

### **TOWN OF SAINT ANDREWS**

# REGULAR COUNCIL MEETING MINUTES

June 20, 2022, 6:30 p.m. W.C. O'Neill Arena

### A. RECORDING OF ATTENDANCE

A Regular Meeting of the Town of Saint Andrews Council was held on Monday, June 20, 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, Steve Neil.

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

#### B. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

### C. APPROVAL OF AGENDA

Motion: 255 - 06/22

Moved by Councillor Hirtle

Seconded by Councillor Heenan

That the Agenda be approved as presented.

**Amended** 

Motion: 256 - 06/22

Moved by Councillor Hirtle

Seconded by Councillor Heenan

That the Agenda be amended to include a road closure motion for King Street on Thursday, June 30, 2022, for the Farmer's Market.

6 – 0 Carried

Motion: 257 - 06/22

Moved by Councillor Hirtle

Seconded by Councillor Heenan

That the Amended Agenda for the 220620 Regular Council Meeting be adopted.

6 – 0 Carried

# D. DISCLOSURE OF CONFLICT OF INTEREST

# E. PRESENTATIONS

1. Alexander Gopen, Senior Planner, Presentation on Municipal Plan Amendment MP 20-01 to the Municipal Plan MP20-01 for Rezoning and Generalized Future Land Use Map Change for 302 Mowat Drive PID 01325521, Compass Housing Inc. Alexander Gopen, Senior Planner, provided a presentation to Council and the public on the proposed Municipal Plan Amendment MP20-06 for 302 Mowat Drive. The property is 2 acres of vacant land, the former Blue Moon Motel site. Compass Housing Inc., the applicant, is seeking a rezoning from Tourist Commercial to a Multiple Residential 2 Zone which requires a Municipal Plan Amendment to the Generalized Future Land Use Map from Commercial designation to Residential designation. Images and maps of the site were provided for reference. Municipal Plan Sections 2.1.2(2)(8) Environment and Climate Change Policies, 2.5.2(1) Economic Policies, and 2.8.2(1) Housing Policies were referenced. Planner Gopen highlighted that the Town is currently in a housing crisis with a low vacancy rate of 2.5% as of March 2022, with only 2 units available in the community. The proposed development would be for 42 units in an already serviced location. The applicant has a proven track record of development in Charlotte Count and expressed a desire to include larger 2-bedroom units for families and to keep the rents "affordable". A Development Agreement will be coming forward for consideration to cover timelines for development, stormwater management, servicing, landscaping, and securities.

CAO Spear asked what would be considered a healthy vacancy rate for a community of the size of Saint Andrews? Planner Gopen noted that 3 - 5% is a typical rate for larger communities. Blacks Harbour was brought up as an example with an 11% vacancy rate. For flexibility of options in a community, rates between 5 -10% for rural communities are a typical baseline to aim for.

Mayor Henderson thanked Planner Gopen for the presentation. Mayor Henderson spoke about the need for affordable rental units in the community and that this Council's number one strategic priority was to develop more housing options in the community and more specifically to target affordable rentals to help serve the community. It was noted that there is a challenge in the community with students, seniors, and families having limited options to find housing. We are seeing issues with businesses not being able to staff as there are limited housing options. To support affordable housing, Council will be partnering with Compass Housing Inc. on the development of the 42-unit apartment complex to help meet the needs of the community. Mayor Henderson introduced Tressa Bevington from Compass Housing Inc. to make a presentation on the proposed development.

# 2. Compass Housing Inc. Presentation on Housing Development for 302 Mowat Drive PID01325521

Tressa Bevington, from Compass Housing Inc. provided a presentation to Council and the public regarding the proposed 42-unit apartment development at 302 Mowat Drive. Mrs. Bevington highlighted her business's experience in developing housing in Charlotte County including Anchors Landing, the 37-unit apartment complex in Saint Andrews and The Beacon Waterfront, the 50-unit apartment complex in St. Stephen. The proposed 42-unit development would include 36 two-bedroom units and 6 one-bedroom units including:

- Open concept style apartment with separate office space in each unit.
- On-site laundry services.
- Low impact on adjacent neighbourhood properties.
- Energy-efficient units.

