



## **REGULAR MEETING OF COUNCIL MINUTES**

**Monday, April 8, 2019**

**7:00 p.m.**

**30 Honour House Court - Council Chambers**

**Members Present:** Mayor Ann Seamans  
Deputy Mayor Tammy Rampersaud  
Councillor Wayne Bennett  
Councillor Lana Hansen  
Councillor John Coughlan  
Councillor Jeremy Thorne  
Councillor Cecile Cassista  
Councillor Andrew LeBlanc

**Staff Present:** C. Smith, CAO  
D. Richard, Deputy Town Clerk  
R. Higson, Director of Finance  
M. Ouellet, Director of Engineering & Public Works  
S. Thomson, Director of Economic Development  
T. Finlay, Director of Human Resources  
G. Cole, Director of Parks, Recreation and Community Relations  
D. Pleau, Fire Chief  
R. Gauvin, Executive Administrative Assistant

**Regrets:** Annette Crummey, Director of Corporate Services / Town Clerk

**Other:** Times & Transcript

**1. CALL TO ORDER**

Mayor Seamans called the meeting to order at 7:00 p.m.

**2. ADOPTION OF THE AGENDA**

The Deputy Town Clerk noted Item 11 d. has been deleted from the agenda.

**Moved by:** Councillor C. Cassista

**Seconded by:** Deputy Mayor T. Rampersaud

*That the agenda for the Regular Council meeting of April 8, 2019 be adopted as amended.*

**Motion Carried**

**3. DECLARATION OF CONFLICTS OF INTEREST**

NIL

**4. ADOPTION OF THE MINUTES**

**a. Public Hearings/Regular Council Meeting - March 11, 2019**

**Moved by:** Councillor W. Bennett

**Seconded by:** Councillor C. Cassista

*That the minutes from the Public Hearings/Regular Council meeting of March 11, 2019 be approved.*

**Motion Carried**

**b. Committee of the Whole Meeting - March 25, 2019**

**Moved by:** Councillor J. Thorne

**Seconded by:** Councillor J. Coughlan

*That the minutes from the Committee of the Whole Meeting of March 25, 2019 be approved.*

**Motion Carried**

## 5. BUSINESS ARISING FROM THE MINUTES

### a. RHS Football Team- Request to purchase section of bleachers

Postponed from the Committee of the Whole Meeting on March 25, 2019 to the Regular Council Meeting of April 8, 2019

**This motion was moved by Councillor Hansen and seconded by Councillor Cassista at the Committee of the Whole Meeting of March 25, 2019.**

*"That the Committee of the Whole recommend that Riverview Town Council support the request from the Riverview High Football Team by providing a grant in the amount of \$500 for the purchase of a bleacher."*

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor A. LeBlanc

*That Riverview Town Council amend the request to support the Riverview High Football Team by providing a grant in the amount of \$5,000 for the purchase of a bleacher.*

Councillor Cassista was concerned this application did not have sufficient disclosure with regard to the financials for this initiative. As noted from the previous Council meeting, funds donated by several other groups were disclosed, but further information on additional funds that were donated should also be shared with Council.

Deputy Mayor Rampersaud felt the information supplied was sufficient and understands this ask will not be recurring, but she amended the motion so that Council would have an informed discussion on this request.

C. Smith confirmed with Councillor Bennett that the football team is requesting funding for just one section of bleachers and the removal of the old bleachers and assembly of the new bleachers will not be the responsibility of the Town.

Guy Messervier, Head Coach of the Riverview High School football team, clarified with Councillor Cassista that 15 or 16 sections that are 10 feet wide will eventually all need to be replaced. The new bleachers would be 15 feet wide, and they are looking to purchase 10 bleachers all together or so over many years. He noted three bleachers have been secured for this year and hopefully next year more funding will be received to allow to proceed in securing more bleachers.

Mr. Messervier confirmed with Councillor Cassista that the fundraising being done by the Friends for the Royals goes towards academic and technological initiatives for all students at Riverview High School and is not related to the RHS football team request. Fundraising is also done throughout the year, such as bottle drives and sponsorship donations from businesses in the Town.

Mr. Messervier confirmed with Councillor Cassista that any funds left over this year will remain in the account to enable the purchase of 1 or 2 more bleachers next year, depending on the funding that is secured. He noted this request is a one-time ask.

