



QUISPAMSIS TOWN COUNCIL REGULAR MEETING MINUTES July 18, 2017, 7:00 pm Council Chambers Quispamsis Town Hall

Present: Mayor Gary Clark

Deputy Mayor Libby O'Hara Councillor Lisa Loughery Councillor Sean Luck Councillor Kirk Miller Councillor Emil T. Olsen Councillor Pierre Rioux Councillor Beth Thompson Deuville, Susan: CAO

Kennedy, Aaron; Communications Manager Losier, Gary; Director of Engineering & Works

MacInnis, Lisa; Assistant. Clerk McGraw, Jo-Anne; Town Treasurer

Purton Dickson, Dana; Director of Community Services

Snow, Catherine; Town Clerk

1. Approval of Agenda

Moved By Deputy Mayor O'Hara Seconded By Councillor Olsen

The Agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Quispamsis Named Top Place to Live in Atlantic Canada – Mayor Clark referenced MoneySense Magazine's recent recognition of Quispamsis as the Number One place to live in Atlantic Canada, noting as a lifetime resident of the Kennebecasis Valley, he

wholeheartedly agrees, and appreciates the affirmation from those not from the community.

Canada Day – Mayor Clark extended his appreciation to staff and summer students for another successful Canada Day celebration, noting due to wet weather, it was decided to move the event inside early in the morning, requiring a lot of last minute maneuvering on the part of Community Services Staff.

PRO Kids – 3rd Annual Quispamsis Run and Swim Event – Mayor Clark acknowledged his pleasure in participating in this successful PRO Kids fundraising event, once again organized by Evan and Shelly Doucet, noting they will be making a cheque presentation at the August Council meeting.

NB Pharmacists' Association Award – Mayor Clark congratulated Quispamsis resident and pharmacist, Diane Young, for earning one of pharmacy's highest honors, the "Bowl of Hygeia Award", presented by the NB Pharmacists' Association for her extraordinary contributions to the pharmaceutical profession.

Catholic Health International "Volunteer Excellence Award" to Councillor Emil T. Olsen – Mayor Clark announced congratulations is also in order for Councillor Olsen, who is the recipient of the Catholic Health International Volunteer Excellence Award for his tireless efforts on behalf of the Rocmaura Foundation, where he has been a board member for the past 12 years, including serving as Chair of the Rocmaura Annual Curling Fundspiel, raising this year, \$7,500.

Unveiling of Electronic Voting – Mayor Clark noted this evening's meeting will be the first meeting of the Quispamsis Council's new electronic voting mechanism, with members now voting directly from their iPads, and the vote results showing on the public screen.

2017 Canada Summer Games – Winnipeg – Mayor Clark made special mention of 24 Quispamsis residents who will be participating in the Summer Games, and asked the following individuals to stand so they can be duly recognized:

- Athletics: Victoria LeBlanc, Nick MacMackin, and Coach Bill MacMackin;
- Baseball: Cameron Bartlett, Jordan Fortin and Ryan Scott;
- Basketball: Reilly Sullivan;
- Mountain Bike: Craig Marshall;
- Rowing: Kendra Schmidt and Ian Morrison;
- Soccer: Charlotte Knapp; Harrison Buck, Tomer Chaffer, Tristan Keith and Harold Oh;
- Sailing: Claire Sears;
- Canoe-Kayak: Matthew Mullett;
- Cycling: Danielle Dumouchel;
- Softball: Emma Lynch and Manager Kelly Lynch;

- Swimming: Megan Campbell and Bridget Sutherland.
- Swimming Officials: Gary and Sal Losier

Mayor Clark noted the Summer Games will be held later this month in Winnipeg, and wished each of the contenders the best of luck.

- 3. Moment of Reflection Deputy Mayor O'Hara read the moment of reflection.
- Disclosures of Interest No disclosures were declared.

