

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Deputy Mayor Greg Turner, in the Chair	Councillor Charles Léger
Councillor Pierre Boudreau	Councillor Bryan Butler
Councillor Shawn Crossman	Councillor Brian Hicks
Councillor Paulette Thériault	Councillor Susan Edgett
Councillor Blair Lawrence	Councillor Paul Pellerin

ABSENT

Mayor Dawn Arnold

ALSO PRESENT

M. Landry, City Manager
S. Morton, City Clerk & Director of Legislative Services
N. Robichaud, General Manager, Legislative Services
C. Dallaire, General Manager Recreation, Culture and Events
J. Doucet, General Manager Finance and Administration Services
C. Savoie, Manager, Policing Support Services
A. Richard, Director, Design and Construction
L. Hanson, General Manager, Human Resources and Corporate Services
B. Budd, Director, Urban Planning
A. Smith, Urban Planner
K. Lacelle, Urban Planner
S. Anderson, Senior Planner
Superintendent T. Critchlow, RCMP
A. Cormier, Corporate Communications

1.

CALL TO ORDER/OUVERTURE DE LA SÉANCE

2.

ADOPTION OF AGENDA/ADOPTION DE L'ORDRE DU JOUR

Motion : That the Agenda for the Public Council meeting of this be adopted with the addition of a presentation from Mike Tessier under public presentations.

*Moved by Councillor Crossman
Seconded by Councillor Boudreau*

MOTION CARRIED.

3.

CONFLICT OF INTEREST DECLARATIONS/DÉCLARATIONS DE CONFLITS D'INTÉRÊTS

None declared.

4.

ADOPTION OF MINUTES/ADOPTION DU PROCÈS VERBAL

5.

CONSENT AGENDA/QUESTIONS SOUMISES À L'APPROBATION DU CONSEIL

6.

PUBLIC AND ADMINISTRATION PRESENTATIONS/ EXPOSÉS DU PUBLIC ET DE L'ADMINISTRATIONS

6.1 **Presentation** – Coldest Night of The Year – Mel Kennah, Executive Director and Tracy Cormier, Associate Director, Youth Impact Jeunesse

Mel Kennah and Tracey Cormier spoke to the issue of homelessness and showed a video promoting the Coldest Night of the Year is a national scheduled for Saturday evening, February 23, 2019. They thanked the lead sponsors as well as the City of Moncton's City Slicker's Team for their contribution for participating over the last six years. \$85,752 has been raised towards the \$100,000 goal. They thanked the City Slicker's Team for their participation. Forty-five (45) teams are participating this year.

The representatives thanked the City Slicker's team and presented a toque to Deputy Mayor Turner and Councillor Butler, Team Captain, City Slicker's.

The Deputy Mayor thanked the representatives for their tremendous work and dedication adding that this organization is involved in other communities across the province, i.e. Dieppe, Quispamsis, Sussex, etc. He congratulated Mr. Kennah and Ian Franklyn for the creative video.

6.2 **Snow Removal** – Mike Tessier

Mike Tessier was pleased that his recommendation regarding less use of brine has been followed. He suggested lowering the speed limits by 10 km. on all city streets with the exception of school zones and felt that many collisions could be avoided. He suggested reviewing:

- The Snow Angels Program in Windsor, Ontario, where the residents shovel their own sidewalks in snowfall amounts up to 15 cm. The snow angel program also matches volunteers in their neighbourhood with seniors over 65 and disabilities to shovel their walkway.
- The possibility of an app (review Yellowknife – Pingstreet.ca) and charging a fee of \$1. This app could broadcast closures, snow removal routes.
- Noted ice accretion near the bus laybys where people are forced out to catch a bus.
- Questioned the average hourly cost of the City's snow removal program?

Councillor Pellerin requested that Mr. Tessier provide him the information with to share with the rest of Council.

The Deputy Mayor thanked Mr. Tessier for his presentation, sharing his ideas and the thought put into his suggestions. He asked Engineering administration to take note.

Other Presentation/Autres présentations

7.

