

## **MINUTES OF A REGULAR MEETING OF FREDERICTON CITY COUNCIL**

Date: Monday, August 8, 2022, 7:30 p.m.  
Location: Council Chamber and Via Web Conferencing

Members of Council Present: Deputy Mayor Greg Ericson  
Councillor Margo Sheppard  
Councillor Mark Peters  
Councillor Bruce Grandy  
Councillor Jocelyn Pike  
Councillor Steven Hicks  
Councillor Kevin Darrah  
Councillor Ruth Breen  
Councillor Cassandra LeBlanc  
Councillor Jason LeJeune  
Councillor Henri Mallet

Members of Council Absent: Mayor Kate Rogers  
Councillor Eric Megarity

Staff Participating in the Meeting: Steven Hart, Chief Administrative Officer  
Sara DeGrace, Deputy Chief Administrative Officer  
Jennifer Lawson, City Clerk/Assist. Director, Legal, City Clerk & HR  
Michelle Brzak, City Solicitor (Zoom)  
Jane Blakely, Director, Legal City Clerk & Human Resources  
Ken Forrest, Director, Planning & Development  
Dylan Gamble, Director, Engineering & Operations  
Michael Baldwin, Director, Corporate Services (Zoom)  
Alicia Keating, Assis. Dir., Corporate Services/City Treasurer (Zoom)  
Giselle Goguen, Mgr., Strat. Comms & Community Eng. (Zoom)  
Carolyn Baldwin, Senior Records Clerk  
Doreen Nakhle, Recording Secretary  
Elizabeth Murray, City Marshal  
Shasta Stairs, Communications Strategist & Media Relations

### **CALL TO ORDER**

Deputy Mayor Greg Ericson called the meeting to order at 7:30 p.m.

## **MOMENT OF REFLECTION**

Deputy Mayor Greg Ericson read the following territorial acknowledgment during the Moment of Reflection:

*I acknowledge that this meeting of Fredericton City Council is taking place on traditional Wolastoqey territory. The territory of the Wolastoqiyik people are recognized in the Peace and Friendship Treaties to establish an ongoing relationship of peace, friendship and mutual respect between equal nations. The river that runs through our City is known as the Wolastoq, along which lived the Wolastoqiyik, “the people of the beautiful and bountiful river.”*

## **APPROVAL OF AGENDA**

**Moved by:** Councillor Henri Mallet

**Seconded by:** Councillor Cassandra LeBlanc

**BE IT RESOLVED** that the Council of the City of Fredericton hereby approves the August 8, 2022 City Council agenda was circulated.

**CARRIED**

## **CONFLICT OF INTEREST DECLARATIONS**

There were no conflicts of interest declared by members of Council.

## **CONSENT AGENDA**

**Moved by:** Councillor Jocelyn Pike

**Seconded by:** Councillor Margo Sheppard

**BE IT RESOLVED** that the Council of the City of Fredericton hereby approves collectively the recommendations set out under the consent agenda.

### **ANBL Safe Ride Agreement 2022**

**BE IT RESOLVED** that the Council of the City of Fredericton approves and authorizes the ANBL Safe Ride partnership Agreement between the City of Fredericton, the New Brunswick Liquor Corporation, and Harvest Jazz and Blues Inc. from September 15, 2022, to September 18, 2022, for the purpose of providing fixed route and chartered transit services during the 2022 Harvest Music Festival; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be authorized to execute the necessary legal documents to facilitate this transaction.

**Exemption to By-law S-17 A By-law Respecting Disturbance by Noise- 270 Rookwood Ave**

**BE IT RESOLVED** that the Council of the City of Fredericton hereby grants an exemption pursuant to Section 5.10(6) of By-law No. S-17, A By-law Respecting Disturbance by Noise, to permit the Developer, Cedar Valley Investments, their officers, agents, contractors, servants, employees, workers, and all other persons acting under its authority or with its permission, to carry out concrete work required for the construction of a new building at 270 Rookwood Avenue from 6:00 pm Wednesday August 10, 2022 to 6:00 am Friday August 12, 2022. (In the event of adverse weather, from 6:00 p.m. Thursday, August 11, 2022 to 6:00 p.m. Saturday, August 13, 2022)

**7 Manhattan Drive - Tentative Plan of Subdivision and Assent of Council (ABC Developments Ltd.)**

**BE IT RESOLVED** that the Council of The City of Fredericton hereby receives a sum representing 8% of the market value of the land dedication, for subdivision to create two new Residential Zone Five (R-5) lots on property located at 7 Manhattan Drive be taken in the form of cash pursuant to By-law No. Z-4, A Subdivision By-law.

**Additional Information:**

Pursuant to Section 75(1) of the *Community Planning Act*, the following terms and conditions will be imposed upon the subdivision by the Development Officer:

- a) A final plan of subdivision be submitted substantially in accordance with Map III attached to PR 49/22 and to the satisfaction of the Development Officer; and
- b) Lot 22-58 cannot be registered until the extension of Manhattan Drive has been constructed to Municipal Specifications and vested to the City of Fredericton; and
- c) All required easements be provided gratuitously to the appropriate authorities.

**It is further recommended that City Council adopt the following resolution:**

**BE IT RESOLVED** that the plan of subdivision prepared by Surtek Group Ltd. entitled: ABC Developments Ltd. Subdivision 2022-1 Showing Lots 22-58 & 22-59 and Manhattan Drive (Public) Manhattan Drive, City of Fredericton, County of York, Province of New Brunswick receive the Assent of Council pursuant to Section 88(4) of the *Community Planning Act*.

## ECONOMIC VITALITY COMMITTEE REPORT

### Heritage Program Review and Planning & Development Policy Workplan

**BE IT RESOLVED** that the Council of the City of Fredericton hereby directs that the Director of Planning and Development undertake a heritage program review including design guideline recommendations and potential amendments to By-law L-4, the City of Fredericton Heritage Preservation By-law.

**CARRIED**

## APPROVAL OF MINUTES

### Minutes of the Regular Meeting of City Council - April 25, 2022

**Moved by:** Councillor Mark Peters

**Seconded by:** Councillor Jason LeJeune

**BE IT RESOLVED** that the Council of the City of Fredericton hereby approves the April 25, 2022 City Council minutes.

**CARRIED**

## THIRD READING OF BY-LAWS

### By-law No. R-6.6 (Housekeeping Amendments to the By-law to Regulate Taxi Owners and Operators)

By-law No. R-6.6, A By-law to Amend By-law No. R-6, A By-law to Regulate Taxi Owners and Operators in the City of Fredericton

- Reading by Summary
- Third Reading of By-law No. R-6.6, by title

**Moved by:** Councillor Bruce Grandy

**Seconded by:** Councillor Steven Hicks

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes that By-law No. R-6.6, A By-law to Amend By-law No. R-6, A By-law to Regulate Taxi Owners and Operators, be read by summary pursuant to Section 15(4) of *the Local Governance Act*.

**CARRIED**

**Moved by:** Councillor Bruce Grandy  
**Seconded by:** Councillor Steven Hicks

**WHEREAS** municipalities may make by-laws pursuant to *the Local Governance Act*; and City Council has authorized the reading of By-law No. R-6.6, by summary;

**BE IT RESOLVED** that the Council of the City of Fredericton hereby reads a summary of the by-law as follows: The purpose of proposed By-law No. R-6.6 is to update By-law No. R-6, A By-law to Regulate Taxi Owners and Operators, by expanding the prohibitions section; and **THAT** the said by-law be given third reading by title.

**CARRIED**

*(Councillor Cassandra LeBlanc retired from the meeting at 7:35 p.m.)*

**By-law No. Z-5.268 – 250 Lian Street, Rezoning (Oak Ridge Manufacturing)**

*Councillor Cassandra LeBlanc must retire from the meeting, as she was not present during the Hearing of Objections/Support, held on July 25, 2022.*

By-law No. Z-5.268, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton

- Adoption of Terms & Conditions
- Reading by Summary
- Third Reading of By-law No. Z-5.268, by title

**Moved by:** Councillor Ruth Breen  
**Seconded by:** Councillor Kevin Darrah

**BE IT RESOLVED** that with respect to an application by Oak Ridge Manufacturing. to rezone the property located at 250 Lian Street from Multi-Residential Zone Two (MR-2) to Multi-Residential Zone Four (MR-4) as outlined in proposed By-law No. Z-5.268, the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.

**CARRIED**

**Moved by:** Councillor Ruth Breen  
**Seconded by:** Councillor Kevin Darrah

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.268, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, be read by summary pursuant to Section 15(4) of *the Local Governance Act*.

**CARRIED**

**Moved by:** Councillor Ruth Breen  
**Seconded by:** Councillor Kevin Darrah

**WHEREAS** municipalities may make by-laws pursuant to *the Local Governance Act* and the *Community Planning Act*; and City Council has authorized the reading of By-law No. Z-5.268, by summary;

**BE IT RESOLVED** that the Council of the City of Fredericton hereby reads a summary of the by-law as follows: The purpose of proposed By-law No. Z-5.268 is to amend By-law No. Z-5 by rezoning a portion of the property located at 250 Lian Steet from Multi-Residential Zone Two (MR-2) to Multi-Residential Zone Four (MR-4) in order to permit the construction of a five storey 49-unit apartment building; and **THAT** the said by-law be given third reading by title.

**CARRIED**

**By-law No. Z-5.269 – 7 Manhattan Drive – Zone Amendment and Subdivision (Colpitts Development)**

*Councillor Cassandra LeBlanc must retire from the meeting, as she was not present during the Hearing of Objections/Support, held on July 25, 2022.*

By-law No. Z-5.269, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton

- Adoption of Terms & Conditions
- Reading by Summary
- Third Reading of By-law No. Z-5.269, by title

**Moved by:** Councillor Steven Hicks  
**Seconded by:** Councillor Mark Peters

**BE IT RESOLVED** that with respect to an application by Colpitts Developments for a zone amendment on the property located at 7 Manhattan Drive to permit more than one residential building on a lot under the Multi-Residential Zone Five (MR-5) as outlined in proposed By-law No. Z-5.269, the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.

**CARRIED**

**Moved by:** Councillor Steven Hicks  
**Seconded by:** Councillor Mark Peters

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.269, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, be read by summary pursuant to Section 15(4) of *the Local Governance Act*.

**CARRIED**

**Moved by:** Councillor Steven Hicks  
**Seconded by:** Councillor Mark Peters

**WHEREAS** municipalities may make by-laws pursuant to *the Local Governance Act* and the *Community Planning Act*; and City Council has authorized the reading of By-law No. Z-5.269, by summary;

**BE IT RESOLVED** that the Council of the City of Fredericton hereby reads a summary of the by-law as follows: The purpose of proposed By-law No. Z-5.269 is to amend By-law No. Z-5 under the Multi-Residential Zone Five (MR-5) in order to permit more than one residential building on a lot on property located at 7 Manhattan Drive; and **THAT** the said by-law be given third reading by title.

**CARRIED**

**By-law No. Z-5.271 - 15-35 Acorn Street - Zone Amendment (Dayton Engineering)**

*Councillor Cassandra LeBlanc must retire from the meeting, as she was not present during the Hearing of Objections/Support, held on July 25, 2022.*

By-law No. Z-5.271, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton

- Adoptions of Terms & Conditions
- Motion to Read by Section
- Reading of Section 1 of By-law No Z-5.271, in its entirety
- Reading of Section 2 of By-law No Z-5.71, in its entirety
- Third Reading of By-law No Z-5.271, by title

**Moved by:** Councillor Ruth Breen  
**Seconded by:** Councillor Margo Sheppard

**BE IT RESOLVED** that with respect to an application by Dayton Engineering to rezone the property located at 15-35 Acorn Street from Business Industrial Zone (BI) to Commercial Corridor Zone Two (COR-2) and to amend the Commercial Corridor Zone Two (COR-2) as outlined in proposed By-law No. Z-5.271, the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.

**CARRIED**

**Moved by:** Councillor Ruth Breen  
**Seconded by:** Councillor Margo Sheppard

**WHEREAS** the Council of the City of Fredericton wishes to consider the rezoning and zone amendment components of the application separately:

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.271, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of

**Fredericton, be read in its entirety by section pursuant to Section 15(2) of the *Local Governance Act*.**

**CARRIED**

**Moved by:** Councillor Ruth Breen

**Seconded by:** Councillor Margo Sheppard

**BE IT RESOLVED that the Council of the City of Fredericton hereby reads section 1 of By-law No. Z-5.271 as follows:**

**WHEREAS the Council of the City of Fredericton deems it desirable to amend By-law No. Z-5 as hereinafter provided.**

**THEREFORE the Council of The City of Fredericton enacts as follows:**

**1. By-law No. Z-5, A Zoning By-law for The City of Fredericton, is amended by changing the zone as shown on the zoning map constituting Schedule “11” thereof, for the properties located at 15-35 Acorn Street, and shown on Schedule “I” attached to and forming part of By-law No. Z-5.271, from Business Industrial Zone (BI) to Commercial Corridor Zone Two (COR-2).**

**CARRIED**

**Moved by:** Councillor Ruth Breen

**Seconded by:** Councillor Margo Sheppard

**BE IT RESOLVED that the Council of the City of Fredericton hereby reads section 2 of By-law No. Z-5.271 as follows:**

**WHEREAS the Council of the City of Fredericton deems it desirable to amend By-law No. Z-5 as hereinafter provided.**

**THEREFORE the Council of the City Of Fredericton enacts as follows:**

**2. By-law No. Z-5, A Zoning By-law for The City of Fredericton, is further amended by adding to the Commercial Corridor Zone Two (COR-2) of Section 19 thereof, the following:**

**Zone: COR-2**

**Civic No.: 15-35**

**Address: Acorn Street**

**Permitted uses be amended by adding the following:**

**Dwelling units**

**DEFEATED**

*(Councillors Jocelyn Pike, Henri Mallet and Kevin Darrah voted “nay”)*



(Due to the motion not reflecting the views of the Planning Advisory Committee, a majority of Council as a whole was required in order to give effect to the by-law.)

**Moved by:** Councillor Ruth Breen

**Seconded by:** Councillor Margo Sheppard

**BE IT RESOLVED** that the Council of the City of Fredericton hereby gives By-law No. Z-5.271, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, third reading by title as amended.

**CARRIED**

**By-law No. Z-5.272- 438 Brunswick Street & 23 Sunbury Street - Zone Amendment (Ann Scovil Architect)**

*Councillor Cassandra LeBlanc must retire from the meeting, as she was not present during the Hearing of Objections/Support, held on July 25, 2022.*

By-law No. Z-5.272, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton

- Adoption of Terms & Conditions
- Reading by Summary
- Third Reading of By-law No. Z-5.272, by title

**Moved by:** Councillor Jason LeJeune

**Seconded by:** Councillor Jocelyn Pike

**BE IT RESOLVED** that with respect to an application by Ann Scovil Architect for a zone amendment for the properties located at 438-440 Brunswick Street and 23 Sunbury Street to permit the construction of a 5.5 storey 30-unit apartment building in the City Centre Zone (CC) as outlined in proposed By-law No. Z-5.272, the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.

**CARRIED**

**Moved by:** Councillor Jason LeJeune

**Seconded by:** Councillor Jocelyn Pike

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.272, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, be read by summary pursuant to Section 15(4) of the *Local Governance Act*.

**CARRIED**

**Moved by:** Councillor Jason LeJeune

**Seconded by:** Councillor Jocelyn Pike

**WHEREAS** municipalities may make by-laws pursuant to *the Local Governance Act* and the *Community Planning Act*; and City Council has authorized the reading of By-law No. Z-5.272, by summary;

**BE IT RESOLVED** that the Council of the City of Fredericton hereby reads a summary of the by-law as follows: The purpose of proposed By-law No. Z-5.272 is to amend By-law No. Z-5 under the City Centre Zone (CC) in order to permit the construction of a 5.5 storey 30-unit apartment building on the properties located at 438-440 Brunswick Street and 23 Sunbury Street; and **THAT** the said by-law be given third reading by title.

**CARRIED**

**Moved by:** Councillor Jason LeJeune

**Seconded by:** Councillor Jocelyn Pike

**BE IT RESOLVED** that the Council of the City of Fredericton hereby repeals By-law No. Z-2.264, A By-law to Amend By-law No. Z-2, The Zoning By-law for the City of Fredericton, and amendments thereto, given third reading on July 9, 2001.

**CARRIED**

*(Councillor Cassandra LeBlanc returned to the meeting at 7:51 p.m.)*

## **COMMITTEE REPORTS**

### **Economic Vitality Committee Update (July 26, 2022)**

Councillor Jason LeJeune, Chair of the Economic Vitality Committee provided an overview of the highlights of the July 26, 2022, Economic Vitality Committee meeting.

Highlights included:

- Mid-Year Development Numbers were presented by City Planner, Frederick VanRooyen.
- A report on the Preservation Heritage By-law Review was given by Director of Planning & Development, Ken Forrest.

### **Municipal Finance & Corporate Administration Committee Update (July 28, 2022)**

Councillor Jocelyn Pike, Vice-Chair of the Municipal Finance & Corporate Administration Committee provided an overview of the highlights of the July 28, 2022, Municipal Finance & Corporate Administration Committee meeting.

Highlights included:

- Statement of Revenue & Expenditure Review was given by the City Treasurer, Alicia Keating.
- City Treasurer, Alicia Keating provided a report on Overtime.
- Kyle Rostad, Manager of Purchasing & Customer Service provided a report on Key Procurement Areas of Note.

### **Environmental Stewardship Committee Update (August 4, 2022)**

Councillor Margo Sheppard, Vice-Chair of the Environmental Stewardship Committee provided an overview of the highlights of the August 4, 2022, Environmental Stewardship Committee meeting.

Highlights included:

- Anna-Lee Vienneau and Geoff MacDonald provided the committee with a presentation on the Gaia Project and work that was done with the schools in the community.
- Jillian Hudgins, Environmental Strategist provided a report on Climate Lens in Administrative Reports that will come forward to Council Meetings.

### **COUNCIL-IN-COMMITTEE REPORTS**

#### **Acquisition of 406 Regent Street**

**Moved by:** Councillor Jason LeJeune

**Seconded by:** Councillor Cassandra LeBlanc

**BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes and approves the acquisition of a parcel located at 406 Regent Street (SNB PID 1458850) from Gerald Belyea for the amount of Three Hundred Thousand Dollars (\$300,000.00) plus tax, subject to terms and conditions, and authorizes the Mayor and the City Clerk to execute the legal documents necessary to facilitate this transaction.**

**CARRIED**

#### **Disposal of 610 Chestnut Street to Habitat for Humanity**

**Moved by:** Councillor Ruth Breen

**Seconded by:** Councillor Henri Mallet

**BE IT RESOLVED that the Council of the City of Fredericton hereby:**

**1.) declares surplus the parcel of land located at 610 Chestnut Street, Fredericton, NB (SNB PID 75408559) and the building located on 370 Rookwood Avenue, Fredericton, NB (SNB 01437052),**

**2.) suspends the existing land disposal policy, Operating Procedure COR-OP-033, in order to permit the direct sale of the aforementioned parcel to the Habitat initiative for a discounted price,**

**3.) authorizes and approves the conveyance of such properties to Habitat for Humanity – Fredericton Area/Region de Fredericton Inc. for the sum of Sixty-Five Thousand and one Dollars (\$65,001.00), plus any applicable taxes and adjustments; and**

**4.) authorizes the Mayor and City Clerk to execute any legal documents necessary to facilitate this transaction.**

**CARRIED**

**OTHER MATTERS**

**Capital Region Service Commission (RSC 11) Update**

Deputy Mayor Greg Ericson, Council Representative for the Capital Region Service Commission, informed Council that there were no current updates.

**MOTION TO EXCUSE**

**Moved by:** Councillor Jocelyn Pike

**Seconded by:** Councillor Mark Peters

**BE IT RESOLVED that Mayor Kate Rogers and Councillor Eric Megarity be excused from the August 8, 2022, Regular City Council meeting.**

**CARRIED**

**ADJOURNMENT**

**Moved by:** Councillor Steven Hicks

**Seconded by:** Councillor Bruce Grandy

**BE IT RESOLVED that the meeting adjourn at 8:09 p.m.**

**CARRIED**

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Greg Ericson,  
Deputy Mayor

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Jennifer Lawson,  
City Clerk