

MINUTES OF A REGULAR MEETING OF FREDERICTON CITY COUNCIL

MONDAY, MAY 9, 2011

Minutes of the Regular Meeting of Fredericton City Council held on Monday, May 9, 2011 at 7:33 p.m. in the Council Chamber, City Hall, Fredericton.

ATTENDANCE

Attendance

Council:

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

Staff:

Brenda L. Knight, City Clerk
Paul Stapleton, City Administrator
Chris MacPherson, Assistant City Administrator
Barry MacKnight, Police Chief
Philip Toole, Fire Chief
Wayne Tallon, Director of Community Services
Murray Jamer, Director of Engineering & Public Works
Frank Flanagan, Director of Development Services
Jane Blakely, Director of Corporate Services
Tina Tapley, Director of Finance/City Treasurer
Alex Forbes, Assistant Director of Development Services
Michelle Brzak, City Solicitor
Joe Lumsdon, Manager, Human Resources Department
Sean Lee, Manager, Engineering Services
Wayne Knorr, Manager, Corporate Communications

Absent:

Councillor David Kelly

PRAYER

Prayer

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

PROCLAMATION

Proclamation

Mayor Brad Woodside read the following proclamation:

NATIONAL SCHIZOPHRENIA AWARENESS DAY

National Schizophrenia Awareness Day

WHEREAS: Schizophrenia is a serious but treatable brain disorder that affects one out of 100 adolescents and young adults; and

WHEREAS: Misconceptions about schizophrenia often lead to discrimination of those with the illness that prevents them from seeking treatment; and

WHEREAS: The Schizophrenia Society of New Brunswick is dedicated to improving the quality of life of those with the illness and their families through public education, support programs, and public policy; and

WHEREAS: National Schizophrenia Awareness Day will be held on Tuesday, May 24, 2011.

THEREFORE: I, Brad Woodside, Mayor of the City of Fredericton, do hereby proclaim Tuesday, **May 24, 2011** as **Schizophrenia Awareness Day** in Fredericton.

Mary Louise Luck, President of the Fredericton Chapter of the Schizophrenia Society of New Brunswick, presented Mayor Woodside with a bouquet of purple iris bulbs, which are known as the Society’s “Flag of Hope”.

AMENDMENT TO BY-LAW NO. A-5, A BY-LAW TO CONTINUE THE SUPERANNUATION PLAN FOR EMPLOYEES OF THE CITY OF FREDERICTON – PENSION INDEXING

Amendment to By-law No. A-5 – Pension Indexing

Moved by Councillor Mike O’Brien, seconded by Councillor Bruce Grandy THAT By-law No. A-5.8, A By-law to Amend By-law No. A-5, A By-law to Continue the Superannuation Plan for Employees of the City of Fredericton, be given first reading by title.

By-law No. A-5.8 Given First Reading

On the question, Councillor Mike O’Brien requested that Tina Tapley, Director of Finance/City Treasurer, provide a brief overview on the current status of the pension deficit.

Ms. Tapley highlighted the following points:

- The deficit correction plan must be in place by July of 2011.
- The deficit sits at \$37.5 million, and must be funded over a 15 year period.
- The City’s cost to contribute to the deficit, based on this

amendment, is \$213,500 in 2011; the cost for each year thereafter for the next 14 years would be \$427,000.

The original motion was then put to the vote and declared CARRIED ON DIVISION; Councillors Jordan Graham and Mike O’Brien voting “nay”.

Moved by Councillor Mike O’Brien, seconded by Councillor Bruce Grandy THAT By-law No. No. A-5.8, A By-law to Amend By-law No. A-5, A By-law to Continue the Superannuation Plan for Employees of the City of Fredericton, be given second reading by title. CARRIED ON DIVISION; Councillors Jordan Graham and Mike O’Brien voting “nay”.

By-law No. A-5.8 Given
Second Reading

PROCLAMATIONS

Proclamations

Mayor Brad Woodside read the following proclamations:

NATUROPATHIC MEDICINE WEEK

Naturopathic Medicine
Week

WHEREAS: Naturopathic Medicine is a unique and comprehensive approach to complementary health care, focused on disease prevention and promoting healthy lifestyles through the use of science-based, non-drug therapies and treatments; and

WHEREAS: Naturopathic doctors in Fredericton and across New Brunswick are offering free services, lectures and other “healthy community” events during the national, annual event of Naturopathic Medicine Week. This year’s theme is “Health Promotion and Disease Prevention”; and

WHEREAS: More residents of New Brunswick than ever before are turning to naturopathic doctors for valid, science-based primary care.

THEREFORE: I, Brad Woodside, Mayor of the City of Fredericton, do hereby proclaim the week of **May 9-15, 2011** as **Naturopathic Medicine Week** in Fredericton.

