



**City of Saint John
Common Council Meeting
AGENDA**

Monday, May 5, 2025

6:00 pm

2nd Floor Common Council Chamber, City Hall

An Electronic means of communication will be used at this meeting. The public may attend the meeting in person in the Council Chamber or view the meeting on the City's Website (www.saintjohn.ca) or on Rogers TV.

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5. Consent Agenda	
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15.1	A. Pottle: Lack of Sidewalk on Lower Cove Loop (Recommendation: Receive for Information as area is captured in the sidewalk infill strategy and being planned within the capital program)	176 - 177

16. Supplemental Agenda
17. Committee of the Whole
18. Adjournment



**City of Saint John
Common Council Meeting
Monday, May 5, 2025**

Committee of the Whole

1. Call to Order

Si vous avez besoin des services en français pour une réunion de Conseil communal, veuillez contacter le bureau du greffier communal au 658-2862.

Each of the following items, either in whole or in part, is able to be discussed in private pursuant to the provisions of subsection 68(1) of the Local Governance Act and Council / Committee will make a decision(s) in that respect in Open Session:

4:45 p.m., 2nd Floor Boardroom, City Hall

- 1.1 Approval of Minutes 68(1)
- 1.2 Personal Information 68(1)(b)
- 1.3 Financial Matter 68(1)(c)
- 1.4 Financial Matter 68(1)(c)
- 1.5 Land Matter 68(1)(d)
- 1.6 Financial Matter 68(1)(c)



The City of Saint John

MINUTES – REGULAR MEETING
COMMON COUNCIL OF THE CITY OF SAINT JOHN
APRIL 22, 2025 AT 6:00 PM
2ND FLOOR COMMON COUNCIL CHAMBER, CITY HALL

An Electronic means of communication will be used at this meeting. The public may attend the meeting in person in the Council Chamber or view the meeting on the City's Website (www.saintjohn.ca) or on Rogers TV.

Present: Mayor Donna Noade Reardon
Deputy Mayor John MacKenzie
Councillor-at-Large Gary Sullivan
Councillor-at-Large Brent Harris
Councillor Ward 1 Greg Norton (on-line)
Councillor Ward 1 Joanna Killen (on-line)
Councillor Ward 2 Barry Ogden
Councillor Ward 3 Gerry Lowe
Councillor Ward 3 Mariah Darling
Councillor Ward 4 Paula Radwan
Councillor Ward 4 Greg Stewart

Also Present:
Chief Administrative Officer B. McGovern
City Solicitor J. Boucher
Commissioner Finance K. Fudge
Fire Chief R. Nichol
Commissioner Utilities & Infrastructure Services I. Fogan
Director Public Works T. O'Reilly
Commissioner Growth & Development A. Poffenroth
Commissioner Human Resources S. Hossack
Director External Relations L. Kennedy
City Clerk J. Taylor
Administrative Assistant K. Tibbits

1. Call to Order

1.1 Land Acknowledgement

Councillor Darling read aloud the Land Acknowledgement and called for a moment of reflection.

“The City of Saint John/Menahesk is situated is the traditional territory of the Wolastoqiyik/Maliseet. The Wolastoqiyik/Maliseet along with their Indigenous Neighbours, the Mi’kmaq/Mi’kmaq and Passamaquoddy/Peskotomukhkatik signed Peace and Friendship Treaties with the British Crown in the 1700s that protected their rights to lands and resources.”

1.2 National Anthem

The Saint John Symphony Youth Orchestra performed O Canada by video.

2. Approval of Minutes

2.1 Minutes of April 3, 2025

Moved by Councillor Sullivan, seconded by Councillor Harris:
RESOLVED that the minutes of April 3, 2025, be approved.

MOTION CARRIED.

2.2 Minutes of April 7, 2025

Moved by Councillor Sullivan, seconded by Councillor Radwan:
RESOLVED that the minutes of April 7, 2025, be approved.

MOTION CARRIED.

3. Approval of Agenda

Moved by Deputy Mayor MacKenzie, seconded by Councillor Darling:
RESOLVED that the agenda of April 22, 2025 be approved with the addition of Item 17.1 Temporary License Agreement for Kent Homes on 100 Boars Head Road; 17.2 City Market Lease Renewal – H&S Meats; 17.3 Village of Fundy – St. Martins Boundary Alteration Request; 17.4 Contract No. 2025-12 Asphalt Resurfacing 2025; 17.5 Saint John Energy – FCM Loan and Grant Agreement; and that Item 11. 1 Internal Audit of Winter Management Plan (Councillor Sullivan) and Item 12.1 Process Change for Planning Advisory Committee Meetings be moved forward on the agenda, after the Consent Agenda.

MOTION CARRIED.

4. Disclosures of Conflict of Interest

5. Consent Agenda

5.1 RESOLVED that as recommended in the submitted report *M&C 2025-118: Tender for Asphaltic concrete Mixes*, the seasonal tender for the supply of asphaltic concrete mixes be awarded as follows:

- Pre-Construction Season (prior to May 5th, 2025) - NRB Construction Company Ltd.
- Construction Season (May 5th, to November 7th, 2025) – NRB Construction Company Ltd.
- Post Construction Season (November 8th, 2024, to plant's closure) – NRB Construction Company Ltd.

5.2 RESOLVED that the submitted report *M&C 2025-109: 2025 Roadway Construction Projects*, be received for information.

5.3 RESOLVED that as recommended in the submitted report *M&C 2025-111: Engineering Services – Lower Cove Loop Sewer Rehabilitation*, the proposal from Engineering By Houghton, for engineering design and construction management services for the Lower Cove Loop Sewer Rehabilitation project in the amount of \$630,657.70, including HST be accepted; and, that the Mayor and City Clerk be authorized to execute the appropriate documentation in that regard.

5.4 RESOLVED that as recommended in the submitted report *M&C 2025-112: Community Development Fund Agreement: City of Saint John – Ihtoli-maqahamok – The Gathering Space Stage Equipment*, the City enter into an agreement with the Regional Development Corporation (RDC) for funding related to the purchase and installation of stage equipment for the Ihtoli-maqahamok - The Gathering Space Project in the form and upon the terms and conditions as attached to M&C No. 2025-112; and that the Mayor and City Clerk be authorized to execute the said Agreement.

5.5 RESOLVED that as recommended in the submitted report *M&C 2025-113: Contract 2024-10: McAllister Drive and Westmorland Road Traffic Signal Upgrades*, Common Council approve the following:

- A) The reallocation of \$30,296 of funding from the Shamrock Park Fence Replacement Project (24TC03) to the McAllister Drive and Westmorland Road Traffic Signal Upgrades project (24TC45) to offset a portion of the projected General Fund City share budget variance as outlined in the report;
- B) The deferral of the Storm Water Strategy – Phase I project (24TC09) and the reallocation of \$250,000 of funding from this project to the McAllister Drive and Westmorland Road Traffic Signal Upgrades project (24TC45) to offset a portion of the projected General Fund City share budget variance as outlined in the report; and,
- C) Contract No. 2024-10: McAllister Drive and Westmorland Road Traffic Signal Upgrades be awarded to the low tenderer, Galbraith Construction Ltd., at their tendered price of \$899,057.06 (including HST) as calculated based on estimated quantities, and further that the Mayor and City Clerk be authorized to execute the necessary contract documents.

5.6 RESOLVED that as recommended in the submitted report *M&C 2025-114: Materials Testing and Construction Inspection Services for 2025 and 2026*, the proposal

from Gemtec Consulting Engineers and Scientists Limited., for Material Testing and Construction Inspection Services for 2025 and 2026 in the amount of \$1,267,019.40 including HST be accepted and that the Mayor and City Clerk be authorized to execute the necessary contract documents.

5.7 RESOLVED that as recommended in the submitted report *M&C 2025-115: Street Naming – Fundy Quay*, Common Council amend the list of Official Street Names and approve the following changes:

1. Add the name “cour Fundy Quay Court”.
2. Add the name “passage Saile Passage”.

5.8 RESOLVED that the Council Community Fund application submitted by Deputy Mayor MacKenzie for The Corporation of the Anglican Parish of St. Mark, Saint John (Stone Church) for \$250, be approved.

Moved by Deputy Mayor MacKenzie, seconded by Councillor Stewart:

RESOLVED that the recommendation set out in each consent agenda item respectively, be adopted.

MOTION CARRIED UNANIMOUSLY.

11. Submissions by Council Members

11.1 Internal Audit of Winter Management Plan (Councillor Sullivan)

Moved by Councillor Sullivan, seconded by Councillor Lowe:

RESOLVED that Council request that the Finance Committee add an Internal Audit of the City’s Winter Management Plan to its list of internal audits; and that the Finance Committee be asked to consider this request at their next meeting.

MOTION CARRIED.

12. Business Matters – Municipal Officers

12.1 Process Change for Planning Advisory Committee Meetings

J. Kirchner, Manager Community Planning, reviewed the submitted presentation “Process Change for the Planning Advisory Committee.” The proposed change would streamline the operations of Planning Advisory Committee meetings by eliminating Public Hearings for planning applications that are not required to undergo such hearings under the Community Planning Act. The proposed change will enhance the efficiency of PAC meetings while preserving opportunities for public input on applications.

(Councillor Sullivan withdrew from the meeting)

Moved by Deputy Mayor MacKenzie, seconded by Councillor Darling:

RESOLVED that as recommended in the submitted report *M&C 2025-100: Process Change for Planning Advisory Committee Meetings*, the Mayor, on behalf of Common Council, issue a letter to the Planning Advisory Committee (PAC) directing the Committee to limit the use of Public Hearings to only those planning applications for which the PAC

is the designated hearing body. These shall include applications pertaining to Conditional Use, Non-Conforming Use, Similar or Compatible Use, and Variances under the jurisdiction of the PAC.

MOTION CARRIED with Councillor Lowe voting nay.

6. Members Comments

Members commented on various local events.

7. Proclamation

7.1 The Mayor proclaimed the Month of May 2025 as Guillain-Barré Syndrome (GBS) and Chronic Inflammatory Demyelinating Polyneuropathy (CIDP) Awareness Month in The City of Saint John.

7.2 The Mayor proclaimed the Month of May 2025 as Melanoma and Skin Cancer Awareness Month in The City of Saint John.

7.3 The Mayor proclaimed May 3, 2025, as World Press Freedom Day in The City of Saint John.

8. Delegations / Presentations

9. Public Hearings – 6:30 p.m.

10. Consideration of By-Laws

10.1 Curbside Recycling for Apartment Tenants (Solid Waste By-Law Amendment) (1st and 2nd Reading)

Referring to the submitted report *M&C 2025-117: Curbside Recycling for Apartment Tenants*, Director O'Reilly stated that Circular Materials is enhancing recycling accessibility for packaging and paper products by offering curbside recycling collection services for apartments and condos with more than four units. Expanding recycling options benefits the environment, extends the life of the regional landfill, and supports the city's WasteWise Program. An update to the city's Solid Waste By-Law is recommended.

Moved by Councillor Ogden, seconded by Councillor Darling:

RESOLVED that the by-law entitled "By-Law Number L.G.-7 A Law to Amend the By-Law for Storage, Collection and Disposal of Solid Waste in The City of Saint John" to allow on-site recycling collection services for apartments and condos with more than four units, be read a first time.

MOTION CARRIED.

Read a first time by title, the by-law entitled "By-Law Number L.G.-7 A Law to Amend the By-Law for Storage, Collection and Disposal of Solid Waste in The City of Saint John."

Moved by Councillor Lowe, seconded by Deputy Mayor MacKenzie:

RESOLVED that the by-law entitled “By-Law Number L.G.-7 A Law to Amend the By-Law for Storage, Collection and Disposal of Solid Waste in The City of Saint John” to allow on-site recycling collection services for apartments and condos with more than four units, be read a second time.

MOTION CARRIED.

Read a second time by title, the by-law entitled “By-Law Number L.G.-7 A Law to Amend the By-Law for Storage, Collection and Disposal of Solid Waste in The City of Saint John.”

10.2 Proposed Municipal Plan Amendment – 160 Cosy Lake Road – 30 Day Letter

Moved by Councillor Lowe, seconded by Deputy Mayor MacKenzie:

RESOLVED that Common Council authorize the necessary advertising with a Public Hearing to be held on Monday, June 2, 2025, in the Council Chamber at 6:30 pm.

MOTION CARRIED.

13. Committee Reports

14. Consideration of Issues Separated from Consent Agenda

15. General Correspondence

15.1 Canadian Hemochromatosis Society: Request to illuminate a Landmark (Recommendation: Refer to CAO for illumination of the Saint John sign)

Moved by Deputy Mayor MacKenzie, seconded by Councillor Darling:

RESOLVED that the request from the Canadian Hemochromatosis Society to illuminate a Landmark be referred to the Chief Administrative Officer for illumination of the Saint John sign.

MOTION CARRIED.

15.2 C. Watson: Lorneville land redesignation for the proposed Spruce Lake Industrial Park expansion (Recommendation: Receive for Information)

Moved by Deputy Mayor MacKenzie, seconded by Councillor Radwan:

RESOLVED that the C. Watson correspondence regarding the Lorneville land redesignation for the proposed Spruce Lake Industrial Park expansion be received for information.

MOTION CARRIED.

15.3 Lorneville Community Liaison Committee Task Force: Letter to Council (Recommendation: Receive for Information)

Moved by Deputy Mayor MacKenzie, seconded by Councillor Darling:

RESOLVED that the correspondence from the Lorneville Community Liaison Committee Task Force be received for information.

MOTION CARRIED.

16. Supplemental Agenda

17. Committee of the Whole

17.1 Temporary License Agreement for Kent Homes on 100 Boars Head Road

Moved by Councillor Radwan, seconded by Deputy Mayor MacKenzie:

RESOLVED that as recommended by the Committee of the Whole, having met on April 22, 2025, the City enter into a License Agreement with Kent Homes, a division of JDI Ltd., generally in the form as presented to Committee of the Whole at its meeting held April 22, 2025, for the short-term use of City-owned land located at 100 Boars Head Road by Kent Homes for construction laydown area from May 1-June 30, 2025; and that the Mayor and Clerk be authorized to execute the said License Agreement and any other documents ancillary thereto.

MOTION CARRIED.

17.2 City Market Lease Renewal – H&S Meats

Moved by Deputy Mayor MacKenzie, seconded by Councillor Darling:

RESOLVED that as recommended by the Committee of the Whole, having met on April 22, 2025, the City renew the Lease generally in the form as presented to Committee of the Whole at its meeting held April 22, 2025, for stalls “No. 12, 13 and 14” in the City Market with H&S Meats Uptown Market Ltd., dba H&S Meats; and further that the Mayor and City Clerk be authorized to execute any necessary documents.

MOTION CARRIED with Councillors Stewart and Lowe voting nay.

17.3 Village of Fundy-St. Martins Boundary Alteration Request

Moved by Councillor Harris, seconded by Deputy Mayor MacKenzie:

RESOLVED that as recommended by the Committee of the Whole, having met on April 22, 2025, the CAO be directed to send a response to the *Local Governance Commission* on the City’s behalf indicating support for Fundy St. Martins’ revised request under the *Local Governance Commission Act* for a boundary alteration, as described in the report to Committee of the Whole at its meeting held April 22, 2025.

MOTION CARRIED.

17.4 Contract No. 2025-12: Asphalt Resurfacing 2025

Moved by Deputy Mayor MacKenzie, seconded by Councillor Lowe:

RESOLVED that as recommended by the Committee of the Whole, having met on April 22, 2025, Contract No. 2025-12: Asphalt Resurfacing 2025 be awarded to the low Tenderer, Debly Enterprises Ltd., at their tendered price of \$8,662,412.38 (including HST) as calculated based upon estimated quantities, and further that the Mayor and City Clerk be authorized to execute the necessary contract documents.

MOTION CARRIED.

17.5 Saint John Energy – FCM Loan and Grant Agreement

Moved by Councillor Radwan, seconded by Councillor Darling:

RESOLVED that as recommended by the Committee of the Whole, having met on April 22, 2025, the City enter into a Loan and Grant Agreement with the Federation of Canadian Municipalities and Saint John Energy in the form as presented to Committee of the Whole at its meeting held April 22, 2025, and that the Mayor and Clerk be authorized to execute the said Loan and Grant Agreement and any document ancillary thereto.

MOTION CARRIED.

18. Adjournment

Moved by Councillor Lowe, seconded by Councillor Darling:

RESOLVED that the meeting of Common Council held on April 22, 2025, be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 7:05 p.m.

COMMON COUNCIL REPORT

M&C No.	2025-127
Report Date	April 29, 2025
Meeting Date	May 05, 2025
Service Area	Growth and Community Services

Her Worship Mayor Donna Noade Reardon and Members of Common Council

SUBJECT: Scheduling of a Public Hearing Date for 421 Woodward Avenue, 510 Boars Head Road and 228 Germain Street

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	Chief Administrative Officer
Jennifer Kirchner	Amy Poffenroth/Pankaj Nalavde	J. Brent McGovern

RECOMMENDATION

RESOLVED That Common Council schedule public hearings on Monday, June 2, 2025 at 6:30 p.m. for:

Rezoning

Submitted by	Woodward421 Developments Ltd.
For	421 Woodward Avenue
PID	55002109

Rezoning and Section 59 Amendment

Submitted by	Stantec Consulting Ltd.
For	510 Boars Head Road
PID	55212914

Rezoning and Text Amendment

Submitted by	Bruce Wilkin Inc.
For	228 Germain Street
PIDs	00003889

Location: Council Chamber, City Hall 2nd floor, 15 Market Square, Saint John, NB.

EXECUTIVE SUMMARY

The purpose of this report is to advise Common Council of the need to schedule Public Hearings for two Zoning By-Law amendment applications and to recommend an appropriate public hearing date. The proposed public hearing date is Monday, June 2, 2025.

PREVIOUS RESOLUTION

At its meeting of August 3, 2004, Common Council resolved that:

1. *the Commissioner of Planning and Development receive all applications for amendments to the Zoning By-law and Section 39 [now referred as section 59] resolutions/agreements and proceed to prepare the required advertisements; and*
2. *when applications are received a report will be prepared recommending the appropriate resolution setting the time and place for public hearings and be referred to the Planning Advisory Committee as required by the Community Planning Act.*

REPORT

This report addresses the scheduling of Public Hearings for three applications to amend the Zoning By-Law. The Public Hearings are proposed for June 2, 2025. Details of the applications are outlined below and will form part of the documentation at the public hearings. A fourth public hearing was previously scheduled for June 2, 2025 for a Municipal Plan Amendment and Rezoning for 160 Cosy Lake Road.

Name of Applicant	Location	Existing Zone	Proposed Zones	Reason
Woodward421 Developments Ltd.	421 Woodward Avenue (PID: 55002109)	Low-Rise Residential (RL)	Mid-Rise Residential (RM)	To construct 2 apartment buildings.
Name of Applicant	Location	Existing Zone	Proposed Zones	Reason
Stantec Consulting Ltd.	510 Boars Head (PID: 55212914)	Neighbourhood Community Facility (CFN)	Mid-Rise Residential (RM)	To remove the requirement that the apartment building be used for seniors housing.
Name of Applicant	Location	Existing Zone	Proposed Zones	Reason
Bruce Wilkin Inc.	228 Germain Street (PID: 00003889)	Neighbourhood Community Facility (CFN)	Urban Centre Residential (RC)	To convert a former church into residential with limited commercial uses.

While the holding of public hearings for Municipal Plan and Zoning By-law amendments is a legislative requirement of the *Community Planning Act*, it is also a key component of a clear and consistent land development processes envisioned in the One Stop Development Shop Program. These processes provide

transparency and predictability for the development community and City residents.

STRATEGIC ALIGNMENT

The proposed Zoning By-Law Amendment falls within the Council Priority of “Perform”.

SERVICE AND FINANCIAL OUTCOMES

The scheduling of the public hearings will ensure that the proposed by-law amendments satisfy the legislative and service requirements as mandated by the *Community Planning Act* including the required Public Notification of the Public Hearings.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

The proposed amendments are circulated to other City Service Areas and external Agencies and Government Departments for feedback.

ATTACHMENTS

None

COMMON COUNCIL REPORT

M&C No.	2025-120
Report Date	April 30, 2025
Meeting Date	May 05, 2025
Service Area	Strategic Services

Her Worship Mayor Donna Noade Reardon and Members of Common Council

SUBJECT: 2025 Community Grants Top Ups

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	Chief Administrative Officer
Lori Lambert	Amy Poffenroth/David Dobbelsteyn	J. Brent McGovern

RECOMMENDATION

On the recommendation of the Community Grants Committee, the CAO recommends that Common Council:

Redistribute and award the remaining of \$6,500 in Community Grants funding to applicants of the 2025 Community Grants Program selected by the Community Grants Committee and as listed in MC 2025-120, and direct the Chief Financial Officer to facilitate payment to the successful organizations.

EXECUTIVE SUMMARY

A recipient of a 2025 Community Grants is unable to fulfill the outcomes upon which the grant was awarded. The Community Grants Committee met for a second time to select grant recipients they felt were deserving of small increases to their original awards (top-up amounts), thus ensuring the total 2025 envelope was entirely dispersed to the community.

PREVIOUS RESOLUTION

Common Council Resolution, March 10, 2025

RESOLVED that as recommended in the submitted report M&C 2025-062: Community Grants Program 2025, Common Council:

1) Award the successful applicants of the 2025 Community Grants Program selected by the Community Grants Committee and as listed in MC 2025-062, and direct the Chief Financial Officer to facilitate payment to the successful organizations; and,

2) Refer the funding request submitted by the Community Grants Committee for

an increased budget envelope of \$50,000 annually for Community Grants to the Finance Committee for their consideration for the 2026 Operating Budget deliberations.

REPORT

Following Common Council approval of the 2025 Community Grant Program MC 2025-62, staff began notifying successful recipients of their award with directions to sign the Memorandum of Understanding, which outlines the terms and conditions of the funding award.

In response, an applicant, Adapt Education, indicated that their scope of work and objectives had changed for the 2025 year, and they were unable to fulfill the outcomes upon which their sixty-five hundred dollars (\$6,500) Community Grant was awarded. City staff notified them their award offer was rescinded and encouraged them to reapply in a future year when they could confirm the delivery of programming and projected outcomes.

With sixty-five hundred (\$6,500) left unawarded, the Community Grants Committee met with the intention to redistribute the funds to organizations they felt deserving of additional funding. Consideration was first given to other applicants that had previously applied for funding in 2025 but were denied. After a review, the Committee determined that those prior applicants still did not score adequately on the evaluation matrix to merit a grant for 2025.

Instead, the Community Grants Committee decided to top up projects whose applications (and the organizations leading them) demonstrated high achievement in outcome delivery and would allow them to better fulfil the outcomes they proposed on their original applications. It should be noted that even with a top up, none of the groups receiving additional funding are receiving the full amount of funding they requested on their original applications.

The Community Grants Committee recommends that Saint John Common Council approve the “top-up awards” as follows:

1. Tucker Park Recreation Association Inc. \$1,500.00

(A new total of \$6,500 supports hand-on educational experiences in biodiversity for youth, seniors, and visitors of all ages.)

2. Seaside Lawn Bowling Club \$1,500.00

(A new total of \$4,500 supports the Atlantic Championships, bringing up to 500 spectators and showcasing this accessible sport to all ages.)

3. Shining Horizons Therapeutic Riding Association \$1,000.00

(A new total of \$9,000 supports therapeutic and life-skills programming for children and youth with physical and mental challenges.)

- | | |
|---|-------------------|
| 4. Saint John Cycling (Skills Park Restoration) | \$1,000.00 |
| (A new total of \$6,000 supports the skills park restoration project led by SJ Cycling, a group that has donated hundreds of volunteer hours to trail building in Rockwood Park.) | |
| 5. Elizabeth Fry NB | \$500.00 |
| (A new total of \$8,500 supports a therapeutic housing program for women impacted by criminalization.) | |
| 6. First Steps Housing Project Inc. | \$500.00 |
| (A new total of \$8,000 supports pregnant and parenting young women in need.) | |
| 7. Seniors' Resource Centre | \$500.00 |
| (A new total of \$7,500 supports the Centre in delivering resources and activities to enhance wellness and quality of life for seniors.) | |

STRATEGIC ALIGNMENT

The Community Grants Program aligns with Common Council's Priorities of GROWTH and BELONG by supporting opportunities for growth and prosperity, and to foster a vibrant city through investment in arts, culture, and recreation experiences that create a sense of community pride.

SERVICE AND FINANCIAL OUTCOMES

The 2025 General Fund Operating Budget included a total envelope of \$214,000 for the Community Grants Program.

The Community Grants Committee is recommending reallocating \$6500 in previously approved funding that was unable to be used by an applicant.

Should the recommendation outlined in this report be approved by Common Council, the total envelope of Community Grant funding for 2025 will be dispersed.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

Grant allocations are determined by the Community Grants Evaluation Committee. The Finance Department was also consulted.

