



# ROTHESAY COUNCIL

OPEN SESSION  
Monday, June 14, 2010  
MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP  
DEPUTY MAYOR BLAIR MacDONALD  
COUNCILLOR SCOTT COCHRANE  
COUNCILLOR PAT GALLAGHER JETTE  
COUNCILLOR TERRY KILFOIL  
COUNCILLOR NORMA MULLETT  
COUNCILLOR DON SHEA  
COUNCILLOR TOM YOUNG

TOWN MANAGER JOHN JARVIE  
TOWN CLERK MARY JANE BANKS  
DIRECTOR OF OPERATIONS (DO) SCOTT HATCHER  
DIRECTOR OF DEVELOPMENT SERVICES (DDS) GAY DRESCHER

**PUBLIC HEARING**                      **By-law 2-02-39 (4 Clark Road, PID# 30262430)**

**Documentation**

20 May 2010                      1<sup>st</sup> Section 68 advertisement  
9 June 2010                      2<sup>nd</sup> Section 68 Advertisement  
9 June 2010                      Recommendation from Planning Advisory Committee  
31 May 2010                      Staff Report with attachments  
DRAFT                              By-law 2-02-39

**Appearances:**                      **G. Drescher, Development Officer, Director of Development Services**  
**John Quigley, Kierstead Quigley Roberts**

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**PUBLIC HEARING**                      **By-law 2-02-40 (4 Clark Road, PID# 30262430)**

**Documentation**

DRAFT                              By-law 2-02-40

**Appearances:**                      **G. Drescher, Development Officer, Director of Development Services**  
**John Quigley, Kierstead Quigley Roberts**

Mayor Bishop called the Public Hearings to order at 8:06 p.m. He advised if there were no objections, the Public Hearings related to 4 Marr Road would be heard concurrently. He gave instructions to those in attendance, noting the required advertising had been done and a recommendation had been received from the Planning Advisory Committee.

DDS Drescher gave a brief presentation, outlining the proposal and legislative process. She noted the property is an existing non-conforming use and the owner wishes to re-develop the property at 2 Clark Road as Neighbourhood Convenience. The existing three lots are currently zoned Neighbourhood Commercial (NC), Single Family Residential – Standard (R1b) and Two Family Residential (R2). The lots will be consolidated to create two lots and the zoning will be NC and R2. It was noted both properties have a separate sewer connection and the property line issue for 2 Clark Road is in the hands of legal counsel for the applicant and no response has been received. Mayor Bishop asked if anyone in attendance had any questions.

**MOVED** by Counc. Young and seconded by Counc. Kilfoil the Public Hearings be adjourned.

**CARRIED.**

The Public Hearings adjourned at 8:15 p.m.

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**PUBLIC HEARING            By-law 2-02-41 (45 Clark Road, PID# 00242040)**

**Documentation**

20 May 2010            1<sup>st</sup> Section 68 advertisement  
9 June 2010            2<sup>nd</sup> Section 68 Advertisement  
9 June 2010            Recommendation from Planning Advisory Committee  
28 May 2010            Staff Report with attachments  
DRAFT                    By-law 2-02-41

**Appearances:            G. Drescher, Development Officer, Director of Development Services  
                                 Phil Brodersen, Brodersen Realty Ltd.**

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**PUBLIC HEARING            By-law 2-02-42 (49 Clark Road, PID# 00242073)**

**Documentation**

**As above**  
DRAFT                    By-law 2-02-42

**Appearances:            G. Drescher, Development Officer, Director of Development Services  
                                 Phil Brodersen, Brodersen Realty Ltd.**

Mayor Bishop called the Public Hearings to order at 8:15 p.m. He advised if there were no objections, the Public Hearings related to 45 and 49 Marr Road would be heard concurrently. He gave instructions to those in attendance, noting the required advertising had been done and a recommendation had been received from the Planning Advisory Committee.