UNITED COMMERCIAL TRAVELERS WEEK

United Commercial
Travelers Week

WHEREAS: The Fredericton Council of United Commercial Travelers has been an integral part of the City of Fredericton since 1948; and

WHEREAS: The over 250 UCT members in the greater Fredericton area have worked hard to keep their club vibrant and active within the community; and

WHEREAS: Over the past 62 years UCT Fredericton has donated hundreds of thousands of dollars to worthy causes and charities in the Greater Fredericton area; and

WHEREAS: The Atlantic Regional chapter of UCT, The Atlantic Grand Council will be holding their Grand Sessions in May 12th-14th in Fredericton; and

WHEREAS: Fredericton resident Paul Wentzell will serve as the Atlantic Grand Counsellor (President of the Organization for Atlantic Canada) between May of 2011 and May of 2012.

THEREFORE: I, Brad Woodside, Mayor of the City of Fredericton, do hereby proclaim the week of **May 9-15, 2011** as **United Commercial Travelers Week**.

MULTIPLE SCLEROSIS AWARENESS WEEK

Multiple Sclerosis
Awareness Week

WHEREAS: Multiple sclerosis is a chronic, often disabling neurological disease affecting an estimated 55,000 to 75,000 Canadians; and

WHEREAS: Multiple sclerosis symptoms vary widely and may lead to problems with numbness, coordination, vision and speech, as well as extreme fatigue and even paralysis; and

WHEREAS: There is no known cause of, or cure for multiple sclerosis; and

WHEREAS: The Multiple Sclerosis Society of Canada founded in 1948, is the only national voluntary organization in Canada that supports both MS research and services for people with MS and their families; and

WHEREAS: The Multiple Sclerosis Society of Canada has provided more than \$132 million for MS research for over 60 years, as well as a wide range of programs and services for people with MS and social action; and

WHEREAS: The MS Carnation Campaign will take place this month in our community to fund MS research and services; and

WHEREAS: The dedication and commitment of the supporters and volunteers here today could only make this possible.

THEREFORE: I, Brad Woodside, Mayor of the City of Fredericton, do hereby proclaim this month of **May 2011** to be **Multiple Sclerosis Awareness Month** for the Multiple Sclerosis Society of Canada.

BY-LAW REAFFIRMATIONS

By-law Re-affirmations

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

1. By-law No. Z-2.732 & Z-1.15 – 476 Regent Street & 629 Beaverbrook Street (Goguen & White Architects Ltd.)
2. By-law No. Z-2.741 – 235, 245, 255, 259, & 265 Main Street (Plaza Corp. Retail Properties)
3. By-law No. Z-2.742 – 25 Morrison Street (Jennifer Moulton)
4. By-law No. Z-2.743 – 50 Dewitt Acres (Gary Armstrong)
5. By-law No. Z-2.744 – 368 Forest Hill Road (Saint Thomas University)
6. By-law No. Z-2.747 – 35 Colter Court (Jessie Holdings Ltd.)

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

MUNICIPAL PLAN AMENDMENT & ZONING AMENDMENT (271 QUEEN STREET)

Municipal Plan Amendment & Zoning Amendment (271 Queen Street)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from TC Land Holdings Ltd, and recommended approval.

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

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated April 21, 2011, with respect to an application submitted by TC Land Holdings Ltd. for a Municipal Plan amendment and Zoning By-law amendment, in order to permit a 16.66 metre high 32-unit apartment building at 271 Queen Street, be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Scott McConaghy, seconded by Councillor

Stephen Kelly THAT WHEREAS, at the meeting of May 9, 2011, Council received a report of the Planning Advisory Committee that By-law No. Z-2, The Zoning By-law for the City of Fredericton, be amended under the City Centre Zone Two (CC-2) in order to permit 32-unit apartment building at a height of 16.66 metres on property located at 271 Queen Street, as indicated on Schedule “A” attached to and forming part of this resolution, subject to terms and conditions;

AND WHEREAS an amendment to the Municipal Plan is required;

BE IT RESOLVED that the Council hereby directs that an appropriate by-law to amend the Municipal Plan be prepared to change the Maximum Height parameters of the Building Envelope for the West End Mixed Use Area Design Guidelines, contained in 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 the aforementioned Schedule “A”; the proposed by-law be referred to the Planning Advisory Committee for the views of the Committee; that the public notice requirements of Section 25 of the *Community Planning Act* be fulfilled; and that the regular Council Meeting of Tuesday, May 24, 2011 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.

CARRIED UNANIMOUSLY

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

ZONING AMENDMENT – 275 MAIN STREET (DOBDELSTEYN SIGNS)

Zoning Amendment – 275 Main Street (Dobbelsteyn Signs)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Dobbelsteyn Signs, and recommended approval.

Moved by Councillor Scott McConaghy, seconded by Councillor Bruce Grandy THAT City Council adopt the following resolution:

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated April 21 2011, with respect to an application submitted by Dobbelsteyn Signs for a zone amendment to permit signage above the level of the second floor windows at 275 Main Street, be received.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Scott McConaghy, seconded by Councillor Bruce Grandy THAT WHEREAS, at the meeting of May 9, 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 Section 7.4.4.4.1(a) in order to permit signage above the level of the second floor windows, on property located at 275 Main 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, June 13, 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.

