



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

**July 18, 2022, 6:30 p.m.  
W.C. O'Neill Arena**

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**A. RECORDING OF ATTENDANCE**

*A Regular Meeting of the Town of Saint Andrews Council was held on Monday, July 18, 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.*

*Chris Spear, CAO/Treasurer, Alexander Gopen, Senior Planner, Southwest New Brunswick Service Commission.*

*Absent: Councillor Steve Neil, Paul Nopper, Clerk - Senior Administrator*

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

**C. APPROVAL OF AGENDA**

**Motion: 311 - 07/22**

**Moved by Councillor Hirtle**

**Seconded by Councillor Heenan**

*That the Agenda be approved as presented.*

**5 – 0**

**Carried**

**D. DISCLOSURE OF CONFLICT OF INTEREST**

**E. PRESENTATIONS**

**1. Caroline Davies, Presentation from the Saint Andrews Paddling Club Regarding the Dragon Boat Regatta August 27, 2022**

*Caroline Davies, representative of the Saint Andrews Paddling Club made a presentation to Council to request support and municipal team participation in the August 27, 2022, Dragon Boat Festival at Katy's Cove. Mrs. Davies provided an overview of the event including logistics for parking, shuttles, and amenities. They requested from the Town to borrow 24 metal barricades, 1 to 2 wooden road closure barricades, bleachers to be placed near the beach finish line, and additional picnic tables for spectators and teams. A site map was provided for Council review. In addition, they asked the Town to put in a Municipal team to be a participant similar to the 2021 event.*

*Council thanked Mrs. Davies for her presentation and asked staff to work with Mrs. Davies and the Saint Andrews Paddling Club to support the Dragon Boat Festival. Council noted that they are eager to put in a team for the 2022 event.*

**2. Alexander Gopen, Senior Planner, Amendment MP20-02-01 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 for PIDs 01320035 and 15054893 256 and 260 Water Street for Bridle Path International Inc. Development**

*Alexander Gopen, Senior Planner, provided a Public Presentation for MP20-02-01 to the Town of Saint Andrews Secondary Municipal Plan for the proposed development at 256 and 260 Water Street. There are 3 vacant lots and the former site of HMS Transportation at the corner of Princess Royal and Water Street. Proposed to have a 36-unit, 12.2 m high Mixed-Use development. This is in the Historic Business District, with height controlled by the Secondary Municipal Plan. As this is a Municipal Plan Amendment, this cannot be varied but would obtain views of the Planning Advisory Committee. Concept drawings were provided to the Council of the proposed development. Municipal Plan Policies highlighted include Section 2.1.2(2)(8) Environment and Climate Change, 2.5.2(1) Economic Policies, and 2.5.2(6) Economic Policies. Noted as a good lot for Mixed-Use development with new commercial and residential uses. There are no buildings on this block that are 12.2 m but nearby buildings as tall or taller. The majority of the building is 9.8 m with the tallest point set back from the main building. The bulk of massing is on the three storeys and the podium on the fourth storey. A lidar map showed the heights of buildings in a two-block radius noting 14.7 m, 12.5 m, 11.5 m, and 10 m buildings. For Council, is the height acceptable? Properties would have to be exempted from the Secondary Municipal Plan. Can be subject to a Development Scheme By-Law as a Development Agreement is voluntary. The Development Scheme By-Law is the same process as a rezoning with timelines, stormwater management, servicing, landscaping, and securities. The first step in the process is to see if Council is willing to exempt the development from the height requirements.*

*Council asked to have Mr. Rocca present to Council first and ask questions to both the Planners and the Developer at the same time.*

**3. John Rocca, Presentation on Bridle Path International Inc. Proposed 30-Unit Apartment Development for PIDs 01320035 and 15054893 at 256 and 260 Water Street**

