

Council Chambers  
City Hall  
Moncton, N.B.  
January 15, 2024  
4 p.m.

**MINUTES – REGULAR PUBLIC MEETING**

**MEMBERS OF CITY COUNCIL**

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

**ABSENT**

Councillor Bryan Butler

**ALSO PRESENT**

S. Doucet, Chief Administrative Officer  
S. Morton, City Clerk, Director of Legislative Support  
N. Robichaud, City Solicitor, General Manager of Legal and Legislative Services  
L. Hanson, General Manager, Corporate Services  
E. Aucoin, General Manager, Sustainable Growth and Development Services  
A. Binette, General Manager, Operations Services  
J. Cohoon, General Manager, Community Services  
C. Savoie, Director of Policing Support Services and Acting General Manager, Protective Services  
I. LeBlanc, Director, Communications  
B. Jollette, Superintendent, interim Officer-In-Charge (OIC) of the Codiac RCMP  
C. Landry, Fire Chief  
B. Budd, Director of Planning and Development  
S. Anderson, Manager of Development Planning  
D. Geldart, Urban Planner  
A. Smith, Manager, Long Range Policy Planning  
J. Davies, Senior Planner  
R. Lagacé, Director of Engineering  
R. Rifaat, Transportation and Parking Engineer

**1.  
CALL TO ORDER**

**2.  
ADOPTION OF AGENDA**

**Motion:** That the agenda for the regular public Council meeting dated January 15, 2024, be approved with the following changes:

That item 10.3 TransAqua be postponed to the next Regular Public meeting of February 5, 2024.

Moved by: Councillor Léger  
Seconded by: Councillor Steeves

**MOTION CARRIED**

**3.  
CONFLICT OF INTEREST DECLARATIONS**  
None declared

**4.  
ADOPTION OF MINUTES**

**Motion:** That the minutes for the Regular Public Council meetings dated October 16, 2023, November 6, 2023, November 20, 2023, December 4, 2023, December 18, 2023 and the Special Public Sessions of October 23, 2023 and November 14, 2023.

Moved by: Councillor Léger  
Seconded by: Councillor Richard

**MOTION CARRIED**

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## 5. CONSENT AGENDA

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## 6. PUBLIC AND ADMINISTRATION PRESENTATIONS

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### 6.1 PUBLIC PRESENTATIONS

5 minutes

#### 6.1.1 **Presentation:** Report from Events Moncton first year – Bill Whalen, Chair of Events Moncton

Mr. Whalen provided a verbal presentation with an update on Events Moncton's first year as a committee. City Council created Events Moncton in the late summer of 2022 and their first meeting was in September 2022. The Committee is comprised of Mr. Whalen and Larry Nelson as co-chairs, as well as Ray Roberge, Natasha Ostaff and Councillor Kingston as members.

The Committee was involved in the 2023 IIHF World Hockey Championships which was a huge success for our region. Additionally, the committee played a part in bringing in an international soccer match, the Guns and Rose concert, NCAA Basketball Tournament, the New Years Eve family fun fest. The committee continues to work on event bids for 2024.

Going forward, the committee plan to create a 10-year strategy in 2024 to identify events that fit the community and our assets to create a positive economic impact for Moncton. They are also determined to engage the community and create community pride.

#### 6.1.2 **Presentation:** Apartment standards By-Law Enforcement – Peter Jongeneelen - NB ACORN Co-Chair and Nikki Kennedy, ACORN representative in NB

Ms. Kennedy provided a PowerPoint presentation to City Council on their association along with their report "State of Disrepair – The tenant's case for landlord registration in New Brunswick.

ACORN is well known for its municipal campaigning for proactive enforcement of minimum property standards. NB Acorn prioritizes unaffordable, substandard, and precarious housing as problems that need a range of legislated policy solutions.

The tenant survey report shows that the condition of many current rental properties in Moncton do not abide by the minimum property standards set out by the Residential Property Maintenance and Occupancy Code. Tenants are encountering issues with pests, cleanliness, mold, needed repairs and are afraid to speak up due to fear of eviction. Many tenants don't know minimum property standards exists and do not know the process to follow to address them. Currently the system is based on a complaint basis and landlords are not required to address the issues.

Landlords need to be held accountable for maintenance of their properties therefore ACORN is calling for a landlord registration system that would create a proactive system of enforcement. Systems like this have recently been adopted in municipalities such as Mississauga and Halifax. Additionally, the process could include:

- Charge a fee of 1\$ per month for landlords to subsidize expanding range of By-Law officers.
- Registration of buildings and properties.
- Regular inspections carried out to ensure compliance and address issues or deal with a penalty.
- Education for tenants and landlords is vital.

