



## TOWN OF SAINT ANDREWS

### REGULAR COUNCIL MEETING

#### MINUTES

May 6, 2024, 7:00 p.m.

W.C. O'Neill Arena Complex Council Chambers

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#### A. RECORDING OF ATTENDANCE

*A Regular Meeting of the Town of Saint Andrews Council was held on Monday, May 6, 2024, at 7:00 p.m. with the following members present:*

*Mayor Brad Henderson, Deputy Mayor Kate Akagi, Councillors Mark Bennett, Marc Blanchard, Annette Harland, Jamie Hirtle, Steve Neil, and Darrell Weare.*

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

*Electronic Attendance - Paul Nopper, Clerk - Senior Administrator.*

*Absent - Councillor Kurt Gumushel*

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

#### C. APPROVAL OF AGENDA

**Motion: 135 - 05/24**

**Moved by** Councillor Bennett

**Seconded by** Councillor Blanchard

*That the Agenda for the 240506 Regular Council Meeting on Monday, May 6, 2024, at 6:30 p.m. be approved as presented.*

**8 – 0**

**Carried**

#### D. DISCLOSURE OF CONFLICT OF INTEREST

#### E. PRESENTATIONS

- 1. Mr. Alexander Gopen, Senior Planner, Presentation on Amendment MP20-09 to the Municipal Plan MP20-01 and Z22-08 to the Zoning By-Law Z22-01, Charlie Bartlett PID 15156425**

*Alexander Gopen, Senior Planner, presented to Council on the Next Tide Market Municipal Plan and Zoning Amendments. PID 15156425 is on a 0.53 acre lot in a Serviced Residential Zone with a one and a half storey, 1000 sq. ft. barn. The proposal is to develop a retail fishmonger in the existing barn. This is an allowed use in the Central Commercial Zone. Site plans and pictures were provided to Council. Christopher Gowan is the property owner leasing the land to Charlie Bartlett. Statement of Public Interest 5 was presented. Municipal Plan Policies 2.5.2(1), 2.5.2(6) and 2.5.2(7) Economic Policies were presented. Municipal Plan Policy 2.7.2(2) Infrastructure was also presented. It was noted that fish is sold in multiple locations in Saint Andrews but there is no dedicated fishmonger. There is no concern about negative impacts on the business outside the Historic Business District. It*

was noted as a positive for the business location as it ties in with other commercial businesses in the area, is a gateway to the community, and will not have additional truck and transport traffic downtown. The Historic Business District is busy and limited storefronts are available. Noted terms and conditions are to ensure outdoor garbage is sealable and in odour-proof containers, to have high-quality landscaping and pedestrian pathway plans, and to develop a public washroom.

Council thanked Planner Gopen for the presentation.

**2. Mr. Alex Henderson, Director of Planning, Presentation on Amendments MP20-02-03 to the Secondary Municipal Plan MP20-02 and Z22-09 to the Zoning By-Law Z22-01 for PIDs 15164718 and 01324284, for 742039 N.B. Ltd.**

Alex Henderson, Director of Planning, presented a Secondary Municipal Plan Amendment and a rezoning under the Zoning By-Law for the Algonquin Hotel. The Secondary Municipal Plan Amendment is for a portion of the resort campus and the rezoning is to move from a Tourist Commercial Zone to an Integrated Development Zone to allow for special developments. One development will be located in the vacant yard southeast of Fort Tipperary. They are looking to develop a two-storey spa with a walkway attached to the Algonquin Hotel and one from Prince of Wales Street. This would be open to Algonquin guests and the general public. Pictures and site plans were provided for review. It was noted that they are looking to build the spa out of a wooden clapboard that represents the Algonquin previous to the modern stucco treatment.

The Algonquin is proposing to rebuild the O'Brien House Residents with a new 18,000 sr. ft. three-storey townhouse-style building with 20 homes for staff. Pictures were provided to Council on the concept. The current building is not in good condition and the owners are looking to replace it to house staff. 10 townhouses with 2 - 3 bedrooms and 10 apartments on the ground floor facing south are proposed. The design uses some of the character-defining elements from the original O'Brien House.

The Tourism Commercial Zone does not permit employee housing or the use of land for a spa. It is necessary to rezone the property to the Integrated Development Zone as Council can apply special rules to each development before the Third and Final Reading. The Secondary Municipal requires new building heights identical to the main residential building or structure on that block, or the average of residential buildings on the same block, or a 10% tolerance of the main residential use. The height and building footprints on both sides are well outside side the massing and scale. There is a missing category in the Secondary Municipal Plan and recommended to add the proposed change to Section 3.3 that a building not be greater than the total building height or footprint of any pre-existing main building that is located within a 15-metre horizontal radius and on another lot.