Mr. Messervier confirmed with Councillor Hansen there is no booster club for the football team, and he is not aware of any request for the replacement of the bleachers inside the school. At this time, the focus and safety concern is for the outside bleachers to be replaced.

Councillor LeBlanc noted he supports the motion. Council has an opportunity to have a broader impact since other teams and community organizations, not just the football team, are also utilizing the field and subsequently using the bleachers as well.

**Motion Carried**

The vote was called on the original motion as amended.

**Motion Carried**

## **7. PETITIONS, PRESENTATIONS & DELEGATION**

### **a. Presentation by Kaitlyn Lacelle, Urban Planner**

Re additional information requested by Town Council in connection to the proposed rezoning of Rosebank Crescent

Kaitlyn Lacelle from Urban Planning noted that following the Public Hearing on March 11, 2019 with regard to the rezoning of a portion of Rosebank Crescent from R1 to R2, Council had requested additional information from the developer related to plans for additional vegetation within the buffer area as well as an in-depth report on property values if the development goes ahead.

Ms. Lacelle noted the proposal for the buffer zone area is a three phase approach focusing on pre-clearing activities, lot preparation and post lot preparation. Four conditions have been added to the Public Advisory Committee's recommendations as per below:

- That prior to any tree removal on the lot, a surveyor be engaged to delineate and mark the buffer zones referred to in Conditions #2, and #9 with flagging tape;
- That an Arborist be engaged to determine if existing vegetation within the buffer zones is sufficient. If deemed necessary by the Arborist, a planting plan will be prepared outlining the supplemental vegetation required. Any additional trees required must be planted prior to receiving a building and development permit;
- Upon a one year period of lot clearing, the buffer zones will be reviewed to determine if additional planting is required to replace trees that have fallen and been removed. If a sufficient number of trees are removed, they will be reinstated;
- Prior to obtaining a building and development permit, the developer will submit to the Town of Riverview security in the amount of \$13,000 (\$500 per lot abutting the buffer zones identified in Schedule B) to ensure compliance with Conditions #3, #4 and #5.

In staff's opinion, this fully meets Council's direction for a plan for the vegetation buffers.

Concerns were also raised at the public hearing regarding the impact to property values and resale values for existing houses surrounding the proposed development. The developer engaged the firm Turner Drake and Partners to provide a professional opinion on market analysis and research on existing literature. The report was quite in-depth and looked at the impact the rezoning would have on property values and also at the impact of property values if the rezoning did not occur and remained as R1 as it exists today.

In general, the letter did confirm that while concerns from the public regarding the negative impact to existing property values are completely understandable, they were largely unfounded in practice and in the market analysis that was done. There is no clear correlation between the prices of single-family homes in proximity to semi-detached housing especially in the case of large master-plan communities such as the Fairways where a mix of housing types is common.

The letter did conclude that the misalignment of the current zoning with market demand actually poses a greater risk to property values because the current zoning would actually create a surplus and over supply of land for residential use being single-family dwellings that is not actually in significant demand. The report noted as long as the development is done in a manner that respects the existing character, the use of design standards, the use of buffers, the one-storey limitation is creating a high-quality product regardless of it being a slightly different residential type than a single-unit dwelling.

In conclusion, Council will be voting on second and third reading for the proposed by-law amendment 300-7-1 and the recommendation is the same as what was recommended by the Planning Advisory Committee with the addition of the four conditions as they relate to the buffers.

Ms. Lacelle confirmed with Councillor Bennett the buffer will remain 5 meters along the side and where some vegetation is not sufficient in the buffer zone, the developer has agreed the arborist will be engaged to determine if it warrants supplemental planting. However, if there are sufficient trees and there is a reasonable buffer, the arborist will decide the outcome.

The planting plan would have to be reviewed and approved by a development officer to deem the plan acceptable and fair for everyone. The developer would fund all the planting depending on what the arborist suggests.

Ms. Lacelle confirmed with Councillor LeBlanc that the vegetation would start from the developer's property line and Urban Planning would have to determine where it starts since the Town's right of way often extends beyond the physical road.

Ms. Lacelle confirmed with Councillor Bennett it would be left up to the Town with regard to the traffic calming policy if, and when, the need is required for the policy.

