

Town of Rothesay

Land Acknowledgement

We would like to respectfully acknowledge that our town of Rothesay exists on the traditional lands of the Wolastoqiyik / Maliseet and Mi'Kmaq whose ancestors, along with the Passamaquoddy / Peskotomuhkati Tribes / Nations signed Peace and friendship Treaties with the British Crown in the 1700s.

We respectfully acknowledge that The United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) was adopted by the United Nations on September 13, 2007 and enshrined in law in Canada by Parliament on June 21, 2021 as Bill C-15.

We respectfully endorse the Calls to Action of the Truth and Reconciliation Commission of 2015 as it applies to our Municipal Government of the town of Rothesay.

- presented by the Honourable Graydon Nicholas
September 13th, 2021



2024 September 9 Open Session FINAL_001

ROTHESAY
COUNCIL MEETING
Town Hall Common Room
Monday, September 9, 2024
7:00 p.m.



PLEASE NOTE: Electronic means of communication may be used during the meeting.

Public access to the livestream will be available online:

<https://www.youtube.com/@RothesayNB/streams>

Rothesay Land Acknowledgement

Deputy Mayor Alexander

1. APPROVAL OF AGENDA

2. ADOPTION OF MINUTES

Regular Meeting 12 August 2024

➤ **Business Arising from Minutes**

3. OPENING REMARKS OF COUNCIL

PRESENTATION: Through the Lens Photo Contest Winner – Michelle Martel

3.1 Declaration of Conflict of Interest

4. DELEGATIONS

N/A

5. CORRESPONDENCE FOR ACTION

5.1 19 August 2024 Emails from resident RE: 24 Meadow Drive drainage concerns

Refer to the Works and Utilities Committee

6. CORRESPONDENCE - FOR INFORMATION

6.1 5 September 2024 Letter from Minister Flemming RE: Rothesay Intergenerational Centre

16 August 2024 Letter to Minister Flemming

7. REPORTS

7.0 September 2024 Report from Closed Session

7.1 27 June 2024 Fundy Regional Service Commission (FRSC) meeting minutes

7.2 31 July 2024 Draft unaudited Rothesay General Fund Financial Statements

31 July 2024 Draft unaudited Rothesay Utility Fund Financial Statements

31 July 2024 Donation Summary

22 August 2024 Draft Finance Committee meeting minutes

➤ KRPf Construction update (*Rec/file*)

➤ Saint John – Menahqesk Wabanaki Traditional Powwow

➤ Quispamsis – KV Food Bank

➤ Tani Koi Judo Club

➤ KV Old Boys

- 7.3 3 September 2024 Draft Planning Advisory Committee meeting minutes
- 7 Stack Road (PID 30231765) - Rezoning
 - Street Closure – By-law 3-24 (portions of Clark Road and Salmon Crescent)
 - Cash-in-lieu of Land for Public Purposes (LPP)
 - 239 Gibbon Road (30238679) - Subdivision
- 7.4 August 2024 Monthly Building Permit Report
- 7.5 4 September 2024 Capital Projects Summary

8. UNFINISHED BUSINESS

TABLED ITEMS**8.1 Strong Court Sidewalk – Anglophone South School District** (Tabled April 2021)*No action at this time***8.2 Rothesay Arena Open House** (Tabled September 2021)*No action at this time***8.3 Private Lanes Policy** (Tabled July 2022)*No action at this time***8.4 Marr Road/Chapel Road signalization** (Tabled April 2024)*No action at this time*

9. NEW BUSINESS**9.1 W-2024-001 Water Treatment Plant Upgrade: Contract Award**

4 September 2024 Report prepared by DO McLean

9.2 Contract T-2024-004 Salt Shed Expansion – Master Drive

4 September 2024 Report prepared by DO McLean

9.3 Encroachment Agreement – 118 Park Drive PID 00234336

5 September 2024 Memorandum from Town Manager Jarvie with agreement

9.4 Draft by-law amendments RE: Consumer Fireworks

5 September 2024 Memorandum from Town Manager Jarvie

28 June 2023 Memorandum from KVFD Fire Chief Michael Boyle

10. NEXT MEETING**Regular meeting** **TUESDAY**, October 15, 2024 at 7:00 p.m.**11. ADJOURNMENT**

Liz Hazlett

From: Liz Hazlett
Sent: Tuesday, September 3, 2024 9:50 AM
To: Liz Hazlett
Subject: FW: 24 Meadow Dr

From:
Date: August 15, 2024 at 3:16:55 PM ADT
To: Matthew Alexander <MatthewAlexander@rothesay.ca>
Subject: 24 Meadow Dr

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

Good afternoon Dr Alexander,

My name is [redacted] my family and I live at 24 Meadow Dr. Rothesay. After repeated attempts to create a dialogue with Mr McLean I am left messaging you, the Deputy Mayor of Rothesay. I have been inquiring about the storm infrastructure project that took place in my backyard years ago. I would love to chat with you about this, given your background in civil engineering. All I'm looking for is an answer. I hope to hear from you, you can call me at [redacted] or email.

Thank you,

Liz Hazlett

From: Mary Jane Banks
Sent: Tuesday, September 3, 2024 9:33 AM
To: Liz Hazlett; Liz Hazlett
Cc: Brett McLean; John Jarvie
Subject: FW: 24 Meadow Dr

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: Matthew Alexander <MatthewAlexander@rothesay.ca>
Sent: Saturday, August 31, 2024 8:20 PM
To: Mary Jane Banks <MaryJaneBanks@rothesay.ca>
Subject: Fwd: 24 Meadow Dr

Second email.

Matt Alexander
Deputy Mayor, Rothesay

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.

Begin forwarded message:

From:
Date: August 19, 2024 at 10:23:31 AM ADT
To: Matthew Alexander <MatthewAlexander@rothesay.ca>
Subject: 24 Meadow Dr

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

Hi Matt,

I must have missed you this weekend. Here are a couple photos over the years, these rain events are now normal in our area. Also, seems to be getting closer to our house each year. Hope to hear from you soon.

Thanks,











September 5, 2024

Dr. Nancy Grant, Mayor
Town of Rothesay
70 Hampton Road
Rothesay, NB E2E 5L5

Dear Mayor Grant:

I would like you to know how much I enjoyed and was impressed with our recent visit to the "Rothesay Hive". It was clear to me that they are growing out of the present facility.

You are, in my view, correct that an expanded Hive is a perfect fit for the proposed Rothesay Intergenerational Centre. This is a project that has my total support and in this regard and I have discussed your application to RDC with Hon. Réjean Savoie, the Minister responsible. He too is in complete support of the project and I understand he has conveyed this to you personally.

I look forward to seeing this important project for our community completed as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read "H. Flemming".

Hon. Hugh J. Flemming, K.C.
Attorney General
Minister of Justice





August 16, 2024

Hon. Hugh J.A. Flemming K.C.
Member of the Legislative Assembly for Rothesay
70 Hampton Road
Rothesay, NB
E2E 5L5

Via email

70 Hampton Road
Rothesay, NB
Canada E2E 5L5
T: 506-848-6600
F: 506-848-6677
Rothesay@rothesay.ca
www.rothesay.ca

Dear Ted:

RE: Confirmation of Provincial Funding for Intergenerational Centre

Thank you for meeting with the representatives of the Rothesay Hive on Monday (August 12th).

As I'm sure you realize the Hive has become a very important institution in our town. The desire of the Hive representatives with whom you spoke to expand capacity to accommodate more of our senior population is an objective shared by Town Council. An expanded Hive is a perfect fit in our Rothesay Intergenerational Centre. As you indicated during the meeting that Federal funding was the current obstacle to progress on the project, one of the Hive representatives contacted the office of Saint John – Rothesay Member of Parliament, Wayne Long. The advice provided during that interchange was that the delay was due to the Provincial Government and in particular that your support was not confirmed. Could you please provide us written confirmation of the support for the project you indicated in the meeting so we might challenge the assertion from the MP's office.

We look forward to your continued support as we pursue this important goal for our community. Thank you!

Yours truly,

Dr. Nancy Grant
Mayor

CC : Rothesay Council



Regular Meeting

Date: June 27, 2024, 9:30 a.m.
Location: Fundy Rural District
The Hub, 32 Wallace Road, Browns Flat

MEMBERS PRESENT Libby O'Hara, Mayor, Quispamsis
Jim Bedford, Mayor, Fundy St. Martins
Robert Doucet, Mayor, Hampton
John MacKenzie, Deputy Mayor, Saint John
Brittany Merrifield, Mayor, Grand Bay-Westfield
Nancy Grant, Mayor, Rothesay
Bruce Dryer, Alternate Representative of Fundy Rural District

ABSENT Ray Riddell, Chair, Fundy Rural District

STAFF Phil Ouellette, CEO, Fundy Regional Service Commission
Cassie Silhanek, Recording Secretary, Fundy Regional Service
Commission
Marc MacLeod, General Manager, FRSC

GUESTS Graeme Stewart-Robertson, Policy and Research Manager,
FRSC
Brenda MacCallum, Manager, Community Development & Public
Relations, FRSC
Scott Borden, Planning Director, FRSC
Maggie Mora, Communications Coordinator, FRSC

Meeting Minutes of the Open Session of the Board of Directors of Fundy Regional Service Commission.

1. Closed Session

The Board moved to Closed Session as prescribed under section 68 of the Local Governance Act, SNB 2017, c 18.

2. Order of Business

2.a Call to Order

Chair Bedford called the meeting to order at 9:54 a.m.

2.b Record of Attendance

2.c Approval of Agenda

Chair Bedford called for a motion to approve the agenda.

Resolution Number: RM-2024-032

Moved by: Director Merrifield

Seconded by: Director Grant

THAT the Board approve the June 27, 2024 agenda as presented.

Motion Carried

Amendment:

Resolution Number: RM-2024-033

Moved by: Director Merrifield

Seconded by: Director MacKenzie

Motion to approve changes to the agenda to include an item from Closed Session to be added at the end of the agenda and to hear items out of order during the meeting.

Motion Carried

2.d Approval of Minutes

Chair Bedford called for approval of the minutes.

2.d.1 May 23, 2024

Resolution Number: RM-2024-034

Moved by: Director O'Hara

Seconded by: Director Doucet

THAT the Board approve the May 23, 2024 meeting minutes as presented.

Motion Carried

2.e Disclosure of Conflict of Interest

Chair Bedford called for acknowledgement of any conflicts of interest, there were none presented.

3. FRSC and Social Mandate

Nathalie and Claire spoke about the Social Mandate and their relationship to the department and the Regional Service Commission's mandate. Provide

information on community needs, gaps and assets, and to leverage partnerships to help move things along. Frameworks could be proposed for opportunity, and noting how this could work to come up with solutions.

Nathalie noted that there is going to be support for the next stages, including asset mapping and inventory, alongside priorities for implementation over the next few years.

For more information on this presentation, please see the audio recording of this open session on the website.

4. CEO Verbal Update

CEO Ouellette gave a verbal update to the Board.

For more information, please see the audio recording of this open session on the website.

5. Consent Items

Chair Bedford called for a motion to approve all consent items.

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board adopts all items included in the Consent agenda.

Motion Carried

5.a FRSC 2023 Annual Report

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board receive and file this report.

Motion Carried

5.b Envision Saint John 2023 Annual Report

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board receive and file this report.

Motion Carried

5.c Community Planning & Building Inspection Monthly Report

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board receive and file this report.

Motion Carried

5.d Appointment of Planning Director

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board appoint Scott Borden as Planning Director for the Fundy Regional Service Commission, pursuant to the provisions of section 24(2) of the Regional Service Delivery Act.

Motion Carried

5.e CMEI Financials

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board receive and file the CMEI Financial Statements and Review Engagement Report for the year ending October 31, 2023.

Motion Carried

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board approve the 2024 operating grant be paid to Crane Mountain Enhancement (CMEI) in the amount of \$26,765 when the financial status of the Fundy Regional Service Commission allows for the payment, but before CMEI's year end of October 31, 2024.

Motion Carried

Resolution Number: RM-2024-034

Moved by: Director MacKenzie

Seconded by: Director O'Hara

That the Board approve that the Fundy Regional Service Commission immediately pay CMEI \$1,000 toward the review engagement of their financial statements by Teed Saunders Doyle.

Motion Carried

6. External Presentations

6.a Fundy Regional Summit Planning

CEO Ouellette and Neil Jacobson, consultant, presented to the Board on the Summit Planning Process.

For more information on this item, please see the audio recording of this open session located on the website.

No motion posed.

6.b GEMTEC Height Augmentation Presentation

Marc MacLeod, General Manager at the Landfill, introduced the GEMTEC representative, Marco Sivitilli, who spoke about the Landfill Capacity Augmentation and Life Extension Project Update.

For more information on this presentation, please see the audio recording of this open session on the website.

Resolution Number: RM-2024-035

Moved by: Director MacKenzie

Seconded by: Director Merrifield

THAT the Board receive and file this presentation.

Motion Carried

Resolution Number: RM-2024-036

Moved by: Director Grant

Seconded by: Director Dryer

THAT the Board approve the next steps outlined in the GEMTEC presentation to the FRSC Board on June 27th, 2024 including

development of a Business Case between FRSC Staff, GEMTEC, and other consultants which will include consultations with the Regional CAO's and the FRSC Executive Committee.

Against (1): Director Merrifield

Absent (1): Director Riddell

Motion Carried (6 to 1)

6.c CMEI Presentation

Marc MacLeod, General Manager of the Landfill, introduced John Doubt from the Crane Mountain Enhancement Inc. (CMEI) and the relationship between the FRSC and the CMEI group.

Mr. Doubt presented on the concerns and recommendations of the CMEI group.

Chair Bedford opened the floor for discussion.

For more information on this presentation, as well as the questions and discussion surrounding it, please see the link on the website to the audio recording of this open session.

Director MacKenzie left the meeting at 11:33 a.m. and returned at 11:35 a.m.

Resolution Number: RM-2024-037

Moved by: Director Grant

Seconded by: Director O'Hara

THAT the Board receive and file this presentation.

Motion Carried

7. Reports/Presentations

7.a Procedural Bylaw Amendment for External Presentation Requests

CEO Ouellette spoke about the by-law.

Resolution Number: RM-2024-038

Moved by: Director Grant

Seconded by: Director Dryer

THAT the Board approves the inclusion of the following new language to section 7.5.6. of the FRSC Procedural Bylaw:

"External presentations to the Commission Board shall be aligned with the Commission's mandate, and shall not be permitted if:

- a. The presenter intends to complete a similar presentation to Commission member councils.
- b. The presenter has already invited Commission members to a public or private presentation on the topic expected to be covered with the Board.
- c. The presentation is better suited for an external agency or organization delivering mandated services on behalf of the Commission.
- d. The presentation is better suited for one of the committees of the Commission.

The decision to allow external presentations before a committee shall rest with the chair of each committee, upon advisement of the corresponding Commission staff liaison."

Motion Carried

8. Correspondence

8.a Envision Saint John 5-Year Rolling Budget

Resolution Number: RM-2024-039

Moved by: Director O'Hara

Seconded by: Director MacKenzie

THAT the Board receive and file this correspondence.

Motion Carried

9. Regional Facilities Committee Update

9.a Verbal Update from Chair of the Committee

Director Grant spoke about several items relating to the Regional Facilities Committee and its financing, projects, budget and recommendations.

For more information on this item, please see the audio recording on the website for this open session.

9.b Committee Agendas

Resolution Number: RM-2024-040

Moved by: Director MacKenzie

Seconded by: Director O'Hara

THAT the Board receive and file the Regional Facilities Committee agenda as presented.

Motion Carried

9.c Moved from Closed

Resolution Number: RM-2024-041

Moved by: Director O'Hara

Seconded by: Director Merrifield

THAT the Board appoint Andrew Fry as the replacement for Brian Baker for Fundy-St. Martins on the Fundy Regional Facilities Committee effectively immediately until February 28th, 2025

Motion Carried

10. New Business

11. Adjournment

Chairperson Bedford called for a motion to adjourn at 12:19 p.m.

Resolution Number: RM-2024-042

Moved by: Director MacKenzie

THAT the Board adjourn the meeting at 12:19 p.m.

Motion Carried

Jim Bedford, Chairperson

Cassie Silhanek, Recording Secretary

Date

Town of Rothesay

General Fund Financial Statements

July 31, 2024

Attached Reports:

General Capital Fund Balance Sheet	G1
General Reserve Fund Balance Sheet	G2
General Operating Fund Balance Sheet	G3
General Operating Revenue & Expenditures	G4-G7
Variance Report	G8
Capital Summary	G9

Town of Rothesay

Balance Sheet - Capital General Fund

7/31/2024

ASSETS

Capital Assets - General Land	4,559,420
Capital Assets - General Fund Land Improvements	9,589,049
Capital Assets - General Fund Buildings	9,637,827
Capital Assets - General Fund Vehicles	4,409,167
Capital Assets - General Fund Equipment	4,292,506
Capital Assets - General Fund Roads & Streets	46,412,337
Capital Assets - General Fund Drainage Network	21,775,730
Capital Assets - Under Construction - General	889,415
	<u>101,565,450</u>

Accumulated Amortization - General Fund Land Improvements	(5,460,336)
Accumulated Amortization - General Fund Buildings	(3,206,373)
Accumulated Amortization - General Fund Vehicles	(3,303,261)
Accumulated Amortization - General Fund Equipment	(2,704,325)
Accumulated Amortization - General Fund Roads & Streets	(24,153,596)
Accumulated Amortization - General Fund Drainage Network	(8,411,195)
	<u>(47,239,088)</u>

\$ 54,326,363

LIABILITIES AND EQUITY

Gen Capital due to/from Gen Operating	329,500
Total Long Term Debt	4,993,000

Total Liabilities \$ 5,322,500

Investment in General Fund Fixed Assets 49,003,863

\$ 54,326,363

2024September9OpenSessionFINAL_027

Town of Rothesay

Balance Sheet - General Fund Reserves
7/31/2024

ASSETS

BNS Gas Tax Interest Account	4,694,254
BNS General Operating Reserve #214-15	987,379
BNS General Capital Reserves #2261-14	1,972,216
BNS - LPP Reserves	1,247
	<u>\$ 7,655,097</u>

LIABILITIES AND EQUITY

Def. Rev - Gas Tax Fund - General	3,817,004
Invest. in General Capital Reserve	1,801,191
General Gas Tax Funding	877,250
Invest. in General Operating Reserve	987,379
Invest. in Land for Public Purposes Reserve	172,273
	<u>\$ 7,655,097</u>

2024September9OpenSessionFINAL_028

Town of Rothesay

Balance Sheet - General Operating Fund

7/31/2024

CURRENT ASSETS

Cash	2,276,275
Receivables	126,459
HST Receivable	541,635
Inventory	142,001
Gen Operating due to/from Util Operating	(97,320)
Total Current Assets	<u>2,989,050</u>
Other Assets:	
Projects	<u>2,910,739</u>
TOTAL ASSETS	<u><u>5,899,789</u></u>

CURRENT LIABILITIES AND EQUITY

Accounts Payable	1,622,412
Other Payables	708,537
Gen Operating due to/from Gen Capital	(329,500)
Accrued Sick Leave	22,100
Accrued Pension Obligation Y/E	(31,900)
Accrued Retirement Allowance	493,887
Def. Rev-Quispamsis/Library Share	17,710
TOTAL LIABILITIES	<u><u>2,503,246</u></u>

EQUITY

Retained Earnings	170,623
Surplus/(Deficit) for the Period	<u>3,225,920</u>
	<u><u>3,396,543</u></u>
	<u><u>5,899,789</u></u>

2024September9OpenSessionFINAL_029

Town of Rothesay

Statement of Revenue & Expenditure

7 Months Ended 7/31/2024

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET Y-T-D	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Warrant of Assessment	1,855,200	1,855,199	12,986,394	12,986,394	0		22,262,389
Sale of Services	46,108	37,475	360,044	272,325	87,719		474,300
Services to Province of New Brunswic	0	0	27,467	42,238	(14,771)		80,000
Other Revenue from Own Sources	28,145	11,375	273,549	85,133	188,416		142,008
CORE Equalization	6,548	6,549	45,840	45,840	(0)		78,583
Conditional Transfers	0	6,000	236,756	13,500	223,256		51,500
Other Transfers	45,719	45,719	1,198,876	448,876	750,000		677,470
	<u>\$1,981,719</u>	<u>\$1,962,316</u>	<u>\$15,128,926</u>	<u>\$13,894,305</u>	<u>\$1,234,621</u>		<u>\$23,766,250</u>
EXPENSES							
General Government Services	153,994	161,946	1,845,600	2,095,173	249,573		2,923,971
Protective Services	482,785	481,850	3,970,391	4,011,023	40,632		6,623,274
Transportation Services	271,676	268,807	2,477,898	2,642,543	164,645		4,210,726
Environmental Health Services	69,489	82,363	598,348	600,543	2,196		1,032,360
Environmental Development	34,698	47,204	295,552	505,909	210,358		753,090
Recreation & Cultural Services	281,891	292,873	1,597,987	1,656,910	58,924		2,884,957
Fiscal Services	1,815	500	1,117,231	363,308	(753,922)		5,337,872
	<u>\$1,296,348</u>	<u>\$1,335,544</u>	<u>\$11,903,006</u>	<u>\$11,875,410</u>	<u>(27,596)</u>		<u>\$23,766,250</u>
Surplus (Deficit) for the Year	<u>\$685,371</u>	<u>\$626,772</u>	<u>\$3,225,920</u>	<u>\$2,018,895</u>	<u>\$1,207,025</u>		<u>\$ (0)</u>

