

Council Chambers
City Hall
Moncton, N.B.
February 20, 2024
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

Mayor Dawn Arnold
Deputy Mayor Shawn Crossman
Councillor Monique LeBlanc
Councillor Marty Kingston
Councillor Paulette Thériault

Councillor Charles Léger
Councillor Daniel Bourgeois
Councillor Bryan Butler
Councillor Dave Steeves
Councillor Susan Edgett
Councillor Paul Richard

ALSO PRESENT

S. Doucet, Chief Administrative Officer
N. Robichaud, City Solicitor, General Manager, Legal and Legislative Services
S. Morton, City Clerk, Director of Legislative Support
L. Hanson, General Manager of 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
C. Farrah, Officer in Charge (OIC) of Specialized Policing Services (SPS), Codiac RCMP
C. Landry, Fire Chief

B. Budd, Director, Planning and Development
S. Anderson, Manager, Development Planning
D. Geldart, Urban Planner
R. Lagacé, Director of Engineering
R. Rifaat, Transportation and Parking Engineer
V. Merola, Community Development Officer – Social Inclusion
T. Carter, Manager of Purchasing

**1.
CALL TO ORDER**

**2.
ADOPTION OF AGENDA**

Motion: That the agenda for the regular public Council meeting dated February 20, 2024, be approved as circulated.

Moved by: Councillor Steeves
Seconded by: Councillor Richard

MOTION CARRIED

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

**4.
ADOPTION OF MINUTES**

**5.
CONSENT AGENDA**

5.1 Encroachment Agreement – Fiedmont Street – MID Illuminated Pylon Sign

Motion: That Moncton City Council authorizes the City of Moncton to enter into an Encroachment Agreement with Moncton Industrial Development Limited, the terms and condition of which allow the installation and encroachment of a permanent illuminated pylon sign upon the City of Moncton’s Property located at Fiedmont Street and bearing Service New Brunswick parcel identification number (PID) 70640586, 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 Richard
Seconded by: Councillor Léger

MOTION CARRIED

6. PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATIONS

5 minutes

6.1.1 **Presentation:** Housing Barriers Solutions Lab findings and next steps – Cory Herc, Co-Creator, O Strategies

Mr. Herc, Co-Creator of O Strategies, provided a presentation to Council on their Housing Barriers Solutions Lab. Funding for this lab was awarded from CMHC to conduct a Solutions Lab called “Shelter in the Storm” in Moncton.

The Lab’s objective was to identify, explore, and develop responses to challenges regarding housing accessibility and security in urban southeast New Brunswick for individuals in need of complex support. Through this initiative, data was accessed through experts in the field and from those accessing and providing the services in the community and 19 homeless-focused prototypes were developed through community engagement and stakeholder input. 14 are ready to advance and will be unveiled to the Public at a celebration event in future. Many have been tested, some have been delivered and the remainder have a plan on how they will be implemented.

Mr. Herc concluded by inviting members of City Council to the wrap up celebration event for the CMHC-Funded Solutions on March 7th.

Other Presentation

2 minutes

6.2 ADMINISTRATION PRESENTATIONS

15 minutes

6.2.1 **Update – RCMP** – Chantal Farrah, Officer in Charge (OIC) of the Codiac Regional RCMP

Inspector Farrah provided an update on RCMP activities:

Community Policing

- On February 2, members of Codiac RCMP participated in Coffee with a Cop at Café la Factrie. This was a recruiting event and an opportunity for community members to meet with Codiac RCMP members.

Crime Reduction Unit

- On January 25, officers who were working on open air drug enforcement observed a suspicious vehicle off Weldon Street. The vehicle was confirmed to have been stolen and the male that stole the vehicle was remanded into custody and facing several charges.
- Today, members found a stolen vehicle that was taken from the Dieppe area and located a missing person with outstanding warrants.

Patrol

- On January 30, a patrol members observed a male and two females robbing another male at knife point and was able to come to his aid.

The Tactical traffic control team and the highway safety enforcement team continue to work in the community alongside our officers. Recent operations saw 104 traffic tickets issued and 6 unsafe vehicles towed.