DDS Drescher gave a brief presentation, outlining the proposal and legislative process. She advised the applicant wished to add two more buildings and will accommodate 92 parking spaces. Rezoning from Single Family Residential – Standard (R1b) to Central Commercial (CC) is required to allow for construction. DDS Drescher noted this is the final phase of the development and a development agreement will be forthcoming for review. It was noted the storm water is collected from the site by pipe to Salmon Creek. DDS Drescher is not aware of any flooding issues with the development. It was noted landscaping will be included as part of the development agreement.

Mayor Bishop asked if anyone had any questions. Grace Murphy asked if this development would have any impact on Oakville Acres and was advised it would not.

**MOVED** by Counc. Young and seconded by Counc. Mullett the Public Hearings be adjourned.  
**CARRIED.**

The Public Hearings adjourned at 8:20 p.m.

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**PUBLIC HEARING                      Sign By-law**

**Documentation**

20 May 2010	1 <sup>st</sup> Section 68 advertisement
9 June 2010	2 <sup>nd</sup> Section 68 Advertisement
9 June 2010	Recommendation from Planning Advisory Committee
31 May 2010	Staff Report
DRAFT	By-law 3-10

**Appearances:                      G. Drescher, Development Officer, Director of Development Services**

Mayor Bishop called the Public Hearing to order at 8:20 p.m. and gave instructions to those in attendance, noting the required advertising had been done and a recommendation had been received from the Planning Advisory Committee.

DDS Drescher gave a brief presentation, noting the purpose of Sign By-law is to enable effective use of signs for communication for commercial enterprises to identify their places of business within Rothesay, while maintaining and enhancing the physical appearance of the community and minimizing the potential adverse effects on private and public property. The By-law will enable fair and consistent enforcement of sign regulations. DDS Drescher noted meetings had been held with the Kennebecasis Valley Chamber of Commerce Stakeholder group to gather input. A general summary was given with respect to various types of signage, it was noted the fee structure will be revised and there was mutual agreement that there be community event signs made available. There was a brief discussion with respect to real estate sign standards and banner signs, along with vehicle signs and enforcement.

Mayor Bishop asked if anyone in attendance had any questions.

**MOVED** by Counc. Young and seconded by Counc. Kilfoil the Public Hearing be adjourned.

**CARRIED.**

The Public Hearing adjourned at 8:34 p.m.

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Mayor Bishop called the Open Session of Council to order at 8:34 p.m.

### 1. APPROVAL OF MINUTES Regular Meeting – 10 May 2010

#### 1.1 Business Arising from Minutes

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Mullett the minutes of 10 May 2010 be approved as circulated, with the addition of a seconder for the motion under Item 4.2.

**CARRIED.**

### 2. APPROVAL OF AGENDA

**MOVED** by Counc. Shea and seconded by Counc. Young the agenda be approved as circulated, with the following addition:

*Item 6.8 Appointment to Parks and Recreation Committee*

**CARRIED.**

### 3. OPENING REMARKS OF COUNCIL

Mayor Bishop advised those in attendance of the following:

- letters of thanks had been received from retired Chief Larry Greer and Deputy Chief Brian Jensen
- the second annual Big Rothesay Read was a big success and the visit by author Lawrence Hill was well-received by residents and students at Rothesay High School
- students from Rothesay Elementary School planted marigolds at the Town Hall on June 9<sup>th</sup> and met with Mayor Bishop and Counc. Cochrane to learn about municipal government
- The Originals Arts Award Gala was held at the Imperial Theatre on June 10<sup>th</sup> as part of the Saint John 225 celebrations and Rothesay was well-represented – with awards being received by Mike Wennberg and Sylvia Logan, along with Bob Doherty who also lives in the Valley

### 4. DELEGATIONS

#### 4.1 Oakville Acres Citizens Committee Jim Sherrard

Jim Sherrard thanked Council for the opportunity to meet with representatives of Council, CBCL and staff the first week of June. Mr. Sherrard summarized the following points raised at the June 2<sup>nd</sup> meeting:

- CBCL representatives discussed extending the clearwater system to pick up an additional 12 houses around Monaco Drive up to Seville Row. He suggested possibly some on Aries Court (Grace Murphy, 10 Aries Court) and perhaps #8 and #12 could be included as well. Mr. Sherrard noted there was not much detail about the houses on the opposite side (G. Howard, 9 Aries Court) and further suggested #s 13, 15, 17, 19 Oakville Lane be reviewed as well. He was aware the tender is out to bid with a closing date of June 23, 2010 for the clearwater sewer system.
- clarification with respect to connection costs
- amount of money committed by the Town to the project and a request to release the detailed design plans.
- both sides to continue exploring funding opportunities

Mayor Bishop noted the Town would meet with citizens and provide a chart of costs for the project and there would be a motion forthcoming later in the meeting with respect to the project. He further noted contact had been made with federal and provincial representatives who have advised there is no funding currently available.

Counc. Cochrane suggested notes of meetings with resident groups be taken in order to have a record of discussions. Mayor Bishop noted any decisions to be made would be taken by Council at a council meeting. Mayor Bishop thanked Mr. Sherrard for his presentation.

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### **5. CORRESPONDENCE - FOR ACTION**

5.1 13 May 2010 Email from Federation of Canadian Municipalities RE: Wastewater regulations.

**MOVED** by Counc. Shea and seconded by Counc. Gallagher Jette the email from Federation of Canadian Municipalities RE: Wastewater regulations be received/filed.

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

Counc. Cochrane noted FCM is requesting Council take action with respect to the new wastewater regulations being introduced.

**NAY vote recorded from Counc. Cochrane.**

**CARRIED.**

**MOVED** by Counc. Cochrane and seconded by Counc. Shea Council take note of the request from FCM and pass the following resolution:

**WHEREAS** Environment Canada has recently proposed draft regulations that would set a baseline standard for all wastewater systems in Canada; and,

**WHEREAS** municipalities support efforts to improve wastewater treatment and protect Canada's rivers, lakes and oceans; and,

**WHEREAS** these regulations will require upgrades to one in four wastewater systems in Canada, directly affecting over 400 municipalities; and,

**WHEREAS** cities and communities are already facing an estimated \$123-billion municipal infrastructure deficit that does not include the cost of meeting these new wastewater regulations and \$115 billion more is needed to expand and build new infrastructure to serve growing populations and support economic development; and,

**WHEREAS** the cost of meeting these new regulations in just four cities is estimated by the local authorities at more than \$4 billion, which accounts for almost all of Environment Canada's \$5.9 billion estimate for the entire country, suggesting that the government's estimates are far too low; and,

**WHEREAS** Environment Canada has proposed these draft regulations without a cost-shared funding strategy, which means that the cost of meeting these new obligations would be, by default, imposed on municipal taxpayers; and,

**WHEREAS** the cost of upgrading waste water systems without a cost-shared funding strategy will result in the largest property tax increase in Canadian history, resulting in an average increase of \$1,000 for hundreds of thousands of households in affected communities, and/or will require displacing projects that meet other local priority needs; and,

**WHEREAS** these regulations, although not directly affecting every community, reflect the infrastructure challenges facing every municipal government in the country, where councils are forced to balance the need to deliver safe drinking water with the need to upgrade crumbling overpasses and insufficient waste water treatment and congested roads, all while collecting just eight cents of every tax dollar paid; and,

**WHEREAS** there are serious concerns with Environment Canada's cost estimates and technical aspects of the regulations that can not be resolved within the 60 day public comment period; and

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**THEREFORE BE IT RESOLVED** that FCM call on the federal government to work with municipalities, provinces and territories to develop a cost-shared financing and implementation plan for these new wastewater regulations, as part of a long-term national plan to eliminate the municipal infrastructure deficit.