ZONING AMENDMENT – 432 ST. MARY’S STREET (DOBBELSTEYN SIGNS)

Zoning Amendment – 432 St. Mary’s Street (Dobbelsteyn Signs)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Dobbelsteyn Signs, and recommended *denial*.

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 April 21 2011, with respect to an application submitted by Dobbelsteyn Signs to amend Section 7.4.4.4.1 (a) of Zoning By-law Z-2 to permit signage on three sides of a building at 432 St. Mary’s Street, be received.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Scott McConaghy, seconded by Councillor Eric Megarity THAT WHEREAS WHEREAS, at the meeting of May 9, 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 Section 7.4.4.4.1(a) in order to permit signage on three sides of a building on property located at 432

St. Mary’s 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, June 13, 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**.

ZONING AMENDMENT – 471 ALBERT STREET (DOBBELSTEYN SIGNS)

Zoning Amendment – 471 Albert Street (Dobbelsteyn Signs)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Dobbelsteyn Signs, and recommended approval.

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

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated April 21 2011, with respect to an application submitted by Dobbelsteyn Signs to amend Section 7.4.4.4.1 (a) of Zoning By-law Z-2 to permit signage on three sides of a building and above the level of the second floor windows at 471 Albert Street, be received.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Marilyn Kerton, seconded by Councillor Stephen Kelly THAT WHEREAS WHEREAS, at the meeting of May 9, 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 Section 7.4.4.4.1(a) in order to permit signage on three sides of a building and above the level of the second floor windows, on property located at 471 Albert 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, June 13, 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 4.

Prior to any discussion on the following Zoning Amendment, Councillor Stephen Kelly declared a conflict of interest and retired from the Council Chamber at 7:56 p.m.

Councillor Stephen Kelly
Retired from the Council
Chamber

ZONING AMENDMENT – 132 GOLF CLUB ROAD (STEPHEN KELLY)

Zoning Amendment – 132
Golf Club Road (Stephen
Kelly)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Stephen Kelly, and recommended approval.

Moved by Councillor Marilyn Kerton, seconded by Councillor Steven Hicks THAT City Council adopt the following resolution:

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated April 21, 2011, with respect to an application submitted by Stephen Kelly, on behalf of the Donald E. Kelly estate, for a zone amendment in order to permit one (1) additional dwelling unit for an overall total of eight (8) at 132 Golf Club Road, be received, along with the recommended terms and conditions.

IT was further recommended that the previous by law Z-2.77 be repealed.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Marilyn Kerton, seconded by Councillor Steven Hicks THAT WHEREAS, at the meeting of May 9, 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 Residential Zone One (R-1) in order to permit one (1) additional dwelling unit, for a total of eight (8) dwelling units, on property located at 132 Golf Club Road, as indicated

on Schedule “A” attached to and forming part of this resolution; subject to terms and conditions; and further that By-law No. Z-2.77, adopted by City Council on September 8, 1997, along with the associated terms and conditions, be repealed.

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, June 13, 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 5.

Councillor Stephen Kelly returned to the Council Chamber at 7:58 p.m.

Councillor Stephen Kelly
Returned to the Council
Chamber

ZONING AMENDMENT – 367 MAIN STREET (LOUIE YOUSSEF)

Zoning Amendment – 367
Main Street (Louie Youssef)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Louie Youssef, and recommended approval.

Moved by Councillor Marilyn Kerton, seconded by Councillor Mike O’Brien THAT City Council adopt the following resolution:

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated April 21 2011, with respect to an application submitted by Louie Youssef, for a zone amendment to allow residential use in excess of 50% of the gross floor area at 367 Main Street be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Marilyn Kerton, seconded by Councillor Mike O’Brien THAT WHEREAS at the meeting of May 9, 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 Highway Commercial Zone (H.C.) in order to permit the construction of a mixed use building with residential use in excess of 50% of the gross floor area, on property located at 367 Main 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, June 13, 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 6.

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

Zoning Amendment – 401 Bishop Drive (James Mark Commercial Realty)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from James Mark Commercial Realty, and recommended approval.

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 April 21, 2011, with respect to an application submitted by James Mark Commercial Realty to amend the Highway Commercial (H.C.) Zone to permit a medical and health office at 401 Bishop Drive be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Jordan Graham, seconded by Councillor Stephen Chase THAT WHEREAS, at the meeting of May 9, 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 Highway Commercial Zone (H.C.) in order to permit a medical and health office on property located at 401 Bishop 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, June 13, 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 7.

REZONING – 169 FOREST HILL ROAD (CARL CONSTANTINE)

Rezoning – 169 Forest Hill Road (Carl Constantine)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Carl Constantine, and recommended approval.

