



**QUISPAMISIS TOWN COUNCIL
REGULAR MEETING
MINUTES
January 17, 2017, 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
Deville, Susan; CAO
Losier, Gary; Director of Engineering & Works
McGraw; Jo-Anne, Town Treasurer
McPhee, Richard; Town Solicitor
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

Mayor Clark opened the meeting by extending a Happy New Year to residents and neighbouring communities.

Act of Bravery – Mayor Clark acknowledged the recent selfless act of off-duty Constable, Corey McAllister, of the Kennebecasis Regional Police Force, who used his personal courage along with the high level of training expected of the officers of KRPF to free an individual from a burning automobile.

Sport Tourism Fund – Mayor Clark informed Council the Town supported the 31st Annual Canaport LNG Riverboat Classic Basketball Tournament, which consisted of 10 teams at KVHS. He noted this has become a signature winter sport for Quispamsis and thanked the organizers of this yearly event.

Winter Weather Challenges – Mayor Clark encouraged citizens to keep a watch out for seniors, recognizing the winter weather can present challenges, acknowledging a hand with shoveling, salting or sanding goes a long way to ensure safe driveways.

Kennebecasis Valley Minor Hockey Association’s “Give Back Challenge” - Mayor Clark thanked Hockey Canada for recognizing the Kennebecasis Valley Minor Hockey Association’s “Give Back Challenge”. The Challenge, he said, started a few years back when a minor hockey team helped clean up the yard of their coach’s neighbor who was battling cancer. It grew from there and now the KVMHA teams do a variety of good deeds, including fundraising for SPCA and the KV Food Basket, sponsoring a family for Christmas, and picking up garbage from the streets on Earth Day. He commended the KVMHA for their commitment to the community, noting Hockey Canada has created a terrific video, and he encouraged everyone to check it out on social media.

3. **Moment of Reflection** – Councillor Loughery read the Moment of Reflection.

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

5. **Presentations**

5.1 Presentation of Proposed Municipal Plan By-law Background Document – Mr. Dwight Colbourne, Municipal Planning Officer, In Attendance

Mr. Colbourne made presentation to Council providing highlights of the *Municipal Plan Review - Background Study Document*, prepared by the Municipal Planning Department under the guidance of Mr. Ron Corbett, MCIP, Corbett Consulting Ltd. The Background Document noted that during the past decade, Quispamsis experienced an unprecedented growth that earned the Town recognition of being the fastest growing community in NB, and for a period, in Atlantic Canada. The tax assessment base grew by more than 46% to over \$1.6 billion from \$807 million in 2006. Road kilometrage extended by more than 26 km, and investment in utility infrastructure over the past five years totaled \$27 million to address the issues generated by the rapid growth. Quispamsis recognized the importance of community services and facilities to the overall quality of life, and invested millions of dollars into the building of recreational facilities to meet the needs of the families who had made Quispamsis their home.

Further to that, a Public Opinion Survey completed in 2015 found that these investments into Quispamsis has created a high quality of life with 96% of those polled expressing their overall satisfaction of Good to Excellent. Mr. Colbourne noted the challenge moving forward for the community as a whole will be to maintain the high quality of life and continue to grow in a sustainable manner that meets the needs of today without compromising the needs of future generations.

The new Municipal Plan will establish the community blueprint, and will set out long term policies and proposals to guide Council and Staff on future land use and overall development within the Town over the next 10 year period. The Municipal Plan will be a living document, reflective of the trends in the marketplace and needs of the community.

Mr. Colbourne stated results of the Background Study indicate the new Municipal Plan's policies will -

- Provide housing options other than single-family dwellings;
- Promote infilling development to take advantage of infrastructure already in the ground;
- Expand the water system to the commercial district of the Hampton Road and Pettingill Road areas, and through the Old Coach Road to the CN Railway and Route 119 to increase housing density on large tracts of land;
- Recognize the benefits of a Recreation Master Plan;
- Implement resiliency planning to protect land owners, existing public assets and reduce environmental impacts by recognizing pre-existing conditions and mitigating post-development problems;
- Review the current Land for Public Purposes Policy;
- Increase Planning Fees to bring more in line with other Municipalities and to cover costs; and,
- Establish a Stormwater Management Plan that will balance the need to ensure adequate recharge of the groundwater.

In closing, Mr. Colbourne highlighted the proposed timeline and schedule of meetings for the adoption process of the new Municipal Plan and Zoning By-laws with it being noted that some Members may not be in attendance for the March 7, 2017 meeting as it falls during the March Break.

Council thanked Mr. Colbourne for his thorough and informative presentation.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

Council accept the Background Study for the new Municipal Plan as presented, and the draft Municipal Plan be finalized for submission to Council in February, 2017.

