



ROTHESAY
COUNCIL MEETING
Town Hall Common Room
Monday, August 8, 2022
7:00 p.m.



Public access to the livestream will be available online:

<https://www.youtube.com/user/RothesayNB>

Rothesay Land Acknowledgement

Deputy Mayor Alexander

1. APPROVAL OF AGENDA

2. APPROVAL OF MINUTES Regular Meeting 11 July 2022

➤ **Business Arising from Minutes**

3. OPENING REMARKS OF COUNCIL

3.1 Declaration of Conflict of Interest

4. DELEGATIONS

4.1 The Power of the Individual to Effect Change Meghan Barton (*see Items 7.2 and 9.1.1*)

4.2 Woodland Avenue Brett Taylor (*see Item 9.1.2*)

4.2.1 4 August 2022 Memorandum from Town Clerk

4.2.2 Presentation Brett Taylor

4.3 Rothesay Hills (Higginson Avenue subdivision) Stephen Maltby (*see Item 7.4*)

4.4 Higginson Avenue Subdivision Tom Mueller (*see Item 7.4*)

4.5 Higginson Avenue Subdivision Catherine Chiasson (*see Item 7.4*)

5. CORRESPONDENCE FOR ACTION

5.1.1 11 July 2022 Email from resident RE: Hampton Road and Church Lane Upgrades

5.1.2 11 July 2022 Letter from resident RE: Traffic Signals at Grove Avenue/Hampton Road

Refer to the Works and Utilities Committee

6. CORRESPONDENCE - FOR INFORMATION

6.1.1 13 July 2022 Thank you from the Saint John Regional Hospital Foundation (SJRHF) RE: Donation

6.1.2 15 July 2022 Thank you card from SJRHF RE: Robotics reception

7. REPORTS

7.0 August 2022 Report from Closed Session

7.1 30 May 2022 Fundy Regional Service Commission (FRSC) meeting minutes

7.2 30 June 2022 Draft unaudited Rothesay General Fund Financial Statements

30 June 2022 Draft unaudited Rothesay Utility Fund Financial Statements

30 June 2022 Donation Summary

21 July 2022 Draft Finance Committee meeting minutes

➤ Rothesay High School Art Installation Project

➤ KV Oasis

- 7.3 20 July 2022 Draft Works and Utilities Committee meeting minutes
- 7.4 2 August 2022 Draft Planning Advisory Committee meeting minutes
 - Higginson Avenue subdivision agreement (PID 00239632)
- 7.5 July 2022 Monthly Building Permit Report
- 7.6 4 August 2022 Capital Projects Summary

8. UNFINISHED BUSINESS

TABLED ITEMS

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

8.2 Strong Court Sidewalk – Anglophone South School District (Tabled April 2021)
No action at this time

8.3 Rothesay Arena Open House (Tabled September 2021)
No action at this time

8.4 Private Lanes Policy (Tabled July 2022)
No action at this time

8.5 Highland Avenue/Hillcrest Drive (Tabled May 2022) **Remove from table**
3 August 2022 Report prepared by DPDS White
DRAFT By-law 2-10-31

8.6 Municipal Services Easement Release – Park Drive Lot 36-J (PID# 30094262)
5 August 2022 Memorandum from Town Clerk Banks
3 August 2022 Letter from Kennebecasis Park Limited with attachments

9. NEW BUSINESS

9.1 BUSINESS ARISING FROM DELEGATIONS

9.1.1 The Power of the Individual to Effect Change Presentation
Refer to staff for in-kind support

9.1.2 Woodland Avenue Presentation
Refer to staff

9.2 One-Ton Truck Purchase
28 July 2022 Report prepared by DO McLean

9.3 Circular Materials and Packaging Stewardship Program
5 August 2022 Memorandum from Town Manager Jarvie with attachments

ROTHESAY

Regular Council Meeting
Agenda

2022August8OpenSessionFINAL_003

-3-

8 August 2022

10. NEXT MEETING

Public Hearing

Monday, August 15, 2022 at 7:00 p.m.

Regular meeting

Monday, September 12, 2022 at 7:00 p.m.

11. ADJOURNMENT



- Media Coverage of our Project

- CBC TV Coverage
<https://www.cbc.ca/player/play/2044464195613>
(2min)
- The story was shared by National Outlet, CBC Indigenous

June 17, 2022

The Power of the Individual to Effect Change

Last year

Bonnie Hill and Heidi Stoddart applied for an ArtsSmarts grant to help with educating the school and our community on issues of First Nations Education & 'Every Child. Matters' as well as Environmental impact of cardboard waste. The QMS project included the town of Quispamsis and the Q plex, which helped ensure the project could be viewed by the community and had a larger impact.

September 30th, 2022

The Power of the Individual to Effect Change

This year

Artist Bonny Hill has applied for an NB arts creation grant. We are determined to launch phase two of this project even if this grant is not awarded. Phase two being a portrait of Minda's sister Joanne installed on the front lawn of Rothesay High School, with a day long, school wide focus on educating our students on ReconcilACTION. Since the cardboard is cut, and the tiles are already counted and organized at the school, we are determined to make sure it is launched September 30th.

Currently, the Truth & Reconciliation Commission (TRC) call to action #80 (Establish a National day of Truth and Reconciliation as a statutory Holiday) is taking shape across the country and in NB. Currently, our students are with us on the 30th and we would like to use the day to educate. We would like support spreading the word about our School Installation and educate our community with a focus on the 60's Scoop.

We are looking for the Town of Rothesay to help support us:

- **Make the project as accessible as possible.** This could include live feed on the town web page or social media account. Help us plan to make sure all members of the community are not only aware of the project but can feel welcome accessing it and viewing it.

This may include possible seating options portable benches. We know after our first installation that the piece does not need to be viewed from above to have an impact. As soon as the first eye takes shape the piece starts to resonate with people, but for any older viewers who is interested in watching the piece take shape some seats would be beneficial.

- **Have a representative at our ceremony.** The Ceremony will be in the evening of the 30th, at the school possibly in the cafeteria as there is a stage. It would be nice to have a member of the Town of Rothesay Council speak at the ceremony that evening if there is someone willing.
- We thought we may need support with filming, but as of July 17 we have now found a volunteer videographer, Brian Finlay from [Drawntoitproductions](http://Drawntoitproductions.com), whose son goes to RHS, and he is willing to help document this work, which means we will not longer require help with that service. ([Drawn To It Studios Inc \(dtistudios.ca\)](http://Drawn To It Studios Inc (dtistudios.ca))).
- We will have a Documentary ready to share by Creative Rise Marketing. If there is a way that the town of Rothesay could share this video bringing attention to the work that would be helpful in raising awareness.
- **The main cost of this installation is paying Joanne for her time.** We would like to pay her 1 or 1.5 days at a rate of \$400 per day plus cost of gas to join our students a week before the installation, (.5) day to talk to the students about her experience. Then we would like to pay her for another full day do join us for the second half of the installation day and ceremony on the 30th to witness her installation and speak at the ceremony. If the town of Rothesay has room in their budget for some of these costs that would help this project greatly. (I have completed a grant with the Town of Rothesay).

2022August8OpenSessionFINAL_016

Close up of Minda Installation June 17, 2022

Contemporary Artist Bonny Hill

(Click on link to visit Bonny's site)



An example of the scope of Bonny Hill's past art projects with students...

“The Great Big Water Bottle Project”

With Bonny Hill; 2014

Sussex Regional High School



[Click here for Youtube video](#)





1. Reconciliation through Education: Take Steps to Address the Mistreatment of Indigenous Children in Canada #62 Develop and Fund Indigenous Content in Education

The Sixties Scoop was a period in which a series of policies were enacted in Canada that enabled child welfare authorities to take, or "scoop up", First Nations children from their families and communities for placement in foster homes, from which they would be adopted by Euro-Canadian families.

Information retrieved September 8, 2021, from https://en.wikipedia.org/wiki/Sixties_Scoop and https://indigenousfoundations.arts.ubc.ca/sixties_scoop/

60's Scoop statistics.

2022August8OpenSessionFINAL_020

Walking Together: First Nations, Métis and Inuit Perspectives in Curriculum Indigenous Pedagogy- Government of Alberta

- Children in care In 1959, only one percent of children in care of Social Services were of Aboriginal ancestry. By the end of the 1960s, 30 to 40 percent of children in care were Aboriginal, even though they only constituted four percent of Canada's population. In what is called the —Sixties Scoop|| (which continued into the 1980s), these children were fostered or adopted out to predominantly white families. Many times, culturally valued ways of raising children were misinterpreted by social workers and this resulted in apprehension of the children. Often moved from home to home, children in foster care suffered great losses, including loss of birth names and tribal identity, cultural identity and, for First Nations children, loss of Indian status (Fournier and Crey 1997).
- http://www.learnalberta.ca/content/aswt/indigenous_pedagogy/documents/worldviews_aboriginal_culture.pdf

Develop and fund Aboriginal content in education

“SUMMARY:

Currently, all provinces and territories include the history of residential schools in their curriculum, but not all of it is mandatory, and some provinces are now scaling back on their commitments to Indigenous content.”

“THE CALL TO ACTION:

We call upon the federal, provincial and territorial governments, in consultation and collaboration with Survivors, Aboriginal Peoples and educators to:

- i) Make age-appropriate curriculum on residential schools, Treaties and Aboriginal peoples’ historical and contemporary contributions to Canada, a mandatory education requirement for Kindergarten to Grade 12 students.*
- ii) Provide the necessary funding to post-secondary institutions to educate teachers on how to integrate Indigenous knowledge and teaching methods into classrooms.*
- iii) Provide the necessary funding to Aboriginal schools to utilize Indigenous knowledge and teaching methods in classrooms.*
- iv) Establish senior-level positions in government, at the assistant deputy minister level or higher, dedicated to Aboriginal content in education.”*

Last updated: June 28, 2022

There is a lot of
work to be done

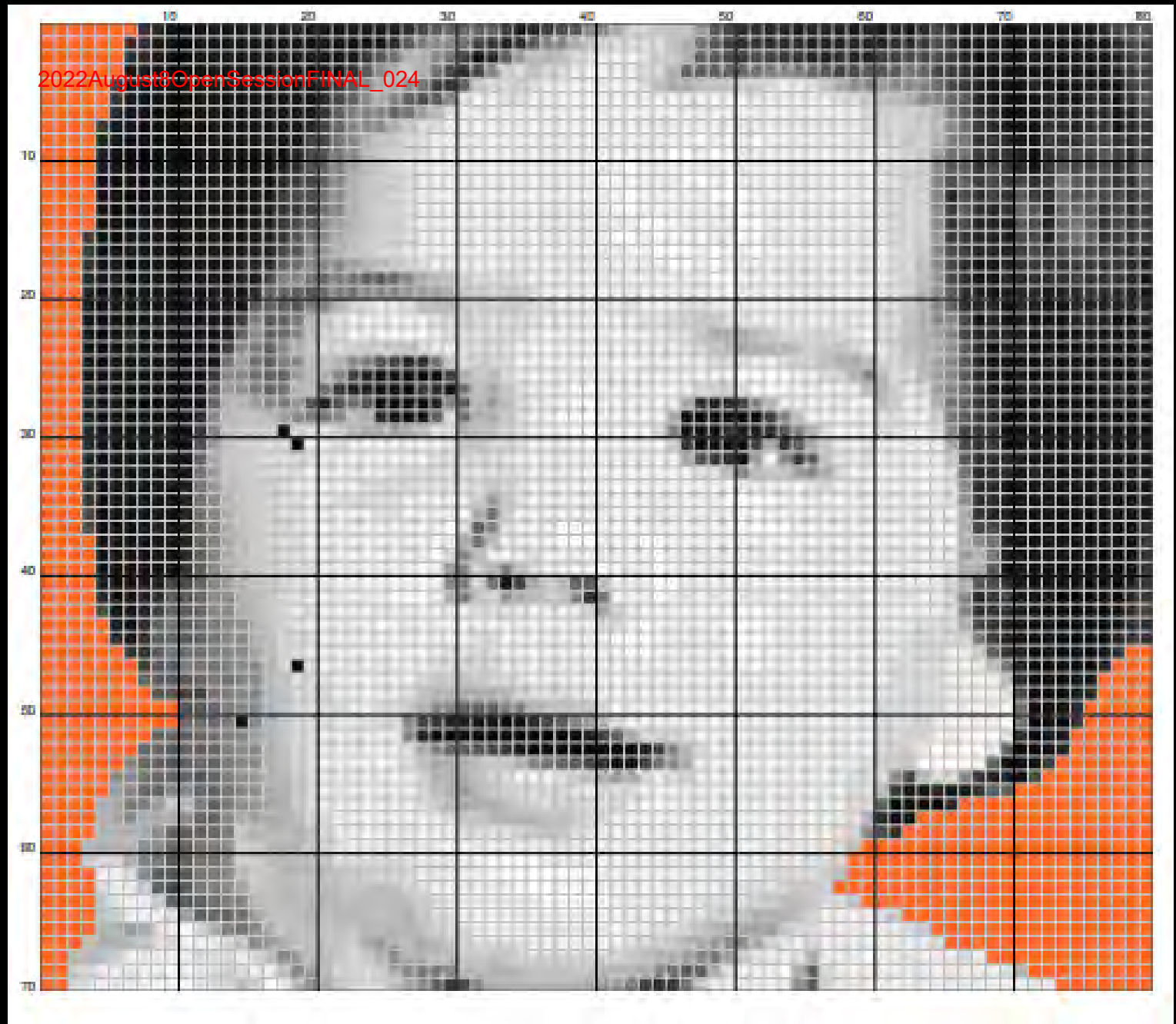


2. Environmental Impact of Waste

Draw awareness to issue of cardboard waste in an age of increased home delivery/packageing.

Joanne Munroe & Pixelated Photograph

- This installation will be roughly 9000 tiles rather than 15,000 as we are making it an outdoor piece, the front field of RHS.
- The cardboard tiles will be pierced with a wooden pick to stay in place for the day.
- Installation will be taken down that evening.





ROTHESAY

MEMORANDUM



TO	:	Mayor and Council
FROM	:	Town Clerk Mary Jane Banks
DATE	:	4 August 2022
RE	:	Woodland Avenue – Brett Taylor Presentation

Background:

Mr. Taylor has requested to appear before Council to request reconsideration of a Council decision that was made at the June 13, 2022 Council meeting, which falls within the three month time period outlined in the Rothesay Procedural By-law. A vote of Council is required to approve the request from Mr. Taylor to present to Council.

Section 87 of Procedural By-law 2-14 reads as follows:

*Notwithstanding Section 33, no by-law, question, motion or matter that has been disposed of by a vote shall be introduced for reconsideration prior to the expiration of three (3) months from the disposal thereof without a two-thirds (2/3) **majority vote of the whole Council** (emphasis added).*

June 13, 2022 Motion of Council:

- (95) Hampton Road/Woodland Avenue

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council approve, in principle, Option 2 as follows: extending Woodland Avenue past the proposed site and constructing a single, curbed, cul-de-sac (near Hampton Road), with a restricted access point – in the public road right-of-way adjacent to 93 Hampton Road – for emergency responders, with access restricted through retractable bollards controlled by the Kennebecasis Valley Fire Department's (KVFD) Opticom Emergency Vehicle Preemption (EVP) system.

ON THE QUESTION:

Mayor Grant clarified approval is in *principle*; a detailed design is required. In response to an inquiry, DPDS White advised the developer attended the Works and Utilities Committee meeting, and is in attendance tonight. DO McLean added, subsequent to the meeting, he met with the developer to discuss the mechanics of the proposal.

CARRIED.

ROTHESAY

TO: Rothesay Council

FROM: Town Clerk Banks 2022August8OpenSessionFINAL_026

RE: Woodland Ave presentation

-2-

4 August 2022

May 9, 2022 Motion of Council:

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea:

Whereas the remaining undeveloped properties fronting on Woodland Avenue are owned by the Developer only, Council directs staff to work with the Developer such that:

1. ingress/egress to the apartment complex is from Woodland Avenue only;
2. a direct roadway connection between Woodland Avenue and Hampton Road is eliminated from further consideration for this development; and
3. if a sidewalk is constructed from the development to Hampton Road via the Woodland Avenue Road right-of-way that it also includes a connection to the existing end of asphalt of Woodland Avenue.

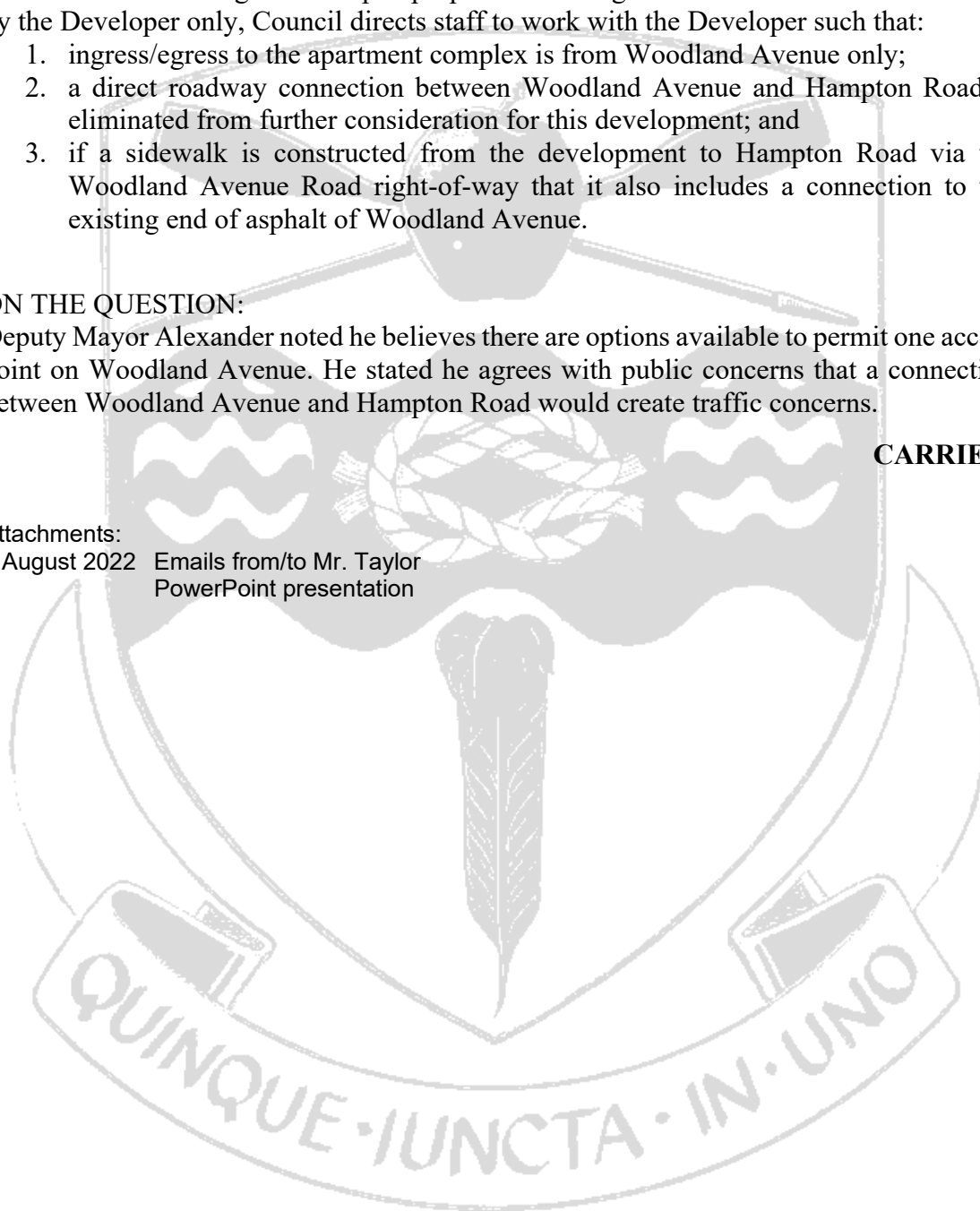
ON THE QUESTION:

Deputy Mayor Alexander noted he believes there are options available to permit one access point on Woodland Avenue. He stated he agrees with public concerns that a connection between Woodland Avenue and Hampton Road would create traffic concerns.

CARRIED.

Attachments:

4 August 2022 Emails from/to Mr. Taylor
PowerPoint presentation



Mary Jane Banks

From: Mary Jane Banks
Sent: August 4, 2022 11:14 AM
To: KV Properties
Cc: John Jarvie
Subject: RE: Woodland Ave presentation

Good morning Mr. Taylor.

This will confirm receipt of your email and presentation.

Further to my email and our subsequent conversation yesterday, the Council decision was made at the June 13th Council meeting and, in accordance with the Procedural By-law, the matter cannot be introduced for reconsideration for three months (September 12 Council meeting), unless there is a vote of Council to do so.

Section 87, By-law 2-14:

Notwithstanding Section 33, no by-law, question, motion or matter that has been disposed of by a vote shall be introduced for reconsideration prior to the expiration of three (3) months from the disposal thereof without a two-thirds (2/3) majority vote of the whole Council.

A vote of Council will be required to approve your request. Council will have the documentation and presentation in advance, should they agree to hear from you. The presentation will be loaded on the Town laptop and there will be a wireless keyboard provided for you to control the presentation. Please note: Presentations are limited to **TEN** minutes, unless extended by Council or on approval by the Mayor.

The Council meeting is scheduled for Monday, August 8, 2022 at 7:00 p.m. at Rothesay Town Hall, 70 Hampton Road. I would offer that you plan to be in attendance for 7:00 p.m. There are a number of presentations scheduled and delegations will be called upon to speak in the order as outlined on the Council agenda (should Council approve your request).

The agenda will be available online by the end of the day on Friday on the Town website at <https://www.rothesay.ca/town-hall/agendas/>.

Mary Jane

Mary Jane E. Banks, BComm, NACLAA II
Town Clerk – Rothesay
Head of the Public Body (RTIPPA)
Director of Administrative Services
70 Hampton Road
Rothesay, NB E2E 5L5

p (506)848-6664

f (506)848-6677

Before printing, please think about the environment. Respectez l'environnement, réfléchissez avant d'imprimer

From: KV Properties <kvpropertiesltd@gmail.com>
Sent: August 4, 2022 9:04 AM
To: Mary Jane Banks <MaryJaneBanks@rothesay.ca>; John Jarvie <JohnJarvie@rothesay.ca>
Subject: Woodland Ave presentation

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

Mary Jane,

Thank you for extending a timeline for me to prepare a presentation for next week's council meeting.

The purpose of my visit to council is to present the current street design and request support for design improvements.

Attached is the ppt presentation and a pdf version of the presentation.

I truly hope this provides the information you need, however, if additional information is required, please call me right away and I will provide what is needed.

Thank you again,

Please confirm receipt of this email.

Brett

Background - Council set a motion at the May meeting for Woodland ave street design requirements. Town staff began the process of designing the street as per the motion created and staff view only one design that meets the motion provided by council. As the developer, I have requested changes to the design but have been informed it is not an option as no other design can meet the prior motion from council. Council is not scheduled to review the design and the only process available for change is through council. The presentation will highlight the current design, unforeseen and undesirable issues related to the design, and a proposal for improving the design.

--

Brett Taylor

KV Properties Ltd.

506.639.6103



Woodland Ave Street Design

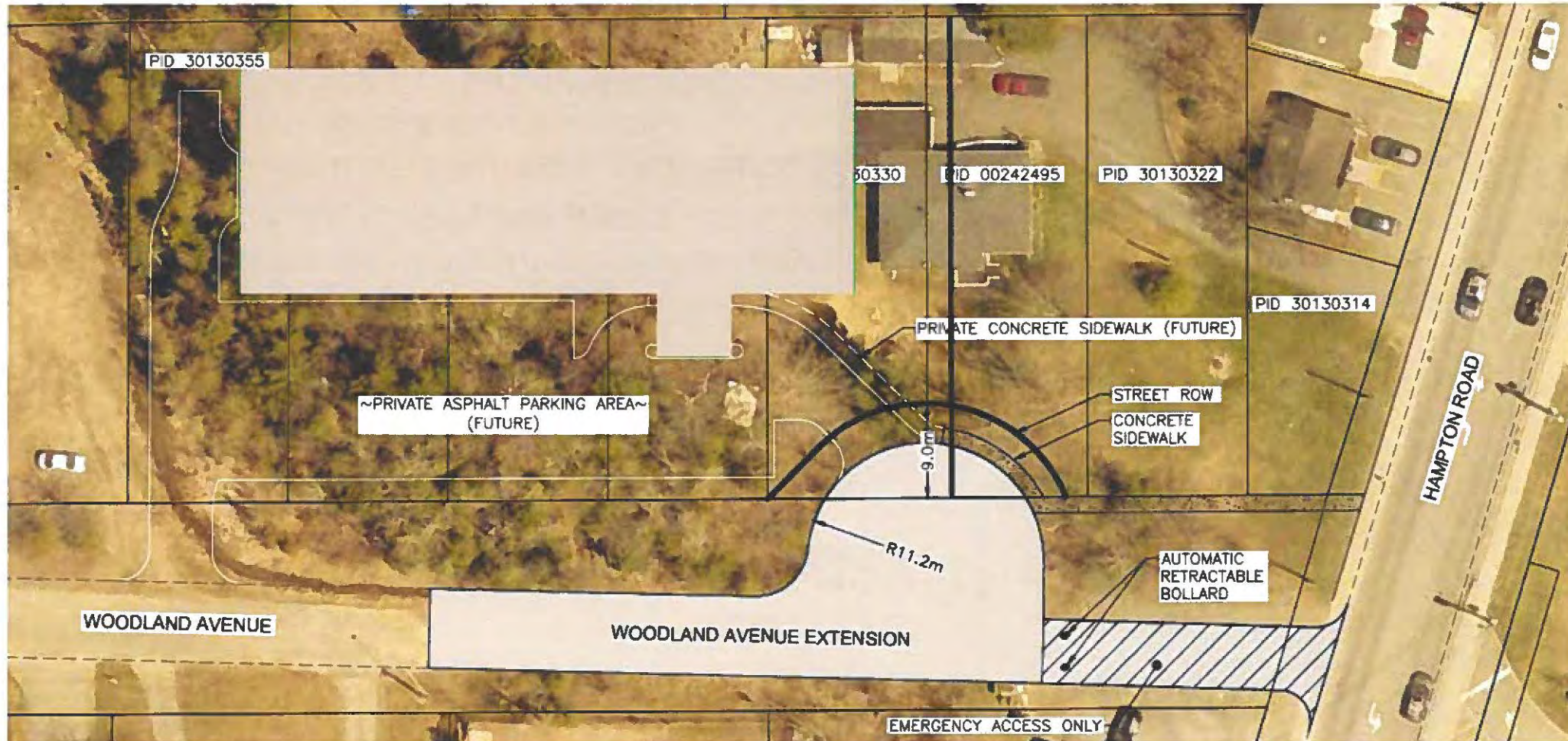
Aug 8th 2022

Current Design, Issues and Opportunity for Improvement


Why am I here?

- The motion made in May's council meeting set in motion the design requirements for Woodland Ave. Although some councillors have indicated publicly that council will be approving the final design, the Woodland Ave design is NOT returning to council for input or approval as no formal motion was made for that to occur.
- My visit today will show the current design, present unforeseen issues in the design and request improvements which I believe are in the best interest of the Town, the developer, emergency services, tenants and Woodland Ave residents.
- I am requesting a motion to allow design improvements

Current design for Woodland Ave



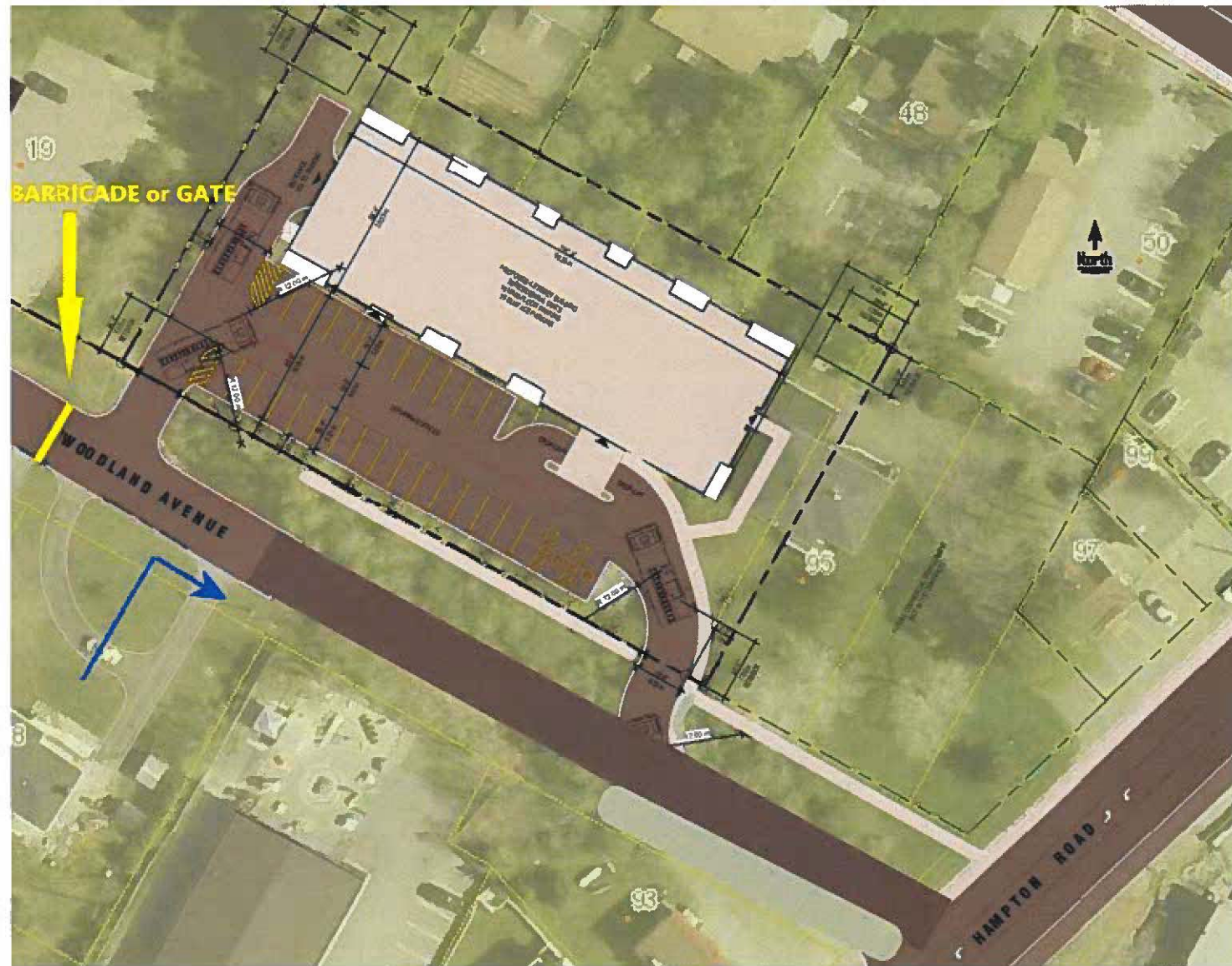
Unforeseen issues in street design

- 
- Impact of bulb design
 - Emergency access limitations
 - Emergency access issues
 - Parking, snow, mechanical failures during emergency
 - Access controls in proposal are designed for high security protection not emergency situations – this is a point of access failure
 - Not currently used by KVFD and not at RNS as previously reported
 - Proposed design does not meet standard engineering protocols for extending a dead end street.
 - Building architecture designed for Hampton road access.
 - New customers will not be able to find this business when they see it.
 - Woodland Ave residents have concerns with current design as per last month's letter

Additional factors to consider

- Englobe traffic study
- EXP traffic study
- Municipal plan

Alternate
design
option






Benefits of Alternate Design Option

- Eliminate bulb encroachment issues on apartment and commercial properties
- Allow unimpeded emergency access to KVFD, Ambulance, and Police
- Eliminate potential mechanical failure of restrictive device during emergency
- Eliminate potential fire lane access issues from parking and snow
- Eliminate issue of Engineering protocols
- Supports the development building design
- Visibility and access from Hampton road. Easy to find and access.
- Meets all Fire Code requirements

Downside

- 
- Constructing this design comes at an added cost to me as the developer
 - Originally only 40 meters of street was proposed in the application to be included in the development agreement
 - This is another cost increase for me, but preserves the tenant access, emergency access, commercial access, architectural interest, and commercial development options. Overall it is a better solution for this development.

Support

This proposed street design change is supported by:

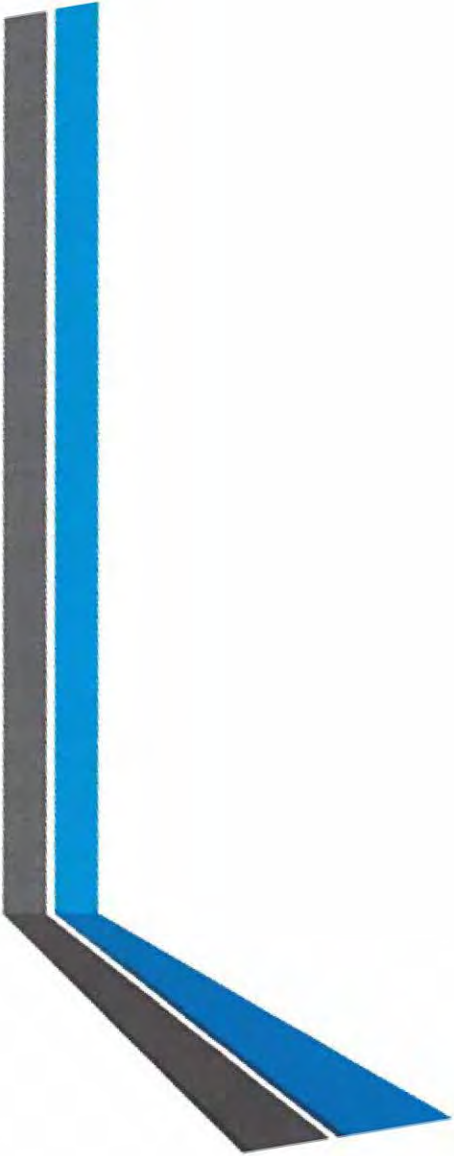
- Developer
- Woodland Ave residents
- Staff's previous recommendations to connect to the Hampton road
- 2 traffic studies
- Municipal plan



Would you consider a new motion?