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

BE IT RESOLVED that the Report of the Planning Advisory Committee, dated April 21 2011, with respect to an application submitted by Carl Constantine to rezone property located at 169 Forest Hill Road from Residential Zone Three (R-3) to Residential Zone Three-A (R-3A) be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

Resolution

Resolution

Moved by Councillor Jordan Graham, seconded by Councillor Tony Whalen THAT WHEREAS, at the meeting of May 9, 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 169 Forest Hill Road from Residential Zone Three (R-3) to Residential Zone Three-A (R-3A) in order to permit the conversion of a duplex into a fourplex, 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, June 13, 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 8.

AMENDMENT TO TERMS AND CONDITIONS – 746, 776 & 792 MCLEOD AVENUE (FELLOWS & COMPANY LTD.)

Amendment to Terms and Conditions – 746, 776 & 792 McLeod Avenue (Fellows & Company Ltd.)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Fellows & Company Ltd., 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 Report of the Planning Advisory Committee, dated April 21, 2011, with respect to an application submitted by Fellows & Company Ltd. to amend the existing terms and conditions at 746, 776 and 792 McLeod Avenue to permit an additional four (4) dwelling units to the previously approved sixty (60) unit building, including a revised building design and site plan, be received, along with the recommended terms and conditions.

CARRIED UNANIMOUSLY

SUBDIVISION RE-APPROVAL – 195 DOAK ROAD (CALDWELL AND ROSS LTD.)

Subdivision Re-Approval – 195 Doak Road (Caldwell and Ross Ltd.)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Caldwell & Ross Ltd.

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

BE IT RESOLVED that the 8% public land dedication, in relation to a subdivision application by Caldwell and Ross Ltd. to create 10 IP lots at 195 Doak Road, be taken in the form of cash.

CARRIED UNANIMOUSLY

SUBDIVISION RE-APPROVAL – PETERS DRIVE EXTENSION (BROOKSIDE WEST PHASE 6)

Subdivision Re-Approval – Peters Drive Extension (Brookside West Phase 6)

The Planning Advisory Committee, at its meeting held on April 20, 2011, considered a recommendation from staff, in relation to an application from Chippins Limited.

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

BE IT RESOLVED that the proposed location of the streets for the subdivision re-approval to create 42 R-2 lots off an extension of Peters Drive (Brookside West Ph. 6), as shown on Map III attached to memorandum dated April 2011, be approved and THAT the Council of the City of Fredericton authorizes the Mayor and City Clerk to execute a Development Agreement between Chippins Ltd. and the City of Fredericton, for the Brookside West Phase 6 Development off an extension of Peters Drive, subject to the approval and satisfaction of the Development Officer.

CARRIED UNANIMOUSLY

AMENDMENT TO BY-LAW NO. T-1, A BY-LAW TO REGULATE TRAFFIC – FIRE LANES AT THE VICTORIA HEALTH CENTRE COMPLEX

Amendment to By-law No. T-1, A By-law to Regulate Traffic – Fire Lanes at the Victoria Health Centre Complex

Moved by Councillor Bruce Grandy, seconded by Councillor Marilyn Kerton THAT City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton authorizes the Legal Division to draft the appropriate by-law to amend By-law No. T-1, A By-law to Regulate Traffic, to establish the required fire lanes at the Victoria Health Centre Complex, as indicated by areas shaded in yellow, shown in Figure 1 (attached).

CARRIED UNANIMOUSLY

Figure 1 is attached to these minutes as **Appendix 9**.

FREDERICTON FIRE DEPARTMENT – 1ST QUARTER REPORT FOR 2011

Fredericton Fire Department – 1st Quarter Report for 2011

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

BE IT RESOLVED that the following Report be received and placed on file:

- Fredericton Fire Department – 1st Quarter Report for 2011

CARRIED UNANIMOUSLY

FREDERICTON POLICE FORCE QUARTERLY STATISTICAL REPORT (JANUARY 1 TO MARCH 31, 2011)

Fredericton Police Force
Quarterly Statistical Report
(January 1 to March 31,
2011)

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

BE IT RESOLVED that the following Report be received and placed on file:

- Force Quarterly Statistical Report (January 1 to March 31, 2011)

CARRIED UNANIMOUSLY

TREASURER’S REPORT

Treasurer’s Report

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

BE IT RESOLVED that expenditures for the month of April 2011, pursuant to By-law No. A-2, A By-law Respecting Administration and the City Council, Paragraph 29.06, be submitted for ratification in the amount of Twelve Million, Two Hundred and Nine Thousand, Eight Hundred and Eighty-Three Dollars and Forty-One Cents. (\$12,209,883.41).

