

MINUTES OF A REGULAR MEETING OF FREDERICTON CITY COUNCIL

Date: Monday, September 27, 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 Henri Mallet
Councillor Cassandra Blackmore
Councillor Jason LeJeune

Members of Council Attending Virtually: Councillor Ruth Breen

Staff Participating in the Meeting: Steven Hart, Chief Administrative Officer
Sara DeGrace, Deputy Chief Administrative Officer (Zoom)
Amy Cronkhite, Assistant City Clerk
Jane Blakely, Director, Legal City Clerk & Human Resources (Zoom)
Ken Forrest, Director, Planning & Development (Zoom)
Dylan Gamble, Director, Engineering & Operations (Zoom)
Michael Baldwin, Director, Corporate Services (Zoom)
David Seabrook, Director, Recreation, Tourism & Community Engagement (Zoom)
Dwayne Killingbeck, Fire Chief (Zoom)
Sean Lee, Assistant Director, Engineering & Operations (Zoom)
Chantal Gauthier, Staff Solicitor (Zoom)
Marcello Battilana, Manager, Community Planning (Zoom)
Kyle Rostad, Manager, Purchasing & Customer Services (Zoom)
Wayne Knorr, Manager, Communications
Adam Grant, Recreation Leader
Elizabeth Murray, Marshall
Jessica Sharpe, Intermediate Clerk
Doreen Nakhle, Recording Secretary

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 Jocelyn Pike

Seconded by: Councillor Jason LeJeune

BE IT RESOLVED that the September 27, 2021, City Council agenda be approved with the removal of agenda item 5.15 titled "Review of OTHER Council Committees" and addition of agenda item 5.16 titled "Proposed General Service Agreement - St. Mary's First Nation" under the consent agenda.

CARRIED

CONFLICT OF INTEREST DECLARATIONS

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

CONSENT AGENDA

Moved by: Deputy Mayor Greg Ericson

Seconded by: Councillor Jocelyn Pike

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

PROCLAMATIONS

Proclamation - Wrongful Conviction Day - October 2, 2021

BE IT RESOLVED that the Wrongful Conviction Day Proclamation be received and placed on file.

Proclamation - Fire Prevention Week - October 3-9, 2021

BE IT RESOLVED that the Fire Prevention Week Proclamation be received and placed on file.

SPECIAL EVENT REQUESTS

Girl Guide Fall Cookie Campaign 2021 door-to-door

BE IT RESOLVED that approval be given to Girl Guides of Canada to canvass door to door in the City of Fredericton to sell Girl Guide Cookies from Thursday, September 30 until Saturday, October 30, 2021.

Shinerama 2021 - Revised

BE IT RESOLVED that permission be granted to UNB Student Union & students to canvass door to door in the City of Fredericton on Shine Day - Saturday, October 2, 2021.

PLANNING ADVISORY COMMITTEE

Public Presentation and Public Hearing Date – Saint Mary’s Street (PID 01424258)

BE IT RESOLVED that the Council of the City of Fredericton hereby directs that the appropriate by-law to amend By-law No. Z-6, A By-law to Adopt a Municipal Plan for the City of Fredericton be prepared; that the public notice requirements of Section 25 of the *Community Planning Act* be fulfilled; and that the regular City Council meeting of Tuesday, October 12, 2021 at 7:30 p.m., at the Council Chamber, City Hall, be set as the time and place for the public presentation of the proposed by-law; and

BE IT FURTHER RESOLVED that the Development Application for Saint Mary’s Street (PID 01424258) be referred to the November 17, 2021 meeting of the Planning Advisory Committee for the views of the Committee pursuant to Section 110 of the *Community Planning Act*; and

BE IT FURTHER RESOLVED that the Council of the City of Fredericton hereby directs that the public notice requirements of Section 111 of the *Community Planning Act* be fulfilled; and that the regular City Council meeting of Monday, November 22, 2021 at 7:30 p.m., at the Council Chamber, City Hall, be set as the time and place for the consideration of objections/support to the proposed by-law.

Public Hearing Date - 745 Cliffe Street and 7 Mill Street

BE IT RESOLVED that the Council of the City of Fredericton hereby directs that the Development Applications for 745 Cliffe Street and 7 Mill Street be referred to the October 20, 2021 meeting of the Planning Advisory Committee for the views of the

advisory committee; that the public notice requirements of Section 111 of the *Community Planning Act* be fulfilled; that the appropriate by-laws to amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, be prepared; and that the regular City Council Meeting of Monday, October 25, 2021 at 7:30 p.m., at the Council Chamber, City Hall, be set as the time and place for the consideration of objections/support to the proposed by-laws.

28 Duncan Lane - Tentative Plan of Subdivision (William & Karen Bird)

BE IT RESOLVED that the Council of the City of Fredericton hereby approves a sum representing 8% of the market value of the land in the subdivision to create 1 new R-1 building lot on the north portion of the existing parcel on 28 Duncan Lane be paid pursuant to By-law No. Z-4, A Subdivision By-law.

