



ROTHESAY
COUNCIL MEETING
By WebEx Videoconference
Monday, January 11, 2021
4:00 p.m.



PUBLIC NOTICE:

Rothsay Council meetings will be held by teleconference (or videoconference) while the Province is under a State of Emergency and physical distancing is mandatory.

Public access to the Live stream will be available online:

<https://www.rothesay.ca/town-hall/agendas/>

1. APPROVAL OF AGENDA

- | | | |
|-------------------------------|----------------------|------------------|
| 2. APPROVAL OF MINUTES | Regular Meeting | 14 December 2020 |
| | Public Meeting Notes | 15 December 2020 |

➤ **Business Arising from Minutes**

3. OPENING REMARKS OF COUNCIL

ANNOUNCEMENT: Retirement of Ellen Steeves, Financial Officer

3.1 Declaration of Conflict of Interest

4. DELEGATIONS

N/A

5. CORRESPONDENCE FOR ACTION

- 5.1 14 December 2020 Email from Epilepsy Association of the Maritimes RE: Purple Day – March 26, 2021

Request purple ribbons

- 5.2 18 December 2020 Letter from resident RE: 20 Gibbon Road

Refer to staff for a report

- 5.3 23 December 2020 Letter from Fundy Regional Service Commission RE: Plastic Bag Reduction By-law

Refer to staff

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 2019 Excerpt from RCMP 2019 Annual Report (*full copy available by request*)

7. REPORTS

7.0 January 2021 Report from Closed Session

- 7.1 23 November 2020 Fundy Regional Service Commission (FRSC) Meeting Minutes

- 7.2 30 November 2020 Draft unaudited Rothesay General Fund Financial Statements

- 30 November 2020 Draft unaudited Rothesay Utility Fund Financial Statements

- 30 November 2020 Donation Summary

- 7.3 23 December 2020 Draft Works and Utilities Committee Meeting Minutes
 ➤ Alexander Avenue: Emergency Access – Flooding Event
 18 December 2020 Report prepared by DO McLean
 6 January 2021 Report prepared by DO McLean
- 7.4 December 2020 Monthly Building Permit Report
- 7.5 6 January 2021 Capital Projects Summary

8. UNFINISHED BUSINESS

TABLED ITEMS

- 8.1 Wiljac Street Reconstruction and Extension – Design** (Tabled March 2019)
No action at this time

- 8.2 Sagamore Heights – 55 Lot Subdivision** (Tabled November 2020) **Remove from table**
 (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318)
 8 January 2021 Memorandum from Town Manager Jarvie
 8 January 2021 Report prepared by DPDS White
 6 January 2021 Memorandum from Deputy Mayor Alexander

- 8.3 Municipal Plan**
 8 January 2021 Memorandum from Town Manager Jarvie
 6 January 2021 Report prepared by DPDS White
 Various Public Comments received following Public Presentation (26)

9. NEW BUSINESS

- 9.1 Assent for Public Street – Parcel Acquisition 30 Fox Farm Road**
 5 January 2021 Report prepared by DPDS White

10. NEXT MEETING

Regular meeting Monday, February 8, 2021 at 4:00 p.m.

11. ADJOURNMENT

Susan McNulty

From: Epilepsy Association of the Maritimes <info@epilepsymaritimes.org>
Sent: December 14, 2020 1:45 PM
Subject: Purple Day is March 26th 2021-Wear Purple to support Epilepsy Awareness globally!

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings! Hope this email finds you well!

What

Purple Day is a global event dedicated to promoting Epilepsy Awareness around the World to dispel myths and fears and reduce social stigma about the condition. A better understanding of Epilepsy will help improve the quality of life of those with Epilepsy.

When

Purple Day is globally recognized annually on March 26. In June 2012, the Government of Canada created the Purple Day Act and received Royal Assent .March 26th is officially recognized as Purple Day in Canada and around the world

An Update from Cassidy

My name is Cassidy Megan and I am the founder of Purple Day. I want to first thank you for taking the time to read our letter and for all your continued support of the Epilepsy Association of the Maritimes (EAM), Purple Day and people living with epilepsy. It is hard to believe that March 26th 2021 will be Purple Day's 13th Anniversary. I started Purple Day so others living with epilepsy would know that they were not alone, so that we in the epilepsy community could have one day that was ours to stand up and be proud, to show support and teach the world about epilepsy.

Over the last 13 years Purple Day has grown so much; it is now celebrated by so many people in over 100 countries. With everything going on around the world plus COVID, 2020 was a different year that has impacted all of us. As you know the world shut down in March and Purple Day 2020 looked a lot different but we did not let that stop us. We were actually busier this year, we had people around the world holding virtual events over Zoom Facebook and Instagram; there were social media live events and more this allowed people to offer support and education through sharing platforms like Zoom.

I, myself, have been doing Sunday night lives simultaneously on the Purple Day Facebook and Instagram since March with people coming on from all over the world, I have been participating in virtual events with agencies and groups around the world, I have been attending virtual events, webinars with World Health Organization (WHO), International Bureau of Education (IBE) and International Live Events Association (ILEA) and many other organizations around the world. We have been very busy at Epilepsy Association of the Maritimes, holding many virtual education sessions, contactless fundraisers and recently we participated in the Bluenose virtual marathon. I went live many times during this to help people locally and globally feel a part of this event and also showcase our beautiful community ♥

~~2021 January 14 Open Session, 2021 March 24~~
Epilepsy does not stop for a pandemic. It has shown us how strong we are, how much we can come together and I know with your support #PurpleDay2021 is going to be even bigger and better and I look forward to seeing photos of you in your purple on March 26 2021.

Love, Cassidy Megan 🌈😊 Founder of Purple Day

As in past years we are reaching out asking that all Municipalities in the Maritimes participate in Epilepsy Awareness month - March 2021 to show support for local constituents who live with Epilepsy .We ask that in recognition of this event Council wear Purple Ribbons (which we provide) to show support in your community .If possible we ask that a picture be taken of Council wearing the ribbons so we can upload to our Facebook page. Many Municipalities light up their Town Hall or a monument in their community in “purple” –send us pictures and we will post on Facebook!

We are early sending Purple Day 2021 requests due to the uncertainty of the ongoing Pandemic and preparing to send out the items you require .Please advise the number of ribbons required and if you would like a Purple Day Proclamation. We have both in French and English. We will send a reminder in February so you can schedule for your March meeting.

Show your support for your Community and the Maritimes by participating in Epilepsy Awareness Month and Purple Day March 26 2021.

For information and support please visit the following Websites
<https://epilepsymaritimes.org> <https://www.purpleday.org>

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Janine Lisenchuk
Epilepsy Association of the Maritimes
902-429-2633 or 1-866-EPILEPSY
info@epilepsymaritimes.org

December 18, 2020

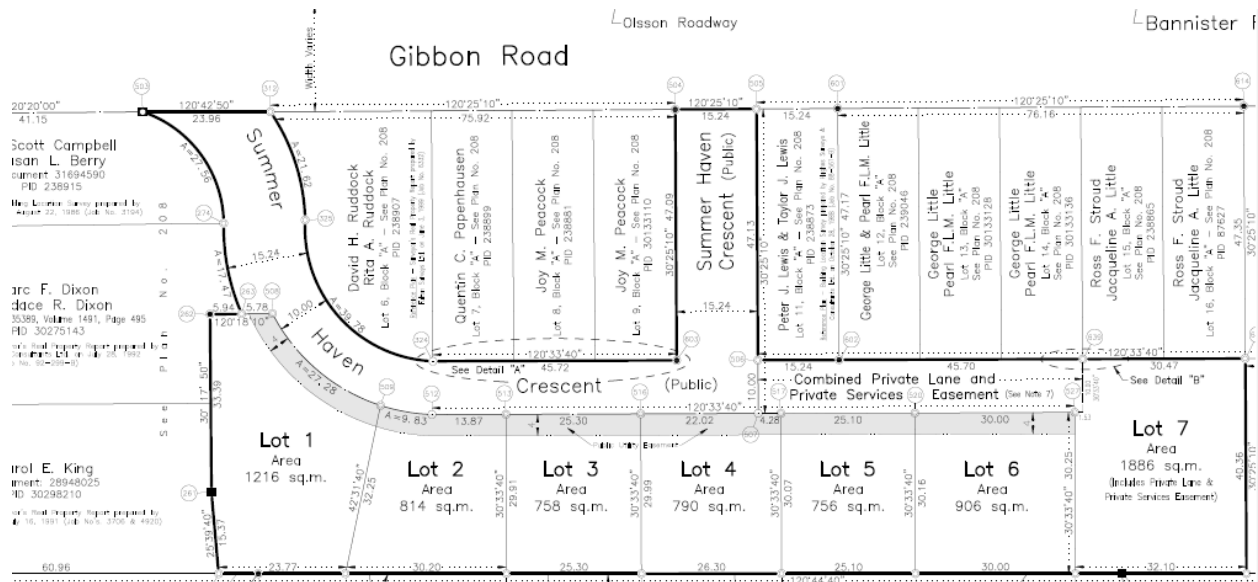
Mayor and Councillors
Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Mayor Grant and Councillors:

My husband and I reside at 6 Summer Haven Crescent. As you may or may not be aware, two new houses were constructed on our street by McKay Builders, one of which was the 2020 Hospital Lottery Home. The second home is directly across from our house. During the initial stages of the construction of the houses, we contacted Brian White to question the size of the homes relative to the size of the lots. It was obvious that the Small Lot Zone (R1E) development rules were being followed, which was surprising to us as it was our understanding that there were only seven lots approved for that zoning classification and these two lots were not in the original subdivision design. This was supported by the letter written by Brian White to the Planning Advisory Committee on February 20th, 2015, in which the following was noted:

Subsequent to a public hearing and input from the PAC on May 12, 2014 Rothesay Council rezoned the lands located at 20 Gibbon Road to the Single Family Residential – Small Lot Zone [R1E]. Council also authorized the Mayor and Clerk to enter into a Development Agreement with A.E. McKay Builders Ltd. to allow for the development of a subdivision containing not more than seven (7) lots for seven (7) single family dwellings. On January 15, 2015 the development agreement with McKay Builders was registered on title as document #34546482.

The associated subdivision plan was also provided at that time and the lot design was pictured as follows:



The small lot Zoning for Summer Haven is also reflected in the current Rothesay Zoning map:



Please note that the large green area is the Riverside Golf Course. The seven lots on Summer Haven Crescent are slightly above the golf course and are depicted in pink (R1E). This compares to the typical Single Residential R1B lots that are shown in yellow. The area used for the latest construction projects were shown as R1B in the Zoning By-Law. These two lots originally ran between Gibbon Rd. and Summer Haven and are noted on the subdivision plan provided as Peacock properties; they were then purchased by the developer, combined, and split in half leading to two additional lots facing Summer Haven. They were somehow approved for the Small Lot Zone (R1E) development rules. When we brought up this matter to Brian White in

early 2020, he advised that the two lots are using grandfathered rules that were associated with the original two lots when the first homes were built on these lots back approximately 100 years ago. It struck us strange at the time that you can purchase two lots, change their shape and orientation completely and then utilize the development rules associated with the original two lots. Upon further investigation, we found an aerial view of the two lots that shows the original house (not two, but one) located in the middle of the two lots leaving adequate space to comply with the normal residential zoning requirements (see area circled in red).



We then checked the New Brunswick Community Planning Act that specifically states the rules as they pertain to non-conforming or “grandfathered” uses:

60(2)A non-conforming use may continue despite the zoning by-law or regulation or rural plan but

*(a) if the use is discontinued for a period of ten consecutive months, or a further period as the advisory committee or regional service commission, as the case may be, considers fit, it shall not be recommenced and **any further use of the land, building or structure shall conform with the zoning by-law or regulation or rural plan, and***

*(b) if a building or structure that contains a non-conforming use has, in the opinion of the advisory committee or regional service commission, as the case may be, **been damaged to the extent of at least half of the whole building or structure, exclusive of the foundation, the building or structure shall not be repaired or restored or used except in conformity with the zoning by-law** or regulation or rural plan, unless the advisory committee or regional service commission agrees otherwise, and, in the case of a by-law, the council may purchase or otherwise acquire the parcel of land on which the building or structure is situated.*

In the case of the two lots purchased by McKay, the home was torn down and the land was not used for at least three years. As a result, any new properties should have abided by the R1B By-Law as indicated in the Zoning map. Revisions to the Zoning (i.e. R1B to R1E) should have followed the Town's specified processes for such changes. Can you please advise why the Zoning By-Law was not complied with and why such development was allowed to proceed without notifying those people impacted by the change (residents of Summer Haven Crescent and Gibbon Road) prior to the lots being rezoned from R1B to R1E.

We look forward to your response.

Thank you.

Sincerely,



**Fundy Regional
Service Commission**
Commission de Services
Régionaux de Fundy

PO Box / CP 3032, Grand Bay-Westfield, NB E5K 4V3

T. 506 738-1212 • F. 506 738-1207
hotline@fundyrecycles.com

December 23, 2020

Mayor and Council
Town of Rothesay
70 Hampton Road
Rothesay NB E2E 5L5



Reference: Update Plastic Checkout Bag Bylaw

Mayor and Council;

As per our letter dated, November 3, 2020 Fundy Regional Service Commission has proposed the Plastic Bag Reduction Bylaw be adopted by all municipalities in the Fundy Region with an implementation date of June 30, 2021. Subsequently, the Commission was asked to review the proposed bylaw concerning two issues: the proposed fee on alternative paper bags and the timeline for implementation.

The intention of the Plastic Bag Reduction Bylaw is to reduce plastic bags in the environment and waste stream, and to encourage customers to utilize reusable bags.

After consultation with stakeholders and regional governments, the Commission has recommended a slight amendment to the proposed bylaw to remove the reference to a fee on paper bags. This change will not alter the intent of the bylaw to reduce single-use plastic bags and aligns the bylaw with Nova Scotia and Newfoundland and Labrador.

At the December 21, 2020, meeting, the Commission passed the following motion:

Remove the reference to fees on paper bags in the proposed Plastic Bag Reduction Bylaw.

The bylaw allows a business to make their own decision whether or not to provide an alternative bag and if they choose to charge for it.

The Commission also reviewed the request to delay implementation of the bylaw. However, the Commission maintains its request to implement the bylaw as of June 30, 2021. Discussions with stakeholders began in December 2019, and the original date of implementation before COVID-19 was January 2021. In order to meet the extended timeline of June 30, 2021, the Commission is requesting municipalities begin the process of adopting the bylaw early in the New Year.

A draft copy of the updated bylaw is attached.

Sincerely,

Nancy Grant, Chair
Fundy Regional Service Commission

BY-LAW

A BY-LAW RESPECTING THE REDUCTION OF SINGLE-USE PLASTIC BAGS

BE IT ENACTED by _____ under the authority vested in it by the *Local Governance Act*, S.N.B., 2017, c. 18, as follows:

1. Title

This by-law may be cited as the “Plastic Bag Reduction By-Law”.

2. Definitions

In this by-law:

(1) “**business**” means any corporation, individual, partnership or co-operative association engaged in a retail operation and, for the purposes of section 3, includes a person employed by, or acting on behalf of, a business;

(2) “**checkout bag**” means

(a) any bag intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the business providing the bag, or

(b) a bag used to package take-out food or food to be delivered, and includes a paper bag or plastic bag, but does not include a reusable bag.

(3) “**Council**” means the Council _____;

(4) “**paper bag**” means a bag made out of paper that is recyclable;

(5) “**plastic bag**” means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a reusable bag;

(6) “**reusable bag**” means a bag with handles that are

(a) designed and manufactured to be capable of at least 100 uses, and

(b) primarily made of cloth or other durable material suitable for reuse;

3. Checkout Bag Prohibition

(1) Except as provided in this by-law, no business shall provide a checkout bag to a customer that is a plastic bag.

(2) No business shall deny or discourage the use by a customer of the customer’s own reusable bag for the purpose of transporting items purchased or received by the customer.

4. Exemptions

(1) Section 3 does not apply to:

(a) bags used to -

- (i) package loose bulk items such as fruit, vegetables, nuts, grains or candy;
- (ii) package loose small hardware items such as nails and bolts;
- (iii) contain or wrap frozen foods, meat, poultry or fish, whether pre-packaged or not;
- (iv) wrap flowers or potted plants;
- (v) protect prepared foods or bakery goods that are not pre-packaged;
- (vi) contain prescription drugs received from a pharmacy;
- (vii) transport live fish;
- (viii) protect linens, bedding or other similar large items that cannot easily fit in a reusable bag;
- (ix) protect newspapers or other printed material intended to be left at the customer's residence or place of business;
- (x) protect clothes after professional laundering or dry cleaning; or
- (xi) protect tires that cannot easily fit in a reusable bag.

(2) Section 3 does not limit or restrict the sale of bags, including plastic bags, intended for use at the customer's home or business, that are sold in packages of multiple bags.

5. Enforcement

- (1) Every person duly appointed by Council as a by-law enforcement officer is hereby authorized to carry out any inspection that is necessary for the administration or enforcement of this by-law.
- (2) Any peace officer or by-law enforcement officer is hereby authorized to take such actions, exercise such powers and perform such duties, as may be set out in this by-law or in the *Local Governance Act* and as they may deem to be necessary to enforce any provisions of this by-law.

6. Offences

- (1) Any person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a fine.
- (2) The minimum fine for an offence committed under this by-law is one hundred and forty dollars (\$140) and the maximum fine for an offence committed under this by-law is two thousand one hundred dollars (\$2,100).
- (3) If an offence committed under this by-law continues for more than one (1) day:
 - (a) the minimum fine that may be imposed is the minimum fine established in this by-law multiplied by the number of days during which the offence continues; and,

- (b) the maximum fine that may be imposed is the maximum fine established in this by-law multiplied by the number of days during which the offence continues.

(4) Contraventions –

- (a) All contraventions of this by-law are designated by-law contraventions that may be dealt with by a notice of penalty pursuant to the provisions of the *Local Governance Act*.

- (b) a person to whom a penalty notice is delivered may pay the administrative penalty on or before a charge pertaining to the offence has been laid in Provincial Court as follows:

- (c) A person who pays the administrative penalty shall be deemed to have contravened the provisions of Section 3 of this by-law and shall not be charged with an offence in respect of the same incident that gave rise to the administrative penalty.

- (d) If the administrative penalty is not paid in accordance with this Section, the person may be charged with an offence pursuant to Section 6 of this by-law.

7. Severability

Where a Court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue in force unless the Court makes an order to the contrary.

8. Commencement

This by-law comes into effect on June 30, 2021.

READ FIRST TIME:

READ SECOND TIME:

READ THIRD TIME:

Mayor

SEAL

Clerk

RCMP



2021January11OpenSessionFINAL_033

NEW BRUNSWICK



ROYAL CANADIAN MOUNTED POLICE

2019

ANNUAL REPORT

POLICING EXCELLENCE IN NEW BRUNSWICK COMMUNITIES



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

TABLE OF CONTENTS

Part of Your Community	3
From the Minister of Justice and Public Safety	4
From the Commanding Officer	5
Your RCMP – At a Glance	6
CORE Policing – Criminal Operations	7
Traffic	8
Protecting the Most Vulnerable	9
Community and Indigenous Policing	10
Heroes in Our Communities	11
A Career with the RCMP starts with YOU	12
Federal Policing	13
Public Safety – Everyone's Responsibility	14
Codiac Regional RCMP	15
Northeast District	16
Southeast District	17
West District	18
Divisional Overview	19
Our Commitment	23

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as represented by the Royal Canadian Mounted Police



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**Fundy Regional
Service Commission**
Commission de Services
Régionaux de Fundy

**Regular Monthly Meeting
November 23, 2020**

Minutes of the meeting of the Board of Directors of Fundy Regional Service Commission held on Monday, November 23, 2020, at 10 Crane Mountain Rd., Saint John NB via teleconference.

1. Call to Order

The Board Chairperson, Nancy Grant, called the regular board meeting to order at 10:51 a.m.

2. Record of Attendance – via teleconference

Nancy Grant	Chairperson
Jim Bedford	Vice Chairperson
Bette Anne Chatterton	Mayor, St. Martins
Shirley McAlary	Deputy Mayor, Saint John
Grace Losier	Mayor, Grand Bay-Westfield
Gary Clark	Mayor, Quispamsis
Cindy MacCready	Local Service District Representative (Alternate)
Brenda Rathburn	Local Service District Representative
John Cairns	Local Service District Representative

Absent

OTHERS

Marc MacLeod, Executive Director, FRSC
Alicia Raynes, Recording Secretary, FRSC
Brian Shannon, Building Inspector/Development Officer, FRSC
Nick Cameron, Assistant Development Officer, FRSC
Wade Cole, Fero
Steven Gahan, Fero

3. Approval of the Order of Business

The Chairperson asked for approval of the Order of Business

Motion: To approve the November 23, 2020 Agenda as presented, with the removal of number six (6) EMO – Cybersecurity Update, as Les Weber was unable to attend today's meeting, and the renumbering of number nine (9) Unsecured Loads to number six (6).

Moved: Director McAlary
Seconded: Director Clark
Vote: *Motion Carried*

4. Disclosure of Conflict of Interest

None

5. Approval of the Minutes

Motion: To approve the October 26, 2020 minutes as presented.

Moved: Director McAlary
Seconded: Director Rathburn
Vote: *Motion Carried*

6. Unsecured Loads – Grace Losier

Chairperson Grant invited Director Losier to address an incident which she witnessed on Friday November 20, 2020. Director Losier explained that the incident in question involved a Fero truck and as such, there were also representatives from Fero on the conference call.

It was explained that on Friday, November 20, 2020 Director Losier was on her way towards Saint John from Grand Bay-Westfield when she observed a Fero truck with garbage blowing out of the back in the opposite direction. She contacted Executive Director MacLeod to inform him of the incident. She also contacted Fero directly and spoke to Wade Cole about the incident. Fero assured Director Losier that they would take care of this situation. In addition, it was explained that Director Clark was behind the truck in question on the highway and material was flying out of the back of the truck and some of the debris hit his vehicle causing a chip in the windshield. Coincidentally, neither Director was on Commission business at the time.

Steven Gahan of Fero was invited to speak to the incident. Steven apologized and explained that they do have tarps on their trucks that cover the top of the load however, in this case, the tarp was inadequate. They do have another plan to use a bungee cord over top of the tarp to ensure that loads are secure. When asked why the debris had not been picked up off of the roadway, Mr. Gahan explained that he only heard about the incident after the fact as there was a break in the chain of communication on their part.

It was asked whether or not Fero was charged for an unsecured load. Executive Director MacLeod explained that although the Fero truck had debris coming out of the back on the highway, the video footage shows that the tarp was engaged when the vehicle arrived at the landfill. The scale staff could not interpret whether it was adequate or not, only that the tarp was engaged so no penalty charge could be levied as it is only a penalty for on site, not the highway.

Motion: For Executive Director MacLeod to look into and advise what legal options are available for unsecured loads when not on FRSC property, specifically in this case.

Moved: Director Losier
Seconded: Director Clark
Vote: *Motion Carried*

7. Planning – Building Inspection

a. Appointment of Planning Director

Chairperson Grant explained that under the Regional Service Delivery Act and its regulations, the commission is responsible for appointing a planning director. It was further explained that Gay Drescher has informed the commission that she is resigning from her position as planning director and as such, a new planning director would need to be appointed.

Mrs. Drescher has recommended that Stephen Stone, planner with Dillon Consulting, be appointed as the new planning director as he has been doing the majority of our work under her guidance and the Dillon Consulting contract.

Motion: To appoint Stephen Stone of Dillon Consulting Ltd as Planning Director for the Fundy Regional Service Commission, pursuant to the provisions of section 24(2) of the Regional Service Delivery Act.

Moved: Director Losier
Seconded: Director McAlary
Vote: *Motion Carried*

b. Q3 2020 Planning Report – Brian Shannon

Brian Shannon, Building Inspector/Development Officer, FRSC presented the 3rd Quarter Report for Building, Development & Planning for the Village of St. Martins & FRSC Rural areas. The year-to-date numbers show the estimated cost of construction for 2020 is \$3,839,360 higher than 2019.

Motion: To receive and file the Q3 2020 Planning Report as presented.

Moved: Director McAlary
Seconded: Director Rathburn
Vote: *Motion Carried*

c. October, 2020 Monthly Report – Nick Cameron

Nick Cameron, Assistant Development Officer, FRSC presented the October, 2020 Report for Building, Development & Planning for the Village of St. Martins & FRSC Rural areas. Year to date total estimated cost of construction at the end of October, 2020 is \$14,504,360 compared to 2019 which was only \$9,838,500.

Motion: To receive and file the October, 2020 Monthly Report as presented, with the correction in figures with regards to the year to date total estimated cost of construction at the end of October, 2020.

Moved: Director Rathburn
Seconded: Director McAlary
Vote: *Motion Carried*

8. Finance

a. GenSet Borrowing Resolution – Electrical Generation

Chairperson Grant explained that the FRSC needs to borrow money for 2021 for a generator rebuild. The amount has been included in the FRSC 2021 budget and has been circulated to its constituent communities as required by the Regional Service Delivery Act.

Motion: Be it resolved that the Fundy Regional Service Commission submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the following purposes, amounts and terms:

Purpose	Term	Amount
Generation Facility - generator rebuild	not to exceed 4 years	\$ 250,000

Moved: Director Losier
Seconded: Director Clark
Vote: *Motion Carried*

b. Cell #9 Borrowing Resolution – Solid Waste

Chairperson Grant explained that the FRSC needs to borrow money for 2021 for the construction of waste containment cell #9. The amount has been included in the FRSC 2021 budget and has been circulated to its constituent communities as required by the Regional Service Delivery Act.

Motion: Be it resolved that the Fundy Regional Service Commission submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the following purposes, amounts and terms:

Purpose	Term	Amount
Solid Waste Services – waste containment cell #9	not to exceed 4 years	\$ 4,464,000

Moved: Director Losier
Seconded: Director Clark
Vote: *Motion Carried*

The date of the next meeting was discussed. A tentative date of December 21, 2020 was agreed upon.

Chairperson Grant called for a motion to adjourn.

Motion: To adjourn the meeting at 11:26 am.

Moved: Director McAlary
Seconded: Director Rathburn
Vote: *Motion Carried*

APPROVED (date) Dec. 21, 2020

Nancy Grant
Nancy Grant, Chairperson

Alicia Raynes
Alicia Raynes, Recording Secretary

Town of Rothesay

General Fund Financial Statements

November 30, 2020

Includes:

General Capital Fund Balance Sheet	G2
General Reserve Fund Balance Sheet	G3
General Operating Fund Balance Sheet	G4
General Operating Revenue & Expenditures	G5-G9
Variance Report	G10
Project Funding - November	G11
Project Funding -December - draft to 12/16/2020	G12

Town of Rothesay

Balance Sheet - Capital General Fund

11/30/20

ASSETS

Capital Assets - General Land	4,515,620
Capital Assets - General Fund Land Improvements	8,374,468
Capital Assets - General Fund Buildings	5,492,528
Capital Assets - General Fund Vehicles	3,873,565
Capital Assets - General Fund Equipment	3,219,720
Capital Assets - General Fund Roads & Streets	42,018,169
Capital Assets - General Fund Drainage Network	20,247,324
Capital Assets - Under Construction - General	-
	<u>87,741,394</u>

Accumulated Amortization - General Fund Land Improvements	(3,774,301)
Accumulated Amortization - General Fund Buildings	(2,415,589)
Accumulated Amortization - General Fund Vehicles	(2,011,229)
Accumulated Amortization - General Fund Equipment	(1,366,936)
Accumulated Amortization - General Fund Roads & Streets	(20,706,080)
Accumulated Amortization - General Fund Drainage Network	(7,115,515)
	<u>(37,389,648)</u>

\$ 50,351,745

LIABILITIES AND EQUITY

Gen Capital due to/from Gen Operating	(560,000)
Total Long Term Debt	6,951,000

Total Liabilities \$ 6,391,000

Investment in General Fund Fixed Assets 43,960,745

\$ 50,351,745

Town of Rothesay
Balance Sheet - General Fund Reserves
2021-01-31

ASSETS

BNS Gas Tax Interest Account	3,663,864
BNS General Operating Reserve #214-15	450,720
BNS - Gen Operating Reserve GIC	(2,154)
BNS General Capital Reserves #2261-14	869,469
BNS - Gen Capital Reserve GIC	(3,447)
BNS - Gas Tax Reserves - GIC	359,316
Gen Reserves due to/from Gen Operating	2,026,650
	<u>\$ 7,364,418</u>

LIABILITIES AND EQUITY

Def. Rev - Gas Tax Fund - General	5,170,246
Invest. in General Capital Reserve	667,744
General Gas Tax Funding	373,449
Invest. in General Operating Reserve	565,590
Invest. in Land for Public Purposes Reserve	144,266
Invest. in Town Hall Reserve	53,760
	<u>\$ 6,975,055</u>

Town of Rothesay
Balance Sheet - General Operating Fund
11/30/20

CURRENT ASSETS

Cash	2,230,019
BNS - General - REDA BANK	169,394
Receivables	186,252
HST Receivable	254,600
Payroll Clearing	(233)
Inventory	21,681
Gen Operating due to/from Util Operating	(163,742)
Total Current Assets	<u>2,697,970</u>
Other Assets:	
Projects	<u>4,358,400</u>
	<u>4,358,400</u>
TOTAL ASSETS	<u><u>7,056,370</u></u>

CURRENT LIABILITIES AND EQUITY

Accounts Payable	1,816,409
Other Payables	525,123
Gen Operating due to/from Gen Reserves	16,625
Gen Operating due to/from Gen Capital	560,000
Accrued Pension Obligation	78,100
Accrued Retirement Allowance	408,322
REDA Payable	165,017
Def. Rev-Quispamsis/Library Share	57,731
TOTAL LIABILITIES	<u><u>3,627,328</u></u>

EQUITY

Retained Earnings - General	(13,238)
Surplus/(Deficit) for the Period	<u>3,442,280</u>
	<u>3,429,042</u>
	<u><u>7,056,370</u></u>

Town of Rothesay

Statement of Revenue & Expenditure
11 Months Ended 11/30/20

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET Y-T-D	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Warrant of Assessment	1,374,375	1,374,372	15,118,101	15,118,092	9		16,492,464
Sale of Services	55,808	35,458	302,008	374,842	(72,834)		410,300
Services to Province of New Brunswick	5,000	5,000	55,000	55,000	0		60,000
Other Revenue from Own Sources	3,886	8,013	308,570	97,138	211,433		108,150
Unconditional Grant	10,692	10,695	117,631	117,640	(9)		128,335
Conditional Transfers	0	0	65,915	26,500	39,415		26,500
Other Transfers	0	0	849,251	849,251	0		1,099,251
	<u>\$1,449,762</u>	<u>\$1,433,537</u>	<u>\$16,816,476</u>	<u>\$16,638,463</u>	<u>\$178,014</u>		<u>\$18,325,000</u>
EXPENSES							
General Government Services	117,280	140,655	2,044,408	2,127,487	83,080		2,308,843
Protective Services	397,787	398,195	4,932,955	4,933,151	196		5,331,346
Transportation Services	286,900	301,740	2,992,357	3,238,301	245,944		3,606,766
Environmental Health Services	53,498	59,500	610,455	606,500	(3,955)		658,000
Environmental Development	31,345	46,438	476,813	559,502	82,689		605,940
Recreation & Cultural Services	98,570	111,022	1,849,791	1,988,191	138,400		2,112,991
Fiscal Services	20,495	333	467,418	437,223	(30,195)		3,701,113
	<u>\$1,005,876</u>	<u>\$1,057,884</u>	<u>\$13,374,196</u>	<u>\$13,890,355</u>	<u>\$516,159</u>		<u>\$18,324,999</u>
Surplus (Deficit) for the Year	<u>\$443,885</u>	<u>\$375,653</u>	<u>\$3,442,280</u>	<u>\$2,748,107</u>	<u>\$694,173</u>		<u>\$ 1</u>