Councillor Léger requested that staff looking into what the municipality can do to improve housing standards and that staff come back to provide an update to Council on next steps and that ACORN be advised of the update.

#### 6.1.3 **Presentation:** Closure of the Moncton Lions Community Centre 50+ Program – Dr. Sarah Lord, Health & Wellness Coordinator and Former Board Member of the MLCC

Dr. Lord provided a verbal presentation on the recent loss of the Moncton Lions Community Centre 50+ senior program has ended after about 50 years of serving the community.

In pushing for a decentralized program for seniors, the core hub of the program has collapsed and the instructors have left leaving the seniors with no programs. Dr. Lord questioned where Senior's fit in the Moncton Social Inclusion Plan and hope the City will find a solution to this loss.

Serge Doucet acknowledged the recent changes and losses have been difficult for seniors in the community. Mr. Doucet assured the group that the City is committed to supporting seniors in Moncton and that administration is working on a path forward and a list of options for senior programming in the City.

Deputy Mayor Crossman and Councillor Léger recommended sitting down and having a roundtable discussion with the Board of the Moncton Lions Community Centre and seniors in the community.

Through discussions, it was agreed that improvements could be made on communication and resources for seniors on the City website and in connection with 211. Ms. Cohoon took note of this request.

### **Other Presentations**

2 minutes

### **6.2 ADMINISTRATION PRESENTATIONS**

15 minutes

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

Supt. Benoit Jollette provided an update on RCMP activities:

#### **Community Policing**

- During the afternoon and evening of New Year's Eve, Codiac RCMP deployed a heavy police presence throughout the downtown zone for the numerous New Year celebrations. No major incidents were reported.
- Codiac RCMP hosted our Divisional Regimental Ball on December 15<sup>th</sup> at the Delta.
- On January 4<sup>th</sup>, members of the Community Policing Unit presented a donation to each of the three foodbanks that serve the three communities in the Codiac area. Cheques in the amount of \$845 each were presented to the Peter McKee Community Centre, the Second Mile Food Bank and the Albert County Food Bank. Reminder to everyone that the food banks need help year-round to assist people and families in need.
- The Community Policing Unit is offering de-escalation training to downtown businesses. The training will consist of an introduction to de-escalation techniques. On January 9<sup>th</sup>, their first session was held with the Corey Craig group where nearly 50 people attended. This service will be offered to several other downtown clients in the coming months.

#### **Crime Reduction Unit**

- On January 3<sup>rd</sup>, while members of the Crime Reduction Unit were working on an unrelated matter, they observed a suspicious vehicle on McLaughlin Drive. Contact was made with the vehicle and occupants. The vehicle was determined to have been stolen from the Salisbury area in November of 2023. A male from Moncton was arrested. After the arrest members located a firearm, various drugs including cocaine and crystal meth and contraband cigarettes. The male is facing several charges.
- On January 10<sup>th</sup>, the Crime Reduction Unit, working with members of Southeast District RCMP were able to locate a 38-year-old man who has been linked to several thefts in both the Codiac area and surrounding areas of Southeastern New Brunswick. The male was remanded into custody and facing several charges.
- The team has continued regular patrols in and around downtown, leading to the arrest of several people on outstanding warrants and the recovery of stolen vehicles.
- All suspects related to a large-scale drug operation that has been ongoing in our area have been arrested, search warrants executed, and charges have been laid.
- In the fall of 2021, the Codiac RCMP Crime Reduction Unit along with the New Brunswick Integrated Enforcement Unit began an investigation targeting street level drug trafficking in the Greater Moncton area. Throughout the course of the investigation, police seized approximately 5 ounces of cocaine, various "Shady 8" pills, 16 grams of fentanyl, 1.4 kilograms of crystal methamphetamine, various hydromorphone pills, over \$27,000 in cash, and several firearms. The operation, which included advanced investigational techniques, was concluded in November 2022. A total of twenty people have been charged with trafficking of illegal drugs. Seventeen men and three women.

