

# MINUTES OF A REGULAR MEETING OF FREDERICTON CITY COUNCIL

MONDAY, JUNE 27, 2011

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Minutes of the Regular Meeting of Fredericton City Council held on Monday, June 27, 2011, at 7:33 p.m. in the Council Chamber, City Hall, Fredericton.

## ATTENDANCE

Attendance

### **Council:**

Mayor Brad Woodside, Deputy Mayor David Kelly, Councillors Stephen Chase, Jordan Graham, Bruce Grandy, Dan Keenan, Stephen Kelly, Scott McConaghy, Eric Megarity, Tony Whalen, and Mike O'Brien.

### **Staff:**

Melanie MacDonald, Assistant City Clerk  
Paul Stapleton, City Administrator  
Chris MacPherson, Assistant City Administrator  
Wayne Tallon, Director of Community Services  
Murray Jamer, Director of Engineering & Public Works  
Frank Flanagan, Director of Development Services  
Alex Forbes, Assistant Director of Development Services  
Michelle Brzak, City Solicitor  
Sean Lee, Manager, Engineering Services  
Wayne Knorr, Manager, Corporate Communications

### **Absent:**

Councillor Steven Hicks  
Councillor Marilyn Kerton

## PRAYER

Prayer

Rev. Paul Ross was present and led Council in prayer.

## MOTION TO ADD "ANNUAL APPOINTMENTS TO THE BOARD OF ADMINISTRATORS, FREDERICTON SUPERANNUATION FUND; AND AMENDMENT TO BY-LAW NO. A-5" TO THE REGULAR CITY COUNCIL AGENDA

"Annual Appointments to the Board of Administrators, Fredericton Superannuation Fund; and Amendment to By-law No. A-5" Added to the Regular City Council Agenda

Moved by Councillor Eric Megarity, seconded by Councillor Stephen Chase THAT the report entitled "Annual Appointments to the Board of Administrators, Fredericton Superannuation Fund; and Amendment to By-law No. A-5" be added to the Regular City Council Agenda as Item 6.A.(vi). CARRIED UNANIMOUSLY

**APPROVAL OF MINUTES**

Approval of Minutes

**Moved by Councillor Jordan Graham, seconded by Deputy Mayor David Kelly THAT the Minutes of the Regular City Council meeting of Monday, May 9, 2011, be approved as circulated. CARRIED UNANIMOUSLY**

**MAYOR’S ENVIRONMENTAL AWARD**

Mayor’s Environmental Award

His Worship Mayor Brad Woodside presented Kingsclear Consolidated School’s Composting Club and teacher Matt McGuire’s grade 4 class with the June 2011 Mayor’s Environmental Award.

The garden, which is located behind the school, makes use of the compost generated by students, and serves as a valuable learning tool for tiling, irrigation rows, and for the successful planting of vegetables.

Over the summer months, students will adhere to a weeding and watering schedule, and in the fall they will deliver their vegetables to surrounding community homes in an effort to bring awareness to their project.

**MISS TEEN CANADA-WORLD – TIFFARAH GOSMAN**

Miss Teen Canada World – Tiffarah Gosman

Tiffarah Gosman, Miss Teen New Brunswick World 2011, presented Members of Council with a brief overview of her journey towards becoming Miss Teen Canada World 2011.

Since being crowned Miss Teen New Brunswick 2011 in April, Tiffarah has enjoyed appearances in parades and festivals, speaking engagements, and giving of her time in a voluntary capacity. She is particularly interested in bringing awareness to sex trafficking in Canada, a situation that affects 2500 women and children each year.

Mayor Woodside and Members of City Council wished Ms. Gosman the best of luck in her bid for the title of Miss Teen Canada World 2011.

**PRESENTATION OF 12-YEAR SERVICE AWARD TO FREDERICTON DEPUTY MAYOR DAVID KELLY**

Presentation of 12-year Service Award to Fredericton Deputy Mayor David Kelly

Mayor Woodside presented Deputy Mayor David Kelly with his 12-year service pin, and pointed out that David’s father was also Deputy Mayor on two occasions during his tenure on Fredericton City Council.

This was the first time in the history of the City that a father and son had both been appointed Deputy Mayor.

**BY-LAW REAFFIRMATIONS**

By-law Reaffirmations

A report was received from the Planning Advisory Committee reaffirming its position with respect to the following by-laws:

1. By-law No. Z-1.17 & Z-2.745 – 310-320 Doak Road (Chippin’s Ltd.)
2. By-law No. Z-2.749 – 169 Forest Hill Road (Carl Constantine)
3. By-law No. Z-2.750 – 132 Golf Club Road (Stephen Kelly)
4. By-law No. Z-2.751 – 367 Main Street (Louie Youssef)
5. By-law No. Z-2.752 – 401 Bishop Drive (James Mark Commercial Realty)
6. By-law No. Z-2.753 – 471 Albert Street (Dobbelsteyn Signs)
7. By-law No. Z-2.755 – 275 Main Street (Dobbelsteyn Signs)
8. By-law No. Z-2.756 – 208, 214, 220 Summerhill Row (Hill Bros. Realty)
9. By-law No. Z-2.757 – Alison Boulevard (Chippin’s Ltd.)
10. By-law No. Z-2.758 – 2783 Woodstock Road (Mario Duperé)
11. By-law No. Z-2.759 – Cliffe Street (DP Developments)
12. By-law No. Z-2.761 – 1642 Lincoln Road (exp.)
13. By-law No. Z-2.762 – 2475 Woodstock Road (exp.)

**Moved by Councillor Scott McConaghy, seconded by Councillor Dan Keenan THAT the report of the Planning Advisory Committee be received. CARRIED UNANIMOUSLY**

**PUBLIC HEARING – MUNICIPAL PLAN AMENDMENT, REZONING AND SUBDIVISION – 310-320 DOAK ROAD (CHIPPIN’S LIMITED)**

Public Hearing – Municipal Plan Amendment, Rezoning and Subdivision – 310-320 Doak Road (Chippin’s Limited)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Municipal Plan (Z-1) and Zoning By-law (Z-2) by rezoning a portion of the subject property from Service Industrial Zone (S.I.) to Residential Zone Two (R-2), Residential Zone Two-B (R-2B), Residential Zone Three (R-3), Residential Zone Five (R-5), Residential Zone Six (R-6) and Park (P), subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk's Office.

**MR. GEORGE LEBLANC ADDRESSED COUNCIL**

Mr. George LeBlanc  
Addressed Council

Mr. LeBlanc, resident of the Doak Road area, expressed the following concerns regarding the proposed development at 310-320 Doak Road:

- Lack of sidewalks, green space, trail system and bus routes
- Area intersection is already dangerous; not wise to have an increase in traffic
- Traffic lights should be required at intersection of Doak Road and Alison Boulevard, and speed limit should be lowered
- Potential of creating an island of residential in the middle of a commercial area

Mr. LeBlanc encouraged Council to proceed with care on this development and to 'do it right'; if it is not a good fit then perhaps it might be best to wait until the right development comes along.

