



**QUISPAMIS TOWN COUNCIL
REGULAR MEETING
MINUTES**

**August 20, 2019, 7:00 pm
Council Chambers
Quispamsis Town Hall**

Present:

Mayor Gary Clark
Deputy Mayor Libby O'Hara
Councillor Beth Thompson
Councillor Emil T. Olsen
Councillor Kirk Miller
Councillor Sean Luck
Councillor Lisa Loughery
Deville, Susan; CAO
Brandon, Krista, Town Treasurer
Kennedy, Aaron; Communications Manager
Losier, Gary; Director of Engineering & Works
Purton Dickson, Dana; Director of Community Services
Snow, Catherine; Town Clerk

Absent: Councillor Pierre Rioux (Out of Province – Family Commitment)

1. Approval of Agenda

Moved By Councillor Luck

Seconded By Councillor Olsen

The agenda be approved as prepared.

Motion Carried

2. Mayor's Comments - None

3. Moment of Reflection - Councillor Olsen led the Moment of Reflection

4. **Disclosures of Interest** - No disclosures were declared.

5. **Presentations**

5.1 (July 16/19) Public Presentation - Little Blossoms Learning Centre - Application to Amend Municipal Plan By-law No. 054 and Zoning By-law No. 38 to Permit Daycare Facility at 86 Meenan's Cove Road - Rural (RU) to Neighbourhood Commercial (NC)

In Attendance, Vicki Newell, BA, ECE, Owner/Operator

Ms. Vicki Newell presented her application to rezone 86 Meenan's Cove Road, PID No. 30290175 from Rural to Neighbourhood Commercial for the construction of an early learning childcare centre on the 1.6 acre lot. Her current daycare operation on Greystone Drive has been at full capacity since 2014 with an extensive waiting list. The new proposed centre will accommodate up to 60 children from 15 months to 12 years of age, employ 7 full time and 2 part time staff with sufficient room for up to 25 parking spaces. Accompanying Ms. Newell's application were building design and site plans.

A Staff Report from the Municipal Planning Officer informed Council the application requires a Municipal Plan and Zoning By-law amendment. Also, since municipal sanitary sewer services is located in the nearby Country View Estates Subdivision, the applicant is proposing to cover the cost of extending the sanitary sewerage system to the proposed centre. Mr. Colbourne stated since the proposed Neighbourhood Commercial development before Council aligns with the policies established in the Municipal Plan, it is the opinion of the Planning Department that the application move forward to the next stage in the Municipal Plan By-law and Zoning By-law Amendment process.

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

Council refer Little Blossoms Learning Centre's application to rezone 86 Meenan's Cove Road from Rural (RU) to Neighbourhood Commercial (NC) to the Planning Advisory Committee for its written views, set a Public Hearing Date for October 1, 2019; and, notify property owners within a 100m radius of the property proposed for rezoning of the proposed change.

Motion Carried

6. **Public Hearings**

6.1 (July 16/19) 280 Hampton Road - CNS Holdings Inc.'s Application to Amend Zoning By-law No. 038 to Permit Additional Apartment Buildings - Single & Two Family Residential (R1) to Multiple Residential (R2)

In Attendance, Mr. Paul Bonnevie, CNS Holdings Inc., Applicant

Mr. Paul Bonnevie, Applicant, expanded upon his application to rezone 280 Hampton Road from Single & Two Family Residential (R1) to Multiple Residential (R2). He noted there is currently a six unit apartment building on the property and upon rezoning approval, he plans to construct a new six unit building this fall, as well as a another six unit building in the future. Mr. Bonnevie stated the project will include paving the driveway/parking lot area, planting trees where required, installation of new lighting, and incorporating an engineered design drainage plan for the site.