PLANNING MATTERS/ QUESTIONS D'URBANISME

7.1 **New Rezoning application** – YMCA Moncton North End Community Centre Rezoning

City Council received a PowerPoint presentation from Bill Budd regarding an application received from Marilou Savoie, Acadian Construction, Ltd., on behalf of the City of Moncton to rezone the property identified as PID R056FF5R from R-2 to Unit Dwelling to P1 Community Use Zone for the YMCA Moncton North End Community Centre Rezoning. The site is located north of École le sommet. Construction will commence in 2019 with intent to have the facility open in 2020. Twin Oaks will connect to Ryan Street. 155 parking spaces are proposed. A variance has been requested as a result of the cluster of trees on Fisher Street.

Motion: That Moncton City Council proceed with the Zoning By-law amendment being By-law Z-213.64 and:

- 1) That Council give 1st reading to Zoning By-law amendment By-law Z-213.64;
- 2) That a public hearing be set for March 18, 2019; and
- 3) That By-law Z-213.64 be referred to the Planning Advisory Committee for its written views; and

The rezoning, if approved, should be subject to a conditional zoning agreement, including but not limited to the following conditions:

- 1) That a 15 metre wide treed buffer be maintained along the northern property line as shown in Schedule B;
- 2) That notwithstanding Section 63(1) of Zoning By-law Z-213, a fence or hedge is not required along the northern property line;
- 3) That notwithstanding Section 58(2) of Zoning By-law Z-213, street trees are not required along Fisher Street;

- 4) That notwithstanding Section 42(1) of Zoning By-law Z-213, 155 parking spaces will be provided.
- 5) That the development be carried out in substantial conformance with the plans and drawings submitted as Schedule B.

*Moved by Councillor Pellerin
Seconded by Councillor Hicks*

In reply to Councillor Pellerin Administration advised of the planned connection for Holland Street to Twin Oaks as part of future development. The intent is to construct the northwest trail in late 2020 or early 2021. The intent is also for a sidewalk on one side of Twin Oaks with a multipurpose trail on the north end centre side to provide better accessibility for pedestrians and cyclists. In terms of manicuring the trails, Mrs. Dallaire agreed to check with Parks and Leisure Operations regarding maintenance during the winter months.

In terms of a branch library, Mrs. Dallaire noted that the building was designed for expansion. The library has commenced discussions with the Province regarding such an operation however, it could be several years into the future.

Deputy Mayor Turner thanked all those involved in seeing the project materialize.

MOTION CARRIED

7.2 New Rezoning application – 132 McLaughlin Drive (PID 00773168)

City Council received a presentation and overview from Bill Budd regarding the request from Paul Arsenault, agent, on behalf of 692757 N.B. Inc., land owner, to rezone land at 132 McLaughlin Drive (PID 00773168) from P1 Zone (Community Use) to R-3 Zone (Multiple Unit Dwelling) to accommodate the development of an eight-unit residential building in former Fire Station. Much of the building will retain the existing façade. The large asphalt driveway will be replaced with landscaping, grass and trees. This will be part of a larger development which involves two other 40 unit multiple residential apartment buildings which do not have to be rezoned, however, the fire station site requires rezoning. Administration recommends proceeding with rezoning process as outlined in the recommendation as well as the conditions.

Motion: That Moncton City Council proceed with the proposed amending Zoning By-law Z-213.63 and:

- 1) That Council give 1st reading to Zoning By-law amendment Z-213.63;
- 2) That a public hearing be set for March 18, 2019; and
- 3) That By-law Z-213.63 be referred to the Planning Advisory Committee for its written views; and

The rezoning, if approved, should be subject to a conditional zoning agreement, including but not limited to:

- 1) That a right-of-way agreement be registered on the subject property for shared driveway access and shared parking with the abutting property PID 70594650;
- 2) That notwithstanding section 42(1)(c) of Zoning By-law Z-213, parking for the subject lot is permitted on a different lot and in a different zone as parking will be shared throughout the overall development plan area, (Zoned SC – Suburban Commercial), as per the registered right-of-way agreement;
- 3) That notwithstanding section 129(5)(c) of Zoning By-law Z-2, corrugated metal panels are permitted on a portion of the facade as per the elevation drawings attached as Schedule B;
- 4) That the fence on the south side be erected prior to construction work on the subject site to ensure the construction work does not negatively impact the adjacent residential neighbours;
- 5) That the landscaping be completed, as per the site plan attached as schedule B, no later than September 30th of the year following issuance of the development permit for the subject project;
- 6) That as per Policy PA-1 (Plan Administration & Implementation), a Municipal Plan amendment is not required;
- 7) That the rezoning agreement be signed within 12 months of it coming into effect unless an extension is approved, and if the agreement is not signed by the deadline, the rezoning will not come into effect;
- 8) The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B; and
- 9) That the \$1,000 security deposit required for a Conditional Rezoning Agreement and by-law registry fees, be paid prior to registration