2024September9OpenSessionFINAL_030

Town of Rothesay

Statement of Revenue & Expenditure
7 Months Ended 7/31/2024

	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	7,700	2,083	38,013	14,583	23,429	1	25,000
Wells Canopy revenue	750	0	5,125	0	5,125		0
Town Hall Rent	9,402	8,333	65,816	58,333	7,483		100,000
Community Garden revenue	0	0	1,020	900	120		900
Fox Farm Rental revenue	1,950	1,750	13,650	12,250	1,400		21,000
Arena Revenue	-260	433	152,981	111,033	41,948	2	214,900
Recreation Programs	26,566	24,875	83,439	75,225	8,214		112,500
	46,108	37,475	360,044	272,325	87,719		474,300
Other Revenue from Own Sources							
Licenses & Permits	11,214	6,875	135,002	48,125	86,877	3	82,500
KVFD Admin Penalties	0	0	1,225	0	1,225		0
Recycling Dollies & Lids	0	0	467	800	-333		800
Interest & Sundry	12,322	2,667	76,248	18,667	57,581	4	32,000
Miscellaneous	3,608	833	48,898	5,833	43,065	5	10,000
Fire Dept. Administration	1,000	1,000	7,000	7,000	0		12,000
Local Improvement Levy Mulberry Lane	0	0	4,708	4,708	0		4,708
	28,145	11,375	273,549	85,133	188,416		142,008
Conditional Transfers							
Canada Day Grant	0	0	2,400	1,500	900		1,500
Grant - Other	0	0	231,062	0	231,062	6	0
Grant - Students	0	6,000	3,294	12,000	-8,706		50,000
	0	6,000	236,756	13,500	223,256		51,500
Other Transfers							
Surplus of 2nd Previous Year	0	0	128,845	128,845	0		128,845
Utility Fund Transfer	45,719	45,719	320,031	320,031	0		548,625
Transfer from Capital Reserve	0	0	750,000	0	750,000	7	0
	45,719	45,719	1,198,876	448,876	750,000		677,470
EXPENSES							
General Government Services							
Legislative							
Mayor	4,517	5,000	31,872	35,000	3,128		60,000
Councillors	14,248	12,999	100,125	90,990	-9,135		155,983
Regional Service Commission 9	2,326	2,326	16,284	16,284	0		27,915
Other	175	1,958	2,950	13,708	10,758		23,500
	21,266	22,283	151,231	155,982	4,752		267,398
Administrative							
Administration - Wages & Benefits	87,382	88,109	649,930	650,839	909		1,193,550
Office Building	14,501	10,531	124,862	127,317	2,454		180,871
Supplies	21,649	17,333	102,143	102,333	190		184,000
Solicitor	125	0	27,817	50,000	22,183	8	50,000
Professional Fees	0	13,000	18,945	110,000	91,055	9	110,000
Other	6,918	9,898	77,955	87,288	9,332		122,779
	130,576	138,872	1,001,654	1,127,777	126,123		1,841,200
Other General Government Services							
Website/Other	0	0	1,434	3,000	1,566		3,000
Community Communications (Team)	151	708	2,272	59,958	57,687	10	63,500
Civic Relations	0	83	1,714	583	-1,130		1,000
Insurance	0	0	297,334	330,201	32,867	11	330,201
Donations	2,000	0	11,222	36,500	25,278	12	36,500
Cost of Assessment	0	0	359,172	359,172	0		359,172
Property Taxes - L.P.P.	0	0	18,618	18,000	-618		18,000
Fox Farm Rental Expenses	0	0	950	4,000	3,050		4,000
	2,151	792	692,716	811,415	118,699		815,373
Total General Government Services	153,994	161,946	1,845,600	2,095,173	249,573		2,923,971

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Protective Services

Police						
Police Protection	281,066	281,066	1,967,460	1,967,460	0	3,372,789
Crime Stoppers	0	0	2,800	2,800	0	2,800
	<u>281,066</u>	<u>281,066</u>	<u>1,970,260</u>	<u>1,970,260</u>	<u>0</u>	<u>3,375,589</u>
Fire						
Fire Protection	200,576	200,576	1,661,937	1,654,305	-7,633	13 2,860,185
Water Costs Fire Protection	0	0	335,000	335,000	0	335,000
	<u>200,576</u>	<u>200,576</u>	<u>1,996,937</u>	<u>1,989,305</u>	<u>-7,633</u>	<u>3,195,185</u>
Emergency Measures						
EMO Director/Committee	0	0	0	50,000	50,000	14 50,000
	<u>0</u>	<u>0</u>	<u>0</u>	<u>50,000</u>	<u>50,000</u>	<u>50,000</u>
Other						
Animal & Pest Control	740	208	2,790	1,458	-1,332	2,500
Other	404	0	404	0	-404	0
	<u>1,144</u>	<u>208</u>	<u>3,194</u>	<u>1,458</u>	<u>-1,735</u>	<u>2,500</u>
Total Protective Services	482,785	481,850	3,970,391	4,011,023	40,632	6,623,274

Transportation Services

Common Services						
Administration (Wages & Benefits)	121,824	133,512	890,062	958,856	68,794	15 1,648,000
Workshops, Yards & Equipment	81,438	60,458	547,953	520,769	-27,183	16 824,261
Engineering	0	0	0	7,500	7,500	7,500
	<u>203,262</u>	<u>193,970</u>	<u>1,438,014</u>	<u>1,487,125</u>	<u>49,111</u>	<u>2,479,761</u>
Roads & Streets	7,429	13,167	38,189	44,007	5,818	77,000
Crosswalks & Sidewalks	9,200	10,000	21,309	17,705	-3,604	35,570
Culverts & Drainage Ditches	7,263	7,500	67,316	67,500	184	100,000
Street Cleaning & Flushing	2,032	0	13,968	10,000	-3,968	10,000
Snow & Ice Removal	0	0	688,660	807,000	118,340	17 1,172,000
	<u>25,924</u>	<u>30,667</u>	<u>829,442</u>	<u>946,212</u>	<u>116,770</u>	<u>1,394,570</u>
Street Lighting	13,830	12,500	93,336	87,500	-5,836	150,000
Traffic Services						
Street Signs	354	250	6,366	9,750	3,384	15,000
Traffic Lanemarking	0	0	34,367	35,000	633	35,000
Traffic Signals	1,330	1,667	14,270	11,667	-2,603	20,000
Railway Crossing	7,721	7,322	20,696	19,383	-1,313	25,000
	<u>9,405</u>	<u>9,238</u>	<u>75,699</u>	<u>75,800</u>	<u>101</u>	<u>95,000</u>
Public Transit						
Public Transit - Comex Service	19,110	22,224	40,385	44,448	4,062	88,895
Public Transit - Other	146	208	1,022	1,458	436	2,500
	<u>19,256</u>	<u>22,432</u>	<u>41,407</u>	<u>45,906</u>	<u>4,499</u>	<u>91,395</u>
Total Transportation Services	271,676	268,807	2,477,898	2,642,543	164,645	4,210,726

Environmental Health Services

Solid Waste Disposal Land Fill garbage	20,208	20,697	166,503	144,877	-21,627	248,360
Solid Waste Disposal Landfill Compost	4,474	3,333	23,663	23,333	-329	40,000
Solid Waste Collection Fero	44,598	58,333	392,715	408,333	15,618	18 700,000
Solid Waste Recycling bins	0	0	0	4,000	4,000	4,000
Clean Up Campaign	0	0	8,480	20,000	11,520	19 40,000
Food Cycler	209	0	6,987	0	-6,987	0
Total Environmental Health Services	69,489	82,363	598,348	600,543	2,196	1,032,360

Environmental Development Services

Planning & Zoning						
Administration (Wages and benefits)	22,366	34,447	211,052	351,607	140,554	20 535,000
Administration	742	1,167	3,226	38,167	34,941	21 44,000
Planning Projects	0	0	100	25,000	24,900	22 25,000
Heritage Committee	0	0	0	5,000	5,000	23 5,000
	<u>23,108</u>	<u>35,613</u>	<u>214,378</u>	<u>419,773</u>	<u>205,395</u>	<u>609,000</u>
Envision Saint John	11,591	11,591	81,136	81,136	-0	139,090
Tourism	0	0	38	5,000	4,963	24 5,000
	<u>11,591</u>	<u>11,591</u>	<u>81,173</u>	<u>86,136</u>	<u>4,962</u>	<u>144,090</u>
Total Environmental Development Services	34,698	47,204	295,552	505,909	210,358	753,090

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Recreation & Cultural Services

Administration (wages and benefits)	30,677	29,844	233,228	221,844	-11,385	25	384,000
Administration	3,760	2,000	51,058	45,500	-5,558		55,500
Rothsay Arena	19,908	20,645	222,316	227,850	5,534		380,500
Parks & Gardens	99,377	109,570	485,350	505,323	19,973	26	868,000
Playgrounds and Fields	12,990	17,583	73,662	86,083	12,421	27	134,000
Rothsay Common Rink	4,706	717	57,261	70,167	12,906	28	96,150
Memorial Centre	4,802	5,333	48,750	45,983	-2,767		72,850
Train Station	0	0	0	29,600	29,600	29	29,600
Wells Building	4,326	3,292	38,912	28,042	-10,870	30	44,500
James Renforth	392	0	869	0	-869		0
Beaches	25,257	24,000	31,287	34,000	2,713		64,000
Summer Programs	35,020	35,042	50,982	51,792	810		98,000
The Hive expenses	829	1,208	7,285	8,458	1,174		14,500
Regional Facilities Commission	27,890	27,890	195,227	195,227	-0		334,675
Kennebecasis Public Library	8,250	8,250	57,747	57,747	0		98,994
Regional Facilities Commission Capital	0	0	9,295	9,295	0		157,688
Special Events	3,708	7,500	27,258	32,000	4,742		44,000
PRO Kids	0	0	7,500	7,500	0		7,500
Rothsay Living Museum	0	0	0	500	500		500

Total Recreation and Cultural Services	281,891	292,873	1,597,987	1,656,910	58,924		2,884,957
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Fiscal Services

Debt Charges							
Interest	1,815	500	93,231	89,308	-3,922		223,872
Debt Payments	0	0	274,000	274,000	0		714,000
	1,815	500	367,231	363,308	-3,922		937,872

Transfers To:

Capital Fund for Capital Expenditures	0	0	0	0	0		4,250,000
Capital Projects Funded by reserves	0	0	750,000	0	-750,000	31	0
Reserve Funds	0	0	0	0	0		150,000
	0	0	750,000	0	-750,000		4,400,000

Total Fiscal Services	1,815	500	1,117,231	363,308	-753,922		5,337,872
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Town of Rothesay

Variance Report - General Fund

Note #		Actual	month ending Budget	7/31/2024 Better/(Worse)	Description of Variance
Revenue					
1	Bill McGuire Memorial Centre	\$ 38,013	\$ 14,583	\$ 23,429	Budget allocated over year
2	Arena Revenue	\$ 152,981	\$ 111,033	\$ 41,948	Revenue higher than budgeted
3	Licenses & Permits	\$ 135,002	\$ 48,125	\$ 86,877	Conservative budget estimate
4	Interest & Sundry	\$ 76,248	\$ 18,667	\$ 57,581	Conservative budget estimate
5	Miscellaneous	\$ 48,898	\$ 5,833	\$ 43,065	Sale of sweeper \$40k
6	Grant - Other	\$ 231,058	\$ -	\$ 231,058	Wells building
7	Transfer from Capital Reserve	\$ 750,000	\$ -	\$ 750,000	Reserve funds for vacuum truck
Expenses					
<i>General Government</i>					
8	Solicitor	27,817	50,000	\$ 22,183	Expenses not yet incurred
9	Professional Fees	18,945	110,000	\$ 91,055	\$75K Head hunter fees
10	Community Communications (Team)	2,272	59,958	\$ 57,687	\$55K budgeted for communications study
11	Insurance	297,334	330,201	\$ 32,867	Budget higher than actual
12	Donations	11,222	36,500	\$ 25,278	Donation budget remaining
<i>Protective Services</i>					
13	Fire Protection	1,260,786	1,253,153	\$ (7,633)	Ppty tax estimate too low
14	EMO Director/Committee	0	50,000	\$ 50,000	EMO Plan
<i>Transportation</i>					
15	Administration (Wages & Benefits)	890,062	958,856	\$ 68,794	Vacant position
16	Workshops, Yards & Equipment	547,953	520,769	\$ (27,183)	Budget allocated equally thru the year, expenses still to be incurred
17	Snow & Ice Removal	688,660	807,000	\$ 118,340	Budget set by past usage, 2024 less storms
<i>Environmental Health</i>					
18	Solid Waste Collection Fero	392,715	408,333	\$ 15,618	\$43K Fuel escalation in budget
19	Clean Up Campaign	8,480	20,000	\$ 11,520	Lower cost than anticipated
<i>Environmental Development</i>					
20	Administration (wages and benefits)	211,052	351,607	\$ 140,554	Vacant positions
21	Adminsitration	3,226	38,167	\$ 34,941	Annual budget for bylaw enforcement \$30K
22	Planning Projects	100	25,000	\$ 24,900	Annual budget for planning projects
23	Heritage Committee	-	5,000	\$ 5,000	Annual budget for Heritage Committee
24	Tourism	38	5,000	\$ 4,963	Annual budget for Tourism
<i>Recreation & Cultural Services</i>					
25	Administration (wages and benefits)	233,228	221,844	\$ (11,385)	Pay raise after annual budget
26	Parks & Gardens	485,350	505,323	\$ 19,973	Vacant position in of \$10K, leased less vehicles than anticipated
27	Playgrounds and Fields	73,662	86,083	\$ 12,421	Less mtce than anticipated to date
28	Rothesay Common Rink	57,261	70,167	\$ 12,906	Casual wages lower than anticipated and shorter season
29	Train Station	0	29,600	\$ 29,600	Annual budgt for train station
30	Wells Building	38,912	28,042	\$ (10,870)	2023 YE no accrual was set up for cleaning, supplies and hydro higher than budgeted, Ppty tax \$5K higher than budget
<i>Fiscal Services</i>					
31	Capital Projects Funded by reserves	\$ 750,000	\$ -	\$ (750,000)	Reserve funds for vacuum truck

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Town of Rothesay

Capital Projects 2024

General Fund

7 Months Ended 7/31/2024

	ANNUAL BUDGET	CURRENT Y-T-D	Remaining Budget	
General Government				
G 202* 00* IT	15,000	0		15,000
G-2024-00* Train Station building	350,000	0		350,000
145 James Renforth	0	270,163		-270,163
Total General Government	365,000	270,163	0	94,837
Protective Services				
P-202*-0** Protective Serv. Equipment Purchases	200,000	170,463		29,537
Total Protective Services	200,000	170,463		29,537
Transportation				
T-2024-001 Asphalt	3,395,000	1,382,508		2,012,492
T-2024-00* Wiljac Improvements	2,500,000	0		2,500,000
T-2024-00* Grove building	60,000	0		60,000
T-202*-00* Fleet Replacement	1,875,000	347,760	750,000	777,240
Unassigned:				
Total Transportation	7,830,000	1,730,268	750,000	5,349,732
Recreation				
R-202*-00* Recreation Equipment	145,000	84,127		60,873
R-2022-004 Wells Bldg	50,000	9,233		40,767
R-202*-00* Arena Renovation	105,000	98,600		6,400
R-2024-00* Wells parking lot	500,000	0		500,000
R-2024-00* Cathodic protection	75,000	69,557		5,443
R-2024-00* Zamboni	140,000	0		140,000
Total Recreation	1,015,000	261,517		753,483
Carryovers				
T-2023-001 Asphalt 2023	0	20,494		-20,494
T-2023-004 Intersection Improvement (Gondola/Clark)	0	421,215		-421,215
R-2022-002 Recreation Pickle Ball	0	785		-785
R-202*-00* Recreation Master Plan	0	32,543		-32,543
	0	475,038		-475,038
Total	\$ 9,410,000	\$ 2,907,449	\$ 750,000	\$ 5,752,551

2024 Budget and Funding Allocation

Funding	2024	Operating	Reserve	Gas Tax	Borrow
General Government	365,000	15,000	350,000		
Protective Services	200,000	200,000			
Transportation	7,830,000	3,600,000	800,000	930,000	2,500,000
Recreation	1,015,000	785,000	125,000	105,000	
	9,410,000	4,600,000	1,275,000	1,035,000	2,500,000

Town of Rothesay

Utility Fund Financial Statements

July 31, 2024

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

Capital Balance Sheet

As at 7/31/2024

ASSETS

Assets:

Capital Assets - Under Construction - Utilities	878,012
Capital Assets Utilities Land	119,970
Capital Assets Utilities Buildings	2,003,612
Capital Assets Utilities Equipment	813,621
Capital Assets Utilities Water System	29,927,286
Capital Assets Utilities Sewer System	27,631,288
Capital Assets Utilities Land Improvements	42,031
Capital Assets Utilities Roads & Streets	220,011
Capital Assets Utilities Vehicles	113,001
	<hr/>
	61,748,834

Accumulated Amortization Utilites Buildings	(987,689)
Accumulated Amortization Utilites Water System	(10,089,626)
Accumulated Amortization Utilites Sewer System	(10,343,511)
Accumulated Amortization Utilites Land Improvements	(42,031)
Accumulated Amortization Utilites Vehicles	(54,277)
Accumulated Amortization Utilites Equipment	(466,112)
Accumulated Amortization Utilites Roads & Streets	(27,861)
	<hr/>
	(22,011,108)

TOTAL ASSETS	<hr/> <hr/>
	39,737,726

LIABILITIES

Current:

Util Capital due to/from Util Operating	(285,000)
	<hr/>
Total Current Liabilities	(285,000)

Long-Term:

Long-Term Debt	8,201,558
	<hr/>
Total Liabilities	7,916,558

EQUITY

Investments:

Investment in Fixed Assets	31,821,168
	<hr/>
Total Equity	31,821,168

TOTAL LIABILITIES & EQUITY	<hr/> <hr/>
	39,737,726

Town of Rothesay
Balance Sheet - Utilities Fund Reserves
7/31/2024

ASSETS

BNS Utility Capital Reserve # 00241 12	1,433,086
	<u>\$ 1,433,086</u>

LIABILITIES AND EQUITY

Invest. in Utility Capital Reserve	939,537
Invest. in Utility Operating Reserve	117,350
Invest. in Sewerage Outfall Reserve	376,200
	<u>\$ 1,433,086</u>

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Town of Rothesay

Utilities Fund Operating Balance Sheet
As at 7/31/2024

ASSETS

Current assets:

Accounts Receivable Net of Allowance	821,020
Total Current Assets	821,020

Other Assets:

Projects	1,799,008
	1,799,008

TOTAL ASSETS	\$ 2,620,028
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LIABILITIES

Accrued Payables	16,263
Due from General Fund	(97,320)
Due to Capital Fund	285,000
Deferred Revenue	10,677
Total Liabilities	214,620

EQUITY

Surplus:

Opening Retained Earnings	40,521
Profit (Loss) to Date	2,364,886
	2,405,408

TOTAL LIABILITIES & EQUITY	\$ 2,620,028
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2024September9OpenSessionFINAL_039

Town of Rothesay
Utilities Operating Income Statement
7 Months Ended 7/31/2024

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT YTD	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
RECEIPTS							
Sale of Water	0	0	593,908	603,500	(9,592)	1	1,165,000
Meter and non-hookup fees	(2,644)	0	31,186	31,750	(564)		63,500
Water Supply for Fire Prot.	0	0	335,000	335,000	0		335,000
Local Improvement Levy	0	0	58,881	59,000	(119)		59,000
Sewerage Services	(475)	0	2,183,734	2,154,283	29,451	2	2,154,283
Connection Fees	2,600	6,250	122,050	43,750	78,300	3	75,000
Developers' Share	0	0	18,355	0	18,355	4	0
Interest Earned	12,906	7,500	65,561	52,500	13,061		90,000
Misc. Revenue	625	769	4,338	5,381	(1,043)		9,224
Infrastructure Grants	0	0	378,486	0	378,486	5	0
Surplus - Previous Years	0	0	33,993	33,993	0		33,993
TOTAL RECEIPTS	13,012	14,519	3,825,491	3,319,157	506,335		3,985,000
WATER SUPPLY							
Share of Overhead Expenses	18,288	18,288	128,013	128,013	0		219,450
Wages	16,051	16,831	132,044	137,832	5,788		240,000
Audit/Legal/Training	144	167	8,971	7,667	(1,304)		8,500
Other Water	0	625	28	4,375	4,347		7,500
Purification & Treatment	39,897	46,417	418,421	425,917	7,496		568,000
Transmission & Distribution	3,880	4,917	43,411	45,417	2,005		130,000
Power & Pumping	3,448	4,667	33,385	32,667	(718)		56,000
Billing/Collections	59	417	1,646	2,917	1,271		5,000
Water Purchased	316	200	833	800	(33)		1,200
Misc. Expenses	1,168	1,667	7,777	17,667	9,890	6	32,000
McGuire Road Operating	1,110	1,667	9,241	11,667	2,426		20,000
TOTAL WATER SUPPLY	84,360	95,860	783,769	814,936	31,168		1,287,650
SEWERAGE COLLECTION & DISPOSAL							
Share of Overhead Expenses	27,431	27,431	192,019	192,019	0		329,175
Wages	30,000	30,000	210,000	210,000	0		360,000
Audit/Legal/Training	217	750	8,768	11,250	2,482		15,000
Collection System Maintenance	0	6,250	9,481	45,750	36,269	7	85,000
Sewer Claims	5,411	5,000	16,234	15,000	(1,234)		20,000
Lift Stations	12,128	6,667	75,362	48,167	(27,195)	8	82,500
Treatment/Disposal	4,990	9,000	63,848	76,000	12,152	9	121,000
Misc. Expenses	2,046	2,333	5,107	16,333	11,226	10	28,000
TOTAL SWGE COLLECTION & DISPC	82,224	87,431		614,519	33,700		1,040,675
FISCAL SERVICES							
Interest on Bank Loans	0	0	0	0	0		2,026
Interest on Long-Term Debt	0	0	81,018	106,018	25,000	11	263,941
Principal Repayment	0	0	15,000	15,000	0		565,708
Transfer to Reserve Accounts	0	0	0	0	0		75,000
Capital Fund Through Operating	0	0	0	0	0		750,000
TOTAL FISCAL SERVICES	0	0	96,018	121,018	25,000		1,656,675
TOTAL EXPENSES	166,583	183,291	879,786	1,550,473	89,868		3,985,000
NET INCOME (LOSS) FOR THE PER	(153,572)	(168,773)	2,945,705	1,768,684	1,177,021		(0)

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Town of Rothesay

Variance Report - Utility Operating

7/31/2024

Note #	Account Name	Actual YTD	Budget YTD	Variance Better(worse)	Description of Variance
Revenue					
1	Sale of Water	593,908	603,500	(9,592)	Lower usage, Apt fixed underground leak
2	Sewerage Services	2,183,734	2,154,283	29,451	New Apartment buildings not factored into budget
3	Connection Fees	122,050	43,750	78,300	Budgeted amts allocated based on prior year revenue
4	Developers' Share	18,355	0	18,355	Cost shared for sidewalk on Hampton rd
5	Infrastructure Grants	378,486	0	378,486	WWTF grant
7/31/2024					
Water					
6	Misc. Expenses	7,673	17,667	9,994	New water meters have yet to be purchased
Sewer					
7	Collection System Maintenance	9,481	45,750	36,269	timing
8	Lift Stations	75,362	48,167	(27,195)	replacement of VFD at FV lagoon
9	Treatment/Disposal	63,848	76,000	12,152	timing
10	Misc. Expenses	5,107	16,333	11,226	timing
Fiscal Services					
11	Interest on Long-Term Debt	81,018	106,018	25,000	Budgeted for interim interest