As such, Members of Council requested that Development Services prepare a report prior to third reading of the by-law, addressing the following key points:

- How limiting are the wetland areas?
- Potential of a residential area in the midst of commercial enterprises
- Proposed move from commercial to residential along the area of land for the intended runway commercial development
- Safety concerns for children; where will they play? What about parks? Trails?
- The movement of people in and out of the area; bus service, bike lanes, traffic lights

**First and Second Reading of By-law No. Z-1.17**

**Moved by Councillor Scott McConaghy, seconded by Deputy Mayor David Kelly THAT By-law No. Z-1.17, A By-law to Adopt a Municipal Plan for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-1.17 Given  
First Reading

*(Councillor Stephen Chase was absent from the Council Chamber when the vote was taken.)*

**Moved by Councillor Scott McConaghy, seconded by Deputy Mayor David Kelly THAT By-law No. Z-1.17, A By-law to Adopt a Municipal Plan for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY**

By-law No Z-1.17 Given  
Second Reading

*(Councillor Stephen Chase was absent from the Council Chamber when the vote was taken.)*

**First and Second Reading of By-law No. Z-2.745**

**Moved by Councillor Scott McConaghy, seconded by Deputy Mayor David Kelly THAT By-law No. Z-2.745, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.745 Given  
First Reading

*(Councillor Stephen Chase was absent from the Council Chamber when the vote was taken.)*

**Moved by Councillor Scott McConaghy, seconded by Deputy Mayor David Kelly THAT By-law No. Z-2.745, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY**

By-law No Z-2.745 Given  
Second Reading

❖ *Consideration of the proposed subdivision will take place following third reading of the proposed by-law.*

**HARVEST JAZZ AND BLUES FESTIVAL**

Harvest Jazz and Blues  
Festival

A request was received from Brad Wasson for approval to hold the 21<sup>st</sup> Annual Harvest Jazz and Blues Festival from September 13<sup>th</sup> to 18<sup>th</sup>, 2011.

**Moved by Councillor Mike O'Brien, seconded by Councillor Bruce Grandy THAT City Council adopt the following resolution:**

**BE IT RESOLVED that approval be given to the Harvest Jazz and Blues Festival to hold their 21st Annual Harvest Jazz and Blues Festival from Tuesday, September 13 to Sunday, September 18, 2011, inclusive, subject to compliance with all staff recommendations; AND**

**BE IT FURTHER RESOLVED that an exemption be granted to the Harvest Jazz and Blues Festival from the provisions of Section 1 of By-law S-13, being A By-law Respecting Disturbance by Noise, for events occurring as part of the Harvest Jazz and Blues Festival**

between Tuesday, September 13 and Sunday, September 18, 2011 inclusive, in adherence to the hours and locations listed below:

**Mojo Tent, Officers' Square:**

Wednesday to 10:00 p.m.  
Thursday to 12:30 a.m.  
Friday for CBC Breakfast  
from 6:00 to 9:00 a.m.  
Friday to 1:00 a.m.  
Saturday to 1:00 a.m.

**Blues Tent, City Hall Parking Lot:**

Wednesday to 12:30 a.m.  
Thursday to 12:30 a.m.  
Friday to 2:00 a.m.  
Saturday to 2:00 a.m.

**Barracks Tent, Soldiers Barracks:**

Thursday to 12:30 a.m.  
Friday to 12:30 a.m.  
Saturday to 12:30 a.m.

**Hoodoo House, Beside Brewbakers:**

Thursday to 1:30 a.m.  
Friday to 1:30 a.m.  
Saturday to 1:30 a.m.

**527 Queen Street in front of Old Post Office:**

Thursday to 10:00 p.m.  
Friday to 9:30 p.m.  
Saturday to 9:30 p.m.

**Tannery Stage, King Street:**

Thursday to 10:00 p.m.  
Friday to 9:30 p.m.  
Saturday to 9:30 p.m.

**Kings Place Stage outside (corner of King and York Streets):**

Wednesday 11:30 a.m. to 1:15 p.m.  
Thursday 11:30 a.m. to 1:30 p.m.  
Friday 11:30 a.m. to 1:30 p.m.

**Officers' Square Stage, Officers' Square:**

Friday 1:30 to 5:30 p.m.  
Saturday 11:00 a.m. to 5:00 p.m.  
Sunday 1:00 to 4:15 p.m.

**AND BE IT FURTHER RESOLVED** that the City Solicitor be authorized to draft the appropriate by-law to effect a temporary stop-up and closure from Thursday, September 15, 2011, through Saturday, September 17, 2011 inclusive, from 6:30 p.m. to 1:30 a.m., for Queen Street between the blocks of Regent and York Streets; for the West bound turning lane of Pointe-Sainte-Anne Boulevard onto Queen Street; for Carleton Street from King Street

to the parking lot of the Fredericton Public Library (Campbell Close); and Wilmot Alley;

**AND BE IT FURTHER RESOLVED** that the City Solicitor be authorized to draft the appropriate by-law to effect a temporary stop-up and closure from 6:30 p.m. on Friday, September 16, 2011, through to 5:00 p.m. on Sunday, September 18, 2011 inclusive, for one block of Queen Street between Regent and Carleton Streets;

**AND BE IT FURTHER RESOLVED** that the public notice requirements of Section 187(6) of the *Municipalities Act* be fulfilled; **AND** that the regular Council meeting of Monday, July 11, 2011, at 7:30 p.m. in the Council Chamber, City Hall, be set as the time and place for the consideration of objections to the proposed by-law.

**CARRIED UNANIMOUSLY**

**CANADA DAY FESTIVITIES**

Canada Day Festivities

A request was received from Paul Wentzell and Charles Barry for approval to hold the Annual Canada Day Celebrations on July 1, 2011.

**Moved by Deputy Mayor David Kelly, seconded by Councillor Jordan Graham THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that approval be given to Fredericton Canada Day Committee to host the Annual Canada Day Celebrations on Friday, July 1, 2010, from 12:00 noon to 11:30 p.m., subject to conditions as stated in the report by staff.

**CARRIED UNANIMOUSLY**

**WISHMAKER WALK FOR WISHES**

Wishmaker Walk for Wishes

A request was received from Rachelle Bastarache for approval to hold the Wishmaker Walk for Wishes on October 15, 2011.

**Moved by Councillor Stephen Kelly, seconded by Councillor Eric Megarity THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that approval be given to The Children's Wish Foundation to hold their Annual Wishmaker Walk for Wishes Parade on Saturday, October 15, 2011.

**CARRIED UNANIMOUSLY**

**ZONING AMENDMENT – 380 KING STREET (CHAPAR ENTERPRISE INC.)**

Zoning Amendment – 380 King Street (Chapar Enterprise Inc.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Chapar Enterprise Inc., and recommended approval, subject to terms and conditions.

**Moved by Councillor Scott McConaghy, seconded by Councillor Jordan Graham THAT City Council adopt the following resolution:**

**BE IT RESOLVED that the Report of the Planning Advisory Committee, dated June 16, 2011, with respect to an application submitted by Chapar Enterprise Inc. to amend the City Centre Zone One (CC-1) to permit commercial storage of goods on property located at 380 King Street, be received along with the recommended terms and conditions.**

**CARRIED UNANIMOUSLY**

**Resolution**

Resolution

**Moved by Councillor Scott McConaghy, seconded by Councillor Jordan Graham THAT WHEREAS, at the meeting of June 27, 2011, Council received a report of the Planning Advisory Committee recommending that By-law No. Z-2, A Zoning By-law for The City of Fredericton, be amended under the City Centre Zone One (CC-1) in order to permit the commercial storage of goods on property located at 380 King Street, as indicated on Schedule “A” attached to and forming part of this resolution; subject to terms and conditions;**

**BE IT RESOLVED that the Council hereby directs that an appropriate by-law be prepared to amend By-law No. Z-2; that the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Monday, July 25, 2011 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.**

**CARRIED UNANIMOUSLY**

Schedule “A” is attached to these Minutes as **Appendix 1**.

*(Councillor Stephen Kelly was absent from the Council Chamber when the vote was taken.)*

**ZONING AMENDMENT – 621 CLEMENTS DRIVE (CHOPPER RODS INC.)**

Zoning Amendment – 621 Clements Drive (Chopper Rods Inc.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Chopper Rods Inc., and recommended approval, subject to terms and conditions.

