



ROTHESAY
COUNCIL MEETING
Rothesay Town Hall
Monday, January 9, 2017
Immediately Following a Public Hearing



PRESENT: MAYOR NANCY GRANT
DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR GRANT BRENNAN
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

Mayor Grant called the meeting to order at 8:06 p.m.

1. APPROVAL OF AGENDA

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

CARRIED.

2. APPROVAL OF MINUTES

Regular Meeting

12 December 2016

MOVED by Counc. Wells and seconded by Counc. Lewis the minutes of 12 December 2016 be adopted as circulated.

CARRIED.

➤ **Business Arising from Minutes**

Counc. Shea requested an update with respect to the Fundy Regional Service Commission's (FRSC) decision regarding the Regional Recreation Plan. Mayor Grant noted the Regional Recreation Plan was unanimously approved by the FRSC.

3. OPENING REMARKS OF COUNCIL

Mayor Grant congratulated Rothesay resident Gerald Pond for his appointment to the Order of Canada. She added a congratulatory letter will be sent from Council to Mr. Pond. She further noted the Rothesay Tree Lighting Ceremony and Mayor's Levee were both successful events; and the Town was recognized at the Kingsway Care Center Christmas Breakfast for a previous donation of \$30,000.00 which was used for a new year round solarium.

Counc. Shea expressed his congratulations, on behalf of Council, to Don Shaw for completing his 900th blood donation. He wished Mr. Shaw luck as he continues to strive for the goal of 1000 blood donations.

3.1 Declaration of Conflict of Interest
N/A

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4. DELEGATIONS

4.1 Amazeatorium (see item 9.2) Julie Atkinson

Mayor Grant welcomed Ms. Atkinson, the Marketing and Community Outreach Officer at Touchstone Academy. Ms. Atkinson thanked Council, distributed a handout listing corporate sponsors and community activity providers, and commented on the following: Touchstone Academy; the history of the Amazeatorium event; the Amazeatorium's impact on the surrounding communities; community response and positive feedback regarding the event; the overwhelming number of attendees at the first Amazeatorium; the various participating organizations and hundreds of volunteers; the overall growth of the event; and highlights for the 2017 Amazeatorium. Ms. Atkinson presented a short video showcasing the various activities experienced during previous Amazeatorium events. She thanked the Town for their previous sponsorship of a ticket bundle for last year's event. She requested the Town sponsor the event in a similar manner by purchasing a ticket bundle for the 2017 Amazeatorium, and promoting the event. Ms. Atkinson encouraged all in attendance to spread the word about the Amazeatorium to help grow the event through attendance and to inspire other organizations to participate. It was noted the Amazeatorium will be April 1, 2017; tickets can be purchased in advance; and there will be a morning show at 10:00 a.m. and an afternoon show at 2:30 p.m.

Mayor Grant thanked Ms. Atkinson and noted the matter will be dealt with later on the agenda.

5. CORRESPONDENCE FOR ACTION

5.1 19 December 2016 Letter from the Dept. of Tourism, Heritage and Culture RE: Heritage Week February 13 – 20, 2017 with attachments

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the letter from the Dept. of Tourism, Heritage and Culture RE: Heritage Week February 13-20, 2017 with attachments dated 19 December 2016 be referred to the Heritage Preservation Review Board.

CARRIED.

5.2 19 December 2016 Letter from Bullying Canada RE: Donation Request

MOVED by Counc. McGuire and seconded by Counc. Wells the letter from Bullying Canada Re: Donation Request dated 19 December 2016 be referred to the Finance Committee.

CARRIED.

5.3 20 December 2016 Letters from Rothesay Park School RE: Rothesay Common Ice Schedule

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the letters from Rothesay Park School RE: Rothesay Common Ice Schedule dated 20 December 2016 be referred to the Parks and Recreation Committee.

ON THE QUESTION:

Mayor Grant noted she was surprised by the tone of the letters. In response to an inquiry, DRP Jensen advised a change to the ice schedule was made previously to extend Under 13 Pond Hockey on Tuesdays and Thursdays to 5:00 p.m. however at the time, the decision to start at 3:00 p.m. did not account for Rothesay Park School's activity period. The change from 2:30 p.m. to 3:00 p.m. was used to maintain the overall public skating hours. DRP Jensen further noted the schedule has been modified since, and Under 13 Pond Hockey will begin at 2:30 p.m. and run till 5:00 p.m. on Tuesdays and Thursdays. Council commented on the following: public use during public skating slots; overall student preference of skating or hockey; the Town's intent to provide public skating as a primary use of the ice surface; and a comparison of the use of other similar ice surfaces. Counc. Wells noted the ice surface was initially intended for public skating and the Town agreed to provide time slots for hockey. She further noted: there is ample time for hockey in the current schedule; safety concerns arise for children