ATTACHMENTS

N/A

COMMON COUNCIL REPORT

M&C No.	2025-124
Report Date	April 29, 2025
Meeting Date	May 05, 2025
Service Area	General Counsel

Her Worship Mayor Donna Noade Reardon and Members of Common Council

SUBJECT: License for Loyalist Day Military Gun Salute at Fort Howe

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	Chief Administrative Officer
<i>Curtis Langille</i>	<i>Jacqueline Boucher and Melanie C. Tompkins, K.C.</i>	<i>J. Brent McGovern</i>

RECOMMENDATION

That The City of Saint John enter into a License Agreement with His Majesty The King In Right Of Canada, as represented by the Minister of National Defence, in the form as attached to M&C 2025-124, for the purpose of conducting a Loyalist Day 21 Gun Salute on a portion of PID 414276 being Fort Howe, and that the Mayor and City Clerk be authorized to execute the said License Agreement.

EXECUTIVE SUMMARY

As part of ongoing training, His Majesty The King In Right Of Canada, as represented by the Minister of National Defence, is planning to conduct a 21-Gun salute in honor of Loyalist Day held on May 18 this year. There would be a 105mm LG1 Howitzer gun on-site along with support vehicles for the purpose of the intended salute. The proponent has provided the attached license agreement, including a map illustrating the area over which the License is desired for consideration by The City of Saint John (the "City"), which would allow this activity to proceed. The purpose of this report is to seek authority for the City to enter into the attached license.

PREVIOUS RESOLUTION

N/A

REPORT

As a part of ongoing training, His Majesty The King In Right Of Canada, as represented by the Minister of National Defence, has requested a license from the City to allow for a 21-Gun Salute to honor Loyalist Day, which will be celebrated on May 18, 2025, on City property. The activity would involve the use of a 105mm LG1 howitzer gun with blank ammunition. This activity would be conducted on City owned property located at Fort Howe in a parking lot, as illustrated on the attached map, and is for a total of 4 hours. No fee is warranted given the short duration of the license. If Council is agreeable to the use, the attached License Agreement will facilitate this military

salute to proceed. Licenses have previously been issued for this purpose at Fort Howe and other City-owned sites for Loyalist Days.

The General Counsel Office has reviewed the attached License Agreement and are supportive of the terms and conditions that are detailed therein, ensuring the responsibilities of all parties involved while also ensuring the City is protected from any liability. The City's Communications department has been contacted and made aware of this activity. They would be instructed to provide appropriate notice to the public in advance of this salute to minimize any concerns there may be for this planned activity.

STRATEGIC ALIGNMENT

N/A

SERVICE AND FINANCIAL OUTCOMES

There is no material financial consideration for this license, as it is for a short duration (4 hours).

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

City Works and Transportation (Parking, Parks and Recreational Facilities) along with Growth and Community Development have reviewed the request and are supportive of the event being conducted at Fort Howe. The attached License Agreement has been reviewed by GCO who are satisfied with the Terms and Conditions to protect the City's interests in this matter.

ATTACHMENTS

1. *License Agreement; and*
2. *Aerial photography showing area.*

LICENSE AGREEMENT

BETWEEN:

The City of Saint John, (the "LICENSOR")

Corporate Office Address:

15 Market Square

Saint John, New Brunswick

E2L4L1

AND

HIS MAJESTY THE KING IN RIGHT OF CANADA, as represented by the

Minister of National Defence (the "LICENSEE")

101 Colonel by Drive

Ottawa, ON

K1A0K2

WHEREAS the LICENSOR is the owner of the property identified as PID 414276, Saint John in the Province of New Brunswick (the "Premises")

AND WHEREAS the LICENSEE has requested permission from the LICENSOR to use the Premises for the purpose of conducting a Loyalist Day 21 Gun Salute;

TIDS AGREEMENT WITNESSES that in consideration of, and subject to, the terms and conditions set out herein, the LICENSOR hereby grants permission to the LICENSEE to use the Premises for the purpose stated herein, and for no other purpose, under the following terms and conditions:

1. DESCRIPTION OF PROPERTY

The LICENSOR agrees that the LICENSEE may enter and use the PID 414276, Saint John (the Premises) for the purpose of performing a 21 Gun Salute in celebration of Loyalist Day

2. TERM

The term of this agreement shall be from 10:00 - 14:00 May 18 2025.

3. LICENSE FEE

Total consideration for the use of the Premises is \$ 1.00 _____, and the LICENSOR hereby acknowledges the receipt and sufficiency of this consideration.

4. INSURANCE

The LICENSOR acknowledges that the LICENSEE is self-insured.

5. INDEMNIFICATION

Subject to the *Crown Liability and Proceedings Act*, the LICENSEE indemnifies and saves harmless the LICENSOR, its servants, agents, and employees and their heirs, executors, administrators, successors and assigns, from and against all injury, damage, actions, causes of actions, suits, claims and demands of whatsoever nature which may result or may be brought or made by reason of any act or default of the LICENSEE, his servants, agents, or employees, or on account of any damage to the property of the LICENSOR or in connection with any loss, damage

or injury in any manner based upon, arising out of or incidental to the exercise or purported exercise by the LICENSEE of the license granted herein.

6. LICENSOR'S PROPERTY

The LICENSEE agrees to assume full responsibility for the care of the Premises during his occupation, and to assume all risk of loss, damage, or injury to himself, his servants, agents, employees or licensees.

7. DAMAGES

The LICENSEE shall not be responsible for any damage or loss to the Premises arising from circumstances, acts or conditions beyond his control, or due to "force majeure", which is defined as an act of God, war, invasion, revolution, insurrection or other act of a similar nature.

8. ENVIRONMENTAL DAMAGE

The LICENSEE is liable for any environmental damage to the Premises caused during his occupation, except for:

- a) any environmental damage to the Premises caused by the previous occupation of the premises by other persons, organizations, or the LICENSOR;
- b) any environmental damage to the Premises arising during the period covered by this agreement, where such environmental damage is a consequence of pre-existing environmental damage from previous occupation, or was caused by the activities of the Licensor during the period of this agreement; and
- c) any environmental damage to the Premises caused by any other persons, organizations, or by the LICENSOR.

(Remainder of the page is intentionally left blank)

9. GOVERNINGLAW

This agreement shall be construed in accordance with, and governed by, the laws in effect in the Province of New Brunswick, including the laws of Canada.

IN WITNESS WHEREOF this agreement has been executed by The City of Saint John, represented by Mayor Donna Reardon, and His Majesty the King in Right of Canada, as represented by the Minister of National Defence, this ____ day of _____ 2025.

SIGNED, SEALED AND DELIVERED
in the presence of

HER MAJESTY THE QUEEN IN
RIGHT OF CANADA, AS REPRESENTED BY
THE MINISTER OF NATIONAL DEFENCE

Lt Doyle
Witness

Per: [Signature]
Name: Lt Col Kevan Currie
Title: Commanding Officer, 3Fd Regt

SIGNED, SEALED AND DELIVERED
in the presence of

Witness
Name: Donna Reardon
Title: Mayor



COUNCIL REPORT

M&C No.	2025 - 130
Report Date	April 29, 2025
Meeting Date	May 05, 2025
Service Area	Utilities and Infrastructure Services

Her Worship Mayor Donna Noade Reardon and Members of Council

**SUBJECT: Contract 2024-07: Kennedy Street – Sanitary Lift Station
Modifications**

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	Senior Administrative Officer
<i>John Campbell</i>	<i>Ian Fogan / Michael Baker</i>	<i>J. Brent McGovern</i>

RECOMMENDATION

It is recommended that Council approve:

- A) The reallocation of \$78,319 of Utility Share funding from the Engineering Investigation and Design capital project (24WC16) to the Kennedy Street – Sanitary Lift Station Modification project (24WC11) to offset the Utility Share portion of the projected Utility Fund budget variance as outlined in this report, and,
- B) Contract No. 2024-07: Kennedy Street – Sanitary Lift Station Modifications be awarded to the low Tenderer, Terraex Inc., at the tendered price of \$850,379.00 (including HST) as calculated based upon estimated quantities, and further that the Mayor and City Clerk be authorized to execute the necessary contract documents.

EXECUTIVE SUMMARY

The purpose of this report is to recommend that Council award Contract 2024-07: Kennedy Street – Sanitary Lift Station Modifications to Terraex Inc., the low tenderer.

PREVIOUS RESOLUTIONS

October 21, 2019: M&C 2019-266 - Disaster Mitigation and Adaptation Funding, approved.

May 4, 2020: M&C 2020-123 – Engineering Services: DMAF Sanitary Lift Station Improvements, approved.

October 30, 2023: M&C 2023-238 - Revised 2024 General and Utility Fund Capital Program, approved

REPORT

BACKGROUND

The approved 2024 Utility Fund Capital Program includes City Share and Other Share funding to retrofit the Kennedy Street - Sanitary Lift Station above future flood levels to provide for the reliable collection of wastewater. This project involves the reconstruction of the existing control building above forecasted flood levels.

TENDER RESULTS

Tenders closed on April 22nd, 2025, with the following results, including HST:

1. Terraex Inc.	\$850,379.00
2. Fairville Construction Ltd.	\$882,372.00
3. Galbraith Construction Ltd.	\$1,356,198.45

The Engineer's estimate for the work was \$775,153 including HST.

ANALYSIS

The tenders were thoroughly reviewed by staff and found to be formal in all respects, except for the tender submitted by Galbraith Construction Ltd., which was found to contain a mathematical error. The error was corrected in accordance with Division 2 – Instructions to Tenderers and Tendering Procedures, paragraph 2.11,u),(ii) and the corrected amount is presented in this report. Staff believe that Terraex Inc., the low tenderer, possesses the necessary resources and ability to successfully complete the project. Therefore, staff recommend accepting their tender.

FINANCIAL IMPLICATIONS

The City has approved funding for this project under the 2024 Utility Fund Capital Program budget. The following table illustrates the approved funding amounts within the Utility Fund Capital programs.

Capital Year	Project Description	Other Share	Utility Share
2024	WWPS Kennedy Street: Retrofit lift station above flood level to provide for reliable collection of wastewater, including design and construction management services. Utility Share includes an allowance for land costs, if required. Project to be partially funded under DMAF funding.	\$260,000	\$440,000
Total		\$260,000	\$440,000

Assuming award of the Contract to the low tenderer, an analysis was completed which includes the estimated amount of work that will be performed by the Contractor and Others.

The analysis is as follows:

Budget Envelope	\$ 700,000.00
Project net cost	<u>\$ 863,863.51</u>
Variance (Shortfall)	\$ 163,863.51

The project budget funding for this project is 60% City share and 40% Other Share (Disaster Mitigation Adaptation Funding (DMAF)). In order to maximize the usage of available DMAF funding 40% of the project net cost will be paid for by Other Share funding \$345,545.40. The \$345,545.40 (\$863,863.51 – \$518,318.11) in Other Share funding will come from the overall DMAF funding envelope which includes raising or moving 9 lift stations. The City will be utilizing all available DMAF funding to complete the lift station projects until the Other Share funding is fully expended. Since the DMAF funding agreement was signed in 2019 actual project costs compared to what was estimated for each project at the time of the funding application is quite different (i.e. costs much higher now). Once the Other share funding is fully utilized then the City will be responsible for 100% of the costs to complete the remaining lift station projects. It should be noted that if this project is award there will be very little Other Share funding left within this DMAF program. The Utility shortfall is \$78,318.11 (\$518,318.11 - \$440,000). This shortfall will be addressed through reallocating funding from the Engineering Investigation and Design Project (24WC16) to the Kenndy Street Lift Station project (24WC11).

POLICY – TENDERING OF CONSTRUCTION CONTRACTS

The recommendation in this report is made in accordance with the provisions of Council’s policy for the tendering of construction contracts, the City’s General Specifications, and the specific project specifications.

STRATEGIC ALIGNMENT

This report aligns with the City's Priorities of **GROW** by investing in key infrastructure upgrades and **PERFORM** by adhering to plans, policies, procedures, and best practices with respect to managing the City's infrastructure assets.

SERVICE AND FINANCIAL OUTCOMES

The reconstruction of the Kennedy Street Sanitary Lift Station will ensure that rising water levels, as a result of climate change, will not damage nor negatively impact the future operation of this asset.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

The tendering process for this project was completed in accordance with the City's Strategic Procurement Policy and Supply Chain Management supports the recommendation being put forth.

Finance also reviewed the report to ensure the DMAF Funding requirements were adhered to and the adjustment of funding for this project adhered to Capital budget policy.

ATTACHMENTS

N/A



PROCLAMATION

- WHEREAS:** The Moose Hide Campaign is an Indigenous-led, grassroots movement of men, boys and all Canadians standing up to end violence against women, children and all those along the gender continuum and;
- WHEREAS:** The Moose Hide Campaign was founded along the 'Highway of Tears' in British Columbia in response to the injustices and violence faced by many women and children in Canada, particularly those who are Indigenous;
- WHEREAS:** Intimate Partner Violence (IPV) is at epidemic proportions across Canada with more than 4 in 10 women having experienced it in their lifetime, and this reality is worse for Indigenous women who are twice as likely to experience violence from their current or former partners;
- WHEREAS:** The Moose Hide Campaign has distributed over five million moose hide pins that each spark five conversations about issues of violence against women, children and all those along the gender continuum;
- WHEREAS:** Wearing the moose hide pin demonstrates a commitment to honour, respect and protect the women and children in your life, end gender-based violence and take meaningful action towards reconciliation with Indigenous peoples;
- WHEREAS:** Participation in the Moose Hide Campaign is a concrete action for all citizens to address the legacies of colonization, residential schools and the reality of more than 1,200 missing or murdered women in Canada;
- WHEREAS:** Engagement with the Moose Hide Campaign aligns with the United Nations Declaration on the Right of Indigenous Peoples (UNDRIP), the Truth and Reconciliation Commission's Calls to Action, and the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG2S+).

NOW THEREFORE: I, ***Mayor Donna Noade Reardon***, of ***Saint John***, do hereby declare Thursday, May 15th, 2025 as Moose Hide Campaign Day in The City of Saint John.

In witness whereof I have set my hand and affixed the official seal of the Mayor of the City of Saint John.





PROCLAMATION

- WHEREAS:*** the Government of Canada recognizes the week of May 11-17, 2025, as National Police Week; and
- WHEREAS:*** the Saint John Police will be recognized as providing exemplary leadership and service reflective of the public safety needs of the community to enhance the quality of life; and
- WHEREAS:*** the Saint John Police has grown to be a modern and scientific law enforcement body, which increasingly provides a vital public service; and
- WHEREAS:*** every day, our law enforcement officers render dedicated service to our community; and
- WHEREAS:*** it is important that all citizens know and understand the problems, duties and responsibilities of their police force, recognize their duty to serve the people by safeguarding life and property, by protecting them against deception and the weak against oppression or intimidation.

NOW THEREFORE: I, ***Mayor Donna Reardon***, of ***Saint John*** do hereby proclaim the week of May 11 to May 17, 2025, as “**National Police Week**”, in honour of those whose dedication, professionalism and significant daily contribution keep our citizens and communities safe.

In witness whereof I have set my hand and affixed the official seal of the Mayor of the City of Saint John.





The City of Saint John

PROCLAMATION

WHEREAS: Public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of Saint John; and,

WHEREAS: These infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS: It is in the public interest for the citizens, civic leaders, and children in Saint John to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities.

WHEREAS: The year 2025 marks the 65th annual National Public Works Week.

WHEREAS: All citizens are urged to join with representatives of the Canadian Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

NOW THEREFORE: I, ***Mayor Donna Noade Reardon***, of ***Saint John*** do hereby proclaim the week of May 18 - 24, 2025 as National Public Works Week in The City of Saint John.

In witness whereof I have set my hand and affixed the official seal of the Mayor of the City of Saint John.



Staff Recommendation for Council Resolution

Property: 6 Douglas Avenue

Public Hearing, 1st and 2nd Reading: May 5, 2025

Item	Required: (Y/N)	Recommendation
Municipal Plan Amendment	No	
Zoning By-Law Amendment	Yes	That Common Council give 1 st and 2 nd reading to an Amendment to the Zoning By-law which rezones a parcel of land having an area of approximately 611 square metres, located at 6 Douglas Avenue, also identified as PIDs 00368910 and 00368902, from Neighbourhood Community Facility (CFN) to Urban Centre Residential (RC) .
Other	No	

Tentative 3rd Reading: May 20, 2025

Item:	Required: (Y/N)	Recommendation
Municipal Plan Amendment	No	
Zoning By-Law Amendment	Yes	That Common Council give 3rd reading to an Amendment to the Zoning By-law which rezones a parcel of land having an area of approximately 611 square metres, located at 6 Douglas Avenue, also identified as PIDs 00368910 and 00368902, from Neighbourhood Community Facility (CFN) to Urban Centre Residential (RC) .
Recission of Previous s. 39/s. 59 Conditions	No	
Section 59 Conditions	No	
Section 59 Agreement	No	
Section 131 Agreement	No	

Other	No	
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PLANNING ADVISORY COMMITTEE



The City of Saint John

April 17, 2025

Her Worship Mayor Donna Noade Reardon and
Members of Common Council

Your Worship and Councillors:

SUBJECT: Rezoning Application for 6 Douglas Avenue

On April 7, 2025, Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its April 15, 2025 meeting.

Yeva Mattson, Planner with Growth and Community Services, appeared before the Committee and provided an overview of the proposed Rezoning. Responding to questions from the Committee regarding design and character, she clarified that final details are determined at the permitting stage but due to the age of the building being proposed for adaptive reuse, the design matches the surrounding built character.

Jill Higgins, the applicant, appeared to speak in favour of the application and agreed with staff recommendation.

Nancy Simard, a resident on Clarendon Street, appeared to speak in opposition to the application. She expressed concerns about increased on-street parking and traffic congestion, as well as the challenges posed to snow plowing during the winter months. Additionally, she highlighted concerns related to the unlit crosswalk at the intersection of Douglas Avenue and Main Street, describing it as a hazard.

April Roy, a resident on Clarendon Street, appeared before the Committee to speak in opposition to the application. She raised concerns about the limited availability of on-street parking for current residents and noted that side streets like hers are often a low priority for snow plowing. She also expressed worry that the proposed site's proximity to an intersection could lead to hazardous traffic situations.

Hamid Khoda Bakhsh, a resident in the area, appeared before the Committee to speak neither in favour nor opposition. He stated the City needs housing but that he had questions concerning the size of the units and if the church would be demolished. He suggested providing floor plans to the public would better help them understand if the application should be supported.

The landowners, Deanna Addams and Ann Monich, appeared virtually to speak in favour of the application.

When questioned by the Committee, Jill Higgins clarified that the project is market housing and will largely be one-bedroom units. Responding to parking and traffic concerns, she reiterated that the site sits near various transit and active transportation routes

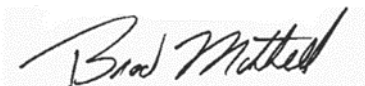
Staff responded to questions regarding traffic and parking on Douglas Avenue, explaining that during the circulation of the application, the relevant departments did not raise any comments or concerns. They also clarified that Main Street is currently undergoing a redesign, and any concerns related to the intersection can be forwarded to the team managing that project.

No other members of the public appeared before the Committee to speak on this item. 3 letters were received, two in opposition and one in support.

RECOMMENDATION:

1. That Common Council rezone a parcel of land having an area of approximately 611 square metres, located at 6 Douglas, also identified as PID 00368910 and 00368902, from **Neighbourhood Community Facility (CFN)** to **Urban Centre Residential (RC)**.
2. That staff relay parking and traffic concerns to the relevant City Departments.

Respectfully submitted,



Brad Mitchell
Chair

Attachments



The City of Saint John

Date: April 11, 2025
To: Planning Advisory Committee
From: Growth & Community Services
Meeting: April 15, 2025

SUBJECT

Applicant: Jill Higgins
Landowner: Ann Monich and Deanna Adams
Location: 6 Douglas Avenue
PIDs: 00368910 and 00368902
Plan Designation: Medium to High Density Residential
Existing Zoning: Neighbourhood Community Facility (CFN)
Proposed Zoning: Urban Centre Residential (RC)
Application Type: Rezoning
Jurisdiction: The *Community Planning Act* authorizes the Planning Advisory Committee to give its views to Common Council concerning proposed amendments to the Zoning By-law. Common Council will consider the Committee's recommendation at a public hearing on **Monday, May 5, 2025.**

EXECUTIVE SUMMARY

The applicant seeks to rezone 6 Douglas Avenue from Neighborhood Community Facility (CFN) to Urban Centre Residential (RC) to convert a former institutional building into a 15–18 unit residential development, including an addition south of the existing structure. Approval of the application is recommended.

RECOMMENDATION

1. That Common Council rezone parcels of land having an area of approximately 611 square metres, located at 6 Douglas Avenue, also identified as PIDs 00368910 and 00368902, from **Neighbourhood Community Facility (CFM)** to **Urban Centre Residential (RC)**.

DECISION HISTORY

There is no decision history on this site.

ANALYSIS

Proposal

The applicant is proposing to rezone the subject site to Urban Centre Residential (RC) to allow for the conversion of the former place of worship building into a multi-unit residential development. The rezoning would allow for the creation of 15-18 units within the existing structure and a proposed three storey addition. This development would include exterior green space for residents and associated parking.

Site and Neighbourhood

The subject site is located on Douglas Avenue, which is identified as a character corridor within the Municipal Plan. This corridor is noted for its attractive mix of historic homes, which coincides with the Douglas Avenue Heritage Conservation Area. The subject site, while not a designated heritage property, contains a former place of worship which was built in 1900.

The surrounding neighbourhood is a mixture of residential, institutional, and commercial uses. The residential sites are zoned Urban Centre Residential (RC) and Mid-Rise Residential (RM), which allows for a diverse range of residential building typologies including apartment buildings, townhouses and converted heritage buildings. Commercial properties are zoned General Commercial (CG), Mixed Commercial (CM) and Business Park Commercial (CBP) which supports a variety of commercial uses and mixed-use developments. The Neighbourhood Community Facility (CFN) zone is also located throughout the area and includes places of worship, community spaces, service clubs and crisis care facilities.

The subject site is well served by Saint John Transit and is served by Routes 1, 3, 9, 15, and 23, with transit stops for Route 1 located directly outside of the existing building and transit stops for Route 3, 9, 15, and 23 within 125 metres of the property. The transit routes provide residents with broad access to locations across the City including Lancaster Mall, the East Side shopping centres, Uptown, the University and the Regional Hospital.

Both sides of Douglas Avenue include sidewalks, which supports pedestrian movement and connects to the wider pedestrian and crosswalk network. The site is also located less than 200 meters from a bike route that links the University to the Uptown.

Municipal Plan and Rezoning

Municipal Plan

The site is designated as Medium to High Density Residential in the Municipal Plan. The proposal conforms to the policies established within the Municipal Plan, which supports the provision of higher density housing forms.

The most relevant policy for this application is LU-46:

Policy LU-46 Achieve a minimum gross residential density per hectare in lands designated Medium to High Density of 45 units per net hectare. Density shall not be calculated on a property by property basis but shall be calculated in the Intensification Area as a whole

The density target for this area is 45 units per net hectare to be calculated for the entire intensification area, not on a property-by-property basis. The proposed adaptive reuse of an institutional building to a residential structure helps increase the overall neighbourhood density while also maintaining the historic built form noted on this character corridor.

Other relevant Municipal Plan policies include urban design principles for Intensification Areas:

Policy UD-11 Ensure that new development and significant redevelopment in Neighbourhood Intensification Areas and Primary Centres will be designed to enhance the surrounding public realm and to complement the existing context while providing opportunities for intensification, where appropriate

The proposal represents an opportunity to support additional density while retaining the community character, as the proposed development utilizes an existing building which conforms to the neighbourhood context for scale, massing, and height. As part of the site redevelopment, new landscaping will be introduced which will benefit the public realm and enhance underutilized portions of the site.

From the analysis of the proposed development for alignment with the Municipal Plan Policies (Attachment 2), staff are of the opinion that the proposed development achieves the intent of the Municipal Plan based on the proposed residential use.

Zoning

The Urban Centre Residential (RC) zone accommodates a range of medium to high density residential uses ranging from single-detached dwellings to multi-unit buildings. The RC zone is one of the main residential zones found in the area and is found predominately in the Central Peninsula and the North End. The zone supports the more compact, urban development form found in our older residential neighbourhoods, including the use of minimal front yard setbacks. The RC zone will facilitate the site's redevelopment into a residential development.

As this proposal is for the adaptive reuse of an existing structure, the site is constrained by the existing built form. Due to the existing site development, a Development Officer Variance will be required to reduction the onsite parking to 9 parking spaces. Final assessment of the site for

variances, including the reduction to onsite parking, will occur once the detailed design of the project has been completed and the applicant has finalized the unit count for the project. This will enable staff to confirm the scale of the variances and identify if any additional variances may be required for the project. Overall, the proposed development largely aligns with the regulations established for the RC zone within the City's Zoning By-law.

Conclusion

The proposed rezoning to permit the development of 15-18 residential units in an existing institutional building with a small addition, aligns with the policies established in the City's Municipal Plan and conforms to the City's Zoning By-law with minimal variances. The proposed rezoning will facilitate the use of the property as a multi-unit residential building that conforms with the established uses and building form of the neighbourhood. Staff are recommending approval of the rezoning.