- To adopt this alternate design option or,
- To allow a direct connection from Woodland Ave to the Hampton road, and eliminate the bulb.

Thank You



Questions?

Stephen Maltby

MR Investments Inc.
16 Arthur Avenue

Who is MR Investments?

- Owners: Stephen Maltby, Tammy Prince, Ashish Rampal
- Residents of Rothesay since 2000 & have 2 daughters
- Ashish currently working in California, moving to Rothesay with family
- Land development
- New construction
- Investment in rental properties

What to Expect

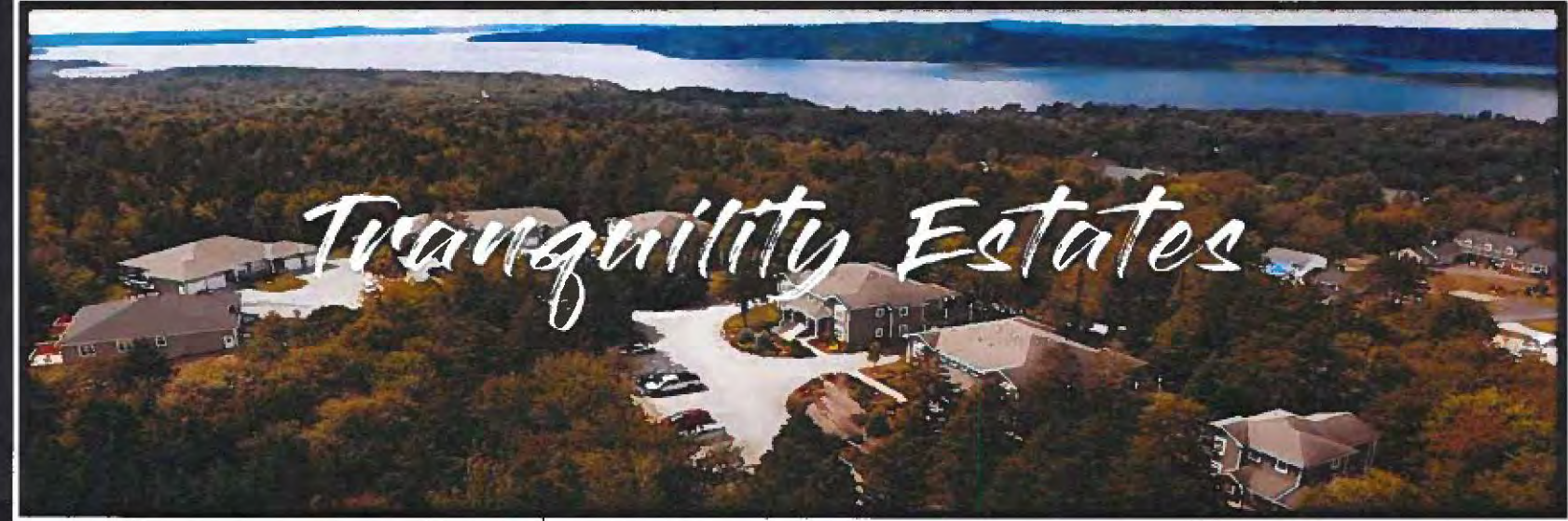
MR Investments Inc.

“We believe vibrant communities are built on a foundation of confident, caring and happy citizens. By providing quality living spaces, MR Investments is committed to helping residents realize maximum comfort in communities where they can live and thrive.”



Example of local development

Quispamsis



Rothesay Hills

Phase 1 of Hillside South

THOROUGH & THOUGHTFUL DEVELOPMENT

Rothesay Town Staff has dedicated several years of time, effort and financial investment into the development of possibly the most comprehensively planned community this town has ever seen = HILLSIDE SECONDARY PLAN

After years of planning, on March 30, 2016, public consultation began at the Bill McGuire Community Center to allow citizens the opportunity to scrutinize and provide feedback on the plan

After 3 years of consultation and feedback, in 2019 the secondary plan was approved and in 2021 the municipal plan was passed

Rothsay Hills

Phase 1 of Hillside South

Citizens voices
were heard and
the plan was
created

THOROUGH & THOUGHTFUL DEVELOPMENT



Rothestay Hills

Phase 1 of Hillside South

Today, I am requesting approval of a subdivision for 14 single family homes on land that has already been thoroughly investigated and approved by town staff, town council and the citizens of Rothestay for HILLSIDE SOUTH PHASE 1 DEVELOPMENT

Rothesay Hills

Phase 1 of Hillside South

The Proposed subdivision, ROTHESAY HILLS:

- ✓ Complies with and is supported by the HILLSIDE SECONDARY PLAN - approved by ROTHESDAY COUNCIL April 2019
- ✓ Complies with and is supported by the MUNICIPAL PLAN (BY-LAW 1-20) enacted April, 2021
- ✓ Is supported and recommended by ROTHESAY TOWN STAFF, current submission
- ✓ No Requests for Re-zoning
- ✓ No Requests for major variances
- ✓ Commitment made for LPP
- ✓ Street name has been vetted by Province

Rothesay Hills

*IMPORTANT NOTE:

- In order to receive these approvals, the proposed land for development has already been highly scrutinized by staff, council and citizens alike.
 - public open house
 - surveys
 - stakeholder meetings
 - council readings
- This process has taken 6 years to get here today

Rothesay Hills

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- ✓ Complies with and is supported by the MUNICIPAL PLAN (BY-LAW 1-20) enacted April, 2021*
- ✓ Is supported and recommended by ROTHESAY TOWN STAFF*, current submission

MR Investments Inc. has submitted a proposal for development on our land EXACTLY as the town staff, council and citizens said they wanted

Rothestay Hills

Phase 1 of Hillside South

Residential Zoning = R1B

Minimum required lot size = 1350 m²

Average lot size proposed = 1775 m²

Maximum # homes allowed = 16

Number of homes proposed = 14

One minor variance = 1284 m²*

* lot 3 due to cul de sac (<5%)

Rothestay Hills

Phase 1 of Hillside South

WHY THIS DEVELOPMENT IS IMPORTANT

Many of us in this country are fortunate to have our own home

- ✓ with healthy drinking water
- ✓ in a safe community

Some are even more fortunate to:

- ✓ live in a safe and beautiful neighborhood
- ✓ have easy access to both nature and the community's amenities

Rothesay Hills

Phase 1 of Hillside South

The proposed development provides all of this plus:

- ✓ it's located in the heart of our community and is a perfect example of a residential neighborhood that supports the Town's proud declaration on its website as *"one of the most attractive living environments in Atlantic Canada"*

WHY THIS DEVELOPMENT IS IMPORTANT



Rothesay Hills

Phase 1 of Hillside South

WHY THIS DEVELOPMENT IS IMPORTANT

IT GOES WITHOUT SAYING THERE IS A SIGNIFICANT
NEED FOR HOUSING

- ✓ Numerous requests to purchase lots - could have sold all 14 lots already
- ✓ Residents are seeking to age in their community - several residents in the same neighborhood are seeking an opportunity to stay in the area but need/want:
 - ✓ one-level living
 - ✓ barrier-free living
 - ✓ build new for the first time

Rothestay Hills

Phase 1 of Hillside South

WHY THIS DEVELOPMENT IS IMPORTANT

- This is only Phase 1 of a prime development area that has the potential to provide the town and its citizens an amazing residential living experience for years to come.
- If this proposal is denied, is the Secondary Plan essentially rendered useless? And therefore, future development halted on 100s of acres of prime real estate?

Rothesay Hills

Phase 1 of Hillside South

CONCERNED CITIZENS FEEDBACK

FIRST AND IMPORTANTLY, I have read, appreciate and respect your concerns:

Dunedin:

- Safety is an obvious concern in every new development and the Town has determined that an additional 14 single family homes pose no safety issues regarding traffic volume
- Heavy construction trucks have successfully travelled this path during the construction of the existing homes in the community as well as during renovations and upgrades on the same streets
- Nonetheless, we are working together with the Town to explore the potential of allowing heavy construction trucks to access the proposed development from above
 - from Grove and using the walking trails

Rothesay Hills

Phase 1 of Hillside South

If the Town believes Dunedin is not safe for dump trucks for this development, does that mean the Town will prohibit dump trucks from using Dunedin at all times?

Will the Town also prohibit vehicles larger than dump trucks from using Dunedin:

- NB Power trucks during power outages?
- Garbage trucks removing household waste weekly?
- Well drilling trucks for well repairs?
- Moving trucks for citizens to move in and out?
- FIRE TRUCKS during emergencies?

CONCERNED CITIZENS FEEDBACK

Rothesay Hills

Phase 1 of Hillside South

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- Garbage trucks removing household waste weekly?
- Well drilling trucks for well repairs?
- Moving trucks for citizens to move in and out?
- FIRE TRUCKS during emergencies?

CONCERNED CITIZENS FEEDBACK

If not, then one can only conclude:

- the proposed development which is in full compliance with the Secondary Plan, Municipal Plan and fully supported by Town Staff is being unfairly treated

Rothsay Hills

Phase 1 of Hillside South

REGARDING SAFETY OF ROADS!!

The best advice we can heed is from the experts:

- Our town engineer, his staff and his team of experts have studied the street and are responsible for its safety to our citizens
- Local traffic engineer expert, Peter Allaby of Englobe was contracted by the Town during the creation of the Secondary Plan - in his expert opinion, he concluded there are no traffic issues with Phase 1 as proposed

Rothestay Hills

Phase 1 of Hillside South

CONCERNED CITIZENS FEEDBACK

Water and Water Run-off:

- As indicated in the Director of Development's submission, Phase 1 of development will connect to the existing water main without any concerns
- Water run-off poses no concerns to existing residences as indicated in submission by engineer Andrew Toole of Don-More Surveys & Engineering Ltd.

Thoughtful Development should be applied:

- This development proposal is fully aligned with the secondary plan and comes only after several years of comprehensive planning

Fears about future development:

- As indicated in the Director of Development's submission, Phase 1 of development has already been approved in the secondary plan AND all subsequent phases will require a collector road and other infrastructure such as a sewage lift station in order to proceed

Rothsay Hills

Phase 1 of Hillside South

Together

- When I read the letters from citizens opposing the submission, I was reminded of what my parents taught me at a young age - “there is no **value** in having enemies”
- Instead, they said “ Figure things out so that everyone can win”
- That is my goal tonight - to demonstrate the **value** of developing this land and working together
- The Hillside Planning Area has so much potential to contribute **value** to the citizens of Rothsay - I want to be a part of it. My goal is to be a good and welcomed neighbor

Liz Hazlett

From: Mary Jane Banks
Sent: Wednesday, August 3, 2022 3:43 PM
To: Liz Hazlett
Subject: FW: New message from Catherine Chiasson

From: Town of Rothesay <rothesay@rothesay.ca>
Sent: August 3, 2022 11:29 AM
To: Rothesay Info <rothesay@rothesay.ca>
Subject: New message from Catherine Chiasson

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

Dear Mayor Grant and Council,
I would like to be placed on the agenda for next week's council meeting. I wish to address the Phase 1 plan of Hillside Area, specifically the dangerous road conditions, possible well contamination and my frustration at having to address these same issues for the 6th time.

Thank you,
Catherine Chiasson
136 Horton Rd
Rothesay, NB

-Catherine Chiasson

-136 Horton Rd

Liz Hazlett

From: Liz Hazlett
Sent: July 12, 2022 10:16 AM
To: Liz Hazlett
Subject: FW: Hampton Road and Church Lane Upgrades

From:
Sent: July 12, 2022 10:05 AM
To: Mary Jane Banks <MaryJaneBanks@rothesay.ca>
Subject: Re: Hampton Road and Church Lane Upgrades

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

Hey Mary Jane,

Yes, please add it to the August 8th Council Agenda.

On Jul 12, 2022, at 08:26, Mary Jane Banks <MaryJaneBanks@rothesay.ca> wrote:

Good morning and thanks for your email, forwarded to me by Deputy Mayor Alexander and Mayor Grant.

Your email was received past the agenda deadline (last Wednesday at noon) and was not added to the agenda. It has, however, been forwarded to the Town Manager and Director of Operations.

Please let me know if you would like it added to the Council agenda for the August 8th meeting.

Thanks again and enjoy your day~

Mary Jane

Mary Jane E. Banks, BComm, NACLAA II
Town Clerk – Rothesay
Head of the Public Body (RTIPPA)
Director of Administrative Services
70 Hampton Road
Rothesay, NB E2E 5L5

p (506)848-6664
f (506)848-6677

Before printing, please think about the environment. Respectez l'environnement, réfléchissez avant d'imprimer

From:

>OpenSessionFINAL_064

Sent: Monday, July 11, 2022 11:39:57 AM

To: Matthew Alexander <MatthewAlexander@rothesay.ca>

Cc: Nancy Grant <NancyGrant@rothesay.ca>; Tiffany Mackay French <TiffanyMackayFrench@rothesay.ca>; Bill McGuire <BillMcGuire@rothesay.ca>; Dave Brown <davebrown@rothesay.ca>; Helen Boyle <helenboyle@rothesay.ca>

Subject: Hampton Road and Church Lane Upgrades

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

Hey Matt,

I would appreciate you forwarding this email to Mary Jane Banks so that it can get on the council agenda. I could not easily locate her email on the Town website so I guessed at it!

With the installation of the traffic lights, there could be, initially, increased traffic on Almon Lane. I am sure the expectation is that once everyone becomes familiar with the lights and their operation, they may not use Almon Lane as a short cut because it will be "easier" to cross over Hampton Road at Church Ave.

However, my concern is just after installation of the lights and at the start of the school year as this may be a period of increased traffic on the Lanes.

Can council make a request of the Rothesay Regional Police to survey the morning traffic on Almon Lane just after the lights go in and at the start of the school year. My assumption is that these will not be at the same time, hence the request for two "surveys". The most logical place to park may be on Peter's Lane at the stop sign as we still, occasionally, have people who chose to ignore the sign, but will leave that to the discretion of the RRP.

Appreciate council's support in this as we have had a influx of new families with small children to both Peter and Almon Lane in the last year. We now have 11 children 9 and under in the area, with the youngest being 2 months old. We need drivers to be respectful of the neighbourhood and a gentle reminder and enforcement when the traffic lights become operational would be helpful.

Best Regards,

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. Records may be shared with internal departments, external agencies or may be publicly released at a Town Council or Committee meeting. Any questions regarding the collection of this information can be directed to the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB, E2E 5L5 (506-848-6664)

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.



Madam Mayor
Rothesay, N.B.

Dear Madam Mayor.

I understand that the Town Of Rothesay is planning to install stop lights at the intersection near the Post Office.

I suggest that this represents an expensive and retrograde step. You will be spending thousands on installation plus yearly operating costs and maintenance.

To what purpose? I have lived in this town for fort years and have never witnessed a serious accident yet Certainly I could have missed a couple; but no system is perfect.

Once lights are put in; drivers stop looking at traffic and people, and concentrate on the lights! Their attention is on the yellow one when approaching, and trying to beat the light!. This is particularly obvious at the junction above the fire station.

It is pertinent to note that the intersection at Simm,s corner has no traffic lights! I agree that there are few pedestrians, but there is a geat deal of motor traffic in different directions. I am sure that the city would have put in lights if they could have managed it!.

The secret is that drivers are so terrified; they actually slow down and proceed very carefully.

I suggest you would be better off installing a few effective speed bumps, a la Suisse style. A few bone crushing suspension smashers might get people,s attention on Hampton Road. ! There certainly never appear to be any speed limits or traffic checks!

If you think about it; all that traffic lights accomplish is that the close one half of the road permanently; half the time on ""green""; and half on ""red! Harly progress!

Yours sincerely,

July 11,2022
Rothesay, N.B.;PO Box 4761
E2E5X5



July 13, 2022

Town of Rothesay
70 Hampton Rd
Rothesay, NB E2E 5L5



Dear Mr. MacDonald, *Mayor and Council*

Donor generosity, just like yours, continues to inspire as we move into the second half of 2022. Your support of health care in our community ensures a healthier New Brunswick for all who live in our beautiful province and we can't thank you enough! Your gift of \$1,000.00 on Friday, July 8, 2022, is greatly appreciated.

As the largest tertiary care facility, and only Level I trauma centre in New Brunswick, your generosity ensures the best possible care, not only for you and your family but for thousands of families across our province. Donations like yours support Innovation, Heart Health, Cancer Care, Mental Health & Addictions, Research & Education and Patient Support Programs.

Thank you for supporting top-quality health care across New Brunswick. Should you have any questions about your gift, or anything else, please reach out to me directly – I'd love to chat with you!

With my sincere thanks,

Anthony Enman, Annual Giving Officer
(506) 343-3844 / anthony.enman@HorizonNB.ca

This Receipt is for Acknowledgement Purposes Only
Ce reçu ne sert qu'à des fins d'acquittement

Saint John Regional Hospital Foundation Inc.
PO Box 2100/C.P. 2100
Saint John, NB/(N-B) E2L 4L2
Telephone 506-651-9364

Town of Rothesay
70 Hampton Rd
Rothesay, NB E2E 5L5

Date issued:	July 13, 2022
Donation Date:	July 8, 2022
Location issued:	Saint John, Canada
Receipt Amount:	\$1,000.00
Donor Preference:	Breast Health Fund

Lisa Bustin
Gift Processor

Mayor and Council,

We greatly appreciate your recent support of the Breast Health Fund. Your generosity will help to support breast cancer patients in our community when they need it the most.

With gratitude,

Andrea
Watling

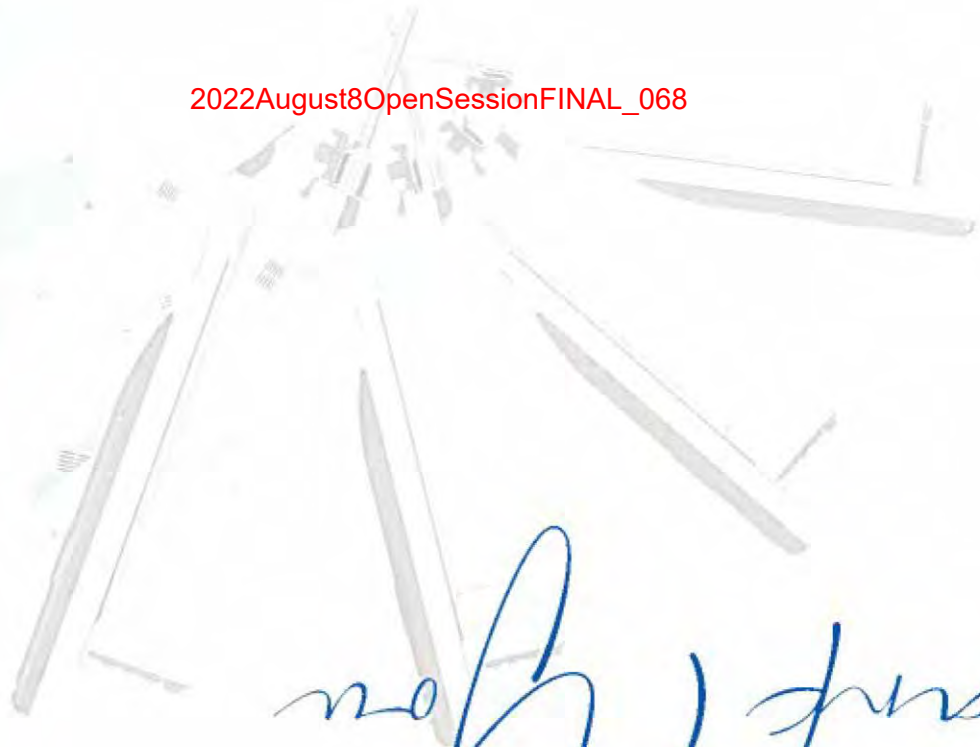


ANDREA WATLING
Leadership Giving Officer

Andrea.Watling@HorizonNB.ca
Mobile: (506) 343-3750

Saint John Regional Hospital Foundation | PO Box 2100
400 University Avenue Saint John, NB E2L 4L2

Creating a healthier future together.
thegive.ca



Thank You

Mayor + Council,

Thank you for joining us, it was so lovely to see you!
We hope you found the reception, sharing the many benefits
of robotic-assisted surgery, informative and inspiring.

Thank you for attending our Robotics reception
on June 14th. We greatly appreciate your
support and partnership.

With gratitude,

Andrea
Watkins



**Fundy Regional
Service Commission**

**Commission de Services
Régionaux de Fundy**

Annual General Meeting

May 30, 2022

Minutes of the meeting of the Board of Directors of Fundy Regional Service Commission held on Monday, May 30, 2022, at 10 Crane Mountain Rd., Saint John NB.

1. Call to Order

The Board Chairperson, Brittany Merrifield, called the meeting to order at 11:18 a.m.

2. Record of Attendance

Brittany Merrifield	Chairperson
Jim Bedford	Vice Chairperson
Bette Anne Chatterton	Mayor, St. Martins
John MacKenzie	Deputy Mayor, Saint John
Nancy Grant	Mayor, Rothesay
Libby O'Hara	Mayor, Quispamsis
Ray Riddell	Local Service District Representative
Cindy MacCready	Local Service District Representative
John Cairns	Local Service District Representative

OTHERS

Marc MacLeod, Executive Director, FRSC

Alicia Raynes, Recording Secretary, FRSC

Nick Cameron, Assistant Development Officer, FRSC

Peter Baxter, Technical Advisor, FRSC

Ken Anthony, Transition Facilitator, Local Governance Reform

3. Approval of the Order of Business

The Chairperson asked for approval of the Order of Business

Motion: To approve the May 30, 2022 Agenda as presented.

Moved: Director MacKenzie

Seconded: Director Grant

Vote: Motion Carried

4. Disclosure of Conflict of Interest

None

5. Approval of the Minutes

Motion: To approve the April 25, 2022 minutes as presented.

Moved: Director O'Hara
Seconded: Director MacKenzie
Vote: *Motion Carried*

6. Election of Board Officers

Executive Director MacLeod explained that as per the FRSC Procedural Bylaw, the election of executive officers normally takes place at the Annual General Meeting. He explained that director Chatterton agreed to canvas for nominations and after discussion with board members, it was felt that it would not be practical to have an election at this time. Board members felt the better option would be to defer the election until the new Commission comes into effect.

Motion: To defer the election of executive officers until the new Commission comes into effect.

Moved: Director Chatterton
Seconded: Director Riddell
Vote: *Motion Carried*

7. Planning – Building Inspection – April

Nick Cameron, Assistant Development Officer, FRSC, presented the April 2022 Report for Building, Development & Planning for the Village of St. Martins & FRSC Rural areas. Year-to-date total estimated cost of construction at the end of April, 2022 was \$4,330,000 compared to 2021 which was \$1,948,240.

It was asked if it is possible to know what area new developments are taking place. Mr. Cameron explained that he can provide those details in the monthly report moving forward. It was also asked what the tax rate is in the rural areas. Mr. Cameron explained that the tax rate would depend on the specific area.

It was further explained that recently, the FRSC has been challenged on a number of occasions with by-law enforcement which is something that we have not had much experience with. Enforcement typically falls under the responsibility of the community and/or the province. Under the Act, we are able to issue comply orders, and stop work orders. If those steps do not rectify the issue, we have to contact the Minister of Local Government and they have to apply for a court order.

Motion: To receive and file as presented.

Moved: Director MacKenzie
Seconded: Director O'Hara
Vote: *Motion Carried*

8. 2021 Annual Report

Executive Director MacLeod presented the 2021 Annual Report. It was suggested by Director Grant that the notes pertaining to the financial statements be included in the annual report as they are missing. Chairperson Merrifield commended staff on the Annual Report.

Motion: To receive and file the 2021 Annual Report as presented.

Moved: Director MacKenzie
Seconded: Director Grant
Vote: *Motion Carried*

9. Finance

a. Appointment of Auditors

As per legislation requirements, auditors are typically reappointed in the Annual General Meeting. Teed Saunders Doyle & Co. (TSD) have been the auditor of the Commission since inception in 2013. The vendor service review typically occurs every three years and TSD was completed in 2020 before reappointment at the annual meeting in 2020.

After review of our business relationship and the skill market, it was determined that there is no competitive advantage to changing vendors. Additionally, having an auditor familiar with FRSC operations will be essential during the transition to adding the new services mandated by the local government changes through legislation.

Motion: The Commission approve the appointment of Teed Saunders Doyle & Co. to serve as the Auditors for the Fundy Regional Service Commission for the 2022 fiscal year.

Moved: Director O'Hara
Seconded: Director MacKenzie
Vote: *Motion Carried*

b. Compactor

Executive Director MacLeod explained that the purchase of the Tana Compactor was approved at the March 2022 meeting, pending approval of borrowing from the Municipal Capital Borrowing Board. At this time, short term bridge financing is required to provide cash flow until the debenture is issued.

It was asked what is being done with the old compactor. It was explained that we will be keeping the old compactor for backup if the new compactor goes down for service. Additionally, the C&D site is currently being expanded and using the compactor at the C&D would help us maximize use of air space.

It was asked if there was any movement from the government to go any higher. It was explained that this would require an Environmental Impact Assessment initiated by the FRSC and approved by the government.

Motion: The Commission authorize a short-term loan with the Canadian Imperial Bank of Commerce in the amount of \$1,300,000 under the authority of ministerial order number 22-0023 for the purchase of a new landfill compactor.

Moved: Director MacKenzie
Seconded: Director Grant
Vote: *Motion Carried*

c. Insurance Proceeds

Executive Director MacLeod explained that in December, 2021, a motion was made to transfer the insurance proceeds from the destroyed MRF building from the Solid Waste Operating Fund to the Solid Waste Capital Reserve Fund to be utilized for the construction of the new building in 2022. The funds are now needed to pay for the building.

Motion: The commission authorize the transfer of \$335,780 from the Solid Waste Capital Reserve Fund to the Solid Waste Capital Fund for the construction of the new MRF building.

Moved: Director O'Hara
Seconded: Director MacCready
Vote: *Motion Carried*

d. Landfill Gas Upgrades

Executive Director MacLeod provided a brief overview of the Crane Mountain LFG System, explaining that the current system actively collects methane gas and uses it to run the on-site generator. Unfortunately, the gas supply is insufficient to operate the generator at full load. In addition, it was explained that the Department of Environment and Local Government (NBDELG) recently included a new stipulation in the FRSC's Certificate of Approval to Operate, mandating the development of a Greenhouse Gas Management Plan showing how the site intends to reduce emissions in the future. In response, the facility is taking aggressive measures to improve gas collection from the landfill. These measures will require some upgrades to the current system.

Details on costs associated with the required upgrades were provided and it was explained that the proposed upgrades are unbudgeted and not in the capital plan for 2022.

Motion: The Commission authorize the upgrade to the landfill gas system including the flare and gas well heads at a cost of \$150,000 before HST to be funded from the solid waste capital reserve fund.

Moved: Director O'Hara
Seconded: Director MacKenzie
Vote: *Motion Carried*

e. Loader

Executive Director MacLeod explained that the purchase of a new loader was approved for the 2022 capital budget and approved for purchase from the capital reserve fund in the March 2022 Commission meeting.

Motion: Authorize the transfer of \$230,000 from the Solid Waste Capital Reserve Fund to the Solid Waste Capital Fund for the purchase of a loader.

Moved: Director MacKenzie
Seconded: Director MacCready
Vote: *Motion Carried*

There was a discussion regarding having a consent agenda which can be put together on multiple motions that do not require discussion. For example, this would allow the FRSC to move money from one account to another as long as all background information is provided.

Motion: Standard agenda item 6 will be added to the agenda as "consent agenda".

Moved: Director MacKenzie
Seconded: Director O'Hara
Vote: *Motion Carried*

Vice Chairperson Bedford called for a motion to adjourn.

Motion: To adjourn the meeting at 11:55 a.m.

Moved: Director MacCready
Seconded: Director Riddell
Vote: *Motion Carried*

APPROVED (date)

07/25/22

Brittany Merrifield, Chairperson

Alicia Raynes
Alicia Raynes, Recording Secretary

Town of Rothesay

General Fund Financial Statements

2022-06-30

Includes:

General Capital Fund Balance Sheet	G2
General Reserve Fund Balance Sheet	G3
General Operating Fund Balance Sheet	G4
General Operating Revenue & Expenditures	G5-G8
Variance Report	G9
Capital Summary	G10

Town of Rothesay

G2

Balance Sheet - Capital General Fund
2022-06-30

ASSETS

Capital Assets - General Land	4,515,620
Capital Assets - General Fund Land Improvements	8,549,962
Capital Assets - General Fund Buildings	5,492,528
Capital Assets - General Fund Vehicles	3,862,581
Capital Assets - General Fund Equipment	3,463,504
Capital Assets - General Fund Roads & Streets	42,993,433
Capital Assets - General Fund Drainage Network	20,857,922
Capital Assets - Under Construction - General	1,035,502
	<hr/>
	90,771,053
Accumulated Amortization - General Fund Land Improvements	(4,180,268)
Accumulated Amortization - General Fund Buildings	(2,530,042)
Accumulated Amortization - General Fund Vehicles	(2,150,442)
Accumulated Amortization - General Fund Equipment	(1,632,966)
Accumulated Amortization - General Fund Roads & Streets	(21,477,848)
Accumulated Amortization - General Fund Drainage Network	(7,473,121)
	<hr/>
	(39,444,687)
	<hr/>
	<hr/>
	\$ 51,326,366

LIABILITIES AND EQUITY

Gen Capital due to/from Gen Operating	(510,000)
Total Long Term Debt	5,353,000
	<hr/>
Total Liabilities	\$ 4,843,000
Investment in General Fund Fixed Assets	46,483,366
	<hr/>
	<hr/>
	\$ 51,326,366

Town of Rothesay

G3

Balance Sheet - General Fund Reserves

2022-06-30

ASSETS

BNS Gas Tax Interest Account	25,026
BNS General Operating Reserve #214-15	6,559
BNS - Gen Operating Reserve GIC	900,000
BNS General Capital Reserves #2261-14	5,018
BNS - Gen Capital Reserve GIC	1,375,000
BNS - Gas Tax Reserves - GIC	4,300,000
	<u>\$ 6,611,603</u>

LIABILITIES AND EQUITY

Def. Rev - Gas Tax Fund - General	3,890,604
Invest. in General Capital Reserve	1,210,586
General Gas Tax Funding	434,422
Invest. in General Operating Reserve	906,559
Invest. in Land for Public Purposes Reserve	150,333
Invest. in Town Hall Reserve	19,100
	<u>\$ 6,611,603</u>

Town of Rothesay
 Balance Sheet - General Operating Fund
 2022-06-30

CURRENT ASSETS

Cash	2,723,123
Receivables	37,952
HST Receivable	311,670
Inventory	31,163
Gen Operating due to/from Util Operating	(312,641)
Total Current Assets	<u>2,791,266</u>
Other Assets:	
Projects	<u>844,923</u>
	<u>844,923</u>
 TOTAL ASSETS	 <u><u>3,636,189</u></u>

CURRENT LIABILITIES AND EQUITY

Accounts Payable	503,701
Other Payables	721,461
Gen Operating due to/from Gen Capital	510,000
Accrued Pension Obligation	(6,586)
Accrued Retirement Allowance	446,306
Def. Rev-Quispamsis/Library Share	78,686
TOTAL LIABILITIES	<u><u>2,253,568</u></u>

EQUITY

Retained Earnings - General	303,983
Surplus/(Deficit) for the Period	<u>1,078,638</u>
	<u>1,382,621</u>
	<u><u>3,636,189</u></u>

Town of Rothesay

G5

Statement of Revenue & Expenditure
6 Months Ended 2022-06-30

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET Y-T-D	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Warrant of Assessment	1,515,124	1,515,126	9,090,753	9,090,755	(2)		18,181,510
Sale of Services	29,650	28,729	234,211	232,252	1,959		447,600
Services to Province of New Brunswic	5,000	5,000	33,481	30,000	3,481		60,000
Other Revenue from Own Sources	23,773	11,520	74,316	53,826	20,490		94,943
Unconditional Grant	10,916	10,914	65,489	65,487	3		130,973
Conditional Transfers	5,964	0	152,907	1,500	151,407		40,000
Other Transfers	262,500	262,500	577,674	577,674	0		1,102,674
	<u>\$1,852,927</u>	<u>\$1,833,789</u>	<u>\$10,228,830</u>	<u>\$10,051,493</u>	<u>\$177,337</u>		<u>\$20,057,700</u>
EXPENSES							
General Government Services	463,712	483,352	1,523,870	1,580,451	56,581		2,543,618
Protective Services	433,395	433,773	3,146,579	3,163,112	16,533		5,765,750
Transportation Services	355,736	345,311	2,205,058	2,004,164	(200,894)		3,759,550
Environmental Health Services	71,840	68,083	435,233	441,000	5,767		862,000
Environmental Development	35,719	46,277	297,402	369,855	72,453		682,700
Recreation & Cultural Services	205,079	235,113	1,093,883	1,113,976	20,093		2,297,632
Fiscal Services	398,974	407,051	448,167	461,039	12,872		4,146,450
	<u>\$1,964,455</u>	<u>\$2,018,960</u>	<u>\$9,150,192</u>	<u>\$9,133,596</u>	<u>-\$16,595</u>		<u>\$20,057,700</u>
Surplus (Deficit) for the Year	<u>-\$111,528</u>	<u>-\$185,172</u>	<u>\$1,078,638</u>	<u>\$917,897</u>	<u>\$160,742</u>		<u>\$ (0)</u>