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Town of Rothesay

Capital Projects 2024

Utility Fund

7 Months Ended 7/31/2024

	Original BUDGET	CURRENT Y-T-D	Remaining Budget
WATER			
W-2022-003 Filtration Bldg Water	775,000	37,831	737,169
W-2024-00* Production Wells TH90-1	65,000	0	65,000
W-2024-00* Storage bldg renovations	55,000	0	55,000
W-2024-00* Shadowhill water line	250,000	0	250,000
W-2024-00* Treatment effluent tank re-lining	30,000	0	30,000
W-2024-00* Filter Bldg heat system upgrade	40,000	2,397	37,603
W-2024-00* Transfer switch VDF Wells 1 & 2	50,000	0	50,000
W-2024-00* Large scale tapping machine	40,000	0	40,000
	<u>\$ 1,305,000</u>	<u>\$ 40,228</u>	<u>\$ 1,264,772</u>
SEWER			
T-202*-001 Sewer work in Ashphalt contract	100,000	0	100,000
S-2023- 004 WWTF Plant	2,000,000	126,027	1,873,973
W-2024-00* Frances Ave lift station replacement	120,000	0	120,000
S-2023-002 Lagoon Dredging	1,500,000	770,535	729,465
Unbudgeted items:			
Unbudgeted Capital Items - Utilities	0	40,049	(40,049)
	<u>3,720,000</u>	<u>936,611</u>	<u>2,783,390</u>
Total Approved	<u>5,025,000</u>	<u>976,838</u>	<u>4,048,162</u>
Carryovers			
Funded from Reserves			
W-2021-004 Well Development - Quality	-	4,649	(4,649)
S-2021-001 Turnbull Court Sewer	-	817,521	(817,521)
	<u>0</u>	<u>822,169</u>	<u>(822,169)</u>
	<u>5,025,000</u>	<u>1,799,008</u>	<u>3,225,992</u>

Funding:

	Total	Operating	Reserves	Borrow	Gas Tax	Grants
Water	1,305,000	630,000		\$ 250,000	425,000	
Sewer	3,720,000	120,000		\$ 2,625,000	100,000	875,000
	<u>\$ 5,025,000</u>	<u>\$ 750,000</u>	<u>\$ -</u>	<u>\$ 2,875,000</u>	<u>\$ 525,000</u>	<u>\$ 875,000</u>

Town of Rothesay

2024-07-31

		219500-60	
Donations/Cultural Support	Budget	Paid to date	
KV3C (in kind)	2,500.00	-	
NB Medical Education Trust	5,000.00	5,000.00	
KV Food Basket	5,000.00	2,000.00	
Fairweather Scholarship	1,000.00	1,000.00	
Saint John Theatre Company	1,000.00		
Symphony NB	2,500.00	2,000.00	
sub	17,000.00	10,000.00	
Other:	19,500.00		
Portage		500.00	
KVBA U14		250.00	
Police/Fire Hockey		472.00	
Refund from Big Brother/Big Sister	-	500.00	
KV Girls Softball		250.00	
Fundy Soccer Association		250.00	
St. Joseph's Foundation			\$1000 in Aug
sub	19,500.00	1,222.00	
	36,500.00	11,222.00	
G/L Balance		11,222.00	
Other:			
Kennebecasis Crimestoppers	2,800.00	2,800.00	Protective Services
PRO Kids	7,500.00	7,500.00	Recreation
	10,300.00	10,300.00	

TOWN OF ROTHESAY

FINANCE COMMITTEE

August 22, 2024

In attendance:

Mayor Nancy Grant

Deputy Mayor Matt Alexander, Chairman

Councillor Helen Boyle

Councillor Don Shea

Town Manager John Jarvie

Treasurer Doug MacDonald

Financial Officer Laura Adair

The meeting was called to order at 8:30am.

The agenda was accepted with 3 additional donation requests added and HAF documents (HB/NG)

Councillor Don Shea declared conflict of interest for KV Old Boys donation.

Review of Minutes

The minutes of July 24,2024 were accepted as presented (HB/DS)

July Internal Financial statements

General - financial statements and variance reports were reviewed. There are no significant changes from prior months. Revenue higher and expenses lower than anticipated. Invoices for asphalt are beginning to come in. First half of CCBF funding was received in August and a new 5 year plan will need to be submitted and approved by council before year end.

Utilities – financial statements and variance reports were reviewed with no major updates. Next quarter water meter readings will take place at the end of September. Lagoon dredging should be complete by month end.

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

Donation Requests

Kennebecasis Rowing Club

Moved by Mayor Nancy Grant and Councillor Don Shea to table donation until pending 2025 budget
APPROVED

L'Arche Gala Fundraiser

Discussed at prior meeting. Approved and purchased 1 ticket for Councillor Helen Boyle.

Menahgesk Powwow

Moved by Councillor Don Shea and seconded by Councillor Helen Boyle to provide a donation of \$1,250.
APPROVED

Quispamsis re KV Food bank

Moved by Councillor Helen Boyle and seconded by Councillor Don Shea to provide a donation of \$7,300.16
APPROVED

Councillors agreed to fund direct costs excluding the GEMTEC consultation invoice for building expansion.

KV Food Basket

MOVED by Mayor Nancy Grant and Councillor Don Shea to table until detailed expansion plans including costs, funding and financial statements are submitted.
APPROVED

United Way

Moved by Mayor Nancy Grant and seconded by Councillor Don Shea to purchase one ticket.
APPROVED

St. Joe's Pallet Challenge

Agreed not to sponsor as the Town has previously made a donation to the organization.

Tani Koi Judo Club

Moved by Councillor Helen Boyle and seconded by Councillor Don Shea to provide a donation of \$250.
APPROVED

Councillor Don Shea exited the boardroom.

KV Old Boys

Moved by Mayor Nancy Grant and seconded by Councillor Helen Boyle to provide a donation of \$500.
APPROVED

Councillor Don Shea returned to the boardroom.

For Information

KRPF Bldg Expansion update – Chief of Police Steve Gourdeau provided revised costs estimates to complete building expansion. Treasurer Doug MacDonald to request further information regarding equipment/furnishings and interim interest estimates as they still seem higher than expected.

Town Manager John Jarvie suggested during the 2025 Budgeting process, Councillors of Rothesay and Quispamsis should agree on their role in the level of input and control over the KRPF's capital and operational spending. He indicated parameters should be set regarding budget increases that reflect CPI index and tax base, population growth, etc.

Housing Accelerator Fund Program –

Councillors agreed that an application for the second round of funding should be submitted. If the application is deemed successful, terms of the agreement can be negotiated at that time. Council can decide whether they wish to pursue. The requirements for funding may change in the future and having an application submitted may allow Rothesay to have access to funding.

HAF money can be used as grants for developers, sponsoring not-for-profit organizations, subsidizing upfront development costs etc.

2025 Budget Process – Memo circulated regarding dates.

Compliance report – all items filed.

Motion to accept and receive **items for information (DS/HB)**

Next Meeting

The next meeting is set for Thursday September 25, 2024.

The meeting adjourned at 10:10am.

Deputy Mayor Matt Alexander, Chairman

Financial Officer Laura Adair



2024September9OpenSessionFINAL_046

KENNEBECASIS REGIONAL POLICE FORCE/ FORCE DE POLICE RÉGIONALE KENNEBECASIS

ADDRESS ALL CORRESPONDENCE TO/
ADDRESSER TOUTE CORRESPONDANCE À:
CHIEF OF POLICE/CHEF DE POLICE
126 Millennium Drive/126 rue Millennium
Quispamsis, NB E2E 6E6

STEVE GOURDEAU
CHIEF OF POLICE
CHEF DE POLICE

Tel: (506) 847-6300
Fax/Facsimile: (506) 847-6301
Admin: (506) 847-6313
E-mail/Courriel: krpfadmin@nbpolicy.ca
www.kennebecasisregionalpolice.com

Town of Rothesay
70 Hampton Rd, Rothesay
NB E2E 5Y2

2024-08-15

Re: Update of the construction project at the Kennebecasis Regional Police Force

Mayor and Council,

You will find attached to this correspondence an update of our construction project. At the time of writing, the project is approximately two weeks behind schedule.

Respectfully submitted

Steve Gourdeau, Chief
Kennebecasis Regional Police Force.

2024September9OpenSessionFINAL_047

KRPF Building Project

Date: Aug 13, 2024

Item	Estimate approved by Province for Financing	Contract Price	Revised Estimated Project costs	Costs to Date	Estimated costs to complete	Under () / Over Budget Estimate	Comments
Project Manager	\$ 100,000.00		\$ 70,000.00	\$ 19,932.75	\$ 50,067.25	\$ (30,000.00)	
Construction Costs	\$ 3,420,000.00	\$ 2,235,857.00	\$ 2,235,857.00	\$ 180,264.88	\$ 2,055,592.12	\$ (1,184,143.00)	
Change Order Costs for changes made at signing - Exempt from the builders premium of 10%	\$ -	\$ 259,319.00	\$ 259,319.00	\$ -	\$ 259,319.00	\$ 259,319.00	(Previously reported in July update) Better floor and attic insulation, exisiting office renos, energy retrofit on lighting in existing build to match new construction
Change Order Costs for changes made after signing -Subject to the builders premium of 10%				\$ 133.33		\$ 133.33	Change orders #1 and #2 - Cost difference between extra charge of \$1270.28 for the back water valve (Town requirement) and reduction of \$1293.75 for the interceptor.
Equipment/Furnishings and IT costs	\$ 500,000.00		\$ 400,000.00	\$ 152,661.90	\$ 247,338.10	\$ (100,000.00)	Initial furnishing purchase
Interim Financing Costs	\$ 160,000.00		\$ 148,000.00	\$ -	\$ 148,000.00	\$ (12,000.00)	Based on the RFP results Prime less 0.75% is lower than our initial estimate , prime rate has dropped by 0.25% since estimates were completed - one more rate reduction is projected for the Fall of 2024 - first draw July 15
Financing Costs	\$ 70,000.00		\$ 60,000.00	\$ -	\$ 60,000.00	\$ (10,000.00)	projecting a lower Debenture draw in June 2025 which should lower the debnture issue costs
Total Project Costs	\$ 4,250,000.00	\$ 2,495,176.00	\$ 3,173,176.00	\$ 352,992.86	\$ 2,820,183.14	\$ (1,076,690.67)	



ROTHESAY MEMORANDUM



TO	:	Mayor and Council
FROM	:	Finance Committee
DATE	:	August 27, 2024
RE	:	Donation Recommendations

The finance committee recommends the following motion re donation requests:

Council approve the request for a sponsorship request from the City of Saint John relating to the Menahgesk Wabanaki Traditional Powwow in the amount of \$1,250.

Council approve the payment to the town of Quispamsis relating to 2023 operating costs of the KV Food Basket in the amount of \$7,300.46.

Council approve a donation to the Tani Koi Judo Club in the amount of \$250.00.

Council approve a donation to the KV Old Boys in the amount of \$500.00.



SPONSORSHIP PACKAGE

Menahgesk Wabanaki Traditional Powwow.

October 26-27, 2024

TD Station, Saint John, New Brunswick



SAINT JOHN

Menahqesk Wabanaki Traditional Powwow.

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The Powwow serves as a powerful cultural gathering that honours our traditions, heritage, and community. By hosting such an event within Wolastoq territory, we not only showcase the vibrancy of our culture but also foster greater understanding and appreciation among attendees. I commend the City of Saint John, and Possesom Paul and his company, for their commitment to inclusivity and cultural celebration. Collaborative efforts like these, led by Wolastoq voices, are essential in promoting cross-cultural dialogue and strengthening relationships between Indigenous and non-Indigenous communities. I believe it will serve as a meaningful platform for cultural exchange and unity, enriching the fabric of our society with the spirit of Wolastoqiyik tradition.

Chief Allan Polchies
Sitansisk First Nation

Menahqesk, the area where the Wolastoq (St. John River) meets the Pegu'bepegig (Bay of Fundy), has been an integral part of everyday life for thousands of years. A natural gathering space, people lived in and around the area, trading goods, fishing, and harvesting plants and animals in the area.

There are five nations which make up the Wabanaki Confederacy: the Wolastoqiyik, Mi'kmaq, and Peskotomuhkatyik in the New Brunswick region, and the Penobscot and Abenaki in Maine. Indigenous peoples have lived in the Saint John region for thousands of years, and there are now close to two thousand who call this area home today.

We are so very excited and honoured for this opportunity for the City of Saint John, known as Menahqesk historically, to be the host of a Wolastoqiyik and Mi'kmaq led powwow. We took great care to engage with First Nations leadership in a way that is respectful, open, and strengthens our commitment to Truth & Reconciliation. A powwow in our city would move dialogue forward into collaboration; not only for the City organization, Indigenous Communities and Indigenous peoples living here, but also for local businesses and non-Indigenous peoples in a powerful and celebratory way. The vibrancy of the experience will be monumental, and we intend to continue this event in years to come in order to bridge gaps and build stronger, more meaningful relationships.

We hope you consider to be part of this celebration. Let's embrace this opportunity to learn, share, and grow together as one community.

Mayor Donna Noade Reardon
City of Saint John

Menahqesk Wabanaki Traditional Powwow.



EVENT DETAILS

The River is Bringing Us Home.

Menahqesk Wabanaki Traditional Powwow is a significant event and an opportunity for **people of all cultures** to gather and celebrate the rich and diverse Indigenous culture of Turtle Island. This event will attract hundreds of talented dancers, drummers, performers, and thousands of attendees from across the region. **We welcome everyone to witness, experience and celebrate with us!**

Location:

TD Station
99 Station Street
Saint John, N.B.
506-461-0730

Date:

Saturday, October 26, 2024
Sunday, October 27, 2024

Main Attractions:

- Black Bear Drummers (*number one powwow drum in North America*)
- Cultural Dancing, Singing, Drumming, Teachings
- Indigenous Vendors Market
- Grand Entry
- Dancer Spotlights
- Audience Dance and Engagement (*intertribal*)

Sponsorship Opportunities

We are actively seeking sponsors and partners to join us in supporting this exciting event. There are many levels of paid sponsorship, as well as opportunities to sponsor our in-kind needs, including volunteer supplies, accommodations, and hospitality services.

Benefits of Becoming a Sponsor

The Menahqesk Wabanaki Traditional Powwow offers numerous sponsorship opportunities for your company to gain exceptional brand exposure and to showcase your goals and initiatives. As a sponsor, you will benefit from the attention of a captive and diverse audience, as well as the connections made to like-minded individuals and

businesses with similar goals and initiatives. By becoming a sponsor, you are supporting the Indigenous community through an event that is centered around culture, music, dance, food, and the arts. This is an inclusive and family friendly event, where everyone is welcome to attend. The Menahqesk Wabanaki Traditional Powwow is a must-see experience right in your local community.

Customize Your Sponsorship

Your company is welcome to connect with the organizers to help build a package to suit your needs. If you are interested in alternative opportunities to sponsor or support the event's in-kind services, including but not limited to volunteer supplies, accommodations, hospitality services, or travel, please contact us directly.

Sponsorship Opportunities	Wolastoq \$25,000+	Kennebecasis \$15,000	Rusangonis \$10,000	Aroostook \$7,500	Nashwaak \$5,000	Magaguadavic \$2,500	Pokiok \$500+
Logo on Food Voucher (Food Sponsor)			✓				
Logo on Program/Website	✓	✓	✓	✓	✓	✓	✓
Logo on Digital Signage	✓	✓	✓	✓	✓	✓	
Social Media Mentions and Tags	✓	✓	✓	✓	✓		
Corporate Booth	✓	✓	✓	✓			
Logo on Event Poster	✓	✓	✓				
M.C. Recognition	✓	✓	✓				
Meet and Greet with Dignitaries and Event Hosts	✓	✓					
Opportunity to Speak During Opening Remarks	✓						

Contact for Sponsorship

We are grateful for any support you are able to provide to this important Indigenous, inclusive, and family friendly celebratory event. Be sure to follow Menahqesk Wabanaki Traditional Powwow on Facebook for updates.

powwow@saintjohn.ca
Attention: Sponsorship

FOOD BANK COSTS

	2023	Note: We have only
Furnace Fuel	3,494.24	3277.55 included the
Property Tax	475.92	663.11 unrecoverable portion
Building M&R*	1,930.65	1446.81 of HST in these costs
Electricity	3,306.81	3274.4
Grounds M&R***	6,171.65	1301.48
Property Insurance	295.80	216
Total G/L Accts - Food bank	\$ 15,675.07	

10179.35

TOWN LABOUR - 10 hours per month

Shovelling, mowing, planting

Annual Cost of town staff 10 hrs/mo.** \$ 3,618.72

2023
TOTAL \$ 19,293.79

Rothsay share at 50% \$ 9,646.90

* Building M&R includes water, sewer, pest control, furnace prot. plan, repairs.

** Staff hours includes shoveling, grounds maintenance, mowing, etc. (still using 2022 hourly rates as there is no collective agreement for 2023 at this time)

*** 2023 grounds M&R includes snowplowing and had a one-time charge re: Gemtec for Geo investigation at food bank. Determining if an expansion to the building footprint is possible.

Gemtec \$ 4692.87

\$ 14620.92
50% = \$ 7300.46

**Town of Quispamsis**

12 Landing Court
Quispamsis, NB E2E 4R2

Tel: 849-5778

Fax: 849-5799

www.quispamsis.ca

Sold To:

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

Date: 2024-05-30

Invoice Number: IN000077964

Customer No.

HST Registration No. 108179573

Terms	Invoice Description	
Due on Receipt	Cost Share - 2023 Food Bank Costs	
Description/Comments		Amount
Cost Share - 2023 Food Bank Costs		9,646.90

Remit To:

Town of Quispamsis
12 Landing Court
Quispamsis, NB
E2E 4R2

Subtotal before tax	\$9,646.90
HST	N/A
Total invoice	\$9,646.90
Payment received	0.00
Balance due	\$9,646.90

SCHEDULE A

Application for Rothesay Municipal Grant

App. Date: August 20th, 2024

Applicant: Tani Koi Judo Club

Address: 71 Marr Road, Rothesay, NB

Contact: Krystal Daley Lavigne

Tel. _____

Email: _____

Organization Description:

Tani Koi Judo is a dedicated non-profit organization composed of volunteers who are committed to the development of athletes of all ages through the sport of judo.

Amount Requested: \$1,000.00

Descriptions of proposed event or activity:

We are seeking support to help fund competitions for youth, help sustain and improve our training facilities, help fund training activities for our volunteer coaches, and expand our program to attract more participants from diverse or at-risk backgrounds.

Project costs: _____

\$1000

Benefits to town of Rothesay:

Our facility is located directly within the Town of Rothesay. Our membership is comprised of approximately 40% of Rothesay residents. We have athletes who compete and win at local, provincial, national, and international tournaments. This showcases our commitment to excellence, athletic achievement, and fair play. Tani Koi Judo brings recognition to the Town of Rothesay through our representation at these tournaments and earning respect in the judo community. Our achievements contribute positively to the Town's reputation and highlights its commitment to excellence in sports. Our club also helps youth become active and contributing members of the community by encouraging volunteerism and service to others.

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).



KV OLD BOYS

32 Wedgewood Drive
Rothesay, New Brunswick
E2E 3P7

Tel: 506-640-1886

Email: kvob@nbnet.nb.ca

MAKING A GOOD COMMUNITY BETTER

Membership

Steve Ball
Greg Boudreau (President)
Dick Connolly
Russ Finnemore
Doug Gordon
Peter Hastings
Bob Howes
Bob Orr
George Patton
Don Shea (Treasurer)
Ken Yorston
Brian Flewelling
Stephen Little
Neil Hanlon
Mike Hughes (Vice-President)
Russell Robinson
Tom Eastwood
David Down
Dave Oliver
Stew Rogers
Daniel Martel¹
Glenn Curtis

We Remember

Vernon Graves (2012)
Rev. Jack Fancy (2008)
Greg Rodina (2009)
Bob Johnston (2012)
Doug Young (2014)
Norm McKay (2019)
Paul Richard (2021)
Barrie Brewer (2022)
Ross Mavis (2022)
Don Shaw (2023)
Clayton Daye (2023)

Tel: (506) 640-1886
Email: kvob@nbnet.nb.ca
Web: <http://www.kvoldboys.com>



August 20, 2024

Town of Rothesay
70 Hampton Road
Rothesay, New Brunswick
E2E 5L5

Dear Friends,

The **KV OLD BOYS** is a group of mostly retired men who live in the greater Kennebecasis Valley. Since its beginning in 2003, the club has been guided by an unassuming principle: *"making a good community better"*. Over the years, the Club has returned close to \$340,000 to needy families, individuals and groups in the community.

Why are you receiving this letter?

Frankly, we are seeking sponsors for our upcoming (annual) **Country & Western Show** to be held on November 2, 2024, in the **Kennebecasis Valley High School** auditorium.

In years previous, these shows have sold out with crowds of more than five hundred. Expenses run approximately \$6000 per show, covering: auditorium rental, custodians, sound technician and equipment, advertisement, musicians, and stage guests. In previous years, sponsorships have been in the \$100 to \$500 range. Your generous support will be highlighted on our posters, handouts, social media and publicly the evening of the show.

To meet pending deadlines, consideration of this request at your earliest convenience would be appreciated.

Thank you in advance for considering this request. If you have any questions or require additional information, please do not hesitate to contact one of our members. The committee chairs for this event are Don MacDonald and Dave Oliver. Should you wish to contact them directly, their telephone numbers are 506-847-2797 and 506-847-0162, respectively.

Warmest regards,

Greg Boudreau, President

¹ Associate Member

SCHEDULE A

Application for Rothesay Municipal Grant

App. Date: August 20, 2024

Applicant: KV Old Boys
Address: 32 Wedgewood Drive
Contact: Gregory Boudreau Tel. (506) 849-2481
Email: kvob@nbnet.nb.ca

Organization Description:
A non-for-profit organization, established in 2003, having the sole purpose of raising funds to assist residents in need within the Kennebecasis Valley.

Amount Requested: \$500.00

Descriptions of proposed event or activity:
With the exception of COVID years, the club has hosted a Country & Western Show on the first Saturday in November every year since 2012. The annual Country and Western Show is one of two major club fundraisers.

Project costs:
The costs to put the show on are in the \$5500 - \$6500 range each year

Benefits to town of Rothesay:
Being a sponsor enhances the municipality's public image, showing residents it is committed to supporting local causes and improving the quality of life for residents.

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
2024 September 3 Open Session FINAL_058
PLANNING ADVISORY COMMITTEE MEETING
Rothesay Town Hall Common Room
Tuesday, September 3, 2024 at 5:30 p.m.



DRAFT

PRESENT: COUNCILLOR DON SHEA, CHAIRPERSON
KELLY ADAMS
TRACIE BRITTAIN
TYLER DAVIS
RALPH FORTE
MATTHEW GRAHAM, VICE-CHAIRPERSON

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
URBAN PLANNER PETER JOHNSTON
RECORDING SECRETARY LIZ HAZLETT

ABSENT: COUNCILLOR TIFFANY MACKAY FRENCH
CHRISTIANE VAILLANCOURT

The meeting was called to order at 5:30 p.m.

