



**CITY OF BATHURST**  
**REGULAR PUBLIC MEETING**  
**MINUTES**

**October 21, 2024**  
**6:30 p.m.**  
**Council Chambers - City Hall**

Recording of Attendance

Councillor P. Anderson  
Councillor D. Branch  
Councillor S. Brunet  
Councillor R. Hondas  
Councillor D. Knowles  
Councillor J.-F. LeBlanc  
Councillor M. Skerry  
Deputy Mayor M. Willett

Absent

Mayor K. Chamberlain  
Councillor S. Legacy

Appointed Officials

T. Pettigrew, Chief Administrative Officer  
A. Parker, City Clerk  
M. Abernethy, City Engineer  
J.-S. Chiasson, Communications Officer  
D. McLaughlin, Development Officer  
C. Roy, Executive Administrator  
N. R. Rabé Harou, Junior Urban Planner

**1. MOMENT OF REFLECTION / TERRITORIAL ACKNOWLEDGMENT**

**2. ADOPTION OF AGENDA**

**Moved by** Councillor M. Skerry

**Seconded by** Councillor S. Brunet

**THAT** the Agenda be approved as presented.

**MOTION CARRIED**

**3. DECLARATION OF CONFLICT OF INTEREST**

No conflicts of interest were declared.

**4. ADOPTION OF MINUTES**

**4.1 Regular Public Meeting Held on October 7, 2024**

**Moved by** Councillor J.-F. LeBlanc

**Seconded by** Councillor R. Hondas

**THAT** the minutes of the Regular Public Meeting dated October 7, 2024, be approved as circulated.

**MOTION CARRIED**

**5. CONSENT AGENDA**

There were no items under the consent agenda.

**6. PUBLIC AND ADMINISTRATIVE PRESENTATIONS**

No presentations were made.

**7. FINANCE**

**7.1 Accounts Payable Totals for September 2024**

**Moved by** Councillor R. Hondas

**Seconded by** Councillor D. Branch

**THAT** the accounts payable totals, including payroll, for the month of September 2024 be approved as follows:

Operating - \$1,022,044

Capital - \$456,278

Total - \$2,880,625

**MOTION CARRIED**

**8. MUNICIPAL BY-LAWS**

**8.1 Adoption of Restrictions and Conditions Pursuant to Section 59 of the Community Planning Act for Property Located at 495 Riverside Drive**

**Moved by** Councillor D. Branch

**Seconded by** Councillor D. Knowles

**WHEREAS** Council members approve the agreement between 755904 NB Inc. and the City of Bathurst and that the Mayor and City Clerk be authorized to sign all related documents on behalf of the City; and

**WHEREAS** the Municipality has received a request from the owner to amend the zoning of the parcel bearing PID 20008553 to allow the construction of an apartment building with commercial space on the first floor; and

**WHEREAS** the Council intends to adopt By-law No. 2024-08Z to permit this development as a conditional rezoning pursuant to section 59 of the *Community Planning Act*; and

**WHEREAS** the Council wants to add terms and conditions through a conditional rezoning agreement attached to By-law No. 2024-08Z to ensure, once the rezoning is completed, that the parcel is developed in accordance with the terms and conditions listed in the agreement; and

**WHEREAS** subsection 59(2) of the *Community Planning Act* stipulates that this agreement, once entered into, will only take effect after certified copies of the rezoning by-law and the agreement are filed in the land registration office.

**NOW THEREFORE BE IT RESOLVED** that the following terms and conditions be imposed on the parcel:

1. Any new access point between the property and Riverside Drive must be approved by the Public Works Department, which reserves the right to request any expert reports it deems necessary.
2. The owner must obtain all required permits from the province and comply with its directives before cutting any vegetation and carrying out any development, including, but not limited to, any backfilling, clearing, grading, construction work, etc. Without limiting the generality of the foregoing, the owner shall contact Surface Water Management of the Department of the Environment and Local Government to obtain a Watercourse and Wetland Alteration Permit if required.
3. All provisions of the zoning by-law continue to apply.
4. A geotechnical study will be required prior to the issuance of a building permit.
5. Site, architectural and construction plans must be approved by the planning department in consultation with other city departments. These plans must be consistent with the plans submitted by the owner as part of the rezoning process. The planning department may also consult the council and the planning advisory committee if deemed necessary before issuing a building permit.
6. The apartment building shall have a maximum of 8 storeys, and may include offices for professionals, a medical or dental clinic, and a café shop on the first floor. Any other non-residential use must be approved by the Planning Advisory Committee.
7. The above-mentioned terms and conditions are binding upon the parties, their administrators, officers, heirs, and assigns.
8. On the rezoning of the land, the land in the zone and any building or structure on the land shall not be developed or used except in accordance with this conditional rezoning agreement, the terms and conditions imposed, and the time limits prescribed.
9. The parties acknowledge having read the contents of this document and declare having signed it.