Town of Rothesay
Statement of Revenue & Expenditure
11 Months Ended 11/30/20

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Sale of Services							
Bill McGuire Memorial Centre	0	1,667	3,524	18,333	(14,810)	1	20,000
Town Hall Rent	14,880	6,083	67,635	66,917	719		73,000
Arena Revenue	35,572	26,192	150,644	194,608	(43,964)	2	220,800
Community Garden	0	0	840	1,000	(160)		1,000
Fox Farm Rental	0	850	12,528	9,350	3,178		10,200
Recreation Programs	5,357	667	66,836	84,633	(17,797)	3	85,300
	<u>55,808</u>	<u>35,458</u>	<u>302,008</u>	<u>374,842</u>	<u>(72,834)</u>		<u>410,300</u>
Other Revenue from Own Sources							
Licenses & Permits	2,863	6,250	155,951	68,750	87,201	4	75,000
Recycling Dollies & Lids	26	83	600	917	(317)		1,000
Interest & Sundry	863	833	10,801	9,167	1,634		10,000
Miscellaneous	90	846	126,825	9,304	117,521	5	10,150
Fire Dept. Administration	0	0	9,000	9,000	0		12,000
History Book Sales	45	0	60	0	60		0
Local Improvement Levy Mulberry Lane	0	0	5,333	0	5,333		0
	<u>3,886</u>	<u>8,013</u>	<u>308,570</u>	<u>97,138</u>	<u>211,433</u>		<u>108,150</u>
Conditional Transfers							
Canada Day Grant	0	0	2,000	1,500	500		1,500
Grant - Other	0	0	63,915	25,000	38,915		25,000
	<u>0</u>	<u>0</u>	<u>65,915</u>	<u>26,500</u>	<u>39,415</u>		<u>26,500</u>
Other Transfers							
Surplus of 2nd Previous Year	0	0	99,251	99,251	0		99,251
Utility Fund Transfer	0	0	750,000	750,000	0		1,000,000
	<u>0</u>	<u>0</u>	<u>849,251</u>	<u>849,251</u>	<u>0</u>		<u>1,099,251</u>
EXPENSES							
General Government Services							
Legislative							
Mayor	3,638	4,036	33,530	42,964	9,434		47,000
Councillors	9,837	12,056	108,755	124,044	15,289		136,100
Regional Service Commission 9	0	0	3,597	7,000	3,403		7,000
Other	0	1,125	1,825	12,375	10,550		13,500
	<u>13,474</u>	<u>17,217</u>	<u>147,707</u>	<u>186,383</u>	<u>38,676</u>		<u>203,600</u>
Administrative							
Office Building	11,958	8,417	143,057	145,883	2,826		155,000
Solicitor	2,339	4,167	4,213	45,833	41,620		50,000
Administration - Wages & Benefits	68,508	83,320	898,803	958,336	59,533		1,081,656
Covid-19 Expenses	7,553	0	94,568	0	(94,568)	6	0
Supplies	2,983	9,142	83,159	100,558	17,400		109,700
Professional Fees	0	1,667	28,814	28,333	(481)		30,000
Other	8,389	12,477	137,079	147,252	10,173		159,729
	<u>101,730</u>	<u>119,189</u>	<u>1,389,693</u>	<u>1,426,196</u>	<u>36,503</u>		<u>1,586,085</u>

2021 January 11 Open Session FINAL_046

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET	
Other General Government Services								G7
Community Communications	0	833	835	9,167	8,332		10,000	
Civic Relations	0	167	13	1,833	1,821		2,000	
Insurance	0	0	194,165	195,131	966		195,131	
Donations	200	2,917	19,948	32,083	12,135		35,000	
Cost of Assessment	0	0	258,027	258,027	0		258,027	
Property Taxes - L.P.P.	0	0	16,469	15,000	(1,469)		15,000	
Fox Farm Rental Expenses	1,876	333	17,550	3,667	(13,883)	7	4,000	
	<u>2,076</u>	<u>4,250</u>	<u>507,007</u>	<u>514,908</u>	<u>7,901</u>		<u>519,158</u>	
	<u>117,280</u>	<u>140,655</u>	<u>2,044,408</u>	<u>2,127,487</u>	<u>83,080</u>		<u>2,308,843</u>	
Protective Services								
Police								
Police Protection	215,137	215,137	2,383,508	2,366,508	(17,000)	8	2,581,645	
Crime Stoppers	0	0	2,800	2,800	0		2,800	
	<u>215,137</u>	<u>215,137</u>	<u>2,386,308</u>	<u>2,369,308</u>	<u>(17,000)</u>		<u>2,584,445</u>	
Fire								
Fire Protection	166,704	166,704	2,060,697	2,058,942	(1,755)		2,225,646	
Water Costs Fire Protection	0	0	325,000	325,000	0		325,000	
	<u>166,704</u>	<u>166,704</u>	<u>2,385,697</u>	<u>2,383,942</u>	<u>(1,755)</u>		<u>2,550,646</u>	
Emergency Measures								
911 Communications Centre	13,063	13,063	143,692	143,692	0		156,755	
EMO Director/Committee	80	1,667	799	18,333	17,535		20,000	
	<u>13,143</u>	<u>14,730</u>	<u>144,491</u>	<u>162,025</u>	<u>17,535</u>		<u>176,755</u>	
Other								
Animal & Pest Control	0	792	5,834	8,708	2,875		9,500	
Other	2,804	833	10,625	9,167	(1,459)		10,000	
	<u>2,804</u>	<u>1,625</u>	<u>16,459</u>	<u>17,875</u>	<u>1,416</u>		<u>19,500</u>	
Total Protective Services	<u>397,787</u>	<u>398,195</u>	<u>4,932,955</u>	<u>4,933,151</u>	<u>196</u>		<u>5,331,346</u>	

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
Transportation Services							G8
Common Services							
Administration (Wages & Benefits)	127,690	139,057	1,538,315	1,668,597	130,282	9	1,810,279
Workshops, Yards & Equipment	83,123	49,477	580,242	644,246	64,004	10	693,723
Engineering	0	625	4,738	6,875	2,137		7,500
	<u>210,813</u>	<u>189,159</u>	<u>2,123,296</u>	<u>2,319,719</u>	<u>196,423</u>		<u>2,511,502</u>
Street Cleaning & Flushing	0	4,000	16,070	36,000	19,930		40,000
Roads & Streets	4,741	4,583	55,517	50,417	(5,100)		55,000
Crosswalks & Sidewalks	1,130	1,031	12,098	20,032	7,933		21,063
Culverts & Drainage Ditches	6,982	5,625	64,689	61,875	(2,814)		67,500
Snow & Ice Removal	41,441	80,300	412,343	475,400	63,057		602,000
Flood Costs	0	0	32,217	0	(32,217)	11	0
	<u>54,294</u>	<u>95,540</u>	<u>592,935</u>	<u>643,723</u>	<u>50,788</u>		<u>785,563</u>
Street Lighting	11,762	10,833	137,071	119,167	(17,904)	12	130,000
Traffic Services							
Street Signs	7,820	667	16,898	7,333	(9,564)		8,000
Traffic Lanemarking	0	0	27,513	30,000	2,487		30,000
Traffic Signals	804	3,333	18,090	36,667	18,577		40,000
Railway Crossing	1,262	2,000	17,548	22,000	4,452		24,000
	<u>9,886</u>	<u>6,000</u>	<u>80,049</u>	<u>96,000</u>	<u>15,951</u>		<u>102,000</u>
Public Transit							
Public Transit - Comex Service	0	0	53,401	53,401	(0)		71,201
KV Committee for the Disabled	0	0	4,000	4,000	0		4,000
Public Transit - Other	146	208	1,606	2,292	686		2,500
	<u>146</u>	<u>208</u>	<u>59,007</u>	<u>59,692</u>	<u>686</u>		<u>77,701</u>
Total Transportation Services	<u>286,900</u>	<u>301,740</u>	<u>2,992,357</u>	<u>3,238,301</u>	<u>245,944</u>		<u>3,606,766</u>
Environmental Health Services							
Solid Waste Disposal Land Fill	19,245	16,250	189,352	178,750	(10,602)		195,000
Solid Waste Disposal Compost	11,019	3,000	67,030	33,000	(34,030)		36,000
Solid Waste Collection	23,234	24,167	255,439	265,833	10,395		290,000
Solid Waste Collection Curbside Recycling	0	8,083	59,028	88,917	29,889		97,000
Clean Up Campaign	0	8,000	39,606	40,000	394		40,000
	<u>53,498</u>	<u>59,500</u>	<u>610,455</u>	<u>606,500</u>	<u>(3,955)</u>		<u>658,000</u>
Environmental Development Services							
Planning & Zoning							
Administration	23,113	34,248	383,137	422,212	39,075		456,460
Planning Projects	0	3,750	0	41,250	41,250		45,000
Heritage Committee	0	208	0	2,292	2,292		2,500
	<u>23,113</u>	<u>38,206</u>	<u>383,137</u>	<u>465,754</u>	<u>82,617</u>		<u>503,960</u>
Economic Development Comm	8,232	8,232	90,548	90,548	0		98,780
Tourism	0	0	3,129	3,200	71		3,200
	<u>8,232</u>	<u>8,232</u>	<u>93,677</u>	<u>93,748</u>	<u>72</u>		<u>101,980</u>
	<u>31,345</u>	<u>46,438</u>	<u>476,813</u>	<u>559,502</u>	<u>82,689</u>		<u>605,940</u>

2021January11OpenSessionFINAL_048

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
Recreation & Cultural Services							
Administration	19,016	18,872	261,813	245,088	(16,725)	13	263,960
Beaches	0	0	36,384	45,500	9,116		45,500
Rothsay Arena	28,539	32,434	213,909	300,223	86,314	14	335,434
Memorial Centre	5,409	4,417	51,979	55,583	4,605		61,000
Summer Programs	487	500	60,672	62,000	1,328		62,000
Parks & Gardens	34,052	37,479	543,141	549,075	5,934		586,554
Rothsay Common Rink	752	2,889	39,937	51,783	11,845		57,672
Playgrounds and Fields	4,255	6,167	105,410	108,833	3,424		115,000
Regional Facilities Commission	0	0	451,692	451,692	0		451,692
Kennebecasis Public Library	5,781	7,179	77,568	78,965	1,397		86,144
Special Events	279	1,000	7,287	37,500	30,213	15	39,500
PRO Kids	0	0	0	0	0		7,500
Rothsay Living Museum	0	86	0	949	949		1,035
	<u>98,570</u>	<u>111,022</u>	<u>1,849,791</u>	<u>1,988,191</u>	<u>138,400</u>		<u>2,112,991</u>
Fiscal Services							
Debt Charges							
Interest	20,495	333	118,418	88,223	(30,195)	16	173,113
Debenture Payments	0	0	349,000	349,000	0		778,000
	<u>20,495</u>	<u>333</u>	<u>467,418</u>	<u>437,223</u>	<u>(30,195)</u>		<u>951,113</u>
Transfers To:							
Capital Fund for Capital Expenditures	0	0	0	0	0		2,750,000
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>2,750,000</u>
	<u>20,495</u>	<u>333</u>	<u>467,418</u>	<u>437,223</u>	<u>(30,195)</u>		<u>3,701,113</u>

11 months ending November 30, 2020

Note #		Actual	Budget	Better/(Worse)	Description of Variance
Revenue					
1	Bill McGuire Memorial Centre	\$ 3,524	\$ 18,333	\$ (14,809)	Closed
2	Arena Revenue	\$ 150,644	\$ 194,608	\$ (43,964)	Loss of spring, September rentals
3	Recreation Programs	\$ 66,836	\$ 84,633	\$ (17,797)	Loss of spring, early summer soccer rentals
4	Licenses & Permits	\$ 155,951	\$ 68,750	\$ 87,201	New building
5	Miscellaneous	\$ 126,825	\$ 9,304	\$ 117,521	Insurance proceeds, sale of used equipment \$61,977
Total				\$ 142,961	
Variance per Statement				\$ 178,014	
Explained				80.31%	
Expenses					
General Government					
6	Covid Expenses	\$ -	\$ 94,568	\$ (94,568)	Unbudgeted
7	Fox Farm Expenses	\$ 17,550	\$ 3,667	\$ (13,883)	Repairs and renovations
Protective Services					
8	Police Protection	\$ 2,383,508	\$ 2,366,508	\$ (17,000)	Extraneous costs
Transportation					
9	Administration - Wages & Benefits	\$ 1,538,315	\$ 1,668,597	\$ 130,282	Wages \$87,000 under, Overtime \$21,000 under budget, Safety Services \$12,000 under budget
10	Workshops, Yards & Equipment	\$ 580,242	\$ 644,246	\$ 64,004	Fuel \$35,000 under, Radios & Cells \$18,000 under, Vehicle Maint. \$41,000 over budget
11	Flood Costs	\$ 32,217	\$ -	\$ (32,217)	Unbudgeted
12	Street Lighting	\$ 137,071	\$ 119,167	\$ (17,904)	Budget low
Environmental Health					
Environmental Development					
Recreation & Cultural Services					
13	Administration - Wages & Benefits	\$ 261,813	\$ 245,088	\$ (16,725)	Salary allocation - wages costs under budgeted
14	Rothesay Arena	\$ 213,909	\$ 300,223	\$ 86,314	Lower operating costs due to closure
15	Special Events	\$ 7,287	\$ 37,500	\$ 30,213	Limited and revised events
Fiscal Services					
16	Interest	\$ 118,418	\$ 88,223	\$ (30,195)	New debenture costs
Total				\$ 88,321	
Variance per Statement				\$ 516,159	
Explained				17.11%	

Town of Rothesay

Capital Projects 2020
General Fund
11 Months Ended 11/30/20

	Original BUDGET		CURRENT Y-T-D	Remaining Budget		Budget	Actual
General Government							
12010560 Town Hall Improvements G-2020-009	170,000		44,800	125,200			
12010660 IT 2020 G-2020-008	45,000		17,924	27,076			
Total General Government	215,000		62,724	152,276			
Protective Services							
12011560 Protective Serv. Equipment Purchases P-2020-010	480,000		226,904	253,096			
Total Protective Services	480,000		226,904	253,096			
Transportation							
12021360 Transportation Equipment Purchases T-2020-003	615,000		341,271	273,729	Roller	45,000	
12027260 Asphalt Microseal 2020 T-2020-005	1,505,500	1,690,000	1,901,182	-211,382	Storm Pump		56,825
12027360 Sandbagging T-2020-006	0		0	0	Tandem Dump	300,000	284,445
12027460 Fox Farm Designated Highway T-2020-012	545,000		652,862	-107,862	S500 1 ton	100,000	
12027660 Traffic Study T-2020-014	40,000		17,536	22,464	F250 3/4 ton	60,000	
12027560 Stormwater Master Plan T-2020-013	300,000		20,053	279,947	F150 1/2 ton 4x4	50,000	
12010060 Alexander Avenue Design	0		10,635	-10,635	1500 1/2 ton	60,000	
12027760 2021 Asphalt Engineering T-2021-001	60,000		25,384	34,616		615,000	341,271
Unassigned:							
Designated Highway	585,000	0		0			
Total Transportation	3,650,500	1,690,000	2,968,921	281,079			
Recreation							
12020860 Recreation Equipment Purchases R-2020-004	110,000		81,722	28,278	Truck	60,000	58,562
12027160 Wells Field Replacement R-2020-002	550,000		337,495	212,505	Equipment	50,000	23,160
12020760 Trail Development R-2020-007	50,000		5,574	44,426		110,000	81,722
12027860 2021 Wells Building R-2021-002	0		5,000	-5,000			
12012060 Arena Renovation R-2020-011	1,020,000		466,296	553,705			
Total Recreation	1,730,000		896,087	833,913			
Carryovers							
12026860 Church Avenue Reconstruction T-2019-002	0		189,708	-189,708			
12026960 Cameron Rd/Mulberry Lane T-2019-006	0		12,698	-12,698			
12025160 Designated Highway 2019	0		-11,838	11,838			
12026660 Asphalt/Microseal 2019 T-2019-001	0		13,195	-13,195			
	0		203,763	-203,763			
Total	\$ 6,075,500	\$ 1,690,000	\$ 4,358,400	\$ 1,316,600			
Funding							
General Government	215,000		215,000				
Protective Services	480,000		112,500	367,500			
Transportation	3,650,500		2,242,500		560,500	847,500	
Recreation	1,730,000		180,000	1,550,000			
Total	\$ 6,075,500	\$ -	\$ 2,750,000	\$ 1,917,500	\$ 560,500	\$ 847,500	

2021 January 11 Open Session FINAL_051

Town of Rothesay

Capital Projects 2020
General Fund
12 Months Ended 2020-12-31

	Original BUDGET		CURRENT Y-T-D	Remaining Budget			
General Government							
12010560 Town Hall Improvements G-2020-009	170,000		45,530	124,470			
12010660 IT 2020 G-2020-008	45,000		17,924	27,076			
Total General Government	215,000		63,454	151,546			
Protective Services							
12011560 Protective Serv. Equipment Purchases P-2020-010	480,000		452,143	27,857			
Total Protective Services	480,000		452,143	27,857			
Transportation							
12021360 Transportation Equipment Purchases T-2020-003	615,000		341,271	273,729		Budget	Actual
12027260 Asphalt Microseal 2020 T-2020-005	1,505,500	1,690,000	1,901,920	-211,920	Roller	45,000	
12027360 Sandbagging T-2020-006	0		0	0	Storm Pump		56,825
12027460 Fox Farm Designated Highway T-2020-012	545,000		652,862	-107,862	Tandem Dump	300,000	284,445
12027660 Traffic Study T-2020-014	40,000		23,683	16,317	5500 1 ton	100,000	
12027560 Stormwater Master Plan T-2020-013	300,000		53,091	246,909	F250 3/4 ton	60,000	
12010060 Alexander Avenue Design	0		12,015	-12,015	F150 1/2 ton 4x4	50,000	
12027760 2021 Asphalt Engineering T-2021-001	60,000		36,940	23,060	1500 1/2 ton	60,000	
Unassigned:						615,000	341,271
Designated Highway	585,000	0	0	0			
Total Transportation	3,650,500	1,690,000	3,021,781	228,219			
Recreation							
12020860 Recreation Equipment Purchases R-2020-004	110,000		91,473	18,527	Truck	60,000	58,562
12027160 Wells Field Replacement R-2020-002	550,000		428,370	121,630	Equipment	50,000	32,911
12020760 Trail Development R-2020-007	50,000		5,574	44,426		110,000	91,473
12027860 2021 Wells Building R-2021-002	0		5,000	-5,000			
12012060 Arena Renovation R-2020-011	1,020,000		508,167	511,833			
Total Recreation	1,730,000		1,038,583	691,417			
Carryovers							
12026860 Church Avenue Reconstruction T-2019-002	0		189,708	-189,708			
12026960 Cameron Rd/Mulberry Lane T-2019-006	0		12,698	-12,698			
12025160 Designated Highway 2019	0		-11,838	11,838			
12026660 Asphalt/Microseal 2019 T-2019-001	0		13,195	-13,195			
	0		203,763	-203,763			
Total	\$ 6,075,500	\$ 1,690,000	\$ 4,779,724	\$ 895,276			
Funding							
General Government	2020		Operating	Borrow	Gas Tax	Grant	
Protective Services	480,000		112,500	367,500			
Transportation	3,650,500		2,242,500		560,500	847,500	
Recreation	1,730,000		180,000	1,550,000			
	\$ 6,075,500	\$ 1,690,000	\$ 2,750,000	\$ 1,917,500	\$ 560,500	\$ 847,500	

Town of Rothesay

Utility Fund Financial Statements

November 30, 2020

Attached Reports:

Capital Balance Sheet	U1
Reserve Balance Sheet	U2
Operating Balance Sheet	U3
Operating Income Statement	U4
Variance Report	U5
Project Listing - November	U6
Project Listing - December - Draft to 12/16/2020	U7

Town of Rothesay

Capital Balance Sheet

As at 11/30/20

ASSETS

Assets:

Capital Assets Utilities Land	119,970
Capital Assets Utilities Buildings	1,953,740
Capital Assets Utilities Equipment	565,752
Capital Assets Utilities Water System	27,712,960
Capital Assets Utilities Sewer System	24,052,521
Capital Assets Utilities Land Improvements	42,031
Capital Assets Utilities Roads & Streets	220,011
Capital Assets Utilities Vehicles	113,001
	<u>54,779,988</u>

Accumulated Amortization Utilites Buildings	(638,871)
Accumulated Amortization Utilites Water System	(7,671,922)
Accumulated Amortization Utilites Sewer System	(8,556,857)
Accumulated Amortization Utilites Land Improvements	(42,031)
Accumulated Amortization Utilites Vehicles	(23,235)
Accumulated Amortization Utilites Equipment	(140,077)
Accumulated Amortization Utilites Roads & Streets	(16,135)
	<u>(17,089,128)</u>

TOTAL ASSETS	<u><u>37,690,859</u></u>
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LIABILITIES

Current:

Util Capital due to/from Util Operating	<u>(1,150,000)</u>
Total Current Liabilities	<u>(1,150,000)</u>

Long-Term:

Long-Term Debt	<u>9,283,454</u>
Total Liabilities	<u>8,133,454</u>

EQUITY

Investments:

Investment in Fixed Assets	<u>29,557,405</u>
Total Equity	<u>29,557,405</u>

TOTAL LIABILITIES & EQUITY	<u><u>37,690,858</u></u>
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Town of Rothesay

Balance Sheet - Utilities Fund Reserves

11/30/20

ASSETS

BNS Utility Capital Reserve # 00241 12	1,335,036
BNS - Util Capital Reserve GIC	(5,601)
Util Reserves due to/from Util Oper	11,069
	<u>\$ 1,340,505</u>

LIABILITIES AND EQUITY

Invest. in Utility Capital Reserve	963,777
Invest. in Utility Operating Reserve	105,271
Invest. in Sewerage Outfall Reserve	271,457
	<u>\$ 1,340,505</u>

Town of Rothesay

Utilities Fund Operating Balance Sheet

As at 11/30/20

ASSETS

Current assets:	
Accounts Receivable Net of Allowance	633,064
Total Current Assets	<u>633,064</u>
Other Assets:	
Projects	1,661,765
	<u>1,661,765</u>
 TOTAL ASSETS	 <u>\$ 2,294,829</u>

LIABILITIES

Accrued Payables	43,514
Due from General Fund	(163,742)
Due from (to) Capital Fund	1,150,000
Due to (from) Utility Reserve	11,069
Deferred Revenue	14,681
Total Liabilities	<u>1,055,522</u>

EQUITY

Surplus:	
Opening Retained Earnings	25,641
Profit (Loss) to Date	1,213,666
	<u>1,239,307</u>
 TOTAL LIABILITIES & EQUITY	 <u>\$ 2,294,829</u>

Town of Rothesay
Utilities Operating Income Statement
11 Months Ended 11/30/20

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT YTD	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
RECEIPTS							
Sale of Water	(2,163)	0	811,428	829,375	(17,947)	1	1,100,000
Meter and non-hookup fees	0	0	40,237	35,400	4,837		47,200
Water Supply for Fire Prot.	0	0	325,000	325,000	0		325,000
Local Improvement Levy	0	0	60,408	62,000	(1,592)		62,000
Sewerage Services	0	0	1,657,087	1,650,000	7,087		1,650,000
Connection Fees	0	5,833	97,725	64,167	33,558	2	70,000
Interest Earned	7,887	5,417	96,736	59,583	37,153	3	65,000
Misc. Revenue	975	49	5,725	540	5,185		589
Infrastructure Grants	0	0	48,079	0	48,079	4	0
Surplus - Previous Years	0	0	80,211	80,211	0		80,211
TOTAL RECEIPTS	6,698	11,299	3,222,636	3,106,276	116,360		3,400,000
WATER SUPPLY							
Share of Overhead Expenses	0	0	300,000	300,000	0		400,000
Audit/Legal/Training	0	708	7,701	10,792	3,091		11,500
Purification & Treatment	42,435	28,333	383,821	331,667	(52,154)	5	360,000
Transmission & Distribution	(34,357)	6,667	132,664	105,333	(27,330)	6	112,000
Power & Pumping	3,801	4,167	44,529	45,833	1,304		50,000
Billing/Collections	984	250	2,830	2,750	(80)		3,000
Water Purchased	0	63	1,176	688	(488)		750
Misc. Expenses	1,487	1,500	15,322	16,500	1,178		18,000
TOTAL WATER SUPPLY	14,350	41,688	888,043	813,563	(74,480)		955,250
SEWERAGE COLLECTION & DISPOSAL							
Share of Overhead Expenses	0	0	450,000	450,000	0		600,000
Audit/Legal/Training	0	500	6,363	12,500	6,137		13,000
Collection System Maintenance	44,650	2,667	88,682	61,333	(27,349)	7	64,000
Sewer Claims	0	0	19,555	20,000	445		20,000
Lift Stations	2,522	5,417	35,651	59,583	23,932		65,000
Treatment/Disposal	4,611	6,417	87,419	85,583	(1,836)		92,000
Infiltration Study	0	0	5,872	0	(5,872)		0
Misc. Expenses	185	1,167	10,313	12,833	2,520		14,000
TOTAL SWGE COLLECTION & DISPOSAL	51,968	16,167	703,855	701,833	(2,022)		868,000
FISCAL SERVICES							
Interest on Bank Loans	4,081	0	4,081	0	(4,081)		0
Interest on Long-Term Debt	8,764	8,764	199,856	199,856	(0)		299,377
Principal Repayment	32,000	32,000	213,136	213,136	0		507,373
Transfer to Reserve Accounts	0	0	0	0	0		70,000
Capital Fund Through Operating	0	0	0	0	0		700,000
TOTAL FISCAL SERVICES	44,845	40,764	417,073	412,991	(4,081)		1,576,750
TOTAL EXPENSES	111,163	98,618	2,008,970	1,928,387	(80,583)		3,400,000
NET INCOME (LOSS) FOR THE PERIOD	(104,464)	(87,319)	1,213,666	1,177,889	35,778		1

Town of Rothesay

Variance Report - Utility Operating

11 months ending November 30, 2020

Note #	Account Name	Actual YTD	Budget YTD	Variance Better(worse)	Description of Variance
Revenue					
1	Sale of Water	811,428	829,375	\$ (17,947)	Commercial sales down
2	Connection Fees	97,725	64,167	\$ 33,558	Apartment building
3	Interest Earned	96,736	59,583	\$ 37,153	Interest on receivables
4	Infrastructure Grants	48,079	-	\$ 48,079	Balance of Small Communities Fund
Water System Expenses					
5	Purification & Treatment	\$ 383,821	\$ 331,667	\$ (52,154)	Rehab of Well 6
6	Transmission & Distribution	\$ 132,664	\$ 105,333	\$ (27,331)	Taylor Brook Bridge repairs
Sewerage Collection and Disposal					
7	Collection System Maintenance	\$ 88,682	\$ 61,333	\$ (27,349)	Taylor Brook Bridge repairs
Fiscal Services					
				\$ -	

2021January11OpenSessionFINAL_058

Town of Rothesay

Capital Projects 2020

Utility Fund

11 Months Ended 11/30/20

	Original BUDGET	Revisions	CURRENT Y-T-D	Remaining Budget		
WATER						
12045330 Station Road Water Line Replacement W-2020-003	250,000		0	250,000		
12044330 Shadow Hill Watermain W-2020-002	400,000		0	400,000		
12043430 Well Development - Quality W-2020-004	250,000		114,251	135,749		
12045530 Water Tower Repairs W-2020-007	-		189,571	-189,571		
12045730 College Hill Water Line S-2020-001	-		554,595	-554,595		
	<u>\$ 900,000</u>	<u>\$ -</u>	<u>\$ 858,417</u>	<u>\$ 41,583</u>		
SEWER						
12045030 Turnbull Court Design S-2020-001	1,110,000		620,340	489,660		
12044830 Sewer Costs in Asphalt Contract T-2020-005	100,000		23,257	76,743		
12045430 Conversion to Digital Radio S-2020-006	65,000		10,662	54,338		
12044130 WWTP Design Phase 2 S-2017-001	1,500,000		0	1,500,000		
12045630 Brock Court/Goldie Court Service Renewal W-2020-008	-	100,000	126,665	-26,665		
	<u>2,775,000</u>	<u>100,000</u>	<u>780,923</u>	<u>2,094,077</u>		
Total Approved	<u>3,675,000</u>	<u>100,000</u>	<u>1,639,340</u>	<u>2,135,660</u>		
Carryovers						
Funded from Reserves						
12042330 Wastewater Treatment Plant - S-2014-016-A	-		22,424	-22,424		
	<u>0</u>	<u>0</u>	<u>22,424</u>	<u>-22,424</u>		
	<u>3,675,000</u>	<u>100,000</u>	<u>1,661,765</u>	<u>2,113,235</u>		
Funding:						
	Total	Reserves	Gas Tax	Grants	Borrow	Operating
Water	900,000	200,000	250,000		200,000	250,000
Sewer	2,775,000		325,000	1,000,000	1,000,000	450,000
	<u>\$ 3,675,000</u>	<u>\$ 200,000</u>	<u>\$ 575,000</u>	<u>\$ 1,000,000</u>	<u>\$ 1,200,000</u>	<u>\$ 700,000</u>

2021January11OpenSessionFINAL_059

Town of Rothesay

Capital Projects 2020
Utility Fund

12 Months Ended 2020-12-31

DRAFT!