Motion Carried

6. Public Hearings

6.1 Apr.7/15) 351 Hampton Road (PID No. 00253641) – Condo Development – Request from Cal Cipolla, 606366 Ltd. – Request to Amend Section 39 Community Planning Act Agreement - No Written Objections

Mayor Clark called three (3) times if anyone wished to speak for or against the proposed amendment to the Section 39 developer's agreement that would permit a two year extension to the current deadline for submitting a building permit for the 351 Hampton Road development project.

PAC's Notice of Decision - PAC's written views indicated its support of the proposed amendment to the agreement that would extend, by two years, the deadline date for the building permit application.

No one wished to speak for or against the proposed amendment.

Moved By Councillor Olsen

Seconded By Councillor Miller

Given that no public opposition has been received, and that the Planning Advisory Committee has indicated its support of Mr. Cipolla's application, Council approve the request to amend the Section 39 Developer's Agreement between 606366 NB Ltd. and the Town, dated October 2, 2015 that will extend the deadline for submission of the Building Permit Application by two years to December 31, 2018 with respect to the Multi-Residential Condominium Development at 351 Hampton Road, (PID No. 00253641).

Motion Carried

7. Minutes of Previous Meetings

7.1 December 20, 2016 - Regular Meeting

Moved By Councillor Rioux

Seconded By Councillor Thompson

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 (Oct.18/16) EPR – PPP Program - Letter from Nancy Lyon & Steve Sanderson & Copy of Correspondence from Steve Sanderson to Premier Gallant

Ms. Lyon and Mr. Sandersons' letter encouraged Council to ask UMNB to follow through on their resolution adopted at the 2016 Annual Conference by taking a more active role in promoting the EPR-PPP initiative. The letter noted this could be done by UMNB requesting its Francophone counterpart Association being asked to pass a similar resolution; and also requesting a meeting with the Premier and Minister of Environment and Local Government to expedite this important Program. Ms. Lyon and Mr. Sandersons' correspondence to Premier Gallant provided background information to the Premier concerning the EPR – PPP Program initiative, and urged the Premier to move forward with this progressive and cost effective program that will create new types of employment, while protecting the natural environment.

Draft Letter to UMNB Prepared for Mayor Clark's Signature – The proposed letter addressed to UMNB Board of Directors encouraged the Association, on behalf of NB Municipalities, to pursue lobbying for the implementation of the Waste Packaging and Paper Stewardship Program as suggested in the aforementioned letter.

Moved By Councillor Thompson

Seconded By Councillor Loughery

In response to Mr. Sanderson's suggestion, Council authorize sending the draft letter prepared for Mayor Clark's signature to UMNB's Board of Directors requesting the Board to take an active role in promoting the EPR-PPP initiative.

Motion Carried

MOVED BY Councillor Olsen

SECONDED BY Deputy Mayor O'Hara

Council request the UMNB Executive Director to add the EPR-PPP Program onto the 2017 UMNB Annual Conference Agenda for an update at that time.

Motion Carried

9. Correspondence

9.1 Kennebecasis Valley Fire Department Inc. - Chairman Brian Shanks Re Reallocation from 2016 Operating Surplus to 2016 Capital Purchases

Mr. Shanks' correspondence requested Council's endorsement of reallocating a portion, (\$54,000), of the Kennebecasis Valley Fire Department's 2016 operating budget surplus, (\$150,000), to pay for the 2016 approved capital purchases.

Moved By Councillor Loughery

Seconded By Councillor Luck

The Quispamsis Town Council endorse the Kennebecasis Valley Board of Fire Commissioners' recommendation to reallocate \$54,000 from the forecasted surplus in the 2016 operating budget to pay for the 2016 approved capital purchases.

Motion Carried

9.2 Letter from Nancy Lyon & Steve Sanderson Re Enterprise Saint John

Mr. Sanderson and Ms. Lyon's letter expressed their disappointment with Council's decision to fund ESJ only 50% of their \$112,000 ask as part of the 2017 budget process; and asked, in moving forward, that Mayor Clark, as a member of the Regional Oversight Committee, (ROC), to initiate meeting schedules between ROC and ESJ, to review ESJ's plan, establish reasonable expectations for both bodies, and to report regularly at open meetings of Council to provide updates of the ROC deliberations.

Mayor Clark thanked Mr. Sanderson and Ms. Lyon for their letter. He noted, in response to the particular action items directed to him in the letter, he has read ESJ's new work plan, and attended a ROC meeting where it was discussed earlier in the day. ROC, he said, will be providing feedback to ESJ, noting the work plan is not a public document at this time, but once it becomes public, he will be happy to share it. He further referenced Council's motion of December 20, 2016 to invite ESJ to appear before Quispamsis Council in June to update Members on the status of their work plan and the progress made to date. He noted Council remains funding partners with ESJ and are eager to see them succeed, and the Town will continue its commitment to work with ESJ as a Council and through his position on the ROC.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

Mr. Sanderson's letter be received and filed.

