MINUTES-REGULAR PUBLIC MEETING

MEMBERS OF COUNCIL

Mayor Dawn Arnold, in the Chair Councillor D. Bourgeois

Deputy Mayor Paulette Thériault Councillor S. Crossman, via web ex

Councillor M. Kingston Councillor C. Leger

Councillor M. LeBlanc Councillor D. Bourgeois, via web ex

Councillor S. Crossman Councillor P. Richard

Councillor C. Leger

ALSO PRESENT:

N. Robichaud, Deputy CAO

- S. Morton, City Clerk & Director, Legislative Services
- J. Doucet, General Manager, Finance Services
- E. Aucoin, General Manager, Sustainable Growth and Development Services
- A. Binette, General Manager, Operations
- L. Hanson, General Manager, Corporate Services
- J. Cohoon, General Manager, Community Services
- I. LeBlanc, Director, Corporate Communications
- J. Preston, Acting General Manager, Protective Services
- B. Jolette, Superintendent, Officer in Charge (OIC), Codiac RCMP
- B. Budd, Director, Planning and Development
- R. Lagacé, Director, Engineering
- F. Levesque-Ouellette, Director, Legal Department
- D. Geldart, Urban Planner
- B. Boetang, Urban Planner
- S. Anderson, Manager, Development Planning

1.

CALL TO ORDER

Councillor Edgett entered the meeting.

2.

ADOPTION OF AGENDA

Motion: That the Agenda for the Public Meeting of this date be adopted as circulated.

Moved by Councillor Richard Seconded by Councillor Kingston

MOTION CARRIED.

CONFLICT OF INTEREST DECLARATIONS/DÉCLARATIONS DE CONFLITS D'INTÉRÊTS

4. ADOPTION OF MINUTES/ADOPTION DU PROCÈS-VERBAL

4.1 Regular Public Council Meetings – May 6, 2024 and May 21, 2024

Motion: That the Public Council meetings of May 6th and May 21st, 2024 be adopted as circulated.

Moved by Councillor Kingston Seconded by Councillor LeBlanc

MOTION CARRIED.

5.

CONSENT AGENDA/QUESTIONS SOUMISES À L'APPROBATION DU CONSEIL

No items were presented under this section.

6. PUBLIC AND ADMINISTRATION PRESENTATIONS/EXPOSÉS DU PUBLIC ET DE L'ADMINISTRATION

6.1 PUBLIC PRESENTATIONS/EXPOSÉS DU PUBLIC

6.1.1 Presentation: Valley of Dry Bones Presents: The Play – Karina Ross, Secretary

No presentation was given as the presenters were not in attendance at the meeting.

6.2 ADMINISTRATION PRESENTATIONS/EXPOSÉS DE L'ADMINISTRATION

No presentations made.

7.

PLANNING MATTERS/QUESTIONS D'URBANISME

7.1 <u>Introduction – Rezoning Application at 1187 Shediac Road</u>

City Council received a PowerPoint presentation from Bill Budd regarding an application received from Douglas Cormier, landowner, to rezone 1187 Shediac Road (PID 00929752) from R2 (Two-Unit Residential) to RM (Residential Mix). This property is located on the north side of Shediac Road, Ward I. It is currently occupied by a single unit dwelling. The area is predominantly residential with a mix of commercial. The surrounding properties include a church zoned R2 (Two-unit dwelling), the Harrisville Plaza mall zoned SC (Suburban commercial) and Kent Building Supplies zoned HC (Highway Commercial zone).

The purpose of the rezoning application is to accommodate a four-unit rowhouse dwelling with a height of two-storeys (18') above grade.

Motion: That Moncton City Council proceed with the proposed Zoning By-Law amendment Z-222.34 by:

- 1. Giving 1st reading to the By-Law;
- 2. Referring the By-Law to the Planning Advisory Committee for its written views; and
- 3. Setting a public hearing for July 15, 2024.

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. **That** the property owner pays in full the development charge amount owing for the Shediac Road Charge Area (DC04) and the Harrisville Boulevard Charge Area (DC07), prior to the issuance of a development permit. The charge area amount shall be calculated at the time of building permit application;
- 3. **That** the existing single-unit dwelling be removed from site prior to the issuance of a development permit;
- 4. **That** the existing driveway entrance and culvert be relocated as per the Site Plan attached as Schedule B, prior to the issuance of a development permit;
- 5. 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;
- 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;

The development shall be carried out in general conformance with the plans and drawings submitted as Schedule B.