ALTERNATIVES AND OTHER CONSIDERATIONS

No alternatives were considered.

ENGAGEMENT

In accordance with the Committee's Rules of Procedure, notification of the proposal was sent to landowners within 100 metres of the subject property on April 2, 2025. The public hearing notice will be posted on the City of Saint John website on April 14, 2025.

APPROVALS AND CONTACT

Manager	Director	Commissioner
Jennifer Kirchner , RPP, MCIP	Pankaj Nalavde , RPP, MCIP	Amy Poffenroth , P.Eng., MBA

Contact: Yeva Mattson, RPP, MCIP
Telephone: (506) 721-8453
Email: yeva.mattson@saintjohn.ca
Application: 24-0326

APPENDIX

Map 1: **Aerial Photography**

Map 2: **Future Land Use**

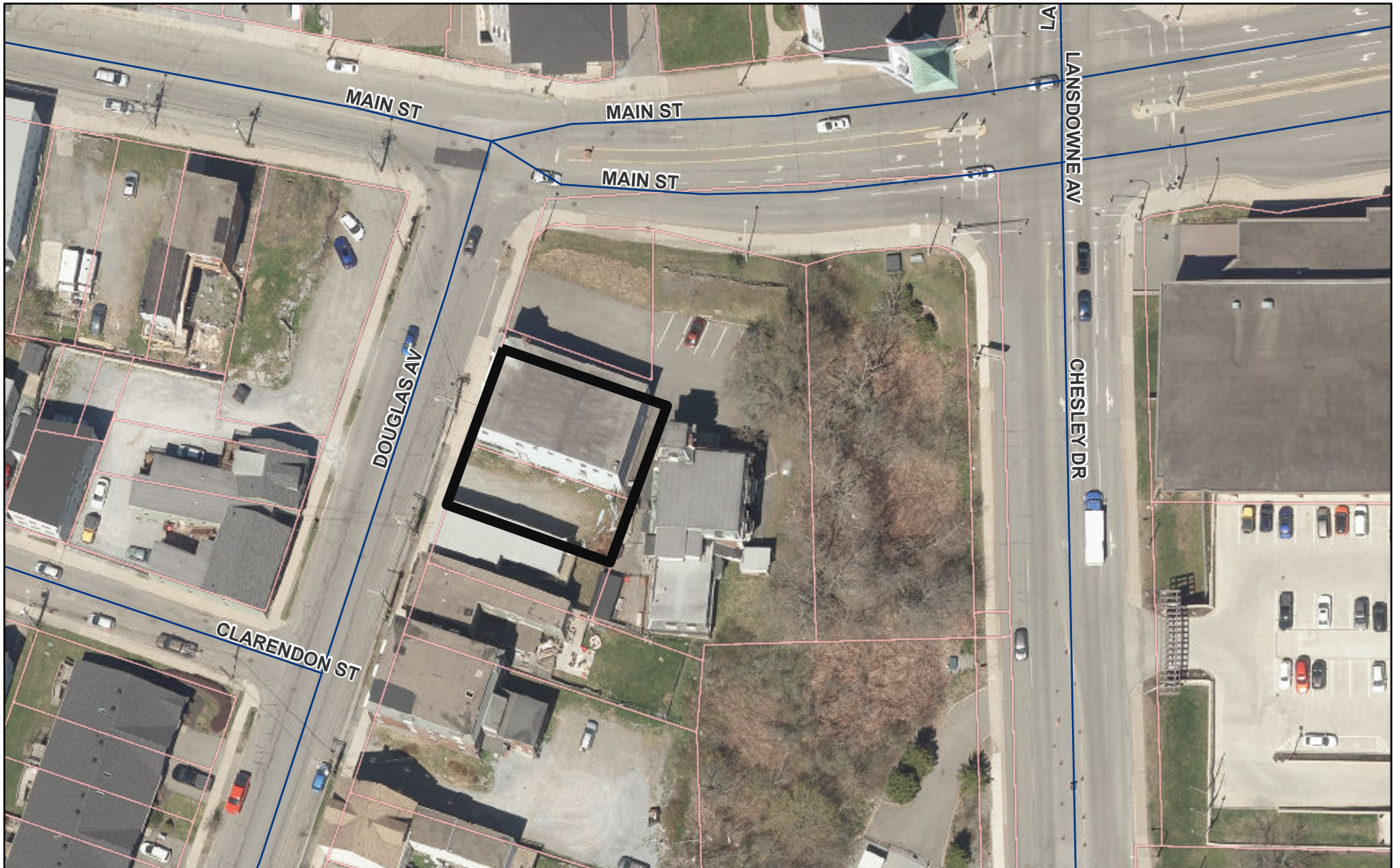
Map 3: **Zoning**

Attachment 1: **Site Photography**



Attachment 2: **Municipal Plan Policy Review**

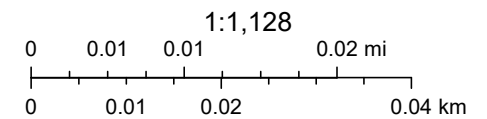
Submission 1: **Site Plan**

6 Douglas Avenue



4/1/2025

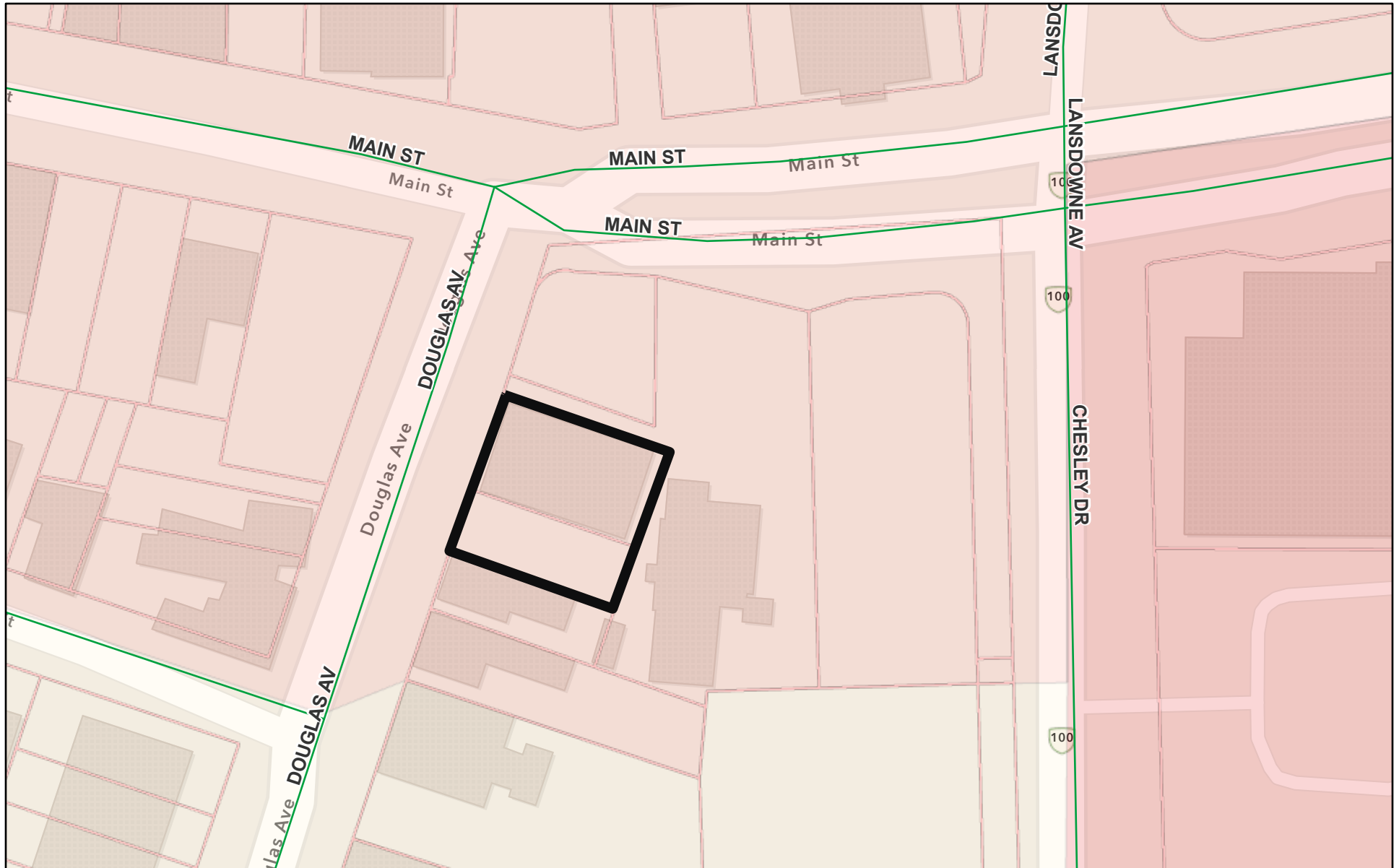
-  Property Parcels
-  Subject Site



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community,
The City of Saint John, Service New Brunswick, New Brunswick Emergency


GIS Viewer
(C) City of Saint John

6 Douglas Avenue - Future Land Use






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Lines

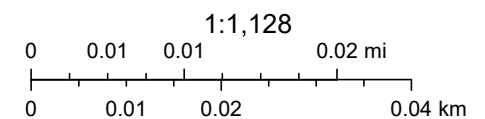
 Subject Site

 Property Parcels

Future Land Use

-  Medium to High Density Residential
-  Business Centre
-  Stable Residential

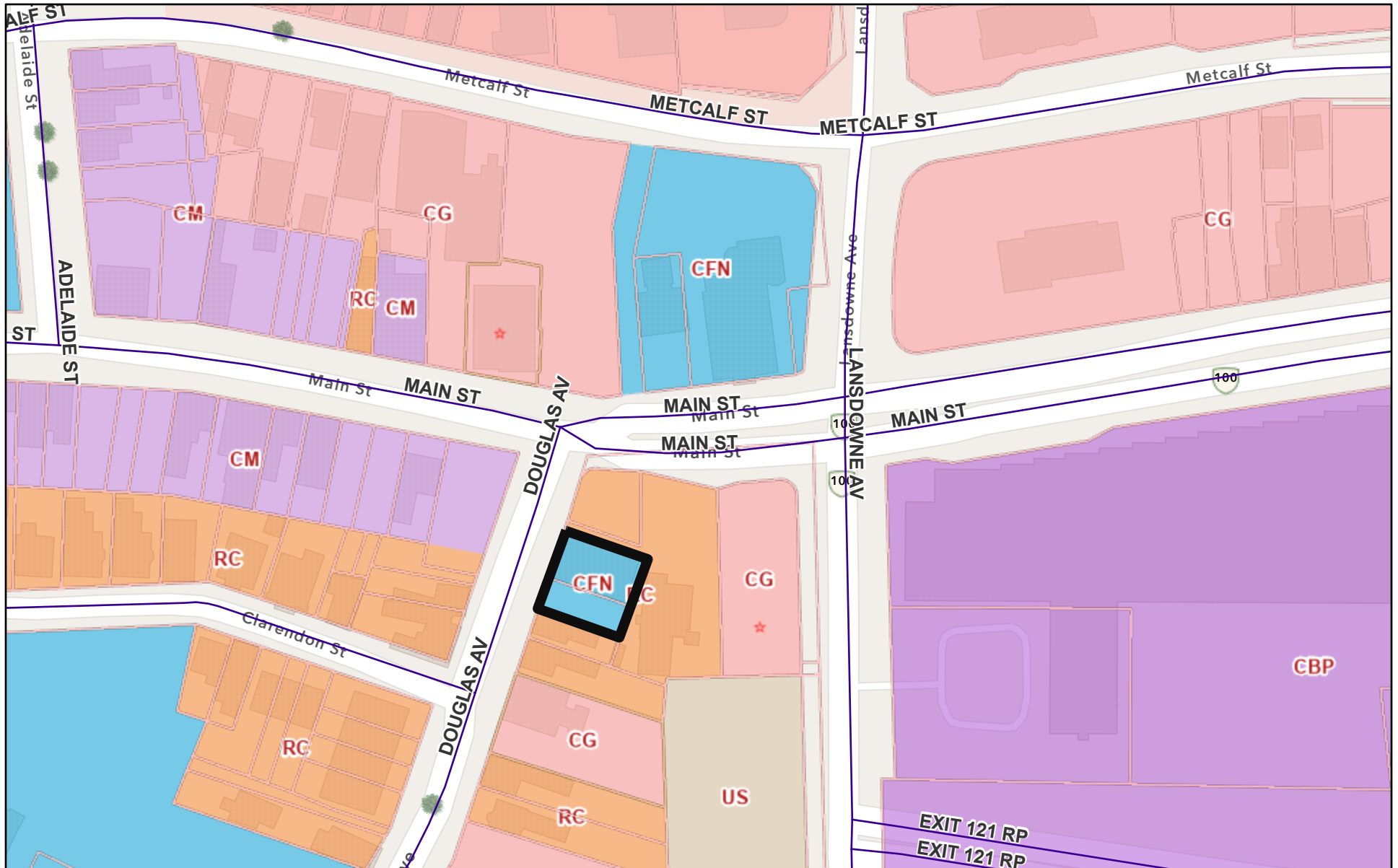
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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

GIS Viewer
(C) City of Saint John

6 Douglas Avenue - Zoning

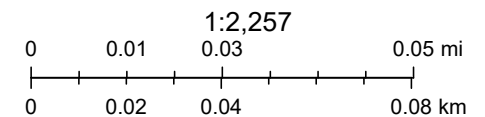


4/1/2025

Zoning

- Subject Site
- Property Parcels

- | | |
|--|---|
| Urban Centre Residential (RC) | Business Park Commercial (CBP) |
| General Commercial (CG) | Mixed Commercial (CM) |
| Utility Service (US) | |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

ATTACHMENT 1: SITE PHOTOGRAPHY



Subject site – location of proposed addition would be to the right of the existing institutional building



Subject site – parking would be located in the current parking area to the left of the building. This ware would see landscaping improvements

Attachment 2: Municipal Plan Policy Review – 6 Douglas Avenue

Municipal Plan	6 Douglas Avenue
<p>Policy LU-45 Within the Medium to High Density designation, permit a range of housing types with an emphasis on the provision of higher density housing forms such as apartment, condominium, and townhouse units. Nothing in the Municipal Plan, however, shall be interpreted to prohibit lower density forms of residential development in this designation, provided that minimum residential density targets have been met for the Intensification Area as a whole. Other compatible uses may be permitted in the Medium to High Density designation without amendment to the Municipal Plan including, but not limited to convenience stores, home occupations, neighbourhood retail uses, parks, and community facilities</p>	<p>The proposed rezoning could support the conversion of a former place of worship into a multi-unit residential development. The proposed conversion of the site into residential aligns with the Plan designation for the area which supports a range of medium to high density residential uses.</p>
<p>Policy LU-46 Achieve a minimum gross residential density per hectare in lands designated Medium to High Density of 45 units per net hectare. Density shall not be calculated on a property by property basis but shall be calculated in the Intensification Area as a whole.</p>	<p>The proposed development will convert a vacant former place of worship into a multi-unit residential development containing 15-18 dwelling units. The development will retain the existing structure and will incorporate a small addition to the existing structure.</p> <p>Based on the size of the subject site and the proposed unit count, the development aligns with the minimum gross residential density and will help support the overall density of the Intensification Area.</p>
<p>Policy UD-9 Ensure all development proposals generally conform to the following General Urban Design Principles:</p> <p>a. That new development respect and reinforce the existing and planned context in which it is located through appropriate setbacks, landscaping, buildings entrances, building massing, architectural style and building materials. Specifically, the built form of new development shall be designed to achieve the following objectives for specific areas of the City:</p>	<p>a. The proposed development will retain the existing place of worship building and utilize it as a key component of the site redevelopment. The existing building, constructed in 1900, forms part of the established streetscape of Douglas Avenue with its minimal front yard setbacks and massing that is comparable to nearby three-storey residential buildings.</p>

<p>i. In the Primary Centre and Neighbourhood Intensification Areas, as identified on the City Structure map (Schedule A), new development will be located and organized to frame and support the surrounding public realm and massed to fit harmoniously into the surrounding environment, including appropriate transitions in height and massing to areas of lower intensity development, as set out in Policy UD-11.</p> <p>b. Locating building entrances facing the public street;</p> <p>c. Designing sites to incorporate existing natural features and topography;</p> <p>d. Designing sites to protect, create and/or enhance important view corridors to the water or landmark sites or buildings;</p> <p>e. Incorporating innovations in built form, aesthetics and building function to encourage high quality contemporary design that will form the next generation of heritage;</p> <p>f. Where appropriate and desirable, encouraging active pedestrian-oriented uses and a high level of transparency at grade to reinforce and help animate the public realm;</p> <p>g. Not applicable</p> <p>h. Using quality, durable building materials and a consistent level of design and detail for all elements of the building;</p> <p>i. Designing for visual interest by incorporating well-articulated building façades, landscaping, local history, public art and/or culture into sites and buildings;</p>	<p>b. The existing building incorporates a main entrance facing Douglas Avenue which is accessible by an exterior staircase. The rendering for the residential conversion proposes the relocation of the main entrance to the north elevation of the structure, which would allow for the development of a barrier free entrance. A front entrance is being proposed for the new three storey addition.</p> <p>c & d. The subject site contains and existing development established in 1900. The subject site does not contain any notable natural features that will be impacted by the proposed development nor will the proposed redevelopment impact any view corridors in the area.</p> <p>e, h, & i. The existing 1900 building will retain many of its architectural features including the church steeple and the decorative cornice work along the roofline. Exterior changes will predominantly be connected to the building entrances and windows, to support the conversion of the building from an institutional building into a multi-unit residential building.</p> <p>k. The proposed development is considered an adaptive reuse of an existing building. The proposed conversion of a vacant place of worship to a residential building represents a sustainable building practice.</p>
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<p>j. Not applicable</p> <p>k. Encouraging sustainability in design by:</p> <ul style="list-style-type: none"> i. Utilizing reused, recycled, renewable or local building materials where possible; ii. Using green building or neighbourhood standards; iii. Designing for energy efficiency and alternative sources of energy; iv. Designing for water conservation and on-site stormwater management; vi. Designing sites and buildings to work with, rather than against, the natural environment by designing according to the topography, hydrology, ecology, and natural drainage patterns of the site and taking advantage of passive solar gain and natural light; and vii. Using native vegetation for landscaping where appropriate. <p>l. Not applicable.</p> <p>m. Locating and screening parking and loading facilities so they are generally not visible from the street, particularly in Centres and Neighbourhood Intensification Areas;</p> <p>n. Limit surface parking between the front of a building and the public street or sidewalk;</p> <p>o. Design safe and direct access to buildings for pedestrians, cyclists, and transit users by providing walkways from the public</p>	<p>m, n & q. Surfacing parking is located on PID 55085757, which is a portion of the overall development site located at the corner of Main Street and Douglas Avenue. The site is zoned Urban Centre Residential and will continue to be utilized for parking as part of the redevelopment of the site.</p> <p>The proposed redevelopment will incorporate additional landscaping along Douglas Avenue and along the corner of Douglas Avenue and Main Street.</p> <p>f, o & p. The existing sidewalk network along Douglas Avenue provides safe access to the existing building and the adjacent transit stop. The site is also served by cross-walks at the Douglas Avenue and Main Street intersection. As this building will require accessible units, the proposed building entrance will provide barrier free access into the building and to the barrier free parking space.</p>
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<p>street, transit stops, and parking areas to main building entrances and including bike parking and end-of-trip facilities, where appropriate, and mid-block connections where possible;</p> <p>p. Design sites and building accesses that are barrier-free, convenient and have clear signage; and</p> <p>q. Generally locating surface parking, outdoor storage, loading and other service areas at the rear or side of the property and buffering or screening these functions from adjacent properties and the public realm.</p>	
<p>Policy UD-10 Ensure that new development and redevelopment in Stable Areas is designed to respect and reinforce the physical character and uses of the surrounding neighbourhood, having regard for:</p> <p>a. The local pattern of lots, streets and blocks;</p> <p>b. The size and configuration of lots;</p> <p>c. Nearby building types;</p> <p>d. The height, scale and massing of nearby buildings;</p> <p>e. The setback of buildings from the street;</p> <p>f. The pattern of rear and side yard setbacks;</p> <p>g. Sensitive integration with and enhancement of adjacent heritage properties; and</p> <p>h. Building materials which contribute to the successful integration of the development into its context.</p>	<p>The existing building, constructed in 1900, conforms to the neighbourhood context for scale, massing, and height as established through the historic built form and retention of original buildings. The small addition and improvements to the existing site will conform with the surrounding area, enhance the streetscape along Main Street and Douglas Avenue and will align with the design requirements in the RC zone.</p>
<p>Policy UD-11</p>	

<p>Ensure that new development and significant redevelopment in Neighbourhood Intensification Areas and Primary Centres will be designed to enhance the surrounding public realm and to complement the existing context while providing opportunities for intensification, where appropriate. Development will demonstrate due consideration to:</p> <p>a. Designing sites and buildings for people as the primary focus and with setbacks that are generally consistent with those of adjacent buildings;</p> <p>b. Creating animated, active streetscapes with interesting façades and human scale buildings and setbacks, particularly at the street level. Within the Uptown and other Urban Neighbourhood Intensification Areas, development should generally establish a human scale street wall with an appropriate ratio between the street wall height of the building and the width of the street;</p> <p>c. Where appropriate, ensure heritage streetscapes and Heritage Conservation Areas are reinforced with compatibly scaled and designed development;</p> <p>d. Providing active ground floor uses and avoiding blank façades. Along commercial streets in the Uptown Primary Centre in particular, commercial uses shall be strongly encouraged at the ground floor of buildings with a high degree of transparency at grade to animate the public realm;</p> <p>e. Not applicable;</p> <p>f. Creating appropriate transitions in scale and height to areas of lower intensity;</p>	<p>a. The existing building and the proposed addition conform to the neighbourhood context for scale, massing, and height.</p> <p>b & d. The proposed development will incorporate a front entrance, human scale-built form and will integrate enhanced landscaping along the street facing portions of the site. within the existing streetscape. The original entrance to the 1900 structure is being proposed for relocation to facilitate the development of an accessible entrance adjacent to the parking area.</p> <p>c. The subject site is located in proximity to the Douglas Avenue Heritage Conservation Area. The subject site, which is not a heritage property, contains a former church constructed in 1900. The proposed adaptive reuse of the former place of worship, including the proposed addition, aligns with the overall character of this street and would be compatible with the heritage properties located in the broader neighbourhood.</p> <p>f. The existing building conforms to the surrounding context of height.</p> <p>h. The entrance is set at the side of the building but does connect to the public street and sidewalk network.</p> <p>i. The proposed adaptive reuse of the structure will incorporate barrier free design including the establishment of a barrier free building entrance.</p> <p>j. Enhanced landscaping will be created in the front and side yard.</p>
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<p>g. Not applicable;</p> <p>h. Generally locating building entrances to connect directly to the public street network and clearly articulating the building entrance;</p> <p>i. Designing sites and buildings that are barrier-free, convenient and have clear signage;</p> <p>j. Promoting pedestrian comfort with appropriate landscaping, furniture, weather protection and buffers from vehicular traffic;</p> <p>k. Designing for active and alternative modes of transportation by providing convenient access to buildings from transit stops, including bicycle parking and end-of-trip facilities where appropriate, and mid-block pedestrian connections where possible;</p> <p>l. Designing sites and buildings to facilitate social interaction by including patios, courtyards, plazas, and sidewalk amenity space wherever possible to enliven the public or semi-public realm;</p> <p>m. Not applicable;</p> <p>n. Not applicable;</p> <p>o. Not applicable.</p>	<p>k. Multiple bus routes are located only 125 metres away by sidewalk with one route directly in front of the site.</p> <p>l. New landscaping and green areas will be created along the sidewalk for residents to help green the space and enliven the semi-public realm.</p>
<p>Policy UD-12 Ensure that in Neighbourhood Intensification Areas and Primary Centres, new development and significant redevelopment will locate and organize vehicle parking, access, and service areas to minimize their impact on surrounding properties and the public realm by:</p>	<p>The design meets this condition, largely through an existing shared access and improvements to the site. While parking is provided in front and to the side of the building, the parking placement represents a long-standing site condition based on the historic site layout.</p>

<p>a. Sharing services, including public and private driveways, parking, and service areas wherever possible and where zoning permits.</p> <p>b. Sharing and minimizing the width of driveways and curb cuts across sidewalks;</p> <p>c. Providing vehicle service areas within buildings where possible;</p> <p>d. Providing underground parking where possible;</p> <p>e. Generally locating surface parking to the side or rear of buildings;</p> <p>f. Generally locating surface parking, outdoor storage, loading and other service areas at the rear or side of the property and buffering or screening these functions from adjacent properties and the public realm;</p> <p>g. Integrating service connections, vents, mechanical rooms, and equipment within the architectural treatment of the building where possible; and</p> <p>h. Ensuring that parking areas, lobbies, service areas and stairwells are well-lit and visible from other locations, and clearly signed if they are not visible from the public street.</p>	
<p>Policy HS-2 Support the development of a wide range of housing types and forms of tenure in Neighbourhood Intensification Areas to redevelop and revitalize these neighbourhoods, in accordance with good land use planning principles.</p>	<p>The proposed adaptive reuse of a former institutional building into a residential structure will provide additional residential units that will bolster the rental housing market in the North End Intensification Area.</p>
<p>Policy I-2 In considering amendments to the Zoning Bylaw or the imposition of terms and conditions, in addition to all other</p>	