*Moved by Councillor Theriault
Seconded by Councillor Crossman*

Councillor Theriault commended the developers for saving the façade of the building and

encouraged more developers to adopt a similar practice when developing older buildings.

Councillor Crossman asked if complete snow removal and garbage collection will be maintained. Mr. Budd showed illustrations on the garbage enclosures on site, noting there would be a lot grading drainage plan and accommodations for storage of some snow on site.

MOTION CARRIED.

7.3 **Public Presentation** – Re-designation and Re-zoning of Lands East of Frenette Avenue, Caledonia Industrial Park

City Council received a presentation from Andrew Smith, with maps and renderings, regarding a rezoning request from MID for an amendment to the Municipal Plan and Zoning By-Law amendment application for four (4) lots in Caledonia Industrial Park. Three lots front directly onto Frenette Avenue (PID 70507017, 706315969 and 70631551; civic addresses 80, 75 and 55 respectively. The fourth lot (PID 70460829) is behind Kent's building supply and does not have a civic address. The proposal is being brought forward as a housekeeping item on behalf of Moncton Industrial Development and Urban Planning. Portions of the Subject Lands are proposed to be re-designated, to-and-from 'Industrial (ID)' to 'Community Use (CU)' (Municipal Plan); and re-zone the same lands to-and-from IP to P-2 (Zoning By-law). The purpose of the amendment is to accurately zone lands in conjunction with a recent (November, 2017) wetland (environmental engineering) delineation report and Section 109 of the Zoning By-law (30m watercourse setback).

Written objections can be submitted to the City Clerk

Motion: That Moncton City Council proceed with the proposed amending Municipal Plan By-law # Z-113.25 and Zoning By-Law # 213.62 by confirming the Public Hearing for 4:00p.m., April 1, 2019 in Council Chambers at City Hall.

*Moved by Councillor Boudreau
Seconded by Councillor Theriault*

MOTION CARRIED

7.4 **Public Hearing** – Amend the permitted uses in the NC Zone (Neighbourhood Convenience) at 61 Donald Avenue

The Deputy Mayor read into the record the new procedure concerning the public hearing.

City Council received a PowerPoint presentation from Mr. Budd with the location map regarding an application was received from Jay Tse, agent, on behalf of Jeremy McCabe, land owner, to amend the permitted uses in the NC Zone (Neighbourhood Convenience) at 61 Donald Avenue, to permit a residential dwelling on the main floor. The building is 3 stories with 5 residential units and will entail 1,100 feet of office space on the main floor. The developer changed the design to highlight the commercial area with larger windows, color and material is different than the remainder of the residential building which will use a cape cod siding. The site slopes towards Donald Avenue and there is a retaining wall and fence along the adjacent property. The Planning Advisory Committee recommends that Council proceed with the rezoning process subject to conditions outlined in the recommendation outlined below:

Motion: That Moncton City Council proceed with the Zoning By-law amendment subject to the following conditions:

- 1) That notwithstanding section 42(1)(e) of the Zoning By-law, parking is permitted in the required rear and side yard as shown on the Site Plan (Schedule B);
- 2) That notwithstanding Table 13(3) of the Zoning By-law, the setback on the flankage yard is permitted to be increased as shown on the Site Plan (Schedule B);
- 3) That notwithstanding Schedule D (Parking Requirement Chart) of the Zoning By-law, the amount of parking is permitted to be reduced as shown on the Site Plan (Schedule B);
- 4) That notwithstanding section 34(2) of the Zoning By-law the garbage storage is permitted in the required rear and side yard as shown on the Site Plan (Schedule B);
- 5) That notwithstanding section 129(1) of the Zoning By-law the height of the building is permitted to be increased to 10.54m as shown on the elevation plan (Schedule B);
- 6) That the tree line on the west side be retained as much as possible;
- 7) That the rezoning agreement be signed within 12 months of it coming into effect unless an extension is approved, and if the agreement is not signed by the deadline, the rezoning will not come into effect;
- 8) The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B; and
- 9) That the \$1,000 security deposit required for a Conditional Rezoning Agreement and by-law registry fees, be paid prior to registration.