1. APPROVAL OF THE AGENDA

MOVED by T. Davis and seconded by T. Brittain the agenda be approved as circulated.

CARRIED.

2. ADOPTION OF MINUTES

2.1 Regular Meeting of July 2, 2024

MOVED by T. Brittain and seconded by K. Adams the Planning Advisory Committee meeting minutes of July 2, 2024 be adopted as circulated.

CARRIED.

3. DECLARATION OF CONFLICT OF INTEREST

N/A

4. NEW BUSINESS

4.1 7 Stack Road	Blake Hamilton
OWNER:	Blake Hamilton
PID:	30231765
PROPOSAL:	Rezoning to R2

The applicant, Mr. Hamilton was in attendance. Urban Planner Johnston reviewed the report, highlighting that the property: meets by-law requirements for the R2 Zone, is near a mix of properties with varying land-uses (single-family, institutional, recreational, and multi-unit), permits the proposal under the Municipal Plan (Policy LDR-2), and has access to municipal sewer infrastructure but will require a private source of water. Polling was conducted and no responses were received.

R. Forte raised concerns that the report focuses on permitting the rezoning through Policy LDR-2 but fails to mention other sections of the Municipal Plan that indicate protecting single-family neighbourhoods and reinforcing the existing character of these areas. Urban Planner Johnston explained that the request proposes a slight density change in the existing use. R. Forte spoke of his personal experience on High Park Avenue, Toronto noting small density changes can gradually escalate into high density areas. Urban Planner Johnston mentioned that proposals are discussed on a case-by-case basis because circumstances are not the same for every property.

Mr. Hamilton was asked if he would like to comment. He spoke of his profession as a property manager and the intent to add a quality unit to his primary residence to help drive down the housing shortage and create an opportunity for another resident to enjoy the town.

MOVED by T. Brittain and seconded by T. Davis the Planning Advisory Committee recommends Rothesay Town Council schedule a public hearing to consider the rezoning from Single Family Residential R1-B to Two Family Residential R2 at 7 Stack Road (PID 30231765).

CARRIED.

Chairperson Shea thanked the applicant.

4.2 Street Closure – By-law 3-24 (portions of Clark Road and Salmon Crescent)

2 August 2024

Report prepared by Urban Planner Johnston

DRAFT

By-law 3-24

Town Manager Jarvie reviewed the report, clarifying that the proposal was initiated by the Town, not the impacted property owners. He explained that the Town is familiar with the area and understood the right-of-way did not align with the roadway as older roads in the community were built with larger allowances than today's standards. The extent of the situation became clearer when a survey was conducted for recent improvements to the Gondola Point Road/Clark Road intersection. The property line currently runs through two private properties, even so much as mid-way through one house. The proposed by-law will close portions of Clark Road and Salmon Crescent to correct the situation. He added that the Town owns land on the other side of the road should the road need to be altered in the future.

Town Manager Jarvie responded to inquiries, noting: the issue did not impact the sale of one of the properties as a comfort letter was provided by the Town; while it is likely the closed-up parcels will be transferred to the property owners, it is not guaranteed; the closure must occur before any transfers can be discussed and ultimately decided by Council; and the road will remain where it is.

MOVED by R. Forte and seconded by M. Graham the Planning Advisory Committee recommends Council schedule a public hearing to consider the stop-up and closure of portions of Clark Road and Salmon Crescent.

CARRIED.

MOVED by R. Forte and seconded by T. Brittain the Planning Advisory Committee recommends Council enact By-law 3-24, "A By-law Respecting the Stopping-Up and Closing Permanently Portions of Clark Road and Salmon Crescent".

CARRIED.

R. Forte raised a concern that residents may think the action will be for permanent closure of the entire road. Town Manager Jarvie reassured the Committee that the by-law title states "portions of".

4.3 Cash in Lieu of Land for Public Purposes (LPP)

29 August 2024

Report prepared by Urban Planner Johnston

Urban Planner Johnston explained that the report is in response to a motion made at the July meeting. He reviewed the report, highlighting that the general practice is common and legislated in the Community Planning Act, but methods for calculation can vary. The Committee discussed the proposed options and methods of other municipalities:

1. Adjusting the \$13.50 per square meter for inflation (\$18.66) – remains a low calculation, and not representative of market value.
2. Service New Brunswick's property assessment data (recommended) – implemented by Moncton, and uses an average price generated from similar lots for a more accurate calculation.
3. Third-Party Appraiser – implemented by Fredericton, Oromocto, and Dieppe not recommended owing to the cost to the municipality.
4. A Flat Fee – Quispamsis charges a flat fee of \$750 per lot (not recommended).

With respect to Option 2, concerns were expressed that there may not be comparable properties in an area to gather a realistic average, and a significant cost could be a deterrent for one lot subdivisions. For instance, in the case of 239 Gibbon Road (Item 5.3) Option 2 would generate a cost of \$10,974.50 (\$65.70 per sq. m.) compared to \$2,255.04 (\$13.50 per sq. m.). Staff advised a sample of properties can extend beyond the immediate area, and the cost is not required until the subdivision is registered which means it could be recouped in the sale price. Additionally, the applicant can obtain a third-party appraisal if they are not satisfied with the calculation.

The Committee inquired: if housing prices could be used as they have increased more than inflation, if an analysis was done on how much the Town would gain from the change, and when the change would occur. Staff advised: land values differ from housing prices (and can differ based on area/proximity to services and amenities); it would be challenging to collect past data on individual land values/costs to conduct an analysis; and a change would not occur unless Council approves an amendment to the by-law. It would be advantageous to align such a change with upcoming updates to the Zoning By-law. Staff reiterated that cash-in-lieu of land for public purposes is legislated in the Community Planning Act, and helps grow the community in terms of recreational amenities or other opportunities. R. Forte appreciated that Option 2 creates a mechanism that allows the calculation to adjust over time.

MOVED by R. Forte and seconded by T. Brittain the Planning Advisory Committee recommends Council amend Subdivision By-law 4-10 to implement a revised method of calculating Cash in Lieu of Land for Public Purposes by using the property assessment data from Service New Brunswick. If a developer is unsatisfied with the amount determined in this manner, an amount determined in a report by a qualified property appraiser submitted by the developer could be substituted.

CARRIED.

4.4 103 Hampton Road Jebrine “Jack” Toulani
OWNER: Mark Hatfield, Property Star Inc.
PID: 30219661
PROPOSAL: Conditional Use permit - Restaurant

The applicant and property owner were in attendance. Urban Planner Johnston reviewed the report, highlighting that there are no plans to change the current floorplan, and parking is sufficient as the property has 208 parking spaces but only 142 are required for all tenants/businesses on the site. He identified an error, noting the business will be open seven days a week, not six.

The Committee asked what “WC” stands for on the drawing, and if 1 a.m. is standard for operating hours of other restaurants in Rothesay. Staff advised WC is for water closet, and operating hours are not stipulated in Town by-laws but are considered based on different factors (ex. music, demand, etc.). It was added a garbage container cannot be located on the front of the property (Hampton Road), and building permits are required for matters pertaining to fire safety and public health. Mr. Hatfield mentioned that the applicant has agreed to use existing garbage containers onsite, and is amenable to the condition for signage. R. Forte asked about ventilation, more specifically if the property is suitable for a restaurant. Mr. Hatfield noted the building has ventilation and was initially constructed as three units separated by fire walls.

MOVED by T. Brittain and seconded by M. Graham the Planning Advisory Committee grants a conditional use permit to operate a restaurant at 103 Hampton Road (PID 30219661) subject to the following conditions:

- a) A limit of one facia sign in compliance with the Signage By-law 3-10.
- b) Outdoor garbage receptacles must be provided with a solid screen two metres in height as per Zoning By-law 2-10.

CARRIED.

Chairperson Shea thanked the applicant and property owner. Mr. Toulani, Mr. Hatfield, and Mr. Hamilton left the meeting.

MOVED by R. Forte and T. Davis that Item 5.3 be brought forward to follow Item 4.4.

CARRIED.

Item brought forward.

TABLED ITEMS

5.3 239 Gibbon Road John McKelvey, Fundy Engineering
OWNER: Doug Reevey
PID: 30238679
PROPOSAL: Subdivision

MOVED by R. Forte and seconded by T. Brittain the application for 239 Gibbon Road be removed from the table.

CARRIED.

The applicant, Mr. McKelvey was in attendance on behalf of the property owner. Urban Planner Johnston reviewed the report, highlighting: the proposal will require a 10 meter wide Private Access and Sewer easement; cash-in-lieu of land for public purposes is calculated at \$2,255.04 (\$13.50 per sq. m.); a municipal sewer connection is required and a private water source; and a letter of opposition was received, signed by the property owners of 210 Renshaw Road, 220 Renshaw Road and 230 Renshaw Road, expressing concerns for a perceived decline in property values and lack of privacy if trees are removed. To address privacy concerns, staff offered that a covenant could be established that stipulates the vegetative buffer be maintained. In response to an inquiry, it was clarified that the covenant would be the responsibility of the property owner and new lot owner. A brief discussion ensued on how some municipalities have by-laws that include tree protection and others, including Rothesay, do not. Town Manager Jarvie mentioned that there may be plans in the future to construct the turning circle depicted in the diagram. This will help snow removal, garbage collection, and reducing turn-around traffic in private driveways.

Mr. McKelvey mentioned the property owner is aware and potentially amenable to a collaboration with the Town to construct the turning circle. He added he does not think privacy will be an issue as there will likely be a buffer.

MOVED by T. Brittain and seconded by R. Forte the Planning Advisory Committee hereby grants a variance for Lot 2024-1, being a lot with no public street frontage, from the subdivision of 239 Gibbon Road (PID 30238679) as indicated on the tentative plan (Project No 17408) on the conditions that a new residential development be designed to achieve net-zero storm water discharge through onsite management and the developer construct another, separate well system from that providing potable water to PID 30238679.

CARRIED.

MOVED by T. Brittain and seconded by M. Graham the Planning Advisory Committee hereby recommends that Council accept \$2,255.04 as cash-in-lieu of land for public purposes for the proposed vacant lot 2024-1 to be subdivided from 239 Gibbon Road (PID 30238679).

CARRIED.

5. OLD BUSINESS

5.1 Zoning By-law (Industrial Zones)

29 August 2024

Report prepared by Urban Planner Johnston

Urban Planner Johnston advised only minor changes are proposed relating to light industrial (wholly enclosed within buildings except parking, loading, and outside storage) permitted uses (funeral home, equipment sales repair and rental, park or recreation facilities, automotive sales or rental, or self-storage), and an increase from one to two accessory buildings. When asked about the accessory building increase, Urban Planner Johnston explained that this was done to align with other zones. He added if two are proposed, the maximum total coverage cannot exceed 5% in total. Town Manager Jarvie mentioned that there is only a small amount of land area within Rothesay for Industrial Zones (light and rural).

5.2 Zoning By-law (Institutional and Recreation Zones)

29 August 2024

Report prepared by Urban Planner Johnston

Urban Planner Johnston reviewed the report, explaining the difference between major and minor institutional zones. He stated that staff are not proposing changes to these zones, however, the Municipal Plan calls for the establishment of a new institutional zone specifically for Rothesay Netherwood School (RNS) campus. Town Manager Jarvie circulated a revised copy of the appendix – Proposed Rothesay Netherwood School Zone standards. Discussion ensued on RNS, noting it can be described as a little community on its own. Staff will contact the Headmaster of RNS to review the proposed standards, which are more flexible than other zones, but still must meet Building Code requirements, including building permits, and adhere to a maximum building height (to ensure sufficient pressure for municipal water). There was a brief discussion about municipal services to the property. Snow removal is provided as part of an agreement for public access to the RNS arena, but solid waste collection is not.

TABLED ITEMS**5.3 239 Gibbon Road****John McKelvey, Fundy Engineering**

OWNER:

Doug Reevey

PID:

30238679

PROPOSAL:

Subdivision

Dealt with above.

6. CORRESPONDENCE FOR INFORMATION

N/A

7. DATE OF NEXT MEETING(S)The next meeting will be held on **Monday, October 7, 2024.****8. ADJOURNMENT****MOVED** by T. Brittain and seconded by R. Forte the meeting be adjourned.**CARRIED.**

The meeting adjourned at 6:57 p.m.

CHAIRPERSON

RECORDING SECRETARY



2024 September 9 Open Session FINAL_064

ROTHESAY

MEMORANDUM



TO : Mayor Grant and Council
FROM : Town Clerk Banks
DATE : 5 September 2024
RE : Rezoning 7 Stack Road (PID 30231765)

RECOMMENDATION:

Council schedule a Public Hearing for **Monday, October 21, 2024 at 7:00 pm.**, in accordance with the *Community Planning Act*, SNB 2017, c 19 to consider the rezoning from Single Family Residential R1-B to Two Family Residential R2 at 7 Stack Road (PID 30231765).

Background:

The Planning Advisory Committee passed the following motion at its regular meeting of Tuesday, September 3, 2024.

MOVED by T. Brittain and seconded by T. Davis the Planning Advisory Committee recommends Rothesay Town Council schedule a public hearing to consider the rezoning from Single Family Residential R1-B to Two Family Residential R2 at 7 Stack Road (PID 30231765).

CARRIED.



To: Chair and Members of Rothesay Planning Advisory Committee

From: Peter Johnston
Urban Planner

Date: Tuesday, August 27, 2024

Subject: 7 Stack Road, Rezoning

Applicant:	Blake Hamilton	Property Owner:	Blake Hamilton
Mailing Address:	7 Stack Road Rothesay, NB E2E 2C5	Mailing Address:	7 Stack Road Rothesay, NB E2E 2C5
Property Location:	7 Stack Road	PIDs:	30231765
Plan Designation:	Low Density	Zone:	R1B – Single Family Residential Standard
Application For:	Rezoning to R2		
Input from Other Sources:	NA		

ORIGIN:

Applicant and owner of the subject property, Blake Hamilton, is seeking a rezoning from Single Family Residential R1-B to Two Family Residential R2 to construct a basement apartment, thus converting his single-detached house to a duplex.

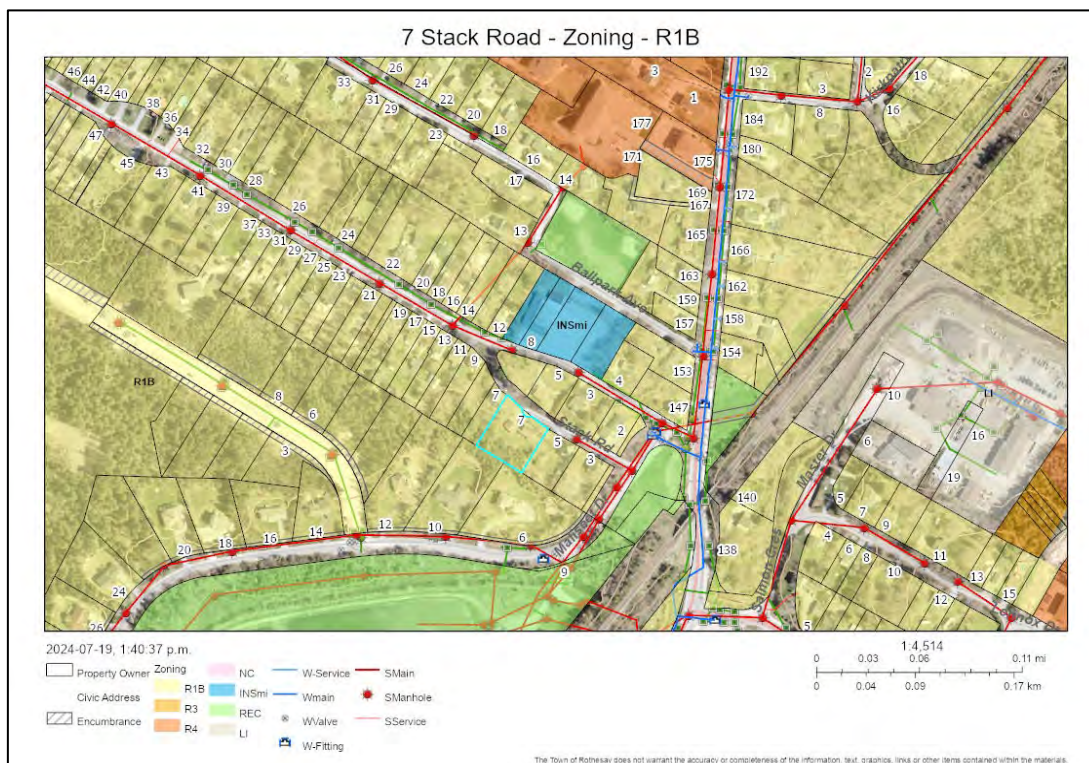


Figure 1: Zoning

STAFF ANALYSIS:

The subject property is located at 7 Stack Road approximately 160 metres from Gondola Point Road, a collector road. In the immediate area are various other single-family zoned properties, however within a 250-metre radius are several land-uses including institutional, recreational, and multi-unit residential (R4) at Miller Park and the Meadows apartment complex. The lot is approximately 2,150 square metres where the requirement for R2 lots is 1200 square metres. The site meets all yard requirements of the R2 zone. Potable water is supplied by a private well and the property is connected to Town sanitary services. Further, Municipal Plan Policy LDR-2 allows for duplex dwellings within the Low Density designation.



Figure 2: plan designation and servicing

POLLING

Letters notifying property owners within a 100-metre radius were sent out with no responses received.

RECOMMENDATION:

Staff recommend THAT the Planning Advisory Committee consider the following motion:

Recommend that Rothesay Town Council schedule a public hearing to consider the rezoning from Single Family Residential R1-B to Two Family Residential R2 at 7 Stack Road PID 30231765.

Report Prepared by:
Peter Johnston, Urban Planner
Date: Tuesday, August 27, 2024

ATTACHMENTS

Attachment A: Site photos (house and basement windows, exterior door)

Attachment B: Submission

Attachment C: Draft By-Law



September 3, 2024



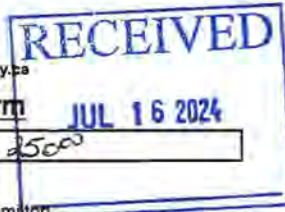
Rothesay

70 Hampton Road, Rothesay, NB, E2E 5L5 (506) 848-6600 Fax (506) 848-6677

E-mail: rothesay@rothesay.ca

Web site: www.rothesay.ca

Planning Advisory Committee Application Form



Application Number: _____ Approval Date: _____ Fee: 2500

Contact Information:

Applicant:	Blake Hamilton	Owner:	Blake Hamilton
Mail. Address:	7 Stack Road	Mail. Address:	7 Stack Road
Postal Code:	E2E 2C5	Postal Code:	E2E 2C5
Home Phone:	-	Home Phone:	-
Work Phone:	-	Work Phone:	-
Cell Phone:	-	Cell Phone:	-
Fax Number:	-	Fax Number:	-
Email:	-	Email:	-

Development Information:

Property Location: 7 Stack Road **Property Identification No. (PID):** 01235959 (PAN)

Proposal Description: (Please refer to the Development Guide specific to your application)

Looking to add an additional in-house apartment unit to my house. Apartment would be located in the basement, and has proper egress windows already.

Attach additional sheet(s) if necessary

Additional Plans:

Dimensioned Site Plan Must show all existing and proposed lines, the location and nature of any easements, rights-of-way, etc., all existing and proposed building and extensions thereto (including accessory buildings), and the required building setbacks from the property lines

Building Floor Plan and Elevations Applications involving buildings must include dimensioned floor plans and building elevations (heights) for all sides of the building

Other Plans Additional plans and information, as deemed necessary by the Development Officer, may be required in order to verify a proposal's conformity to the Municipal Plan and Zoning by-Law

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*, SNB 2009, c R-10.6. The collection of personal information on this form is for the purpose of issuing, renewing and/or administering a PAC Application. Collection is authorized in accordance with Town By-Laws and/or Legislation and may be subject to disclosure under the provisions of the *Right to Information and Protection of Privacy Act*, supra. 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).

Applicant's Signature Owner's Signature Date July 16 2024

Property Information:

Plan Designation: _____ **Zoning:** _____

Application For: (For internal use only)

Municipal Plan Amendment (\$2000)

Zoning By-law Amendment (\$2000)

Dvlpt Agrmt Amendment (\$800)

Use (\$250)

Variance(s) (\$250)

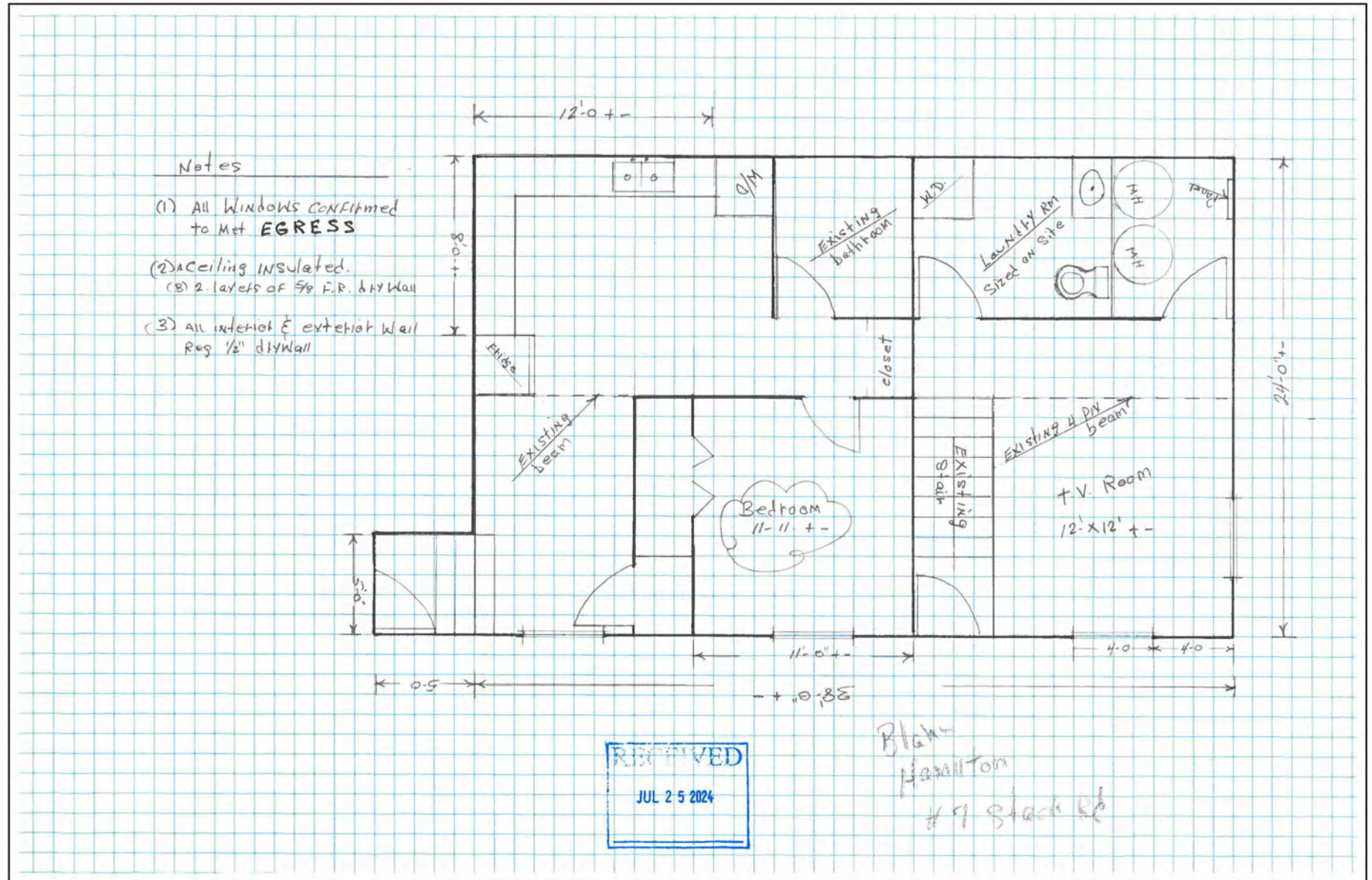
Subdivision (as per Subdivision By-law)

Pit and Quarry (\$1000)

Other

Notes:

Development Officer's Signature _____ **Date** _____





**BY-LAW 2-10-40
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, (hereinafter referred to as the “Act”) hereby amends By-Law 2-10 “Rothesay Zoning By-Law” and enact 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 “2-10-40”.