#### **Patrol**

- Members continue to be busy on various calls for service in the Codiac area and focus efforts on providing visibility in key areas.
- On December 20<sup>th</sup>, Codiac Patrol responded to a break and enter complaint on Rooney Crescent where a large vehicle had rammed the gate of the business and stolen four vehicles. Later the same morning the same suspect vehicle was involved in another incident on DeLong Drive. Nothing was stolen at this location. As the investigation continued, it was discovered that the truck had been stolen from the Fredericton area the previous day. Later in the day, the vehicle was located in the Shediac area. Thanks to techniques used on scene through the Forensic Identification Services, members were able to link a suspect. The investigations are ongoing, and several charges are pending.
- On January 11<sup>th</sup>, Codiac Patrol responded to complaints of thefts in both Moncton and Dieppe by a specific group of females. Thanks to the coordinated work of Codiac Patrol and the Crime Reduction Unit, the suspects were located as they exited a store where they just stolen items. Two females from Nova Scotia were arrested and are facing various charges. Through the investigation it was learned that the pair are in fact travelling criminals who prey on businesses across the Maritimes.
- In the early hours of January 2<sup>nd</sup>, Codiac Patrol responded to a child death incident. It was concluded that no criminality was involved. The Francophone South School District assisted in this investigation.

and the General Investigation Section is currently investigating all avenues of this incident as a precaution.

Deputy Mayor Crossman asked Supt. Jollette if there could be increased police presence for all events at the Avenir Centre and suggested that the City Manager have discussions with Supt. Jollette, our Special Events Coordinator and the CRPA to see how this could be put in place.

## 7. PLANNING MATTERS

### 7.1 **Presentation** – Tree Protection Strategy and By-Law – Tim Moerman, Director of Environmental Planning and Management

Mr. Moerman provided a PowerPoint presentation to provide Council with an update on the proposed Tree Protection Strategy and present the accompanying By-law for first reading.

Currently, the regulation of trees on private land is done only through the City's Zoning By-law. Adopting a Tree Protection By-law under the LGA would also allow the City to issue administrative penalties (tickets) in the case of a violation. Administration believes that a coordinated approach that makes full use of both sets of legislated powers, as well as non statutory policy and communication efforts, is most likely to succeed.

Mr. Moerman went over the phases of the Tree Protection Strategy:

#### **Phase 1 (2024)**

- Initial Tree Protection By-law: stop premature cutting & clearance on vacant land
- FAQ and information session with industry
- Amend Subdivision Guidelines
- Begin consultation on next phases

#### **Phase 2 (2025-2026)**

- Municipal Plan and Zoning By-law Review: clearer policy/zoning around tree cutting, retention, preservation and planting
- Detailed Tree Protection and Replacement By-law

#### **Phase 3 (post 2026)**

- Conservation design framework for new subdivisions

Mr. Moerman also summarized what is included in the Tree Protection By-Law Z-1624 and the penalties imposed for premature tree cutting.

The By-Law prohibits cutting/clearance of vacant land until issuance of a building permit or development permit. This By-Law will assist in preventing the cutting of mature trees that could be preserved/incorporated into development and will also help avoid drainage/erosion problems from premature clearance of other vegetation.

**Motion: That** Moncton City Council:

(a) Give first reading to the Tree Protection By-law Z-1624;

(b) Schedule second and third reading of the aforementioned By-law for the regular public Council meeting of February 20, 2024.

Moved by: Councillor Léger

Seconded by: Councillor Thériault

Councillor Léger suggested that any revenues gained from fines could go into a tree protection fund for planting more trees.

Councillor Thériault would like to see consideration and public awareness on preserving urban trees and forests in existing neighbourhoods.

## MOTION CARRIED

### 7.2 **Introduction** – Amendments to Zoning By-Law that assist with the implementing Tree Protection Strategy – Tim Moerman, Director of Environmental Planning and Management

Mr. Moerman provided a verbal presentation on the proposed amendment to the Zoning By-law is to accommodate the associated, proposed Tree Protection By-law. Section 83 currently includes the 'terms and conditions' trigger for the cutting or clearing of trees outside (subsection 1, one or more contiguous hectares) and inside (subsection 2, larger than 2,000 m<sup>2</sup>) the urban boundary. This section is proposed to be repealed as the new regulatory framework would be housed in the Tree Protection By-law.

**Motion: That** Moncton City Council:

- 1) Give first reading of proposed Zoning By-law amendment # Z-222.27;
- 2) Refer the proposed amendment to the Planning Advisory Committee; and
- 3) Set a Public Hearing for February 20, 2024.

Moved by: Councillor Léger  
 Seconded by: Councillor Edgett

#### MOTION CARRIED

- 7.3 **Introduction** – Rezoning at 356 Ryan Street – Bill Budd, Director of Planning and Development – Bill Budd, Director of Planning and Development

Mr. Budd provided a presentation on an application from Diallo Development Ltd. to rezone a portion of 356 Ryan Street (PID 01022912) from R2 (Two-Unit Dwelling) to RM (Residential Mix).