**Moved by Councillor Scott McConaghy, seconded by Councillor Dan Keenan THAT City Council adopt the following resolution:**

**BE IT RESOLVED that the Report of the Planning Advisory Committee, dated June 16, 2011, with respect to an application submitted by Chopper Rods Inc. to amend the Local Convenience Zone to permit minor maintenance and repair of motorcycles, in conjunction with a retail parts and supplies operation at 621 Clements Drive, be received along with the recommended terms and conditions.**

**CARRIED UNANIMOUSLY**

*(Councillor Bruce Grandy was absent from the Council Chamber when the vote was taken.)*

**Resolution**

Resolution

**Moved by Councillor Scott McConaghy, seconded by Councillor Dan Keenan THAT WHEREAS**, at the meeting of June 27, 2011, Council received a report of the Planning Advisory Committee recommending that By-law No. Z-2, A Zoning By-law for The City of Fredericton, be amended under the Local Convenience Centre Zone (L.C.) in order to permit the minor maintenance and repair of motorcycles in conjunction with a retail parts and supplies operation on property located at 621 Clements Drive, as indicated on Schedule “A” attached to and forming part of this resolution; subject to terms and conditions;

**BE IT RESOLVED that the Council hereby directs that an appropriate by-law be prepared to amend By-law No. Z-2; that the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Monday, July 25, 2011 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.**

**CARRIED UNANIMOUSLY**

Schedule “A” is attached to these Minutes as **Appendix 2**.

*(Councillor Bruce Grandy was absent from the Council Chamber when the vote was taken.)*

**REZONING & SUBDIVISION – MURRAY AVENUE (DP DEVELOPMENTS)**

Rezoning & Subdivision – Murray Avenue (DP Developments)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by DP Developments, and recommended approval, subject to terms and conditions.

**Moved by Councillor Scott McConaghy, seconded by Councillor Eric Megarity THAT City Council adopt the following resolution:**

**BE IT RESOLVED that the Report of the Planning Advisory Committee, dated June 16, 2011, with respect to an application submitted by DP Developments to rezone property from Residential Zone Five-Holding (R-5H) to Residential Zone Six (R-6); AND that the 8% public land dedication for subdivision to create one (1) R-6 lot on Murray Avenue be taken in the form of land (as shown on Map V) and cash, be received along with the recommended terms and conditions.**

**CARRIED UNANIMOUSLY**

*(Councillor Bruce Grandy was absent from the Council Chamber when the vote was taken.)*

**Resolution**

Resolution

**Moved by Councillor Scott McConaghy, seconded by Councillor Eric Megarity THAT WHEREAS, at the meeting of June 27, 2011, Council received a report of the Planning Advisory Committee that By-law No. Z-2, A Zoning By-law for The City of Fredericton, be amended by rezoning the property located on Murray Avenue from Residential Zone Five Holding (R-5H) to Residential Zone Six (R-6) in order to permit the construction of 37 townhouse units, as indicated on Schedule “A” attached to and forming part of this resolution, subject to terms and conditions;**

**BE IT RESOLVED** that the Council hereby directs that an appropriate by-law be prepared to amend By-law No. Z-2; that the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Monday, July 25, 2011 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.

**CARRIED UNANIMOUSLY**

Schedule “A” is attached to these Minutes as Appendix 3.

**REZONING & SUBDIVISION – 389 CANADA STREET (656305 NB INC.)**

Rezoning & Subdivision – 389 Canada Street (656305 NB Inc.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by 656305 NB Inc., and recommended approval, subject to terms and conditions.

**Moved by Councillor Jordan Graham, seconded by Councillor Stephen Chase THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that the Report of the Planning Advisory Committee, dated June 16, 2011, with respect to an application submitted by 656305 NB Inc. to rezone property from Institutional to Residential Zone Two (R-2), Residential Zone Five (R-5) and Residential Zone Six (R-6); AND that the 8% public land dedication be taken in the form of land and cash for the proposed subdivision to create seven (7) residential lots at 389 Canada Street, be received along with the recommended terms and conditions.

**CARRIED UNANIMOUSLY**

*(Deputy Mayor David Kelly and Councillor Tony Whalen were absent from the Council Chamber when the vote was taken.)*

**Resolution**

Resolution

**Moved by Councillor Jordan Graham, seconded by Councillor Stephen Chase THAT WHEREAS**, at the meeting of June 27, 2011, Council received a report of the Planning Advisory Committee that By-law No. Z-2, A Zoning By-law for The City of Fredericton, be amended by rezoning the property located at 389 Canada Street from Institutional Zone (I) to Residential Zone Two (R-2), Residential Zone Five (R-5), and Residential Zone Six (R-6), as indicated on Schedule “A” attached to and forming part of this resolution, subject to terms and conditions;

**BE IT RESOLVED** that the Council hereby directs that an appropriate by-law be prepared to amend By-law No. Z-2; that the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Monday, July 25, 2011 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.

**CARRIED UNANIMOUSLY**

*(Councillor Tony Whalen was absent from the Council Chamber when the vote was taken.)*

Schedule “A” is attached to these minutes as **Appendix 4**.

**SUBDIVISION & STOP-UP AND CLOSE – DORA DRIVE EXTENSION (CHIPPIN’S LTD.)**

Subdivision & Stop-up and Close – Dora Drive Extension (Chippin’s Ltd.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Chippin’s Limited, and recommended approval.

**Moved by Councillor Jordan Graham, seconded by Councillor Eric Megarity THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that the application submitted by Chippins Ltd., for subdivision to create ten (10) lots off an extension of Dora Drive and to add land to the public right-of-way, as shown on Map III, be approved; AND that the Legal Division prepare the appropriate Stop-up and Close By-law for the portion of Dora Drive, as shown on attached Map III, in order that this portion of the Dora Drive right-of-way be closed and conveyed to the developer for consolidation with Lots 11-458 and 11-459.

**CARRIED UNANIMOUSLY**

Map III is attached to these minutes as **Appendix 5**.

*(Councillor Tony Whalen was absent from the Council Chamber when the vote was taken.)*

**Resolution**

Resolution

**Moved by Councillor Jordan Graham, seconded by Councillor Scott McConaghy THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that the Legal Division be instructed to prepare the appropriate by-law to give effect to the closure of a portion of Dora Drive, as shown on Schedule “A”, attached to and forming part of this resolution;

**AND BE IT FURTHER RESOLVED** that a Notice of Intention to Stop-up and Close a portion of Eatman Avenue be published in accordance with Section 187(6) of the *Municipalities Act*;

**AND BE IT FURTHER RESOLVED** that the regular meeting of the City Council on Monday, July 11, 2011 at 7:30 p.m. in the Council Chamber, City Hall, Fredericton, New Brunswick, be fixed as the time and place for consideration of objections to such by-law;

**AND BE IT FURTHER RESOLVED** that the Council of the City of Fredericton, subsequent to the stop-up and Closure of Dora Drive, authorizes that portion of Dora Drive, as shown on Schedule “A”, to be conveyed to Chippin’s Limited in order that it may be consolidated with Lot 11-458 and Lot 11-459.

**CARRIED UNANIMOUSLY**

Schedule “A” is attached to these minutes as Appendix 6.

**SUBDIVISION RE-APPROVAL & ASSENT OF COUNCIL – MOOERS DRIVE EXTENSION (COLPITTS DEVELOPMENTS LTD.)**

Subdivision Re-Approval & Assent of Council – Mooers Drive Extension (Colpitts Developments Ltd.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Colpitts Developments Ltd. for property located off an extension of Mooers Drive.

**Moved by Councillor Jordan Graham, seconded by Deputy Mayor David Kelly THAT the 8% public land dedication, in relation to a subdivision re-approval application submitted by Colpitts Developments Ltd. to create 85 residential lots on an extension of Mooers Drive, be taken in the form of cash; AND that the final plan of subdivision, as shown on Map III, receive the Assent of Council pursuant to Section 56 of the *Community Planning Act*.**

**CARRIED UNANIMOUSLY**

**SUBDIVISION RE-APPROVAL AND STREET NAME APPROVAL – STATION ROAD (COLPITTS DEVELOPMENTS LTD.)**

Subdivision Re-Approval and Street Name Approval – Station Road (Colpitts Developments Ltd.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Colpitts Developments Ltd. for property located on Station Road.