The purpose of the amendment is to rezone the land located at 7 Stack Road (PID 30231765) from Single Family Residential (R1-B) to Two Family Residential (R2) to allow for the property to be used as two-unit rental apartments in the building currently existing on the site 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 2-10-40

2024 September 9 Open Session FINAL_071

PID 30231765



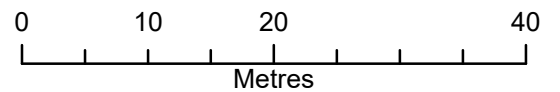
2024-08-27, 9:39:57 AM

1:600

 Subject Property

Buildings

 Residential



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



2024 September 9 Open Session FINAL_072

ROTHESAY

MEMORANDUM



TO : Mayor Grant and Council
FROM : Town Clerk Banks
DATE : 5 September 2024
RE : Street Closure – portions of Clark Road and Salmon Crescent
By-law 3-24

RECOMMENDATION:

Council schedule a Public Hearing for **Monday, October 21, 2024 immediately following a public hearing (starting at 7:00 p.m.)**, in accordance with the *Community Planning Act*, SNB 2017, c 19 to consider the stop-up and closure of portions of Clark Road and Salmon Crescent.

Background:

The Planning Advisory Committee passed the following motions at its regular meeting of Tuesday, September 3, 2024.

MOVED by R. Forte and seconded by M. Graham the Planning Advisory Committee recommends Council schedule a public hearing to consider the stop-up and closure of portions of Clark Road and Salmon Crescent.

CARRIED.

MOVED by R. Forte and seconded by T. Brittain the Planning Advisory Committee recommends Council enact By-law 3-24, "A By-law Respecting the Stopping-Up and Closing Permanently Portions of Clark Road and Salmon Crescent".

CARRIED.



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

August 2024

TO: Town of Rothesay Planning Advisory Committee

SUBMITTED BY:

Peter Johnston, Urban Planner

DATE: 2 August 2024

SUBJECT: Stop-up and Closure (portions of Salmon Crescent)

INFORMATION REPORT

ORIGIN

The Clark Road and Salmon Crescent right-of-way limit traverses overtop the existing house at 5 Clark Road (PID 00241745) and approximately one metre from the exterior wall of the existing house at 4 Salmon Crescent (PID 00242255). To correct this a stop-up and closure of portions of Clark Road and Salmon Crescent is required.

BACKGROUND

The right-of-way limits for Clark Road and Salmon Crescent have historically encroached on the two residential properties identified as PID 00241745 and PID 00242255. The portions of Clark Road and Salmon Crescent immediately adjacent to the two affected residential properties has recently undergone an extensive capital infrastructure upgrade. The upgrade has maximized the extent of the roadway, sidewalk, guiderail and signage, and as such the additional right-of-way to be stopped-up and closed has no further benefit to the Town. Staff are of the opinion that realigning the right-of-way limits, as proposed in the attached survey plans, will normalize the extent of the right-of-way with other streets in the neighborhood and other portions of the two streets in question.

RECOMMENDATION

Staff recommend THAT the Planning Advisory Committee recommends to Council the following motions:

- a. Council schedule a public hearing to consider the stop-up and closure of portions of Clark Road and Salmon Crescent;
- b. Council enact By-law 3-24, "A By-law Respecting the Stopping-Up and Closing Permanently Portions of Salmon Crescent.

ATTACHMENTS

Attachment A: By-Law Respecting the Stop-up and Closure

BY-LAW 3-24
A BY-LAW RESPECTING THE STOPPING-UP AND CLOSING PERMANENTLY OF
PORTIONS OF CLARK ROAD AND SALMON CRESCENT

The Council of the town of Rothesay (hereinafter called the “Council”), pursuant to the authority vested in it under the *Local Governance Act, SNB 2017 c 18* and amendments thereto (hereinafter referred to as the “Act”) hereby enacts the following:

- 1) THAT the town of Rothesay does hereby stop-up and close permanently portions of Clark Road and Salmon Crescent as outlined below:
 - a) The portions of the roads known as Salmon Crescent and Clark Road in the town of Rothesay as shown on the Subdivision Plans titled Plan of Survey Showing Parcel "A" A Portion of Salmon Crescent To Be Stopped-Up and Closed dated 20 December 2023 prepared by Don-More Surveys and Engineering Ltd.
 - b) The portion of the road known as Salmon Crescent in the town of Rothesay as shown on the Subdivision Plans titled Plan of Survey Showing Parcel "B" A Portion of Salmon Crescent To Be Stopped-Up and Closed dated 4 March 2024 prepared by Don-More Surveys and Engineering Ltd.

Attached hereto and identified as Schedule “A” are the portions of the above-noted subdivision plans. Attached hereto and identified as Schedule “B” is a legible reproduction of the above-noted roads for reference purposes.

FIRST READING BY TITLE :

SECOND READING BY TITLE :

READ IN ENTIRETY :

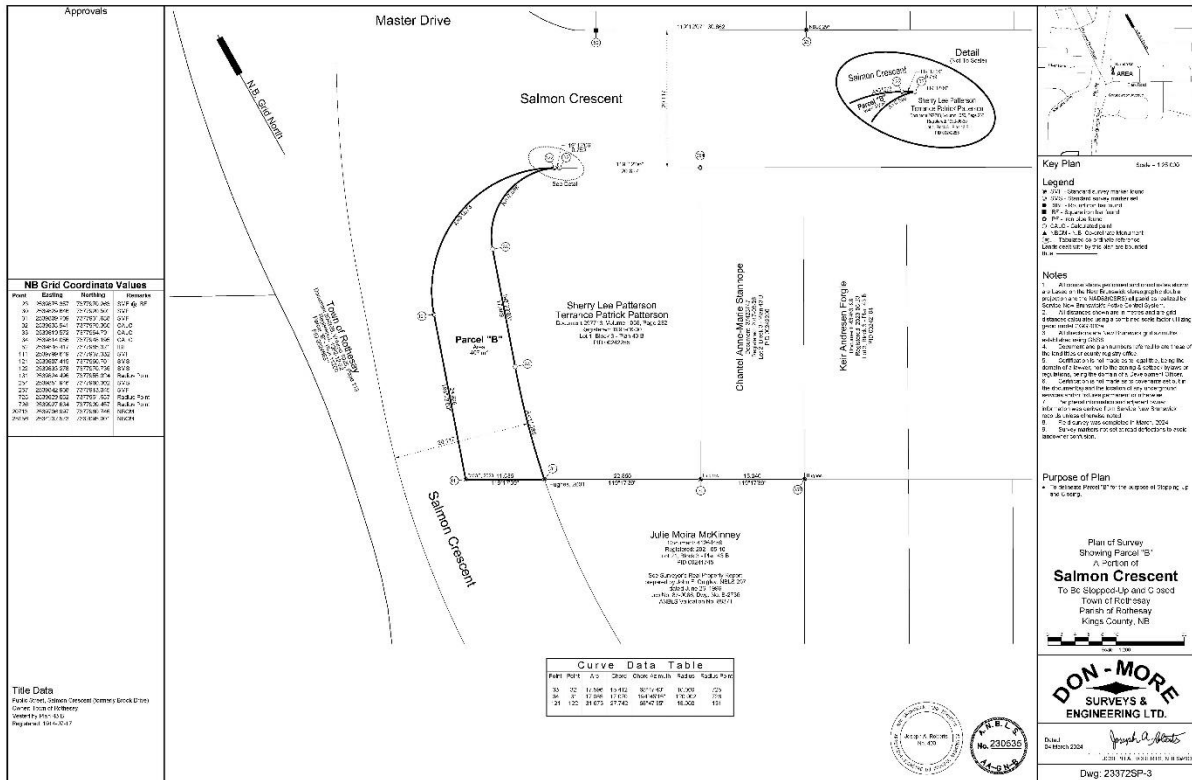
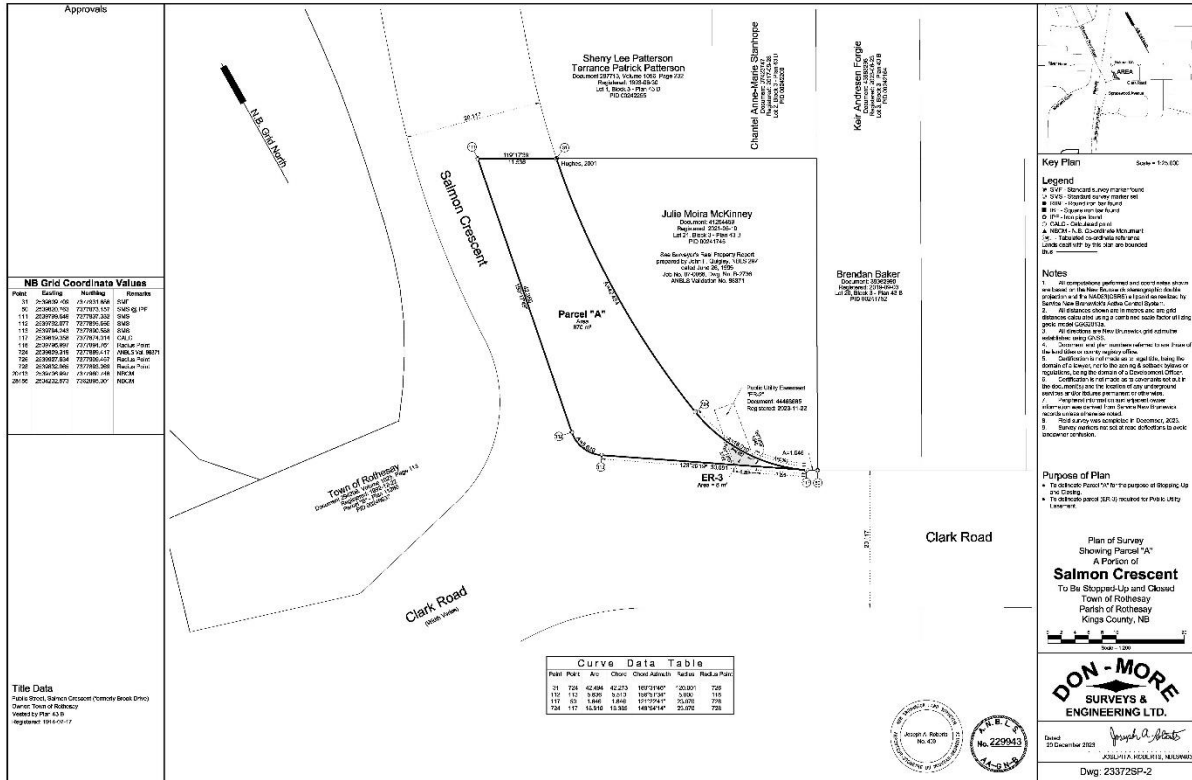
THIRD READING BY TITLE

AND ENACTED :

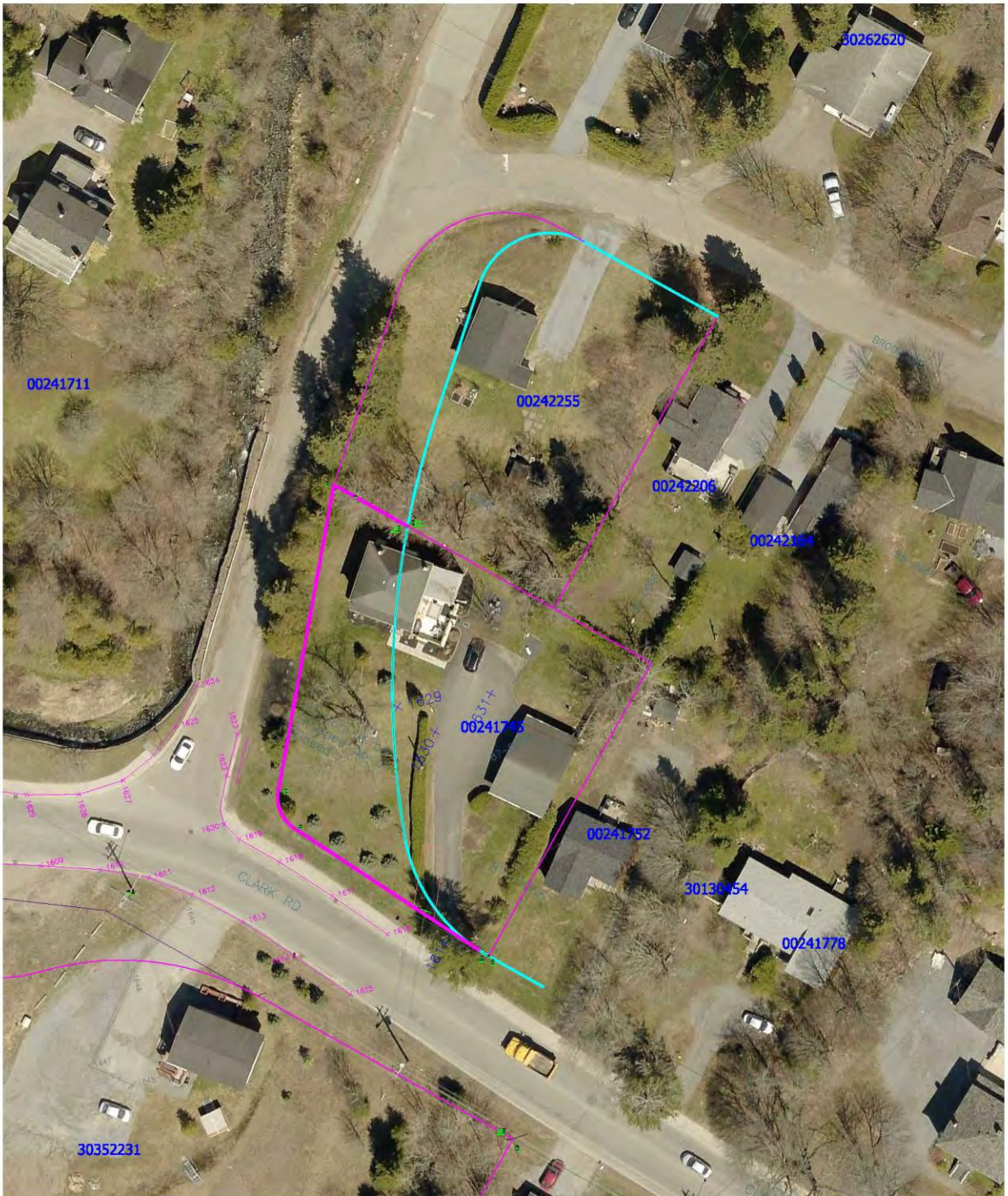
MAYOR

CLERK

Schedule "A"



Schedule "B"





2024 September 9 Open Session FINAL_077

ROTHESAY

MEMORANDUM



TO	:	Mayor Grant and Council
FROM	:	Planning Advisory Committee
DATE	:	5 September 2024
RE	:	Cash in Lieu of Land for Public Purposes (LPP)

Background:

The Planning Advisory Committee passed the following motion at its regular meeting of Tuesday, September 3, 2024.

MOVED by R. Forte and seconded by T. Brittain the Planning Advisory Committee recommends Council amend Subdivision By-law 4-10 to implement a revised method of calculating Cash in Lieu of Land for Public Purposes by using the property assessment data from Service New Brunswick. If a developer is unsatisfied with the amount determined in this manner, an amount determined in a report by a qualified property appraiser submitted by the developer could be substituted.

CARRIED.



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

August 2024

TO: John Jarvie, Town Manager

SUBMITTED BY: 
Peter Johnston, Urban Planner

DATE: 29 August 2024

SUBJECT: Money-in-lieu of Land for Public Purpose

INFORMATION REPORT

ORIGIN

MOVED by R. Forte and seconded by M. Graham the Planning Advisory Committee recommends staff and Council review the current figure used for cash-in-lieu of land for public purposes (LPP) in Subdivision By-law with the intent to bring the current figure of \$13.50 per square meter in line with current market conditions.

BACKGROUND

During the July 2, 2024, Planning Advisory Committee meeting, members recommended Town staff examine the method at which the Town uses to arrive at the sum of money paid by a developer, or cash-in-lieu of land for public purposes (LPP), at the time of approval of a subdivision application. What is in question is how the Town determines market value.

Typically, in the case of larger multi-lot subdivisions, as per Rothesay's Subdivision By-Law 4-10, land in the amount of 10 per cent of the area of the subdivision, exclusive of the public streets, is to be set aside as LPP. Lands designated as LPP are intended to be used for recreation or for other common community uses.

However, as is usually the case in single-lot subdivisions or smaller subdivisions where the acceptance of land is not deemed desirable, Section 75 (1) g of the Community Planning Act gives municipalities discretionary authority to determine what sum of money may be accepted as cash-in-lieu of LPP. This allows Council to require 8 per cent of the market value, pre-development. Once the applicant submits the tentative subdivision plan to the Town, staff calculate the market value of the proposed lot(s) using \$13.50 per square meter as per Schedule C of the Subdivision By-law 4-10.

JURISDICTIONAL SCAN

Staff correspondence and discussions with the municipalities of Quispamsis, Fredericton, Moncton, Dieppe, Oromocto indicate, that although not always consistent or well-defined, the following methods of determining market value of a proposed subdivision are used. Under typical circumstances Fredericton, Oromocto, and Dieppe each rely upon third-party appraisal services at the cost of the municipality to determine the value of the proposed lot(s). From that value the 8 per cent fee is derived. Moncton relies on Service New Brunswick property assessment online mapping to gather an average price of similar vacant lots in an area. Quispamsis charges a flat fee of \$750 per lot.

OPTIONS

- 1) **Adjusting the \$13.50 per square metre for inflation:** Using Statistics Canada Consumer Price Index for the Saint John CMA for December 2010, (116.9) when the current zoning by-law was implemented, shown as CPI₁, and the CPI for June 2024, (161.5) shown as CPI₂. The value for cost₁ is \$13.50. When using the formula below to adjust for inflation, **\$18.66 is found to be the current cost** at the time of writing this report.

$$\$Cost_2 = \$Cost_1 * \left(\frac{CPI_2}{CPI_1} \right)$$

- 2) **Service New Brunswick's property assessment data:** When a subdivision application is submitted, staff would retrieve property tax assessment numbers from similar vacant lots in the area the proposed subdivision is to occur and generate an average price to be applied to the new lot(s). When applied to the proposed subdivision at 239 Gibbon Road, this method would arrive at the following:

- a) 224 Gibbon Road PID 00239020 (1,363.4 sqm) SNB assessment: \$81,500/\$59.8 per sqm
- b) Gibbon Road PID 30329940 (1,289.8 sqm) SNB assessment: \$70,100/\$54.4 per sqm
- c) Gibbon Road PID 30356513 (1,095.4 sqm) SNB assessment: \$81,500/\$74.4 per sqm
- d) 82 Gibbon Road PID 30085823 (725.2 sqm) SNB assessment: \$53,800/\$74.2 per sqm

Average cost per sqm = \$65.70

Proposed Lot 2024-1	Land valued at \$65.70 per square metre	8 per cent of land value
2,088 sqm	137,181.60	\$10,974.50

- 3) **Third-Party Appraiser:** As is typically the case the municipality hires a third-party firm to appraise the proposed lot(s). This can range anywhere from approximately \$1500 to \$2500 depending on the size of area and complexity to be paid by the municipality.

Recommendation:

The Planning Advisory Committee recommends to Council to amend Subdivision By-law 4-10 to implement a revised method of calculating Cash in Lieu of Land for Public Purposes by using the property assessment data from Service New Brunswick.

If a developer is unsatisfied with the amount determined in this manner, an amount determined in a report by a qualified property appraiser submitted by the developer could be substituted.

Appendix:

- 1) New Brunswick Property Assessment Online:
<https://paol-efel.snb.ca/>
- 2) Statistics Canada Consumer Price Index:
<https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1810000401>

Report Prepared by: Peter Johnston, Urban Planner



Rothesay

Subdivision By-law No. 4-10

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1. ADMINISTRATION

1.1. Purpose

- 1.1.1 This By-law may be cited as "The Rothesay Subdivision By-law".
- 1.1.2 This By-law regulates the subdivision of land within Rothesay.
- 1.1.3 The purpose of this By-law and accompanying schedules is to provide for the orderly development of land, including municipal services, within the Rothesay. The By-law provisions conform to the requirements of the Community Planning Act, Rothesay Municipal Plan, Rothesay Zoning By-law, the National Building Code of Canada and industry standards. The By-law is intended to ensure that our residents continue to live and work in a community that is serviced in an organized and sustainable manner. This By-law provides clear, concise design standards to be used by development applicants. When followed it optimizes staff review time and minimizes delays in processing development applications.
- 1.1.4 The provisions of this By-law are severable. If any provision is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this By-law.

1.2 Application

Except as otherwise provided for in the Act, no land within Rothesay shall be subdivided except in accordance with the provisions of this By-law.

A person who seeks to subdivide land within the municipality shall submit a subdivision application including a tentative plan prepared in a manner consistent with the Act and this By-law, in addition to any required supporting documentation to the Rothesay Development Officer for consideration. The application requirements for subdivision are outlined in Schedule "A" of this By-law.