**BE IT FURTHER RESOLVED** that FCM call on Environment Canada, as a first step in the development of a cost-shared funding plan, to commit to work in partnership with municipalities to establish a thorough and objective estimation of the front-line costs and trade-offs of meeting the regulations and to resolve outstanding technical and implementation issues.

**CARRIED.**

5.2 2 June 2010 Letter from Mr. and Mrs. R. Nixon RE: storm sewers James Street.

**MOVED** by Counc. Shea and seconded by Counc. Kilfoil the letter from Mr. and Mrs. R. Nixon RE: storm sewers James Street be referred to Public Works and Infrastructure.

**CARRIED.**

5.3 5 June 2010 Letter from P. Steele RE: Steele-Kennedy Park.

**MOVED** by Counc. Kilfoil and seconded by Counc. Mullett the letter from P. Steele RE: Steele-Kennedy Park be referred to the Parks and Recreation Committee.

### ON THE QUESTION:

Deputy Mayor MacDonald asked if commitments were made for the park. Mayor Bishop noted there were enhancements made to the “raw land” and it is to be maintained as a natural park but there is some clean up that is required.

**CARRIED.**

## 6. CORRESPONDENCE - FOR INFORMATION

6.1 12 May 2010 Letter to Quispamsis RE: Kennebecasis Valley Fire Department.

**MOVED** by Counc. Shea and seconded by Counc. Cochrane the letter to Quispamsis RE: Kennebecasis Valley Fire Department be received/filed.

**CARRIED.**

6.1.1 25 May 2010 Letter from Quispamsis RE: Kennebecasis Valley Fire Department.

**MOVED** by Counc. Young and seconded by Counc. Mullett the letter from Quispamsis RE: Kennebecasis Valley Fire Department be received/filed.

**CARRIED.**

6.2 12 May 2010 Letter to Quispamsis RE: Deer Forum.

**MOVED** by Counc. Young and seconded by Counc. Kilfoil the letter to Quispamsis RE: Deer Forum be received/filed.

**CARRIED.**

6.3 12 May 2010 Letter to Kennebecasis Public Library RE: resource person.

**MOVED** by Counc. Young and seconded by Counc. Mullett the letter to Kennebecasis Public Library RE: resource person be received/filed.

**CARRIED.**

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6.4 12 May 2010 Letter to Fundy Region Solid Waste Commission RE: Processing of Recyclable Materials.

**MOVED** by Counc. Young and seconded by Counc. Cochrane the letter to Fundy Region Solid Waste Commission RE: Processing of Recyclable Materials be received/filed.

### ON THE QUESTION:

It was noted the Commission's Finance Committee will be reviewing the request at its June 21<sup>st</sup> meeting.

**CARRIED.**

6.5 12 May 2010 Letter to Rothesay Regional Joint Board of Police Commissioners RE: budget surplus allocation.

**MOVED** by Counc. Shea and seconded by Counc. Mullett the letter to Rothesay Regional Joint Board of Police Commissioners RE: budget surplus allocation be received/filed.

**CARRIED.**

6.6 1 June 2010 UMN B Resolutions deadline (August 20, 2010) and draft Agenda. **MOVED** by Counc. Mullett and seconded by Counc. Gallagher Jette the correspondence from UMN B RE: UMN B Resolutions deadline (August 20, 2010) and draft Agenda be received/filed.

**CARRIED.**

6.7 9 June 2010 Email from Local Government Minister Chris Collins RE: Community Recognition Awards.

**MOVED** by Counc. Young and seconded by Counc. Shea the email from Local Government Minister Chris Collins RE: Community Recognition Awards be received/filed.

**CARRIED.**

6.8 Verbal Report Appointment to Parks and Recreation Committee

**MOVED** by Deputy Mayor MacDonald and seconded by Counc. Shea Council appoint Sue Harley to the Parks and Recreation Committee to complete the term created by the resignation of Greg Sanford.