Moved by Councillor Kingston Seconded by Councillor Thériault

In response to Councillor Richard, Mr. Budd confirmed the correct date for the public hearing is July 15th, 2024.

Councillor Richard noted the driveway is located on a blind curve which Mr. Budd noted was reviewed by the traffic engineer and was not considered an issue.

MOTION CARRIED.

7.2 Introduction – Rezoning and Municipal Plan Amendment at 227-229 Cadieux Street, 233-235 Cadieux Street and LfPP (PID 70701214) [Housekeeping]

Mr. Budd introduced the above application, noting it was a new request. He explained that this was initiated as a 'housekeeping' amendment, with the consent of the landowner, to the City of Moncton's Zoning By-law #Z-222 and Municipal Plan By-law of the following properties below:

- 227-229 Cadieux Street (PID 70701248) 'P1 (Community Use)' to 'R2 (Two-unit Residential)' CU (Community Use)' to 'NH (Neighborhood)'
- 233-235 Cadieux Street (PID 70701230) 'P1 (Community Use)' to 'R2 (Two-unit
- Residential)' 'CU (Community Use)' to 'NH (Neighborhood)'
- PID 70701214 (Lands for Public Purposes) 'R2 (Two-unit Residential)' to 'P1 (Community Use)' 'NH (Neighborhood)' to 'CU (Community Use)'

An amendment will be required to Schedule 1. The property is located in Ward I, west of MacIntosh Blvd. in the Stirling Meadows Subdivision. The Planning Advisory Commission is recommending that the application proceed with a public presentation for June 17th.

Motion: That Administration recommends that Moncton City Council proceed with the proposed Zoning By-law amendment Z-222.35 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 July 15, 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. The apartment building be limited to three-stories;
- 2. The 2m opaque fence be made of wood, PVC, or other similar quality material, but shall not include chain link fencing;
- 3. 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;
- 4. The existing vegetation remain undisturbed as shown on the site plan attached as Schedule B;
- 5. That the property owner pays in full the development charge amount owing for the Harrisville Boulevard Charge Area (DC04) prior to the issuance of a building and/or development permit. The charge area amount shall be calculated at the time of the building permit application;
- 6. 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;
- 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;
- 8. The applicant shall provide unit numbers for the main building prior to the issuance of a development permit; and
- 9. The development shall be carried out in general conformance with the plans and drawings submitted as Schedule B.

Seconded by Councillor Kingston

MOTION CARRIED.

7.3 Introduction – Rezoning Application – 54 Maplewood Drive

Dylan Geldart presented an application from Landrik Properties Inc. on behalf of the landowner to rezone a portion of 54 Maplewood Drive (PID 70304720) from R2 (Two-Unit Dwelling) to R3 (Multiple Unit Dwelling). The rezoning will accommodate a three-storey, eighteen-unit apartment building in Ward I behind McBun's Bakery. The building will consist of one and two-bedroom units.

The property is currently vacant and forms an irregular 'L' shaped lot which is relatively narrow at the street level and widens significantly as the lot approaches the rear edge of the property. A line of mature trees exists along the southern edge of the lot abutting Veteran's Memorial Highway. The applicant intends to retain these trees as part of the development, in addition to installing a new fence and landscaped area next to the residential properties on Foresthill Drive. This situation is unique in that the property falls between two zoned boundaries. Approximately 35% of the lot is zoned R3 with the remaining 65% zoned R2. The request is to extend the R3 zoning to the remaining portion of the lot to accommodate the apartment building to be constructed on the southwest corner of the lot to mitigate the risk of overshadowing on adjacent properties. The building is 8 meters in height (lower than the 11 meters allowed) to ensure it is in keeping with the character of the neighbourhood. This project meets the long-term vision of the Municipal Plan (1) promotes growth within the existing municipal boundaries (2) supports a variety of housing choices in close proximity to public transit and (3) designated this area as a growth area close to employment, shopping and recreation facilities.

Motion: That Moncton City Council approve the Zoning By-law amendment, being By-law Z-222.32, subject to a resolution with conditions including, but not limited to:

- 1. The 2m 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 8 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 Bourgeois Seconded by Councillor Thériault

Councillor Thériault inquired on the size of the lot which Mr. Geldart responding it would be three quarters of an acre.