Motion Carried

10. By-laws

10.1 Aug.16/16) Proposed Zoning By-law No. 038-22 Re Car Wash Operation (Wash 66) - Portion of PID No. 30256226 Off Pettingill Road

Mayor Clark acknowledged he and Councillor Miller were absent at the September 20, 2016 Public Hearing, and, pursuant to the Procedural By-law No. 33; Item 18.A; both he and Councillor Miller are precluded from taking part in the debate.

Mayor Clark and Councillor Miller left the room. Deputy Mayor O'Hara presided.

Staff Report from Director of Engineering & Works; and Abbreviated Water Supply Source Assessment for Wash 66, PID 30256226 by Fundy Engineering - Mr. Losier's Staff Report related that upon closing of the Public Hearing last September, Council had unanswered questions concerning the use of the groundwater source to supply the requirements of this type of operation. Council has therefore tabled consideration of first reading to provide the applicant and Town Staff an opportunity to address water quantity issues. The applicant has engaged Fundy Engineering to complete an Abbreviated Water Supply Source Assessment. The Consulting firm has reviewed the surrounding geology, along with documented well logs from existing wells in the immediate area. Fundy Engineering have concluded there is sufficient ground water quantity for single family residential supplies in the order of 1800 litres per day, and to protect the consumption there is a pumping rate cap of 13.5 litres per minute recommended for the use of any groundwater source. The study also indicates the water quality would support potable uses.

Mr. Losier's Staff Report recommended first reading be considered in conjunction with the Town Solicitor being asked to review Staff's proposed terms and conditions as outlined in his January 12, 2017 Report to determine their reasonableness and enforceability as part of a Section 39 CPA agreement.

Moved By Councillor Loughery

Seconded By Councillor Olsen

The proposed Zoning Bylaw Amendment No. 038-22 receive first reading and the following proposed conditions of approval be referred to the Town Solicitor to determine if these conditions can be considered reasonable and enforceable in a Developer's agreement:

1. Request the completion of a full hydrogeological study to be submitted one year from the date of approval;

2. To cap the maximum well pump rate to that of an average residential home as identified in Fundy Engineering's report 13.5 l/min;
3. To cap the maximum daily extraction rate as identified in Fundy Engineering's Report of 1800 l/day;
4. Design to include appropriate additional water storage to accommodate the pumping and consumption conditions;
5. The developer provide monthly pumping and consumption reports to the town until such time as the Town agrees to a reduced schedule;
6. Should the development proposed be approved and evidence is presented that its operation is negatively impacting the local groundwater source, that water required for the car wash operation be supplied from an off-site source; and,
7. The proposed project will include appropriate runoff controls to prevent release of oils and grease as well as solids to the surrounding area.

Motion Carried

Mayor Clark and Councillor Miller returned to the meeting.

- 10.2 (Dec.20/16) Proposed By-law Amendment No. 005-16; A By-law of the Municipality of Quispamsis Respecting the Sewerage Utility

Moved By Councillor Olsen

Seconded By Councillor Thompson

Sewerage Utility By-law Amendment No. 005-16 receive third and final reading increasing the sewerage rate by \$8, (2%) from \$404 per equivalent user to \$412 per equivalent user..

On the question, By-law No. 005-16 was read in its entirety.

Motion Carried

- 10.3 (Dec.20/16) Proposed By-law Amendment No. 024-11 to By-law No. 24 of the Municipality of Quispamsis Respecting Water Utility

Moved By Councillor Luck

Seconded By Councillor Olsen

Third and final reading be given to Water Utility By-law Amendment No. 024-11 increasing the Water User Fee Fixed Charge Component by 2% with the basic rate going from \$204 to \$208 annually, with larger meters increasing by 2%. The Water User Fee Consumption Charge Component up to 96 cm per quarter, to be increased by 2.4% from \$0.82 to \$0.84 per cm. The second level usage charge to increase from \$1.30 to \$1.33 per c.m (2.3%).

On the question, By-law No. 024-11 was read in its entirety.

11. New Business

11.1 Nominating Committee's Recommendations Re Town Committee Appointments
– A Staff Report from CAO Deuille, on behalf of the Nominating Committee, related the Committee recently reviewed the Town's Committee Appointments that expire January 31, 2017, and hereby submits for Council's consideration the following recommendations:

1. Kennebecasis Public Library Board -

- *Amy Watling* - 2 year extension effective February 1, 2017 and expiring January 31, 2019.
- *Kevin Winchester* – 2 year extension effective February 1, 2017 and expiring January 31, 2019.