A concept design of the exterior of the development was presented to give a visual of the two-storey apartment complex. The anticipated start of the construction for the development is the spring of 2023. The main goal of this development is to keep rental rates as affordable as possible to provide to support the community and local industries.

Mayor Henderson thanked Mrs. Bevington for the presentation and spoke about the Municipal Plan Amendment, Zoning By-Law Amendment, Public Hearing of Objections, and the Development Agreement to come forward.

# 3. Charlie Bartlett, Presentation on Liquor Licence Permit Request for 182 Water Street, Char and Chowder

Mr. Charlie Bartlett, the owner of the Char and Chowder, presented to Council his letter regarding their liquor licence for 2022. Mr. Bartlett highlighted his business model and operation from 2021 under a Special Facility Licence. The model focused on the pickup of food and drink from a designated location for guests to bring them to their own table. In 2021 this was allowed under the Special Facility Licence. For 2022, during construction of phase 2 of their development, installation of a building structure, Public Safety of the Province of New Brunswick reviewed the Special Facility Licence and revoked it as their business did not meet the requirements with a building structure. To continue to meet the business model, a Lounge Licence is necessary. Under the Zoning By-Law, this needs a Zoning By-Law Amendment including \$1,000.00 permit application, three readings of Council, a Public Hearing of Objections, and Obtaining Views of the Planning Advisory Committee. Council would also be permitted to put terms and conditions on any Lounge Licence issued that would be enforced by Public Safety. Mr. Bartlett thanked Council for the opportunity to present and asked for Council to support a change to the Zoning By-Law to help support the business community. Mr. Bartlett highlighted their goal is to be open until 11:00 p.m. and are happy to work with the Town on terms and conditions. Mr. Bartlett noted that they do not wish to be a serving late into the night as other establishments already provide this service.

Mayor Henderson requested that the agenda item to discuss the Licenced Premises be moved forward as the proponents were in-person and can answer questions. Council provided consensus to the move on the agenda.

Motion: 258 - 06/22 Moved by Councillor Neil

Seconded by Councillor Blanchard

That Council moves the Discussion on Amendment Z22-03 to Zoning By-Law Z22-01 Regarding Text Amendment to Section 3.33 for Licenced Premises, PED220613 to the start of the agenda.

6 – 0 Carried

- 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. Discussion on Amendment Z22-03 to Zoning By-Law Z22-01 Regarding Text Amendment to Section 3.33 for Licenced Premises, PED220613

CAO Spear noted that if Council wished to move forward with the proposed motions in the report that this will still need three readings of Council, Public Hearing of Objections, and Obtain Views of the Planning Advisory Committee.

Mayor Henderson Read Amendment Z22-03 for First Reading in full.

Motion: 259 - 06/22

Moved by Councillor Heenan

Seconded by Councillor Gumushel

That Council grants leave for First Reading to the Text Amendment Z22-03 to the Town of Saint Andrews Zoning By-Law Z22-01 for Section 3.33 (2) Licenced Premises.

6 – 0 Carried

Motion: 260 - 06/22

Moved by Councillor Heenan

Seconded by Councillor Gumushel

That Council requests the views of the Planning Advisory Committee of the Town of Saint Andrews, as per Section 110 of the Community Planning Act, to the Text Amendment Z22-03 to the Town of Saint Andrews Zoning By-Law Z22-01 for Section 3.33 (2) Licenced Premises.

6 – 0 Carried

Motion: 261 - 06/22

Moved by Councillor Heenan Seconded by Councillor Neil

That Council sets the date of Monday, July 4, 2022, at 6:45 p.m. at the W.C. O'Neill Arena Council Chambers for a Public Hearing of Objections, as per Section 111 of the Community Planning Act, to the Text Amendment Z22-03 to the Town of Saint Andrews Zoning By-Law Z22-01 for Section 3.33 (2) Licenced Premises.