**CARRIED.**

## 7. REPORTS

7.0 June 2010

**Report from Closed Session**

### **Oakville Acres**

**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald Council authorize staff to begin negotiations with the owners for acquisition of the properties required for the detention pond.

**CARRIED.**

### **Darling Training Facility**

**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald an application be submitted to the P3 fund by the June 30<sup>th</sup> application date and the proposal be referred to the Parks and Recreation Committee for comment.

**CARRIED.**

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7.1 9 April 2010 Sesquicentennial Committee Meeting Minutes  
14 May 2010 Draft Sesquicentennial Committee Meeting Minutes  
**MOVED** by Counc. Shea and seconded by Counc. Young the Sesquicentennial Committee meeting minutes dated 9 April 2010 and 14 May 2010 be received/filed.

### ON THE QUESTION:

It was noted \$5000 was received from the Regional Development Corporation (through MLA Blaney).

**CARRIED.**

7.2 14 April 2010 Kennebecasis Public Library Board Meeting Minutes  
12 May 2010 Letter from Kennebecasis Public Library RE: correspondence to Minister Arseneau RE: Property tax relief  
**MOVED** by Counc. Young and seconded by Counc. Shea the Kennebecasis Public Library Board meeting minutes dated 14 April 2010 and letter to Minister Arseneau RE: property tax relief be received/filed.

### ON THE QUESTION:

It was requested the Library Board also keep MLA Margaret-Ann Blaney informed of the ongoing activities of the Planning Committee.

**CARRIED.**

7.3 28 April 2010 Rothesay Regional Joint Board of Police Commissioners (RRJBPC) Board Meeting Minutes  
30 April 2010 Draft RRJBPC Financial Statements  
**MOVED** by Counc. Shea and seconded by Counc. Mullett the Rothesay Regional Joint Board of Police Commissioners meeting minutes dated 28 April 2010 and draft Financial Statements dated 30 April 2010 be received/filed.

**CARRIED.**

7.4 30 April 2010 Unaudited Rothesay Utility Fund Financial Statements  
**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald the unaudited Rothesay Utility Fund Financial Statements dated April 30, 2010 be received/filed.

**CARRIED.**

30 April 2010 Unaudited Rothesay General Fund Financial Statements  
**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald the unaudited Rothesay General Fund Financial Statements dated April 30, 2010 be received/filed.

**CARRIED.**

7.5 11 May 2010 Draft Parks and Recreation Committee Meeting Minutes  
**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald the draft Parks and Recreation Committee meeting minutes dated 11 May 2010 be received/filed.

**CARRIED.**



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### ➤ **Bicycle Lanes**

**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald Council explore the feasibility of installing bicycle lanes on existing roads and to consider the inclusion of bicycle lanes in the design of future roads.

#### ON THE QUESTION:

It was noted bicycle lanes are currently being investigated through a recommendation from the Public Works and Infrastructure Committee. DO Hatcher advised existing roadways are not wide enough to have a bicycle lane delineated but a bicycle symbol will be painted on the test lanes. It was further noted it would be fairly expensive to incorporate bicycle lanes on existing roads but they could be considered for new collector roads.

**CARRIED.**

7.6 19 May 2010 Draft Heritage Preservation Review Board Meeting Minutes

**MOVED** by Counc. Young and seconded by Counc. Mullett the draft Heritage Preservation Review Board meeting minutes dated 19 May 2010 be received/filed.

**CARRIED.**

7.7 May 2010 Building Permit Monthly Summary Report

**MOVED** by Counc. Shea and seconded by Counc. Kilfoil the May 2010 Building Permit Monthly Summary Report be received/filed.

**CARRIED.**

7.8 7 June 2010 Draft Planning Advisory Committee Meeting Minutes

**MOVED** by Counc. Young and seconded by Counc. Shea the draft Planning Advisory Committee meeting minutes dated 7 June 2010 be received/filed.

