



ROTHESAY COUNCIL

OPEN SESSION

~~Tuesday, October 12, 2010~~ November 8, 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 Zoning By-law 2-10

Documentation

14 October 2010	1 st Section 68 advertisement
3 November 2010	2 nd Section 68 Advertisement
1 November 2010	Recommendation from Planning Advisory Committee
26 October 2010	Staff Report
28 October 2010	Concordance table
DRAFT (28 October 2010)	By-law 2-10

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

Objections: Thursday, October 7, 2010 deadline – none received

Mayor Bishop called the Public Hearing to order at 8:05 p.m. DDS Drescher appeared before Council and gave an overview of the Zoning By-law and noted the high level changes, including a review of the map. She noted the Zoning By-law outlines permitted uses and standards for each zone and relates to the over-riding policy statements contained within the Municipal Plan. DDS Drescher noted there are changes in the following: R-3 Attached Residential Zone, R-4 Multi-Unit Residential Zone, CC Central Commercial Zone, MP Millennium Park Zone, parking standards and stormwater management. It was further noted there are changes in the R-1E Single Family Small Lot Zone, R-2 Two Family Zone, daycare, seniors housing, home occupations, and the fee structure. There are a number of housekeeping matters that were dealt with for consistency. DDS Drescher noted a change was being recommended by the Planning Advisory Committee to allow portable garages in the rear yard only. In closing, she noted comments had been received following the deadline of Thursday, October 7, 2010. Mayor Bishop advised Council did not normally accept any comments received after the deadline. He thanked DDS Drescher for her presentation.

The following was provided for clarification on questions from Council: portable garages are currently found in many different locations on properties within the Town and the Committee recommended they be permitted on the back of the property rather than being prohibited; changes to the daycare limits from 6 to 9 children with approval by the Planning Advisory Committee are to align the By-law with the current provincial legislation; and the map is basically the existing map with a few changes (Steele-Kennedy Park).

Mayor Bishop called three times for those who wished to speak in opposition of the By-law.

Gary Corscadden, Dobbin Street spoke to the section dealing with daycares and daycare centres.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-2-

8 November 2010

He questioned how many daycares were in existence and noted there are vacant commercial spaces in the Town that could accommodate them. DDS Drescher advised some have been approved by the Planning Advisory Committee, some have been grandfathered and some are just in existence so there is no way to determine how many are operating. It was noted there is no fee payable to the Town for daycare operations. Mr. Corscadden suggested the change in number from 6 children to 9 does not need to occur without additional research with respect to excessive noise and the potential impact on surrounding neighbours. Mayor Bishop noted Council has been receiving comments from residents that daycares are needed in the community. Mr. Corscadden requested Council consider retired residents in neighbourhoods. Counc. Cochrane advised the increase from 6 to 9 children is to align the By-law with provincial legislation.

Mayor Bishop called three times for those who wished to speak in favour of the By-law.

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

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-3-

8 November 2010

Mayor Bishop called the Open Session to order at 8:30 p.m.

1. **APPROVAL OF MINUTES** Regular Meeting 12 October 2010
Special Meeting 19 October 2010

MOVED by Counc. Shea and seconded by Counc. Gallagher Jette the minutes of 12 October 2010 be approved as circulated.

CARRIED.

MOVED by Counc. Shea and seconded by Counc. Mullett the minutes of 12 October 2010 be approved as circulated.

CARRIED.

1.1 Business Arising from Minutes

N/A.

2. APPROVAL OF AGENDA

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the agenda be approved as amended, as follows:

- Addition of Item 5.4 Amalgamation
- Item 6.1 be moved to Item 5.5 (Cherry Brook Zoo correspondence)
- Item 6.7 be moved to Item 5.6 (Kennebecasis Public Library budget)

CARRIED.

3. OPENING REMARKS OF COUNCIL

Mayor Bishop advised the Remembrance Day ceremonies were well attended, both at the Wesleyan Church and the Rothesay Common. He also noted the event "Ovation" sponsored by the greater Saint John Community Foundation was well-attended and a big success.

4. DELEGATIONS

4.1 Kennebecasis Valley Fire Department Budget Presentation (See Item 9.1)

Patrick Ervin, Chair, Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. and Chief Bill Ireland appeared before Council to present the proposed 2011 Budget. Mr. Ervin noted the current Five Year Plan is in its last year and the new plan for 2012-2017 has been under discussion but with the number of activities affecting the Department in the last year there has been little progress. Mr. Ervin indicated a committee will be struck and stakeholder participation will be undertaken. He further noted the Department will be seeking the support of both Towns for a five year financial commitment. Mr. Ervin indicated the 2011 budget shows an increase of 7.21% and the notable items are outlined in the documentation.