CARRIED UNANIMOUSLY

SINGLE SOURCE PURCHASE OF 3M PAVEMENT MARKING ARROWS AND 3M PAVEMENT MARKING TAPE FROM 3M CANADA COMPANY

Tender Single Source
Purchase of 3M Pavement
Marking Arrows and
Marking Tape Awarded to
3M Canada Company

Moved by Councillor Mike O’Brien, 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 single source purchase of 25 packages of 3M Pavement Marking Arrows and 95 rolls of 3M Pavement Marking Tape (white and yellow) from 3M Canada Company, single source

supplier, at the total quoted price of Twenty Nine Thousand Nine Hundred Fifty-Nine Dollars and Six Cents (\$29,959.06) HST extra.

CARRIED UNANIMOUSLY

QUOTATION #Q17-11, SENSUS, ELSTER & BADGER WATER METERS (NO SUBSTITUTIONS) FOR THE CITY OF FREDERICTON ENGINEERING AND PUBLIC WORKS DEPARTMENT, AS TESTED PRIOR TO MARCH 31, 2011

Quotation #Q17-11, Sensus, Elster & Badger Water Meters Awarded to Elster Metering

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

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Quotation #Q17-11, Sensus, Elster & Badger Water Meters (No Substitutions) for the City of Fredericton Engineering and Public Works Department, as tested prior to March 31, 2011, for Item #1: Quantity of 800, 16 mm x 20 mm Cold Water Meters, to *Elster Metering*, low bidder meeting specifications at the total quoted price of Fifty Five Thousand Nine Hundred Sixty Dollars (\$55,960.00) HST Extra.

CARRIED UNANIMOUSLY

(Councillor Jordan Graham was absent from the Council Chamber when the vote was taken.)

TENDER #T11-13, MCLEOD HILL ROAD INFRASTRUCTURE EXTENSIONS

Tender #T11-13, McLeod Hill Road Infrastructure Extensions, Awarded to Charmac Construction Co. Ltd.

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

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Tender #T11-13, McLeod Hill Road Infrastructure Extensions, to *Charmac Construction Co. Ltd.*, low bidder meeting specifications at the tendered price of Four Hundred Seventy-One Thousand Two Hundred Fifty-Four Dollars and Sixty-Four Cents (\$471,254.64) HST Included; AND that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

CARRIED UNANIMOUSLY

TENDER #T11-14, DEVON TRUNK SANITARY SEWER AND LOCAL WATER MAIN UPGRADE - PHASE II

Tender #11-14, Devon Trunk Sanitary Sewer and Local Watermain Upgrade,

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

Phase II, Awarded to H. E. Merchant and Sons Ltd.

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Tender #T11-14, Devon Trunk Sanitary Sewer and Local Water Main Upgrade, Phase II, to *H. E. Merchant and Sons Ltd.*, low bidder meeting specifications at the tendered price of Seven Hundred Fifty-Eight Thousand Six Hundred Thirty Dollars and Twenty Cents (\$758,630.20) HST Included; AND that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

CARRIED UNANIMOUSLY

TENDER #T11-32, ROOF REPLACEMENT AREA 3 NORTH SIDE DEPOT

Tender #T11-32, Roof Replacement Area 3 Northside Depot, Awarded to G B Roofing Ltd.

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

BE IT RESOLVED that the Council of the City of Fredericton authorizes the award of Tender #T11-32, Roof Replacement Area 3 North Side Depot, Fredericton, N. B., to *G B Roofing Ltd.*, tender price of One Hundred and Fourteen Thousand, Three Hundred and Thirty-Nine Dollars and Ninety-Nine Cents (\$114,339.99) HST included; AND that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

CARRIED UNANIMOUSLY

TENDER #T11-33, YORK ST. FIRE STATION ROOF UPGRADES

Tender #T11-33, York St. Fire Station Roof Upgrades, Awarded to G B Roofing Ltd.

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 authorizes the award of Tender #T11-33, York St. Fire Station Roof Upgrades, Fredericton, N. B., to *G B Roofing Ltd.*, tender price of One Hundred and Sixty-Eight Thousand, Nine Hundred and Fifty-One Dollars and Ninety-Five Cents (\$168,951.95) HST included, plus Alternative Bid #1 (provide tapered roof insulation) at Twenty-Seven Thousand, One Hundred and Twenty Dollars (\$27,120.00), HST included, for a total tender price of One Hundred and Ninety-Six Thousand, Seventy-One Dollars and Ninety-Five Cents (\$196,071.95) HST included; AND that the Mayor and City Clerk are authorized to execute the necessary legal documents to facilitate this transaction.

