



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

**March 21, 2022, 6:30 p.m.
Council Chambers at Courthouse, Frederick St., Saint Andrews**

A. RECORDING OF ATTENDANCE

A Regular Meeting of the Town of Saint Andrews Council was held on Monday, March 21, 2022, at 6:30 p.m. with the following members present:

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

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

Absent: Councillor Steve Neil

B. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

C. APPROVAL OF AGENDA

Motion: 136 - 03/22

Moved by Councillor Blanchard

Seconded by Councillor Heenan

That the Agenda be approved as presented.

5 – 0

Carried

D. DISCLOSURE OF CONFLICT OF INTEREST

- 1. Councillor Gumushel - 6 Cemetery Road Fence Encroachment onto Town Easement Discussion, PED220305**

E. PRESENTATIONS

- 1. Matt McKenna, Investment Advisory for Scotia Wealth Presentation on Town Trusts and Reserve Funds.**

Matt McKenna Investment Advisor for Scotia Wealth presented on the Town of Saint Andrews Trusts and Reserve Funds. Mitch McCloud Investment Advisor provided an overview of their team's commitment and experiences to support the Town. Mr. McCloud highlighted the investment management processes and highlighted the safety of capital, risk management, the flexibility of income, and tax advantages. Mr. McKenna highlighted the discipline of the implementation of the investment policy statement that highlights how the fund is managed, managing risk, what it is allowed to do and not, best practices, and reporting structures. We are certifying your accounts quarterly. The rate of returns is managed within the framework based on asset allocations, cash, bonds, and equity. The Town policy also puts limits on investment in each fund to ensure that the fund is protected.

Mr. McCloud provided an overview of the Town of Saint Andrews Investment Policy Statement Report Card. Any investments that are made are reported to the CAO and monthly discussions are had to ensure processes are followed. Mr. McKenna highlighted the overview of the report card for the latest quarter and noted as close of March 15, 2022, the target range is compounding 4.87% after fees. The Town is managing risk with a diversification portfolio.

Council thanked Mr. McKenna and Mr. McCloud for the presentation. Council asked how Economic, Social, and Government investments are being affected by environmental protections. Mr. McKenna noted that they review the investments and noted they are aware of the environmental protection and climate change focuses of the companies invested into. Mr. McKenna also highlighted bond ratings and the determination of equity in the Town range. Investments have to meet a certain grade based on bond ratings and arrange discussions with staff on bonds.

2. Alexander Gopen, Senior Planner, Public Presentation on Amendment MP20-05 to Municipal Plan MP20-01 for Rezoning of 258 Montague Street, PED220303

Planner Gopen provided a presentation on the rezoning of 258 Montague Street. The background was provided nothing this property has asked as a Bed and Breakfast for over 20 years. In 2021, the owners received a temporary use to operate a tea room to serve the general public for a year. This is coming to an end in May of 2022. There were conditions on the permit for parking and hours of operations. Building code has played a role in the limits based on assembly use. Applicants are seeking to rezone to Tourist Commercial Zone. Maps of the property were provided for Council review. The Municipal Plan has been highlighted under sections 2.5.5(5) Economic Policies and 2.8.2(3) Housing Policies. Staff note that the rezoning meets the Municipal Plan goals and needs to add a resolution before the third reading to include hours of operation, parking, and recommendations by the Building Inspector. Conditions can be amended through resolution.

Council asked if the terms and conditions are accurate to how they have been operating. Planner Gopen noted that the building permit had these conditions on it for temporary use. Council asked if there were any complaints over the last year based on the operation. Clerk Nopper noted that there have been no complaints submitted to the Town over the last year. Council questioned the term of reservations and why this is in place. Planner Gopen states that reservations control the number of people allowed in the business based on building code.

F. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

G. COMMUNICATIONS

H. STAFF REPORT/FINANCIAL REPORT

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

1. Finance & Administration - Deputy Mayor Akagi

1. By-Law No. 22-02, A By-Law to Regulate the Code of Conduct of the Council of the Town of Saint Andrews First Reading, FA220307

Read by Mayor Henderson by Title for First Reading.

Motion: 137 - 03/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Hirtle

That Council grants leave for First Reading to By-Law No. 22-02, A By-Law to Regulate the Code of Conduct of the Council of the Town of Saint Andrews.