5. Presentations

5.1 <u>Public Presentation - Origins Natural Learning Childcare - 213 Pettingill Road - Rezoning Application - Residential (R1) to Institutional</u>

Proposed Municipal Plan By-law Amendment No. 037-07 and Proposed Zoning By-law Amendment NO. 038-24

Ms. Jennifer Arsenault made presentation to Council stating she wishes to purchase the Residential (R1) property at 213 Pettingill Road, and use the house to operate an Afterschool Care Program and a half day Preschool Program. Once an application for proper zoning has been approved, they will submit an application to the Department of Education for the required licenses. The area is prime to service three nearby elementary schools, and in the future, they hope to operate a part time forest school. Hours of operation would be weekdays, beginning at 7 a.m. until 6 p.m. The license will accommodate 60 children ages three to twelve years and will focus on outside and natural exploration.

Moved By Councillor Olsen Seconded By Councillor Miller

Council refer Origins Natural Learning Center's rezoning application to redesignate 213 Pettingill Road from Residential (R1) to Institutional (INST) for the purpose of operating an Afterschool Program and a Preschool Program -

- 1) To PAC for its written views;
- 2) Establish and advertise a Public Hearing date for September 5, 2017 at 7 pm; and
- 3) Notify property owners within a 100 meter radius of 213 Pettingill Road of the proposed change.

Motion Carried

5.2 Fundy Region Service Commission - Update on Regional Ice Strategy

Presenters: Nick Cameron, Fundy Region Service Commission, and Dana Purton Dickson, Director of Community Services, Town of Quispamsis

Mr. Cameron and Ms. Purton Dickson informed Council the Fundy Regional Service Commission, with the aid of the Province, has adopted a three (3) year Regional Recreation Plan, and, as part of that plan, are focusing on the Regional Ice Standards. The FRSC has met with the Municipal Recreation Directors, and are presenting to each of the region's municipalities their plans to discuss indoor ice as a region. This will include inter-municipal and LSD engagement.

They noted there are 12 indoor arenas in the Fundy Region, (St. Martins to Quispamsis), varying in age from the oldest built in 1960, the Lord Beaverbrook, to the newest in 2010, the qplex. The project's goal is not funding related, but rather a means to establish standards for collaboration, complimenting funding applications, alleviating scheduling conflicts, and ensuring regional facilities encompass the values of the Framework for Recreation in Canada and NB. A survey of arena users will take place over the 2017/18 winter season, along with a review of the assets. Mr. Cameron and Ms. Purton Dickson stated they plan to again present to Council an update of the asset and survey details in 2018, with the final draft on a Regional Ice Strategy expected to be presented for approval during the summer, 2019.

Moved By Councillor Thompson Seconded By Councillor Olsen

Ms. Purton Dickson and Mr. Cameron be thanked for their presentation on the Regional Ice Strategy Plan for the greater Saint John region, noting Council looks forward to receiving an update next Spring on this initiative, and the presentation be received and filed.

Motion Carried

6. Public Hearings

6.1 (June 20, 2017) Rogers Communications Inc. - Request to Amend Section 39, Community Planning Act, Developer's Agreement

213-215 Pettingill Road - PID No. 30194740 - Request to Change Access Driveway from 213 Pettingill Road to a More Direct Access at the End of Pembroke Lane

In Attendance: Jaret Guimond, NBLS, P. Eng., Altus Geomatics Ltd.— Mr. Guimond, on behalf of Rogers Communications, informed Council the reason they are requesting the access to their telecommunications tower be changed from its existing location off 213 Pettingill Road to Pembroke Lane is because the

property owner, Trustees of the George McAfee Estate, no longer wants them to access the tower through their property. The tower will remain in its current location pursuant to a lease agreement between Rogers and the property owner. The new access, he said, will be developed with the least amount of disruption to the adjacent property owners on Pembroke Lane.

A Notice of Decision from PAC indicated the Committee's support of the proposed amendment to the developer's agreement required for the purpose of relocating the access to the tower via Pembroke Lane.

Letter of Inquiry from Residents, Joanne Romeo & Martin MacKinnon – The above noted letter informed Council their property is directly affected by the proposed change, and trust the Town will be involved in monitoring the construction of Rogers' new driveway access as an advocate for the residents, and will limit any overly obtrusive destruction of the landscape.

Letter of Objection from Resident, Kolin Henderson – Mr. Henderson was in attendance, and expanded upon his correspondence, noting he is the property owner closest to the proposed access point. He stated he does not truly object to the proposed access change, but has concerns that the new access may negatively impact the safety of children that play in the deadend area, noting to the right of this area is the access trail to nearby schools. He also noted concerns with the aesthetics of their property with the opening of the dead end which has been hidden so far, and asked if most trees could remain intact.