## **8. RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE**

### **a. Approve 2018 Audited Financial Statements**

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor J. Thorne

*That Riverview Town Council approve the audited financial statements for the year ending December 31, 2018 prepared by AC Stevenson & Partners, Chartered Professional Accountants.*

**Motion Carried**

### **b. Ratify Grant Requests**

#### **8.b.1 Juvenile Diabetes Research Foundation - Walk to Cure Diabetes**

**Moved by:** Councillor C. Cassista

**Seconded by:** Councillor L. Hansen

*That Riverview Town Council support the Juvenile Diabetes Research Foundation by providing a grant in the amount of \$1,000 for the upcoming Walk to Cure Diabetes being held on June 9, 2019.*

**Motion Carried**

### **8.b.2 Moncton Riverview Dieppe Go Beyond Earth Day**

**Moved by:** Councillor C. Cassista

**Seconded by:** Councillor W. Bennett

*That Riverview Town Council support the Go Beyond Moncton Riverview Dieppe Earth Day event being held on April 28, 2019 by providing a grant in the amount of \$400.*

**Motion Carried**

## **9. BY-LAWS**

### **a. By-Law 300-7-1, Amendment to Zoning By-Law - PID #05103080**

Second Reading, by section only, and Third Reading by Title only

The Deputy Clerk advised that the purpose of this by-law was to amend the Zoning By-law by rezoning PID 05103080 from R1 (Single Unit Dwelling) to R2 (Two Unit Dwelling).

The by-law was read for the second time, by section only, and a third time by title only.

As Councillor Hansen was not present for the Public Hearing held on March 11, 2019, she was not be permitted to vote on the by-law.

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That second reading, by section only, be given to By-Law 300-7-1, A By-Law to Amend the Town of Riverview Zoning By-Law 300-7.*

Councillor Cassista noted she wanted to thank the developer for bringing forward additional information on the buffer as well as on the study on the property values of the homes. It is very significant and shows this developer is committed to Riverview as a good corporate citizen.

**Nay Votes: Councillor J. Thorne**

**Council A. LeBlanc**

**Motion Carried**

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That the Town of Riverview enters into a conditional zoning agreement with Clayton Developments Limited subject, but not limited, to the following terms and conditions if the rezoning process is successfully completed.*

*The Owner covenants and agrees to develop the lands in compliance with the following terms and conditions:*

- 1. All semi-detached dwellings shall generally conform to the following design criteria:*
  - a. Architectural detailing including but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, corner boards, frieze and fascia boards shall be incorporated;*
  - b. Architectural treatment shall be continued around the side of the building for corner units;*
  - c. Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These facilities shall be screened by means of opaque fencing, structural walls or suitable landscaping;*
  - d. Any exposed lumber on the front facade shall be painted or stained;*
  - e. Any exposed foundation in excess of 1 metre shall be architecturally detailed, veneered with stone or brick, painted, stucco or an equivalent; and*
  - f. A minimum 50% of the front elevation shall consist of masonry treatment or other similar*
- 2. That a 5 metre buffer be maintained along the rear lot line of the western property boundary including existing vegetation to be retained and cannot be used for development;*
- 3. That prior to any tree removal on the lot, a surveyor be engaged to delineate and mark the buffer zones referred to in Conditions #2 and #9 with flagging tape;*
- 4. That an Arborist be engaged to determine if existing vegetation within the buffer zones is sufficient. If deemed necessary by the Arborist, a*

*planting plan will be prepared outlining the supplemental vegetation required. Any additional trees required must be planted prior to receiving a building and development permit;*

- 5. Upon a one year period of lot clearing, the buffer zones will be reviewed to determine if additional planting is required to replace trees that have fallen and been removed. If a sufficient number of trees are removed, they will be reinstated;*
- 6. Prior to obtaining a building and development permit, the developer will submit to the Town of Riverview security in the amount of \$13,000 (\$500 per lot abutting the buffer zones identified in Schedule B) to ensure compliance with Conditions #3, #4 and #5;*
- 7. That the site drainage be designed to accommodate the 5 metre buffer referred to in Condition #2;*
- 8. That notwithstanding Table 11.3 of Zoning By-law 300-7, semi-detached lots on the western property boundary must have a minimum lot frontage of 14.58 metres;*
- 9. That a treed buffer be maintained between the existing Rosebank Crescent and the extension of Rosebank Crescent as shown on Schedule B;*
- 10. That the lots located on the western portion of Rosebank (both sides of the street) be limited to one storey; and*
- 11. That the development be carried out in substantial conformance with the plans and drawings submitted.*

**Nay Votes: Councillor J. Thorne**

**Motion Carried**

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That third reading, by title only, be given to By-Law 300-7-1, A By-Law to Amend the Town of Riverview Zoning By-Law 300-7.*

**Nay Votes: Councillor J. Thorne  
Councillor A. LeBlanc**

**Motion Carried**

**b. By-Law 300-61**

A By-Law Relating to the Subdivision of Lands in the Town of Riverview

Second reading, by section only, and third reading, by title only

The Deputy Clerk advised that the purpose of this by-law was to be re-adopted under the Community Planning Act, C-19 the Subdivision By-Law as No. 300-61. The by-law was read for the second time, by section only, and a third time, by title only.

