



## TOWN OF SAINT ANDREWS

### REGULAR COUNCIL MEETING

#### MINUTES

March 17, 2025, 6:45 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, March 17, 2025, at 6:45 p.m., with the following members present:*

*Mayor Brad Henderson, Deputy Mayor Kate Akagi, Councillors Mark Bennett, Kurt Gumushel, Annette Harland, Lee Heenan, Steve Neil, and Darrell Weare.*

*Chris Spear, CAO/Treasurer, Paul Nopper, Clerk - Senior Administrator, and Alex Henderson, Director of Planner, Southwest New Brunswick Service Commission.*

*Electronic Attendance: Councillor Jamie Hirtle.*

*Absent: Councillor Marc Blanchard.*

*Meeting started at 6:48 pm.*

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

#### C. APPROVAL OF AGENDA

*Councillor Gumushel requested that the Proposed Encroachment for Argyll Residences Development be moved to Closed Session for legal reasons. Will return to open session for debate and any motion of Council.*

**Motion: 095-03/25**

**Moved by** Councillor Harland

**Seconded by** Deputy Mayor Akagi

*That the 250317 Regular Council Meeting Agenda be approved as presented.*

**8 – 0**

**Carried**

#### D. DISCLOSURE OF CONFLICT OF INTEREST

#### E. PRESENTATIONS

##### 1. Bryan Ferguson, Presentation on the Proposed Parking Lot Across from Langmaid Park

*Bryan Ferguson presented on the proposed parking lot across from Langmaid Park. Representing the homeowner families abutting the proposed parking lot property. There are 7 freehold individually owned homes facing the green zone and parking lot. Many residents access the trail from Queen Street. Lacking formal data from town, did our own analysis. Posts on Facebook were showing a strong support for the project. Took all the Facebook postings that we could find as of approximately a month ago to see what the feelings were. There was roughly a 50/50 split from individuals that were posting. Largest percentage (32%) do not*

understand need for the project in the proposed location. Roughly 20% of the negative respondents are against it due to environmental or disappearing greenspace concerns. This was the second most commonly mentioned objection to the proposal in response to the town's Facebook announcement. The parking lot will take up half of the greenspace west of the trail and could totally disappear if the parking lot is expanded in the future. It cost more to build new greenspace than to remove it - if you pave it, it is gone forever and expensive to bring back. There are numerous studies on greenspace and the impact on social well-being, the community in general, and on our age friendly goals. The area is zoned currently as Green Space. The rationale for the parking lot is flawed and does not fit within the defined use of Green Space. The following do not fall under the definition: provide additional overflow parking for the summer season and the downtown and provide additional parking for events and festivals in the community i.e. Canada Day. These are not incidentals uses to the main use of the land. This must be a parking solution scaled to the demand for the trail and Langmaid Park. It is rare to see more than 2 - 3 vehicles at any one time. On street parking on Water Street from Princess Royal to the campground is always available at any time of the year. Even if it were allowed not convinced it would be used as an alternative for downtown parking. The proposed lot is the same distance from King and Water Streets to the Arena. In Town traffic survey respondents 60% of respondents would not walk 2 - 3 blocks. There are lots of alternative solutions for 2 - 3 days a year during special events and festivals. Although our own observations of daily trail activity and anecdotal evidence support the conclusion, we are confident that formal research would also show that the proposed project is much larger than required for Trail users and likely not needed at all. Trying to solve Saint Andrews' parking problem is not a permitted use. Overbuilding puts the Town on a very slippery slope that could lead to more removal of green space in the future, or an unused, unsightly legacy. Our request of Council is to respect the intent of the zoning requirements for the greenspace and make the best use of existing parking opportunities for streetside and special event parking. Provide some degree of certainty for the future of the greenspace, impact on real estate values, and for the credibility of the Town regarding public spaces in general, by developing a comprehensive long-term plan for greenspace and recreation needs, building on the assets of Langmaid Park and the greenspace on both sides of the trailhead to highlight the green and environmental aspects of Saint Andrews for visitors and locals alike. If research and community engagement show we need more parking, refer to Allan Fiander's submission and the recommendations of the SORTI Committee (create a smaller parking lot at end of Queen Street), which we support in principle.

