

Council Chambers
City Hall
Moncton, N.B.
May 6, 2024
4 p.m.

MINUTES – REGULAR PUBLIC MEETING

MEMBERS OF CITY COUNCIL

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

ALSO PRESENT

S. Doucet, Chief Administration Officer (CAO)
S. Morton, City Clerk, Director of Legislative Support
N. Robichaud, City Solicitor and General Manager of Legal and Legislative Services
J. Doucet, General Manager, Finance Services
E. Aucoin, General Manager, Sustainable Growth and Development Services
A. Binette, General Manager, Operations Services
J. Preston, Acting General Manager, Protective Services
I. LeBlanc, Director of Communications
B. Budd, Director, Planning and Development
R. Lagacé, Director, Engineering
D. Geldart, Urban Planner
S. Anderson, Manager of Development Planning
T. Carter, Manager of Purchasing
G. Houser, Controller/Deputy Treasurer
M. Thériault, Deputy Treasurer, Corporate and Management Accounting
L. Middleton, Financial Planning and Reporting Specialist
S. Porter, Director of Events and Venues
D. Morehouse, Director of Public Works

2.

ADOPTION OF AGENDA

Motion: That the agenda for the Regular Public Council meeting dated May 6, 2024, be approved with the following changes:

- The addition of a 2-minute presentation – Valley of Dry Bones – Karina Ross
- The addition of a 2-minute presentation – Property Taxes – André Thériault
- The removal of item 4.4, the minutes of April 2, 2024

Moved by: Councillor Richard
Seconded by: Councillor Kingston

MOTION CARRIED

3.

CONFLICT OF INTEREST DECLARATIONS

4.

ADOPTION OF MINUTES

Motion: That the minutes for the Regular Public Council meetings dated January 15, 2024, February 20, 2024, March 18, 2024 be approved as circulated.

Moved by: Councillor Steeves
Seconded by: Councillor Edgett

MOTION CARRIED

5.

CONSENT AGENDA

6. PUBLIC AND ADMINISTRATION PRESENTATIONS

6.1 PUBLIC PRESENTATION

5 minutes

6.1.1 **Presentation:** Holocaust Remembrance Day – Suzanne Trites, New Brunswick Representative International Christian Embassy Jerusalem Canada

Ms. Trites provided a presentation to remind Council that May 6, 2024 is Holocaust Remembrance Day and spoke on its significance and importance for Jewish citizens.

2-minute presentations:

Presentation: Valley of Dry Bones Renewal Centre – Karina Ross, Secretary

Ms. Ross provided a presentation to City Council to introduce their new non-profit organization, the Valley of Dry Bones Renewal Centre. Their organization will work directly on the rehabilitation of people experiencing homelessness by helping develop life skills, work placements, and affordable housing. The centre also plans to provide services and classes such as cooking classes and gardening therapy and hopes to obtain donations, monetary or otherwise to help their program succeed.

Presentation: Property Taxes - Andre Thériault, Citizen

Mr. Thériault took a moment to express his concerns with rising costs of living for low-income citizens and homes. He suggested that the City and Province waive property taxes to aid low-income individuals and families.

6.1.2 **Presentation:** Greater Moncton Housing Crisis 2024 – Bill Hennessey, Greater Moncton Chamber of Commerce

Bill Hennessey provided a PowerPoint presentation on the Housing Crisis on behalf of The Greater Moncton Chamber of Commerce. The Greater Moncton Chamber of Commerce has recently presented this presentation to their membership, at the Atlantic Real Estate Forum in Halifax and to the Southeast Regional Service Commission.

Mr. Hennessey spoke on the following points:

- Macro Economic Factors: mainly, the growth in population within our areas and in our Province over the past recent years.
- The demand requirements to house the population growth in an affordable matter.
- The impacts of the double taxation that developers are faced with rentable units within our province.
- Looking at the challenges that developers are faced with in making the decision as to proceed with development in our city or to table the development.
- The current property tax system (property tax and HST) in New Brunswick to other close neighboring provinces

Mr. Hennessey concluded the presentation with possible solutions to these issues including the elimination of double tax, reducing of the property tax rate, introduction of an equity clause.