CARRIED UNANIMOUSLY

AMENDMENT TO BY-LAW NO. T-1, A BY-LAW TO REGULATE TRAFFIC – FIRE LANES AT THE VICTORIA HEALTH CENTRE COMPLEX

By-law No. T-1.51, Fire Lanes at the Victoria Health Centre Complex

Moved by Councillor Bruce Grandy, seconded by Councillor Marilyn Kerton THAT By-law No. T-1.51, A By-law to Amend By-law No. T-1, A By-law to Regulate Traffic, be given first reading by title. CARRIED UNANIMOUSLY

By-law No. T-1.51 Given First Reading

Moved by Councillor Bruce Grandy, seconded by Councillor Marilyn Kerton THAT By-law No. T-1.51, A By-law to Amend By-law No. T-1, A By-law to Regulate Traffic, be given second reading by title. CARRIED UNANIMOUSLY

By-law No. T-1.51 Given Second Reading

BY-LAW NO. L-11.53, A BY-LAW TO STOP-UP AND CLOSE A PORTION OF REYNOLDS STREET

Stop-up and Close a Portion of Reynolds Street

Moved by Councillor Stephen Chase, seconded by Councillor Eric Megarity THAT By-law No. L-11.53, A By-law to Stop-up and Close a Portion of Reynolds Street, be read by section number pursuant to Sections 11.1 (1) and (2) of the Municipalities Act. CARRIED UNANIMOUSLY

By-law No. L-11.53 Read by Section Number

By-law No. L-11.53 was read by section number and is attached to these Minutes as Appendix 10.

Moved by Councillor Stephen Chase, seconded by Councillor Eric Megarity THAT By-law No. L-11.53, A By-law to Stop-up and Close a Portion of Reynolds Street, be given third reading by title. CARRIED UNANIMOUSLY

By-law No. L-11.53 Given Third Reading

AMENDMENT TO BY-LAW NO. S-11, A BY-LAW RESPECTING ANIMAL CONTROL – PIGEONS

By-law No. S-11.2, A By-law Respecting Animal Control – Pigeons

Third Reading of By-law No. S-11.2

Moved by Councillor Stephen Chase, seconded by Councillor Stephen Kelly THAT By-law No. S-11.2, A By-law to Amend By-law No. S-11, A By-law Respecting Animal Control, be read by section number pursuant to Sections 11.1 (1) and (2) of the *Municipalities Act*. CARRIED UNANIMOUSLY

By-law No. S-11.2 Read by Section Number

By-law No. S-11.2 was read by section number and is attached to these

Minutes as Appendix 11.

Moved by Councillor Stephen Chase, seconded by Councillor Stephen Kelly THAT By-law No. S-11.2, A By-law to Amend By-law No. S-11, A By-law Respecting Animal Control, be given third reading by title. CARRIED UNANIMOUSLY

By-law No. S-11.2 Given Third Reading

MUNICIPAL PLAN AMENDMENT, REZONING & SUBDIVISION – 476 REGENT STREET & 629 BEAVERBROOK STREET (GOGUEN WHITE ARCHITECTS LIMITED)

Adoption of Terms and Conditions – Municipal Plan Amendment, Rezoning & Subdivision – 476 Regent Street & 629 Beaverbrook Street (Goguen White Architects Limited)

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 a Municipal Plan Amendment, Rezoning, and tentative plan of subdivision, in order to add land to the public right-of-way on property located at 476 Regent Street and 629 Beaverbrook Street, as laid out in draft By-law No. Z-2.732:

- a) The site be developed generally in accordance with Map IVa dated January 28, 2011 to the satisfaction of the Development Officer.
- b) A detailed landscape and parking plan be provided to the satisfaction of the Development Officer.
- c) The design of the buildings be substantially in accordance with Map Va dated January 28, 2011 to the satisfaction of the Development Officer.
- d) Access, servicing, lot drainage and storm water management be provided to the satisfaction of the Director of Engineering and Public Works.
- e) Confirmation from the Department of Environment be obtained prior to a building permit to conform compliance with New Brunswick Wellfield Protected Area Designation Order.
- f) All easements shall be granted gratuitously to the City of Fredericton and utility providers to the satisfaction of the Director of Engineering and Public Works.
- g) The site be limited to a maximum of 38 dwelling unit.
- h) The City and the Applicant/Developer enter into a Section 101 Development Agreement.

CARRIED UNANIMOUSLY

Third Reading of By-law No. Z-1.15

Moved by Councillor Stephen Chase, seconded by Councillor Tony Whalen THAT By-law No. Z-1.15, A By-law to Amend By-law No. Z-1, A By-law to Adopt a Municipal Plan 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-1.15 Read by Section Number

By-law No. Z-1.15 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-1.15, A By-law to Amend By-law No. Z-1, A By-law to Adopt a Municipal Plan for the City of Fredericton, be given third reading by title. CARRIED UNANIMOUSLY

By-law No. Z-1.15 Given Third Reading

Third Reading of By-law No. Z-2.732

Moved by Councillor Stephen Chase, seconded by Councillor Jordan Graham THAT By-law No. Z-2.732, 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-2.732 Read by Section Number

By-law No. Z-2.732 was read by section number and is attached to these Minutes as **Appendix 13**.