The purpose of the rezoning application is to accommodate four rowhouse developments. Each rowhouse will have a maximum height of two-storeys and consist of six residential units each (total of 24-units on site).

**Motion: That** Moncton City Council proceed with the proposed Zoning By-law amendment Z-222.26 by:

1. Giving 1st reading of the by-law;
2. Referring the by-law to the Planning Advisory Committee for its written views; and
3. Setting a Public Hearing for February 20, 2024, at 4:00 PM in Council Chambers at City Hall.

The rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. Prior to the issuance of a development permit, a Final Plan of Subdivision be approved and registered;
2. The rowhouse dwellings be limited to two-stories;
3. The 2m opaque fence be made of wood, PVC, or other similar quality material, but shall not include chain link fencing;
4. The fence be installed as soon as possible, weather permitting, but no later than six months after the building has been constructed;
5. That similar siding colors are not repeated on rowhouse dwellings adjacent to each other or on opposite sides of the private street;
6. The applicant shall provide unit numbers for the main building prior to the issuance of a development permit;
7. 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;
8. That notwithstanding Table 12.1 of the Zoning By-law, the proposed rowhouse dwellings are permitted as of-right;
9. That notwithstanding Section 31(2) of the Zoning By-law, more than one main building is permitted on the lot;
10. 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; and
11. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Steeves  
 Seconded by: Councillor Thériault

#### MOTION CARRIED

- 7.4 **Introduction** – Rezoning at Botsford St, Victoria St, Wesley St. (St. Bernards Square) – Bill Budd, Director of Planning and Development

Mr. Budd provided a presentation on an application received from Amico Construction, on behalf of Trevor Ritchie, landowner, to rezone the lands located at the corner of Botsford Street, Victoria Street, and Wesley Street (PID 70677273) from SBD (Secondary Business District) to CBD (Central Business District).

The rezoning will accommodate the development of an 18-storey mixed-use building with 181 residential units, commercial uses at grade, and 136 parking stalls in underground and interior parking.

**Motion: That** Moncton City Council proceed with the Zoning By-law amendment being By-law Z-222.25 and:

1. That Council give 1st reading to Zoning By-law amendment By-law Z-222.25;
2. That a public hearing be set for February 20, 2024; and
3. That By-law Z-222.25 be referred to the Planning Advisory Committee for its written views; and

The rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. That the Developer shall employ additional flood mitigation measures to reduce the risk and impact of flooding in the lower level of the parking structure. These flood mitigation measures are to be prepared by a certified Professional Engineer licensed to practice in the Province of New Brunswick, and may include, at the request of the City Engineer or their designate and subject to their acceptance, studies or designs prepared and stamped by said Professional Engineer;
2. That prior to the issuance of a Development permit the landowner shall enter into an agreement with the City regarding the underground parking to ensure proper performance of any terms and conditions required herein;
3. That the landowner install sidewalks on Victoria Street and Wesley Street as part of the proposed development, and will be reimbursed the year following completion of the work (after Capital Borrowing Board Approval), provided that the work has been satisfactorily completed without deficiencies;
4. That despite section 123(1) of Zoning By-law Z-222 the façade step-back is permitted to be reduced in some areas, as per plans;
5. That despite section 51 of Zoning By-law Z-222 an off-street loading space is not required on the site;
6. That all uses of land pursuant to this resolution shall conform with the provisions of the City of Moncton Zoning By-law, as amended from time to time, except as otherwise provided herein;
7. 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; and,
8. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Thériault

Seconded by: Deputy Mayor Crossman

#### MOTION CARRIED

- 7.5 **Public Hearing** – Rezoning of five PIDs at the North End of McLaughlin South of TransCanada (Master Plan) – Bill Budd, Director of Planning and Development

Mr. Budd provided a presentation outlining an application received from ATMJ Properties Ltd. to rezone lands located on the north end of McLaughlin Drive, just south of the Trans-Canada Highway, bearing PIDs 00777748, 00790014, 70177845, 70263314, 70573134, and 70629753 from R2 (Two Unit Dwelling Zone) to RM (Residential Mix Zone), R3 (Multiple Unit Dwelling Zone) and P1 (Community Use Zone).

The rezoning will accommodate the development of a master planned area with a mix of medium to high density residential development. The project will include 512 new units, in a mix of buildings that will be between 1.5, 2, 4, and 6 storeys in height.

