

## QUISPAMISIS TOWN COUNCIL REGULAR MEETING MINUTES

**August 16, 2016, 7:00 pm**

**Council Chambers  
Quispamsis Town Hall**

**Members  
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  
Susan Deuville, CAO  
Losier Gary, Director of Engineering & Works

**Staff  
Present**

Deuville, Susan; CAO  
Kennedy, Aaron; Communications Manager  
Losier, Gary, Director of Engineering & Works  
Purton Dickson, Dana; Dir. 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 with the addition under "New Business" as item b)  
*Town Committee Appointments to Kennebecasis Public Library Board and PAC.*

**Motion Carried**

2. **Mayor's Comments** – Mayor Clark recognized it was Deputy Mayor O'Hara's birthday.

3. **Moment of Reflection**

Councillor Thompson read the Moment of Reflection.

4. **Disclosures of Interest**

No disclosures were declared.

5. **Presentations**

- 5.1 The Community Foundation - 40th Anniversary - In Attendance, Kelly Evan and Robert Keays, Chair

Ms. Kelly Evan, Executive Director, informed they are making presentation to all of the Greater Saint John communities to acquaint them with The Greater Saint John Community Foundation and their works. She noted the Foundation was first established 40 years ago by an Act of the NB Legislature to serve as a trustee for charitable, educational and cultural purposes. The Foundation administers funds donated by citizens for the benefit of the Greater Saint John area and its people, and is governed by a volunteer board.

As of October, 2015, the Foundation holds over 13.5 million dollars in invested endowments. Income, each year, from these investments is used to issue grants to charitable activities and support local students from the area. In 2015, over \$538,000 was granted to various causes, including \$40,000 to the Kennebecasis Valley Oasis Youth Centre, and over \$60,000 in scholarships to 45 students.

Robert Keays, Chairman of The Community Foundation's Fundraising Campaign, encouraged Council to support the Greater Saint John Community Foundation's 40th Anniversary Gala Event at Imperial Theatre, October 27, 2016, 5:45 p.m. Tickets can be purchased for \$152 and during the event, a presentation will be made granting a \$40,000 donation to a local charity.

Council Members thanked Ms. Evan and Mr. Keays for their informative presentation.

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

The Greater Saint John Community Foundation's presentation be received and filed.

**Motion Carried**

**6. Public Hearings (none)**

**7. Minutes of Previous Meetings**

**7.1 July 19, 2016 - Regular Meeting**

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

Minutes be approved as prepared.

**Motion Carried**

**8. Unfinished Business**

**8.1 (July 19/16) Bike Lane Request - Curb Design Change Request , Mr. Gillis' Correspondence**

A Staff Report from the Director of Engineering & Works responded to Mr. Brian Gillis' request for dedicated bicycle lanes as well as his request for the elimination of the concrete curb and gutter from the Town's street roadway design. Mr. Losier noted an Active Transportation (AT) Plan was done in 2011 that resulted in specific recommendations and implementation timelines to ensure a comprehensive approach for all forms of non-vehicular transportation. It was understood that the AT Plan was a new way of approaching trails, walkers, cyclists, etc., in the Town. It was recognized that any AT infrastructure plan would have to evolve with



the community based on how the needs changed for the various user groups, and how they could be addressed within the resources of the Town. The choice to utilize the "Shared Route" approach rather than an immediate dedicated bicycle lane was based on a few factors. The community is shifting from a rural to suburban focus and street designs, shoulders etc., do not meet acceptable standards for safe, dedicated bicycle infrastructure. There is increased liability associated with maintenance factors for dedicated bicycle lanes, he said, and bicycles already have the legal right to be on streets regardless if there are dedicated lanes, sharrows or road shoulder.