Moved by Councillor Theriault

Seconded by Councillor Crossman

Mike Tessier spoke in favour of the project and inquired on the number of parking spots. Mr. Budd noted nine (9) parking spaces, seven (7) regular and two barrier free.

Councillor Theriault encouraged Mr. Tse to consider siding of other colors than grey. She noted that the windows looked small and suggested more decorative windows and French doors. Mr. Tse noted that French doors take up too much space on the inside, therefore, patio doors are planned. The building is designed as a modern building. Councillor Theriault thanked Mr. Tse for his work and stressed the need for the City to review other houses in the area.

After calling for further speakers and hearing none, the Deputy Mayor declared the public hearing closed and thanked Mr. Tse for his work .

MOTION CARRIED

8.

STATEMENTS BY MEMBERS OF COUNCIL/ EXPOSÉS DES MEMBRES DU CONSEIL

Paulette Thériault

- Expressed sadness and offered sincere condolences to Barb Quigley and her family on the loss of her father, adding she had the pleasure of meeting Mr. Quigley during the Northrup Frye Festival.
- Thanked the organizers of the Flash Festival, in particular for the event at the Cathedral. She suggested that next year's event organizers work with the Heritage Board as it coincides with Heritage Week. Summer could be considered as well to encourage tourists to visit historic sites.

Blair Lawrence

- Congratulated and thanked the organizers of the comedy festival this year's sold out events
- Saturday is the first night of the play Beauty and the Beast and encouraged citizens to attend. It has been so popular, an additional night has been added for March 3, 2019.

Charles Léger

- Thanked Councillor Theriault for her remarks regarding the Flash Festival and concurred it was somewhat long and could be used as an event in the summer. He commended the organizers of Flash Festival.

Councillor Butler

- Expressed condolences to Barb Quigley and her family and to the Syrian family who arrived in Halifax in 2017 and recently lost 7 children in a fire.

Susan Edgett

- Shared positive comments received from Minister of Social Development Dorothy Sheppard and Yolande Cyr, during their visit to Shannex, Faubourg Mascaret

Greg Turner

- Highlighted that Moncton had a great family day and activities, including the Flash Festival.
- Highlighted activities at the Avenir centre and Ian Fowler oval, where ice sculptures were made, with buskers and figure skating.
- Encouraged citizens to use the park noting that they were well utilized
- Congratulated the organizers of the Wildcats Game
- Participated in Girl Guide and Boy Scout week and Lord and Lady Baden Powell day aka Thinking Day
- Commended By-Law enforcement and the RCMP who attended DMCI Board meeting to work together to pilot a project regarding issues in the downtown, i.e. homelessness and panhandling.
- Congratulated Councillor Lawrence on his role in Beauty and the Beast.

- Passed along condolences to Barb Quigley, City Clerk and her family at the loss of her father.

9.

REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS/ RAPPORTS ET RECOMMANDATIONS DES COMITÉS ET RÉUNIONS À HUIS CLOS

10.

REPORTS FROM ADMINISTRATION/ RAPPORTS DE L'ADMINISTRATION

10.1 City Contract No. W19D 04BA – Shediac Road Widening

Motion:

1. That City Contract No. W19D 04BA, Shediac Road Widening, be awarded to Modern Construction (1983) Ltd. in the amount of \$2,560,993.94 including HST (\$2,322,398.38 net municipal cost), and that the budget for the project be set at \$2,700,000 including net HST, engineering, utility relocation costs and contingency.
2. It is also recommended that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton thereto.

*Moved by Councillor Crossman
Seconded by Councillor Theriault*

In reply to Councillor Crossman, Mr. Richard commented that there were two reasons for the delay of this work i.e. the construction of the basins. This summer Ducks Unlimited will add plants to the naturalized basin. From a flood risk view the basin is operational. As the dog bone installation by the Province is complete, the City now can proceed with this project.