The Mayor opened the Public Hearing and asked if the developer of the project wanted to speak on the matter.

Mr. Albert Boudreau, ATMJ Properties, spoke on the work put into this plan and believes this development will assist the housing demand that the City is experiencing.

There were no other proponents of the project wishing to speak in favour of the development.

The City Clerk asked the objectors who were registered to speak to come forward.

- Patrice Hawkes
- Donna McGuire
- John McGuire
- Marc Michaud
- Annie Michaud

The following letters in objection to this project were read into the record from the following residents:

- Annie Girouard
- Annick Carter
- Trudy Allen
- Valerie Tracy
- Celine Allain
- Annick and Jamie MacKnight
- John & Lucille Hebert
- Ken Barrett
- Mike & Brenda Babineau
- Tricia & Peter Lahey
- Carol McDormand
- Diane & Cecime Leblanc
- Francis/Diane Melanson
- Kenneth & Shannon Magee
- Priscilla Massé
- Ali Alqadi
- Danielle LeBlanc

- Gisele Dupuis Bone
- Karen Porter
- Jeff and Connie Geddes
- Dr. Priscilla Massé
- George and Audrey Horsman
- Stan Small

Additionally, the following citizen requested to speak and/or ask questions.

- Amanda Campbell

In summary, residents expressed concerns with the following issues:

- Traffic (traffic increase, congestion, limited access, noise from traffic)
- Reduction in quality of life (loss of enjoyment of property and privacy)
- Construction time and disturbance (noise, dust, emissions, air quality, crime/theft)
- Decrease in property value
- Risk to safety (due to traffic, increase crime, trespassing, fire risks)
- Environmental loss (loss of trees, removal of sound and wind barrier, loss of sun, increase pollution)
- Density and lack of privacy
- Not in line with existing neighbourhood (single unit dwellings and duplexes)
- Infrastructure overload (roads, sewage, water supply, electricity)
- Increased pests
- Removal of rural character of neighbourhood

Residents would like to see the following changes if the project to move forward:

- Maximum of 3-4 storey buildings
- Larger buffer area between existing residential properties and new development
- Park and Play included
- Addition of more affordable units
- Timeline of construction reviewed

Mr. Budd addressed the various concerns brought forward by residents and answered questions from City Council.

**Traffic and sidewalks:** Consultants to be hired to study the McLaughlin Drive and Elmwood Drive corridors and provide recommendations on improvements to both streets. If approved, this development will be part of the analysis and given the phased timeline for the proposed development there will be time to adjust and make improvements to McLaughlin Drive where and when needed.

The proposed new extension of Ashworth Drive will have a sidewalk on one side and a multi-use trail on the other to ensure safety for pedestrians.

**Quality of life, privacy and property value:** All of the proposed new buildings will provide a screening between them and existing properties – if existing trees are not sufficient then either a fence or a line of trees will be accommodated. Additionally, the proposed buildings will be well maintained and cared for. The landowner resides in Moncton and ensures his properties are looked after and well managed.

**Changing the existing neighbourhood zonings:** Rental units are valuable for those looking to downsize such as seniors, for students and recent graduates, for people who don't want to own and manage a property. Communities are dynamic with people moving in and out regularly. As the people within a community age or develop different priorities, the City is responsible for keeping up with changing needs.

**Privacy fencing** will be included for some residents on properties bordering the shared property lines, the fencing will be opaque, two metres (6.5 feet) in height, and will be wood, PVC, or another similar quality but will not be chain link.

Councillor Richard requested that no major rezoning matters be brought forward around the holidays as this has caused a lot of stress to the residents effected. Mr. Budd noted the request for future.

The Mayor adjourned the Public Hearing. After various concerns were expressed by Council, Councillor Léger requested that the item be postponed for further information and solutions to the traffic concerns and plan changes.

**Motion:** That the Rezoning of five PIDs at the North End of McLaughlin South of TransCanada (Master Plan) be postponed until the February 20, 2024 Regular Public Meeting.

Moved by: Councillor Léger

Seconded by: Councillor Thériault

#### **MOTION CARRIED**

*Nay: Councillor Richard*

- 7.6 **Public Hearing** – Rezoning – Rockaway subdivision off Salisbury Road (Master Plan) - Bill Budd, Director of Planning and Development

Mr. Budd provided a presentation on an application from Wayne Coster, landowner, to rezone lands located on the north side of the Salisbury Road between Llangollen Road and Carmel Street.