Council thanked Planner Henderson for the presentation. Council noted that both these projects have merit and would benefit the community regarding the housing shortage, investment in employees, and further development of a year-round destination. Council noted the possibility of one concern regarding the design of the spa and fitting into the look and feel of the community. Council noted that they would like the Heritage Board to review the plans and provide feedback on the designs of both buildings. Council asked if there are large changes to the design of the buildings, if would this

restart the By-Law process. Planner Henderson noted you can establish terms and conditions on the design through a development agreement or resolution. If there are major changes, another Public Hearing of Objections would need to be set, however, this would not restart the By-Law process. Council asked about sign regulations for the spa and what processes would need to be followed. Planner Henderson indicated that signage would fall under the commercial section and would still need to meet the Zoning By-Law. Council asked for clarification on the O'Brien House development and specific changes. Planner Henderson noted that the terms and conditions for any proposed changes would have to be specific. Council asked if anyone could apply for the Integrated Development Zone. Planner Henderson noted yes, but the Planners review the Zoning options and recommend the best zone based on the development being proposed.

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

1. **Minutes of the 240402 Regular Meeting of Council on Tuesday, April 2, 2024, 6:30 p.m.**

**Motion: 136 - 05/24**

**Moved by** Councillor Heenan

**Seconded by** Councillor Hirtle

*That the Minutes of the 240402 Regular Council Meeting on Tuesday, April 2, 2024, at 6:30 p.m. be adopted.*

**8 – 0**

**Carried**

2. **Minutes of the 240415 Regular Meeting of Council on Monday, April 15, 2024, 6:30 p.m.**

**Motion: 137 - 05/24**

**Moved by** Councillor Neil

**Seconded by** Councillor Hirtle

*That the Minutes for the 240415 Regular Council Meeting on Monday, April 15, 2024, at 6:30 p.m. be adopted.*

**8 – 0**

**Carried**

**G. COMMUNICATIONS**

- H. STAFF REPORT/FINANCIAL REPORT, PWPS240502, PWPS240501, FA240517, PWPS240504, PWPS240503, RE240501, PWPS240505, PAC240504, FA240518, RE240502**

CAO Spear noted that the Finances are showing a higher-than-expected surplus with the salt budget and staffing. Council asked about garbage collection and the corners from residents in Chamcook about bears and bins. It was noted by the Department of Natural Resources and Energy Development that residents keep their garbage indoors to prevent animals from getting into them. Council asked about resisting the collection schedule of 3 weeks of garbage and 1 week of recycling. CAO Spear indicated that a garbage tender would be going out in the fall and included in the budget for 2025. Council can review options for additional collection but staff have provided options for select areas and bins being affected by bears. Council noted that the bear problem is becoming more consistent and will need to look at options on controls. Council noted that staff and members of Council should meet to discuss alternative options for garbage collection for bins and see if there is a solution.

**Motion: 138 - 05/24**

**Moved by** Councillor Heenan

**Seconded by** Councillor Blanchard

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

**8 – 0**

**Carried**

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

**1. Planning & Community Development Committee - Councillor Harland and Heenan**

**1. Amendment MP20-09 to the Municipal Plan MP20-01 and Z22-08 to the Zoning By-Law Z22-01, Charlie Bartlett PID 15156425, Obtain Views of the PAC and Call for Public Hearing of Objections PCD240402**

**Motion: 139 - 05/24**

**Moved by** Councillor Harland

**Seconded by** Councillor Bennett

*That the Council of the Town of Saint Andrews sets the date of Monday, June 3, 2024, at 6:30 p.m. for a Public Hearing of Objections to Amendment MP20-09 to the Town of Saint Andrews Municipal Plan MP20-01 and for Amendment Z22-08 to the Zoning By-Law Z22-01 for PID15156425 for 232 Bayview Drive, Charlie Bartlett as per the Community Planning Act Section 111.*

**8 – 0**

**Carried**

**Motion: 140 - 05/24**

**Moved by** Councillor Harland

**Seconded by** Councillor Heenan

*That the Council of the Town of Saint Andrews obtain views of the Planning Advisory Committee to Amendment MP20-09 to the Town of Saint Andrews Municipal Plan MP20-01 and for Amendment Z22-08 to the Zoning By-Law Z22-01 for PID 15156425 for 232 Bayview Drive for Charlie Bartlett as per the Community Planning Act Section 110.*

**8 – 0**

**Carried**

**2. Amendment MP20-08 to the Municipal Plan MP20-01 and Z22-06 to the Zoning By-Law, Lynn and David Mayo, First Reading PCD240302**