*John Rocca, presented to Council on the Bridle Path International Inc.'s concept for a 36-unit Mixed-Use development at 256 and 260 Water Street. Have an option to purchase the property and guiding principle behind the development, a mixed-use, to address the Town's future needs and respect the history of the Town. We want to respect the commercial nature of Water Street. We want to respect the present and past landscape. In terms of materials, at this stage, thought of using brick, based on the adjacent building made of brick. We are open to using material that is more traditional based on Water Street. This is a preference at this time. Other consideration, that the residential nature of Princess Royal Street should be preserved. There should be units right on the street to walk in and out of. Helps to create vibrancy on the street. Mixed-Use is based on the idea, central core of any community, vibrancy depends on people living in those areas. Water Street and Saint Andrews have ensured a balance of this in the core. Vibrancy has paid off to live, work, and play in the community. The fourth anchor to the project is that the housing in this building will have to first meet the needs of those in Saint Andrews and then meet the demand from those from outside the Town. Want the project to be self-sufficient with*

parking. Very few communities have parking and we do not want to be a burden to the existing parking in Town. Many of the people in this project would want to park on-site. Underground parking is an important component to this to satisfy the needs. Inside the building, we are trying to meet the demand for small and medium-sized units. Think there is a demand from businesses in the area that require staff to work long hours and want a place for employees that is safe and close by. Would like to provide affordable units on the first level. The second and third floors are one bedroom plus den or two bedrooms. We would like to target young professionals pre-family and empty nesters. Looking to meet that demand. People downsizing are looking for two-bedroom units. The fourth floor, is a matter of choice, for those that can afford more and want a place that is larger in size with higher-end finishes. We are trying to balance the interests and we have to make compromises, hence the fourth floor to make it viable. Higher costs for the building are up and interest rates are up. Viability is being questioned. The additional height is helping to cover the parking on site and self-supporting the building. We have tried to make the fourth floor not visible to ensure continuity of the streetscape. Recessing it helps to make the building look like a three storey from the road. We know the By-Law is a fair policy to have given the character of Saint Andrews. With the development in the downtown, there has to be some options to allow the community to move forward that respects the integrity of the plan and allows for growth to occur. We hope we have done it in a respectful way and happy to take any suggestions on building materials or others to satisfy the needs of Saint Andrews.

Council thanked Mr. Rocca for the presentation and commend their awareness of the rules, regulations, and commercial viability of the downtown. You have addressed the brick and thank you for being flexible in the design. Height is the main purpose of discussion for Council, but if deviating from the Municipal Plan, the look is a factor in this. A lot of people looking at why the fourth floor, and from your presentation, it is for viability. With rates going up, what is the ballpark for the rentals for floors one through three?

Mr. Rocca noted rentals for the first floor at \$1500.00 with the second and third floors \$1500 - \$2000. The fourth floor would be \$3000. Interest rates are a single component that has to be considered. Rents can go up and down based on interest rates and are critical for the projects. If they continue to go up, the project may be on hold until they come down.

Council asked if there would be railings on the fourth floor for the setbacks. Mr. Rocca noted that every unit will have its own terrace and glassed fencing to reduce the visual impacts and should not be seen from the street view.

Council asked if the units would have a heat pump associated and appliances. Mr. Rocca noted that air conditioning, ventilation, heating, and appliances would be included. Council asked if the heat pumps would be visible on the balcony. Mr. Rocca noted that they would be interior and hidden from view.

Council asked what the height of the previous building development would be. Mr. Gopen stated that the variances allowed for the previous development were 14.4 m.

*Council opened questions to the public for information and questions from the public in attendance noting that there would still be a Public Hearing of Objections for the proposed Amendment.*

*A public question was asked if the visual of the units would be changed on the exterior of the building with the heat pumps. Mr. Rocca noted that the exterior visual would not be impeded by the heat pumps as they would be interior in the living room and run through the HVAC system throughout the building. The model is a trane system and the mechanism is positioned underneath, like a hotel, a window and protrudes out as the box. Public question about the smaller units and the accommodation at \$1500.00, if there is another way to do a dormitory-style housing, can this be looked at for more than one person in a unit. Mr. Rocca noted the smaller units are designed for single persons. The second and third floors can accommodate more. At 500 - 600 sq.ft. space is more for young professionals. Space is not the most important for them, but they rent it. Rent will not be fully established until interest rates are looked at. The Public noted there that rent ceilings are difficult at higher costs. Public question, the developer should be applauded for the design but will send in suggestions for how the development could fit more in the community. Public question, on the development, agree with the potential for the development and aesthetic changes, but on the commercial use and entry, can more of the space on Water Street be designed more for commercial use. Mr. Rocca noted the struggle on the entrance of Water Street or Princess Royal St. If a tenant in the building wants to go to downtown, it is natural to come down Water Street. It is more convenient for guests as well. It makes it difficult to design units if entry is on Princess Royal Street. I believe you should be on Water Street and the building should say both a commercial and residential development. Public question, one, the overall traffic impact and worth considering the overall traffic flow and we get a lot of off flow from Water Street. In terms of the volume of the building and streetscape, can consider for the facade look of Princess Royal be viewed?*

