

TOWN OF ST. STEPHEN
REGULAR COUNCIL
73 MILLTOWN BLVD., SUITE 112
MONDAY, JULY 23, 2018 @ 7:00 P.M.

1. MOMENT OF SILENCE

Mayor MacEachern requested a moment of silence.

2. RECORDING OF ATTENDANCE

PRESENT: Mayor Allan MacEachern; Deputy Mayor Jason Carr; Councillors Marg Harding, Ghislaine Wheaton, David Hyslop, and Phil Chisholm; Chief Administrative Officer Jeff Renaud; and Town Clerk Joan Flewelling.

ABSENT: Councillor Ken Parker.

3. APPROVAL OF AGENDA

AGENDA

Moved by Deputy Mayor Carr
Seconded by Councillor Chisholm

142/18 **THAT** the Agenda be approved as circulated. **CARRIED**

4. CONFLICT OF INTEREST

There were no conflicts of interest declared.

5. READING OF PETITIONS/PRESENTATIONS/PROCLAMATIONS

There were no petitions/presentations/proclamations.

6. NOTICES OF MOTIONS

There were no notices of motions.

7. APPROVAL OF COUNCIL MINUTES

REGULAR COUNCIL MEETING

Moved by Councillor Hyslop
Seconded by Councillor Harding

143/18 **THAT** the Minutes of the Regular Council meeting held on June 25, 2018 be approved as circulated. **CARRIED**

SPECIAL COUNCIL MEETING

Moved by Councillor Harding
Seconded by Deputy Mayor Carr

- 144/18 **THAT** the Minutes of the Special Council meeting held on June 29, 2018 be approved as circulated. **CARRIED**

8. **ACCOUNTS**

STATEMENTS OF REVENUE AND EXPENDITURE

Moved by Councillor Wheaton
Seconded by Councillor Hyslop

- 145/18 **THAT** the Statements of Revenue and Expenditure for both the General Operating Fund and Water and Sewerage Operating Fund to April 30, 2018 be received. **CARRIED**

PAID BILLS

Moved by Councillor Harding
Seconded by Councillor Chisholm

- 146/18 **THAT** the paid bills in the amount of \$1,188,221.03 (one million, one hundred and eighty-eight thousand, two hundred and twenty-one dollars and three cents) be received. **CARRIED**

9. **COMMUNICATIONS**

COMMUNICATION FOR INFORMATION

COMMUNICATION FOR INFORMATION FILE

Moved by Councillor Hyslop
Seconded by Councillor Wheaton

- 147/18 **THAT** Communication for Information, note and file, be adopted. **CARRIED**

COMMUNICATION FOR ACTION

No communication for action.

10. **APPROVAL OF COMMITTEE MINUTES**

COMMITTEES MEETING

Moved by Councillor Wheaton
Seconded by Councillor Harding

- 148/18 **THAT** the Minutes of the Committees meeting – Finance and Administration; Public Works; Police and Fire; Property, By-Laws and Environment; Parks and Recreation; and Planning, Promotion and Tourism held on July 11, 2018 be approved as circulated. **CARRIED**

The Chief Administrative Officer introduced the new Fire Chief, Sean Morton, who will commence employment with the Town on Monday, July 30, 2018, replacing Jeff Richardson, the former Fire Chief who retired.

11. STAFF REPORTS

STAFF REPORTS

Moved by Deputy Mayor Carr

Seconded by Councillor Hyslop

- 149/18** **THAT** the following staff reports for the month of June 2018 be adopted: Chief Administrative Officer; Finance Department; Public Works Department; Parks and Recreation Department; Fire Department; By-Laws and Building Inspection Services; and Garcelon Civic Center. **CARRIED**

12. UNFINISHED BUSINESS

No unfinished business.

13. CONSIDERATION OF BY-LAWS

BY-LAW NO. A-13 - A BY-LAW RESPECTING THE CODE OF CONDUCT FOR MEMBERS OF THE TOWN COUNCIL – FIRST READING – SHORT TITLE ONLY

Moved by Councilor Hyslop

Seconded by Councillor Chisholm

- 150/18** **THAT** leave now be given to introduce a by-law entitled By-Law No. A-13 – “A By-Law Respecting the Code of Conduct for Members of the Town Council” – for First Reading – Short Title Only. **CARRIED**

14. NEW BUSINESS

ROYAL CANADIAN MOUNTED POLICE – MONTHLY REPORT

Moved by Councillor Harding

Seconded by Councillor Chisholm

- 151/18** **THAT** the Royal Canadian Mounted Police June 2018 report for the St. Stephen Municipal Post, District # 1, be received for information and filed. **CARRIED**