Mayor Bishop commended the Department on their first class service to the community but expressed concerns about the increases in salaries, benefits and volunteer expenses. He questioned why there are increased costs in casual/volunteer expenses, as well as increases in professional firefighter costs.

Mr. Ervin advised the Department is a composite one that relies heavily on volunteers and their availability to respond to calls. He noted that volunteers are not available during the day and based on firefighting standards, there is a need to increase the professional side of the operation. Council was advised the current collective agreement expires on December 31, 2011. Deputy Mayor MacDonald raised questions about the status of the pension plan and was advised the Department is part of the Municipal Employees Pension Plan and questions about it should be addressed to Morneau Sobeco. Deputy Mayor MacDonald and Counc. Gallagher Jette commented on the budget increases, with the Department budget now totalling close to \$4 million and budget constraints may be forthcoming with proposed funding restrictions to

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-4-

8 November 2010

municipalities that may be introduced by the new provincial government. It was suggested these concerns be addressed in the new Five Year Capital Plan.

Mayor Bishop thanked Mr. Ervin and Chief Ireland for their presentation.

4.2 **Rothsay Regional Joint Board of Police Commissioners** (See Item 9.2)

Gordon Friars, Chair, Rothsay Regional Joint Board of Police Commissioners, Chief Stephen McIntyre, Sherri Madill, Treasurer and Peter McGill, Past Chair appeared before Council to present the 2011 Budget. Mr. Friars noted the proposed budget shows an increase of 7.28%. He further noted a new hire has been removed from 2011 in order to accommodate forthcoming changes with the Telecommunications Centre. He indicated the start up costs are higher than current expenses but will be absorbed over time. Mr. Friars also noted the current Five Year Plan expires in 2014. He concluded by noting the Rothsay Regional Police Force is one of the best, if not the best, forces in the Province and is the most economical by far. It was noted the collective agreement expires December 31, 2010.

Chief McIntyre advised the goal of the Force is to maintain or improve the level of effectiveness to meet its objectives, including the use of increased or improved technology. He spoke to the increase for telecommunications in 2011 with the partnership with Saint John but costs five years from now will be slightly less than the current expense. Chief McIntyre spoke to the budget, noting Rothsay has the third largest force in the Province and is moving forward to take advantage of available technology, including laptops in the vehicles. He noted there is an agreement in principle for telecommunications with the City of Saint John and the budget includes any severance costs associated with current telecommunications staff. He further noted the Personnel Committee will begin negotiations on a new collective agreement in the near future to deal with some of the outstanding issues.

Mayor Bishop thanked the representatives for their presentation.

5. **CORRESPONDENCE FOR ACTION**

5.1 21 October 2010 Letter from Healthy Active Living RE: funding request.

MOVED by Counc. Shea and seconded by Counc. Kilfoil the letter from Healthy Active Living RE: funding dated 21 October 2010 be received/filed.

CARRIED.

5.2 28 October 2010 Letter from Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. RE: reallocation of 2010 Capital Funds.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council authorize the re-allocation of \$148,000 unspent 2010 capital funds, as requested by the Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. in correspondence dated 28 October 2010.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-5-

8 November 2010

- 5.3 19 August 2010 Letter from PEFV RE : request for support.
5.3.1 3 November 2010 Letter from District 6 Education Council RE: Parents pour l'école francophone dans la vallee (PEFV).
5.3.2 16 September 2010 Letter to District 6 Education Council.

Mayor Bishop requested direction from Council with respect to a response to the Parents pour l'école francophone dans la vallee (PEFV) group. Deputy Mayor MacDonald noted there are many needs in School District 6 and the proposal is a duplication of services. He further noted with the new provincial budget constraints he was not prepared to support the project at this time. Counc. Young noted the high schools in Bathurst and Moncton will require replacement so provincial funds will likely be funnelled to those projects.

MOVED by Counc. Kilfoil and seconded by Counc. Mullett the correspondence, as follows, be received/filed:

- 5.3 19 August 2010 Letter from PEFV RE : request for support.
- 5.3.1 3 November 2010 Letter from District 6 Education Council RE: Parents pour l'école francophone dans la vallee (PEFV).
- 5.3.2 16 September 2010 Letter to District 6 Education Council.

CARRIED.