5 – 0

Carried

2. Public Works - Councillor Blanchard

1. Katy's Cove Water Main Installation Extension Request Council Discussion- PW220305

Council discussed the potential of running a water service line of \$125,000.00 to service washrooms at Katy's Cove. Staff noted that there was a request to use the trail funding or the tourism accommodation levy funding for a project like this. Staff has concerns that the Town could be increasing in privately owned land. Katy's Cove has had difficulties getting charitable status as they do not own Katy's Cove land. Katy's Cove Inc. is asking for Town support to help get the lines run to help with their future plans and build-out. Council asked if Saint Andrews Outdoor Recreation and Trails Inc. has been consulted on this project. CAO Spear, noted that they may not be in support of trail funding being used for this purpose, however, we have not received formal notification. Staff noted that the old lines that are running to Katy's Cove are not sufficient to service the build-outs for the Katy's Cove project. Katy's Cove Inc. has a 20-year lease agreement with renewal with the Algonquin Hotel. Council asked for clarification on the amount being asked. Staff noted that the project total would be \$205,000.00 with \$125,000.00 being spent on in-ground infrastructure. Council asked about the drilling of wells and if there is an asked for potable versus non-potable water. Staff noted that Katy's Cove Inc. only has funding for washrooms at this point and that there are future plans to build a canteen and adjacent services. Council identified that they have not seen the plans presented to them and would recommend a presentation. Council recommended staff meet with SORTI, Katy's Cove Inc., and the Algonquin to discuss options on the development of Katy's Cove and if this Council wants to consider the role of the Town. There is risk and concern about using taxpayers money on private lands and this needs to be a bigger discussion.

2. Active Transportation Fund Application Support Motion, PW220306

Staff provided an overview of the Active Transportation Fund for an application to upgrade Prince of Wales Street with an active transportation link. Three options were provided to Council to expand the roadway to include a paved shoulder only, a paved shoulder with

full upgrades to Prince of Wales Street, and an option for sidewalks, curb, and stormwater. In addition, the fund has options to build a washroom facility and would be recommended to be placed at Indian Point Park. Council discussed the options presented with a focus of protecting the most vulnerable users in the community, being the youth and schools. Council noted that trees would need to be removed and that staff should make available the arborist report on the life expectancy of these trees. There is a potential for up to 20 trees to be removed and these trees should be replaced as part of the grant funding and to make the community aware of what the process would be. Staff noted that as we add more sidewalks we will need to review snow clearing during budget.

Motion: 138 - 03/22

Moved by Councillor Blanchard

Seconded by Councillor Heenan

That Council supports the application to the Active Transportation Fund through the Government of Canada for the development of sidewalks, curbs, and washrooms for \$1.7 million for active transportation on Prince of Wales Street and Indian Point Park.

5 – 0

Carried

3. Public Safety - Councillor Neil

4. Business, Tourism, Heritage and Culture - Councillor Hirtle

1. Anglican Church Parish Request for Support for Repairs to Cemetery Pillars Discussion, BTHC220203

Council discussed the opportunity to support the Anglican Church for the repairs of the cemetery pillars. Council had a concern about supporting this project and how this could create precedence. Council also noted that the Tourism Accommodation Levy Funds might not be the most appropriate to use for this project. Council asked if the request came from the local or national Anglican Church. Staff noted that it was a local request. Staff advised Council that this could be a discussion topic at budget and have a discussion on a heritage grant for grant funding to support small repair projects.

5. Recreation and Community Services - Councillor Gumushel

1. Saint Andrews Outdoor Recreation and Trails Inc. Exercise Course Discussion, RCS220101

CAO Spear highlighted the Saint Andrews Outdoor Recreation and Trails Inc. project for the Outdoor Exercise Park and that additional funds may be needed to ensure full accessibility of the park. Staff provided a design recommendation on accessibility with an additional cost of \$50,000.00. Staff had concerns about the SORTI design and where the placement of the park would be. Staff have seen this area sink and heave based on historical evidence. This would be a highly visible park and should take the time to construct it appropriately. It was also brought forward that SORTI is still going through the granting process with ACOA. Anticipate a 2023 budget discussion. Council supported this concept. In addition, staff noted the difficulties with the indoor fitness centre and the \$25,000.00 in funding from New Horizons for Seniors Grant that was attained for

2022 and needs to be spent by the end of March. Council noted the difficulties of the indoor fitness centre and asked staff to inquire with the funding partners if the funds can be used to support the outdoor centre. If the grant could not be moved, then purchase equipment that can be used by the public. Council did not want to see grant money lost.