COUNCIL REQUEST – PLANNING ADVISORY COMMITTEE – CREATION OF PROPOSED NEW ZONE AND PROPOSED REZONING OF 51 BUDD AVENUE (FORMER SANITARY SEWER LAGOON SITE – PID # 15194285)

Moved by Deputy Mayor Carr

Seconded by Councillor Harding

- 152/18** **THAT** the Council of the Town of St. Stephen request in writing the written views of the Planning Advisory Committee (PAC) on the proposed By-Law No. Z-1.7 (copy attached) to amend the Zoning By-Law whereby a new zone entitled “Waterfront (WF)” is created, and the Zoning Map of the Zoning By-Law, for PID # 15194285 (51 Budd Avenue – former sanitary sewer lagoon site) be changed from Downtown (DT) Zone to Waterfront (WF) Zone.

AND THAT the purpose of the proposed change in zoning is to increase the development potential of the property. **CARRIED**

SETTING DATE FOR PUBLIC HEARING OF OBJECTIONS/SUPPORT – CREATION OF PROPOSED NEW ZONE AND PROPOSED REZONING OF 51 BUDD AVENUE (FORMER SANITARY SEWER LAGOON SITE – PID # 15194285)

Moved by Deputy Mayor Carr

Seconded by Councillor Hyslop

- 153/18** **THAT** Wednesday, August 22, 2018 at 5:00 p.m. in Council Chambers, 73 Milltown Blvd., Suite 112 (entrance at back corner of building), St. Stephen, NB be set as the date, time and place for a Public Hearing of Objections/Support of proposed By-Law No. Z-1.7, “A By-Law to Amend By-Law No. Z-1, being the Town of St. Stephen Zoning By-Law”, which would see the creation of a new zone entitled “Waterfront (WF)”, and the consideration of the property located at 51 Budd Avenue (former sanitary sewer lagoon site - PID # 15194285) rezoned from Downtown (DT) to Waterfront (WF) to increase the development potential of the property. **CARRIED**

TRANSFER FROM GENERAL OPERATING RESERVE FUND

Moved by Councillor Wheaton

Seconded by Councillor Chisholm

- 154/18** **THAT** the amount of \$28,986.00 (twenty-eight thousand, nine hundred and eighty-six dollars) be transferred from the General Operating Reserve Fund to the General Operating Fund. **CARRIED**

GARCELON CIVIC CENTER – FEES AND OPERATIONS POLICIES

Moved by Councillor Chisholm

Seconded by Councillor Harding

- 155/18** **THAT** the Council of the Town of St. Stephen approves the schedule of fees currently in effect at the Garcelon Civic Center.

AND THAT the Council further delegates the authority for fees and operations policies, as provided to Council and outlined in Policy Nos. 60, 61, 62-A, 63 and 64-A, to the Chief Administrative Officer or, in his absence or direction, to the Garcelon Civic Center Financial Controller. **CARRIED**

**SICK LEAVE BANK – CANADIAN UNION OF PUBLIC EMPLOYEES
(CUPE), LOCAL 770**

Moved by Councillor Hyslop
Seconded by Deputy Mayor Carr

- 156/18** **THAT** the Council of the Town of St. Stephen agrees to supply thirty (30) days from the Union Sick Leave Bank for Employee # E05 retroactively to July 4, 2018, as requested by the Canadian Union of Public Employees (CUPE), Local 770, and outlined in Article 18.06 of its Collective Agreement. **CARRIED**

**APPROVAL OF EVENT – CHARLOTTE COUNTY FALL FAIR SCARECROW
LAMP POST DECORATING CONTEST**

Moved by Councillor Wheaton
Seconded by Councillor Hyslop

- 157/18** **THAT** the Council of the Town of St. Stephen grants permission to the Charlotte County Fall Fair to hold its 3rd Annual Scarecrow Lamp Post Decorating Contest on Milltown Boulevard, King Street, Budd Avenue, and in the David Alison Ganong Chocolate Park for the month of September 2018.

AND THAT the installation of decorations shall not commence prior to Tuesday, September 4, 2018 and shall be removed by Friday, September 21, 2018.

CARRIED

**DEVELOPMENT AGREEMENT: THE BEACON WATERFRONT APARTMENTS –
THE TOWN OF ST. STEPHEN AND XENIA HOUSING INCORPORATED**

Moved by Councillor Hyslop
Seconded by Deputy Mayor Carr

- 158/18** **THAT** the Council of the Town of St. Stephen approves the Development Agreement: The Beacon Waterfront Apartments between The Town of St. Stephen and Xenia Housing Incorporated, in the form presented to Council, and authorizes the Mayor and Town Clerk to execute the Agreement. **CARRIED**

15. **REPORTS OF MAYOR AND COUNCILLORS**

Deputy Mayor Carr

- Attended a meeting on a potential mural at the library.
- Represented the Mayor at a provincial funding announcement in the David Alison Ganong Chocolate Park.
- Attended International Homecoming Festival Committee meetings.
- Attended a meeting with respect to the organizational review.
- Attended all Town meetings.