Town of Rothesay

Statement of Revenue & Expenditure
6 Months Ended 2022-06-30

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Sale of Services							
Bill McGuire Memorial Centre	2,055	1,667	10,750	10,000	750		20,000
Town Hall Rent	6,616	6,083	40,197	36,500	3,697		73,000
Community Garden	120	0	1,120	1,000	120		1,000
Fox Farm Rental	1,750	1,667	7,770	10,000	(2,230)		20,000
Arena Revenue	0	0	110,840	114,100	(3,260)		224,900
Recreation Programs	19,109	19,312	63,534	60,652	2,882		108,700
	29,650	28,729	234,211	232,252	1,959		447,600
Other Revenue from Own Sources							
Licenses & Permits	18,171	8,583	40,320	31,500	8,820	1	55,000
Recycling Dollies & Lids	42	67	289	400	(111)		800
Interest & Sundry	4,100	1,000	14,717	6,000	8,717	2	12,000
Miscellaneous	460	870	8,282	5,217	3,064		10,435
Fire Dept. Administration	1,000	1,000	6,000	6,000	0		12,000
Local Improvement Levy Mulberry Lane	0	0	4,708	4,708	0		4,708
	23,773	11,520	74,316	53,826	20,490		94,943
Conditional Transfers							
Canada Day Grant	0	0	1,680	1,500	180		1,500
Grant - Other	5,964	0	151,227	0	151,227	3	38,500
	5,964	0	152,907	1,500	151,407		40,000
Other Transfers							
Surplus of 2nd Previous Year	0	0	52,674	52,674	0		52,674
Utility Fund Transfer	262,500	262,500	525,000	525,000	0		1,050,000
	262,500	262,500	577,674	577,674	0		1,102,674
EXPENSES							
General Government Services							
Legislative							
Mayor	3,156	3,917	19,870	23,500	3,630		47,000
Councillors	10,821	11,258	65,150	67,550	2,399		135,100
Regional Service Commission 9	0	0	2,620	3,000	381		6,000
Other	400	1,208	2,150	7,250	5,100		12,500
	14,377	16,383	89,790	101,300	11,510		200,600
Administrative							
Administration - Wages & Benefits	118,191	125,101	539,961	550,526	10,565	4	1,173,818
Office Building	7,687	9,375	110,314	117,450	7,136		179,250
Supplies	18,004	16,000	85,725	96,000	10,275	5	144,000
Solicitor	0	4,167	10,246	25,000	14,754	6	50,000
Professional Fees	0	2,917	21,770	19,500	(2,270)		35,000
Covid-19 Expenses	0	2,083	6,697	12,500	5,803		25,000
Other	8,923	10,368	67,881	67,555	(326)		116,110
	152,805	170,011	842,594	888,531	45,938		1,723,178
Other General Government Services							
Website/Other	0	170	1,356	1,742	386		2,763
Community Communications (Team)	92	437	2,420	1,738	(682)		7,237
Civic Relations	0	83	0	500	500		1,000
Insurance	0	0	254,475	256,784	2,309		256,784
Donations	2,500	2,000	12,775	16,300	3,525		36,500
Cost of Assessment	293,934	293,934	293,934	293,934	0		293,934
Property Taxes - L.P.P.	3	0	17,517	17,622	105		17,622
Fox Farm Rental Expenses	0	333	9,009	2,000	(7,009)		4,000
	296,529	296,958	591,487	590,620	(867)		619,840
Total General Government Services	463,712	483,352	1,523,870	1,580,451	56,581		2,543,618

2022August8OpenSessionFINAL_081

G7

Protective Services

Police						
Police Protection	252,932	252,932	1,519,913	1,517,593	(2,320)	3,035,186
Crime Stoppers	0	0	2,800	2,800	0	2,800
	<u>252,932</u>	<u>252,932</u>	<u>1,522,713</u>	<u>1,520,393</u>	<u>(2,320)</u>	<u>3,037,986</u>
Fire						
Fire Protection	177,485	177,758	1,290,126	1,294,219	4,093	2,360,764
Water Costs Fire Protection	0	0	330,000	330,000	0	330,000
	<u>177,485</u>	<u>177,758</u>	<u>1,620,126</u>	<u>1,624,219</u>	<u>4,093</u>	<u>2,690,764</u>
Emergency Measures						
EMO Director/Committee	0	1,667	116	10,000	9,884	7 20,000
	<u>0</u>	<u>1,667</u>	<u>116</u>	<u>10,000</u>	<u>9,884</u>	<u>20,000</u>
Other						
Animal & Pest Control	810	417	1,455	2,500	1,045	5,000
Other	2,168	1,000	2,168	6,000	3,832	12,000
	<u>2,978</u>	<u>1,417</u>	<u>3,623</u>	<u>8,500</u>	<u>4,877</u>	<u>17,000</u>
Total Protective Services	<u>433,395</u>	<u>433,773</u>	<u>3,146,579</u>	<u>3,163,112</u>	<u>16,533</u>	<u>5,765,750</u>

Transportation Services

Common Services						
Administration (Wages & Benefits)	188,709	209,734	1,022,221	935,072	(87,148)	8 1,872,999
Workshops, Yards & Equipment	70,226	50,764	422,126	356,248	(65,878)	9 679,413
Engineering	1,686	417	11,640	2,500	(9,140)	10 5,000
	<u>260,621</u>	<u>260,914</u>	<u>1,455,987</u>	<u>1,293,821</u>	<u>(162,166)</u>	<u>2,557,412</u>
Roads & Streets	7,420	7,383	40,421	24,700	(15,721)	11 55,000
Crosswalks & Sidewalks	921	2,112	3,108	7,675	4,567	20,200
Culverts & Drainage Ditches	26,289	4,083	28,637	19,500	(9,137)	12 60,000
Street Cleaning & Flushing	0	7,000	8,823	20,000	11,177	13 45,000
Snow & Ice Removal	0	3,333	497,781	443,500	(54,281)	14 667,000
Flood Costs	210	0	873	15,000	14,127	15 15,000
	<u>34,840</u>	<u>23,912</u>	<u>579,642</u>	<u>530,375</u>	<u>(49,267)</u>	<u>862,200</u>
Street Lighting	12,127	12,083	73,402	72,500	(902)	145,000
Traffic Services						
Street Signs	1,679	1,042	8,600	6,250	(2,350)	12,500
Traffic Lanemarking	24,681	23,000	30,378	30,000	(378)	40,000
Traffic Signals	645	3,333	5,302	20,000	14,698	40,000
Railway Crossing	2,262	2,083	12,003	12,500	497	25,000
	<u>29,267</u>	<u>29,458</u>	<u>56,284</u>	<u>68,750</u>	<u>12,466</u>	<u>117,500</u>
Public Transit						
Public Transit - Comex Service	18,735	18,735	38,867	37,469	(1,398)	74,938
Public Transit - Other	146	208	876	1,250	374	2,500
	<u>18,881</u>	<u>18,943</u>	<u>39,743</u>	<u>38,719</u>	<u>(1,024)</u>	<u>77,438</u>
Total Transportation Services	<u>355,736</u>	<u>345,311</u>	<u>2,205,058</u>	<u>2,004,164</u>	<u>(200,894)</u>	<u>3,759,550</u>
Environmental Health Services						
Solid Waste Disposal Land Fill garbage	20,559	17,500	101,676	105,000	3,324	210,000
Solid Waste Disposal Landfill Compost	3,702	3,000	16,184	18,000	1,816	36,000
Solid Waste Collection Fero	47,578	47,583	285,455	285,500	45	571,000
Solid Waste Collection Curbside Recycling	0	0	3,093	0	(3,093)	0
Clean Up Campaign	0	0	28,824	32,500	3,676	45,000
	<u>71,840</u>	<u>68,083</u>	<u>435,233</u>	<u>441,000</u>	<u>5,767</u>	<u>862,000</u>

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G8

Environmental Development Services

Planning & Zoning

Administration	35,719	43,986	199,902	256,905	57,003	17	460,000
Planning Projects	0	2,083	1,500	12,500	11,000	18	25,000
Heritage Committee	0	208	0	1,250	1,250		2,500
	<u>35,719</u>	<u>46,277</u>	<u>201,402</u>	<u>270,655</u>	<u>69,253</u>		<u>487,500</u>
Envision Saint John	0	0	96,000	96,000	0		192,000
Tourism	0	0	0	3,200	3,200		3,200
	<u>0</u>	<u>0</u>	<u>96,000</u>	<u>99,200</u>	<u>3,200</u>		<u>195,200</u>
	<u>35,719</u>	<u>46,277</u>	<u>297,402</u>	<u>369,855</u>	<u>72,453</u>		<u>682,700</u>

Recreation & Cultural Services

Administration	38,195	40,417	205,994	200,525	(5,469)		385,025
Beaches	5,390	5,500	5,390	5,500	110		51,000
Rothsay Arena	37,027	34,023	178,494	194,476	15,983	19	383,000
Memorial Centre	2,672	5,583	24,879	40,488	15,609	20	72,988
Summer Programs	6,579	8,717	8,761	11,241	2,479		61,800
Parks & Gardens	92,789	101,426	289,657	316,626	26,969	21	638,500
Rothsay Common Rink	1,441	1,287	32,883	34,611	1,728		54,800
Playgrounds and Fields	14,301	22,334	43,693	62,500	18,807	22	134,000
The Hive expenses	1,003	2,475	4,860	14,850	9,990		29,700
Regional Facilities Commission	(3,272)	0	252,067	178,051	(74,016)	23	356,102
Kennebecasis Public Library	6,935	6,935	41,609	41,609	0		83,217
Special Events	2,020	6,417	5,597	13,500	7,903		40,000
PRO Kids	0	0	0	0	0		7,500
	<u>205,079</u>	<u>235,113</u>	<u>1,093,883</u>	<u>1,113,976</u>	<u>20,093</u>		<u>2,297,632</u>

Fiscal Services

Debt Charges							
Interest	68,974	77,051	83,167	96,039	12,872	24	187,450
Debenture Payments	330,000	330,000	365,000	365,000	0		784,000
	<u>398,974</u>	<u>407,051</u>	<u>448,167</u>	<u>461,039</u>	<u>12,872</u>		<u>971,450</u>

Transfers To:

Capital Fund for Capital Expenditures	0	0	0	0	0		3,000,000
Reserve Funds	0	0	0	0	0		175,000
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>3,175,000</u>
	<u>398,974</u>	<u>407,051</u>	<u>448,167</u>	<u>461,039</u>	<u>12,872</u>		<u>4,146,450</u>

Town of Rothesay

Variance Report - General Fund

G9

6 months ending 2022-06-30

Note #		Actual	Budget	Better/(Worse)	Description of Variance
Revenue					
1	Licenses & Permits	40,320	31,500	\$ (8,820)	
2	Interest & Sundry	14,717	6,000	\$ (8,717)	
3	Grant - Other	151,227	0	\$ (151,227)	Wells ballfield Clain#2 & Wells Bldg grant ACOA \$3575, SEED \$
Total				\$ (168,763.42)	
Variance per Statement				\$ (177,337.00)	
Explained				95%	
Expenses					
<i>General Government</i>					
4	Administration - Wages & Benefits	539,961	550,526	\$ 10,565	2 positions not yet replaced, training and development not yet incur
5	Supplies	85,725	96,000	\$ 10,275	Timing
6	Solicitor	10,246	25,000	\$ 14,754	Timing
<i>Protective Services</i>					
7	EMO Director/Committee	116	10,000	\$ 9,884	No EMO expenses to date
<i>Transportation</i>					
8	Administration	1,022,221	935,072	\$ (87,148)	Outsourcing personnel
9	Workshops, Yards & Equipment	422,126	356,248	\$ (65,878)	Higher cost of fuel and repairs
10	Engineering	11,640	2,500	\$ (9,140)	PCI survey
11	Roads & Streets	40,421	24,700	\$ (15,721)	Restoration on Chapel Road
12	Culverts & Drainage Ditches	28,637	19,500	\$ (9,137)	Timing
13	Street Cleaning & Flushing	8,823	20,000	\$ 11,177	Timing
14	Snow & Ice removal	497,781	443,500	\$ (54,281)	Salt
15	Flood Costs	873	15,000	\$ 14,127	No flood occurred to date
16	Traffic Signals	5,302	20,000	\$ 14,698	Timing
<i>Environmental Health</i>					
<i>Environmental Development</i>					
17	Administration	199,902	256,905	\$ 57,003	timing Software/Equipment and Planning bylaw enforcement
18	Planning Projects	1,500	12,500	\$ 11,000	Timing
<i>Recreation & Cultural Services</i>					
19	Rothesay Arena	178,494	194,476	\$ 15,983	Fewer R&M compared to budget during winter months
20	Memorial Centre	24,879	40,488	\$ 15,609	Fewer R&M compared to budget during winter months
21	Parks & Gardens	289,657	316,626	\$ 26,969	Fewer expenses incurred compared to budget during winter months
22	Playgrounds and Fields	43,693	62,500	\$ 18,807	Fewer R&M compared to budget
23	Regional Facilities Commision	252,067	178,051	\$ (74,016)	Repayment of Emergency funding to CRA
<i>Fiscal Services</i>					
24	Interest	83,167	96,039	\$ 12,872	Budgeted for interim loan interest
Total				\$ (82,164)	
Variance per Statement				\$ (98,237)	
Explained				84%	

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Town of Rothesay

Capital Projects 2022

General Fund

6 Months Ended 2022-06-30

	ANNUAL BUDGET	COUNCIL APPROVED	CURRENT Y-T-D	Remaining Budget		
General Government						
12010560	R 2021 T001 Town Hall Improvements	100,000	0	1,175	98,825	
12010760	G 2022 001 IT	110,000	0	74,609	35,391	
	Total General Government	210,000	0	75,784	134,216	
Protective Services						
12011560	Protective Serv. Equipment Purchases P-202*-0	1,250,000	0	0	1,250,000	
	Total Protective Services	1,250,000	0	0	1,250,000	
Transportation						
12028060	T-2022-001 Asphalt	2,010,000	2,527,220	61,600	1,948,400	
12028160	T-2022-002 Designated Highway	500,000	0	0	500,000	
12028260	T-2022-003 Buildings - Master Drive HVAC	85,000	83,052	0	85,000	
12028360	T-2022-004 Intersection Improvement	420,000	472,547	0	420,000	
12028460	T-2022-005 Fleet Replacement	715,000	390,361	387,688	327,312	
	Unassigned:					
	Total Transportation	3,730,000	3,473,180	449,288	3,280,712	
Recreation						
12028560	T 2022 001 Recreation Purchases	235,000	113,142	54,005	180,995	
12028660	R 2022 002 Recreation Pickle Ball	50,000	0	4,680	45,320	
12028760	R 2022 003 Arena Renovation	2,000,000	102,826	0	2,000,000	
12027860	R-2021-002 2021 Wells Building	0	0	109,931	-109,931	
	Total Recreation	2,285,000	215,967	0	168,616	2,116,384
Carryovers						
12027760	T-2021-001 2021 Asphalt Engineering	0	0	11,048	-11,048	
12021860	G-2020-009 Town Hall Improvements	0	0	14,684	-14,684	
12027160	R-2020-002 Wells Field Replacement	0	0	516	-516	
12027260	T-2020-005 Asphalt Microseal 2020	0	0	4,020	-4,020	
12027660	T-2020-014 Traffic Study	0	0	36,072	-36,072	
12027960	T-2021-004 Intersection Improvement Sprucey	0	0	53,465	-53,465	
12027560	T-2020-013 Stormwater Master Plan	0	0	31,430	-31,430	
		0	0	151,235	-151,235	
Total						
	\$ 7,475,000	\$ 3,689,147	\$ 844,923	\$ 6,630,077		

2022 Budget and Funding Allocation

Funding	2022	Operating	Reserve	Gas Tax	Borrow	Grant
General Government	210,000	210,000				
Protective Services	1,250,000				1,250,000	
Transportation	3,730,000	2,505,000		850,000		375,000
Recreation	2,285,000	285,000		2,000,000		
	\$ 7,475,000	\$ 3,000,000	\$ -	\$ 2,850,000	\$ 1,250,000	\$ 375,000

Town of Rothesay

Utility Fund Financial Statements

June 30, 2022

Attached Reports:

Capital Balance Sheet	U1
Reserve Balance Sheet	U2
Operating Balance Sheet	U3
Operating Income Statement	U4
Variance Report	U5
Capital Summary	U6

Town of Rothesay

U1

Capital Balance Sheet

As at 2022-06-30

ASSETS

Assets:

Capital Assets - Under Construction - Utilities	1,523,835
Capital Assets Utilities Land	119,970
Capital Assets Utilities Buildings	1,953,740
Capital Assets Utilities Equipment	803,922
Capital Assets Utilities Water System	27,756,293
Capital Assets Utilities Sewer System	24,095,854
Capital Assets Utilities Land Improvements	42,031
Capital Assets Utilities Roads & Streets	220,011
Capital Assets Utilities Vehicles	113,001
	<hr/>
	56,628,658

Accumulated Amortization Utilites Buildings	(725,668)
Accumulated Amortization Utilites Water System	(8,223,909)
Accumulated Amortization Utilites Sewer System	(8,955,197)
Accumulated Amortization Utilites Land Improvement:	(42,031)
Accumulated Amortization Utilites Vehicles	(30,341)
Accumulated Amortization Utilites Equipment	(222,747)
Accumulated Amortization Utilites Roads & Streets	(19,067)
	<hr/>
	(18,218,960)

TOTAL ASSETS	<hr/>	<hr/>	38,409,699
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LIABILITIES

Current:

Total Current Liabilities	<hr/>	-
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Long-Term:

Long-Term Debt	<hr/>	8,487,192
Total Liabilities	<hr/>	8,487,192

EQUITY

Investments:

Investment in Fixed Assets	<hr/>	29,922,507
Total Equity	<hr/>	29,922,507
TOTAL LIABILITIES & EQUITY	<hr/>	38,409,699

Town of Rothesay

U2

Balance Sheet - Utilities Fund Reserves
2022-06-30

ASSETS

BNS Utility Capital Reserve # 00241 12	13,860
BNS - Util Capital Reserve GIC	1,350,000
	<u>\$ 1,363,860</u>

LIABILITIES AND EQUITY

Invest. in Utility Capital Reserve	948,919
Invest. in Utility Operating Reserve	106,483
Invest. in Sewerage Outfall Reserve	308,459
	<u>\$ 1,363,860</u>

Town of Rothesay

U3

Utilities Fund Operating Balance Sheet
As at 2022-06-30

ASSETS

Current assets:

Accounts Receivable Net of Allowance	1,039,762
Total Current Assets	1,039,762

Other Assets:

Projects	606,450
	606,450

TOTAL ASSETS	\$ 1,646,212
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LIABILITIES

Accrued Payables	18,322
Due from General Fund	(312,641)
Deferred Revenue	13,346
Total Liabilities	(280,973)

EQUITY

Surplus:

Opening Retained Earnings	40,526
Profit (Loss) to Date	1,886,659
	1,927,185

TOTAL LIABILITIES & EQUITY	\$ 1,646,212
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Town of Rothesay
Utilities Operating Income Statement
6 Months Ended 2022-06-30

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT YTD	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
RECEIPTS							
Sale of Water	256,735	275,709	544,576	576,082	(31,506)	1	1,127,500
Meter and non-hookup fees	15,577	12,500	31,141	25,000	6,141		50,000
Water Supply for Fire Prot.	0	0	330,000	330,000	0		330,000
Local Improvement Levy	0	0	58,881	59,000	(119)		59,000
Sewerage Services	(410)	0	1,850,601	1,860,000	(9,399)	2	1,860,000
Connection Fees	10,650	6,667	26,250	40,000	(13,750)	3	80,000
Interest Earned	9,750	6,667	52,086	40,000	12,086	4	80,000
Misc. Revenue	1,063	440	5,789	2,640	3,149		5,280
Surplus - Previous Years	0	0	48,220	48,220	0		48,220
TOTAL RECEIPTS	293,365	301,982	2,947,544	2,980,942	(33,398)		3,640,000
WATER SUPPLY							
Share of Overhead Expenses	105,000	105,000	210,000	210,000	0		420,000
Audit/Legal/Training	0	625	8,481	11,250	2,769		15,000
Other Water	68	167	308	1,000	692		2,000
Purification & Treatment	54,935	19,458	175,743	210,750	35,007	5	487,500
Transmission & Distribution	871	10,000	51,858	60,000	8,142	6	120,000
Power & Pumping	3,300	3,667	29,141	22,000	(7,141)	7	44,000
Billing/Collections	99	417	7,449	2,500	(4,949)		5,000
Water Purchased	0	83	646	500	(147)		1,000
Misc. Expenses	0	417	1,829	8,500	6,671		17,000
McGuire Road Operating	21	1,583	12,784	9,500	(3,284)		19,000
TOTAL WATER SUPPLY	164,295	141,417	498,239	536,000	37,761		1,130,500
SEWERAGE COLLECTION & DISPOSAL							
Share of Overhead Expenses	157,500	157,500	315,000	315,000	0		630,000
Audit/Legal/Training	0	417	6,363	8,500	2,137		11,000
Collection System Maintenance	10,858	3,917	16,905	23,500	6,595		79,000
Sewer Claims	0	0	10,350	10,000	(350)		20,000
Lift Stations	1,657	4,667	25,546	28,000	2,454		56,000
Treatment/Disposal	10,899	6,500	53,627	54,500	873		93,500
Misc. Expenses	1,593	1,417	21,203	8,500	(12,703)	8	17,000
TOTAL SWGE COLLECTION & DISPC	182,507	174,417	448,994	448,000	(994)		906,500
FISCAL SERVICES							
Interest on Bank Loans	0	0	0	0	0		18,194
Interest on Long-Term Debt	75,425	75,425	99,651	99,651	0		268,998
Principal Repayment	14,000	14,000	14,000	14,000	0		535,808
Transfer to Reserve Accounts	0	0	0	0	0		80,000
Capital Fund Through Operating	0	0	0	0	0		700,000
TOTAL FISCAL SERVICES	89,425	89,425	113,651	113,651	0		1,603,000
TOTAL EXPENSES	436,226	405,258	1,060,884	1,097,651	36,767		3,640,000
NET INCOME (LOSS) FOR THE PER	(142,861)	(103,276)	1,886,659	1,883,291	3,369		(0)

Town of Rothesay

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Variance Report - Utility Operating
6 Months Ended June 30, 2022

Note #	Account Name	Actual YTD	Budget YTD	Variance Better(worse)	Description of Variance
Revenue					
1	Sale of Water	544,576	576,082	(31,506)	budget not allocated by usage
2	Sewer	1,850,601	1,860,000	(9,399)	budgeted for new potential users
3	Connection fees	26,250	40,000	(13,750)	timing
4	Interest Earned	52,086	40,000	12,086	Increase in bank interest rates
Expenditures					
Water					
5	Purification & Treatment	175,743	210,750	35,007	budget allocation timing
6	Purification & Treatment	51,858	60,000	8,142	timing
7	Power & Pumping	29,141	22,000	(7,141)	DRB construction renos
Sewer					
8	Miscellaneous expenses	21,203	8,500	(12,703)	Chapel Road sewer repair
-					
Fiscal Services					
Transfer to Reserve Accounts		-	-	-	

2022August8OpenSessionFINAL_091

Town of Rothesay

Capital Projects 2022

Utility Fund

6 Months Ended 2022-06-30

	Original BUDGET	Council Approval	CURRENT Y-T-D	Remaining Budget
WATER				
12031230 W-2022-001 Water Quantity/Quality	100,000	-	0	100,000
12031330 W-2022-002 Water Model update	100,000	-	0	100,000
12031430 W-2022-003 Filtration Bldg Water	550,000	638,227	63,823	486,177
12031530 W-2022-004 Hillview Water line replacement	50,000	-	0	50,000
	<u>\$ 800,000</u>	<u>\$ 638,227</u>	<u>\$ 63,823</u>	<u>\$ 736,177</u>

SEWER				
12028130 T-2022-001 Sewer work in Asphalt contract	100,000	\$ 100,000	0	100,000
12046030 S-2021-001 Turnbull Court Design	1,000,000	\$ 950,395	234,395	765,605
12044130 S-2021-008 WWTP Design Phase II	600,000	\$ 572,280	254,801	345,199
	<u>1,700,000</u>	<u>\$ 1,622,675</u>	<u>489,196</u>	<u>1,210,804</u>

Total Approved	<u>2,500,000</u>	<u>2,260,902</u>	<u>553,019</u>	<u>1,946,981</u>
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Carryovers

Funded from Reserves

12045030 S-2020-001 Turnbull Court Design	0	0	53,431	-53,431
	<u>0</u>	<u>0</u>	<u>53,431</u>	<u>-53,431</u>
	<u>2,500,000</u>	<u>2,260,902</u>	<u>606,450</u>	<u>1,893,550</u>

Funding:

	Total	Operating	Reserves	Borrow	Gas Tax	Grants
Water	800,000	450,000	50,000		300,000	
Sewer	1,700,000	250,000		\$ 800,000	200,000	450,000
	<u>\$ 2,500,000</u>	<u>\$ 700,000</u>	<u>\$ 50,000</u>	<u>\$ 800,000</u>	<u>\$ 500,000</u>	<u>\$ 450,000</u>

Town of Rothesay

2022-06-30

219500-60

Donations/Cultural Support

Budget

Paid to date

KV3C	2,500.00	
NB Medical Education Trust	5,000.00	5,000.00
KV Food Basket	5,000.00	
Fairweather Scholarship	1,000.00	1,000.00
Saint John Theatre Company	1,000.00	1,000.00
Symphony NB	1,000.00	

sub	15,500.00	7,000.00
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Other:	21,000.00	
Junior Achievement		300.00
You Can Ride Two		1,000.00
CIMB-FM Oldies 96		1,000.00
Bradley Joudrey		500.00
KV Girls Softball Association		500.00
NB Sports Hall of Fame Inc - Ad		225.00
RNS - Art Show		500.00
NB Competitive Festival of Music		250.00
St Pauls Church		500.00
SJ Regional Hospital Foundation - Breast Health Fund		1,000.00

St Joseph's Hospital Foundation - bronze "September for St. Joe"	-	1000 Paid in July
Saint John Seafarers' Mision		200 Paid in July

Make-A-Wish Canada
Compassionate Grief Centre
YMCA

SJ Regional Hospital Foundation
St Joseph's Hospital Foundation
Kennebecasis Lions Club - Tony McGuire
Empty Stocking Fund
Alzheimer's Soceity NB
Town of Quispamsis - Food Bank
Kennebecasis Food basket

sub	21,000.00	5,775.00
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	36,500.00	12,775.00
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G/L Balance		12,775.00
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Other:

Kennebecasis Crimestoppers	2,800.00	2,800.00	Protective Services
PRO Kids	7,500.00		Recreation
KV Committee for Disabled	5,500.00		Transportation
	15,800.00	12,775.00	

TOWN OF ROTHESAY

FINANCE COMMITTEE

July 21, 2022

In attendance:

Mayor Nancy Grant
Deputy Mayor Matt Alexander
Councillor Don Shea
Councillor Helen Boyle
Treasurer Doug MacDonald
Financial Officer Laura Adair

Absent:

Town Manager John Jarvie

The meeting was called to order at 9:10am.

The agenda was amended with the addition under donation request 3(a) Meghan Barton and 3(b) KV Oasis was accepted (DS/HB)

The minutes from June 23, 2022 were accepted as presented (HB/NG).

June Financial Statements

Treasurer MacDonald reviewed the financial statements and variance report.

General – Treasurer Doug MacDonald reviewed the variance report. Higher fuel prices along with fuel adjustment clauses have resulted in large negative variance compared to budget. Inflation has also increased the cost of equipment repairs and maintenance. Continue to have large variance in payroll due to contracted labour.

Treasurer Doug MacDonald anticipates capital budget will be approximately \$500K over budget compared to contracts, which can be managed with reserves.

At the request of council, Treasurer Doug MacDonald sent letter to Minister of Department of Transportation and Infrastructure to request written confirmation to use designated highway funds in 2022.

Utilities - Treasurer MacDonald reviewed the variance report and reported water consumption is down, resulting in lower revenue.

Turnbull court sewer project hasn't started and could be deferred until 2023 due to environmental requirements

It was agreed the financial statements for both funds should be referred to Council for approval (DS/HB).

Donations

The **monthly report was accepted as presented (DS/HB)**

- a) Meghan Barton – agreed to **recommend to council to donate \$500 to support Indigenous culture. (NG/DS)**
- b) KV Oasis – agreed to **recommend to council to donate \$2,500 for short term funding. Any future requests will require Business Plan, Budget and Audited Financial Statements. (NG/HB)**

Review spending limits

Treasurer Doug MacDonald reviewed revisions to the Purchasing policy wording and spending authorization limits to reflect increases due to inflation.

Items for Information

- a) Sick Leave Actuarial Valuation – As a requirement by PSAB, actuarial report from Lifeworks has estimated an increase in accrued benefit obligation (pg34) which is approx.. \$10k higher than previous year.
- b) Merchant Agreement – Agreement with Global merchant to accept credit card payments online and in-person for Recreation booking software.
- c) CCBF Funding – Confirmation of funding and compliance with Administration of the Gas Tax Fund
- d) Compliance report – all items filed

Accepted as presented.

Next Meeting

August 25th, 2022

The meeting adjourned at 9:30am.

Deputy Mayor Matt Alexander
Chairman

Laura Adair
Recording Secretary



ROTHESAY

MEMORANDUM



TO	:Mayor and Council
FROM	:Finance Committee
DATE	:July 29, 2022
RE	:Donation Recommendations

The finance committee recommends the following motions re donation requests:

Council approve a donation to Bonny Hill & Meghan Barton of Rothesay High School in the amount of \$500.

Council approve a donation to KV Oasis in the amount of \$2,500 to support 2022 operating costs.

SCHEDULE A

Application for Rothesay Municipal Grant

App. Date: _____

Applicant: Bonny Hill & Meghan Barton of Rothesay High School

Address: 61 Hampton Rd, Rothesay NB E2E 5L6

Contact: Bonny Hill & Meghan Barton Tel. RHS: 847-6204

Email: Meghan.Barton@nbed.nb.ca Meghan Barton

Organization Description: Bonny Hill is working with Sixties Scoop Survivor Joanne Munroe to create a massive Art Installations that will help educate the students of RHS and possibly other local middle and elementary schools as well as the community on the legacy and impact of the Sixties Scoop.

Amount Requested: \$ (400- 650)

\$500.00

Descriptions of proposed event or activity: _____

On September 30, we will create a massive one day installation on the front field of RHS, that shows an image of survivor, Joanne Munroes face. Each student in the school will be given the opportunity to add one tile to this piece reinforcing the idea that "The Power of the Individual to Create Change". Our focus is on helping the TRC fulfill goals #62 (Education).

Project costs: Pay Joanne for here time, (Rate: \$ 400 per day x 1.5 days plus gas

Benefits to town of Rothesay: _____

Our goal for this project it to make sure all students understand the past history of 60's Scoop and gain a greater perspective and empathy for Indigenous communities. We hope that after this project is complete, people in the community;not just students will discuss the legacy of 60's Scoop and come to Indigenous Culture and people with a greater understing.

All records in the custody and control of the town of Rothesay are subject to the provisions of the Right to Information and Protection of Privacy Act ("the Act"), SNB 2009, c R-10.6 and may be subject to disclosure under the provisions of "the Act". The information collected on this form may be shared with internal departments, external agencies or released at a public Town Council or committee meeting.

Any questions regarding the collection of this information can be directed to the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB E2E 5L5 (506-848-6664).

SCHEDULE A

Application for Rothesay Municipal Grant

App. Date: August 3, 2022

Applicant: Kennebecasis Valley Oasis Youth Centre
Address: 26 Pettingill Road, Quispamsis NB E2E 3K6
Contact: Amy Hickey Tel. 847 2383
Email: amy.hickey@kvoasis.com

Organization Description: Youth Centre that offers a variety of youth and community

Amount Requested: \$2500

Descriptions of proposed event or activity: Operational costs to assist us in running the centre

Project costs: \$360 000 / year

Benefits to town of Rothesay: We offer mental health and wellness programming & services for youth, provide a safe space for them to spend time and stay out of trouble, support individual youth based on their needs, provide meals, and fun activities

All records in the custody and control of the town of Rothesay are subject to the provisions of the Right to Information and Protection of Privacy Act ("the Act"), SNB 2009, c R-10.6 and may be subject to disclosure under the provisions of "the Act". The information collected on this form may be shared with internal departments, external agencies or released at a public Town Council or committee meeting.

Any questions regarding the collection of this information can be directed to the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB E2E 5L5 (506-848-6664).



ROTHESAY
2022 August 8 Open Session FINAL 098
WORKS AND UTILITIES COMMITTEE MEETING
Rothesay Town Hall Common Room
Wednesday, July 20, 2022
5:30 p.m.



DRAFT

PRESENT: DEPUTY MAYOR ALEXANDER, CHAIRPERSON
COUNCILLOR DAVE BROWN
PETER GRAHAM
SARAH RICHARDS
CYNTHIA VANBUSKIRK

DIRECTOR OF OPERATIONS BRETT McLEAN
RECORDING SECRETARY DEBBIE KEYES

ABSENT: SHAWN CARTER, VICE CHAIRPERSON
GEORGE THAMBI
TOWN MANAGER JOHN JARVIE

Chairperson Alexander called the meeting to order at 5:30 p.m.

1. APPROVAL OF AGENDA

MOVED by P. Graham and seconded by Counc. Brown the agenda be approved as circulated.

CARRIED.

2. APPROVAL OF MINUTES

2.1 Regular Works and Utilities Committee meeting of June 22, 2022.

MOVED by P. Graham and seconded by Counc. Brown the minutes of June 22, 2022 be adopted as circulated.

CARRIED.

