



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

**July 5, 2021, 7:00 p.m.  
Electronic Meeting**

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**A. RECORDING OF ATTENDANCE**

*A Regular Meeting of the Town of Saint Andrews Council was held on July 5, 2021, at 7:15 p.m. with the following members present:*

*Mayor Brad Henderson, Deputy Mayor Kate Akagi, Councillor Marc Blanchard, Lee Heenan, Jamie Hirtle, Steve Neil, Kurt Gumushel.*

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

**B. APPROVAL OF AGENDA**

**Motion: Motion: 241 - 07/21**

**Moved by Mayor Henderson  
Seconded by Councillor Neil**

*That Council amends the Agenda for 210705 to include a discussion on PED210503 Cooke Aquaculture and Kelly Cove Salmon Proposed Fish Hatchery and Chamcook Lake Test Wells.*

**Carried  
6 – 0**

**Motion: Motion: 242 - 07/21**

**Moved by Deputy Mayor Akagi  
Seconded by Councillor Heenan**

*That the Amended Agenda be approved as presented.*

**Carried  
6 – 0**

**C. DISCLOSURE OF CONFLICT OF INTEREST**

1. **Councillor Hirtle - Application for Noise Exemption 49 Mary Street to By-Law 06-04, PS210703**

**D. PRESENTATIONS**

1. **Peter Corbyn, Atlantic Garden Home Presentation on Potential Development in the Town of Saint Andrews Subdivision**

*Proposed a residential development from Atlantic Garden Homes along Diana Drive in the Town's Subdivision to include three-phased development of 15 duplex garden homes to include 30 units of rental.*

2. **Dominique Berlenger, Presentation on Proposed 48 Augustus Street Apartment Development**

*Proposed development of rental units at 48 Augustus Street with a 6 unit apartment complex. Would like to discuss the possibilities of affordable housing development in the community.*

**E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING**

1. **Minutes of the 210607 Special Meeting of Council on June 7, 2021, 6:00 p.m.**

**Motion: Motion: 243 - 07/21**

**Moved by Councillor Hirtle  
Seconded by Councillor Blanchard**

*That the Minutes of the 210607 Special Meeting of Council on June 7, 2021, at 6:00 p.m. be adopted.*

**Carried  
6 – 0**

2. **Minutes of the 210607 Regular Meeting of Council on June 7, 2021, 7:00 p.m.**

**Motion: Motion: 244 - 07/21**

**Moved by Deputy Mayor Akagi  
Seconded by Councillor Neil**

*That the Minutes of the 210607 Regular Council Meeting on June 7, 2021, at 7:00 p.m. be adopted.*

**Carried  
6 – 0**

3. **Minutes of the 210621 Special Meeting of Council on June 21, 2021, 6:00 p.m.**

**Motion: Motion: 245 - 07/21**

**Moved by Councillor Heenan  
Seconded by Councillor Hirtle**

*That the Minutes of the 210621 Special Meeting of Council on June 21, 2021, at 6:00 p.m. be adopted.*

**Carried  
6 – 0**

4. **Minutes of the 210621 Committee of Council Meeting on June 21, 2021, 7:00 p.m.**

**Motion: Motion: 246 - 07/21**

**Moved by Councillor Gumushel  
Seconded by Councillor Blanchard**

*That the Minutes of the 210621 Committee of Council Meeting on June 21, 2021, at 7:00 p.m. be adopted.*

**Carried  
6 – 0**

**F. COMMUNICATIONS**

- G. **STAFF REPORT/FINANCIAL REPORT, PW210701, PED210701, PW210703, PW210704, PS210701, FA210701, FA210703, BTHC210701, PS210702, FA210704, RCS210702, RCS210703, RCS210701**

*Chris Spear, CAO/Treasurer provided an overview report on the current status of the Town of Saint Andrews for the month of June 2021. Council asked about receiving monthly reports from the Royal Canadian Mounted Police and the limited communications that have transpired. The RCMP has moved to a quarterly update and Council will be provided with the next communication once received.*

**Motion: Motion: 247 - 07/21**

**Moved by Councillor Gumushel**  
**Seconded by Councillor Hirtle**

*That Council accepts all the Staff Reports and Financial Reports as presented.*

**Carried**

**6 – 0**

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

**1. Finance & Administration**

**1. St. Andrews Yacht Club Floating Dock Lease Renewal, FA210608**

**Motion: Motion: 248 - 07/21**

**Moved by Deputy Mayor Akagi**  
**Seconded by Councillor Heenan**

*That Council approves the lease agreement for the docking system to the Market Wharf from the St. Andrews Yacht Club for June 2021.*

**Carried**

**6 – 0**

**2. Public Works**

**3. Public Safety**

**4. Business, Tourism, Heritage and Culture**

**5. Recreation and Community Services**

**1. Event Proposal for the Saint Andrews Beef Fest and Burger Week, RCS210606**

*Council requested that the Town and the Beer Fest Committee send out a letter to local residents regarding the upcoming Craft Beer Festival on Saturday, September 25th, 2021.*