<p>criteria set out in the various policies of the Municipal Plan, have regard for the following:</p> <ul style="list-style-type: none"> a. The proposal is in conformity with the goals, policies and intent of the Municipal Plan and the requirements of all City bylaws; b. The proposal is not premature or inappropriate by reason of: <ul style="list-style-type: none"> i. Financial inability of the City to absorb costs related to development and ensure efficient delivery of services, as determined through Policy I-7 and I-8; ii. The adequacy of central wastewater or water services and storm drainage measures; iii. Adequacy or proximity of school, recreation or other community facilities; iv. Adequacy of road networks leading to or adjacent to the development; and v. Potential for negative impacts to designated heritage buildings or areas. c. Appropriate controls are placed on any proposed development where necessary to reduce any conflict with adjacent land uses by reason of: <ul style="list-style-type: none"> i. Type of use; ii. Height, bulk or appearance and lot coverage of any proposed building; iii. Traffic generation, vehicular, pedestrian, bicycle or transit access to and from the site; iv. Parking; v. Open storage; vi. Signs; and vii. Any other relevant matter of urban planning. 	<ul style="list-style-type: none"> a. This proposal aligns with residential land use policies as established in the City's Municipal Plan and conforms to all relevant zoning standards. b. The proposal is located on an existing lot in an established residential neighbourhood. The development will utilize existing infrastructure and will not have a negative impact on service provision. c. There are limited changes proposed for the exterior of the site, largely associated with the building entrances and windows. The design and scale of the existing building and the proposed addition will align with the established development pattern of the area.
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<ul style="list-style-type: none"> d. The proposed site is suitable in terms of steepness of grade, soil and geological conditions, locations of watercourses, wetlands and susceptibility of flooding as well as any other relevant environmental consideration; e. The proposal satisfies the terms and conditions of Policy I-5 related to timeframes and phasing of development; and f. The proposal meets all necessary public health and safety considerations. 	<ul style="list-style-type: none"> d. There are no proposed alterations to the topography of the site as part of this proposed development. e/f. The development meets these requirements.
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75% SCHEMATIC DESIGN PACKAGE



UNIT COUNT	
MAIN FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 2 UNITS
• 1 BEDROOM B.F. UNIT	= 1 UNIT
• 2 BEDROOM UNIT	= 2 UNIT
SECOND FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 3 UNITS
• 2 BEDROOM UNIT	= 2 UNIT
THIRD FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 3 UNITS
• 2 BEDROOM UNIT	= 2 UNIT
TOTAL UNITS	= 18 UNITS

LOCATION MAP:

Douglas Avenue

<u>CLIENT:</u>	752966 NB LTD.
<u>ARCHITECT:</u>	JH ARCHITECTURE INC.
<u>CONTRACTOR:</u>	JOHN FLOOD & SONS LTD.
<u>PID:</u>	00368910, 55086757 & 00368902
<u>PROJECT ADDRESS:</u>	6 DOUGLAS AVE, SAINT JOHN NB, E2K 1 E4
<u>CURRENT CITY ZONING:</u>	NEIGHBOURHOOD COMMUNITY FACILITY (CFN)
<u>PROPOSED CITY ZONING:</u>	URBAN CENTRE RESIDENTIAL (RC)
<u>BUILDING CODES:</u>	NBCC 2015 (PART 9) & NECB 2011
<u>AMALGAMATED SITE AREA:</u>	~ 10,882 SQFT (1011 SM)
<u>BUILDING FLOOR AREA:</u>	4167 SQFT (387SM)
<u>OCCUPANCY:</u>	GROUP C

A300 - PROPOSED ELEVATIONS

ELECTRICAL



PROJECT:
19-2024_6 DOUGLAS AVE
6 Douglas Avenue, Saint John, NB E2K 1E4

CONSULTANTS:

CIVIL:

STRUCTURAL:
R.A Lawrence Engineering LTD.
133 Prince William Street, Saint John, NB E2L 2B5

ELECTRICAL:

MECHANICAL:

CONSULTANT STAMP:

NOTES:

[illegible]

-	ISSUED FOR REZONE/ ONE STOP	12/03/2024
#	ISSUED FOR	MM/DD/YYYY

PROJECT NO:	19-2024
DATE:	12/03/2024
DRAWN BY:	JH
PHASE:	SCHEMATIC DESIGN

COVER

CHECKED BY: JH

SCALE: AS SHOWN

A001

PROJECT:
19-2024_6 DOUGLAS AVE
6 Douglas Avenue, Saint John, NB E2K 1E4

CIVIL:

STRUCTURAL:
R.A Lawrence Engineering LTD.
133 Prince William Street, Saint John, NB E2L 2B5

ELECTRICAL:

MECHANICAL:

CONSULTANT STAMP: _____

NOTES:

[illegible]

REV	REVISION DESCRIPTION	MM/DD/YYYY
-	REVISED FOR CLIENT COMMENTS	01/20/2025
-	REVISED FOR REZONE	01/17/2025
-	ISSUED FOR REZONE/ ONE STOP	12/03/2024
#	ISSUED FOR	MM/DD/YYYY

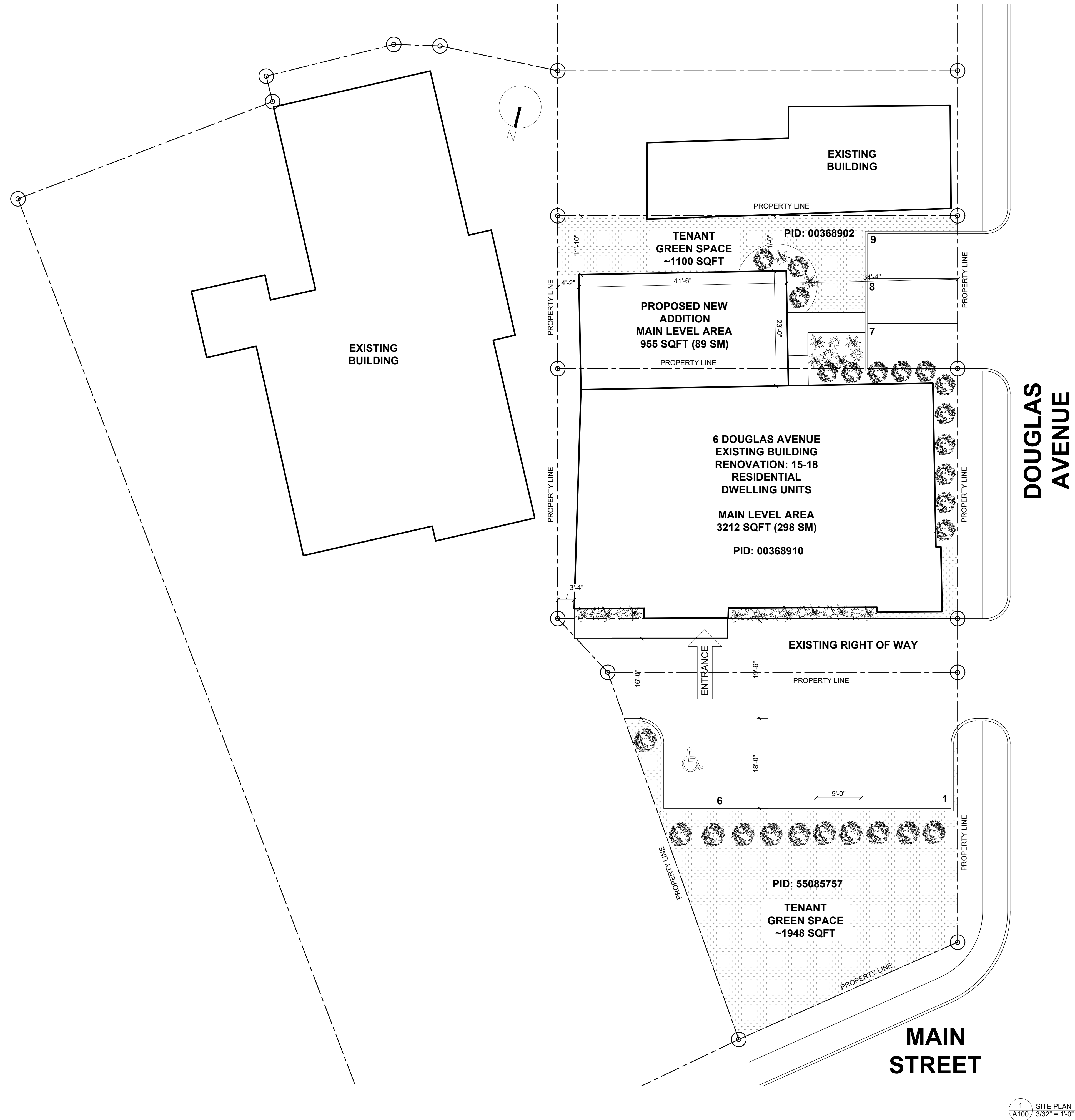
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DATE: 01/19/2025
DRAWN BY: JH
PHASE: SCHEMATIC DESIGN

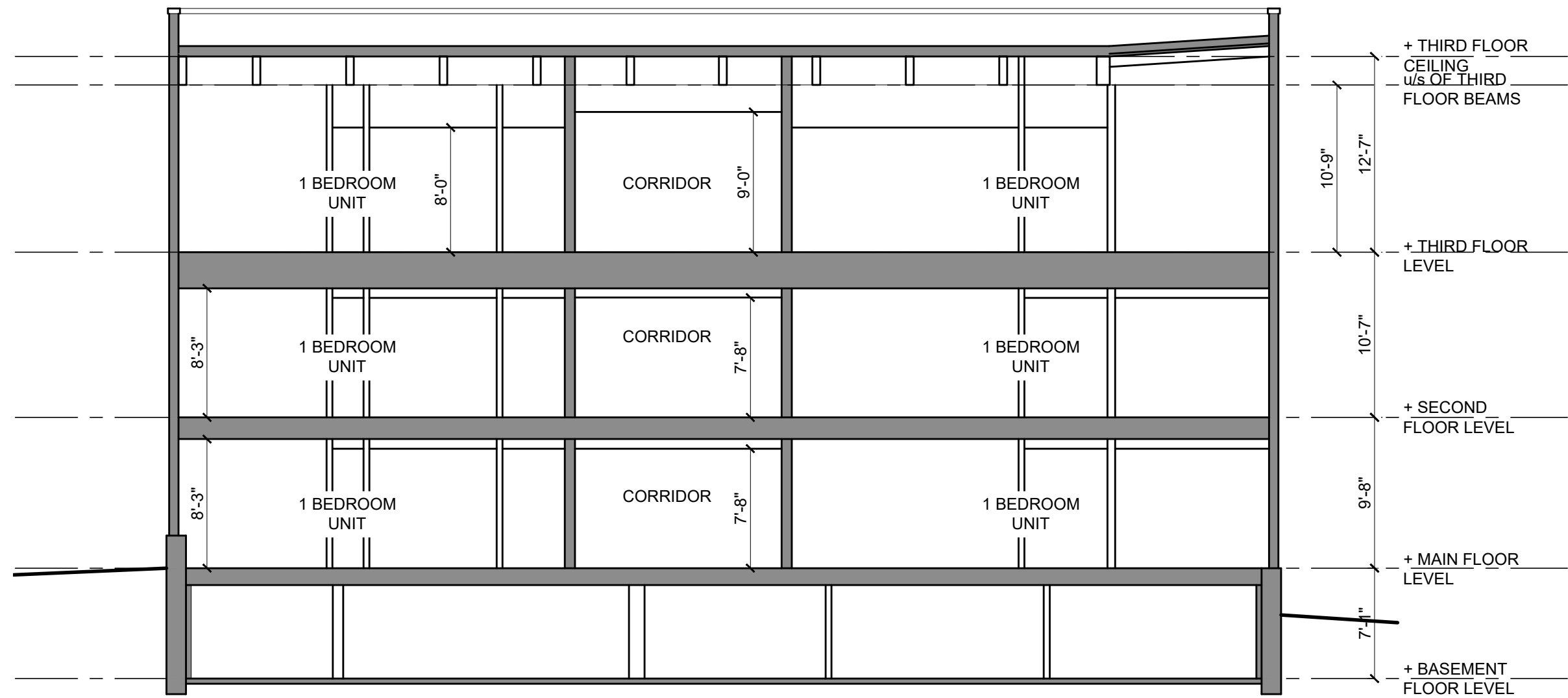
PROPOSED SITE PLAN

CHECKED BY: JH

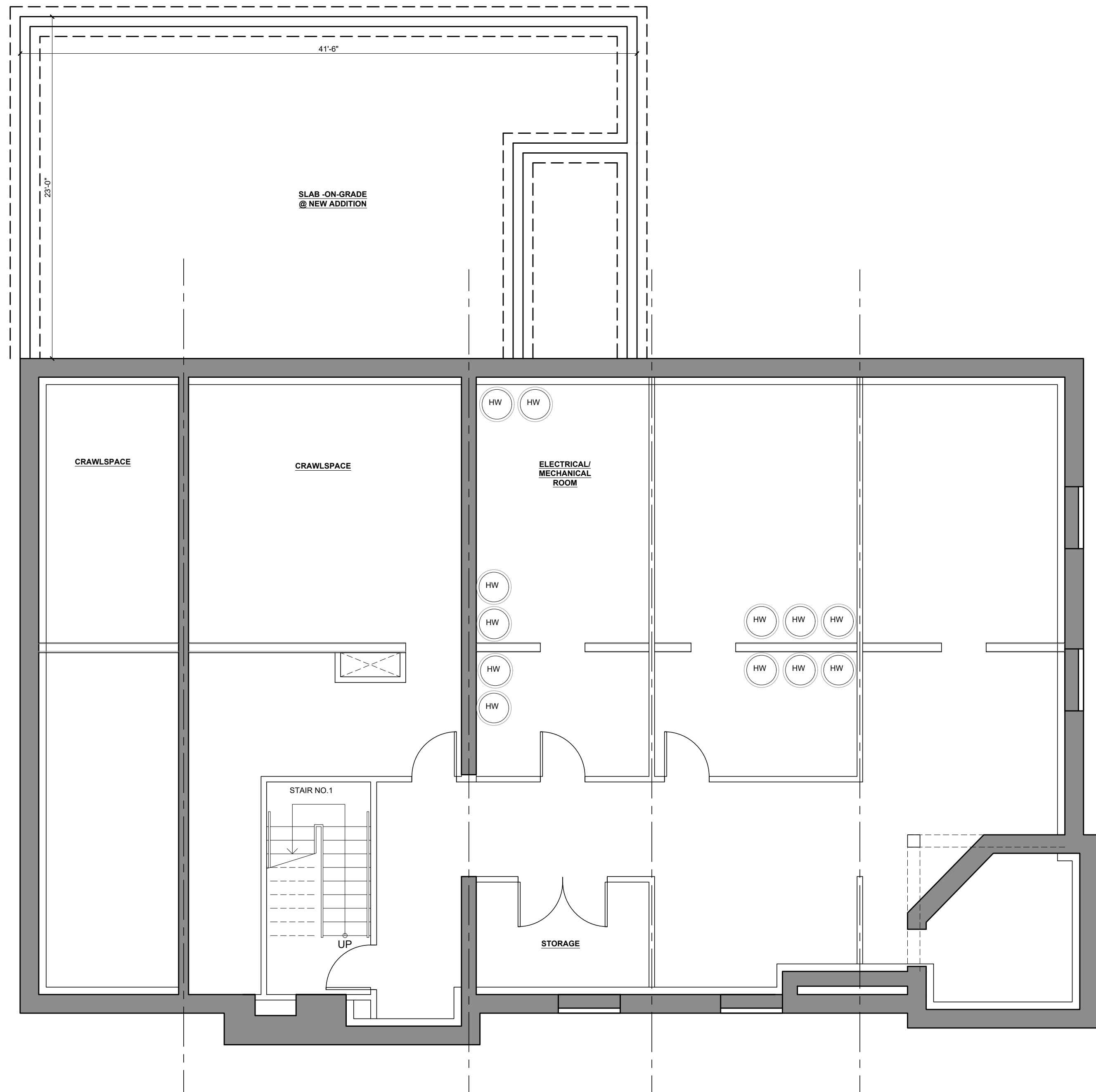
SCALE: AS SHOWN

A 100

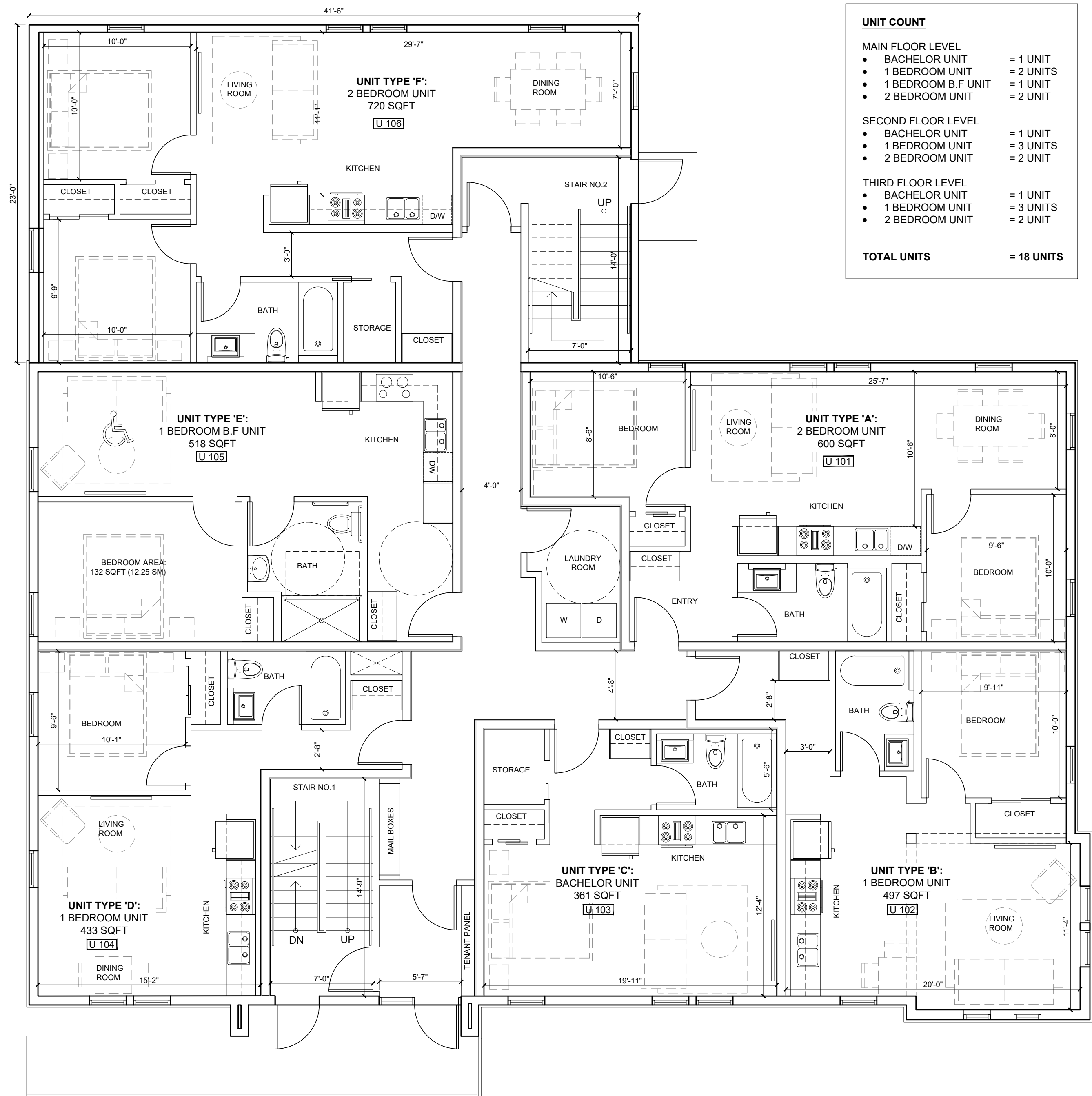




3 SKETCH SECTION
A200 1/8" = 1'-0"



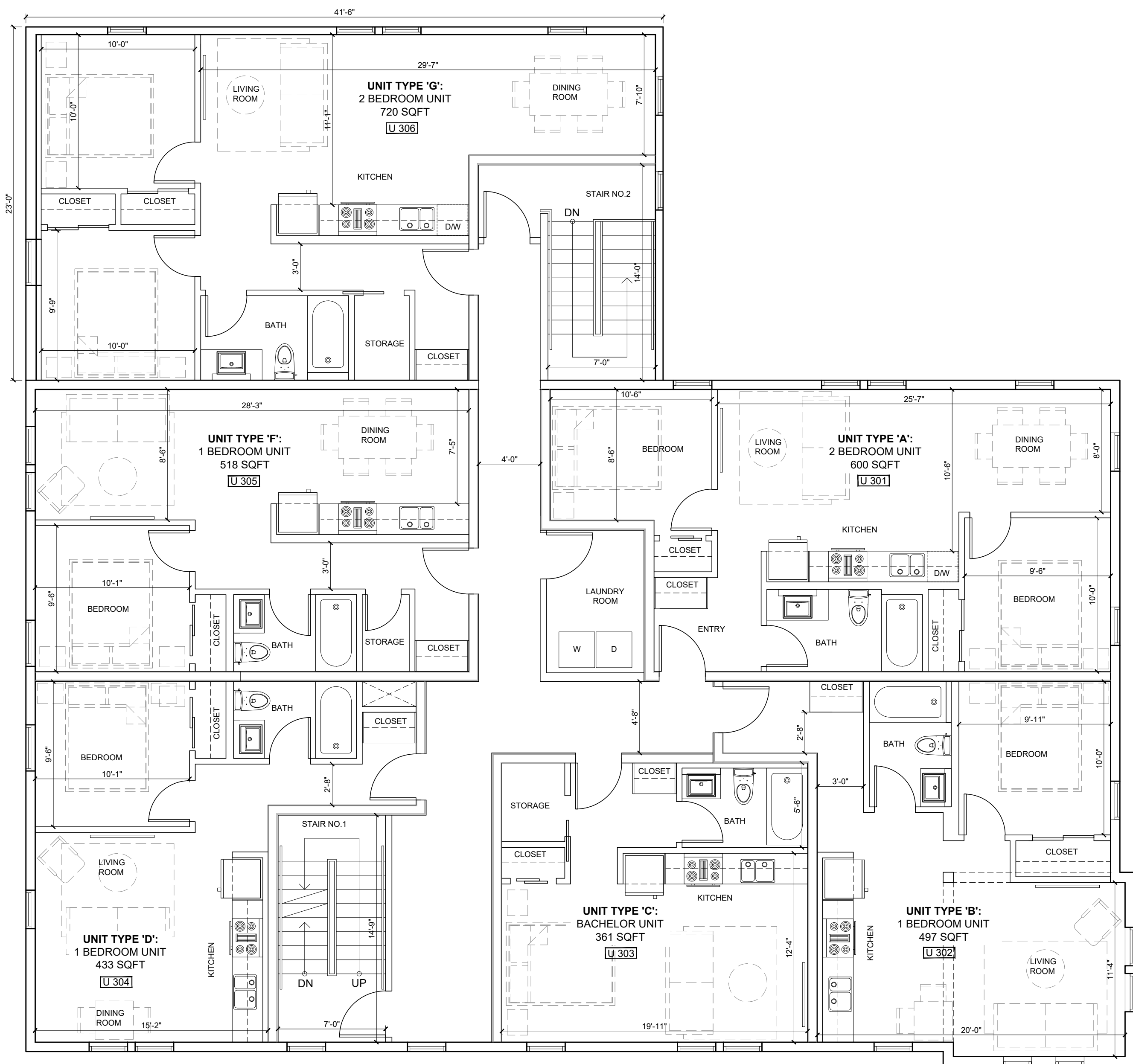
1 BASEMENT FLOOR PLAN
A200 3/16" = 1'-0"