**Moved by Councillor Jordan Graham, seconded by Councillor Eric Megarity that the 8% public land dedication, in relation to a subdivision re-approval application submitted by Colpitts Developments Ltd. to create 52 row dwelling (townhouse) units and 24 semi-detached dwelling units under a trustee corporation on Station Road, be taken in the form of cash and land; AND that the street names “Coachman Drive,” “Trestle Lane” and “Flagstop Lane,” as shown on Map III, be approved.**

**CARRIED UNANIMOUSLY**

**SUBDIVISION RE-APPROVAL – 875 KIMBLE DRIVE (COLPITTS DEVELOPMENTS LTD.)**

Subdivision Re-Approval – 875 Kimble Drive (Colpitts Developments Ltd.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Colpitts Developments Ltd. for property located at 875 Kimble Drive.

**Moved by Councillor Tony Whalen, seconded by Councillor Bruce Grandy that the 8% public land dedication, in relation to a subdivision re-approval application submitted by Colpitts Developments Ltd. to create 77 townhouse unit lots at 875 Kimble Drive, be taken in the form of cash.**

**CARRIED UNANIMOUSLY**

**SUBDIVISION AND ASSENT OF COUNCIL – ARBOUR BROOK LANE (CALVIN THOMPSON/CITY OF FREDERICTON)**

Subdivision and Assent of Council – Arbour Brook Lane (Calvin Thompson/City of Fredericton)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Calvin Thompson, on behalf of the City of Fredericton, for property located at Arbour Brook Lane.

**Moved by Councillor Tony Whalen, seconded by Councillor Eric Megarity that the application submitted by Calvin Thompson, on behalf of the City of Fredericton, for subdivision to add property**

located at Arbour Brook Lane to the public right-of-way be approved; AND that the final plan of subdivision prepared by Genivar, entitled “Amending Subdivision Plan, Arbour Brook Point Phase II, Amending Y.C.R.O. Filed Plan N° 21913653 registered 2006-04-03, Route 102 (Lincoln Road), City of Fredericton, County of York, Province of New Brunswick,” receive the Assent of Council pursuant to Section 56(2) of the *Community Planning Act*.

**CARRIED UNANIMOUSLY**

**SUBDIVISION – 337 & 339 ST. MARY’S STREET (CALVIN THOMPSON/CITY OF FREDERICTON)**

Subdivision – 337 & 339 St. Mary’s Street (Calvin Thompson/City of Fredericton)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Calvin Thompson, on behalf of the City of Fredericton, for property located at 337 and 339 St. Mary’s Street.

**Moved by Deputy Mayor David Kelly, seconded by Councillor Jordan Graham that the application submitted by Calvin Thompson, on behalf of the City of Fredericton, for subdivision to add property located at 337 & 339 St. Mary’s Street to the public right-of-way, be approved.**

**CARRIED UNANIMOUSLY**

**SUBDIVISION – 7 BRAWN COURT (TIMCO PROPERTY SERVICES)**

Subdivision – 7 Brawn Court (Timco Property Services)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by Timco Property Services for property located at 7 Brawn Court.

**Moved by Deputy Mayor David Kelly, seconded by Councillor Tony Whalen that the 8% public land dedication, in relation to a subdivision application submitted by Timco Property Services to create one (1) residential lot at 7 Brawn Court, be taken in the form of cash.**

**CARRIED UNANIMOUSLY**

**SUBDIVISION – 306 DUNN’S CROSSING ROAD (ETI INVESTMENTS INC.)**

Subdivision – 306 Dunn’s Crossing Road (ETI Investments Inc.)

The Planning Advisory Committee, at its meeting held on June 15, 2011, considered a recommendation from staff, in relation to an application by ETI Investments Inc. for property located at 306 Dunn’s Crossing Road.

**Moved by Deputy Mayor David Kelly, seconded by Councillor Mike O’Brien that the application submitted by ETI Investments Inc., for subdivision to add land to the public right-of-way at 306 Dunn’s Crossing Road, be approved**

**CARRIED UNANIMOUSLY**

**RETIREMENT OF PAUL STAPLETON, CITY ADMINISTRATOR**

Retirement of Paul Stapleton, City Administrator

Mayor Brad Woodside offered congratulations and best wishes to Paul Stapleton on his upcoming retirement as City Administrator for the City of Fredericton, ending a 30-year career of public service throughout various levels of government.

Throughout his tenure as City Administrator, Mr. Stapleton encouraged the preservation and enhancement of the quality of life enjoyed by the citizens of Fredericton, fostered a strong management team and a corporate culture based on quality customer service, all the while maintaining a healthy financial organization through prudent fiscal management.

Mayor Woodside expressed his heartfelt thanks and appreciation to Mr. Stapleton for the wonderful working relationship the two have shared throughout the past years.

Members of Council and City staff also took a few moments to extend their personal congratulations and well wishes to Mr. Stapleton.

**REPORTS OF COUNCIL-IN-COMMITTEE**

Reports of Council-in-Committee :

The following reports of Council-in-Committee were presented:

**CANADA WORLD YOUTH (CWY)**

Canada World Youth (CWY)

**Moved by Deputy Mayor David Kelly, seconded by Councillor Jordan Graham THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that the Council of the City of Fredericton endorses the Canada World Youth Program in the Fredericton community; **AND** that the City will provide the resources the program organizers have requested.

**CARRIED UNANIMOUSLY**

*(Councillor Dan Keenan was absent from the Council Chamber when the vote was taken.)*

**312 GREENWOOD DRIVE**

312 Greenwood Drive

**Moved by Deputy Mayor David Kelly, seconded by Councillor Eric Megarity THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that the Council of the City of Fredericton approves the relocation of the services for 312 Greenwood Drive by the installation of a water meter within the City of Fredericton boundary at or upon the property located at 310 Greenwood Drive.

**CARRIED UNANIMOUSLY**

*(Councillor Dan Keenan was absent from the Council Chamber when the vote was taken.)*

**FEDERATION OF CANADIAN MUNICIPALITIES (FCM) PARTNERSHIP IN BOLIVIA**

Federation of Canadian Municipalities (FCM) Partnership in Bolivia

**Moved by Deputy Mayor David Kelly, seconded by Councillor Eric Megarity THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that the Council of the City of Fredericton approves the City of Fredericton's participation in a Federation of Canadian Municipalities (FCM) partnership with Bolivia.

*On the question,* Councillor Eric Megarity added that the City of Fredericton would be partnering with the Town of Tiquipaya, Bolivia, a developing community of approximately 40,000 people.

Previous partnerships have been formed with Ubon Ratchathani, Thailand, Lang Son, Vietnam and Ninh Binh, Vietnam.

**The original motion was then put to the vote and declared CARRIED UNANIMOUSLY.**

**APPOINTMENT – FREDERICTON REGION SOLID WASTE COMMISSION**

Appointment – Fredericton Region Solid Waste Commission

Moved by Deputy Mayor David Kelly, seconded by Councillor Scott McConaghy THAT City Council adopt the following resolution:

**BE IT RESOLVED** that the Council of the City of Fredericton re-appoints **Mr. David Silliphant** as the City’s representative on the Fredericton Region Solid Waste Commission for a 3-year term commencing July 1, 2011 and expiring June 30, 2014.

*On the question*, Members of Council looked forward to working closely with Mr. Silliphant throughout the next three years, and suggested that he be invited to provide bi-monthly updates to Council.

The original motion was then put to the vote and declared **CARRIED UNANIMOUSLY**.