	Original BUDGET	Revisions	CURRENT Y-T-D	Remaining Budget		
WATER						
12045330 Station Road Water Line Replacement W-2020-003	250,000		0	250,000		
12044330 Shadow Hill Watermain W-2020-002	400,000		0	400,000		
12043430 Well Development - Quality W-2020-004	250,000		123,924	126,076		
12045530 Water Tower Repairs W-2020-007	-		189,571	-189,571		
12045730 College Hill Water Line S-2020-001	-		554,595	-554,595		
	\$ 900,000	\$ -	\$ 868,090	\$ 31,910		
SEWER						
12045030 Turnbull Court Design S-2020-001	1,110,000		931,570	178,430		
12044830 Sewer Costs in Asphalt Contract T-2020-005	100,000		23,257	76,743		
12045430 Conversion to Digital Radio S-2020-006	65,000		15,824	49,176		
12044130 WWTP Design Phase 2 S-2017-001	1,500,000		6,258	1,493,742		
12045630 Brock Court/Goldie Court Service Renewal W-2020-008	-	100,000	126,665	-26,665		
	2,775,000	100,000	1,103,574	1,771,426		
Total Approved	3,675,000	100,000	1,971,663	1,803,337		
Carryovers						
Funded from Reserves						
12042330 Wastewater Treatment Plant - S-2014-016-A	-		24,536	-24,536		
	0	0	24,536	-24,536		
	3,675,000	100,000	1,996,199	1,778,801		
Funding:						
	Total	Reserves	Gas Tax	Grants	Borrow	Operating
Water	900,000	200,000	250,000		200,000	250,000
Sewer	2,775,000		325,000	1,000,000	1,000,000	450,000
\$	3,675,000	\$ 200,000	\$ 575,000	\$ 1,000,000	\$ 1,200,000	\$ 700,000

Town of Rothesay

2020-12-31

219500-60

Donations/Cultural Support	Budget 2020	Paid to date
KV3C (in kind)	2,500.00	2,500.00
NB Medical Education Trust	5,000.00	5,000.00
SJRH	2,500.00	-
KV Food Basket	6,000.00	5,148.39
Fairweather Scholarship	1,000.00	1,000.00
KV Oasis	2,500.00	2,500.00
Saint John Theatre Company	1,000.00	1,000.00
Vocational Training Centre	6,000.00	
sub	26,500.00	17,148.39

Other:	8,500.00	
Imperial Theatre		250.00
RNS - Youth for Youth Concert		100.00
NB Competitive Festival		100.00
Forum for Young Canadians		250.00
WE Believe SJ		200.00
Muscular Dystrophy		200.00
Arts Atlantic Symposium		1,500.00
KV Food Basket		1,000.00
St. Joseph's Hospital Foundation		1,000.00
Make a Wish		500.00
Empty Stocking Fund		500.00
Hestia House		200.00
sub	8,500.00	5,800.00

35,000.00	22,948.39
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G/L Balance	20,448.39
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Other:			
Kennebecasis Crimestoppers	2,800.00	2,800.00	Protective Services
KV Committee for the Disabled	5,500.00	4,000.00	Transportation
PRO Kids	7,500.00		Recreation



ROTHESAY
2021 January 11 Open Session FINAL 061
WORKS AND UTILITIES COMMITTEE MEETING
BY VIDEOCONFERENCE
Pursuant to the *Local Governance Act* and the Province of New
Brunswick State of Emergency (declared 19 March 2020)
Wednesday, December 23, 2020 at 5:30 p.m.



DRAFT

PRESENT: DEPUTY MAYOR ALEXANDER, CHAIRPERSON
COUNCILLOR MIRIAM WELLS (*left the videoconference at 6:00 p.m.*)
SHAWN CARTER
ANN McALLISTER

TOWN MANAGER JOHN JARVIE
DIRECTOR OF OPERATIONS BRETT McLEAN
RECORDING SECRETARY LIZ POMEROY

ABSENT: PAUL BOUDREAU
PETER GRAHAM, VICE CHAIRPERSON
MARK McALOON

Chairperson Alexander called the videoconference to order at 5:50 p.m.

1. APPROVAL OF AGENDA

MOVED by Counc. Wells and seconded by S. Carter the agenda be approved as circulated.

CARRIED.

2. APPROVAL OF MINUTES

2.1 Regular Works and Utilities Committee meeting of October 21, 2020.

MOVED by Counc. Wells and seconded by A. McAllister the minutes of October 21, 2020 be adopted as circulated.

CARRIED.

3. DECLARATION OF CONFLICT OF INTEREST

Counc. Wells declared a conflict of interest with respect to Item 9.1 Alexander Avenue: Emergency Access – Flooding Event.

4. DELEGATIONS

N/A

5. REPORTS & PRESENTATIONS

N/A

6. UNFINISHED BUSINESS:

6.1 Capital Projects Summary

Chairperson Alexander reported construction is underway for phase one of the Turnbull Court project, and Council approved the purchase of a new fleet vehicle. DO McLean advised the College Hill Road waterline project is nearing completion, all that remains is the installation of the pressure reducing valve. Chairperson Alexander questioned if the area was cleared of equipment and restored. DO McLean commented on the muddy conditions, and noted the area was restored as best as possible and hydroseeding will be completed in the spring.

6.2 Solid Waste Tonnage Report

Chairperson Alexander noted FERO does not collect on Christmas Day therefore those properties will be collected on Saturday, December 26, 2020 instead.

6.3 Discussion on Private Lanes Policy

No action at this time.

6.4 Update on traffic congestion and parked vehicles on Spruce Street

DO McLean advised he left a voicemail but has not received a response. He noted he will follow up in the new year. He reminded the Committee the intent is to discuss the problem and connect the resident with the School Board to resolve the issue.

7. CORRESPONDENCE FOR ACTION

N/A

8. CORRESPONDENCE FOR INFORMATION:

8.1 Water Treatment Plant Pipe Replacement

9 December 2020 Report prepared by DO McLean

Chairperson Alexander explained Council approved the recommendation at the December Council meeting. He noted the contractor's familiarity with the infrastructure is beneficial as the lines must remain "live" while work is underway. DO McLean reported the project is well underway at this time.

8.2 Clean Water and Wastewater Fund Treatment Plant Application Requirements

10 December 2020 Report prepared by DO McLean

Chairperson Alexander noted Council approved the recommendation at the December Council meeting. DO McLean advised work began last week, relaying an update from the firm indicating completion of the Greenhouse Gas (GHG) Mitigation Assessment. He noted the expected completion date for the report is January 19, 2021.

8.3 Fleet Vehicle Purchase – Utility Department

11 December 2020 Report prepared by DO McLean

Chairperson Alexander noted Council approved the fleet vehicle purchase for the Utility Department at the December Council meeting. In response to an inquiry, DO McLean advised the vehicle was ordered and is expected to arrive in January 2021. DO McLean explained the tender was originally awarded to Chevrolet however following several delays the company was unable to honour the April 2020 bid price. As the next lowest bidder, Downey Ford Sales was approached and have agreed to honour their April 2020 bid price. It was suggested the Town require bid deposits as an incentive.

Counc. Wells declared a conflict of interest for Item 9.1 and left the videoconference.

A. McAllister inquired if there is interest in acquiring electric or hybrid vehicles. DO McLean advised the Town explored the option of electric vehicles in the past however at the time the only vehicles available were SUVs or cars, rather than trucks. He explained, even now, it is difficult to acquire electric trucks as they are not a popular commodity.

Town Manager Jarvie advised, in the future, the Town may explore converting Town vehicles to an alternative fuel source such as propane. A. McAllister noted engineers at Mount Allison University are converting gas powered vehicles to electric, and suggested this may be an idea to explore.

9. NEW BUSINESS:

9.1 Alexander Avenue: Emergency Access – Flooding Event

18 December 2020 Report prepared by DO McLean

Chairperson Alexander explained the Town has undertaken projects to raise roads in the community to improve access and egress to flood prone areas. However, due to its design Alexander Avenue faces unique challenges in terms of flood mitigation.

DO McLean relayed a firm was engaged to review the options/ramifications of raising Alexander Avenue to a level above historic flood levels; and it was determined the proximity of homes to the roadway and the amount of infill necessary to raise the road above historic flood levels produced some major, in some cases insurmountable, private property issues. He noted Town staff met with, and relayed the challenges to all property owners on Alexander Avenue. Through use of an app residents were able to witness how raising Alexander Avenue would impact individual properties, and the overall neighbourhood. The outcome was not well received. Residents indicated the major concern is access and egress to their properties in the event of an emergency, and suggested most would be amenable to an option that permits them to don “chest-waders” and leave their properties. DO McLean cautioned against a “partial fix” or raising the road to a height below historic flood levels as this could create additional problems. He relayed a starting estimate of \$500,000 to raise Alexander Avenue noting this is significantly higher than individual project costs for Rothesay Park Road, Cameron Road, and areas in Kennebecasis Park.

DO McLean explained a floating walkway: can be deployed when/if flooding of the neighbourhood was imminent; provides pedestrian access and allows emergency responders to wheel medical equipment/stretchers to properties; has railings and off-chute walkways to properties; can be reconfigured to suit different needs; has a significant warranty (20 year) and lifespan (40 years); can be used for recreational purposes; and mitigates the primary concern of property owners. He reported he spoke with the Fire Chief and was informed a floating walkway would be helpful, but not a panacea as some apparatus could not be transported. However, there are other issues to be considered as a flood could result in the submersion of fire hydrants.

The Committee acknowledged the cost of a floating walkway (\$140,000) is significantly less than the estimated cost to raise Alexander Avenue (\$500,000+). However, concern was expressed the cost is also comparable to raising roads in other areas but does not provide a permanent solution. There was a lengthy discussion with respect to: the problems faced by properties if Alexander Avenue is raised; alternative options such as a berm, boats, culverts, and trenches; intensifying flood levels; and safety of residents.

Town Manager Jarvie advised Town staff contacted Ambulance New Brunswick for input and are waiting for a response. He cautioned a floating walkway will improve access and egress for emergency responders but there may still be limitations. Concern was expressed the floating walkway will create a burden for Town staff to set up and dismantle. DO McLean advised the floating walkway is designed to be easily set up and dismantled, and Town staff undertake a similar task when deploying the seasonal Renforth wharf.

S. Carter suggested a sea doo with a floating stretcher may be an inexpensive option. Town Manager Jarvie advised the Kennebecasis Valley Fire Department does have access to a boat. He added a floating walkway provides access and egress to the area for a variety of needs that may extend beyond emergency services. DO McLean added: the amenity will also function regardless of the flood level; the Works Department does not have another use for the feature, however it can be used seasonally as a recreational walkway or swimming area; and, if approved, can be deployed in preparation for the 2021 spring freshet. He noted it is unclear if the amenity would be eligible for external funding. S. Carter questioned if staff investigated solutions implemented by other communities. Town Manager Jarvie advised a common solution is to raise roads, however this and other permanent structural solutions are not practical in this instance.

Town Manager Jarvie advised it is recommended the matter be discussed by Council, and if the initiative is deemed worthwhile, residents will be contacted for further input.

MOVED by A. McAllister and seconded by S. Carter the report prepared by DO McLean RE: Alexander Avenue: Emergency Access – Flooding Event dated 18 December 2020 be forwarded to Council.

CARRIED.

10. DATE OF NEXT MEETING

The next meeting will be Wednesday, January 20, 2021.

11. ADJOURNMENT

MOVED by A. McAllister and seconded by S. Carter the meeting be adjourned.

CARRIED.

The meeting adjourned at 6:40 p.m.

CHAIRPERSON

RECORDING SECRETARY



2021 January 14 Open Session FINAL_065
ROTHESAY
MEMORANDUM



TO : Mayor and Council
FROM : Works & Utilities Committee
DATE : December 24, 2020
RE : Floating Walkway - Alexander Avenue

Background:

Please be advised the Works & Utilities Committee passed the following motion at its regular videoconference on Wednesday, December 23, 2020:

MOVED ... and seconded ... the report prepared by DO McLean RE: Alexander Avenue: Emergency Access – Flooding Event dated 18 December 2020 be forwarded to Council.

CARRIED.



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Works and Utilities Committee
December 23, 2020

TO: Works and Utilities Committee

SUBMITTED BY:


Brett McLean, Director of Operations

DATE: December 18, 2020

SUBJECT: Alexander Avenue:
Emergency Access – Flooding Event

RECOMMENDATION

It is recommended that the committee receive the following for information as part of a broader discussion around flood mitigation measures for Alexander Avenue residents.

ORIGIN

A number of low-lying streets in Rothesay have been or are in the planning stages of being elevated to allow access/egress during flooding events.

BACKGROUND

Dillon Consulting was engaged to review the options/ramifications of raising Alexander Avenue to a level above historic flood levels. The 6.0m elevation was modelled and the effects to adjacent properties was identified. The proximity of homes to the roadway and the amount of infill necessary to raise the road above historic flood levels produced some major, in some cases insurmountable, private property issues.

Town staff met with each property owner along Alexander Avenue to present the findings of the review and hear their individual concerns. Generally, the residents seemed to concur with staff in that the elevated road would be more detrimental to life on Alexander Avenue than it would be beneficial. The overarching theme of the individual conversations was the need for residents to be able to walk out of,

and emergency responders to be able to walk in to, the area without the need of a boat. In previous flood events, the water was high enough that it would have been over some resident's heads if they had attempted to walk out of their neighborhood on foot.

DISCUSSION

Staff have reviewed, and included with this report, the use of a floating walkway to be deployed when/if flooding of the neighborhood was imminent. This floating system would float on top of any level of flood event and allow pedestrian access as well as the ability for first responders to wheel medical equipment/stretchers etc. to any house in front of which the street was inaccessible due to flooding.

The system selected for review is a modular system made up of reconfigurable 1.5 x 1.5 foot cubes. The product has a significant warranty, is Canadian made and is designed to be set up and taken down multiple times over its lifespan. The other beneficial feature of a floating system is that, when not in use for flooding in April/May each year, it can be deployed to the wharf area or any other part of the river as a recreational amenity.

FINANCIAL IMPLICATIONS

The cost of the floating system is not insignificant. The layout included with this report which would allow for a mainline walkway with railings on both sides and an off chute walkway with railing on one side to each property is in the order of \$140,000. The projected cost to raise the elevation of Alexander Avenue is in the order of \$500,000.

The cost of the floating system is comparable to other road raising projects undertaken in Rothesay; however, it is to be noted that each of those costs produced a fully built roadway which is useable all year round. The contemplated floating system would be a contingency item held in stock to be deployed by trained Town staff during a flood event; however, it could also be available for the enjoyment of residents along the river all summer long.











70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
January 11, 2021

TO: Mayor Grant and Members of Rothesay Council

SUBMITTED BY:

John Jarvie, Town Manager

DATE: January 6, 2021

SUBJECT: Alexander Avenue

RECOMMENDATION

It is recommended that Mayor and Council receive the following for information as part of a broader discussion regarding flood mitigation measures for the Alexander Avenue neighborhood.

ORIGIN

A number of low-lying streets in Rothesay have been, or are in the planning stages of being, elevated to allow access/egress during flooding events. Alexander Avenue is a relatively low-lying street.

BACKGROUND

Dillon Consulting was engaged to review the options/ramifications of raising Alexander Avenue to a level above historic flood levels. The 6.0m elevation was modelled and the effects to adjacent properties were identified. The proximity of homes to the roadway and the amount of infill necessary to raise the road above historic flood levels produced some major, in some cases insurmountable, private property issues.

Town staff met with each property owner along Alexander Avenue to present the findings of the review and hear their individual concerns. Generally, the residents seemed to concur with staff in that the elevated road would be more detrimental to life on Alexander Avenue than it would be beneficial. The overarching theme of the individual conversations was the need for residents to be able to walk out of, and emergency responders to be able to walk in to, the area without the need for a boat. Several

references to “chest waders” were made during these individual discussions. Flood events in both 2018 and 2019 produced water levels sufficient to prevent even the tallest of Alexander Avenue residents from exiting/entering on foot.

DISCUSSION

Dillon Consulting has modelled and costed the project to raise Alexander Avenue to the 6.0m elevation. Such a project would produce a number of changes to the neighborhood such as loss of existing trees and landscaping, alteration of view lines between homes on each side of the street and significant changes to the grade of existing driveways. The majority of the driveways on Alexander Avenue are at the same level as the current roadway. Elevating the roadway would require the driveways to become steeper while the homes and garage floor elevations remain at their current level ie. many resident exiting Alexander Avenue would be driving downhill into their driveways/garages. The change in grade would potentially create drainage concerns as well.

The impact to driveway grades is the most significant issue from an engineering standpoint. The wholesale cutting of old growth trees, removal of privacy hedges and the aesthetic of a significantly elevated street are the most significant to the residents of Alexander Avenue.

Some of the impact to driveway grades could be reduced by shifting the edge of the roadway from the southwestern boundary of the right-of-way where it currently exists to the extreme northeastern boundary of the right-of-way. There are two parcels of vacant, privately owned land along the northeastern border of the right-of-way that, if available to the Town, could allow the road to be moved further away from the lowest of the houses thus further reducing the driveway grade issues.

A project to elevate the road, regrade/resurface the driveways, replace (as much as possible) lost landscaping and include additional storm water/drainage protection is significant. The cost is in the order of 8 to 10 times the per household cost to raise other flood prone roadways such as Rothesay Park Road, Cameron Road and Park Drive.

Given the pedestrian access concerns raised by the residents coupled with the (known) negative impacts of a road-raising project, staff recommend the use of a floating walkway system as an alternative to a built up roadway. The walkway could be deployed when/if flooding was imminent to allow access/egress to Alexander Avenue residents. This system would float on top of any level of flood event and allow pedestrian access as well as the ability for first responders to wheel medical equipment/stretchers etc. to any house in front of which the street was inaccessible due to flooding. The mainline walkway would include an off-chute walkway to each residence cutoff by the flood.

There are several modular systems available to create such a walkway. These systems are reconfigurable, several are Canadian made with significant warranties and are designed to be set up and taken down multiple times over their lifespan. The other beneficial feature of a floating system is that, when not in use for flood events, it could be used along the river as a recreational amenity for many residents.

FINANCIAL IMPLICATIONS

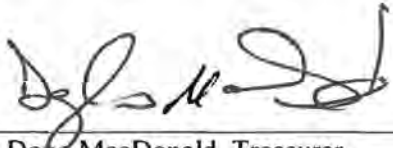
The cost of the road-raising project is in the order of \$1,000,000 roughly broken down as \$500,000 for the roadway construction, \$400,000 for driveway/property modifications and \$100,000 for property acquisition. This is approximately 8 to 10 times higher than the per household cost of road-raising projects in other flood prone neighborhoods.

The cost of the floating system, which includes a mainline walkway with railings and off-chute walkways with railings to each property, is in the order of \$140,000. This cost is closer to 1.25 times the per household cost of road raising projects in other flood prone neighborhoods.

The cost of the floating system is comparable to flood mitigation projects undertaken in other parts of Rothesay; however, it is notable that those other projects produced fully built roadways useable all year round. The contemplated floating system would be a contingency item held in storage, similar to the filled sandbag inventory, to be deployed by trained Town staff during a flood event.

The materials could also be available for use as a recreation amenity during the summer months.

Report Prepared by:  Brett McLean, Director of Operations

Report Reviewed by:  Doug MacDonald, Treasurer





ROTHESAY

2021 January 11 Open Session FINAL_076

BUILDING PERMIT REPORT

12/1/2020 to 12/31/2020

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
12/03/2020	BP2020-00210	2 CAMPBELL DR	SIDING AND WINDOWS	\$5,000.00	\$36.25
12/07/2020	BP2020-00260	118 HAMPTON RD	INTERIOR RENOVATIONS - COMMERCIAL	\$64,000.00	\$464.00
12/07/2020	BP2020-00261	5 WHITE LANE	ELECTRICAL UPGRADE	\$1,900.00	\$20.00
12/18/2020	BP2020-00264	3055 ROTHESAY RD	STORAGE SHED	\$10,000.00	\$72.50
12/24/2020	BP2020-00265	60 MALISEET DR	FENCE	\$7,100.00	\$58.00
Totals:				\$88,000.00	\$650.75
Summary for 2020 to Date:				\$19,750,249.00	\$146,594.50

2019 Summary

	<u>Value of Construction</u>	<u>Building Permit Fee</u>
Monthly total:	\$3,164,250.00	\$22,959.00
Summary to Date:	\$12,880,561.99	\$96,026.50



ROTHESAY

INTEROFFICE MEMORANDUM



TO : Mayor Grant & Council
FROM : John Jarvie
DATE : 6 January 2021
RE : Capital Project – Status Report

The following is a list of 2020 capital projects, the 2019 capital projects and the status of each along with continuing projects from 2016.

	PROJECT	BUDGET	\$ TO 31/12/20*	COMMENTS
2016	General Specification for Contracts	40,000	40%	Draft document under review by staff
	WWTP Phase II	\$22M	-	Funding Application resubmitted
2019	Trail & sidewalk connector Wells	\$1.62M	-	Subject to grants; estimate revised to current – land acquisition discussions with Province underway
	Secondary Plan road design	50,000	-	Wiljac – decision tabled
	Shadow Hill Court water	450,000	1%	Preliminary design and cost estimates complete
	Turnbull Ct sewer replacement	\$1.11M	84%	Pipework complete, pump station under construction
	Production Wells	250,000	49%	Will follow completion of the model development being created under “water quantity” section
	Station Rd cast iron replacement	250,000	-	Deferred until 2021
	Digital Radio	65,000	5%	Hardware ordered
	Town Hall (elevator)	120,000	50%	
	IT equipment & software	45,000	40%	
	Fire Department	480,000	94%	
	2020 Street Resurfacing	\$1.3M	100%	Substantially complete
	Curb & Sidewalk	305,500	100%	Substantially complete
	2020 Designated Highways	525,000	100%	Work complete
	Fleet Renewal	675,000	60%	1 Ton truck to be purchased; one truck to be delivered
	Scribner Field replacement (Wells)	550,000	60%	Work underway
	Parks Equipment	50,000	26%	
	Trails	50,000	-	
	Arena renovations	1.02M	45%	Structural improvements underway, seating removed; work to be completed in spring 2021
	2021 Resurfacing Design	60,000	20%	Estimated complete; design underway
	Brock/Goldie service renewals	125,000	100%	Completed
	Water Tower repairs	175,000	100%	Completed
	College Hill Water line	750,000	74%	Pipe work complete, reducing valve on order

* Funds paid to this date.



ROTHESAY

INTEROFFICE MEMORANDUM



TO	:	Mayor Grant & Council
FROM	:	John Jarvie
DATE	:	8 January 2021
RE	:	Sagamore Heights Subdivision Report

Recommendation:

It is recommended Council adopt the recommendations set out in the attached report of the Director of Planning and Development.

Background:

Attached is a staff report and revised draft agreement with the developers of the Sagamore Heights Subdivision. Staff have endeavoured to address many of the issues raised by the public living in the vicinity of the development. Some matters were raised during the process that are beyond the scope of the project (e.g. freshet flooding on Maliseet Drive) and staff will be reviewing these in the coming months.



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
January 11, 2021

TO: John Jarvie, Town Manager

SUBMITTED BY: 
Brian L. White, Director of Planning and Development Services

DATE: Friday, January-08-21

SUBJECT: Sagamore Heights Subdivision Application – Second Supplemental Report

RECOMMENDATION REPORT

RECOMMENDATIONS:

Council remove the Sagamore Heights Subdivision Application from the Table.

1. Council Hereby authorizes the Mayor and Clerk to enter into a subdivision development agreement **as amended** with 619699 N.B. Inc. to subdivide vacant land accessed off Maliseet Drive to allow for 55 single-family home building lots with new public road connections to Maliseet Drive and River Road.
2. Council Hereby assents, as per Section 88(2) of the Act, to the creation of public streets Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane with connections to Maliseet Drive and a future street connection to River Road and as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).
3. Council Hereby assents, as per Section 88(3) of the Act, to setting aside of land for public purposes as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).
4. Council Hereby assents, as per Section 88(7) of the Act, to the creation of a Local Government Service Easement as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

ORIGIN:

At their December 14th, 2020 regular meeting, Council tabled decisions on the Sagamore Heights Subdivision application until the January 11, 2021.

On December 15, 2020, Rothesay Council conducted an online public meeting to hear comments regarding the proposed subdivision. The meeting was facilitated through an online web-based application and a phone line provided for residents without internet service. Minutes from that meeting were prepared and circulated to Council.

BACKGROUND:

At their November 2, 2020, regular meeting of the Rothesay PAC considered an application from Mr. Edward Harley and Mr. Patrick Shea, Directors of 619699 N.B. Inc. (developer) to subdivide 31.3 acres of vacant land in Sagamore Point for fifty-five (55) single-family home lots.

At the November 9 2020 regular meeting of Council the Sagamore Heights Subdivision application was tabled so that Staff could prepare a summary document answering the residents' and Councillors' questions. On December 14, 2020, the Staff report answering questions was submitted to Council.

In preparation for the December 15th, 2020, online public meeting the Staff report was also circulated to the public.

SUBDIVISION PROPOSAL DETAILS:

- a) The proposed subdivision is for fifty-five (55) single-family home lots. More than half of the lots are larger than 2000m² (½ acre), more comparable in size to abutting Maliseet Drive lots and generally larger than the River Road lots next to them.
- b) The proposed lots average over 1800m² and all lots meet the Town's by-law requirement of 1350m² for the low-density single-family zone.
- c) The subdivision agreement includes LED streetlights at public street intersections and mandatory driveway lights for every new home;
- d) The subdivision plan includes a ¼-acre neighbourhood playground park and an asphalt trail along the main public streets, Sage and Greenbrier.
- e) No wells will be drilled and no septic fields will be permitted; all homes will be connected to Town water and sewer.
- f) A professional engineering firm will prepare a stormwater management plan to address runoff from the new homes as well as existing stormwater concerns from the surrounding topography. These plans are subject to review and approval by Town staff.
- g) All municipal services (water, sewer and storm) will be connected at Maliseet Drive. Public utilities (electricity, phone, internet, cable) will enter from River Road. There are no planned service interruptions, impacts or improvements anticipated for existing residents because of the proposed development.
- h) Town staff have confirmed that the existing sewage treatment facility can accommodate the additional sewage flows from the proposed 55 new homes. Announcement of a major upgrade to the wastewater treatment facility is pending.

- i) The subdivision process requires that Council enter into a subdivision agreement with the developer for the municipal services and dedication of property for public purposes. No variances from Town bylaws are requested and this application is not a 'rezoning' as the land is zoned for this type of development.

PUBLIC COMMENTS (December 15, 2020):

Staff attended the December 15, 2020 online public meeting and reviewed the minutes of the meeting. In Staff's opinion, a considerable amount of the information received in the meeting echoes the written comments previously received by Council. Residents stated several core topics, those topics are as follows:

1. **Drainage Concerns** – Many of the residents who participated in the meeting asked questions or raised concerns regarding the potential for the subdivision to cause drainage problems on their properties. Staff have been very clear regarding the importance of completing a detailed stormwater management engineering report that address the issues related to stormwater runoff, and exercising proper due diligence with respect to stormwater management to ensure runoff is properly handled.

Staff would like to point out that Parts 23 and 24 (see below) in the development agreement require written certification that the subdivision's stormwater management is built to Rothesay's specifications and furthermore that the homes once constructed will not discharge their storm water in a manner that causes problems for their neighbours.

"23. The Developer agrees that the storm water drainage from all dwellings shall not be discharged:

- a) directly onto the ground surface within one meter of a proposed dwelling;*
- b) within 1.5 m of an adjacent property boundary;*
- c) to a location where discharged water has the potential to adversely impact the stability of a side yard or rear yard slope or a portion of the property where there exists a risk of instability or slope failure; or*
- d) to a location or in such a manner that the discharge water causes or has the potential to cause nuisance, hazard or damage to adjacent dwellings or structures.*

24. The Developer agrees to provide to Rothesay's Engineer written certification of a Professional Engineer, licensed to practice in New Brunswick that the storm water system has been satisfactorily completed and constructed in accordance with Rothesay specifications."

The Developer or new homeowner must adhere to the Town by-law that requires a site-grading plan including an erosion and sediment control plan to be submitted and approved before a development or building permit is issued. Furthermore, Staff believe that many of the drainage concerns expressed relate to existing problems or very specific issues on individual properties that cannot be properly addressed until the project engineering and construction is completed.

2. **Land for Public Purposes** – Residents expressed interest in the proposed walking trails; however, some felt the proposed ¼ acre park was insufficient. A resident also stated that they did consider that the water lot qualified as land for public purposes. The resident was

concerned that without the water lot, the total land for public purposes was well below the standards of other communities.

Staff can confirm that the required amount of land for public purposes (LPP) for all 55 building lots is 2.44 acres. The developer has agreed to provide Rothesay with ¼ acres of land for a park/playground on the corner of Goldenrod Lane and Sage Street and an assembly of land parcels at Maliseet and River Road totaling 1.02 acres. The 14.68 acres water lot on the Kennebecasis River makes up the balance of the LPP requirement. The total area of all the parcels being offered in fulfillment of the LPP requirement is 15.94 acres, which well exceeds the by-law requirement of 2.44 acres. However, Staff would like to point out that the proposed water lot acquisition when added to the Town's existing 31 acre land holding (sewage treatment facility) grow into a very substantial ~47 acres public parcel with future public utility and good recreational, albeit unexplored, potential.

In addition, it is important for Council to be aware that the Developer's own a 1-acre waterfront parcel (47 Maliseet Drive PID 30212963) which is deeded common land for Sagamore Point residents. This land is currently and will continue to be private recreation land for the exclusive use Sagamore Point residents.

3. **Construction Disturbance and Phasing** – Residents raised concerns regarding traffic during construction, and requested that the development be completed in phases to mitigate disruptions to the existing neighbourhood.

Staff would like to point out that Part 3 (see below) of the development agreement specifies the main entrance for construction, and Schedule C is a diagram that shows the Proposed Phasing of the subdivision.

"3. The Developer agrees that the Greenbrier Street intersection with Maliseet Drive shall be used solely for all construction machinery, heavy equipment and related vehicles until such time that Phases 1 to 3 are substantially complete."

4. **Municipal Plan** - Staff are grateful that the public has taken the time to review the Draft Municipal Plan and quote elements of the plan. Of specific interest, Staff refer to the comments involving the Plan's demographic forecast analysis, specifically that by the year 2036 Rothesay could experience a significant population decline. It is important to note that in that same section of the Draft Plan Rothesay recognizes that "without intervention" our population will gradually diminish over the next 20 years. The key declaration in that sentence being "without intervention" the forecasted decline would occur. However the type of intervention suggested, in the Draft Plan is described in the next paragraph.

The Draft Plan states, **"an increase in new-build construction would likely attract more in-migrants"**. The proposed subdivision and the creation of new housing is in fact exactly the sort of prescribed treatment recommended to prevent the forecasted loss of population.

5. **Groundwater Protection of Existing wells** – Residents expressed reservation regarding groundwater impacts on their wells. The proposed subdivision is required to be connected to Town water and sewer. No wells will be drilled into the existing groundwater resource in the area.
6. **Maliseet Drive (road street connection vs Cul-de-Sac)** – Residents had mixed opinions regarding road connections. However, Staff have previously determined that Maliseet

Drive cannot connect to Greenbrier Street, as the existing road right of way would not allow for a public street geometric design that could meet the standards for a safe intersection. Furthermore, Staff are concerned about speeding along Maliseet and the potential for speeding on Greenbrier.

7. **Traffic Concerns (River Road/Maliseet/Gondola Point Intersection)** Residents felt that Maliseet Drive experiences significant traffic during the summer months, which can be dangerous for pedestrians, especially children. They also felt that the new Sage to River Road connection would generate even more traffic increasing the existing danger. However, some residents felt that these concerns could be mitigated with sidewalks and traffic control measures such as speed bumps or signage.

Staff have previously made a comparison of the proposed subdivision to Kennebecasis Park. Staff have continued confidence that based on this comparison (Sagamore Point versus Kennebecasis Park) that the proposed subdivision would not cause the traffic concerns as anticipated by some residents. Furthermore, Staff do not expect the need for signalization at the Gondola Point / River Road intersection. Nevertheless, the Town will continue to monitor the level of service (LOS) for this intersection and recommend improvements if required. Staff also note that the developers, in consultation with the Director of Operations, have agreed to cover the cost of left hand turning lane as noted in clause 14. (g) of the draft agreement.

ANALYSIS:

Staff believe the proposed subdivision agreement will provide for the appropriate regulation of construction and development of the proposed subdivision. Council has previously heard from Staff that the subdivision for 55 single family homes will continue to be zoned Single Family Residential R1B and that no zoning changes or variances are required. The project complies with the Town's existing municipal plan and aligns with the DRAFT plan in so much that an increase in new-build construction would likely attract more residents to Rothesay. Staff have confidence that the proposed subdivision will continue and reinforce the low-density residential pattern of development that reflects the Rothesay lifestyle that makes our community attractive.