**CARRIED.**

### ➤ **Clermont Lane/Robertson Drive Public Hearing**

9 June 2010 Memorandum from Town Clerk Banks with attachments

9 June 2010 Recommendation from Planning Advisory Committee

**MOVED** by Counc. Young and seconded by Counc. Kilfoil Council schedule a Public Hearing in accordance with the *Community Planning Act*, for By-law 1-10-01, for **Monday, July 12, 2010 commencing at 7:00 p.m.** to give consideration to an amendment to the Municipal Plan By-law to re-designate the properties identified as PID#s 00257758, 30203798, 30199608 and 30199558 situate generally off Robertson Drive and Clermont Lane, from Low Density Residential to Moderate Density Residential.

**CARRIED.**

**MOVED** by Counc. Young and seconded by Counc. Cochrane Council schedule a Public Hearing in accordance with the *Community Planning Act*, for By-law 2-02-38, for **Monday, July 12, 2010 commencing at 7:00 p.m.** to give consideration to an amendment to the Zoning By-law to re-zone the properties identified as PID#s 00257758, 30203798, 30199608 and 30199558 situate generally off Robertson Drive and Clermont Lane, from Single Family Residential – Large Serviced (R1a) to Attached Residential (R3).

**CARRIED.**

### ➤ **4 Clark Road Zoning By-law amendments**

See Item 9.1

### ➤ **45 & 49 Clark Road Zoning By-law amendments**

See Item 9.2

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➤ **Sign By-law**

**See Item 9.3**

➤ **Burpee Avenue      Brittain subdivision**

9 June 2010

Recommendation from Planning Advisory Committee

**MOVED** by Counc. Cochrane and seconded by Counc. Kilfoil Council accept cash in lieu of land for public purposes in the amount of \$750 for the Brittain Subdivision as shown on the tentative plan dated March 31, 2010.

**CARRIED.**

**MOVED** by Counc. Cochrane and seconded by Counc. Kilfoil Council assent to the subdivision plan, T-0261-2010-A showing a public road to be identified as Brittain Lane, to permit a subdivision of a parcel of land identified as PID 30192009, at 32 Burpee Avenue, subject to the consent of the owner of Lot 10-3, identified as PID#30261382.

**CARRIED.**

**MOVED** by Counc. Cochrane and seconded by Counc. Shea Council authorize the Mayor and Clerk to enter into an Amending Development agreement for the Brittain Subdivision properties, identified as PID#s 30192009 and 30261382, situate 32 Burpee Avenue, subject to a text amendment requiring the consent in writing of the property owner of Lot 10-3, Tammy Lynn Vaughan, to the inclusion of Lot 10-3, and indicating the owner of Lot 10-3 is not responsible for costs associated with construction of the road.

**CARRIED.**

7.9      8 June 2010      Operations Report

**MOVED** by Counc. Mullett and seconded by Counc. Kilfoil the Operations Report dated June 8, 2010 be received/filed.

**CARRIED.**

➤ **Project 08-6459 Renforth Wharf Reconstruction – Concrete deck**

**MOVED** by Counc. Cochrane and seconded by Counc. Shea Council award the tender for Project 08-6459 to the low tenderer Enteck Environmental Inc., for the tender price of \$84,653.95, inclusive of HST.

**CARRIED.**

➤ **Project 10-3129 Renforth Wharf Reconstruction – Cathodic protection**

**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council award the tender for Project 10-3129 to the low tenderer All Sea Enterprises Ltd., for the tender price of \$30,690.13, inclusive of HST.

**CARRIED.**

➤ **Project 10-3129A Infrastructure Improvements – various streets**

**MOVED** by Counc. Cochrane and seconded by Counc. Young Council award the tender for Project 10-3129A to the low tenderer, Brad Gould Trucking & Excavating Ltd., for the tender price of \$532,968.00, inclusive of HST.