3. DECLARATION OF CONFLICT OF INTEREST

N/A

4. DELEGATIONS

N/A

5. REPORTS & PRESENTATIONS

N/A

6. UNFINISHED BUSINESS

6.1 Capital Projects Summary

DO McLean advised construction has begun on Grove Avenue/Hampton Road intersection. DO McLean mentioned the entire intersection will be paved once project is complete. The current work is to install the underground conduits such that the majority of the work in the intersection is complete before school begins. DO McLean stated that the signals, ped heads, poles and arms are still on order.

ROTHESAY

Works and Utilities Committee
Minutes

-2-

20 July 2022

6.2 Solid Waste Tonnage Report
RECEIVED FOR INFORMATION.

6.3 Speed Radar Sign Report
NO CHANGE

7. CORRESPONDENCE FOR ACTION

7.1 14 June 2022 Letter from St. Paul's re consideration for traffic calming on Church Ave.

Committee members discussed the letter from St. Paul's Church and concluded that with the traffic lights being installed at the Hampton/Grove intersection, traffic patterns should change and slow down.

MOVED by C. Vanburskirk and seconded by S. Richards to reply to St. Paul's Church regarding the installation of traffic lights at the Hampton/Grove intersection to slow traffic and to suggest that the Church investigate other means of parking.

CARRIED.

8. NEW BUSINESS

8.1 Move speed sign on Gondola Point Rd (request from resident on Almon Lane)

Committee discussed not moving speed sign as the new sidewalk being installed in August should alleviate the concern.

MOVED by C. Vanburskirk and seconded by Councillor D. Brown to contact individual and let them know there will be a new sidewalk installed some time in early August 2022.

CARRIED.

8.2 Extending Woodland Ave

DO McLean circulated a drawing which showed the extension of Woodland Avenue past the proposed apartment complex site ending with a cul-de-sac (near Hampton Road), a restricted access point (in the public road right-of-way adjacent to 93 Hampton Road) for emergency responders complete with retractable bollards to be remotely controlled by the Kennebecasis Valley Fire Department (KVFD) similar to the Opticom Emergency Vehicle Pre-emption (EVP) system used for signalized intersections. Committee discussed the drawing and agreed that it met the requirements set out in Council's motion regarding access to the apartment complex.

9. CORRESPONDENCE FOR INFORMATION

10. DATE OF NEXT MEETING

The next meeting is scheduled on Wednesday, August 17, 2022.

ROTHERSAY
Works and Utilities Committee
Minutes

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20 July 2022

11. ADJOURNMENT

MOVED by S. Richards and seconded by C. Vanbuskirk to adjourn the meeting.

CARRIED.

The meeting adjourned at 6:21 p.m.

CHAIRPERSON

RECORDING SECRETARY



ROTHESAY
~~2022 August 8 Open Session FINAL 101~~
PLANNING ADVISORY COMMITTEE MEETING
Rothesay Town Hall Common Room
Tuesday, August 2, 2022 at 5:30 p.m.



DRAFT

PRESENT: TRACIE BRITTAIN, VICE-CHAIRPERSON
JOHN BUCHANAN
MATTHEW GRAHAM
COUNCILLOR TIFFANY MACKAY FRENCH
COUNCILLOR DON SHEA
CHRISTIANE VAILLANCOURT

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
DIRECTOR OF OPERATIONS (DO) BRETT MCLEAN
RECORDING SECRETARY LIZ HAZLETT

ABSENT: ANDREW MCMACKIN, CHAIRPERSON
KELLY ADAMS

Vice-Chairperson Brittain called the meeting to order at 5:30 p.m.

1. APPROVAL OF THE AGENDA

MOVED by Counc. Shea and seconded by Counc. Mackay French the agenda be approved with the addition of:

- 29 July 2022 Email from resident RE: Higginson Avenue (*Item 5.3*)
- 2 August 2022 Email from resident RE: Higginson Avenue (*Item 5.3*)

CARRIED.

2. ADOPTION OF MINUTES

2.1 Regular Meeting of July 4, 2022

MOVED by C. Vaillancourt and seconded by M. Graham the Minutes of July 4, 2022 be adopted as circulated.

CARRIED.

3. DECLARATION OF CONFLICT OF INTEREST

Counc. Shea declared a conflict of interest for Item 4.1 110-112 Hampton Road.

Counc. Shea declared a conflict of interest and left the meeting.

4. NEW BUSINESS

- 4.1 110-112 Hampton Road** KEEL Property Holdings Ltd.
OWNER: 619699 N.B. INC.
PID: 00242818, 00242826, 30188411
PROPOSAL: Conditional Use – Restaurant (Drive Through)

A representative of KEEL Property Holdings Ltd., Mark Greatorex, was in attendance. DPDS White advised the request is to permit a restaurant with a drive-through at 110-112 Hampton Road as a Conditional Use.

DPDS White summarized the report, noting: the property is on a corner lot with access to Rosedale Avenue and Hampton Road, situated between a daycare and Cochran's Country Market; the land consists of three parcels zoned Central Commercial – to be consolidated if approval is granted; the proposal meets or exceeds all by-law requirements for parking, drive-through queuing, and landscaping; noise and nuisance concerns are not expected as the restaurant is not licensed, music will not be provided on the patio, and it is located approximately 150 feet from the nearest residential dwelling; and a stormwater management plan – prepared by a professional engineer and reviewed by the Town Engineer – is required for a development permit.

The Committee raised concerns regarding traffic congestion, asphalt (more parking spaces than required), and stormwater runoff (current problematic area).

Brett McLean, the Director of Operations/Town Engineer, acknowledged it is a problematic area, but the developer is required to submit a net-zero stormwater management plan, and there is an opportunity for staff and the developer to discuss details to mitigate traffic concerns. He added, the cost of any improvements required, for instance the widening of Rosedale Avenue – if necessary, would be borne by the developer. In response to an inquiry, DPDS White confirmed these conditions would be included in the development agreement.

Mr. Greatorex addressed traffic flow, parking, and a suggestion to strike an agreement with a neighbouring property for parking. He mentioned most cars will access the property from Hampton Road, which has a middle lane for turning to reduce traffic interruptions. Vehicles will circle the perimeter of the property to access the drive-through, and there is ample parking for restaurant operations, and staff, which lowers the risk of complaints. He added he does not think a neighbouring property owner would be interested in sharing use of their parking lot, as it would not be a mutually beneficial arrangement. When questioned, Mr. Greatorex noted there will be 30 seats in the restaurant, give or take 5 on either side; however, a change in the number of seats would not change the size of the building.

Ralph Forte, 120 Applebee Drive, asked the Committee to consider if drive-throughs should be permitted in this day and age, citing greenhouse gas emissions and health concerns.

M. Graham inquired about the process. DPDS White confirmed, if approved, the process for a development permit would begin, which would ensure landscaping and stormwater management requirements are met. Counc. Mackay French noted, and DPDS White confirmed, the Central Commercial Zone is preferable for restaurants. The intent is to determine if there are any concerns pertaining to restaurant operations – odour, noise, license concerns, hours of operation, etc.

MOVED by Counc. Mackay French and seconded by J. Buchanan the Planning Advisory Committee hereby grants Conditional Use approval of a restaurant with a drive-through at 110-112 Hampton Road (PIDs 00242818, 00242826, 30188411).

NAY vote recorded from C. Vaillancourt.

CARRIED.

Mr. Greatorex left the meeting.

Counc. Shea returned to the meeting.

- 4.2 **154 Hampton Road** Khristie LeBlanc, Manager
 OWNER: White Bay Enterprises Ltd.
 PID: 00243162
 PROPOSAL: Licensed Establishment

The applicant Ms. LeBlanc was not in attendance. DPDS White advised the request is to allow a licensed establishment at 154 Hampton Road as a Conditional Use. He noted the intent is to offer “a glass of wine” to the clients of Cedar Rose Beauty during their appointments. He highlighted the following: the property is zoned Central Commercial which permits licensed establishments as conditional uses; a Special Facility License for 25 persons is required for the business; and staff do not have concerns with the proposed conditional use.

Counc. Shea asked if the Special Facility License will restrict the type of alcohol (wine service only). DPDS White noted he does not believe so, but the Committee can include this as a condition, if desired.

C. Vaillancourt asked if ownership of the business changes, is approval transferrable or would the new owners need to reapply. DPDS White confirmed the approval is attached to the business and the license issued by the Province.

MOVED by J. Buchanan and seconded by Counc. Mackay French the Planning Advisory Committee hereby grants Conditional Use approval of a licensed establishment being a Special Facility License for 25 persons or less occupancy at 154 Hampton Road (PID 00243162).

CARRIED.

5. OLD BUSINESS

TABLED ITEMS

Tabled February 5, 2018 – no action at this time

5.1 Subdivision Approval - 7 Lots off Appleby Drive (PID 30175467)

Tabled September 8, 2020 – no action at this time

5.2 Removal of PAC conditions and variance – 59 Dolan Road (PID 00094938)

- 5.3 **Higginson Avenue** Stephen Maltby
 OWNER: M R Investments Inc.
 PID: 00239632
 PROPOSAL: Subdivision Agreement – 14 Residential Lots

Addenda:

- 29 July 2022 Email from resident RE: Higginson Avenue
- 2 August 2022 Email from resident RE: Higginson Avenue

MOVED by M. Graham and seconded by Counc. Shea the Rothesay Planning Advisory Committee remove the application for a subdivision agreement – 14 lots off Higginson Avenue (PID 00239632) from the table.

CARRIED.

The applicant Mr. Maltby, and Andrew Toole of Don-More Surveys & Engineering Ltd., were in attendance.

Mr. Maltby gave a presentation, highlighting: a brief overview of the company – which he owns alongside his wife (his family has been Rothesay residents since 2000), and another partner (with plans to move back to Atlantic Canada); a focus to provide quality living spaces (similar to the company's Tranquility Estates project in Quispamsis); thorough and thoughtful development for a comprehensively planned area (Phase 1 of the 2019 Hillside Secondary Plan, and 2020 Municipal Plan); potential use of the land has been scrutinized over many years by staff, Council, and the public; the "Rothesay Hills" proposal complies with the Hillside Secondary Plan, the Municipal Plan, adheres to public feedback received during public consultations for both Plans, is supported by Town staff, and addresses a need for housing; all proposed lots exceed the minimum lot size requirement of 1350 m² by roughly 31%, with the exception of Lot #3 which requires a variance of 5% because of the cul-de-sac; 16 lots are permitted but only 14 are proposed; and the benefits of living in Rothesay (safe community, healthy drinking water, access to nature and amenities). Mr. Maltby concluded by addressing concerns in correspondence received from residents. He noted: 14 additional single family homes pose no safety issues regarding traffic volume; heavy construction trucks have successfully travelled on Dunedin Road during construction of the existing homes, and a more recent development; an option is being explored to utilize the Hillside Trail for construction vehicles during development; the development will connect to the existing municipal services; water run-off poses no concerns to existing residences as indicated in the Stormwater Review by Mr. Toole; the proposal aligns with the Town's Secondary Plan and Municipal Plan; and Phase 1 of development has already been approved in the Secondary Plan – and all subsequent phases will require a collector road and other infrastructure such as a sewage lift station in order to proceed. He confirmed his interest is in working with the Town and its residents to create a development of value to the community.

The Committee inquired about: insufficient frontage for lots abutting the cul-de-sac, Parcel FS-12, use of the Hillside Trail for construction vehicles, a water stream on the property, blasting, stormwater detention methods, road condition (Dunedin Road), and timeline for completion.

DPDS White advised a special formula is used to calculate the frontage on lots abutting cul-de-sacs, but all proposed frontages comply with by-law requirements. Mr. Maltby added, landscaping will be utilized to detract from the additional pavement of the cul-de-sac. When questioned, DPDS White clarified, it is a preliminary subdivision plan – the configuration of some lots may change. DPDS White also noted Parcel FS-12 is land owned by the Town.

Mr. Maltby explained there was a conversation with Town staff about use of the Hillside Trail for construction vehicles. The idea was proposed as a means to mitigate construction traffic concerns on Dunedin Road. The intent is that the trail would be closed to the public during construction hours and reopen evenings and weekends.

Mr. Toole clarified, the water stream on the property is likely a storm sewer outfall – and not a watercourse – which will be addressed in the stormwater management plan.

Mr. Maltby noted, at this time, it is unclear if blasting will be necessary.

Mr. Toole advised options are being explored for stormwater detention methods, including underground storage.

Mr. Maltby addressed concerns regarding the condition of Dunedin Road. He reiterated that a new home was constructed recently, which required construction vehicles to travel up and down Dunedin Road with no issues. He provided another example of a new build on Allison Drive suggesting there are similar concerns for this road in terms of slope, width, and lack of sidewalks. He stressed that construction is a regular occurrence and there are measures in place to ensure it is done in a safe and effective manner – adding that it is usually monitored by the Town. Counc. Mackay French contended that Allison Drive is a straight route with less traffic than the winding route of Dunedin Road.

Mr. Maltby stated he expects the timeline for completion to be 3-4 years.

DPDS White clarified that the proposal is for a subdivision agreement, not a rezoning application. Points of interest with subdivision agreements are new streets, curbs, sidewalks, connections to municipal infrastructure, streetlights, trees, etc. He gave a presentation, summarizing the staff report:

- Proposal is for 14 lots on 6.14 acres of land with primary access from Higginson Avenue
- Lot 3 requires a 5% variance in lot size
- New public street extension
- Lots fully serviced (municipal water and sewer)
- Proposal conforms with the 2019 Secondary Plan and the 2020 Municipal Plan
- The subject land is part of Phase 1 of the 2019 Secondary Plan – municipal infrastructure connections are available, and proposal aligns with density planning
 - Phases 2-4 of the Secondary Plan cannot proceed without the extension of Wiljac Street as a collector road, and the extension of municipal services
- No capacity concerns with existing sanitary sewer system
- A net-zero stormwater management plan is required
- Upon review by emergency responders there are no conflicts with the proposed street name “Rothesay Hills Road”
- Costs for extending municipal services and for new roads will be borne by the developer
- The subject land is suitable for the proposed use

DPDS White concluded by sharing a draft clause which can be included in the subdivision agreement regarding construction access:

“The Developer and Rothesay agree that the water utility pipeline right-of-way connecting to Grove Avenue “Hillside Trail” shall be used solely for all construction machinery, heavy equipment and related commercial vehicles until such time that the subdivision is substantially complete.”

Should the Committee be amenable to inclusion of the draft clause, the proposed recommendation will be revised to recommend entering into an agreement, *as amended*.

The Committee made the following comments: there is another parcel of land in Phase 1 of the Secondary Plan that could be developed at the same time (different landowner); residents claim they were informed no development would occur until the extension of Wiljac Street; and a suggestion to pave the Hillside Trail for a permanent solution to traffic concerns, or improve the condition of Dunedin Road.

DPDS White advised the Secondary Plan, was approved by Council, and identifies the plan for each phase.

DO McLean clarified, the Hillside Trail was not initially designed as a trail, but rather as a utility access road and built to construction road standards. The trail would not be paved and remain available for use to the public outside of construction hours. He spoke to the condition of Dunedin Road, noting the grade cannot be changed, sidewalks were constructed in 2009 but met with public opposition, and widening the road would have implications for private driveways.

Counc. Mackay French proposed a public meeting be held. She mentioned new information was received regarding use of the Hillside Trail for construction vehicles.

MOVED by Counc. Mackay French and seconded by C. Vaillancourt the Planning Advisory Committee recommends Council hold a public meeting for the Higginson Avenue subdivision proposal.

ON THE QUESTION:

There was a brief discussion regarding procedure. When questioned, DPDS White confirmed it is at the Committee's discretion whether to discuss the proposed recommendations or table them pending the public meeting.

CARRIED.

Town Manager Jarvie clarified that it will be a decision of Council whether to hold a public meeting. He added the meeting will not be a meeting of the Planning Advisory Committee (PAC). Regular PAC meetings, such as this one, are open to the public.

Vice-Chairperson Brittain invited comments from the public. The following people spoke: Tom Mueller, 105 Horton Road; Bill Stratton, 50 Higginson Avenue; Catherine and Paul Emile Chiasson, 136 Horton Road; Terry Stilwell, 126 Wiljac Street; Greg Redford, 42 Horton Road; Pat McGill, 29 Horton Road; and Linda Lord, 16 Valpy Drive.

The following comments were made: there is a watercourse on the property; there is interest in maintaining Rothesay as a suburban bedroom community and retreat for all ages; residents are supportive of development as long as it is considerate of the existing community; more information is required to make an informed decision on the proposal (the schematic is inadequate); there is frustration with the lack of transparency and due process; road infrastructure in the area is unsustainable especially with the introduction of additional traffic; primary obligations should be to taxpayers rather than developers; follow through on Town interests expressed during public consultation for the Secondary Plan is lacking (ex. acquisition of Spyglass Hill land, and deferring development until completion of the Wiljac Street extension); approval of the Secondary Plan despite public opposition; support for a public meeting; a suggestion for the extension of Dunedin Road rather than a cul-de-sac; concerns of residents remain unaddressed especially with respect to road condition (Dunedin Road, Horton Road, Appleby Drive); Appleby Drive could be connected to the area as a part of the other Phase 1 potential development; the extension of Wiljac Street would introduce significant traffic to the area (likely redirected from Rothesay Road); municipal infrastructure may not be able to handle additional capacity (some residents have experienced back-ups); the importance of safety especially for young children in the area; and Rothesay staff visit the area presumably to address utility concerns.

DO McLean addressed concerns with respect to extensions of Dunedin Road and Appleby Drive, the presence of Rothesay staff in the area, and capacity concerns for municipal services. He noted: an extension of Dunedin Road could occur but has not because of public opposition; a connection to Appleby Drive is not proposed in this application; Town staff visit the area as part of regular maintenance operations to relieve water pressure from the water system (potable water) – this task does not pertain to the municipal stormwater system; and there is no evidence to suggest municipal services cannot handle additional capacity from the additional 14 lots. He offered that back-up issues on private properties may be a result of improper or cross connections, foundation cracks, or roof leaders with an internal connection. He reiterated that run-off will be managed through a net-zero stormwater management plan – where post-development run-off will not exceed pre-development conditions.

M. Graham raised safety concerns about temporarily repurposing the Hillside Trail for a construction route. He warned there are multiple offshoots for individuals to access the trail from the Spyglass Hill area. DO McLean advised temporary closure of the trail would be publicized by the Town. He reiterated the origin of the trail which began as a utility corridor, and noted the trail would remain available to the public during evenings and weekends. M. Graham stated he finds use of a trail for construction vehicles a conflicting alternative to a road.

C. Vaillancourt asked if the Hillside Trail can accommodate two-way traffic, and the rationale for deferring the Land for Public Purposes (LPP). DO McLean advised the width of the Hillside Trail is roughly 4 meters; however two-way traffic is not anticipated as it will only be utilized by one company. DPDS White explained the required amount of LPP, or cash in lieu of LPP, was calculated but deferred to ensure the land received is complementary to development of the Secondary Plan (ex. land for a walking trail to connect to the institutionally zoned property).

There was a brief discussion regarding how to proceed.

MOVED by Counc. Shea and seconded by T. Brittain the Rothesay Planning Advisory Committee recommends that Council authorize the Mayor and Clerk to enter into a Development Agreement as amended with M R Investments Inc. for the development of a 14-lot subdivision on the property identified as (PID 00239632).

YEA votes recorded from: Counc. Shea and T. Brittain.

NAY votes recorded from: Counc. Mackay French, J. Buchanan, M. Graham, and C. Vaillancourt.

DEFEATED.

There was discussion regarding procedure. The Committee deemed a vote on the second recommendation unnecessary since the first recommendation was defeated.

In response to an inquiry, DPDS White confirmed, in accordance with Town by-laws, the cost of improvements to Town infrastructure, for the purpose of development, will be borne by developers (ex. Wiljac Street extension). He added there is a formula based on acreage that will determine how the project will be cost-shared by developers.

6. CORRESPONDENCE FOR INFORMATION

N/A

7. DATE OF NEXT MEETING(S)

The next meeting will be held on **TUESDAY, September 6, 2022.**

8. ADJOURNMENT

MOVED by Counc. Mackay French and seconded by C. Vaillancourt the meeting be adjourned.

CARRIED.

The meeting adjourned at 7:40 p.m.

CHAIRPERSON

RECORDING SECRETARY



2022 August 8 Open Session FINAL_109
ROTHESAY
MEMORANDUM



TO : Mayor and Council
FROM : Planning Advisory Committee
DATE : August 4, 2022
RE : Higginson Avenue (PID 00239632)

The Planning Advisory Committee discussed the following motions at its regular meeting on Tuesday, August 2, 2022:

MOVED by Counc. Mackay French and seconded by C. Vaillancourt the Planning Advisory Committee recommends Council hold a public meeting for the Higginson Avenue subdivision proposal.

CARRIED.

MOVED by Counc. Shea and seconded by T. Brittain the Rothesay Planning Advisory Committee recommends that Council authorize the Mayor and Clerk to enter into a Development Agreement as amended with M R Investments Inc. for the development of a 14-lot subdivision on the property identified as (PID 00239632).

YEA votes recorded from: Counc. Shea and T. Brittain.

NAY votes recorded from: Counc. Mackay French, J. Buchanan, M. Graham, and C. Vaillancourt.

DEFEATED.



To: Chair and Members of Rothesay Planning Advisory Committee

From: Brian L. White, MCIP, RPP
Director of Planning and Development Services

Date: Thursday, June 30, 2022

Subject: Subdivision Agreement – 14 Residential Lots off Higginson Avenue

Applicant:	Stephen Maltby	Property Owner:	M R INVESTMENTS INC.
Mailing Address:	16 Arthur Avenue Rothesay, NB E2E 6A7	Mailing Address:	16 Arthur Avenue Rothesay, NB E2E 6A7
Property Location:	Dunedin Road / Higginson Avenue	PID:	00239632
Plan Designation:	Low Density	Zone:	Single Family Residential – Standard (R1B)
Application For:	Subdivision Agreement (14 lots and new public street)		
Input from Other Sources:	Director of Operations, KVFD		

ORIGIN:

An application by Stephen Maltby and his business partner Ashish Rampal, to subdivide 14 residential lots from a portion of lands owned by their company M R Investments Inc.. The subject land would require a new public road connection to Higginson Avenue and the provision of sewer and water services for the new lots. (See Attachment A)

BACKGROUND:

The subject land (PID 00239632) has a total area of and was formerly an undeveloped portion of the Country Club Heights subdivision dating back to the 1950s.

The subdivision application would see the development of 24,845 square meters (6.14 acres) for 14 single family lots being 15.76% of MR Investments 38.94 acres of land. All but one lot would meet the lot size requirement of 1350 square meters for the R1B zone. Lot 3 on the proposed plan of subdivision is 1284 square meters in area being 5% undersized from the 1350 square meter requirement. Staff are prepared to issue a minor variance at the time of final subdivision to accommodate Lot 3.



Figure 1 - Subject Lands (yellow highlight)

SECONDARY PLAN – PHASE 1

In April of 2019 Rothesay Council gave approval of the Hillside Secondary Plan to guide future development of 450.5 acres of undeveloped lands between Route 1 to the east and Rothesay Road and the Kennebecasis River to the west. The Hillside Planning area encompasses two distinct areas referred to as the Hillside South Study Area and Hillside North Study Area.

The subject lands are in the Hillside South Study Area, which has a total area of 182.1 acres, located south of the Riverside Country Club and accessible via Dunedin Road, Appleby Drive, Horton Road, Wiljac Street, and Maplecrest Drive. Development of the Hillside South is planned over 4 phases. Development in the Hillside South Study Area can begin in the Phase 1 area (see Figure 1) by connecting to Higginson Avenue. These lands are developable without extension of municipal services. The 14 single family homes generate low traffic volumes that are not expected to cause operational or safety issues on the connecting streets.

For Phase 2 to proceed, an upgrade and extension of Wiljac Street will be required as discussed under the Transportation section of the Secondary Plan. This will include the connection of this street directly to Fox Farm Road.

The Hillside Secondary Plan notes the following development issues regarding Phase 1 of the South Study Area:

1. Phase 1 development will not require any additional water main work by the Town,
2. Phase 1 of this development area will be connected to the existing sanitary sewers on Appleby Drive and Dunedin Road. There are no capacity concerns with this phase of the development for the existing sanitary sewers.

3. Phase 1 storm water will need to be directed to the storm sewers on Appleby Drive and Dunedin Road similarly to the sanitary sewer piping. The size and capacity of the existing storm sewers is unknown at this time and this would need to be carefully reviewed before allowing this phase of the development to proceed.

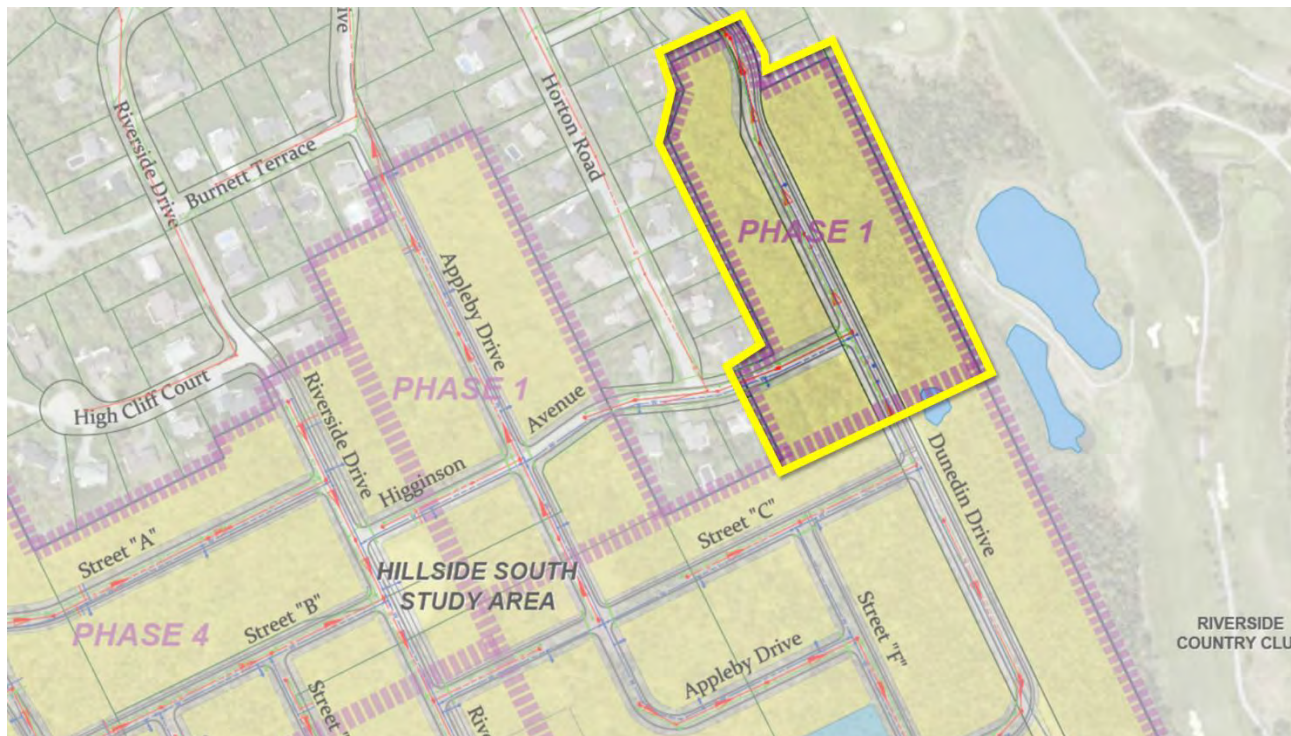


Figure 2 - Phase 1 of Hillside South Secondary Plan (Subject Lands)

4. The proposed development phasing is intended to limit construction traffic on local streets where no upgrades are planned. In the South Planning Area, Phase 1 comprises a relatively small number of residential units and construction traffic on Appleby Drive and Dunedin Road would be of low intensity.

LAND FOR PUBLIC PURPOSES

Staff are recommending that the Land for Public Purposes (LPP) requirement be deferred until such time that the Developer submits future phases for subdivision approval or that the Town has determined the preferred location of LPP. The Draft subdivision agreement states that Developer owes an amount of LPP no less than 2484.5 square meters being 10% of the area of the 14 lots being subdivided or \$26,832.60 as cash in lieu LPP being 8% of the market value as calculated by the Subdivision By-law formula.

CAPITAL COSTS FUTURE INFRASTRUCTURE

Rothsay's Municipal Plan states that

Policy DEVC-1 Developers' Responsibility

Require that developers pay for 100 percent of the growth-related infrastructure expenses to service development inside the boundaries of their proposal as well as 100 percent of cost of minimum upgrades to local infrastructure that falls outside their project boundaries but is directly necessary for the development.

As previously noted, the development of lots in the Hillside South Study Area can begin in the Phase 1 area without extension of municipal services. Subsequent Phases of development will require the construction of a collector road connection to the Fox Farm Road and municipal infrastructure such as a sewage lift station.

The construction of a collector road and lift station would benefit multiple land owners, and the development costs require a coordinated approach by the owners who stand to benefit from that infrastructure. Ideally the landowners in the Hillside South would form a property development partnership to achieve a common goal, such as the construction of infrastructure and marketing of the new subdivision.

However, if the developer(s) expect the taxpayer to become involved in the "production" of their raw land by constructing a collector road and lift station then a separate process must be put in place that ensures the taxpayer will recoup 100% of those costs. For that reason, the DRAFT subdivision agreement states that "no subdivision approvals shall be granted without the capital costs equal to a proportionate share of the cost for installing municipal infrastructure to service the Hillside South Secondary Plan area inclusive of the subject Lands have been approved by Rothesay Town Council, pursuant to Policy DEVC-1 of Rothesay By-law 1-20."

STREET NAME

PAC will also note that the subdivision includes a new public street shown on the plan as ROTHESAY HILLS ROAD. The following excerpt from the subdivision bylaw explains the role of the PAC the street in naming process.

7. STREET NAMES AND STREET SIGNAGE

When new streets are proposed the owner of lands being subdivided shall submit proposed street names to the Planning Advisory Committee for consideration. Street names with spelling or pronunciation similar to existing street names in Rothesay or the immediately surrounding communities shall not be considered acceptable.

The proposed street name ROTHESAY HILLS ROAD was scrutinized by Staff, including KVFD, for civic address name conflicts or for confusion with street names presently in use throughout the Greater Saint John area and Staff determined that no conflicts exist.

SUBDIVISION AGREEMENT:

Rothesay's Subdivision By-law No. 4-10 requires that the developer provide within the proposed subdivision public streets, curbing, sidewalks, culverts, storm water drainage infrastructure, water and sewer lines, streetlights, and street trees. The by-law also requires that the developer enter into a subdivision agreement with Council that is registered on title and specifies their obligations to construct and pay the cost of the infrastructure required. The agreement (Attachment B) also specifies that a Professional engineer will design the proposed municipal infrastructure (roads, water, sewer, stormwater, etc.) and provide certification that all infrastructure is constructed to Town standards.

POLLING

Polling was conducted and Staff did receive correspondence from nine residents (see Attachment A). The concerns regarding the proposed subdivision are mainly related to increase traffic from new residents and heavy truck traffic during construction. Many of the issues referenced by residents are addressed by the Secondary Plan report, however, the issue of heavy truck traffic during construction

will require additional consultation with Staff and the developer to create solutions to reduce the impact on existing neighbours.

SUMMARY

In review of the proposed subdivision Staff can confirm that the residential nature of the proposal conforms with the low-density residential intent of the Municipal Plan and the development phasing as indicated in the Hillside Secondary Plan. Staff are confident that the proposed development will be a residential community like the existing neighbourhood (Horton and Higginson) and accordingly would not present major land use conflicts. The cost of extending municipal services and for new roads is born entirely by the developer and will not negatively impact on the financial capability of Rothesay to absorb any operational costs relating to the development. Staff are also confident that the subject land is suitable for the proposed use and poses no obvious concerns or hazards for development.

RECOMMENDATION:

It is recommended THAT the Planning Advisory Committee:

- a) Recommend that Council authorize the Mayor and Clerk to enter into a Development Agreement with for the development of a 14-lot subdivision on the property identified as (PID 00239632).
- b) Recommend that Council give assent, as per Section 88(2) of the Act, to the creation of public streets with connections to Higginson Avenue and a new public street identified as ABC Street as shown on the MR Investments Ltd. Subdivision tentative plan Drawing No. 21199SDT1-Phase1 for the subdivision of land on the portion of lands identified as (PID 00239632).

Attachments:

Attachment A	Polling Results
Attachment B	Tentative Plan of Subdivision
Attachment c	DRAFT Subdivision Agreement



Report Prepared by: Brian L. White, MCIP, RPP

Date: Thursday, June 30, 2022

ATTACHMENT A

POLLING RESULTS

VIA EMAIL

Hello Brian,

I wanted to touch base you with regard to the proposed subdivision for Higginson Avenue. My main concern with any development of the area on top of Dunedin/ Appleby is the additional traffic on these two roadways which are narrow and contain sharp, blind turns.

The specific 14 lot proposal is not a huge concern, but this is clearly just phase one of what I assume will be a much larger build in the future given that MR Investments appears to own a much larger chunk of land in the area.

I would like to see a plan in place for how the town plans to manage traffic flow before approval is provided for any construction to avoid a situation where work is completed in small phases and the next thing you know Dunedin and Appleby have a huge increase in traffic that these roads do not seem to be designed to handle.

My hope would be that part of the plan to develop this area would include an access road at the top of the hill instead of funneling all of the traffic up the existing roadways.

Sincerely,

10 Mantua Rd

VIA EMAIL

Good afternoon Mr. White

As per your letter dated June 16th for the new subdivision in my neighborhood, I wanted to respond with my comments.

This is the third or fourth such application while I have resided here and while I understand there is a need for development, I hope council or the powers that be will deny this request as well.

