

Council Chambers
City Hall
Moncton, N.B.
February 6, 2023
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

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

ALSO PRESENT

M. Landry, City Manager
S. Morton, City Clerk, Director of Legislative Support
N. Robichaud, City Solicitor
J. Doucet, CFO, General Manager, Finance Services
E. Aucoin, General Manager Sustainable Growth and Development Services
L. Hanson, General Manager of Corporate Services
A. Binette, General Manager Operations Services
K. MacIntyre, General Manager Community Services
J. Cohoon, Director, Recreation (virtual)
G. Houser, Deputy Treasurer/Controller
M. Thériault, Deputy Treasurer-Corporate and Management Accounting
I. LeBlanc, Director, Corporate Communications
A. Richard, Director of Facilities
B. Jollette, Superintendent Benoit Jollette, interim Officer in Charge (OIC) of the RCMP
C. Landry, Fire Chief (virtual)
B. Budd, Director, Planning and Development
T. Carter, Purchasing Manager
A. Jardine, Manager, Strategic Communications
J. Adams, Urban Planner
K. Williamson, Solicitor
V. Merola, Community Development Coordinator, Social Inclusion

1.
CALL TO ORDER

2.
ADOPTION OF AGENDA

Motion: That the agenda for the regular public Council meeting dated February 6, 2023, be approved with the following additions:

- Public Presentation - The addition of a 2-minute presentation from Olivier Weil on towing of vehicles

Moved by: Councillor Richard
Seconded by: Deputy Mayor Butler

MOTION CARRIED

3.
CONFLICT OF INTEREST DECLARATIONS

None declared

4.
ADOPTION OF MINUTES

Motion: That the Minutes for the Public Meeting of December 5, 2022 and December 19, 2022, be adopted as circulated.

Moved by Councillor Edgett
Seconded by Councillor Kingston

MOTION CARRIED

**5.
CONSENT AGENDA**

**6.
PUBLIC AND ADMINISTRATION PRESENTATIONS**

6.1 PUBLIC PRESENTATIONS

5 minutes

Other Presentation

2 minutes

Winter Parking Ban & Towing of Vehicles – Olivier Weil

Mr. Weil provided a verbal presentation on an issue he recently encountered with street parking, in which resulted in the towing of his vehicle. Mr. Weil received no notification from Moncton Alerts that there was a parking ban and believes there is inconsistency with the new winter parking allowances and restrictions.

The City Manager asked that Mr. Weil leave his information with a staff member, and we would get back to him to resolve the issue.

6.2 ADMINISTRATION PRESENTATIONS

15 minutes

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

Superintendent Jollette provided a few highlights on the work by the Codiac Regional RCMP:

Community Policing Unit

- Being visible and available is a priority especially in schools and community events.
- Officers went out during the severe cold warning to ensure no one was left on the streets and moved to shelters for the night.

Crime Reduction Unit

- This unit continues to locate and seize illegal drugs and weapons.

Integrated Enforcement Unit

- This unit is new and made up of two Provincial Public Safety officers that deal specifically with street level drugs.

Major Crime Unit

- The GIS Section continues to receive various files regarding sexual assault and violence against children. 9 new files have been opened.

Patrol Team

- Patrols continue to be busy and have been seeking out people experiencing homelessness this winter to ensure they are not left in the cold and have shelter to go to at night.

6.2.2 Presentation – Pickleball Moncton Update – Joanne Lamarche & Maurice Belliveau

Mr. Belliveau provided an update from Pickleball Moncton on their new location at Curl Moncton. Pickleball is a fast-growing sport in the Greater Moncton area and over the years the city has been working with this group to find an indoor space. Both the Crossman Community Centre/Kay arena, and the YMCA were being used over the years as locations to play pickleball during the winter months. Pickleball Moncton has developed an agreement for use of the second shed at Curl Moncton for a three-year pilot project.

**7.
PLANNING MATTERS**

7.1 Introduction – Local Governance Reform Fees and Charges – Bill Budd

Mr. Budd provided a PowerPoint presentation outlining the requirements of the new Local Governance Reform legislation, the purpose of this item is to re-adopt the Fees and Charges By-law, in order to apply required municipal fees and charges to newly annexed lands.

Motion: That Moncton City Council:

1. Give first reading of proposed By-law # A-1323, A By-law Respecting Fees, Rates and Charges for Services Provided by the City of Moncton.

