



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

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### **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 12<sup>th</sup>, 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 8<sup>th</sup>, 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>B. Tuesday February 2, 2021</b>                               | <b>Public Hearing of Objections</b>  |
| C. Monday February 8, 2021<br>(optional 1 <sup>st</sup> Reading) | Council Meeting (Debate and Direction to Staff) or   |
| D. Monday March 8, 2021  | Council Meeting (proposed 2 <sup>nd</sup> Reading and may<br>provide amendment direction to Staff) |
| E. Monday April 12, 2021   | Council Meeting (proposed 3 <sup>rd</sup> Reading and<br>Enactment)                                |
| <b>F. Monday May 10, 2021</b>                                    | <b>NB Municipal Elections</b>  |

#### **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
					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

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

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## 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 2018<sup>1</sup>, the Province of Nova Scotia Working Group on Short-Term Rentals

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

issued a report in 2018<sup>2</sup>, and viewpoint Cloud issued *A Very Comprehensive Guide To Smart Airbnb Regulation for Local Governments*.<sup>3</sup>

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

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

<sup>3</sup><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

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**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

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**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 recommend looking 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

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**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](mailto:maynard@chba.ca) | [chba.ca](http://chba.ca)



Canadian  
Home Builders'  
Association



Association canadienne  
des constructeurs  
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Mayor Dr. Nancy Grant  
Rothesay, New Brunswick  
c/o Mary Jane Banks, Town Clerk  
[Rothesay@rothesay.ca](mailto: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:

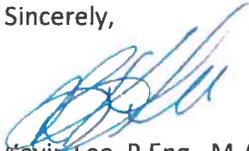
- R1: Affordable Housing
- R2: Age-friendly Housing
- R4: Secondary Suites
- R5: Secondary Units and Garden Units
- R12: Sustainable Design

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](mailto:kathleen.maynard@chba.ca).

Sincerely,



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

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

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**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

[rick.turner@hughessurveys.com](mailto:rick.turner@hughessurveys.com)

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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

Rothestay 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. Rothestay 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 Rothestay. 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 Rothestay 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 Rothestay's Municipal Plan Review 2020-2030.

Sincerely,

69 Scovil Road

Rothesay, N.B. E2H 1S1

November 27, 2020



Mary Jane Banks

Town Clerk

70 Hampton Road

Rothesay, 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 Rothesay 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](http://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**

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**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 incorporate 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 26<sup>th</sup> 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

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

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**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.

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

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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 our 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

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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

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

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**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](mailto: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

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

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**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.

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

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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

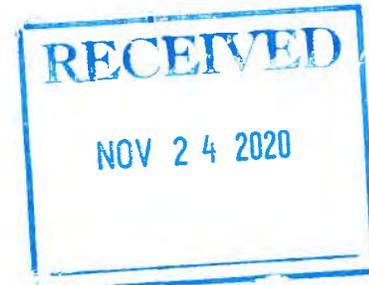
only be in circumstances where the actual owner of the property is physically resident in the building throughout the rental.

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

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**From:**  
**Sent:** November 12, 2020 5:47 PM  
**To:** Nancy Grant; Miriam Wells; Peter Lewis; Don Shea; Bill McGuire; Tiffany Mackay French; Grant Brenan  
**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 Rothesay 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, Rothesay 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 Rothesay.

### 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 Rothesay. 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 resources; 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 Rothesay 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.

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

This essay is primarily a residential community plan for 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 the plan 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

The 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.