Councillor Hyslop

- Attended a meeting with respect to the organizational review.
- Attended all Town meetings.
- Attended a few concerts in the David Alison Ganong Chocolate Park.
- Attended Canada 1st Basketball Committee meetings.
- Attended a Charlotte County Museum board meeting.

Councillor Wheaton

- Attended all Town meetings.
- Attended Canada Day celebrations.
- Attended weekly International Homecoming Festival Committee meetings.
- Attended a Chocolate Museum Operating Committee meeting.
- Attended the Southwest New Brunswick Transit Authority Inc. annual general meeting.
- Attended several concerts in the David Alison Ganong Chocolate Park.

Councillor Chisholm

- Attended all Town meetings.
- Attended a meeting with respect to the organizational review.
- Attended a social at the Chief Administrative Officer's new home.

Councillor Harding

- Attended all Town meetings.
- Participated in the final interviews for the new Fire Chief.
- Meet monthly with Sergeant Stubbs.
- Attended a meeting with respect to the organizational review.

Mayor MacEachern

- Attended Canada Day celebrations.
- Attended a meeting with respect to the organizational review.
- Attended a social at the Chief Administrative Officer's new home.
- Attended a meeting of the St. Stephen-Milltown Rotary Club as guest speaker.
- Attended an event at the Algonquin Hotel with the Premiers of Canada.
- Attended the Community Business Development Corporation's awards event.
- Attended a meeting of the John Howard Society.

16. QUESTION PERIOD

There were no questions from the public or from Krisi Marples, editor of *The Saint Croix Courier* and *Courier Weekend*, and Kathy Bockus, freelance journalist.

17. CLOSED SESSION

CLOSED SESSION

Moved by Deputy Mayor Carr
Seconded by Councillor Hyslop

159/18 **THAT** the Council of the Town of St. Stephen agree to move into closed session to discuss one (1) Financial Matter as per Section 68(1)(c) of the New Brunswick *Local Governance Act*. **CARRIED**

The Council came out of closed session at 7:43 p.m.

18. ADJOURNMENT

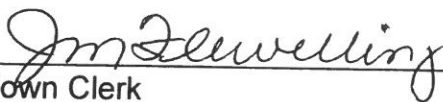
ADJOURNMENT

Moved by Councillor Hyslop
Seconded by Councillor Harding

160/18 **THAT** the meeting adjourn at 7:43 p.m. **CARRIED**



Mayor



Town Clerk

THE TOWN OF ST. STEPHEN

BY-LAW NO. Z-1.7

A BY-LAW TO AMEND BY-LAW NO. Z-1, BEING THE TOWN OF ST. STEPHEN ZONING BY-LAW.

BE IT ENACTED by the Council of The Town of St. Stephen as follows:

1. By-Law No. Z-1, being The Town of St. Stephen Zoning By-Law, is amended by adding a new zone known as Waterfront (WF) under Section 5.0 Commercial Zones, and becoming Subsection 5.6 as outlined on the attached Schedule "1".
2. By-Law No. Z-1, being The Town of St. Stephen Zoning By-Law, is amended by changing the zone as shown on the Zoning Map attached to the said By-Law as Schedule "A" thereof for the lands shown on Schedule "2" attached hereto and forming part hereof from Downtown (DT) to Waterfront (WF).
2. The land for which the zone is being changed is also shown on a portion of the Service New Brunswick Digital Property Mapping attached hereto as Schedule "3" and identified as PID # 15194285 (51 Budd Avenue).

IN WITNESS WHEREOF The Town of St. Stephen has caused the corporate seal of the said Town to be affixed to this By-Law the _____ day of _____, 2018.

FIRST READING:

SECOND READING:

THIRD READING AND ENACTED:

Allan MacEachern, Mayor

Joan M. Flewelling, Town Clerk

Town of St. Stephen Zoning By-law (By-law No. Z-1)

SCHEDULE "1"

5.6 WF (Waterfront)

5.6.1 WF Zone Permitted Uses

(1) A lot shall not be developed for any other purpose than:

(a) One of the following main uses:

- (i) Business use;
- (ii) Communications use;
- (iii) Cultural use;
- (iv) Office;
- (v) Entertainment use;
- (vi) Financial institution;
- (vii) Government use;
- (viii) Health services use;
- (ix) Hotel;
- (x) Personal service shop;
- (xi) Restaurant;
- (xii) Retail store; and
- (xiii) Multiple unit residential use up to 50 units, subject to subsections 4.1.5 (landscaping), 4.1.8 (minimum apartment floor areas), 4.1.17 (parking), 4.1.18 (amenity space) and 5.2.6 (proximity to similar buildings).