Moved by Councillor Stephen Chase, seconded by Councillor Jordan Graham THAT By-law No. Z-2.732, 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-2.732 Given Third Reading

Approval of Subdivision

Moved by Councillor Stephen Chase, seconded by Councillor Jordan Graham THAT the subdivision to add land to the public right-of-way on property located at 476 Regent Street and 629 Beaverbrook Street be approved. CARRIED UNANIMOUSLY

Approval of Subdivision

ZONING AMENDMENT – 235, 245, 255, 259, 265 AND 269 MAIN STREET (PLAZA CORP. RETAIL PROPERTIES LTD.)

Adoption of Terms and Conditions

Adoption of Terms and Conditions – Zoning Amendment – 235, 245, 255, 259, 265 and 269 Main Street (Plaza Corp. Retail Properties

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), under the Highway Commerical Zone (H.C.), in order to permit a clinic at 235, 245, 255, 265, and 269 Main Street, as laid out in draft By-law No. Z-2.741:

Ltd.)

- a) A parking plan be submitted to the satisfaction of the Development Officer showing the two additional barrier-free spaces to be constructed adjacent to the physiotherapist office (unit 7a).
- b) Backflow prevention be installed to the satisfaction of the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY

Third Reading of By-law No. Z-2.741

Moved by Councillor Stephen Chase, seconded by Councillor Mike O’Brien THAT By-law No. Z-2.741 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-2.741 Read by Section Number

By-law No. Z-2.741 was read by section number and is attached to these Minutes as **Appendix 14**.

Moved by Councillor Stephen Chase, seconded by Councillor Mike O’Brien THAT By-law No. Z-2.741, 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-2.741 Given Third Reading

ZONING AMENDMENT – 25 MORRISON STREET (JENNIFER MOULTON)

Adoption of Terms and Conditions – Zoning Amendment – 25 Morrison Street (Jennifer Moulton)

Adoption of Terms and Conditions

Moved by Councillor Tony Whalen, seconded by Councillor Steven Hicks 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 a one-person hair and esthetics salon at 25 Morrison Street, as laid out in draft By-law No. Z-2.742:

- a) The applicant be the only employee of the business.
- b) The total floor area devoted to the home occupation not exceed 30

square metres, and a floor plan be submitted to the satisfaction of the Development Officer.

- c) Signage be limited to one 0.4 square metre, non illuminated fascia sign (permit required).
- d) A minimum of 2 parking spaces be provided behind the 6 metre front yard setback to the satisfaction of the Development Officer.
- e) Back flow prevention in accordance with By-Law W-2, access and servicing be provided to the satisfaction of the Director of Engineering and Public Works.
- f) The applicant be the only person permitted to operate this business and as such this use is not transferable and ceases when the applicant ceases the business.
- g) The property owner enter into a section 39 Agreement with the City of Fredericton to ensure compliance with all terms and conditions.

CARRIED UNANIMOUSLY

Third Reading of By-law No. Z-2.742

Moved by Councillor Tony Whalen, seconded by Councillor Steven Hicks THAT By-law No. Z-2.742, 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-2.742 Read by Section Number

By-law No. Z-2.742 was read by section number and is attached to these Minutes as **Appendix 15**.

Moved by Councillor Tony Whalen, seconded by Councillor Steven Hicks THAT By-law No. Z-2.742, 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-2.742 Given Third Reading

REZONING & SUBDIVISION – 50 DEWITT ACRES (GARY ARMSTRONG)

Rezoning & Subdivision – 50 Dewitt Acres (Gary Armstrong)

Third Reading of By-law No. Z-2.743

Moved by Councillor Tony Whalen, seconded by Councillor Marilyn Kerton, THAT By-law No. Z-2.743, 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-2.743 Read by Section Number

By-law No. Z-2.743 was read by section number and is attached to these Minutes as Appendix 16.

Moved by Councillor Tony Whalen, seconded by Councillor Marilyn Kerton THAT By-law No. Z-2.743, 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-2.743 Given Third Reading

Approval of Subdivision

Moved by Councillor Tony Whalen, seconded by Councillor Marilyn Kerton THAT the subdivision to add land to the public right-of-way for the extension of Dewitt Acres, and to create 32 residential lots, be approved. CARRIED UNANIMOUSLY

Approval of Subdivision

ZONING AMENDMENT – 368 FOREST HILL ROAD (ST. THOMAS UNIVERSITY)

Adoption of Terms and Conditions

Moved by Councillor Tony Whalen, seconded by Councillor Stephen Chase 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 Institutional Zone (I), in order to permit a licensed premise at 368 Forest Hill Road, as laid out in draft By-law No. Z-2.744:

Adoption of Terms and Conditions – Zoning Amendment – 368 Forest Hill Road (St. Thomas University)

- a) That the use of the property be limited to student residences for St. Thomas University, and that the licensed premise operate solely in conjunction with the conference and meeting facilities of the STU Conference Centre.
- b) That signage be in accordance with Section 7 of Zoning By-law Z-2, to the satisfaction of the Development Officer.