MOTION CARRIED.

7.4 <u>Public Hearing – Rezoning 166 MacBeath Avenue (Objections Received)</u>

The City Clerk advised that objections had been received.

The Mayor declared that the public hearing commenced.

Dylan Geldart presented an application from the Friends of the Moncton Hospital Foundation, on behalf of landowner Sheila Bannon, to rezone 166 MacBeath Avenue (PID

00744474) from R2 (Two-Unit Dwelling) to P1 (Community Use). The intent is to accommodate a non-medical treatment center offering community-based support services to individuals affected by cancer. The property is occupied by a single-unit dwelling and located in Ward 4. The applicant has partnered with the non-profit organization Well Springs, Ontario, which will deliver services at the MacBeath Ave. location. The centre will accommodate no more than 15 people on the site at any given time. It is located on the fringe of a residential neighbourhood which is in close proximity to the Moncton Hospital. The treatment centre will be open from 8:30 a.m. – 4:30 p.m. and closed on holidays and weekends. It is located on the fringe of an existing residential neighbourhood which helps buffer some of the activities associated with its use, creating a hub for more comprehensive care. The only changes involve a commercial kitchen to the rear of the building which will commence in late fall and completed in the winter. An extension to the driveway entrance is planned as well as the creation of a formal parking lot with landscaping features, trees, shrubs and fencing, garden patio area. Minimal changes will be made to the building to protect the residential character but will include new brick and signage.

The Mayor noted that objections have been received to this application.

Mr. Geldart noted the Moncton Hospital will adjust their plans regarding fencing and replace with a hedge to address the requests of the neighbours. Visitors are not permitted to park on the street. To address overflows, arrangements can be made to accommodate parking at the visitor area at the Moncton Hospital campus.

Cathy Prosser, resident, expressed concern at the installation of additional parking meters and noted recurring illegal parking on the street. She felt installation of meters in this area would insult Doug MacBeath's memory. Mr. Geldart confirmed that no change was planned to on-street parking.

In reply to Councillor Richard, the Mayor advised that objections were contained in the eScribe package. She added that the objectors were present at today's meeting and heard the responses from Administration.

In response to Councillor Leger's request that any signage on the property match the intent of the neighbourhood with Mr. Geldart explaining that any signage would conform with standards as set out in the Zoning By-Law.

Hearing no further comments, the Mayor adjourned the public hearing.

Motion: That Moncton City Council approve the Zoning By-law amendment, being By-law Z-222.32, subject to a resolution with conditions including, but not limited to:

- 1. The 2m 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 8 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

MOTION CARRIED.

Bill Budd presented a new subdivision application on behalf of John and Sandra Veneau for the purpose of creating a proposed building lot. It has been deemed that lands for public purposes are not required from this subdivision, however, cash-in-lieu is required. The application is located at the corner of Zack Road and Charles Lutes Road in Ward 3. The purpose of the tentative plan is to create Lot 24-1 for residential purposes. The applicant wishes to subdivide their property, located at the corner of Zack Road and Charles Lutes Road, to create a lot for a proposed residential dwelling. The subdivision by-law provides for the City to take 8% of the value of land as cash in lieu.

Motion: That Administration recommends that Moncton City Council require cash in lieu of Land for Public Purposes in the amount of \$3,013.50 for the John & Sandra Veneau Subdivision.

Moved by Councillor Butler Seconded by Councillor Leger

Councillor Butler submitted the observation that Zack Road is a busy corner and questioned how traffic would be addressed. Mr. Budd used the tentative Subdivision Plan to illustrate the lower right-hand side of the property which had an existing driveway with a culvert through a watercourse. He noted the driveway is located near the house to be constructed.

MOTION CARRIED.

o. STATEMENTS BY MEMBERS OF COUNCIL/EXPOSÉS DES MEMBRES DU CONSEIL

Councillor Richard

- expressed support for the Edmonton Oilers during the Stanley Cup Playoffs.
- volunteered at the Heart and Stroke New Brunswick Hockey fundraiser and congratulated all involved this past weekend in raising funds thanked the hockey team, organizers and volunteers who put in countless hours to plan and provide assistance at the event.
- The Hockey Heroes tournament for 2024 surpassed the \$1M goal with \$1.1M making a total of \$9,257,297 with all funds going directly to New Brunswick.
- Noted an emergency on the weekend, adding that with the use of an AED and quick reaction of key individuals the life was saved. He encouraged citizens to have First Aid certification and be aware of AED locations.