Mr. Losier's Staff Report indicated the 2011 AT Plan did recommend a dedicated bicycle lane for the Hampton Road to ensure connectivity with any regional network, and further recognized municipal budgetary constraints suggesting that the construction of these lanes could be done during planned upgrades to the street network. The Hampton Road is a Designated Highway and the Town has approached the Province for assistance in resurfacing the street in the Designated Highways Program. The initial cost estimates to widen the Hampton Road from Landing Court to Rothesay border is \$350,000. Mr. Losier noted if the Town is going to develop bike lanes, it needs to be done as a properly designed street plan, which would not eliminate curb and gutter work, if this was considered necessary for proper street drainage.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Olsen

The Town reiterate its position that in accordance with the 2011 Active Transportation Plan that the town's current preferred method for incorporating bicycles, ( along with other alternate forms of transportation), into the exiting street network is through the Shared Route approach and the use of Sharrows. It would also be noted that it is the town's intent to see dedicated bicycle lanes along the Hampton Road, (Rte 100), and that these dedicated lanes would be constructed during street reconstruction as long as funds can be allocated in conjunction with the Provincially Designated Highways Program. Furthermore, it is also



intended to see dedicated bicycle lanes on secondary streets, (AT Collectors), as identified in the AT Plan where an increase in usage and demand warrants and such infrastructure would be developed within the resource capacity of the town.

Further, the town will not change street design parameters to completely eliminate gutter from concrete curb design, but where a dedicated bicycle lane is being considered, the design of the drainage system will take into account bicycle lane surface widths and if necessary the gutter portion may be removed. This of course would be on a case by case basis.

And, lastly, the costs associated with a revision to the 2011 Active Transportation Plan be referred to the 2017 Budget process for discussion and possible incorporation into a future budget on its own or as a part of a Master Transportation Plan.

**Motion Carried**

## **9. Correspondence**

### **9.1 Application to Amend Zoning By-law No. 38 to Permit Car Wash Operation on Pettingill Road as a Notwithstanding Use - Dr. Jeffrey Sheppard**

Dr. Sheppard expanded upon his Wash 66 application to develop a tunnel car wash operation on a 0.5 acre portion of PID No. 30256226, situated off the Pettingill Road. Dr. Sheppard noted his recent proposal differs from his original proposal of 2015 in that it is smaller, using two self-serve bays instead of the originally proposed four, the vacuum facility will be covered to reduce noise pollution, and he proposes to use only 0.5 acres vs. one acre.

Dr. Sheppard stated they have taken ample steps to mitigate water concerns, noting the car wash operation would be on well water, reclaiming 50% of the water used in both the tunnel and self-serve bays. The well production for the year based on a conservative estimate of 4 gallons per minute, he said, and only pumping 12 hours per day will yield 99% of their water needs, based on mid-range projections of cars washed per annum. Further they will have an on-site water storage of 45,000 gallons which is sufficient to wash 2,250 cars. Dr. Sheppard stated they

predict their busiest week possible would not see more than 1500 tunnel car washes. Further, he concluded, the new proposed location, situated further down the Pettingill Road, adjacent to Rothesay's storm water detention pond, has no immediate neighbours, and may serve to stimulate further development of the remaining adjacent three acres of vacant land.

A Staff Report from the Municipal Planning Officer advised Council the property in question is currently zoned Central Commercial. The current land use provisions of the Zoning By-law does not allow for a car wash operation as a permitted or discretionary use. Therefore the request before Council is to consider permitting the car wash operation as a notwithstanding use specific to the requested location only, which can be done through an amendment to the Zoning By-law. Further, Mr. Colbourne's Staff Report stated, the Zoning By-law identifies certain uses that are only permitted when a municipal water supply is available or the applicant can provide sufficient evidence, i.e. hydrogeological report, etc., to satisfy the Town Engineer that the proposed water source has adequate capacity to supply the proposed use and that it will not adversely affect the capacities of wells on surrounding properties.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Thompson

Council accept the Municipal Planning Officer's recommendation to refer Dr. Sheppard's application to amend the Town's Zoning By-law to permit a car wash business on a portion of PID No. 30256226 - Pettingill Road, as a Notwithstanding Use in the Central Commercial Zone to the Planning Advisory Committee, establish a Public Hearing date for September 20, 2016, and the property owners within a 100 meter radius of the proposed development be notified of the proposed Zoning By-law Amendment.

