

Council Chambers  
City Hall  
Moncton, N.B.  
April 2, 2024  
4 p.m.

**MINUTES – REGULAR PUBLIC MEETING**

**MEMBERS OF CITY COUNCIL**

Deputy Mayor Shawn Crossman	Councillor Dave Steeves (Webex)
Councillor Bryan Butler	Councillor Paul Richard
Councillor Monique LeBlanc	Councillor Susan Edgett
Councillor Marty Kingston (Webex)	Councillor Paul Richard
Councillor Charles Léger	
Councillor Daniel Bourgeois (Webex)	

**ABSENT**

Mayor Dawn Arnold  
Councillor Paulette Thériault

**ALSO PRESENT**

S. Doucet, Chief Administration Officer (CAO)  
N. Robichaud, Deputy CAO/ City Solicitor  
S. Morton, City Clerk, Director of Legislative Support  
E. Aucoin, General Manager, Sustainable Growth and Development Services  
A. Binette, General Manager, Operations Services  
J. Cohoon, Director of Recreation & Acting General Manager, Community Services  
L. Hanson, General Manager of Corporate Services  
M. Thériault, Deputy Treasurer, Corporate Management Accounting  
J. Preston, Acting General Manager, Protective Services  
I. LeBlanc, Director, Communications  
B. Budd, Director, Planning and Development  
R. Lagacé, Director, Engineering  
B. Jollette, Superintendent, Officer-In-Charge (OIC) of the Codiac RCMP  
D. Geldart, Urban Planner  
S. Anderson, Manager of Development Planning  
J. Davies, Senior Planner  
T. Carter, Manager of Purchasing  
A. Richard, Director of Facilities  
K. Fram, Director of Water Distribution and Wastewater

**2.**

**ADOPTION OF AGENDA**

**Motion:** That the agenda for the regular public Council meeting dated April 2, 2024, be approved as circulated.

Moved by: Councillor Butler  
Seconded by: Councillor Richard

**MOTION CARRIED**

**3.**

**CONFLICT OF INTEREST DECLARATIONS**

**4.**

**ADOPTION OF MINUTES**

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**5.**

**CONSENT AGENDA**

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**6.**

**PUBLIC AND ADMINISTRATION PRESENTATIONS**

**6.1 PUBLIC PRESENTATIONS**

5 minutes

**6.1.1 Presentation:** Moncton Cares – Ketan Raval, Chief volunteer

Mr. Raval, Chief Volunteer of Moncton Cares has requested to provide a presentation Council with updates on their work, partnerships, collaboration, and 2024 programs.

**6.2 ADMINISTRATION PRESENTATIONS**

15 minutes

7.

**PLANNING MATTERS****7.1 Introduction** – Rezoning application at 680 Salisbury Road (PID 70400262) – Bill Budd

Mr. Budd provided a presentation on an application from Mr. Aubrey Morrell, on behalf of the landowner, to rezone a portion of a property located at 680 Salisbury Road identified as PID 70400262, from R2 (Two-Unit Residential) to SC (Suburban Commercial). The purpose of the application is to enable the expansion of the parking area of an existing Auto Sales establishment to accommodate display vehicles for sale.

Rezoning the subject land from R2 to SC will require an amendment to Schedule 1 of the Municipal Plan to amend the land use designation from NH (Neighbourhood) to MUC (Mixed Use Centres and Corridors).

**Motion:** That Moncton City Council proceed with the Municipal Plan amendment Z-122.6 and Zoning By-Law amendment Z-222.29 and

1. That Council give 1st reading to the Municipal Plan Amendment By-Law Z-122.6 and Zoning By-Law Amendment By-Law Z-222.29;
2. That a public presentation be set for April 15, 2024;
3. That By-Laws Z-122.6 and Z-222.29 be referred to the Planning Advisory Committee for its written views; and
4. That a public hearing be tentatively set for May 21, 2024.

The municipal plan amendment and 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. The two properties, being PIDs 70400262 and 70422605, be consolidated prior to the issuance of a development permit;
3. The 2m opaques fence be made of wood, PVC or other similar quality material, but shall not include chain link fencing;
4. The landscaping be completed, as per the site plan attached as Schedule B, no later than one year following the issuance of a development permit;
5. The existing vegetation remain undisturbed as shown on the site plan attached as Schedule B;
6. That any exterior lighting shall be installed to direct light away from neighboring properties;
7. Prior to the issuance of a development permit, a reciprocal right-of-way agreement be registered between the subject property and 670 Salisbury Road (PID 01020239) for the purposes of a shared driveway access and shared parking area;
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 general conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Léger

Seconded by: Councillor Richard

**MOTION CARRIED****7.2 Public Presentation** - Rezoning and amendment to the urban boundary for PID 01100726 off Whitfield Trites (Winery) – Sarah Anderson

Ms. Anderson provided a presentation on an application from Trace Planning and Design, on behalf of the landowner of 30 Whitfield Trites Road and bearing PID 1100726, to amend the Municipal Plan and rezone the property. The application proposes to redesignate the property from NH (Neighbourhood) and RR (Rural Residential) to MHT (Magnetic Hill Tourism) and rezoning the land from R2 (Two Unit Dwelling) and RR-1 (Rural Residential) to TR (Tourism and Recreation).