2 MAIN FLOOR PLAN
A200 3/16" = 1'-0"

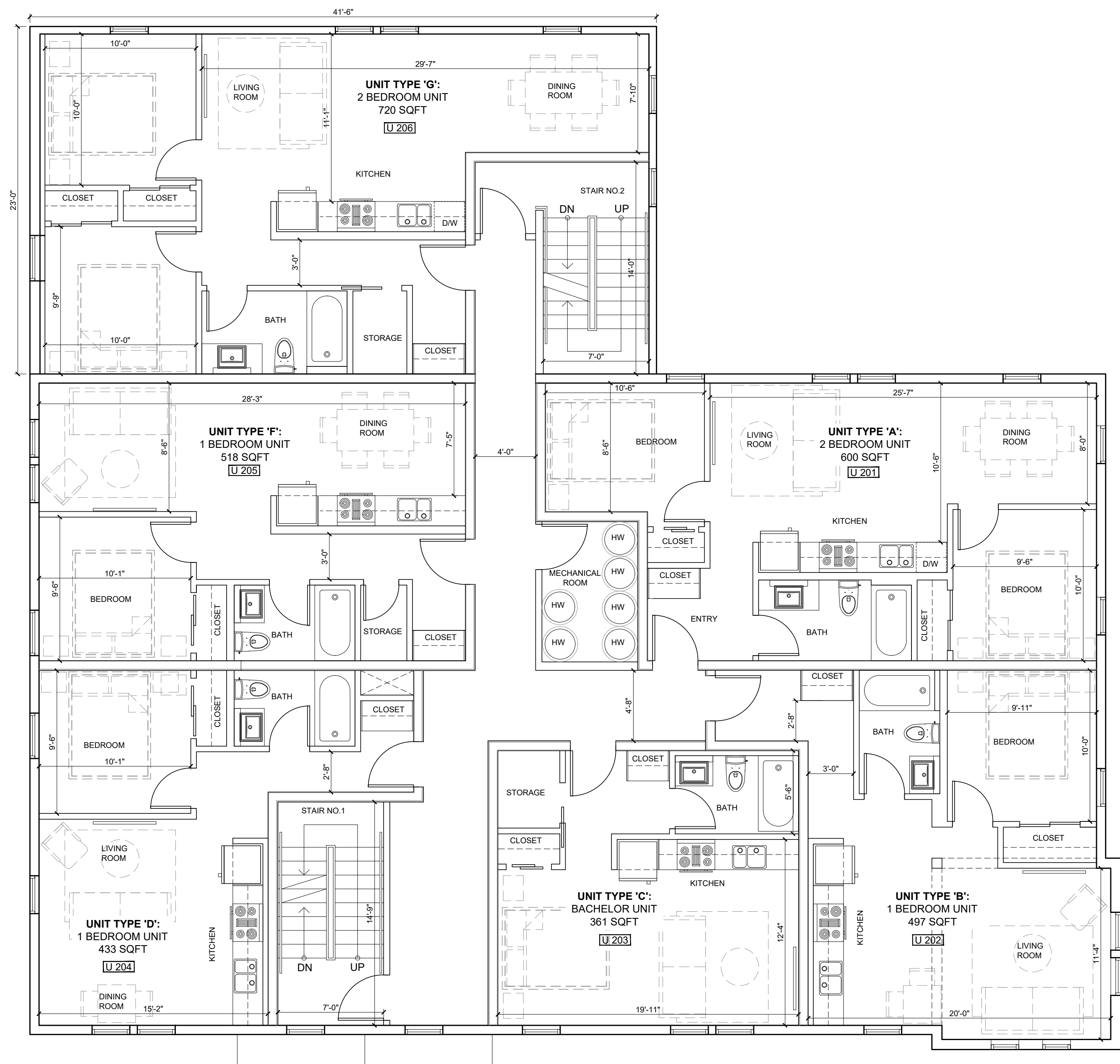
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PROJECT NO: 19-2024
DATE: 12/03/2024
DRAWN BY: JH
PHASE: SCHEMATIC DESIGN

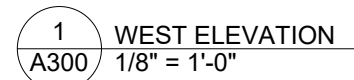
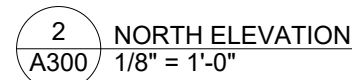
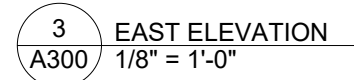
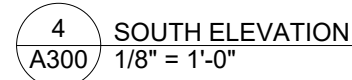


2
A201

3RD FLOOR PLAN
3/16" = 1'-0"



1 2ND FLOOR PLAN
A201 3/16" = 1'-0"

[illegible]

PROJECT NO: 19-2024
DATE: 12/03/2024
DRAWN BY: JH
PHASE: SCHEMATIC DESIGN

From: [Matt Doherty](#)
To: [OneStop](#); [Mattson, Yeva](#)
Subject: Fwd: Place 400 LP - 400 Main Street - Correspondence from City of Saint John re Rezoning
Date: April 10, 2025 11:55:30 AM
Attachments: [2025-04-01 - City of Saint John - Proposed Rezoning Application - Place 400 LP - 400 Main Street.pdf](#)

[External Email Alert] **Please note that this message is from an external sender. If it appears to be sent from a Saint John employee, please forward the email to spamsample@saintjohn.ca or contact the IT Service Desk.**

Yeva,

We are managing Place 400 which is in close proximity to this proposed development. The owners and I fully support the requested change in zoning. It's a great spot for more residential units - on the bus route, close to shopping centers, nice green spaces in the general vicinity. Many thanks and have a great day.

--

Matt Doherty
3D Property Management

From: N Simard
Sent: April 14, 2025 7:06 PM
To: OneStop <onestop@saintjohn.ca>
Subject: Rezoning of 6 Douglas Ave

Dear City of Saint John Council

I'm writing as a concerned resident regarding the proposed rezoning from Neighbourhood Community Facility to Urban Centre Residential in our area(6Douglas Ave). I understand that growth and development are necessary, but I have a fewq concerns I hope you can help clarify—or perhaps discuss further at another time.

1. How many housing units are being proposed as part of this rezoning?
2. Are there any plans to upgrade the infrastructure on Main Street and Douglas Avenue to support both current needs and this new development?
3. How is the city planning to address the ongoing parking crisis? Adding more residential units could significantly increase the strain on the already limited parking options available.

I value the development of our community, but I also believe it's important that it happens in a way that maintains quality of life for current residents. I would really appreciate the opportunity to either get some answers to these questions or speak further on this matter.

Thank you for your time.

Warm regards,
Nancy Simard
77 Clarendon St

Get [Outlook for Android](#)

From: AKR RKA

Sent: April 7, 2025 6:56 PM

To: OneStop <onestop@saintjohn.ca>

Subject: Rezoning Application for 6 Douglas Avenue (PIDs 00368910, 00368902)

To: Planning Advisory Committee

It is with great aggravation that we should even have to even consider the idea of the rezoning application at 6 Douglas Ave as a multi unit. It should not have even been thought to be a possibility under the circumstances as it regards parking, winter snow removal / snow bans in this area.

The first block of Clarendon is already inundated with a severe lack of parking for residents on Douglas Ave and the first block of Clarendon Street. The Douglas Ave residents already take parking on Clarendon and during the winter the parking issues are acerbated even more due to lack of snow removal.

This did not concern the planning committee when the Avenue estates built by contractor : Peter Papas wanted to rezone and was given variance thereby permitted to omit the service street that would have provided a substantial amount of parking and was part of the zoning by law of the time which stated: That the street that the housing complex (in this case the first block of Clarendon and the second block of Douglas Ave) did not service the multi-unit residential complex only - then a service street would be necessary.

The constant congestion has resulted in the number of residents of tenement houses on the first block of Clarendon Street, who depend on the parking are already taking up parking on Douglas Ave. And, as it stands residents of the Avenue Estate (town houses on Clarendon are parking on Clarendon Street rather than in their own driveways to accommodate the second and third cars that are owned by family members of the same household.

Had the limitations of the street been rightly considered when the planning committee gave Peter Papas (who was on the planning committee ???) the variance not to provide a service street, we would have had more place for the city to dump snow (in an area that has been land locked ever since and left unused after the fact) would have created additional off street parking and allowing for more on street parking on the said service street suggested by the zoning by law.

This may provide you with more property tax but if another multi unit resident construction is built on the Douglas Ave / Main Street / Clarendon Street one square block it will reduce not only current parking but the quality of life all together. This rezoning will be neither safe nor right at the end of the day no matter how close the fire station.

It should never be allowed. Our city does not need to be congested in this way - we all need to appreciate the limitations of the area - having no regard for our heritage and neglecting to protect the quality of life for those of us who have lived here for years is not right. We've invested in our homes and
It is with kindest regards that this rezoning be deny.

Without prejudice

Adrien and April Kim Roy

58 Clarendon Street

Saint John New Brunswick

6 Douglas Avenue

PIDs 00368910 & 00368902

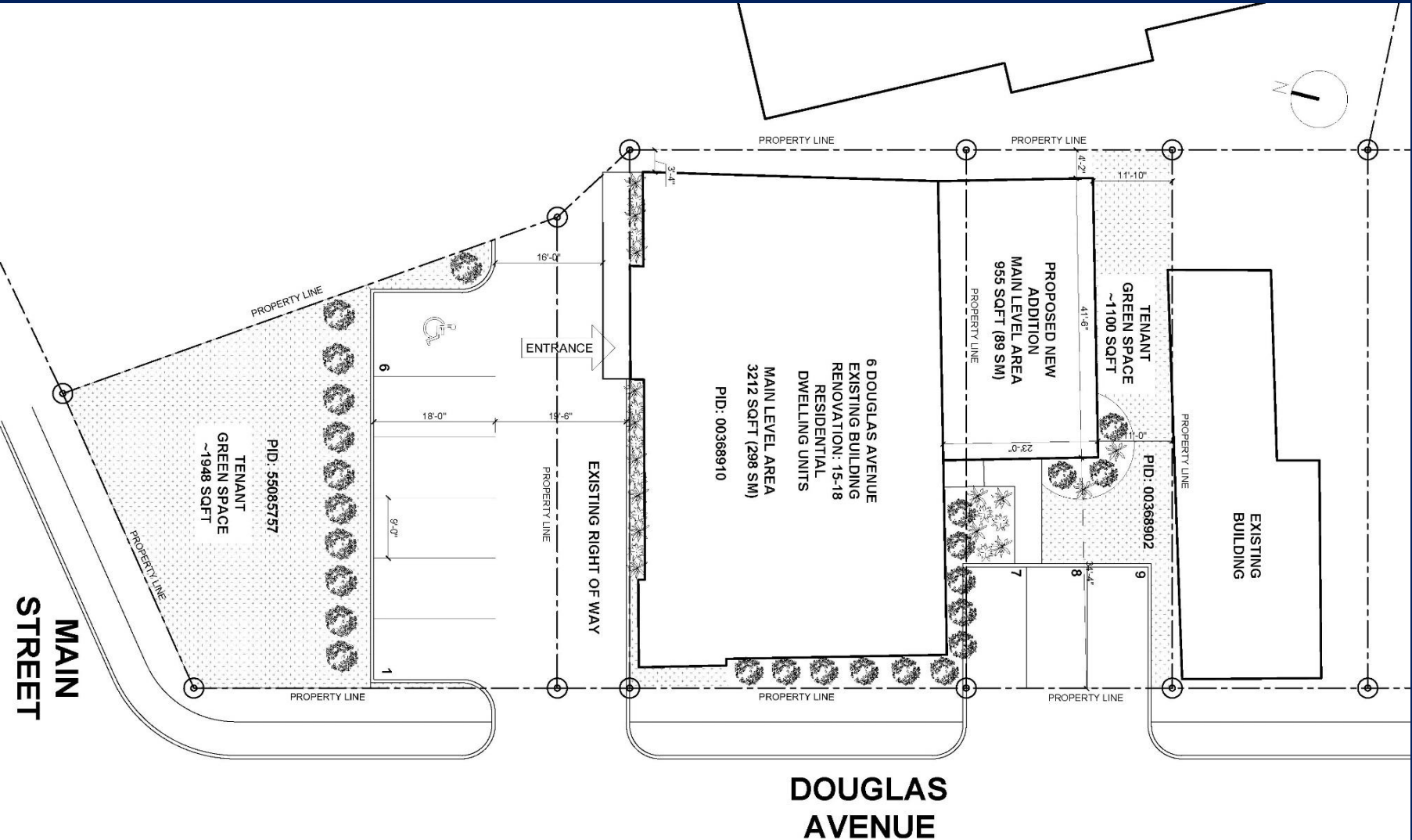
Common Council Public Hearing

May 5, 2025 – 18:30

By-Law Number: CP 111-195



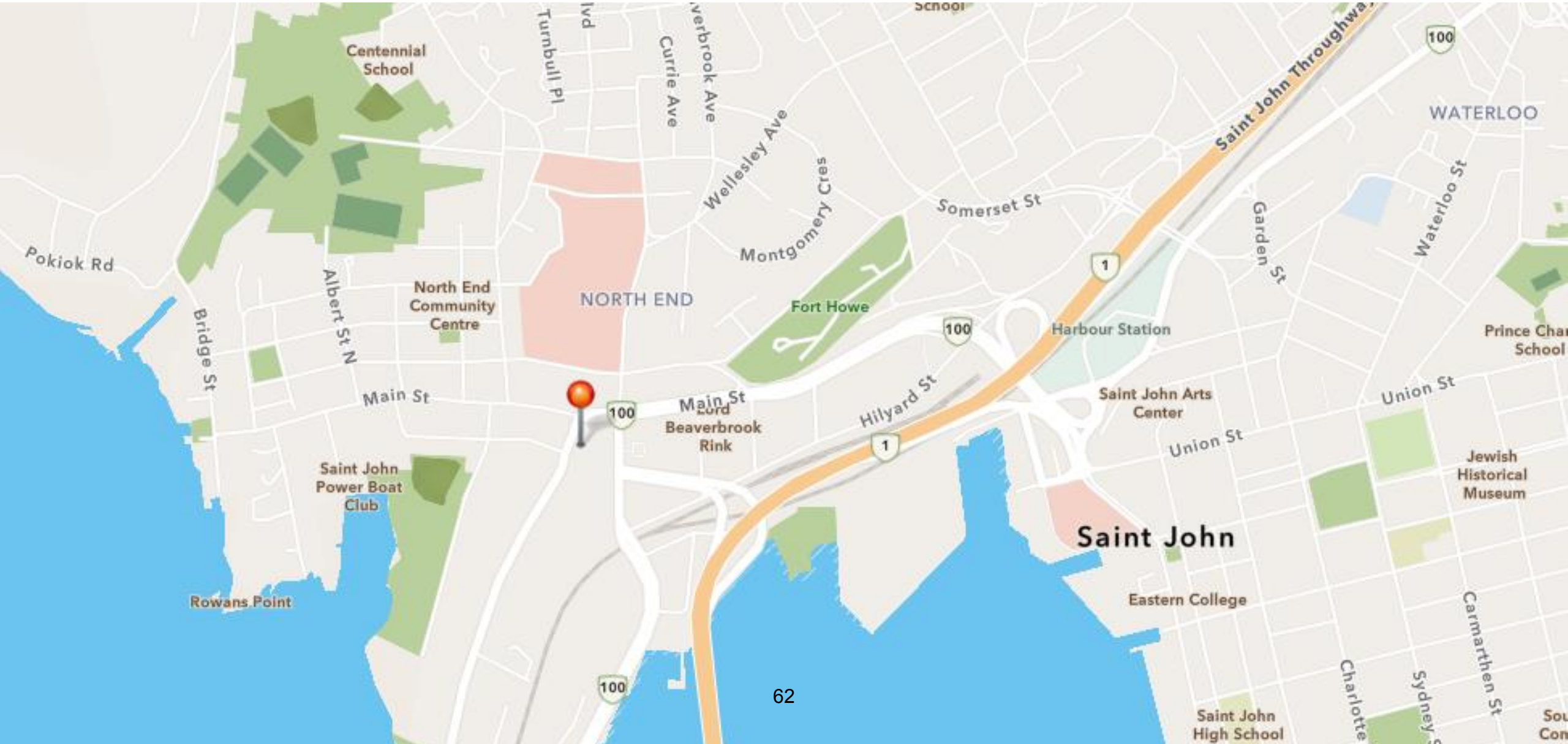
Proposal



Rezoning

- Current:
- Neighborhood Community Facility (CFN)
- Proposed:
- Urban Centre Residential (RC)

City Context



6 Douglas Avenue (PIDs 00368910 & 00368902)

Aerial Context



Site Photo

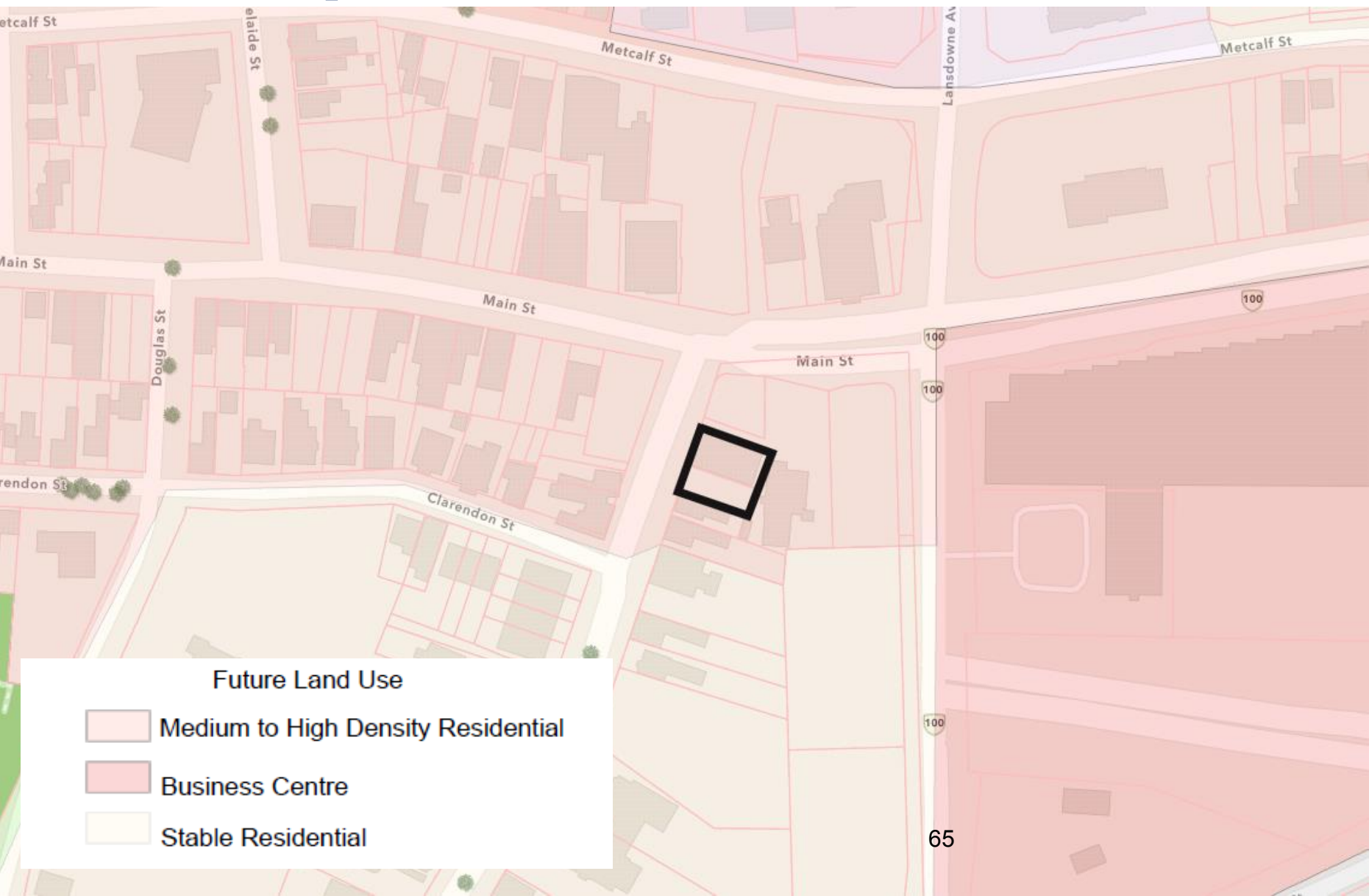


Municipal Plan



Designation

Medium to High Density Residential





Policy Alignment

Policy LU-46

The density target for this area is a **minimum** of 45 units per net hectare.

The proposed adaptive reuse of an institutional building into a multi-unit residential building will increase the overall neighbourhood density while also maintaining the historic built form that shapes this character corridor.

Policy UD-11

The proposal represents an opportunity to support additional residential density while retaining the community character and built context of former church.

New landscaping will be introduced which will benefit the public realm and enhance underutilized portions of the site.

Zoning



PID

00368910 & 00368902

Lot Size

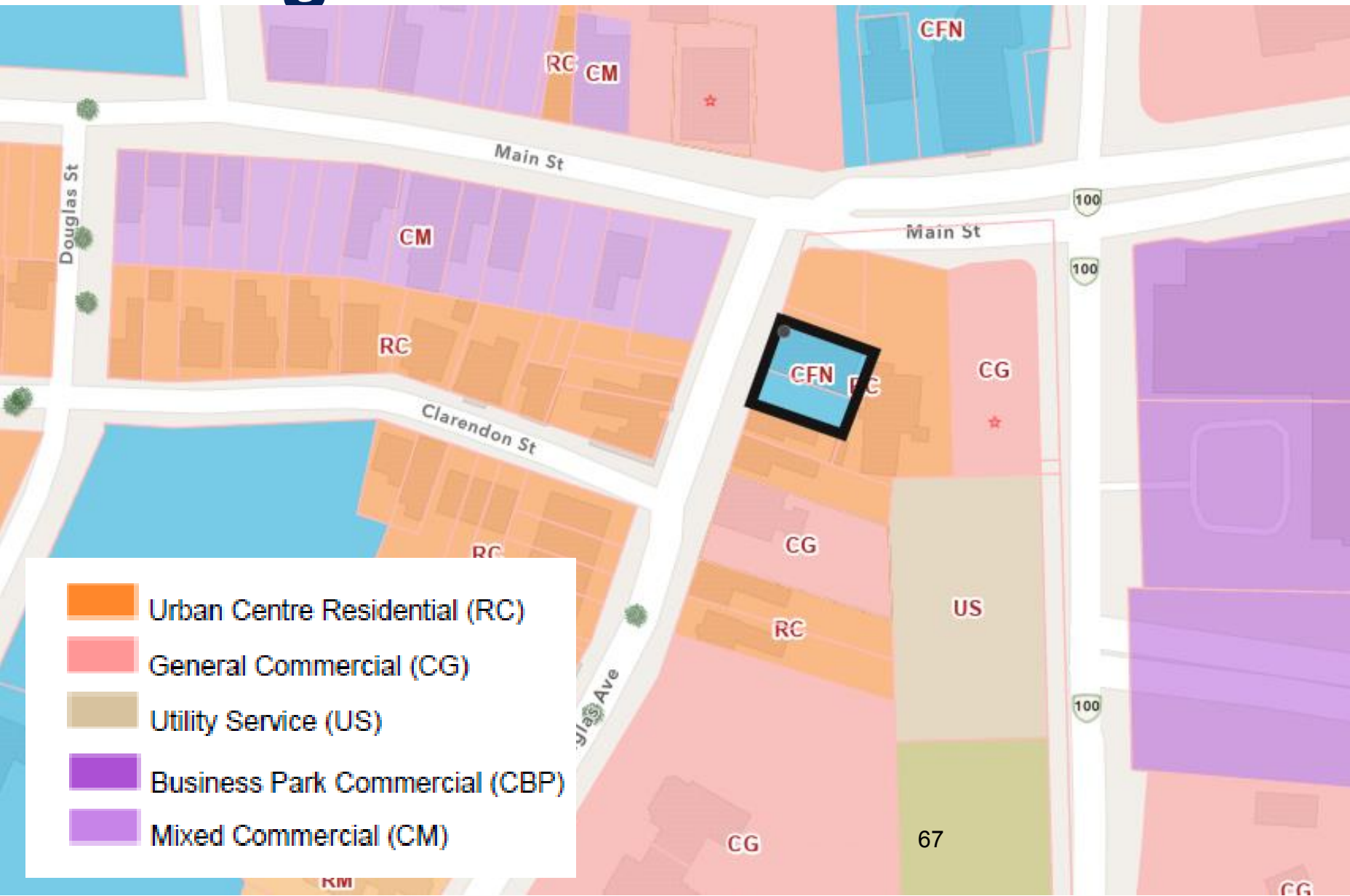
611m² (area to be rezoned)

970m² (development site)

Current Zoning

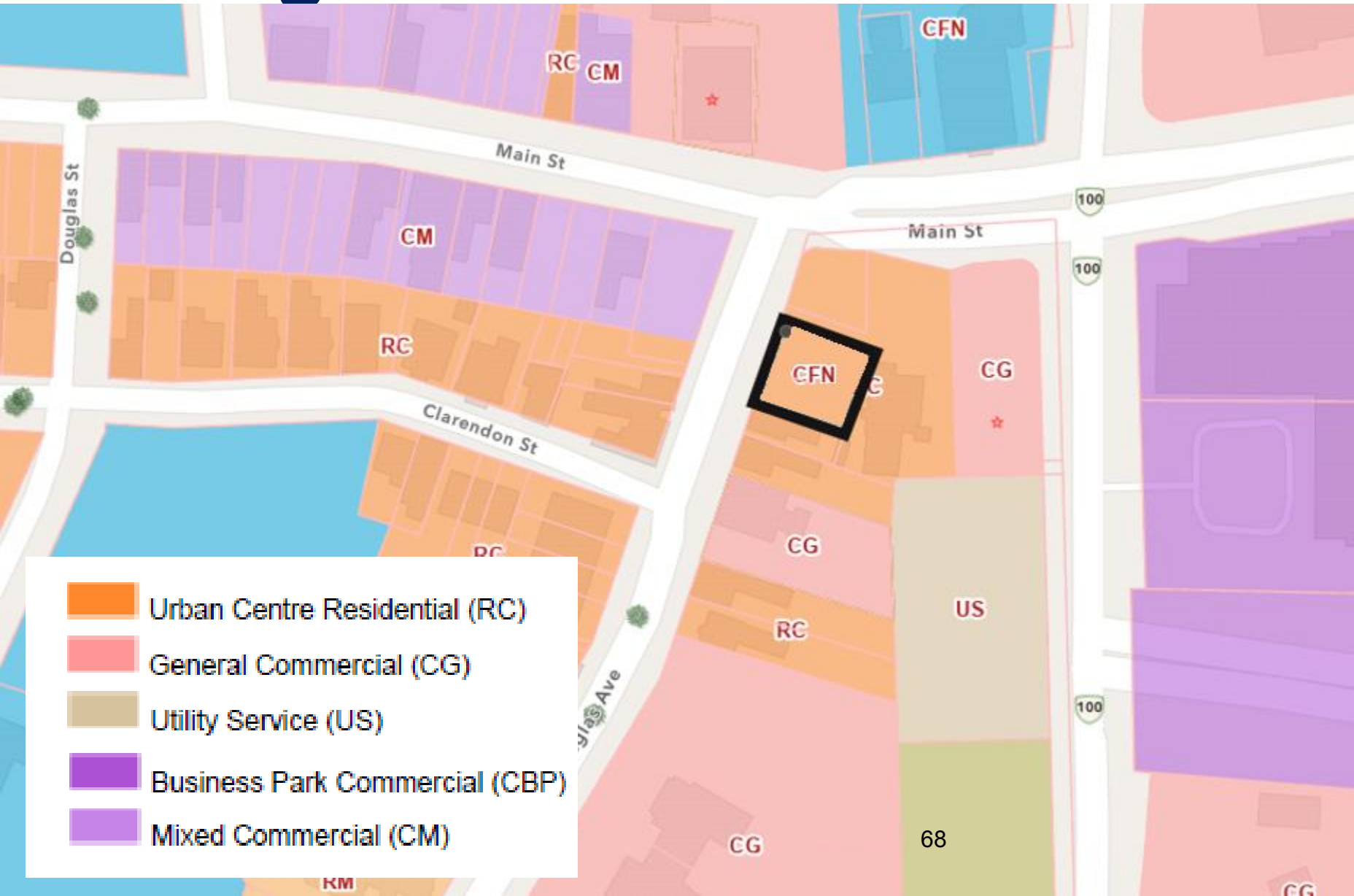
Neighbourhood Community Facility (CFN)

The Neighbourhood Community Facility (CFN) zone accommodates a limited range of community-oriented facilities, such as arenas, community centres, elementary schools, and facilities that are complementary to surrounding residential neighbourhoods.