7. PLANNING MATTERS

7.1 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 on a very large property approximately 19 acres in size, with a mix of medium to high density residential development. The project will include 458 new units in a mix of buildings that will be between 1.5, 2, 4, 5 and 6 storeys in height.

At the January 15, 2024 Regular Public Meeting, Council closed the public hearing but requested additional information prior to making a decision on the application. The requested additional information is included

in the Council report form. Mr. Budd addressed the proposed changes to reflect feedback from the public hearing:

- a. Reduced overall unit count from 512 to 458 units
- b. Building C (originally 6 storeys)
 - i. Being pushed back closer to the highway
 - ii. Reduced to 5 storeys
 - iii. Moving office building to street frontage:
 - The office will be 1.5 storeys in height, to blend in with the surrounding neighbourhood. Door facing street, office windows.
 - The Garage door at rear to accommodate snowplough and other needs to manage the grounds of the development complex.
- c. Building D (4 storeys) 33
 - i. Removing the eastern-most driveway to encourage people to use McLaughlin Drive instead of Ashworth Drive. It will keep two driveways – one accessing McLaughlin directly and the other closer to McLaughlin.
 - ii. Analyzed reducing height to 3 storeys. Underground parking is desirable for this development. Reducing height and unit count to 3 storeys would not make underground parking feasible (from a cost perspective). It would mean much more surface parking and less desirable units.
- d. Two-stored walk-up apartments
 - i. Balconies have been removed from the rear of the buildings for the two-storey walk-up units.

Additionally, Mr. Budd touched on concerns brought forward at the Public Hearing such as decrease in property values, land density and privacy and traffic.

Motion: That Moncton City Council proceed with the Zoning By-law amendment being By-law Z-222.20 and the rezoning, if approved, should be subject to a resolution with conditions including but not limited to:

1. That notwithstanding section 129(1) of the Zoning By-law, buildings A, B, and C are permitted to be taller than 4 storeys (15 metres) provided the buildings are set back a minimum of 15 metres from any abutting land zoned R2 (Two Unit Dwelling);
2. That options for the City to acquire the triangular-shaped remnant parcel required for the TransCanada Highway interchange be explored, and the land be acquired if it is deemed to be in the best interest of the City;
3. 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;
4. 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;
5. 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
6. The development shall be carried out in general conformance with the plans and drawings submitted as Schedule B.

Moved by: Deputy Mayor Crossman
Seconded by: Councillor Edgett

Councillor Bourgeois proposed a possible amendment to the motion to create a crescent instead of a street. Mr. Budd advised that this type of amendment would require a new Public Hearing process to accommodate.

With the changes made and new proposal, Councillor Bourgeois and Léger questioned the process of not being able to question the developer and gain feedback from the Public on the changes.

Due to the scale of the development, resident concerns and the timing of the notice of the development Councillor Richard cannot support this project at this time.

MOTION CARRIED

Nay: Councillor Richard

Councillor Butler was not present for the vote.

- 7.2 Public Hearing – Stop up and close ATMJ future streets off McLaughlin Drive (related to items 7.1 and 7.3) – Bill Budd, Director of Planning and Development

At its January 15 regular Public Council meeting, this file was adjourned to a later date (Feb 20 meeting).

The Public hearing for this matter relates to the stop up and close of 3 unbuilt future street stubs (one off Marquette Avenue and 2 off Ashworth Drive).

The Mayor opened the Public Hearing and confirmed there were no objections received and subsequently closed the public hearing.

Motion: That Moncton City Council proceed with the stop up and close process of unbuilt future street stubs (Marquette Ave. and Ashworth Dr.) by giving 2nd and 3rd reading to Stop up and close By-law # T-221.4.

Moved by: Councillor Bourgeois
Seconded by: Councillor Kingston

MOTION CARRIED

Nay: Councillor Richard

7.3 **ATMJ Subdivision – Subject to approval of item 7.1 (five PID’s North End of McLaughlin) Postponed from January 15, 2024 meeting**

Mr. Budd provided a presentation to Council on a proposed subdivision that requires the approval of Council creating new public streets and Land for Public Purposes as per section 88 of the Community Planning Act.