5.4 Amalgamation

Mayor Bishop noted there has been recent media coverage with respect to amalgamation in the Kennebecasis Valley and it is time to put the matter on the agenda.

MOVED by Counc. Shea and seconded by Counc. Young:

Whereas Council on January 14, 2008 passed a motion to refer the question of amalgamation with Quispamsis to the incoming Council; and

Whereas the issue has not been discussed by Council since that date; and

Whereas the issue has surfaced in the media on a number of occasions; and

Whereas the Finn Report is most likely to be taken from the shelf at the provincial level; and

Whereas any decision to amalgamate would have to be based on a thorough study of the facts for and against;

BE IT RESOLVED that a letter be forwarded to Quispamsis asking if they are interested in discussing the matter.

ON THE QUESTION:

Mayor Bishop noted this would be a fact-finding undertaking and there would be no point in both communities undertaking a study on their own. Counc. Gallagher Jette asked where the initiative came from and noted the status quo was working fine. She questioned why Rothesay would consider moving in this direction. Counc. Cochrane questioned the context – whether in relation to the Finn Report or as between Rothesay and Quispamsis. Mayor Bishop noted if Quispamsis was interested, then a framework would be approved. Counc. Kilfoil advised there was a great deal of misinformation in the media and it should be clarified, particularly with respect to tax rates, garbage collection and utilities. Counc. Mullett noted it cannot be considered until the implications are known and a study would be the first step.

NAY votes recorded from Councs. Gallagher Jette and Counc. Kilfoil.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-6-

8 November 2010

6.1 1 October 2010 Submission from Cherry Brook Zoo RE: Budget documents (previously provided to Finance Committee – full document available from Treasurer).

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Submission from Cherry Brook Zoo RE: Budget documents dated 1 October 2010 be referred to the Finance Committee.

CARRIED.

6.7 28 October 2010 Email from Kennebecasis Public Library RE: 2011 Proposed Budget (previously provided to Finance Committee).

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the correspondence from Kennebecasis Public Library RE: 2011 Proposed Budget be forwarded to the Finance Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 1 October 2010 Submission from Cherry Brook Zoo RE: Budget documents (previously provided to Finance Committee – full document available from Treasurer).

Dealt with above.

6.2 8 October 2010 Letter from Quispamsis to Rothesay Regional Joint Board of Police Commissioner RE: Telecommunications Proposal.

MOVED by Counc. Shea and seconded by Counc. Mullett the letter from Quispamsis to Rothesay Regional Joint Board of Police Commissioner RE: Telecommunications Proposal dated 8 October 2010 be received/filed.

CARRIED.

6.3 15 October 2010 Letter from Saint John Dragon Boat Festival RE: letter of thanks.

MOVED by Counc. Young and seconded by Counc. Cochrane the letter from Saint John Dragon Boat Festival RE: letter of thanks dated 15 October 2010 be received/filed.

CARRIED.

6.4 18 October 2010 Letter from PPP Canada RE: PPP Canada's Preliminary Assessment of proposed Rothesay Ice Sports Facility.

MOVED by Counc. Young and seconded by Counc. Kilfoil the letter from PPP Canada RE: PPP Canada's Preliminary Assessment of proposed Rothesay Ice Sports Facility dated 18 October 2010 be received/filed.

CARRIED.

6.5 21 October 2010 Letter to Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. RE: 2010 and 2011 Budgets.

MOVED by Counc. Cochrane and seconded by Counc. Gallagher Jette the letter to the Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. RE: 2010 and 2011 Budgets dated 21 October 2010 be received/filed.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-7-

8 November 2010

6.5.1 22 October 2010 Letter from Quispamsis to Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. RE: Reallocation of 2010 Capital Budget.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the letter from Quispamsis to Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. RE: Reallocation of 2010 Capital Budget dated 22 October 2010 be received/filed.

CARRIED.

6.6 27 October 2010 Letter from Quispamsis to Cherry Brook Zoo RE: Regional Facilities Commission.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Kilfoil the letter from Quispamsis to Cherry Brook Zoo RE: Regional Facilities Commission be received/filed.

CARRIED.

6.7 28 October 2010 Email from Kennebecasis Public Library RE: 2011 Proposed Budget (previously provided to Finance Committee).

Dealt with above.

7. REPORTS

7.0 November 2010 Report from Closed Session

➤ Insurance Request for Proposals

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald RESOLVED THAT Council selects Cain Insurance Services Ltd. to provide insurance and risk management services for the 3 year period from 2011-2013 and authorize staff to negotiate the final insurance terms and further authorize the Mayor and Clerk to sign the required contractual documents.