A Staff Report from the Municipal Planning Officer informed Council Section 6. (C)(1) of Zoning By-law No. 038 permits more than one apartment to be constructed on the property without subdividing, provided it is zoned to Multiple Residential. This change in the Site Plan, he stated, is not substantial enough to warrant the submission of a new application or necessary to restart the rezoning process. The Developer is shifting the location of the second building to 280 Hampton Road, where all of the required Zoning By-law requirements can be met, including municipal water and sanitary sewerage, setbacks and buffering. The development is being proposed in phases and separate building permits will be required for each phase with separate agreements which will provide the Town with more control over the development of each building, he said.

Mayor Clark read PAC's memo indicating the Committee's support of the proposed rezoning subject to the conditions stated in its Notice of Decision dated August 15, 2019.

Ms. Judith Dunstan was in attendance and expanded upon her letter requesting the site plan should be subject to greater setbacks and buffer protections due to a Protected Water Course under the Clean Water Act that runs along the property line shared with 13 Pinewood Crescent. The second issue, Ms. Dunstan stated was the Town should acquire a right of easement onto the property in order to perform any work required to deal with an ongoing flooding issue at 13 Pinewood Crescent. If these two conditions are met, she said, she would not oppose the R2 rezoning.

A letter of concern from a neighbouring property owner, Janet Garvin stated, while she does not oppose the rezoning from One & Two Family Residential to Multiple Residential, she asked that a buffer zone between her property and 280 Hampton Road be considered. She noted currently after the clearing of this property there

is a section bordering hers where the trees were removed up to the property line. She requested trees be replanted to reinstate a sense of privacy for her adjoining property.

Mayor Clark asked three times if anyone wished to speak for or against the proposed rezoning. No one else spoke.

The Municipal Planning Officer indicated the Site Plan shows the building and the parking areas are pulled away from the adjacent Single-Family properties to the south. An existing buffer does remain however there is an area as referenced by Ms. Garvin that will need the installation of a landscaped buffer to a minimum of a 3.0 m width which can be done through a berm or treed hedging. With reference to Ms. Dunstan's reference to a Protected Watercourse, he stated, a check of the GeoNB website does not show the channel as being such, noting its absence from this site does not mean it may not require some additional review by the Department of Environment as there may be provisional requirements to protect the watercourse during construction. This can be addressed as one of the conditions of approval in the developer's agreement.

Mr. Bonnevie's Engineering Consultant, Sean O'Brien of Brunswick Engineering, spoke to the comprehensive stormwater management plan he will be preparing in response to PAC's request to demonstrate mitigation of any downstream impacts addressing the stormwater runoff at the 280 Hampton Road property.

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

First reading be given to Proposed Zoning By-law Amendment No. 038-31 rezoning 280 Hampton Road, PID No. 30327753 from R1 to R2, subject to entering into a Section 59 CPA Agreement.

Motion Carried

Moved By Councillor Thompson

Seconded By Councillor Loughery

Second reading be given to Proposed Zoning By-law Amendment No. 038-31 rezoning 280 Hampton Road, PID No. 30327753 from R1 to R2, subject to entering into a Section 59 CPA Agreement.

Motion Carried

7. Minutes of Previous Meetings

7.1 July 16, 2019 - Regular Meeting

Moved By Deputy Mayor O'Hara
Seconded By Councillor Thompson

Minutes be approved as prepared.

Motion Carried

7.2 July 23, 2019 - Special Meeting

Moved By Councillor Thompson
Seconded By Councillor Miller

The Special Meeting Minutes of July 23, 2019 be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 Climate Change Committee Recommendations:

8.1.1 *(Apr. 16/19) Grade 5 Ecole des Pionniers' Students' Suggestions to Address Climate Change – Proposed Draft Response Letter*

Moved By Deputy Mayor O'Hara
Seconded By Councillor Luck

Council accept the Climate Change Committee's recommendation to approve sending the attached draft letter to the Grade 5 Ecole des Pionnier Students in response to their well thought out suggestions they had previously presented to Council to address Climate Change.