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that wish to skate instead of play hockey during that time; and all hockey players can skate but not all skaters can play hockey. Counc. Mackay French clarified the letters from the students of Rothesay Park School were written as a persuasive writing project on a topic of interest to the children. She further noted for working parents it can be difficult to bring children to the Rothesay Common to play hockey before 5:30 p.m. and after 8:30 p.m. It was noted pond hockey brings the community together and all ages play fairly during the allotted times.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 15 December 2016 Letter to the town of Hampton RE: New Town Hall

MOVED by Counc. Lewis and seconded by Counc. Shea the letter to the town of Hampton RE: New Town Hall dated 15 December 2016 be received/filed.

CARRIED.

6.2 15 December 2016 Letter to Andrew Farris RE: OnThisSpot.ca Request

MOVED by Counc. Lewis and seconded by Counc. Wells the letter to Andrew Farris RE: OnThisSpot.ca Request dated 15 December 2016 be received/filed.

CARRIED.

6.3 14 September 2016 Letter from Kingsway LifeCare Alliance Foundation RE: Sponsorship
(Rec'd 28 Dec. 2016) Thank You for the 2016 Age of Disruption Tour

MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander the letter from Kingsway LifeCare Alliance Foundation RE: Sponsorship Thank You for the 2016 Age of Disruption Tour dated 14 September 2016 (Rec'd 28 December 2016) be received/filed.

CARRIED.

6.4 22 December 2016 Letter to Brian Gillis RE: Active Transportation

MOVED by Counc. Shea and seconded by Counc. Lewis the letter to Brian Gillis RE: Active Transportation dated 22 December 2016 be received/filed.

ON THE QUESTION:

Counc. Wells noted Mr. Gillis expressed some good points and after the recent tragedy in Sussex, New Brunswick cycling safety should be addressed further to ensure accidents of a similar nature are prevented. She suggested his recommendations be distributed to the relevant committees for further investigation. DO McLean advised staff, Mr. Gillis, and a traffic consultant have met to discuss Mr. Gillis' recommendations. He further noted actions will be taken in the spring to implement mutually agreed upon solutions.

CARRIED.

6.5 3 January 2017 Letter from Imperial Theatre RE: Donation Thank You

MOVED by Counc. Mackay French and seconded by Counc. Wells the letter from Imperial Theatre RE: Donation Thank You dated 3 January 2017 be received/filed.

CARRIED.

7. REPORTS

7.0 January 2017 Report from Closed Session

N/A

7.1 27 October 2016 Fundy Regional Service Commission (FRSC) Meeting Minutes

MOVED by Counc. Brennan and seconded by Deputy Mayor Alexander the Fundy Regional Service

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Commission (FRSC) Meeting Minutes dated 27 October 2016 be received/filed.

ON THE QUESTION:

Mayor Grant gave a brief summary of the minutes. In response to inquiries, Mayor Grant noted Committee members receive a monthly stipend; and she is unsure of the reasoning behind the daytime scheduling of the meetings as it was previously agreed upon before she joined the Commission.

CARRIED.

7.2 30 November 2016 Draft unaudited Rothesay General Fund Financial Statements
MOVED by Counc. Brenan and seconded by Counc. Mackay French the Draft unaudited Rothesay General Fund Financial Statements dated 30 November 2016 be received/filed.

ON THE QUESTION:

Counc. Shea inquired as to where the revenue from the Arthur Miller Field building is reported. Town Manager Jarvie advised the item is included in general rental revenue. In response to an inquiry, Treasurer MacDonald advised the variance for the Kennebecasis Public Library is related to a timing issue and not a deficit.

CARRIED.

30 November 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 November 2016 be received/filed.

CARRIED.

7.3 3 January 2017 Draft Planning Advisory Committee Meeting Minutes
MOVED by Counc. Shea and seconded by Counc. Lewis the Draft Planning Advisory Committee Meeting Minutes dated 3 January 2017 be received/filed.

