



**ROTHESAY**  
COUNCIL MEETING  
Rothesay Town Hall  
**Monday, August 8, 2016**  
7:00 p.m.



**PRESENT:** MAYOR NANCY GRANT  
DEPUTY MAYOR MATT ALEXANDER  
COUNCILLOR GRANT BREANAN  
COUNCILLOR PETER J. LEWIS  
COUNCILLOR TIFFANY MACKAY FRENCH  
COUNCILLOR BILL McGUIRE  
COUNCILLOR DON SHEA  
COUNCILLOR MIRIAM WELLS

TOWN MANAGER JOHN JARVIE  
TOWN CLERK MARY JANE BANKS  
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE  
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN  
DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN  
TREASURER DOUG MacDONALD  
ADMINISTRATIVE ASSISTANT LIZ POMEROY

<b>PUBLIC HEARING</b>	<b>104 Hampton Road (PID 30246979)</b>
<b>Documentation</b>	
13 July 2016	1 <sup>st</sup> Section 68 advertisement
2 August 2016	2 <sup>nd</sup> Section 68 advertisement
3 August 2016	Recommendation from Planning Advisory Committee/Town Clerk ( <i>Council Open Session Item 9.1</i> )
<b>DRAFT</b>	By-law 2-10-26 ( <i>amended</i> )
	Development Agreement ( <i>amended</i> )
27 July 2016	Staff Report 104 Hampton Road ( <i>original</i> )
<b>Appearances:</b>	<b>Brett Taylor, Developer</b> (Presentation) <b>Brian White, Director of Planning/Development Services</b>

Deputy Mayor Alexander declared a conflict of interest and left the meeting room.

Mayor Grant called the public hearing to order at 7:00 p.m. and gave instructions to those in attendance. She noted the hearing had been duly advertised and Mr. Brett Taylor, Developer, and Brian White, Director of Planning/Development Services (DPDS) would be giving presentations on the proposed rezoning application for 104 Hampton Road.

Peter Thorn, legal counsel for Mr. Mike Duplessis of Prince Albert Court, requested, on behalf of Mr. Duplessis, the hearing be adjourned to a future date pending adequate time to allow Mr. Duplessis to review the materials and prepare an opposition. He noted Mr. Duplessis learned of the hearing when Town staff visited the property to take photos of the proposed lot. Mayor Grant advised the hearing had been duly advertised and it would proceed. DPDS White noted proper polling procedures were followed and all property owners within a 100m radius of the property were sent notification in writing as of June 20, 2016. As Mr. Duplessis took ownership of his residence on August 4, 2016 it became the original property owner's responsibility to notify the purchaser. Mr. Thorn suggested the Town ought to have foreseen the situation and properly notified the new property owners. Town Manager Jarvie noted development activity in the community does not stop for new property owners. Mayor Grant declared the hearing will proceed. Mr. Thorn advised for the record: his client objected, had not received due

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notice, and would assent his right to be heard, noting correspondence to that effect had been faxed to Town Hall at 6:30 p.m. Mayor Grant advised Mr. Duplessis would have the opportunity to speak during the public hearing and she called the hearing to order.

Mr. Taylor gave a presentation discussing the following: benefits, location (site plan), driveway, parking lots, traffic impact study, increased customers for local businesses, target market (55+), two phases of the project (first phase – 12 unit building, second phase – 23 unit building), stormwater management, the pedestrian friendly environment, elevation levels, and building design. He added the purchase agreement is contingent upon the approval of the rezoning application. Mr. Taylor acknowledged the importance of a proper stormwater management system and noted there are three designated stormwater attenuation areas. He added he intends to hire engineering consultants to design a stormwater management system to meet or exceed the Zoning By-law requirements. Mr. Taylor noted within the development agreement there are By-law requirements including stormwater management plans and designs. It clearly states the stormwater plan must meet all By-law requirements in 'Schedule D' prior to the issuance of a building permit. He requested Council permit him to prepare and submit a formal stormwater design plan after approval of the rezoning and subsequent purchase of the property. This will ensure the developer is accountable for a proper stormwater management plan while securing ownership of the property.