Mr. Guimond stated they commonly work with affected neighbours when developing these accesses in order to have as little impact as possible on the neighbourhood. He noted they could also install a gate, and that the tower is only visited by maintenance personnel 3 – 5 times per year.

Ms. Kelley Piercy spoke, noting 213 Pettingill Road is her late father's estate, and she is in the process of selling the property. She noted Rogers has been a very good neighbour and only accesses the property 2 – 3 times per year.

Mayor Clark asked three (3) times if anyone further wished to speak for or against the proposed amendment to the developer's agreement.

The Proponent confirmed there will be minimum tree cutting, and the driveway can be curved to retain most of the trees, as well as installation of an aesthetically pleasing fence to compliment the area.

Moved By Councillor Olsen
Seconded By Deputy Mayor O'Hara

Council approve the Rogers Communications Inc.'s request to amend their Section 39 CPA agreement with the Town to permit the driveway access to be changed from its current location at 213 Pettingill Road to a more direct access to their telecommunication tower by constructing a driveway off the end of Pembroke Lane.

Motion Carried

7. Minutes of Previous Meetings

7.1 June 20, 2017 - Regular Meeting

Moved By Councillor Rioux Seconded By Councillor Olsen

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 (Apr.4/17) Acadian Games – Michel Côté & Alain Manuel – Request for Quispamsis, Rothesay, & Saint John to Support MOU Terms (Bid Application for 2021 Games)

Correspondence from Mr. Côté informed Council the City of Saint John has already agreed to host the 2021 Acadian Games, and they would like Quispamsis and Rothesay to also agree to participate in the hosting. A Summary of Costs indicated Quispamsis' contribution of \$9,500 if all three municipalities contribute, or \$10,500 if just Quispamsis and Saint John hosts the event. It is expected to bring in approximately 90 participants and their families from all over the Maritimes for at least two nights. Mr. Côté included clarification on the MOU, a Summary of Costs and the Preliminary Event Location Plan for Council's review, noting, if possible, he would like to know Council's commitment by mid-October for planning purposes.

Moved By Deputy Mayor O'Hara Seconded By Councillor Loughery

Council refer the 2021 Acadian Games' Hosting Committee's request for the Town's commitment for a financial contribution to the Finance Committee for consideration as part of its 2018 budget deliberations.

Motion Carried

8.2 (July 2017) Ratification of Email Poll - Appointment of New EMO Director, Mr. Pascal Rodier

Moved By Councillor Thompson Seconded By Deputy Mayor O'Hara

Council ratify the results of the Email Poll conducted July 5, 2017 by the Assistant Town Clerk requesting Council's authorization to accept the EMO Committee's recommendation to make a conditional offer to Pascal Rodier for the position of EMO Director.

Motion Carried

8.3 (May 16/17) Ron and Beth Moore Re Extreme Sedimentation in Ritchie Lake - Submission of Further Information by Ron and Beth Moore

Mr. and Mrs. Moore updated Council on the continuing sedimentation entering Ritchie Lake, including a slide show and video taken along the Q-R trail June 24, 2017. They noted while work has been done to rectify the problem, there is still a number of areas where work has either not been done or where work has been done but has been compromised by the amount of sedimentation created. They acknowledged the difficulty of a onetime fix while there is four nearby sites under construction, and stressed the urgency for ongoing inspections and monitoring of these construction areas to ensure measures are in place for sedimentation control. All agreed, it is fortunate that there has been no significant rainfall events this past summer to further aggravate the situation, with the Moores noting Ritchie Lake is well used by kayak users, etc.

The Director of Engineering & Works updated Council on the various projects underway, noting 300 loads of fill have been hauled in behind the French School to finish the Q-R trail over the sewer line, including application of erosion resistant effects such as hydroseeding.

Moved By Deputy Mayor O'Hara Seconded By Councillor Luck

The Moores be thanked for their recent update, and pursuant to Council's motion of May 16, 2017, Staff continue to work with the Department of Environment and Local Government to ensure that sediment and erosion control measures fall under the Town are in accordance with Provincial regulations, with any concerns regarding Ritchie Lake's water quality being referred to the Department of Environment and Local Government.