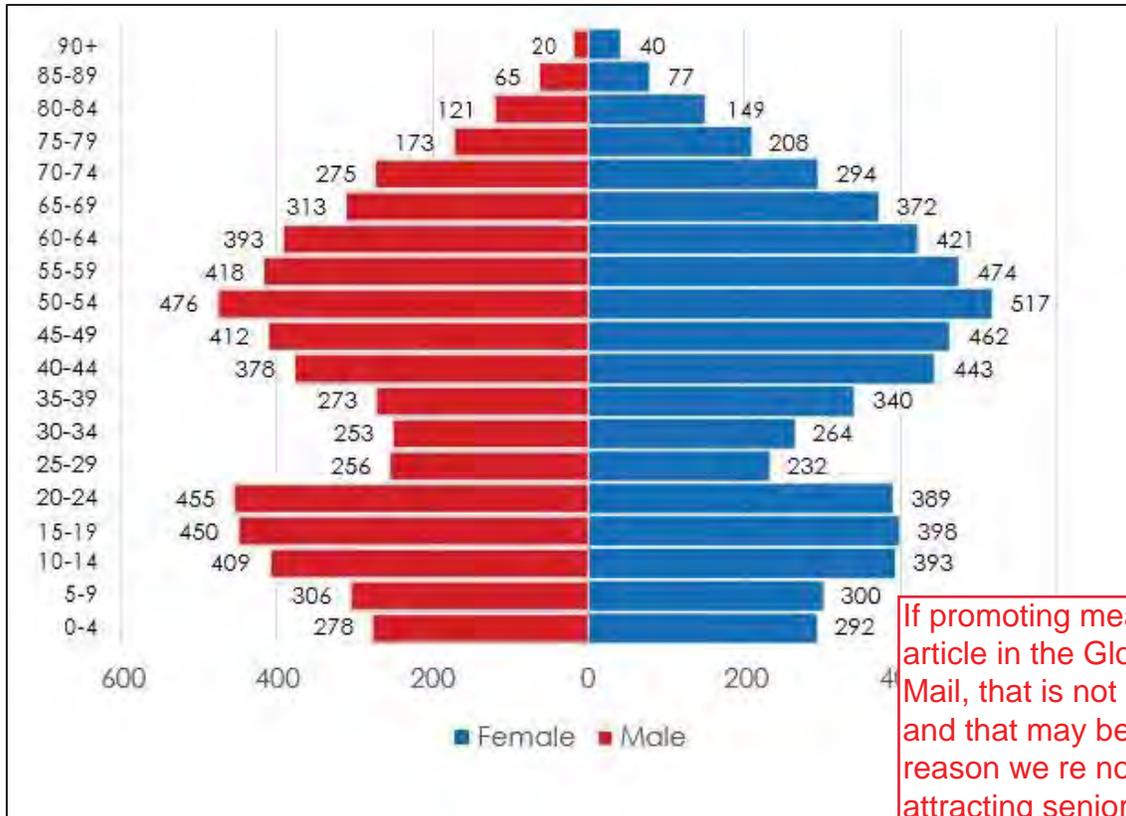


Figure 3 - Population Pyramid Female VS Male (2016 Census) - Source: Heseltine, J. (2018). Town of Rothesay Housing Projections.

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 subdivision 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:**

*Rothesay 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 Rothesay. 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, Rothesay 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.

*Rothesay was originally established as a seasonal cottage community for those looking to escape the rapidly industrializing City of Saint John. Since that time Rothesay 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 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.

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 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.

*Rothesay'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 Rothesay.*

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 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 Rothesay.

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.

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.

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.

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?

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.

*Rothesay is known for its quality neighbourhoods, the character of our neighbourhoods has, too many residential forms 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.*

*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 Rothesay. 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 Rothesay 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 Rothesay 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. Rothesay 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 Rothesay. 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. Rothesay'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 Designation:

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 dominant 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?

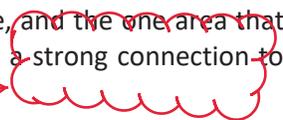
## Traditional Area Designation

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**

Rothesay’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 Rothesay 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 Rothesay where there are steep slopes as the Steep Slopes Overlay Zone.

**Policy ESA-2**

**Steep Slopes**

Limit within the Steep Slopes Overlay Zone a range of parks and

In section 5.2.1 of the 2010 Municipal plan it states the following: *Many of the residential areas of Rothesay 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?