DPDS White gave a brief presentation noting the application is to rezone a 1.6 acre parcel of land located at 104 Hampton Road from Central Commercial (CC) to Multi-Unit Residential (R4). He added at the regular meeting on August 2, 2016 the Planning Advisory Committee granted the following variances subject to the rezoning: reduced parking space standard of 1.25 parking spaces for 1 and 2 bedroom units; 6.06% reduction on the lot size requirement allowing for a total density not exceeding 35 apartment units; and 40% reduction on side yard setbacks to allow a building 3m to the property line. Photographs of the subject property were displayed including images of the existing single family home situated on the property. DPDS White directed Council's attention to images of the view from Mr. Duplessis' property facing 104 Hampton Road. It was noted the top of the existing single family home can be seen through the tree line. He noted the Municipal Plan encourages such a development and benefits to the community include: fewer vehicles on external roads, walkability, support for public transit, greater sense of community, greater public safety and security, and increased diversity in the housing market.

Counc. Wells inquired if approximately one car per unit would be sufficient. DPDS White advised the By-law requires 45 parking spaces and with the variance the project will have a total of 44 parking spaces. It was noted as a pedestrian friendly project, it is likely to attract potential tenants with fewer than two vehicles. There was discussion on the following: the existing cedar hedge barrier along the back edge, a stormwater management plan, percentage of permeable vs. impermeable ground, and timeframe for the project. It was noted: while there is a small open area within the hedge in time it will grow to fill in naturally; Mr. Taylor is open to planting additional vegetation as a natural barrier; the first phase of the project is estimated to be completed in a year while the second phase is estimated at 3-5 years; when the project is completed it is likely the natural barrier will have adequately grown to fill in the gap; and Mr. Taylor estimated the project includes 50% impermeable ground. DPDS White advised staff is of the opinion the By-law requirements and the 110% bonding agreement for stormwater management implementation are adequate controls to ensure the work is completed.

Mayor Grant called three times for those wishing to speak against the proposal. The following people spoke: Mr. Mike Duplessis, Prince Albert Court; Mr. Peter Thorn, legal counsel for Mr. Duplessis; and Rick Walsh, 3 Dobbin Street. The following comments were made: the elevation and distance of the second building will reduce property values for residents on Prince Albert Court and negatively affect

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aesthetic views; there are substantial changes to building height requirements and property uses when rezoning from Central Commercial (CC) to Multi-Unit Residential (R4); possibly insufficient space for buildings and parking lots of this magnitude on a property of 1.6 acres; the proposal is lacking a landscaping plan and information such as: anticipated total number of tenants, timeline for completion, rental cost per unit, concern for discrimination laws regarding tenants, concern for noise and odours, and a stormwater management plan. Mr. Andrew MacKay, of A.E. Builders Ltd. noted he did not wish to speak against the proposal however he expressed his concern for reduced property values if a large building is erected adjacent to the Victorian Gardens Development. He inquired if the buildings could be relocated on the lot. Mr. Taylor noted it would be challenging to reconfigure the layout.

Mayor Grant called three times for those wishing to speak in favour of the proposal. The following people spoke: Ilse Holler, 2 Third Street; Sheila Melbourne; and Rita Boucher. Concern was expressed regarding lack of affordable housing in Rothesay, and the burden of large home maintenance on seniors. Ms. Holler, Ms. Melbourne, and Ms. Boucher agreed there is a need for this project and they desire to remain in the community; however it is difficult to do so without projects such as this. It was suggested a roof over the parking lot be included in the design to assist seniors that do not wish to, or are unable to, clear the snow from their cars during the winter months. Mr. Taylor advised he spoke with Tim Cochran of Cochran's Country Market and noted Mr. Cochran sent his regrets for the meeting but is in favour of the proposal.

Mayor Grant invited Mr. Taylor to add any further comments. Mr. Taylor noted the following: a considerable amount of time and effort went into the proposal; various businesses zoned Central Commercial (CC) may prove worse for noise, odours, and aesthetics; setbacks meet all By-law requirements; he is fully committed to preparing and implementing an adequate stormwater management system; pleasant views are subjective; the natural barrier will fill in with time; and he thanked those who spoke in favour of the project. DPDS White added the Town does not offer protection from other properties blocking views of neighbouring properties; it is not a public mandate. Mayor Grant thanked Mr. Taylor for his presentation.

**MOVED** by Counc. Shea and seconded by Counc. McGuire the public hearing be adjourned.

**CARRIED.**

The public hearing adjourned at 8:05 p.m.

Deputy Mayor Alexander returned to the meeting.

Counc. Shea requested Council take a five minute break before beginning the Open Session meeting.

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Mayor Grant called the meeting of Open Session to order at 8:10 p.m.

