

Council Chambers
City Hall
Moncton, N.B.
September 6, 2022
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Mayor /Mairesse Dawn Arnold	Councillor/Conseiller Charles Leger
Deputy Mayor/Maire adjoint Bryan Butler	Councillor/Conseiller Daniel Bourgeois
Councillor/Conseillère Monique LeBlanc (Webex)	Councillor/Conseiller Dave Steeves
Councillor/Conseiller Marty Kingston	Councillor/Conseiller Susan Edgett
Councillor/Conseillère Paulette Thériault	Councillor/Conseiller Paul Richard
Councillor/Conseiller Shawn Crossman	

ABSENT

ALSO PRESENT

M. Landry, City Manager
J. Doucet, CFO, General Manager, Finance Services
E. Aucoin, General Manager Sustainable Growth and Development Services
N. Robichaud, General Manager Legal and Legislative Services
K. MacIntyre, General Manager Community Services
A. Binette, General Manager Operations Services
J. Cohoon, Director, Recreation
I. LeBlanc, Director, Corporate Communications
C. Landry, Fire Chief (virtual)
B. Jollette, Acting Officer in Charge Codiac RCMP
B. Budd, Director Urban Development Growth
S. Anderson, Manager, Development Planning
A. Smith, Manager, Long Range Policy Planning
P. Edgar, Senior Development Officer, Subdivision Approvals
J. Adams, Urban Planner
J. Davies, Urban Planner
T. Carter, Purchasing Manager
A. Allain, Director of Public Transit
D. Geldart, Urban Planner
V. Merola, Community Development Officer – Social Inclusion

1. CALL TO ORDER/OUVERTURE DE LA SÉANCE

2. ADOPTION OF AGENDA/ADOPTION DE L'ORDRE DU JOUR

Motion: That the agenda for the regular public Council meeting dated September 6, 2022, be approved with the following changes:

Removal – 11.1 By-Law Z-122.1 – Eastgate – **First Reading**
Removal – 11.2 By-Law Z-222.6 – Eastgate – **First Reading**
Removal – 11.3 By-Law Z-122.2 – Vineyard – **First Reading**
Removal – 11.4 By-Law Z-222.3 – Vineyard – **First Reading**

Moved by: Councillor Léger
Seconded by: Councillor Kingston

MOTION CARRIED

3. CONFLICT OF INTEREST DECLARATIONS/DÉCLARATIONS DE CONFLITS D'INTÉRÊTS

None declared

4. ADOPTION OF MINUTES/ADOPTION DU PROCÈS-VERBAL

Motion: That the minutes of the Regular Public Meeting for May 16th, 2022, June 6, 2022 and August 16th, 2022 be adopted as circulated.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Steeves

MOTION CARRIED

**5.
CONSENT AGENDA/QUESTIONS SOUMISES À L'APPROBATION DU CONSEIL**

5.1 Encroachment Agreement – Wrought Iron Sign – 7 Alma Street

Motion: That Moncton City Council authorizes the City of Moncton to enter into an Encroachment Agreement with Merchants Bank Development Limited, the registered owner of the Property located at 7 Alma Street and bearing Service New Brunswick parcel identification number (PID) 00687806, to allow, subject to terms and conditions outlined in the Encroachment Agreement, the installation and encroachment of a non-illuminated double-sided flagmount sign over the City-owned sidewalk, and that the Mayor and City Clerk be authorized to sign the Encroachment Agreement and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Councillor Edgett
Seconded by: Deputy Mayor Butler

MOTION CARRIED

5.2 Street Closure and Noise By-Law Exemption – Localfest

Motion: That Moncton City Council approve the temporary event street closure and noise by-law exemption request as outlined in the background section of the Council Report Form to allow the following event to proceed as planned:

Street Closure and Noise By-Law Exemption:

- LocalFest – Saturday, October 1, 2022 from 7 a.m. to midnight

Moved by: Councillor Edgett
Seconded by: Deputy Mayor Butler

MOTION CARRIED

**6.
PUBLIC AND ADMINISTRATION PRESENTATIONS/EXPOSÉS DU PUBLIC ET DE
L'ADMINISTRATION**

6.1 PUBLIC PRESENTATIONS/EXPOSÉS DU PUBLIC

5 minutes

6.1.1 Presentation – Animal Control By-Law – Amber MacDonald & Kathy Prosser, Carma Cat Rescue

Council received a presentation from Ms. MacDonald and Ms. Prosser, members of CARMA Cat Rescue Maritimes, Moncton Chapter who started the presentation by reading a letter from CARMA Cat Rescue President, Susan Knight.

