



QUISPAMISIS TOWN COUNCIL

REGULAR MEETING

MINUTES

July 16, 2019, 7:00 pm

Council Chambers

Quispamsis Town Hall

Present:

Mayor Gary Clark
Councillor Beth Thompson
Councillor Pierre Rioux
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: Deputy Mayor Libby O'Hara (death in family)

1. Approval of Agenda

Moved By Councillor Rioux

Seconded By Councillor Loughery

The agenda be approved as prepared.

Motion Carried

2. **Mayor's Comments** – Mayor Clark acknowledged Deputy Mayor O'Hara's absence is due to the passing of her father, the late Mr. Ronald Corbin, and extended condolences to the Corbin and O'Hara family on behalf of Council and Staff.

3. **Moment of Reflection**

Councillor Thompson read the Moment of Reflection.

4. **Disclosures of Interest**

No disclosures were declared.

5. **Presentations**

6. **Public Hearings**

7. **Minutes of Previous Meetings**

7.1 June 18, 2019 - Regular Meeting

Moved By Councillor Miller

Seconded By Councillor Olsen

Minutes be approved as prepared.

Motion Carried

8. **Unfinished Business** – None

9. **Correspondence**

9.1 Little Blossoms Learning Centre - Application to Amend Municipal Plan By-law No. 054 and Zoning By-law No. 038 to Permit Daycare Facility at 86 Meenan's Cove Road, PID No. 30290175.

Rural (RU) to Neighbourhood Commercial (NC)

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

Ms. Newell expanded upon her application to amend the Municipal Plan and the Zoning By-law to permit a rezoning from Rural to Neighbourhood Commercial for the construction and operation of a daycare facility at 86 Meenan's Cove Road, PID NO. 30290175. She noted she currently operates a fully licenced daycare with two full-time employees and has up to 20 children. The proposed Early Learning Centre will be licenced to accommodate up to 60 children from ages 15 months to 12 years, noting she currently has a large waiting list of people looking for daycare services.

A Staff Report from the Municipal Planning Officer informed Council the purchase of the property is conditional upon the rezoning. The applicant proposes, at her cost, to extend the municipal sanitary sewer system from Country View Estates Subdivision. Mr. Colbourne stated the proposed Neighbourhood Commercial zone can adequately satisfy the provisions necessary to permit the proposed land use, including parking, and landscape buffering.

Moved By Councillor Olsen

Seconded By Councillor Miller

In accordance with Sections 25 and 111 of the Community Planning Act 2017, c.19 of the Province of New Brunswick, Council set a Public Presentation date for August 20, 2019 at 7:00 p.m.

Motion Carried

9.2 Mr. Paul Bonnevie, CNS Holdings Inc. - Application to Amend Zoning By-law No. 038 to Permit Additional Apartment Building at 280 Hampton Road

Single & Two Family Residential (R1) to Multiple Residential (R2)

Correspondence from Mr. Paul Bonnevie, CNS Holdings Inc., owner of 280 Hampton Road, requested the property be rezoned from R1 Residential to R2 Multiple Residential to permit the construction of a two storey, six unit apartment building.

A Staff Report from the Municipal Planning Officer informed Council the property currently has a six unit apartment building situated upon it, but it is recognized as a legal non-conforming use. In order to construct additional buildings on the property, the Zoning By-law No. 038 requires the land to be rezoned to Multiple Residential. Mr. Colbourne confirmed a review of the application by the Planning Department found the development can satisfactorily meet or exceed the requirements of the Municipal Plan By-law for Multiple Residential (R2) zoning. The existing building and the new building will be serviced by municipal water and sewerage, and the lot size provides sufficient setback and buffering requirements.

The Site Plan submitted with the application, Mr. Colbourne stated, includes a second building - the first at the rear of 280 Hampton Road and the second, to the north at 284 Hampton Road, (labelled Future 6 Unit Building). CNS Holdings Inc. is actively seeking to purchase 284 Hampton Road, and if the property is acquired, they will move forward with their plan to possibly construct the third apartment building as shown on the site plan. For the time being, however, the focus of the application is to rezone 280 Hampton Road.

Moved By Councillor Luck

Seconded By Councillor Olsen

Council direct the Town Clerk to refer the application requesting the rezoning of 280 Hampton Road (PID 30327753), from Single or Two-Family Dwellings (R1) to Multiple Residential (R2) to the Planning Advisory Committee for their written views, set a Public Hearing date scheduled for August 20, 2019, and notify property owners within 100 metres of the subject property in accordance with the New Brunswick Community Planning Act 2017, c.19.

Motion Carried

9.3 Letter from Jim Cormier, Director, (Atlantic), Retail Council of Canada - Single Use Plastic Bags - Review of Potential Ban

Mr. Cormier's letter, written on behalf of the Retail Council of Canada (RCC) members, noted any government action to eliminate or reduce single use plastic bags will affect customer convenience and will cause some customer backlash. RCC has been consistent in its national position that if such actions were to occur, it should be taken at the provincial level to at least create a level playing field for inter-provincial retail competition while maintaining administrative efficiency for retailers doing business in multiple communities across the province. In 2017, Mr. Cormier advised, RCC had submitted to NB's Department of Environment a list of preferred approaches to reduce the use of single use plastic bags in NB. Provincial governments in the rest of Atlantic Canada have since been in continual contact with RCC to ensure a collaborative approach as they develop official plans of action. Regrettably, he wrote, the Province of NB has only recently begun to show interest in this issue, nevertheless, RCC continues to push the NB government for this action plan as they feel a province wide approach is in the best interest of stakeholders.