## 1. APPROVAL OF AGENDA

**MOVED** by Counc. Lewis and seconded by Deputy Mayor Alexander the agenda be approved as circulated.

**CARRIED.**

## 2. APPROVAL OF MINUTES Regular Meeting 11 July 2016

**MOVED** by Counc. McGuire and seconded by Counc. Wells the minutes of 11 July 2016 be adopted as circulated.

**CARRIED.**

- **Business Arising from Minutes**  
N/A

## 3. OPENING REMARKS OF COUNCIL

N/A

### 3.1 Declaration of Conflict of Interest

Deputy Mayor Alexander advised he will declare a conflict of interest for Item 9.1 104 Hampton Road.

## 4. DELEGATIONS

### 4.1 Greater Saint John Fieldhouse Project Bill MacMackin (see item 9.2)

Mayor Grant welcomed Mr. Bill MacMackin. Mr. MacMackin thanked Council and introduced Dr. Patti Forgeron and Dr. Andrea Garland, fellow board members in attendance. He presented the following on the Greater Saint John Fieldhouse Project: the project has been in the works for a number of years; there is a desire to construct a self-sustaining facility to serve a broad range of users throughout Saint John and neighbouring municipalities; artistic renderings and a site plan were shown of the property and buildings; it is a two phase project (1 – the Fieldhouse: Turf fields/Track/Fitness/Community Centre etc., and 2 – Double Rink Facility + Multi-purpose spaces + Tenants); a description of the evolution of the facility design was given; the project is not trying to duplicate any Rothesay recreational projects; there will be a regional impact of the project and influence on sport tourism; partnerships exist with Discover Saint John and other groups; a description of governance, management, and priorities was provided; registered charity status for the organization has been acquired; facility funding required for the first phase is: \$24 million from donors, the Province of NB, the federal government, and the City of Saint John; Community/City funding confirmed is approx. \$10.5 million; benefits of the field house include: self-sustaining operating model, unique recreation facility east of Montreal, regional impact, and revitalization of a historic asset – Exhibition Park; next steps in the process include: the selection of construction management partner, progressing the capital campaign, if funding is secured - wetland/site work and construction could begin for a completion date of fall 2018; and he noted the challenges faced are: securing funding and keeping the project scope/cost in control, and phasing of field house and rinks. Mr. MacMackin requested Council consider contributing an amount that fits within the town of Rothesay's budget to the project's capital campaign.

Mayor Grant thanked Mr. MacMackin and extended her appreciation of the Board's work on the project. Counc. Shea inquired if the Exhibition Park land has been deeded to Mr. MacMackin's organization. It was noted the land (including land for the double arena) will be transferred to the new charitable organization upon receipt of federal and provincial funding. This will act as informal confirmation that the project will move ahead as planned. Counc. Wells inquired as to what annual

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contribution is expected of Rothesay. Mr. MacMackin suggested a 3-5 year commitment to the capital campaign. He added the organization is not requesting operating funds. There was a brief discussion on the addition of the double rink. Mr. MacMackin advised the double rink addition would bring the total to \$45 million. The field house is designed with the ability to add the double rink in the future when arena renovations and upgrades may be required for existing Saint John facilities. Mr. MacMackin thanked Council and Town staff. Mayor Grant advised the matter will be revisited later on the agenda as item 9.2.

### 5. CORRESPONDENCE FOR ACTION

5.1 29 July 2016 Letter from resident RE: Dobbin Street Drainage  
**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the letter from resident RE: Dobbin St. Drainage dated 29 July 2016 be referred to the Public Works and Infrastructure Committee.

#### ON THE QUESTION:

Counc. Shea advised he spoke with both the resident and the Director of Operations Brett McLean and noted the issue has been ongoing for quite some time. He inquired if the Town could provide maintenance service to the manhole/culvert as requested. Town Manager Jarvie advised the matter can be investigated however it is likely the improvement to the infrastructure was installed at the request of the homeowner, and homeowner responsibility for maintenance should be considered. He added the previous issue brought to the Town by the resident was a result of improper storm sewer and sanitary sewer connections within the residence made worse by the unusually heavy rainfall of September 30, 2015. It was noted this was an unexpected event that could happen again. It was further noted the issue will be brought to the next meeting of the Public Works and Infrastructure Committee.

**CARRIED.**

5.2 3 August 2016 Letter from resident RE: Bike Lane Concerns  
**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the letter from resident RE: Bike Lane Concerns dated 3 August 2016 be referred to the Public Works and Infrastructure Committee.