Ms. MacDonald went through a PowerPoint presentation providing information on their organization and the challenges their organization is facing with the current cat population within the city and shared their concerns on the proposed changes to the Animal Control By-Law.

CARMA operates without funding or support from all levels of government and cannot continue without the support from the City of Moncton. They request that the city reconsider changing the By-Law wording that excludes cats.

Councillor Crossman requested that City Administration consult with the various rescue organizations to understand the challenges they are facing before finalizing the By-Law.

6.1.2 Presentation – Homelessness – Paul Cormier

Mr. Cormier was not present for the meeting.

Other Presentation/Autres présentations

2 minutes

Presentation – Animal Control By-Law - Heather Smith, Operations Manager and Acting Executive Director for People for Animal well-being (PAW)

Ms. Smith appeared before Council to confirm that PAW does provide Animal Control services for both Dieppe and Riverview and that the demand for services specific to cats are needed in Moncton. Within the last 5 years, PAW has taken in 1,500 cats at-large.

6.2 ADMINISTRATION PRESENTATIONS/EXPOSÉS DE L'ADMINISTRATION

15 minutes

6.2.1 Update – RCMP – Superintendent Benoit Jollette, interim Officer in Charge (OIC) of the Codiac Regional RCMP

Superintendent Jollette reported that 3 constables from the Community Policing Unit have been assigned as liaisons for all 6 high school to address school issues that arise and to have a consistent presence that can connect and build relationships with teachers and student. There have been ongoing consultations with both French and English school districts to discuss expectations and best practices to consider for the safety of students.

Panhandling initiative - 15 chronic panhandlers have been challenged and educated as a result only 1 fined

Community Policing - Bike patrols will be ongoing weather permitting. A full-time bike patrol team is being planned for the Downtown Core next summer.

Specialized section for investigations - This section is responsible for the hit and run-on Morton Avenue. Superintendent Jollette advised Council an individual has been found and charged.

7.

PLANNING MATTERS/QUESTIONS D'URBANISME

7.1 Public Presentation – Eastgate (Elmwood Drive) – Josh Adams

Mr. Adams provided a PowerPoint Presentation overviewing the application received from ELCE Developments Inc. for a new mixed-use development referred to as “Eastgate”. The proposal includes 956 residential units, a new private school, a daycare and a nature market. The land is located in Ward 1 on Elmwood Drive, across from the Irishtown Nature Park, south of the Pine Tree Village residential community. Administration recommended at the last meeting that Council not proceed with this application as it does not meet the intent of the policies outlined in the Municipal Plan.

The following applications will be required, in order to,

- To expand the Urban Boundary to include PID 70573126;
- To amend the Generalized Future Land Use designation on a portion of PID 70573126 from RR (Rural) to NH (Neighbourhood); and
- To rezone PID 70573126 from R2 (Two Unit Dwelling) and RR1 (Rural Residential) to a combination of R2 (Two Unit Dwelling), R1B (Single Unit Dwelling), RM (Residential Mix), R3 (Multiple Unit Dwelling), MU (Mixed Use), P1 (Community Use), and P2 (Open Space and Conservation Zone); and to rezone PIDs 01024496 and 70138193 from R2 (Two Unit Dwelling) to RM (Residential Mix).

Motion: That City Council confirm the date of the October 17, 2022 Public Hearing date as required by Community Planning Act.