OTHER MATTERS

Exemption to By-law S-17 A By-law Respecting Disturbance by Noise – Beaverbrook Art Gallery, 703 Queen Street

BE IT RESOLVED that the Council of the City of Fredericton hereby grants an exemption to By-law No. S-17, A By-law Respecting Disturbance by Noise, Section 5.01(6), to permit the developer of 703 Queen Street, their officers, agents, contractors, servants, employees, workers, and all other persons acting under its authority or with its permission, to carry out two concrete pours for new flooring associated with the Beaverbrook Art Gallery expansion between the hours of 9:00 pm and 6:00 am on the two days when the pour occurs subject to the Director of Planning and Development being provided a minimum of 24 hours advance notice.

Purchase Four (4) Ford Police Interceptor Hybrid Utility AWD Vehicles

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes the Engineering & Operations Fleet Division to commence the tendering process early for the purchase of four (4) Ford Police Interceptor Hybrid Utility AWD vehicles in advance of the 2022 budget process, and that the Fleet Division prioritizes the purchase of these vehicles as their top 2022 budget fleet replacement priority which shall be considered and form part of the approved budget allotment for the Fleet Division as part of the 2022 General Fund Budget.

Request to Approve Sara DeGrace a Member in Fredericton Playhouse Inc.

BE IT RESOLVED that the Council of the City of Fredericton hereby approves Sara DeGrace to hold membership in Fredericton Playhouse Inc. (the “Company”) effective immediately, and as such, is entitled to all rights and privileges afforded to her as prescribed within the bylaws of the Company and by law, including the holding of office as director of the Company.

Appointment of One Police Officer - Andre LeBlanc

BE IT RESOLVED that the Council of the City of Fredericton hereby appoints Andre LeBlanc (effective September 21, 2021), as a police officer to the Fredericton Police Force for the City of Fredericton pursuant to Section 11(1)(c) of the *New Brunswick Police Act*; and

BE IT FURTHER RESOLVED that the appointment shall continue until Andre LeBlanc ceases to be an employee of the City of Fredericton.

D.P. Developments LTD Subdivision (LPP) – Assent of Council (City of Fredericton)

BE IT RESOLVED that the final plan of subdivision prepared by DALE M. MACFARLANE LAND SURVEYING LTD., entitled “SUBDIVISION PLAN D.P. DEVELOPMENTS LTD SUBDIVISION LOT 21-20, 21-21, 21-22 AND LAND FOR PUBLIC PURPOSES MURRAY AVENUE CITY OF FREDERICTON COUNTY OF YORK PROVINCE OF NEW BRUNSWICK” receive the Assent of Council pursuant to Section 88(1) of the *Community Planning Act*.

By-law Officer Appointment – Mason Cody Chambers

BE IT RESOLVED that the Council of the City of Fredericton authorizes, appoints, and designates Mason Cody Chambers as a By-law Enforcement Officer effective immediately, pursuant to Section 72 of the *Local Governance Act* and subsection 14(3) of the *Police Act*, in order to administer and enforce the following by-laws within the territorial boundary of the City of Fredericton:

- **By-law No. R-6, A By-law to Regulate Taxi Owners and Operators of the City of Fredericton, and amendments thereto;**
- **By-law No. S-9, A By-law to Prevent Nuisances, and amendments thereto;**
- **By-law No. S-15, A Fire Lane By-law for the City of Fredericton, and amendments thereto;**
- **By-law No. T-1, A By-law to Regulate Traffic, and amendments thereto;**
- **By-law No. T-6, A By-law Respecting Public Motor Buses, and amendments thereto;**
- **By-law No. T-7, A By-law Relating to Parking Meters, Parking Zones, and Pay and Display Machines, and amendments thereto;**
- **By-law No. T-8, A By-law Relating to Loitering and Begging in the City of Fredericton, and amendments thereto; and**

BE IT FURTHER RESOLVED that this appointment shall continue until Mason Cody Chambers ceases to be employed on detail 1231 of the Canadian Corps of

Commissionaires or until his appointment under this resolution is rescinded by City Council, whichever comes first.