*Mayor Henderson read Amendment MP20-08 by Title for First Reading.*

*Mayor Henderson read Amendment Z22-06 by Title for First Reading.*

**Motion: 141 - 05/24**

**Moved by** Councillor Harland

**Seconded by** Councillor Bennett

*That the Council of the Town of Saint Andrews grants leave for First Reading to Amendment MP20-08 to the Town of Saint Andrews Municipal Plan MP20-01 for PIDs 01323294 and 15097066 for 222 Prince of Wales Street for Lynn and David Mayo.*

**8 – 0**

**Carried**

**Motion: 142 - 05/24**

**Moved by** Councillor Harland

**Seconded by** Councillor Heenan

*That the Council of the Town of Saint Andrews grants leave for First Reading to Amendment Z22-06 to the Zoning By-Law Z22-01 for PIDs 01323294 and 15097066 for 222 Prince of Wales Street for Lynn and David Mayo.*

**8 – 0**

**Carried**

**3. Text Amendment No. Z22-07 to the Town of Saint Andrews Zoning By-Law Z22-01, PCD240401**

*Mayor Henderson read Amendment Z22-07 by Title for First Reading.*

**Motion: 143 - 05/24**

**Moved by** Councillor Heenan

**Seconded by** Councillor Harland

*That the Council of the Town of Saint Andrews grants leave for First Reading to the Text Amendment Z22-07 to the Zoning By-Law Z22-01.*

**8 – 0**

**Carried**

**4. Amendments MP20-02-03 to the Secondary Municipal Plan MP20-02 and Z22-09 to the Zoning By-Law Z22-01 for PIDs 15164718 and 01324284, for 742039 N.B. Ltd., PCD240501**

*CAO Spear asked if it would be better to wait until more concept plans are completed. Planner Gopen noted that the By-Laws are about proposed changes to sites and maps. A resolution can come to the Third Reading by Council if they want to add terms and conditions. We can proceed with the process and ask for updates from the developer. Council noted the design is important for the Public Hearing of Objections for the public review. More detail should be provided before that is set. Council discussed obtaining the views of the Heritage Board on this development and supported a request for feedback. Council indicated they want full transparency in this process as it is unique and specialized. Visuals are important to the community. Planner Henderson suggested that a presentation be made to Council and the Planning Advisory Committee with designs for consideration. The Planners also supported feedback from the Heritage Board.*

**Motion: 144 - 05/24**

**Moved by** Councillor Heenan

**Seconded by** Deputy Mayor Akagi

*That the Council of the Town of Saint Andrews sets the date of Monday, June 3, 2024, at 6:45 p.m. for a Public Hearing of Objections to Amendment MP20-02-03 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 and for Amendment Z22-09 to the Zoning By-Law Z22-01 for PIDs 15164718 and 01324284 for 742039 N.B. Ltd. as per the Community Planning Act Section 111.*

**Amended**

**Motion: 145 - 05/24**

**Moved by** Councillor Neil

**Seconded by** Councillor Hirtle

*That the Council of the Town of Saint Andrews tables the motion for a Public Hearing of Objections until further design information is brought for Council review.*

**8 – 0**

**Carried**

**Motion: 146 - 05/24**

**Moved by** Councillor Heenan

**Seconded by** Councillor Neil

*That the Council of the Town of Saint Andrews obtain views of the Planning Advisory Committee to Amendment MP20-02-03 to the Town of Saint Andrews Secondary Municipal Plan MP20-02 and for Amendment Z22-09 to the Zoning By-Law Z22-01 for PIDs 15164718 and 01324284 for 742039 N.B. Ltd. as per the Community Planning Act Section 110.*

**8 - 0**

**Carried**

**Motion: 147 - 05/24**

**Moved by** Councillor Bennett

**Seconded by** Deputy Mayor Akagi

*That the Council of the Town of Saint Andrews obtain views of the Heritage Board regarding Amendments MP20-02-03 to the Secondary Municipal Plan Mp20-02 and Z22-09 to the Zoning By-Law Z22-01 for PIDs 15164718 and 01324284, for 742039 N.B. Ltd.*

**8 – 0**

**Carried**

**2. Finance & Administration Committee - Deputy Mayor Akagi**

**1. Cancellation of Regular Council Meeting for Tuesday, May 21, 2024, FA240519**

*CAO Spear noted that Council may have a meeting with the Auditors the week of May 27, 2024.*

**Motion: 148 - 05/24**

**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Heenan

*That the Council of the Town of Saint Andrews cancels the Tuesday, May 21, 2024, Regular Council Meeting as per By-Law No. 23-06, Procedural By-Law.*