**MOTION CARRIED**

## **8.2 Adoption of Restrictions and Conditions Pursuant to Section 59 of the Community Planning Act for Property Located at 1765 St Peter Avenue**

**Moved by** Councillor R. Hondas  
**Seconded by** Councillor M. Skerry

**WHEREAS** Council members approve the agreement between 674872 NB Inc. and the City of Bathurst and that the Mayor and City Clerk be authorized to sign all related documents on behalf of the City; and

**WHEREAS** the Municipality has received a request from the owner to amend the zoning of the parcel bearing PID 20803029 to allow the construction of a dwelling containing one or two dwelling units; and

**WHEREAS** the Council intends to adopt By-law No. 2024-09Z to permit this development as a conditional rezoning pursuant to section 59 of the *Community Planning Act*; and

**WHEREAS** the Council wants to add terms and conditions through a conditional rezoning agreement attached to By-law No. 2024-09Z to ensure, once the rezoning is completed, that the parcel is developed in accordance with the terms and conditions listed in the agreement; and

**WHEREAS** subsection 59(2) of the *Community Planning Act* stipulates that this agreement, once entered into, will only take effect after certified copies of the rezoning by-law and the agreement are filed in the land registration office.

**NOW THEREFORE BE IT RESOLVED** that the following terms and conditions be imposed on the parcel:

1. Only one dwelling will be permitted on the property containing a maximum of two dwelling units.
2. No new lots or streets may be subdivided.
3. Any access point between the property and St-Peter Avenue, including the existing access, must be approved by the Public Works Department, which reserves the right to request any expert reports it deems necessary.
4. The owner must obtain all required provincial permits and comply with provincial guidelines prior to cutting any vegetation and carrying out any development, including but not limited to, any backfilling, clearing, grading, construction, etc. Without limiting the generality of the foregoing, the owner shall contact the Department of the Environment and Local Government's Surface Water Management to obtain a Watercourse and Wetland Alteration Permit if required.
5. All provisions of the zoning by-law continue to apply.
6. The owner must develop the site with as little disturbance to the environment as possible, and to retain as many trees as possible.
7. Tree cutting plan and soil testing should be submitted to the Planning Advisory Committee.
8. The above-mentioned terms and conditions are binding upon the parties, their administrators, officers, heirs, and assigns.
9. On the rezoning of the land, the land in the zone and any building or structure on the land shall not be developed or used except in accordance with this conditional rezoning agreement, the terms and conditions imposed, and the time limits prescribed.

10. The parties acknowledge having read the contents of this document and declare having signed it.

**MOTION CARRIED**

**8.3 Proposed Municipal and Zoning By-Law Amendments - 495 Riverside Drive**

**8.3.1 Second Reading By-Law 2024-08M**

**Moved by** Councillor J.-F. LeBlanc

**Seconded by** Councillor S. Brunet

**THAT** By-Law 2024-08M, entitled "A By-Law to Amend By-Law No. 2006-01 entitled "The City of Bathurst Municipal Plan By-Law"", be read for the second time (by title).

**MOTION CARRIED**

**8.3.2 Second Reading By-law 2024-08Z**

**Moved by** Councillor M. Skerry

**Seconded by** Councillor D. Branch

**THAT** By-Law 2024-08Z, entitled "A By-Law to Amend By-Law 2008-01 entitled "The City of Bathurst Zoning By-Law", be read for the second time (by title).

**MOTION CARRIED**

**8.4 Proposed Municipal and Zoning By-Law Amendments - 1765 St Peter Avenue**

**8.4.1 Second Reading By-Law 2024-09M**

**Moved by** Councillor D. Knowles

**Seconded by** Councillor D. Branch

**THAT** By-Law 2024-09M, entitled "A By-Law to Amend By-Law No. 2006-01 entitled "The City of Bathurst Municipal Plan By-Law"", be read for the second time (by title).

**MOTION CARRIED**

**8.4.2 Second Reading By-Law 2024-09Z**

**Moved by** Councillor J.-F. LeBlanc

**Seconded by** Councillor R. Hondas

**THAT** By-Law 2024-09Z, entitled "A By-Law to Amend By-Law 2008-01 entitled "The City of Bathurst Zoning By-Law", be read for the second time (by title).