**Motion Carried**

- 9.2 Imperial Theatre's Request to Quispamsis Council to Support Capital Campaign



Ms. Bolton, Executive Director's letter, informed Council Imperial Theatre is currently performing necessary restoration on their historic façade. They have been fundraising for some time and are pleased to report they have raised more than 2/3 of their \$3,000,000 goal. It is their hope that there will be opportunity for Quispamsis Council to consider supporting this important infrastructure, noting the Town's contribution of \$15,000 to their last capital campaign in 2006 was a great help in keeping their facility alive. She noted they would be happy to attend a council meeting to present their case.

**Moved BY** Councillor Loughery

**Seconded By** Councillor Miller

Council accept Lee Bolton's offer to attend Council and expand upon Imperial Theatre's Capital Campaign Restoration Project.

**Motion Carried**

9.3 Department of Transportation & Infrastructure - Request for Updated Five Year Provincially Designated Highways Program

Correspondence from the Department of Transportation and Infrastructure requested the Town's updated Five Year Provincially Designated Highways priorities for 2017, noting the Town's submission will be evaluated along with the needs of all 102 municipalities in the Province.

**Moved By** Councillor Thompson

**Seconded By** Councillor Olsen

The letter from the Department of Transportation & Infrastructure requesting an updated 5 Year Plan for the 2017 Provincially Designated Highways Program be referred to the Director of Engineering & Works for recommendations, keeping in mind the Province's September 30, 2016 deadline date for submissions.

**Motion Carried**



9.4 Town of Rothesay's Appointees to Joint Advisory Group

Correspondence from Mayor Grant of Rothesay indicated Rothesay Council's appointments to the Quispamsis & Rothesay Joint Advisory Group, expiring June 30, 2018.

Mayor Clark informed Council he has extended an invitation to the Rothesay representatives to meet in Quispamsis in September, and from there, the Joint Committee will alternate meeting locations on a regular basis.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Luck

The Town of Rothesay's letter be received and filed with the appointees - Mayor Nancy Grant, Councillor Grant Brenan, Deputy Mayor Matt Alexander, and Councillor Bill McGuire, being duly noted, and the mandate of the Quispamsis/Rothesay Joint Advisory Committee be to investigate the pros and cons of regional cooperation and enhancement of services by looking responsibly at the individual issues and how to make the answers work for both Towns.

**Motion Carried**

9.5 Resignation Letter Received from Jennifer Arsenault - Kennebecasis Public Library Board

A letter from Ms. Jennifer Arsenault tendered her resignation from the Kennebecasis Public Library Board due to other commitments.

**Moved By** Councillor Loughery

**Seconded By** Deputy Mayor O'Hara

Ms. Arsenault be thanked for her service to the Kennebecasis Public Library Board, and her letter be received and filed, and the current vacancy on the Kennebecasis Public Library Board be referred to the Nominating Committee

**Motion Carried**

## 10. By-laws

### 10.1 By-law No. R025; A By-law to Repeal Zoning By-law No. 38-14 - The Brody Company Limited's Withdrawal of Application – 199 Hampton Road (Storage Bins) - Scheduling of Public Hearing Date

A Staff Report from the Town Clerk informed Council, further to Council's resolution of June 21, 2016 accepting the property owner's request to cancel the Section 39 developer's agreement as the applicant no longer wishes to pursue developing storage units at 199 Hampton Road, as part of the cancellation process, Council must repeal Zoning By-law Amendment No. 38-14. Section 74 of the *CPA*, requires that the same process must be followed to repeal a Zoning By-law as to enact one.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Loughery

Notify the PAC of Council's cancellation, at the owner's request, of the Section 39, *Community Planning Act* Agreement re self-storage units at 199 Hampton Road; and further, advise PAC of Council's intention to enact By-law No.R025; A By-law to Repeal Zoning By-law Amendment No. 38-14; and a Public Hearing date be scheduled for September 20, 2016 at 7:00 p.m. pursuant to Section 74 of the *Community Planning Act*.