CARRIED.

7.1 9 June 2010 Kennebecasis Valley Fire Department Inc. Board Meeting Minutes

MOVED by Counc. Mullett and seconded by Counc. Shea the Kennebecasis Valley Fire Department Inc. Board Meeting Minutes dated 9 June 2010 be received/filed.

CARRIED.

8 September 2010 Kennebecasis Valley Fire Department Inc. Board Meeting Minutes

MOVED by Counc. Shea and seconded by Counc. Cochrane the Kennebecasis Valley Fire Department Inc. Board Meeting Minutes dated 8 September 2010 be received/filed.

CARRIED.

30 September 2010 Kennebecasis Valley Fire Department Inc. Unaudited Financial Statements

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the Kennebecasis Valley Fire Department Inc. Unaudited Financial Statements dated 30 September 2010 be received/filed.

CARRIED.

7.2 31 December 2009 Kennebecasis Public Library Inc. Audited Financial Statements

6 August 2010 Kennebecasis Public Library Inc. Board Meeting Minutes

16 September 2010 Kennebecasis Public Library Inc. Board Meeting Minutes

MOVED by Counc. Cochrane and seconded by Counc. Shea the Kennebecasis Public Library Inc. Audited Financial Statements dated 31 December 2009 and the Kennebecasis Public Library Inc. Board Meeting Minutes dated 6 August 2010 be received/filed.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-9-

8 November 2010

ON THE QUESTION:

Counc. Cochrane asked why the statements were so late in being received. Mayor Bishop noted the auditor had some difficulty in the preparation of the statement. Counc. Cochrane questioned when the last Request for Proposals for Auditors was done and indicated he had some other questions. He noted he would enquire and report back to Council.

CARRIED.

7.3 22 September 2010 Rothesay Regional Joint Board of Police Commissioners Meeting Minutes

MOVED by Counc. Shea and seconded by Counc. Mullett the Rothesay Regional Joint Board of Police Commissioners Meeting Minutes dated 22 September 2010 be received/filed.

CARRIED.

30 September 2010 Rothesay Regional Joint Board of Police Commissioners Financial Statements

MOVED by Counc. Shea and seconded by Counc. Young the Rothesay Regional Joint Board of Police Commissioners Financial Statements dated 30 September 2010 be received/filed.

CARRIED.

7.4 30 September 2010 Unaudited Rothesay General Fund Financial Statements

MOVED by Counc. Cochrane and seconded by Counc. Young the Unaudited Rothesay General Fund Financial Statements dated 30 September 2010 be received/filed.

CARRIED.

30 September 2010 Unaudited Rothesay Utility Fund Financial Statements

MOVED by Counc. Cochrane and seconded by Counc. Young the Unaudited Rothesay Utility Fund Financial Statements dated 30 September 2010 be received/filed.

CARRIED.

3 November 2010 Draft Finance Committee Meeting Minutes

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the draft Finance Committee Meeting Minutes dated 3 November 2010 be received/filed.

ON THE QUESTION:

There was a brief discussion as to the request for \$5000 for the Sculpting Symposium was for 2010 or 2011.

CARRIED.

7.5 October 2010 Building Permit Report

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald the Building Permit Report dated October 2010 be received/filed.

CARRIED.

7.6 20 October 2010 Draft Public Works and Infrastructure Committee Meeting Minutes

MOVED by Counc. Mullett and seconded by Deputy Mayor MacDonald the draft Public Works and Infrastructure Committee Meeting Minutes dated 20 October 2010 be received/filed.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-10-

8 November 2010

➤ Curbside Recycling

MOVED by Counc. Mullett and seconded by Counc. Cochrane Council authorize staff to proceed with a Tender for recycling collection at curbside, this should include options for two stream or three stream pickup and requirements that materials not be bagged or subject to scavenging.

ON THE QUESTION:

It was suggested funding may be available from the Environmental Trust Fund to assist with the purchase of containers or part of the Gas Tax Funding. Town Manager Jarvie noted it would likely be 2011 before a price could be obtained.

CARRIED.

7.7 21 October 2010 Draft Heritage Preservation Review Board Meeting Minutes

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald the draft Heritage Preservation Review Board Meeting Minutes be received/filed.

CARRIED.

7.8 26 October 2010 Draft Water and Sewer Committee Meeting Minutes

MOVED by Counc. Kilfoil and seconded by Deputy Mayor MacDonald the draft Water and Sewer Committee Meeting Minutes be received/filed.

CARRIED.