- Urban Centre Residential (RC)
- General Commercial (CG)
- Utility Service (US)
- Business Park Commercial (CBP)
- Mixed Commercial (CM)

Zoning



PID

00368910 & 00368902

Lot Size

611m² (area to be rezoned)

970m² (development site)

Proposed Zoning

Urban Centre Residential (RC)

The Urban Centre Residential (RC) zone accommodates a wide range of serviced urban residential development in the form of townhouses, apartments, and condominiums. Lower density forms are also permitted.



Public Engagement

Mailout:

April 2, 2025

Ad Posted on Website:

April 14, 2025

Applicant Engagement:

No

Letters Received:

3

PAC Date:

April 15, 2025

6 Douglas Avenue



The City of Saint John

April 1, 2025

Dear Property Owner:

Subject: Proposed Rezoning Application
6 Douglas Avenue (PIDs 00368910, 00368902)

The Planning Advisory Committee has received the above application for the rezoning for 6 Douglas Avenue. The applicant is seeking to rezone the site from **Neighbourhood Community Facility (CFN) to Urban Centre Residential (RC)** to convert the building into a multi-unit residential.

The Committee is interested in hearing the views of neighbouring property owners who might be affected by this proposal. If you wish to express your views, either in favour of or against the application, you can do so by submitting your comments by email or letter.

Comments can be sent by email to OneStop@saintjohn.ca. Signed letters can be sent to the Planning Advisory Committee c/o City of Saint John, Growth & Community Services, P.O. Box 1971, Saint John, NB, E2L 4L1. **Comments should be received on or before the Monday preceding the meeting.** All submissions will be available to the Committee, the applicant, and anyone who may have an interest in the application.

You may also wish to attend the Committee's meeting on **Tuesday, April 15, 2025**. The meeting will be held at 6:00 p.m. in the Council Chamber on the second floor of City Hall.

The Committee's recommendation will be considered at a public hearing to be held by Common Council on **Monday, May 5, 2025**, at 6:30 p.m. in the Council Chamber. You may make additional representation at the public hearing. Any correspondence received by the Committee will be forwarded to Council. Access to the Council Chamber is via the elevator in the Shoppes of City Hall pedway connection.

A copy of the report will become available on **Friday, April 11**, on the City of Saint John website at saintjohn.ca in the Saint John/City Hall/Council and Committees/Minutes, Agendas, and Records section for Upcoming Meetings of the Planning Advisory Committee.



SAINT JOHN

P.O. Box 1971
Saint John, NB
Canada E2L 4L1

C.P. 1971
Saint John, N.-B.
Canada E2L 4L1

www.saintjohn.ca

Page 1 of 2



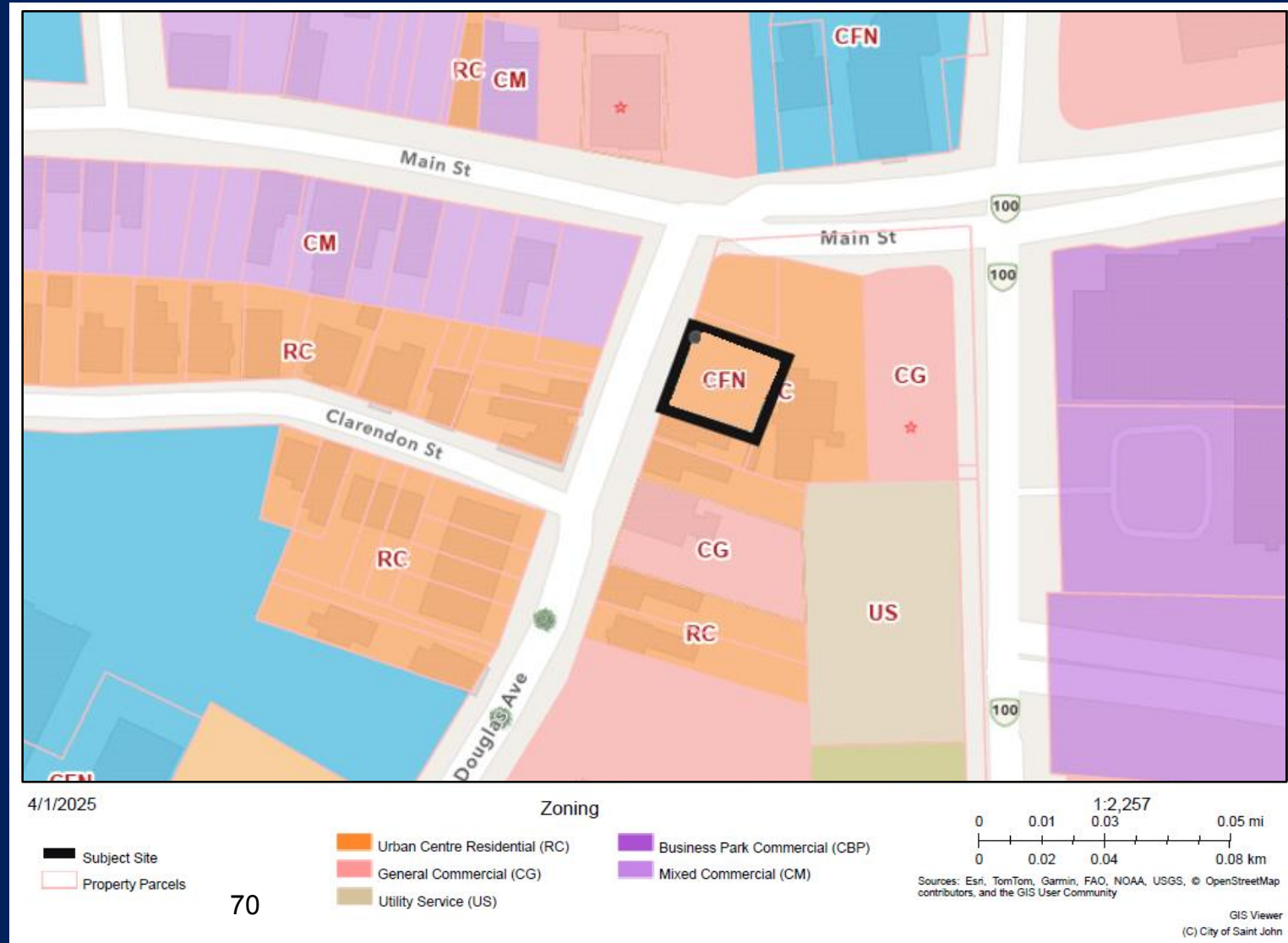
4/1/25



Staff Recommendation

Rezoning

- That Common Council rezone the site from Neighbourhood Community Facility (CFN) to Urban Centre Residential (RC)



**BY-LAW NUMBER C.P. 111-195
A LAW TO AMEND THE ZONING BY-LAW
OF THE CITY OF SAINT JOHN**

Be it enacted by The City of Saint John in
Common Council convened, as follows:

The Zoning By-law of The City
of Saint John enacted on the fifteenth day of
December, A.D. 2014, is amended by:

Amending Schedule "A", the Zoning Map
of The City of Saint John, by rezoning a
parcel of land having an area of
approximately 611 square metres,
located at 6 Douglas Avenue, also
identified as PIDs 00368910 and
00368902, from **Neighbourhood
Community Facility (CFN)** to **Urban
Centre Residential (RC)**.

- all as shown on the plan attached hereto
and forming part of this by-law.

IN WITNESS WHEREOF The City of
Saint John has caused the Corporate Common
Seal of the said City to be affixed to this by-law
the X day of May, A.D. 2025 and signed by:

Mayor/Maire

Common Clerk/Greffier communal

First Reading - X

Second Reading - X

Third Reading - X

Première lecture - X

Deuxième lecture - X

Troisième lecture - X

**ARRÊTÉ NO C.P. 111-195 ARRÊTÉ
MODIFIANT L'ARRÊTÉ DE ZONAGE
DE THE CITY OF SAINT JOHN**

Lors d'une réunion du conseil
communal, The City of Saint John a décrété
ce qui suit :

L'arrêté sur le zonage de The
City of Saint John, décrété le quinze (15)
décembre 2014, est modifié par :

La modification de l'annexe «A», Plan
de zonage de la ville de Saint John,
permettant de modifier la désignation
pour une parcelle de terrain d'une
superficie d'environ 611 mètres, situé
au 6 avenue Dougas, également
identifié comme le NIDs 00368910 et
00368902, de **Zone d'installations
communautaires de quartier (CFN)**
à **Zone résidentielle du centre-ville
(RC)**.

- toutes les modifications sont
indiquées sur le plan ci-joint et font partie du
présent arrêté.

EN FOI DE QUOI, The City of Saint John a
fait apposer son sceau communal sur le
présent arrêté le X mai 2025, avec les
signatures suivantes:

Non-Conforming Use Satisfactory Servicing Section 59 Amendment Zoning By-law Amendment

Application Checklist & Submission Package



This document and all attachments are provided as assistance to persons seeking certain approvals and permits as required by various by-laws of the City of Saint John and other acts and regulations. Should there be a discrepancy between this document, and all attachments, and the associated by-law, act or regulations, the associated by-law, act or regulation shall prevail.

Updated 12-30-2020

Council Application

Checklist required for a complete application for:

- **Non-Conforming Use**
- **Satisfactory Servicing**
- **Section 59 Amendment**
- **Zoning By-law Amendment**

Applicant must submit all that are applicable:

- ☐ Completed **Application Form** signed by the registered lot owner or authorized agent.
- ☐ **Fee** in accordance with Schedule B of the Zoning By-law.
- ☐ **Details** of any proposed development, which may include:
 - **Site Plan** drawn to scale illustrating the following:
 - Location of lot lines and lot dimensions;
 - Location and setbacks of buildings and structures;
 - Location and dimensions of easements and rights-of-way;
 - Location and nature of site improvements, including driveway accesses, parking (including barrier free and bicycle), loading, drive-thru facilities, landscaping and amenity spaces, and signs;
 - Topographic features, including watercourses, bodies of water, wetlands, grade changes, and drainage; and
 - **Preliminary Building Plans** drawn to scale, which may include floor plans.
- ☐ **Other information** may also be required to complete the application. It is therefore strongly recommended that the applicant consult with City staff prior to submission.



LOCATION	CIVIC ADDRESS :	6 Douglas Avenue		PID # :	00368910
STAFF USE	HERITAGE AREA: Y / N INTENSIFICATION AREA: Y / N FLOOD RISK AREA: Y / N APPROVED GRADING PLAN: Y / N				
	APPLICATION #:		DATE RECEIVED:		
			RECEIVED BY:		
APPLICANT INFORMATION	APPLICANT		EMAIL	PHONE	
	Jill Higgins		jill@jharchitecture.ca	506-847-0424	
	MAILING ADDRESS		POSTAL CODE		
	29 Grove Ave, Rothesay, NB E2E 5K7				
	CONTRACTOR		EMAIL	PHONE	
APPLICANT INFORMATION	MAILING ADDRESS		POSTAL CODE		
	OWNER		EMAIL	PHONE	
	Ann Monich & Deanna Adams				
	MAILING ADDRESS		POSTAL CODE		
	108 Nadia Crecent, Tiny, ON L0L 2T0				
PRESENT USE: PROPOSED USE:					
CHECK ALL THAT APPLY	BUILDING		PLANNING	INFRASTRUCTURE	HERITAGE
	<input type="checkbox"/> INTERIOR RENOVATION <input type="checkbox"/> EXTERIOR RENOVATION <input type="checkbox"/> ADDITION <input type="checkbox"/> DECK <input checked="" type="checkbox"/> CHANGE OF USE <input type="checkbox"/> MINIMUM STANDARDS	<input type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ACCESSORY BLDG <input type="checkbox"/> POOL <input type="checkbox"/> DEMOLITION <input type="checkbox"/> SIGN <input type="checkbox"/> OTHER	<input type="checkbox"/> VARIANCE <input type="checkbox"/> PLANNING LETTER <input type="checkbox"/> PAC APPLICATION <input type="checkbox"/> COUNCIL APP <input type="checkbox"/> SUBDIVISION <input type="checkbox"/> OTHER	<input type="checkbox"/> STREET EXCAVATION <input type="checkbox"/> DRIVEWAY CULVERT <input type="checkbox"/> DRAINAGE <input type="checkbox"/> WATER & SEWERAGE <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> HERITAGE DEVELOPMENT <input type="checkbox"/> HERITAGE SIGN <input type="checkbox"/> HERITAGE INFILL <input type="checkbox"/> HERITAGE DEMO <input type="checkbox"/> OTHER
DESCRIPTION OF WORK	Existing 3 Storey wood framed Church with an existing zone of Neighbourhood Community Facility (CFN) to be changed to a 3 storey wood framed multi-unit residential project with between 15- 18 dwelling units, with a new zone to be Urban Centre Residential (RC). This project will potentially include a new addition on the South side of the building and amalgamating the current PID with PID 00368902.				

☒ I consent to the City of Saint John sending to me commercial electronic messages, from time to time, regarding City initiatives and incentives.

General Collection Statement

This information is being collected in order for the City of Saint John to deliver an existing program / service; the collection is limited to that which is necessary to deliver the program / service. Unless required to do so by law, the City of Saint John will not share your personal information with any third party without your express consent.

The legal authority for collecting this information is to be found in the Municipalities Act and the Right to Information and Protection of Privacy Act. For further information or questions regarding the collection of personal information, please contact the Access & Privacy Officer:

City Hall Building
 15 Market Square Saint
 John, NB E2L 1E8
commonclerk@saintjohn.ca
 (506) 658-2862



I, the undersigned, hereby apply for the permit(s) or approval(s), indicated above for the work described on plans, submissions and forms herewith submitted. This application includes all relevant documentation necessary for the applied for permit(s) or approval(s). I agree to comply with the plans, specifications and further agree to comply with all relevant City By-laws and conditions imposed.

Jill Higgins

Applicant Name

Applicant Signature

03 December 2024

Date

CIVIC ADDRESS	6 Douglas Avenue	APPLICATION #		FEE PAID	Y	N
----------------------	------------------	----------------------	--	-----------------	---	---

TYPE OF APPLICATION		
<input type="checkbox"/> Land for Public Purposes Release Service Fee: \$300	<input type="checkbox"/> Non-Conforming Use Service Fee: \$200	<input type="checkbox"/> Satisfactory Servicing Service Fee: \$200
<input type="checkbox"/> Section 59 Amendment Service Fee: \$2,650	<input checked="" type="checkbox"/> Zoning By-law Amendment Service Fee: \$2,650	<input type="checkbox"/> Zoning By-law Amendment with a Municipal Plan Amendment Service Fee: \$3,700

DETAILED DESCRIPTION OF APPLICATION
Where applicable, indicate the changes to existing Section 39 conditions, zoning, or Municipal Plan designation being requested. Attach site plans, building elevations, floor plans, and other documentation to fully describe the application. The submission of a preliminary proposal and a Pre-Application Meeting is encouraged prior to seeking approval. Please contact the One-Stop Development Shop at (506) 658-2911 for further information.
Existing 3 Storey wood framed Church with an existing zone of Neighbourhood Community Facility (CFN) to be changed to a 3 storey wood framed multi-unit residential project with between 15- 18 dwelling units, with a new zone to be Urban Centre Residential (RC). This project will potentially include a new addition on the South side of the building and amalgamating the current PID with PID 00368902.

ENCUMBRANCES
Describe any easements, restrictive covenants, and other encumbrances affecting the land.
There is an existing right of way to the North of PID 00368910 to access the property at the rear of this PID.

AUTHORIZATION
As of the date of this application, I, the undersigned, am the registered owner of the land described in this application or the authorized agent thereof, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize the applicant to represent this matter and to provide any additional information that will be necessary for this application.
<div> <div>Jill Higgins</div> <div>Registered Owner or Authorized Agent</div> </div> <div> <div>December 3, 2024</div> <div>Date</div> </div>
<div> <div></div> <div>Additional Registered Owner</div> </div> <div> <div></div> <div>Date</div> </div>
The information contained in this application and any documentation, including plans, drawings, reports, and studies, provided in support of this application will become part of the public record.

75% SCHEMATIC DESIGN PACKAGE



UNIT COUNT	
MAIN FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 2 UNITS
• 1 BEDROOM B.F UNIT	= 1 UNIT
• 2 BEDROOM UNIT	= 2 UNIT
SECOND FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 3 UNITS
• 2 BEDROOM UNIT	= 2 UNIT
THIRD FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 3 UNITS
• 2 BEDROOM UNIT	= 2 UNIT
TOTAL UNITS	= 18 UNITS

LOCATION MAP:

Douglas Avenue

<u>CLIENT:</u>	752966 NB LTD.
<u>ARCHITECT:</u>	JH ARCHITECTURE INC.
<u>CONTRACTOR:</u>	JOHN FLOOD & SONS LTD.
<u>PID:</u>	00688910, 55086757 & 00368902
<u>PROJECT ADDRESS:</u>	6 DOUGLAS AVE, SAINT JOHN NB, E2K 1 E4
<u>CURRENT CITY ZONING:</u>	NEIGHBOURHOOD COMMUNITY FACILITY (CFN)
<u>PROPOSED CITY ZONING:</u>	URBAN CENTRE RESIDENTIAL (RC)
<u>BUILDING CODES:</u>	NBCC 2015 (PART 9) & NECB 2011
<u>AMALGAMATED SITE AREA:</u>	~ 10,882 SQFT (1011 SM)
<u>BUILDING FLOOR AREA:</u>	4167 SQFT (387SM)
<u>OCCUPANCY:</u>	GROUP C

A300 - PROPOSED ELEVATIONS

ELECTRICAL



PROJECT:
19-2024_6 DOUGLAS AVE
6 Douglas Avenue, Saint John, NB E2K 1E4

CONSULTANTS

CIVIL:

STRUCTURAL:
R.A Lawrence Engineering LTD.
133 Prince William Street, Saint John, NB E2L 2B5

ELECTRICAL:

MECHANICAL:

CONSULTANT STAMP:

NOTES:

[illegible]

-	ISSUED FOR REZONE/ ONE STOP	12/03/2024
#	ISSUED FOR	MM/DD/YYYY

PROJECT NO:	19-2024
DATE:	12/03/2024
DRAWN BY:	JH
PHASE:	SCHEMATIC DESIGN

COVER

CHECKED BY: JH

SCALE: AS SHOWN

A001

PROJECT:
19-2024_6 DOUGLAS AVE
6 Douglas Avenue, Saint John, NB E2K 1E4

CONSULTANTS:

CIVIL:

STRUCTURAL:
R.A Lawrence Engineering LTD.
133 Prince William Street, Saint John, NB E2L 2B5

ELECTRICAL:

MECHANICAL:

CONSULTANT STAMP:

NOTES:

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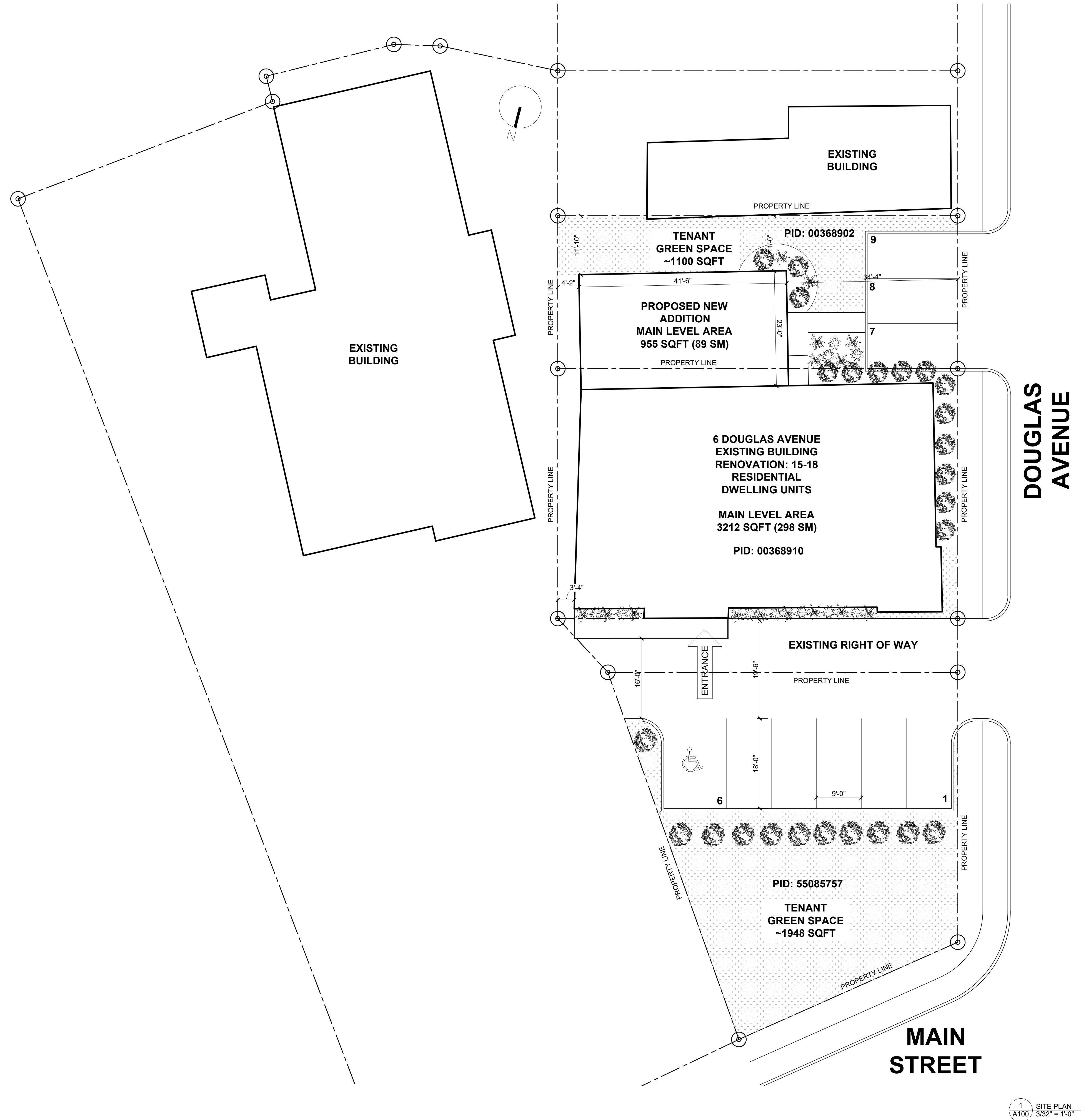
REV	REVISION DESCRIPTION	MM/DD/YYYY
-	REVISED FOR CLIENT COMMENTS	01/20/2025
-	REVISED FOR REZONE	01/17/2025
-	ISSUED FOR REZONE/ ONE STOP	12/03/2024
#	ISSUED FOR	MM/DD/YYYY