**RECOMMENDATION TO PROCEED WITH ACQUISITION OF ACCELA INC. PERMITTING AND BUILDING INSPECTIONS SOLUTION**

Recommendation to Proceed with Acquisition of ACCELA Inc. Permitting and Building Inspections Solution

Moved by Deputy Mayor David Kelly, seconded by Councillor Stephen Chase THAT City Council adopt the following resolution:

**BE IT RESOLVED** that staff proceed with acquisition of ACCELA Inc. software solution and related professional services; AND that the Mayor and City Clerk are authorized to execute all necessary documentation to give effect to this direction.

*On the question*, Members of Council commented that they looked forward to the streamlining of the permitting process, thereby allowing for increased transparency, as well as for better use of staff time.

The original motion was then put to the vote and declared **CARRIED UNANIMOUSLY**.

**ANNUAL APPOINTMENTS TO THE BOARD OF ADMINISTRATORS, FREDERICTON SUPERANNUATION FUND; AND AMENDMENT TO BY-LAW NO. A-5**

Annual Appointments to the Board of Administrators, Fredericton Superannuation Fund; and Amendment to By-law No. A-5

Moved by Deputy Mayor David Kelly, seconded by Councillor Bruce Grandy THAT City Council adopt the following resolution:

**BE IT RESOLVED** that the Council of the City of Fredericton appoint the following members to the Board of Administration of the Superannuation Plan for the Employees of the City of Fredericton:

**Council Representatives**  
Coun. Jordan Graham  
Coun. Tony Whalen  
Coun. Scott McConaghy  
Coun. Bruce Grandy  
Coun. Marilyn Kerton

**Employee Representatives**  
Louis Gibson – CUPE Local 508  
Martin Gaudet – UBC Local 911  
Felix McCarthy–CUPE Local 3864  
Owen Keetch – CUPE Local 1709

**Pensioner Representative**  
Marven Grant

**Invited Observers (non-voting)**  
Barry Durling – IAFF Local 1053  
Jim Parsons – CUPE Local 1783

**AND BE IT FURTHER RESOLVED** that the Council of the City of Fredericton authorizes and directs the Legal Division to prepare a by-law to amend Schedule “A” of By-law No. A-5, A By-law to Continue the Superannuation Plan for Employees of the City of Fredericton, in order to clarify the designation and role of the invited observers and guests for the consideration of City Council.

*On the question*, Councillor Jordan Graham extended appreciation to Councillor Mike O’Brien for his service to the committee throughout the previous three years.

The original motion was then put to the vote and declared **CARRIED UNANIMOUSLY.**

**REPORTS OF FINANCE AND ADMINISTRATION COMMITTEE**

Reports of Finance and Administration Committee :

The following reports of Finance and Administration Committee were presented:

**MEMORANDUM OF UNDERSTANDING – GREEN SHOPS/GREEN MATTERS CERTIFIED AND GREENNEXXUS (E9 GROUP INC.)**

Memorandum of Understanding – Green Shops/Green Matters Certified and GreenNexus (E9 Group Inc.)

**Moved by Councillor Jordan Graham, seconded by Councillor Stephen Chase THAT City Council adopt the following resolution:**

**BE IT RESOLVED** that the Council of the City of Fredericton approves the Memorandum of Understanding between E9Group Inc. and the City of Fredericton which relates to the sale of the Green Matters Certified/Green Shops web based platform to other jurisdictions and the promotion of the web based platform by the municipality for a term of three (3) years with an optional renewal

term of three (3) years; and that any monies paid to the City of Fredericton under this Memorandum of Understanding be used to support further environmental initiatives; AND

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are authorized to execute the Memorandum of Understanding and such other legal documents as are required to facilitate this resolution.

*On the question*, Members of Council commented how pleased they were with the success of the Green Matters/Green Shops initiative, along with the added bonus of a prospering, home grown business in the City of Fredericton. The initiative would not only be great for the parties directly involved, but the rewards would rebound back into the city's knowledge community.

The original motion was then put to the vote and declared **CARRIED UNANIMOUSLY**.

**ONE YEAR EXTENSION OF INSURANCE BROKERAGE PROFESSIONAL SERVICES**

One Year Extension of Insurance Brokerage Professional Services

Moved by Councillor Jordan Graham, seconded by Councillor Mike O'Brien THAT City Council adopt the following resolution:

**BE IT RESOLVED** that the Council of the City of Fredericton authorize the City Treasurer to extend the Insurance Brokerage Services for a one-year period to December 31, 2012.

**CARRIED UNANIMOUSLY**

**TENDER #T11-42 EXTERIOR MASONRY RESTORATION FOR CITY HALL – PHASE II**

Tender #T11-42 Awarded to Jones Masonry Ltd.

Moved by Councillor Jordan Graham, seconded by Councillor Tony Whalen THAT City Council adopt the following resolution:

**BE IT RESOLVED** that the Council of the City of Fredericton authorizes the award of Tender #T11-42, Exterior Masonry Restoration for City Hall, Phase II, to *Jones Masonry Ltd.*, low bidder meeting specifications at the tendered price of One Million One Hundred Ninety-Three Thousand Sixty-Three Dollars (\$1,193,063.00) HST included; AND that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

**CARRIED UNANIMOUSLY**

**TENDER #T11-44, NORTHSIDE TRUNK SANITARY SEWER UPGRADE – CARLETON PARK TO STATION ROAD**

Tender #T11-44 Awarded to Philson Ltd.

Moved by Councillor Jordan Graham, seconded by Councillor Eric Megarity THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Tender #T11-44, Northside Trunk Sanitary Sewer Upgrade, Carleton Park to Station Road, to *Philson Ltd.*, low bidder meeting specifications at the tendered price of Seven Hundred Eighty-Eight Thousand Two Hundred Eight Dollars and Ninety Cents (\$788,208.90) HST Included; AND that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

CARRIED UNANIMOUSLY

**TENDER #T11-46, ONE (1) ONLY NEW NOT PREVIOUSLY USED 2011 MODEL 1 TON EXTENDED CAB AND CHASSIS – FLEET DIVISION**

Tender #T11-46 Awarded to Wood Motor Ford

Moved by Councillor Jordan Graham, seconded by Councillor Bruce Grandy THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes Tender #T11-46, One (1) Only New Not Previously Used 2011 Model 1 Ton Extended Cab and Chassis, Fleet Division, be awarded to *Wood Motor Ford*, single response bidder meeting specifications: Package A (Engine shall be a minimum of 5.7 litre, V8 fuel injected, regular unleaded type, equipped with block heater) for Water & Sewer Department, for a total tender price of Thirty-Two Thousand Sixty-Two Dollars Twenty Cents (\$32,062.20) HST Included.

CARRIED UNANIMOUSLY

**TENDER #T11-49, COMMUNITY SERVICES DEPARTMENT SUPPLY AND PLACEMENT OF ASPHALT CONCRETE ON PORTIONS OF CITY TRAILS**

Tender #T11-49 Awarded to Perfection Paving Ltd.

Moved by Councillor Jordan Graham, seconded by Deputy Mayor David Kelly THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Tender #T11-49, Community Services Department, Supply and Placement of Asphalt Concrete on Portions of City Trails, to *Perfection Paving Ltd.*, low bidder meeting specifications at the tendered price of One Hundred Five

Thousand Two Hundred Three Dollars (\$105,203.00) HST Included; AND that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

CARRIED UNANIMOUSLY

REQUEST FOR PROPOSAL #P11-23, THE CITY OF FREDERICTON REQUIRES THE SERVICES OF QUALIFIED STONE MASONRY CONTRACTOR TO STAGE AND DEMOLISH CHIMNEY TO ROOF LINE, TRUCK AWAY DEBRIS, SUPPLY NEW FLASHING AND CONCRETE CAP AND REBUILD SINGLE WYTHE, FLEMISH BOND TO MATCH EXISTING CHIMNEY AT THE LADY BEAVERBROOK RINK, 411 UNIVERSITY AVE, FREDERICTON, NB

Request for Proposal #P11-23 Awarded to Jones Masonry Ltd.