6.2 ADMINISTRATION PRESENTATIONS

15 minutes

7. PLANNING MATTERS

7.1 **Introduction** – Rezoning application for 166 MacBeath Avenue – Bill Budd, Director of Planning and Development

Mr. Budd provided a PowerPoint presentation on an application received from Friends of the Moncton Hospital Foundation, on behalf of Sheila Bannon, landowner, to rezone 166 MacBeath Avenue (PID 00744474) from R2 (Two-Unit Dwelling) to P1 (Community Use).

The rezoning application will accommodate a non-medical treatment center offering Community based support services to individuals affected by cancer.

Motion: That City Council proceed with the proposed Zoning By-law amendment Z-222.32 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 June 3, 2024, at 4 p.m. in Council Chambers at City Hall.

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

1. The 2 m opaque fence be made of wood, PVC, or other similar quality material, but shall not include chain link fencing;
2. 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;
3. The existing vegetation remain undisturbed as shown on the site plan attached as Schedule B;
4. 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;
5. That notwithstanding Schedule D of the Zoning By-law, the number of surface parking spaces is permitted to be reduced to eight spaces;
6. 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
7. The development shall be carried out in general conformance with the plans and drawings submitted as Schedule B.

Moved by: Councillor Richard
 Seconded by: Councillor Edgett

In response to Councillor Richard question, Mr. Budd will look into which level of government will be funding for the centre and services.

MOTION CARRIED

7.2 **Public Presentation** – Rezoning and Municipal Plan amendment (urban boundary) Moncton Industrial Park West Phase 2 - Bill Budd, Director of Planning and Development

Mr. Budd provided a PowerPoint presentation for an application from Moncton Industrial Development Ltd. for a new industrial park off Horsman Road, south of Berry Mills Road (PIDs 01023217, 01023209, 01023076, 70518634). This will be an expansion of the existing Moncton Industrial Park West.

The application requires an amendment to Schedule 2 (urban boundary) of the Municipal Plan to include the subject lands, and to rezone wetlands from IP (Industrial Park) to P2 (Open Space and Conservation).

Motion: That Moncton City Council proceed with the Municipal Plan amendment Z-122.8 and Zoning By-Law amendment By-Law Z-222.31 and

1. That Council confirm the Public Hearing for June 17, 2024.

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 the landowner shall enter into a subdivision agreement with the City of Moncton;
2. That Delong Drive be upgraded to industrial collector road standard by Moncton Industrial Development Ltd., and that the details of the timing and phasing of the upgrades be included in a subdivision agreement;
3. That the addition of traffic lights at the intersection of Delong Drive and Edinburgh Drive be installed by Moncton Industrial Development Ltd., and that the details of the timing for this be included in a subdivision agreement;
4. That the upgrades at St George Boulevard at Edinburgh Drive be completed by Moncton Industrial Development Ltd., and that the details of the timing for this be included in a subdivision agreement;
5. That the developer enter into cost-sharing agreements with the City of Moncton to determine the details for the Milner Brook Trunk Sewer and the West Main Street traffic circle sewer separation projects;
6. That notwithstanding table 14.3 of the Zoning By-law, the minimum required front or flankage yard is permitted to be 7.5 metres (minimum);
7. That if it is suspected that remains of archaeological significance are discovered during construction, operation, maintenance or during any other project related activity, as per the New Brunswick Heritage Conservation Act, all activity shall be stopped near the find and the Archaeology and Heritage Branch, New Brunswick Department of Tourism, Heritage and Culture (THC), shall be contacted;
8. 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;
9. 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;
10. 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 Butler

MOTION CARRIED

7.3 Rottne Canada Inc. Subdivision – Creating 1 Street and 1 HI Lot

Mr. Budd provided a presentation on the 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 creation of cour Bobcat Court (public);
- Require cash in lieu of Land for Public Purposes in the amount of \$16,000.00.