ON THE QUESTION:

Counc. Wells requested clarification with respect to the 47 Clark Road Foghorn Brewery application. DPDS White advised it was an administrative matter that required the applicant to obtain a liquor license for increased occupancy as determined by the Provincial Fire Marshall, and resubmit an application to the Planning Advisory Committee for a special facility license for more than 25 persons. He noted the applicant indicated they did not intend on increasing the existing amount of chairs in the building. Counc. Brenan inquired if an orientation is given to new Committee members before their first meeting. It was noted both members were invited to meet with DPDS White before the meeting however due to scheduling conflicts the orientation did not occur.

CARRIED.

➤ 2709 Rothesay Road – Cash in Lieu of Land for Public Purposes

MOVED by Counc. Lewis and seconded by Counc. Shea Council accept the amount of \$3,564.00 as Cash in Lieu of Land for Public Purposes for the subdivision of 2709 Rothesay Road (PID 30314272) to create Lot 16-2.

ON THE QUESTION:

Counc. Wells noted the application was presented to the Planning Advisory Committee previously and the Committee expressed concern regarding the close proximity of the proposed building to the railway tracks. It was noted a different layout is proposed in the current application to ensure there is a proper

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distance between the proposed building and the railway tracks that meets the guidelines.

CARRIED.

7.4 December 2016 Monthly Building Permit Report

MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis the Monthly Building Report dated December 2016 be received/filed.

CARRIED.

7.5 4 January 2017 Capital Projects Summary

MOVED by Counc. Wells and seconded by Counc. Lewis the Capital Projects Summary dated 4 January 2017 be received/filed.

CARRIED.

8. UNFINISHED BUSINESS

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

9. NEW BUSINESS

9.1 BUSINESS ARISING FROM PUBLIC HEARING

7 Hillcrest Drive – Rezoning

6 January 2017 Memorandum from Town Manager Jarvie

4 January 2017 Memorandum from Planning Advisory Committee

DRAFT By-law 2-10-27

MOVED by Counc. Wells and seconded by Counc. Lewis 7 Hillcrest Drive – Rezoning be removed from the table.

CARRIED.

Mayor Grant gave a brief summary on the current status of the project. She noted: both staff and the Planning Advisory Committee recommend rezoning of the property; the details of the layout can be agreed upon after approval of the rezoning; A.E. McKay Builders are reluctant to incur further expenses regarding additional detailed plans until the rezoning process has been initiated; and the existing motion on the table is to give first reading to By-law 2-10-27 with a required amendment to 58 units. In response to an inquiry, Town Manager Jarvie noted it is unlikely there will be any procedural or legal impediments with respect to rezoning the property. He added the current Municipal Plan has been approved by Council and the Province and it is Council's decision to determine if staff's interpretation of the Municipal Plan and its policies is appropriate to move the project forward. If Council does not agree with staff's interpretation, Council can vote accordingly.

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council give 1st Reading by Title, to By-law 2-10-27, as amended (58 units) to rezone lands located at 7 Hillcrest Drive, (PIDs 00257139 and 30048847) from Single-Family Residential – Large Serviced (R1A) to Multi-Unit Residential (R4) zone, subject to the execution of a development agreement.

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ON THE QUESTION:

Mayor Grant requested to enter the discussion. Deputy Mayor Alexander assumed the Chair.

Mayor Grant noted: the item has been discussed at length; the importance of impartiality; and her support for the project. She further noted the project: enables Rothesay to provide additional quality housing options for all residents; though suited to seniors the project is likely to attract other demographics including young professionals; allows seniors to downsize and remain in Rothesay; provides pedestrian friendly connections to many Town amenities; promotes social inclusion which is one of the pillars of healthy aging; allows intergenerational activities; provides an opportunity for the concept of neighbourhood care, where one caregiver can care for more than one client; tenants are likely to use vehicles less often than other residents thus benefitting the environment and promoting physical activity; promotes the use of Hampton Road; encourages use of local businesses; creates a sense of community; provides an aesthetic improvement over existing conditions; increases revenue to the Town through the assessment base, property taxes, and utility use; does not require new infrastructure on the part of the Town; includes a new fire hydrant and a section of watermain to which the developer has indicated his agreement to construct; and the traffic study has been completed. In summary she noted she supports the project.

Mayor Grant resumed the Chair.

Counc. Brennan commented on the following: numerous public hearings on the matter; different interpretations of policies in the Municipal Plan; and his support for Option C.

Counc. Wells requested clarification regarding the existing motion. It was noted the existing motion is strictly to rezone the property; a decision has not been made with respect to the layout of the proposal. Counc. Wells noted she supported the comments of both Mayor Grant and Counc. Brennan and commented on the following: the need for alternative senior housing; the importance of building for the future; and her preference for Option C.