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

**G. COMMUNICATIONS**

*A letter was submitted by Karl and Patricia Deering regarding the proposed outdoor fitness park at the Point Park. The owners at 400 Prince of Wales Street are opposed to the development of this park in this location. Strongly opposed to the proposed development and willing to help find another location.*

*Mayor Henderson asked Council if they are interested in looking at this decision again. There was no intention of the Council to review the option again. Mayor Henderson noted that the communication has been received.*

*CAO Spear noted that the equipment is not scheduled to arrive until the fall at this point.*

**H. STAFF REPORT/FINANCIAL REPORT**

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

**1. Finance & Administration - Deputy Mayor Akagi**

**1. Request for Review of Outstanding Utility Bills for 302 and 310 Mowat Drive, FA220714**

CAO Spear provided a summary of information on the proposed reduction. In 2010 the buildings were destroyed. Under the By-Laws, there is a minimum fee applied to the business for water and sewer services. This has been charged since 2010. There are two services to the property. It is recommended we reduce the cost to one service fee versus two. Council asked if services have been used since this time. CAO Spear noted that no services have been used since 2010. Council asked if there has been any correspondence asking for leniency from the owner over the last 12 years. CAO Spear noted minimal correspondence only in the last year.

**Motion: 312 - 07/22**

**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Hirtle

*That Council moves to reduce the remaining balance of the Utility Accounts related to 302 and 310 Mowat Drive to \$6,500.00.*

**5 – 0**

**Carried**

**2. Public Works - Councillor Blanchard**

**1. 5-Year Municipal Designated Highway Improvements Plan, PW220707**

*Council asked if this is up for reconsideration if they are not dealing with funds until 2024. CAO Spear noted that there are two pots of funds and that the initial work is starting to deteriorate. The notice went out to all municipalities for reconsideration.*

**Motion: 313 - 07/22**

**Moved by** Councillor Blanchard

**Seconded by** Councillor Heenan

*That Council approves and submits the 5-Year Municipal Designated Highway Improvements Plan on behalf of the Town of Saint Andrews to the Department of Transportation and Infrastructure with the Province of New Brunswick as part of the review and consideration processes for the 2022 to 2024 programs for improvements to provincially designated highways.*

**5 – 0**

**Carried**

**3. Public Safety - Councillor Neil**

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

**5. Recreation and Community Services - Councillor Gumushel**

**6. Planning & Economic Development - Councillor Heenan**

**1. Amendment MP20-02-01 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 for PIDs 01320035 and 15054893 256 and 260 Water Street for Bridle Path International Inc. First Reading, PED220710**

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

*CAO Spear noted that the Public Hearing of Objections should be moved to the Dining Room.*

**Motion: 314 - 07/22****Moved by** Councillor Heenan**Seconded by** Deputy Mayor Akagi

*That Council grants leave for First Reading to Amendment MP20-02-01 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 for exemption under HBD Section 2.1.2.6(a), (b), and (c) for Bridle Path International Inc. PIDs 01320035 and 15054893 at 256 and 260 Water Street.*

**5 – 0****Carried****Motion: 315 - 07/22****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, to Amendment MP20-02-01 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 for exemption under HBD Section 2.1.2.6(a), (b), and (c) for Bridle Path International Inc. PIDs 01320035 and 15054893 at 256 and 260 Water Street.*

**5 – 0****Carried****Motion: 316 - 07/22****Moved by** Councillor Heenan**Seconded by** Councillor Blanchard

*That Council sets the date of Monday, August 15, 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, to Amendment MP20-02-01 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 for exemption under HBD Section 2.1.2.6(a), (b), and (c) for Bridle Path International Inc. PIDs 01320035 and 15054893 at 256 and 260 Water Street.*