**8 – 0**

**Carried**

**2. Encroachment Agreement for 61 Water Street – Alan and Leona Golding, FA240520**

**Motion: 149 - 05/24**

**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Blanchard

*That the Council of the Town of Saint Andrews instructs the Chief Administrative Officer to enter into an Encroachment Agreement with Alan and Leona Golding to allow access to the Adolphus Street end for 6 feet.*

**8 – 0**

**Carried**

**3. Update to Policy P18-02 Procurement, FA240521**

**Motion: 150 - 05/24**

**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Neil

*That the Council of the Town of Saint Andrews approves the following changes to Policy P18-02, Procurement:*

- *Addition of Manager of Recreation to Section 7.3 Department Heads.*

**8 – 0**

**Carried**

**3. Public Works & Public Safety Committee - Councillors Bennett and Neil**

**1. Canada Road Closure Request for 2024, PWPS240506**

*Council discusses the road closures for Canada Day. They noted concern with the closure of Queen Street to Frederick Street. Due to all the other road closures, Canada Day can be difficult to maneuver through Town and closing this section would cause issues. CAO Spear noted that there were safety concerns brought up last year regarding the kids' play area on the Church grounds and crossing back to Sheriff Andrews House. It was discussed to look at a crossing guard, alternative locations for the kids' zone, or other signage slowing traffic in this area.*

**Motion: 151 - 05/24**

**Moved by** Councillor Bennett

**Seconded by** Deputy Mayor Akagi

*That the Council of the Town of Saint Andrews approves the closure of Market Square from 8:00 a.m. on Friday, June 28, 2024, to 12:00 p.m. (noon) on Tuesday, July 2, 2024, for Canada Day events.*

**8 – 0**

**Carried**

**Moved by** Councillor Bennett

**Seconded by** Councillor Harland

*That the Council of the Town of Saint Andrews approves the closure of the following streets, from 7:00 a.m. – 5:00 p.m. for Canada Day events:*

- *Water Street from Elizabeth Street to Frederick Street.*
- *King Street from Queen Street to Market Wharf.*
- *Queen Street from King Street to Frederick Street.*

**Amended**

**Motion: 153 - 05/24**

**Moved by** Councillor Heenan

**Seconded by** Deputy Mayor Akagi

*That the Council of the Town of Saint Andrews amends the road closure requests for Canada Day to exclude Queen Street to Frederick Street.*

**8 – 0**

**Carried**

**Motion: 154 - 05/24**

**Moved by** Councillor Bennett

**Seconded by** Councillor Harland

*That the Council of the Town of Saint Andrews amends the approves the closure of the following streets, from 7:00 a.m. – 5:00 p.m. for Canada Day events:*

- *Water Street from Elizabeth Street to Frederick Street.*
- *King Street from Queen Street to Market Wharf.*

**8 – 0**

**Carried**

**4. Economic Development, Business, & Culture Committee - Councillors Hirtle and Weare**

**1. Proclamation International Day Against Homophobia and Transphobia 2024, EBC240502**

*Councillor Hirtle states for the record I want to express my disappointment with the Mayor of Woodstock who not only recently required the removal of Pride flags from lamp posts but created a policy in that community for preventing them from going up moving forward. She stated that flying the Pride flag is politically motivated. As if supporting the 2SLGBTQ+ plus neighbours, friends, and family could be ever considered politically motivated and divisive. It is divisive between those who are bigoted and those who are not. I would encourage my fellow Councillors and the Mayor supporting this motion to call for the Mayor of Woodstock to reconsider their motion.*



*Mayor Henderson read the Proclamation in Full.*

**Motion: 155 - 05/24**

**Moved by** Councillor Hirtle

**Seconded by** Councillor Blanchard

*That the Council of the Town of Saint Andrews supports the Proclamation for the International Day Against Homophobia and Transphobia and to raise the Pride Flag on Friday, May 17, 2024.*

**8 – 0**

**Carried**

**2. Resignation and Appointment of Member to the Bayside Port Corporation, EBC240501**

*Council discussed the position with the Bayside Port and the retirement of William Young and his recommended replacement by David Archambault. Councillor Weare provided background on the Bayside Port Corporation, the employees, the function of the board, ownership shares between organizations and municipalities, and the importance of the Port to the community. Council noted that they would like to receive more information from the Port and have continued open dialogue, and presentations, provide feedback and recommendations and be kept informed. Council discussed the Mr. Archambault with some Councillors seeking clarity on the replacement process and how Council can provide input. CAO Spear noted that the Port Board is recommending him and that there is a unique skill set needed for this complex organization and Mr. Archambault has the background and the talent necessary to fill the vacancy. Council asked for more transparency in the processes with the Port moving forward as the Town has shares in the Port.*