ON THE QUESTION:

It was noted there have been savings on recent tenders when compared to the Engineering Estimates but the figures do not include engineering costs and is not necessarily “extra money”.

**CARRIED.**

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### ➤ **Water supply rehabilitation**

**MOVED** by Counc. Cochrane and seconded by Counc. Young it is estimated an expenditure of \$75,000 will be necessary to complete the necessary operation and Council authorizes this rehabilitation to assist in production needs.

#### ON THE QUESTION:

Counc. Cochrane requested Council be provided with a running summary of tenders, noting where they are over/under estimated costs.

**CARRIED.**

### ➤ **Water supply intake screen replacement**

**MOVED** by Counc. Cochrane and seconded by Counc. Young it is estimated an expenditure of \$25,000 will be necessary to complete the necessary operation and Council authorize the replacement screen.

#### ON THE QUESTION:

It was noted this will be charged to the Utility. Counc. Cochrane expanded his request to include a running summary of tender awards for both the General Fund and Utility Fund.

**CARRIED.**

### ➤ **General equipment purchase Fibobec Spacecap**

**MOVED** by Counc. Cochrane and seconded by Counc. Mullett Council authorize the purchase of the Spacecap from Action Truck Caps and Accessories Ltd., for the quoted price of \$11,580.24, inclusive of HST.

**CARRIED.**

On questioning, it was noted the Renforth Wharf tender documents contained a completion date of 30 June 2010. DO Hatcher advised it will likely be completed during the first week of July, based on current weather.

#### 7.9.1 Project No. 2010-02 Dunedin Upgrade

11 June 2010 Memorandum from DO Hatcher

**MOVED** by Counc. Cochrane and seconded by Counc. Young Council award the tender for Project 2010-02 to the low tenderer, Fairville Construction Ltd., for the tender price of \$1,496,510.98, inclusive of HST.

**CARRIED.**

#### 7.10 8 June 2010 Draft Finance Committee Meeting Minutes

**MOVED** by Deputy Mayor MacDonald and seconded by Counc. Cochrane the draft Finance Committee meeting minutes dated 8 June 2010 be received/filed.

**CARRIED.**

## 8. **UNFINISHED BUSINESS**

### 8.1 **By-law 2-02-36 23 Marr Road** (High density residential proposal)

31 May 2010 Letter to R. Crowther RE: proposed development 23 Marr Road.

**MOVED** by Counc. Shea and seconded by Counc. Kilfoil the letter to R. Crowther RE: proposed development 23 Marr Road be received/filed.

**CARRIED.**

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9. **NEW BUSINESS**  
**BUSINESS ARISING FROM PUBLIC HEARINGS**

- |     |                     |                                  |
|-----|---------------------|----------------------------------|
| 9.1 | <b>4 Clark Road</b> | <b>Zoning By-law amendments</b>  |
|     | 8 June 2010         | Memorandum from Town Clerk Banks |
|     | DRAFT               | By-law 2-02-39                   |
|     | DRAFT               | By-law 2-02-40                   |

**MOVED** by Council. Young and seconded by Council. Mullett 1<sup>st</sup> Reading, by Title, be given By-law 2-02-39, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-39 by title.

**MOVED** by Council. Young and seconded by Council. Kilfoil 2<sup>nd</sup> Reading, by Title, be given By-law 2-02-39, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-39 by title.

**MOVED** by Council. Young and seconded by Council. Kilfoil 1<sup>st</sup> Reading, by Title, be given By-law 2-02-40, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-40 by title.

**MOVED** by Council. Young and seconded by Council. Mullett 2<sup>nd</sup> Reading, by Title, be given By-law 2-02-40, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-40 by title.