Motion: That Moncton City Council:

- Assent to the extension of promenade Ashworth Drive (public);
- Assent to the extension of avenue Marquette Avenue (public);
- Assent to the location of Land for Public Purposes; and,
- Require cash in lieu of Land for Public Purposes in the amount of \$1,150.04.

Subject to the following conditions:

- Streets and Services to be designed and acceptable to the Engineering Department and constructed in accordance with the Subdivision Development, Procedures, Standards and Guidelines.

Moved by: Councillor Edgett
Seconded by: Councillor Steeves

MOTION CARRIED

*Nay : Councillor Richard
Councillor Bourgeois*

7.4 **Public Hearing – Amendments to Zoning By-Law that assist with the implementing Tree Protection Strategy**

The Mayor opened the Public Hearing and confirmed there were no objections received and subsequently closed the public hearing.

Motion: That Moncton City Council adopt proposed Zoning By-law Amendment # Z-222.27 by giving second and third readings.

Moved by: Councillor Butler
Seconded by: Councillor Leblanc

MOTION CARRIED

7.5 **Public Hearing – Rezoning at 356 Ryan Street – 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 24 rowhouse units. The units will be distributed through four main buildings.

The Mayor opened the Public Hearing and asked if the Developer, proponents or objectors wanted to speak on the matter.

The City Clerk proceed to read objection letters from two residents:

- Marc Daigle with concerns on the fencing and drainage.
- Terry Meisner with concerns on noise, traffic and public safety.

Mr. Budd confirmed that administration does not have control over the color of the fence.

Mr. Lagacé confirmed that based on the traffic impact study, there are no concerns with traffic in that area.

The Mayor closed the Public Hearing.

Motion: That Moncton City Council proceed with the Zoning By-law amendment, being By-law Z-222.26, by giving second and third readings of the by-law, 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 Butler

MOTION CARRIED

7.6 **Public Hearing** – 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 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.

The Mayor opened the Public Hearing and asked if the Developer, proponents or objectors wished to speak on the matter.

- Pierre Landry a resident of Wesley Street spoke with concerns on the reduction of sunlight to surrounding properties.

The City Clerk proceeded to read a letter into the record from Immeuble Incité Realty Inc. with concerns on-street parking, integration with urban Life, building lighting, neighborhood's heritage character.

Mr. Budd advised that the setbacks to the building should mitigate any concerns with sunlight.

In terms of traffic, Mr. Lagacé advised that the only recommendation from the traffic impact study was for colored crosswalks due to increase foot traffic in the area.

The Mayor adjourned the Public Hearing.

Motion: That Moncton City Council proceed with the Zoning By-law amendment being By-law Z-222.25 and, 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: Deputy Mayor Crossman

Seconded by: Councillor Thériault

MOTION CARRIED

7.7 Ida May Freeman subdivision (Cash-in-Lieu) – **Bill Budd, Director of Planning and Development**

Mr. Budd provided a presentation for the decision of Council required regarding the Land for Public Purposes/Cash in lieu requirement of the Subdivision By-law.

The applicant would like to subdivide their property, located at 356 Ryan Street, to create a lot to accommodate an existing home and a second lot for a proposed multi-unit development.

Motion: That Moncton City Council request cash in lieu of Land for Public Purposes in the amount of \$10,304.00 for the Amending Ida May Freeman Subdivision.

Moved by: Councillor Kingston

Seconded by: Councillor Butler

MOTION CARRIED

7.8 Jonathan Park Subdivision – Unit 5 – **Bill Budd, Director of Planning and Development**

Mr. Budd provided a PowerPoint on a proposed subdivision that requires the approval of Council to create new public streets as per section 88 of the Community Planning Act. The proposed subdivision is an extension of the existing Jonathan Park subdivision and is located at southern end of Rosenberg Street. This area is zone R1B – Single Unit Dwelling Zone. The intent of this subdivision plan is to create three (3) lots for future residential development purposes and to extend two (2) existing streets

Motion: That Moncton City Council:

- Assent to the extension of rue Rosenberg Street (public)
- Assent to the extension of rue Garibaldi Street (public),
- Require payment of the Jonathan Park Trunk Sewer Charge area, and
- Require payment of the Jonathan Park Culvert Charge area

Subject to the Following Conditions:

- Streets and Services to be designed and acceptable to the Engineering Department and constructed in accordance with the Subdivision Development, Procedures, Standards and Guidelines.
- That additional Land for Public Purposes in the amount of 5.729 hectares (PID 70434204) and 843.4 square metres (PID 70434220) be contributed by developer.