The main reason is Dunedin Road is not built for traffic and the hairpin turn is a major issue. Drivers take this turn at speed and meeting another driver coming in the opposite direction, especially in winter, can be very concerning and dangerous.

Over the past year, our neighbourhood has significantly changed with the addition of many young families, and I fear their safety will be put at risk as a result of many more drivers and lack of sidewalks beyond Horton Road. Yes, only 14 households now but this will be only the beginning of development once it starts.

The winter that we experienced heavy snowfall, Irving Oil could not do a heating oil delivery to my house as Horton Road was down to less than one lane. Every winter, many cars cannot drive up Dunedin

and they end up parking their car in the spot directly opposite Dunedin on the Rothesay Road or get stuck at the hairpin.

Finally, and most importantly, development in our area was supposed to be curtailed until a new road running parallel to the highway was built (similar to Millennium Drive) in order to alleviate traffic concerns.

Nothing has changed.

Thank you for considering my comments.

40 Higginson Avenue
Rothesay, NB

VIA EMAIL

Good morning Mr. White,

We have a few comments and concerns we would like to share concerning the above development proposal. Firstly, we applaud development in our community if it is done correctly. We realize it not only creates tax revenue, but provides housing opportunities and growth for new families in our community.

Our concerns, as we reside at the bottom of Dunedin are, run off during and after construction. This is a very wet parcel of land. Secondly, access. How will heavy equipment access this area? As mentioned in previous PAC meetings, Dunedin is exceptionally narrow, and often regular size vehicles must use the sidewalk to pass by one another, especially during winter months. So, safety is an issue. Noise another. I can't imagine how long this construction will take and if it proceeds, there will be more per town development plan. So there will not be a time line on this development as such. It will just continue. I suspect Mr. McKay will be on track to begin from the opposite side of Higginson Ave. You can understand our concern. Twelve homes are acceptable, but exceeding this and it's obvious this will happen, is not acceptable to us and creates significant traffic concerns on Dunedin with its ability to handle such traffic. Additional access must be created, not linked to Dunedin to manage traffic flow. Has this been considered and addressed?

Another item to note is the deer situation. As we continue to develop this area, the deer problem will worsen. How do we develop correctly in a time and environmentally safe manner?

We look forward to discussing further and hope our concerns as residents and taxpayers in this beautiful community are heard.

Kind Regards,

2444 Rothesay Road,
Rothesay, NB, E2H 2K7

VIA EMAIL

Hi Brian,

My young family and I moved to Rothesay in July 2021 from Edmonton. While I understand the land development strategy has been actively discussed over the last half a decade, I wanted to write my concerns and comments to you as well.

Child Safety

My main concern is reduced child safety as a result of a traffic increase arising from the development. Our neighbourhood now has 8 kids under 7 years old living in the last 150 meters of Horton Road with no safety controls (signage, speed bumps), nor do we have any sidewalks. This development adds to this safety risk.

It is my understanding that the Town of Rothesay considers Horton Road to be low traffic volume. The Town might not be factoring the daily vehicle volume from Hillside Trail users nor the volume peaking in the winter with skaters/hockey players parking on Higginson to access the Riverside hole 11 ponds.

Electric Utilities

With growing intensity of storms around the world, and in the valley, this new development should feature underground electric service, in my opinion. Perhaps it makes sense to move all of Dunedin and Horton Road to underground service at this time as well.

I also have concerns about the ability of the electrical grid feeder serving Dunedin/Horton to handle an increase in demand. We already seem to have several brown or black-outs and that this development could increase this frequency. I know the above is NB Power's domain, but the town might have influence.

Putting on my business development hat, and perhaps as part of the bigger land development plan, there may be an opportunity for a renewable micro-grid to serve the Hillside region in partnership with NB Power and provincial and federal governments (since it's in my area of expertise, happy to help explore this in more detail if it gets momentum).

Skinny Lots might be the wrong strategy along the golf course

I may have misread the map, but it looked like the homes along the golf course were quite small. Perhaps it makes sense for these lots to be bigger "mansion lots". Mansions tend to yield more tax revenue, particularly when coupled with a tiered "mansion's tax" (gaining momentum in Edmonton - <https://globalnews.ca/news/8949218/multi-million-dollar-edmonton-home-mansions-tax/>). Food for thought.

Water Quality

I would want to make sure this development, and any further development, did not impact my water well quality.

Sewer/ Storm Water System

The sewer and storm water network needs to be able to accommodate any current and future demand.

Thanks for your time and for your engagement of those impacted,

112 Horton Road

VIA EMAIL

Dear Brian,

I am a resident of Dunedin Rd and received your notification dated June 16, 2022, indicating an application had been submitted for a 14-home development off Higginson Avenue.

I am writing to you today to express my concern over the proposed development as laid out on the notice that we received.

If I am correct in interpreting the proposal, the only means of access to these new homes would be by way of Dunedin Rd off Rothesay Rd.

While I have only been a homeowner on Dunedin since 2020, I did have occasion to access the Town of Rothesay Hillside Secondary Plan Final Report dated 2019.

In it, the traffic study on page 19 indicated some 600 cars travelled up and down Dunedin each day. Presumably that number has only grown in the past 3 years.

The addition of yet more traffic on Dunedin would be unsafe for the residents. Pedestrians (as example many school aged children) travel up and down the hill daily (for bus routes).

Also, many walkers, bikers and runners travel up and down Dunedin in order to access the walking trail.

Whereas there is a sidewalk at the bottom section of Dunedin there are no sidewalks beyond the split to Horton. This is a safety hazard with the traffic volumes that traverse the roadways in this area today. Adding more homes (and vehicles resulting) will only add to the safety concerns.

I am not opposed to development; however, I believe Dunedin is not an appropriate access point for any additional traffic volumes planned (today or in the future).

If I am interpreting the Hillside development plan correctly, there are plans to develop a road system across the ridge from Riverside Golf course through to Fox Farm Road.

This development should only proceed once that access has been completed.

Thank you

20 Dunedin Rd

VIA EMAIL

105 Horton Rd, Rothesay
2022-06-29

Re: Subdivision Application (Higginson Avenue)

Dear Mayor Dr. Grant and Council

Our family resides at the intersection of Horton Road and Higginson Ave.

Our neighborhood is beginning to feel like we are forced into a time-loop reminiscent of movie Groundhog Day starring Bill Murray. Together with other neighbors, I presented some concerns at earlier Council meetings and as well as two public meetings. Public concerns obliged the cancelation of similar earlier proposals. Those very same concerns still apply, and frankly we are baffled why our neighborhood is being subjected to unwarranted déjà vu. We are also confounded by the unnecessary and adversarial demeanor of Mr. White when addressing neighborhood concerns.

Let me preface my remarks with the following: No one in the neighborhood is opposed to further development. As a matter of fact, our neighborhood is dissatisfied with the current status quo and welcome further development. What our neighborhood desires is a coherent long-term plan and not a patchwork piecemeal plan as proposed by Brian White. Please allow me to explain.

1 - During my earlier presentations, I explained how Mr. John Jarvie, Rothesay Town Manager, had graciously visited our neighborhood, and personally fielded some of our concerns. At the time, Mr. Jarvie indicated the status quo was already unacceptable and that further development would not proceed, until after the extension of the Millennial Drive feeder road to Fox Farm Drive. Some of you will remember that Mr. Jarvie was present during the several meetings when I voiced my concerns and reminded Mr. Jarvie of his earlier assurances.

2 - In the meantime, non-local traffic accessing the walking trail has already increased traffic on our street - a nexus of Murphy's Law and the Law of Unintended Consequences. We are also concerned that this application represents the thin edge of the wedge: If it is reasonable to allow another 14 (times two or more) cars on our overtaxed street; then later on, another dozen cars should be no problem either, and so on and so on. The point is moot, the status quo is already unacceptable, as Mr. Jarvie indicated earlier.

3 - I draw to your attention that Dunedin Road is so poorly designed, many residents are required to park their cars at the bottom of the hill on Rothesay Road during particularly bad winter storms. I presume the Town of Rothesay has no plans to expand parking at the bottom of the hill. When I brought this concern to the attention of Mr. White, his immediate response was an unfriendly suggestion we should sell our residence and relocate. Such is just one example of unnecessary and regrettable adversarial confrontation to legitimate concerns.

4 - I also desire to draw Council's attention to a non-issue: The intersection of Dunedin and Horton does NOT pose a problem to residents as frequently suggested by Planning and Development Services. Any such suggestion invites a band-aid repair at that one intersection, while ignoring the real problem which exists with the serpentine curves on a very narrow stretch of road along 32-70 Dunedin Road. That is where the real danger lies, a danger which is being conveniently ignored by Planning and Development Services.

Due to poor design of that particular stretch of narrow road, it is particularly difficult to avoid crossing the middle line. On frequent occasion we barely avoided accident when proceeding downhill at less than 10 km/hr as our tire bounced off the curbs or snowbanks which almost thrust our car into the path

of oncoming traffic crossing the middle line. Accidents will be inevitable If construction trucks access Dunedin Rd to construct this subdivision.

During the worst of winter, that corner is a particularly perilous “one way” due to snowbanks. To emphasize Mr. Jarvie’s earlier assurances – a feeder road is required before more traffic can be placed on this road. As a matter of fact, subdivision by-laws in almost every New Brunswick municipality (except Rothesay for some unexplained reason) prohibit subdivision expansion when the slopes of current access roads are equivalent to Dunedin Rd.

5- The subdivision by-laws state that Mr. White can only bring forward proposals that are CONSISTENT with the municipal plan. I ask whether or not this subdivision falls within the secondary planning area - a plan for which, to my knowledge, is still not forthcoming. I remind everyone of the public meeting when Mr. White presented a secondary planning area proposal which was soundly rejected by all present! I repeat - if further subdivision is required – a plan is required – as council already agreed on several occasions. So why are we again repeating history?

Further to Mr. White’s failed secondary plan presentation: it was brought to his attention that the Riverside Country Club had expressed interest in a real estate swap – undeveloped land on a slope, ideal for expensive executive homes with a view of the river in exchange for flatter undeveloped land ideal for golfing. This proposed subdivision is immediately adjacent to the golf course and would be ideal for such an exchange. At that meeting, Mr. White indicated he would investigate the matter further. I just contacted Jason Porter, General Manager who assured me that no such inquiries had been made, some recent rezoning of club land notwithstanding. Yet again, it would appear that Mr. White has clearly made up his own mind, and that yet again, public consultation is a mere pretense as development is to continue without a long-term plan at hand.

Further to the issue of Mr. White’s presentation of the secondary plan – it was a travesty, the most egregious instance being his eloquent proposals for public paths and lookouts from Spyglass Hill, much to the chagrin of the current owner who expressed shock and dismay.

I suggest that all costs incurred with the fabrication of that aborted travesty of a plan should be deducted from the paychecks of anyone who signed off on that laughable sham. I emphasize how yet again – impressions are reinforced that public consultations are a pretense serving as a risible fig leaf for decisions already made in advance without attention to public concerns.

As mentioned already, no one in the neighborhood is opposed to further development as a matter of fact we welcome further development to improve our situation, especially a Millennial Drive feeder road to Fox Farm Drive or at a minimum a connector road to McKay Highway. We only desire that development proceed correctly and after proper study with a long-term plan in mind. At a minimum we would like to hold Mr. Jarvie to his word that no further development shall proceed until the feeder road easing traffic is constructed.

We petition Mayor and Council to please consider our concerns before making what we would consider a premature and ill-advised decision to proceed with the proposed development. We further request that no piecemeal – patchwork proposals be considered now or in future, until the public is presented a long-term plan which addresses concerns – especially current untenable traffic and safety concerns.

This missive is already too long and has not addressed all concerns, such as Mr. White's remarkable vacillating and contradictory explanations why an overhead pass between exits 133 and 111 is not feasible. With this letter, we also give notice that we would like to verbally present our concerns at the next public meeting of the Rothesay Planning Advisory Committee at 5:30 pm on Monday July 4th, at Rothesay Town Hall.

I thank you for your patience and for your indulgence.

VIA EMAIL

Dear Mr. White,

Thank you for the information concerning the proposed subdivision off of Higginson Avenue. We have a few questions/ concerns to address.

- 1). We are concerned about potential changes to the water table from this development. There have been issues in this area with wells going dry over the last few years. Although the proposed subdivision will be on municipal water, construction blasting and digging will affect the water table. What assurances and compensation is the developer prepared to offer in the case of well water changes (both water volume and quality of the water)?
- 2). Is there a plan to repair Horton, Dunedin and Higginson roadways from degradation due to the heavy truck traffic during the subdivision's development?
- 3). There are some streams on this property. Does the construction plan have an outline of how these are to be dealt with?

Thank you for your consideration in these matters.

Regards,

(121 Dunedin Rd)

VIA EMAIL

Dear Brian

Thank you for the opportunity to forward considerations and concerns regarding the proposed development off of Higginson Avenue. As a resident of the area, I do have a couple of questions.

How will this particular development be accessed? You mentioned a few years back when I met with you at the Town Hall that both Dunedin and Appleby were not originally graded properly nor created to code and were too steep to be considered for the Fox Farm development and am wondering if the Town will be developing Hillside Trail as the access point to this land or has your opinion now changed and if so, why?

Also, may you please take the time to explain the Town's technical concern at the corner of Dunedin and Mantua? The Town's staff visit this site on a frequent basis and go underground to monitor what I assume to be an active underwater river system. I am sure you'll agree that this is concerning and should be made transparent and should additional development further up the hill impact this drainage system the surrounding residents should be made aware of the risks.

Thoughtful development takes time, and we are fortunate to have neighbouring towns that have grown rapidly and made over-development mistakes from which the Town of Rothesay may benefit and learn.

Thank you again,

16 Valpy Drive

VIA EMAIL

To The Town of Rothesay PAC Committee and Brian White,

Unfortunately, we have been out of town and only recently received the letter concerning development behind Horton Road joining Dunedin and Higginson Avenues. I am submitting this letter now as the turnaround time indicated in your letter was very short.

I strongly disagree with this proposal to the development of the subdivision. I am attaching a letter that several residents in this area wrote and presented in the winter of 2018. While some of the issues in the letter have been addressed (mainly the town plan), the main obstacle to development has not been addressed, that being the dangerous and substandard Dunedin Rd.

We have argued on at least two previous occasions that no further development should be considered until the collector road is built between Grove Avenue and Fox Farm Rd. To increase traffic on the existing road is unacceptable and will most certainly add further danger to an already dangerous road.

I would be pleased to meet with the committee on July 4th to re explain the safety issues.

Thank you,

136 Horton Rd

ATTACHED LETTER AS FOLLOWS:

January 26, 2018

Dear Mr. Brian White,

We received your letter dated January 16, 2018 regarding a revised application from A.E. McKay Builders Ltd. to subdivide a portion of their lands to allow for seven new single family home lots and a public road connection to Higginson Avenue.

We do not support the revised application. While the application has changed, our concerns, the validity of the application and the lack of due process have not.

Paragraph 14.2.1 of the Rothesay Municipal Plan 2010 (by-law 1-10) (the “Municipal Plan”) provides that “Several areas in Rothesay should only be developed once a secondary plan is in place. These include the undeveloped area between the Riverside Country Club and Rothesay-Netherwood School, the area southwest of the Club and northeast of Maplecrest Drive, on the northeastern boundary of the municipality and the area southeast of the Mackay Highway which is considered a longer-term area for development.” Paragraph 14.2.3(a) of the Municipal Plan goes on to state that “Council will undertake secondary planning in the areas of the community as designated on Schedule G”. Finally, Paragraph 14.2.3 (c) states “Council will ensure that secondary planning addresses zoning, road networks, municipal water, sewer and storm sewer systems, third party utilities, pedestrian networks, buffering and recreation needs.”

The current proposal has a portion of the connecting road that is within the Secondary Planning Area.

During a Planning Advisory Committee (PAC) meeting on December 2, 2015 when discussing the previous 16 lot proposal, you made two very important points:

1) You explained that the mapping method used to illustrate Schedule G is a technique referred to as a “bubble” diagram or map. You stated that “the rounded smooth edges of the bubbles are used to represent a rough sense of geography”. During the meeting you argued that because of this, it could be interpreted that none of the previous 16 lot proposal were within the Secondary Planning Area.

If this is the case, using the same logic, one could also argue that 100% of the lots and road within this new application are within the Secondary Planning Area.

2) You also stated that “The fundamental purpose of Schedule G is that council should take a cautious, phased approach to development requests.”

Do you believe that recommending a development that purposely attempts to skirt the Secondary Planning Area in Schedule G is consistent with your obligations as the Development Officer for Rothesay not to approve a subdivision plan unless it is consistent with the Municipal Plan (see Paragraph 11.1 of the Rothesay Subdivision By-law No. 4-10)?

At the December 14, 2015 council meeting, the previous 16 lot subdivision was tabled due to concerns that we were putting the cart before the horse by approving a development before a Secondary Plan was complete (it was already included in the 2016 budget).

It must also be noted that at this same meeting some of our residents raised safety concerns. We addressed the issue of narrow, winding roads with no sidewalks on Appleby, Horton and Higginson Roads. The dangerous intersection at Horton and Dunedin was also highlighted. In the past two years, nothing has been done to address these concerns. Therefore, the increased traffic caused during and after the completion of the construction of additional homes will only add to the safety concerns on these roads for pedestrians and motorists alike.

Furthermore, at the December 14th, 2015 meeting, concerns regarding the high concentration of rock in the area and the probable need for blasting to build the MacKay homes were discussed. Without the appropriate environmental studies this blasting may result in negative effects on both the quality and

quantity of the ground water that the existing homes enjoy in their well water. While the new homes will be connected to town water, the existing homes will not have the same access to town water without hefty personal costs. In addition, there was concern about water runoff for the homes located below the new development.

Following this meeting, a firm was hired and an open house was held in which hundreds of Rothesay residents attended to voice their opinions. According to the most recent council minutes, \$52,000 (31% of budgeted amount) has been spent on the Secondary Plan, and the status remains “Concepts being developed”. This has been the same status since June 2016. Why has there been no progress on this study?

In a letter from Mr. McKay to yourself dated October 20th, 2017 (from the November 14, 2017 council kit), Mr. McKay wrote “As you are aware we purchased this land over two years ago and at that time the Town was considering its options for its secondary planning zone which incorporate the bulk of land and other surrounding properties. This study was not finalized and we understand an alternate approval will be undertaken by the Town” What is the “alternate approval” that Mr. McKay is referring to and why has this not been disclosed to the public?

We remain frustrated by the lack of transparency and the lack of due process regarding this proposed development.

While we support development, it must be done responsibly. It should be done in accordance to our Municipal Plan and it should be done in a “cautious, phased approach” given the area that it is within.

We encourage the Town and Council to finish the Secondary Plan so that we can develop this area in accordance to the plan.

Best regards,

Concerned Residents of Country Club Heights and Appleby Drive

Fw: LAST MINUTE - public feedback on subdivision application NAL_125

Liz Hazlett <lizhazlett@rothesay.ca>

Thu 6/30/2022 2:53 PM

To: ADDENDUM (received past deadline)

- Liz Hazlett <lizhazlett@rothesay.ca>

Subject: Higginson Ave Subdivision Application

I am writing from 128 Dunedin Rd. We have spoke before, as a result of my response to the Town of Rothesay Master Plan presentation from a few years ago.

I have received the notification of the proposed development on Higginson.

My concerns from years ago stand and are listed below.... these developments require thought and planning:

1) Sending any sort of construction vehicles up and down Dunedin Rd. is just NOT safe.
We are a "one-way in, one-way out" road. Our road is exceptionally steep, with several blind corners, it is narrow, and does not have sidewalks. In addition, Dunedin / Horton it is home to many families, many young families. There is no shortage of walkers, bikes, scooters, basketball, etc.... Moving trucks and delivery trucks struggle to manoeuvre. School buses do not travel the hill. Snow plows often required chains on their tires through the winter.

When I spoke with you directly a few years ago, you personally made it clear, that based on today's construction code, Dunedin would actually not exist. You also stated that the top of Dunedin would NOT be developed until an access at the top of the hill was created for safety and logistical reasons. You started that the access would have to come from either Fox Farm, or from Grove. The original plan to develop the hill from the "top down" makes a lot of logistical sense for all existing homes from the Rothesay Rd. to Hillside and should be respected and enforced.

2) Traffic flow on to Rothesay Rd. particularly during commuter hours (7-9am, 4-6pm) -
This needs to be a consideration for all development on the hill. We all struggle to make left hand turns when trying to leave our neighbourhoods during peak traffic hours. Making a left hand turn on the Rothesay Rd. is near impossible and often dangerous especially as we have a "blind knoll" to our left at the bottom of the hill. Adding more population / cars to our hill is only going to make it more difficult for us to leave our street....back to the "one-way in, one-way out" issue. This issue also points back to the need for access to be created off of the top of Fox Farm or the Top of Grove before this kind of development can happen.

3) I would like to know if an Environmental Impact Assessment and Water Flow Assessment has been completed. There is a lot of water where the new lots are set to appear. I certainly want assurances that environmental regulations are being respected and that the water flow is addressed in such a way so that those of us who live downhill from this development do not wind up with water in our basements or "rivers: running down our roads. These "rivers" can quickly turn into very icy and dangerous patches in the winter.

4) The lots should be larger and more in line with the aesthetic of the existing homes in this neighborhood. My biggest fear is that we will see a similar development to what McKay did off of Gibbon Rd....Lots where trees are "clear-cut" and big homes are jammed in on relatively small lots, and there are no sidewalks. What protects the residents from a similar development happening at the top of our hill?

5) I would like to know if anything is being done to address the eventual loss of the Hillside Trail. I recognize that Hillside is a road in the "master plan." I do, however, feel that town planners need to account for how much residents value trails for walking and biking. I would like to see a plan to replace what is currently the Hillside Trail and in the interim, I would like assurances that there will be some sort of access to the Hillside trail from Dunedin / Higginson.

6) The plan for the top of Dunedin is not clear from the drawing. Does the road connect all the way through or does it "dead end" before what appears to be a court?

Beyond this development, as a Rothesay resident, I have some other concerns as it relates to any and all development that will drive more population....

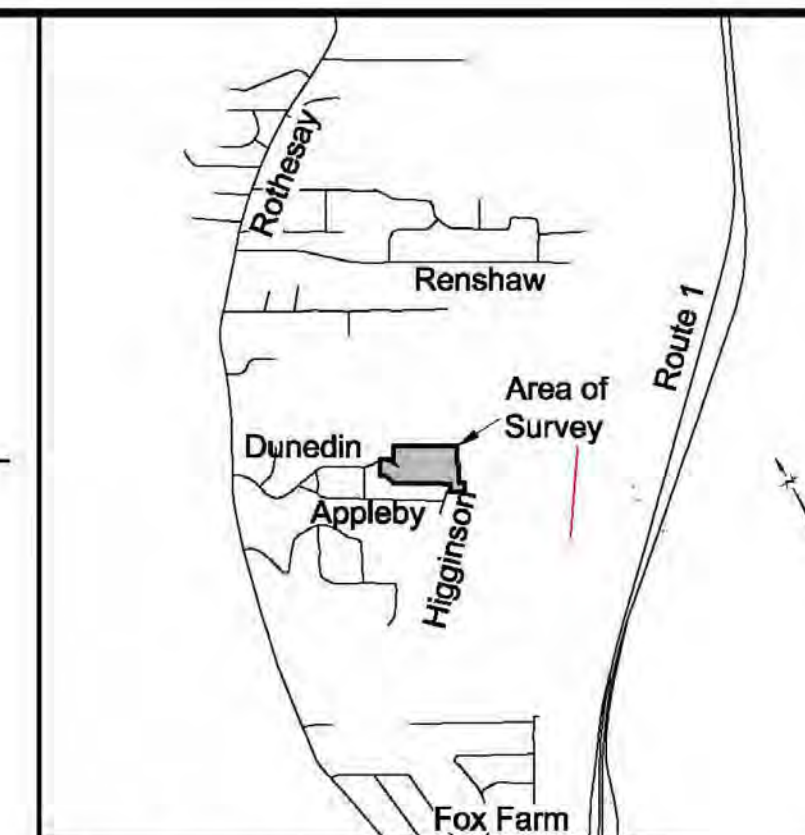
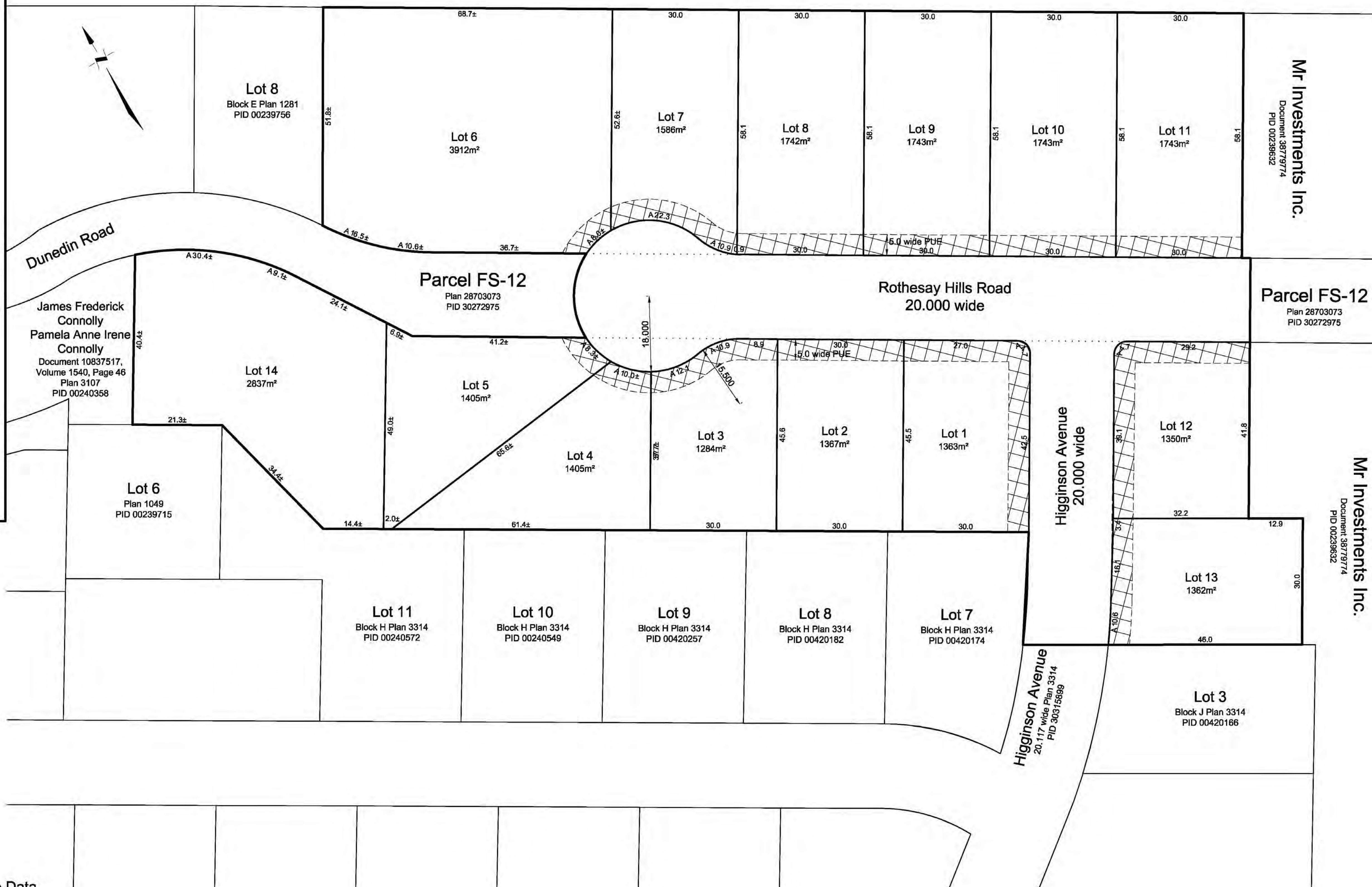
Adding population density to any part of Rothesay requires some thought and planning as it relates to the roadways and infrastructure. Rothesay Rd. Is becoming busy. It is not well maintained, is becoming increasingly congested and unsafe for cyclists. The intersection at ForeFitness is precarious at best, particularly during school drop-off and pick-up hours. When you hit Marr Rd. after 3pm...you cannot get through the Marr Rd. light without facing a long line-up. Quite simply, I am not convinced that the Town is really ready for increasing the population. You have to earn the right to grow...you need the infrastructure and the traffic planning in place first.

We bought our home in Rothesay (not Quispamsis) for several reasons. We loved the aesthetic, the space, the mature trees, the large lots, the simple traffic flow. We also love the trails, and the lifestyle it provides. If you drive around the new developments in Quispamsis, they have had to put in place a multitude of traffic barriers in many configurations to manage traffic and slow drivers down...pylons in ever changing configurations, traffic circles, rumble strips and speed bumps are all in use due to poor planning.

I am not against development. I am against development that is not well planned, where vision is lacking, and that does not respect existing residents. While some may argue that new development will drive property values up, I would argue the opposite.. To the Town of Rothesay...you need to figure out what you want to be when you grow up...what towns you want to emulate, what lifestyle you want to provide residents and what services / infrastructure your residents value now and / or will value in years to come and ensure that developments are done safely, respectfully and are in line with the vision.

Approvals


The Riverside Country Club
Document 21558540
PID 30233407



Key Plan

Scale = 1:25,000

Legend

- ⊙ SMS - Standard survey marker set
 - ⊙ SMF - Standard survey marker found
 - CALC - Calculated point
 - RIB - Round iron bar found
 - SQIB - Square iron bar found
 - IP - Iron pipe found
 - Ⓝ Tabulated coordinate reference
- 
 Lands dealt with by this plan
 Public Utility Easement

Notes

1. All computations performed and coordinates shown are based on the NB stereographic double projection and the NAD83(CSRS) ellipsoid as realized by Service New Brunswick's Active Control system.
2. All distances shown are in meters and are grid distances calculated using a combined scale factor utilizing geoid model HTD2.0.
3. All directions are NB grid azimuths established using GNSS.
4. Document and plan numbers referred to are those of the land titles or county registry office.
5. Certification is not made as to legal title, being the domain of a lawyer, nor to the zoning & setback bylaws or regulations, being the domain of a development officer.
6. Certification is not made as to covenants set out in the document(s) and the location of any underground services and/or fixtures permanent or otherwise.
7. Peripheral information and adjacent owner information was derived from SNB records.

Purpose of Plan

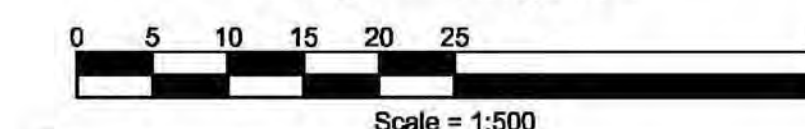
- To create 14 new residential lots.
- To create 2 Public Streets, Rothesay Hills Road and Higginson Avenue.
- To create Public Utility Easements (PUE)

Subdivision Plan

MR

Investments Inc.

Higginson Avenue, Rothesay
Kings County, NB



Title Data

PID 00239632
Owner: MR Investments Inc.
Document: 38779774
Registered: 2019-01-31

Title Data

PID 30282975
Owner: Rothesay
Document: 28702984
Registered: May 12, 2010

Signature of Owners

Signature of Owners

Stephen Maltby, President
For: MR Investments Inc.

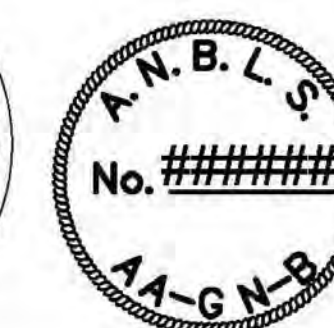
ABC, Position
For: The Town of Rothesay

Public Streets

These streets vest in the Municipality of Rothesay pursuant to Section 88(6)(a) of the Community Planning Act.

Public Utility Easements

Pursuant to Section 5 of "Designated Easements" Regulation 2021-83 and Section 88(7)(b) of the Community Planning Act the Public Utility Easements on the plan vest in the New Brunswick Power Corporation, Bell Canada, and Rogers Communications Inc. with the filing of this plan.



Dated:
June 28, 2022

TENTATIVE

Andrew K. Toole, NBLs # 379

Dwg: 21199SDT1-Phase1

Ref: 21199-StormwaterReview

June 28, 2022

Mr. McLean,

Re: Rothesay Hills - MR Investments - Stormwater Review

Don-More Surveys & Engineering Ltd. (Don-More) has been engaged to perform a high level review of a proposed development located east of Dunedin Road and north of Higginson Avenue adjacent to the Riverside Country Club relative to a stormwater management strategy.

This review is primarily related to a concern raised in the Secondary Plan related to the exiting storm sewers on Dunedin Road, and if there is adequate capacity to allow additional flows into this system.

Existing Site

The site extends from the end of Dunedin Road east about 300 meters. Dunedin Road transitions from an asphalt street to a gravel access to an existing residence located adjacent to this development.

The existing site generally slopes north towards the Riverside Country Club with the majority of the site draining onto the Country Club, and flowing east towards the Highway and entering the Renforth Bog watershed. Only a very small portion of the site drains west and enters the Kennebecasis River watershed. (a portion of Lot 14 only).

Stormwater Management Approach

Through the detailed design process, existing drainage paths will be respected with post development flows being directed to the same location as pre development flows. Stormwater detention will be incorporated into the design reducing post development flows to pre development levels.

This has the impact that the peak flows from the development entering the existing Dunedin Road storm system will remain to be only a very small portion of the development and there will be no increase in peak flows from the development entering this system.

Closing

We trust this is sufficient for your present needs. Please feel free to contact the undersigned at 506.636.2136 or at at@dmse.ca for any additional information or clarification.

Yours truly,

Don-More Surveys & Engineering Ltd.

Andrew Toole

Andrew Toole, NBLS, P.Eng.