Subject to the following conditions:

- Streets and Services to be designed and acceptable to the New Brunswick Department of Transportation and Infrastructure and constructed in accordance with the Minimum Standards for the Construction of Subdivision Roads and Streets May 2017.
- That street tree planting requirements are to be followed as per the City of Moncton's Subdivision Standards and Guidelines.

Moved by: Councillor Léger

Seconded by: Councillor Butler

MOTION CARRIED**8.****STATEMENTS BY MEMBERS OF COUNCIL**

Councillor Butler took a moment to congratulate the teachers and students of Harrison Trimble High School on their recognition for being one of the only schools in Canada to be a Personal Learning Community. This designation means that the school has a low dropout rate and high-grade averages.

9.**REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS**9.1 **Recommendation(s)** – Committee of the Whole – April 29, 2024

Motion: That Moncton City Council approve the Social Inclusion Committee Governance Framework and direct staff to return to City Council with recommendations of proposed committee members.

Moved by: Councillor Kingston

Seconded by: Councillor Bourgeois

Councillor Bourgeois suggested that staff open the application process for this Committee to the Public similar to the process used for selecting the Committee for the Urban Growth Strategy. Mayor Arnold agreed with his suggestion.

MOTION CARRIED

Motion: That further to the receipt of an operational plan from the House of Nazareth, that Moncton City Council authorize the release of the 2024 grant funding for the House of Nazareth in the amount of \$37,500. Additionally, given the repair and upgrade requirements of the organization, that City Council authorize the release of the \$37,500 annual funding from years 2022 and 2023 for those items.

Moved by: Councillor Léger

Seconded by: Councillor Thériault

Deputy Mayor Crossman questioned the Chief Administrative Officer as to what other non-profits the city provides grant funding in terms of building repairs or upgrades. Deputy Mayor Crossman expressed concern with spending taxpayer's dollars on this and fears this may set a precedence by providing funding to a non-profit for a building they do not own. The City must treat all non-profits fairly in this regard.

MOTION CARRIED

Nay: Deputy Mayor Crossman

Councillor Richard

Councillor Steeves

10.**REPORTS FROM ADMINISTRATION**10.1 **Public Hearing:** Stop up and close amendment T-221.5 portion of Main Street

The Mayor opened the Public Hearing and no objectors were present to speak on the matter.

Motion: That Moncton City Council proceed with the stop up and close process of Parcel 24-A (a portion of PID 70558457, being a portion of lands of City of Moncton reserved for future widening of Main Street) by giving 2nd and 3rd reading to By-Law #T-221.5, a By-Law in amendment to the Stop-up and Close By-Law.

Moved by: Deputy Mayor Crossman

Seconded by: Councillor Kingston

MOTION CARRIED

10.2 **Presentation:** KPMG 2023 Annual Audit Report – Jacques Doucet, CFO

Mr. Doucet provided details on the annual financial statements and the audit results for the year ending December 31, 2023.

For fiscal years starting after April 1, 2023, all organizations were required to implement a new accounting standard PS3280 – Asset Retirement Obligations which deals with recognizing a liability for future retirements of capital assets mostly related to the removal of hazardous materials within the assets. The assets that were in scope for this project was looking at ice rinks, buildings, and underground storage tanks. This new standard was a complex accounting standard that required the application of professional judgement and leveraging the available data and the insights with other departments to accurately estimate their asset retirement impact.

In 2022 and 2023, to implement this new standard, the city hired KPMG to work through requirements and used the most relevant costing methods at that time. This exercise was completed in Q2 2023.

Mr. Doucet introduced Mark St. Pierre, KPMG LLP Partner who provided a presentation with additional information.

As KPMG took on the regular audit procedures early in 2024, they were required to include the review of this new standard which included things like reviewing the scope of assets, the calculations used along with a full review of disclosure notes included in the financial statements were all completed throughout the audit period.