Moved by Councillor Jordan Graham, seconded by Councillor Dan Keenan THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Request for Proposal #P11-23, The City of Fredericton Requires The Services of Qualified Stone Masonry Contractor to Stage and Demolish Chimney to Roof Line, Truck Away Debris, Supply New Flashing and Concrete Cap and Rebuild Single Wythe, Flemish Bond to Match Existing Chimney at the Lady Beaverbrook Rink, 411 University Ave, Fredericton, NB, to *Jones Masonry Ltd.*, single response bidder meeting specifications, for proposed price of Thirty-Two Thousand Four Hundred Thirty-One Dollars (\$32,431.00) HST Included.

CARRIED UNANIMOUSLY

*(Councillor Tony Whalen was absent from the Council Chamber when the vote was taken.)*

SINGLE SOURCE PURCHASE OF TWO (2) QKM-36 CRAIG QUICK HITCHES (PART# 145489-00) FROM CRAIG MANUFACTURING LTD FOR FLEET DIVISION

Single Source Purchase of Two (2) QKM-36 Craig Quick Hitches Awarded to Craig Manufacturing Ltd.

Moved by Councillor Jordan Graham, seconded by Councillor Stephen Kelly THAT City Council adopt the following resolution:

**BE IT RESOLVED** that the single source purchase of Two (2) Craig Quick Hitches (Part #145489-00) for Fleet Division, to be awarded to *Craig Manufacturing Ltd.*, for a total purchase cost of Fourteen Thousand Five Hundred Fourteen Dollars (\$14,514.00) HST extra.

**CARRIED UNANIMOUSLY**

*(Councillor Tony Whalen was absent from the Council Chamber when the vote was taken.)*

**APPOINTMENT – FREDERICTON PUBLIC LIBRARY BOARD**

Appointment – Fredericton Public Library Board

Moved by Councillor Stephen Chase, seconded by Councillor Stephen Kelly THAT City Council adopt the following resolution:

**BE IT RESOLVED** that the Council of the City of Fredericton reappoints Mr. Albert Stevens to the Fredericton Public Library Board for a two-year term commencing July 1, 2011 and expiring June 30, 2013.

**CARRIED UNANIMOUSLY**

*(Councillor Tony Whalen was absent from the Council Chamber when the vote was taken.)*

**NOMINATIONS – LOCAL HISTORIC PLACES REGISTER**

Nominations – Local Historic Places Register

Moved by Councillor Stephen Chase, seconded by Councillor Mike O'Brien THAT City Council adopt the following resolution:

**BE IT RESOLVED** that the following properties be listed in the City of Fredericton's Local Historic Places Register:

1. 132 Waterloo Row;
2. 171 Church Street;
3. 189 Smythe Street;
4. 837-839 Charlotte Street; and
5. 703 Queen Street, Temple Fountain.

*On the question*, Councillor Stephen Chase extended thanks to the Members of the Preservation Review Board and the owners of the listed properties for working cohesively towards having the properties included as part of the Historic Registry.

**The original motion was then put to the vote and declared CARRIED UNANIMOUSLY.**

*(Councillor Tony Whalen was absent from the Council Chamber when the vote was taken.)*

**REVISED POLICY NO. COR-POL-012 (GRANTS)**

Revised Policy No. COR-POL-012 (Grants)

**Moved by Councillor Mike O’Brien, seconded by Councillor Scott McConaghy THAT City Council adopt the following resolution:**

**BE IT RESOLVED that the Council of the City of Fredericton adopts the revised Policy No. COR-POL-012, Council & Committee Support, as attached.**

**CARRIED UNANIMOUSLY**

*(Councillor Tony Whalen was absent from the Council Chamber when the vote was taken.)*

Policy No. COR-POL-012 is attached to these minutes as **Appendix 7**.

**RESOLUTION**

Resolution

The following resolution corresponds with the Planning Advisory Committee report received by City Council at their regular meeting held on May 9, 2011 :

**MUNICIPAL PLAN & ZONING AMENDMENT – 271 QUEEN STREET (TC LAND HOLDINGS INC.)**

Municipal Plan & Zoning Amendment – 271 Queen Street (TC Land Holdings Inc.)

**Moved by Councillor Bruce Grandy, seconded by Councillor Eric Megarity THAT WHEREAS** Council has under consideration By-law No. Z-1.18, A By-law to Amend By-law No. Z-1, A By-law to Adopt a Municipal Plan for the City of Fredericton, to change the Maximum Height parameters of the Building Envelope for the West End Mixed Use Area, contained in the Design Standards of section 3.4 City Centre, from 12 metres to 16.66 metres in order to permit the development of a 32-unit apartment building at 271 Queen Street, as indicated on Schedule “A” attached to and forming part of this resolution;

**AND WHEREAS** the public notice requirements of Section 25 of the *Community Planning Act* have been fulfilled with respect to By-law No. Z-1.18;

**AND WHEREAS** an amendment to By-law No. Z-2, The Zoning By-law for the City of Fredericton, is also required;

**BE IT RESOLVED** that the Council hereby directs that an appropriate amendment to By-law No. Z-2 be prepared to amend the City Centre Zone Two (CC-2) in order to permit the development of a 32-unit apartment building at a height of 16.66 metres on property located at 271 Queen Street, as indicated on the aforementioned Schedule “A” attached hereto and forming part of this resolution, subject to terms and conditions; that the proposed by-laws be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 68 of *Community Planning Act* be fulfilled with respect to both By-law No. Z-1.18 and the By-law to amend By-law No. Z-2; and that the regular Council meeting of Monday, July 25, 2011 commencing at 7:30 p.m. at the Council Chamber, City Hall, Queen Street, Fredericton, as the time and place for the consideration of objections/support to the said by-laws.

**CARRIED UNANIMOUSLY**

Schedule “A” is attached to these Minutes as Appendix 8.

**PUBLIC HEARING – REZONING – 208, 214 & 220 SUMMERHILL ROW (HILL BROS. REALTY LTD.)**

Public Hearing – Rezoning – 208, 214 & 220 Summerhill Row (Hill Bros. Realty Ltd.)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Zoning By-law (Z-2) by rezoning property located at 208, 214 and 220 Summerhill Row, subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

**First and Second Reading of By-law No. Z-2.746**

**Moved by Councillor Bruce Grandy, seconded by Councillor Dan Keenan THAT By-law No. Z-2.746, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.746 Given First Reading

**Moved by Councillor Bruce Grandy, seconded by Councillor Dan Keenan THAT By-law No. Z-2.746, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY**

By-law No Z-2.746 Given Second Reading

**PUBLIC HEARING – REZONING & SUBDIVISION – ALISON BOULEVARD (CHIPPIN’S LIMITED)**

Public Hearing – Rezoning & Subdivision – Alison Boulevard (Chippin’s Limited)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Zoning By-law (Z-2) by rezoning a portion of the subject project from Service Industrial (S.I.) to Highway Commercial (H.C.), and by amending the Highway Commercial Zone (H.C.) in order to permit the following uses: printing establishment, research establishment, studio, veterinary services, automobile shop equipment, sales rental and service, and scientific technological or communication establishment; and for subdivision to create 10 Highway Commercial lots off Alison Boulevard, subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

**First and Second Reading of By-law No. Z-2.757**

**Moved by Councillor Scott McConaghy, seconded by Councillor Mike O’Brien THAT By-law No. Z-2.757, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.757 Given First Reading

**Moved by Councillor Scott McConaghy, seconded by Councillor Mike O’Brien THAT By-law No. Z-2.757, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY**

By-law No Z-2.757 Given Second Reading

❖ *Consideration of the proposed subdivision will take place following third reading of the proposed by-law.*

**PUBLIC HEARING – REZONING, SUBDIVISION & ASSENT OF COUNCIL – 2783 WOODSTOCK ROAD (MARIO DUPÉRÉ)**

Public Hearing – Rezoning, Subdivision & Assent of Council – 2783 Woodstock Road (Mario Dupéré)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Zoning By-law (Z-2) by rezoning a portion of the subject property from Residential Zone Two (R-2) to Residential Zone Six (R-6), subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