➤ Account adjustment

MOVED by Counc. Kilfoil and seconded by Counc. Young Council authorize the consumption charge for the 1st Quarter Water invoice for 2010 to be reduced to \$200.00 on Account Number 122866 and the resident be reimbursed \$302.37 and further noting this will be a one time adjustment.

ON THE QUESTION:

It was noted Council has taken similar action in the past on other utility accounts but it is not a common practice. The action is usually taken on compassionate grounds. Deputy Mayor MacDonald suggested a note be placed on utility bills recommending residents check their systems regularly.

CARRIED.

7.9 1 November 2010 Draft Planning Advisory Committee Meeting Minutes

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald the draft Planning Advisory Committee Meeting Minutes be received/filed.

CARRIED.

➤ Zoning By-law 2-10

See Item 9.3

➤ 2-4 Clark Road

See Item 8.1

7.10 2 November 2010 Operations Report

MOVED by Counc. Gallagher Jette and seconded by Counc. Mullett the Operations Report dated 2 November 2010 be received/filed.

ON THE QUESTION:

It was noted the Renforth Wharf contract will roll over in 2011 and there will be some extra charges with the Arbor Rock but the contract should be valid for next year. DO Hatcher further

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-11-

8 November 2010

noted the goods have been moved offsite for the winter. He further noted there may also be some asphalt work carried over into 2011 but it will hopefully be completed this week.

CARRIED.

7.11 2 November 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 be received/filed.

CARRIED.

➤ Proposed Dog Park

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald Council authorize the development of a dog park, including signage, appropriate access, litter containers, and benches, at the property situate off the Homestead Road, identified as PID 30222129.

ON THE QUESTION:

Counc. Kilfoil noted he was against the proposal as he did not see the value in using taxpayers' money for this type of project. Deputy Mayor MacDonald indicated there was no reference to costs. Counc. Shea advised he visited the site and it was locked. He noted the property is to serve as a detention pond and he had concerns about dog feces onsite. Counc. Shea advised he was unable to find information on wetlands acting as filters and further noted there was no design as yet for the proposed park and no clear indication on proper maintenance once constructed. Counc. Gallagher Jette agreed it is a good concept but she did not support the proposed location and wanted more information on associated costs.

YEA votes recorded from Councils. Mullett and Young.

NAY votes recorded from Deputy Mayor MacDonald, Councils. Cochrane, Gallagher Jette, Kilfoil and Shea.

DEFEATED.

➤ Arthur Miller Fields scoreboard

Mayor Bishop noted the letter from Mr. Buckley had been forwarded to the Parks and Recreation Committee for their review prior to the Council meeting. He indicated there are two issues: 1) is Council in favour of having a scoreboard and 2) having it installed and paid for by the Town.

Mr. Buckley was in attendance and given the opportunity to speak. He advised the scoreboard is the same as that used in School District 8. He noted installation would require three holes with concrete and steel poles. It was estimated the cost would be about \$7000 for installation. The scoreboard itself is \$6250. Deputy Mayor MacDonald asked if it would serve one or both fields. Mr. Buckley suggested it could only serve one but a second one could be installed later if the installation site was on the slope between both fields. It was suggested fundraising could be undertaken for the approximately \$20,000 cost for the purchase of two scoreboards and installation. It was further noted an individual has offered to do the electrical installation. Mayor Bishop suggested a limit of \$20,000 be set for the expense to the Town and any additional funds could be covered by fundraising. Counc. Gallagher Jette suggested the fundraising option be investigated for the entire project, noting she was not prepared to give approval for the expenditure. She further suggested there was a fiscal responsibility issue with respect to the process in which the matter was brought forward to Council. Counc. Gallagher Jette suggested further information was needed as there may be residents who would like to see a dog park as much as a scoreboard at the Arthur Miller Fields.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Kilfoil Council refer the request from Mr. Buckley RE: Scoreboard at Arthur Miller Fields dated 26 October 2010 to the Finance Committee to confirm costs to the Town.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-12-

8 November 2010

8. OLD BUSINESS

- | | | |
|------------|--|--|
| 8.1 | 2-4 Clark Road – Zoning By-law amendments/Development Agreement | |
| | By-law 2-02-39 | Reading in Entirety, 3rd Reading and Enactment |
| | By-law 2-02-40 | Reading in Entirety, 3rd Reading and Enactment |
| | 2 November 2010 | Memorandum from Town Clerk Banks with attachment |
| | 25 October 2010 | Staff Report with draft development agreement |

MOVED by Counc. Young and seconded by Counc. Kilfoil Council give Reading in its Entirety to By-law 2-02-39, “A By-law to Amend the Zoning By-law”.