6. Planning & Economic Development - Councillor Heenan

1. Amendment MP20-05 to Municipal Plan MP20-01 for Rezoning of 258 Montague Street, PED220303

Read by Mayor Henderson in Full for First Reading.

Motion: 139 - 03/22

Moved by Councillor Heenan

Seconded by Councillor Gumushel

That Council grants leave for First Reading of Amendment MP20-05 to the Town of Saint Andrews Municipal Plan MP20-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to move from Residential Designation to Commercial Designation to the Generalized Future Land Use Map.

5 – 0

Carried

Motion: 140 - 03/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That Council requests the views of the Planning Advisory Committee for the Town of Saint Andrews, as per Section 110 of the Community Planning Act, on Amendment MP20-05 to the Town of Saint Andrews Municipal Plan MP20-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to move from Residential Designation to Commercial Designation to the Generalized Future Land Use Map.

5 – 0

Carried

Motion: 141 - 03/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council sets the date of Tuesday, April 19, 2022, at 6:30 p.m. at the Charlotte County Courthouse for a Public Hearing of objections, as per Section 111 of the Community Planning Act, on Amendment MP20-05 to the Town of Saint Andrews Municipal Plan MP20-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to move from Residential Designation to Commercial Designation to the Generalized Future Land Use Map.

5 – 0

Carried

2. Amendment Z21-09 to Zoning By-Law Z21-01 for Rezoning of 258 Montague Street, PED220304

Read by Mayor Henderson in Full for First Reading.

Motion: 142 - 03/22

Moved by Councillor Heenan

Seconded by Councillor Blanchard

That Council grants leave for First Reading of Amendment Z21-09 to the Town of Saint Andrews Zoning By-Law Z21-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to rezone from Serviced Residential to Tourist Commercial.

5 – 0

Carried

Motion: 143 - 03/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That Council requests views of the Planning Advisory Committee for the Town of Saint Andrew, as per Section 110 of the Community Planning Act, on Amendment Z21-09 to the Town of Saint Andrews Zoning By-Law Z21-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to rezone from Serviced Residential to Tourist Commercial.

5 – 0

Carried

Motion: 144 - 03/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council sets the date of Tuesday, April 19, 2022, at 6:30 p.m. at the Charlotte County Courthouse for a Public Hearing of Objection, as per Section 111 of the Community Planning Act, on Amendment Z21-09 to the Town of Saint Andrews Zoning By-Law Z21-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to rezone from Serviced Residential to Tourist Commercial.

5 – 0

Carried

3. 6 Cemetery Road Fence Encroachment onto Town Easement Discussion, PED220305

Councillor Gumushel left at 8:28 p.m.

Councillor Gumushel returned at 8:33 p.m.

Council was provided two options for the fence, either to get into an agreement with the landowner or have the fence taken down. Council supported an agreement with the landowner but noted the addition of a term to add in maintenance and ensure the fence is maintained.

Motion: 145 - 03/22

Moved by Councillor Heenan

Seconded by Councillor Blanchard

That the Council of the Town of Saint Andrews makes the following recommendation regarding the fence built on the Town right of way at 6 Cemetery Road, Saint Andrews, owned by Renata Sorel:

- 1. The Town of Saint Andrews has no responsibility for damage caused or hold harmless to the fence on the Town right-of-way.*
- 2. That the fence does not expand.*
- 3. That the height of the fence does not change.*
- 4. That the fence is maintained in good condition.*

**4 – 0
Carried**

J. NEW BUSINESS

K. QUESTION PERIOD

L. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

M. MAYOR'S COMMENTS

N. CLOSED SESSION

Motion: 146 - 03/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

At 8:34 p.m. Council move into Closed Session per the Local Governance Act, Section 68(1)(c) information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract and Section 68(1)(d) the proposed or pending acquisition or disposition of land.

**5 – 0
Carried**

Motion: 147 - 03/22

Moved by Councillor Gumushel

Seconded by Councillor Hirtle

At 9:09 p.m. that Council return to Open session.

**5 – 0
Carried**

O. ADJOURNMENT

Motion: 148 - 03/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Blanchard

At 9:09 p.m. that the meeting be adjourned.

**5 – 0
Carried**

Brad Henderson, Mayor

Paul Nopper, Clerk Senior Administrator