Moved by: Councillor Crossman

Seconded by: Councillor Thériault

MOTION CARRIED

Nay: Councillor Léger

7.2 Public Presentation – Vineyard Rezoning (Elmwood Drive) – Sarah Anderson

Ms. Anderson provided a PowerPoint Presentation overviewing the application received from Harry Wynberg, landowner, to rezone PID 70186069, a portion of PID 00842948, and a portion of PID 00932269 off Elmwood Drive from RR-1 (Rural Residential) to RM (Residential Mix) to accommodate the development of a low to medium density residential neighbourhood. The property is located in Ward 1 on the east side of Elmwood Drive, north of the intersection of Granite Drive and Elmwood Drive. If developed as proposed, the new neighbourhood will be comprised of a mix of single unit dwellings, two-unit dwellings, and rowhouses and townhouses.

Rezoning the subject lands from RR-1 to RM will require an amendment to Schedule 1 of the Municipal Plan to amend the land use designation from RR (Rural Residential) to NH (Neighbourhood). This application will also require an amendment to Schedule 2 of the Municipal Plan to amend the Urban Boundary to include the subject lands.

It is important to note that this landowner has been attempting to have this development approved since 1994. As current studies show there is more than sufficient land available within the urban

boundary that is ready and able to be developed. Adding more land now may lessen growth pressures elsewhere which have an impact on achieving Complete Communities, leaving good, serviceable land vacant for the foreseeable future. Therefore administration cannot support an application to extend the urban boundary at this time.

Motion: That City Council confirm the date of the October 17, 2022 Public Hearing date as required by Community Planning Act.

Moved by: Councillor Crossman
Seconded by: Councillor Thériault

MOTION CARRIED

Nay: Councillor Léger

7.3 **Introduction** – Development Charge By-law for Worthington Extension – Josh Davies and Gary Scandlan of Watson and Associates

Councillor Susan Edgett declared a conflict of interest for this item and left the room.

Mr. Davies provided a PowerPoint Presentation introducing a proposed amendment to the Development Charge By-law #1519 to establish the Mountain Road and Worthington Avenue Development Charge Area. A second vehicle access to this area is required and therefore a development charge area must be created. A development charge is necessary for the purpose of cost recovery for transportation infrastructure and the purchase of private land that is required to accommodate this infrastructure. As an area identified for future growth, the proposed by-law amendment supports the future development of this area. The landowner, Shannex, will be paying into the proposed development charge area and has provided written support to this bylaw amendment.

Mr. Scandlan provided a summary of the fiscal impact analysis conducted by Watson and Associates to ascertain the return on investment should the City develop the proposed connection from Mountain Road to Worthington Avenue and Ayer Avenue. The fiscal analysis is conservative in the anticipated development to take place in the undeveloped Shannex lands. The fiscal analysis predicts the development of these lands to occur over an eleven-year period, with a positive return on investment showing in year six as the area develops. It is anticipated that through a deferral payment agreement, fifty percent of the development charge that will be owed by Shannex will have been paid prior to the commencement of construction. This will assist in offsetting the development cost should the City front end the project, namely the interest incurred by the City over time as development charge payments are received.

Motion: That Moncton City Council proceed with proposed amending By-law # Z-1519.2 by:

- 1) Giving first reading of the By-law;
- 2) Requesting the views of the Planning Advisory Committee; and
- 3) Setting a public hearing for October 17, 2022 to consider objections.

Moved by: Councillor Léger
Seconded by: Deputy Mayor Butler

MOTION CARRIED

7.4 **Tentative Subdivision Plan** – Jacques LeBlanc

Mr. Budd provided a PowerPoint Presentation overviewing the new Jacques Leblanc subdivision application and the Land for Public Purposes/Cash in lieu requirement of the Subdivision By-law.

The applicant would like to subdivide their property, creating lot 22-1 to account for existing conditions. As well this plan creates Parcel 22-A to be added to lands located at 18 Meadow Lane and finally to create a 5,122 square metre lot, PID 00929398, as an R1A – (Single Unit Dwelling Zone) building lot. The remnant PID 00929398 is subject to the above requirement. The Recreation Department were consulted on this matter and do not see any need to acquire any land within the proposed subdivision. The recommendation of the Recreation Department and Planning and Development Department is that Council require cash in lieu of Land for Public Purposes.