CARRIED.

The Clerk read By-law 2-02-39 in its entirety.

MOVED by Counc. Young and seconded by Counc. Mullett Council give 3rd Reading by Title and Enactment, to 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 Counc. Young and seconded by Counc. Shea Council give Reading in its Entirety to By-law 2-02-40, “A By-law to Amend the Zoning By-law”.

CARRIED.

The Clerk read By-law 2-02-40 in its entirety.

MOVED by Counc. Young and seconded by Counc. Cochrane Council give 3rd Reading by Title and Enactment, to 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 Counc. Young and seconded by Counc. Cochrane Council authorize the Mayor and Clerk to enter into a development agreement, as amended, for the redevelopment of the lands and a building as a convenience store situate 2 Clark Road, identified as PID 00254912 and a portion of PID 30262430, more particularly with the following amendments:

- inclusion of the requirement for downcast lighting and
- the insertion of the following paragraph:
 - Ownership:

The Developer acknowledges that the ownership of that portion of PID 254912 which is north of the Clark Road street line (labeled ‘Street line as per Plan No. 43B’ on the tentative subdivision plan included as Schedule A) is in dispute. Further, until the ownership of the disputed parcel is resolved the Developer agrees to develop only the portion of PID 254912 which is not in dispute and the portion of PID 30262430 which has been rezoned to Neighbourhood Convenience for the purpose of a convenience store.

CARRIED.

9. NEW BUSINESS

BUSINESS ARISING FROM DELEGATIONS

- | | | |
|------------|--|---|
| 9.1 | Kennebecasis Valley Fire Department 2011 Operating and Capital Budget | |
| | 28 October 2010 | Letter from M. McGrath, Recording Secretary |
| | | 2011 Proposed Budget |

MOVED by Counc. Cochrane and seconded by Counc. Young the Kennebecasis Valley Fire Department 2011 Operating and Capital Budget be referred to the Finance Committee.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-13-

8 November 2010

9.2 Rothesay Regional Joint Board of Police Commissioners 2011 Budget

3 November 2010 Letter from G. Friars, Chair
2011 Proposed Budget

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Rothesay Regional Joint Board of Police Commissioners 2011 Budget be referred to the Finance Committee.

CARRIED.

BUSINESS ARISING FROM PUBLIC HEARING

9.3 Rothesay Zoning By-law 2-10

1 November 2010 Recommendation from Planning Advisory Committee

MOVED by Counc. Young and seconded by Counc. Cochrane Council authorize the following changes to proposed By-law 2-10, "Rothesay Zoning By-law":

- o licensed establishments becoming a conditional use in the Central Commercial zone
- o temporary portable garages being permitted only in the rear yard from November 1st until April 1st.

ON THE QUESTION:

It was noted the weather can still be wintery on April 1st and it was suggested the date be changed to April 30th.

AMENDING MOTION:

MOVED by Counc. Mullett and seconded by Deputy Mayor MacDonald the date be changed to read as follows:

- ...from November 1st until **April 30th**.

Amending motion CARRIED.

MAIN MOTION CARRIED (as amended).

MOVED by Counc. Young and seconded by Counc. Shea Council give 1st Reading, by Title, to By-law 2-10, "Rothesay Zoning By-law", as amended.

CARRIED.

The Clerk read By-law 2-10 by Title.

MOVED by Counc. Young and seconded by Counc. Shea Council give 2nd Reading, by Title, to By-law 2-10, "Rothesay Zoning By-law", as amended.

CARRIED.

The Clerk read By-law 2-10 by Title.

It was noted By-law 2-10 will be posted to the website and available for review at the Town Office. It will be recommended it be read by Section Number rather than in its entirety at the next Council meeting, in accordance with the *Municipalities Act*.

DEVELOPMENT SERVICES

9.4 Street Name Changes and Civic Numbering (Low Wood Estates)

19 October 2010 Memorandum from Building Inspector S. Nason

MOVED by Counc. Mullett and seconded by Counc. Gallagher Jette the memorandum RE: Street Name Changes and Civic Numbering (Low Wood Estates) be received/filed.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-14-

8 November 2010

10. **NEXT MEETING**

The next regular meeting of Council will be held on Monday, December 13, 2010.

11. **ADJOURNMENT**

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

CARRIED.

The meeting adjourned at 10:20 p.m.

MAYOR

CLERK