2. Refer section 4 and Appendix “B” of proposed By-law # A-1323 to the Planning Advisory Committee; and
3. Set a Public Hearing date for the items referred to the Planning Advisory Committee for March 20, 2023.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Léger

MOTION CARRIED

7.2 **Presentation** - Local Governance Reform – Re-adoption of By-laws – Bill Budd

Mr. Budd provided a PowerPoint presentation outlining the requirements of new the Local Governance Reform legislation, the purpose of this item is to re-adopt existing by-laws to apply to the newly annexed lands.

Motion: That Council adopt A By-law Relating to Plumbing in the City of Moncton (Plumbing By-law # Z-1323) by giving second and third readings. and;

That Moncton City Council adopt the following by-laws by giving second and third readings:

- A By-law to Establish a Planning Advisory Committee for the City of Moncton (PAC By-law # Z-1423)
- A By-law Relating to the Subdivision of Lands in the City of Moncton (Subdivision By-law # Z-323)

Moved by: Councillor Léger
Seconded by: Councillor Edgett

MOTION CARRIED

7.3 **Public Presentation** - Zoning and Municipal Plan Amendment for Local Governance Reform – Josh Adams

Mr. Adams provided a PowerPoint presentation highlighting the accommodations made for amendments to the Zoning By-Law and Municipal Plan to account for the lands that were annexed to the City of Moncton on January 1, 2023.

The amendments are described in the Draft Zoning By-Law Z-222.11 and Draft Municipal Plan By-Law Z-122.3.

The annexed lands have a residential population of approximately 650 and a combined tax base of approximately \$115.9 million. The annexed lands share two separate community names – Berry Mills in the southern portion of the lands and Lutes Mountain in the northern portion.

Planning & Development for this area is now administered by the City of Moncton. Previously, it was under the jurisdiction of the Southeast Regional Service Commission. When an annexation occurs, Section 39 of the Local Governance Act specifies that the annexing local government shall review and amend the Zoning By-Law and Municipal Plan to harmonize land use regulations of the annexed lands.

Further, the City will be responsible for readopting all municipal by-laws before they take effect in the annexed area. Planning & Development is currently undertaking this process for by-laws that fall under its mandate.

Motion: That Moncton City Council proceed with the Municipal Plan and Zoning By-law amendment process of By-Laws Z-122.3 & Z-222.11, and that the date of the public hearing be confirmed for March 20, 2023.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Steeves

MOTION CARRIED

7.4 **Public Hearing** – 84 MacAleese Lane – Rezoning lands from R2 (Two Unit Dwelling) to R3 (Multiple Unit Dwelling) – Bill Budd

Mr. Budd provided a PowerPoint presentation detailing an application from Rino Savoie, on behalf of Deborah Anne Magee, landowner, to rezone 84 MacAleese Lane (PID 00783415) from R2 (Two-Unit Dwelling) to R3 (Multiple-Unit Dwelling).

The purpose of the rezoning application is to accommodate a three-storey, 30-unit apartment building.

Mayor Arnold opened the Public Hearing:

Mayor Arnold provided the proponent the opportunity to speak. Rino Savoie provided some comments.

Objections have been received for this development; the City Clerk read the registered objections into the record and asked if any objectors wanted to speak further on their comments. No objectors came forward with further comments.

The Mayor closed the Public Hearing.

Motion : That Moncton City Council proceed with the Zoning By-law amendment, being By-law Z-222.9, by giving second and third readings, subject to a resolution with conditions including but not limited to:

1. That a 2m opaque fence be installed along the common property line abutting 60 MacAleese Lane (PID 00995860);
2. That the 2m opaque fence be made of wood, PVC, or other similar quality material, but shall not include chain link fencing;
3. That the fence be installed as soon as possible, weather permitting, but no later than six months after the completion of the building construction;
4. That the existing vegetation east of the main building remain undisturbed as shown on the site plan;
5. That all uses of land pursuant to this agreement shall conform with the provisions of the City of Moncton Zoning By-law, as amended from time to time, except as otherwise provided herein;
6. That notwithstanding Section 129(5) of the Zoning By-law, the distance between the jogs and recesses be permitted to increase from 9m to 15.2m as per the plans attached in Schedule B;
7. That notwithstanding Section 129(2) of the Zoning By-law, the landscaping buffer be permitted to be reduced from 6m to 3m in one location as per the plans attached in Schedule B;
8. That nothing contained herein shall prohibit or in any way limit the Developer's right to apply for a variance pursuant to the provisions of the Community Planning Act;
9. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Thériault

Seconded by: Councillor Crossman

MOTION CARRIED

7.5 Public Hearing - Housekeeping Amendments (Warner Street and Camelot Drive) – Conservation Lands – Bill Budd

Mr. Budd provided a PowerPoint presentation to address an administration-initiated 'housekeeping' amendment to the City of Moncton's Zoning By-law # Z-222. If adopted, the amendments will rezone two properties from R3 (Multiple Unit Dwelling) to P2 (Open Space and Conservation) for conservation purposes.