6 - 0 Carried

# 2. Finance & Administration - Deputy Mayor Akagi

# Unbudgeted Repairs to Katy's Cove Gates, FA220614

Council asked staff where the \$13,000.00 + HST would be sourced from. CAO Spear identified that it would come from the General Operating Reserve Fund and would be brought forward when consolidating the budget process in October. Mayor Henderson noted that the funds could be drawn from the Tourism Accommodation Levy. CAO Spear noted to Council that Municipalities have to have a balanced budget and to a deficit at the end of the year and that the Town has health reserve funds to protect against a deficit. Council indicated that the gates are necessary to be repaired for the recreational asset of Katy's Cove to be used by residents, visitors, Katy's Cove Inc., and the Saint Andrews Paddling

Club specifically for their Regatta at the end of August. It was noted that the Club is growing and had its first youth team this year.

Motion: 262 - 06/22

Moved by Deputy Mayor Akagi Seconded by Councillor Heenan

That Council approves an unbudgeted expenditure of \$13,000.00 plus HST for the repairs and installation of the flap valve gate at Katy's Cove.

6 - 0 Carried

# 2. Paving Parking Lot at Point Park at Prince of Wales and Water Street, FA220615

Council noted that asphalt becomes a heat sync and asked if trees could be planted around the parking area. CAO Spar indicated that planting of trees might be an issue to adjacent neighbours as this area has a clear oven view of the bay and that the tree cover might not be appreciated, however, shrubs could be looked at. Staff was considering the accessibility portion of the asphalting versus the view. The project would be a low-cost initiative at this point as there is a crew working on Prince of Wales Street completing street repairs. Council asked if other projects were considered, including other streets, to spend the saved funds for work that could be done now. CAO Spear indicated that the cost of the parking is a fraction of the cost of one block of street repairs and upgrades. The parking lot does not have any infrastructure underneath and can be easily paved. It is an opportune time to complete this project. In addition, as funds were borrowed for the project, not spending all of them this year will allow the Town more leverage next year for borrowing. Council asked staff if there was a way to delineate the parking area from the trail to not have cars drive on the trailhead access. CAO Spear said that staff can look into fencing or other options to ensure the trailhead is protected.

Motion: 263 - 06/22

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

That Council approves the paving of the parking lot near the Van Horne Trail at the Point Park at the corner of Prince of Wales and Water Street for a price of \$12,000.00 + HST.

6 – 0 Carried

### 3. Outdoor Fitness Park Budgetary Discussion, FA220616

Council asked for clarity on the development of the outdoor exercise park and why the Town is taking over the project that was presented by the Saint Andrews Outdoor Recreation and Trails Inc. CAO Spear informed Council that the Town and SORTI have partnered to purchase 8 pieces of equipment. SORTI has invested \$25,000.00 and the Town received a \$25,000.00 New Horizon for Seniors Grant that was originally earmarked for the indoor fitness centre but Council approved spending of the funds, with approval through New Horizons, to purchase the outdoor equipment. At this time, no tax

dollars from the Town have been spent on the project. SORTI is still working with the Atlantic Canada Opportunities Agency on funding through their application for the outdoor exercise park. Staff are seeking to add \$65,000.00 into the 2023 budget to ensure the project is completed. Council noted that with Local Governance Reform, there may be less control over the development of budgets. Council asked if funds for paving the parking lot would be reduced as per the motion of paving the lot for 2022 with Capital Funding. CAO Spear noted that the funds would be used for the seal coat and could see a small reduction in cost; base coat this year, seal coat in 2023. Council asked if Capital Funds can be carried over to the 2023 budget. CAO Spear noted this is more complicated as it involves borrowed funds. By not using all the funds from this year, our borrowing options are stronger in 2023 and could borrow less.

Motion: 264 - 06/22

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

That Council recommends staff budget \$65,000.00 to build the Outdoor Fitness Park at the Point Park for the 2023 budget.