MOTION CARRIED

10.2 City Contract No. W19D 05DJ – Street Reconstruction No. 3 – Pleasant Street

1. That City Contract No. W19D 05DJ, Street Reconstruction No. 3, be awarded to 683962 NB Ltd. in the amount of \$2,729,111.00 including HST, (\$2,474,852.78 net HST) and that the budget for the project be set at \$2,875,000.00 including net HST, engineering and contingency.
2. It is also recommended that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton.

*Moved by Councillor Crossman
Seconded by Councillor Boudreau*

Councillor Crossman noted that the upper portion of Pleasant Street was iced and asked if the water would be incurred to limit flooding. Mr. Richard noted that when these projects are undertaken, drainage is considered, however, this winter has experienced much ice build up and efforts are made to put in basins to mitigate flooding.

MOTION CARRIED

10.3 Request for Proposal RFP18-093 – Interpretive Translation Services (Postponed at February 4, 2019 RPC)

Motion: That Request for Proposal #RFP18-093 for the provision of Interpretive Translation Services be awarded to the highest-scoring Proponent, being Nathalie Wilson, for a one (1) year period, with options to extend the agreement for up to four (4) additional one (1) year periods (if it is in the City's best interest to do so).

*Moved by Councillor Lawrence
Seconded by Councillor Hicks*

MOTION CARRIED – Councillors Crossman and Thériault registered nay votes.

10.4 Request for Proposal RFP19-010 – “Mobile Fun” Outdoor Recreation Programming Services

Motion: That Request for Proposal #RFP19-010 for the provision of Outdoor Recreation Programming Services for the “Mobile Fun” Program be awarded to the highest-scoring Proponent for a one (1) year period, being the YMCA of Greater Moncton, at a total cost of

\$64,000, including H.S.T. @ 15%, with options to extend the agreement for up to four (4) additional one (1) year periods if it is in the City's best interest to do so.

*Moved by Councillor Butler
Seconded by Councillor Lawrence*

MOTION CARRIED

11.

READING OF BY-LAWS/ LECTURE D'ARRÊTÉS MUNICIPAUX

The City Clerk announced that the following by-laws will be posted on line at www.moncton.ca in lieu of reading them into the record at future meetings, pursuant to Section 15.3(a) ii (A&B) of the Local Governance Act, or same can be faxed, mailed or e-mailed to interested parties at their request.

- 11.1 **A By Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-213.64 – YMCA Moncton North Community Centre Rezoning – **First Reading (subject to approval item 7.1)**

First Reading only

Pursuant to Section 15.3(a) ii (A&B) of the Local Governance Act the following by-laws were posted on the City of Moncton Internet site for the required time period specified in the Act. The by-laws receive second and third readings by title only.

- 11.2 **A By Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-213.63 – 132 McLaughlin Drive – **First Reading (subject to approval item 7.2)**

First Reading

- 11.3 **A By Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-213.61 – Donald Ave. – **Second & Third Readings (subject to approval item 7.4)**

Motion: I would move that 2nd Reading be given to By-Law Z-213.61.

*Moved by Councillor Butler
Seconded by Councillor Boudreau*

MOTION CARRIED

2nd reading was administered by the City Clerk.

Motion: I would move that 3rd reading be given and that by-law Z-213.61 be ordained and passed and the Mayor and City Clerk be authorized to affix the corporate seal thereto.

*Moved by Councillor Butler
Seconded by Councillor Leger*

MOTION CARRIED

3rd reading was administered by the City Clerk

12.

NOTICES MOTIONS AND RESOLUTIONS/ AVIS DE MOTIONS ET RÉOLUTIONS

13.

APPOINTMENTS TO COMMITTEES/ NOMINATIONS À DES COMITÉS

14.

ADJOURNMENT/ CLÔTURE DE LA SÉANCE

Motion : That the Public Meeting of this date stand adjourned.

Moved by Councillor Boudreau

MOTION CARRIED.

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Deputy Mayor Turner, in the Chair

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Shelley M. Morton, A/City Clerk