As land continues to develop in the City of Moncton, there will be occasions where housekeeping amendments are necessary to the City's Zoning Map to address new roads, walkways, and dedication of open space parcels. The purpose of this report is to address two minor mapping issues that have arisen from the subdivision/development of land on Warner Street (a portion of PID 01003748) and Camelot Drive (PIDs 70684071 and 70684089).

This area, extending south of Shediac Road to Harrisville Boulevard, was master planned to accommodate a mixed-use development. In Spring 2022, Council approved the location of streets and Lands for Public Purposes (LFPP) for Phase 1 of the multi-phase development proposal. During the construction of Phase 1, the City acquired a 10m wide treed buffer located between the existing homes on Lady Guinevere Street and Phase 1. To ensure these lands are used for open space and conservation purposes in perpetuity, administration are recommending the subject properties are rezoned from R3 (Multiple Unit Dwelling) to P2 (Open Space and Conservation).

The Mayor opened the Public Hearing.

No objections received for this item and no objectors came forward to speak.

The Mayor closed the Public Hearing.

Motion: That Moncton City Council proceed with the Zoning By-law amendments, being By-laws Z-222.7 and Z-222.8, by giving second and third readings.

Moved by: Councillor Thériault

Seconded by: Councillor Crossman

MOTION CARRIED

7.6 **Council Decisions on Rezoning** – 1333 Main Street – Rezoning lands from R2U (Urban Dwelling Zone), R3 (Multiple Unit Dwelling) to CBD (Central Business District) – Bill Budd

Mr. Budd provided a PowerPoint presentation on an application from Chad Blakney, agent, on behalf of 717035 NB Inc, landowner, to rezone lands from R2U (Urban Dwelling Zone), R3 (Multiple Unit Dwelling), and CBD (Central Business District) to CBD (Central Business District). The Public Hearing for this item occurred at the last Regular Public Session on January 16, 2023 and was postponed for further information.

The rezoning will accommodate the construction of a 10-storey mixed-use building at the northwestern corner of Vaughan Harvey Boulevard and Main Street. The building will have commercial on the main floor, two levels of underground parking (approximately 166 underground parking stalls), and a total of approximately 151 residential units.

Mr. Budd addressed some of the concerns from residents relating to the height of the building and René Lagacé spoke on concerns with traffic and parking.

Motion: That Moncton City Council proceed with the Zoning By-law amendment, being By-law Z-222.10 for 1333 Main Street (PIDs 00693614, 00693606, 00882894, 00696963, 70684642, and 00693622). The rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. That the properties (PIDs 00693614, 00693606, 00882894, 00696963, 70684642, and 00693622) be consolidated prior to the issuance of a Building and Development permit;
2. As the proposed rezoning meets the intent of policy D-22 of the Municipal Plan, amending the designation on PIDs 00693614, 00693606, 00882894, and 00693622 will not be required;
3. That any impacted soil and/or groundwater must be managed in accordance with New Brunswick's Department of Environment and Local Government's Guidelines for the Management of Contaminated sites;
4. That the fence on the north side be opaque and made of wood, PVC, or another similar quality material, but shall not be chain link;
5. That the fence be installed as soon as possible, weather permitting, but no later than six months after the completion of the building construction;
6. That trees and shrubs be planted along the parking lot frontage as per section 45(2) of the Zoning By-law;
7. That despite section table 16.3 of Zoning By-law Z-222, the front yard setback on Main Street be permitted to increase from 2 metres to up to 11 metres, as per the plans;
8. That despite section 108(1)(b) of Zoning By-law Z-222 the special setback on Vaughan Harvey be permitted to be reduced from 6 metres to 5 metres in some areas;
9. That despite table 16.3 of Zoning By-law Z-222 the setback of a portion of the building on the west side be permitted to increase as per plans;
10. That despite section 123(1) of Zoning By-law Z-222 the façade step-back be permitted to be reduced as per plans;
11. That despite section 117(c) of Zoning By-law Z-222 a commercial entrance on the west façade is not required;
12. That despite section 117(d) of Zoning By-law Z-222 the spans between jogs and recesses on the ground floor facades be permitted to be increased as per plans;
13. That all uses of land pursuant to this agreement shall conform with the provisions of the City of Moncton Zoning By-law, as amended from time to time, except as otherwise provided herein;
14. That nothing contained herein shall prohibit or in any way limit the Developer's right to apply for a variance pursuant to the provisions of the Community Planning Act;
15. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B; and,
16. That the parkette, as identified on the site plan, be open to public use.