**Amended****Motion: 317 - 07/22****Moved by** Deputy Mayor Akagi**Seconded by** Councillor Hirtle

*Amend moving the Public Hearing of Objections to the Dining Room for the W.C. O'Neill Arena Complex.*

**5 – 0****Carried****Motion: 318 - 07/22****Moved by** Councillor Heenan**Seconded by** Councillor Blanchard

*That Council sets the date of Monday, August 15, 2022, at 6:30 p.m. at the W.C. O'Neill Arena Dining Room for a Public Hearing of Objection, as per Section 111 of the Community Planning Act, to Amendment MP20-02-01 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 for exemption under HBD Section 2.1.2.6(a), (b), and (c) for Bridle Path International Inc. PIDs 01320035 and 15054893 at 256 and 260 Water Street.*

**5 – 0****Carried**

**2. By-Law No. 22-04 Being the Building By-Law for the Town of Saint Andrews First Reading, PED220713**

*Council asked about repair and maintenance and if this is impacted by the scope of the By-Law. Mr. Gopen noted repairs and maintenance, not under building code but where structural changes fit. All subjected items under the building code are still there but minor repairs can still be completed.*

*Read by Mayor Henderson by Title for First Reading.*

**Motion: 319 - 07/22**

**Moved by Councillor Heenan**

**Seconded by Councillor Blanchard**

*That Council grants leave for First Reading to By-Law No. 22-04, Being the Building By-Law for the Town of Saint Andrews.*

**5 – 0**

**Carried**

**3. Economic Development Grant Agreement Compass Housing Inc., PED220714**

*Council noted that staff provided a report noting that the development payback is 10.2 years and would be recouped over this time.*

**Motion: 320 - 07/22**

**Moved by Councillor Heenan**

**Seconded by Councillor Hirtle**

*That Council signs into the Economic Development Grant Agreement with Compass Housing Inc. under the Local Governance Act Sections 104(2)(c) and 104(7)(c) for an amount of \$500,000.00 to support the development of a 42-Unit Affordable Housing Complex.*

**5 – 0**

**Carried**

**J. NEW BUSINESS**

**K. QUESTION PERIOD**

*Questions from Karl Deering - Do we discuss the letter sent to the Council regarding the placement of the Outdoor Exercise Park? Council - There have been several presentations in the past. We have heard from Council on the objection but still proceeding with the project and staying the course. We have a lot of reasons for objecting. Council - We only have the letter of objection with no reason. We will follow through with our lawyer. Council - That is well within your rights to do so and please reach out to Town Hall.*

*Questions from Tim Henderson - Would like to commend Council on the efforts for affordable housing in Town. It is a bold move for Council to create a \$500,000.00 grant. Under the Local Governance Act, you can do so. I am not sure Section 104 covers how you get the money and how did you determine that Compass Housing Inc. was selected? Council - Council has been working with multiple developers on trying to develop affordable housing in the community. This developer was forthright in providing affordable rental rates based on the investment to be made. The payback time is 10.25 years. The Town is in a housing crisis, and Council took a leadership position. In 10 years, the investment will be returned to the Town and will have supported a strong strategic initiative. No one is arguing with that. There*