Council wanted to express thanks to Allan Fiander for putting in the time and effort to come up with an alternative option that everyone can live with and for Mr. Ferguson for his presentation. Council noted a decision would not be made tonight, but Mr. Ferguson would be informed when it would be put on the agenda. Council inquired where Mr. Ferguson had heard the parking lot could double in size. Mr. Ferguson responded not sure heard it on the street and if anyone is thinking this way, would obviously be a bigger concern for us but no source for that information.

Council would like to know what residents would like to see in this greenspace. Some people have expressed that they are unaware that it is

*Town owned greenspace and not part of the townhouse complex. Been getting questions from the public. What would you like seen done there.*

*Mr. Ferguson - For 25 years we have looked after mowing half of the greenspace although it is owned by the Town. Do not know if there is a gentleman's agreement in place. We mow to the drop off. and the Town mows the other part. This is something that we have not discussed as a group either, but the difficulty is the terrain is a bit swampy and difficult for a big use, i.e. soccer field. Would be good for passive enjoyment. Tourists like it to chase deer to take photos. My personal opinion somehow linking Langmaid Park and this greenspace together. The solution is in there for more areas for picnics, developing more trees, shrubs, etc. That is the mission of Langmaid Park.*

*Patrick Lenihan - Someone said about Patrick Street and concerns of using it. I live closest to Patrick Street and I see every day summer and winter but especially in the summer more people are walking up and down Patrick Street from the Kiwanis Campground and from downtown. Walking their dogs, walking their kids back and forth. Someone insinuated that it is a dangerous place. It is not a dangerous place. If it is, someone should be looking at that but, it is not perceived to be. Residents use Patrick Street and the Queen Street extension. There are lots of walkers through this areas for access.*

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

**G. COMMUNICATIONS**

- 1. National Dental Hygienist's Week April 4 - 10, 2025 Request for Lighting Town Hall**

*Council consensus for lighting up Town Hall in purple from April 4 - 10 2025 for National Dental Hygienist's Week.*

**H. STAFF REPORT/FINANCIAL REPORT**

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

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

- 1. Amendment to Z22-09 to the Zoning By-Law Z22-01 for the Algonquin Spa Public Hearing of Objections, PCD250206**

*Councillor Gumushel would like it noted in the minutes that we are disappointed that they have scaled back the project, but still very excited to have this significant investment in the community.*

**Motion: 096-03/25**

**Moved by** Councillor Harland

**Seconded by** Councillor Gumushel

*That the Council of the Town of Saint Andrews approves the terms and conditions by resolution as identified in Schedule (C1) under Amended Amendment Z22-09 to the Town of Saint Andrews Zoning By-Law Z22-01 for PID 15164718, 742039 N.B. Ltd. Algonquin Hotel.*

**Amended**

**Motion: 097-03/25**

**Moved by** Councillor Heenan

**Seconded by** Deputy Mayor Akagi

*That the Council of the Town of Saint Andrews amends Clause 14. b. of the terms and conditions to Complete construction of the three-storey, multi-unit residential building of nineteen (19) dwelling units for the use of Employee Housing, as per the plans filed with the Town by September 1, 2025.*

**8 – 0**

**Carried**

**Motion: 098-03/25**

**Moved by** Councillor Harland

**Seconded by** Councillor Gumushel

*That the Council of the Town of Saint Andrews approves the amended terms and conditions by resolution as identified in Schedule (C1) under Amended Amendment Z22-09 to the Town of Saint Andrews Zoning By-Law Z22-01 for PID 15164718, 742039 N.B. Ltd. Algonquin Hotel.*

**8 – 0**

**Carried**

**2. Proposed Encroachment for Argyll Residences Development John Rocca, PCD250309**

*Council inquired with respect to the liability of the ramp, will we be requiring a copy of their insurance policy or certificate of insurance to cover that liability on an annual basis? CAO Spear responded it can be written into the agreement and assumed but can get an annual copy.*