1.3 Variance

A person who seeks a variance from this By-law shall address a written and signed application in a form acceptable to the Development Officer to the Planning Advisory Committee (PAC) along with the applicable fee. Before granting or rejecting a variance the PAC may carry out such investigation as it deems necessary. Approval of a variance may be subject to terms and conditions imposed by the PAC. The Council may enter into an agreement to assure the performance of the conditions required by the PAC.

2. INTERPRETATION

2.1 Calculation of Numerical Requirements

All numerical requirements in this By-law are provided in metric units of measurement. Imperial units of measurement, where provided, are for user convenience only. Where a discrepancy between metric and imperial measurements occurs, the metric measurement shall prevail.

2.2 Frontage when Lot Lines are not Parallel

For lots where the front lot line is a curved line or the side lot lines are not parallel a minimum lot width, equal to the minimum lot frontage required by this By-law, shall be required in lieu of a minimum lot frontage. The minimum lot width shall be measured along a horizontal line drawn between points on each side lot line that are setback from the front lot line a distance equal to the minimum front yard requirement.

2.3 Other By-laws Permits and Licences

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the Zoning By-law, Building By-law or any other by-law of Rothesay in force from time to time, or the obligation to obtain any license, permit, authority or approval required under any by-law of Rothesay or act or regulation of the Provincial or Federal Government. In the event of conflict between this By-law and any other by-law, act or regulation, the most restrictive obligation shall prevail.

2.4 Definitions

The following definitions describe terms and words used in this By-law and they are provided for words with a specific meaning in the context of this By-law:

ABUTTING means a lot line that has any point in common with another lot line that is not part of the street line.

ACT means the Community Planning Act, Chapter C-12, R.S.N.B. 1973 and amendments thereto.

BOULEVARD means the portion of a highway not occupied by the roadway or sidewalk and includes plantings, surface finishing or treatment.

DEVELOPMENT means any activity which changes or modifies the use of land or buildings or structures located upon land and which is not exempt from this By-law by provisions of an Act of the Legislature or Parliament; or the erecting, placing, relocating, removing, demolishing, altering, repairing or replacing a building or structure.

Rothesay Subdivision By-law No. 410

DEVELOPMENT OFFICER means the person appointed by Council in accordance with Section 16(2) of the Act.

LAND FOR PUBLIC PURPOSES means land other than streets transferred to the town for recreation or other uses for the enjoyment of the general public as defined in the Act.

LOT AREA means the total area within the property lines of a lot, excluding the horizontal area of such lot usually covered by water or marsh, or beyond the rim of a river bank or watercourse, or between the top and toe of the cliffs or embankment having a slope of thirty degrees or more from the horizontal.

LOT DEPTH means the average horizontal distance between the front and rear lot lines.

LOT FRONTAGE means the horizontal distance measured along a public street. Where a lot abuts two streets, the lesser lot line shall be deemed the lot frontage. For lots where the front lot line is a curved line or the side lot lines are not parallel lot frontage means the length of a horizontal line drawn between points on each side lot line that are setback from the front lot line a distance equal to the minimum front yard requirement.

MAY is construed as permissive

LOT means a parcel of land, whether or not it is shown as a lot on a filed plan of subdivision, which is occupied or to be occupied by one or more main buildings, structures or uses, and including all yards and landscaped open spaces required by this By-law.

PLANNING ADVISORY COMMITTEE (PAC) means the Planning Advisory Committee and its successors appointed under By-law 1-99 and the Act, and amendments thereto.

ROTHESAY means the town of Rothesay as incorporated under New Brunswick Regulation 85-6 to the Municipalities Act as amended.

SETBACK means the minimum horizontal distance between a lot line and the nearest point of the foundation or exterior wall of the building, whichever is the lesser, or another part of a building or structure if specified elsewhere in this By-law.

SIDE LOT LINE means a lot line other than a front or rear lot line.

SHALL is construed as mandatory.

WORKS AND SERVICES means any public service, facility or utility which is required by this By-law and without restricting the generality of the

foregoing includes: the supply and distribution of water; collection and disposal of sewage; collection and disposal of drainage water; street lighting; access roadways, bike lanes, curbs, gutters, sidewalks, street trees and boulevard plantings; and the supply and distribution of electrical power, natural gas, telephone or cable vision.

3. LOT STANDARDS

3.1 Minimum Requirements

Each lot created by subdivision in Rothsay shall have the minimum lot frontage, lot area and lot depth requirements as specified in the Rothsay Zoning By-law No. 2-10 as amended or replaced from time to time for the zone in which it lies. Easements located on a lot that exceed 10 percent of the lot area or are wider than 6 meters shall **not** be included in the calculations for determining minimum lot area.

3.2 Access

Every lot, block and other parcel of land within a subdivision shall abut a public street owned by the crown or a municipality. In cases where a lot does not abut a public street owned by the crown or municipality the Planning Advisory Committee may approve alternate access provided that the access is advisable for the development of the land.

Lots created specifically for the purpose of providing municipal utility infrastructure need not abut a public street provided that legal access is secured.

4. SUBDIVISION APPLICATION REVIEW FEE

No tentative plan shall be approved until a non-refundable processing fee is paid to the municipality. Subdivision application review fees are specified in Schedule B to this By-law.

5. LAND FOR PUBLIC PURPOSES

5.1 Amount of Land to be Provided to the Town

As a condition of approval of a subdivision plan, land in the amount of ten percent (10%) of the area of the subdivision, exclusive of the public streets, at such a location as assented to by Council pursuant to the Act, is to be set aside as "Land for Public Purposes" and so indicated on the plan.

5.2 Extent of Land Preparation and/or Disturbance

Given that Lands for Public Purpose are intended to be used for recreation or used for enjoyment by the general public, Rothsay, as a condition of subdivision approval, shall specify the degree of land preparation necessary to be completed by the developer prior to

dedication of Land for Public Purposes to the Town. Land for Public Purposes shall not be disturbed, graded, cleared or used to store soil or debris prior to dedication to the Town unless prior approval is granted by Rothesay.

5.3 Cash in Lieu – Land for Public Purposes

In lieu of land set aside under Section 5.1, Council may require that a sum of money be paid to the municipality in the amount of 8% of the market value of the land in the proposed subdivision, exclusive of streets intended to be publically owned. When the subdivision plan is submitted for approval the market value of the land will be calculated by the town for all proposed vacant lots within the subdivision using the value per square meter stated in Schedule C. If the applicant disputes the town's calculation of the land's market value they may retain, at their cost, a certified, independent appraiser to determine the true market value of the land. The town will then use the land value, as determined by the appraiser as the market value of the land.

Council shall adopt, and from time to time amend, a value per square meter that reflects the value of a representative lot that has been assessed for the town by an independent, accredited professional, **to be appended to this By-Law as Schedule "C"**.

5.4 Exemptions – Land for Public Purposes

The provision of Land for Public Purposes does not apply to that part of a subdivision plan solely for the purpose of:

- 1) Land assembly when adding lands or portions thereof to an existing lot or lots; or
- 2) Adjusting an existing lot line or lines should the number of lots existing prior to the subdivision not be increased.

6. DEVELOPMENT STANDARDS FOR MUNICIPAL INFRASTRUCTURE AND UTILITIES

6.1 Works and Services Generally

Owners are required as a condition of subdivision approval, rezoning or building permit issuance to provide Works and Services in accordance with the requirements and standards prescribed in this By-law as follows:

- 6.1.1 On-site Works and Services as determined by the Town Manager, Director of Operations, or Development Officer;
- 6.1.2 Off-site Works and Services within the Municipal Right of Way and Road Allowance.

Standard Specifications for Developers adopted by resolution of Council outline the minimum standards for the construction of Works and Services associated with development within Rothsay.

6.2 Cost Recovery Extended Services

Where required by Council, in situations where the lands affected by subdivision benefit from the existence of Works and Services previously installed by another owner or are the financial responsibility of the municipality, the Development Officer shall not approve the plan unless the person proposing to subdivide pays or agrees to pay to the municipality, in some cases the Town collecting for the owner, an amount equal to the initial cost of the facilities, or an amount equal to a proportionate share of such costs for installing these facilities.

6.3 Streets and Sidewalks

All streets and sidewalks whether required in respect of subdivision or development shall be dedicated and constructed by the owner in accordance with the standards prescribed in the Standard Specifications for Developers.

In cases where entry will be gained to the subdivision by means of an existing street or other access, the person seeking approval shall make provision to bring the existing access to the same standard as may be required for streets within the subdivision or contribute to the cost of the work in accordance with the Act.

6.4 Sanitary Sewer

The owner of any lands proposed to be subdivided or developed shall provide each parcel of land within the proposed subdivision or development with a sanitary sewage collection and disposal system and the sewage system shall be connected by sewer mains to the existing Municipal Sanitary Sewer System as prescribed in the Standard Specifications for Developers.

Notwithstanding the above, in unserviced areas of the municipality, on-site sewage disposal systems complying with Provincial Regulations may be permitted following approval from the appropriate Provincial authority.

6.5 Drainage Collection and Disposal System

The owner of any lands proposed to be subdivided or developed shall provide each parcel of land within the proposed subdivision or development with a drainage collection and disposal system and a standard service connection which shall be constructed in accordance with the standards prescribed in the Standard Specifications for Developers.

For subdivision of land involving in excess of 5 lots and in situations where deemed appropriate by the Planning Advisory Committee, a detailed drainage plan shall be prepared and submitted to the Town for approval.

Storm water retention and treatment may be required at the discretion of Rothsay as a condition included in a development agreement in order to mitigate the downstream effects of new development.

6.6 Water Distribution System

The owner of any lands proposed to be subdivided or developed shall provide each parcel of land within the proposed subdivision or development with a water distribution system and a fire hydrant system including a standard service connection which shall be constructed in accordance with the standards as prescribed in the Standard Specifications for Developers.

Notwithstanding the above, in unserviced areas of the municipality, on-site water distribution systems complying with Provincial Regulations may be permitted following approval from the appropriate Provincial authority.

In situations where it is excepted that water will be supplied within 10 years to all lots within development sites north of the Mackay Highway, the owner shall be responsible for the installation of water lines necessary to service the proposed lots.

Developers may be responsible to contribute to the cost of upgrading of water infrastructure to provide necessary fire flows, water treatment capacity and source of supply.

6.7 Development Agreement

Where Works and Services are required to be provided with respect to the land being subdivided, the owner of the land being subdivided shall provide within that subdivision such facilities as streets, curbing, sidewalks, culverts, drainage ditches, water and sewer lines, storm sewer, walkways, streetlights, street trees and such person shall enter into an agreement with the municipality that is binding upon their heirs, successors and assigns to construct and pay the cost of facilities required within the subdivision and shall deposit a sum of money, or an irrevocable letter of credit, with Rothsay sufficient to guarantee the faithful performance of said agreement.

Developers shall be responsible for submitting a letter of engagement from the project engineer retained by the owner to design the proposed works, along with engineering design drawings and shall further provide

certification from the project engineer that all Works and Services have been constructed as approved by Rothsay.

No work shall be commenced on any subdivision until such time as a development agreement has been filed in the registry office and the required sum of money, or an irrevocable letter of credit, has been received by the Town.

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 Rothsay or the immediately surrounding communities shall not be considered acceptable.

The Town shall supply signs and materials at its cost plus a 15% administration fee for installation by the developer. The developer shall be responsible for all street signs during the one year maintenance period.

8. STREET TREES AND LANDSCAPING

Every owner of lands to be subdivided or developed within Rothsay shall provide street trees and boulevard landscaping designed, constructed and installed in accordance with the minimum requirements, standards and specifications as prescribed in the Standard Specifications for Developers.

9. LOT GRADING AND EXCAVATING

Natural vegetation, mature trees and natural topography shall be retained wherever possible. Clearing and grading of the land should be confined to areas to be built upon or which provide access; all other land should remain undisturbed and not compacted.

All grading, clearing and development shall comply with Sections 5.10 and 5.11 of the Rothsay Subdivision By-law.

10. OVERHEAD UTILITIES

Utilities such as hydro, cable and telephone shall be either buried in underground ducting or designed with overhead connections along rear lot lines.

11. REJECTION OF SUBDIVISION PLAN

11.1 The Development Officer shall not approve a subdivision plan unless:

- a) the proposed subdivision plan is consistent with the Community Planning Act, Municipal Plan and Zoning By-law;
- b) in the opinion of Council,

- i. the Council will be able in the foreseeable future to provide the proposed subdivision with streets, water, sewer lines, light, recreational areas or other facilities, OR
- ii. the person subdividing has made satisfactory arrangements for providing such facilities and has entered into a Development Agreement with the town as specified in this By-law and either deposited with the municipality a sum sufficient to cover the cost with respect to the facilities that the By-law requires or delivered to the municipality a sum of money, or an irrevocable letter of credit acceptable to the Council, in an amount to cover the cost of the required works plus applicable taxes;
- c) in the opinion of the Development Officer and the Planning Advisory Committee the land is suited to the purpose which is proposed.

11.2 The Development Officer shall not approve a subdivision plan if the proposed manner of subdividing will prejudice the possibility of further subdividing the land or the convenient subdividing of adjoining lands.

12. REPEAL OF EXISTING BY-LAWS

- (a) This Subdivision By-law repeals and replaces any previous subdivision by-laws and amendments thereto; specifically it repeals and replaces Subdivision By-law 3-02.
- (b) Notwithstanding the repeal of the by-laws noted, variances granted to the By-law set out in 11(a), terms and conditions thereunder or developers' agreements entered into pursuant to Section 39 of the Act are expressly continued and remain in effect as though granted under this By-law.

FIRST READING BY TITLE: 9 August 2010

SECOND READING BY TITLE: 9 August 2010

READ BY SECTION NUMBER:
(Advertised as to content on Rothesay website
in accordance with Municipalities Act,
R.S.N.B. (1973) Chapter M-22) 10 August 2010

THIRD READING BY TITLE AND
ENACTMENT: 13 September 2010

William J. Bishop – Mayor

Mary Jane E. Banks - Clerk

Schedule A

APPLICATION PROCEDURE AND REQUIREMENTS

To initiate the approval process for a subdivision application the owner must submit a letter of application as well as a tentative plan to the Development Officer for consideration. The application requirements are summarized as follows:

- Application form signed by the registered owners
- Application Fee
- A copy of the property title and or property deed
- A tentative plan which shows:
 - a)* the name of the proposed subdivision;
 - b)* the boundaries of the subdivision marked by a heavy black line;
 - c)* the locations, widths and names of existing and proposed streets;
 - d)* the approximate dimensions and layouts of the proposed lots, blocks, land for public purposes;
 - e)* the nature, location and dimensions of any existing or proposed restrictive covenant, easement or right-of-way;
 - f)* natural and artificial features such as buildings, railways, highways, watercourses, drainage ditches, swamps, trees etc;
 - g)* the availability and nature of domestic water supplies;
 - h)* the nature and porosity of the soil;
 - i)* such contours or elevations as may be necessary to determine the grade of the streets and the drainage of the land;
 - j)* the municipal services available;
 - k)* a small key plan acceptable to the Development Officer showing the site location;
 - l)* plans for landscaping and tree planting;
 - m)* the location of all existing buildings; and
 - n)* any further information required by the Development Officer to assure compliance with the Subdivision By-law.

SCHEDULE B

APPLICATION FEES

Every applicant shall at the time of subdivision application pay the non-refundable fee set out below:

Number of Lots	Applicable Fee
Two lots or fewer	\$250
Greater than two lots	\$250 plus \$150 per lot

The developer shall also be responsible for all costs associated with the preparation and registration of a development agreement.

SCHEDULE C

The town shall calculate the value of all vacant lots within a subdivision at a value of \$13.50 per square meter.



2024 September 9 Open Session FINAL_093

ROTHESAY

MEMORANDUM



TO : Mayor Grant and Council
FROM : Planning Advisory Committee
DATE : 5 September 2024
RE : 239 Gibbon Road PID 30238679 - Subdivision

Recommendation:

- Council accept \$2,255.04 as cash-in-lieu of land for public purposes for the proposed vacant lot 2024-1 to be subdivided from 239 Gibbon Road (PID 30238679).

Background:

The Planning Advisory Committee passed the following motions at its regular meeting of Tuesday, September 3, 2024.

MOVED by T. Brittain and seconded by R. Forte the Planning Advisory Committee hereby grants a variance for Lot 2024-1, being a lot with no public street frontage, from the subdivision of 239 Gibbon Road (PID 30238679) as indicated on the tentative plan (Project No 17408) on the conditions that a new residential development be designed to achieve net-zero storm water discharge through onsite management and the developer construct another, separate well system from that providing potable water to PID 30238679.

CARRIED.

MOVED by T. Brittain and seconded by M. Graham the Planning Advisory Committee hereby recommends that Council accept \$2,255.04 as cash-in-lieu of land for public purposes for the proposed vacant lot 2024-1 to be subdivided from 239 Gibbon Road (PID 30238679).

CARRIED.



To: Chair and Members of Rothesay Planning Advisory Committee

From: Peter Johnston
Urban Planner

Date: Thursday, August 29, 2024

Subject: 239 Gibbon Road, Subdivision

Applicant:	John Mckelvey, P. Eng. Fundy Engineering	Property Owner:	Doug Reevey
Mailing Address:	27 Wellington Row Saint John, NB E2L 3H4	Mailing Address:	239 Gibbon Road Rothesay, NB E2H 1R4
Property Location:	239 Gibbon Road	PIDs:	30238679
Plan Designation:	Low Density	Zone:	R1B – Single Family Residential Standard
Application For:	Type 2 Subdivision		
Input from Other Sources:	NA		

ORIGIN:

Applicant John Mckelvey, on behalf of property owner Doug Reevey, is seeking approval for single-lot subdivision and access easement at 239 Gibbon Road, PID 30238679. The proposal will require the registration of a 10-metre-wide Private Access and Sewer easement. The proposed Lot 2024-1 would be approximately 2,088 square metres rendering the remnant parcel with approximately 4,720 square metres.

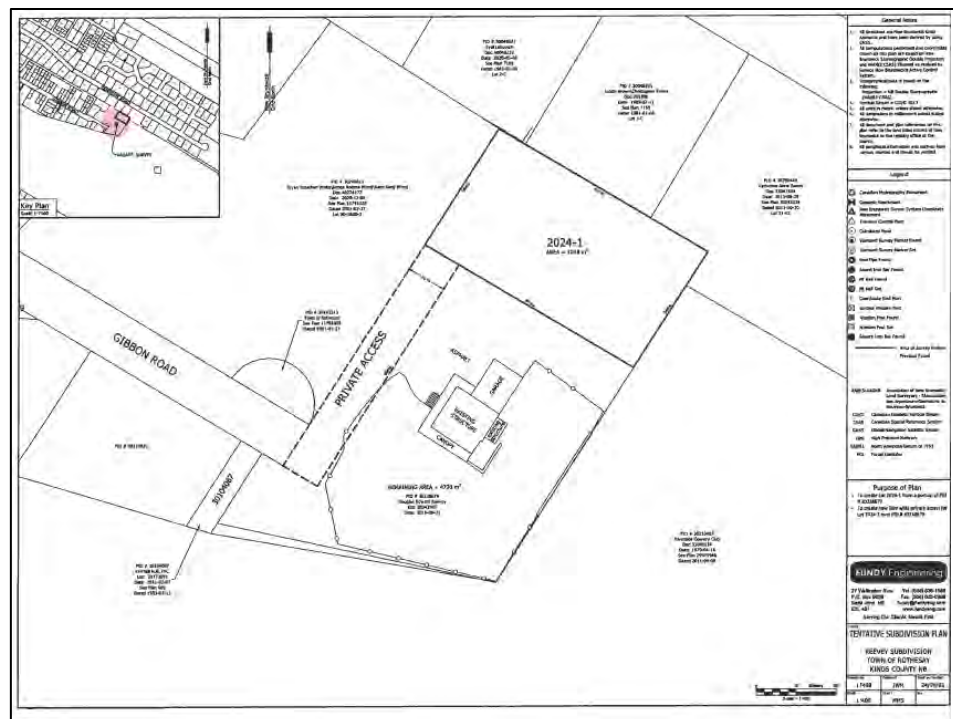


Figure 1: Proposed subdivision

STAFF ANALYSIS:

Staff have reviewed the proposed subdivision against the requirements of the Single Family – Standard (R1-B) zone for minimum lot size, which is 1,350 square metres. However, a variance for frontage is required for approval of this subdivision as the proposed lot would not front onto a public street. Staff have no objections to the proposal.

R1-B Zone lot dimensions	Proposed lot 2024-1
Minimum Lot Area: 1350 square metres	2,088 square metres
Minimum Lot Frontage: 30 metres	0 metres of frontage (34 metres width)
Minimum Lot Depth: 45 metres	61 metres

Land for Public Purposes

Typically, as a condition of approval, as per Rothesay's Subdivision By-Law 4-10, land in the amount of 10 per cent of the area of the subdivision, exclusive of the public streets, is to be set aside as Land for Public Purposes (LPP). Lands designated as LPP are intended to be used for recreation or for other common community uses.

However, Section 75 (1) g of the Community Planning Act gives municipalities discretionary authority to determine what sum of money may be accepted as cash-in-lieu of LPP. This allows Council to require 8 per cent of the market value of the proposed new Lot 2024-1, pre-development. Once the applicant submits the tentative subdivision plan to the Town, staff calculate the market value of the proposed lot using \$13.50 per square meter as per Schedule C of the Subdivision By-law 4-10.

Lot size (square metres)	Land valued at \$13.50 per square metre	8 per cent of land value
2,088	\$28,188	\$2,255.04

Should the applicant disagree with the Town's calculated market value of \$28,188 for Lot 2024-1, they may retain, at their cost, a certified, independent appraiser to determine the true market value of the land.

The proposed cash-in-lieu of Land for Public Purposes is in the amount of **\$2,255.04**.

Servicing

The subject property is not connected to municipal water as it is not available at this location. Instead, the house at 239 Gibbon Road maintains potable water from a private well system. The Town sanitary services are available at this location. The developer is responsible for all costs associated with the sanitary service line connection.

Polling

Letters notifying property owners were sent out within a 100-metre radius. One letter signed by six neighbouring property owners was received. Concerns raised included potential decline in property values and loss of privacy the treed areas provide. One mitigative measure could be to provide a covenant that includes a 5 to 10 metre non-disturbed buffer along the northern property line.



Figure 2: Aerial

RECOMMENDATION:

Staff recommend THAT the Planning Advisory Committee consider the following motions:

- Rothsay Planning Advisory Committee HEREBY grants a variance for Lot 2024-1, being a lot with no public street frontage, from the subdivision of 239 Gibbon Road (PID 30238679) as indicated on the tentative plan (Project No 17408) on the conditions that a new residential development be designed to achieve net-zero storm water discharge through onsite management and the developer construct another, separate well system from that providing potable water to PID 30238679.
- Rothsay Planning Advisory Committee HEREBY recommends that Council accept \$2,255.04 as cash-in-lieu of Land for Public Purposes for the proposed vacant Lot 2024-1 to be subdivided from 239 Gibbon Road (PID 30238679).