(b) Any accessory *building, structure* or *use* normally incidental to the permitted main or secondary use of the land, building or structure, unless such accessory use is prohibited by definition or otherwise.

5.6.2 WF Zone Lot Requirements

(1) No development shall be undertaken nor shall any land, building or structure be used within the WF (Waterfront Zone) unless the following standards are met:

WF Zone Lot Requirements	
Lot Component	Requirement
Minimum lot area	690 m ² (2,263 ft. ²)
Minimum lot frontage	20 m (66 ft.)
Minimum lot depth	75 m (246 ft.)
Minimum front yard	6 m (20 ft.)
Maximum front yard	15 m (49 ft.)
Minimum rear yard	6 m (20 ft.)
Minimum side yard	the greater of: 0.3 times the height of the Multiple Dwelling to a maximum of 9 meters (30 ft.), or 3 meters (10 ft.)
Minimum flankage yard	3.5 m (11 ft.)
Maximum building height	19 m (62 ft.)
Maximum lot occupancy	50 % of lot area

- (2) Other requirements: in accordance with the General Provisions of the *National Building Codes*, Part 3 through Part 9.

5.6.3 Design Guidelines for Waterfront Zone

- (1) Within the Waterfront Zone, no development shall be permitted and no main building or structure may be used unless:
- (i) no less than 40% of the first floor façade of the main building fronting a street or the waterfront is composed of windows and doors;
 - (ii) no less than 25% of the main building façade above the first floor fronting a street or the waterfront is composed of windows;
 - (iii) there is at least one public entrance to the building facing any public street;
 - (iv) the maximum height of the building is 19 m (63 ft.);
 - (v) the minimum height of the building is two stories;
 - (vi) no less than 90% of the façade is finished with traditional building materials; and
 - (vii) all mechanical, electrical, air conditioning or other similar equipment located on the roof of the building is screened from view from the adjacent public street and waterfront.

- (2) No *building* or *structure* used for the sole purpose of a multiple unit dwelling may be located so that it is closer than 20 m to another building used for the sole purpose of a multiple unit dwelling on the same side of the street.
- (3) No residential development shall be undertaken unless the following minimum lot area standards are met:
 - (a) for each dwelling unit therein having three (3) or more bedrooms 74 m² (243 ft.²)
 - (b) for each dwelling unit therein having two (2) bedrooms 55 m² (180 ft.²)
 - (c) for each Bachelor or dwelling unit therein having one (1) bedroom 37 m² (121 ft.²)
- (4) No residential development shall be undertaken unless the following minimum gross floor area standards are met:
 - (a) for each dwelling unit therein having 3 (three) or more bedrooms 65 m² (213 ft.²)
 - (b) for each dwelling unit therein having 2 (two) bedrooms 55 m² (180 ft.²)
 - (c) for each Bachelor or dwelling unit therein having one (1) bedroom 37 m² (121 ft.²)

5.6.4 Other Considerations

- (1) A Health and Fitness Facility, Medical Clinic, Personal Service Shop, Restaurant, or Convenience Retail *shall be* permitted subject to the following:
 - (a) be located in the multi storey building, but not above the second storey of the building;
 - (b) have its entry from within a hall in the multi storey building; and
 - (c) not occupy more than 10 percent of the gross floor area of the multi storey building.

By-Law No. Z-1.7

Schedule "2"

Rezone from Downtown (DT) to Waterfront (WF).



51 Budd Ave

Town of St Stephen Zoning Map

LEGEND

- R-1 (Single & Two Family Residential) Zone
- R-2 (Residential Mix) Zone
- R-3 (MULTIPLE UNIT RESIDENTIAL) ZONE
- RLL (Land Lease Residential) Zone
- CM (Commercial Mix) Zone
- NC (Neighborhood Commercial) Zone
- LFR (Large Format Retail) Zone
- I-1 (HEAVY INDUSTRIAL) ZONE
- I-2 (Light Industrial) Zone
- OS (Park & Open Space) Zone
- INST (Institutional) Zone
- U (Utility) Zone
- FD (FUTURE DEVELOPMENT) ZONE
- DT (Downtown) Zone
- WF (Waterfront) Zone