*Council noted we asked the town to put pylons in front of the Great Canadian Dollar Store to see the amount of space this encroachment would take upon our sidewalk. Discussion included it appears that about 60 - 65% of the sidewalk would be taken up. People would have to go single file to walk by the building. Were not aware of the volume of space that would be used. It would take up a much bigger space than expected. Did not expect it to be so close to the road. To date Council has had no input into this development. Think it would be a mistake to get into this now. Encroachment would be more than anything in town currently. It poses a safety risk and damaging the downtown aesthetics in the Historic Business District which we have worked so hard to preserve and would set precedence with other builds. Do not see why the residents of Saint Andrews should be giving up land on the sidewalk to accommodate this mistake*

*Council wanted clarification from Planning with respect to new builds; are they required to be accessible from the sidewalk? Planner Henderson responded that the main entrance has to be accessible. For a new build without a preexisting foundation or structure, the main entrance needs to be barrier free in compliance with the Barrier Free Regulation.*

*Council discussed encroachment agreements in general. As a municipality, we have encroachment agreements with businesses who have worked hard to make them accessible given they are in heritage buildings. Accessibility is difficult from the past to now with*

*new codes and a different perspective on accessibility. We are a historic town. The look and feel of the town is critical to us. While we appreciate a new build in our downtown which will bring business to our community. Believe we need to hold true to the requirement, that new builds are fully accessible. Would support any existing business in a historic building needing encroachment agreements, not prepared to support a new build with an encroachment agreement in order to make it accessible. Another option needs to be provided by the developer. Would hate to see the project stopped, but this will go forward regardless. Will not be a big shock to the proponent. He is aware we are on the fence and probably has a plan B or C in the works. Staff mentioned several options looked at. This was his preferred option. Do not see a stall in the process, it has been moving forward full bore. Sure there are other options to make the building accessible. Fully support any new build in the downtown being fully accessible but should not be on the taxpayers to fix this mistake.*

*Councillor Gumushel - Unlike some of my colleagues, I would hate to see the project slow up. It is significant investment in the downtown. Moving forward, it is not setting precedence. The proponent explained the situation. A mistake has been made and it is unfortunate, I am an active transportation person do not want to lose sidewalk, but worry about setting back the project at this late date. This may be a significant setback for the project. I would propose we allow the encroachment and ramp as described.*

*Councillor Hirtle - This is a tough one. It is hard to parse through this. I respect the opinions that I have heard, and I agree with everyone. Feel we have been stuck in a situation where it is very difficult to see a path for us to move forward with this. I tend to agree we should not be in this situation and looking for a different solution, but at the same time, not sure what it would be. Again this is a significant investment in the community and do not want to see this returned to a pit for a number of years and vacant space. This is a way forward, would like to see it move forward, and I am okay with it at this point.*

*Mayor Henderson commented well articulated by everyone and clarified that a vote in favour would be to grant the encroachment. A vote of nay would be to not grant the encroachment agreement.*

*Councillor Weare abstained.*

**Motion: 104-03/25**

**Moved by** Councillor Bennett

**Seconded by** Councillor Gumushel

*That the Council of the Town of Saint Andrews enters into an encroachment agreement with Ellerdale Ventures Inc with the following terms and conditions:*

- *The annual lease is \$600/year with an annual CPI increase.*
- *The existing light pole is to be removed and given to the Town at the developer's cost.*
- *The design of the rebuilt sidewalk is to be approved by the CAO.*
- *The installation of non-slip brick pavers to replace the current red bricks.*
- *A railing at both ends of the step is to be installed.*

- *The liability of the ramp and step rests with the proponent.*
- *A clause that if the building is demolished or destroyed, the owners will need to re-apply to Council for another encroachment agreement.*

**3 – 5, Nay Deputy Mayor Akagi, Councillors Bennett, Harland, Gumushel, and Neil.**

**Defeated**

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

**1. Canada Community Build Fund Projects 2025, FA250328**

*CAO Spear noted that the grant funds cannot be used on a stacking basis, i.e. cannot put multiple grants on top of each other so cannot use the funding towards the Wharf project as already have grant funding in place. Funds will cover up to 40% of a project. Staff will bring forward additional options for Council to consider at the April 7th meeting.*