Rothesay

DEVELOPMENT AGREEMENT

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

Parcel Identifiers
of Parcels Burdened
by Agreement:

00239632

Owner of Land Parcels:

MR Investments Inc.
16 Arthur Avenue
Rothesay, NB
E2E 6A7 (Hereinafter called the "Developer")

Agreement with:

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5 (Hereinafter called the "Town")

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

WHEREAS the Developer is the registered owner of certain lands located off Dunedin Road and Higginson Avenue PID 00239632 and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer is now desirous of entering into a development agreement to allow for the extension of public roads and the development of a subdivision containing not more than fourteen (14) lots for fourteen (14) single family dwellings on the Lands as described in Schedule A.

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

1. The Developer agrees that the number of Lots situated on the Lands indicated on Schedule A shall not exceed fourteen (14) lots.
2. The Developer agrees that the number of residential dwellings situated on the Lands indicated on Schedule A shall not exceed fourteen (14) single family dwellings.
3. The Developer agrees to submit for approval by the Town, prior to commencing any work on the subdivision, the following plans, each meeting the requirements in accordance with the minimum requirements, standards and specifications as prescribed in the Standard Specifications for Developers of Rothesay Subdivision By-law No. 4-10;
 - i. Plan of Subdivision prepared by a person registered to practice land surveying in the Province of New Brunswick;
 - ii. a letter of engagement from the project engineer retained by the Developer to design the proposed works, along with engineering design drawings for all municipal services as specified herein; and
4. The Developer agrees that the Building Inspector shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with the Town an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to the Town:

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

Schedules

- 5. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the following Schedules attached to this Agreement:
 - a. Schedule A Legal Description of Parcels
 - b. Schedule B Proposed Plan of Subdivision

Subdivision

- 6. The Developer agrees that no subdivision approvals shall be granted without the capital costs equal to a proportionate share of the cost for installing municipal infrastructure to service the Hillside South Secondary Plan area inclusive of the subject Lands have been approved by Rothesay Town Council, pursuant to Policy DEVC-1 of Rothesay By-law 1-20.
- 7. The Developer agrees that all Lots shall meet the requirements of the Single Family Residential – Standard Zone [R1B] as described in the Rothesay Zoning By-law No. 2-10.
- 8. The Town and Developer agree that the Development Officer may, at their discretion, consider a reduction in the total number of Lots and the resulting applicable and necessary changes to Schedule B as non-substantive and generally in conformance with this Agreement.
- 9. The Developer agrees, that except as otherwise provided for herein, the development, subdivision and use of the Lands shall comply with the requirements of the Rothesay Zoning By-law and Subdivision By-law, as may be amended from time to time.

Land for Public Purposes

- 10. The Town and Developer agree to defer the requirement for Land for Public Purposes (LPP) until such time that the Developer submits future phases for subdivision approval and the Town has determined the preferred location of LPP.
- 11. Furthermore, the Town and Developer agree that an amount no less than **2484.5 square meters** being 10% of the area of the 14 lots being subdivided or **\$26,832.60** as cash in lieu LPP being 8% of the market value as calculated by by-law shall form a debit owing on the lands.

Site Development

- 12. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with Schedule B.
- 13. The Developer agrees to not commence clearing of trees, excavation of topsoil or blasting activities in association with the construction of the subdivision until the Town has provided final approval of the subdivision design as determined by the Development Officer, in consultation with the Town's Engineer.

14. The Developer agrees that driveways for each developed Lot shall conform as follows:

- a) All areas used for vehicular traffic or the parking or storage of a vehicle shall be paved with asphalt, concrete, interlocking stone or other environmentally safe and dust-free equivalent surface.
- b) Every developed Lot shall have one (1) permanent driveway lighting fixture that shall as follows:
 - i. provide illumination of the primary driveway entrance to the public street right of way;
 - ii. be supplied from the property's electrical system;
 - iii. automatically switch on there is insufficient daylight;
 - iv. be located not closer than 1.5 meters to the paved driveway edge and not closer than 2 meters to the public street right of way boundary; and
 - v. be installed by the Developer and maintained by the successive lot owner(s) their successors and assigns, in a manner to ensure continuous operation during nighttime hours.

15. The Developer agrees that all proposed new public utility distribution infrastructure (including electricity, telecommunications and internet lines) installed in and for the purpose of supplying service to the subdivision shall be installed underground, exclusive of existing above ground public utilities.

Municipal Streets

16. The Developer shall carry out, subject to inspection and approval by Town representatives, and pay for the entire actual cost of the following:

- a. surveying and staking of lots and streets;
- b. rough grading of streets to profiles approved by the Town;
- c. fine grading of streets to profiles approved by the Town;
- d. hard surfacing of the streets as shown on the plan to Town specifications; sub-grade standards, compaction and finish as approved by the Town Engineer, in writing, before final hard surfacing may be installed;
- e. constructing the roads as shown on the plan and complete the connection to the Higginson Avenue as shown on Schedule B;
- f. supply and maintenance of for a period of one (1) year the topsoil, sod, landscaping and the planting of street trees calculated as one tree for each 10 meters measured along the linear centre line of the public street right of way, planted in location(s) approved by the Town and where such trees are as follows:
 - (a) Not smaller than six centimeters (6 cm) in diameter measured at a point being 2 meters above the root ball such trees species as approved by the Town.
- g. engineering design and inspection of those works referred to in clauses b), c) d), e) and f) of this section.

17. The Developer agrees to provide, upon completion of Part (13), signed documentation and progress reports from a practicing Professional Engineer, licensed in New Brunswick ensuring that applicable codes and standards have been met and that the work was completed and utilizing such materials as in accordance with the terms of this Agreement and approved specifications.

18. The Developer agrees to provide, upon the request of the Town, as-built drawings that delineate all public infrastructure to be submitted to the Town in compliance with the minimum standards and requirements specified in the Town's Digital Data Submission Standards for Infrastructure and Construction Drawings.

19. The Town reserves the right to assign public street names, notwithstanding

that the names may not correspond with those shown on Schedule A.

20. The Developer agrees that all items, materials, pipes, fittings, and other such infrastructure following acceptance of delivery on site by the Developer shall remain the full responsibility of the Developer against their accidental breakage or vandalism until the completed works are accepted by the Town.
21. The Developer agrees that it will not commence construction of any dwelling and no building permit will be issued by the Town for any such dwelling until such time as the street, which provides the normal access, to each dwelling, has been constructed to Town standards as specified by the Town and is ready for hard surfacing at least beyond the point which shall be used as the normal entrance of the driveway to service such dwelling.
22. The Developer agrees to restore all disturbed areas of the public street and public street right of way to the satisfaction of the Town Engineer following installation of the required municipal services.

Storm Water

23. The Developer shall carry out, subject to inspection and approval by Town representatives, and pay for the entire actual costs of the installation of a storm water system. The Developer agrees to accept responsibility for all costs associated with the following:
 - a. Construction, to Town standards, of a storm water system including pipes, fittings, precast sections for manholes and catch basins capable of removing surface water, to a predetermined location selected by the Developer's Engineer and approved by the Town Engineer, from the entire developed portion of the lands as well as topsoil and hydro-seeding of shoulders of roadways.
24. The Developer agrees to submit for approval by the Town, prior to commencing any work on the storm water system such plans, as required by the Town, that shall conform with the design schematics and construction standards of the Town, unless otherwise acceptable to the Town Engineer.
25. The Developer agrees that all roof leaders, down spouts, and other storm water drains from all proposed dwelling shall not be directed or otherwise connected or discharged to the Town's storm water or sanitary collection system.
26. The Developer agrees that the storm water drainage from all dwellings shall not be discharged:
 - a. directly onto the ground surface within one meter of a proposed dwelling;
 - b. within 1.5 m of an adjacent property boundary;
 - c. to a location where discharged water has the potential to adversely impact the stability of a side yard or rear yard slope or a portion of the property where there exists a risk of instability or slope failure; or
 - d. to a location or in such a manner that the discharge water causes or has the potential to cause nuisance, hazard or damage to adjacent dwellings or structures.
27. The Developer agrees to provide to the Town Engineer written certification of a Professional Engineer, licensed to practice in New Brunswick that the storm water system has been satisfactorily completed and constructed in accordance with the Town specifications.

Water Supply

28. The Developer agrees to connect to the Town's nearest and existing water

system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.

29. The Town agrees to supply potable water for the purposes and for those purposes only for a maximum of seven (7) single family residential dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.
30. The Developer agrees to pay the Town a connection fee for each residential unit to the Town water system calculated in the manner set out by By-law as amended from time to time, to be paid to the Town on issuance of each building permit.
31. The Developer agrees that the Town does not guarantee and nothing in this Agreement shall be deemed to be a guarantee of an uninterrupted supply or of a sufficient or uniform water pressure or a defined quality of water. The Town shall not be liable to the Developer or to any person, firm or corporation for any damage or injury caused by the interruption of the supply of water, the lack of uniform pressure thereof or the quality of water.
32. The Developer agrees that all connections to the Town water mains shall be approved and inspected by the Town Engineer or such other person as is designated by the Town prior to backfilling and that the operation of water system valves is the sole responsibility of the Town.
33. The Developer agrees to comply with the Town's Water By-law and furthermore that a separate water meter shall be installed, at their expense, for each residential connection made to the Town's water system.
34. The Developer agrees that the Town may terminate the Developer's connection to the Town water system in the event that the Town determines that the Developer is drawing water for an unauthorized purpose or for any other use that the Town deems in its absolute discretion.
35. The Developer agrees to provide, prior to the occupation of any buildings or portions thereof, written certification of a Professional Engineer, licensed to practice in New Brunswick that the connection of service laterals and the connection to the existing town water system has been satisfactorily completed and constructed in accordance with the Town specifications.

Sanitary Sewer

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

the Town Engineer or such other person as is designated by the Town prior to backfilling and shall occur at the sole expense of the Developer.

Retaining Walls

41. The Developer agrees that dry-stacked segmental concrete (masonry block) gravity walls shall be the preferred method of retaining wall construction for the purpose of erosion control or slope stability on the Lands and furthermore that the use of metal wire basket cages filled with rock (gabions) is not an acceptable method of retaining wall construction.
42. The Developer agrees to obtain from the Town a Building Permit for any retaining wall, as required on the Lands, more than 1.2 meters in height and that such retaining walls will be designed by a Professional Engineer, licensed to practice in New Brunswick.

Indemnification

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

Notice

44. Any notice or advice which is to be given under this Agreement shall be deemed to have been satisfactorily given to the Developer if delivered personally or by prepaid mail addressed to **MR INVESTMENTS INC.**, 16 Arthur Avenue, Rothesay, New Brunswick, E2E 6A7 and to the Town if delivered personally or by prepaid mail addressed to **ROTHESAY**, 70 HAMPTON ROAD, ROTHESAY, NEW BRUNSWICK, E2E 5L5. In the event of notice by prepaid mail, the notice will be deemed to have been received four (4) days following its posting.

By-laws

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

Termination

46. The Town reserves the right and the Developer agrees that the Town has the right to terminate this Agreement without compensation to the Developer if the specific proposal has not commenced on or before **INSERT DATE** being a date 5 years (60 months) from the date of Council's decision to enter into this Agreement accordingly the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Rothesay Zoning By-law.
47. Notwithstanding Part 45 (above), the Parties agree that development shall be deemed to have commenced if within a period of not less than three (3) months prior to **INSERT DATE** the construction of the public street and municipal service infrastructure has begun and that such construction is

deemed by the Development Officer in consultation with the Town Engineer as being continued through to completion as continuously and expeditiously as deemed reasonable.

48. The Developer agrees that should the Town terminate this Agreement the Town may call the Letter of Credit described herein and apply the proceeds to the cost of completing the work or portions thereof as outlined in the agreement. If there are amounts remaining after the completion of the work in accordance with this agreement, the remainder of the proceeds shall be returned to the Institution issuing the Letter of Credit. If the proceeds of the Letter of Credit are insufficient to compensate the Town for the costs of completing the work mentioned in this agreement, the Developer shall promptly on receipt of an invoice pay to the Town the full amount owing as required to complete the work.

Security

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

Failure to Comply

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

Entire Agreement

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

Severability

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

Reasonableness

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

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

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

Date: _____, 2022

Witness:

MR Investments Inc.

Director

Witness:

Rothsay:

Mayor

Clerk

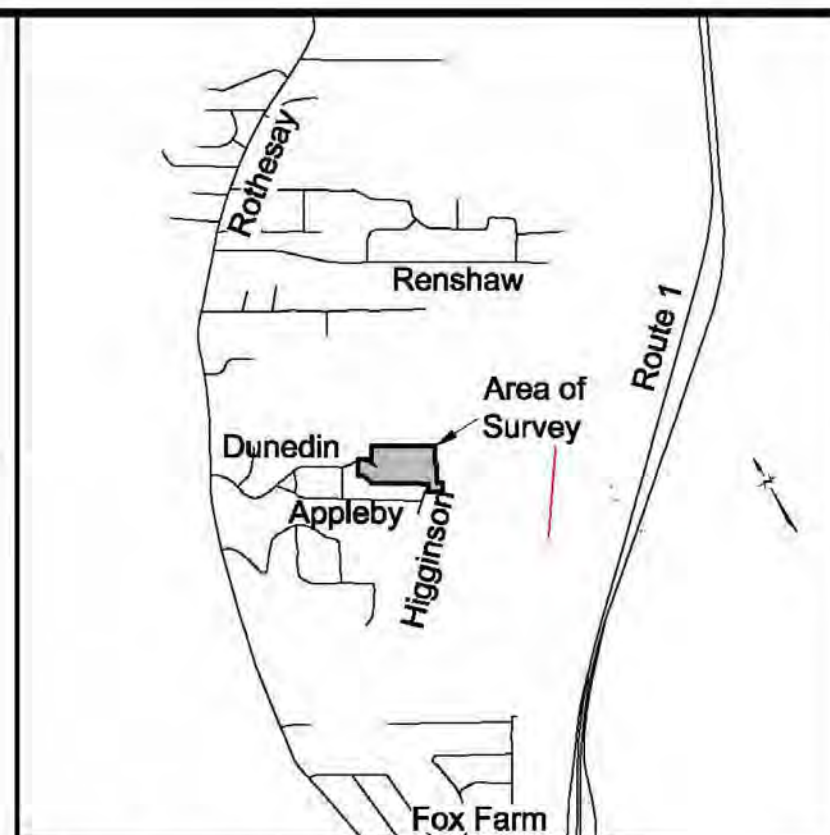
SCHEDULE A

PID 00239632

DRAFT AGREEMENT



Approvals

The Riverside Country Club
Document 21558540
PID 30233407



Key Plan
Scale = 1:25,000

Legend

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-  Lands dealt with by this plan
 Public Utility Easement

Notes

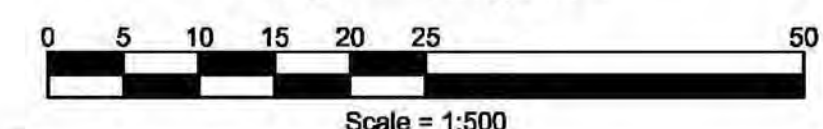
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4. Document and plan numbers referred to are those of the land titles or county registry office.
5. Certification is not made as to legal title, being the domain of a lawyer, nor to the zoning & setback bylaws or regulations, being the domain of a development officer.
6. Certification is not made as to covenants set out in the document(s) and the location of any underground services and/or fixtures permanent or otherwise.
7. Peripheral information and adjacent owner information was derived from SNB records.

Purpose of Plan

- To create 14 new residential lots.
- To create 2 Public Streets, Rothesay Hills Road and Higginson Avenue.
- To create Public Utility Easements (PUE)

Subdivision Plan

MR
Investments Inc.
Higginson Avenue, Rothesay
Kings County, NB



DON - MORE
SURVEYS &
ENGINEERING LTD.

Dated: **TENTATIVE**
June 28, 2022

Dwg: 21199SDT1-Phase1

Title Data
PID 00239632
 Owner: MR Investments Inc.
 Document: 38779774
 Registered: 2019-01-31

Title Data
PID 30282975
 Owner: Rothesay
 Document: 28702984
 Registered: May 12, 2010

Signature of Owners

Signature of Owners

Stephen Maltby, President
For: MR Investments Inc.

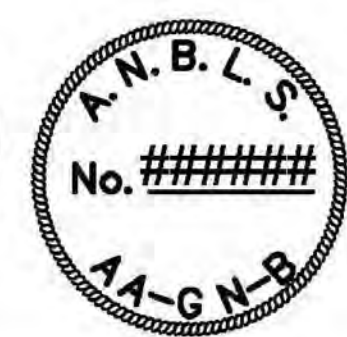
ABC, Position
For: The Town of Bothesay

Public Streets

These streets vest in the Municipality of Rothesay pursuant to Section 88(6)(a) of the Community Planning Act.

Public Utility Easements

Pursuant to Section 5 of "Designated Easements" Regulation 2021-83 and Section 88(7)(b) of the Community Planning Act the Public Utility Easements on the plan vest in the New Brunswick Power Corporation, Bell Canada, and Rogers Communications Inc. with the filing of this plan.



Form 45

AFFIDAVIT OF CORPORATE EXECUTION

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

Deponent: Stephen Maltby
16 Arthur Avenue
Rothesay, NB E2E 6A7

Office Held by Deponent: Director

Corporation: MR Investments Inc.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2022.

I, **Stephen Maltby**, the deponent, make oath and say:

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

DECLARED TO at Rothesay,
in the County of Kings,)
and Province of New Brunswick,)
This ____ day of _____, 2022.)

BEFORE ME:)
)
)
)
_____)
Commissioner of Oaths)

Stephen Maltby

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

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

Deponent: Ashish Rampal
16 Arthur Avenue
Rothesay, NB E2E 6A7

Office Held by Deponent: Director

Corporation: MR Investments Inc.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2022.

I, **Ashish Rampal**, the deponent, make oath and say:

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

DECLARED TO at Rothesay,
in the County of Kings,)
and Province of New Brunswick,)
This ____ day of _____, 2022.)

BEFORE ME:)

Commissioner of Oaths

Ashish Rampal

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

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

Deponent: **MARY JANE E. BANKS**

Rothsay
70 Hampton Road
Rothsay, N.B.
E2E 5L5

Office Held by Deponent: Clerk

Corporation: **Rothsay**

Other Officer Who Executed the Instrument: **NANCY E. GRANT**

Rothsay
70 Hampton Road
Rothsay, N.B.
E2E 5L5

Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Rothsay, Province of New Brunswick.

Date of Execution: _____, 2022.

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

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

DECLARED TO at town of
Rothsay, in the County of Kings,
and Province of New Brunswick,
This ____ day of _____, 2022.

BEFORE ME:

Commissioner of Oaths

MARY JANE E. BANKS

Liz Hazlett

From: Liz Hazlett
Sent: July 29, 2022 2:59 PM
To: Liz Hazlett
Subject: FW: regarding the PAC meeting Aug 2 for Subdivision Application (Higginson Avenue)

From: Brian White <BrianWhite@rothesay.ca>
Sent: July 29, 2022 2:10 PM
To: Mary Jane Banks <MaryJaneBanks@rothesay.ca>
Subject: FW: regarding the PAC meeting Aug 2 for Subdivision Application (Higginson Avenue)

From: tom mueller
Sent: Friday, July 29, 2022 9:05 AM
To: Nancy Grant <NancyGrant@rothesay.ca>; Matthew Alexander <MatthewAlexander@rothesay.ca>; Bill McGuire <BillMcGuire@rothesay.ca>; Dave Brown <davebrown@rothesay.ca>; Don Shea <DonShea@rothesay.ca>; Helen Boyle <helenboyle@rothesay.ca>; Peter Lewis <PeterLewis@rothesay.ca>; Tiffany Mackay French <TiffanyMackayFrench@rothesay.ca>
Subject: regarding the PAC meeting Aug 2 for Subdivision Application (Higginson Avenue)

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

The Town of Rothesay has yet again, made an application for a subdivision for 14 new single-family homes which would impact the residents along Dunedin, Higginson, and Horton Roads.

While our neighborhood supports development, it must be done responsibly and in a “cautious, phased approach” with a long-term plan in mind.

A proposal should make the developer’s intentions clear; what is his vision, how will it be executed, together with a possible schedule while identifying the effects on the existing community both positive and challenging.

None of this happened. In fact, as time of this letter’s writing; frequent attempts on my part for further details on the proposal have been unsuccessful.

A detailed proposal should facilitate a community response before being brought forward to the PAC, before going to council with a recommendation that balances the interests of the developer with those of our community.

We hope the motion will be tabled pending a public consultation during a public proposal by the developer.

We forward an attached letter expressing our concerns in greater detail.

We thank you in advance for your patience and your indulgence.

Thomas Mueller

The Town of Rothesay has yet again, made an Application for a subdivision for 14 new single-family homes which would impact the residents along Dunedin, Higginson, and Horton Roads.

A meeting of the Rothesay Planning Advisory Committee will be held at 5:30, Tuesday August 2.

While our neighborhood supports development, it must be done responsibly and in a “cautious, phased approach” with a long-term plan in mind. A proposal should make the developer’s intentions clear; what is his vision, how will it be executed, together with a possible schedule while identifying the effects on the existing community both positive and challenging. None of this happened. In fact, frequent attempts on my part for further details on the proposal have been unsuccessful.

A detailed proposal should facilitate a community response before being brought forward to the PAC, before going to council with a recommendation that balances the interests of the developer with those of our community.

1 – please express your concerns via email to the mayor and every council member before day’s end Tuesday, August 2

<https://www.rothesay.ca/council-members/>

2- Given the last-minute timeline - please urge any of your friends and neighbors residing anywhere between the Riverside Country Cub and Fox Farm Road to do the same – promptly. The planned feeder road through Maplecrest and Wiljac should not be a consideration.

3- Please attend the public meeting of the Rothesay Planning Advisory Committee on Tuesday, August 2. We hope the motion will be tabled pending a public consultation during a public proposal by the developer.

Thanks in advance for your patience and your indulgence.

Thomas Mueller
105 Horton Rd, Rothesay
2022-06-29
Re: Subdivision Application (Higginson Avenue)

Dear Mayor Dr. Grant and Council

Our family resides at the intersection of Horton Road and Higginson Ave.

Our neighborhood is beginning to feel like we are forced into a time-loop reminiscent of movie Groundhog Day starring Bill Murray. Together with other neighbors, we presented some concerns at earlier Council meetings and as well as two public meetings. Public concerns obliged the cancelation of similar earlier proposals. Those very same concerns still apply, and frankly we are baffled why our neighborhood is being subjected to unwarranted déjà vu. We are also confounded by an inability to obtains answers to questions addressing neighborhood concerns.

Let me preface my remarks with the following: No one in the neighborhood is opposed to further development. As a matter of fact, our neighborhood is dissatisfied with the current status quo and welcome further development. What our neighborhood desires is a coherent long-term plan and not a patchwork piecemeal plan as proposed by Brian White. Please allow me to explain.

1 - During my earlier presentations, I explained how Mr. John Jarvie, Rothesay Town Manager, had graciously visited our neighborhood, and personally fielded some of our concerns. At the time, Mr. Jarvie indicated the status quo was already unacceptable and that further development would not proceed, until after the extension of the Millennial Drive feeder road to Fox Farm Drive. Some of you will remember that Mr. Jarvie was present during the several meetings when I voiced my concerns and reminded Mr. Jarvie of his earlier assurances.

2 - In the meantime, non-local traffic accessing the walking trail has already increased traffic on our street - a nexus of Murphy's Law and the Law of Unintended Consequences. We are also concerned that this application represents the thin edge of the wedge: If it is reasonable to allow another 14 (times two or more) cars on our overtaxed street; then later on, another dozen cars should be no problem either, and so on and so on. The point is moot, the status quo is already unacceptable, as Mr. Jarvie indicated earlier.

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3 - We draw to your attention that Dunedin Road is poorly designed, many accidents are required to park their cars at the bottom of the hill on Rothesay Road during particularly bad winter storms. I presume the Town of Rothesay has no plans to expand parking at the bottom of the hill.

4 - We also desire to draw Council's attention to a non-issue: The intersection of Dunedin and Horton does NOT pose a problem to residents as frequently suggested by Planning and Development Services. Any such suggestion invites a band-aid repair at that one intersection, while ignoring the real problem which exists with the serpentine curves on a very narrow stretch of road along 32-70 Dunedin Road. That is where the real danger lies, a danger which seems to be ignored by Planning and Development Services.

Due to poor design of that particular stretch of narrow road, it is particularly difficult to avoid crossing the middle line. On frequent occasion we barely avoided accident when proceeding downhill at less than 10 km/hr as our tire bounced off the curbs or snow banks which almost thrust our car into the path of oncoming traffic crossing the middle line.

During the worst of winter, that corner is a particularly perilous "one way" due to snowbanks. To emphasize Mr. Jarvie's earlier assurances – a feeder road is required before more traffic can be placed on this road. As a matter of fact, subdivision by-laws in almost every New Brunswick municipality (except Rothesay for some unexplained reason) prohibit subdivision expansion when the slopes of current access roads are equivalent to Dunedin Rd. Now imagine our frustration -we still do not know if the developer intends to access Dunedin Rd with construction trucks to construct this subdivision.

5- The subdivision by-laws state that Mr. White can only bring forward proposals that are CONSISTENT with the municipal plan. I remind everyone of the public meeting when Mr. White presented a secondary planning area proposal which was soundly rejected by all present! We now ask whether or not this subdivision falls within the secondary planning area - a plan for which, to my knowledge, has only been approved in principle. That means, details have yet to be hammered out, together with public consultation. I repeat - if further subdivision is required – a plan is required – as council already agreed on several occasions. So why are we again repeating history?

Further to the issue of Mr. White's unsuccessful presentation of the secondary plan, the most egregious failure were the report's eloquent proposals for public paths and lookouts from Spyglass Hill, much to the chagrin of the current owner. I emphasize how yet again – impressions are reinforced that public consultations are a pretense serving as a transparent fig leaf for decisions already made in advance without real attention to public concerns.

Further to the issue of Mr. White's unsuccessful presentation of the secondary plan: we as your electorate, we are prepared to pay a premium, both in real estate prices and property taxes, to maintain the status quo of a suburban lifestyle as touted as a Mission Statement for the Town of Rothesay. One reason the presentation was so soundly rejected was the prospect of undesired urban sprawl when more desirable alternatives were not considered.

Further to Mr. White's failed secondary plan presentation: it was brought to his attention that the Riverside Country Club may have expressed an interest in a real estate swap – undeveloped land on a slope, ideal for expensive executive homes with a view of the river in exchange for flatter undeveloped land. This proposed subdivision is immediately adjacent to the golf course and would be ideal for such an exchange. At that meeting, Mr. White indicated he would investigate the matter further. I recently contacted Jason Porter, General Manager who assured me that no such inquiries had been made, some recent rezoning of club land notwithstanding. Furthermore, such questions take time and would need to be discussed by the Club's board. Yet again, public consultation appears to be a mere pretence as development is to continue without a long-term plan at hand.

We petition Mayor and Council to please consider our concerns before making what we would consider a premature and ill-advised decision to proceed with the proposed development. We further request that no piecemeal – patchwork proposals be considered now or in future, until the public is presented a long-term plan which addresses public concerns – especially current untenable traffic and safety concerns with this proposal with a view to traffic concerns in the long-term.

As mentioned already, no one in the neighborhood is opposed to further development as a matter of fact we welcome further development to improve our situation, especially a Millennial Drive feeder road to Fox Farm Drive or at a minimum a connector road to McKay Highway. We only desire that development proceed correctly and after proper study with a long-term plan in mind. At a minimum we would like to hold Mr. Jarvie to his word that no further development shall proceed until the feeder road easing traffic is constructed.

With this letter, we also give notice that we would like to verbally present our concerns at the next public meeting of the Rothesay Planning Advisory Committee at 5:30 pm on Tuesday August 2nd, at Rothesay Town Hall.

I thank you for your patience and for your indulgence.

Tom Mueller

Liz Hazlett

From: Liz Hazlett
Sent: August 2, 2022 4:14 PM
To: Liz Hazlett
Subject: FW: Concern for proposed development at Higginson Avenue

From:
Sent: Tuesday, August 2, 2022 1:52 PM
To: Nancy Grant <NancyGrant@rothesay.ca>; Matthew Alexander <MatthewAlexander@rothesay.ca>; Tiffany Mackay French <TiffanyMackayFrench@rothesay.ca>; Bill McGuire <BillMcGuire@rothesay.ca>; Dave Brown <davebrown@rothesay.ca>; Helen Boyle <helenboyle@rothesay.ca>; Peter Lewis <PeterLewis@rothesay.ca>; Don Shea <DonShea@rothesay.ca>
Subject: Re: Concern for proposed development at Higginson Avenue
CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
Good afternoon Mayor and Council,

I am writing to you once again to express my concern regarding the proposed development on Higginson Ave. My understanding is that there is a council meeting today (August 2) to discuss this proposal. I will be unable to attend as I am travelling but wanted to ensure my concerns were heard.

First, I believe the timing of this process by which this development is being considered leaves a lot to be desired. For the initial notification and subsequent meetings to discuss/decide the proposal all to be scheduled during the summer period (late June, July, early August) and in a very compressed timeline leaves the impression that this was intentional so as to limit community response/involvement.

To the matter at hand - as residents that live at the bottom of Dunedin Rd, we are very concerned with the impact to the traffic that will be running up and down Dunedin Rd. Initially due to the construction of the proposed homes and subsequently the additional traffic those new homes generate.

As you know, Dunedin is a narrow, steep and curvy road that, when it splits with Horton, has no sidewalks.

Observing the amount of truck traffic generated with just a single home construction (as I've observed on the recently constructed home at the corner of Rothesay Rd and Burpee Ave) I am very concerned about the size, noise, volume of dumptruck, loaders, and other heavy machinery that will be making the journey up and down Dunedin Rd for X number of months or years while these proposed homes are being constructed should Mayor and Council approve this development.

The safety of pedestrians (many young school children), bicyclers, hikers will be negatively impacted by all this additional traffic compounded by a street not designed at all for these volumes.

My spouse and I made the conscious decision to purchase in the Dunedin Rd area because it was already a mature/developed neighbourhood. We did not nor would not have expected to have to contend with months if not years of perpetual heavy equipment driving up and down Dunedin Rd daily...morning noon and night.

Subsequently, the new home owners, their service providers, and associated visitors to these homes will generate yet more traffic on a street that was never designed nor conceived for such ever increasing volumes.

I urge Mayor and Council to deny this application to determine if the development can be delayed until an appropriate road access from some other access point be determined.

Thank you

20 Dunedin Rd
Rothesay, NB

On Sun, Jul 3, 2022 at 9:37 PM

wrote:

Attention : Mayor and Council

Hello,

I am a resident of Dunedin Rd and received your notification dated June 16, 2022 indicating an application had been submitted for a 14 home development off Higginson Avenue.

I am writing to you today to express my concern over the proposed development as laid out on the notice that we received.

If I am correct in interpreting the proposal, the only means of access to these new homes would be by way of Dunedin Rd off Rothesay Rd.

While I have only been a home owner on Dunedin since 2020, I did have occasion to access the Town of Rothesay Hillside Secondary Plan Final Report dated 2019.

In it, the traffic study on page 19 indicated some 600 cars travelled up and down Dunedin each day. Presumably that number has only grown in the past 3 years.

The addition of yet more traffic on Dunedin would be unsafe for the residents. Pedestrians (as example many school aged children) travel up and down the hill daily (for bus routes).

Also many walkers, bikers and runners travel up and down Dunedin in order to access the walking trail.

Whereas there is a sidewalk at the bottom section of Dunedin there are no sidewalks beyond the split to Horton. This is a safety hazard with the traffic volumes that traverse the roadways in this area today. Adding more homes (and vehicles resulting) will only add to the safety concerns.

Dunedin Road is not an adequately designed road for the traffic it handles today let alone any increase to traffic. The steep slopes, horrendous conditions during the winter result in many vehicles not being able to make it up the hill - creating dangerous situations for themselves and other drivers.

I am not opposed to development, however, I believe Dunedin is not an appropriate access point for any additional traffic volumes planned (today or in the future).

If I am interpreting the Hillside development plan correctly, there are plans to develop a road system across the ridge from Riverside Golfcourse through to Fox Farm Road.

This development should only proceed once that access road proposed in future phases has been completed.

In closing I must also express disappointment with the manner in which this information was made aware to residents of Dunedin/Horton and others, (a simple one page letter with a poor sketch on the back), no reference to the previous proposals that were discussed, as well as the extraordinarily short window of time for residents to express their concerns (particularly given the summer holiday period). It leaves a bad taste in one's mouth and a sense there is an effort to fast track this proposal.