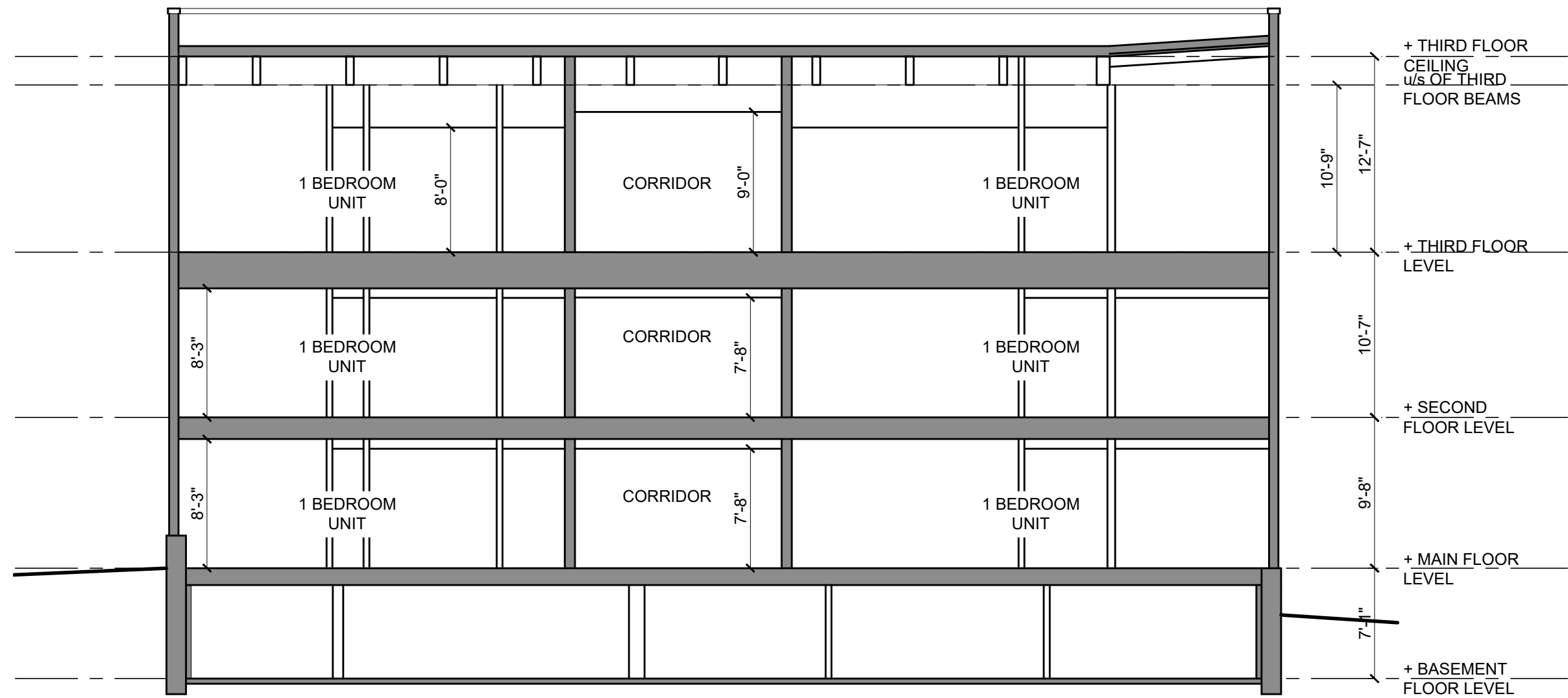
PROJECT NO: 19-2024
DATE: 01/19/2025
DRAWN BY: JH
PHASE: SCHEMATIC DESIGN

PROPOSED SITE PLAN

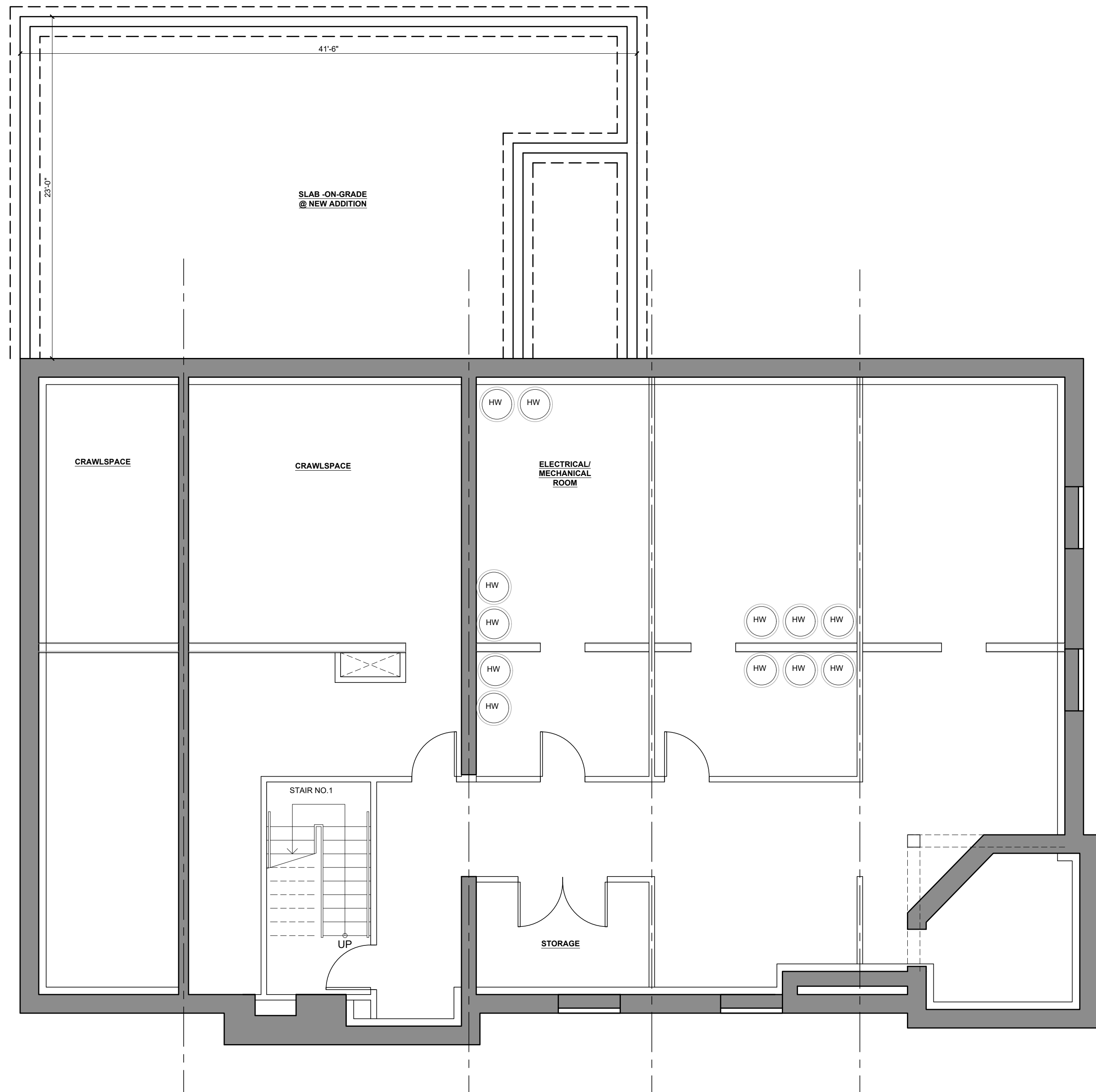
CHECKED BY: JH

SCALE: AS SHOWN

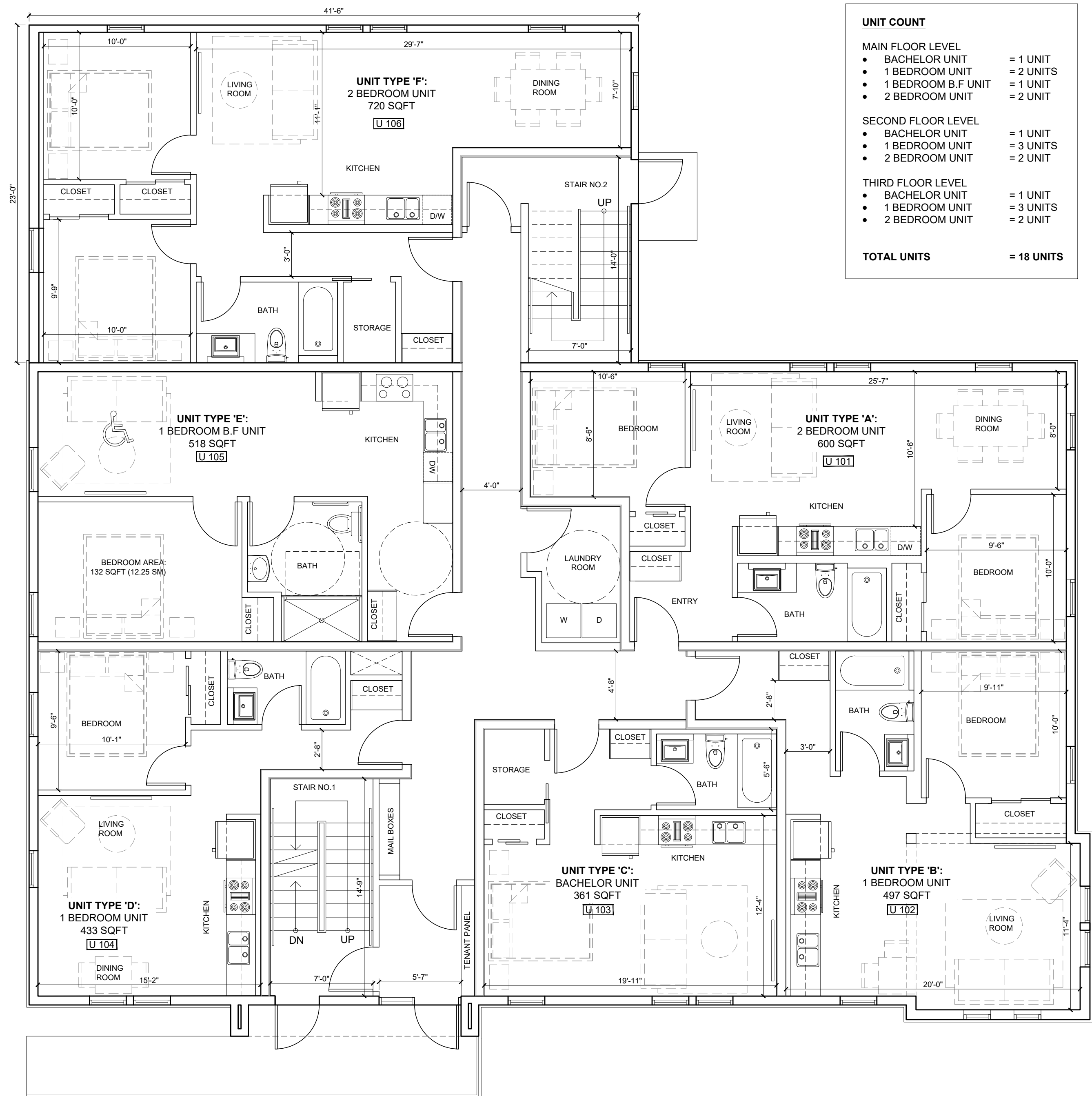




3 SKETCH SECTION
A200 1/8" = 1'-0"



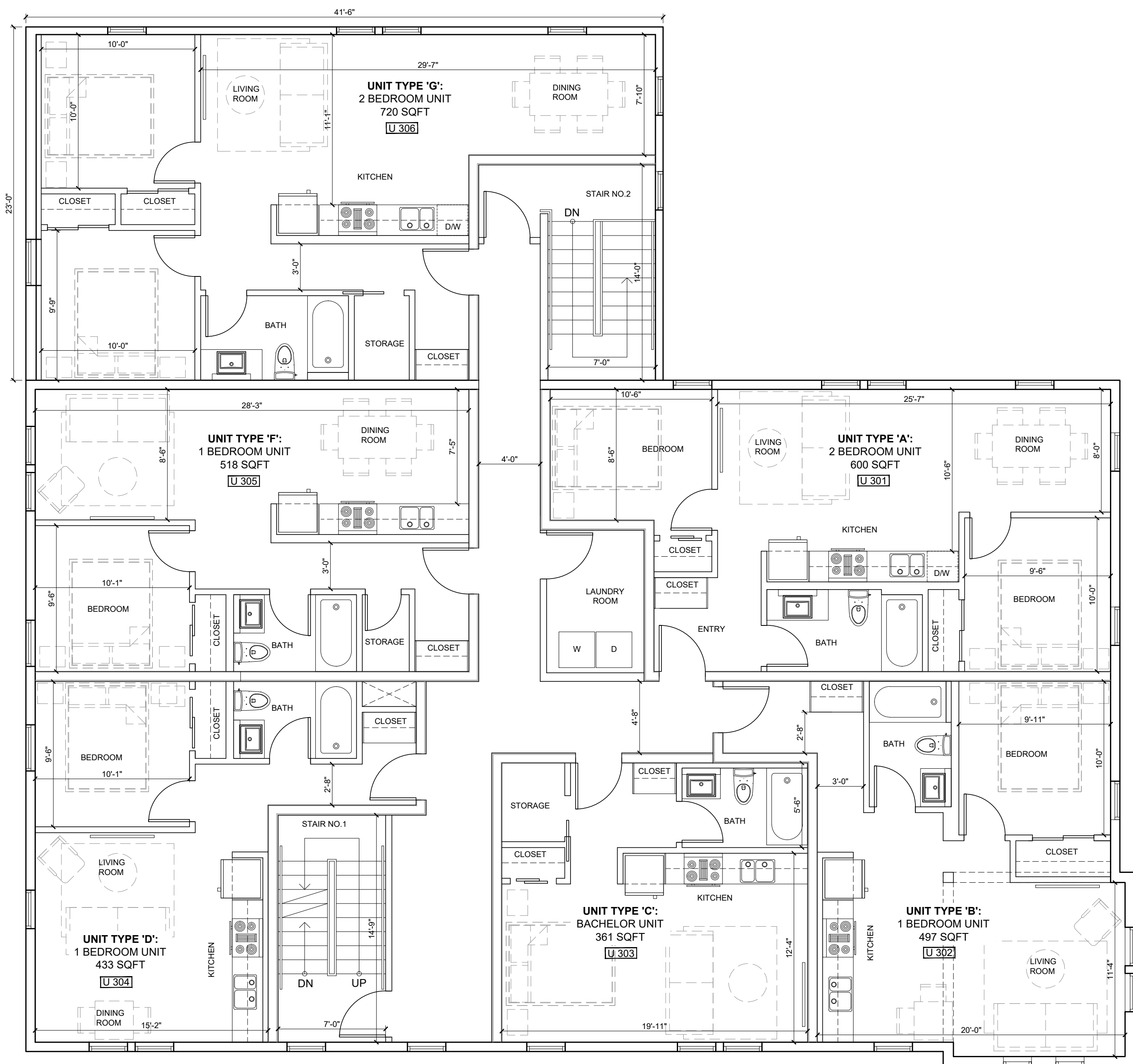
1 BASEMENT FLOOR PLAN
A200 3/16" = 1'-0"



UNIT COUNT	
MAIN FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 2 UNITS
• 1 BEDROOM B.F. UNIT	= 1 UNIT
• 2 BEDROOM UNIT	= 2 UNIT
SECOND FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 3 UNITS
• 2 BEDROOM UNIT	= 2 UNIT
THIRD FLOOR LEVEL	
• BACHELOR UNIT	= 1 UNIT
• 1 BEDROOM UNIT	= 3 UNITS
• 2 BEDROOM UNIT	= 2 UNIT
TOTAL UNITS	= 18 UNITS

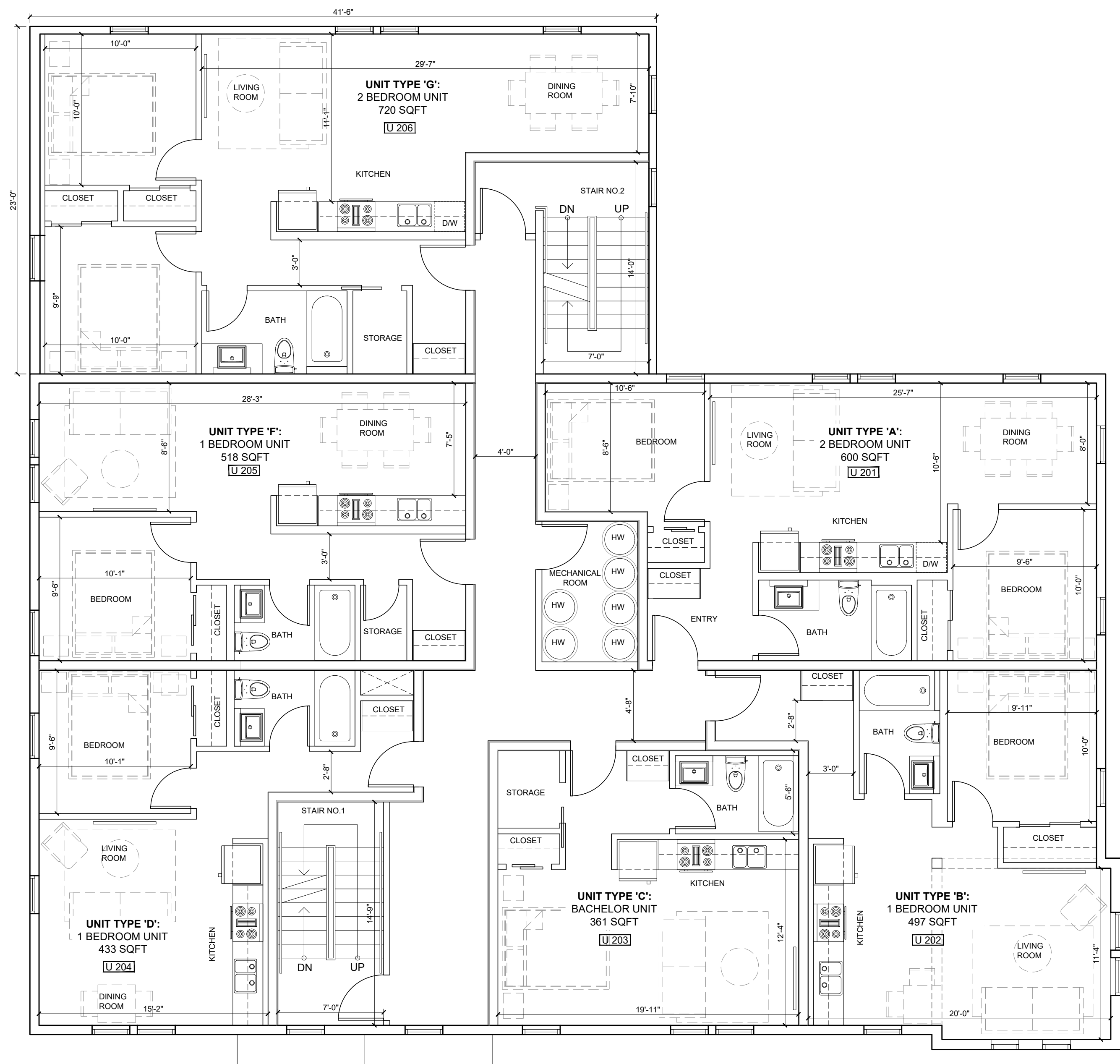
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PROJECT NO: 19-2024
DATE: 12/03/2024
DRAWN BY: JH
PHASE: SCHEMATIC DESIGN

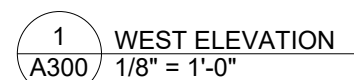
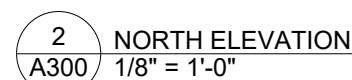
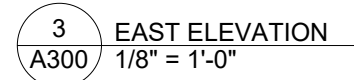
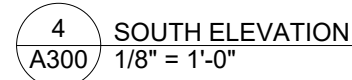


2
A201

3RD FLOOR PLAN
3/16" = 1'-0"



1 2ND FLOOR PLAN
A201 3/16" = 1'-0"

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PROJECT NO: 19-2024
DATE: 12/03/2024
DRAWN BY: JH
PHASE: SCHEMATIC DESIGN

PROPOSED ELEVATIONS

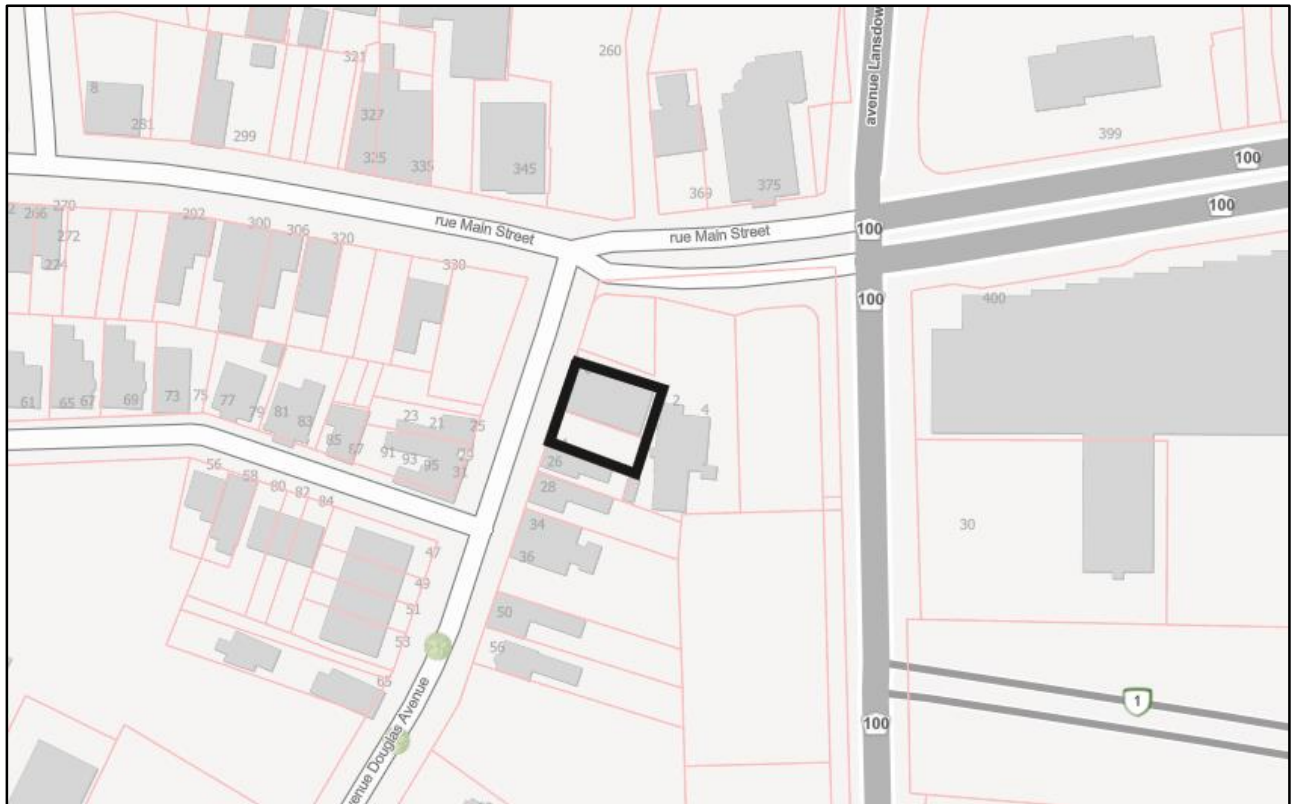
CHECKED BY: JH

SCALE: AS SHOWN

A300

Public Notice is hereby given that the Common Council of The City of Saint John intends to consider amending The City of Saint John Zoning By-law at its regular meeting to be held in the Council Chambers on **Monday, May 5, 2025, at 6:30 p.m.**, by:

1. Rezoning a parcel of land having an area of approximately 611 square metres, located at 6 Douglas Avenue, also identified as PIDs 00368910 and 00368902, from **Neighbourhood Community Facility (CFN) to Urban Centre Residential (RC)** as illustrated below.

**REASON FOR CHANGE:**

To convert the building into multi-unit residential.

For details on how to inspect the amendment, or to register to participate, please contact the Office of the City Clerk at CityClerk@saintjohn.ca. Written objections to the amendment may be provided in writing and/or verbally at the Public Hearing to be held by Common Council. To register for participation in the hearing, please contact the City Clerk's Office in advance at cityclerk@saintjohn.ca

If you require French services for a Common Council meeting, please contact the office of the

Common Clerk.