Counc. Mackay French commented on the following: multiple public hearings; Option C as a peaceful resolution; Council's ability to control project requirements within the development agreement which may be less likely if the Municipal Plan was revised; and her support for Option C.

Counc. Shea noted his appreciation for the developer's efforts, the public's feedback, and staff's consistent position on the project. He expressed concern inquiring what would happen if the developer did not provide the requested detailed plans. It was noted through a motion of Council the developer can be required to provide further details before second reading is given to By-law 2-10-27.

CARRIED.

The Town Clerk read By-law 2-10-27, by title.

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council require the developer to provide a landscaping plan, storm drainage plan, grading plan and building elevations prior to consideration of second reading of By-law 2-10-27 and adoption of the development agreement.

ON THE QUESTION:

It was noted if the requested information is provided before the Council deadline for February's meeting Council can decide to give second reading to By-law 2-10-27. In response to an inquiry, Town Manager Jarvie noted conditions can be included in the development agreement; however prohibiting assignability in the development agreement may be problematic if condominium owners wished to sell

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or rent their units. He further noted the development agreement is registered to the land, not the owner. He further stressed the importance of including all wishes of Council in writing in order to ensure the requirements are met by the developer. If the conditions are not met, the agreement is void. Council Lewis suggested the information, if provided in sufficient time, be distributed to the Planning Advisory Committee at their February meeting for a recommendation.

CARRIED.

9.2 BUSINESS ARISING FROM DELEGATIONS

9.2.1 Amazeatorium

4 January 2017 Presentation Summary with attachments

MOVED by Council. Shea and seconded by Council. McGuire the Amazeatorium Presentation Summary with attachments dated 4 January 2017 be referred to the Finance Committee, and referred to staff for promotion on the Town’s social media.

CARRIED.

ADMINISTRATION

9.3 Committee Re-Appointments

14 December 2016 Memorandum from the Nominating Committee

MOVED by Council. Wells and seconded by Council. McGuire Council approve the following appointments recommended by the Nominating Committee:

Parks and Recreation Committee

Jane MacEachern (re-appointment) Term until December 31, 2018
Maureen Desmond (re-appointment) Term until December 31, 2018

ON THE QUESTION:

Council. Wells noted the re-applications were intended to be included in the list at last month’s Council meeting but were missed.

CARRIED.

OPERATIONS

9.4 Local Improvement Levy

21 December 2016 Memorandum from Town Clerk Banks with attachment

MOVED by Council. Shea and seconded by Council. Brennan:

Whereas projects were undertaken and local improvements in accordance with the pertinent By-laws, Rothesay Council hereby directs that a special warrant be issued for the sum set out in the local improvement assessment roll for 2017 and further directs the Clerk to cause such special assessments to be collected in accordance with By-law 3-00.

Local Improvement By-law #	Amount to be collected
By-law 4-00	\$59,268.53

CARRIED.

9.5 Church Avenue Flooding

3 January 2017 Report prepared by DO McLean

MOVED by Deputy Mayor Alexander and seconded by Council. Wells the report prepared by DO McLean RE: Church Avenue Flooding Concern dated 3 January 2017 be received/filed.

ON THE QUESTION:

Council. Wells noted she spoke with a resident in the area that expressed concern noting they are unclear if the system will cause a sewage back-up in their house. DO McLean advised the issue was related to stormwater flooding, not sanitary sewer flooding. He further noted the stormwater construction is

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complete, and all connections to the system laterals are the responsibility of homeowners.

CARRIED.

9.6 Dunedin Road/Horton Road Intersection Improvements

3 January 2017 Report prepared by DO McLean

MOVED by Counc. Lewis and seconded by Counc. Shea Council authorize the Director of Operations to complete a small scale realignment of the Dunedin Road/Horton Road Intersection as described in the report prepared by DO McLean RE: Dunedin Road/Horton Road Intersection dated 3 January 2017.

CARRIED.

10. NEXT MEETING

The next regular meeting will be held on **Monday, February 13, 2017.**

11. ADJOURNMENT

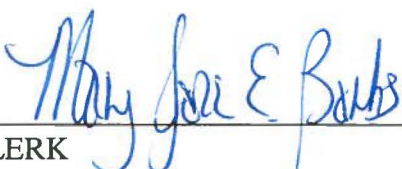
MOVED by Counc. McGuire and seconded by Counc. Wells the meeting be adjourned.

CARRIED.

The meeting adjourned at 9:14 p.m.



MAYOR



CLERK