.

Councillor Harrison: I am not sure what the issue is. Unless going for perfection, if we do we will not pass this. We need to pass this and let the next Council deal with it and fix it in due course.

Councillor Groulx: The medical centre zoned residential, which is not new. It should have been changed before. Kingsbrae Arms zoned residential, should have been picked up. It shows there are some inconsistencies and errors. My difficulty, passing a By-Law and then passing two amendments to the By-Law passing.

Councillor Harrison: Businesses want to move forward, and we are slow on this. We need to move this forward with the concurrent processes. Pass it and move the motions forward.

Councillor Groulx: My process is to do it right, not fast.

Councillor Harrison: Continual discussion on a bit better one way or another, they are never perfect. We are trying to balance wants and needs and issues. Let's deal with the issues on one or another.

Mayor Naish: What happens if we table?

Planner Gopen: Any motions moving forward would be stopped. The PRAC has information on Kingsbrae. I do not see issues. If you table this, you will not have time to pass this in your mandate especially if you have substantial change.

Motion: Motion: 109 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Bishop

That Council grants leave for Third and Final Reading of the Zoning By-Law Z21-01 for the Town of Saint Andrews.

Carried 4 - 2

Deputy Mayor Henderson - Nay

Councillor Groulx – Nay

Carried

2. PED210203abc Amendment Z21-02 to Zoning By-Law No. Z21-01 for Rezoning 108 Sophia Street

Councillor Groulx: I generally support the vet clinic in Saint Andrews. I am concerned that there is an appearance of a conflict of interest as the Town has sold the property in the condition of the rezoning. I want to reassure the public if there are significant objections I will vote again. I suggest amending the motion to add the four terms and conditions specified in the sale of the property. Subject to the following conditions with the motion.

Mayor Naish: Mr. Spear can you please speak to those conditions as they were in the sale of the property?

CAO Spear: The conditions are in the sale of the property. We added the outdoor kenneling not allowed. Adding them into the By-Law may not be appropriate.

Planner Gopen: They are in the condition of the sale agreement. We know conditions added by Council for rezoning are enforceable. It would be the reason to add them now and would be a By-Law enforcement issue with layers of protection. It can be added before the third reading and Councillor Groulx makes a good point on this. Conditions could be added for transparency.

Motion: Motion: 110 - 03/21
Moved by Councillor Groulx
Seconded by Councillor Akagi

That Council amends the First Reading motion to include the following Terms and Conditions:

- 1. All Kennels must be in the main building.*
- 2. Any future use must be similar to or compatible with a veterinary clinic and the surrounding residential neighbourhood in the opinion of the development officer.*
- 3. The appearance of the upper windows and gables must be maintained. If repair of an existing window or gable element is not possible, replacement must be of the same building materials (or adequate facsimile), size, and style of the element being replaced.*
- 4. Vinyl siding must not be used in any repair or restoration. If restoration of the current siding is not possible, materials that mimic the current siding such as engineered wood, concrete fiberboard, or equivalent must be used.*

6 – 0

Carried

Read in full for First Reading by Mayor Naish

Motion: Motion: 111 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Bishop

That Council grant leave for the amended First Reading to By-Law No Z21-02, A By-Law to Amend By-Law No. Z21-01, Being Zoning By-Law for the Town of Saint Andrews with the following terms and conditions:

That Council amends the First Reading motion to include the following Terms and Conditions:

- 1. All Kennels must be in the main building.*
- 2. Any future use must be similar to or compatible with a veterinary clinic and the surrounding residential neighbourhood in the opinion of the development officer.*
- 3. The appearance of the upper windows and gables must be maintained. If repair of an existing window or gable element is not possible, replacement must be of the same building materials (or adequate facsimile), size, and style of the element being replaced.*
- 4. Vinyl siding must not be used in any repair or restoration. If restoration of the current siding is not possible, materials that mimic the current siding such as engineered wood, concrete fiberboard, or equivalent must be used.*

6 – 0

Carried

Motion: Motion: 112 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Bishop

That Council sets the date of Thursday, April 15, 2021 at 6:00 p.m. for a Public Hearing of Objection to Amendment Z21-02 to Zoning By-Law No Z21-01 for rezoning 108 Sophia Street as per Section 111 of the Community Planning Act.

6 – 0

Carried

Motion: Motion: 113 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Akagi

That Council obtain the written views of PRAC for Amendment Z21-02 to Zoning By-Law Z21-01 for rezoning 108 Sophia Street as per Section 110 of the Community Planning Act.