Moved by: Councillor Léger

Seconded by: Councillor LeBlanc

Councillor Bourgeois asked what changed from the last meeting on the consideration to reduce the height of the building. Mr. Blakney responded that although, the land was initially purchased with the intention to build a 10-storey building, considerations were made from the concerns received from the community.

Councillor Bourgeois also asked Mr. Budd if considerations could be made to change the rule of contacting residents within a new development within 100 meters to 200 meters? Mr. Budd confirmed that there is an enhanced notification policy which includes additional measures but will make a note to include this request when they review the policy in future.

Councillor Richard asked if the City has any criteria required for parkette's and green space.

Mr. Budd confirmed that Michelle McAloon, Landscape Project Coordinator can provide more information and guidance on this.

MOTION CARRIED

8.
STATEMENTS BY MEMBERS OF COUNCIL

9.
REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 **Recommendation(s)** – Special Private Session – January 23, 2023

Motion: That Moncton City Council authorize the City to enter into the contribution agreement with Canada Mortgage and Housing Corporation for the Rapid Housing Initiative (Cities Stream) funding and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the Corporate Seal thereto.

Moved by: Councillor Léger
Seconded by: Councillor Edgett

MOTION CARRIED

10.
REPORTS FROM ADMINISTRATION

10.1 Local Governance Reform – By-law #A-202 Ward Boundaries update

Motion: That Moncton City Council give first reading to By-law #A-202.7, being A By Law In Amendment Of A By-Law Relating To The Election Of Members Of Council, Their Remuneration And The Establishment Of Ward Boundaries Within The City Of Moncton.

Moved by: Councillor Steeves
Seconded by: Deputy Mayor Butler

MOTION CARRIED

Councillor LeBlanc was not present for the vote.

10.2 Repeal of Mandatory Face Covering in Municipal Buildings Policy

Motion: That Moncton City Council repeal the Mandatory Face Coverings in Municipal Facilities Policy.

Moved by: Councillor Kingston
Seconded by: Councillor Edgett

Councillor Bourgeois asked if it would be possible to post signage encouraging mask wearing as the pandemic is still ongoing. The City Manager acknowledged the request and will look into this.

MOTION CARRIED

Councillor LeBlanc was not present for the vote.

10.3 **Award of Quotation QP22-109** – Disposal of Contaminated Liquid Waste and Various Waste Materials

Motion: That Moncton City Council approve Administration's recommendation to award Quotation #QP22-109 for the Disposal of Contaminated Liquid Waste and Various Waste Materials to Larca Enviro Ltd. for a one (1) year period in accordance with the Unit Prices specified in their bid submission, which represents a Total Estimated Annual Contract Value of \$109,728.11, including H.S.T. @ 15%, with options to extend the agreement for up to four (4) additional twelve (12) month periods, if it is in the City's best interest to do so.

Moved by: Councillor Bourgeois
Seconded by: Councillor Richard

Councillor Steeves asked where the waste is taken to be disposed of.

Mr. Doucet did not know the specific answer to this question and will follow up with once he receives more information.

MOTION CARRIED

Councillor LeBlanc was not present for the vote.

**11.
READING OF BY-LAWS**

- 11.1 **A By-Law** respecting Fees, Rates and Charges for services provided by the City of Moncton, being By-Law A-1323 – **First Reading (subject to approval of item 7.1)**

The Clerk gave first reading to By-Law A-1323

- 11.2 **A By Law** in Amendment of a By-Law relating to the Election of Members of Council, their Remuneration and the Establishment of Ward Boundaries within the City of Moncton, being By-Law A-202.7 – **First Reading (subject to approval of item 10.1)**

The Clerk gave first reading to By-Law A-202.7

- 11.3 **A By-Law** in Amendment of the City of Moncton Zoning By-Law Z-222.9 – 84 MacAleese Lane – **Second and Third Reading (subject to approval of item 7.4)**