**Motion: Motion: 249 - 07/21**

**Moved by Councillor Gumushel**  
**Seconded by Councillor Blanchard**

*That Council approves the use of Centennial Park for Friday, September 24<sup>th</sup> and Saturday, September 25<sup>th</sup>, 2021 for a Craft Beer Festival under the terms and conditions established by the Chief Administrative Officer.*

**Carried**

**6 – 0**

**6. Planning & Economic Development**

**1. By-Law 21-03, Being the Community Planning and Development Service Fees By-Law for the Town of Saint Andrews First Reading, PED210603**

*Read by Mayor Henderson in Full for First Reading*

**Motion: Motion: 250 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Deputy Mayor Akagi**

*That Council grants leave for First Reading of By-Law 21-03, Being the Community Planning and Development Service Fees By-Law for the Town of Saint Andrews.*

**Carried**

**6 – 0**

**Motion: Motion: 251 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Neil**

*That Council sets the date of Monday, July 26, 2021, at 6:00 p.m. via Electronic Meeting for a Public Hearing of Objections on By-Law 21-03, Being the Community Planning and Development Service Fees By-Law for the Town of Saint Andrews.*

**Carried**  
**6 – 0**

**Motion: Motion: 252 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Blanchard**

*That Council requests and obtains the views of PRAC on By-Law 21-03, Being the Community Planning and Development Service Fees By-Law for the Town of Saint Andrews.*

**Carried**  
**6 – 0**

**2. Rules and Procedures for PAC and Council Appointment of Members, PED210602**

*Staff suggested minor word changes to Sections 16, 17, and 37.*

**Motion: Motion: 253 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Hirtle**

*That Council recommends the Rules and Procedures for the Saint Andrews Planning Advisory Committee.*

**Carried**  
**6 – 0**

**Motion: Motion: 254 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Gumushel**

*That Council approves the Council's Member Policy for the Planning Advisory Committee for selection of PAC members by Council.*

**Carried**  
**6 – 0**

**3. 48 Augustus Street Development Opinion of Council, PED210606**

*Staff presented the situation to Council at 48 Augustus Street and the request for variances for reduced frontage and reduced parking measures. Council discussed the process of subdividing the lands and the rezoning process to which when a parent property is subdivided, it carries the zoning with it. Council questioned the requirements for landscaping strips, decorative fencing, and a blocking wall around the property. Council had concerns regarding the balcony lengths and distances to adjacent property lines. Council had some concerns regarding the height of the building, being 3 storeys and not necessarily fitting the landscape of the adjacent properties. Council felt this plan might be better suited on another property in the community and for the developer to circle back to the*

*Town for further discussions. The Planners noted that a two-storey 4 unit apartment would not need the variances and could go for building permits but this model may not be economical for the developer. Council discussed modifications to the motion to provide feedback to Planning Review and Adjustments Committee on 48 Augustus Street.*

**Motion: Motion: xxx - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Gumushel**

*That Council is in support of the 48 Augustus Street Development from Domonique Berlenger with the following terms and conditions that support visual impacts on neighbouring properties, parking spillover, and accessibility:*

- 1. The property shall be screened from the view adjoining properties through a 2m (6.6ft) wide planting strip of landscaped open space or by a wall or decorative wooden fence or chain link fence with filler strips woven into the mesh or some other screening facility of equal screening value; such screening facility to be at least 1.5 m (4.9 ft) and so located as not to conflict with any site triangle requirements.*
- 2. That all other Town By-Laws, Provincial and Federal Acts and Regulations are followed including but not limited to By-Law 18-01, A By-Law to Regulate Vehicular Traffic in the Town of Saint Andrews.*
- 3. That, with the exemption of incorporating aforementioned Condition 1, the project is developed in substantial conformity with the attached site plan.*

**Motion: Motion: 255 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Gumushel**

*That Council amends the motion to not support the development at 48 Augustus Street to PRAC and asks for further time to review.*

**Carried**  
**6 – 0**

**Motion: Motion: 256 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Gumushel**

*That Council is not in support of the proposed 48 Augustus Street development as it is presented until further public input has been gathered and investigated as amended.*

**Carried**  
**6 – 0**

**4. Southwest New Brunswick Service Commission Service Agreement for PAC 2021, PED210405**

**Motion: Motion: 257 - 07/21**

**Moved by Councillor Heenan**  
**Seconded by Councillor Gumushel**

*That Council approves the updated version of the Land Use Planning and Building Inspection Services Agreement with the Southwest New Brunswick Service Commission for July 2021.*

**Carried**

6 – 0

**5. Amendment Z21-03 to By-Law Z21-01 Zoning By-Law First Reading, PED210605**

*Read in full by Mayor Henderson for First Reading.*

**Motion: Motion: 258 - 07/21**

**Moved by Councillor Heenan  
Seconded by Councillor Blanchard**

*That Council grant leave for the first reading of Amendment Z21-03 to By-Law Z21-01, Being Zoning By-Law for the Town of Saint Andrews.*