#### ON THE QUESTION:

Counc. McGuire noted he is bothered by the frequent basis of which the resident has raised similar issues, some of which could be described as trivial. He added the Town has come a long way to improve active transportation and bike lane safety within the Town. Counc. Brenan requested clarification on Town improvements to bike safety. Mayor Grant noted road safety education is not the responsibility of the Town. Town Manager Jarvie advised education regarding road safety can be found in the Motor Vehicle Act. He added the Town website does contain some safety content but improvements could be made. DO McLean advised in the past five years bike lane mileage has increased from a total of 3km to 31.5km. He added all 31.5km of bike lanes within the Town are painted separate from traffic as opposed to shared routes, as a result of a previous motion passed at the Public Works and Infrastructure Committee. This is to ensure the recommendation from the Transportation Association of Canada (TAC) for a safe lane width of at least 1.5m is followed. DO McLean noted during this summer alone 38 additional bike lane signs have been installed within Rothesay.

**CARRIED.**

5.3 3 August 2016 Email from Deputy Mayor Doucet, Hampton RE: Nuisance Deer Program  
9 August 2016 Draft confirmation letter for Deer Management Plan  
**MOVED** by Counc. Lewis and seconded by Counc. Mackay French a response be forwarded confirming participation in the 2016 Deer Management Program.

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### ON THE QUESTION:

Mayor Grant noted Rothesay has participated in the Deer Management Program in previous years. Counc. McGuire inquired if Rothesay's request to prohibit bow hunting in the Town had been implemented. He added bow hunting if done incorrectly can result in injured deer roaming the Town. Clarification was requested on the process during the program. It was noted residents can submit their properties for the program and if approved, those with deer hunting licenses issued by the Department of Natural Resources can then hunt deer on the approved residential properties. Town Manager Jarvie advised there has been minimal participation in Rothesay compared to other municipalities. Counc. Wells inquired if alternative solutions have been investigated. She added the deer population has increased rapidly which creates safety concerns for drivers, nuisance on residential properties, and increased concerns for ticks and Lyme disease. As hunting on residential properties raises additional safety concerns, she questioned if creative or innovation solutions had been explored. Counc. Wells noted former Mayor Bishop sat on the Regional Deer Committee in the past. Mayor Grant commented if the Committee remains active a new Rothesay representative should fill the vacant position.

**CARRIED.**

### 6. CORRESPONDENCE - FOR INFORMATION

6.1 23 June 2016 Letter to property owners (15) RE: Almon/Peters Lane rollover curb  
**MOVED** by Counc. McGuire and seconded by Counc. Lewis the letter to property owners (15) RE: Almon/Peters Lane rollover curb dated 23 June 2016 be received/filed.

**CARRIED.**

6.2 18 July 2016 Letter to Premier Brian Gallant RE: Rothesay Arena Project  
**MOVED** by Counc. Wells and seconded by Counc. Lewis the letter to Premier Brian Gallant RE: Rothesay Arena Project dated 18 July 2016 be received/filed.

### ON THE QUESTION:

Counc. Shea inquired if any future changes to the design, should they occur, would negatively affect current funding request activities. He added he is unsure of Council's collective agreement on the project. Mayor Grant advised a goal setting meeting will be held in the near future to discuss and determine Council's priorities regarding the project.

**CARRIED.**

6.3 18 July 2016 Letter to Minister Donald Arsenault RE: Funding for Rothesay Recreation  
Project  
**MOVED** by Counc. Wells and seconded by Counc. McGuire the letter to Minister Donald Arsenault RE: Funding for Rothesay Recreation Project dated 18 July 2016 be received/filed.

**CARRIED.**

6.4 22 July 2016 Letter from Jason Dickson, President of Coach New Brunswick RE:  
National Coaches Week September 17 – 25, 2016  
**MOVED** by Counc. Lewis and seconded by Deputy Mayor Alexander the letter from Jason Dickson, President of Coach New Brunswick RE: National Coaches Week September 17 – 25, 2016 be received/filed.

### ON THE QUESTION:

It was noted a response will be sent notifying the organization of Council's standard practice to not pass resolutions.

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**CARRIED.**

- 6.5 25 July 2016 Letter from Martha Zed and Dr. Donald Craig, NB Medical Education Foundation Inc. RE: Administrative Changes  
25 July 2016 Letter from Dr. Donald Craig, NB Medical Education Foundation Inc. RE: Update Report

**MOVED** by Counc. Wells and seconded by Counc. Lewis the letter from Martha Zed and Dr. Donald Craig, NB Medical Education Foundation Inc. RE: Administrative Changes dated 25 July 2016 and the letter from Dr. Donald Craig, NB Medical Education Foundation Inc. RE: Update Report dated 25 July 2016 be received/filed.