CARRIED UNANIMOUSLY

Third Reading of By-law No. Z-2.744

Moved by Councillor Tony Whalen, seconded by Councillor Stephen Chase THAT By-law No. Z-2.744, 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

By-law No. Z-2.744 Read by Section Number

Municipalities Act. CARRIED UNANIMOUSLY

By-law No. Z-2.744 was read by section number and is attached to these Minutes as **Appendix 17**.

Moved by Councillor Tony Whalen, seconded by Councillor Stephen Chase THAT By-law No. Z-2.744, 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-2.744 Given Third Reading

ZONING AMENDMENT – 35 COLTER COURT (JESSIE HOLDINGS LIMITED)

Administrative Report – Zoning Amendment – 35 Colter Court (Jessie Holdings Limited)

Administrative Report – Development Services Department

Moved by Councillor Tony Whalen, seconded by Councillor Scott McConaghy THAT City Council receive the Administrative Report from the Development Services Department; AND that City Council adopt the following resolution:

BE IT RESOLVED that the Council of the City of Fredericton approve the proposed change to term and condition (c) as it pertains to the application submitted on behalf of Jessie Holdings Ltd. for property located at 35 Colter Court as follows:

- c) That the site be developed in substantial accordance with Map IV and VI (a) attached to planning report 36/11.**

CARRIED UNANIMOUSLY

Adoption of Terms and Conditions, as amended

Adoption of Terms and Conditions, *as amended*

Moved by Councillor Tony Whalen, seconded by Councillor Scott McConaghy THAT the following terms and conditions, as amended, 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 Non-Retail Commercial Zone (N.R.C.), in order to permit a medical clinic at 35 Colter Court, as laid out in draft By-law No. Z-2.747:

- a) That the range of permitted uses on the property be limited to a 3-practitioner medical clinic and to those uses allowed in the NRC zone as per Section 9.2.10 of Zoning By-law Z-2, with the exception of the following uses ancillary to an office use: club, commercial recreation establishment, financial institution, retail store, and restaurant.

- b) That the uses mentioned above be limited to the existing building

envelope of the main building on the property.

- c) That the site be developed in substantial accordance with Map IV and Map VI (a) attached to Planning Report 36/11.
- d) That any variation of the proposed uses and/or need to enlarge the existing building envelope, as shown on Map IV, require an application to the Planning Advisory Committee and City Council to amend the terms and conditions.
- e) That parking be provided substantially in accordance with Map IV attached to P.R. 36/11.
- f) That access to Albert Street via the reserved lane be restricted to emergency vehicles only and remain gated.
- g) That the five PID's (01458439, 01509686, 75276329, 75352344 and 75394346) be consolidated into one lot through a subdivision plan and deed.
- h) That site landscaping be provided to the satisfaction of the Development Officer and that the front lawn of property remains landscaped open space substantially in accordance with Map IV attached to P.R. 36/11.
- i) That sign permits be applied for any signage on the property in compliance with the sign by-law of *Zoning By-law Z-2*.
- j) That access and servicing be to the satisfaction of the Director of Engineering and Public Works.
- k) That proper backflow prevention be installed to the building.

CARRIED UNANIMOUSLY

Third Reading of By-law No. Z-2.747

Moved by Councillor Tony Whalen, seconded by Councillor Stephen Kelly THAT By-law No. Z-2.747, 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-2.747 Read by Section Number

By-law No. Z-2.747 was read by section number and is attached to these Minutes as **Appendix 18**.

Moved by Councillor Tony Whalen, seconded by Councillor Stephen Kelly THAT By-law No. Z-2.747, A By-law to Amend By-law No. Z-2, A Zoning By-law for the City of Fredericton, be given

By-law No. Z-2.747 Given Third Reading

third reading by title. CARRIED UNANIMOUSLY

Honorary Doctorate Awarded to Mayor Brad Woodside – Saint Thomas University

Deputy Mayor Dan Keenan, on behalf of his Council colleagues, extended congratulations to Mayor Woodside for his Honorary Doctorate of Law Degree from Saint Thomas University.

Mayor Woodside also delivered the convocation address at the Spring Convocation ceremony, which was held on May 15, 2011.

Honorary Doctorate
Awarded to Mayor Brad
Woodside – Saint Thomas
University

COUNCILLOR DAVID KELLY EXCUSED

Moved by Councillor Stephen Kelly, seconded by Councillor Steven Hicks THAT Councillor David Kelly be excused from the meeting and relieved of the penalty as provided by by-law. CARRIED UNANIMOUSLY

Councillor David Kelly
Excused

ADJOURNMENT

Moved by Councillor Scott McConaghy, seconded by Councillor Jordan Graham THAT the meeting adjourn. CARRIED UNANIMOUSLY

Adjournment

The meeting adjourned at 8:37 p.m.

Recording Secretary : Karen Garrett

(Sgd.) Brad Woodside

Brad Woodside,
Mayor

(Sgd.) Brenda L. Knight

Brenda L. Knight,
City Clerk