**Motion: 99-03/25**

**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Harland

*That the Council of the Town of Saint Andrews adopts the document entitled The Town of Saint Andrews Five-Year Capital Investment Plan for The Canada Community-Building Fund (CCBF).*

**Amended**

**Motion: 100-03/25**

**Moved by** Councillor Weare

**Seconded by** Councillor Bennett

*That the Council of the Town of Saint Andrews tables the document entitled The Town of Saint Andrews Five-Year Capital Investment Plan for The Canada Community-Building Fund (CCBF).*

**8 – 0**

**Tabled**

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

**1. By-Law No. 25-01, A By-Law to Regulate Vehicular Traffic in the Town of Saint Andrews, First Reading, PWPS250315**

*Mayor Henderson read the By-Law by Title for the Second Reading.*

**Motion: 101-03/25**

**Moved by** Councillor Bennett

**Seconded by** Councillor Harland

*That the Council of the Town of Saint Andrews grants leave for the Second Reading to By-Law No. 25-01, A By-Law Regulating Vehicular Traffic in the Town of Saint Andrews.*

**8 – 0**

**Carried**

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

**1. Discussion on the Courthouse and Next Steps, EBC250302**

*Mayor Henderson - We have had extension conversation on this and Civic Trust did a presentation but Council needs to make a decision*

*on this particular item. If Council is willing to transfer to the non-profit, should it go to Civic Trust or open to RFP. Civic Trust can partner with the province for a courthouse process.*

*Council inquired do we anticipate having to provide financial support to whomever we turn it over to? Can we look at a fifth option to provide it back to the province. We took the courthouse in good faith with the understanding that it was in good shape and that it was a sound building. Do not think that was what we got.*

*Mayor Henderson - That is a fair question. If it is a non-profit or a charity, they will not have to pay property tax which is a big part of the bill that the Municipality does face. That being said, it is a very expensive building and you need someone to get their feet under them. Maybe some funding is needed, but limit the period of time. It is also a heritage and tourism asset. Can look at using the Tourism Accommodation Levy for a period of time, but it should have a length of time attached to it. If we do go to RFP, have to ask what is your financial expectations from the community and score it accordingly. I agree with the sentiment, sold to us that it was in perfect condition, there were no problems with it. Hard to give back since we have owned it for 5 years. It is an option, but no guarantees the province would sign for it back.*

*Council further inquired that when Civic Trust presented, as part of the discussion, talked about needing to have conversations with key groups such as the Archives. Is that an outstanding item that we have completed. Have we had those discussions? Have we had feedback from that presentation?*

*CAO Spear noted had contact earlier today with the Civic Trust who stated that had been in discussions with the Archives who support the Civic Trust taking them over; to maintain the landlord tenant relationship. This is just the very first step. Still a lot of consultation to take place afterwards. To move forward need direction on which direction you wish to proceed with. Do you want to work with Civic Trust or is there another direction that staff has to prepare on what to do with this property. We have had it for 5 years and tried options but lots of costs. Staff needs instruction on how to move forward on this. Fifth option is not a realistic option and should be removed from the table.*

*Council pleased that Civic Trust willing to do this and involve the Archives. They go together historically and united characteristics. Great that they are on the same page. Council discussed whether or not to go to RFP or not. Not necessary but doing so covers us to put it out for RFP and looked for other sources of non-profit to come in and give us a proposal. Civic Trust could easily apply. We have not asked for other organizations to put through a proposal. The Civic Trust has a long standing history of protecting and preserving buildings in our community so why would we choose to go to RFP when the Civic Trust has come forward with a significant recommendations and public consultation and exploring the courthouse needs. Are we aware of another group out there and if so, are they a registered non-profit? Council also discussed would it be possible to request an expression of interest, to see if there is any other interest for an RFP. Does give the public an opportunity to say*

*yes we are interested. In an expression of interest, Council would like it stated that Council's expectation is that the organization would enter into a working relationship with the Council. Want to make it is clear to the public that we are not over eager to divest ourselves of the property. See this building as essential to Saint Andrews. It is an iconic building, a very historical and significant building and very much a part of the community. Civic Trust has a plan for the building and protecting its future. Opening this up may help them in this process. Whatever is put forward tonight it is not a commitment, it is a plan moving forward and that plan no matter what we do could always include the Civic Trust.*