**Carried**

6 – 0

**Motion: Motion: 259 - 07/21**

**Moved by Councillor Heenan  
Seconded by Deputy Mayor Akagi**

*That Council sets the date of Monday, July 26, 2021, at 6:15 p.m. through Electronic Meeting for a Public Hearing of Objections to Amendment Z21-03 to By-Law Z21-01, Being Zoning By-Law for the Town of Saint Andrews.*

**Carried**

6 – 0

**Motion: Motion: 260 - 07/21**

**Moved by Councillor Heenan  
Seconded by Councillor Hirtle**

*That Council requests and obtains the views of PRAC on Amendment Z21-03 to By-Law Z21-01, Being Zoning By-Law for the Town of Saint Andrews.*

**Carried**

6 – 0

**I. NEW BUSINESS**

**1. By-Law Enforcement Officer Backup for Staff, PS210603**

**Motion: Motion: 261 - 07/21**

**Moved by Councillor Neil  
Seconded by Councillor Heenan**

*That Council approves Chris Spear, CAO/Treasurer as an Acting By-Law Enforcement Officer for the Town of Saint Andrews with the powers and duties prescribed by by-law, the Local Governance Act, and regulations under any other act.*

**Carried**

6 – 0

**Motion: Motion: 262 - 07/21**

**Moved by Councillor Neil  
Seconded by Deputy Mayor Akagi**

*That Council approves Paul Nopper, Clerk – Senior Administrator as an Acting By-Law Enforcement Officer for the Town of Saint Andrews with the*

*powers and duties prescribed by by-law, the Local Governance Act, and regulations under any other act.*

**Carried**  
**6 – 0**

**Motion: Motion: 263 - 07/21**

**Moved by Councillor Neil**  
**Seconded by Councillor Heenan**

*That the Canadian Corp of Commissionaires, N.B & P.E.I Division Inc. be appointed Assistant By-Law Enforcement officers for the Town of Saint Andrews until September 7, 2021.*

**Carried**  
**6 – 0**

**2. Application for Noise Exemption 49 Mary Street to By-Law 06-04, PS210703**

*Councillor Hirtle - Left the meeting discussion due to Conflict of Interest at 9:02 p.m.*

*Council discussed the request for a noise exemption for 49 Mary Street. The discussion included timetables for notification of neighbours, the volume of music to be played and reducing levels to not be heard from the street, and the number of guests attending, and what the parking requirements are for the event.*

*Councillor Hirtle - Returned to the meeting at 9:09 p.m.*

**Motion: Motion: 262 - 07/21**

**Moved by Councillor Neil**  
**Seconded by Councillor Gumushel**

*That Council approves the Noise Exemption Application request, under By-Law 06-04, A By-Law Concerning the Regulating of Noise in the Town of Saint Andrews, by Elizabeth Ryan at 49 Mary Street, for Saturday, August 14<sup>th</sup>, 2021 for up to midnight with the following terms and conditions:*

- 1. Music must be played at a low volume between 9:00 p.m. and 12:00 a.m.*
- 2. No contests or activities that would necessitate cheering or clinking of glasses would occur after 9:00 p.m.*
- 3. That all neighbours, on both sides of the streets, within the block area of 49 Mary Street including Mary Street, Queen Street, Adolphus Street, and Water Street area notified in writing by the applicant of the event date, time, purpose, and the ability to respond to any concerns.*

**Carried**  
**6 – 0**

**3. Cooke's Aquaculture Proposed Fish Hatchery and Test Wells, PED210503**

*Council discussed the test wells for the proposed Fish Hatchery from Cooke's Aquaculture. All questions and comments will be provided to the Department of Environment and Local Governance for further feedback. The discussion highlighted reduced precipitation and how the draw would affect the replenishment of the watershed, discrepancies from the proposed original permit to draw 1500m<sup>3</sup> versus what was presented to Council at approximately 600m<sup>3</sup>, how the Environmental Impact Assessment will provide further details to select questions from Council, and those additional communications would need to occur once the tests of the test wells are*

completed. Council requested that no further work be taken after the test well tests to allow for feedback and consultation.

**Motion: Motion: 265 - 07/21**

**Moved by Deputy Mayor Akagi  
Seconded by Councillor Heenan**

*That Council has no objection to the testing of the test wells for the proposed Fish Hatchery for Cooke's Aquaculture for the Champlain Industrial Park and Council would like to address the moderate and severe concerns after the testing of the test wells has been completed and before any final decisions are made on the process.*

**Carried  
6 – 0**

**J. QUESTION PERIOD**

*1. When will this Council bring up to vote on the historical by-laws for the town again?*

*Mayor Henderson - Council will be coming up with a priority list for the next 4 years will see how this fits within the scope of work.*

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

**L. MAYOR'S COMMENTS**

*Mayor Henderson - I heard Council on the Augustus Street development and we will be sending a letter to PRAC.*

**M. CLOSED SESSION**

**N. ADJOURNMENT, RCS210703**

**Motion: Motion: 266 - 07/21**

**Moved by Councillor Blanchard  
Seconded by Deputy Mayor Akagi**

*At 9:21 p.m. that the meeting be adjourned.*

**Carried  
6 – 0**



Brad Henderson, Mayor



Paul Nopper, Clerk – Senior Administrator