**First and Second Reading of By-law No. Z-2.758**

Moved by Deputy Mayor David Kelly, seconded by Councillor Jordan Graham THAT By-law No. Z-2.758, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY

By-law No. Z-2.758 Given First Reading

Moved by Deputy Mayor David Kelly, seconded by Councillor Jordan Graham THAT By-law No. Z-2.758, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY

By-law No Z-2.758 Given Second Reading

❖ *Consideration of the proposed subdivision will take place following third reading of the proposed by-law.*

**PUBLIC HEARING – REZONING & SUBDIVISION – CLIFFE STREET, PHASE 1 (DP DEVELOPMENTS)**

Public Hearing – Rezoning & Subdivision – Cliffe Street, Phase 1 (DP Developments)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Zoning By-law (Z-2) by rezoning a portion of the subject property from Residential Zone Five Holding (R-5H) to Residential Zone Six (R-6) and Institutional (I), subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

**First and Second Reading of By-law No. Z-2.759**

Moved by Councillor Mike O’Brien, seconded by Councillor Dan Keenan THAT By-law No. Z-2.759, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY

By-law No. Z-2.759 Given First Reading

Moved by Councillor Mike O’Brien, seconded by Councillor Dan Keenan THAT By-law No. Z-2.759, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY

By-law No Z-2.759 Given Second Reading

❖ *Consideration of the proposed subdivision will take place following third reading of the proposed by-law.*

**PUBLIC HEARING – REZONING – 1642 LINCOLN ROAD (EXP/NORTHRUP HOLDINGS LIMITED)**

Public Hearing – Rezoning – 1642 Lincoln Road (exp/Northrup Holdings Limited)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Zoning By-law (Z-2) by rezoning a portion of the subject property from Residential Zone Two (R-2) to Residential Zone Six (R-6), in order to build 19 townhouse units, subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

**First and Second Reading of By-law No. Z-2.761**

**Moved by Councillor Scott McConaghy, seconded by Councillor Tony Whalen THAT By-law No. Z-2.761, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.761 Given First Reading

**Moved by Councillor Scott McConaghy, seconded by Councillor Tony Whalen THAT By-law No. Z-2.761, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY**

By-law No Z-2.761 Given Second Reading

**PUBLIC HEARING – ZONING AMENDMENT & REZONING – 2475 WOODSTOCK ROAD (EXP/SILVERWOOD PROJECTS LIMITED)**

Public Hearing – Zoning Amendment & Rezoning – 2475 Woodstock Road (exp/Silverwood Projects Limited)

A Public Hearing was held in the Council Chamber, City Hall, to hear objections and/or support to a proposed by-law to amend the Zoning By-law (Z-2) by rezoning a tract of land from Park (P) to Open Space Zone (O.S.), and amending the Highway Commercial Zone (H.C.) and Open Space Zone (O.S.), in order to permit the expansion of the recreation vehicle campground at 2475 Woodstock Road, subject to terms and conditions.

The Assistant City Clerk advised that no written objections had been received by the City Clerk’s Office.

**First and Second Reading of By-law No. Z-2.762**

**Moved by Deputy Mayor David Kelly, seconded by Councillor Jordan Graham THAT By-law No. Z-2.762, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given first reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.762 Given First Reading

**Moved by Deputy Mayor David Kelly, seconded by Councillor Tony Whalen THAT By-law No. Z-2.762, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given second reading by title. CARRIED UNANIMOUSLY**

By-law No Z-2.762 Given  
Second Reading

**AMENDMENT TO BY-LAW NO. T-1, A BY-LAW TO REGULATE TRAFFIC – LEGISLATURE PERMIT PARKING, SUNSET DRIVE PARKING RESTRICTIONS, HOUSEKEEPING MATTER**

Amendment to By-law No.  
T-1 – Legislature Permit  
Parking, Sunset Drive  
Parking Restrictions,  
Housekeeping Matter

**Third Reading of By-law No. T-1.52**

**Moved by Councillor Stephen Chase, seconded by Councillor Eric Megarity THAT By-law No. T-1.52, A By-law to Amend By-law No. T-1, A By-law to Regulate Traffic, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY**

By-law No. T-1.52 Read by  
Section Number

By-law No. T-1.52 was read by section number and is attached to these Minutes as **Appendix 9**.

**Moved by Councillor Stephen Chase, seconded by Councillor Eric Megarity THAT By-law No. T-1.52, A By-Law To Amend By-Law No. T-1, A By-Law to Regulate Traffic, be given third reading by title.**

By-law No. T-1.52 Given  
Third Reading

*On the question*, Councillor Dan Keenan advised that the reason for the removal of parking is to allow for the delineation of bike lanes in the noted area.

**The original motion was then put to the vote and declared CARRIED UNANIMOUSLY.**

**DEPUTY MAYOR DAVID KELLY ASSUMED THE CHAIR**

Deputy Mayor David Kelly  
Assumed the Chair

By Order of His Worship Mayor Brad Woodside, and concurrence of Council, Deputy Mayor David Kelly assumed the Chair at 9:30 p.m.

*Due to being absent from the City Council Meeting held on June 13, 2011, when Hearing of Objections took place, Mayor Brad Woodside, and Councillors Jordan Graham and Stephen Kelly excused themselves and retired from the meeting at 9:30 p.m.*

**REZONING – 169 FOREST HILL ROAD (CARL CONSTANTINE)**

Adoption of Terms and Conditions – Rezoning – 169 Forest Hill Road (Carl Constantine)

**Adoption of Terms and Conditions**

**Moved by Councillor Stephen Chase, seconded by Councillor Dan Keenan THAT the following terms and conditions be adopted pursuant to Section 39 of the *Community Planning Act* in regard to an amendment to the Zoning By-law (Z-2) for property located at 169 Forest Hill Road from Residential Zone Three (R-3) to Residential Zone Three-A (R-3A), as laid out in draft By-law No. Z-2.749:**

- a) The size and location of the building be maintained substantially in accordance with Map III attached to Planning Report 46/11.
- b) Parking and landscaping be to the satisfaction of the Development Officer.
- c) Access and servicing be to the satisfaction of the Director of Engineering and Public Works.
- d) Backflow prevention be installed.
- e) All proposed renovations to occur within the existing building envelope.

**CARRIED UNANIMOUSLY**

**Third Reading of By-law No. Z-2.749**

**Moved by Councillor Stephen Chase, seconded by Councillor Dan Keenan THAT By-law No. Z-2.749, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY**

By-law No. Z-2.749 Read by Section Number

By-law No. Z-2.749 was read by section number and is attached to these Minutes as **Appendix 10**.

**Moved by Councillor Stephen Chase, seconded by Councillor Dan Keenan THAT By-law No. Z-2.749, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given third reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.749 Given Third Reading

**ZONING AMENDMENT – 132 GOLF CLUB ROAD (STEPHEN KELLY)**

Adoption of Terms and Conditions – Zoning Amendment – 132 Golf Club Road (Stephen Kelly)

**Adoption of Terms and Conditions**

Moved by Councillor Stephen Chase, seconded by Councillor Mike O’Brien THAT the following terms and conditions be adopted pursuant to Section 39 of the *Community Planning Act* in regard to an amendment to the Zoning By-law (Z-2) in order to permit one additional dwelling unit, for an overall total of eight (8), at 132 Golf Club Road, as laid out in draft By-law No. Z-2.750:

- a) Access and servicing, including a backflow prevention, be to the satisfaction of the Director of Engineering and Public Works and the Development Officer.
- b) Number of apartment units limited to eight (8).
- c) Applicant obtain a building permit.