Motion Carried

8.1.2 *(May 21/19) Proposed Ban on Single Use Plastic Bags at Retail Outlets – Staff Report from Town Clerk for Climate Change Committee*

The Town Clerk's Staff Report informed Council the Climate Change Committee reviewed the issue of a Proposed Ban on Single Use Plastic Bags at Retail Outlets at its August 13, 2019 meeting. It was the view of the Committee the most effective approach of such a ban would be through a provincial-wide ban, similar to what PEI has done, making the transition for NB retailers more standardized, consistent and economical as they adapt their operations from single use plastics to reusable and paper bags.

Moved By Councillor Olsen

Seconded By Councillor Loughery

Council accept the Climate Change Committee's recommendation to send a letter to Premier Blaine Higgs requesting the Province follow the lead of PEI and adopt a Provincial-wide ban against single use plastic retail bags, and a second letter be drafted to UMNb requesting at their upcoming Annual Conference, the attached resolution be supported and put forth by their membership requesting that a unified request be issued to the Province on behalf of NB Municipalities, also requesting the Province's implementation of a Province-wide ban against single use plastic retail bags; and both letters be copied to the municipalities in the greater Saint John Region, Jim Cormier, Director of the Atlantic Retail Council of Canada, as well as to the Ecole des Pionnier students, who had expressed concern re single use plastics, and suggesting that they too may want to write to Premier Higgs requesting the implementation of the single use plastic bag ban.

Motion Carried

As an aside, Mayor Clark reported he and other Mayors, along with UMNb Ex. Director, Margot Cragg, recently met with Minister Carr, Provincial Minister of Environment & Local Government on the concept of a proposed Extender Producer Responsibility Paper, Plastics Packaging Stewardship Program, (EPR – PPP), that would identify end of life management of products as the responsibility of producers.

8.1.3 *(2018) Quispamsis GHG Target Reductions (Corporate) - Tree Planting Initiative*

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

Council endorse the Climate Change Committee's recommendation to explore opportunities, including possibly entering into a potential corporate partnership, to plant trees on town owned vacant properties in the Town's efforts to meet its Corporate (Town) GHG Reduction targets of 12% by 2025 from its 2015 levels.

Motion Carried

8.2 (Nov. 2018) Paving of QR Trail - Staff Report from Director of Community Services

A Staff Report from the Director of Community Services informed Council while the Town's application for funding under the federal Enabling Accessibility Fund to pave the QR Trail was denied, the Town had allocated \$144,681 in the 2019

Capital Budget for this project, with Council adding another \$40,000 for the parking lot development. Of the total project cost of \$184,681; \$94,043 reflected grant revenue. Therefore, the Town's portion without the grant is \$90,638. The paving tender for this project came in significantly under budget at \$90 per tonne vs. the \$125 and \$134 per tonne that was quoted in 2018. Therefore, Ms. Purton Dickson stated, with the cost savings in asphalt, along with the \$46,000 in carry forward trail capital from the 2018 capital budget, there is sufficient money to proceed with paving the 2.8 km trail from Old Coach Road to the Rothesay border, including the construction and paving of the parking lot on the Pettingill Road.

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

Council authorize proceeding with the paving of the QR Trail, given that there is funding for trails in the Town's capital budget carried forward from 2018 as well as the 2019 budget allocation for the QR Trail project, and that the asphalt price savings have come in significantly lower than expected.

Motion Carried

9. Correspondence

9.1 Mr. Jason Doyle Re Building Lot at 59 Jenkins Drive - Concerns re Slowness and Unsightliness of Construction Progress – Residents' Concerns

Staff Report from Director of Engineering & Works

Correspondence from Jason Doyle, written on behalf of the Jenkins Drive Residents, expressed concern re the construction at 59 Jenkins Drive, stating it has been disruptive and unsightly over the past 10 months, with construction equipment running most business days.