6 – 0

Carried

3. PED210204bcd Amendment MP20-03 to Municipal Plan By-Law MP20-01 for Rezoning 108 Sophia Street

Motion: Motion: 114 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Gumushel

That Council grant leave for First Reading to By-Law No MP20-03, A By-Law to Amend By-Law No. MP20-01, Being Municipal Plan By-Law for the Town of Saint Andrews.

6 – 0

Carried

Read in full for First Reading by Mayor Naish

Motion: Motion: 115 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Bishop

That Council sets the date of Thursday, April 15, 2021 at 6:15 p.m. for a Public Hearing of Objections to Amendment MP20-03 to Municipal Plan By-Law MP20-01 for rezoning 108 Sophia Street as per Section 111 of the Community Planning Act.

6 – 0
Carried

Motion: Motion: 116 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Akagi

That Council obtain the written views of PRAC for Amendment MP20-03 to Municipal Plan By-Law MP20-01 for rezoning 108 Sophia Street as per Section 110 of the Community Planning Act.

6 – 0
Carried

4. PED210201abc Amendment Z21-03 to Zoning By-Law Z21-01 for Rezoning 152 Water Street

Motion: Motion: 117 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Bishop

That Council table the motions for Amendment Z21-03 to By-Law Z21-01 for Rezoning 152 Water Street to differ the decision to next Council.

6 – 0
Carried

Motion: Motion: xxx - 03/21
Moved by Councillor Harrison
Seconded by Councillor Bishop

That Council grant leave for First Reading to By-Law No. Z21-03, A By-Law to Amend By-Law No. Z21-01, Being Zoning By-Law for the Town of Saint Andrews.

Motion: Motion: xxx - 03/21
Moved by _____
Seconded by _____

That Council sets the date of Thursday, April 15, 2021 at 6:30 p.m. for a Public Hearing of Objections to Amendment Z21-03 to Zoning By-Law Z21-01 for rezoning 152 Water Street as per Section 111 of the Community Planning Act.

Motion: Motion: xxx - 03/21
Moved by _____
Seconded by _____

That Council obtain the written views of PRAC for Amendment Z21-03 to Zoning By-Law Z21-01 for rezoning 152 Water Street as per Section 110 of the Community Planning Act.

5. PED200901c By-Law 21-01, A By-Law Respecting Short-Term Rental Properties in the Town of Saint Andrews Second Reading

Councillor Harrison: First question, refers to if you have more than one unit, that you are managing, you are subject to the commercial process.

Councillor Groulx: Delete para 4.1.2

Motion: Motion: 108 - 03/21
Moved by Councillor Harrison
Seconded by Councillor Groulx

That Council grants leave for Second Reading of By-Law 21-01, A By-Law Respecting Short-Term Rental Properties in the Town of Saint Andrews.

6 – 0

Carried

Read by Title for Second Reading by Mayor Naish

6. FA210104 Amendment No. 1 to By-Law 75, Regulating and Licensing Peddlers and Transient Traders

Motion: Motion: 118 - 03/21

Moved by Councillor Bishop

Seconded by Councillor Groulx

That Council moves to rescind First Reading of Amendment No. 1 to By-Law 75 Regulating and Licensing Peddlers and Transient Traders.

6 – 0

Carried

F. NEW BUSINESS

G. QUESTION PERIOD

H. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

I. MAYOR'S COMMENTS

J. CLOSED SESSION

Motion: Motion: 119 - 03/21

Moved by Councillor Gumushel

Seconded by Councillor Bishop

At 8:10 p.m. Council moves into Closed Session per the Local Governance Act, Section 68 (c) information that could cause financial loss or gain to a person or local government or could jeopardize negotiations leading to an agreement or contract.

6 – 0

Carried

Motion: Motion: 120 - 03/21

Moved by Councillor Bishop

Seconded by Councillor Akagi

Council returned to Open Session at 8:39 p.m.

6 – 0

Carried

K. ADJOURNMENT

Motion: Motion: 121 - 03/21

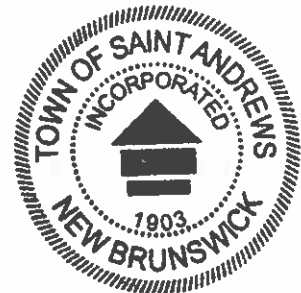
Moved by Councillor Akagi

Seconded by Councillor Groulx

At 8:41 p.m. that the meeting be adjourned.

6 – 0

Carried




Doug Naish, Mayor


Paul Nopper, Clerk