Integrated Bilateral Agreement - Transit Stream Funding Contract Approval – Closed-Circuit Television and Automatic Passenger Counting, Transit Bus Stops Accessibility

BE IT RESOLVED that the Council of the City of Fredericton accept 40% funding of eligible costs from the Canada - New Brunswick Integrated Bilateral Agreement (IBA) for the Investing in Canada Infrastructure Program Transit Funding Stream to be applied to the following Transit projects:

- 1. Closed-Circuit Television (CCTV) and Automatic Passenger Counting (APC): Total Cost of \$475,000 with \$190,000 from the IBA Transit Stream and \$285,000 from the City of Fredericton,**
- 2. Transit Bus Stops Accessibility Improvements: Total Cost of \$100,000 with \$40,000 from the IBA Transit Stream and \$60,000 from the City of Fredericton**
- 3. Fleet Renewal - Acquisition of one (1) new low floor, accessible urban transit bus: Total Cost of \$557,068 with \$222,827 from the IBA Transit Stream and \$334,241. from the City of Fredericton; and**

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

COMMITTEE REPORT

ITEM 5.15 Review of OTHER Council Committees was REMOVED FROM THE CONSENT AGENDA

Proposed General Services agreement – St. Mary’s First Nation (Additional Item)

BE IT RESOLVED that the Council of the City of Fredericton hereby authorizes and approves the General Services Agreement between Saint Mary’s First Nation and the City of Fredericton (“Agreement”) for the provision of general services (fire protection, street cleaning and storm sewer servicing) for a term of five (5) years commencing April 1, 2021 and expiring March 31, 2026 and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the Agreement on behalf of the municipality and such further legal documents as may be required to facilitate this resolution.

CARRIED

APPROVAL OF MINUTES

Minutes of the Regular Meeting of City Council - June 28, 2021

Moved by: Councillor Steven Hicks

Seconded by: Councillor Cassandra Blackmore

BE IT RESOLVED that the Council of the City of Fredericton hereby approves the Minutes of the Regular City Council Meeting of June 28, 2021.

CARRIED

PRESENTATION

Mayor's Activity Award Presentations

Adam Grant, Recreation Leader provided Council with a background on the Mayor's Activity Award which consists of 4 badges:

- Physical Activity
- Healthy Eating
- Family Wellness
- Arts & Culture

Her Worship Mayor Rogers gave out medals and certificates to the children present.

- Catherine Broady
- Remington LeClaire
- Jackson LeClaire

FIRST AND SECOND READING OF BY-LAWS

By-law No. 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

- Receipt of the Planning Advisory Committee Report
- Hearing of Objections
- First Reading of By-law No. Z-5.241
- Second Reading of By-law No. Z-5.241

Moved by: Councillor Bruce Grandy

Seconded by: Councillor Kevin Darrah

BE IT RESOLVED that the Council of the City of Fredericton hereby receives the Report of the Planning Advisory Committee, dated September 16, 2021, with respect to an application from 12 Neighbours Community Inc., for a rezoning from Retail Large Format (RLF) to Comprehensive Development District (CDD) to permit a 96 unit affordable micro-home community and social enterprise centre at 269 Two Nations Crossing.

CARRIED

Hearing of Objections/Support

No letters of Objections/Support were received by the City Clerk's Office.

The following speakers spoke during the public hearing process:

- Marcel LeBrun representing 12 Neighbours Community Inc. provided a presentation of an overview of what the community would look like.
- Claire Leighton spoke in favor of the rezoning (12 Neighbours Community)

Moved by: Councillor Bruce Grandy

Seconded by: Councillor Kevin Darrah

BE IT RESOLVED that the Council of the City of Fredericton hereby gives 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, first reading by title.

CARRIED

Moved by: Councillor Bruce Grandy

Seconded by: Councillor Kevin Darrah

BE IT RESOLVED that the Council of the City of Fredericton hereby gives 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, second reading by title.

CARRIED

By-law No. 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

- Receipt of the Planning Advisory Committee Report
- Hearing of Objections
- First Reading of By-law No. Z-5.242
- Second Reading of By-law No. Z-5.242

Moved by: Councillor Cassandra Blackmore

Seconded by: Councillor Mark Peters

BE IT RESOLVED that the Council of the City of Fredericton hereby receives the Report of the Planning Advisory Committee, dated September 16, 2021, with respect to an application from WSP Canada Inc., for a rezoning from RC to COR-2 to accommodate the creation of one commercial lot. An 86 m² floor area variance to recognize the existing retail store area (Shoppers Drug Mart) at 1040 Prospect Street.

CARRIED

Hearing of Objections/Support

No letters of Objections/Support were received by the City Clerk's Office.

Moved by: Councillor Cassandra Blackmore

Seconded by: Councillor Mark Peters

BE IT RESOLVED that the Council of the City of Fredericton hereby gives 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, first reading by title.

CARRIED

Moved by: Councillor Cassandra Blackmore

Seconded by: Councillor Mark Peters

BE IT RESOLVED that the Council of the City of Fredericton hereby gives 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, second reading by title.

CARRIED

ADJOURNMENT

The Mayor reminded Council of the National Day of Truth and Reconciliation on September 30th and of the events that will be taking place.

Moved by: Councillor Jocelyn Pike

Seconded by: Councillor Henri Mallet

BE IT RESOLVED that the meeting adjourn at 8:24 p.m.

CARRIED

Kate Rogers,
Mayor

Amy Cronkhite,
Assistant City Clerk