**CARRIED.**

- 6.6 27 July 2016 Letter to Minister Bill Fraser RE: Rothesay Community Centre Funding  
**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the letter to Minister Bill Fraser RE: Rothesay Community Centre Funding dated 27 July 2016 be received/filed.

**CARRIED.**

- 6.7 27 July 2016 Letter from Louise Logan, President & CEO of Parachute RE: Canada's National Teen Driver Safety Week October 16 – 22, 2016  
**MOVED** by Counc. Wells and seconded by Counc. McGuire the letter from Louise Logan, President & CEO of Parachute RE: Canada's National Teen Driver Safety Week October 16 – 22, 2016 dated 27 July 2016 be received/filed.

**CARRIED.**

- 6.8 28 July 2016 Letter from the Kennebecasis Public Library RE: Invite to Summer Reading Club Gathering  
**MOVED** by Counc. Wells and seconded by Counc. Mackay French the letter from the Kennebecasis Public Library RE: Invite to Summer Reading Club Gathering dated 28 July 2016 be received/filed.

### ON THE QUESTION:

Mayor Grant gave a brief description of the event. She advised she could not attend as she will be away, but she hopes a representative from Council will be able to attend. It was noted the event will be held on Thursday, August 18, 2016.

**CARRIED.**

## 7. REPORTS

### 7.0 August 2016 Report from Closed Session

#### ➤ MP's 'Economic Council for Saint John-Rothesay

8 August 2016 Memorandum from Town Manager Jarvie

**MOVED** by Deputy Mayor Alexander and seconded by Counc. McGuire Council endorse the appointment of Councillor Mackay French to the MP's 'Economic Council for Saint John-Rothesay'.

**CARRIED.**

#### ➤ Wastewater Outfall

8 August 2016 Memorandum from Town Manager Jarvie

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Lewis Council authorize a sole-source contract with Brothers Cove Ventures on a time and materials basis to relocate the outfall pipe on the riverbed.

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### ON THE QUESTION:

Mayor Grant advised an outfall pipe from the Sagamore Point lagoon has come loose from its attachments on the riverbed and has surfaced.

**CARRIED.**

7.1 30 May 2016 Fundy Regional Service Commission (FRSC) Meeting Minutes  
**MOVED** by Counc. Wells and seconded by Counc. Mackay French the Fundy Regional Service Commission (FRSC) Meeting Minutes dated 30 May 2016 be received/filed.

**CARRIED.**

7.2 11 May 2016 Kennebecasis Valley Fire Department (KVFD) Board Meeting Minutes  
11 May 2016 KVFD Chief's Report  
30 April 2016 KVFD Response Report  
**MOVED** by Counc. Wells and seconded by Counc. Mackay French the Kennebecasis Valley Fire Department (KVFD) Board Meeting Minutes dated 11 May 2016, the KVFD Chief's Report dated 11 May 2016, and the KVFD Response Report dated 30 April 2016 be received/filed.

### ON THE QUESTION:

Deputy Mayor Alexander noted Item 6.2 Update on Accreditation Process did not specify the accreditation process and requested the Rothesay Fire Board representative return to Council with additional information.

**CARRIED.**

7.3 30 June 2016 Draft unaudited Rothesay General Fund Financial Statements  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft unaudited Rothesay General Fund Financial Statements dated 30 June 2016 be received/filed.

### ON THE QUESTION:

Deputy Mayor Alexander inquired if the negative variances could be highlighted in red to be easily identified as it has been done in the past. Treasurer MacDonald advised it was an oversight and will ensure it is done in the future.

**CARRIED.**

30 June 2016 Draft unaudited Rothesay Utility Fund Financial Statements  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft unaudited Rothesay Utility Fund Financial Statements dated 30 June 2016 be received/filed.

**CARRIED.**

28 July 2016 Draft Finance Committee Meeting Minutes  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft Finance Committee Meeting Minutes dated 28 July 2016 be received/filed.

**CARRIED.**

7.4 12 July 2016 Draft Rothesay Living Museum Committee Minutes  
**MOVED** by Counc. Lewis and seconded by Counc. Wells the Draft Rothesay Living Museum Committee Meeting Minutes dated 12 July 2016 be received/filed.

**CARRIED.**



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7.5 20 July 2016 Draft Utilities Committee Meeting Minutes  
**MOVED** by Deputy Mayor Alexander and seconded by Counc. McGuire the Draft Utilities Committee Meeting Minutes dated 20 July 2016 be received/filed.