Report Prepared by:
Peter Johnston, Urban Planner
Date: Thursday, August 29, 2024

ATTACHMENTS
Attachment A: Submission



Rothsay

70 Hampton Road, Rothesay, NB, E2E 5L5 (506) 848-6600 Fax (506) 848-6677

E-mail: rothesay@rothesay.ca

Web site: www.rothesay.ca

RECEIVED

JUN 12 2024

Subdivision Application Form

Application Number: _____ Application Date: _____

Contact Information:

Applicant: John McKelvey, P.Eng, NBLS
 Mail Address: 27 Wellington Row, Saint John, NB
 Postal Code: E2L 3H4
 Home Phone: _____
 Work Phone: _____
 Cell Phone: _____
 Fax Number: _____
 Email: _____

Owner: Doug Reevey
 Mail Address: 239 Gribbon Rd, Rothesay, NB
 Postal Code: E2H 1R4
 Home Phone: _____
 Work Phone: _____
 Cell Phone: _____
 Fax Number: _____
 Email: _____

Subdivision Data:

Subdivision Name: Reevey Subdivision
 Proposal: To create Lot 2024-1 and a private access from PID 30238679

Property Location: GIBBON RD ROTHESAY	Parent PID: 30238679
Plan Designation: _____	Zoning: Residential
Intended Use: Residential	Fee: \$250
# Proposed Lots: 1	# Proposed Parcels: N/A
Land for Public Purpose (sq. m.): N/A	Proposed Street: N/A

By-law Requirements:

Minimum Lot Area: _____
 Minimum Lot Frontage: _____
 Minimum Lot Depth: _____

Services Available:

Municipal Water: _____
 Municipal Sanitary Sewer: _____
 Municipal Storm Sewer: _____

Tentative Plan Shows:

Key Plan: ☐
 Total Area Being Subdivided: ☐
 Street Layout: ☐
 Land for Public Purpose: ☐

Watercourses: ☐
 Building Locations and Setbacks: ☐
 Existing and Proposed Easements: ☐

Notes:

- Applicants are advised to refer to the current Rothesay Zoning By-Law and Subdivision By-Law in preparing their applications.
- No application will be considered without the signature of the landowner, the application fee, and any other information deemed relevant by the Development Officer.
- All cost incurred (legal, engineering, and administrative fees) will be paid by the owner whether or not the application is granted. These costs will be billed to the owner upon closing of the development application.

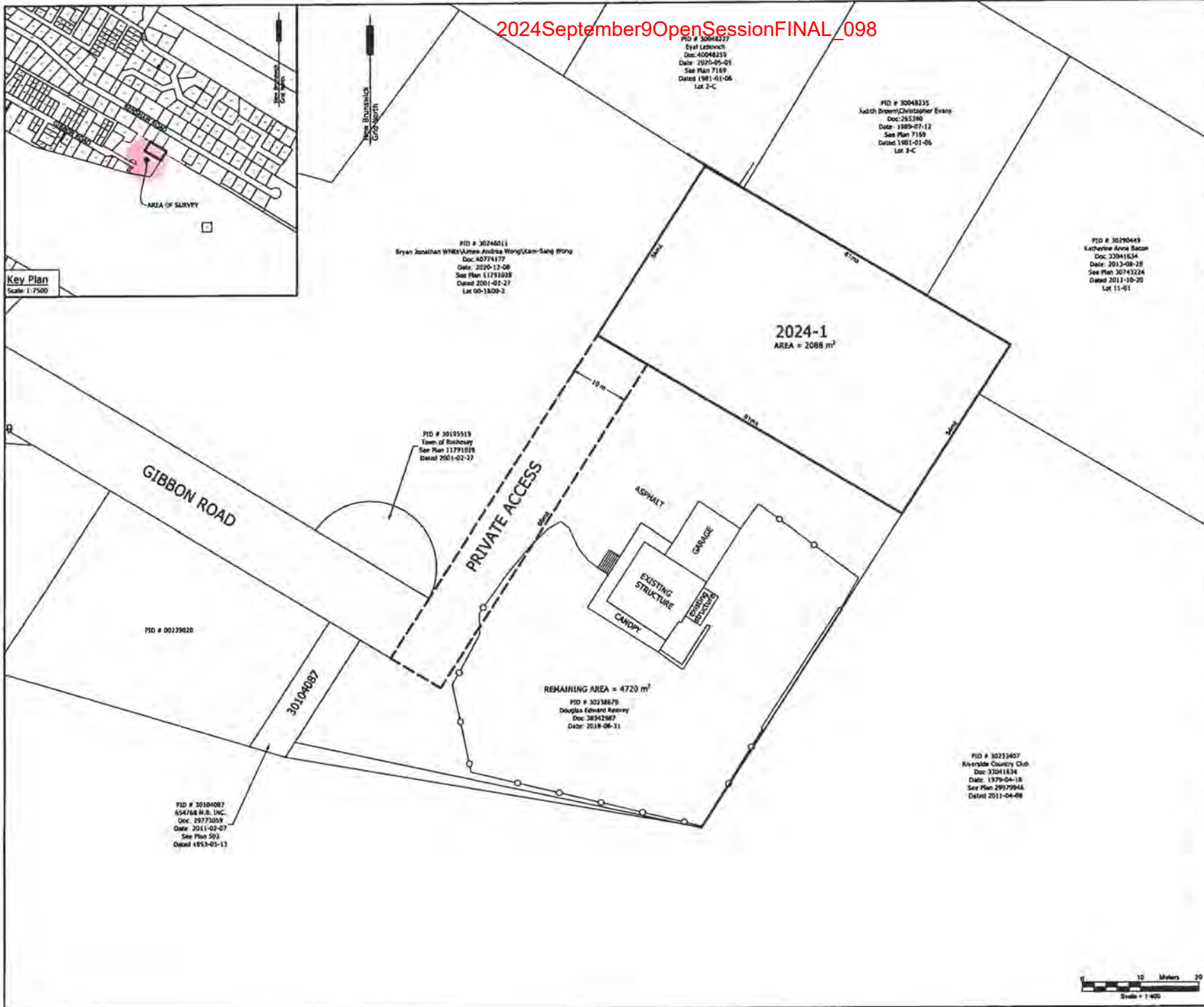
All records in the custody and control of the town of Rothesay are subject to the provisions of the *Right to Information and Protection of Privacy Act*, SNB 2009, c R-10.6. The collection of personal information on this form is for the purpose of issuing, renewing and/or administering a Subdivision Application. Collection is authorized in accordance with Town By-Laws and/or Legislation and may be subject to disclosure under the provisions of the *Right to Information and Protection of Privacy Act*, supra. 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).

Applicant's
Signature _____

Owner's
Signature _____

Comments: (For internal use only)

2024September9OpenSessionFINAL_098



General Notes

1. All dimensions are New Brunswick Grids Assumptions and have been derived by using GNSS.
2. All computations performed and coordinates shown on this plan are based on New Brunswick Stereographic Double Projection and NAD83(CSAS) Ellipsoid as indicated by Service New Brunswick's Active Control System.
3. Topographical data is based on the following:
Projection = NS Double Stereographic (NAD83 CSAS)
4. Vertical Datum = CGVD 2013
5. All units in metric unless stated otherwise.
6. All dimensions in millimeters unless stated otherwise.
7. All documents and plan references on this plan refer to the land titles district of New Brunswick or the registry office of the county.
8. All peripheral information was derived from various sources and should be verified.

Legend

- Canadian Hydrography Monument
- Geodetic Benchmarks
- New Brunswick Survey System Coordinate Monument
- Ironless Control Point
- Calculated Point
- Standard Survey Marker Found
- Standard Survey Marker Set
- Iron Pipe Found
- Sound Iron Bar Found
- PI Nail Found
- PI Nail Set
- Coordinate Grid Mark
- Scribed Wooden Post
- Wooden Post Found
- Wooden Post Set
- Square Iron Bar Found
- Area of Survey Outline
- Previous Parcel
- ANBS-AMGB Association of New Brunswick Land Surveyors - l'Association des arpenteurs-géomètres du Nouveau-Brunswick
- CGVD Canadian Geodetic Vertical Datum
- CSAS Canadian Spatial Reference System
- GNSS Global Navigation Satellite System
- HPN High Precision Network
- NAD83 North American Datum of 1983
- PTD Parcel Identifier

Purpose of Plan

- To create Lot 2024-1 from a portion of PTD # 30238679
- To create new 10m wide private access for Lot 2024-1 over PTD # 30238679

FUNDY Engineering

27 Wellington Row Tel: (506) 635-1596
P.O. Box 9628 Fax: (506) 635-0205
Saint John, NB fundy@fundyeng.com
E2L 4S1 www.fundyeng.com
Serving Our Clients' Needs First

TENTATIVE SUBDIVISION PLAN

REEVEY SUBDIVISION
TOWN OF ROTHESAY
KINGS COUNTY NB

Project No. 17408 Designer JWH Date approved 24/06/05
Scale 1:400 Drawn HHS



Thursday August 22, 2024

Mr. Darcy Hudson
Town of Rothesay
70 Hampton Rd, NB
E2E 5L5

Subject: Application to Create 1 New Building Lot Without Public Road Frontage

Dear Mr. Hudson,

Thank you for the update that the Rothesay Planning Advisory Committee public meeting originally scheduled for August 6, 2024 has been postponed until September 3, 2024 and the deadline for responses to be submitted regarding the above-named subject was extended to August 23, 2024.

This letter is to express the concern of the property owners whose properties are adjacent to PID 30238679. The building of a single-family dwelling on the proposed subdivided property would:

1. Significantly lower the resale value of our properties by removing the privacy element from our yards (a major component in deciding value). Adjacent properties will be affected by an average of \$100,000 each.
2. Have a negative impact as we have all spent considerable time and expense to make our properties as attractive and private as possible, and this will be immediately lost with new construction adjacent to our yards.

We object to allowing the zoning variance to permit a single-family residential home to be built where there is no lot frontage.

Thank you for your consideration.

Regards,

220 Renshaw Rd

210 Renshaw Rd

230 Renshaw Rd



ROTHESAY

2024September9OpenSessionFINAL_100

BUILDING PERMIT REPORT

8/1/2024 to 8/31/2024

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
08/26/2024	BP2024-00055	57 KINGSHURST LN	ATTACHED GARAGE	\$70,000.00	\$507.50
08/30/2024	BP2024-00071	160 HAMPTON RD	INTERIOR RENOVATIONS - COMMERCIAL	\$700,000.00	\$5,075.00
08/02/2024	BP2024-00075	48 IONA AVE	ATTACHED GARAGE	\$56,000.00	\$406.00
08/09/2024	BP2024-00086	30 CEDAR DR LOT 1A	SINGLE FAMILY	\$215,000.00	\$1,558.75
08/20/2024	BP2024-00099	15 KILDARE CRT	ADDITION	\$30,000.00	\$217.50
08/07/2024	BP2024-00104	2524 ROTHESAY RD	RENOVATION	\$70,000.00	\$507.50
08/01/2024	BP2024-00118	4 HIGHMEADOW LN	ATTACHED GARAGE	\$40,000.00	\$290.00
08/01/2024	BP2024-00122	76 GONDOLA POINT RD	DECK	\$8,100.00	\$65.25
08/07/2024	BP2024-00123	3055 ROTHESAY RD	DECK	\$6,000.00	\$43.50
08/06/2024	BP2024-00124	192 GONDOLA POINT RD	SIDING	\$13,500.00	\$101.50
08/06/2024	BP2024-00126	27 CORTLAND PL	DECK	\$13,000.00	\$94.25
08/16/2024	BP2024-00127	2 COSSE LN	ADDITION	\$108,041.79	\$790.25
08/20/2024	BP2024-00128	6 GARRISON DR	DECK	\$6,000.00	\$43.50



ROTHESAY

2024 September 9 Open Session FINAL 101

BUILDING PERMIT REPORT

8/1/2024 to 8/31/2024

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
08/12/2024	BP2024-00129	184 GIBBON RD	ACCESSORY BUILDING	\$2,000.00	\$20.00
08/20/2024	BP2024-00130	25 BEACH DR	IN GROUND POOL	\$97,050.00	\$710.50
08/21/2024	BP2024-00131	12 HUTSON ST	DETACHED GARAGE	\$80,000.00	\$580.00
08/13/2024	BP2024-00132	11 SCOTT AVE	WINDOWS	\$1,000.00	\$20.00
08/21/2024	BP2024-00134	6 POST RD	FENCE	\$20,000.00	\$145.00
08/20/2024	BP2024-00135	4 PROGRESS CRT	STORAGE SHED	\$3,800.00	\$29.00
08/22/2024	BP2024-00136	3 MARK AVE	DECK	\$15,000.00	\$108.75
08/20/2024	BP2024-00137	62 PARK DR	FENCE	\$10,727.00	\$79.75
08/22/2024	BP2024-00138	2 HARRY MILLER CRT	FENCE	\$6,177.76	\$50.75
08/22/2024	BP2024-00139	17 MONACO DR	SIDING	\$5,000.00	\$36.25
08/26/2024	BP2024-00140	41 FRANCES AVE	STORAGE SHED	\$5,500.00	\$43.50



ROTHESAY

2024 September 9 Open Session FINAL 102

BUILDING PERMIT REPORT

8/1/2024 to 8/31/2024

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
Totals:				\$1,581,896.55	\$11,524.00
Summary for 2024 to Date:				\$18,477,957.35	\$135,727.50

2023 Summary

	<u>Value of Construction</u>	<u>Building Permit Fee</u>
Monthly total:	\$1,506,800.00	\$11,701.25
Summary to Date:	\$14,853,786.57	\$111,138.50



ROTHESAY

INTEROFFICE MEMORANDUM



TO : Mayor Grant & Council
FROM : John Jarvie
DATE : 4 September 2024
RE : Capital Project – Status Report

The following is a list of 2024 capital projects, holdover 2019 and 2023 capital projects and the status of each along with a continuing project from 2016.

	PROJECT	BUDGET	\$ TO 31/07/24*	COMMENTS
2016	General Specification for Contracts	40,000	40%	Draft document under review by staff
2019	Trail & sidewalk connector Wells	\$2.5M	-	Subject to grants; estimate revised to current – land acquisition with Province underway
2023	Hillsview water line replacement	50,000		Preliminary design complete, consultation with stakeholders underway
	Water Treatment Train expansion	630,000	30%	Treatment Train on order with expected delivery in late November.
2024	WWTP Phase II design	\$4M	2%	Agreement signed, design underway.
	2024 Street Resurfacing inc C&S	\$3.5M	40%	Project underway with Sept. 30 completion date.
	Wiljac Improvements	\$2.5M		Maybe phased
	Shadow Hill Court water	250,000		Preliminary design and cost estimates complete, consultation with stakeholders underway
	Lagoon Dredging	\$1.32M	50%	Work underway with September 1 st projected completion date.
	Water quantity	60,000		Work underway.
	Frances Avenue Lift Stn	100,000		Deferred to 2025
	Utility Building Renovations	100,000		Storage bldg. \$30,000 & heating system \$40,000 in planning stage
	IT plan	15,000		new equipment and phones
	KVFD Capital	203,700	85%	(Fleet -118,400, Equip -44,600, Facilities -40,700)
	Town Hall	37,000		HVAC, Windows, painting doors, etc.
	Upgrade to water treatment plant	405,000		Tender award included in September Council agenda.
	Grove Bldg. Security Fence	60,000	33%	Approved, work scheduled for September completion.
	Works Fleet	\$1.13M	60%	Sidewalk plow delivery scheduled for late September.
	Recreation Facilities	500,000		Wells Parking substantially complete, Wells Shed pending.
	Parks Equipment	140,000	60%	Zamboni (October delivery), mower in service.

* Funds paid to this date.



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
September 9, 2024

TO: Mayor Grant and Members of Rothesay Council

SUBMITTED BY:


John Jarvie, Town Manager

DATE: September 4, 2024

SUBJECT: W-2024-001 Water Treatment Plant Upgrade: Contract Award

RECOMMENDATION

It is recommended that Rothesay Mayor and Council award Contract W-2024-001: Water Treatment Plant Upgrade to the low tenderer, Select Mechanical Inc., at the tendered price of \$304,750.00 (including HST), as calculated based on estimated quantities and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ORIGIN

The 2024 Utility Capital Budget includes an item for the (necessary) upgrade of pumps and controllers to facilitate the installation of a third treatment train at the McGuire Road Water Treatment Facility.

BACKGROUND

The Town's water treatment facility located on McGuire Road is a *Veolia* facility and as such, the technology used to treat water is trademarked by *Veolia*. Raw water from the wellfield around Carpenter Pond has historically been filtered through two separate treatment "trains", each consisting of a stainless-steel tank containing 64 *Veolia* filtration modules. The peak

demand for potable water in Rothesay is now such that a third treatment train is required. Purchase of the third treatment tank and the associated filtration modules has been previously approved by Council. Prior to delivery of the tank and treatment modules the number and configuration of pumps as well as the control logic at the plant must be upgraded to operate a three-train system as opposed to the previous two-train system.

TENDER RESULTS

A public tender for the pump and control logic upgrade was advertised on the New Brunswick Opportunities Network (NBON). The tender closed on August 23, 2024 and two (2) bids were submitted. Both submitted bids were deemed compliant by the Tender Opening Committee. The results were as follows:

- | | |
|---|-------------------------------|
| 1. Select Mechanical Inc., Saint John, NB | \$ 304,750.00 Including HST |
| 2. Filtrum Inc., Quebec City, QC | \$ 1,150,000.00 Including HST |

The engineer's estimate was \$375,000.00

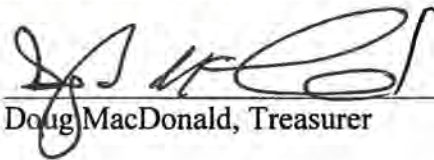
The tenders were reviewed by staff and all tenders were found to be formal in all respects. Staff is of the opinion that the low tenderer has the necessary resources and expertise to perform the work and recommend acceptance of their tender.

FINANCIAL IMPLICATIONS

The 2024 Utility Fund Capital Budget included an amount of \$375,000.00 to upgrade the pumps and control logic at the McGuire Road treatment facility. The total cost to the Town (including eligible HST rebate) will be \$276,363.20.

Tender Price incl. HST	HST Rebate	Subtotal	Budget Variance
304,750.00	28,386.80	276,363.20	+ 98,636.80

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).



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
September 9, 2024

TO: Mayor Grant and Members of Rothesay Council

SUBMITTED BY:



John Jaryle, Town Manager

DATE: Sept 4, 2024

SUBJECT: Salt Shed Expansion – Master Drive:
Contract T-2024-004

RECOMMENDATION

It is recommended that Rothesay Mayor and Council award Contract T-2024-004: Salt Shed Expansion to the low tenderer, Galbraith Construction Ltd., at the tendered price of \$203,665.00 (including HST), and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ORIGIN

Operations has a need for additional storage generally and more specifically to store materials currently stored in the watershed area that could, under certain circumstances, be harmful to the Town's water supply.

BACKGROUND

The Town necessarily maintains an inventory of tires for the fleet. This inventory includes at least one spare tire for each piece of heavy equipment and summer/winter tires for the front of each

plow truck. The tire inventory is stored in the Golden Grove storage building which is situated within the Town's watershed.

The inventory of tires has been greatly reduced over the past few years and no longer includes tires for passenger vehicles however, some items are necessary to keep in stock. The size of the Town's fleet is such that even a reduced inventory occupies considerable space that is not currently available at Master Drive.

At their meeting of April 8, 2024 Mayor and Council authorized staff to solicit bids for this unbudgeted project with an estimated value of \$175,000.00.

DISCUSSION

The tire inventory needs to be under cover and available at any hour of the day or night given the nature of the Town's Works operation.

The Master Drive site is limited in the amount of space available for another building therefore staff propose to expand the footprint of the existing salt storage shed to maximize available space. This will serve the purpose of creating the needed storage and solve an existing problem with the salt shed itself.

The salt storage building is an older, wood framed building that is roughly 40 feet wide by 100 feet long. The building was never truly designed to store sand and salt. Over time the long side walls yielded to lateral pressure and began to bow outward. The rear wall sustained structural damage, mainly a broken top wall plate caused by salt being pushed against it, which led to movement as well. The sidewalls have been repaired over the past few years; however, the rear wall issue still exists. Some rehabilitation work was done to the rear wall in 2018 at a cost of \$22,000 however the problem still exists; A very high wall loaded on one side with no lateral support. The construction of the addition along the rear wall will stabilize the building while providing the added storage required.

The addition will also be used to store small tools such as saws, compactors, machinery attachments etc. The exterior of the addition will be clad with material to match the remainder of the building which has been upgraded over the past few years.

TENDER RESULTS

A public tender was advertised on the New Brunswick Opportunities Network (NBON). The tender closed on August 23, 2024 and three (3) bids were submitted. All three (3) submitted bids were deemed compliant by the Tender Opening Committee. The results were as follows:

1. Galbraith Construction Ltd., Saint John, NB	\$ 177,100.00 plus HST
2. Bellebay, Saint John, Bloomfield, NB	\$ 269,000.00 plus HST
3. John Flood and Sons, Saint John, NB	\$ 346,956.52 plus HST

The engineer's estimate was \$175,000.00 plus HST.

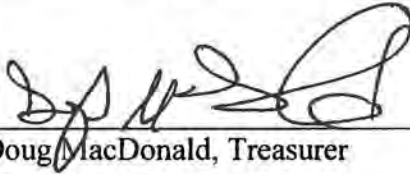
The tenders were reviewed by staff and all tenders were found to be formal in all respects. Staff is of the opinion that the low tenderer has the necessary resources and expertise to perform the work and recommend acceptance of their tender.

FINANCIAL IMPLICATIONS

The 2024 General Fund Capital budget does not include funding for such a project, however staff are of the opinion that the project is necessary and, if approved, will be funded from the General Fund Capital Reserve.



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	:	Deputy Mayor and Council
FROM	:	John Jarvie
DATE	:	5 September 2024
RE	:	Encroachment Agreement -

Recommendation:

It is recommended Council agree to an encroachment agreement with Murray P. Holburn and Joanne H. Sparks (the Owners) associated with 118 Park Drive (PID234336) to construct a path to access the river over Town owned lands abutting the river (PID234575) subject to conditions of any WAWA being the responsibility of the Owners.