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.*

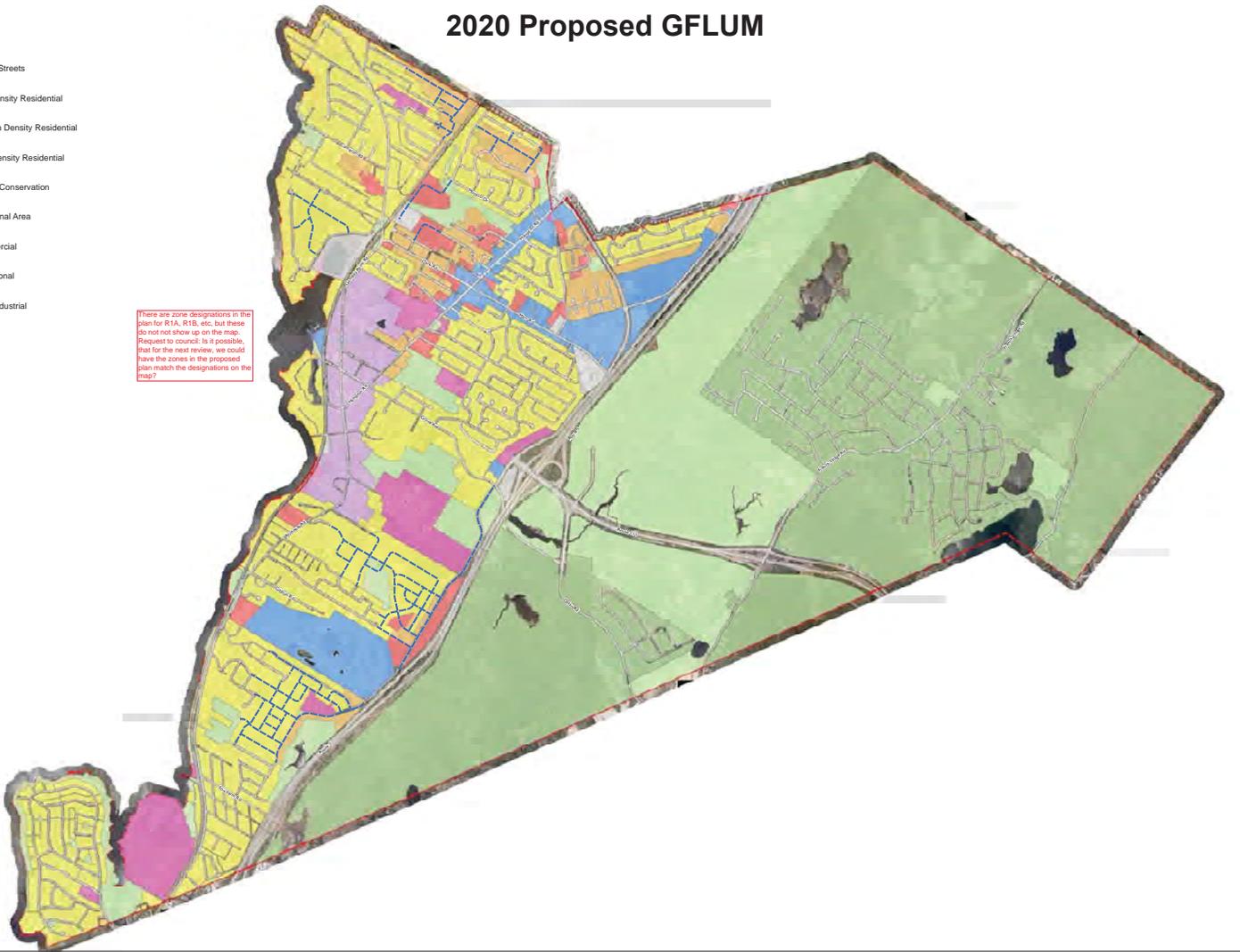
Policy CP-2  
 Hauling

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 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

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

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

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**From:** Miriam Wells <[MiriamWells@rothesay.ca](mailto:MiriamWells@rothesay.ca)>  
**Sent:** November 12, 2020 11:48 AM  
**To:** John Jarvie <[JohnJarvie@rothesay.ca](mailto:JohnJarvie@rothesay.ca)>; Brian White <[BrianWhite@rothesay.ca](mailto: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](mailto:MiriamWells@rothesay.ca)

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

Dear Mayor and Council,

Regarding the review of the proposed 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,

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**From:**

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

**To:** [nancygrant@rothesay.ca](mailto:nancygrant@rothesay.ca) <nancygrant@rothesay.ca>; [mattalexander@rothesay.ca](mailto:mattalexander@rothesay.ca) <mattalexander@rothesay.ca>; [miriamwells@rothesay.ca](mailto:miriamwells@rothesay.ca) <miriamwells@rothesay.ca>; [tiffanymackayfrench@rothesay.ca](mailto:tiffanymackayfrench@rothesay.ca) <tiffanymackayfrench@rothesay.ca>; [billmcguire@rothesay.ca](mailto:billmcguire@rothesay.ca) <billmcguire@rothesay.ca>; [peterlewis@rothesay.ca](mailto:peterlewis@rothesay.ca) <peterlewis@rothesay.ca>; [donshea@rothesay.ca](mailto:donshea@rothesay.ca) <donshea@rothesay.ca>; [grantbrenan@rothesay.ca](mailto: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

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**From:**

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

**To:** [nancygrant@rothesay.ca](mailto:nancygrant@rothesay.ca) <nancygrant@rothesay.ca>; [mattalexander@rothesay.ca](mailto:mattalexander@rothesay.ca) <mattalexander@rothesay.ca>; [miriamwells@rothesay.ca](mailto:miriamwells@rothesay.ca) <miriamwells@rothesay.ca>; [tiffanymackayfrench@rothesay.ca](mailto:tiffanymackayfrench@rothesay.ca) <tiffanymackayfrench@rothesay.ca>; [billmcguire@rothesay.ca](mailto:billmcguire@rothesay.ca) <billmcguire@rothesay.ca>; [peterlewis@rothesay.ca](mailto:peterlewis@rothesay.ca) <peterlewis@rothesay.ca>; [donshea@rothesay.ca](mailto:donshea@rothesay.ca) <donshea@rothesay.ca>; [grantbrenan@rothesay.ca](mailto:grantbrenan@rothesay.ca) <grantbrenan@rothesay.ca>