It was determined that the construction and asset replacement costing from the time of work that was completed in Q2 of 2023 of this new standard to the end of the audit work done early in 2024 has changed due to inflationary reasons and as indicated on the audit findings report, it was noted that the costing originally estimated was to be updated with current costing which is now all reflected in the financial statements presented. The overall change to the financial statements for implementing this new standard represented a net change of \$222,000.

Even though the City's financial statements is properly reflected for this change, KPMG is required to include this within their audit findings report. This is an accounting exercise and does not impact how the City operates from a Budget and decision making perspective.

Motion: That Moncton City Council approve the 2023 Audited Consolidated Financial Statements.

Moved by: Councillor LeBlanc
Seconded by: Councillor Thériault

MOTION CARRIED10.3 **Award of Tender TCS24-041** – Patching of Asphalt Concrete Pavement – Zone A

Motion: That Moncton City Council approve Administration's recommendation to award Tender #TCS24-041 – Patching of Asphalt Concrete Pavement – Zone A to the lowest Bidder meeting the Terms and Conditions and Specifications set out in the Tender, being Modern Construction (1983) Ltd., for the Total Tendered Price of \$1,015,737.50, including H.S.T. @ 15%; and

That that the Mayor and City Clerk be authorized to execute a legal agreement between the City and the successful Bidder, and to affix the Corporate Seal thereto.

Moved by: Councillor Bourgeois
Seconded by: Councillor Léger

Councillor Bourgeois expressed concerns with tenders coming in over budget and looks forward to the mid-year budget overview to see how this is affecting the city financially.

Mayor Arnold advised Councillor Bourgeois that a quarterly update and financial review was provided to Council at the last Committee of the Whole meeting and that the notes from that meeting will be shared with him.

MOTION CARRIED10.4 **Award of Tender TCS24-042** – Patching of Asphalt Concrete Pavement – Zone B

Motion: That Moncton City Council approve Administration's recommendation to award Tender #TCS24-042 – Patching of Asphalt Concrete Pavement – Zone B to the lowest Bidder meeting the Terms and Conditions and Specifications set out in the Tender, being MacArthur's Paving & Construction Co. Inc., for the Total Tendered Price of \$1,121,641.00, including H.S.T. @ 15%; and

That that the Mayor and City Clerk be authorized to execute a legal agreement between the City and the successful Bidder, and to affix the Corporate Seal thereto.

Moved by: Councillor Thériault
Seconded by: Councillor Léger

MOTION CARRIED

10.5 **Award of Tender TCS24-043 – Utility Cuts**

Motion: That Moncton City Council approve Administration’s recommendation to award Tender #TCS24-043 – Utility Cuts to the lowest Bidder meeting the Terms and Conditions and Specifications set out in the Tender, being Birch Hill Construction Ltd., for the Total Tendered Price of \$678,672.50, including H.S.T. @ 15%, and

That the Mayor and City Clerk be authorized to execute a legal agreement between the City and the successful Bidder, and to affix the Corporate Seal thereto.

Moved by: Councillor Richard
Seconded by: Councillor LeBlanc

MOTION CARRIED

11.

READING OF BY-LAWS

The City Clerk announced that the following by-laws for 1st reading will be posted on line at 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 the City of Moncton Zoning By-Law, being By-Law Z-222.32 – Rezoning of 166 MacBeath – **First Reading (subject to approval of item 7.1)**

The City Clerk gave first reading to By-Law Z-222.32

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.

11.2 **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 – **Second and Third Reading**

Motion: That the Clerk give second reading to By-Law T-221.5

Moved by: Councillor Kingston
Seconded by: Deputy Mayor Crossman

MOTION CARRIED

The City Clerk gave second reading to By-Law T-221.5

Motion: That a By-Law Relating to the City of Moncton’s By-Laws, being By-Law T-221.5, 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 Butler

MOTION CARRIED

The City Clerk gave third reading to By-Law T-221.5

12.

NOTICES MOTIONS AND RESOLUTIONS

13.

APPOINTMENTS TO COMMITTEES

**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

6:00 p.m.

/ko