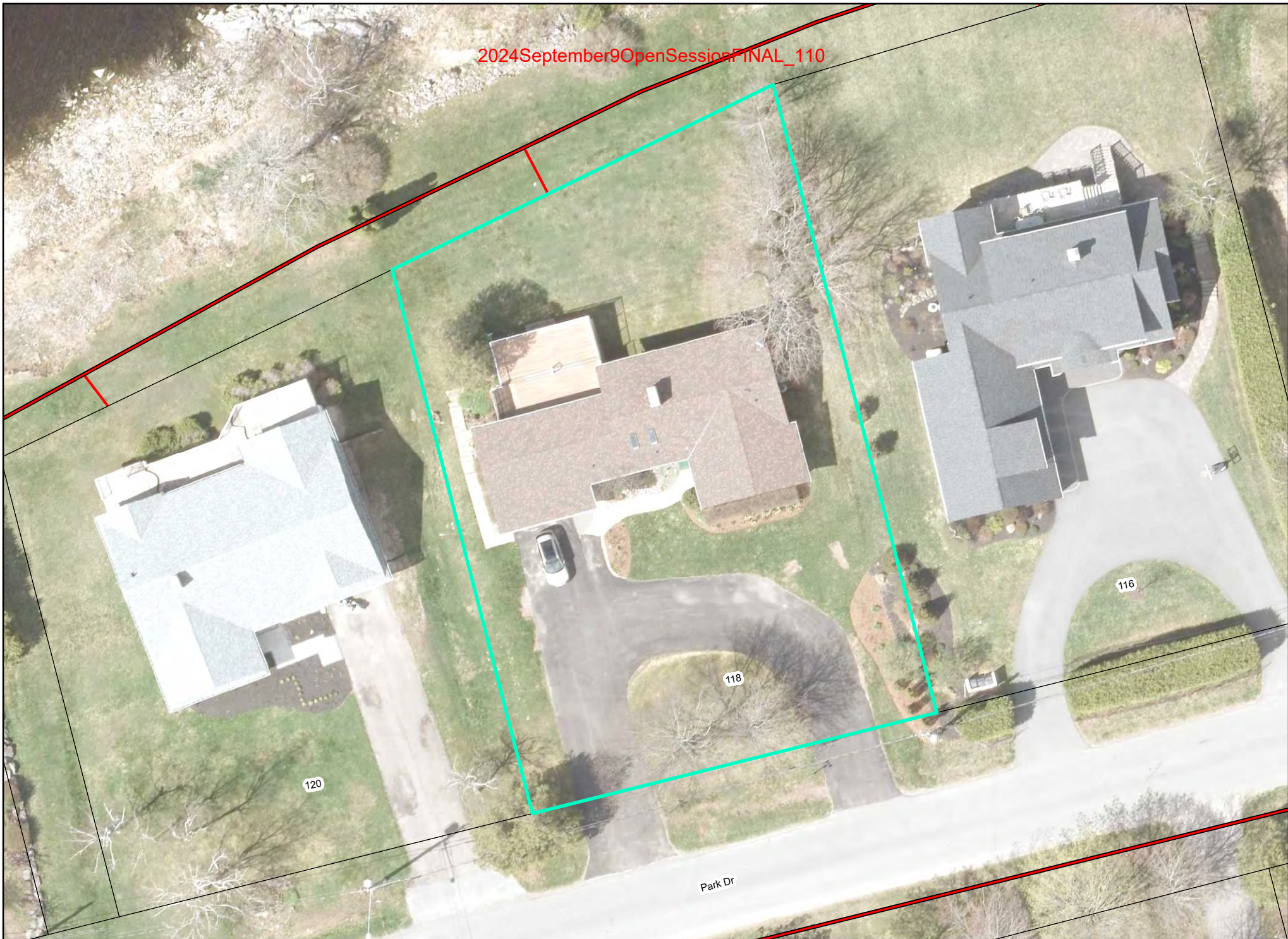
Background

Holburn/Sparks are constructing a new home at 118 Park Drive. They wish to be able to build a path over the Town owned lands between their property and the river to access a boat dock. The activity requires a WAWA which can only be issued to the property owner, in this case the Town. The request appears reasonable depending on conditions contained in a Wetland And Watercourse Alteration permit.

Typically watercourse alteration work must be completed by October 1. The application for the WAWA was executed on behalf of the Town to allow for processing in an attempt to complete the work during the current construction season. This was necessary due to my delay in having the matter on the August agenda.

A copy of the encroachment agreement is attached.

2024September9OpenSessionFINAL_110



Park Dr

118 Park Drive

0 2.5 5 10 15 20
Metres



ENCROACHMENT AGREEMENT

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

Rothsay By-law No. 1-11, A By-law to Manage Town Owned Lands

Parcel Identifier of Parcel
Burdened by Agreement:

PID 00234575

Parcel Identifier of Parcel
Benefiting by Agreement:

PID 00234336

Encroachment Owners: Murray P. Holburn & Joanne H. Sparkes
118 Park Drive
Rothsay, NB
E2H 1A8

(hereinafter called the "Owners")

Property Owners: **Rothsay**
70 Hampton Road
Rothsay, N.B.
E2E 5L5

(hereinafter called "Rothsay")

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

Purposes of Agreement:

The Owners are desirous of Walking Path to Water
that would encroach on land owned by Rothsay, as
identified on SCHEDULE A,

And whereas the Owners will continue and maintain
said encroachment

NOW THEREFORE THIS AGREEMENT WITNESSTH that for and in the
consideration of the payment of \$200.00 to the Town, receipt of which is hereby
acknowledged, the parties agree as follows:

- A. The Town agrees that the Owners and their executors, administrators or assigns may continue the encroachment only in accordance with this agreement.
- B. The Owners agree that they will continue the encroachment, including any surface and structure, to be located as shown on SCHEDULE B and generally described as:
 - a. Walking Path to Water
 - b. _____
 - c. _____
- C. The Owners agree to adhere to the standards stated in the National Building Code, as may be applicable.
- D. The Owners agree that the encroachment and associated structure(s) will not obstruct access to the public.
- E. The Owners agree that there will be no removal of existing vegetation or future vegetation other than what is necessary to accommodate the placement of the encroachment.
- F. The Owners agree that, should the improvement(s) or any portion of it be structurally altered, ordinary repairs excepted, the alterations shall be done so that the structure shall not encroach at all or further on the Town owned land after the alterations and shall be in full compliance with the Town's By-laws.

- G. The Owners agree that the Town has the explicit right to remove the encroachment without notice in the event of the improvements being deemed a hazard at the sole discretion of the Town and the Owners shall be responsible for the cost to remove said encroachment.
- H. The Town may withdraw permission to encroach at any time, after which the Owners shall be responsible for the removal of the improvements.
- I. This agreement is issued for a maximum of five (5) years from the date execution and may be renewed.
- J. The Owners shall provide Rothesay with proof of liability insurance with the Owners and Rothesay as named insurers for the lands of Rothesay affected by the encroachment with respect to any claim in relation thereto.
- K. It shall be the responsibility of the Owners to apply for and comply with any wetland and watercourse alteration permits or other permits required.

Indemnification

The Owners agree to indemnify Rothesay against any liability, claim, demand, action or cause of action of any nature whatsoever, or any expense incident thereto, for injury to or death of a person or loss or damage to property, occurring on or pertaining to the encroachment, including any surface and or structure as shown on Schedule B during the term of this agreement, or arising out of any breach of the Owners covenants.

Registration

A copy of this Agreement and every amendment and discharge of this Agreement shall be recorded at the Land Registry office of Service New Brunswick at Hampton, New Brunswick and the Owners shall incur all costs in recording such documents.

Subsequent Owners

This Agreement shall be binding upon the parties thereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent Owners, and shall run with the Lands which is the subject of this Agreement until this Agreement is discharged by Council.

Upon the transfer of title to any lot(s), the subsequent Owners(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable.

IN WITNESS HEREOF the parties have duly executed these presents this

31 day of July, 2024

[Signature]
Witness:

[Signature]
Witness:

[Signature]
(Owner)

[Signature]
(Owner)

Rothesay

Witness:

Nancy E. Grant, Mayor

Witness:

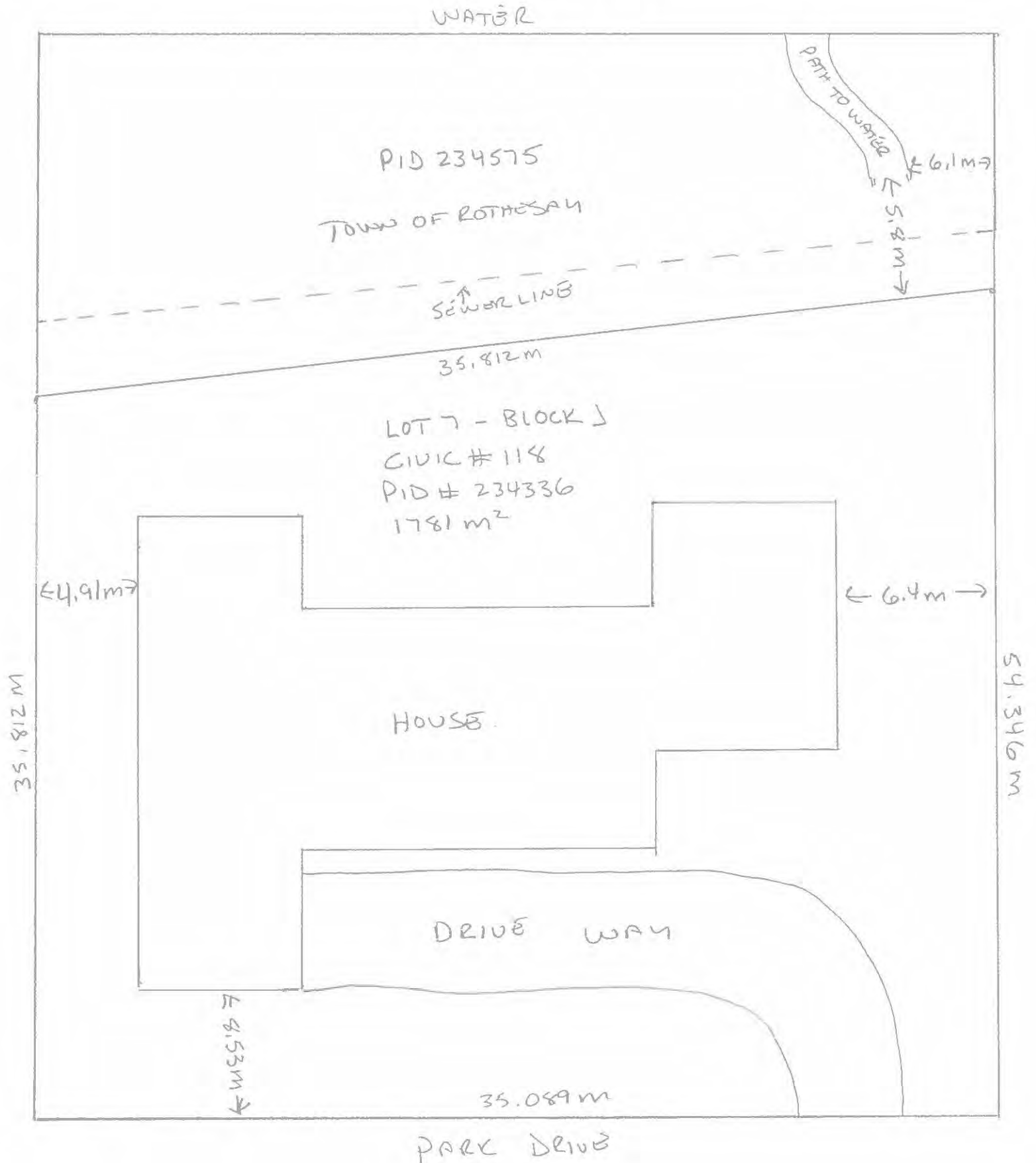
Mary Jane Banks, Clerk

SCHEDULE A

PID 00234575

Schedule B

Insert Diagram / Sketch



AFFIDAVIT OF EXECUTION

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

Subscribing Witness: _____

Address: _____

Person Who Executed
the Instrument:

Place of Execution: Rothesay, New Brunswick

Date of Execution: _____

I, the subscribing witness, make oath and say:

1. That I was personally present and saw the attached instrument duly executed by the party specified and that I am the subscribing witness;
2. That the person who executed the instrument is known to me or their identity has been proved to my satisfaction;
3. That the instrument was executed at the place and on the date specified above;
4. That at the time of execution of the instrument I was of the full age of sixteen years; and
5. That the person who executed the instrument is, in my belief, of the age of majority.

DECLARED TO at _____, in the)

County of _____ and)

and Province of New Brunswick,)

on the _____)

day of _____ 2024)

)

BEFORE ME:)

)

)

_____))

Commissioner of Oaths

Subscribing Witness

AFFIDAVIT OF EXECUTION

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

Subscribing Witness: _____

Address: _____

Persons Who Executed
the Instrument:

Place of Execution: Rothesay, New Brunswick

Date of Execution: _____

I, the subscribing witness, make oath and say:

1. That I was personally present and saw the attached instrument duly executed by the party specified and that I am the subscribing witness;
2. That the person who executed the instrument is known to me or the person's identity has been proved to my satisfaction;
3. That the instrument was executed at the place and on the date specified above;
4. That at the time of execution of the instrument I was of the full age of sixteen years; and
5. That the person who executed the instrument is, in my belief, of the age of majority.

DECLARED TO at _____, in the)

County of _____ and)

and Province of New Brunswick,)

on the _____)

day of _____ 2024)

)

BEFORE ME:)

)

)

_____))

Commissioner of Oaths

Subscribing Witness

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

Deponent: **Mary Jane Banks**
 Rothesay
 70 Hampton Road
 Rothesay, N.B.
 E2E 5L5

Office Held by Deponent: Town Clerk

Corporation: **Rothesay**

Other Officer Who Executed the Instrument: **NANCY E. GRANT**
 Rothesay
 70 Hampton Road
 Rothesay, N.B.
 E2E 5L5

Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2024

I, **Mary Jane Banks**, the deponent, make oath and say THAT:

1. 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. the attached instrument was executed by me and **Mary Jane Banks**, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
3. 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 Rothesay, and the signature "**Mary Jane Banks**" subscribed to the within instrument as the Assistant Town 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;
4. 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; AND
5. the instrument was executed at the place and on the date specified above.

DECLARED TO at town of)
 Rothesay, in the County of Kings,)
 and Province of New Brunswick,)
 This ____ day of _____, 2024)

BEFORE ME:)

 Commissioner of Oaths

MARY JANE BANKS



ROTHESAY

INTEROFFICE MEMORANDUM



TO	:	Deputy Mayor and Council
FROM	:	John Jarvie
DATE	:	5 September 2024
RE	:	Draft by-law amendments re Consumer Fireworks

Recommendation:

It is recommended Council:

A. Amend The Fire Prevention and Protection By-law no. 3-20 as follows:

Under the heading 'Consumer Fireworks' delete the following:

29. Every person who sets off consumer fireworks shall:
 - a. provide and maintain fully operational fire extinguishing equipment ready for immediate use and present at all times for a reasonable period thereafter, at the location or site of the setting off of the consumer fireworks. This includes having knowledge of the operational procedures associated with said fire extinguisher equipment;
 - b. Follow the manufacturer's requirements for the discharge of the fireworks;
 - c. Permit the inspection of any site where consumer fireworks may be stored, set off or displayed, and the consumer fireworks themselves, together with all associated equipment, by anyone authorized to enforce this By-law, forthwith upon demand; and
 - a. comply with the Municipality's Noise By-law.
30. No person shall store, handle or set off Consumer fireworks in an unsafe manner or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of fireworks.

And add the following:

- 29.No person shall store, discharge or otherwise be in possession of consumer fireworks for the purpose of discharging within the municipal boundary of Rothesay.
- 30.No person shall display, advertise or otherwise offer for sale consumer fireworks within the municipal boundary of Rothesay.

B. Amend the Rothesay Nuisance By-law No. 4-03 to read as follows:

Add the following to the definitions section:

'Consumer Fireworks' are as defined in By-law 3-20 The Fire Prevention and Protection By-law.

Amend section 5 (a) to read as follows:

5. MISCELLANEOUS

- a. No person shall:
 - ix) detonate consumer fireworks or explosive devices not used in construction.

Background

At the July 2023 Council meeting the following motion was passed.

MOVED by Counc. McGuire and seconded by Counc. Boyle to ban the sale of fireworks and update the Rothesay Fire Protection and Noise/Nuisance by-laws banning the use of consumer fireworks and encourage the Town of Quispamsis to update their by-laws in a similar fashion; and furthermore, conduct a social media campaign/public education program with both towns, the Kennebecasis Valley Fire Department and the Kennebecasis Regional Police Force.

Since that time there have been several discussions with Quispamsis and a meeting held with the Joint Committee (Mayors, Deputy Mayors and CAOs). During that meeting the Quispamsis representatives indicated the matter is still under discussion in their Council. In discussions with Mayor Grant following the meeting it was felt it would be beneficial to make the intentions of Rothesay Council clear for the benefits of retailers selling fireworks as well as residents.

Should Council adopt the recommendations the Clerk will prepare amending By-laws in proper form for adoption at the October meeting.

Attached is the Memorandum prepared by the Fire Chief considered at the July 2023 meeting.





Kennebecasis Valley Fire Department Inc.

Chief Michael Boyle

Deputy Chief Shawn White

7 Campbell Drive, Rothesay, NB E2E 5B6
Phone (506) 848-6601 Fax (506) 848-6608
Email: admin@kvfire.ca

To: Mary Jane Banks, Rothesay Town Clerk

From: Chief Michael Boyle

Re: Consumer Fireworks Regulation/Use in the Kennebecasis Valley

Date: June 28th, 2023

Origin

Rothesay Council received correspondence from a resident at the June 12, 2023 Council meeting regarding the safety, noise disturbance, fire risk and environmental impacts of the use of fireworks. Council requested a report from the Fire Chief with respect to Consumer Fireworks.

Summary

Consumer fireworks (those available to anyone commercially) are easily obtainable for purchase and use by citizens, in many cases without any safety training, conditions, permits or restrictions required. Consumer fireworks storage requirements for vendors are not as stringent as those for high level, display fireworks used under permits by trained and certified fireworks shooters. There are professional firework (pyrotechnic) companies that exist to run fireworks displays safely and effectively. Although there have not been any significant fires or injuries as the result of fireworks in the Kennebecasis Valley, they do result in documented cases of fire and injury. A sample of 587 fire departments across Canada indicates that 142 or 24% of fire departments responded to at least one call involving consumer fireworks in 2022 (*Canadian Association of Fire Chiefs*). It is not possible to measure the nuisance caused by fireworks.

Legislation

Rothesay has two by-laws that regulate the use of fireworks within the Town – By-laws 4-03 and 3-20. Related sections are shown below:

BY-LAW NO. 4-03 Relating to Peace, Order, and the Prevention of nuisances which states:

No person shall:

- detonate fireworks or explosive devices not used in construction unless authorized by the Chief of Police and the Fire Chief.

BY-LAW NO.3-20 Respecting Fire Prevention and Protection which states:

FIREWORKS

29.No person shall set off fireworks when there is a burning ban issued by the Fire Chief or the Province of New Brunswick.

Consumer Fireworks

30.Every person who sets off consumer fire works shall:

- a) provide and maintain fully operational fire extinguishing equipment ready for immediate use and present at all times for a reasonable period thereafter, at the location or site of the setting off of the consumer fireworks. This includes having knowledge of the operational procedures associated with said fire extinguisher equipment;
- b) Follow the manufacturer's requirements for the discharge of fireworks;
- c) Permit the inspection of any site where consumer fireworks may be stored, set off or displayed, and the consumer fireworks themselves, together with all associated equipment, by anyone authorized to enforce this By-law, forthwith upon demand; and
- d) Comply with the Municipality's noise By-law.

31.No person shall store, handle or set off consumer fireworks in an unsafe manner or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of fireworks.

Sale and Enforcement of Fireworks

Within both Rothesay and the Town of Quispamsis, fireworks are readily available at "dollar" stores, hardware stores and convenience stores and each municipality has by-laws regarding their use. There are several variations of fireworks regulations/by-laws amongst municipalities in New Brunswick; some are noted:

- In Dieppe, fireworks cannot be sold or deployed without a commercial license and approval from the Fire Chief
- In Fredericton, fireworks may be sold but are heavily regulated; essentially a permit and fireworks professional is needed to have a fireworks display
- In Oromocto, consumer fireworks are not permitted to be sold and a professional display requires permission from the Fire Department
- In Riverview, fireworks may be sold but are restricted unless there is permission from the Fire Chief. The Fire Department also requires an insurance policy to be held by the applicant conducting the fireworks display
- In Moncton, consumer fireworks are not permitted
- In Saint John, the sale of fireworks is not permitted
- Edmundston has no by-laws regarding fireworks

Discussion

It is reasonable to assume that the sale of fireworks implies consent by the Towns for residents to purchase and use fireworks. Even with robust public education or social media campaigns, those purchasing fireworks are unlikely to be aware of the safe use of or dangers posed by fireworks. In addition to the fire risk, fireworks cause a nuisance and stress for certain populations and pets and also pose a significant risk for personal injury. The fire department would support the town pursuing this from a provincial perspective with questions pertaining to the regulations on the sale and use of consumer fireworks.

The enforcement of the use of fireworks is exceedingly challenging for protective services. Most consumer fireworks displays are of short duration and if a complaint is received by either Department, when firefighters or police officers respond and investigate, the fireworks display is over and evidence of where they were set off or by whom is difficult to obtain. Also, unlike a recreational fire, it is difficult for complainants to pinpoint the exact address of where fireworks were detonated.

A permitting option or the Fire Department granting permission for consumer fireworks is not a feasible option as it would put an unreasonable burden and liability on the Fire Department and Towns. The Department does not have the capacity to inspect, manage and enforce the requirements for a permitting program for consumer fireworks.

Recommendations

It is acknowledged that, regardless of the approach taken by the Town, the likelihood of reducing the use of fireworks to zero is unlikely. Without cooperation from the Town of Quispamsis, a ban on the sale of fireworks within Rothesay would likely have little impact. The effectiveness of other alternatives cannot be determined at present but would be a positive step forward.

Four options are presented for Council to consider.

- In coordination with the Town of Quispamsis, ban the sale of fireworks within both municipalities and update the relevant by-laws also banning the use of consumer fireworks; *OR*
- Ban the sale of fireworks and update the Rothesay Fire Protection and Noise/Nuisance by-laws banning the use of consumer fireworks. Encourage the Town of Quispamsis to update their by-laws in a similar fashion; *OR*
- Update the Rothesay Fire Protection and Noise/Nuisance by-laws to only allow consumer fireworks on specific dates/times, e.g., Canada Day, before 11 pm; *OR*
- Maintain the status quo, and conduct a social media campaign/public education program with both Towns, the Kennebecasis Valley Fire Department and the Kennebecasis Regional Police Force