6 – 0 Carried

4. Waive of Fees Request from the Family Resource Centre of Charlotte County Inc., FA220617

Council inquired as to the timeline of the request for additional times for use of the W.C. O'Neill Arena. Staff noted that the request for time is for the fall, winter, and spring of 2022/2023. Staff wanted to bring this to the attention of the Council now as the Family Resource Centre is working on its plans and programs for the start of fall.

Motion: 265 - 06/22

Moved by Deputy Mayor Akagi Seconded by Councillor Hirtle

That Council grants the Chief Administrative Officer the rights to negotiate an agreement with the Family Resource Centre of Charlotte County Inc. to use space at the W.C. O'Neill Arena Complex with terms and conditions beyond the Waive of Fees Policy P-21-01.

6 – 0 Carried

- 3. Public Works Councillor Blanchard
- 4. Public Safety Councillor Neil
  - Updating Schedule of Fines for By-Law 18-01, A By-Law to Regulate Vehicular Traffic in the Town of Saint Andrews, PS220607

Motion: 266 - 06/22

Moved by Councillor Neil

Seconded by Councillor Heenan

That Council amends Schedule "J" Administrative Penalty Schedule of Fines under By-Law 18-01, A By-Law to Regulate Vehicular Traffic in the Town of Saint Andrews with a new range of fines between \$30.00 - \$125.00 with the inclusion of two new regulations:

- 1. Parking beyond the 30-minute parking limit in designated parking spaces.
- 2. Parking in the designated emergency parking space.

6 – 0 Carried

# 2. Appointment of By-Law Enforcement Officer for the Town of Saint Andrews, PS220608

Motion: 267 - 06/22

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

That Council motions to table the appointment of Shelley Dunn, By-Law Enforcement Officer until after a Closed Session discussion under Section 68(1)(J) labour and employment matters, including the negotiation of collective agreements.

6 – 0 Tabled

Motion: 283 - 06/22
Moved by Councillor Neil
Seconded by Councillor Hirtle

That Council appoints Shelley Dunn, By-Law Enforcement Officer for the Town of Saint Andrews as per the Local Governance Act Section 72

6 – 0 Carried

# 5. Business, Tourism, Heritage and Culture - Councillor Hirtle

1. Tourism Information Signs, BTHC220605

Staff presented three concepts of new tourism information signs for Council consideration. The current tourism signs are out of date and in need repair. Prior Council asked staff to come up with some concept designs and present them for input. Funding for this project could come from the Tourism Accommodation Levy Fund. Staff was seeking Council input. Council selected option 1 of 3 from the sign designs presented. Council asked that staff consult with ExploreSt.Andrews, Chamber of Commerce, and the Business Improvement Area on the design concepts. Council acknowledged the work of Asset/Operations Manager Terry Acton on the design work for the signs.

# 6. Recreation and Community Services - Councillor Gumushel

1. By-Law No. 22-03 A By-Law to Regulate Non-Vehicular Transportation in the Town of Saint Andrews Second and Third Reading, RCS220404

Council discussed the Public Hearing of Objections information and further debated the By-Law. Council came to a consensus to remove sections 2.3 and 2.4 from the By-Law as there were redundancies in it. Staff was instructed to bring the revised By-Law forward for Second and Third and Final Reading for June 20, 2022, Regular Council Meeting. Council made amendments to the Definition Sections 1.2 Bicycle Electric, 1.12 Skate Park, 1.13 Street, and 1.14 Trail. Councillor Heenan noted that this By-Law has taken a lot of

staff time to develop and that we are not further ahead in the process. Deputy Mayor Akagi noted that there was concern among the senior population regarding the safety concerns of citizens in the four-block radius of the downtown. Councillor Hirtle noted that the hope is that residents and visitors would respect the processes of the downtown and be aware of the areas they are in and be cognizant of their surroundings. The hope is to build trust on safety and responsibility.

Mayor Henderson Read the Amended By-Law by Title Second Reading.

Mayor Henderson Read the By-Law by Title for Third and Final Reading.