**Subject:** Review of The Municipal Plan

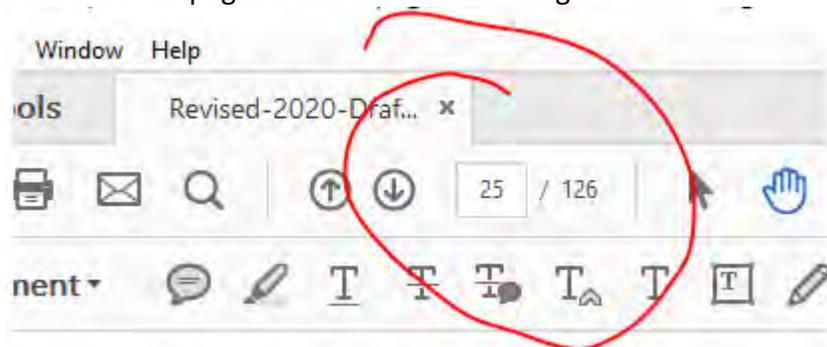
Dear Mayor and Council,

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

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**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 Brenan <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

Rothesay 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

Bob McLaughlin

President

The Riverside Country Club

CC. The Riverside Country Club Membership

## Susan McNulty

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**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

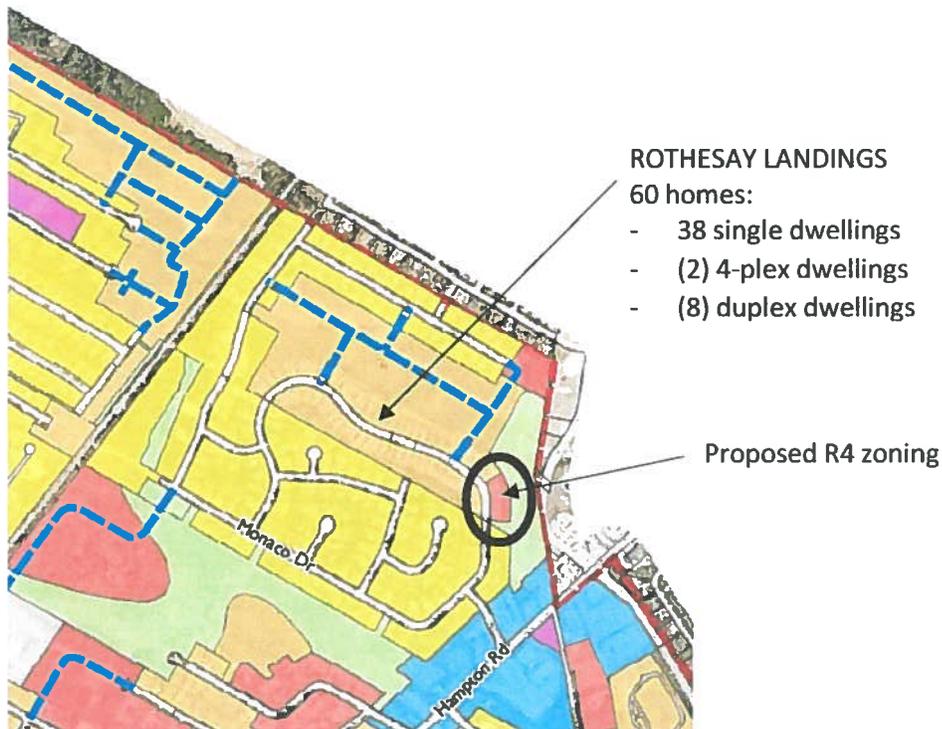


Mary Jane Bank, Town Clerk  
Town of Rothesay  
70 Hampton Road  
Rothesay NB E2E 5L5

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.B.
		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.

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 Av, Rothesay
		52 Bel-Air Rothesay
		61 Bel-Air Rothesay

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

f

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

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 Carriage Way
		25 " "
		2 Aspen Court
		82 Longwood Drive
		38 Monaco Dr
		38 Monaco Dr.
		4 Aspen Dr.
		1 Aspen Drive

I have read the letter dated October 10, 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

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

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**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

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**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

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**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

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**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,