2. Planning Advisory Committee

- *Kendall Mason* - 3 year term, effective February 1, 2017 and expiring January 31, 2020 - New Member;
- *Marc Gosselin* - 3 year extension, effective February 1, 2017 and expiring Jan 31, 2020;
- *Bob McLaughlin* – 2 year extension, effective February 1, 2017 and expiring Jan 31, 2019;
- *Jean Place* - 2 year extension, effective February 1, 2017 and expiring Jan 31, 2019;
- *Darren Bishop* - 1 year extension, effective February 1, 2017 and expiring Jan 31, 2018;
- *Darin Lamont* - 1 year extension, effective February 1, 2017 and expiring Jan 31, 2018;

And Councillor Pierre Rioux and Mark Hatfield be thanked for their many years of service on PAC.

3. Unsightly Premises Appeals Committee (Made up of PAC Members)

- *Jean Place* – 2 year extension, effective February 1, 2017 and expiring January 31, 2019
- *Darren Bishop* – 1 year extension, effective February 1, 2017, expiring January 31, 2018
- *Kendall Mason* – 3 year appointment, effective February 1, 2017, expiring January 31, 2020

4. Imperial Theatre

- Paula Copeland – (currently expires, June 20, 2017) Recommended 2 year extension to June 30, 2019

Mayor Clark thanked Mr. Mark Hatfield and Councillor Pierre Rioux for their dedicated service to PAC. He made special mention of Councillor Rioux's time on PAC, noting he first served as a civilian member in 1989, and then as a Council representative since 2004, nearly 13 consecutive years.

Councillor Rioux thanked the Mayor for his kind words, acknowledging his appreciation to the Town for the opportunity to serve on PAC for so many years, a rewarding and enjoyable experience, noting PAC Members have done an excellent job on community planning issues over the years.

Moved By Councillor Thompson
Seconded By Deputy Mayor O'Hara

The Nominating Committee's recommendations re Committee appointments and reappointments, effective February 1, 2017 be accepted, and letters of thanks be issued to Councillor Pierre Rioux and Mr. Mark Hatfield for their many years of dedicated service to the Planning Advisory Committee.

Motion Carried

11.2 Gondola Point Park - Phase 10 - Council Assent - (2 Lot Subdivision)

A Staff Report from the Municipal Planning Officer informed Council the proposed subdivision will create two lots and the extension of Aaron Avenue. An Administrative PID Consolidation of PIDS 00248138, 00248104 and 00247973 created Lot 5G, providing the remnant parcel that was previously landlocked, now access off Matthews Drive as well as Merritt Hill Road; and is now identified as PID 30325906. Mr. Colbourne stated the creation of the LPP will be done through a separate subdivision plan that will request assent of council.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Rioux

Council assent to Gondola Point Park Subdivision Phase 10, subject to the following terms and conditions:

- 1) A revised engineered design for the construction of the street, sanitary sewerage and stormwater management systems as approved by the Town's Engineering Department;
- 2) Extension of the Public Street, (Aaron Avenue), and the municipal sewerage system to the boundary of the R.J. Scott Homes Ltd. property in accordance with Subdivision By-law 035;
- 3) Execution of the Land Transfer Agreement for the transfer of the Land for Public Purposes area as shown on the Gondola Point Park Subdivision Land for Public Purpose Plan.
- 4) Land for Public Purposes requirements in the amount of 306.1 sq. metres is to be met through the dedication of land as agreed in principle and depicted on the attached Gondola Point Park Subdivision Land for Public Purpose. In the absence of the land dedication, A. Malcolm Properties Ltd. will be required to pay the Town One Thousand Five Hundred Dollars (\$1500) in LPP fees.
- 5) Payment of Subdivision Filing fees in the amount of One Hundred Dollars (\$100) for a two (2) lot subdivision;
- 6) Standard Development Agreement and bonding as determined by the Engineering Department will be required; and

7) Final Plans to be properly signed by the necessary Public Utilities and Owner(s).

Motion Carried

12. Reports

- 12.1 PAC 2016 Annual Review
- 12.2 Animal Control - Year End Report 2016
- 12.3 Town of Quispamsis Building Report As At December, 2016
- 12.4 Canada 150
- 12.5 Steve Sanderson - Copy of Correspondence to Regional Mayors & TJ
- 12.6 Financial Donation - Bullying Canada
- 12.7 Kennebecasis Valley Fire Department Inc. - November 22, 2016 Minutes
- 12.8 Union of Municipalities of New Brunswick - 2016 Annual Report

Moved By Councillor Luck
Seconded By Deputy Mayor O'Hara
Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole (None)

14. Adjournment

Moved By Councillor Thompson
Seconded By Councillor Olsen
Meeting adjourn.

Motion Carried

Meeting adjourned at 8:50 p.m.

X

Gary Clark
Mayor



X

Catherine P. Snow
Clerk