Motion: 268 - 06/22

Moved by Councillor Gumushel Seconded by Councillor Neil

That Council grants leave for Second Reading of By-Law No. 22-03, A By-Law to Regulate Non-Vehicular Transportation in the Town of Saint Andrews.

**Amended** 

Motion: 269 - 06/22

Moved by Councillor Gumushel Seconded by Councillor Neil

That under Definitions removed from the By-Law Sections 1.12 Skate Park, 1.13 Street, and 1.14 Trails be removed from the By-Law.

6 – 0 Carried

Motion: 270 - 06/22 Moved by Councillor Neil

Seconded by Councillor Gumushel

Remove the Definition 1.2 E-bikes section that stipulates "and typically travel at speeds up to 45 km/hour".

6 – 0 Carried

Motion: 271 - 06/22

Moved by Councillor Blanchard Seconded by Councillor Gumushel

That Council grants leave for Second Reading to Amended By-Law No. 22-03, A By-Law to Regulate Non-Vehicular Transportation in the Town of Saint Andrews.

4 – 2 Nay Deputy Mayor Akagi, Councillor Heenan Carried

Motion: 272 - 06/22

Moved by Councillor Blanchard Seconded by Councillor Gumushel

That Council grants leave for Third and Final Reading of By-Law No. 22-03, A By-Law to Regulate Non-Vehicular Transportation in the Town of Saint Andrews.

4 - 2 Nay Deputy Mayor Akagi, Councillor Heenan Carried

# 2. Dog Park Concepts Update for Council, RCS220610

Staff presented Council with two options based on the Dog Park Committee's request for the size of the park and being close to amenities. Council was provided a location in the Harry Mallory Sports Field area and at the end of the Queen Street extension close to the Point. Council discussed both options with conversation around proximity or residents to the Point option and remoteness of the Sports Field option. Council noted that there should be a public open house or forum for feedback before a final decision is made on location. Council noted that this would fall under the Tourism Accommodation Levy Funding as tourism infrastructure for the whole community. Council asked if a cleared piece of land was necessary or could there be a wooded dog park concept, as this might reduce costs for the Sports Field option. Staff indicated the most walkable option is the Point and favourable to this as it is along the existing trail, in the Town Plat area, and close to the campground. The Sports Field would see more users drive their pets to the location and the Town is looking at avenues for reducing Greenhouse Gas Emissions. Council was in favour of the Point option and to speak to the Dog Park Committee on both options to get their opinions.

# 7. Planning & Economic Development - Councillor Heenan

# 1. Amendment MP20-06 to the Town of Saint Andrews Municipal Plan MP20-01 for 302 Mowat Drive First Reading, PED220611

Mayor Henderson Read the Amendment for First Reading in Full.

Motion: 273 - 06/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council grants leave for First Reading to the Municipal Plan Amendment MP20-06 to the Town of Saint Andrews Municipal Plan MP20-01 for Compass Housing Inc, at PID 01325521, 302 Mowat Drive, to move from Commercial designation to Residential designation on the Generalized Future Land Use Map.

6 – 0 Carried

Motion: 274 - 06/22

Moved by Councillor Heenan

Seconded by Councillor Blanchard

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 Municipal Plan Amendment MP20-06 to the Town of Saint Andrews Municipal Plan MP20-01 for Compass Housing Inc, PID 01325521, 302 Mowat Drive, to move from Commercial designation to Residential designation on the Generalized Future Land Use Map.

6 – 0 Carried Motion: 275 - 06/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council sets the date of Monday, July 4, 2022, at 6:30 p.m. at the W.C. O'Neill Arena Council Chambers for a Public Hearing of Objection, as per Section 111 of the Community Planning Act, on Municipal Plan Amendment MP20-06 to the Town of Saint Andrews Municipal Plan MP20-01 for Compass Housing Inc, PID 01325521, 302 Mowat Drive, to move from Commercial designation to Residential designation on the Generalized Future Land Use Map.

6 – 0

Carried

# 2. Amendment Z22-02 to the Town of Saint Andrews Zoning By-Law Z22-01 for 302 Mowat Drive First Reading, PED220612

Mayor Henderson Read the Amendment for First Reading in Full.