**CARRIED.**

7.6 20 July 2016 Draft Heritage Preservation Review Board Meeting Minutes  
**MOVED** by Counc. Mackay French and seconded by Counc. Lewis the Draft Heritage Preservation Review Board Meeting Minutes dated 20 July 2016 be received/filed.

**CARRIED.**

7.7 26 July 2016 Draft Parks and Recreation Committee Meeting Minutes  
**MOVED** by Counc. Wells and seconded by Counc. McGuire the Draft Parks and Recreation Committee Meeting Minutes dated 26 July 2016 be received/filed.

**CARRIED.**

- East Riverside-Kingshurst pumping station washrooms

It was noted the motion does not include a recommendation for Council but instead it is a statement of support from the Parks and Recreation Committee.

**RECEIVED FOR INFORMATION.**

- Gondola Point Road and Church Avenue Intersection

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander Council acknowledge receipt of the letter stating that the parking on both sides of the street is a Police issue and that the hedge will in time serve as a natural barrier.

**CARRIED.**

- Wells Multi-Use Path, Wells Park (see item 8.4)

It was noted the item will be reviewed later on the agenda under Item 8.4.

4 August 2016 Email from Dean Mullin, KV Committee for the Disabled Persons  
Inc. RE: Walking Path

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the email from Dean Mullin, KV Committee for the Disabled Persons Inc. RE: Walking Path dated 4 August 2016 be received/filed.

### ON THE QUESTION:

Counc. McGuire expressed concern noting the letter is unclear in endorsing the recommendation to apply ¼ minus stone to the trail. He added the motion is contingent upon the endorsement. DRP Jensen advised he spoke with Mr. Mullin and his wife and they are in favour of the recommendation. It was suggested Mr. Mullin use a letterhead in the future as Council was unsure if the letter was on behalf of the KV Committee for the Disabled Persons or Mr. Mullin as an individual.

**CARRIED.**

7.8 2 August 2016 Draft Planning Advisory Committee Meeting Minutes  
**MOVED** by Counc. Shea and seconded by Counc. Lewis the Draft Planning Advisory Committee Meeting Minutes dated 2 August 2016 be received/filed.

**CARRIED.**

- 8-9 Dykeman Crescent – Service Easement

**MOVED** by Counc. Lewis and seconded by Counc. Shea Council assent to the municipal service easement on the portion of lands identified as LOT 15-1 on Tentative Plan S94-331 prepared by Hughes

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Surveys & Consultants Inc. dated September 9, 2015.

**CARRIED.**

**MOVED** by Counc. Lewis and seconded by Counc. Shea Council give assent to the subdivision plan, which includes 5700sq. meters of land for public purposes to be registered in conjunction with the subdivision of LOTS 15-01 & 15-02 on Tentative Plan S94-331 prepared by Hughes Surveys & Consultants Inc. dated September 9, 2015.

**CARRIED.**

- 7 Hillcrest Drive – Set Public Hearing

### **MAIN MOTION:**

**MOVED** by Counc. Shea and seconded by Counc. Lewis Council schedule a Public Hearing to consider rezoning 7 Hillcrest Drive (PIDs 00257139 & 30048847) from R1A to R4 allowing for a 65 unit condominium complex subject to a development agreement under section 39 of the Community Planning Act.

### **Amending motion:**

**MOVED** by Counc. Lewis and seconded by Counc. Wells Council schedule a Public Hearing for Wednesday, September 14, 2016 at 7 p.m., at a location other than Town Hall (to be determined), to consider rezoning 7 Hillcrest Drive (PIDs 00257139 & 30048847) from R1A to R4 allowing for a 65 unit condominium complex subject to a development agreement under section 39 of the Community Planning Act.

**Amending Motion CARRIED.**

### **ON THE QUESTION (main motion):**

Counc. Wells inquired if concerns regarding the project could be voiced prior to the public hearing. Town Manager Jarvie advised concerns can be put in writing and submitted before the public hearing. After the public hearing it is recommended all parties refrain from presenting concerns/comments. Counc. Wells made the following comments: the density may be too high for the lot; uncertainty of the layout for the purposes of transitioning down from residential to “non-residential” when across the street residential properties exist; and with the units marketed as higher end options it is likely residents may have more than one car which, in turn, will require additional parking. She added the Low Wood condominiums are appealing to residents because of the space around the buildings, which this project may be lacking. Town Clerk Banks advised the public hearing may require additional space than what can be provided at Town Hall. She added Council has the option to change the date to September 14, 2016 (a date other than Council) at a location that is not Town Hall, or Council can decide to maintain the location of Town Hall and the regular date of September 12, 2016.