**MOTION CARRIED**

**9. DRAFT RESOLUTIONS**

**9.1 Expense from the Utility Capital Reserve Fund**

**Moved by** Councillor P. Anderson  
**Seconded by** Councillor S. Brunet

**THAT** Council approve the expense of \$16,526.61 plus tax from the Capital Utility Reserve Fund.

**MOTION CARRIED**

## **9.2 2024 Grants Distribution**

**Moved by** Councillor M. Skerry  
**Seconded by** Councillor J.-F. LeBlanc

**THAT** the grant distribution be approved as follows as discussed by the Grants Committee:

- \$500 to the Royal Canadian Legion's 2024 Poppy Campaign.

**MOTION AMENDED**

**Moved by** Councillor R. Hondas  
**Seconded by** Councillor D. Branch

**THAT** the grant distribution to the Royal Canadian Legion's 2024 Poppy Campaign be amended to \$1,000.

**MOTION CARRIED**

## **9.3 Old Bathurst Post Office Preservation Project Ltd. Grant**

**Moved by** Councillor J.-F. LeBlanc  
**Seconded by** Councillor S. Brunet

**WHEREAS** members of council approved an annual grant of \$20,000 over 5 years from 2023 to 2027 for a total of \$100,000 to be distributed to the Old Bathurst Post Office Preservation Project Ltd. during the Regular Public Meeting held on June 19, 2023; and

**WHEREAS** the Old Bathurst Post Office Preservation Project Ltd. requested an additional \$100,000 in funding;

**BE IT RESOLVED THAT** members of council approve the additional grant distribution for a total of \$40,000 in 2024 from the General Operating Reserve Fund to the Old Bathurst Post Office Preservation Project Ltd.

**MOTION CARRIED**

## **9.4 Items Discussed In-Camera**

### **9.4.1 Money in Lieu of Parkland - David Duncan Young**

**Moved by** Councillor J.-F. LeBlanc  
**Seconded by** Councillor D. Branch

**WHEREAS** Mr. David Duncan Young submitted Subdivision Plans to the City of Bathurst Planning Department for approval; and

**WHEREAS** the Subdivision By-Law requires the setting aside of land for public purpose, or, Council may require, in lieu of park land, that a sum of money be paid to the City; and

**WHEREAS** the City of Bathurst already owns several blocks of land designated as parkland in this area and the size of land to be reserved as parkland for this subdivision will be too small for development; and

**WHEREAS** members of Council ratified the Letter of Understanding between Mr. David Duncan Young in Trust for the Estate of Duncan L. Young and the City of Bathurst at the Regular Public Meeting dated October 19, 2020; and

**WHEREAS** the Letter of Understanding was an incentive regarding the development at Anderson Point Lane;

**BE IT RESOLVED THAT** the portion of money in lieu of park land, equal to the amount of \$4,500, for Lot-6, Lot-7, and Lot-8 as identified on the Subdivision Plan Family, Duncan & Geraldine Young, be transferred from the City's General Operational Fund to the City's Park Land Reserve within the General Capital Reserve Fund.

**MOTION CARRIED**

#### **9.4.2 Money in Lieu of Parkland - Foulem Construction Ltée**

**Moved by** Councillor M. Skerry

**Seconded by** Councillor D. Knowles

**WHEREAS** the applicant Foulem Construction Ltée submitted a Subdivision Plan to the City of Bathurst Development Officer for approval; and

**WHEREAS** the Subdivision By-Law requires the setting aside of land for public purpose or, Council may require, in lieu of park land, that a sum of money be paid to the City; and

**WHEREAS** the City of Bathurst already owns several blocks of land designated as parkland in this area and the size of land to be reserved as parkland for this subdivision will be too small for development.

**NOW THEREFORE BE IT RESOLVED** that money be paid to the City in lieu of parkland equivalent to 6% of the market value of the land, for a total of \$24,000. The amount received will be deposited in the Parkland Reserve Account, as discussed in camera on October 15, 2024, pursuant to section 68 of the *Local Governance Act*.

**MOTION CARRIED**

## **10. ITEMS FOR INFORMATION**

### **10.1 Reports from Administration**

There were no administration reports.

### **10.2 Reports from Committees**

There were no committee reports.

### **10.3 Report from the Acting Mayor**

Councillor Hondas and Acting Mayor M. Willett attended the AFMNB Annual Conference last weekend. The main topics of discussions were regarding the partnership with UMNB, the election and fiscal reform.

The flag for National Foster Family Week was raised at City Hall this morning.

**11. ADJOURNMENT**

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Michael Willett / ACTING MAYOR

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Amy-Lynn Parker / CITY CLERK