Staff continue to recommend that Council enter into a subdivision development agreement for 55 single-family homes in Sagamore Point, albeit with the amendments to the proposed agreement (see attached) by inserting the following clauses:

12. *The Developer agrees not to remove trees on the rear 7m of proposed building lots, except where removal is necessary to facilitate the construction of municipal services, including stormwater infrastructure and public streets until such time that a building permit is issued for the lot.*
13. (b) vi. *luminaries shall be certified outdoor lighting fixtures that minimize glare while reducing light trespass and sky glow and fully shielded to minimize the amount of blue light in the nighttime environment.*
14. (f.) *constructing the proposed Future Street (Sage Street connection to River Road) as shown on the plan of subdivision by completing the clearing, grubbing, and grading and, as may be required by Rothesay, the aggregate base and hard surfacing;*

14. *(g.) construction of a left hand turn pocket (lane) on Maliseet Drive to allow for queuing of vehicles exiting Maliseet Drive onto Gondola Point Road as reviewed by the Developer's Engineer and approved by Rothesay's Engineer;*
21. *The Developer and Rothesay agree to work together in collaboration to develop stormwater management solutions for pre-existing offsite stormwater issues as determined by the Developer's Engineer and Rothesay's Engineer.*

ATTACHMENTS

Attachment A – Revised Sagamore Heights Subdivision Agreement

Rothsay

SUBDIVISION AGREEMENT

Land Titles Act, S.N.B. 1981, c.L-1.1, s.24

Parcel Identifiers
of Parcels Burdened
by Agreement:

00241240, 00246603, 30128680, 00062737,
00246595, 00223453, 00224147, 30145890,
30147318

Owner of Land Parcels:

619699 N.B. Inc.
270 Eriskay Drive
Rothsay, NB
E2E 5G7 (Hereinafter called the "Developer")

Agreement with:

Rothsay
70 Hampton Road
Rothsay, N.B.
E2E 5L5 (Hereinafter called "Rothsay")

a body corporate under and by virtue of the
Municipalities Act, RSNB 1973, Chapter M-22,
located in the County of Kings and Province of New
Brunswick

WHEREAS the Developer is the registered owner of certain lands
accessed from Maliseet Drive (PIDs # 00241240, 00246603, 30128680,
00062737, 00246595, 00223453, 00224147, 30145890, 30147318) and which
said lands are more particularly described in Schedule A hereto (hereinafter called
the "Lands");

AND WHEREAS the Developer is desirous of entering into a subdivision
agreement to allow for a 55 lot residential subdivision including new public roads
Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane with
connections to River Road and Maliseet Drive identified as **Sagamore Heights
Subdivision** on the Lands as described in Schedule A.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for and in the
consideration of the mutual covenants and agreements herein expressed and
contained, the parties hereto covenant and agree as follows:

1. The Developer agrees that the number of Lots situated on the Lands
indicated on Schedule A shall not exceed fifty-five (55) building lots.
2. The Developer agrees that the number of residential dwellings situated on
the Lands indicated on Schedule A shall not exceed fifty-five (55) single-
family dwellings.
3. The Developer agrees that the Greenbrier Street intersection with Maliseet
Drive shall be used solely for all construction machinery, heavy equipment
and related vehicles until such time that Phases 1 to 3 are substantially
complete.
4. The Developer agrees to submit for approval by Rothsay, prior to
commencing any work on the subdivision, the following plans, each in
accordance with the minimum requirements, standards and specifications
as prescribed in the Standard Specifications for Developers of Rothsay
Subdivision By-law No. 4-10:
 - a) Plan of Subdivision prepared by a person registered to practice
land surveying in the Province of New Brunswick;
 - b) a letter of engagement from the project engineer retained by the
Developer to design the proposed works, along with

engineering design drawings for all municipal services as specified herein.

5. The Developer agrees that Rothesay shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with Rothesay an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to Rothesay:
 - a) Valued at 50% of the cost of construction to execute the work approved by the Engineer pursuant to this agreement; and
 - b) Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as Rothesay has accepted "final completion" of the work mentioned in this agreement, by resolution of Rothesay Council.

Schedules

6. The Developer agrees to develop the Lands in a manner, which, in the opinion of Rothesay's Development Officer, is generally in conformance with the following Schedules attached to this Agreement:
 - a. Schedule A Legal Description of Parcels (PID #s)
 - b. Schedule B Proposed Plan of Subdivision
 - c. Schedule C Proposed Phasing of Public Infrastructure

Subdivision

7. Rothesay and Developer agree that a maximum 20 percent reduction in the total number of building lots and the resulting applicable and necessary changes to Schedule B as non-substantive and generally in conformance with this Agreement.
8. The Developer agrees, that except as otherwise provided for herein, the development, subdivision and use of the Lands shall comply with the requirements of the Rothesay Zoning By-law and Subdivision By-law, as may be amended from time to time.

Land for Public Purposes

9. Rothesay and the Developer agree that the 1000 square meter parcel located on the corner of Goldenrod Lane and Sage Street as indicated on Schedule B along with the following parcels shall be vested to Rothesay as Land for Public Purposes (LPP):
 - a) PID # 00062737
 - b) PID # 00246595
 - c) PID # 00223453
 - d) PID # 00224147
 - e) PID # 30145890
 - f) PID # 30147318

Site Development

10. The Developer agrees to develop the Lands in a manner, which, in the opinion of Rothesay's Development Officer, is generally in conformance with Schedule B.
11. The Developer agrees to not commence clearing of trees, excavation of

topsoil or blasting activities in association with the construction of the subdivision until Rothesay's Development Officer and Engineer have provided approval of the engineering design and the laying out of new public streets.

12. *The Developer agrees not to remove trees on the rear 7m of proposed building lots, except where removal is necessary to facilitate the construction of municipal services, including stormwater infrastructure and public streets until such time that a building permit is issued for the lot.*
13. The Developer agrees that all building lots developed and maintained by the successive lot owner(s) their successors and assigns shall as conform as follows:
 - a) All areas used for vehicular traffic or the parking or storage of a vehicle shall be paved with asphalt, concrete, interlocking stone or other environmentally safe and dust-free equivalent surface.
 - b) Every developed building lot shall have one (1) permanent driveway lighting fixture that shall as follows:
 - i. provide illumination of the primary driveway entrance to the public street right of way;
 - ii. be supplied from the lot owner's electrical system;
 - iii. automatically switch on when there is insufficient daylight;
 - iv. be located not closer than 1.5 meters to the paved driveway edge and not closer than 2 meters to the public street right of way boundary; and
 - v. be maintained to ensure continuous operation during nighttime hours.
 - vi. *luminaries shall be certified outdoor lighting fixtures that minimize glare while reducing light trespass and sky glow and fully shielded to minimize the amount of blue light in the nighttime environment.*

Municipal Streets

14. The Developer shall carry out, subject to inspection and approval by Rothesay representatives, and pay for the entire actual cost of the following:
 - a. surveying and staking of lots and streets;
 - b. rough grading of streets to profiles approved by Rothesay;
 - c. fine grading of streets to profiles approved by Rothesay;
 - d. hard surfacing of the streets as shown on the plan to Rothesay specifications; sub-grade standards, compaction and finish as approved by Rothesay's Engineer, in writing, before final hard surfacing may be installed;
 - e. constructing the proposed roads as shown on the plan of subdivision by completing the clearing, grubbing, grading and aggregate subbase of Greenbrier Street and Sage Street through to their Maliseet Drive intersection(s) as the first phase of the development;
 - f. *constructing the proposed Future Street (Sage Street connection to River Road) as shown on the plan of subdivision by completing the clearing, grubbing, and grading and, as may be required by Rothesay, the aggregate base and hard surfacing;*
 - g. *construction of a left hand turn pocket (lane) on River Road to allow for queuing of vehicles exiting River Road onto Gondola Point Road as reviewed by the Developer's Engineer and approved by Rothesay's Engineer;*

- h. supply and maintenance of for a period of two (2) years the topsoil, sod, landscaping and the planting of street trees calculated as no more than one tree for each 10 meters measured along the linear centre line of the public street right of way, planted on alternating street side location(s) approved by Rothesay and where such street trees are as follows:
 - i. Not smaller than six centimeters (6 cm) in diameter measured at a point being 2 meters above the root ball such trees species as approved by Rothesay.
 - ii. Inspected by Rothesay 12 months from time of planting and again then at 24 months. The Developer shall replace trees identified for replacement during warranty inspections.
 - i. Engineering design and inspection of those works referred to in clauses b), c) d), e) and f) of this section.
- 15. The Developer agrees to provide, upon completion of Part (13), signed documentation and progress reports from a practicing Professional Engineer, licensed in New Brunswick ensuring that applicable codes and standards have been met and that the work was completed and utilizing such materials as in accordance with the terms of this Agreement and approved specifications.
- 16. The Developer agrees to provide as-built drawings that delineate all public infrastructure to be submitted to Rothesay in compliance with the minimum standards and requirements specified in Rothesay's Digital Data Submission Standards for Infrastructure and Construction Drawings.
- 17. Rothesay reserves the right to assign public street names, notwithstanding that names may not correspond with those shown on Schedule B.
- 18. The Developer agrees that all items, materials, pipes, fittings, and other such infrastructure following acceptance of delivery on site by the Developer shall remain the full responsibility of the Developer against their accidental breakage or vandalism until Rothesay accepts the completed works.
- 19. The Developer agrees that it will not occupy any dwelling and no occupancy permit will be issued by Rothesay for any such dwelling until such time as the street, which provides the normal access, to each dwelling, has been constructed to Rothesay standards least beyond the point which shall be used as the normal entrance of the driveway to service such dwelling.
- 20. The Developer agrees to restore all disturbed or damaged areas of the public street and right of way to the satisfaction of Rothesay's Engineer following installation of the required municipal services.

Storm Water

- 21. *The Developer and Rothesay agree to work together in collaboration to develop stormwater management solutions for pre-existing offsite stormwater issues as determined by the Developer's Engineer and Rothesay's Engineer.*
- 22. The Developer agrees to accept responsibility for all costs associated with the construction of a storm water system including pipes, fittings, precast sections for manholes and catch basins capable of removing surface water, to a predetermined location designated by the Developer's Engineer and accepted by Rothesay's Engineer.
- 23. The Developer agrees to submit for approval by Rothesay, prior to

commencing any work on the storm water system such plans, as required by Rothesay, that shall conform with the design schematics and construction standards of Rothesay, unless otherwise acceptable to Rothesay's Engineer.

24. The Developer agrees that all roof leaders, down spouts, and other storm water drains from all proposed dwelling shall not be directed or otherwise connected or discharged to Rothesay's sanitary collection system.
25. The Developer agrees that the storm water drainage from all dwellings shall not be discharged:
 - a. directly onto the ground surface within one meter of a proposed dwelling;
 - b. within 1.5 m of an adjacent property boundary;
 - c. to a location where discharged water has the potential to adversely impact the stability of a side yard or rear yard slope or a portion of the property where there exists a risk of instability or slope failure; or
 - d. to a location or in such a manner that the discharge water causes or has the potential to cause nuisance, hazard or damage to adjacent dwellings or structures.
26. The Developer agrees to provide to Rothesay's Engineer written certification of a Professional Engineer, licensed to practice in New Brunswick that the storm water system has been satisfactorily completed and constructed in accordance with Rothesay specifications.

Water Supply

27. The Developer agrees to connect to Rothesay's existing water system utilizing methods of connection and at a location as determined by Rothesay's Engineer.
28. Rothesay agrees to supply potable water for the purposes and for those purposes only for a maximum of fifty-five (55) single-family residential dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.
29. Rothesay agrees to extend the existing water system on Maliseet Drive from its current location to a location along Maliseet Drive and on the opposite street side of the proposed intersection with the new public street labelled as Greenbrier Street. Extending the water system across Maliseet Drive shall be the cost of the Developer.
30. The Developer agrees to pay Rothesay a connection fee for each residential unit to Rothesay water system calculated in the manner set out by By-law as amended from time to time, to be paid to Rothesay on issuance of each building permit.
31. The Developer agrees that Rothesay does not guarantee an uninterrupted supply or of a sufficient or uniform water pressure or a defined quality of water. Rothesay shall not be liable to the Developer or to any person, firm or corporation for any damage or injury caused by the interruption of the supply of water, the lack of uniform pressure thereof or the quality of water.
32. The Developer agrees that all connections to Rothesay water mains shall be approved and inspected by Rothesay's Engineer or their representative prior to backfilling and that the operation of water system valves is the sole responsibility of Rothesay.
33. The Developer agrees to comply with Rothesay's Water By-law and furthermore that a separate water meter shall be installed, at their expense, for each residential connection made to Rothesay's water system.
34. The Developer agrees that Rothesay may terminate the Developer's

connection to Rothesay water system in the event that Rothesay determines that the Developer is drawing water for an unauthorized purpose or for any other use that Rothesay deems in its absolute discretion.

35. The Developer agrees to provide, prior to the occupation of any buildings or portions thereof, written certification of a Professional Engineer, licensed to practice in New Brunswick that the connection of service laterals and the connection to the existing Rothesay water system has been satisfactorily completed and constructed in accordance with Rothesay specifications.

Sanitary Sewer

36. The Developer agrees to connect to the existing sanitary sewer system at a location identified by Rothesay's Engineer and utilizing methods of connection approved by Rothesay's Engineer.
37. The Developer agrees to pay Rothesay a connection fee for each residential unit to Rothesay sewer system calculated in the manner set out by By-law as amended from time to time, to be paid to Rothesay on issuance of each building permit.
38. The Developer agrees to carry out subject to inspection and approval by Rothesay representatives, and pay for the entire actual costs of the Engineering design, supply, installation, inspection and construction of all service lateral(s) necessary to connect to the existing sanitary sewer system inclusive of all pipes, laterals, fittings, and precast concrete units.
39. The Developer agrees to submit for approval by Rothesay, prior to commencing any work to connect to the sanitary sewer system, any plans required by Rothesay, with each such plan meeting the requirements as described in Rothesay specifications for such development.
40. The Developer agrees that all connections to Rothesay sanitary sewer system shall be supervised by the Developer's engineer and inspected by Rothesay's Engineer or such other person as is designated by Rothesay prior to backfilling and shall occur at the sole expense of the Developer.

Local Government Service Easements

41. The Developer agrees to secure and grant to Rothesay, its successors and assigns, unencumbered easements crossing the Lands of the Developer in the form customarily used by Rothesay, providing for the full, free and uninterrupted right, liberty, privilege and easement to install, construct, reconstruct, repair, clean, maintain, inspect and use as part of the municipal services of Rothesay and as appurtenant thereto, and for all times hereafter, including sewers, water system mains, storm water collection infrastructure and other municipal services of such kind, size, type and number as Rothesay may from time to time determine necessary.

Retaining Walls

42. The Developer agrees that dry-stacked segmental concrete (masonry block) gravity walls shall be the preferred method of retaining wall construction for the purpose of erosion control or slope stability on the Lands and furthermore that the use of metal wire basket cages filled with rock (gabions) is not an acceptable method of retaining wall construction.
43. The Developer agrees to obtain from Rothesay a Building Permit for any retaining wall, as required on the Lands, in excess of 2 meters in height and that such retaining walls will be designed by a Professional Engineer, licensed to practice in New Brunswick.

Indemnification

44. The Developer does hereby indemnify and save harmless Rothesay from

all manner of claims or actions by third parties arising out of the work performed hereunder, and the Developer shall file with Rothesay prior to the commencement of any work hereunder a certificate of insurance naming Rothesay as co-insured evidencing a policy of comprehensive general liability coverage on "an occurrence basis" and containing a cross-liability clause which policy has a limit of not less than Two Million Dollars (\$2,000,000.⁰⁰). The aforesaid certificate must provide that the coverage shall stay in force and not be amended, canceled or allowed to lapse within thirty (30) days prior to notice in writing being given to Rothesay. The aforesaid insurance coverage must remain in full force and effect during the period available to the Developer pursuant to this agreement to complete the work set out as described in this Agreement.

Notice

45. Any notice or advice which is to be given under this Agreement shall be deemed to have been satisfactorily given to the Developer if delivered personally or by prepaid mail addressed to **619699 N.B. Inc., 270 ERISKAY DRIVE, ROTHESAY, NB, E2E 5G7** and to Rothesay if delivered personally or by prepaid mail addressed to **ROTHESAY, 70 HAMPTON ROAD, ROTHESAY, NEW BRUNSWICK, E2E 5L5**. In the event of notice by prepaid mail, the notice will be deemed to have been received four (4) days following its posting.

By-laws

46. The Developer agrees to be bound by and to act in accordance with the By-laws of Rothesay as amended from time to time and such other laws and regulations that apply or may apply in future to the site and to activities carried out thereon.

Termination

47. Rothesay reserves the right and the Developer agrees that Rothesay has the right to terminate this Agreement without compensation to the Developer if the specific proposal has not been completed on or before **(insert date of council approval plus ten years)** being a date **10 years (120 months)** from the date of Council's decision to enter into this Agreement accordingly the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Rothesay Zoning By-law.
48. Notwithstanding Part 45, the Parties agree that development shall be deemed to be complete if within a period of not less than three (3) months prior to **(insert date of council approval plus ten years)** the construction of the public street and municipal service infrastructure has been completed and that such construction is deemed by Rothesay's Engineer as acceptable.
49. The Developer agrees that should Rothesay terminate this Agreement Rothesay may call the Letter of Credit described herein and apply the proceeds to the cost of completing the work or portions thereof as outlined in the agreement. If there are amounts remaining after the completion of the work in accordance with this agreement, the remainder of the proceeds shall be returned to the Institution issuing the Letter of Credit. If the proceeds of the Letter of Credit are insufficient to compensate Rothesay for the costs of completing the work mentioned in this agreement, the Developer shall promptly on receipt of an invoice pay to Rothesay the full amount owing as required to complete the work.

Security

50. The Developer expressly agrees and understands that notwithstanding any provision of Rothesay's Building By-laws or any statutory by-law or

regulatory provision to the contrary, the Building Inspector shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with Rothesay an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to Rothesay; and

- a. Valued at 50% of the cost of construction to execute the work approved by the Engineer pursuant to this agreement; and
- b. Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as Rothesay has accepted "final completion" of the work mentioned in this agreement, by resolution of Rothesay Council.

Failure to Comply

51. The Developer agrees that after 60 days written notice by Rothesay regarding the failure of the Developer to observe or perform any covenant or condition of this Agreement, then in each such case:
- (a) Rothesay shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy;
 - (b) Rothesay may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the Assessment Act;
 - (c) Rothesay may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and/or
 - (d) In addition to the above remedies, Rothesay reserves the right to pursue any other remediation under the *Community Planning Act* or Common Law in order to ensure compliance with this Agreement.

Entire Agreement

52. This Agreement contains the whole agreement between the parties hereto and supersedes any prior agreement as regards the lands outlined in the plan hereto annexed.

Severability

53. If any paragraph or part of this agreement is found to be beyond the powers of Rothesay Council to execute, such paragraph or part or item shall be deemed to be severable and all other paragraphs or parts of this agreement shall be deemed to be separate and independent therefrom and to be agreed as such.

Reasonableness

54. Both parties agree to act reasonably in connection with any matter, action, decision, comment or approval required or contemplated under this Agreement.

This Agreement shall be binding upon and endure to the benefit of the parties hereto and their respective heirs, administrators, successors and assigns.

IN WITNESS HEREOF the parties have duly executed these presents the day and year first above written.

Date: _____, 2020

619699 N.B. Inc.

Witness: _____

Harley, Edward M.H., Director

Witness: _____

Shea, Patrick D., Director

Rothesay:

Witness: _____

Dr. Nancy E. Grant, Mayor

Witness: _____

Mary Jane Banks, Clerk

SCHEDULE A

Parcel Identification Numbers

00241240

00246603

30128680

00062737

00246595

00223453

00224147

30145890

30147318



Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Patrick D. Shea, Director
619699 N.B. Inc.
 270 Eriskay Drive
 Rothesay, NB
 E2E 5G7

Office Held by Deponent: **Director**

Corporation: **619699 N.B. Inc.**

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2020.

I, **Patrick D. Shea**, the deponent, make oath and say:

1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. That the attached instrument was executed by me as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
3. The signature "**Patrick D. Shea**" subscribed to the within instrument is the signature of me and is in the proper handwriting of me, this deponent.
4. The Seal affixed to the foregoing indenture is the official seal of the said Corporation was so affixed by order of the Board of Directors of the Corporation to and for the uses and purposes therein expressed and contained;
5. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay,
 in the County of Kings,
 and Province of New Brunswick,
 This ____ day of _____, 2020

BEFORE ME:

 Commissioner of Oaths

Patrick D. Shea

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Edward M.H Harley, Director
619699 N.B. Inc.
 270 Eriskay Drive
 Rothesay, NB
 E2E 5G7

Office Held by Deponent: **Director**

Corporation: **619699 N.B. Inc.**

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2020.

I, **Edward M.H Harley**, the deponent, make oath and say:

1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
6. That the attached instrument was executed by me as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
7. The signature "**Edward M.H Harley**" subscribed to the within instrument is the signature of me and is in the proper handwriting of me, this deponent.
8. The Seal affixed to the foregoing indenture is the official seal of the said Corporation was so affixed by order of the Board of Directors of the Corporation to and for the uses and purposes therein expressed and contained;
9. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay,
 in the County of Kings,
 and Province of New Brunswick,
 This ____ day of _____, 2020

BEFORE ME:

 Commissioner of Oaths

Edward M.H Harley

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

*Land Titles Act, S.N.B. 1981, c.L-1.1, s.55*Deponent: **MARY JANE E. BANKS**Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5Office Held by Deponent: **Clerk**Corporation: **Rothesay**Other Officer Who
Executed the Instrument: **Dr. Nancy E. Grant**Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5Office Held by Other
Officer Who Executed the
Instrument:**Mayor**Place of Execution: **Rothesay, Province of New Brunswick.**

Date of Execution: _____, 2020.

I, **MARY JANE E. BANKS**, the deponent, make oath and say:

1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
10. That the attached instrument was executed by me and **Dr. Nancy E. Grant**, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
11. the signature "**Dr. Nancy E. Grant**" subscribed to the within instrument is the signature of Dr. Nancy E. Grant, who is the Mayor of Rothesay of Rothesay, and the signature "**Mary Jane E. Banks**" subscribed to the within instrument as Clerk is the signature of me and is in the proper handwriting of me, this deponent, and was hereto subscribed pursuant to resolution of the Council of the said Rothesay to and for the uses and purposes therein expressed and contained;
12. the Seal affixed to the foregoing indenture is the official seal of the said Rothesay and was so affixed by order of the Council of the said Rothesay, to and for the uses and purposes therein expressed and contained;
13. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay of
Rothesay, in the County of Kings,
and Province of New Brunswick,
This ____ day of _____, 2020.

BEFORE ME:

Commissioner of Oaths_____
MARY JANE E. BANKS

TO: Mayor and Council
FROM: Deputy Mayor Alexander
DATE: 6 January 2021
RE: Sagamore Heights

Summary

Sagamore Heights is a 55 lot single-family residential development (*i.e.*, the Development) being proposed by Mr. Edward Harley and Mr. Patrick Shea, the Directors of 619699 N.B. Inc., for a 12.5 hectare property identified as PID 00241240. The proposed Development meets all Town zoning and subdivision by-laws with no variances and meets the intentions of the Town regarding residential land development. As such, the Rothesay Planning Advisory Committee recommended approval of the Development, subject to four conditions, at their 2 November 2020 meeting.

Because of the many questions and comments regarding the proposed Development, Council tabled consideration of the Subdivision Agreement until a public meeting could be convened. In preparation for that meeting, Town staff in association with the Developer provided responses in an 11 December 2020 memo to 75 questions posed by residents. Rothesay Council hosted a virtual public meeting on 15 December 2020 to hear further resident issues and concerns regarding Sagamore Heights.

Collecting feedback from residents through their submissions and the public meeting was important to hearing what matters most to them surrounding the Development. The feedback also provided an opportunity for staff and community leaders to hear directly from those most affected. Three issues stood out to me as primary concerns to residents¹; light pollution, secondary egress, and stormwater management. To mitigate resident concerns, I would like to propose four recommendations for Council's consideration to add to the Subdivision Agreement as described below. These mitigation measures were all broached during the Public Meeting.

Street Lights

Streetlights and driveway lights from the proposed Development were identified as potential causes of light pollution. Residents currently enjoy a neighbourhood with low light levels during nighttime hours and they desire to see this continue. The installation of Dark Sky Friendly lighting² (*i.e.*, lights that minimize glare while reducing light trespass and skyglow) is preferable.

In summer 2015, NB Power began replacing the fleet of high-pressure sodium streetlights throughout the Town with LED lighting. In a presentation to Council on 13 July 2015, NB Power representatives highlighted the following advantages of the LED lights manufactured by LED Roadway Lighting Ltd. of Nova Scotia:

- they consume 50 % to 60 % less energy than high-pressure sodium lights, thus resulting in reduced greenhouse gas emissions;
- they last three times longer (*i.e.*, 88 000 hours compared to 30 000 hours);
- they are International Dark-Sky Association compliant (*i.e.*, low light trespass);

¹Land For Public Purposes was also identified as a primary concern; however, I understand and fully support Town staff's reasoning for accepting the 5.9 ha water lot (*i.e.*, it is essential to the current and future upgraded sewage treatment plant facility, including the effluent pipe infrastructure that runs through the water lot)

²<https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/fsa-products/>

- they emit a whiter light (*i.e.*, for better colour rendition compared to the yellow-orange light emitted by high-pressure sodium lights); and
- they have improved photometrics (*i.e.*, more consistent and focused light is produced across roadways and sidewalks).

Streetlighting is outside the Developer's control; however, it is believed that any new street lights installed within the Development will conform to NB Power's new street lighting program as the LED replacement program has been rolled out consistently Province-wide.

Driveway lighting will be the responsibility of individual property owners and lighting specifications for driveway lighting is often controlled through development covenants. Including a stipulation in the Subdivision Agreement surrounding driveway lights would likely mitigate concern of residents regarding light pollution.

Perhaps the following could be included in the Subdivision Agreement:

The Developer agrees to include a restrictive development covenant regarding the use of Dark-Sky Association compliant luminaries for driveway lighting.

Secondary Egress

Currently, there is only one ingress / egress to the Sagamore Point neighbourhood and that is via Maliseet Drive. There is an opportunity through the overall Development to provide residents of the Sagamore Point neighbourhood with secondary egress via a connection of Sage Street to River Road; however, the tentative plan for the subdivision plan included in Schedule A of the Subdivision Agreement only shows the connection of Sage Street to River Road as a "Future Street".

In my opinion, the connection of Sage Street to River Road would be important for improving the overall safety of the neighbourhood. I am not completely sure why the connection is only shown as a "Future Street". Perhaps it is because it is not intended to be used during construction of the Development. If that is the case, then it could be stipulated in the Subdivision Agreement that it not be used for construction equipment / vehicles. At the very least, the connection should be "roughed in" (*i.e.*, cleared, grubbed, graded, and built up with an aggregate subbase), but gated / blocked so that it could be used in the event of an emergency. We have seen this done in other constricted Rothesay neighbourhoods, such as K-Park.

Perhaps the following could be included in the Subdivision Agreement:

The Developer agrees to clear, grub, grade, and apply an aggregate subbase to the "Future Street" connection identified between River Road and Greenbrier Street.

Stormwater Management

Stormwater management was a common theme during the Public Meeting. Residents are rightly concerned about the potential increase in stormwater runoff from 12.5 ha of upgradient lands. I believe staff have done an exceptional job in planning for the management of stormwater by including several stipulations in the Subdivision Agreement. I also believe the Developers, who have designed and built several other noteworthy developments in Rothesay, will appropriately manage stormwater within the Development.

Although I understand the Developer's need to "rough in" roads for the Development at the outset as they are important and essential corridors for installing potable water, sanitary sewer, stormwater, and

electrical infrastructure (*n.b.*, phasing of roads is not likely practical as there may be a need to loop potable water systems, provide several stormwater connection points, *etc.*), it is not necessary to clear all the lands at once. Trees and vegetation naturally mitigate stormwater runoff (*e.g.*, overland flow is slowed, some water is captured and stored for growth, infiltration to the groundwater system is promoted, *etc.*).

In the 11 December 2020 memo, it was noted that the Development will proceed in six phases (*i.e.*, response to question 41). It is further noted (*i.e.*, response to question 34) that it is the Developer's responsibility to cut only those trees that are specifically required to facilitate development and that individual building lots will be cleared as they are sold.

As suggested in the 11 December 2020 memo, the clearing of lots in phases should be a best practice within the Development for stormwater management. Lots should remain treed and vegetated until such time as they are sold and ready to be developed and even then, tree and vegetation removal should be limited to that necessary to construct the home and associated infrastructure.

Perhaps the following could be included in the Subdivision Agreement:

The Developer agrees to build the subdivision in six phases and will only cut those trees that are specifically required to facilitate development.

Individual building lots will only be cleared following their sale and the owner should be encouraged to limit tree and vegetation removal to only that required to construct the home and associated infrastructure.



ROTHESAY

MEMORANDUM



TO	:	Mayor Grant and Council
FROM	:	John Jarvie
DATE	:	8 January 2021
RE	:	Municipal Plan Bylaw 1-20 Enactment Procedure

Recommendation:

It is recommended Council:

- 1) schedule a virtual (Webex) Public Hearing for Tuesday February 2, 2021 at 6:00pm for By-law No. 1-20, "Rothesay Municipal Plan 2020-2030".
- 2) endorse a public service announcement strategy for the Municipal Plan public hearing that targets various demographic audiences in the community.

Background:

Council requested a strategy for enactment of the Municipal Plan. The pandemic and Public Health guidelines under the current Orange Phase do not permit public gatherings/meetings. Staff are confident a virtual hearing (similar to Sagamore Heights meeting) will allow the public to present their comments.

Attached is a report prepared by the Director of Planning and Development outlining the process being recommended by staff, with deadlines. All comments received after the Public Presentation in September 2020 are attached and a staff analysis will be provided to Council before the public hearing.



70 Hampton Road
Rothesay, NB
E2E 5L5

Rothesay Council
January 11, 2021

TO: John Jarvie, Town Manager

SUBMITTED BY:

Brian L. White, Director of Planning & Development Services

DATE: 8 January 2021

SUBJECT: Municipal Plan By-law No. 1-20 – Public Hearing of Objections

RECOMMENDATION REPORT

RECOMMENDATION

Council Hereby schedules a Public Hearing for Tuesday February 2, 2021 at 6:00pm for By-law No. 1-20, "Rothesay Municipal Plan 2020-2030".

ORIGIN

On Monday, September 28, 2020 Rothesay Council held a virtual Public Presentation in which the Director of Planning and Development Services outlined the content of Draft Municipal Plan By-law No. 1-20. The presentation also invited the public to forward written comments regarding the proposed Municipal Plan By-law No. 1-20, by October 28, 2020 being the end of the legislated 30 day comment period on. By motion of Rothesay Council, the comment period was extended an additional 30 days to Friday, November 27, 2020. The next step for Council toward enactment of the proposed Municipal Plan By-law No. 1-20 is to hold a **Public Hearing**.