**MAIN MOTION, as amended, CARRIED.**

- 104 Hampton Road (see item 9.1)

It was noted the item will be reviewed later on the agenda under Item 9.1.

### **7.9 July 2016 Monthly Building Permit Report**

**MOVED** by Counc. Lewis and seconded by Counc. McGuire the Monthly Building Permit Report dated July 2016 be received/filed.

### **ON THE QUESTION:**

Deputy Mayor Alexander noted there were pieces of information missing in the report and duplication of the 32 Hutson Street building permit.

**CARRIED.**

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7.10 4 August 2016 Capital Projects Summary

**MOVED** by Counc. Shea and seconded by Counc. Wells the Capital Projects Summary dated August 4, 2016 be received/filed.

### ON THE QUESTION:

Counc. Lewis inquired about the tender awarded for the Rothesay Road/Designated Highway. Town Manager Jarvie advised the tender awarded included the pipework for the first phase of the Wastewater Treatment Upgrade. He added the next tender to be dealt with later on the agenda under Item 9.3.1 is for three lift stations at Kennebecasis Park, Renforth, and Tennis Court. It was noted the \$250,000 is Rothesay's share (25%) of the curb and gutter, and asphalt paving of the designated highway funding for Rothesay Road.

**CARRIED.**

7.11 2014-2015 New Brunswick Health Council Annual Report (*English & French*)

**MOVED** by Counc. Wells and seconded by Counc. Mackay French the New Brunswick Health Council Annual Report (*English & French*) dated 2014-2015 be received/filed.

**CARRIED.**

## 8. UNFINISHED BUSINESS

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### TABLED ITEMS

**8.1 Traffic By-law 1-14** (Tabled June 2014)

*No action at this time*

**8.2 Water By-law** (Tabled June 2015)

*No action at this time*

**8.3 16 Lot Subdivision off Appleby Drive** (Tabled December 2015)

*No action at this time*

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### 8.4 Wells Trail Paving/Crusher Dust

2 August 2016 Report prepared by DO McLean

**MOVED** by Counc. Wells and seconded by Counc. McGuire to remove Wells Trail Paving/Crusher Dust from the table.

**CARRIED.**

**MOVED** by Counc. McGuire and seconded by Counc. Wells Council authorize the Director of Operations to reconfigure the application of hard surfacing for the Wells Recreation project as follows:

- a. Paving of the main entrance road from French Village Road to the start of the new trail;
- b. Paving of the parking area between the main entrance road and the fence along the top of the retaining wall; and
- c. Applying the compacted ¼ minus stone (the same treatment as the Hillside Trail) to the entire length of the trail.

**CARRIED.**

## 9. NEW BUSINESS

### BUSINESS ARISING FROM PUBLIC HEARING

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Deputy Mayor Alexander declared a conflict of interest and left the meeting.

### **9.1 104 Hampton Road – By-law/Development Agreement**

3 August 2016

Memorandum from Town Clerk Banks with revised By-law 2-10-26

**MOVED** by Council. Lewis and seconded by Council. Shea Council give 1<sup>st</sup> Reading, by Title, to By-law 2-10-26, “A By-law to Amend the Zoning By-law”.

#### ON THE QUESTION:

Council. Wells empathized with the residents of Prince Albert Court and inquired if other solutions could be explored. Options discussed were as follows: planting additional natural barriers, removing a level from the second phase building and adding a level to the first phase building, erecting flat roofs for the buildings, and reconfiguring the layout to accommodate residents living behind the property. It was noted the buildings will have elevators. Town Manager Jarvie advised at Council’s wish conditions could be included in the development agreement. He added it may be reasonable to allow Mr. Taylor adequate time to consider alternative options and feasibility. He further noted if that was the case Council could give 1<sup>st</sup> reading to the By-law with a request that Mr. Taylor return with an amended proposal to meet the conditions of Council before 2<sup>nd</sup> reading of the By-law is given. Mr. Taylor noted many discussions have taken place to determine the layout in the proposal. He added he is open to considering other options however, adding a level to the first phase building and removing a level from the second phase building would result in a reduction of units and loss of revenue. Council. Lewis noted turning buildings on properties also presents additional challenges. Clarification was requested regarding visitor parking. DPDS White advised the By-law requires 45 parking spaces and with the variance the project will have a total of 44 parking spaces. He added it is an ideal location for residents to live with the minimum amount of vehicles.