The lands were subdivided and registered in the 1950s, which created the “Rockaway Subdivision”. Almost all the lands within the subdivision were acquired by Mr. Coster (with the exception of one property), who now wants to rezone the property from R2 (Two Unit Dwelling) to RM (Residential Mix) and proceed with a revised development plan.

The rezoning will accommodate a variety of housing styles. In total, the development will include 150 new dwelling units, consisting of townhouses, semi-detached housing and single-unit dwellings.

The Mayor opened the Public Hearing and asked if the owner/developer of the project wanted to speak on the matter but there were no further comments.

There were no other proponents of the project wishing to speak in favour of the development.

The City Clerk asked the objectors who registered to speak to come forward.

- Melissa Leslie who spoke with concerns related to the road that will be built beside her home and the traffic it will generate.

Mr. Budd addressed the traffic concerns brought forward by residents and advised that a traffic study was conducted and it was found that the impacts of the new road are minimal.

Councillor Léger suggested a fence be added and Councillor Bourgeois inquired if the developer could increase the buffer between the road and properties affected in order to minimize any impacts the road will cause.

The Mayor adjourned the Public Hearing and opened the floor for Councillors to speak on the matter and debate the recommendation.

Councillor Bourgeois moved the recommendation and requested it be amended to include a fence and increased tree buffer. Staff and the developer agreed.

**Motion:** That Moncton City Council proceed with the Zoning By-Law amendment being By-Law Z-222.21.

The rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. 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;
2. Notwithstanding the Zoning By-Law requirements, the minimum lot frontage for a future semi-detached dwelling on lot 23-07 will be 10.06 metres;
3. Phase I shall include the construction of the emergency access shown on the plan;
4. The design of the emergency access is subject to the acceptance of the City of Moncton Engineering Department and City of Moncton Fire Department and shall be finished with a gravel base;
5. Prior to the commencement of Phase III, the emergency access shall be paved, unless another access is provided to an adjacent subdivision by a public street;
6. That if it is suspected that remains of archaeological significance are found during construction, as per the Heritage Conservation Act, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Tourism, Heritage and Culture, shall be contacted;
7. 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; and
8. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B.
9. That a 6-foot opaque fence starting at the front yard setback be constructed by the developer along the eastern property line of LfPP (01) and adjacent civic 1325 Salisbury Road (PID 00934273). The fence shall be wood or PVC, or another similar quality material but shall not be chain link. The fence shall be paid for and installed by the developer at the time of street construction and will be included as part of the work covered by Subdivision Agreement. Further, that the tree line within LfPP(01), adjacent to PID 00934273, shall be made more robust by planting a mix of coniferous and deciduous trees. The developer has the option to submit a Street Tree Planting Plan to the City for review before commencing the development. In the event of a surplus, Street Trees may be planted within the designated LFPP (01) area. If there is no surplus of trees, additional trees, as agreed to by the City’s Park Department, are to be paid for by the developer and planted by the City.

Moved by: Councillor Bourgeois

Seconded by: Councillor Léger



**MOTION CARRIED**

- 7.7 **Public Hearing** – Cash-in-lieu for Parking Zoning By-law Amendments and Policy – Josh Davies, Senior Planner, Long Range Policy Planning

Mr. Davies provided a presentation regarding the proposed amendment to the Zoning By-Law Z-222.23, to repeal and replace of section 43 concerning cash-in-lieu of parking. The aim of the amendment is to support the creation of housing units in the non-profit sector. To support the proposed Zoning By-law amendment, a new Policy of Council is proposed.

The Mayor opened up the public hearing and asked if there were any objectors wishing to speak on the matter.

Mr. Boyd Anderson had previously submitted a written objection but chose to withdraw his objection.

The Mayor closed the Public Hearing and there were no further questions or comments from City Council.

**Motion: That** Moncton City Council adopt proposed By-Law amendment # Z-222.23 by:

- 1) Giving second and third reading of the By-Law;

It is further recommended that Council approve the following Policy of Council:

Cash-in-lieu of Parking Policy for Residential Uses

Moved by: Councillor Léger

Seconded by: Councillor Richard

**MOTION CARRIED**

- 7.8 **Public Hearing** – Municipal Plan and Zoning By-law amendment to land use tables – changing terms and condition uses to permitted for all residential – Andrew Smith, Manager of Long-Range Policy Planning

Mr. Smith provided a presentation on the initiative to change all residential uses in the Municipal Plan and Zoning By-Law from conditional (i.e. subject to terms and conditions by the Planning Advisory Committee) to permitted (as-of-right development).