is a need and a process. My question is are there anything in the Grant Policy or Procurement Policy that allows you to pick someone without a tender process or public process to spend \$500,000.00 of taxpayer's money? CAO Spear - The Town did tender lands on Champlain Avenue to developers. Over the course of the past year, we have been accepting multiple inquiries from different developers for support. This project does not fall under the Procurement Act, it is an investment opportunity, and the decision of the Council to pursue this project as it made the most sense for Saint Andrews. I know that other communities are proactive and have created policies around that. No one has ever given \$500,000.00 and this is bold. My big question is, you are giving this funding, writing off utility bills, for a property that this developer has before you for rezoning? You have not started the rezoning process for that property, and I am assuming this money is for this property? Council - Yes, this funding is to go towards the developer for this property. So, Council has already decided on the rezoning of this property without public input. CAO Spear - That is incorrect. There are processes in place, and it is not pre-decided. There are mechanisms in place that if the processes for rezoning do not succeed, the money is returned. Council is committed to making it feasible for development if the rezoning is approved. I noticed that the presentation for Mr. Rocca's project was done tonight, thought it was a good job and explained the project. I know it is being sent to the Planning Advisory Committee for review and will they be working on the operating rules for polling? Council - PAC can decide their procedures. They have to follow the legal procedures under the Community Planning Act. We send for their approval. CAO Spear - Membership and the Policy of the PAC are approved by Council. So they have the right to send it back to Council for more information? Planner Gopen - PAC has 30 days from the time Council issues the Obtaining Views of PAC to respond to Council or it is deemed as supporting the views. I notice the motions do not leave much time for the PAC to make a judgment. Other PACs in other municipalities want to have the PAC opinion and polling completed to neighbours on buffers, drainage, traffic, etc. The 310 Mowat, overlay with a pen mark to draw a square on the page is not acceptable. I think PAC needs to send it back to Council. Planner Gopen - There is no legal option for PAC to do so under the Community Planning Act. They have 30 days to respond to Council. You did not leave them any time.

Questions from Karl Deering - We would like to revisit greenspace again. I thought that there would be a process and to discuss it. We learned the other day that the greenspace in front of our house would be developed for this project. Typically, in the past, Council would communicate with the adjacent landowners. Council - This is still greenspace and for the enjoyment of the public. There have been multiple presentations, drawings, and questions answered. This was in front of the previous Council and has been active for over a year. Again, we understand you are opposed, and you can get legal advice. We are not changing the property as greenspace. Were other properties in town considered for this? Council - Yes and this was the preferred location selected. Were there any objections to the location and was it moved to this location? Council - This was the number one recommended location by the Saint Andrews Outdoor Recreation and Trails Inc. What about the adjacent landowners, do we not get an opportunity to provide our opinions? You are writing me off. Council - Council as a whole made the decision and this is a suitable location. There is no opportunity for debate as the decision is made. We do not like it for a whole lot of reasons. Our only option now is to go legal. I find it inappropriate for the Town to make a decision without feedback from adjacent landowners. There were a lot of other options brought forward and discussed with the neighbourhood. This time there was no conversation. Council - There has been plenty of conversations with presentations and consultations. It was discussed in a public forum and decided in a public forum. So, no way to circle



*back on the process? Council - Council would have to have unanimous consent to bring it back. CAO Spear - Your letter just stated you are opposed with no reason as to why. Council - You can write and request to present to Council. Council can put it on the Agenda if you wish to make a presentation and write to Town. You can seek legal action if you desire. We would like that opportunity to share with the Council why we think other locations would be more appropriate, same as the dog park. We think this greenspace is ideal for some things and not others. Council can consider this park somewhere else. I would like to help find other locations.*

*Question from James Geneau - For the property at 302 Mowat Drive, I submitted a question on the design and final look. I was not aware this would be using \$500,000.00 for the funding. I applaud any effort to bring a diversity of housing to the community. I wonder with the Town supplying funds, will the Town have more of a say on the look to match the community? Visuals at this time seem modern and suburban. Would like to see this add to the aesthetic of the community. Council - The plan that is submitted and presented is what we have at this time. CAO Spear - Before the third reading a Development Agreement would come in place which can help with design if successful. Council - There is more to come and what has been seen is for view at this point. Please have this looked at similar design options like Tim Hortons on their design to ensure the architectural development fits within the Town.*

- L. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS
- M. MAYOR'S COMMENTS
- N. CLOSED SESSION

**Motion: 321 - 07/22**

**Moved by** Councillor Heenan

**Seconded by** Deputy Mayor Akagi

*At 8:03 p.m. that Council moves into Closed Session as 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.*

**5 – 0**

**Carried**

**Motion: 322 - 07/22**

**Moved by** Councillor Hirtle

**Seconded by** Councillor Heenan

*At 8:26 p.m. that Council return to Open Session.*

**5 – 0**

**Carried**

- O. ADJOURNMENT

**Motion: 323 - 07/22**

**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Hirtle

*At 8:27 p.m. that the meeting be adjourned.*

**5 – 0**

**Carried**



Brad Henderson, Mayor

Paul Nopper, Clerk – Senior Administrator