A Staff Report from the Director of Engineering & Works informed Council the permit in question has been obtained by a self-contractor and the Town's Building Inspection Staff have been working with this individual to ensure compliance with the National Building Code and the Town's By-laws. He noted a self-contractor or inexperienced builder may not have resources that are available to an established builder, and as a result the project will take longer and appear less organized throughout the process. Site safety and debris management, he said, are the responsibility of the Contractor and the Town will only act if the project inadvertently expands into municipal right of way or onto neighbouring properties. The Building By-law does reference the site is to be kept clean and tidy, and the Building Inspection will be advising the Permit holder of this to ensure

any material brought to the site is associated with the project and not an interim dumping location.

Moved By Councillor Thompson

Seconded By Councillor Miller

Residents be thanked for their correspondence and advised that the concerns will be forwarded to the Building Inspection Department for continued monitoring and inspections in accordance with Town Zoning Bylaw, Building Bylaw and compliance with the National Building Code of Canada.

Motion Carried

9.2 Mayor Don Darling, City of Saint John - Request for Regional Municipalities' Endorsement of Formal Request to Province of NB to Implement the Transfer of Heavy Industrial Property Tax Revenue to Host Municipalities

A letter from Saint John Mayor, Don Darling, addressed to the Mayors of the Greater Saint John Region, requested the neighbouring Councils endorse the following statement:

The Towns of Grand Bay-Westfield, Rothesay, Quispamsis, Hampton and the Village of St. Martins, formally request that the Province of NB implements the transfer of heavy industrial property tax revenue to host municipalities as a first phase of municipal taxation reform. We believe in a growing and thriving region of greater Saint John and need a strong Saint John for this to be achieved."

Moved By Councillor Luck

Seconded By Councillor Olsen

Council not endorse sending to the Province the requested statement as proposed, acknowledging that Quispamsis Council does support municipal tax reform, however, would like clarification as to the impacts on the Province and to NB Municipalities if all heavy industrial property tax revenues were transferred from the Province to NB host municipalities.

Motion Carried

9.3 Mr. Ray Baker - Millennium Drive Development in Quispamsis & Rothesay

Correspondence from Mr. Baker expressed concern re the development of recent high-density apartment buildings on Millennium Drive near the Quispamsis and Rothesay border, and the lack of any support infrastructure such as sidewalks, bike lanes, street lighting and wide road shoulders.

A Staff Report from the Director of Engineering & Works indicated Mr. Baker's specific examples identified most of the issues with areas located in Rothesay, noting that the lower portion of Donlyn Drive is located in Quispamsis where we do have sidewalks and streetlights. With regards to Millennium Drive support services, the initial planning for the development of property along this shared roadway was identified in the Millennium Drive Development Scheme By-law No. 017, noting the area was primarily directed to support Commercial and Light Industrial development and the conditions of development have been applied with those goals in mind.

Moved By Councillor Loughery

Seconded By Councillor Luck

Mr. Baker be thanked for his correspondence and he be provided a brief outline of points as presented by Staff.

Motion Carried

9.4 Spring Freshet 2019 Post Emergency Summary Report

Councillor Olsen commended CAO Deuville for the coordinated emergency response of the Town during the spring freshet 2019, noting a lot of positive things occurred as a result of this. CAO Deuville further acknowledged Dana Purton Dickson, Co-EOC Director and town staff who were key to the success of the Towns' emergency response to the Spring Freshet Flood of 2019.

Moved By Councillor Thompson

Seconded By Deputy Mayor O'Hara

Council to accept the Spring Freshet 2019 Post Emergency Summary report as submitted on behalf of the Quispamsis EMO Planning Committee for information.

Motion Carried

10. By-laws

10.1 (May 7/19) Proposed Zoning By-law Amendment No. 038-30 to Permit a Rebar Business Operation at 929 Hampton Road, (Former Leisure Time RV Sales & Service Property) - PID No. 30178727 - Harris Rebar

The Municipal Planning Officer informed Council the property owner, Leisure Time Sales and the Town of Quispamsis have signed the Section 59 developer's agreement, and Harris Rebar, the third party to the agreement, has indicated their support of the agreement, and will sign once Kierstead Quigley & Roberts

completes the survey showing the portion of the leased lands that they will be using for their rebar operation, to be attached as a Schedule to the agreement.