Councillor Butler

- reported that today is Permanent Settlers Day in Moncton commemorating the arrival of the first settlers at Halls Creek near the foot bridge in Dieppe at a slope named Lovely in 1866. Originally from Germany, they settled in Pennsylvania and eventually located to this region. Cited the various names of the families who contributed to the social, educational, political and financial fabric in Moncton.
- June 4th marks the tenth anniversary of the loss of three police officers in Moncton and he requested that residents of all three municipalities leave their backyard lights on to symbolize these officers will never be forgotten.

Mayor Arnold

- Moncton was selected by the Federal Government to recognize the 80th anniversary of D-Day and the Battle of Normandy. A commemorative ceremony will be held at the Cenotaph in Victoria Park on Thursday, June 6, 2024, to honor World War II Veterans. The Right Honorable Governor General Mary Simon and The Honorable Minister Melanie Joli will be participating in the ceremony which will be followed by celebrations to honor the veterans.
- Noted the City's commitment to diversity in all forms as well as being a welcoming and
 inclusive community for all. She noted graffiti found on a monument in Israel Park which
 was restored by City officials. She stressed that the City does not tolerate any kind of
 hateful actions or speech to any group of residents, adding that it continues to bring
 groups together to have meaningful discussions on what unites us as a community.

• Reported that the Enviro-Festival is being held at Centennial Park this Saturday from 11 a.m. – 4 p.m. to raise awareness on the importance of reducing the carbon footprint. As part of the celebration Codiac Transpo will offer free transit from Wednesday to Saturday.

9. REPORTS AND RECOMMENDATIONS FROM COMMITTEES AND PRIVATE MEETINGS

9.1 Recommendation(s) – Committee of the Whole – May 27, 2024

City Council received a presentation from Sophie Cormier regarding the National Historic Person Bronze plaque as a result of a request submitted by Nation Prospère. She noted three national designations currently exist in Moncton, namely, the Intercolonial Railway (1976), Free Meeting House (1990) and Monument of Our Lady of the Assumption Cathedral (2017). This year a fourth designation will be bestowed in recognition of Joseph Beausoleil Broussard who has contributed the Acadian culture and was actively involved in the resistance to the Acadian deportation.

Motion: That Moncton City Council accept the request from Nation Prospére to accept the National Historic Person Bronze plaque for Joseph Beausoleil Broussard to be installed in Bore Park.

Moved by Councillor Leger Seconded by Councillor Thériault

MOTION CARRIED.

City Council received a presentation from Josh Davies regarding the Business Improvement Area Missing Middle Residential Infill Grant Program. This is year one (1) of a four-year program. The program is consistent with the Urban Growth Strategy to create more housing units in the downtown. In terms of its impact on the budget, no further funding was received from the Federal Government, however, they are proposing to divert some funding, specifically to incentivize new residential development in the BIA through a per-door incentive grant (\$15,000 per door, up to 10 units per development/\$150,000 per application). They anticipate a strong uptake to the program.

Motion: That Moncton City Council adopt the 'Business Improvement Area Missing Middle Residential Infill Grant Program.

Moved by Councillor Leger Seconded by Councillor Bourgeois

Councillor Bourgeois noted that the City is using a large portion of the funds for this project and questioned the impact on the City's ability to use the remainder of that funding to accommodate future requests, should they arise. Mr. Davies explained that \$8M has been allocated towards grant programs across the City. A program review process will also be implemented during the second half of the program to assess which programs are working. Flexibility exists through the HAF program to reallocate funding to incentivize the programs that are working well.

MOTION CARRIED.

Motion: That Moncton City Council approve the proposed City of Moncton Investment Policy.

Moved by Councillor Leger Seconded by Councillor Butler

MOTION CARRIED.

Motion: That the proposed changes to the Parks and Public Works Public Levels of Service highlighted in Attachment "A" and Attachment "B" be approved.

Moved by Councillor LeBlanc Seconded by Councillor Leger

MOTION CARRIED.

9.2 Recommendation(s) - Private Meeting - May 13, 2024

Motion: That Moncton City Council authorize the City to proceed with the amendment to the contribution agreements with CMHC for the Rapid Housing Initiative funding and that the Mayor and City Clerk be authorized to execute all necessary documents and to affix the Corporate Seal thereto.

Moved by Councillor Leger Seconded by Councillor Kingston

MOTION CARRIED.

10. REPORTS FROM ADMINISTRATION/RAPPORTS DE L'ADMINISTRATION

10.1 Award of City Contract No. W24D 05AD - Street Microsurfacing

Motion: That City Contract No. W24D 05AD, Street Microsurfacing be awarded to Industrial Cold Milling, a division of Miller Paving Limited in the amount of \$633,777.65 including HST (\$574,731.61 net HST), and that the budget for the project be set at \$615,000.00 including net HST, engineering and contingency, and 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 thereto.

Moved by Councillor Thériault Seconded by Councillor Kingston

In reply to Councillor Kingston regarding MacAuley to Glengrove area, Mr. Lagacé advised that it is scheduled potentially for 2026.

In reply to Councillor Richard regarding McLaughlin and Hennessey sidewalks, Mr. Binette was uncertain on the status of that project. While he did not believe the sidewalk was planned he noted that smaller repairs are addressed. Engineering has some funds in the capital budget for sidewalk renewal to reconstruct small portions of sidewalk and align them. Councillor Richard requested consideration to incorporating sidewalks at the same time as the work is carried out on the street. Mr. Binette noted that the challenge is allocating limited resources to address the significant number of sidewalks in Moncton. The department has commenced prioritizing sidewalk work throughout the City.

MOTION CARRIED.

10.2 Award of City Contract no W24D 01BF - Worthington Extension

Motion: That City Contract No. W24D 01BF, Worthington Avenue Extension – Phase 1, be awarded to L.C.L. Excavation (2006) Inc. in the amount of \$5,379,309.00 including HST (\$4,878,144.50 net HST), and that the budget for the project be set at \$5,425,000.00 including net HST, engineering and contingency, and 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 thereto.

Moved by Councillor Butler Seconded by Councillor Richard

Councillor Butler noted that this item is overbudget and inquired on the actual cost to complete the project. Mr. Lagacé noted that Administration has an estimate of Phase II which will be presented during 2025 capital budget deliberations. He added that this phase conducts the bulk of the work which covers the underground work. The missing piece is the street from the roundabout to Mountain Road which will be included in Phase II in 2025.

Councillor Butler recalled the realignment of Worthington to Millennium, which Mr. Lagacé advised would be a separate project which is preliminary at this time.

MOTION CARRIED.

11.

READING OF BY-LAWS

The City Clerk The by-laws will be placed on the City of Moncton website.

11.1 A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.34 – Rezoning at 1187 Shediac Rd– First Reading (subject to approval of item 7.1)

The City Clerk gave first reading to By-Law Z-222.34.

11.2 A By-Law in Amendment of a By-Law relating to the adoption of the City of Moncton Municipal Plan, being By-Law Z-122.9 – Rezoning Cadieux Street – First Reading (subject to approval of item 7.2)

The City Clerk gave first reading to By-Law Z-122.9.

11.3 A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.36 – Rezoning at Cadieux Street – First Reading (subject to approval of item 7.2)

The City Clerk gave first reading to By-Law Z-222.36.

11.4 A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.35 – Rezoning 54 Maplewood Drive– First Reading (subject to approval of item 7.3)

The City Clerk gave first reading to By-Law Z-222.35.

11.5 A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.32 – Rezoning at 166 MacBeath Avenue – Second and Third Reading (subject to approval of item 7.4)

Motion: That the City Clerk give second reading to A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.32.

Moved by Councillor Richard Seconded by Councillor Edgett

MOTION CARRIED.

The City Clerk gave second reading to By-Law Z-222.32.

Motion: That A By-Law in Amendment of the City of Moncton Zoning By-Law, being By-Law Z-222.32 be given third reading and that it be ordained and passed and that it be signed by the Mayor and City Clerk with the Corporate Seal affixed thereto.

Moved by Councillor Richard Seconded by Councillor Edgett

MOTION CARRIED.

The City Clerk gave third reading to By-Law Z-222.32.

12.

NOTICES MOTIONS AND RESOLUTIONS

13.

APPOINTMENTS TO COMMITTEES

14.

ADJOURNMENT

Motion: That the meeting adjourn.

/mjk

Moved by Councillor Richard.	
MOTION CARRIED.	
Mayor D. Arnold, in the Chair	Shelley M. Morton, City Clerk & Director, Legislative Services