Motion: That the Clerk give second reading to By-Law Z-222.9

Moved by: Councillor Richard
Seconded by: Councillor Edgett

MOTION CARRIED

The Clerk gave second reading to By-Law Z-222.9

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being , be given third reading and that it be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Councillor Richard
Seconded by: Councillor LeBlanc

MOTION CARRIED

The Clerk gave third reading to By-Law Z-222.9

- 11.4 **A By-Law** in Amendment of the City of Moncton Zoning By-La, being By-Law Z-222.7 – Conservation Lands **Second and Third (subject to approval of item 7.5)**

Motion: That the Clerk give second reading to By-Law Z-222.7

Moved by: Deputy Mayor Butler
Seconded by: Councillor Edgett

MOTION CARRIED

The Clerk gave second reading to By-Law Z-222.7

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being By-Law Z-222.7 , be given third reading and that it be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Edgett

MOTION CARRIED

The Clerk gave third reading to By-Law Z-222.7

- 11.5 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.8 – Conservation Lands - **Second and Third Reading (subject to approval of item 7.5)**

Motion: That the Clerk give second reading to By-Law Z-222.8

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

The Clerk gave second reading to By-Law Z-222.8

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being By-Law Z-222.8, be given third reading and that it be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

The Clerk gave third reading to By-Law Z-222.8

- 11.6 **A By-law** to Establish a Planning Advisory Committee for the City of Moncton, being By-law Z-1423 – **Second and Third Reading (subject to approval of item 7.2)**

Motion: That the Clerk give second reading to By-Law Z-1423

Moved by: Councillor Léger
Seconded by: Councillor LeBlanc

MOTION CARRIED

The Clerk gave second reading to By-Law Z-1423

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being Z-1423, be given third reading and that it be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Councillor LeBlanc
Seconded by: Councillor Edgett

MOTION CARRIED

The Clerk gave third reading to By-Law Z-1423

- 11.7 **A By-law** Relating to the Subdivision of Lands in the City of Moncton, being By-law # Z-323 – **Second and Third Reading (subject to approval of item 7.2)**

Motion: That the Clerk give second reading to By-Law Z-323

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

The Clerk gave second reading to By-Law Z-323

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being By-Law Z-323, be given third reading and that it be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Councillor Butler
Seconded by: Councillor Richard

MOTION CARRIED

The Clerk gave third reading to By-Law Z-323

- 11.8 **A By-law** Relating to Plumbing in the City of Moncton, being By-law # Z-1323 – **Second and Third Reading (subject to approval of item 7.2)**

Motion: That the Clerk give second reading to By-Law Z-1322

Moved by: Councillor Richard
Seconded by: Deputy Mayor Butler

MOTION CARRIED

The Clerk gave second reading to By-Law Z-1323

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being By-Law Z-1323, be given third reading and that it be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Deputy Mayor Butler
Seconded by: Councillor Richard

MOTION CARRIED

The Clerk gave third reading to By-Law Z-1323

11.9 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-law Z-222.10 – 1333 Main Street – **Second and Third reading (subject to approval of item 7.6)**

Motion: That the Clerk give second reading to By-Law Z-222.10

Moved by: Councillor Léger
Seconded by: Councillor Kingston

MOTION CARRIED

The Clerk gave second reading to By-Law Z-222.10

Motion: That a By-Law Relating to the City of Moncton’s Zoning By-Law, being By-Law Z-222.10, be given third reading and that it be ordained and passed and that the Mayor and City Clerk be authorized to sign same and affix the Corporate Seal of the City of Moncton thereto.

Moved by: Councillor Richard
Seconded by: Councillor Steeves

MOTION CARRIED

The Clerk gave third reading to By-Law Z-222.10

**12.
NOTICES MOTIONS AND RESOLUTIONS**

**13.
APPOINTMENTS TO COMMITTEES**

Motion: That the following appointments be approved/:

- Planning Advisory Committee**
- Amanda Hachey
 - Ketan Raval
 - Maxime Gauvin (re-appointment)
 - Dale Briggs (re-appointment)

Moved by Councillor Butler
Seconded by Councillor Léger

MOTION CARRIED

**14.
ADJOURNMENT**

Motion : That the meeting **be adjourned.**

Moved by: Councillor Richard

MOTION CARRIED

.....
Dawn Arnold
MAYOR

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

/6:33 p.m.

/ko