Proposed Zoning By-law No. 038-30 was read in its entirety.

Moved By Councillor Olsen

Seconded By Councillor Miller

Subject to the finalization of the Section 59 Community Planning Act agreement, Council give third and final reading to Zoning By-law Amendment No. 038-30 to Permit a Rebar Business Operation at 929 Hampton Road, PID No. 30178727, as a notwithstanding use in a Highway Commercial Zone.

Motion Carried

10.2 (July 16/19) Proposed Traffic By-law Amendment No. 27-30; Gondola Boulevard and Teslin Drive Intersection - Removal of Two Stop Signs

Proposed By-law No. 27-30 was read in its entirety.

Moved By Councillor Luck

Seconded By Councillor Thompson

Third and final reading be given to Traffic By-law Amendment No. 27-30; removing the two stop signs at Gondola Boulevard and Teslin Drive intersection.

Motion Carried

10.3 (Aug.20/19) Local Improvement By-law No. 011 2019-1

Moved By Councillor Thompson

Seconded By Deputy Mayor O'Hara

First reading be given to Local Improvement By-law No. 011-2019-1.

Motion Carried

Moved By Councillor Loughery

Seconded By Councillor Miller

Second reading be given to Local Improvement By-law No. 011-2019-1.

Motion Carried

11. New Business

11.1 Award of Tender - Gondola Point Road Lift Stations 3, 4, & 5 - Overflow Control Chambers

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

Recommend the town award the Gondola Point Road – Lift Stations 3, 4 & 5 Overflow Control Chambers, Tender No. 2019TQ07-23 to the low tenderer, Fairville Construction. for the Tender price of \$ \$126,760.00, (Excluding HST).

Motion Carried

11.2 Award of Tender - Longwood Wastewater Pumping Station Tender No. 2019TQ07-22

Moved By Councillor Loughery

Seconded By Councillor Luck

Recommend the Town award the Longwood Wastewater Pumping Station Tender No. 2019TQ07-22 to the low tenderer Fairville Construction. for the Tender price of \$ 310,680.00, (Excluding HST).

Motion Carried

11.2.1 Sole Sourcing of Longwood Park Pump - Staff Report from Director of Engineering & Works

Moved By Councillor Olsen

Seconded By Councillor Luck

Accept Staff's recommendation that the Town enter into a pre-purchase agreement with John Brooks Company Limited for the purchase of two (2) VAUGHAN Model S3P-575V-093 submersible chopper pumps and identified accessories per quote WQ-1907-62801654-0-TA-15450 – Rev1. For quoted price of \$ 59,968.00 (plus HST).

Motion Carried

12. Reports

12.1 Planning Advisory Committee Minutes of June 11 & 25, and July 23, 2019 Meetings

12.2 Town Treasurer - Unaudited Financial Statements as at June 30, 2019

- 12.3 Kennebecasis Public Library Inc. - May 15, 2019 Board Minutes and Associated Documents
- 12.4 Town of Yarmouth, NS - Invitation Communities in Bloom Symposium and Awards - September 25 - 28, 2019
- 12.5 Art4Life Inc. - Healthy Seniors Pilot Project Update
- 12.6 Kennebecasis Regional Joint Board of Police Commissioners' Call Summary As at June 2019
- 12.7 Kennebecasis Regional Joint Board of Police Commissioners' Board Meeting Minutes of May 22, 2019 & Associated Documents
- 12.8 Town of Quispamsis - Building Inspection Services Report - As At July 2019
- 12.9 Animal Control Call Statistics Over a 15 Year Period & Animal Control Monthly Report Summary
- 12.10 Climate Change Committee Notes from August 13, 2019 Meeting

Moved By Councillor Olsen

Seconded By Councillor Miller

Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole

14. Adjournment

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

Meeting adjourn. Meeting adjourned at 8:20 p.m.

Motion Carried

X

Gary Clark
Mayor

X

Catherine P. Snow
Clerk