Motion Carried

9. Correspondence

9.1 Martin & Paulette Doyle, 4 Lynn Court - Request for Storm Sewer

Presenter: Mr. Sean Doyle (son), on behalf of Mr. & Mrs. Doyle

Mr. Sean Doyle was in attendance and expanded upon his parent's correspondence requesting the Town to install storm sewer pipe to fill in their ditch area, similar to what was done on the property upstream from them. Mr. Doyle also referenced an odor from the ditch area during summer months. The run-off where the neighbour's pipe now ends at the property line, coupled with their smaller driveway culvert, deep ditch, and large rocks, he said, makes it difficult for them to mow.

A Staff Report from the Director of Engineering & Works informed Council Staff met with the residents last fall to review the area, and it was communicated to them the ditch is too shallow to storm sewer since there would be no ground cover over the pipe. Alternatively, if pipe grade increased to accommodate cover, the outfall would be below the existing ditch grade and require a significantly deeper ditch across adjacent property frontages, and along the easement between the two downstream properties at a cost of \$10,000 - \$15,000. Staff had proposed instead of storm sewer, Town Crews could reshape their ditch and reline it with stone to improve the aesthetics and make long term maintenance easier.

Mr. Losier expanded upon his report noting when Kenneth Drive was widened and ditches were storm sewered, the outfall was directed down Lynn Court to the area referenced by the Doyles. He noted to infill the ditch in front of the Doyle property could not be done in isolation, as it would impact the Doyle property as well as the two downstream properties.

Moved By Councillor Thompson Seconded By Councillor Loughery

Mr. and Mrs. Doyle's request for the Town to install storm sewer in the ditch at 4 Lynn Court, at no cost to the property owner, be denied, and should the Doyles alone or in cooperation with their neighbours wish to cost share the project they can make application to the Local Improvement Program next year, or, as an alternate option, the Doyles may contact the Town's Works Department to have the ditch reshaped and relined under the normal ditch maintenance program.

Motion Carried

9.2 <u>Letter of Thanks from Barbara Shanks - Naming of EOC as the Brian Shanks</u> <u>EOC in his Honour</u>

Correspondence from Mrs. Shanks expressed her appreciation to the Town for naming the Emergency Operations Centre in memory of her late husband and

former EMO Director, Brian Shanks. She noted Brian had a strong belief in contributing and giving back to the community and he was happiest when he was sharing his knowledge with people who were interested. The Quispamsis Team, whom Brian was a part of, had demonstrated, she noted, over and over their commitment to ensuring the community is prepared in times of crisis.

\Moved By Councillor Rioux
Seconded By Deputy Mayor O'Hara

Mrs. Shanks' letter of appreciation in acknowledgement of the Town's recent naming of the EOC in honour of her late husband, Brian, be received and filed.

Motion Carried

9.3 <u>Peter LeBlanc - Concerns re Dumping of Construction Debris at Route 100</u> and Palmer Brook Road Intersection - Mr. LeBlanc, in Attendance

Correspondence from Mr. LeBlanc expressed his dismay with the illegal dumping of construction debris near the intersection of the Hampton Road and Palmer Brook Road. He noted the debris has spread to the point that it obstructs the bicycle lane on the Palmer Brook Road, and asked that some urgency be attached to this matter to have it rectified.

The Director of Engineering & Works informed Council Staff have been in contact with the Province for resolution of the illegal dumping at the site in question. He stated the area is within the extension of the Elliot Road and located within property owned by the Province as part of the adjacent highway's right of way. Mr. Losier stated another concern is the close proximity of the Palmer Brook, located within 30 m of the debris. He noted it will require the use of a bulldozer and hired equipment to haul the material away, and could cost upwards of \$7500 to \$12,000 to clean up.

Moved By Councillor Rioux Seconded By Deputy Mayor O'Hara

Further to Mr. Losier's contact with Environment officials, a follow-up letter be issued to the Province and copied to two MLA's Crossman and Higgs requesting that the Provincially owned property located near the Elliot Road extension be cleaned up, and secured to prevent further dumping, acknowledging the Town's concerns that this dumping, besides being unsightly, is located within 30 meters of the Palmer Brook watershed.