*CAO Spear - We are aware of one other group. They have been active, but have not provided any feedback except on their feelings on the proposal by Civic Trust. They have not submitted anything. On the other side Council has also given the appearance of working with the Civic Trust because of the proposal and discussions going back and forth. They have had some informal communications that they are interested without actually coming up with any type of proposal to do it. Not sure on organization cannot speak on how they are organized or their by-laws. An expression of interest is a much shorter process. It can be done in a month Full RFP can take a couple months. Can put out for April. For non-profit organization or charity, that they would be working with Council, list some covenants. We would also say that a formal RFP would be issued if there is enough interest, and that they would have to come up with a full blown plan by X date which might require some of their own research if not their own dollars to do some of the things. Need a serious plan. Can be submitted in two parts. The Expression of Interest is issued to see who is interested and if they are will come back with a full proposal in a few weeks. Ask for capabilities of the organization and capacity; non-profit or organization with charity status.*

*For clarification Mayor Henderson noted there has been a history of certain properties not going to RFP. If you look at our Civic Trust and what their mandate is and what they do for the community you can make a strong case to why you directly award it to them. As a Council we did not ask anyone else if they wanted it. That is the only other side of it. It is really, up to Council. No legal obligation to go to RFP, but it is usually just a best practice when you are unloading an asset of the Town. It would be a partnership. CAO Spear noted we are not disposing of an asset. There will have covenants in place for it to revert back to the Town if the proponent is not successful. It cannot go for sale. If giving financial support to an organization, it is different than selling it to an organization for one dollar. There will be a financial component from the Town as part of this transition. By going to RFP it makes it a more transparent process. Civic Trust has a compelling case in the RFP, but with tax dollars involved, maybe an RFP is needed.*

*No motion on the table tonight, but course of action through Council consensus to transfer to a non-profit and for staff to issue an Expression of Interest in order to hear from the public.*

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

**J. NEW BUSINESS**

**K. QUESTION PERIOD**

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

*Deputy Mayor Akagi - Thank you to the staff and arena staff for the Drum and Rattle Workshop. We did not get the numbers we hoped for but, had a great time. Have a couple rattles left over, but all the drums are gone. We have proposed to the Peskotomuhkati People that a drum and rattle will go to our sister town, Thorpe, St. Andrews in the UK. The drum maker will make them and we will get the Town logo put on them and send to Thorpe St. Andrews from the Town of Saint Andrews as a sistership although it will take a few months to get them completed. Going to compose a write up to explain the importance of the drum and rattle for the Indigenous people who have always been here in this area. Thank you to everyone who helped out on the weekend. We may try some other workshops in the future that we will partner with the Peskotomuhkati. I would like to thank them for their financial support and for their drum maker, Greg Mansfield for coming to teach at the workshop.*

**M. MAYOR'S COMMENTS**

**N. CLOSED SESSION**

**Motion: 102-03/25**

**Moved by** Councillor Gumushel

**Seconded by** Councillor Heenan

*At 7:50 p.m. that Council enters 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.*

**8 – 0**

**Carried**

**Motion: 103-03/25**

**Moved by** Councillor Heenan

**Seconded by** Deputy Mayor Akagi

*At 8:11 p.m. that Council returns to Open Session.*

**8 – 0**

**Carried**

**O. ADJOURNMENT**

**Motion: 105-03/25**

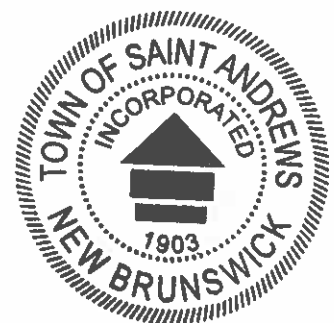
**Moved by** Deputy Mayor Akagi

**Seconded by** Councillor Gumushel

*At 8:24 p.m. that the meeting be adjourned.*

**8 – 0**

**Carried**



Brad Henderson, Mayor

Paul Nopper, Clerk – Senior  
Administrator