- |     |                               |                                  |
|-----|-------------------------------|----------------------------------|
| 9.2 | <b>45 &amp; 49 Clark Road</b> | <b>Zoning By-law amendments</b>  |
|     | 8 June 2010                   | Memorandum from Town Clerk Banks |
|     | DRAFT                         | By-law 2-02-41                   |
|     | DRAFT                         | By-law 2-02-42                   |

**MOVED** by Council. Young and seconded by Council. Shea 1<sup>st</sup> Reading, by Title, be given By-law 2-02-41, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-41 by title.

**MOVED** by Council. Young and seconded by Council. Shea 2<sup>nd</sup> Reading, by Title, be given By-law 2-02-41, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-41 by title.

**MOVED** by Council. Young and seconded by Council. Kilfoil 1<sup>st</sup> Reading, by Title, be given By-law 2-02-42, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-42 by title.

**MOVED** by Council. Young and seconded by Council. Mullett 2<sup>nd</sup> Reading, by Title, be given By-law 2-02-42, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-42 by title.

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### **9.3 Rothesay Sign By-law**

8 June 2010

Memorandum from Town Clerk Banks

DRAFT

By-law 3-10

**MOVED** by Counc. Young and seconded by Counc. Mullett 1<sup>st</sup> Reading, by Title, be given By-law 3-10, "A By-law Respecting Signage in Rothesay".

**CARRIED.**

The Clerk read By-law 3-10 by title.

**MOVED** by Counc. Young and seconded by Counc. Mullett 2<sup>nd</sup> Reading, by Title, be given By-law 3-10, "A By-law Respecting Signage in Rothesay".

**CARRIED.**

The Clerk read By-law 3-10 by title.

It was noted By-law 3-10 has been posted to the Town website and it will be recommended the By-law be read by section number, rather than in its entirety, at the July Council meeting.

## **BUSINESS ARISING FROM DELEGATIONS**

### **9.4 Oakville Acres**

8 June 2010

Email from J. Sherrard.

9 June 2010

Email and letter from D. Doody, 14 Monaco Drive

Mayor Bishop noted the matter had been dealt with under Item 7.0 above.

**MOVED** by Counc. Young and seconded by Counc. Shea the correspondence from J. Sherrard and D. Doody be received/filed.

**CARRIED.**

## **DEVELOPMENT SERVICES**

### **9.5 Tentative Subdivision Plan – Phase 2 Rothesay Landings**

8 June 2010

Memorandum from DDS Drescher

**MOVED** by Counc. Young and seconded by Counc. Kilfoil Council assent to the continuation of Bel-Air Avenue, ending in a temporary cul-de-sac for the Phase 2 development of Rothesay Landings Subdivision, identified as PID# 00074906, as shown on the tentative subdivision plan Dwg. No T-0141- Scheme 3A, dated June 4, 2010.

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

It was noted stormwater drainage in this area flows in a different direction from Oakville Acres and the development is being reduced from 34 units to 18 units in this phase.

**CARRIED.**

### **9.6 83 Hampton Road Security Release**

9 June 2010

Memorandum from DDS Drescher

**MOVED** by Counc. Young and seconded by Counc. Mullett Council release \$45,000 of the security to the Town in the form of cash in conjunction with the development at 83 Hampton Road.

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

DDS Drescher advised the normal procedure for Council is to hold back 5% of the security for one year for any outstanding issues but advised Mr. Bamford had requested the full amount be released. Mr. Bamford is of the opinion all outstanding matters have been addressed. It was noted the roadwork on Hampton Road had been re-done. Town Manager Jarvie advised the 5% hold back is also used to address any deficiencies that may arise with the work.

**CARRIED.**

**ROTHESAY COUNCIL**

Open Session

Meeting Minutes

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14 June 2010

10. **NEXT MEETING**

The next regular meeting will be held on Monday, July 12, 2010 following Public Hearings.

11. **ADJOURNMENT**

**MOVED** by Counc. Young and seconded by Counc. Kilfoil the meeting be adjourned.

**CARRIED.**

The meeting adjourned at 9:35 p.m.

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MAYOR

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CLERK