This initiative will improve Design Standards by increased predictability and flexibility in By-Law, reduce the need for variance, address neighborhood compatibility and NIMBYism, variance mechanism allows added conditions (maintain a degree of tailoring).

The Mayor opened up the public hearing and asked if there were any objectors wishing to speak on the matter.

- The City Clerk read an objection from Mark LeBlanc into the record. Mr. LeBlanc expressed the need for more consultation on the Sunny Brae neighbourhood plan and that these changes be included in the 10-year review of the Municipal Plan review.
- The City Clerk read an objection from Ron and Carol Berry expressed that residents did not receive proper notice and time to review these changes and provide input.
- Etienne Rouleau spoke with concerns to lack of communication and advertisement of these changes to the municipal plan.
- Boyd Anderson spoke in objection to the change of “residential conditional uses” to “permitted uses” as they will stop the proper process to occur with the Planning Advisory Committee. This change should be part of the 10-year municipal plan and zoning by-law review.

Mr. Smith responded to the concerns raised and answered questions from Council.

Councillor Thériault believes this item needs more consultation and discussion.

Councillor Léger agreed that better communication is required and believes the initiative needs to be streamlined and explained to the Public.

The Mayor adjourned the Public Hearing and requested that the item be postponed to a later date, being February 5, 2024.

**Motion: That** the Public Hearing - Municipal Plan and Zoning By-law amendment to land use tables – changing terms and condition uses to permitted for all residential be adjourned and postponed until the February 5, 2024 City Council Meeting.

Moved by: Councillor Thériault

Seconded by: Councillor LeBlanc

**MOTION CARRIED***Nay: Councillor Bourgeois*

Due to the prolonged meeting, City Council expressed that remaining planning matters be postponed.

## 7.9 ATMJ Subdivision – Subject to approval of item 7.5 (five PID’s North End of McLaughlin )

Postponed to the February 20, 2024 Regular Public meeting.

## 7.10 Toure Subdivision (Cash in Lieu)

Postponed to the February 5, 2024 Regular Public meeting.

**8.****STATEMENTS BY MEMBERS OF COUNCIL****9.****REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS**9.1 **Recommendation(s)** – Private Session – January 8, 2024

Postponed to the February 5, 2024 Regular Public meeting.

**10.****REPORTS FROM ADMINISTRATION**10.1 **Public Hearing** – Stop up and close ATMJ future streets off McLaughlin Drive (related to items 7.5 and 7.8)

The Mayor opened the Public Hearing and adjourned the Public Hearing to a future meeting.

**Motion: That** the Public Hearing for the Stop up and close ATMJ future streets off McLaughlin Drive be adjourned and postponed until the February 20, 2024 meeting.

Moved by: Councillor LeBlanc

Seconded by: Councillor Léger

**MOTION CARRIED**

*Councillor Thériault left the meeting at 10:24 p.m.*

10.2 **Award of Request for Proposal RFP23-016** – Audio-Visual System Upgrade Council Chambers – Dusty Tower, Technology Integration Manager

Mr. Tower provided a PowerPoint presentation requesting Moncton City Council’s approval to proceed with the award of Request for Proposal #RFP23-016 to complete an upgrade to the outdated audio-visual equipment and software used in Council Chambers.

The scope of work also includes the removal of all existing wiring and equipment, the testing and commissioning of the new audio-visual system’s components, the provision of professional training to City staff regarding the operation, maintenance and troubleshooting of the new audiovisual system, as well as on-site technical support services on an “as required” basis.

As part of this project, a variety of construction upgrades will be required within Council Chambers and the existing technology booth, media booth, and translation booth to improve the City’s overall use and function within the booth space and accommodate the new audio-visual hardware that will be installed by the successful Proponent. Therefore, the successful Proponent of this RFP will be required to collaborate with the City’s appointed Design Consultant and internal design team regarding the integration and placement of the successful Proponent’s audio-visual equipment as part of the overall construction design requirements.

**Motion: That** Moncton City Council approve Administration’s recommendation to award Request for Proposal #RFP23-016 – Audio-Visual System Upgrade (Council Chambers) to the highest-scoring Proponent, being Ivan’s Audio-Visual, for the Total Revised Purchase Price of \$395,821.45, including H.S.T. @ 15%.

Furthermore, it is recommended that a Five Percent (5%) Contingency Allowance in the amount of \$19,791.07, including H.S.T. @ 15%, be allocated to the project budget to address any unknown or unforeseen site conditions which may require additional hardware or components to be supplied and installed by the successful Proponent.