Motion: That Moncton City Council request cash in lieu for Land for Public Purposes in the amount of \$6,681.82 for the Jacques LeBlanc Subdivision.

Moved by: Councillor Thériault
Seconded by: Councillor Kingston

Councillor Crossman requested to receive an email from Mr. Budd or \Mr. Doucet (CFO_ with the amount of monies currently held in the land bank for public use, as we;; as what use is per mitted for these funds.

MOTION CARRIED

Deputy Mayor Butler was not present for the vote

7.5 **Legal Agreements** – Vision Lands Secondary Municipal Plan

Mr. Budd provided a PowerPoint Presentation overviewing a legal agreement with Vision Lands West landowners to partner on the creation of a sustainable Secondary Municipal Plan.

Motion: That Moncton City Council authorize the City to enter into a legal agreement providing for the cost-sharing of the Vision Lands West Master Plan with J. D. IRVING LIMITED ATTN, CORDOVA REALTY LTD, 626740 NB LTD, 2027877 ONTARIO INC. & 957603 ALBERTA LTD, HARBOUREDGE REALTY ADMINISTRATION, and TRILONG INVESTMENTS INC. For the properties located in the Vision Lands (as per the attached property ownership map), and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the corporate seal thereto.

Moved by: Councillor Edgett
Seconded by: Councillor Richard

MOTION CARRIED

Nay: Councillor Bourgeois

8.

STATEMENTS BY MEMBERS OF COUNCIL/EXPOSÉS DES MEMBRES DU CONSEIL

Deputy Mayor Butler requested that staff assist in setting up a Town Hall meeting with local MLAs, TransAqua and a representative from the Department of Environment to discuss the smell in the North End.

Councillor Steeves reiterated this request for a Town Hall meeting on this issue and added that they continue to receive many emails and concerns from residents.

9.

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

9.1 **Recommendation(s)** – Committee of the Whole – August 22, 2022

Motion: That Moncton City Council approve the Accounts Receivable, Collections Policy.

Moved by: Councillor Léger
Seconded by: Deputy Mayor Butler

MOTION CARRIED

10.

REPORTS FROM ADMINISTRATION/RAPPORTS DE L'ADMINISTRATION

10.1 **Tender TCS22-052** – Plow / Salt Truck Service

Motion: That Moncton City Council authorize administration to award Tender #TCS22-052 – Plow and Salt Truck Services to Industrial Cold Milling (a division of Miller Paving Ltd.) for a one (1) year period with options to renew the agreement for up to four (4) additional twelve (12) month periods, at a Total Estimated Cost of \$497,748.75, including H.S.T @ 15%, in accordance with the Hourly Equipment Rates submitted in response to the Tender.

That Moncton City Council direct Administration to prepare information regarding the transfer of Wheeler Blvd. and Berry Mills Rd. (which are Provincially designated highways) back to the Province for future winter and summer maintenance, to be reviewed and discussed by Council.

Moved by: Councillor Kingston
Seconded by: Councillor Richard

MOTION CARRIED

Nay: Councillor Crossman

10.2 **Tender TCS22-066** – Snow and Ice Control – Codiac Transpo Lay-Bys & Transit Shelters – Zone 1

Motion: That Tender #TCS22-066 – Snow and Ice Control – Codiac Transpo Lay-Bys and Transit Shelters – Zone 1 be awarded to the low Bidder meeting the Terms, Conditions, and

Specifications, being Serenity Pools and Landscaping for the 2022-2023 winter season, for the Total Tendered Price of \$107,410.00, including H.S.T. @ 15%, with the option to extend the contract for up to two (2) additional seasons, if it is in the City's best interest to do so.