Under the Community Planning Act, Council must by resolution, fix a time and place for the consideration of objections to the proposed Municipal Plan By-law No. 1-20. The requirements for advertisement include posting the notice on Rothesay's website of Council's intention to consider the Enactment of the bylaw, not less than 21 days before the day of the **public hearing** of objections.

The advertising requirements (21-day minimum notice) dictate when a public hearing can be held. Assuming a Notice was prepared for advertisement on Tuesday January 12th, 2021, the earliest date that could be targeted is Tuesday February 2, 2021. February 2, 2021 as the public hearing date also provides Council with the some limited flexibility for dates on the enactment process taking into consideration the May 10, 2021 election.

Once advertised Council will then have six months (Monday, July 12, 2021) after the day that the hearing notice was published to enact the by-law and file in the Land Registry office a certified copy of the document signed by the Minister of Environment and Local Government.

Staff note that upon completion of the public hearing of objections, Council is not required to vote on the bylaw and can either make changes to the plan by-law or proceed forward at the February 8th, 2021 meeting with First Reading of Municipal Plan By-law No. 1-20.

In order to enact the by-law Council must give three readings of the by-law before the municipal plan can proceed to final enactment. This process allows Council to provide input into the municipal plan bylaw and make necessary changes before it is adopted. Each reading is a decision of Council. Three readings of the municipal plan by-law cannot be done at the same Council meeting.

Customarily the first and second the readings are done at a single Council meeting. Each reading is passed by a resolution.

The various "readings" are taken to mean:

- a) First reading = Introduction
- b) Second = discussion in principle and on the content of the bylaw
- c) Third reading = final discussion, including any changes made along the way

All bylaws must be read and enacted in a Council meeting that is open to the public. Changes can be made to a bylaw at any point prior to enactment.

Once the new municipal plan by-law is enacted, Council has one year to adopt a new zoning by-law.

PROPOSED COUNCIL DATES

- | | |
|--|--|
| A. Tuesday January 12th, 2021 | Public Hearing Advertisement Begins |
| B. Tuesday February 2, 2021 | Public Hearing of Objections |
| C. Monday February 8, 2021
(optional 1 st Reading) | Council Meeting (Debate and Direction to Staff) or |
| D. Monday March 8, 2021 | Council Meeting (proposed 2 nd Reading and may
provide amendment direction to Staff) |
| E. Monday April 12, 2021 | Council Meeting (proposed 3 rd Reading and
Enactment) |
| F. Monday May 10, 2021 | NB Municipal Elections |

PUBLIC HEARING PROCEDURE

The Public Hearing will be facilitated through a web-based application called WebEx. A phone line will also be provided for residents who may not have internet service. There are four essential pieces of equipment that the public will need to join the online video conference.

1. Camera/webcam. Most computers, phones, and tablet devices now come with built-in cameras and microphones.
2. Microphone. You will need a microphone to make sure everyone in the video conference can hear you.
3. Internet connection.

4. Video conferencing software/app. Once registered for the meeting you will receive an email invitation to the WebEx meeting with instructions how to join the meeting.

Members of the Public **must** register to participate in the Public Hearing. Details and deadlines will be outlined in the public notice.

PUBLIC HEARING NOTICE – COMMUNICATION PLAN

In advance of the Public Hearing, Staff will submit a report to Council that will include Staff's analysis regarding potential amendments to the Draft municipal plan by-law. Please find attached all of the public comments received following the Public Presentation. (see Attachment A)

Notwithstanding the mandatory requirements for Public Notice on the Town website Staff will also be utilizing regular and frequent messaging through social media advertising the Public Hearing. Furthermore, in order to ensure that the public is notified of the Public Hearing Staff intend to develop a public service announcement strategy that targets various demographic audiences in Rothesay / Kennebecasis Valley area using other non-governmental organizations and radio media.

The DRAFT Municipal Plan By-law and the September 28, 2020 Public Presentation are found on the Town's website at the following address.

<https://www.rothesay.ca/municipal-plan-2020/>

ATTACHMENTS

Attachment A – Public Comments

JANUARY 2021						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5	6	7	8	9
10	11 Council	12 Public Notice	13	14	15	16
17	18	19	20	21	22	23
24	31	25	26	27	28	29
						30

FEBRUARY 2021						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2 Public Hearing	3	4	5	6
7	8 Council	9	10	11	12	13
14	15 NB Family Day	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH 2021						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8 Council	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

APRIL 2021						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2 Good Friday	3
4	5 Easter Monday	6	7	8	9	10
11	12 Council	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY 2021						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	5	6	7	8
9	10 Election Day	11	12	13	14	15
16	17	18	19	20	21	22
23	30	24	31	25	26	27
					28	29

TO: Mayor and Council
FROM: Deputy Mayor Alexander
DATE: 6 January 2021
RE: 2020 Draft Municipal Plan

Summary

The 2020 Draft Municipal Plan (*i.e.*, the Plan) is a comprehensive and dynamic document that will guide development, growth, and investment within Rothesay over the next 10 years. The Plan was developed over a two year period and included the collection of resident input through several public meetings, surveys, and an online platform. I commend staff for the considerable time and effort put forth to prepare such a thorough Plan.

I reviewed the document in substantial detail and was pleased to see many of the new policy additions to the Plan. After hearing feedback from residents, there are two policy additions that I wish to offer comment on as noted below.

Short-Term Property Rentals

Proposed Policy R-3, Short-Term Housing Rental: Prohibit short-term rentals in Rothesay, meaning the rental of a single family dwelling or any form of dwelling including a unit in a multi-unit dwelling for a period of 31 days or less. Council has determined that allowing residents to rent their registered properties for longer periods appropriately balances the need to protect neighbourhood stability from issues of neighbourhood nuisance, noise, and housing availability and affordability.

The sharing economy, or the peer-to-peer sharing of goods and services, has rapidly grown in recent years due in part to the Internet, especially in relation to the sharing of accommodations. There are several online platforms used to advertise short-term property rentals, such as Airbnb, VRBO, HomeAway, and FlipKey. Airbnb is by far the leader in Canada's online short-term rental market.

An Airbnb search on 5 January 2021 revealed seven residences with a room / suite for rental and one complete home for rental in Rothesay. All told, this only represents 0.2 % of Rothesay's housing stock. An Airbnb search on 16 October 2020 showed the same collection of properties plus one additional complete home for rental.

Rothesay is not the only municipality that has considered the regulation of short-term property rentals and there is a plethora of information available regarding the regulation of short-term property rentals across Canada and beyond. For example, the Ontario Ministry of Finance issued *The Home-Sharing Guide for Ontario Municipalities* in 2018¹, the Province of Nova Scotia Working Group on Short-Term Rentals

¹<https://files.ontario.ca/home-sharing-guide-for-ontario-municipalities.pdf>

issued a report in 2018², and viewpoint Cloud issued *A Very Comprehensive Guide To Smart Airbnb Regulation for Local Governments*.³

Some communities celebrate the additional income for residents as a boon to the local economy while others fear the degradation of neighbourhoods and the lack of affordable housing. Therefore, the options most often implemented by municipalities in dealing with short-term property rentals are as follows:

- 1) doing nothing;
- 2) implementing a full prohibition; and
- 3) applying limitations, which include:
 - a. quantitative restrictions (*e.g.*, number of accommodations permitted within a dwelling, the number of visitors allowed, the number of days acceptable per stay, *etc.*);
 - b. locational restrictions (*e.g.*, confine to specific neighbourhoods or zones, collecting special fees, *etc.*);
 - c. density restrictions (*i.e.*, number per neighbourhood); and
 - d. qualitative restrictions (*e.g.*, room, apartment, suite, house, *etc.*).

None of the above policy options is perfect nor all encompassing when dealing with short-term property rentals.

As much as I love our community, I do not believe that Rothesay is a destination for many tourists or visitors who tend to seek out short-term rental properties. Therefore, I do not believe that this market will lead to the degradation of existing neighbourhoods, affect the local supply of affordable housing, or significantly impact commercial lodging. Rothesay's By-Laws (*i.e.*, the Traffic By-Law, the Peace, Order, and Prevention of Nuisances By-Law, the Dangerous and Unsightly Premises By-Law, and the Streets and Sidewalks By-Law) should be sufficient to protect public health and welfare, deter and control nuisance issues, maintain quality of life, and ensure enforcement.

In my opinion, Proposed Policy R-3 attempts to control a problem that does not appear to exist in Rothesay. Should conditions change, then regulation of short-term property rentals can be revisited. Regardless, I would recommend that the following stipulations be applied to short-term property rentals in Rothesay:

- rentals should only be within owner-occupied dwellings; and
- the property owner should be occupying the dwelling for the duration of the rental.

Prefabricated Housing

Proposed Policy R-8, Manufactured Housing: Establish appropriate standards in the Zoning By-law to regulate mobile and / or manufactured homes as a dwelling form incompatible with the architectural and characteristic housing styles found in Rothesay. Mobile, modular and similar forms of manufactured

²<https://beta.novascotia.ca/sites/default/files/documents/1-1398/working-group-short-term-rentals-en.pdf>

³<https://cdn2.hubspot.net/hubfs/2605784/Content/Blog%20Posts/A%20Guide%20to%20Smart%20AirBnB%20Regulation%20for%20Local%20Governments/A%20Guide%20to%20Smart%20AirBnB%20Regulation%20for%20Local%20Governments.pdf>

homes refer to permanent residential structures containing one or more dwelling unit that is constructed off site in one or more parts and in some cases on a permanent undercarriage or chassis, transported to the site for assembly, and which in some instances is not placed on a permanent foundation.

The definition of manufactured housing in the Plan is somewhat confusing. Traditionally, houses in Rothesay were stick-built on-site. Economies of scale, consistent building quality, increased safety, and reduced site disturbance, among others, has led to a rise in the prefabrication of homes at off-site facilities. There are several types of “prefabricated homes” as noted below.

- “Mobile homes” are moveable or portable single-unit dwellings built on a chassis / trailer, connected to utilities, designed without a permanent foundation, and intended for year-round living.
- “Manufactured homes” are built atop steel beams and are transported atop a trailer in complete sections (*i.e.*, full floor, walls, and roof) to the home site where they are connected. Once at the home site, the sections are placed on a permanent foundation. The completed dwelling is intended for year-round living.
- “Modular homes” are dwellings constructed in modules / sections that are transported to a home site for installation. The modules, which may comprise pieces of floors, portions of walls, and / or groups of trusses, are placed and erected on a permanent foundation. The completed dwelling is intended for year-round living.

Mobile homes, due to their distinct size and characteristics, are often easy to distinguish from manufactured and modular homes. Review of Google Earth reveals that there is at least one mobile home in the Fairvale neighbourhood (zoned R1B: standard single-family residential) and at least 16 in the French Village neighbourhood (zoned R1C: unserviced single-family residential). Overall, this only represents about 0.4 % of Rothesay’s housing stock. Manufactured homes, once complete, are often difficult to distinguish from stick-built or modular homes. It is unknown how many manufactured homes exist in Rothesay; however, there are several companies that produce manufactured homes in the Greater Saint John area including Prestige Homes, Oakhill Homes, Westmorland Homes, and Kent Homes. Lately, there has been a rise in modular home construction in the local market. This is especially true for large single-family residences and multi-unit residences. Recently, homes in Sagamore Point, Kennebecasis Park, and along Gondola Point Road were modularly constructed. The Central Park condominiums and the new apartment building along Millennium Drive were also modularly constructed.

Proposed Policy R-8 is likely aimed at mobile homes and not for manufactured or modular homes; however, the presence of mobile homes in the Town suggests to me that they are compatible with the existing architectural and characteristic housing found in Rothesay.

In my opinion, the Plan should continue to allow for a diversity of housing that includes mobile homes in appropriately zoned areas. Doing so will also continue to provide residents with another affordable housing option.

Susan McNulty

From:
Sent: November 27, 2020 5:16 PM
To: Rothesay Info
Subject: Hibbard Lane

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the Mayor of Rothesay and Town Council,

I am writing to strongly object having one side of Hibbard Lane designated as Medium Density occupancy. All lots surrounding that side have been designated as Traditional, so the Medium Density designation does not make sense. Any thing larger than a single residency on a given lot would be incongruous with the small and quiet lane that exists now and the Traditional designation of the surrounding lots. The lane itself has only enough room for one car and widening it to accommodate Medium Density housing would bring the road up to the front door of some existing houses and lowering the value of the property. Sections of the Lane have been rendered as a flood zone or "swamp land" which would not be conducive to development and also has environmental and conservation concerns. And a person who has lived and paid taxes in a single residency zone should not have to fear that zone changing over night and be threatened and worried about large development on the street, lowering the value of their house, and the standard of living they have worked for.

Sincerely,

12 Hibbard Lane
Rothesay NB

Susan McNulty

From:
Sent: November 27, 2020 4:35 PM
To: Rothesay Info
Subject: Municipal Plan Comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Ms. Banks,

I am writing in response to the proposed Town of Rothesay Municipal Plan By-law No. 1-20, as I understand the Town is accepting comments from the public at this time.

With respect to the Spyglass Hill privately owned land and trails between RNS and Green Road/Birch Crescent and Rolling Hills Dr. – I have lived adjacent to this land for 15 years. I have walked these trails several times per week since moving here, as do innumerable many in our community. Since I read the Town’s proposed Municipal Plan, I have made a note each day of the number of community members I see enjoying this pristine natural land in the centre of our community. It is astounding. Whether or not the landowners are aware, their land has, over the years, become a well loved and enjoyed gem of our community.

I have noticed over the past few years, as this land has been discussed by the Town with respect to zoning and this new Municipal Plan, that whenever it comes up for discussion and the community speaks out about their love of it, the comments are often disregarded and brushed off with a quick “this is private land and the community isn’t supposed to use it.” While this is true, this sort of flippant response comes across as turning a deaf ear. As elected representatives, please consider where residents are choosing to spend their time and what they enjoy about living here – and then do everything possible to encourage and maintain that love of place.

For the past nine weeks I have made specific note, and have been watching on my walks the use of the land by the public. Consistently on the weekends, around 4-5:00 pm there are 10-12 cars parked at the end of Rolling Hills alone. Since the middle of September, each Friday, Saturday and Sunday evening I have walked these paths and I have each time observed between 4 and 8 different families or couples having professional photos taken in the tall grasses overlooking the Kennebecasis. That is up to 24 different groups each weekend that I have personally observed having professional photography done in the late afternoon alone. Not to mention the many other groups of hikers, walkers and cyclists observed enjoying the trails simultaneously, and the people present at all the other times of day when I am not present to observe.

My point is, this community loves this land. What a gift it would be to make every attempt to acquire it for community use. I can easily imagine a large natural park in the centre of our Town – similar to O’Dell Park in Fredericton, which, all agree, is the gem of their community. With the proper planning, this land could be a gift that the residents of Rothesay could enjoy forever. By zoning it as residential, and not doing everything possible to purchase this as parkland for residents, I believe that the Town is not looking at the larger picture of what is important to the residents of this community. Please consider that Rothesay residents already use and love this land. To argue this point is folly. By allowing the bulk of it to potentially sell off to a developer, the Town will not be giving to the community, but will in fact be allowing something irreplaceable and cherished by all residents to slip away. I ask you to please make every effort to plan to acquire and maintain as much of this land as possible for natural parkland, should it ever come up for sale.

For the areas of the Town that must be developed, I encourage you to look at Dieppe as an example of how to very effectively and beautifully incorporate cycling and walking trails into a wooded, residential community.

Thank you for your consideration,

124 Birch Crescent, Rothesay

Susan McNulty

From: Kathleen Maynard <Kathleen.Maynard@chba.ca>
Sent: November 27, 2020 3:03 PM
To: Rothesay Info
Cc: Kevin Lee; '
Subject: Letter to Mayor Grant: Draft Rothesay Municipal Plan 2020
Attachments: 2020-11-27 CHBA to Rothesay.pdf; BrooksideExt.jpg; Lunenburg2.jpg; multifamily.jpg; ModularHome.jpg

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good day,

Please find attached a letter to Mayor Grant from CHBA CEO Kevin Lee regarding the draft Rothesay Municipal Plan 2020, with accompanying photos.

Best regards,

Kathleen Maynard

KATHLEEN MAYNARD

Senior Director, Building Innovation

Canadian Home Builders' Association

Modular Construction Council

141 Laurier Ave. West, Suite 500, Ottawa, ON K1P 5J3

613-230-3060 x234 | maynard@chba.ca | chba.ca





Association canadienne
des constructeurs
d'habitations

Suite 500
141 Laurier Avenue West
Ottawa, Ontario
K1P 5J3

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chba@chba.ca
www.chba.ca
@CHBANational

Mayor Dr. Nancy Grant
Rothesay, New Brunswick
c/o Mary Jane Banks, Town Clerk
Rothesay@rothesay.ca

Re: Draft Rothesay Municipal Plan 2020

Dear Mayor,

I am writing on behalf of the members of the Canadian Home Builders' Association (CHBA) to express our deep concern with regard to the prohibition of "manufactured", "mobile" and "modular" housing proposed in Policy R-8: Manufactured Housing in the draft Rothesay Municipal Plan, and to request that this policy be deleted.

Canada's residential construction industry recognizes the important and increasing role that modular construction plays in our ability to meet the needs and aspirations of our citizens with regard to housing affordability, quality and choice. Indeed, this view is reinforced by the federal government's recently announced Rapid Housing Initiative, which is relying on partnerships with factory-built housing producers to get new homes online quickly to meet urgent housing needs across the country.

Unfortunately, the proposed Policy R-8 in the draft Rothesay Municipal Plan is a prime example of the antiquated policies that linger in some municipalities in Canada in relation to the factory-built method of construction, a view focused on images of the past, that will prevent advancing better outcomes for the city now, and in the future.

I am attaching images of recent examples of manufactured and modular housing built in the Atlantic region. It is important to recognize that today's factory-built systems can create homes that meet any kind of architectural requirements. Modular homes are highly customizable in design and can seamlessly fit into any type of neighbourhood—from heritage, to traditional, to contemporary. Once completed, it is typically impossible for a layperson to tell the difference between a modular-built home and a site-built home.

Further, manufactured and modular homes meet—and most often far exceed—the requirements of the National Building Code of Canada and provincial and municipal building regulations. New Brunswick's homebuilding factories are certified to stringent Canadian Standards Association quality control standards, and their facilities and products are thoroughly inspected by certification bodies accredited by the Standards Council of Canada.

The intent of Policy R-8 is to preserve the architectural character of Rothesay, which we understand; however, that preservation is covered by Policy R-11: Residential Design, through architectural design guidelines. Factory-built housing can certainly meet those requirements. In addition, deeming manufactured and modular housing as a dwelling form incompatible with the

architectural and characteristic housing styles found in Rothesay conflicts with several other policies contained in the proposed Municipal Plan, which are wholly compatible with manufactured and modular construction:

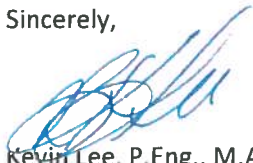
- R1: Affordable Housing
- R2: Age-friendly Housing
- R4: Secondary Suites
- R5: Secondary Units and Garden Units
- R12: Sustainable Design

Manufactured and modular housing are directly aligned with Rothesay's vision, objectives and goals. For example:

- Manufactured and modular builders have particular experience and expertise in the provision of age-friendly housing, from individual garden suites to multi-unit retirement buildings and neighbourhoods.
- Manufactured and modular builders have particular experience and expertise in the provision of affordable housing, reducing hard and soft costs through efficiencies in factory-based construction, economies of scale and reliable delivery schedules.
- Canada's first EnviroHome and Canada's first net-zero energy community were built by New Brunswick manufactured/modular housing factories, and the sector continues to provide superior levels of energy and environmental efficiency.
- Manufactured/Modular construction factories produce very little waste.
- Factory-based infill construction reduces noise and disturbance to neighbouring residents at the site.

Thank you for your consideration of our concerns. CHBA would be pleased to arrange a presentation for Council on the factory-built method of construction, and how manufactured and modular housing can help Rothesay residents realize the vision and goals of the proposed Municipal Plan. Should you wish to discuss or to schedule a presentation to Council, please ask your officials to contact Kathleen Maynard, our Senior Director, Building Innovation, at 613-230-3060 x 234 or kathleen.maynard@chba.ca.

Sincerely,



Kevin Lee, P.Eng., M.Arch.
CEO

c.c.: Joe Gushue, Chair, CHBA Modular Construction Council - jgushue@prestigehomes.ca
Kathleen Maynard, Senior Director, Building Innovation - kathleen.maynard@chba.ca
Claudia Simmonds, CEO, CHBA - New Brunswick - nbhome@nbnet.nb.ca

Since 1943, the Canadian Home Builders' Association (CHBA) has been the voice of Canada's residential construction industry. Representing one of the largest industry sectors in Canada, our membership is made up of some 9,000 companies – including home builders, renovators, land developers, trade contractors, product and material manufacturers, building product suppliers, lending institutions, insurance and warranty providers, and service professionals.









Susan McNulty

From: Rick Turner <Rick.Turner@hughessurveys.com>
Sent: November 27, 2020 5:30 PM
To: Rothesay Info
Cc: Brian White
Subject: Comments regarding Proposed Rothesay Municipal Plan Update

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attention Mary Jane Banks, Town Clerk,

We welcome the opportunity to comment on the proposed Rothesay Municipal Plan for 2020 to 2030 presently under review. Specifically we have reviewed Schedule "C" showing Proposed Public Streets. We have some concerns with the proposed street network through and providing interconnections to PID 00258897 and PID 00255315.

Having a future road system internal to our property from Allison Drive to the proposed future access road immediately west of Highway One is critically important. Whether it be in the near or long term PID 00258897 and PID 00255315 should have the ability to be developed without reliance on adjoining developments proceeding. The attached diagram shows where roads can be added to achieve this. Also, based on viewing the topography, we suggest the interconnections to the adjacent property be repositioned as shown and those marked with "XXX" should be deleted. The exact location and design of these public streets would need to be developed at a later date but this provides you with our thoughts at this time.



Should further information or explanation be required please contact the undersigned at your earliest convenience.

Respectfully submitted on behalf of J. D. Irving, Limited,

Rick Turner
Hughes Surveys & Consultants Inc.
575 Crown Street,

Saint John, NB E2L 5E9
Office: (506) 634-1717

2021January11OpenSessionFINAL_123

rick.turner@hughessurveys.com

November 27, 2020

Ms. Mary Jane Banks
Town Clerk
70 Hampton Road
Rothesay, NB E2E 5L5

Re: Proposed Municipal Plan By-law No. 1-20

Dear Ms. Banks,

I have read the Municipal Plan Review 2020-2030 and would like to offer the following comments to Mayor and Council, and the planning committee for their consideration.

I would like to take this opportunity to thank Brian White, Director of Planning & Development Services, and his team for developing the plan and making it publicly available during the pandemic.

The future plan for Rothesay, based on my reading of the Municipal Plan Review 2020-2030, is designed to attract more people to Rothesay, especially young professionals and families, in the hopes of growing and diversifying the town's population. The town would accomplish this by increasing density in low density areas and adding new streets to accommodate new construction. I question this approach for several reasons.

According to Statistics Canada, population growth in our country is driven mostly by the arrival of immigrants and non permanent residents, the large majority of whom choose to live in cities. Until the City of Saint John increases employment opportunities, Rothesay will not experience any new significant increases in population. The line "Build it and they will come" does not apply to Rothesay, as employment largely dictates where people choose to live. I therefore wonder about the need for so much rezoning of Low Density Residential neighbourhoods into Medium and High Density Residential neighbourhoods at this time.

COVID-19 has shown us that more space is needed to maintain good health. Planners are now discouraging the construction of multiple living dwellings where viruses like COVID-19 can spread more quickly. They also advise against increasing density in neighbourhoods and suggest planning for greater green space buffers around private homes in order to minimize the transmission of diseases.

What planners do recommend is any density, including new housing, should be gathered into clusters along with mix retail and workplaces. To that end, I suggest the town concentrate Medium and High Density Residential where there is easier access to Rothesay's commercial district.

Of particular concern is the plan to rezone the east side of Hampton Road from Almon Lane to the Arthur Miller Fields and the north side of Hampton Road from Hibbard Lane to Rothesay High School, as well as along the north side of Henderson Park Road from single family homes to semi-detached, attached, and clustered units. The area in question is adjacent to the town's "Traditional Area". Increasing the density along the heritage district's borders will jeopardize the character of the town's historic centre. With increased housing comes additional need for streets, parking, public transportation, grocery stores and other amenities, which will put pressure on the already small "Traditional" zone.

Also of concern is the expansion of the High Density Residential area on Hampton Road between Arthur Miller Fields and City Hall. According to the Municipal Plan Review, High Density Designation should be located "in close proximity to commercial uses" (pg. 40). The existing multi-floor condominium dwelling is blocks away from stores and gyms requiring residents to use their cars to do their grocery shopping and workouts. If the adjacent lots are rezoned High Density Residential the additional cars from residents living in any new developments on those lots will increase the traffic on an already busy Hampton Road in an area where students cross the streets to get to school.

One of the advantages of a High Density Residential designation, according to the Municipal Plan Review document, is to promote social inclusion and interaction with neighbours. This has not occurred with the new High Density Residential development built on Hampton Road. It does not promote a walkable neighbourhood, in fact, traffic and congestion has increased on Hampton Road and surrounding streets since construction began. Nor does the condominium promote "social inclusion and interaction with neighbours" as its height and mass give the impression of a fortress compared to the single family homes surrounding it. Adding another high density dwelling on the adjacent streets across from Rothesay High School and near Touchstone and Rothesay Elementary schools will deteriorate the quiet, residential nature of the neighbourhood even further, especially if variances are made to developers' designs, as was the case with the existing condominium unit on Hampton Road. (If memory serves, the existing structure is much denser than what was initially proposed and there was room for a swimming pool in the initial plan).

I also question the rezoning from Low Density Residential to High Density Residential of the parcels of land running along Rothesay Road near Gibbon Road. I would argue that

Rothesay Road cannot support the additional traffic and that the location, adjacent to the river and park and surrounded by single family homes is not in keeping with the character of the neighbourhood. Furthermore, the area is not "in close proximity to commercial uses", as recommended on page 40 of the Municipal Plan Review.

I would like the Town to consider concentrating any new Medium Density and High Density Residential zoning to the north of Marr road, which already has a variety of retail and commercial properties that can better accommodate multi unit housing.

I would also like the Town to consider increasing setbacks from property boundaries for large homes, to reduce the density and increase the green spaces in our residential neighbourhoods. Rothesay has recently allowed the construction of large homes on small lots with limited property in between each new home, such as the residences along Summer Haven Crescent. Increase density can adversely affect storm water drainage and adds pressure to existing infrastructure. Careful consideration should be given to the size of the dwelling in relation to the size of the lot it sits on to ensure the town's historic neighbourhood scale is maintained.

I do not think building more housing, more densely is the solution for Rothesay. Building quality housing in scale with existing housing, along with supporting amenities, such as shops and green spaces, seems to be a better balance for the Town of Rothesay in the next ten years.

I applaud the team who prepared the Municipal Plan Review 2020-2030 and the efforts they made to consult the public prior to its drafting. I hope the same effort for public consultation will take place prior to the finalization of the document. I recognize an "in person" presentation and discussion is difficult at this time, owing to COVID-19, so perhaps any reviews and discussions should be put on hold until public meetings can resume.

Thank you again for providing the opportunity to comment on Rothesay's Municipal Plan Review 2020-2030.

Sincerely,

69 Scovil Road

Rothsay, N.B. E2H 1S1

November 27, 2020



Mary Jane Banks

Town Clerk

70 Hampton Road

Rothsay, N.B. E2E 5L5

RE: "ROTHESAY MUNICIPAL PLAN REVIEW 2020 - 2030 DRAFT JULY 2020 FOR PUBLIC COMMENT"

This Draft Municipal Plan that has been circulated to the residents of Rothsay for comment is incomplete, in that it does not comply with the compulsory legal requirements of Section 24(5) of New Brunswick's Community Planning Act.

On page 114 of this Draft Plan, the required Schedules that must be attached are listed, namely: Schedule A - Future Land Use Map, Schedule B - Five Year Capital Plan and Schedule C - Proposed Public Streets. The required Schedules A and C are attached to the Draft Plan, but Schedule B (five year capital plan) is not.

Section 24(5) of the Community Planning Act states as follows

" A Municipal Plan shall contain the following:

(a) statements of policy with respect to sub (i) - (vii);

(b) any proposal that is, in the opinion of the Council, advisable for the implementation of policies referred to in the plan;

- (c) a description of the measures to be taken in order to implement the plan; and
- (d) a five - year capital budget for the physical development of the municipality."

How can I be expected to make comments regarding this Draft 10 year Plan, when I do not have all of the required relevant facts. Once again, our Provincial law requires that the five year capital budget shall be included in this Plan, and not may be included, or included at a later date.

I simply cannot understand why Council gave first and second reading to this Draft Municipal Plan when it did not comply with the mandatory requirements of the Community Planning Act.

I spoke with Mr. Jarvie a few days ago and he confirmed that the five year capital budget was not included in the Draft Plan.

I also suggested to Mr Jarvie, as I had noted in two prior emails to Mayor and Council, that pushing this 10 year Plan forward in the midst of a global pandemic when the understandable anxiety and concern of our community is presently focused on the restrictions and consequences of the " orange phase" , is entirely wrong.

There is absolutely no justification for Council to rush ahead with this process when there is no possibility for open, public hearings on this matter in the near future . Mr Jarvie also suggested that this Council had to finish this process now because if it went beyond the time of the next Municipal election, they would have to start the approval process again. According to section 9(2) of the Municipalities Act: "A council is continuing and a new council may take up and complete proceedings commenced by a previous council."

Because this Draft Plan is incomplete and does not meet the mandatory requirements of New Brunswick's Community Planning Act, I find myself unable to comment at this time other than to say, Start Over And Do It Right!

Westmorland Homes
Ashburn Place, 479 Rothesay Avenue
PO Box 1289, Saint John, NB E2L 4G7

November 27, 2020

Mary Jane Banks, Town Clerk
Town of Rothesay
70 Hampton Road
Rothesay, NB
E2E 5L5

Re: Municipal Plan 2020

Dear Ms. Banks,

We are writing to provide feedback on the proposed revisions to the Town of Rothesay/s municipal plan, and in particular to the suggested Policy R-8 that relates to manufactured housing. Westmorland Homes, part of the Northrup Group of companies, is a major supplier of modular manufactured homes in the southern New Brunswick market.

There is no basis for differentiating manufactured homes/modular construction from other construction methods when developing policies for home construction in any community. We were pleased to learn from our discussions with Director of Planning & Development, Brian White, that revisions will be made to this policy proposal to remove this reference.

The manufactured housing, or modular construction, industry has evolved over the years into a well-recognized source for the construction of quality single family, multi-unit residential and many other forms of building construction throughout North America. We would refer you to the Manufactured Housing Institute (www.manufacturedhousing.org) as just one many excellent sources on the state of this industry in North America today.

The construction of homes in a climate-controlled factory setting results in a housing product that meets the most up to date building codes and provides homeowners with a quality, architecturally attractive, energy efficient and cost competitive alternative to the tradition "stick built" construction method.

Should you require any additional information relating to the application and advantages of modular construction or wish to visit a modular construction facility to witness first-hand the construction process, do not hesitate to let us know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Wheatley', with a long horizontal flourish extending to the right.