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor C. Cassista

*That seconding reading, by section only, be given to By-Law 300-61, A By-Law Relating to the Subdivision of Lands in the Town of Riverview.*

*Section 1. Definitions*

*Section 2. Streets & Services*

*Section 3. Lots & Blocks*

*Section 4. Land for Public Purposes*

*Section 5. Subdivision Agreements*

*Section 6. Detailed Engineering Submission Requirements*

*Section 7. Rejection of Subdivision Plan*

*Section 8. Fees*

**Motion Carried**

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor C. Cassista

*That third reading, by title only, be given to By-Law 300-61, A By-Law Relating to the Subdivision of Lands in the Town of Riverview.*

**Motion Carried**

**c. By-Law 300-25-16**

A By-Law Relating to Local Improvements in the Town of Riverview  
(Berkley Drive - Pine Glen Road to McAllister Road)

Second reading, by section only, and Third reading, by title only

The Deputy Clerk advised that the purpose of the following four by-laws was to complete local improvement projects on Berkley Drive (Pine Glen to McAllister), Devere Road (Pine Glen to Montgomery, Orin Drive and Weir Drive.

As governed by the Local Governance Act each of these by-laws needs a 2/3 vote of Council to pass – which equates to 4 of the 6 members present. As Councillor Hansen was not present for the Public Hearing held on March 11, 2019, she was not be permitted to vote on the by-laws.

The by law was read for the second time, by section only, and a third time, by title only.

**Moved by:** Councillor C. Cassista

**Seconded by:** Deputy Mayor T. Rampersaud

*That second reading, by section only, be given to By-Law 300-25-16, A By-Law Relating to Local Improvements in the Town of Riverview (Berkley Drive - Pine Glen Road to McAllister Road) as follows:*

*Section 1, 2, 3, 4, 5, 6, 7, 8 and 9.*

A friendly amendment was made by Councillor Cassista and agreed to by the seconder to reread the correct by-law as initially By-Law 300-25-17 had been read.

**Motion Carried**

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That third reading, by title only, be given to By-Law 300-25-16, A By-Law Relating to Local Improvements in the Town of Riverview (Berkley Drive - Pine Glen Road to McAllister Road).*

**Motion Carried**

**d. By-Law 300-25-17**

A By-Law Relating to Local Improvements in the Town of Riverview  
(Devere Road - Pine Glen Road to Montgomery Avenue)

Second reading, by section only, and third reading, by title only

Note: Reference to the sidewalk on the north side has been deleted. Thus the reason for the amended by-law.

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor W. Bennett

*That second reading, by section only, as amended, be given to By-Law 300-25-17, A By-Law Relating to Local Improvements in the Town of Riverview (Devere Road - Pine Glen Road to Montgomery Avenue).*

*Sections as follows:*

*Section 1, 2, 3, 4, 5, 6, 7, 8, and 9.*

M. Ouellet confirmed with Councillor Cassista that the residents have been contacted and are satisfied with the project and the removal of the sidewalk.

**Motion Carried**

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor W. Bennett

*That third reading, by title only, as amended, be given to By-Law 300-25-17, A By-Law Relating to Local Improvements in the Town of Riverview (Devere Road - Pine Glen Road to Montgomery Avenue).*

**Motion Carried**

**e. By-Law 300-25-18**

A By-Law Relating to Local Improvements in the Town of Riverview -  
Orin Drive

Second reading, by section only, and third reading, by title only

**Moved by:** Councillor A. LeBlanc

**Seconded by:** Councillor J. Coughlan

*That second reading, by section only, be given to By-Law 300-25-18, A By-Law Relating to Local Improvements in the Town of Riverview (Orin Drive). Sections as follows:*

*Section 1, 2, 3, 4, 5, 6, 7, 8 and 9.*

M. Ouellet confirmed with Councillor Cassista the resident was provided with all the information by email clarifying the entire local improvement process.