Thank you

20 Dunedin Rd



ROTHESAY

2022August8OpenSessionFINAL_148

BUILDING PERMIT REPORT

7/1/2022 to 7/31/2022

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
07/18/2022	BP2022-00054	3 EDMONT LN	SINGLE FAMILY	\$325,000.00	\$2,356.25
07/20/2022	BP2022-00078	15 POST RD	SINGLE FAMILY	\$375,000.00	\$2,718.75
07/14/2022	BP2022-00080	49 KINGSHURST LANE	RENOVATION	\$40,000.00	\$290.00
07/06/2022	BP2022-00082	82 HAMPTON RD	NEW COMMERCIAL BUILD	\$2,250,000.00	\$16,312.50
07/15/2022	BP2022-00084	200 RENSHAW RD	ABOVE GROUND POOL	\$5,100.00	\$43.50
07/06/2022	BP2022-00087	48 IONA AVE	FENCE	\$5,000.00	\$36.25
07/07/2022	BP2022-00089	3 HARRY MILLER CRT	FENCE	\$23,000.00	\$166.75
07/04/2022	BP2022-00090	57 HAMPTON RD	ACCESSORY BUILDING	\$25,000.00	\$181.25
07/08/2022	BP2022-00091	18 HAMPTON RD	WINDOWS	\$5,000.00	\$36.25
07/04/2022	BP2022-00092	267 GONDOLA POINT RD	DECK	\$3,000.00	\$21.75
07/21/2022	BP2022-00094	27 CHARLES CRES	IN GROUND POOL	\$100,000.00	\$100.00
07/06/2022	BP2022-00096	8 SILVERTON CRES	ACCESSORY BUILDING	\$20,000.00	\$145.00
07/08/2022	BP2022-00097	208 GONDOLA POINT RD	SIDING	\$18,450.00	\$137.75



BUILDING PERMIT REPORT

7/1/2022 to 7/31/2022

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
07/12/2022	BP2022-00098	4 SHERYL DRIVE	DECK	\$2,000.00	\$20.00
07/08/2022	BP2022-00100	10 ISAAC ST	FENCE	\$1,000.00	\$20.00
07/12/2022	BP2022-00101	101 PARK DR	ADDITION	\$25,000.00	\$181.25
07/20/2022	BP2022-00102	4 TERRI ST	DETACHED GARAGE	\$17,000.00	\$123.25
07/14/2022	BP2022-00103	16 ISLAY DRIVE	DECK	\$8,000.00	\$58.00
07/20/2022	BP2022-00104	8 KIRKPATRICK RD	FENCE	\$9,500.00	\$72.50
07/14/2022	BP2022-00106	34 ISLAY DR	STORAGE SHED	\$2,660.00	\$21.75
07/15/2022	BP2022-00107	3 CAMPBELL DR	WINDOWS	\$4,440.00	\$36.25
07/20/2022	BP2022-00109	1 FRANCES AVE	DETACHED GARAGE	\$36,000.00	\$261.00
07/26/2022	BP2022-00111	10 CAPRI AVE	IN GROUND POOL	\$55,000.00	\$398.75
07/26/2022	BP2022-00112	48 IONA AV	DECK	\$2,500.00	\$21.75



2022August8OpenSessionFINAL160

BUILDING PERMIT REPORT

7/1/2022 to 7/31/2022

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
Totals:				\$3,357,650.00	\$23,760.50
Summary for 2022 to Date:				\$7,850,564.96	\$57,004.00

2021 Summary

	<u>Value of Construction</u>	<u>Building Permit Fee</u>
Monthly total:	\$1,019,461.00	\$7,966.00
Summary to Date:	\$4,872,201.00	\$36,711.50



ROTHESAY

INTEROFFICE MEMORANDUM



TO : Mayor Grant & Council
 FROM : John Jarvie
 DATE : 4 August 2022
 RE : Capital Project – Status Report

The following is a list of 2022 capital projects, holdover 2019, 2020 and 2021 capital projects and the status of each along with a continuing project from 2016.

	PROJECT	BUDGET	\$ TO 30/06/22*	COMMENTS
2016	General Specification for Contracts	40,000	40%	Draft document under review by staff
	Trail & sidewalk connector Wells	\$1.62M	-	Subject to grants; estimate revised to current – land acquisition discussions with Province underway
2019	Secondary Plan road design	50,000	-	Wiljac – decision tabled
	Drainage Study	200,000	80%	Final Report Submitted
202	Wells Ballfield	250,000	95%	Substantially Complete
	WWTP Phase II design	600,000	22.5%	Technology Selected. Preliminary Design in Review Stage
2021	Production Wells (#7)	290,000	30%	Regulatory approval for withdrawal rate pending final consultant report in late July
	Shadow Hill Court water	400,000		Preliminary design and cost estimates complete
	Station Rd, cast iron line replacement	250,000		Deferred
	Turnbull Ct sewer replacm't Phase II	1,000,000	20%	Project pending WAWA permit approval
	SCADA	35,000	26%	In design phase
	Fire Department Stn 2 Reno	1,250,000		Approved by Municipal Capital Borrowing Board, budget adjustment made and increase approved by both Towns
	2022 Street Resurfacing	1,760,000	5%	Work 70% complete
	2022 Curb & Sidewalk	350,000		Sidewalk on Spruce Street included in the list, Dobbin deferred
	2022 Designated Highways	500,000		Provincial funding not provided in 2022, project deferred
	Storm Sewers	100,000		Included in resurfacing tender
2022	Intersection improvements Grove Avenue at Hampton Road	420,000		Conduit and pole bases complete, awaiting delivery of poles and signals
	Fleet/Equipment	615,000	62%	Sweeper purchased and in service; one Ton on August agenda
	Buildings	85,000		HVAC installation on June agenda
	Information Technology	125,000	50%	Inc new photocopier, booking software
	Town Hall HVAC	100,000	10%	
	Parks Equipment	200,000	23%	Mowers in service
	Pickle Ball Courts	50,000	10%	Item on September Agenda
	Renforth park concrete walkway	15,000		
	Fitzgerald Field fencing	6,000		Completed
	Arena	\$2.0M		
	Turnbull Ct sewer replacement Ph II	\$1.0M	25%	Tender awarded, waiting for permit approvals
	Water quantity	100,000		pending
	Water model update	100,000		pending
	Water Treatment Train expansion	550,000	10%	Purchased and on order
	Wells New Building	\$1.7M	30%	Design Work Underway
	Hillview water line replacement	50,000		Preliminary design complete

* Funds paid to this date.



To: Mayor Grant and Rothesay Council
From: John Jarvie, Town Manager
Date: Wednesday, August 03, 2022
Subject: Rezoning Application – Hillcrest-Highland

RECOMMENDATION

Council HEREBY removes from the TABLE the rezoning application for Highland Avenue/Hillcrest Drive.

BACKGROUND

On Monday, April 25, 2022 Rothesay Council held a public hearing for a proposed rezoning of land located off Highland Avenue and Hillcrest Drive from the Single Family Large Service lot zone to the Multi-Unit Residential Zone, subject to the execution of a Development Agreement.

At the May 9th, 2022 Council Meeting the Town Manager Jarvie advised Council a request was received from the developers to table their application to permit time to improve the project.

MOVED by Counc. Shea and seconded by Counc. Lewis Council table the application for Highland Avenue/Hillcrest Drive.

CARRIED

REVISED BUILDING DESIGN

Although Council did not request design changes the applicants have revised the building design to modified building to a peak roof design and added full dormers to the fourth story roof. The overall height of the building has increased from ~46ft to ~56ft however, the general appearance of the peak roof is more appropriate to the local neighbourhood surroundings. For reference the proposed four story 56ft high peak roof building would be taller than the 40ft high Town Hall and the 50ft high condo buildings at 52-54 Hampton Road.





Figure 1 - Original Proposed Flat Roof Building (as presented at the Public Hearing April 25, 2022)



Figure 2 - Revised Building Design (peaked roof)

Additionally, the revised design relocates the underground parking entrance to mid-building area away from 6 Hillcrest Drive. The relocation of the parking entrance is a beneficial revision to the project.



Figure 3 - Revised Site Plan with Parking Access Relocated

STAFF POSITION

Staff's position regarding the application was presented at the April 4, 2022 PAC meeting in a report prepared by DPDS White regarding the proposed rezoning. That report contains a summary as the follows:

"Staff have reviewed the rezoning application and it is staff's opinion that the proposed development seeks to redevelop the property with a higher density/intensity than is compatible with the scale, urban design, and architectural features of the existing neighbourhood.

Staff could support this application if the applicant was willing to make the recommended changes to the proposed development as follows:

1. removing the 2 single family homes (2 and 4 Hillcrest Drive) from the proposal;
2. reduce the apartment building height to 3 stories; and
3. revise the building architecture to include a peaked roof design.

Staff have expressed concern regarding the density of the project but are prepared to support a 42 unit building if the above conditions are met. However, without changes, staff do not recommend approval of the application as presented."

DPDS White reiterated the Staff position (above) to Council at the April 25, 2022 public hearing. The applicants having listened to the feedback and concerns raised at the Public Hearing requested Council table their application to permit time to improve the project.

Staff have reviewed the revised proposal and general conclude that the project has improved. Staff also evaluated this new revised proposal against the original position with comments as follows in the table below:

Staff Original Position	Staff Response to Revised Proposal
Remove the 2 single family homes (2 and 4 Hillcrest Drive) from the proposal;	<p>The applicant has not removed the two single family homes from the revised proposal. Staff note that single family homes are not a permitted use in the requested R4 zone. The revised proposed apartment building is located too close to the existing homes and does not respect the traditional model of homes with rear yard amenity space. Staff continue to recommend removal of the single-family homes should the rezoning be approved.</p> <p>However, Staff are prepared to support a development agreement that would allow the buildings to remain on the property during construction of the apartment building and make the removal of the buildings a condition of occupancy.</p>

Reduce the apartment building height to 3 stories; and	The revised building remains as a four-story building with a roof peak height at 56ft (17m) the by-law height for apartment buildings is 15m (50ft) and the adjacent condominiums buildings are 50ft at the peak. While a three-story building would be an improvement Staff are prepared to support the revised four-story design as this peaked roof design is more compatible with the neighbourhood.
Revise the building architecture to include a peaked roof design.	Staff have met with the applicants and provided feedback regarding the building's architectural design. Staff are satisfied that the revised architectural quality of the proposed building better reflects the general character of the neighbourhood and for that reason are supportive of the building.

DENSITY

The 1.67 acres property has a potential maximum residential density of 34 units. The applicant wishes that Council should consider and grant the maximum density bonus of 20%. The granting of a rezoning from single family residential to high density residential and the granting of a density bonus by Council should not be considered as an entitlement. The rezoning and density bonus that would allow for a 41-unit apartment building is a significant discretionary contribution by Council toward the viability of the project and no additional project density should be considered.

As noted above the retention of the two single family homes exceeds the maximum density. Staff are convinced that the 41-unit apartment building is a considerable density increase from the current state of the property zoned for two existing single-family homes. While developers endeavor to increase the viability of their projects through increased density Staff are concerned about neighbourhood capability and getting the density right.

RECOMMENDATION:

Staff recommend that Council approve the following Motions:

Council HEREBY gives FIRST READING by TITLE to By-law 2-10-31 to rezone land off Highland Avenue and Hillcrest Drive (PIDs 00444885, 00444877, 30346308, 30187629) from the R1A zone to the [R4] Multi-Unit Residential Zone subject to the execution of a Development Agreement.

Council HEREBY directs Staff to prepare a revised development agreement to include the revised architectural design and site plan and a clause that would require the removal of the two single-family dwellings as a condition of occupancy.



Report Prepared by: Brian L. White, MCIP, RPP

Date: Wednesday, August 03, 2022

ATTACHMENT A – REVISED BUILDING DESIGN

Highland Suites Memo

To: Brian White, John Jarvie
From: Bespoke Suites
CC: Luke Moffett, Sean Hall
Date: July 5, 2022
Re: Project Revisions

Objective: Provide a summary of certain revisions to site plan and architecture design elements.

Units: We have maintained the same number of units that went through the PAC and Public Hearing Process.

Architecture: The main design element changes within the updated elevations and renderings were:

- modified the levels from a full four-story building to a three and a half story building with a peak roof
- added dormers
- incorporated units within the dormers.
- reduced the number of units on our top floor, however, have incorporated features that the town staff believe fit better for this location. (Will evaluate window sizes and vaulted ceilings in further design process)
- indicated siding materials
- As per council's request, we have utilized the siding materials from the main building to be utilized on the two single family homes to "dress them up" and to make them better fit within the overall site (other items to "dress them up" are also incorporated in the site plan changes which included certain landscaping items).

Site Plan: The main site design element changes were:

- change in location to the underground parking which provides for physical separation of the two homes and provides more green space separation for 4 Hillcrest.
- per the town staff's suggestion, we lined the entrance with Cedars/or another type of bush/plants for separation from the entrance.
- per staff's suggestion, we bumped out the underground parking further to increase the underground parking and this reduced the surface area parking requirements.
- relocated our outdoor sitting area/amenity space away from the two single family homes to the end of the building and have our exterior exit straight towards that space.

Program: The density would be subject to achieving the maximum of 100 points under CMHC's MLI Select Program which for new construction must achieve energy efficiency, barrier free, and affordable housing. It is their "innovative new multi-unit mortgage loan insurance product focused on affordability, accessibility, and climate compatibility". "MLI Select uses a point system to offer insurance incentives based on affordability, energy efficiency, and accessibility". As shown below, the developer must meet certain stringent requirements to achieve points but can combine points from each category to achieve the maximum 100 points. The program provides details on how the results are verified and calculated and aligns with the objectives of the Town of Rothesay's density program.

New Construction - Point Distribution

Affordability – Rent Levels (10 year affordability commitment*)			Energy Efficiency and GHGs Reductions over 2017 NLCB > 2015 NBC			Accessibility ¹	
50 Points	70 Points	100 Points	30 Points	35 Points	40 Points	70 Points	80 Points
10% of units at 30% of median renter income	15% of units at 50% of median renter income	25% of units at 80% of median renter income	70% above code	75% above code	80% above code	At least 15% of the units are considered accessible in accordance with the CSA standard B651-18 OR Min 15% of units are universal design OR The building receives Rick Hansen Foundation Accessibility Certification (50%-70% score)	Min 15% of units are considered accessible in accordance with the CSA standard B651-18 and Min 85% of units are universal design OR 100% of units are universal design OR 100% of units are accessible in accordance with the CSA standard B651-18 OR The building receives Rick Hansen Foundation Accessibility Certification (70%+ score or better)

Affordability Criteria:

Your project must meet a set of key criteria related to affordability. For MLI Select, affordability qualification is based on median renter income for both existing properties and new construction projects.

If renter income data is not available for your specific market, we will accept income data from comparable centers, provincial data or comparable rural centers.

Affordability criteria applies for a minimum of 10 years with borrowers committing to 20 years receiving an additional 30 points.

Energy Efficiency Criteria:

For this part, we will use the attestation of a qualified professional as well as the use of third-party building standards and certifications to validate the energy efficiency commitments of your application.

Qualified professionals include those with energy modelling experience such as:

- Professional Engineer
- Architect
- Certified Engineering Technologist (CET)
- Certified Energy Manager (CEM)

Also, an appropriate energy simulation software must be used to conduct the analysis. More information on the approved software and certifications can be found in the MLI Select Required Documentation Guide.

Accessibility Criteria

One of the objectives of MLI Select is to support the preservation and the creation for accessible rental housing across the country.

The commitment to accessibility is based on the number of units that are considered accessible in accordance with the CSA standard B651-18, the principals of universal design or meet Rick Hansen Certification standards.

Projects must also be 100% visitable and all common areas within the building must be barrier free, each in accordance with the CSA standard B651-2018.

We will use a signed attestation that supports the commitment to achieving the accessibility criteria, or confirmation of achievement within the permitted timeframe. Attestations are to be completed by an architect or designated accessibility consultant and submitted at time of application.

For more info – click <https://www.cmhc-schl.gc.ca/en/professionals/project-funding-and-mortgage-financing/mortgage-loan-insurance/multi-unit-insurance/mliselect>



PROPOSED MATERIALS (ALL NON-VINYL):

- M1 - STONE VENEER
- M2 - FIBRE CEMENT LAP SIDING (DARK GREY)
- M3 - FIBRE CEMENT LAP SIDING (LIGHT GREY)
- M4 - FIBRE CEMENT LAP SIDING OR SHINGLES (LIGHTER GREY/WHITE)
- M5 - FIBRE CEMENT LAP SIDING OR SHINGLES (DARK GREY)
- M6 - ASPHALT SHINGLES (BLACK OR GREY)

**PRELIMINARY
ONLY**

JUNE 27, 2022



**HIGHLAND SUITES
41 UNIT APARTMENT BUILDING
ROTHESAY, NB**







Polyline
Designs

**HIGHLAND SUITES
41 UNIT APARTMENT BUILDING
ROTHESAY, NB**



**HIGHLAND SUITES
41 UNIT APARTMENT BUILDING
ROTHESAY, NB**







Polyline
Designs

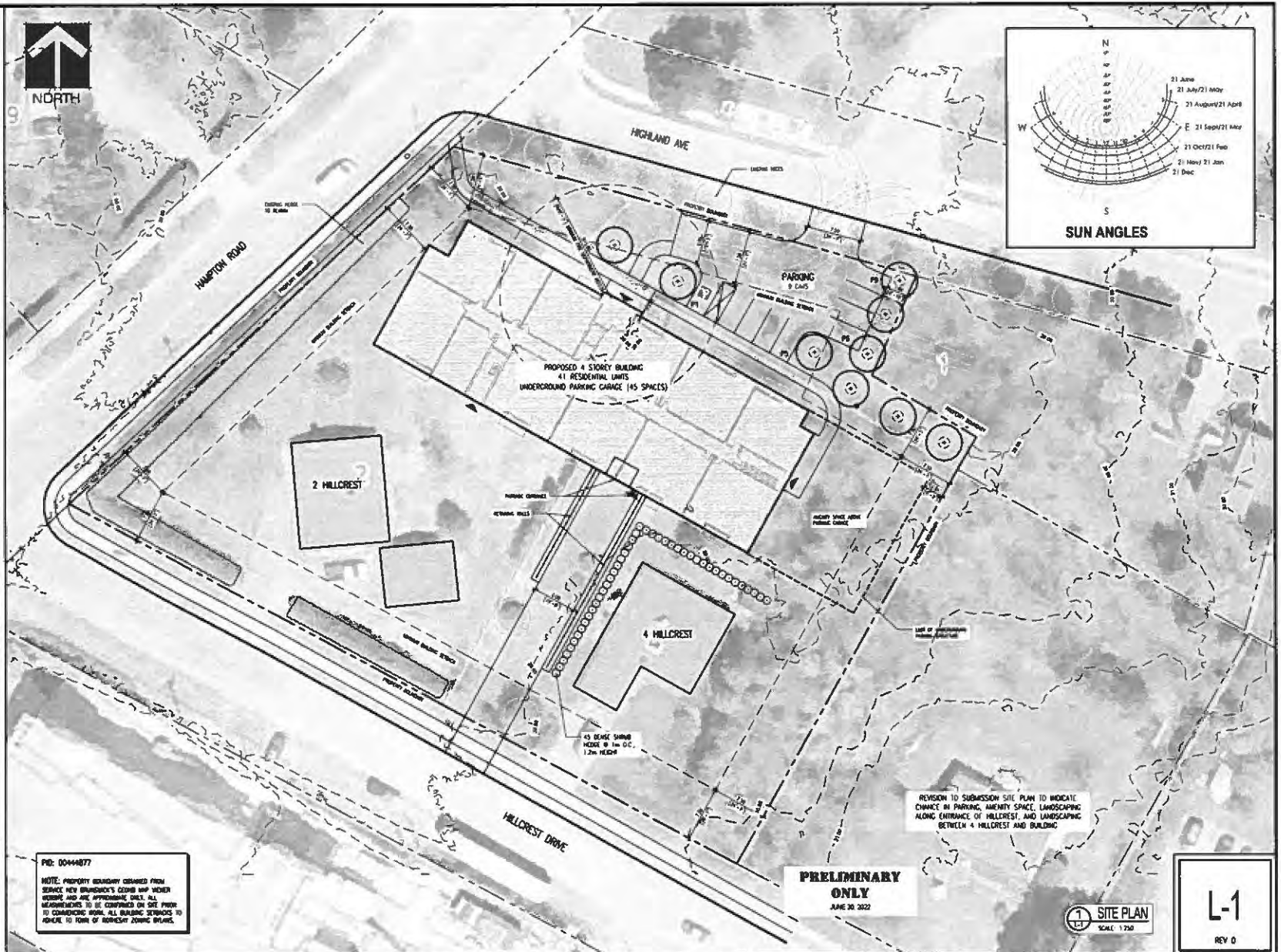
**HIGHLAND SUITES
41 UNIT APARTMENT BUILDING
ROTHESAY, NB**

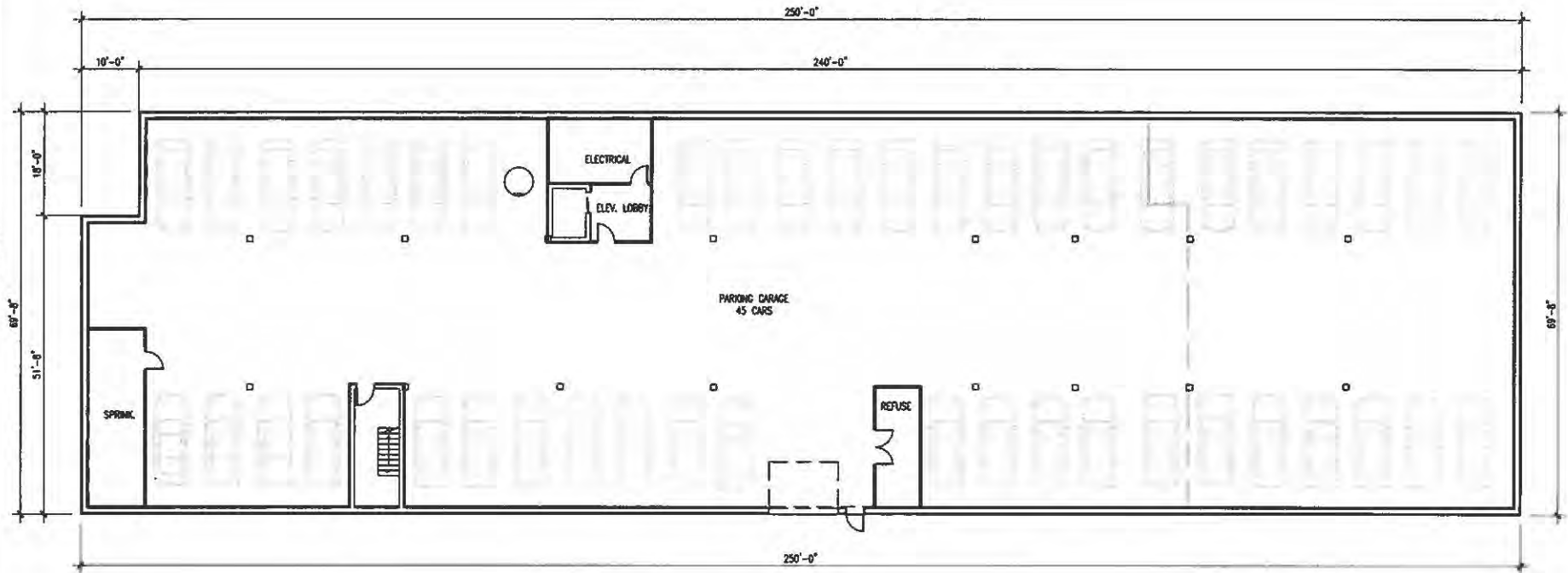
HILLCREST HIGHLAND 41 UNIT APARTMENT BUILDING ROTHESAY, NEW BRUNSWICK

Polyline Designs
BUILDING AND SITE DESIGN SERVICES

WINSTON-SALEM OFFICE
500 W. 10TH ST.
WINSTON-SALEM, NC 27101
WWW.POLYLINEDESIGNS.COM

BRUNSWICK OFFICE
500 W. 10TH ST.
BRUNSWICK, NC 27810
WWW.POLYLINEDESIGNS.COM





1 PRELIMINARY FLOOR PLAN - LEVEL 0

SCALE: NTS

**PRELIMINARY
ONLY**
June 30, 2022

Polyline Designs Inc.
BUILDING AND SITE DESIGN SERVICES

MONKTON OFFICE
508.850.3830
mellisa@polylinedesigns.ca

SUSSEX OFFICE
508.434.1157
kelly@polylinedesigns.ca

WWW.POLYLINEDESIGNS.CA

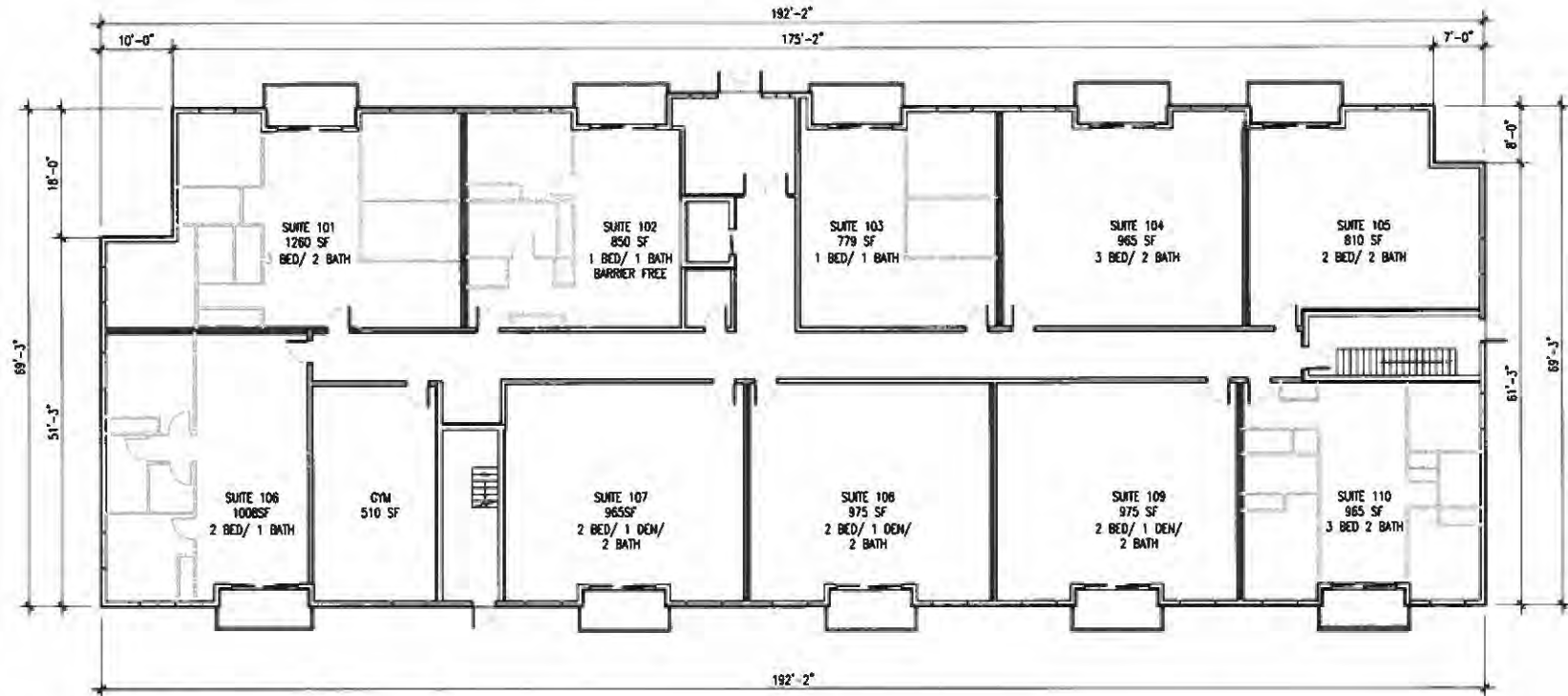
HILLCREST HIGHLAND
41 UNIT APARTMENT BLDG
ROTHESAY, NEW BRUNSWICK

DRAWING TITLE

BASEMENT FLOOR PLAN

DRAWN BY: MD/RD
SCALE: AS SHOWN
PROJECT NO: 22-034
DATE: JUNE 2022

PA-1
REV 0



① **PRELIMINARY FLOOR PLAN - LEVEL 1**
SCALE: 1/16" = 1'-0"

**PRELIMINARY
ONLY**
June 30, 2022

Polyline Designs Inc.
BUILDING AND SITE DESIGN SERVICES

MONCTON OFFICE
506.850.3830
m.bass@polylinedesigns.ca

SUSSEX OFFICE
506.434.1157
kelly@polylinedesigns.ca

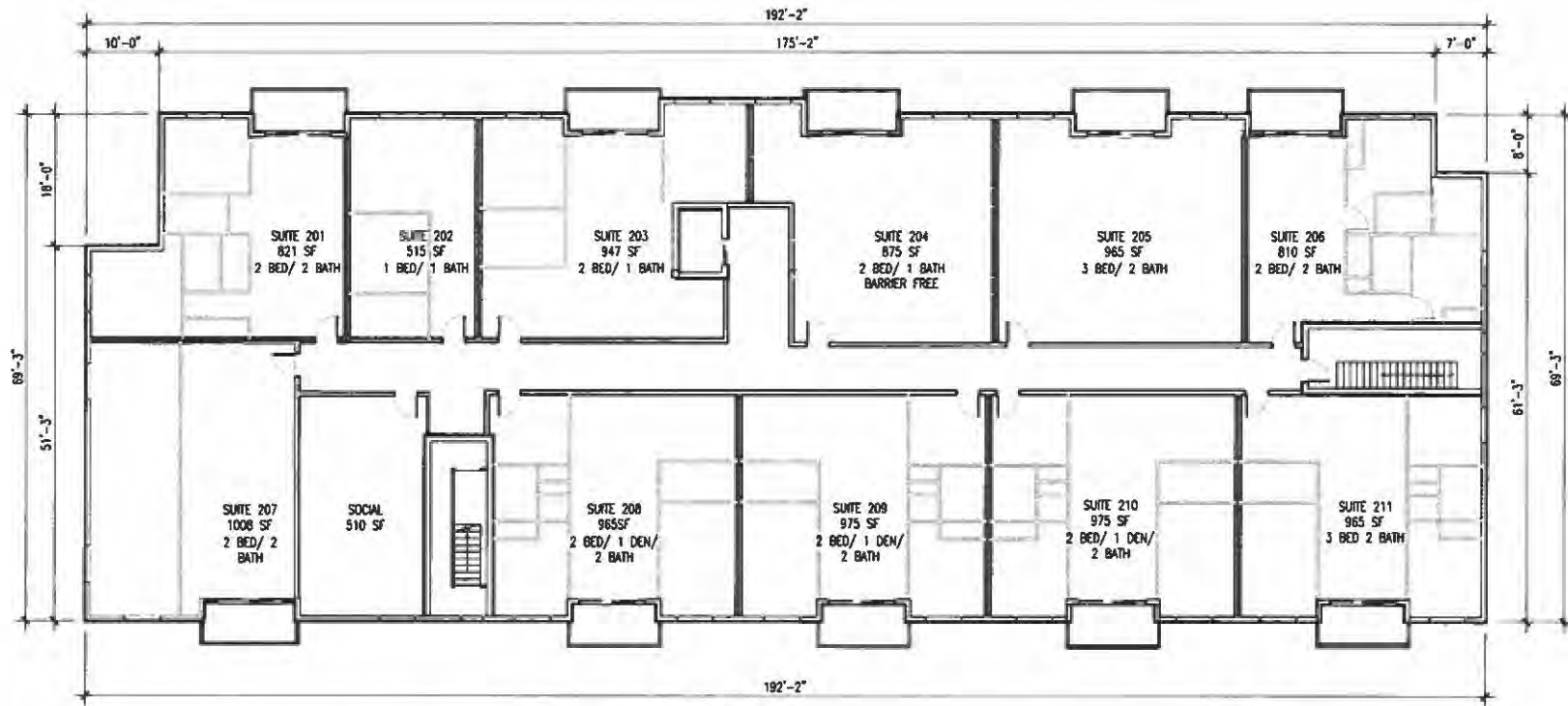
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HILLCREST HIGHLAND
41 UNIT APARTMENT BLDG
ROTHESAY, NEW BRUNSWICK

DRAWING TITLE
MAIN FLOOR PLAN

DRAWN BY: MD/RD
SCALE: AS SHOWN
PROJECT NO: 22-034
DATE: JUNE 2022

PA-2
REV 0



1 PRELIMINARY FLOOR PLAN - LEVEL 2
SCALE: 1/16" = 1'-0"

**PRELIMINARY
ONLY**
June 30, 2022

Polyline Designs Inc.
BUILDING AND SITE DESIGN SERVICES

MONCTON OFFICE
505.850.3620
mtdesigns@polylinedesigns.ca

SUSSEX OFFICE
508.434.1157
sally@polylinedesigns.ca

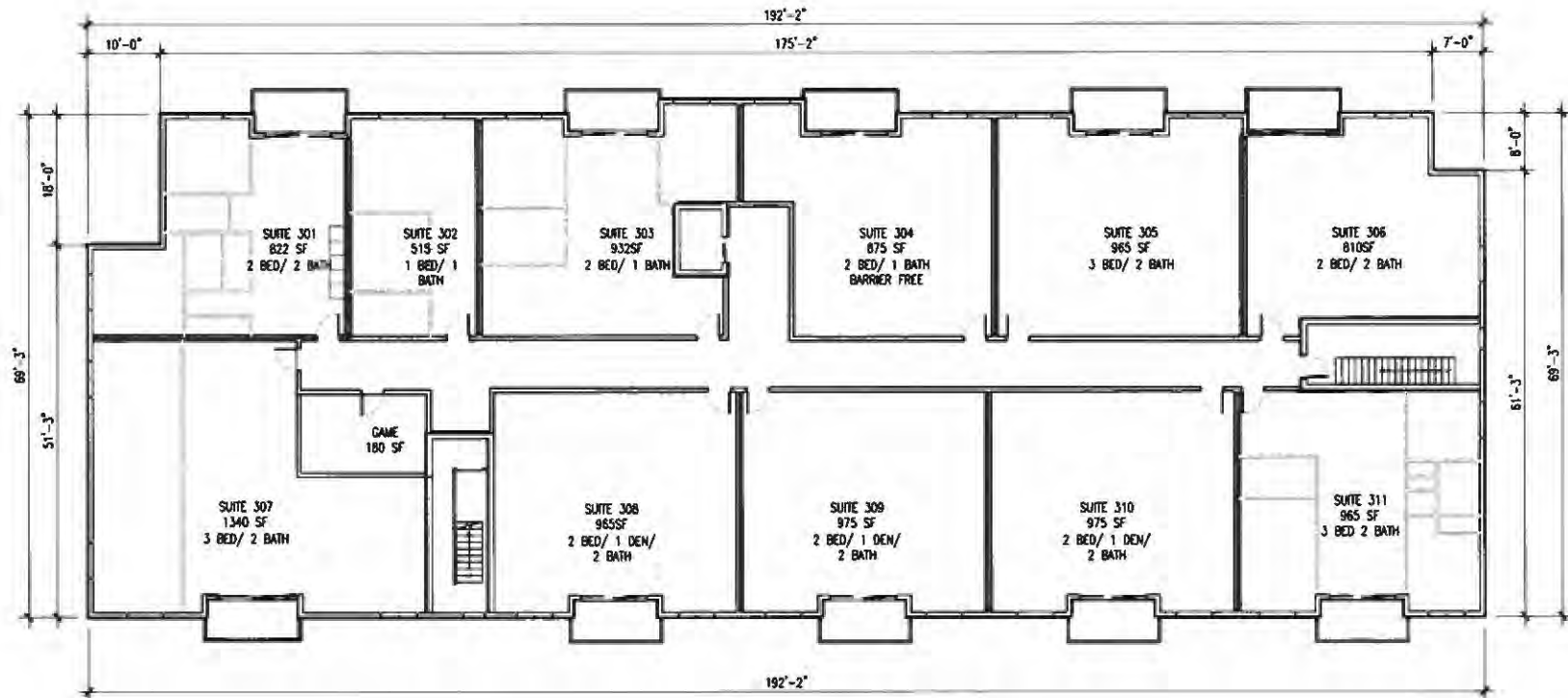
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HILLCREST HIGHLAND
41 UNIT APARTMENT BLDG
ROTHESAY, NEW BRUNSWICK