**CARRIED UNANIMOUSLY**

**Third Reading of By-law No. Z-2.750**

Moved by Councillor Stephen Chase, seconded by Councillor Mike O’Brien THAT By-law No. Z-2.750, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY

By-law No. Z-2.750 Read by Section Number

By-law No. Z-2.750 was read by section number and is attached to these Minutes as **Appendix 11**.

Moved by Councillor Stephen Chase, seconded by Councillor Mike O’Brien THAT By-law No. Z-2.750, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given third reading by title. CARRIED UNANIMOUSLY

By-law No. Z-2.750 Given Third Reading

**ZONING AMENDMENT – 367 MAIN STREET (LOUIE YOUSSEF)**

Adoption of Terms and Conditions – Zoning Amendment – 367 Main Street (Louie Youssef)

**Adoption of Terms and Conditions**

Moved by Councillor Stephen Chase, seconded by Councillor Tony Whalen THAT the following terms and conditions be adopted pursuant to Section 39 of the *Community Planning Act* in regard to an amendment to the Zoning By-law (Z-2) in order to allow residential use in excess of 50% of the gross floor area at 367 Main Street, as laid out in draft By-law No. Z-2.751:

- a) The site be developed substantially in accordance with Map III attached to Planning Report 48/11 and be to the satisfaction of the Development Officer.
- b) Parking and landscape plan including a 1.8 metre high wood opaque fence and tree planting along the east property line be provided to the satisfaction of the Development Officer prior to issuance of the building permit.
- c) Subdivision plan of consolidation for PID 01048251 and PID 01411123 be prepared to the satisfaction of the Development Officer prior to issuance of the building permit.
- d) Final building design be substantially in accordance with Maps IV and V attached to Planning Report 48/11 and be to the satisfaction of the Development Officer.
- e) Residential development be limited to a maximum of 80% of the gross floor area of the building.
- f) Access, municipal servicing, lot grading and storm water management to be provided to the satisfaction of the Director of Engineering and Public Works.
- g) Back flow prevention is required to the satisfaction of the Director of Engineering and Public Works.

**CARRIED UNANIMOUSLY**

**Third Reading of By-law No. Z-2.751**

**Moved by Councillor Stephen Chase, seconded by Councillor Tony Whalen THAT By-law No. Z-2.751, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY**

By-law No. Z-2.751 Read by  
Section Number

By-law No. Z-2.751 was read by section number and is attached to these Minutes as **Appendix 12**.

**Moved by Councillor Stephen Chase, seconded by Councillor Tony Whalen THAT By-law No. Z-2.751, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given third reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.751 Given  
Third Reading

**ZONING AMENDMENT – 401 BISHOP DRIVE (JAMES MARK COMMERCIAL REALTY)**

Adoption of Terms and Conditions – Zoning Amendment – 401 Bishop Drive (James Mark Commercial Realty)

**Adoption of Terms and Conditions**

**Moved by Councillor Stephen Chase, seconded by Councillor Eric Megarity THAT the following terms and conditions be adopted pursuant to Section 39 of the *Community Planning Act* in regard to an amendment to the Zoning By-law (Z-2), under the Highway Commercial Zone (H.C.), in order to permit a medical and health office at 401 Bishop Drive, as laid out in draft By-law No. Z-2.752:**

- a) A building permit be obtained.
- b) Any signage on the site requires a sign permit and must comply with Section 7 of the Zoning By-law Z-2.
- c) Prior to the issuance of a building permit a detailed landscape and parking plan be submitted to the satisfaction of the Development Officer and all parking on the site comply with Section 6 of Zoning By-law Z-2.
- d) Access, servicing, lot grading plans, storm water management plans, and backflow prevention and an oil grit separator be provided to the satisfaction of the Director of Engineering and Public Works.

**CARRIED UNANIMOUSLY**

**Third Reading of By-law No. Z-2.752**

**Moved by Councillor Stephen Chase, seconded by Councillor Eric Megarity THAT By-law No. Z-2.752, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY**

By-law No. Z-2.752 Read by Section Number

By-law No. Z-2.752 was read by section number and is attached to these Minutes as **Appendix 13**.

**Moved by Councillor Stephen Chase, seconded by Councillor Mike O’Brien THAT By-law No. Z-2.752, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given third reading by title. CARRIED UNANIMOUSLY**

By-law No. Z-2.752 Given Third Reading

**ZONING AMENDMENT – 471 ALBERT STREET  
(DOBDELSTEYN SIGNS)**

Adoption of Terms and Conditions – Zoning Amendment – 471 Albert Street (Dobbelsteyn Signs)

**Adoption of Terms and Conditions**

Moved by Councillor Tony Whalen, seconded by Councillor Bruce Grandy THAT the following terms and conditions be adopted pursuant to Section 39 of the *Community Planning Act* in regard to an amendment to Section 7.4.4.4.1 (a) of the Zoning By-law (Z-2) in order to permit signage on three sides of a building and above the level of the second floor windows at 471 Albert Street, as laid out in draft By-law No. Z-2.753:

- a) The signage on the site be substantially in accordance with Map III attached to Planning Report 40/11.
- b) The total number of facia signs on the property be limited to three.
- c) The sign on the south elevation be non-illuminated.
- d) Sign permits be obtained.

**CARRIED UNANIMOUSLY**

**Third Reading of By-law No. Z-2.753**

Moved by Councillor Tony Whalen, seconded by Councillor Bruce Grandy THAT By-law No. Z-2.753, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY

By-law No. Z-2.753 Read by Section Number

By-law No. Z-2.753 was read by section number and is attached to these Minutes as Appendix 14.

Moved by Councillor Tony Whalen, seconded by Councillor Bruce Grandy THAT By-law No. Z-2.753, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given third reading by title. CARRIED UNANIMOUSLY

By-law No. Z-2.753 Given Third Reading

**ZONING AMENDMENT – 275 MAIN STREET  
(DOBDELSTEYN SIGNS)**

Adoption of Terms and Conditions – Zoning Amendment – 275 Main Street (Dobbelsteyn Signs)

**Adoption of Terms and Conditions**

Moved by Councillor Tony Whalen, seconded by Councillor Dan Keenan THAT the following terms and conditions be adopted

pursuant to Section 39 of the *Community Planning Act*, in regard to an amendment to the Zoning By-law (Z-2), in order to permit signage above the level of the second floor windows at 275 Main Street, as laid out in draft By-law No. Z-2.755:

- a) The sign be constructed and maintained substantially in accordance with Map III attached to Planning Report 41/11.
- b) A sign permit be obtained.

**CARRIED UNANIMOUSLY**

**Third Reading of By-law No. Z-2.755**

Moved by Councillor Tony Whalen, seconded by Councillor Dan Keenan THAT By-law No. Z-2.755, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY

By-law No. Z-2.755 Read by Section Number

By-law No. Z-2.755 was read by section number and is attached to these Minutes as **Appendix 15**.

Moved by Councillor Tony Whalen, seconded by Councillor Dan Keenan THAT By-law No. Z-2.755, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given third reading by title. CARRIED UNANIMOUSLY

By-law No. Z-2.755 Given Third Reading

**COUNCILLORS EXCUSED**

Councillors Excused

Moved by Councillor Bruce Grandy, seconded by Councillor Stephen Chase THAT Councillors Steven Hicks and Marilyn Kerton be excused from the meeting and be relieved of the penalty as provided by By-law No. A-2. CARRIED UNANIMOUSLY

**ADJOURNMENT**

Adjournment

**Moved by Councillor Dan Keenan, seconded by Councillor Eric Megarity THAT the meeting adjourn. CARRIED UNANIMOUSLY**

The meeting adjourned at 9:40 p.m.

Recording Secretary : Karen Garrett

*(Sgd.) Brad Woodside*

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Brad Woodside,  
Mayor

*(Sgd.) Melanie D. MacDonald*

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Melanie D. MacDonald,  
Assistant City Clerk