**Motion Carried**

**Moved by:** Councillor A. LeBlanc

**Seconded by:** Councillor J. Coughlan

*That third reading, by title only, be given to By-Law 300-25-18, A By-Law Relating to Local Improvements in the Town of Riverview (Orin Drive).*

**Motion Carried**

**f. By-Law 300-25-19**

A By-Law Relating to Local Improvements in the Town of Riverview - Weir Drive

Second reading, by section only, and third reading, by title only

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor W. Bennett

*That second reading, by section only, be given to By-Law 300-25-19, A By-Law Relating to Local Improvements in the Town of Riverview (Weir Drive). Sections as follows:*

*Section 1, 2, 3, 4, 5, 6, 7, 8 and 9.*

**Motion Carried**

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That third reading, by title only, be given to By-Law 300-25-19, A By-Law Relating to Local Improvements in the Town of Riverview (Weir Drive).*

**Motion Carried**

**10. NOTICE OF MOTION**

**NIL**

**11. NEW BUSINESS**

**a. Award of Tender 19-50**

Asphalt Concrete Paving - Various Streets

**Moved by:** Councillor L. Hansen

**Seconded by:** Councillor C. Cassista

*That the Tender 19-50, Asphalt Concrete Paving - Various Streets be awarded to MacArthur's Paving & Construction Ltd. in the amount of \$1,333,342.00 (plus HST) and that the Mayor and Town Clerk be authorized to sign all related documentation.*

M. Ouellet confirmed with Councillor Bennett this project is expected to start in June.

**Motion Carried**

**b. Award of Tender 19-64**

Berkley Drive - Reconstruction Water Main Renewal

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor L. Hansen

*That the Tender 19-64, Berkley Drive Reconstruction, Water Main Renewal and Storm Sewer Upgrades be awarded to Phillips Bros Excavating Ltd. in the amount of \$842,975.00 plus HST and that the Mayor and Town Clerk be authorized to sign all related documentation.*

**Motion Carried**

**c. Award of Request For Proposal #19-01**

Functional & Technical Program (Wellness Centre)

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor J. Thorne

*That Riverview Town Council approve the award of the Request for Proposal #19-01 - Functional & Technical Program (Wellness Centre) to Colliers Project Leaders Inc. in partnership with Fougere Menchenton Architecture and further that the Town enter into negotiations to finalize the contract arrangements. The value of the RFP award will be up to a maximum of \$174,500 (plus HST) and that Council give direction for the Mayor and Town Clerk to sign all necessary documentation.*

C. Smith confirmed with Councillor Cassista the name for the Wellness Centre has been changed to the Riverview Recreational Complex. However, when the RFP was prepared for this project, the Wellness Centre was used in the terminology and to be consistent it has to be awarded as the Wellness Centre. Moving forward, it will be referred to as the Riverview Recreational Complex.

**Motion Carried**

**d. Authorization to Purchase Gas Monitors**

Deleted from the agenda.

**12. COUNCIL STATEMENTS/INQUIRIES**

Councillor Cassista mentioned she had an opportunity to attend the Albert County Chamber of Commerce Business Excellence Awards Gala and wanted to thank the Economic Development department for nominating 7 businesses whereby Riverview achieved 5 awards.

Deputy Mayor Rampersaud also wanted to thank the Economic Development department, specifically Tahlia Ferlatte, for the Business Connects event that took place on March 28. The event was well done and everyone in attendance had positive feedback for the entire evening. Businesses walked away with new connections and mentioned they were looking forward to future events.

M. Ouellet confirmed with Councillor Bennett the repairing of pot holes in the Town is being addressed by working in the evening and at night to repair as many as possible. The contract for lane markings has been awarded and work will start once patching is complete. Crews will be working in the day and evening starting in June with the crosswalks, then stop bars, bicycle symbols, and arrows throughout the Town to be completed by July.

M. Ouellet confirmed with Councillor Bennett that both Moncton and Dieppe have an anti-icing program as they do a brine application on their streets in anticipation of a storm to create a layer of salt between the snow and pavement which prevents snow to bond to the pavement and turn to ice.

**13. ADJOURNMENT**

**Moved by:** Councillor C. Cassista

**Seconded by:** Councillor W. Bennett

*That the meeting be adjourned at 8:11 p.m.*

**Motion Carried**