Motion Carried

9.4 Request from Deputy Mayor O'Hara Re Protocol and Rules Governing Bicycles on Sidewalks - Staff Report of Clarification from Director of Community Services

Mr. Purton Dickson's Staff Report, in response to inquiries concerning bicyclists driving on sidewalks, clarified the Town's Traffic By-law No. 027 prohibits riding of bicycles on municipal sidewalks, except for the purpose of crossing such sidewalk. She stated the Kennebecasis Regional Police Force has recently posted information on social media regarding rules of the road for cyclists and motorists with the passing of Ellen's Law. Additionally, through the Town's Active Transportation Plan, the Town has hired a summer student who delivers presentations in the elementary and middle schools in May and June to promote active transportation, including bicycle safety.

Moved By Deputy Mayor O'Hara **Seconded By** Councillor Thompson

The concerned resident who had approached Deputy Mayor O'Hara be provided the information contained in Ms. Purton Dickson's Staff Report re the Town's Bylaw prohibits riding of bicycles on sidewalks, and also be informed of the current initiatives being undertaken by the Kennebecasis Regional Police Force and the Town's Active Transportation Program on bicycle safety.

Motion Carried

10. By-laws

10.1 <u>Proposed Traffic Bylaw Amendment No. 27 -27; Speed Limit Reduction</u> Kingsway Drive

A Staff Report from the Director of Engineering & Works informed Council residents on the lower portion of the Kingsway Drive area have approached Staff with a concern over speeding traffic at the sharp corner of their subdivision. Staff are recommending that the traffic by-law be amended to create a 30 km/hour speed zone in the area of the sharp corner and associated warning symbols. The general area for speed reduction he recommended, would be between Civic Numbers 86 and 99 Kingsway Drive.

Moved By Councillor Olsen Seconded By Deputy Mayor O'Hara

Resolved that first reading be given to proposed Traffic By-law Amendment No. 27-27; Speed Limit Reduction on Portion of Kingsway Drive to 30 kph.

Motion Carried

Moved By Councillor Thompson Seconded By Councillor Luck

Resolved that second reading be given to proposed Traffic By-law Amendment No. 27-27; Speed Limit Reduction on Portion of Kingsway Drive to 30 kph.

Motion Carried

11. New Business

11.1 Assent of Hillside Estates Subdivision - (off Vincent Road - Scott Bros.)

Moved By Councillor Thompson Seconded By Councillor Miller

Whereas the Developer has reached the stage where they are ready to request Building Permits from the Town; and

Whereas the Developer has satisfied the minimum requirements to obtain Building Permits in accordance with Subdivision By-law 035;

Now therefore, be it resolved Council assent to Hillside Estates Subdivision subject to the following conditions:

- 1. Execution of a standard Developer's Agreement with the Town;
- 2. Depositing with the Town the appropriate security bonding as determined by the Town;
- Submission inspection reports and record drawings for the road construction, sanitary and stormwater management infrastructure confirming compliance with the engineered design drawings and the Municipal Subdivision Specifications and Guidelines.
- 4. Subdivision filing fees in the amount of Three Hundred and Twenty Dollars (\$320.00) for the twelve (12) lot development;
- 5. The LPP requirement of Two Thousand Two Hundred Eighty Five (2285) sq. metres to be satisfied through land dedication (being identified as Land for Public Purposes on the plan) for the purpose of retaining of greenspace, construction of the storm water detention area and pedestrian trails. The balance of the LPP land area being credited toward satisfying LPP requirements in future developments;
- 6. Properly signed final subdivision plan to be submitted to the Town for final approvals; and
- 7. Building Permits will be issued subject to the provisions of Quispamsis Subdivision By-law No. 35 and Quispamsis Building By-law No. 44.