Moved by: Councillor Bourgeois
Seconded by: Deputy Mayor Butler

MOTION CARRIED

- 10.3 **Tender TCS22-067** – Snow and Ice Control – Codiac Transpo Lay-Bys & Transit Shelters – Zone 2 & 3

Motion: That Tender #TCS22-067 – Snow and Ice Control at Codiac Transpo Bus Shelters, Stops and Lay-Bys – Zones 2 and 3 be awarded to the low bidder meeting the Terms, Conditions and General Specifications, being Serenity Pools and Landscaping for the 2022-2023 winter season, at the call-out rates specified above, with the option to extend the contract for up to two (2) additional seasons, if it is in the City's best interest to do so.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

- 10.4 **Tender TCS22-068** – Snow and Ice Control – Codiac Transpo Lay-Bys & Transit Shelters – Zone 4

Motion: That Tender #TCS22-068 – Snow and Ice Control – Codiac Transpo Bus Shelters, Stops and Lay-Bys – Zone 4 be awarded to the lowest Bidder meeting the Terms, Conditions, and Specifications, being Serenity Pools and Landscaping for the 2022-2023 winter season, at a Total Estimated Seasonal Cost of \$52,289.87, including H.S.T. @ 15%, based on the call-out rates submitted in response to the Tender, with the option to extend the contract for up to two (2) additional seasons, if it is in the City's best interest to do so.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

- 10.5 Supply Agreement for Bulk Coarse Salt (2022-2023 Season)

Motion: That the City of Moncton enter into an agreement with Nutrien Ltd. for the Supply of Bulk Coarse Highway Salt for the 2022-2023 season, effective September 1, 2022 through to August 31, 2023, at a unit price of \$63.29 per metric tonne, plus H.S.T. @ 15%, in accordance with the Province of New Brunswick's Standing Offer Agreement #P034001820.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

11.

READING OF BY-LAWS/LECTURE D'ARRÊTÉS MUNICIPAUX

- 11.1 **A By-Law** in Amendment of the City of Moncton Development Charge By-Law, being By-Law Z-1519.2 (*subject to approval of item 7.3*)

Arrêté portant modification de l'Arrêté sur la redevance d'aménagement de la Ville de Moncton, soit l'arrêté Z-1519.2 (*sous réserve de l'approbation du point 7.3*)

12.

NOTICES MOTIONS AND RESOLUTIONS/AVIS DE MOTIONS ET RÉOLUTIONS

- 12.1 **Notice of Motion** – Guaranteed Livable Basic Income Resolution – Councillor Léger

WHEREAS the growing social crisis and impacts of poverty have downstream effects on our municipality, putting unsustainable pressure on our limited resources to deliver necessary public services and social supports as we struggle to keep up with downloaded responsibilities.

WHEREAS Basic Income addresses key social determinants of health, such as income and housing, it can alleviate pressures on municipalities to address poverty and fill gaps in social supports, such as shelter,

housing, food security and mental health. Research and pilots show that when people have a sufficient and secure income their mental and physical health improves; they have the capacity to secure more affordable, suitable, and safe housing, childcare, healthy food, and transportation; and poverty rates decrease.

WHEREAS the provision of a guaranteed livable basic income would benefit individuals, families and communities and protect the most vulnerable in society, it would also support community resilience by facilitating the transition to a local economy that responds to the climate crisis and other major challenges. Evidence shows that a federally funded basic income that improves people's financial stability is possible, as successful income transfer programs already exist in Canada for seniors (Old Age Security and the Guaranteed Income Supplement) and for parents (Canada Child Benefit (CCB)).

THEREFORE be it resolved that the City of Moncton write a letter to the Prime Minister, New Brunswick Members of Parliament, and the Premier of New Brunswick, calling on these orders of government to work towards implementing a Guaranteed Livable Basic Income to eradicate poverty and homelessness, and ensure everyone has sufficient income to meet their basic needs."

Moved: Councillor Charles Léger
Seconded: Councillor Paulette Thériault

13.
APPOINTMENTS TO COMMITTEES/NOMINATIONS À DES COMITÉS

14.
ADJOURNMENT/CLÔTURE DE LA SÉANCE

Motion : That the meeting be adjourned.

Moved by: Councillor Richard

MOTION CARRIED

.....
Dawn Arnold
MAYOR

.....
Shelley M. Morton
CITY CLERK & DIRECTOR OF
LEGISLATIVE SUPPORT

/7:00 p.m.

/ko