Moved by: Councillor Butler

Seconded by: Councillor Steeves

MOTION CARRIED

8.

STATEMENTS BY MEMBERS OF COUNCIL

9.

REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 **Recommendation(s)** – Private Session – February 12, 2024

Motion: That Council authorize the City to enter into the Combined Loan and Grant Agreement with Federation of Canadian Municipalities for the Green Municipal Fund “Albert Street Brownfield Redevelopment” Project, 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 Kingston

MOTION CARRIED

10.

REPORTS FROM ADMINISTRATION

10.1 **Award of Quotation QP24-005** – Portable Chemical Identification Unit

Motion: That Moncton City Council approve Administration’s recommendation to award Quotation #QP24-005 for the purchase and delivery of One (1) Only Portable Chemical Identification Unit from Levitt Safety Ltd., for the Total Purchase Price of \$202,606.00, including H.S.T. @ 15%.

Moved by: Councillor Richard

Seconded by: Councillor Léger

MOTION CARRIED

**11.
READING OF BY-LAWS**

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

11.1 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 - Postponed from January 15, 2024 meeting*

Motion: That the Clerk give second reading to By-Law T-221.4

Moved by: Councillor Léger
Seconded by: Councillor Edgett

MOTION CARRIED

Nay: Councillor Richard

The City Clerk gave second reading to By-Law T-221.4

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law T-221.4, 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 LeBlanc

MOTION CARRIED

Nay: Councillor Richard

The City Clerk gave third reading to By-Law T-221.4

11.2 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 Postponed from January 15, 2024 meeting*

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

Moved by: Councillor Edgett
Seconded by: Councillor LeBlanc

MOTION CARRIED

Nay: Councillor Richard

The City Clerk gave second reading to By-Law Z-222.20

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law Z-222.20, 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 Kingston

MOTION CARRIED

Nay: Councillor Richard

The City Clerk gave third reading to By-Law Z-222.20

11.3 A By-Law relating to Tree Protection in the City of Moncton Z-1624 – *Second and Third Reading*

Motion: That the Clerk give second reading to By-Law Z-1624

Moved by: Councillor Léger
Seconded by: Councillor LeBlanc

MOTION CARRIED

The City Clerk gave second reading to By-Law Z-1624

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law Z-1624, 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-1624

- 11.4 **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 – **Second and Third Reading**

Motion: That the Clerk give second reading to By-Law Z-222.27

Moved by: Councillor Léger
Seconded by: Councillor LeBlanc

MOTION CARRIED

The City Clerk gave second reading to By-Law Z-222.27

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law Z-222.27, 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-222.27

- 11.5 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.26 – Rezoning at 356 Ryan Street – **Second and Third Reading (subject to approval of item 7.5)**

Motion: That the Clerk give second reading to By-Law Z-222.26

Moved by: Councillor Butler
Seconded by: Councillor Richard

MOTION CARRIED

The City Clerk gave second reading to By-Law Z-222.26

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law Z-222.26, 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 Léger

MOTION CARRIED

The City Clerk gave third reading to By-Law Z-222.26

- 11.6 **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 – **Second and Third Reading (subject to approval of item 7.6)**

Motion: That the Clerk give second reading to By-Law Z-222.25

Moved by: Councillor Richard
Seconded by: Deputy Mayor Crossman

MOTION CARRIED

The City Clerk gave second reading to By-Law Z-222.25

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law Z-222.25, 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 Thériault
Seconded by: Deputy Mayor Crossman