The proposal also includes an amendment to the city's urban boundary, to expand it to include a portion of the subject site.

The rezoning will allow retail and entertainment uses at the Pioneer Estates Winery. This will include hosting visitors for indoor and outdoor wine tastings, wine sales, and hosting larger events such as weddings and corporate rentals to a maximum of 80 people. The development will include a new outdoor patio and terrace, a parking area, and a temporary overflow parking section.

**Motion:** That Moncton City Council proceed with the Municipal Plan amendment Z-122.4 and Zoning By-Law amendment By-Law Z-222.13 and

1. That Council confirm the Public Hearing for May 6, 2024; and

The Municipal Plan amendment and Zoning By-law amendment, 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;
2. The grass on the temporary parking area must be cut regularly;
3. 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;
4. The development shall be carried out in substantial conformance with the plans and drawings submitted as Schedule B;
5. That notwithstanding section 62 of Zoning By-law Z-222 the 30 metre landscape buffer between the entertainment use and the abutting residential zones is permitted to be reduced as per the plans, provided a robust tree planting hedge is planted and maintained by the landowner, along the south-western and south-eastern sides as shown on the approved screening plan;
6. That an updated lot grading and drainage plan be submitted prior to the issuance of a development permit for the change in use.
7. That said lot grading and drainage plan be fully constructed prior to operating the entertainment use.
8. That no entertainment activity take place after 11:00pm on any day of the year; and
9. That the entertainment use be limited to 80 patrons at any one time.

Moved by: Councillor Butler  
Seconded by: Councillor Edgett

#### MOTION CARRIED

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#### 8. STATEMENTS BY MEMBERS OF COUNCIL

Deputy Mayor Crossman thanked the Moncton Wildcats for agreeing to host a game in March in support of Multiple Myeloma Month. Additionally, the Deputy Mayor took the opportunity to thank the community for their support and sympathies on the passing of his mother, Eileen Crossman.

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#### 9. REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

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#### 10. REPORTS FROM ADMINISTRATION

##### 10.1 Stop up and close amendment T-221.5 portion of Main Street – Kezia Williamson

This item was brought before Council under the authority of By-Law T-221, being the Stop up and Close By-Law, to request that Parcel 24-A as shown in the attached Survey Plan, being a portion of PID 70558457 and a portion of Main Street, be permanently closed.

**Motion:** That Moncton City Council set the public hearing date to hear any objections to By-Law T-221.5, being a By-Law in amendment to the Stop-up and Close By-Law to the May 6, 2024 Regular Public Council Meeting; and

**That** Administration be directed to publish notice of the hearing following the requirements of the Stop-up and Close By-Law on the City of Moncton website; and

**That** Moncton City Council give first reading to By-Law T-221.5, a By-Law in amendment to the Stop-up and Close By-Law.

Moved by: Councillor Richard  
Seconded by: Councillor Butler

#### MOTION CARRIED

##### 10.2 Award Request for Proposal RFP24-006 - Unidirectional Watermain Flushing Services

Motion: That Moncton City Council approve Administration's recommendation to award Request for Proposal #RFP24-006 – Unidirectional Watermain Flushing Services to the highest scoring Proponent, being 3319625 Canada Inc. (operating as Aqua Data Atlantic), in the amount of \$101,970.50, including H.S.T. @ 15% for the 2024 season, with options to renew the agreement for up to four (4) additional one (1) year periods, if it is in the City's best interest to do so.

Moved by: Councillor Richard  
Seconded by: Councillor Léger

10.3 **Award of Tender TCS24-023** Ice Plant Chiller Replacement - Crossman Kay Arena

Administration proposed the following recommendation:

**Motion: That** Moncton City Council approve the award of Tender #TCS24-023 – Ice Plant Chiller Replacement Crossman Kay Arena to the lowest Bidder meeting all Terms, Conditions, and Specifications to CIMCO Refrigeration, a Division of Toromont Industries Ltd., for the Revised Total Tendered Price of \$487,598.39 including H.S.T. @ 15%.

It is also recommended that a seven percent (7%) Contingency Allowance in the amount of \$34,131.89 including H.S.T. @ 15%, be established for this project to address any additional project-related expenses due to unknown site conditions or unforeseen project requirements.

Moved by: Councillor Léger  
Seconded by: Councillor Butler

Councillor Richard proposed the following amendment:

**Amended Motion: That** Council include Items 1 and 2 in the award of the Tender and approve an increase to the project budget.