**Motion Carried**

## 11. New Business

### 11.1 Deer Management Program – 2016 – Kennebecasis Valley - Staff Report from CAO Deuville

Ms. Deuville's Staff Report indicated the Department of Natural Resources is requesting the Town's interest in participating again in a Deer Management Plan in the Kennebecasis Valley for the fall of 2016, similar to the program that has been in place for the past two years. This initiative sees extra doe licenses issued by DNR on properties that meet the required hunting criteria. The program is administered by the

Department of Natural Resources, and requires the participating municipalities' support. The Towns of Hampton and Rothesay have already expressed their support to continue the Deer Management Program for 2016.

**Moved By** Councillor Olsen

**Seconded By** Councillor Miller

Council authorize sending the draft letter from Mayor Clark, (attached), to the Minister Responsible for Natural Resources, The Honourable Rick Doucet, and copied to the two MLA's, and the Towns of Rothesay and Hampton, indicating Quispamsis' support of the continuation of the Deer Management Program in Quispamsis for the fall of 2016.

**Motion Carried**

11.1.1 Letter from Donald Hartford Re 2016 Deer Management Program

Mr. Hartford's letter expressed his support of Quispamsis' continuation as a participant in the 2016 Nuisance Deer Management Program, noting the high number of deer in the community and the danger they present to motorists.

**Moved By** Councillor Olsen

**Seconded By** Deputy Mayor O'Hara

Mr. Hartford be thanked for his letter and he be informed of Council's decision re the 2016 Deer Management Program.

**Motion Carried**

11.2 Town Appointments – Nominating Committee Recommendations to Appoint Courtney Warnell to Kennebecasis Public Library and Carolyn LeBlanc to PAC

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Thompson



Council accept the Nominating Committee's recommendation to appoint Ms. Courteny Warnell to the Kennebecasis Public Library's Board of Directors for a term effective immediately and expiring September 1, 2018.

**Motion Carried**

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

Council accept the Nominating Committee's recommendation to appoint Ms. Carolyn LeBlanc to the Town's Planning Advisory Committee for a term effective immediately and expiring September 1, 2018.

**Motion Carried**

## **12. Reports**

- 12.1 National Coaches Week Proclamation - September 17 - 25, 2016
- 12.2 KV Old Boys - Sponsorship Request - Annual Country & Western Show - November 5, 2016
- 12.3 Thank You from Former Mayor of Quispamsis, Murray Driscoll
- 12.4 Saint John Exhibition Association - Invitation to August 30, 2016 Opening Ceremonies
- 12.5 CNR Rail Safety Update & Annual Report 2016
- 12.6 Sisters of Charity Immaculate Conception - Congratulatory Letter
- 12.7 The YW-YMCA - "In Your Community" Publication
- 12.8 KV Public Library - Summer Reading Program 2016
- 12.9 Rocmaura Foundation Newsletter - August 2016
- 12.10 Town of Quispamsis - Building Report - July 2016
- 12.11 Animal Control Report As At July, 2016

**Moved By** Councillor Miller  
**Seconded By** Councillor Rioux

Reports be received and filed.

**Motion Carried**

13. **Business Arising from Committee of the Whole** (none)

14. **Adjournment**

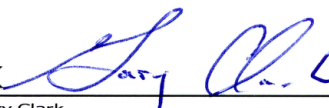
**Moved By** Deputy Mayor O'Hara

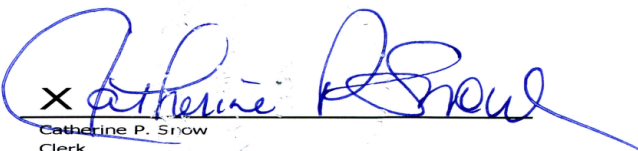
**Seconded By** Councillor Thompson

Meeting adjourn.

**Motion Carried**

Meeting adjourned at 7:40 p.m

X   
\_\_\_\_\_  
Gary Clark  
Mayor

X   
\_\_\_\_\_  
Catherine P. Snow  
Clerk