**Motion: 156 - 05/24**

**Moved by** Councillor Hirtle

**Seconded by** Councillor Bennett

*That the Council of the Town of Saint Andrews accepts the resignation of Mr. William Young, as the Municipal representative on the Bayside Port Corporation, effective on or before September 30, 2024.*

**8 – 0**

**Carried**

**Motion: 157 - 05/24**

**Moved by** Councillor Hirtle

**Seconded by** Councillor Heenan

*That the Council of the Town of Saint Andrews appoints Mr. David Archambault, as the Municipal representative on the Bayside Port Corporation, effective on or before September 30, 2024.*

**8 – 0**

**Carried**

**5. Recreation & Environment Committee - Councillor Gumushel and Blanchard**

**1. Residential Solid Waste Collection Amendment, RE240503**

**Motion: 158 - 05/24**

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

*That the Council of the Town of Saint Andrews moves that from May 1 – December 31, 2024, Southern Sanitation's monthly collection fee will be reduced to \$6,753.21 per month.*

**8 – 0**

**Carried**

**J. NEW BUSINESS**

**K. QUESTION PERIOD**

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

*Councillor Bennett - Thanked Council for supporting the Dock Road repairs and upgrades using the Gas Tax fund. The work started this morning and will be finished by lunch tomorrow. Well done by the CAO and Public Works. I saw red Town trucks hauling waste soil. Obviously, with their input, the money went a lot further and the project was done in a timely manner. Thank you for everyone's support and for getting the area ready for a busy summer.*

*Councillor Bennett - My daughter is having a convocation from university with two degrees next week. On Wednesday the 15th, she is graduating with a degree in Forestry and Environmental Management. One of her friends is also graduating, Nathan Benner, same two degrees. He has been living in Town for the last four years and will be moving here to Town on a full-time basis working with the Canadian Food Inspection Agency.*

*Councillor Harland - Shout out to the Town for the Spring Newsletter. It was very comprehensive and wonderful to read. Thank you to Town Staff and the collective energy of everyone to get it out.*

*Councillor Harland - I want to thank Public Works for the renovations completed to the Youth Centre kitchen. We are so fortunate to have a department with such great skills. This renovation will benefit a lot of populations in our community.*

*Councillor Heenan - I have received a lot of great comments via email about the newly painted picnic tables. Public Works has done a great job and thank you. The community has noticed.*

*Councillor Heenan - My two friends had a very bad water leak at their house and I want to praise the Town Staff for the pleasantries and support they provided. Thank you so much.*

*Deputy Mayor Akagi - Missing and Murdered Indigenous Women and Girls occurred on Sunday, May 5th. This was noted with the hanging of red dresses. Thank you to Neighbourhood Works as they hung red dresses from the trees and helped to start the conversation. The red dress is a symbol honouring and remembering those lost.*

*Deputy Mayor Akagi - I had the pleasure of going to the Anglophone South School District History Event as a representative of the Town. I want to note that Hunter Henderson, the Mayor's son, won first place and I got to present him with the trophy. I was very proud to be there and represent our community.*

*Deputy Mayor Akagi - Was presented with an indigenous medicine wheel blanket specially made for me by volunteers of our community and those from the United Church. Thank you to the Wee Fabric Shop for their support as well. It is a true honour to receive this blanket and will be used in all my future programs*

**M. MAYOR'S COMMENTS**

*Mayor Henderson - Having Deputy Mayor Akagi in our community and on Council helps us learn and to be educated. Thank you for all you do.*

**N. CLOSED SESSION**

**Motion: 159 - 05/24**

**Moved by** Councillor Harland

**Seconded by** Deputy Mayor Akagi

*That the Council of the Town of Saint Andrews extends the Council Meeting past two and a half hours as per the Procedural By-Law.*

**8 – 0**

**Carried**

**Motion: 160 - 05/24**

**Moved by** Councillor Heenan

**Seconded by** Councillor Hirtle

*At 9:06 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.*

**8 – 0**

**Carried**

**Motion: 161 - 05/24**

**Moved by** Councillor Neil

**Seconded by** Councillor Heenan

*At 9:54 p.m. that Council returns to Open Session.*

**8 – 0**

**Carried**

**O. ADJOURNMENT**

**Motion: 162 - 05/24**

**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Blanchard

*At 9:55 p.m. that the meeting be adjourned.*

**8 – 0**

**Carried**

  
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Brad Henderson, Mayor

  
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Paul Nopper, Clerk - Senior  
Administrator