John Wheatley
On behalf of
Westmorland Homes

c.c. Brian White, Director of Planning & Development

Susan McNulty

From: |
Sent: November 27, 2020 2:36 PM
To: Rothesay Info
Subject: To Mary Jane Banks, Town Clerk, Comments in regards to Rothesay Municipal Plan 2020
Attachments: Comments and Concerns - Rail Safety - Policy RS -1.pdf; Comments on Policy PF-4, FR-5, FS-5, FR-6, FR-7 & Development.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the Attention : Mary Jane Banks,
Town Clerk, Rothesay,

Please find attached our comments and concerns regarding the New Municipal Plan 2020 for the Town of Rothesay. If you have any question or would like further comments from us, please contact us at your convenience. Our home phone number :

Thank you,

10 Wilson Drive,
Rothesay,

Rail Safety Setbacks – By Law 1-20 – Policy RS-1

As a Town of Rothesay tax payer and a directly affected property owner, we would like to address the New Proposed Development Proximity Setback Guidelines and the adoption of these guidelines in the new municipal plan in regards to land development along the rail corridor.

From a corporate perspective, the Railway Association has done an excellent job by being proactive in producing proximity guidelines and garnering the support of the Federation of Canadian Municipalities to help them justify in mitigating their rail operators corporate responsibility and associated liability of rail safety, and as an added bonus eliminate or reduce any obstacles which may impede their possible future expansion requirements without any associated cost to the railway operators, all by convincing Municipalities to adopt and incorporated their guidelines in the municipalities' bylaws and policies.

The primary reason to “implement appropriate separation distance from freight rail lines” is to “address fundamental life safety concerns”. Of course, every person is and should be concerned about rail and public safety including the members of Railway Association of Canada however it must be born in mind the 60 members of the organization called the Railway Association of Canada purpose is to lobby on behalf of their members, this doesn't mean a rail incident is any less serious if just means they are a special interest group representing the railway operators, some of which are publicly traded corporations trading on the TSX, and as such their primary responsible is their financial well being, part of which is controlling and eliminating any future liability including mitigating possible future liabilities associated with rail incidents, the removal of obstacles to future expansion, and if possible download the associated cost on to property owners adjacent to the railway corridors all under safety, vibration and noise concerns.

We purchased our property which is located adjacent to the CN line railway corridor over 45 years ago, in that time CN, nor has any other rail operator ever approached us regarding safety, vibration or noise or shared any interest in their future expansion needs.

The Guidelines call for a 30 meter set back from the railway corridor property line (CN line). If the 30 meter set back is applied to all undeveloped property owners adjacent to the railway corridor, these property owners who may or may not have development potential will experience a dramatic devaluation as the restrictive use covenant are applied by the Town of Rothesay. Following the guidelines and applied equally (as they should be), to all property owners adjacent to the railway corridor, the developed property owners who also have invested hundreds of thousands of dollars in their properties will see the same devaluation under the restrictive use covenant. The difference being when a developed property becomes unoccupied or is destroyed in flood or fire or if they want to add an additional building to enhance their property, under the guidelines they would not be allowed to build or rebuild, if the guidelines are being applied equally and fairly to all properties. If there is a safety issue with one property there must be a safety issue with all the properties. The resale value of these homes and properties will be dramatically reduced.

Why, would Council agree to Railway Association's guidelines? Safety, Vibration, Noise, the current property owners know the issues of living next to a railway corridor, and they are the ones directly affected by a rail incident and they are the very ones the Railway Association's guidelines are requesting protection from. Property owners adjacent to the rail corridor should be informed and consulted of the consequences to their property, prior to and if a decision to implement a plan is to be made? Perhaps a majority vote of the property owners who are most affected by the implementation of the Guidelines could be considered.

Hopefully the railway operators of the CN Line are not saying it can't maintain the safety of its operations and continue to be a good corporate citizen. They know the life cycle of their tracks, rail beds, rail cars etc; they also know the operational risks of moving rail freight at higher speeds and what that optimal track speed is in order to stay well within their guidelines of operating their rail business safely in a developed area. The property owners have come to expect from the railway a safe environment where the railway, being a good concerned corporate entity, will operate their business in a safe manner by performing timely, scheduled preventive maintenance on their rails, rail beds, rail cars, etc. However, since the CN Line railway operators may now feel that it is concerned about the public safety of its rail operations, we feel Council instead of implementing the Railway guidelines, could be proactive by requesting from the railway operators:

- 1) Request of the CN Line railway operator reduce their maximum speed of their trains to below 50 kilometers per hour while traveling through the Town of Rothesay town limits.
- 2) To ensure the operators of the CN line are meeting its obligation of rail maintenance and safety, request CN Line operators employ the latest technology and maintenance equipment to perform rail and rail bed preventive maintenance including ground penetration radar to detect soft rail beds, fractures in rails, etc,
- 3) Have written assurance from the CN Line Operators there is a current active preventive maintenance schedule for the rail corridor within the Town's limits.
- 4) Request from CN line operators all maintenance logs of the rails, rail beds in the Town Limits, and the maintenance logs of all rail cars traveling through the Town are provided to the Town of Rothesay officials for scrutiny.
- 5) If railway noise, vibration and safety are a concern of the railway and Rothesay Town Council, then council could request the Railway Association of Canada or the operator of the CN line, to inform all present and future property owners adjacent to the railway corridor of the railway's concerns of noise, vibration and safety.

Prior to making any decision, it is our hope council reaches out to all directly affected property owners, seeking their input and listen to their concerns.

Fire Department Policy FR -5 and Police Department Policy PF – 4 and

Capital Spending - Policy FS -5

In matters of financial budgets for the First Responders and the Town of Rothesay's other Operational requirements, including capital expenditures, using the year of amalgamation as the base year for comparison, we would like Counsel to include as a required component of all budgets be tied to some measurement of the Town's economy, be it the Real GDP per Capita (GDP without any Government inputs), or some other economic measurement which would see the Town of Rothesay financial budgets including revenue and expense not exceed the local economic reality of the residents it services.

Policy FR- 6 Fire Department Recover of Fees,

While the Fire Department provides a very important service to our community, enacting a by-law which will allow Recovery of Fees for services from taxpayers who already pay collectively for the emergency service seems unfair and unwarranted. Presently, we pay within our taxes for first responder service, whether we use the services or not, there should not be any extra fees for services. If we are going to a system with users pay, all non-users of the service in any given year should be entitled to an annual tax rebate.

Policy Fr – 7 New Development - Requiring Fire Department Approval

A new building design should be subject to and meet the Fire Marshal's approved specifications, and engineer's specifications. Is there not a way to simplify the process and have the Town's knowledgeable staff ensure building designs meet or exceeds the building and fire code specifications without the direct involvement of the Fire Department. It seems we are unnecessarily adding another layer of bureaucracy to a builder or developer.

Comment on Development:

It is good to see we are recouping costs from developers, however, we need more development to grow our tax base. It would seem once the heavy lifting of bringing a development to fruition, the Town collects a new tax base with very little extra cost inputs, something akin to clipping coupons of a guaranteed bond. Perhaps, the Towns' financial personnel could calculate an expected rate of return and an opportunity for a financial or other incentive given to a developer to encourage development.

In the new plan in regards to developers, are we adding additional levels of requirements and costs to develop properties or have we reduced the Town's fee costs and requirements to developers and simplified the process? The latter is preferable to the former.

PO Box 4581 Rothesay NB E2E 5X3 |

November 26th 2020

Mr. Brian White:
Director of Planning & Development Services
Town of Rothesay
70 Hampton Road
Rothesay NB
E2E 5L5



Dear Mr. Brian White:

Thank you for taking my call several weeks ago regarding the municipal plan for 2020. I appreciate all the hard work that has gone into this document.

Several residents feel strongly that the area around Hibbard Lane should not be zoned "Medium Density Residential" (Figure 1). There are 4 reasons:

1) Width

Hibbard Lane cannot accommodate a higher population density in its current form. The lack of sidewalks, narrow width, a blind crest, and mature trees inches from the roadway would all have to be addressed. This would lead to a fundamental change in the character of the Lane, which has been largely untouched for over fifty years.

2) Wetland

A large portion of the proposed "Medium Density" zoning is on a wetland (Figure 2). This wetland deserves protection, and higher density developments discouraged.

3) Zoning Transitions

To maintain the character of the area zoned as "Traditional", the adjacent zoning would ideally transition in a gradual stepwise fashion towards higher density zoning. The proposed "Medium" density zoning on Hibbard Lane is surrounded entirely by "Traditional" areas, which seems to skip over a (perhaps) more appropriate "Low Density" designation.



Figure 1

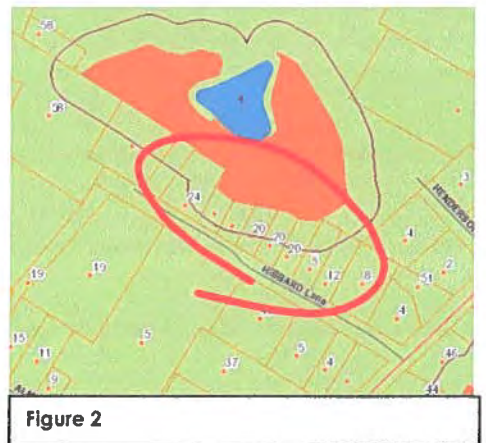


Figure 2

4) Lot size

While several of the PIDs on Hibbard Lane are 0.3 acres, the average PAN is closer to a full acre, thus more in keeping with a lower density designation.

Thank you for hearing these concerns.

Susan McNulty

From: Mary Jane Banks
Sent: November 24, 2020 10:35 AM
To: Susan McNulty
Subject: FW: Rothesay Municipal 2020-2030

From: Nancy Grant <NancyGrant@rothesay.ca>
Sent: November 23, 2020 1:15 PM
To: John Jarvie <JohnJarvie@rothesay.ca>; Mary Jane Banks <MaryJaneBanks@rothesay.ca>; Brian White <BrianWhite@rothesay.ca>
Subject: Fwd: Rothesay Municipal 2020-2030

Dr. Nancy Grant
Mayor

Any correspondence with employees, agents, or elected officials of the town of Rothesay may be subject to disclosure under the provisions of the Right to Information and Protection of Privacy Act, S.N.B. 2009, c. R-10.6.

From:
Sent: Monday, November 23, 2020 12:23 PM
To: billmcguire@rothesay.ca; donshea@rothesay.ca; grantbrenan@rothesay.ca; mattalexander@rothesay.ca; miriamwells@rothesay.ca; nancygrant@rothesay.ca; Peter Lewis; tiffanymackayfrench@rothesay.ca
Subject: Rothesay Municipal 2020-2030

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As we are all aware, our Covid 19 zone has just recently been moved from Yellow Phase to Orange, and many fear that it will soon be moved to Red. The virus is rapidly escalating within our community, our province, across the country and around the world.

At this time, the undoubted awareness, attention, focus and concern of our community is on the health and welfare of our families, friends and neighbors and, as you would reasonably expect, NOT on the proposed Rothesay Municipal Plan.

In this unprecedented time and circumstance, the ONLY fair and reasonable thing to do is for Mayor and Council to delay, and extend the time within which Rothesay residents are able to comment and respond in writing to the proposed Municipal Plan. The extended public response date should be determined when our current Covid crisis has significantly subsided. Similarly, as you are well aware, the Provincial Government delayed and extended the time for provincial Municipal elections for one year.

The proposed Municipal Plan is a blueprint for the development of New Town over the next ten years, and of course requires and deserves fair and reasonable time and opportunity for thoughtful and informed input from all our Rothesay residents.

69 Scovil Road
Rothesay, N.B.
E2H 1S1

November 23, 2020

Ms. Mary Jane Banks
Town Clerk
70 Hampton Road
Rothesay, NB E2E 5L5

Re: Proposed Municipal Plan By-law No. 1-20

Dear Ms. Banks,

Please find enclosed my comments regarding proposed changes to the town plan. Please distribute this letter to planning staff and council.

My major concerns are as follows:

1 The strategy embodied in this plan relies on a growth model based on quantity (increased densities), rather than quality (preserving and enhancing existing qualities of the town).

Consultants, that advise organizations on growth, will usually conduct a survey to determine the assets that need to protect so as not to destroy the intrinsic value of the organization. Council would do well to look at the November issue of "Rothesay Road ". This issue highlights a Rothesay resident who was lured to the town from Ontario.

, who moved to Rothesay describes his "close knit community with kind and helpful neighbours". He remarks how the lane he lives on "only has seven houses so we are able to get to know each other and support one another".

lives on Hibbard Lane, one of the streets the masterplan is calling to significantly change in character.

The article goes on to records the many features of the town that loves. These include the large mature lots, open spaces, hiking behind RNS. The cottage like feel of many of homes and streets. These too are characteristics threatened by this plan.

A great danger of increasing the density in the random fashion proposed, is that if we fail to bring in additional residents, we will create an over supply of housing, destroying existing property values and tax base. It is well known that demographic projections suggest that we will not be able to add those new residents.

2. We are living in a prolonged state of emergency. The plan and approval process has been seriously compromised under these conditions.

Typically the process to approve a plan change requires publication of the plan as well as public meetings. The public meeting requirement may be necessary due to the fact that a significant portion of the population may be illiterate or have other barriers to published materials. The lack of public meetings due to the state of emergency has been dealt with through virtual, or online presentation. It is fair to say that there are a great number of people in the community that are not computer literate.

Additionally, the term of the elected official should have expired last spring. Although an act of the legislature has extended this term technically, there is a strong moral case to be made that the current council should avoid significant decisions such as this plan until a new council is put in place.

3. The plan lacks understanding of both conventional planning values and leading planning thinking. Instead of a document to guide thoughtful development for the coming decade, it appears to be little more than a collection real-estate and development opportunities that exist in the town in 2020

In a world of environmental degradation and global pandemic this plan stands out as a classic example of how generals are always fighting the last war. This planning exercise ignores the current and future need of the town and the region. As Matthew Robare points out " ...that the race for suburban homeowners to pull up the property ladder behind them incidentally benefited people living in central cities. The experience of the last several decades clearly shows that cities and suburbs can grow together....

Any plan before council should address the greater region, so that the city and suburbs can grow together.

The argument is that millennials gravitate to the urban centre. Towns like Rothesay should encourage this. They will move to communities like Rothesay at a certain point in their lives. If Saint John fails, Rothesay will fail. Council should preserve the place Rothesay holds in the greater community.

4. There are little or no controls or methods to implement the platitudes regarding design and landscaping standards. Additionally there are significant contradictions and errors.

Recent developments in the town highlight the need for greater quality control. Particularly upsetting with the plan is the allowance for developers to go beyond these density increases by adding amenities (not spelled out). If the town is serious about implementing design standards they should establish a committee similar to The Buildings Commission in the UK

The description of what is allowable in the traditional zone is so vague and inclusive, it is hard to imagine what could not be built there

Some higher density areas lack the required adjacent or nearby commercial

In one case a single property contains two zoning designations.

Thank you.,

Susan McNulty

From: Mary Jane Banks
Sent: November 23, 2020 10:04 AM
To: Susan McNulty
Subject: FW: Feedback on Municipal Plan

From: Brian White <BrianWhite@rothesay.ca>
Sent: November 23, 2020 9:37 AM
To: Mary Jane Banks <MaryJaneBanks@rothesay.ca>
Subject: FW: Feedback on Municipal Plan

From:
Sent: November 22, 2020 9:12 PM
To: Brian White <BrianWhite@rothesay.ca>
Subject: Feedback on Municipal Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
Good evening Mr. White.

I was unfortunately unable to attend the presentation but after going over the presentation and draft municipal plan I have some comments and concerns that I would like to provide.

Policy R-3

Is there an actual problem that this is trying to address (has the rising cost of housing been attributed to people renting their properties - if so could you please provide more detail.

I feel that this would be better addressed in neighbourhood covenants as opposed to a blanket approach to the entire town of Rothesay.

Without seeing evidence (ex. people are buying properties for the sole purpose of short-term rentals thereby driving housing prices up) I'm not sure if this is a major issue - and given that it looks as though this proposal is quite drastic (taking away a person's ability to generate revenue on an asset they own and pay taxes on).

Just to confirm does this also include short term rentals of a room or section of the house?

IMPORTANT

Given the current demand on people needing to quarantine and the resources required to do this - I do not think it's the right time to consider implementing this policy.

Policy R-8

"incompatible with the architectural and characteristic housing styles found in Rothesay"

I want to make sure this policy does not become overly restrictive.

Although there are some unique housing styles in Rothesay - these seem to be more prevalent with; older homes and very new homes (ex. Vantage Build homes).

I would not consider the majority of housing styles in this town to be unique.

Policy HDR-2 (also FR-7)

Are our Emergency Response (ex. Fire Fighting) resources adequate to with any potential issues related to these residences (specifically the growing amount of wooden framed apartment buildings)?

Policy HDR-4

The town wants underground parking to be provided? Has this been the norm for the newly built apartment/condo buildings?

Policy OsC-7

Although there is a fine line between development and conservation the development of Spy Glass Hill would bring in tax revenue that could be used to purchase other land for conservation purposes.

Policy OsC-8

May be wise to also include parking as something that should be looked on a regular basis as well. I feel that this important aspect was missed when the overall improvements to the commons were made.

Several FD Policies

I am concerned about the new arena renovations. Can you confirm that the following basics are being addressed?

- 1) The size of the dressing rooms is being doubled (ideally tripled)
- 2) The number of showers in the dressing rooms is being increased

If these very basic issues are not being addressed - I think it would be very hard to justify the investment.

Note: There are other improvements that could/should be made but the 2 above are essential.

What is the long-term plan for the arena?

What is the short term/medium term plan for the land purchased for the proposed new arena?

Important:

What are the lessons learned from the land acquisition for the new arena (provided that a new arena is not planned to be built on that site in the next 1-3 years)

Thank you,

19 Sprucewood Ave.

Susan McNulty

From: Mary Jane Banks
Sent: November 23, 2020 10:04 AM
To: Susan McNulty
Subject: FW: Comments on the Draft Municipal Plan

From: Brian White <BrianWhite@rothesay.ca>
Sent: November 22, 2020 1:45 PM
To: Mary Jane Banks <MaryJaneBanks@rothesay.ca>
Subject: Fwd: Comments on the Draft Municipal Plan

Sent from my Bell Samsung device over Canada's largest network.

From:
Sent: Saturday, November 21, 2020 5:25:59 PM
To: Brian White <brianwhite@rothesay.ca>
Cc: nancygrant@rothesay.ca <nancygrant@rothesay.ca>; miriamwells@rothesay.ca <miriamwells@rothesay.ca>
Subject: Comments on the Draft Municipal Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Brian - Just some quick comments on the draft plan.

1 - The Traditional Area zone is great. It would be nice (and logical) if it was extended beyond Turnbull Court to the west, but otherwise it covers the right areas.

I'm a little unclear on the text language as it relates to architectural design standards. Zoning controls for setbacks, massing, and height, etc. are very important, but even more important are architectural design standards for any new construction. It's the physical appearance of new construction that can complement - or ruin - an area. We've all seen how a lack of architectural design standards around the Hampton Road and Clark Road strip malls lead to seas of unbroken asphalt and cookie-cutter featureless and identical buildings. So I hope the intent is to develop meaningful architectural standards in the Zoning By-Law for the Traditional Area, and enforce them - so that situations like the strip malls or (as what I would see as a particularly egregious example in a low density residential area) the shed house that was placed on the Bridal Path/Grove Avenue corner lot are not repeated (or allowed to vary from the right-angled street facing placement of every other residence in the area).

2 - If airbnb type business activity is allowed anywhere in the Town (and I'd be perfectly happy if it wasn't) - and certainly if it is allowed in the Traditional Area - I hope it is only allowed in detached, and owner-occupied, properties. Virtually all airbnb type accommodation problems (including deterioration of residential neighbourhoods into transient ones) occur where the owner is not on site. So if it was to be allowed, it should

only be in circumstances where the ~~2021 January 11 Open Session FINAL 1.15~~ tenant is physically resident in the building throughout the rental.

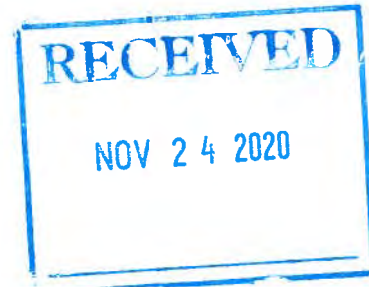
3 - The Plan shows future subdivision development in the low density residential areas around Spyglass Hill. The Plan does show a park area which looks like it might be Spyglass Hill, but I can't tell. Is there more detail on Town plans for allowing development in the area, and continued public access to trails and open parkland?

Town Website: As a complete aside, has anyone commented on the website from a user perspective? The print size of all pages and links is way too small and "hot links" don't seem to activate easily. I can scroll over hot links and click away, but nothing seems to get me to the intended link in a lot of situations.

Thanks Brian.

November 20, 2020

Mary Jane Banks
Town Clerk
Town of Rothesay
70 Hanpton Road
Rothesay, NB E2E 5L5



Dear Ms. Banks:

Re: Town of Rothesay – Municipal Plan 2020 (Proposed Municipal Plan By-law 1-20)

I am writing regarding the current condition and future development of the spare lot which is adjacent to my property at 77 Bel-Air Avenue. I have lived here for just over a year and I am greatly disappointed in the lack of maintenance done to the town's property. The lot was used during construction of Rothesay Landings and since the completion of the last home the lot has become overrun with weeds along with fallen trees and rocks. Many residents of Oakville Acres and Rothesay Landings use the lot to connect to the gravel path around the water retention basin to walk and others to exercise their dogs. Unfortunately, there are no signs to keep their dogs on a leash or to pick up their waste. A few signs to remind the offenders would be appreciated by the rest of the community.

The rezoning of this small parcel of land to R4 High Density Residential does not fit in with the quiet character and medium density zoning of the homes on this street. The increase in traffic would multiply the risk of injury to the many walkers who must walk on the street as there is no sidewalk.

Over this past summer, I have heard from many residents passing by on the street that they would really appreciate a green space to stop and enjoy the company of their neighbours. I and most of the residents in Rothesay Landings and many in Oakville Acres have signed the petition against the R4 High Density Residential rezoning. I feel we need this green space to enhance the neighbourhood. A busy high density apartment building would not add to the quiet charm of our community.

Sincerely,

cc: Brian White, Town of Rothesay, Director of Planning & Development Services

Susan McNulty

From:
Sent: November 12, 2020 5:47 PM
To: Nancy Grant; Miriam Wells; Peter Lewis; Don Shea; Bill McGuire; Tiffany Mackay French; Grant Brennan
Cc: Rothesay Info
Subject: Review of Proposed Municipal Plan: Revised file to reduce size
Attachments: Revised-2020-Draft-Municipal-PlanPostedAug122020 RCF Mark Up Rev 5.pdf

Dear Mayor and Council,

I appreciate the opportunity to submit my marked up copy of the proposed municipal plan. Please let this email supersede the one that I sent on 11 November, which for a number of you resulted in problems in opening an exceedingly large file, the marked up copy of the proposed town plan. I have managed to extract the 17 marked up pages of the document and combined them in the attached document. This should lead to a more efficient read for you. Please accept my apology for any issue which that large file caused.

In reviewing the plan I did it with following considerations:

1. As a person who loves the town he lives in.
2. As a person who feels that our town is well managed and well planned
3. As a person who feels that words matter
4. As a person who has served as Chairman of a Zoning Board, who served as his company's representative to planning and zoning boards, and who served as a deputy mayor.
5. As a person who reviewed the 2010 plan and the current zoning by-law before I reviewed the proposed plan.

If you have any questions, please let me know.

If you cannot open the document, please let me know and I will come up with a Plan C.

With best regards,

120 Appleby Drive



Executive Summary

The Rothestay Municipal Plan is a blueprint to guide decisions for the long-term management and development of our community over the period of the next 10 years (2020-2030). The Municipal Plan presents a consolidation of ideas of how we plan respond to challenges such as; climate change, flooding, ageing demographics, slow population growth, and technology advancements. In response to these challenges, Rothestay embraces new methods and policies that will make our Town more sustainable in the development and redevelopment of our lands. For these reasons, we have articulated a vision, objectives, and goals that are important to the future growth and development of Rothestay.

BUILT FORM & LAND USE

The built form is the physical organization of buildings and infrastructure; it provides the foundation for our community and the quality of life needed to support the daily life of our citizens. The social, economic, and cultural activities are dependent on the form and function of the built environment; particular

This sentence leaves out an important group of people... the residents of Rothestay. The plan needs to be attractive to those of us who made our lives here and pay for the expenses to run our town. Please do not leave us out. My request: Include us. It is the right thing to do.

between people and the way we live. However, the built environment through the way we use our land; often these changes are shaped by community engagement has shaped

the vision of our future and aided in the creation of municipal planning policy; these policies intend to do the following:

- Regulate existing and future development to ensure Rothestay is designed in a way that makes it aesthetically pleasing, and attractive for prospective residents and business owners;
- Regulate the use and development of lands to provide a range of uses that are appropriate;

I would ask council to ask itself what is driving this need for our neighbourhoods being a place to work? Other than the COVID driven need to work from home, what statistics are driving this? I do not see it in the 2018 survey.

By-Law 1-20

2021 January 11 Open Session FINAL_149

We are a generally a low density suburb with high resident satisfaction as per the 2018 survey. I request that council ask itself what is driving the need to encourage a dense development pattern? I can see it in new developments, but there are some proposals in here to add additional structures to low density area lots.

- Regulate the built form to encourage a complete communities approach, in which neighbourhoods allow for a live, work, play style of life;
- Enhancing the design and construction of buildings through the use of building techniques that have a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.

RESIDENTIAL NEIGHBOURHOODS

Rothesay is primarily a residential community. Neighbourhoods that are represented by a variety of architectural styles, with a range of homes having been built between the 1800s to present day. A growing shift in local housing market is the addition of apartment and condominium dwellings, which have allowed for a range of new housing choices for residents. Public feedback has helped shape the future vision of Rothesay, and the residential policies required to ensure Rothesay continues to develop in a sustainable way. These policies intend to do the following:

- Allow for a range of residential housing types, sizes, and costs;
- Provide methods for adding affordable housing;
- Provide methods for adding age-friendly, universally accessible housing;
- Address the growing challenge of providing homes for non-traditional families;
- Regulate future residential development to ensure that future growth prioritizes a dense development pattern and reduces sprawl;
- Regulate residential land development to ensure the provision of municipal services is both economically and physically viable; and
- Allow for a narrow range of local commercial uses in residential neighbourhoods to reduce the need to travel by car for daily necessities.

COMMERCIAL CORRIDOR

Rothesay's local economy is supported by a mix of local, national, and international businesses, which together provide essential goods and services. The majority of the working population in Rothesay commutes to Saint John for employment and is dependent on that city for many of their services, goods, and products. While Rothesay provides essential needs, the City of Saint John provides more specialized regional scale services. Saint John's economic diversity will continue to make Rothesay dependent on the City for the majority of its employment opportunities for residents. Nevertheless, plan policies may guide economic decision making and investment to provide greater economic opportunities that make our community more self-sufficient:

- Support local business growth through land use development regulations that allow for a diverse range of uses;
- Require urban design standards that will facilitate the development of an attractive, desirable commercial main street that appeals private interest and investment;
- Focus on the improvement and prioritization of commercial development on Rothesay's

I would ask council to ask itself what statistics of public engagement are driving this need to walk to commercial establishments in our neighbourhoods? The 2018 satisfaction survey does not indicate this, or I am missing it when I read the document

My request: I would ask council to ask itself if residents are clamouring for self-sufficiency? The 2018 engagement survey does not indicate this as an interest. Why can't our can't we thrive as Greater Saint John? All of the Greater SJ communities need to thrive. When we look at self sufficiency, it is best for it to be on a regional basis, not a local community basis. In Rothesay, we have grocery stores, pharmacies, restaurants, fast food, doctors, dentists, banks, credit unions, car repair, specialty shops, parks, cannabis, liquor stores, home improvement stores, bike paths, good municipal government, lawyers, great citizens, scenic beauty, and more. I would ask council to ask itself how much more self-sufficient do we need to be to be considered a great place to live, especially when Rothesay is already an amazing place to live.

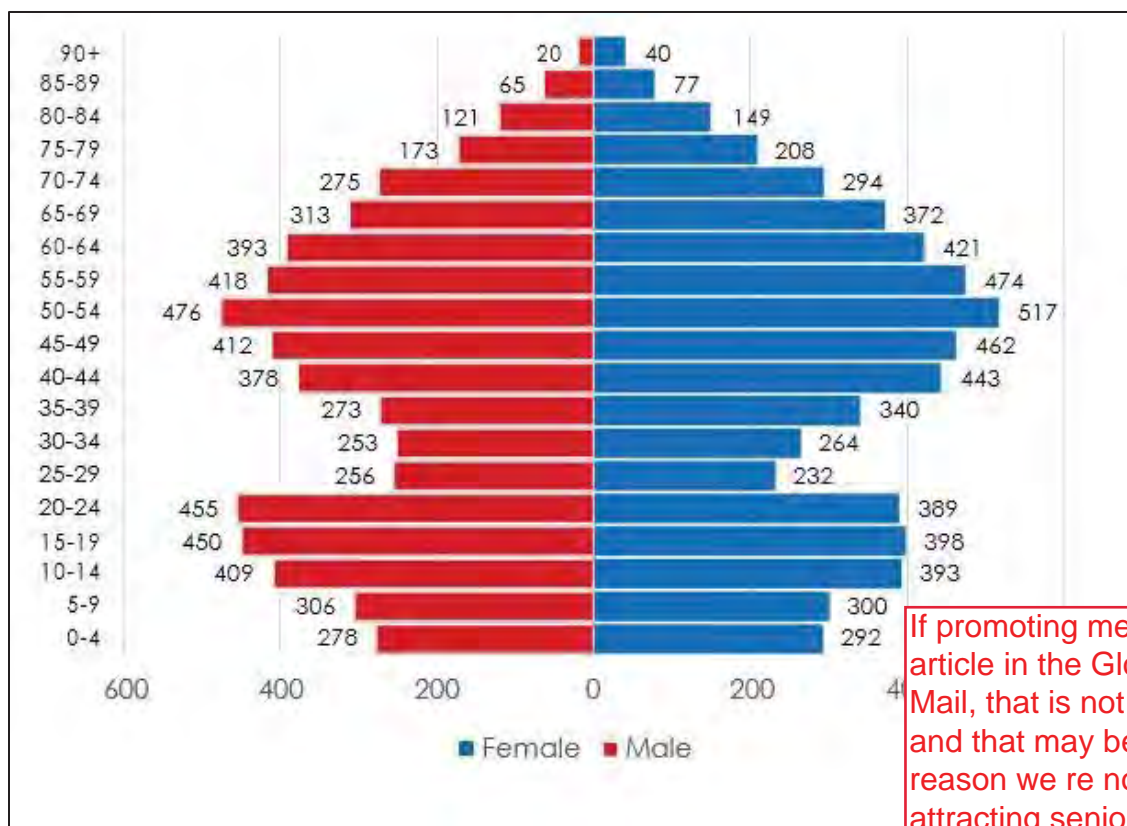


Figure 3 - Population Pyramid Female VS Male (2016 Census) - Source: Heseltine, J. (2018). Town of Rothesay Housing Projections.