**CARRIED.**

Town Clerk read By-law 2-10-26, “A By-law to Amend the Zoning By-law” by Title.

**MOVED** by Council. Lewis and seconded by Council. Shea Council give 2<sup>nd</sup> Reading, by Title, to By-law 2-10-26, “A By-law to Amend the Zoning By-law”.

**NAY vote recorded from Council. Wells.**

**CARRIED.**

Town Clerk read By-law 2-10-26, “A By-law to Amend the Zoning By-law” by Title.

Deputy Mayor Alexander returned to the meeting.

#### **BUSINESS ARISING FROM DELEGATIONS**

##### **9.2 (Bill MacMackin) Exhibition Fieldhouse**

**MOVED** by Council. McGuire and seconded by Deputy Mayor Alexander the Greater Saint John Fieldhouse Project be referred to the Finance Committee.

**CARRIED.**

#### **OPERATIONS**

##### **9.3.1 Contract S-2014-016B: Wastewater Collection System Upgrades – Kennebecasis Park, Renforth and Tennis Court WWPS**

2 August 2016

Report prepared by DO McLean

**MOVED** by Deputy Mayor Alexander and seconded by Council. McGuire Council award Contract S-2014-016B: Wastewater Collection System Upgrades – Kennebecasis Park, Renforth, and Tennis Court Road WWPS to the low tenderer, Galbraith Construction Ltd., at the tendered price of \$1,369,862.75 (including HST), as calculated based on estimated quantities, and further that the Mayor and Town

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Clerk be authorized to execute the necessary contract documents.

**CARRIED.**

### **9.3.2 Contract T-2016-006: Parkdale Avenue and Chapel Road Sidewalk Installation**

3 August 2016

Memorandum from Town Manager Jarvie

2 August 2016

Report prepared by DO McLean

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells Council award Contract T-2016-006: Parkdale Avenue and Chapel Road Sidewalk Installation to the low tenderer, Midi Construction Ltd. at the tendered price of \$409,613.90 (including HST), as calculated based on estimated quantities.

#### **ON THE QUESTION:**

Counc. Brenan requested clarification regarding the effect on the Gas Tax reserve. Treasurer MacDonald advised the additional \$126,015.78 required will be sourced from the allotted amount for the category of Sidewalk Construction within the Gas Tax reserve. Subsequently, this will reduce funds available for Sidewalk Construction projects in future years.

**CARRIED.**

### **9.3.3 McGuire Road Water Department Building Renovation**

2 August 2016

Report prepared by DO McLean

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander Council accept the bid submitted by Galbraith Construction Ltd. in the amount of \$225,239.00 (Option B) for conversion of a warehouse style building into useable office and meeting space and further that the Mayor and Clerk be authorized to execute the necessary documents in that regard.

#### **ON THE QUESTION:**

Counc. Lewis noted plans are sent to contractors in order to receive bids, and he expressed his disappointment they are not provided to Council for review. Counc. Brenan questioned if the vacant space in Town Hall could be used as opposed to spending over \$200,000.00. Town Manager Jarvie advised the project was designed, with the long term in mind, to centralize Utility staff at a Utility installation. It was noted space is currently shared with the Works Department on Master Drive, far removed from the site of the Water Treatment Plant as would be the case if space in Town Hall were to be used for this purpose. It was noted Utility staff participate in regular fieldwork, however the benefits of having the manager working from the Water Treatment Plant site and having his staff onsite with space for proper documentation of work and working group meetings would be advantageous for efficient operation of the Utility Department. Mayor Grant questioned if the difference in price of 'Option A' and 'Option B' was related to steel versus wood in the staircase. Town Manager Jarvie confirmed that was the difference. It was noted the project is a budgeted item.

**NAY votes recorded from: Councils. Brenan and Lewis.**

**CARRIED.**

## **10. NEXT MEETING**


The next meeting is scheduled for **Monday, September 12, 2016.**

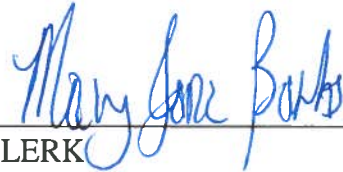
## **11. ADJOURNMENT**

**MOVED** by Counc. Wells and seconded by Counc. McGuire the meeting be adjourned.

**CARRIED.**

The meeting adjourned at 9:20 p.m.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK