

## MINUTES OF A REGULAR MEETING OF FREDERICTON CITY COUNCIL

Date: Tuesday, October 12, 2021, 7:30 p.m.  
Location: Council Chamber and Via Web Conferencing

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

Staff Participating in the Meeting: Steven Hart, Chief Administrative Officer  
Jennifer Lawson, City Clerk/Assist. Director, Legal, City Clerk & HR  
Dylan Gamble, Director, Engineering & Operations  
Michael Baldwin, Director, Corporate Services  
Chantal Gauthier, Staff Solicitor  
Nina McCarthy, Deputy Fire Chief  
Alicia Keating, Assistant Director, Corporate Services/City Treasurer  
Sean Lee, Assistant Director, Engineering & Operations  
Marcello Battilana, Manager, Community Planning  
Wayne Knorr, Manager, Communications  
Carolyn Baldwin, Senior Records Clerk  
Elizabeth Murray, City Marshal  
Amy Cronkhite, Recording Secretary/Assistant City Clerk

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### **CALL TO ORDER**

Her Worship, Mayor Kate Rogers called the meeting to order at 7:35 p.m.

### **MOMENT OF REFLECTION**

Her Worship, Mayor Kate Rogers 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 Kevin Darrah

**Seconded by:** Councillor Eric Megarity

**BE IT RESOLVED** that the October 12, 2021, City Council agenda be approved with the addition of agenda item 5.1.1 titled *“Waste Reduction Week Proclamation”* and item 5.10 titled *“Award of Automated Vehicle Location System (P21-21)”*.

**CARRIED**

### **CONFLICT OF INTEREST DECLARATIONS**

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

### **CONSENT AGENDA**

**Moved by:** Councillor Jason LeJeune

**Seconded by:** Councillor Margo Sheppard

**BE IT RESOLVED** that the recommendations set out in the consent agenda items outlined below, be approved respectively:

#### **PROCLAMATIONS**

##### **Proclamation - Breast Cancer Awareness Month - October 2021**

**BE IT RESOLVED** that the Breast Cancer Awareness Month Proclamation be received and placed on file.

**Proclamation – Waste Reduction Week - October 18-24, 2021**

**BE IT RESOLVED** that the Waste Reduction Week Proclamation be received and placed on file.

**SPECIAL EVENT REQUESTS**

**12 Hours for the Homeless 2021**

**BE IT RESOLVED** that an exemption be granted to Youth in Transitions Chrysalis House pursuant to Subsection 5.01(6) of By-law No. S-17, A By-law Respecting Disturbance by Noise, for events occurring as part of the 12 Hours for the Homeless on Saturday, October 23, 2021 from 11:00 a.m. until 11:00 p.m.

**Freddy Fright Fest 2021**

**BE IT RESOLVED** that an exemption be granted to Freddy Fright Fest organizing committee pursuant to Subsection 5.01(6) of By-law No. S-17, A By-law Respecting Disturbance by Noise, for events occurring as part of the Freddy Fright Fest on Friday, October 22, 2021 from 6:00pm until 12:00am (midnight); Saturday, October 23, 2021 from 6:00pm until 12:00am (midnight); Sunday, October 24, 2021 from 6:00pm until 11:00pm; Friday, October 29, 2021 from 6:00pm until 12:00am (midnight); Saturday, October 23, 2021 from 6:00pm until 12:00am (midnight); and Sunday, October 24, 2021 from 6:00pm until 11:00pm.

**OTHER MATTERS**

**2022 Business Improvement Levy - Downtown Fredericton Inc.**

**WHEREAS** By-law No. L-13, Business Improvement Area By-law, designates a portion of the City of Fredericton as a Business Improvement Area pursuant to the provisions of the Business Improvement Areas Act;

**AND WHEREAS** the Board of Directors of Downtown Fredericton Inc. has submitted a proposed budget to the Council of the City of Fredericton pursuant to Section 4 of the Business Improvement Areas Act, as set out in Schedule "A", attached to this resolution and forming part hereof, which estimates a levy of 20 cents per \$100 of assessment on non-residential property within the area designated by By-law No. L-13;

**AND WHEREAS** the provisions of the Business Improvement Areas Act requires the fulfilment of various conditions in the enactment of by-laws under the Act;

**BE IT RESOLVED** that the Council of the City of Fredericton hereby states its intention to consider the budget as set out in Schedule "A" and directs that the public notice requirements of Section 4(2) of the Business Improvement Areas Act be fulfilled.

**2022 Business Improvement Levy - Business Fredericton North Inc.**

**WHEREAS** By-law No. L-15, Business Improvement Area By-law, designates a portion of the City of Fredericton as a business improvement area pursuant to the provisions of the Business Improvement Areas Act;

**AND WHEREAS** the Board of Directors of Business Fredericton North Inc. has submitted a proposed budget to the Council of the City of Fredericton pursuant to Section 4 of the Business Improvement Areas Act, as set out in Schedule "A" attached hereto and forming a part hereof, which estimates a levy of twenty (20) cents per \$100 of assessment on non-residential property within the area designated by By-law No. L-15;

**AND WHEREAS** the provisions of the Business Improvement Areas Act requires the fulfillment of various conditions in the enactment of by-laws under the Act;

**BE IT RESOLVED** that the Council of the City of Fredericton hereby states its intention to consider the budget as set out in Schedule "A" and directs that the public notice requirements of Section 4(2) of the Business Improvement Areas Act be fulfilled.

**Appointment of Councillor Grandy to Various Standing Committees**

**BE IT RESOLVED** that the Council of the City of Fredericton hereby appoints Councillor Bruce Grandy as a member of the Livable Community Committee, Municipal Finance & Corporate Administration Committee and the Environmental Stewardship Committee for a term commencing October 12, 2021 and expiring June 12, 2023.

**COMMITTEE REPORTS**

**150-176 Bourque Lane Land Exchange**

**BE IT RESOLVED** that the Council of the City of Fredericton declares surplus the property located at 150 Bourque Lane (SNB PID 60000064) and authorizes and approves the sale of 150 Bourque Lane to Paul Mesher for the sum of Nine Thousand Dollars (\$9,000.00) plus any applicable taxes and adjustments and title in fee simple to a ± 64.00 m<sup>2</sup> portion of property located at 176 Bourque Lane (SNB PID 60000049),

to be added to the Bourque Lane Public Right-of-Way; and that the Mayor and City Clerk be authorized to execute the necessary legal documents to facilitate this transaction.

**Appointment to the Fredericton Tree Commission – Meagan Betts**

**BE IT RESOLVED** that the Council of the City of Fredericton hereby appoints Meagan Betts to the Fredericton Tree Commission for a period of three years ending October 1, 2024; and

**BE IT FURTHER RESOLVED** that this appointment shall continue until the individual resigns, the resolution is rescinded by City Council or until October 1, 2024, whichever comes first.

**License Agreement with Department of Transportation & Infrastructure re Temporary Access Road to Nashwaak River Bridge #2 for Construction Work**

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes and approves a License Agreement between the City of Fredericton and Her Majesty the Queen in Right of the Province of New Brunswick as represented by the Minister of the New Brunswick Department of Transportation to provide access over City-owned properties identified as SNB PIDs 75268441, 75287862, and 75538207 for the period commencing on May 1, 2022 and ending on November 30, 2023; and that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

**Award of Automated Vehicle Location System (P21-21) (Additional Item)**

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes and approves the award of Request for Proposal P21-21, Automated Vehicle Location (AVL)/Fleet Management System to the highest scored supplier meeting the requirements, 3043176 Nova Scotia Limited, operating under the business name of Northern Business Intelligence for an initial order in the amount of Forty-Three Thousand and Five Hundred and Sixty Dollars (\$43,560.00) HST extra. Additional goods and services may be purchased contingent upon the annual approved budget and operational requirements; and

**BE IT FURTHER RESOLVED** that the Council of the City of Fredericton hereby approves and authorizes the Agreement between the City of Fredericton and 3043176 Nova Scotia Limited, operating under the business name of Northern Business Intelligence (“Agreement”) with respect to hardware and software for an automated vehicle location/fleet management system for a five (5) year term which commences on October 1, 2021 and expires on September 30, 2026; and

**BE IT FURTHER RESOLVED** that the Council of the City of Fredericton authorizes the Mayor and City Clerk to execute the Agreement on behalf of the local government and such further legal documents as may be required to facilitate the Agreement and this resolution.

**CARRIED**

### **APPROVAL OF MINUTES**

#### **Minutes of the Regular Meetings of City Council - July 26, 2021 and August 9, 2021**

**Moved by:** Councillor Mark Peters

**Seconded by:** Councillor Jocelyn Pike

**BE IT RESOLVED** that the Council of the City of Fredericton hereby approves the Minutes of the Regular City Council Meetings of July 26 and August 9, 2021.

**CARRIED**

### **THIRD READING OF BY-LAWS**

#### **By-law Z-5.241, Two Nations Crossing (PID 01533298)– Rezoning (12 Neighbours Community Inc.)**

By-law No. Z-5.241, 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-5.241, by title

**Moved by:** Councillor Jocelyn Pike

**Seconded by:** Councillor Bruce Grandy

**BE IT RESOLVED** that with respect to an application by 12 Neighbours Inc. to rezone the property located on Two Nations Crossing (PID 01533298) from Retail – Large Format (RLF) to Comprehensive Development District Zone (CDD) as outlined in proposed By-law No. Z-5.241, 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 Jocelyn Pike  
**Seconded by:** Councillor Bruce Grandy

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.241, 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 Jocelyn Pike  
**Seconded by:** Councillor Bruce Grandy

**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-5.241, 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-5.241 is to amend By-law No. Z-5 by rezoning a portion of the property located at Two Nations Crossing (PID 01533298) from Retail – Large Format (RLF) to Comprehensive Development District Zone (CDD) in order to permit the development of a 96 unit micro-home community and social enterprise centre with commercial, office, and light manufacturing uses; and **THAT** the said by-law be given third reading by title.

**CARRIED**

**By-law Z-5.242, 1040 Prospect Street – Rezoning (WSP Canada Inc.)**

By-law No. Z-5.242, 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-5.242, by title

**Moved by:** Councillor Ruth Breen  
**Seconded by:** Councillor Henri Mallet

**BE IT RESOLVED** that with respect to an application by WSP Canada Inc. to rezone the property located at 1040 Prospect Street from Regional Commercial Zone (RC) to Commercial Corridor Zone Two (COR-2) as outlined in proposed By-law No. Z-5.242, 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 Henri Mallet

**BE IT RESOLVED** that the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.242, 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 Henri Mallet

**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-5.242, 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-5.242 is to amend By-law No. Z-5 by rezoning a portion of the property located at 1040 Prospect Street from Regional Commercial Zone (RC) to Commercial Corridor Zone Two (COR-2) in order to permit the creation of one commercial lot; and **THAT** the said by-law be given third reading by title.

**CARRIED**

### **PUBLIC PRESENTATION OF BY-LAWS**

#### **By-law No. Z-6.3 (St. Mary's Street), A By-law to Amend By-law No.Z-6, A Municipal Plan for the City of Fredericton**

The City Clerk, Jennifer Lawson read the following:

*“At the Regular City Council meeting held on September 27, 2021, City Council adopted a resolution authorizing the preparation of a by-law to amend the Municipal Plan with respect to property located on Saint Mary’s Street (PID 01424258) and set this meeting as the date for the public presentation.*”

*The purpose of the proposed by-law is to amend the Municipal Plan by re-designating the property located on Saint Mary's Street (PID 01424258) from "Established Neighbourhood" to "Commercial Centres and Corridors".*

*I wish to advise the public that proposed By-law No. Z-6.3 is available for public perusal at the Office of the City Clerk in City Hall, and on the City of Fredericton's Website.*

*Written objections may be submitted within the next 30 days."*

## **ADJOURNMENT**

**Moved by:** Deputy Mayor Greg Ericson

**Seconded by:** Councillor Eric Megarity

**BE IT RESOLVED that the meeting adjourn at 7:53 p.m.**

**CARRIED**

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Kate Rogers,  
Mayor

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Jennifer Lawson,  
City Clerk