Motion: 276 - 06/22

Moved by Councillor Heenan Seconded by Councillor Neil

That Council grants leave for First Reading to the Zoning By-Law Amendment Z22-02 to the Town of Saint Andrews Zoning By-Law Z22-01, for Compass Housing Inc, at PID 01325521, 302 Mowat Drive, to move from Tourist Commercial Zone to Multiple Residential 2 Zone.

6 - 0

Carried

Motion: 277 - 06/22

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 Zoning By-Law Amendment Z22-02 to the Town of Saint Andrews Zoning By-Law Z22-01, for Compass Housing Inc, at PID 01325521, 302 Mowat Drive, to move from Tourist Commercial Zone to Multiple Residential 2 Zone.

6 – 0 Carried

Motion: 278 - 06/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council sets the date of Monday, July 4, 2022, at 6:30 p.m. at the W.C. O'Neill Arena Council Chambers for a Public Hearing of Objection, as per Section 111 of the Community Planning Act, on Zoning By-Law Amendment Z22-02 to the Town of Saint Andrews Zoning By-Law Z22-01, for Compass Housing Inc, at PID 01325521, 302 Mowat Drive, to move from Tourist Commercial Zone to Multiple Residential 2 Zone.

6 - 0

Carried

#### J. NEW BUSINESS

# 1. Review of Registers

Motion: 279 - 06/22

Moved by Councillor Hirtle

Seconded by Councillor Blanchard

That Council Tables the discussion on the Town of Saint Andrews Council Registers.

6 - 0

Carried

# 2. King Street Road Closure Request for Farmer's Market June 30, 2022, BTHC220606

Council asked if all of the Farmers' Market had to move or could they work around the bleachers? CAO Spear noted that the Market would have to move entirely to King Street as staff will be preparing for Canada Day events. Note that the Farmers' Market will be on King Street for 2 days, Thursday, June 30, 2022, and Friday, July 1, 2022.

Motion: 280 - 06/22

Moved by Councillor Hirtle

Seconded by Deputy Mayor Akagi

That Council approves the road closure of King Street from Water Street to Queen Street from 7:30 a.m. – 2:00 p.m. on Thursday, June 30, 2022, for the Saint Andrews Farmer's Market.

6 – 0 Carried

# K. QUESTION PERIOD

### L. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

Deputy Mayor Akagi - Tomorrow is Indigenous Day celebrated across Canada. Thank you to staff for getting a grant to work with the Passamaquoddy on the celebration of our culture. Please come down from 9:00 a.m. - 1:00 p.m. and learn about the rich culture and heritage of our First Nations at Centennial Park. We look forward to seeing you at the event.

Deputy Mayor Akagi - I was privileged to attend the New Brunswick Community College graduation. I represented the Town and our First Nations at the event. It was nice to be back in-person and to see all the students graduate.

Deputy Mayor Akagi - I also spoke with Sir James Dunn Academy students at Kingsbrae Garden for an opportunity to speak on residential schools, First Nations culture, and the importance of knowledge.

### M. MAYOR'S COMMENTS

#### N. CLOSED SESSION

Motion: 281 - 06/22

Moved by Councillor Heenan

Seconded by Councillor Gumushel

At 8:24 p.m. that Council move into Closed Session as per the Local Governance Act, Section 68(1)(J) Labour and employment matters, including the negotiation of collective agreements.

6 – 0

Carried

AND RUNS

Motion: 282 - 06/22

Moved by Deputy Mayor Akagi Seconded by Councillor Heenan

At 8:52 p.m. that Council returns to Open Session.

Carried

#### Ο. **ADJOURNMENT**

Motion: 284 - 06/22

Moved by Deputy Mayor Akagi Seconded by Councillor Blanchard

At 8:54 p.m. that the meeting be adjourned.

6 - 0Carried

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Brad Henderson, Mayor

Paul Nopper, Clerk

Administrator \*