MOTION CARRIED

The City Clerk gave third reading to By-Law Z-222.25

- 11.7 **A By-Law** in Amendment of By-Law Respecting Fees, Rates and Charges for Services Provided by the City of Moncton, being By-Law A-1324.1 – **Second and Third Reading**

Motion: That the Clerk give second reading to By-Law A-1324.1

Moved by: Councillor Butler
Seconded by: Councillor Edgett

MOTION CARRIED

The City Clerk gave second reading to By-Law A-1324.1

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law A-1324.1, 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 Butler

MOTION CARRIED

The City Clerk gave third reading to By-Law A-1324.1

12. NOTICES MOTIONS AND RESOLUTIONS

12.1 **Resolution** for appointment of By-Law Enforcement Officers (Chloe Thibodeau, Wade Walton, Simon Diotte, Donna Caudle, Anthony Gillis, Karushan Yogendran, Gavin Ilkiw, Christian McCarthy, Olivia Hunter and Claudie Lefrancois)

BY-LAW ENFORCEMENT OFFICER

WHEREAS by virtue of the Local Governance Act, S.N.B. 2017, c. 18, and all applicable regulations adopted under it, and the Police Act, S.N.B., 1977, c. P-9.2, Council may appoint by-law enforcement officers for the local government, and a by-law enforcement officer has the powers and immunities of a police officer for the purposes of enforcing the by-laws of the municipality for which he or she is appointed as are stipulated in the appointment, but has in no other regard the powers or immunities of a police officer;

INSPECTIONS

AND WHEREAS by virtue of Section 144 of the Local Governance Act, if the Local Governance Act, any other Act or a by-law of Council authorizes an inspection or requires anything to be inspected by a local government, a by-law enforcement officer may, after giving reasonable notice to the owner or occupant of the land, building or other structure, inter alia, enter the land, building or other structure at any reasonable time, and carry out the inspection;

PROCEEDINGS, ORDERS AND NOTICES

AND WHEREAS by virtue of Subsection 150(1) of the Local Governance Act, Council may designate any person in whose name proceedings for an offence under a by-law, including but not limited to Informations, may be laid or commenced;

AND WHEREAS by virtue of the Local Governance Act and any other Act or a by-law of Council, a by-law enforcement officer may be authorized by Council to issue Notices, Orders and Demands and any other similar documents, as prescribed by and provided for in the Local Governance Act and any other Act or a by-law of Council;

NOW THEREFORE BE IT RESOLVED THAT Chloe Thibodeau, Wade Walton, Simon Diotte, Donna Caudle, Anthony Gillis and Karushan Yogendran be appointed By-Law Enforcement Officers for the City of Moncton, and that they be authorized to enforce any by-law, or any applicable Act and regulation, and any amendments thereto;

BE IT FURTHER RESOLVED THAT Chloe Thibodeau, Wade Walton, Simon Diotte, Donna Caudle, Anthony Gillis and Karushan Yogendran be authorized to carry out any inspection, enter any land, building, premises, other structure and dwelling or dwelling unit, and take any such action, exercise such power and perform such duty as they may deem necessary, and as may be set out in any by-law, or any applicable Act and regulation, and any amendments thereto, to enforce any provisions of any by-law, and any applicable Act and regulation, and any amendments thereto; and,

BE IT FURTHER RESOLVED THAT Chloe Thibodeau, Wade Walton, Simon Diotte, Donna Caudle, Anthony Gillis and Karushan Yogendran be authorized to act for and on Council’s behalf, and are hereby designated and authorized as persons in whose name Informations, and any other proceedings, may be laid or commenced for an offence under any by-law, or any applicable Act and regulation pursuant to the sections noted in the Acts referenced above; and designated and authorized to issue Notices, Orders and Demands and any other similar documents, as prescribed by and provided for in the Local Governance Act and any other Act or a by-law of Council.

Moved by: Councillor Bourgeois
Seconded by: Councillor Léger

MOTION CARRIED

13.

APPOINTMENTS TO COMMITTEES

Motion: That the following appointments be approved:

Moncton Public Library Board

- Mallory Murray

Moved by: Councillor Léger
Seconded by: Councillor LeBlanc

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

/ 6:55 p.m.

/ko