Moved by: Councillor Richard

Seconded by: Councillor Léger

**MOTION CARRIED**

10.3 **Motion** to eliminate the smell produced by TransAqua

Postponed to the next meeting of Moncton City Council on February 5, 2024.

**11.****READING OF BY-LAWS**

The City Clerk announced that the following by-laws for 1<sup>st</sup> reading will be posted on line at [www.moncton.ca](http://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** relating to Tree Protection in the City of Moncton, being By-Law Z-1624 – **First Reading**

*The City Clerk gave first reading to By-Law Z-1624*

11.2 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.27 that assist with the Tree Protection Strategy – **First Reading**

*The City Clerk gave first reading to By-Law Z-222.27*

11.3 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.26 – Rezoning at 356 Ryan Street – **First Reading**

*The City Clerk gave first reading to By-Law Z-222.26*

11.4 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.25 – Rezoning at Botsford St, Victoria St, Wesley St – **First Reading**

*The City Clerk gave first reading to By-Law Z-222.25*

Pursuant to Section 15.3(a) ii (A&B) of the Local Governance Act the following by-laws for 2<sup>nd</sup> and 3<sup>rd</sup> reading 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.

11.5 **A By-Law** in Amendment of a By-Law relating to the Stopping Up and Closing of Highways Within the City of Moncton, being By-Law T-221.4 – **Second and Third Reading**

Item postponed to the Regular Public Session of February 20, 2024

11.6 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.20 – Rezoning of five PIDs at the north end of McLaughlin south of TransCanada (Master Plan) – **Second and Third reading**

Item postponed to the Regular Public Session of February 20, 2024

11.7 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.21 – Rezoning – Rockaway subdivision off Salisbury Road (Master Plan) – **Second and Third reading**

**Motion: That** the Clerk give second reading to By-Law Z-222.21

Moved by: Councillor Léger

Seconded by: Councillor LeBlanc

**MOTION CARRIED**

The City Clerk gave second reading to By-Law Z-222.21

**Motion: That** a By-Law Relating to the City of Moncton's By-Laws, being By-Law Z-222.21, 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 Léger

Seconded by: Councillor LeBlanc

**MOTION CARRIED**

The City Clerk gave third reading to By-Law Z-222.21

- 11.8 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-law Z-222.23 – Cash-in-lieu of Parking Policy and Zoning By-law Amendments for Parking Policy – **Second and Third reading (subject to approval of item 7.7)**

**Motion: That** the Clerk give second reading to By-Law Z-222.23

Moved by: Councillor Léger  
Seconded by: Councillor Edgett

**MOTION CARRIED**

The City Clerk gave second reading to By-Law Z-222.23

**Motion: That** a By-Law Relating to the City of Moncton’s By-Laws, being By-Law Z-222.23, 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 Edgett  
Seconded by: Councillor Léger

**MOTION CARRIED**

The City Clerk gave third reading to By-Law Z-222.23

- 11.9 **A By-Law** in Amendment of a By-Law relating to the Adoption of the City of Moncton Municipal Plan, being By-Law Z-122.05 – Changing Residential Uses from Conditional to Permitted – **Second and Third reading**

Postponed to the Regular Public Session of February 5, 2024

- 11.10 **A By-Law** in Amendment of a By-Law relating to the Adoption of the City of Moncton Sunny Brae Neighborhood Plan – Secondary Municipal Plan, being By-Law Z-122B.01 – **Second and Third reading**

Postponed to the Regular Public Session of February 5, 2024

- 11.11 **A By -Law** in Amendment of the Zoning By-Law, being By-Law Z-222.24 – Changing Residential Uses from Conditional to Permitted – **Second and Third reading (subject to approval of item 7.8)**

Postponed to the Regular Public Session of February 5, 2024

**12. NOTICES MOTIONS AND RESOLUTIONS**

**13. APPOINTMENTS TO COMMITTEES**

**Motion: That** the following appointments be approved

Youth Advisory Committee

- Hooriyah Eaman

Heritage Conservation Board

- Shanin Faal

Senior’s Advisory Committee

- Susan Plewes

Moved by: Councillor Richard  
Seconded by: Councillor Steeves

**MOTION CARRIED**

Motion: That the following re-appointments be approved:

Codiac Regional Policing Authority

- Donald Moore

Moved by: Councillor LeBlanc  
Seconded by: Councillor Steeves

**MOTION CARRIED**

*Nay: Councillor Bourgeois*

**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

10:44 p.m.

/ko