Motion Carried

11.2 Assent of Heritage Estates Subdivision - (off Pettingill Road - Andrew McKay)

Moved By Deputy Mayor O'Hara Seconded By Councillor Olsen

Whereas the Developer requires the assent of Council to register the Final Subdivision Plan; and

Whereas the Developer requires an approved subdivision plan to move forward with the installation and construction of the remaining necessary utilities and services to service the subdivision development; and

Whereas the Developer is prepared to enter into a Development Agreement with the Town that requires the depositing of sufficient Security Bonding to complete the remaining work;

Now Therefore be it resolved, Council grant assent to Heritage Estates Phase 1 subject to the following conditions:

- 1. Execution of a standard Developer's Agreement with the Town;
- 2. Depositing with the Town the appropriate security bonding as determined by the Town's Engineering Department;
- 3. Submission inspection reports and record drawings for the street construction, sanitary sewerage and stormwater management infrastructure confirming compliance with the engineered design drawings and the Municipal Subdivision Specifications and Guidelines.
- 4. Subdivision filing fees in the amount of Three Hundred and Thirty Dollars (\$330.00) for the thirteen (13) lot development;
- 5. The LPP land area requirement of One Thousand Seven Hundred Thirty-Five (1735) sq. metres to be satisfied through land dedication;
- 6. Properly signed final subdivision plan to be submitted to the Town for final approvals; and
- 7. Building Permits will be issued subject to the provisions of Quispamsis Subdivision By-law No. 35 and Quispamsis Building By-law No. 44.

Motion Carried

11.3 Assent of Kingsview Subdivision - Phase 20

Moved By Councillor Luck Seconded By Councillor Miller

Whereas the Developer has reached the stage where they are ready to request Building Permits from the Town; and

Whereas the Developer has satisfied the minimum requirements to obtain Building Permits in accordance with Subdivision By-law 035;

Now Therefore, Be it resolved Council grant assent to Kings View Subdivision Phase 20 subject to the following conditions:

- Execution of a standard Developer's Agreement with the Town;
- 2. Depositing with the Town the appropriate security bonding as determined by the Town's Engineering Department;
- Submission inspection reports and record drawings for the road construction, sanitary and stormwater management infrastructure confirming compliance with the engineered design drawings and the Municipal Subdivision Specifications and Guidelines;
- 4. Subdivision filing fees in the amount of Three Hundred and Thirty Dollars (\$330.00) for the thirteen (13) lot development;
- 5. The LPP requirement of Two Thousand Five Hundred Eighty Nine (2589) sq. metres to be satisfied through land dedication as well as the construction of the pedestrian walking trail at the end of Perry Court within the 459 sq. metres of LPP established through Kings View Phase 20;
- 6. Properly signed final subdivision plan to be submitted to the Town for final approvals; and
- 7. Building Permits will be issued subject to the provisions of Quispamsis Subdivision By-law No. 35 and Quispamsis Building By-law No. 44.

Motion Carried

12. Reports

- 12.1 Animal Control Monthly Report Summary As At June 2017
- 12.2 Planning Advisory Committee Meeting Minute of June 13, 2017
- 12.3 Town of Quispamsis Building Report As At June, 2017
- 12.4 Kennebecasis Public Library Board Minutes of May, 2017 Meeting
- 12.5 FCM's CARILED Program Thank You
- 12.6 UMNB 2017 Conference September 29 October 1, 2017 Crowne Plaza Fredericton, NB Councillor Olsen stated he will be attending the UMNB 2017 Conference, noting other Members planning to attend to advise the Clerk for booking purposes.
- 12.7 2017 Quispamsis Bursary Recipient Preston Leadley Thank You
- 12.8 Alaina Lockhart, MP, Fundy Royal Congratulations on Hosting of 48th NB Sports Hall of Fame Induction Banquet & Ceremony at qplex May 27, 2017
- 12.9 CN Right-of-Way Vegetation Control Program in NB

- 12.10 Turner Drake & Partners Newsletter Global Warming Warning Atlantic Canada's Rising Sea Levels
- 12.11 May 2017 Interim Unaudited Financial Statements
- 12.12 Kennebecasis Regional Joint Board of Police Commissioners May 24, 2017 Meeting Minutes & Unaudited Financial Statements As At May 31, 2017

Moved By Deputy Mayor O'Hara **Seconded By** Councillor Rioux

Reports be received and filed.

Motion Carried

- 13. Business Arising from Committee of the Whole (none)
- 14. Adjournment

Moved By Councillor Olsen Seconded By Councillor Rioux

Meeting adjourn.

Motion Carried

Meeting adjourned at 9:25 p.m.

-Gary Clerk Mayor

Elizabeth O'Hara

Catherine P. Snow

C.lerk