1. Supply and Installation of Shell and Tube Heat Exchanger “HX-Snow Melt”
2. Integration of Ice Plant Controls with existing BAS

Moved by: Councillor Richard  
Seconded by: Councillor Léger

**AMENDMENT CARRIED**

*Nay: Councillor LeBlanc*

**Motion: That** Moncton City Council approve the award of Tender #TCS24-023 – Ice Plant Chiller Replacement Crossman Kay Arena to the lowest Bidder meeting all Terms, Conditions, and Specifications to CIMCO Refrigeration, a Division of Toromont Industries Ltd., for the Revised Total Tendered Price of \$542,032.25 including H.S.T. @ 15%; and

**That** Council include Items 1 and 2 in the award of the Tender and approve an increase to the project budget.

1. Supply and Installation of Shell and Tube Heat Exchanger “HX-Snow Melt”
2. Integration of Ice Plant Controls with existing BAS

It is also recommended that a seven percent (7%) Contingency Allowance in the amount of \$34,131.89 including H.S.T. @ 15%, be established for this project to address any additional project-related expenses due to unknown site conditions or unforeseen project requirements.

Moved by: Councillor Richard  
Seconded by: Councillor Léger

**MOTION AS AMENDED CARRIED**

*Nay: Councillor LeBlanc*

10.4 **City Contract No. W24D 01AC** - Street Reconstruction No. 2

Motion: That City Contract No. W24D 01AC, Street Reconstruction No. 2, be awarded to L.C.L. Excavation (2006) Inc. in the amount of \$4,038,851.75 including HST (\$3,662,571.24 net HST), and that the budget for the project be set at \$3,965,000.00 including net HST, engineering and contingency.

It is also recommended that a contract be drafted, and that the Mayor and City Clerk be authorized to sign said contract and affix the Corporate Seal of the City of Moncton.

Moved by: Councillor Léger  
Seconded by: Councillor Kingston

**MOTION CARRIED**

10.5 **Award of Request for Proposal RFP23-102** – Professional Planning and Design Services – Riverfront Masterplan

Motion: That Moncton City Council approve Administration’s recommendation to award Request for Proposal #RFP23-102 – Professional Planning and Design Services – Riverfront Master Plan to the highest-scoring Proponent, being Trace Planning and Design in the amount of \$164,950.25, including H.S.T. @ 15%.

It is also recommended that the Mayor and City Clerk be authorized to execute a professional services agreement between the City and the successful Proponent, and affix the Corporate Seal thereto.

Moved by: Councillor Léger  
Seconded by: Councillor Richard

#### MOTION CARRIED

- 10.6 **Request for Approval** for Change Order 7 (Tender TCS22-063 - Moncton Coliseum Electrical Upgrades (Phase 2))

Motion: That Moncton City Council approve Administration's recommendation to provide additional project funding to permit the work identified in Change Order #7 in the amount of \$60,240.08, including H.S.T. @ 15%, to be completed in accordance with the Terms and Conditions, and Specifications of Tender #TCS22-063 – Moncton Coliseum Electrical Upgrades (Phase II).

Alex and Richard – NB power follow up?

Moved by: Councillor Léger  
Seconded by: Councillor Butler

#### MOTION CARRIED

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### 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** in Amendment of a By-Law relating to the adoption of the City of Moncton Municipal Plan, being By-Law Z-122.6 – Rezoning 680 Salisbury Road– **First Reading**

*The City Clerk gave first reading to By-Law Z-122.6*

- 11.2 **A By-Law** in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.29 – Rezoning at 680 Salisbury Road – **First Reading**

*The City Clerk gave first reading to By-Law Z-222.29*

- 11.3 **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-221.5 – **First Reading**

*The City Clerk gave first reading to By-Law T-221.5*

*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.*

- 11.4 **A By-Law** in Amendment of the City of Moncton Building By-Law, being By-Law Z-422.1 – **Second and Third Reading**

**Motion:** That the Clerk give second reading to By-Law Z-422.1

Moved by: Councillor Butler  
Seconded by: Councillor LeBlanc

#### MOTION CARRIED

*The City Clerk gave second reading to By-Law Z-422.1*

**Motion:** That a By-Law Relating to the City of Moncton's By-Laws, being By-Law Z-422.1, 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 Butler  
Seconded by: Councillor Léger

#### MOTION CARRIED

*The City Clerk gave third reading to By-Law Z-422.1*

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### 12.

#### NOTICES MOTIONS AND RESOLUTIONS

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### 13.

**APPOINTMENTS TO COMMITTEES**

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**14.**

**ADJOURNMENT**

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

Moved by: Councillor Richard

**MOTION CARRIED**

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Dawn Arnold  
MAYOR

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Shelley M. Morton  
CITY CLERK & DIRECTOR OF  
LEGISLATIVE SUPPORT

5:14 p.m.

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