If promoting means one article in the Globe and Mail, that is not enough, and that may be the reason we re not attracting seniors. If it is not being actively promoted by us regularly, it is not being promoted at all.

The migration of people in and out of Rothesay is integral to the cycle of housing for residents. Rothesay strikes a balance between in-migrants and out-migrants (Heseltine, 2018); however, an increase in new-build construction would likely attract more in-migrants. Estimates of future migration show that residents in their 30s and 40s and a smaller number of persons up to 20 years of age will increase, but is countered by the consistent and substantial outflow of persons 20 to 29 years of age, which is presumed to be adult children leaving Rothesay for employment and/or education opportunities or to move to a larger metropolitan centre (Heseltine, 2018). Rothesay is also promoted as a destination for retirees, however the demographic census data indicates that we are not attracting seniors and that

I sense that sometimes there is a sense of panic about this forecasted population decrease. I am no expert on this and do not pretend to be. However, here is what I observe as a resident: I have lived in Rothesay for about 18 of the last 28 years, having left due to an Irving job transfer. I have seen my old neighbourhood (Hastings Cove) go from a place full of young families to an older population, through a simple fact of life.... kids grow up. Now I live in East Riverside. In my own neighbourhood I have seen a number of homes go on the market in the last 5+ years. In almost every case, old people moved out, and younger larger families moved in. This a natural cycle of life. It will be with us forever. We need to be careful not to have a knee jerk reaction to it. When should we panic with respect to a decline? when we see housing prices drop and homes going vacant. The exact opposite is happening. Homes are getting pricier and sell fast. People who do these forecasts do not live here. Yes, they are educated, but do they have all the data? Only if they observe what is actually happening, and not rely on statistical models, which by their very nature, are only accurate a certain percentage of time. Notice in #3 below, it states Rothesay COULD lose 20% of its population.... COULD. Quick home sales, lack of vacancies, rising prices, younger families moving in slowly but surely seems to buck the forecasted trend. Steady population growth is good. Making a knee jerk reaction to forecasted trends which may not be real is not good. My request: Take the data for what it is worth and temper it with what is actually happening. Look around, you will see it for yourself.

CHAPTER 1 – LAND USE

Residential

Rothesay is primarily a suburban residential area in which 28.5% (23,393 acres) of all land is designated for residential land use. The residential land use development pattern is consistent with many small suburban communities; where the primary land use is residential and the majority of housing is single-detached dwellings, with a mix of semi-detached, attached, and limited multi-unit dwellings that provide a mix of housing stock.

The primary type of residential dwelling in Rothesay is single-detached units. The unique geography and topography of Rothesay provide a tremendous amount of residential opportunities, including traditional suburban lots, large rural lots, and waterfront lots that look out over the Kennebecasis River. The diversity in lot sizes allows for a mix of residential styles and dwelling types throughout the town. While the primary type of residential dwelling in Rothesay are single-detached unit, development projects through 2018-2020 have seen an increase in the construction of multi-unit dwelling buildings. These new multi-unit apartment and condominium units are a likely indicator in the demand for smaller, managed property dwellings from our senior population. Regardless, this shift in residential development provides diversity to Rothesay's housing market and lifestyles in a community that has customarily seen traditional uniform development.

The Plan envisions a range of low, medium and high density land uses in addition to a range of housing options that will include single-detached dwelling units, secondary dwelling units, two-unit and attached dwellings, clustered residential dwellings, as well as apartments and condominium dwelling units. The residential land use designations will be contained to the land area west of the Mackay Highway.

Low Density Residential Designation will preserve existing neighbourhoods, except through potential division of larger lots to provide low density residential development, and where appropriate, higher density residential and neighbourhood commercial development. The low density residential areas of Rothesay are expected to retain the long established neighbourhood character, though where appropriate opportunities may arise for low density infill development, and neighbourhood commercial land uses.

The Medium Density Residential Designation will be located on the periphery of commercial land designations and act as transitional land use intensity between low and high density residential dwellings. Medium density dwellings may also serve a secondary purpose as transitional housing that may be ideal for new home buyers, or those looking to downsize from single-detached dwellings.

The High Density Residential Designation will be clustered around the commercial core and will serve to increase density. The higher density designation will provide mixed land use opportunities where appropriate, as well as affordable housing. The provision of the High Density Residential Designation is appropriate to address the increasing demand for apartment and condominium units, and the expected shift in housing that will occur with a shift in our increasingly older population

Council recognizes that there is a shift in housing demands and that our population is changing, the following policies will ensure that there are housing options to address these changing needs, and look to provide a variety of housing in the future.

I would ask council to ask itself if the average citizen knows what this means.... infill development. My request... a document for citizen review should be clear.

Nice plan

Council Shall:

Rothsay has experienced a demographic drift that has seen a rise in total number of seniors which has raised concerns on the affordability of housing and the provision of housing that may accommodate persons on fixed incomes. The provision of housing is the role of the private sector, albeit regulated by the town of Rothsay. While the town has no direct control in the free market, we are able to regulate the use, scale, and density of the use, and may provide incentives to the private developer to provide a public amenity or benefit, to offset the increased density or scale of the building. This policy enables Council to consider providing an incentive to a developer so that they may increase the total maximum density that would otherwise not be permitted, for the provision of affordable housing dwelling units.

Policy R-1

Affordable Housing:

Consider an increase in the maximum allowable density by 2 percent for every dwelling unit meeting affordable housing standards as defined by the Canadian Housing and Mortgage Corporation (CHMC) or an equivalent recognized standard, not exceeding 20 percent as determined in the Zoning By-law for the following zones:

- a) Attached Unit Residential (R3);
- b) Clustered Residential (R4); and
- c) Multi-Unit Residential (R5)

Where the total number of units calculated results in a fraction, the number shall be rounded to the nearest whole number.

Nice plan

In the spring of 2018, Rothsay became recognized as an age-friendly community. This designation requires significant investment by the town to ensure that we accommodate all persons, of all abilities and disabilities throughout their life. The staple of a desirable place to live is good quality housing, age-friendly communities ensure that a person may live in this Town in which they were raised for the entire duration of their life, because there is housing and services that enable them to do so. This policy enables Council to consider providing an incentive to a developer so that they may increase the total maximum density that would otherwise not be permitted, for the provision of age-friendly designed dwelling units.

Policy R-2

Age-Friendly Housing:

Consider an increase in the maximum allowable density by 2 percent for every dwelling unit designed and constructed in conformance with Universal Design Best Practices, as defined by the Universal Design Network of Canada or an equivalent recognized standard, not exceeding 20 percent as determined in the Zoning By-law for the following zones:

- a) Attached Unit Residential (R3);
- b) Clustered Residential (R4); and

Request to council... the document talks about this being permitted in R3 and R4, but the document does not, anywhere that I can find, indicate where R3 and R4 is.

c) Multi-Unit Residential (R5);

Where the total number of units calculated results in a fraction, the number shall be rounded to the nearest whole number.

Rothsay was originally established as a seasonal cottage community for those looking to escape the rapidly industrializing City of Saint John. Since that time Rothsay has become a very stable, suburban community of Saint John. Residents have an extreme sense of pride in their neighbourhoods, and their homes, this policy would prohibit the establishment and operation of short term rental housing to preserve the character and quality of our residential neighbourhoods.

Policy R-3

Short Term Housing Rental:

Prohibit short-term rentals in Rothsay, meaning the rental of a single family dwelling or any form of dwelling including a unit in a multi-unit dwelling for a period of 31 days or less. Council has determined that allowing residents to rent their registered properties for longer periods appropriately balances the need to protect neighbourhood stability from issues of neighbourhood nuisance, noise, and housing availability and affordability.

Nice plan....but we already have have Section 5.5 in the current zoning law to govern this. It works well. Request to council: Keep it the same as in the 2010 plan and the same as the current zoning by-law. It gives good control and methods to allow this to happen.

In its population, demographic analysis shows that there is a growing number of youth and young adults. The increase in our population requires that adjustments be made so that families may accommodate their needs. This policy would allow existing residential dwellings to add an additional unit in the home a legal apartment to provide greater

Policy R-4

Secondary Suites:

Establish appropriate standards in the Zoning By-law to allow secondary suites in single family dwelling units to accommodate owner occupied shared housing where the primary purpose is for care and support or to address affordability.

Rothsay's predominant land use is residential, and the primary dwelling type are single detached family homes, the majority of which are on quarter acre lots or larger. The large number of existing, large lots provides opportunities for infill development of secondary dwelling units on a property, which may be either garden or secondary units, which are self-contained dwellings that may be rented out to a tenant, or used by a family member. This policy would allow residents that had the appropriate lot and zoning to build a secondary or garden unit. The intent of this policy is to provide additional housing options in Rothsay.

Policy R-5

Secondary Units & Garden Units:

Establish appropriate standards in the Zoning By-law to allow independent secondary units and smaller detached

See comment below.

How I read this is that in the low density neighbourhoods where most of us live, we will be able to place another home on our lot. This is a shock. Our town is attractive for many residents who live here, in part because of low density. I would ask council to consider what is driving this and are the residents clamouring for it? One of the reasons people settle here is the low density of our neighbourhood. This can change it completely and I am surprised to see it. Request: Remove it and if there is a need, allow it in the new neighbourhoods yet to be developed, so that the residents know what they are getting into before they purchase a home in town. It is my opinion that this is a mistake and I can picture all sorts of unintended consequences that the town will have to deal with, but won't as most municipalities loathe dealing with zoning issues. It will require major adjustments to coverage and set backs. For those of us who chose a low density area because of the low density, this is adverse. Question: I would ask the council to ask itself if town residents really asking for this and if not, remove it or only allow it in yet to be developed areas.

backyard garden units in the Low Density Residential Designation, where such development will:

- a) not adversely impact the neighbourhood aesthetics;
- b) increase the diversity of housing choice;
- c) increase the affordability of the rental stock, and
- d) enable age-friendly living within Rothsay.

Establish appropriate standards in the Zoning By-law to allow owner occupied dwellings to operate a home occupation in residential designations, subject to the following criteria:

- a) The residential character of the property and the surrounding neighbourhood is not adversely effected;
- b) There is no outside storage of equipment or materials;
- c) The home occupation does not create excessive vehicle traffic;
- d) Commercial signage is inconspicuous and appropriate in scale and character for the residential area; and
- e) The home occupation does not produce smoke, dust, fumes, or noise to an extent that it would create an unreasonable nuisance in a manner that substantially interferes with the enjoyment or use of another individual's property or with nearby residential uses.

Another zoning recommendation not well thought through.... commercial signs in a residential neighbourhood.... I ask council to ask itself why would this be a good thing? Unintended consequence.... picture 5 home businesses in a row, all with their signs and a little allotment of vehicles on the road.... it is no longer a residential neighbourhood and you are proposing zoning to accomodate that. Section 5.5 in the current zoning law works well. Request: I am asking council to ask itself why change it? It has worked well.

Establish appropriate standards in the Zoning By-law to allow owner occupied dwellings to operate an in-home neighbourhood daycare (early learning and childcare home) in accordance with the New Brunswick Early Childhood Services Act, as may be amended from time to time, subject to compliance with the following:

- a) The daycare is secondary to the permitted residential use; and
- b) The residential character of the property and the surrounding neighbourhood is not adversely affected.

Again, see above on businesses. I lived in a town that had a mix of low density housing with businesses thrown in. It was problematic (I was on town council). We fixed through zoning. We did not encourage it through zoning. This is regressive. Section 5.5 of the current zoning law has worked, Why change it?

Rothesay is known for its quality neighbourhoods, the character of our neighbourhoods has, too many residents should be protected for the future. Homeowners in Rothesay for many this is where they were raised and will continue to recognize the value and quality of our residential regulatory authority to establish guidelines for the type of the town.

The policies above on garden houses, businesses in residential neighborhoods contradict this. It states here "should be protected". I would ask council to consider if the proposals above in R4 through R7 follow the spirit of this statement.

architecture. The side and value and in their homes, and future. This policy Council with the not be permitted in

Policy R-8
Manufactured Housing:

If the council feels strongly about this, council should keep it and not worry about the Telegraph Journal comments. The 2018 Satisfaction survey shows little interest in this.

Establish appropriate standards in the Zoning By-law to regulate mobile and/or manufactured homes as a dwelling form incompatible with the architectural and characteristic housing styles found in Rothesay. Mobile, modular and similar forms of manufactured homes refer to permanent residential structures containing one dwelling unit that is constructed off site in one or more parts and in some cases on a permanent undercarriage or chassis; transported to the site for assembly; and which in some instances is not placed on a permanent foundation.

Policy R-9
Residential Dwelling Landscape Standards:

Establish in the Zoning By-law standards for the care and maintenance of the required front and side yards on developed properties visible from a public street such that nominal standards for plants, shrubs, turf, and other landscaping are in healthy condition and reinforce the overall residential character of a well-cared for neighbourhood.

Rothesay has experienced a slow, but gradual shift in its population. This change has required developers supply housing that better suits the needs of persons that are growing older, and for persons that are having non-traditional families. These changes present a unique challenge in that there are few choices in housing in Rothesay, and limited lands to develop that are connected to municipal services. However, many sites exist within the town that are potential sites for infill development, and may be ideal for a variety of residential land uses and densities. This policy intends to allow the development of high density residential development throughout the town, with conditions, to accommodate a changing population, and supply additional housing.

Policy R-10
Residential Infill – Multi-Unit:

Consider, notwithstanding any other residential policy, that new multi-unit residential development of higher density may be appropriate throughout the entire plan area, accordingly Council may consider multi-unit dwellings and clustered forms of housing through the re-zoning and development agreement process where such development demonstrates compliance with the following requirements:

Low Density Residential Designation

The Low Density Residential Designation comprises an area of 19,393 acres or 24 percent of the total land area of Rothsay. The dwelling types in this designation are a mix of single-detached dwellings and duplex dwellings. Most single-detached dwellings are situated on quarter, half, or full-acre lots.

The residents that live in these low density residential areas of Rothsay highly value their neighbourhoods, the natural settings, and the safety, privacy, and stability found here. These neighbourhoods are highly sought after because many are in close proximity to schools, making them ideal for families. The lots and homes are spacious and most neighbourhoods have mature trees and manicured lawns, and many of the older neighbourhoods have architectural styles that encourage a social lifestyle. Homes are also attractive, well sited, and appropriately scaled to their lots. These neighbourhoods are safe and walkable. These low density residential neighbourhoods throughout Rothsay are unique, have long-time residents, and are generally not based on a cookie-cutter development pattern. Most neighbourhoods have a network of interconnected streets, though there are areas where the intended street network was not completed, which has resulted in dead end streets and poorly connected neighbourhoods. Many local streets are narrow and many do not have curbing. This is a reflection of the long history and perhaps more modest beginnings, but the streets are effective at minimizing speeding and shortcutting through neighbourhoods. Rothsay neighbourhoods also have recognizable, distinguishable boundaries that are well known to long-time residents. These boundaries are identifiable by the unique architectural design, building materials, and development pattern of the lots.



Low density single-family residential neighbourhoods will continue to be the primary land use of Rothsay. As part of a community building process new homes, streets, and parks and open spaces must contribute to the betterment of our existing neighborhoods by following best practice land use planning. Rothsay's neighbourhoods can be enriched and reinforced by protecting the existing residential character through appropriate regulations and standards in this Plan.

The Municipal Plan will endeavor to maintain the traditional suburban character, architectural styles, and overall development pattern for low density residential uses. Council recognizes the tradition, heritage, and pride in our neighbourhoods. Accordingly, the following policies will seek to protect these low density

This statement above is a good statement and practice, However, I would ask council to ask itself if Policies R4-R7 (secondary suites, home businesses, and day cares) are in line with this statement.

residential areas, while enabling opportunities for both traditional and contemporary residential development.

Council Shall:

Policy LDR-1

Low Density Residential Designation:

Designate lands identified on the Generalized Future Land Use Map as encompassing those areas of Rothesay where the primary land use shall be Low Density Residential.

Policy LDR-2

Low Density Residential

Secondary unit is a contradiction to maintaining low density character. Request: As it is a contradiction to statements on maintaining the low density nature, please remove it or define for the citizens into which zones this will be allowed.

Allow within the Low Density Residential designation, a range of housing types where the dominate form is single family detached homes and other lower density forms of housing, including secondary suites, two unit semi-detached, secondary units, and duplex dwellings. Other compatible uses may be permitted in the Low Density Residential designation without amendment to the Municipal Plan including but not limited to neighbourhood convenience stores, public utilities, parks, municipal facilities, and where appropriate home occupations.

Policy LDR-3

Low Density Residential Zones:

Establish appropriate standards in the Zoning By-law to regulate low density residential development that is appropriate for the neighbourhood in which it is located by requiring appropriate setbacks, massing, height and limits to the permissible uses in the following zones:

- a) Single Family Residential – Small Lot (R1A);
- b) Single Family Residential – Standard Lot (R1B);
- c) Single Family Residential – Large Lot (R1C);
- d) Single Family Residential – Estate Lot (R1D); and
- e) Two Unit Residential (R2).

From the info here we do not know which of these zones in LDR-3 allow which uses found in LDR-2? I would ask council to ask itself that, as residents, should we know the answer to the above questions before we can say if we support the proposed plan.

Why does the zoning map not show where R1A is, R1B, etc. I would ask council to ask itself if we would we not understand the plan better if we understood how the plan applies to neighbourhoods in which we currently live?

Traditional Area Designation

The Traditional Area Designation comprises an area of 1688 acres or 2 percent of the total land area of Rothesay. This core area was originally a part of Rothesay Corner, where Rothesay Road, Hampton Road, and Gondola Point Road meet, and where the commercial centre of the former community of Rothesay began. For over 100 years this point served as a meeting area, or cross roads for travelers from Saint John, Moncton, Sussex, Fairvale, Gondola Point, and the Kingston Peninsula (Carson & Kelbaugh, 2010, p. 168). Over time this area has transitioned, though many of its characteristics remain. The first notable transition this area experienced was the introduction of the Rothesay Train Station, built in 1860, which reduced the number of stage coach travelers to and from Saint John, though more people used the train to traverse the area. The second major shift came about with the use and adoption of the automobile. Prior to the introduction of the train station, Rothesay was commonly known as the nine-mile point and was a frequent stopping point for travelers (Carson & Kelbaugh, 2010). At the core is the Rothesay Common, an iconic landmark that has been used since its inception as a popular location to host events, celebrations, festivals, recreational activities, and casual social gatherings. The traditional area lands around the Rothesay Common make a small, but diverse neighbourhood with a mix of residential, commercial, institutional, and recreational uses. The development pattern and diversity of land uses makes it apparent that this was once the core of Rothesay. The architectural styles have been preserved through the use of the Rothesay Heritage Preservation By-law, which limits development in the area to conform to the existing styles.



This neighbourhood has become a highly valued area with respect to the preservation and protection of the existing built environment, which are controlled through heritage planning regulations. The Municipal Plan will continue to protect the inherit traditions in this neighbourhood, by considering the existing uses, their scale, density, and architectural styles. Future developments must consider how they may change the established character of the area, and whether or not it detracts from the quality and enjoyment of this unique neighbourhood. The development pattern of this area is highly walkable, and promotes a highly social space. Homes reflect the traditional building styles, and are maintained to reflect the importance of this area.

This neighbourhood will continue to be a defining land use of Rothesay. The residents of this neighbourhood live in what is considered to be a complete community, one in which there are opportunities to work, live, and play, making this a highly desirable place to live, and the one area that exemplifies a mixed-use neighbourhood. Residents of this neighbourhood have a strong connection to

This a bit elitist.... the "traditional areas" are not alone in having a strong connection to their properties.



The Rothesay Common is a well-known community space often used as a social and cultural center for festivals, community events, and activities. The Common continues to serve an important role as a park and recreation facility. Upgrades to the Common in 2015 provided many new features and allowed for greater uses year round; however, the upgrades did raise questions of how the Common was to be developed and what restrictions were enforced. In the interest of ensuring the Rothesay Common may continue to serve as a relevant and vital community facility, the following policy requires Council be responsible for creating a master plan detailing how the Common may develop and be used in the future. The intent of this policy is not to change the Common, rather it provides an opportunity to gain feedback from the public in how the Common may continue to serve the interests of our community, and where change is desired, have it conducted through a planned approach. In 2016 the Canadian Institute of Planners recognized the Rothesay Common by awarding it as the People's Choice for Public Space in the national Great Places in Canada contest.

Policy OsC-8
Rothesay Common:

Council has done an amazing job at the commons. Keep up the good work! It feels good to see it so heavily used. Worth every cent that was spent on it. It is a special public space.

Prepare a Rothesay Common Master Plan within the timeline of this Municipal Plan that identifies a long-term strategy for the management, capital reinvestment, and potential expansion of the Rothesay Common, including the following items:

- a) Developing a landscaping care and maintenance plan;
- b) Reinforcing the aesthetic values of the Common;
- c) Addressing emerging recreational trends and needs; and

was to evaluate and recommend road network improvements and prioritize those recommendations over a 10-year implementation period. The two studies were carried out at the same time allowing for coordination of recommendations.

In 2017, four years into the planning periods of the two studies, the town hired consultants to review and update the two plans and produce a concise, consolidated report. This updated document contains a summary of implementation progress made to date and provides coordinated recommendations over a 5-year implementation timeframe with cost estimates for each improvement. This will be a guiding document that coordinates capital roadwork priorities with the sidewalk and trails program that allows for annual tracking of progress.

COUNCIL SHALL:

In coordination with the transportation report from 2017, active transportation facilities and infrastructure will need to be identified and created where demand deems necessary. As a measure of importance a list of Active Transportation Priorities will be created in an effort to identify these facilities and infrastructure. Priority will be based on importance, function, and length of time. Accordingly, the following policy requires Council to create and maintain a list of active transportation priorities over the lifetime of the Municipal Plan to ensure that facilities and infrastructure demands are met.

Policy GT-1
Active Transportation

Nice policy. Fantastic!

Maintain a list of Active Transportation Priorities and update an implementation plan of active transportation facility improvements to be prioritized over short term (0-2 years), medium term (2 to 5 years), and long term (5-10 years) implementation timeframes. Those facilities may include the following:

- a) Dedicated bicycle lanes, shared lanes, and signed bicycle routes;
- b) New sidewalks and pedestrian street or highway crossings;
- c) Paved roadway shoulders; and
- d) Hard and gravel surfaced multi-use trails.

Following the creation of the consolidated transportation study by consultants in 2017, Rothesay has continued to upgrade and maintain roads throughout Rothesay. To have a clear understanding of future work Council will create a road and network priorities list to identify what roads must be improved based on existing conditions. Accordingly, the following policy requires Council to create a Road Network Priorities list to be used over the lifetime of the Municipal Plan to ensure Rothesay's roads and road network are maintained and upgraded to meet demand and safety requirements.

Policy GT-2
Transportation

Maintain a list of Road Network Priorities and update an implementation plan of road network improvements

The Province of New Brunswick regulates the issuance and use of wells through the New Brunswick Water Well Regulation, as a means of controlling and monitoring the use of wells. This ensure that wells are constructed in a way that support safe, healthy operation, and that the wells are located in an area that may access a sustainable source of water. In recognition of this regulation, Council has adopted the following policy to ensure water wells are constructed in regulated manner.

Policy DC-2
Ground Water Well Construction

Ensure that applications that would utilize ground water supply sources comply with the New Brunswick "Water Well Regulation" by requiring that applicants obtain necessary provincial permit(s) prior to the issuance of a permit from Rothesay. Furthermore, Council may require, when necessary, that an applicant provide a written assessment from a qualified professional regarding how neighbouring properties might be impacted from the operation of the proposed well.

Good practice!

The use of on-site sewage disposal systems is used for a large number of homes in Rothesay, many of which are located southeast of the Mackay Highway. On-site sewage systems require technical installations, and maintenance to provide a healthy and safe waste disposal service, which are covered under the Public Health Act. Accordingly, Council recognizes the importance of ensuring these systems are built and maintained to a standard that protects public health through the following policy.

Policy DC-3
On-Site Sewage Disposal

Ensure that applications that would utilize an existing or new on-site sewage disposal system comply with the Technical Guidelines established in accordance with regulations respecting On-site Sewage Disposal Systems under the Public Health Act, as amended from time to time, by requiring that applicants obtain necessary provincial permit(s) prior to the issuance of a permit from Rothesay.

The quality and character of our community is in the built form. Home and business owners take pride in their properties, a reflection of the manicured yards, and well care for buildings. This established built from can at time clash with temporary uses, whether through location on the property or because of the use itself. As means of controlling the temporary use and mitigating its effect on the established uses of a neighbourhood, the following policy will require that Council locate temporary uses in the side or rear yard of a lot. The restriction of these temporary uses to be located in the side or rear yards will ensure the existing character of a neighbourhood is not changed.

Policy DC-4
Temporary Uses:

Require all temporary uses be located in the side or rear yard of a lot, unless permitted otherwise by the Development Officer or the Planning Advisory Committee.

Environmentally Significant Area

Development Restrictions:

Establish appropriate standards in the Zoning By-law to regulate the conservation of land with appropriate setbacks from watercourses, water bodies, and wetlands.

STEEP SLOPES

Rothsay's geographical location creates many attractions and development opportunities in our community. The varying elevations provide exceptional views of the Kennebecasis River and Long Island and add tremendous value to the homes and neighbourhoods of these areas. These areas have been and will continue to be a highly desirable area for home owners of all types. However, there are challenges in building in these areas for home owners and developers.

Slope is refers to the change in height between two points, the greater the slope the large the degree of change in height and or elevation between the points. Land use planning must consider how development will interact with the natural and built environment; moreover, planning must consider safe, sustainable land uses so as not to jeopardize the health and or well-being of community or its residents. Slopes that are calculated to be less than 10 percent are typically considered standard for development, and are common in most communities. A slope of between 10 and 30 percent is considered to be steep, land use planning dictates that these areas are analyzed to ensure proper municipal services be provided, and that development in this area would not affect or in any way impact a neighbouring property. Slopes that are greater than 30 percent are considered undevelopable and/or have too many constraints to develop in a safe, sustainable way. Few areas of Rothsay have a slope that is greater than 30 percent.

The development of steep slopes while idealistic for views of the River can provide challenges in regards to stormwater management, soil erosion, snow clearance, the provision of municipal and protective services and protective services can prove challenging for access. The challenge is to balance these with the attraction and opportunities of these areas as natural features that may be enjoyed by property owners and the general public. Furthermore, a balance must be met with the type and location of development and how it may potentially impact adjacent land uses. Accordingly, Council has identified these areas as being a development opportunity for future home current and future home owners and has created the following policies to limit the development and land uses acceptable in these areas.

Council Shall:

Policy ESA-1

Steep Slopes Identification:

Identify within the Zoning By-law those areas of Rothsay where there are steep slopes as the Steep Slopes Overlay Zone.

Policy ESA-2

Steep Slopes Use:

In section 5.2.1 of the 2010 Municipal plan it states the following: Many of the residential areas of Rothsay are developed on the slopes of the Kennebecasis Valley to obtain a view of the River. New development should be designed so as not to obscure the views of existing properties. (Emphasis mine). Homes with river views are part of the heritage of the Town. Residents value it and it is an important part of the why many people purchase their homes. Council endeavoured to protect that in the last plan. Request: Can we add that to this plan?

range of parks and

Zoning By-law to
with development

This is a good idea!

Construction Practices

As Rothesay continues to grow, older mature neighbourhoods and undeveloped natural areas are being disturbed to accommodate new development. The Town's topography is such that the new development in many areas results in the creation of lots that are either on steep sloping sites or with properties that slope away from the street and below the grade of road. These conditions lead to substantial cut and fill activity. The scale of some fill and excavation operations has been such that they are a major neighbourhood nuisance and the resulting graded lots may perhaps pose a significant negative impact on neighbouring properties. Rothesay is well aware that uncontrolled fill and excavation activity in the past has led in some instances to runoff and erosion problems. In other cases, construction problems have been experienced as a result of the poor compaction quality of unsuitable fill.

The development and use of land are a natural part of a community's growth, operation, and management; however, the method of land use can drastically change the intended building site. One of most sudden and damaging changes to a site is the removal of vegetation and/or the altering of the surface of the land. Levelling, grading, filling, cutting, or making other changes to the surface of land may affect adjacent properties by redirecting stormwater runoff, privacy may be reduced or eliminated, and the value and/or character of the neighbourhood may be changed. Additionally, removing trees and vegetation may reduce shade, reduce habitat for wildlife, and lead to soil erosion. Together, these changes can have a large impact on a site and its ability to provide social, economic, and environmental value to Rothesay. In many instances changes of this magnitude can have costly fixes and in some cases cause irreversible damage. Accordingly, the following policies regulate how land may be cleared, altered, and/or graded in order to protect existing properties and reduce impacts to the subject site.

COUNCIL SHALL:

Policy CP-1 Unsuitable Roads

Regulate the placement or dumping of fill on a lot fronting on a public street that has been deemed by the Director of Operations or his/her designate, in his/her sole discretion, to be unsuitable for the transportation of heavy loaded trucks transporting fill.

The development of a site often requires an alteration to the land, with either the removal or addition of soils and aggregates to have the desired grade to begin construction. As a result, trucks are used to haul soils and aggregates through dumping or removal of fill from or to the site. This process can be quite disruptive to the surrounding properties, and to the neighbourhood in which the site is located; furthermore, the transportation of fill often creates dust and the deposit of materials on the road right-of-way. Council recognizes the impact that the transportation and hauling of fill can have on a neighbourhood; accordingly, the following policy will require Council to establish requirements and standards in the Zoning By-law to control this process.