Moved By Councillor Thompson

Seconded By Councillor Luck

Mr. Cormier be thanked for his correspondence providing input from the Atlantic Retail Council of Canada on the potential ban of single use plastic bags, and his letter be referred to the Climate Change Committee for consideration as part of their current review.

Motion Carried

9.4 Ms. Anne Weaver Downey - Concerns Re Pesticide Spraying on Town Properties

Correspondence from Ms. Downey expressed her concern with the recent Acelepryn herbicide spraying that took place on town properties. She stated Acelepryn is a new herbicide, and there is no timeline effects yet on people, waterways, nor groundwater. She asked if these chemicals must be used, then proper notice be given to residents of the Town, and the areas of where the sprays are occurring, noting the Town had a long standing No Spray Policy which appears to have been broken.

A copy of a response to Ms. Weaver Downey from the Town Clerk related the use of applying a pesticide solution on town owned properties this year was as a solution to restore the Town's recreational properties that were extensively damaged by the grub infestation. This was approved as an exception to the Town's No Spray Policy after attempts to correct the infestation organically with the natural use of nematodes had failed. It was noted the grub control application was advertised on social media and the affected areas were posted and closed from public use for a 24 hour period.

Moved By Councillor Rioux

Seconded By Councillor Miller

As a response has already been issued to Ms. Downey confirming Quispamsis still has, in effect, its No Pesticide Spray Policy and explaining the circumstances of this year's spray was for the purpose of resolving the grub infestation issue on town owned properties, that her correspondence be received and filed.

Motion Carried

9.5 Ms. Angela Campbell, Executive Director, Imperial Theatre - Request for Reappointment of Ms. Paula Copeland

Correspondence from Ms. Campbell, on behalf of the Imperial Theatre Board, requested the extension of Ms. Paula Copeland's term as Quispamsis' representative on the Imperial Theatre's Board of Directors.

Moved By Councillor Rioux

Seconded By Councillor Loughery

Council accept the Nominating Committee's recommendation to reappoint Ms. Paula Copeland to the Imperial Theatre Board of Directors for another three year term, effective immediately and expiring October 31, 2022 to coincide with the Board's Annual General Meeting date.

Motion Carried

10. By-laws

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

The Municipal Planning Officer recommended Council table this item to the next meeting as the Section 59 *Community Planning Act* development agreement has not yet been finalized.

Moved By Councillor Miller

Seconded By Councillor Loughery

Council table the Dobson brothers' proposed application to amend the Zoning By-law to permit a Rebar Business at 929 Hampton Road as a notwithstanding use in a Highway Commercial Zone to the August 20, 2019 Regular Meeting, to permit time to finalize the developer's agreement.

Motion Carried

- 10.2 (Jun 18/19) Proposed Parks & Beaches By-law No. 058

Proposed Parks and Beaches By-law No. 058 was read in its entirety.

Moved By Councillor Loughery

Seconded By Councillor Thompson

Third and final reading be given to Proposed Parks and Beaches By-law No. 058, and the current Parks and Beaches By-law No. 30 be repealed.

Motion Carried

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

(Consideration of 1st & 2nd Reading)

Moved By Councillor Luck

Seconded By Councillor Rioux

First reading be given to Traffic Bylaw Amendment No. 027-30 removing the two stop signs on Gondola Boulevard at the intersection of Gondola Boulevard with Teslin Drive, leaving the stop sign on the approach from Teslin Drive.

Motion Carried

Moved By Councillor Thompson
Seconded By Councillor Olsen

Second reading be given to Traffic Bylaw Amendment No. 027-30 removing the two stop signs on Gondola Boulevard at the intersection of Gondola Boulevard with Teslin Drive, leaving the stop sign on the approach from Teslin Drive.

Motion Carried

11. New Business

11.1 Award of Tender - Gondola Boulevard Phase 3 – 2019 Road Upgrades – Marianne Drive to Saunders Drive

Moved By Councillor Olsen
Seconded By Councillor Loughery

Council award the Gondola Boulevard 2019 Road Upgrades – Marianne Drive to Saunders Drive - Tender No. 2019TQ06-18 to the low tenderer, Midi Construction. for the Tender price of \$ \$219,085.00 (Excluding HST).

Motion Carried

11.2 Heritage Subdivision Phase 1 – Subdivision Agreement Status

Moved By Councillor Luck
Seconded By Councillor Olsen

Council authorize a 60 day extension to Heritage Estates Subdivision Phase 1 to September 12, 2019 to address identified construction deficiencies and to also amend the Phase 1 agreement to permit completion of seal asphalt and a portion of concrete sidewalk under the provisions of the next phase of Heritage Estates provided appropriate conditions can be included to protect impacts to the existing infrastructure.

Motion Carried

12. Reports

12.1 Town of Quispamsis Building Report As At June 30, 2019

12.2 Town of Quispamsis 2018 Annual Report

12.3 KV Players Media Release for Summer Season

12.4 Quispamsis Planning Advisory Committee - Minutes of June 11, 2019 Meeting

- 12.5 Olivia Chapman - Thank you - Quispamsis Scholarship Recipient
- 12.6 Amendment to Local Government Act - Tourism Accommodation Levy
- 12.7 Animal Control Report As At June 2019

Moved By Councillor Rioux
Seconded By Councillor Miller

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 Thompson

Meeting adjourn. Meeting adjourned at 7:33 pm

Motion Carried

X 

Gary Clark
Mayor

X 

Catherine P. Snow
Clerk