DRAWING TITLE
SECOND FLOOR PLAN

DRAWN BY: MD/RD
SCALE: AS SHOWN
PROJECT NO: 22-034
DATE: JUNE 2022

PA-3
REV 0



① PRELIMINARY FLOOR PLAN - LEVEL 3
SCALE: 1/16" = 1'-0"

**PRELIMINARY
ONLY**
June 30, 2022

Polyline Designs Inc.
BUILDING AND SITE DESIGN SERVICES

MONCTON OFFICE
506.250.3830
mcbao@polylinedesigns.ca

SUSSEX OFFICE
506.434.1157
kelly@polylinedesigns.ca

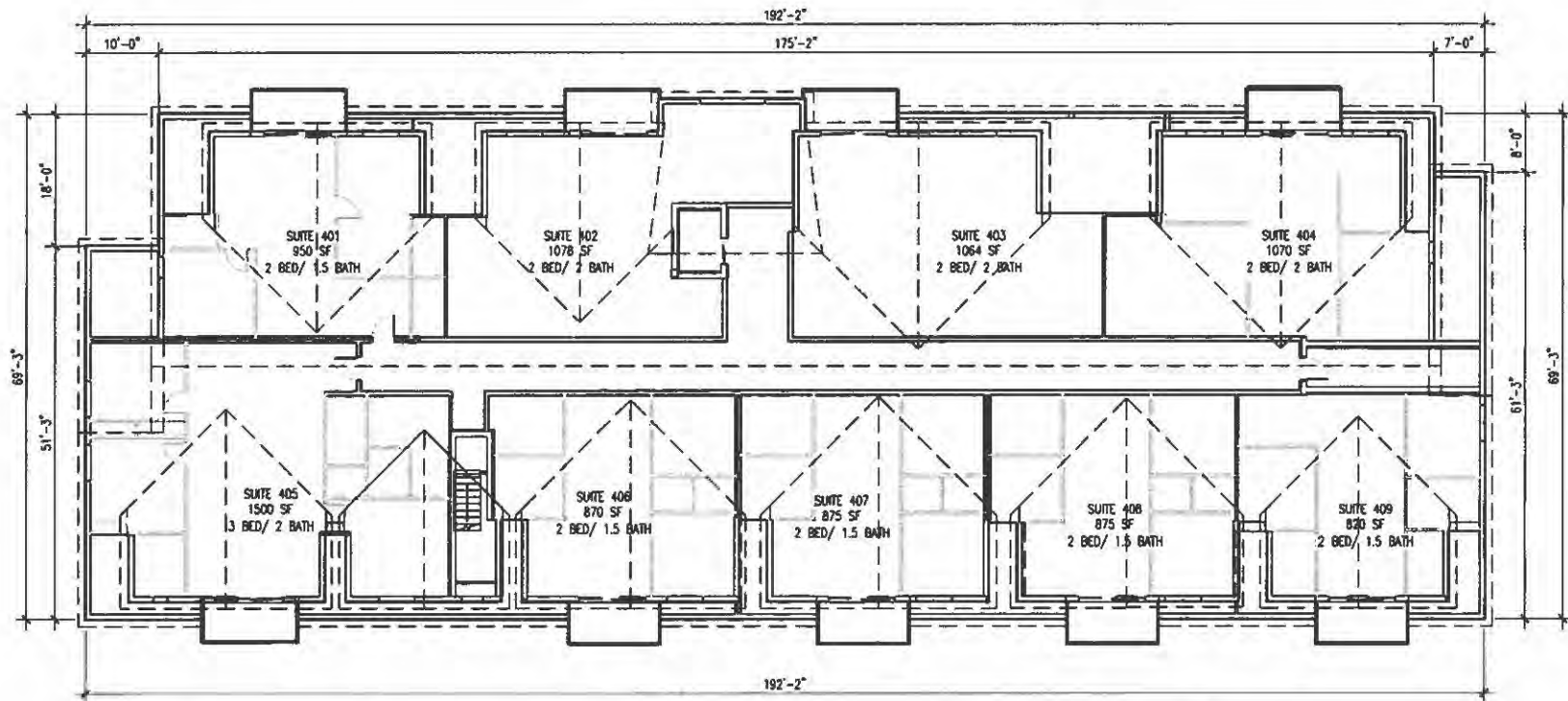
WWW.POLYLINEDESIGNS.CA

HILLCREST HIGHLAND
41 UNIT APARTMENT BLDG
ROTHESAY, NEW BRUNSWICK

DRAWING TITLE
THIRD FLOOR PLAN

DRAWN BY: MD/RD
SCALE: AS SHOWN
PROJECT NO: 22-034
DATE: JUNE 2022

PA-4
REV 0



1 PRELIMINARY FLOOR PLAN - LEVEL 4
SCALE: 1/16" = 1'-0"

**PRELIMINARY
ONLY**
June 30, 2022

Polyline Designs Inc.
BUILDING AND SITE DESIGN SERVICES

MONCTON OFFICE
508.550.3030
mbs@polylinedesigns.ca

SUSSEX OFFICE
508.434.1157
lady@polylinedesigns.ca

WWW.POLYLINEDESIGNS.CA

**HILLCREST HIGHLAND
41 UNIT APARTMENT BLDG**
ROTHESAY, NEW BRUNSWICK

DRAWING TITLE

FOURTH FLOOR PLAN

DRAWN BY: MD/RD
SCALE: AS SHOWN
PROJECT NO: 22-034
DATE: JUNE 2022

PA-5
REV 0



**BY-LAW 2-10-31
A BY-LAW TO AMEND THE ZONING BY-LAW
(No.2-10 Rothesay)**

The Council of the town of Rothesay, under authority vested in it by the Community Planning Act, and amendments thereto, hereby amends By-Law 2-10 “Rothesay Zoning By-law” and enacts as follows:

That Schedule A, entitled “Zoning” as attached to By-Law 2-10 “ROTHESAY ZONING BY-LAW” is hereby amended, as identified on the attached sketch, identified as Attachment “2-10-31”.

The purpose of the amendment is to rezone land off Highland Avenue and Hillcrest Drive from Single Family Residential – Large Serviced Zone [R1a] to the Multi-Unit Residential Zone [R4]) subject to the execution of a Development Agreement in accordance with the Community Planning Act, supra.

FIRST READING BY TITLE :

SECOND READING BY TITLE :

READ IN ENTIRETY :

THIRD READING BY TITLE
AND ENACTED :

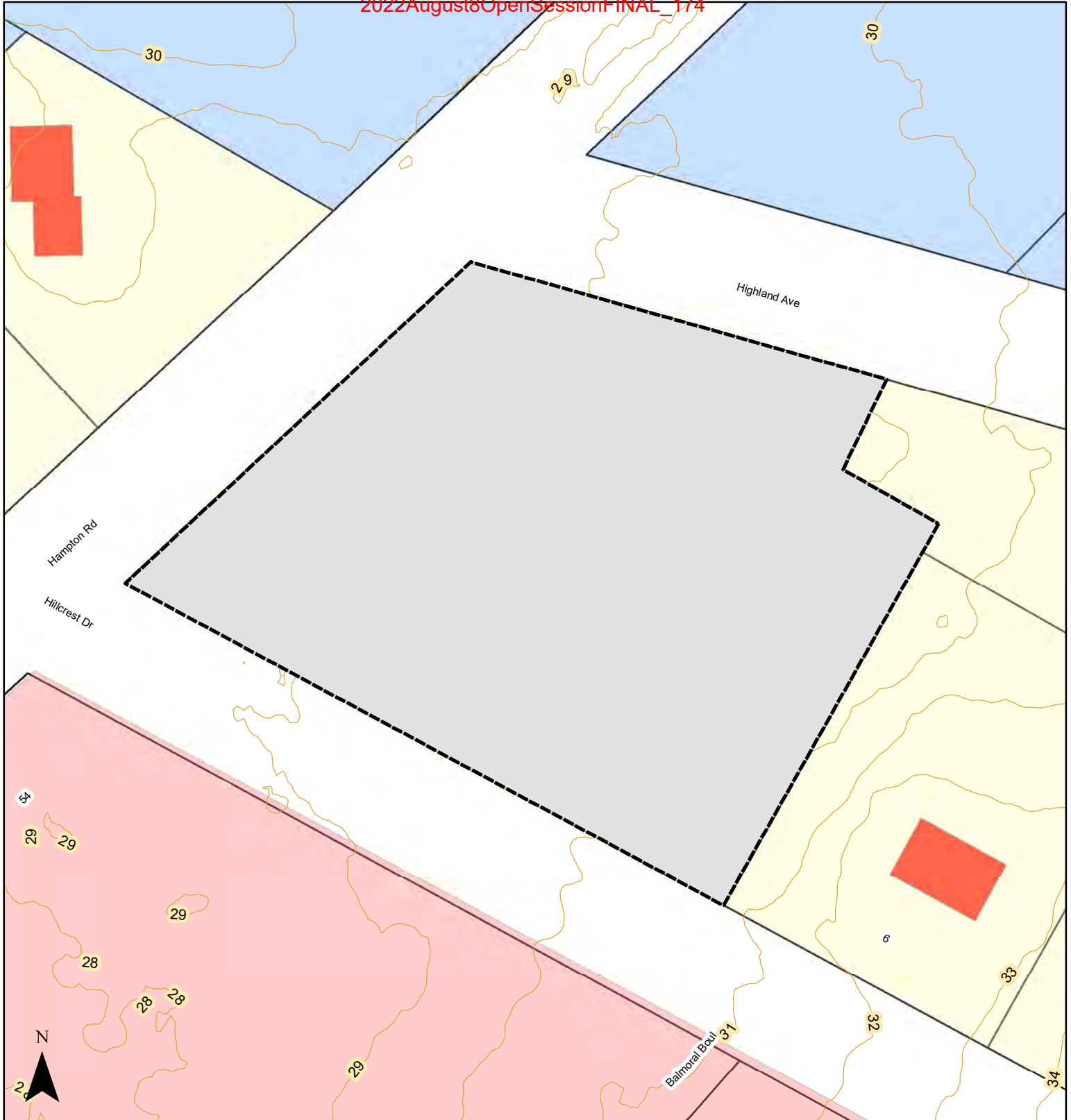
MAYOR

CLERK

Attachment - Bylaw 2-10-31

PIDs 00444877, 30346308, 30187629, 00444885

2022 August 8 Open Session FINAL_174



2022-02-18, 11:10:02 AM

Property Boundary

 Property Boundary

Buildings

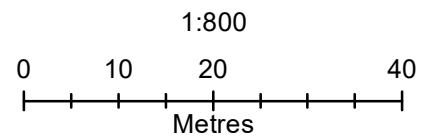
 Residential

Zoning

 INSma

 R1A

 R4



The Town of Rothesay does not warrant the accuracy or completeness of the information, text, graphics, links or other items contained within the material



ROTHESAY

MEMORANDUM



TO	:	Mayor and Council
FROM	:	Town Clerk Mary Jane Banks
DATE	:	5 August 2022
RE	:	Municipal Services Easement Release – Park Drive Lot 36-J PID# 30094262

RECOMMENDATION:

WHEREAS the town of Rothesay did acquire an interest in PID 30094262; having ASSENTED to a Municipal Services Easement as referenced on a plan entitled Subdivision Plan Lots 32-J to 36-J Kennebecasis Park Subdivision and subsequently registered as Document #9689 in the Kings County Registry Office on June 15, 1988; AND

WHEREAS Rothesay Council no longer desires to continue the designated easement on PID 30094262; it is agreed that the easement is HEREBY released and that no further encumbrance shall endure.

2022August8OpenSessionFINAL_176



Kennebecasis Park Limited

32 Frederick Street

Saint John, N. B.

Aug. 3, 2022

**Town of Rothesay
70 Hampton Road
Rothesay, NB
E2E 5L5**

Attention: Mayor Dr. Nancy Grant, Mr. John Jarvie & Councillors

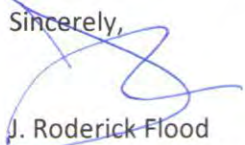
RE: Lot J-36, Park Drive, Release of Municipal Services Easement

Further to the above captioned Easement and our letter previously submitted to Council dated July 6, 2022 (copy attached).

We have enclosed a proposed Release of Easement to convey the easement to Kennebecasis Park Ltd. for Council's consideration.

Should you have any questions or concerns, please feel free to contact us at your convenience.

Sincerely,


J. Roderick Flood
Secretary Treasurer
Kennebecasis Park Limited
(506) 634-1112

c/ Town Manager John Jarvie

a/ Letter to Council – July 6, 2022
Plan #6989
Release of Easement – Form 17

Revised Easement attached



Kennebecasis Park Limited

32 Frederick Street

Saint John, N. B.

July 6, 2022

Town of Rothesay
70 Hampton Road
Rothesay, NB
E2E 5L5

Attention: Mayor Dr. Nancy Grant, Mr. John Jarvie & Councillors

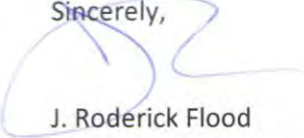
RE: Lot J-36, Park Drive, Municipal Services Easement

We have been in discussion with Town Manager John Jarvie regarding the above captioned residential lot and easement. It has been determined that the easement serves no current or future purpose to the Town. Therefore, we respectfully request that Council abandon the easement.

We have attached a copy of Plan #6989 dated 1988 which identifies the lot and easement for your review.

This is a time-sensitive matter, however, should you have any questions or concerns, please feel free to contact us at your convenience.

Sincerely,

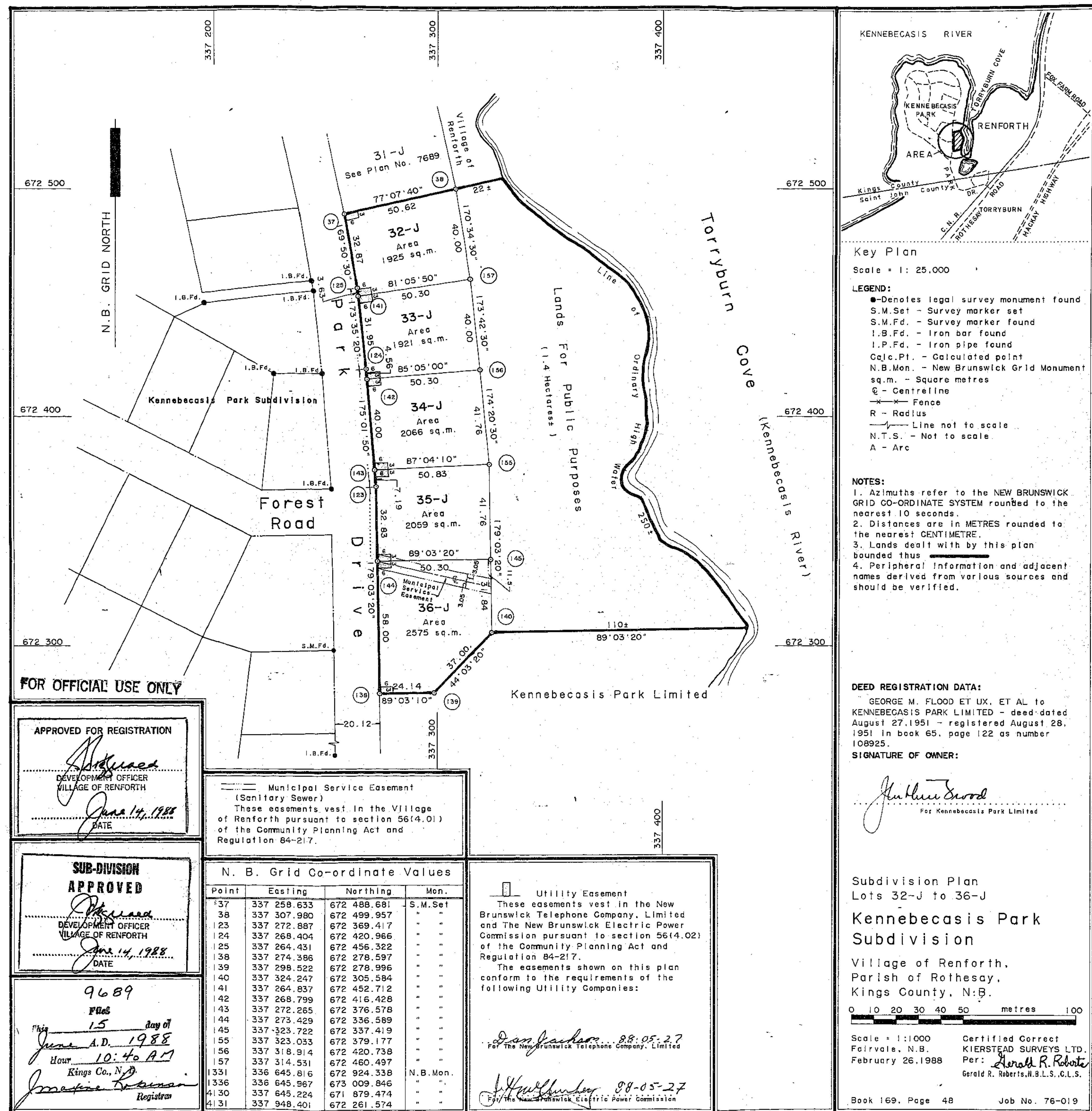


J. Roderick Flood
Secretary Treasurer
Kennebecasis Park Limited
(506) 634-1112

c/ Town Manager John Jarvie

a/ Plan #6989

Proposed Motion for Land Titles *Without attachments*



Dwg. No. 596

FORM 17
RELEASE OF EASEMENT
Land Titles Act, S.N.B. 1981, c.L-11, s.25
Standard Forms of Conveyances Act, S.N.B. 1980, C.s.-12.3, S.2

Parcel Identifier of Parcel
Released from Easement: 30094262

Releasor of Easement: Rothesay
70 Hampton Road
Rothesay, NB
E2E 5Y2

Releasee of Easement: Kennebecasis Park Ltd.
Po Box 2210 Stn Main
Saint John, NB
E2L 3V1

Description of Easement Plan # 9689
Registration Date: 15/06/1988

Purpose of Document: To provide a release of the Municipal
Service Easement identified on the
Subdivision Plan as specified.

WHEREAS by Subdivision Plan entitled Subdivision Plan Lots 32-J to 36-J Kennebecasis Park Subdivision, Village of Renforth, Kings County, New Brunswick, and filed in the Kings County Registry Office as Plan Number 9689 on June 15th, 1988, a Municipal Services Easement shown on such Subdivision Plan was vested in a predecessor to the Releasor, which Easement crossed Lot 36-J and is identified on the said Subdivision Plan.

AND WHEREAS such Municipal Services Easement is now vested in the Releasor.

AND WHEREAS the Releasor has agreed to release such Municipal Services Easement, being 6.1 meters wide crossing Lot 36-J on the Subdivision Plan aforesaid.

NOW THEREFORE the Releasor releases to the Releasee and the Releasee's successors in title the Easement, being 6.1 meters wide crossing Lot 36-J and directs the registrar to enter upon the title register a release of the easement with respect to PID 30094262.

Date: August _____, 2022

Rothesay

Per: _____
Nancy Grant, Mayor

Per: _____
Mary Jane E. Banks, Clerk

Kennebecasis Park Ltd.

Per: _____
James Roderick Flood,
Secretary-Treasurer

Per: _____
Dennis Oland Flood, Director

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

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

Deponent: **MARY JANE E. BANKS**

Rothsay
70 Hampton Road
Rothsay, N.B.
E2E 5L5

Office Held by Deponent: Clerk

Corporation: **ROTHESAY**

Other Officer Who Executed the Instrument: **NANCY E. GRANT**

Rothsay
70 Hampton Road
Rothsay, N.B.
E2E 5L5

Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Rothsay, Province of New Brunswick.

Date of Execution: _____, 2022

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

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

DECLARED TO at town of
Rothsay, in the County of Kings,)
and Province of New Brunswick,)
This ____ day of _____, 2022)

BEFORE ME:)

Commissioner of Oaths)

MARY JANE E. BANKS

Form 45
AFFIDAVIT OF CORPORATE EXECUTION
Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: JAMES RODERICK FLOOD
136 CHELSEA DRIVE
QUISPAMISIS, NB, E2E 5Z9

Office Held by Deponent: Secretary Treasurer

Corporation: KENNEBECASIS PARK LTD.

Place of Execution: Saint John, NB

Date of Execution: ____ day of AUGUST, 2022

I, **JAMES RODERICK FLOOD**, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
- 2. That the attached instrument was executed by me and DENNIS OLAND FLOOD, as officers duly authorized to execute the instrument on behalf of the corporation;
- 3. The Corporate Seal of the corporation was affixed to the instrument by order of the Board of Directors of the Corporation;
- 4. That the instrument was executed at the place and the date specified above:
- 5. That the ownership of a share of the corporation does not entitle the owner thereof to occupy the parcel described in the attached instrument as a marital home.

SWORN TO at, Saint John in)
The County of Saint John in)
The Province of New)
Brunswick, on the ____ day of)
AUGUST, 2022)
)
BEFORE ME:)
)
)
)
)
_____)
C. DWIGHT ALLABY)
Commissioner of Oaths)
Being a Solicitor)
)

JAMES RODERICK FLOOD
Secretary Treasurer

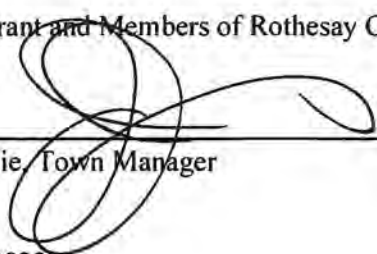


70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
August 8, 2022

TO: Mayor Grant and Members of Rothesay Council

SUBMITTED BY:



John Jarvie, Town Manager

DATE: July 28, 2022

SUBJECT: One-Ton Truck Purchase

RECOMMENDATION

It is recommended that Council accept the submission from Downey Ford for the purchase of a F-550 Super Duty DRW XLT cab, chassis and dump body for the purchase price of \$114,581.36 including HST and further that the Director of Operations be authorized to issue a purchase order in that regard.

ORIGIN

The 2022 General Fund Capital Budget included an amount of \$167,000 for the purchase of:

- 1) One-ton cab and chassis (\$67,000),
- 2) One-ton cab, chassis and dump body (\$100,000).

BACKGROUND

The vehicle to be replaced, identified as RO78, has reached the end of its useful life. Replacing this necessary vehicle in the short term through the standard method of ordering is unrealistic given the current supply chain issues experienced by auto manufacturers across the board.

Downey Ford has a vehicle available (from a pre-ordered deal that fell through) that meets all the requirements to replace RO78. The price is in line with the RO78 replacement budget.

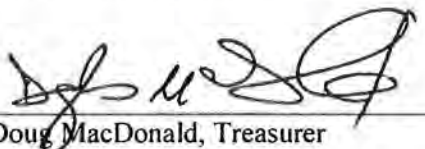
Staff completed a budget analysis for this proposed purchase as follows:

<u>Supplier</u>	<u>Price incl. HST</u>	<u>HST Rebate</u>	<u>Subtotal</u>	<u>Budget</u>	<u>Variance</u>
<u>Downey Ford</u>	<u>114,581.36</u>	<u>10,674.99</u>	<u>103,906.37</u>	<u>100,000</u>	<u>-3,906.37</u>

FINANCIAL IMPLICATIONS

The 2022 General Fund Capital Budget included an amount of \$100,000 for the purchase of a one-ton cab, chassis and dump body for the Town. The delivered cost of this proposed truck will be \$103,906.37. The \$3,906.37 shortfall will be managed within the overall approved General Fund Capital Budget.

Report Prepared by: 
Brett McLean, Director of Operations

Report Reviewed by: 
Doug MacDonald, Treasurer

A copy of this report can be obtained by contacting the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB E2E 5L5 (506-848-6664).



ROTHESAY

INTEROFFICE MEMORANDUM



TO	:	Mayor Grant and Council
FROM	:	John Jarvie
DATE	:	5 August 2022
RE	:	Circular Materials and the Provincial

Recommendation:

It is recommended Council endorse the role of the Fundy Regional Service Commission in negotiating a consistent regional position with Circular Materials with respect to that company's proposed Stewardship Plan.

Background

The Provincial Government has adopted legislation respecting producers' responsibility for the packaging materials they generate. Circular Materials Atlantic is a Producer Responsibility Organization (PRO) that supports producers with meeting their obligations under extended producer responsibility (EPR) regulations across Canada.

Circular Materials has developed a New Brunswick Stewardship Plan for Packaging and Paper on behalf of its producers obligated by the Designated Materials Regulation under the Clean Environment Act.

Attached are the following:

- a) response from Treasurer to Circular based on his attendance at meetings with Recycle NB and regional representatives,
 - b) a letter from Mayor Doucet regarding Hampton's position on the matter; and
 - c) an analysis of the implications of the proposal of Circular to the region prepared by FRSC staff.
-

From: Doug MacDonald
Sent: July 27, 2022 3:10 PM
To: info@circularmaterials.ca
Subject: Comments regarding PPP "PRO" proposals

Circular Materials
800-1881 Yonge Street
Toronto, ON M4S 3C4

Via email: info@circularmaterials.ca

We have reviewed the available materials from RecycleNB and Circular Materials. There are a number of issues that require clarification or further discussion.

- 1) We understand Circular Materials is to negotiate with each Municipality to determine the appropriate plan as to the collection of recycled material and its processing. There are a number of items to be negotiated including the transition of existing collection contracts. To date no negotiation and limited communication has been initiated by Circular materials with the town of Rothesay. As the plan is to be approved by October we believe this process should begin as soon as possible. Further, the Fundy Region (of which Rothesay is part) has a number of different collection models, including curbside collections, central depots and/or resident delivery to the regional facility. Ideally, one common system should be designed for the entire region. Therefore, we suggest a meeting of all representative communities with Circular Materials to begin these discussions.
- 2) We understand the PPP program is to manage the disposal of all material currently included in the Municipal recycling program with the addition of other items such as glass packaging. However, it is not clear whether certain "compostable" items (such as pizza boxes), which are clearly packaging and included in the mandate will be managed. It is not appropriate that such items should continue to be included as compost when the manufacturers are paying a fee related to such material. Circular Materials should be responsible for these items in addition to other recycled material.
- 3) The proposed plan anticipates a phased in approach whereby the Fundy Region will not be implemented until 18 months AFTER the plan is approved (as part of the third tranche). This is not acceptable as the legislation indicates the program should be in place within 6 months. Either Rothesay should be compensated for the additional year to dispose of the material or included from the beginning of the program.
- 4) The communication plan for residents is unclear in the proposal. This plan should also include a plan to manage "user engagement" as part of the process. Questions regarding service delivery, collection issues, etc. must be managed by Circular, not the Municipality.
- 5) We also have a serious concern regarding the processing of material. The Fundy region currently has a processing facility that is utilized not only by the Municipalities, but also small business, apartment buildings, industrial users, etc. The final plan must include an economical solution for processing that includes all user groups. Ideally, a system that utilizes the infrastructure already in place would seem to be the most practical solution.

Doug MacDonald, CPA CA
Treasurer - Rothesay



August 2, 2022

Via email

To the Mayors of the Fundy Regional Service Commission

Re: Circular Materials

The Town of Hampton has reviewed the draft plan by Circular Materials for a Packaging and Paper Products plan for New Brunswick. The Town of Hampton firmly believes that the program should be consistent for the entire Fundy Regional Service Commission. Instead of implementing separate programs across all the municipalities in the region, we believe that the program would be best received and delivered if it was the same across the region. To this end, Hampton recommends that any communication and/or negotiation with Circular Materials regarding the collection and processing of recycling for the Fundy Region should be deferred to the FRSC Staff and Board of Directors.

Although we are not currently a member at the table for the Fundy Regional Service Commission, I am hoping to share our feedback on the program and encourage you all to send similar feedback regarding this program. Please see the attached copy of the email sent outlining our feedback.

Sincerely,

Robert Doucet
Mayor
Town of Hampton

Megan O'Brien Harrison

Subject: FW: Feedback on New Brunswick Packaging and Paper Products proposals from the Town of Hampton

July 29, 2022

Via email: info@circularmaterials.ca

Circular Materials
800-1881 Yonge Street
Toronto, ON M4S 3C4

The Town of Hampton has reviewed your draft plan for a Packaging and Paper Products plan for New Brunswick. We would like to provide the following feedback on your proposal:

- The Town of Hampton firmly believes that the program should be consistent for the entire Regional Service Commission 9 (RSC9), which we will be a part of come January 1, 2023. Instead of implementing separate programs across all the municipalities in the region, we believe that the program would be best received and delivered if it was the same across the region. The program would also be easier to implement by centralizing the discussion. We believe this is best served by a regional curbside collection of recyclable material across the Fundy Region (RSC9).
- There should be no delay or phasing in the program. All programs should begin six months after the plan is approved. The regulation states under 50.57(3), "A brand owner shall implement the packaging and paper products stewardship plan referred to in subsection (2) within 180 days after the plan is approved by the Board."
- Furthermore, all designated materials need full cost recovery, including those that are composted or landfilled. Compostable packaging is currently prevalent in fast food packaging, which are designated materials, and are collected and processed through the compost program in the Fundy Region. There is an upward trend of compostable packaging in line with the Federal Government's single-use plastic reduction legislation. There should be no cost to the municipal system for materials that are not captured through recycling but instead end up in the landfill.
- We believe that processing should remain through the Fundy Regional Service Commission. There would be a significant cost of transportation to a different location. In addition, many local businesses also utilize the recycling services of Fundy's MRF directly and would lose access to a recycling program. This loss would significantly impact the life of the landfill for the region, an asset for all municipalities.

Please do not hesitate to contact us if you require further information.

Megan O'Brien Harrison

Director of Communications & Legislative Services
Town of Hampton
648 Main Street, PO Box 1066, Hampton, NB E5N 8H1
megan@townofhampton.ca

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1 ☐**Packaging & Paper
Extended Producer Responsibility**

IMPLICATIONS FOR FUNDY REGION

2 ☐**Municipalities & RSC Discussion**

Collective interest

- Ensure successful program for citizens
- Enhancements of program
- Efficient & full cost recovery of collection, processing and end of life for all designated materials

3 ☐**Packaging and Paper Products (PPP)**

NB Legislation – October 2021

Producer pay for designated materials

Packaging and paper products – mostly recyclable items, few compostable, some packaging may still be landfilled

All brand owners => PRO – Producer Responsibility Organization: Agents for Brand Owners

Management Plan must be approved by Recycle NB

4 ☐**Circular Materials - PRO**

"By Producers, For Producers"

Agent to act on behalf of obligated brand owners

Draft Management Plan – open for comment until July 29th, 2022

October 2022 => Recycle NB

5 ☐**Pro Management Plan**

Collection, Transportation

Processing, Storage & Material to End Market

Collection includes

- Residential, **where collection exists*
- Multi-residential & Condos, **
- Schools
- Public Spaces (Parks & Streetscapes) **if municipality executes agreement*
-

6 ☐**CM Draft Plan PPP**

Options to Municipalities:

1. Right of first refusal to deliver collection services for Circular Materials
2. Decline contract & CM will procure collection services from private sector
- 1.

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RSC:

Processing – Material Recovery Facility

Circular Materials may contract our facility

OR will assume responsibility for managing collected materials

Processing location: not yet determined

7 ☐ **Concerns**

Delayed Start

- Fundy Region is in the 3rd phase of proposed start time
- 18 months : earliest fall 2024 “with no financial compensation”
- Other areas beginning Spring 2023
- Brand owners will be paying fees from beginning.
- Legislation states: implementation of program 6 months after approval. (Spring 2023)
-
-
-

8 ☐ **Concerns**

Processing of Materials

- CM will be assessing the processing facilities in NB
- Moncton – large automated sorting facility. Charges tip fee for recycling & organics
- If Fundy MRF closes - Small business will not have access to the system
- Currently many small businesses bring material to our facility
- Blue Run collects from local business & delivers to MRF

9 ☐ **Concerns**

- ❖ Other designated materials – not included in recycling
- ❖ Example: Fast food packaging – Pizza Box
- ❖ Collected, transported & processed in compost
- ❖ Brand Owners will pay a fee on these items
- ❖ Trend – more packaging becoming compostable
- ❖
- ❖

10 ☐ **Draft Plan**

1. All programs begin at same time - no delay in Fundy Region
2. Need to understand where the Processing will take place before signing collection contract
3. All designated materials need full cost recovery
4. Others