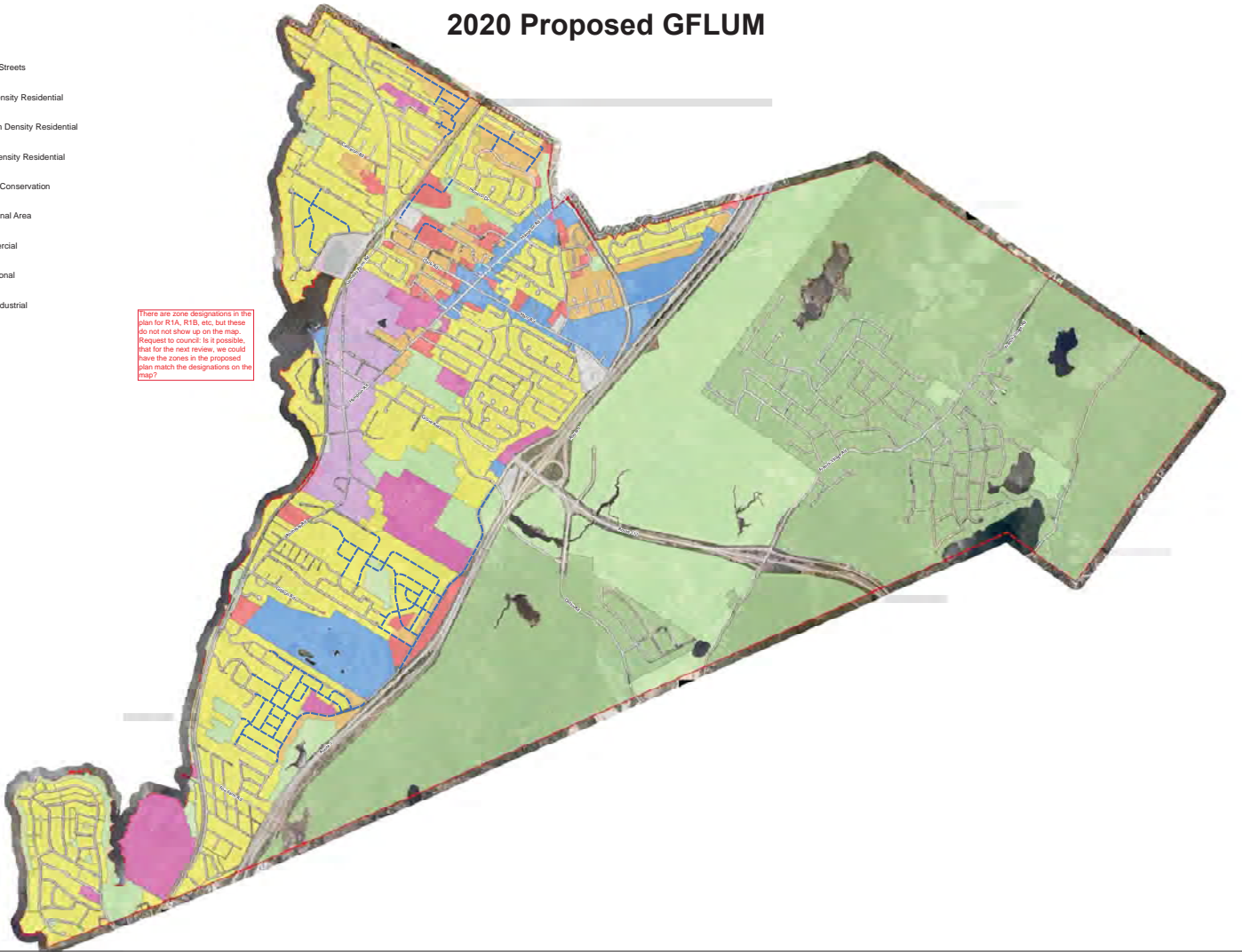
Policy CP-2 Hauling

Establish within the Zoning By-law such requirements as necessary to ensure that the alteration of land the Placing or Dumping or removal of Fill is done in accordance with proper engineering principles and any design standards of Rothesay, including a mud tracking

2020 Proposed GFLUM

- Future Streets
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Park & Conservation
- Traditional Area
- Commercial
- Institutional
- Light Industrial
- Rural

There are zone designations in the plan for R1A, R1B, etc, but these do not show up on the map. Request to council: Is it possible, that for the next review, we could have the zones in the proposed plan match the designations on the map?



0 390 780 1,560 2,340 3,120
Metres

Susan McNulty

From: Mary Jane Banks
Sent: November 13, 2020 9:06 AM
To: Susan McNulty
Subject: FW: Review of The Municipal Plan

From: Brian White <BrianWhite@rothesay.ca>
Sent: November 12, 2020 12:05 PM
To: Mary Jane Banks <MaryJaneBanks@rothesay.ca>
Subject: FW: Review of The Municipal Plan

From: Miriam Wells <MiriamWells@rothesay.ca>
Sent: November 12, 2020 11:48 AM
To: John Jarvie <JohnJarvie@rothesay.ca>; Brian White <BrianWhite@rothesay.ca>
Subject: Fwd: Review of The Municipal Plan

Hi,

Not sure if Brian is compiling comments regarding the Municipal Plan...might be worth getting a hard copy from this resident of comments. Easier for compilation.

Miriam

Councillor Miriam Wells
MiriamWells@rothesay.ca

From:
Sent: Thursday, November 12, 2020 10:46:50 AM
To: Nancy Grant <NancyGrant@rothesay.ca>; mattalexander@rothesay.ca <mattalexander@rothesay.ca>; miriamwells@rothesay.ca <miriamwells@rothesay.ca>; tiffanymackayfrench@rothesay.ca <tiffanymackayfrench@rothesay.ca>; billmcguire@rothesay.ca <billmcguire@rothesay.ca>; peterlewis@rothesay.ca <peterlewis@rothesay.ca>; donshea@rothesay.ca <donshea@rothesay.ca>; grantbrenan@rothesay.ca <grantbrenan@rothesay.ca>
Subject: Fw: Review of The Municipal Plan

Dear Mayor and Council,

Regarding the review of the proposed 2021 Town plan that I sent yesterday, it has come to my attention that a number of you cannot open the document. I do apologize for that and I suspect that it is too large. Please disregard my email that I sent with the marked up plan attached. I looked into it and I figured out how to pull out only my marked up pages, of which there were not many compared to the total number of pages in the document. In addition to make it a size that the system can accept, that will make it easier to review the comments should you choose to do so.

I apologize for this inconvenience and I will get back to you within a day or so with a revision.

Best regards,

From:

Sent: Wednesday, November 11, 2020 2:42 PM

To: nancygrant@rothesay.ca <nancygrant@rothesay.ca>; mattalexander@rothesay.ca <mattalexander@rothesay.ca>; miriamwells@rothesay.ca <miriamwells@rothesay.ca>; tiffanymackayfrench@rothesay.ca <tiffanymackayfrench@rothesay.ca>; billmcguire@rothesay.ca <billmcguire@rothesay.ca>; peterlewis@rothesay.ca <peterlewis@rothesay.ca>; donshea@rothesay.ca <donshea@rothesay.ca>; grantbrenan@rothesay.ca <grantbrenan@rothesay.ca>

Subject: Re: Review of The Municipal Plan

Dear Mayor and Council,

I just sent you the email below with a marked up copy of the town plan attached. However the size of the file was 16 MB. I do not know if the town system allows files that large. If you do not receive it, please let me know and I will figure something out to get it to you.

Sorry for any inconvenience.

With kind regards,

120 Appleby Drive

From:

Sent: Wednesday, November 11, 2020 2:31 PM

To: nancygrant@rothesay.ca <nancygrant@rothesay.ca>; mattalexander@rothesay.ca <mattalexander@rothesay.ca>; miriamwells@rothesay.ca <miriamwells@rothesay.ca>; tiffanymackayfrench@rothesay.ca <tiffanymackayfrench@rothesay.ca>; billmcguire@rothesay.ca <billmcguire@rothesay.ca>; peterlewis@rothesay.ca <peterlewis@rothesay.ca>; donshea@rothesay.ca <donshea@rothesay.ca>; grantbrenan@rothesay.ca <grantbrenan@rothesay.ca>

Subject: Review of The Municipal Plan

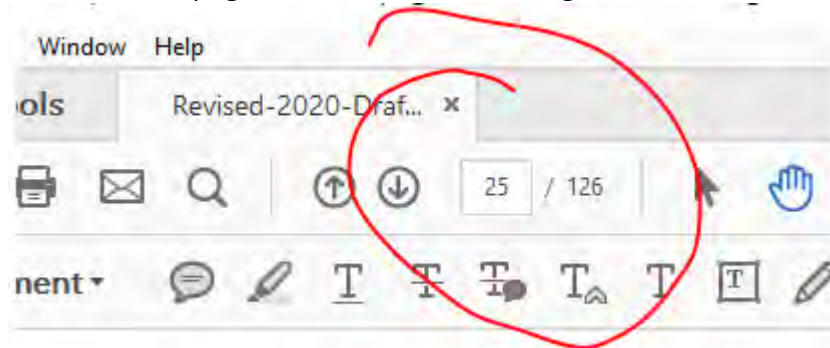
Dear Mayor and Council,

I appreciate the opportunity to submit my marked up copy of the proposed municipal plan. In reviewing the plan I did it with following considerations:

1. As a person who loves the town he lives in.
2. As a person who feels that our town is well managed.
3. As a person who feels that words matter
4. As a person who has served as Chairman of a Zoning Board, and who served as his company's representative to planning and zoning boards.
5. As a person who reviewed the 2010 plan and the current zoning by-law before I reviewed the proposed plan.

I was not sure how to do this to make this efficient for the mayor and council to review the comments. The way I choose what to do mark ups on the pdf document.

To help you get through it, I listed below the pages on which I made comments on the pdf. The pages I am listing refer to the pdf pages, not the actual pages of the printed combined documents that the town posted. These are the pages numbers I am referring to:



For example page 25 on the pdf is actually page 18 of the proposed town plan.

With this in mind, I have added comments on the following pdf pages:

11, 12, 22, 36, 37, 38, 39, 40, 42, 43, 57, 70, 81, 99, 108, 109, 125

Thanks for giving the citizens the extended time to comment and for taking the time to review the markup.

Best regards,

120 Appleby Drive

Susan McNulty

From: Mary Jane Banks
Sent: November 13, 2020 9:04 AM
To: Susan McNulty
Subject: FW: Proposed Municipal Plan By-law I-20 (Bridlewood Estates Subdivision)

From:
Sent: November 12, 2020 7:35 PM
To: Nancy Grant <NancyGrant@rothesay.ca>; Matthew Alexander <MatthewAlexander@rothesay.ca>; Miriam Wells <MiriamWells@rothesay.ca>; Tiffany Mackay French <TiffanyMackayFrench@rothesay.ca>; Bill McGuire <BillMcGuire@rothesay.ca>; Peter Lewis <PeterLewis@rothesay.ca>; Don Shea <DonShea@rothesay.ca>; Grant Brennan <GrantBrenan@rothesay.ca>
Cc: Rothesay Info <rothesay@rothesay.ca>; Brian White <BrianWhite@rothesay.ca>
Subject: Proposed Municipal Plan By-law I-20 (Bridlewood Estates Subdivision)

We request that the proposed new 2020 GFLUM be amended and that the undeveloped land in the **Bridlewood Estates Subdivision** be returned to its original Low Density Residential designation. We submit the following comments and concerns to support our request.

We have been residents of the Town of Rothesay for the past 25 years. When we purchased our home at 4 Carriage Way in 2011 the 2010 Municipal Plan designated our street and the undeveloped land behind our property as Low Density Residential.

This designation was reconfirmed in September 2017 when the developer received Phased 2 approval to subdivide the land to allow for 44 new single family lots all zoned Single Family Residential R1B.

We are surprised, disappointed and concerned that 3 years later, the proposed new 2020 GLUFM now designates this undeveloped land as Medium Density Residential, with a portion of the subdivision designated as High Density Residential.

Ten years ago we decided to purchase our home in a low density residential area because we wanted to live in that type of neighborhood and benefit from the stability that this type of neighborhood provided. The low density residential development that would one day occur behind our property would be consistent with that choice and over the long term were looking forward to maintaining the value of our property and protecting our investment.

The homes adjacent to this undeveloped land will be negatively impacted by these new designations. Medium and high density developments will not preserve the established character or the quality of our existing neighborhood and will destabilize property values.

With the exception of Bridlewood Estates Subdivision, the proposed 2020 GFLUM seems for the most part to have higher density areas located on the periphery of existing low density neighborhoods . A higher density housing development that cuts through the middle of our neighborhood will significantly alter its overall development pattern. The traditional suburban character and architectural style of the subdivision will not be maintained.

In closing, while we are supportive of medium and high density housing options in Rothesay, it is important for Council to recognize that the Bridlewood Estates Subdivision is a neighborhood with recognizable and distinguishable boundaries. It is our opinion that adopting a new GFLUM that changes the designation of the undeveloped land in this subdivision will contradict and be inconsistent with the policies and overall intent of the proposed Municipal Plan.

Thank You

4 Carriage Way

Rothsay NB



October 21, 2020

Dear Mayor Grant and Rothesay Council

In 2009 the Riverside Country Club (Riverside) submitted a proposal for the development of 28 garden homes along our Rothesay Road frontage overlooking the Kennebecasis River. Although that proposal was ultimately withdrawn, the new Municipal Plan allows for the club to have future opportunities with its undeveloped water view property that could include sale and/or expansion.

For that reason, Riverside was happy to review the Town's DRAFT Municipal Plan and see that the Rothesay Road portion of Riverside's property was identified as an opportunity site for High Density Residential development.

As New Brunswick's only private golf club, Riverside recognizes the unique position it has in our community. We also recognize that country clubs have been seeing drops in membership across the Country and it is the belief that this is because the focus has been on golf only. We believe that we need to offer our members an engaging country club experience for all ages that complements their busy lifestyle, and in doing so the club will soon become a desired destination for all members of their family. The opportunity that the DRAFT Municipal Plan offers Riverside and its Membership is to embrace a redevelopment planning process that increases the relevancy of the club within the community, increasing the worth of a Riverside Country Club membership, and a possible increase in capital to offer more amenities and allow the club to become more sustainable to help solidify its longevity.

On behalf of Members of the Riverside Country Club (RCC) the Board of Directors would like to extend its full support of Rothesay's Draft Municipal Plan. Rothesay's DRAFT Municipal plan provides for the opportunity to best examine how to fully utilize that portion of our property for its highest and best use. The Riverside Country Club's Board of Directors and Management look forward to working with the Town to help build a brighter future.

Sincerely

A handwritten signature in black ink, appearing to read 'Bob McLaughlin'.

Bob McLaughlin

President

The Riverside Country Club

CC. The Riverside Country Club Membership

Susan McNulty

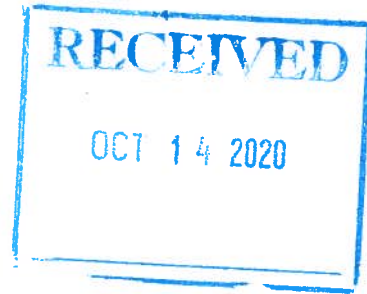
From:
Sent: October 18, 2020 1:51 PM
To: Rothesay Info
Subject: Development rothesay

Hello, I live at 106 Neil St in Rothesay. I understand the town wants to build a road where I live in order to develop the woods down the street. I am hoping to get the contact information of whoever I should talk to about this matter.

Sincerely,

October 14, 2020

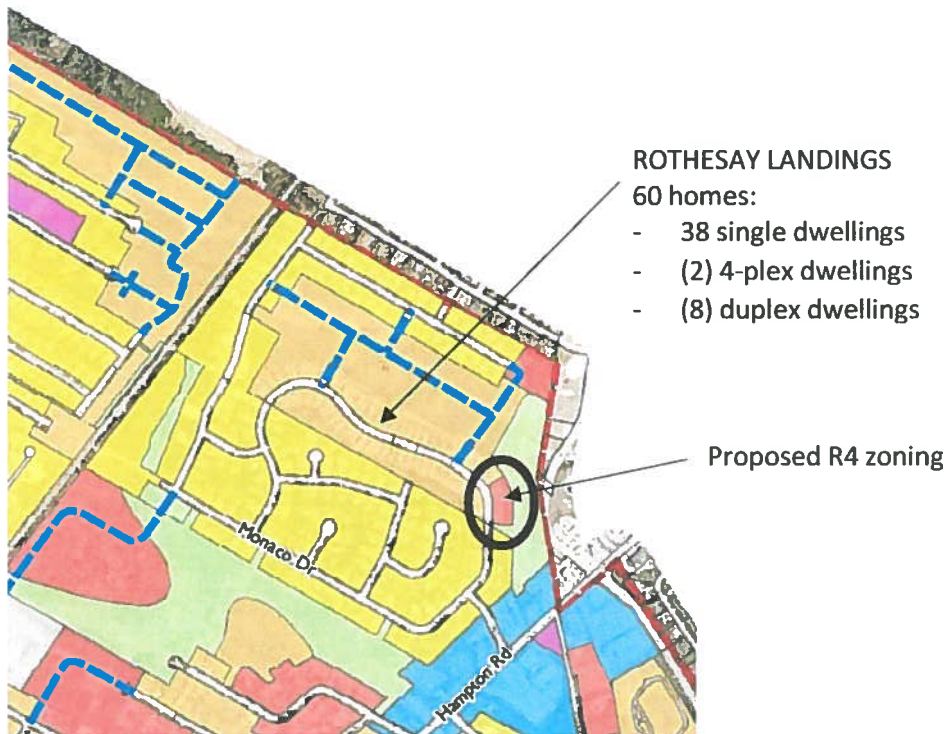
Mary Jane Bank, Town Clerk
Town of Rothesay
70 Hampton Road
Rothesay NB E2E 5L5



Dear Mary Jane,

RE: TOWN OF ROTHESAY – MUNICIPAL PLAN 2020 (Proposed Municipal Plan By-law 1-20)

As residents of Rothesay Landings, we hereby state our concerns regarding the proposed Municipal By-law 1-20, specifically with the designation of R4 High Density Residential on the small 4600 m² property on Bel-Air Avenue as circled in black on the diagram below.



Our issues are as follows:

The potential rezoning of this parcel of land (currently zoned R3) as illustrated above, to a high-density R4 zoning is a significant departure from the understandings of the residents of Rothesay Landings, who are primarily all new residents to this neighbourhood within the last 10 years.

We understand the Town of Rothesay's rezoning philosophy of this land parcel to R4 is to follow a town initiative of offering diverse housing types within Rothesay neighbourhoods, to allow residents to have 'full life span' options within their current Rothesay neighbourhoods. While successful examples of this in our town could include 'Low Wood Estates' and the new 'Central Park'; both developments were purposely programmed, designed and constructed as diverse housing type developments. To rezone and potentially construct a high-density apartment building on the last remaining vacant piece of land in Rothesay Landings, is not a true comparison. A high-density apartment on this site, will appear merely as an afterthought. The vacant land parcel represents an area of approximately 10% of this overall high-end medium density residential development which comprises 60 homes, 63% of which are single dwelling units.

The increase of traffic and congestion in an area that is currently problematic, which will be addressed by Rothesay Landings residents in separate correspondence, would also be a major concern. When considering an apartment complex, one must think of not only the increased residential traffic, but also increased truck traffic; moving trucks, deliveries, etc. to the property. This concern is magnified with Oakville Acres adjacent to this vacant land, where young children can often be seen playing in their driveways, or even using the street as a play area.

In summary, changing the zoning to R4 High Density Residential to allow construction of an apartment building on this one remaining vacant piece of land in Rothesay Landings, is not the right use of this property. It will not enhance the adjacent neighborhoods or streetscape and is not wanted by the respective two neighbourhoods. Instead it will appear as a 'visual afterthought' with an apartment building wedged immediately adjacent to two neighborhoods; the newer medium density zoned Rothesay Landings and the established low density Oakville Acres neighbourhood. Instead, this parcel of land ideally would be considered by the town as a new green space opportunity; a small green space enhancing the Oakville Acres and Rothesay Landings neighbourhoods.

In preparing this correspondence, both the town's goals set out in the Rothesay 2016 - 2020 Council Priorities as well as the Rothesay 2030: A Vision for Growth, Change and Resilience specifics were reviewed. There are a number of initiatives from these reports that would support this parcel of land be rezoned; to a neighbourhood gathering space (green space) rather than the proposed R4 high density rezoning. The green space consideration would require further exploration and detailed input from the neighborhood residents; however, initially appears to be a much-preferred rezoning outcome.

We have gathered signatures from residents of both Rothesay Landings and Oakville Acres who support the request not to rezone the small vacant property on Bel-Air Avenue to R4 High Density Residential.

In closing, the proposed 10-year municipal plan requires the input of all Rothesay residents and, ideally the input from the whole community is a priority. During our discussions with the 60 Bel-Air residents, the development of this 10-year draft municipal plan was not widely known by the Oakville Acres / Rothesay Landings residents. With the current pandemic restrictions, a time extension is formally being requested to give all affected residents sufficient time to review the draft plan and to provide their comments. With the many potential land use changes for all Rothesay residents, we recommend a global mailing take place to all town residents, notifying them of pending changes.

Thank you for taking the time to read this correspondence. Further discussion and questions are welcome with contact names and phone numbers listed below.

Sincerely,

47 Bel-Air Avenue

74 Bel-Air Avenue

76 Bel-Air Avenue

RECEIVED

2020

I have read the letter dated October xx, 2020 under the signature of signature of _____
 and support the request to the Town of Rothesay **NOT** to rezone the vacant
 property as noted to R4 – High Density Residential.

NAME (Print)	SIGNATURE	ADDRESS + EMAIL
	<i>[Signature]</i>	56 Bel-Air Ave. Rothesay NB
		63 Bel Air Ave
		63 "
		68 Bel-Air Ave. Rothesay NB
		68 Bel-Air Avenue, Rothesay, N.S.
		63 Bel-Air Ave Rothesay NB
		62 Bel-Air
		67 Bel - Air Ave
		65 Bel-Air Ave
		58 Bel-Air Ave
		77 Bel-Air Ave
		73 Bel-Air Ave.
		64 Bel-Air Ave
		8 MONACO DR.
		12 Monaco Dr.
		16 Monaco Dr.
		18 Monaco Dr.

2021 January 11 Open Session FINAL_176

I have read the letter dated October , 2020 under the signature of signature of
and support the request to the Town of Rothesay **NOT** to rezone the vacant
property as noted to R4 – High Density Residential.

NAME (Print)	SIGNATURE	ADDRESS + EMAIL
		40 Bel-Air Ave
		40 Bel-Air Ave
		40 Bel-Air Ave
		45 Bel Air
		41 Bel-Air Ave.
		37 Bel-Air Ave.
		35 Bel Air Ave
		47 Bel-Air Avenue
		47 Bel-Air Avenue
		75 Bel-air Avenue
		75 Bel-air Avenue
		70 Bel-air Ave
		55 BEL-AIR AVE.
		49 Bel-Air Ave. Rothesay.
		57 Bel-Air Ave, Rothesay
		52 Bel-Air Rothesay
		61 Bel-Air Rothesay

2021 January 11 Open Session FINAL_177

I have read the letter dated October , 2020 under the signature of signature of
and support the request to the Town of Rothesay **NOT** to rezone the vacant
property as noted to R4 – High Density Residential.

NAME (Print)	SIGNATURE	ADDRESS + EMAIL
		32 Bel-Air Ave.
		38 Bel-Air Ave.
		36 Bel-Air Ave
		34 Bel Air
		30 Bel Air
		Bel Air
		24 Bel Air
		22 Bel-Air
		20 Bel-Air
		17 Bel-Air Ave
		15 Bel-Air Ave
		23 Bel Air Ave .
		23 Bel Air Ave .
		25 Bel-Air Ave .
		25 Bel-Air Ave
		29 Bel-Air Ave
		33 Bel-Air Ave
		133 Bel-Air Ave

2021 January 11 Open Session FINAL_178

I have read the letter dated October , 2020 under the signature of signature of
and support the request to the Town of Rothesay **NOT** to rezone the vacant
property as noted to R4 – High Density Residential.

NAME (Print)	SIGNATURE	ADDRESS + EMAIL
		20 Monaco Drive
		22 Monaco Drive
		25 Monaco Dr
		24 Monaco Dr Rothesay
		17 Monaco Dr
		72 Bel Air Ave.
		46 Bel Air Ave.
		59 Bel Air Ave.
		74 Bel Air Ave
		74 Bel Air
		14 Carriage Way Rothesay
		8 Carriage Way
		3 Carriage Way
		10 Carriage Way
		76 BEL-AIR AVE

2021 January 11 Open Session FINAL_179

I have read the letter dated October , 2020 under the signature of signature of
and support the request to the Town of Rothesay **NOT** to rezone the vacant
property as noted to R4 – High Density Residential.

NAME (Print)	SIGNATURE	ADDRESS + EMAIL
		16 Capri Ave.
		16 Capri Ave
		26 Monaco Drive
		26 MONACO DR
		13 Corrigan Way
		25 " "
		2 Aris Court
		82 Longwood Drive
		38 Monaco Dr
		38 Monaco Dr.
		4 Aspen Dr.
		1 Aspen Drive

I have read the letter dated October 20, 2020 under the signature of signature of
and support the request to the Town of Rothesay **NOT** to rezone the vacant
property as noted to R4 – High Density Residential.

NAME (Print)	SIGNATURE	ADDRESS + EMAIL
		13 Monaco Ave. Rothesay
		14 Monaco Drive, Rothesay
		15 Monaco Drive, Rothesay
		11 Monaco Dr. Rothesay
		44 Monaco Dr. Rothesay
		9 Monaco Dr
		9 Monaco Dr.
		7 Monaco Drive
		18 Glenwood Dr
		21 Carriage Way
		26 Carriage Way
		32 Carriage Way
		36 Carriage way.
		35 Carriage Way
		33 Carriage Way
		18 Carriage Way
		16 Carriage Way

2021 January 11 Open Session FINAL_181

I have read the letter dated October , 2020 under the signature of signature of
and support the request to the Town of Rothesay **NOT** to rezone the vacant
property as noted to R4 – High Density Residential.

NAME (Print)	SIGNATURE	ADDRESS + EMAIL
		36 Bel Air Ave Rothesay
		44 Bel-Air
		28 Bel-Air Ave Rothesay
		27 Bel-Air
		27 Bel-Air
		42 BEL-AIR,
		42 Bel-Air
		66 Bel Air
		10 Monaco Dr
		71 Bel Air Ave
		71 Bel Air Ave
		"
		27 Greenwood Dr
		30 Greenwood Dr
		25 Greenwood Dr
		21 Hughes Cres

Susan McNulty

From:
Sent: October 14, 2020 4:02 PM
To: Rothesay Info
Subject: 2020-2030 development plan

Town Council,

Please count me as one of the many that strongly disagree with the development between Grove and Renshaw. This development would be taking away from something the town should be trying to protecting. A large green space in the heart of the town!

“Bulldoze paradise and Put up a parking lot”

Sent from my iPhone

Mary Jane Banks

From:
Sent: October 7, 2020 1:35 PM
To: Mary Jane Banks
Subject: Air BnB's

Hi Mary Jane,

I saw Council's decision to not allow short term rentals such as Air BnB's in Rothesay and I totally agree. We don't have enough affordable housing, especially for seniors who would like to downsize and stay in the community. It takes housing options off the table for a number of residents, those who want to stay and those who would like to move to Rothesay. So, thumbs up to the Council for voting no on this issue.

Rothesay.

Sent from my iPad

Susan McNulty

From:
Sent: October 3, 2020 10:23 AM
To: Rothesay Info
Subject: DRAFT Municipal Plan - Comments

A few years ago, I asked a councillor if Rothesay had a brand or tag line and was told at that point we did not. I think everyone would recognize Hampton's as "It's in our Nature." In reading the initial DRAFT of the current plan, it seems that Rothesay's unofficial tag line is "Not wanted in Rothesay....."

My overall reaction to the plan is that it seems like an elitist, exclusionary plan. The plan wants to limit "modular" and "mobile" homes. What exactly does that mean? Many years ago, you could order a house from Sears. Is that a modular home? One house in our neighborhood is actually an early modular home. So would that not be allowed?

I also take exception to the "aesthetically pleasing and attractive" comments in the plans due to its subjectivity. For example, I think that the parking lot at the Grove Cafe is not pleasing and attractive, but obviously others must differ as the development was approved by the Town of Rothesay.

I recognize the efforts that go into developing and publishing a plan, but in this case, I think a major reset is required.

Susan McNulty

From:
Sent: September 22, 2020 9:56 AM
To: Rothesay Info
Subject: Town Plan

Good morning,

Could let you me know if my understanding is correct of the following:

1. The Proposed Town Plan will be presented on Monday September 28th via youtube.
2. As it is on youtube, it will not be an interactive meeting
3. The current procedure to comment is in writing.

Also, I have a few additional questions....

---Will there ever be a public forum on the proposed town plan before it is voted on?

---How are we letting the residents know this is happening? I know it is on the website, but do enough town residents review the website to know what is going on?

--- How will we be able to take part in the meetings for the second and third reading?

Many thanks,

120 Appleby Dr, Rothesay, NB E2H 2N9

31 Anna Ave.
Rothesay, NB
E2S 1A2

September 1, 2020

Rothesay Mayor and Council
70 Hampton Road
Rothesay, NB
E2E 5L5

To Whom this May Concern:

I am writing in regards to the Policy R-3 in the 2020 Draft Municipal Plan, prohibiting short term rentals and as a host for AirB&B, I am very concerned. If this were to pass, it is an understatement to say it will have a negative impact on my livelihood, therefore, I am looking for your support in removing this Policy.

I have been a resident of Rothesay for over 40 years. The summer of 2016 I became a host for AirB&B. I have hosted over 600 families from as far away as Africa, Australia, Romania, England, and China, to name only a few. I have hosted guests visiting family in the Rothesay area, parents here for the enrollment of their children to Rothesay Netherwood School, employees of Irving companies needed to work in the area, people looking for a short get away and families waiting on the completion of construction of their new homes. Many guests return every year because they enjoy the quiet setting and want to stay somewhere that feels like a home and more affordable than a hotel. I have worked very hard and have been dedicated to this business and as a result, I have established a very high rating within AirB&B. The return guests and the increase in my business each year supports the demand for short term rentals in the Rothesay area.

I am not clear how or why this policy is in the draft. It has been suggested there were concerns raised on neighborhood stability, nuisance, noise, housing availability and affordability but nothing concrete as to why there is a need for such a policy.

AirB&B is very good for our community. It allows someone such as myself to keep my home and continuously make improvements, increasing my property value. The improvements to my home support the community as the majority of my purchases are done here in Rothesay. AirB&B guests are also contributing to the economy as customers to the local businesses and restaurants.

In closing, I'd like to say that AirB&B has been around for over 13 years and is a billion-dollar industry. They did not accomplish this by allowing people to host in run down houses and neighborhoods. Hosts of AirB&B do this as a source of income. I, like many, live in my home and rent spaces within my home. I am the same as any resident of Rothesay and would not stand for what has been suggested as concerns to the community. I have a great sense of pride in my home and the community (in which I live). It is interesting to note recently in the Telegraph-Journal, there were two articles about short term rentals. One, the headline was "Saint Andrews aims to ease short-term rental process" and the headline for other was "ROTHESAY PROPOSES BANNING AIRBNBS, SHORT-TERM RENTALS." Saint Andrews is a small town that has embraced AirB&B. It has been a positive thing for the town and their economy. I believe this can also be said about Rothesay if given the chance.

Yours truly,



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
January 11, 2021

TO: John Jarvie, Town Manager

SUBMITTED BY:

Brian L. White, Director of Planning and Development Services

DATE: Tuesday, January-05-21

SUBJECT: Assent for Public Street - Parcel Acquisition 30 Fox Farm Road

RECOMMENDATION:

Rothesay Council HEREBY Assents to the plan of subdivision prepared by land surveyors Kierstead Quigley and Roberts Ltd. labelled as the Anderson Subdivision (Drawing No. 3965) to create a parcel "PS-1" to be vested as a public street in Rothesay in accordance with the Community Planning Act.

BACKGROUND:

The Director of Operations has identified the need for land acquisition from 30 Fox Farm Road (PID 00233643) to create additional public street right-of-way at the intersection of First Street and Fox Farm Road.

The First Street Right-of-Way includes a significant elevation change along its western border. The paved road portion of First Street currently exists, approximately, in the centre of the 20m wide right-of-way, which places the west side of the street at the top edge of that elevation change/embankment.

The embankment has become unstable overtime and acquisition of this small parcel of land (14 square meters – 150 square feet) will allow the Town to shift the street to the eastern border, away from the unstable embankment, and still maintain reasonable geometry at the intersection with Fox Farm Road.

The landowner of 30 Fox Farm Road has provided the land gratis and Town Staff have done some minor property landscaping in the area of the parcel in consideration of their generosity.



Figure 1 - Corner of 30 Fox Farm Road and First Street

ATTACHMENTS:

Attachment A	MAP Property Location 30 Fox Farm Road
Attachment B	Anderson Subdivision (Drawing No. 3965)

30 Fox Farm Road



1/5/2021, 12:42:05 PM

 Rothesay Boundary

Civic Address

 Property