Jonathan Taylor, City Clerk
(506) 658-2862

Projet de modification de l'arrêté de zonage Objet : 6 avenue Douglas

Par les présentes, un avis public est donné par lequel le conseil communal de The City of Saint John indique son intention de modifier l'arrêté de zonage de The City of Saint John, lors de la réunion ordinaire qui se tiendra dans la salle du conseil le **lundi 5 mai 2025 à 18 h 30**, en apportant les modifications suivantes :

1. Rezonage d'une parcelle de terrain d'une superficie d'environ 611 mètres, situé au 6 avenue Douglas, également identifié comme le NIDs 00368910 et 00368902, de **Zone d'installations communautaires de quartier (CFN) à Zone résidentielle du centre-ville (RC)**, tel qu'illustré ci- dessous.

INSERT PHOTO (this is just a note to make sure the photo goes here on the web site, no need to actually insert it)

RAISON DE LA MODIFICATION:

pour permettre un bâtiment comportant des habitations multifamiliales.

Pour plus d'informations concernant la lecture de l'amendement, ou pour s'enregistrer à l'audience publique, veuillez contacter le Bureau du greffier de la municipalité à l'adresse CityClerk@saintjohn.ca. Les objections à l'amendement peuvent être écrites ou présentées oralement à l'audience publique tenue par le conseil commun. Veuillez faire part de vos objections au projet de modification par écrit à l'attention du soussigné à l'hôtel de ville.

Si vous avez besoin des services en français pour une réunion de Conseil Communal, veuillez contacter le bureau du greffier de la municipalité.

Jonathan Taylor, Greffier de la municipalité
(506) 658-2862

Staff Recommendation for Council Resolution

Medium Industrial (IM) Zone – Text Amendment

Public Hearing, 1st and 2nd Reading: May 5, 2025

Item	Required: (Y/N)	Recommendation
Municipal Plan Amendment	No	
Zoning By-Law Amendment	Yes	That Common Council give 1 st and 2 nd reading to By-Law Number C.P. 111-193 a Law to Amend The Zoning By-Law of the City of Saint John.
Other	No	

Tentative 3rd Reading: May 20, 2025

Item:	Required: (Y/N)	Recommendation
Municipal Plan Amendment	No	
Zoning By-Law Amendment	Yes	That Common Council give 3 rd reading to By-Law Number C.P. 111-193 a Law to Amend The Zoning By-Law of the City of Saint John.
Recission of Previous s. 39/s. 59 Conditions	No	
Section 59 Conditions	No	
Section 59 Agreement	No	
Section 131 Agreement	No	
Other	No	

PLANNING ADVISORY COMMITTEE

April 23, 2025

Her Worship Mayor Donna Noade Reardon and
Members of Common Council

Your Worship and Councillors:



The City of Saint John

**SUBJECT: Zoning By-Law Amendment
 Medium Industrial (IM) Zone – Scrap or Salvage Yard**

On April 7, 2025, Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its April 15, 2025, meeting. Thomas Lewallen, Planner with Growth and Community Services, provided an overview of the application via a PowerPoint presentation.

A member of the public, Donna Alexandre, inquired whether this means the two scrap or salvage yards zoned IM would be closed. Jennifer Kirchner, Manager of Community Planning, indicated that the existing scrap or salvage yards would not be closed, and that the amendment would limit the development of new scrap or salvage yards to Heavy Industrial (IH) zoned properties.

No other persons appeared before the Committee. No letters were received regarding the application. The Committee unanimously adopted the Staff Recommendation to Common Council presented below.

RECOMMENDATION:

1. That Common Council adopt the attached By-Law amendment entitled, "By-Law No. C.P. 111-193, A Law to Amend the Zoning By-Law of The City of Saint John."

Respectfully submitted,

Brad Mitchell
Chair
Attachments



The City of Saint John

Date: April 10, 2025

To: Planning Advisory Committee

From: Growth & Community Services

Meeting: April 15, 2025

Applicant: The City of Saint John

Application Type: Zoning By-Law Amendment

Jurisdiction: The *Community Planning Act* authorizes the Planning Advisory Committee to give its views to Common Council concerning proposed amendments to the Municipal Plan and Zoning By-Law. Common Council will consider the Committee's recommendation at a public hearing on **May 5, 2025.**

EXECUTIVE SUMMARY

Growth and Community Services has proposed a Zoning By-Law amendment to eliminate Scrap or Salvage Yard as a permitted use in the Medium Industrial (IM) zone. This amendment aims to restrict such operations to the Heavy Industrial (IH) zone, as intended in the Zoning By-Law, helping to reduce potential impacts on nearby residential areas.

RECOMMENDATION

That Common Council adopt the attached By-Law amendment entitled, "By-Law No. C.P. 111-193, A Law to Amend the Zoning By-Law of The City of Saint John."

ANALYSIS

Proposal

Under the Zoning By-Law, scrap and salvage yards are classified as an Offensive Heavy Industrial Use. Currently, the Medium Industrial (IM) zone permits outdoor operations and storage, but nuisances must remain within the lot boundary. In contrast, the Heavy Industrial (IH) zone accommodates large-scale operations where nuisances extend beyond the property and require greater separation for public safety.

To address safety and land-use compatibility concerns, restricting the Scrap or Salvage Yard use to the Heavy Industrial (IH) zone ensures they are in appropriate industrial areas designed to manage their risks effectively and minimize conflicts with surrounding land uses.

Scrap and Salvage Yard Definition

A Scrap or Salvage Yard is defined in The City of Saint John's Zoning By-Law as,

*“any land or building used for storage, **wrecking, disassembling**, refurbishing, or handling of goods, machinery, or motor vehicles. It may also include a recycling facility, the sale of salvaged materials, or outdoor storage.”*

A metal shredder, while not explicitly listed, would be permitted under this definition as it relates to wrecking and disassembling. Scrap or Salvage Yards are permitted in Medium Industrial (IM) and Heavy Industrial (IH) zones but must not occupy front or flankage yards or parking areas. They must be fully enclosed by a fence, walled structure, or berm at least 2 metres high, including matching gates. Alternatively, screening may comply with Section 6 of the Zoning By-Law or use an approved mix of structures, berms, and landscaping.

While these conditions help minimize visual nuisances for immediate neighbours and streetscapes, they do not fully address the broader environmental and community impacts that the Scrap or Salvage Yard use may pose over a larger area. A scrap or salvage yard is listed as an example under the definition of Offensive Heavy Industrial Use, which is defined in the Zoning By-Law as,

*“(…a) type of manufacturing process involved or the type of material used, produced, or stored may cause a dangerous gas or fume, dust, objectionable odour, noise or vibration, or the unsightly storage of goods, wares, merchandise, salvage, junk, waste, or other material to a condition that could be hazardous or injurious as regards to a person's health or safety, or which prejudices the character of the surrounding neighbourhood, or could interfere with the normal enjoyment of any land, building, or structure, and shall include, but not be limited to, a brewery, pulp and paper mill, or a **scrap or salvage yard**.”*

This definition is clear that the Scrap or Salvage Yard use is intended to be in the Heavy Industrial (IH) zone. Being labelled an Offensive Heavy Industrial Use also comes with increased setbacks in comparison to the Medium Industrial (IM) zone.

Municipal Plan & Zoning By-Law

The Heavy Industrial designation accommodates industries with significant impacts, such as noise, emissions, fire hazards, and handling of dangerous goods, while the Light Industrial designation is intended for low-impact industries that do not create off-site nuisances. The Medium Industrial (IM) zone, the most common in the City, often acts as a buffer between Light and Heavy Industrial areas, whereas the Heavy Industrial (IH) zone is designated for specific large-scale projects like the LNG terminal and refinery.

Since the IM zone permits outdoor operations and storage, it appropriately falls under the Heavy Industrial designation, ensuring adequate separation from incompatible land uses. However, IM and IH zones differ in impact, with IM limiting nuisances to the property boundary, while IH allows them to extend beyond.

Key distinctions between the standards exist between these two industrial zones as detailed in the table below:

Standards	Medium Industrial (IM)	Offensive Heavy Industrial (IH)
Intent	Allows medium industrial activities, including outdoor operations and storage, but requires that any nuisances remain within the lot boundary.	Supports large-scale heavy industrial activities, where nuisances and risks are expected to extend beyond the property boundary. Due to their impact, adequate separation from non-industrial areas is necessary for public safety.
Front Yard	7.5m	30m
Flankage Yard	7.5m	30m
Rear Yard	Abutting Residential Zone: 15m Other: 7.5m	Abutting Non-Industrial Zone: 30m Abutting Industrial Zone: 15m
Side Yard	Abutting Residential Zone: 15m Other: 7.5m	Abutting Non-Industrial Zone: 30m Abutting Industrial Zone: 15m
Maximum Lot Occupancy	65%	60%

Scrap and salvage yards inherently involve significant outdoor storage, heavy truck traffic, dismantling operations, and potential environmental hazards, making them incompatible with the intent of the IM zone. Their operations align with the Offensive IH zone standards, by definition, where larger-scale industrial activities requiring extensive buffering from other land uses are already anticipated.

Comparison of Salvage Yard Regulations in New Brunswick Municipalities

The Province of New Brunswick regulates salvage and scrap yards through the *Salvage Dealers Licensing Act*, which outlines the permitting process, compliance requirements, and penalties for non-compliance. However, the *Act* does not establish specific standards for these facilities. Instead, municipalities and regional districts set their own zoning by-laws to govern where salvage yards can operate and what standards they must meet.

The table below provides a comparison of how different municipalities in New Brunswick regulate scrap and salvage yards:

Municipality	Definition	Permitted Zones	Unique Screening / Location Requirements
Saint John	Any use of land or building for the storage, wrecking, disassembling, refurbishing, or handling of goods, machinery, or motor vehicles, and may include a recycling facility, the sale of salvaged materials, or outdoor storage.	Medium Industrial (IM) Heavy Industrial (IH)	Opaque fence, walled structure, berm, or a combination of these, with a minimum height of 2 metres. Alternatively, the yard may be screened using approved landscaping as detailed in Section 6 of the Zoning By-law.
Fredericton	Land and buildings used for storage, wrecking, dismantling, refurbishing, handling of goods/machinery/vehicles, including retail sale of salvaged items.	Heavy Industrial (IH)	Opaque fence 3-5m high enclosing the entire operation. Fence must be at least 6m from the front property line and 1.5m from side/rear property lines. No material can be stacked higher than the fence and must be at least 3m from it.
Moncton	Land, buildings, or structures for storing, wrecking, dismantling, refurbishing, and handling goods, machinery, vehicles (may include a recycling depot or outdoor storage).	Heavy Industrial (IH) Rail Industry (RI)	Opaque fence 3-5m high fully enclosing the operation. Fence must be 6m from front/flankage lot lines and 1.5m from side/rear lot lines. Land between the fence and lot line must be landscaped
Miramichi	Lot or premises for storage, handling, processing, and sale of scrap material, including used vehicles, tires, metal, and other salvage.	Heavy Industrial (IH)	Not Specified
Woodstock	Building, warehouse, yard, or premises where salvage is stored or kept pending resale/delivery.	Industrial (I)	200 m from residential uses.
Bathurst	Land or buildings where used metal, rags, paper, or other used materials are kept, sorted, purchased, or sold. Does not include recycling or reprocessing.	Heavy Industrial (IH)	Not Specified
Edmundston	Place where land and buildings are used for storage, wrecking, dismantling, refurbishing, handling goods, machinery, or vehicles, including retail sale of salvaged items.	Council Approval	Section 59 Conditions

Key Takeaways:

- Most municipalities restrict salvage yards to Heavy Industrial (IH) zones, except for Moncton (allows in Rail Industry zone) and Edmundston (requires Council approval subject to Section 59 Conditions).
- Screening and fencing regulations are common, typically requiring opaque fences between 2m-5m and prohibiting materials from being stacked higher than the fence.
- Setback requirements from residential areas are not commonly specified, except for Woodstock, which mandates a 200m setback.
- Moncton and Fredericton require landscaping buffers between scrap or salvage yards and lot boundaries.

These regulations aim to balance industrial needs with public safety, environmental concerns, and community aesthetics, ensuring salvage yards are appropriately located and managed.

Land-Use Compatibility and Public Safety

Given the potential risks associated with the Scrap or Salvage Yard use, an analysis of the Medium Industrial (IM) and Heavy Industrial (IH) zones, and the propensity of other municipalities to locate them within their IH zones, indicates that these operations should be restricted to the IH zone.

This amendment would ensure that scrap and salvage yards are located within appropriate industrial areas that provide the necessary separation and risk mitigation measures, reducing potential conflicts with surrounding land uses and enhancing public safety.

Existing Scrap and Salvage Yards

There are currently six companies that are licenced to run scrap and salvage yards in Saint John that are licensed by the province. The following are operational:

Address	Company	Zone
85 Whitebone Way	Jamie's Scrap Metals and Junk Removal	IM
65 Recycling Street	AIM Recycling Saint John	IM

Scrap and salvage yards currently located within the Medium Industrial (IM) zone will be listed as exceptions in Schedule E of the Zoning By-Law. This exception will allow these properties to continue operating as Scrap or Salvage Yards while the use is removed from the Medium Industrial (IM) zone moving forward.

Conclusion

Scrap and salvage yards are more suitable for the Heavy Industrial (IH) zone than the Medium Industrial (IM) zone due to their significant outdoor storage, heavy truck traffic, dismantling operations, and environmental risks. While the IM zone permits moderate industrial uses with contained nuisances, the IH zone accommodates large-scale operations where impacts extend beyond the property and require greater separation from other land uses.

Restricting the Scrap or Salvage Yard use to the IH zone, as intended by the Offensive Heavy Industrial Use, ensures they are in areas designed to handle their effects, minimizing conflicts and safeguarding public safety and the environment.

ALTERNATIVES AND OTHER CONSIDERATIONS

No alternatives are proposed.

ENGAGEMENT

Notice of the Public Hearing for the rezoning will be posted on the City of Saint John website on or before **April 14, 2025**.

APPROVALS AND CONTACT

Author	Manager	Director	Commissioner
Thomas Lewallen	Jennifer Kirchner MCIP, RPP	Pankaj, Nalavde MCIP, RPP	Amy Poffenroth P. Eng, MBA

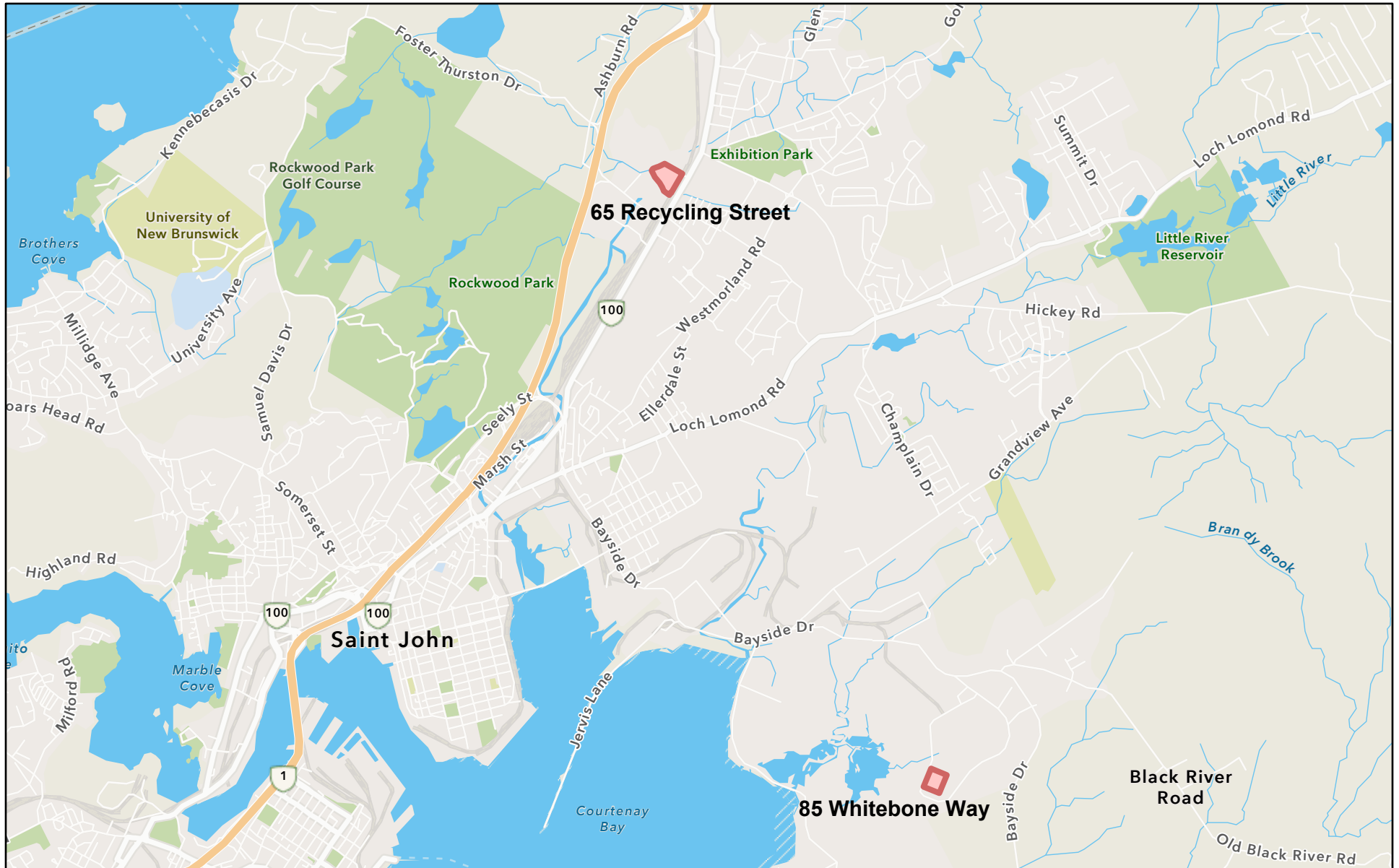
Contact: Thomas Lewallen
Telephone: (506) 977-00274
Email: thomas.lewallen@saintjohn.ca

APPENDIX


Map 1: **Scrap and Salvage Yards Zoned Medium Industrial (IM)**

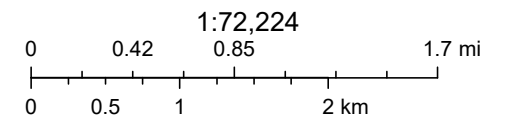
Attachment 1: **Draft - By-law No. C.P. 111-193**

Scrap and/or Salvage Yards Zoned Medium Industrial (IM)



03/04/2025, 12:17:02

 Scrap and or Salvage Yards zoned Medium Industrial (IM)



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**[DRAFT] BY-LAW NUMBER C.P. 111- 193
A LAW TO AMEND THE ZONING BY-LAW
OF THE CITY OF SAINT JOHN**

**[PROJET] ARRÊTÉ NO C.P. 111-192
ARRÊTÉ MODIFIANT L'ARRÊTÉ DE
ZONAGE DE THE CITY OF SAINT
JOHN**

Be it enacted by The City of Saint John in
Common Council convened, as follows:

Lors d'une réunion du conseil
communal, The City of Saint John a décrété
ce qui suit :

The *Zoning By-law* of The City of Saint John
enacted on the fifteenth day of December, A.D.
2014, is amended by:

L'Arrêté de zonage de The City of Saint John,
décrété le 15 décembre 2014, est modifié
par :

- 1. Deleting "Scrap or Salvage Yard" from the
Medium Industrial use in Table 12-1.
- 2. Deleting "Scrap or Salvage Yard, subject to
paragraph 12.1(2)(b);" from the Permitted
Uses list at subsection 12.2(1).
- 3. Deleting paragraph 12.2(2)(b)
- 4. Adding the following Industrial Exceptions in
to Schedule E:

65 Recycling Street (PID 00430967,
55005474, and 00305896)

85 Whitebone Way (PID 55230825 and
55230817)

- 1. Le partie 12 est modifié en supprimant
« Parc à ferraille ou dépôt d'objets de
récupération » de l'utilisation industrielle
moyenne dans le tableau 12-1.
- 2. Le paragraphe 12.2(1) est modifié en
supprimant « Parc à ferraille ou dépôt
d'objets de récupération, sous réserve du
paragraphe 12.2(2)(b); » de la liste des
utilisations autorisées.
- 3. Le paragraphe 12.2(2) est modifié en
supprimant l'alinéa (b) de la liste des
Conditions régissant les usages.
- 4. Annexe E est modifié par l'ajout de ce qui
suit aux exceptions industrielles :

65 rue Recycling (NID 00430967,
55005474, and 00305896)

85 voie Whitebone (NID 55230825
and 55230817)

IN WITNESS WHEREOF The City of Saint John
has caused the Corporate Common Seal of the
said City to be affixed to this by-law the 20th day
of May, A.D. 2025 and signed by:

EN FOI DE QUOI, The City of Saint John a
fait apposer son sceau communal sur le
présent arrêté le 20e jour de mai 2025, avec
les signatures suivantes :

Mayor/Mairesse

City Clerk/ Greffier de la municipalité

First Reading –
Second Reading –
Third Reading –

Première lecture –
Deuxième lecture –
Troisième lecture –

**BY-LAW NUMBER C.P. 111-193
A LAW TO AMEND THE ZONING BY-LAW
OF THE CITY OF SAINT JOHN**

**ARRÊTÉ NO C.P. 111-193 ARRÊTÉ
MODIFIANT L'ARRÊTÉ DE ZONAGE
DE THE CITY OF SAINT JOHN**

Be it enacted by The City of Saint John in
Common Council convened, as follows:

Lors d'une réunion du conseil
communal, The City of Saint John a décrété
ce qui suit :

The *Zoning By-law* of The City of Saint John
enacted on the fifteenth day of December, A.D.
2014, is amended by:

L'Arrêté de zonage de The City of Saint John,
décrété le 15 décembre 2014, est ainsi
modifié :

1. Deleting the definition of “scrap or salvage
yard” at section 3.1 and replacing it with the
following”

“scrap or salvage yard” means any use of
land or building for the storage, wrecking,
disassembling, refurbishing, or handling of
goods, machinery, or motor vehicles, and
may include a recycling facility, the sale of
salvaged materials, or outdoor storage.

1. L'article 3.1 est modifié par suppression
de la définition de « parc à ferraille ou
dépôt d'objets de récupération » et son
remplacement par ce qui suit :

« parc à ferraille ou dépôt d'objets de
récupération » Vise l'usage d'un terrain ou
d'un bâtiment pour l'entreposage, la
démolition, le démantèlement, le
désassemblage, la restauration ou la
manutention de biens, de machinerie ou
de véhicules à moteur, et pouvant
comporter des installations de recyclage,
la vente de matériaux récupérés ou
l'entreposage en plein air.

2. Deleting “Scrap or Salvage Yard” from the
Medium Industrial use in Table 12-1 at
section 12.

2. L'article 12 est modifié par suppression de
« Parc à ferraille ou dépôt d'objets de
récupération » de l'usage d'industrie
moyenne dans le tableau 12-1.

3. Deleting “Scrap or Salvage Yard, subject to
paragraph 12.1(2)(b);” from the Permitted
Uses list at subsection 12.2(1).

3. Le paragraphe 12.2(1) est modifié par
suppression de « Parc à ferraille ou dépôt
d'objets de récupération, sous réserve du
paragraphe 12.2(2)b); » de la liste des
usages permis.

4. Deleting paragraph 12.2(2)(b).

4. Le paragraphe 12.2(2) est modifié par
suppression de l'alinéa b).

5. Adding the following Industrial Exceptions to
Schedule E:

5. L'Annexe E est modifiée par adjonction
des exceptions industrielles suivantes :

IM - 65 Recycling Street - PIDs 00430967,
55005474, and 00305896 – Scrap or Salvage
Yard

IM - 65 rue Recycling - NIDs 00430967,
55005474, et 00305896 - parc à ferraille
ou dépôt d'objets de récupération

IM – 81-85 Whitebone Way - PIDs 55230825
and 55230817 – Scrap or Salvage Yard

IM – 81-85 voie Whitebone -
NID 55230825 et 55230817 – parc à
ferraille ou dépôt d'objets de
récupération

IN WITNESS WHEREOF The City of Saint John
has caused the Corporate Common Seal of the
said City to be affixed to this by-law the ____ day of
____, A.D. 2025 and signed by:

EN FOI DE QUOI, The City of Saint John a
fait apposer son sceau communal sur le
présent arrêté le ____ ____ 2025, avec les
signatures suivantes :

Mayor/Mairesse

City Clerk/ Greffier de la municipalité

First Reading – May 5, 2025
Second Reading – May 5, 2025
Third Reading – May 20, 2025

Première lecture – 5 mai 2025
Deuxième lecture – 5 mai 2025
Troisième lecture – 20 mai 2025

Medium Industrial (IM)

Zoning By-Law Amendment

Common Council Public Hearing

May 5, 2025 – 18:30

By-Law Number: CP 111-193

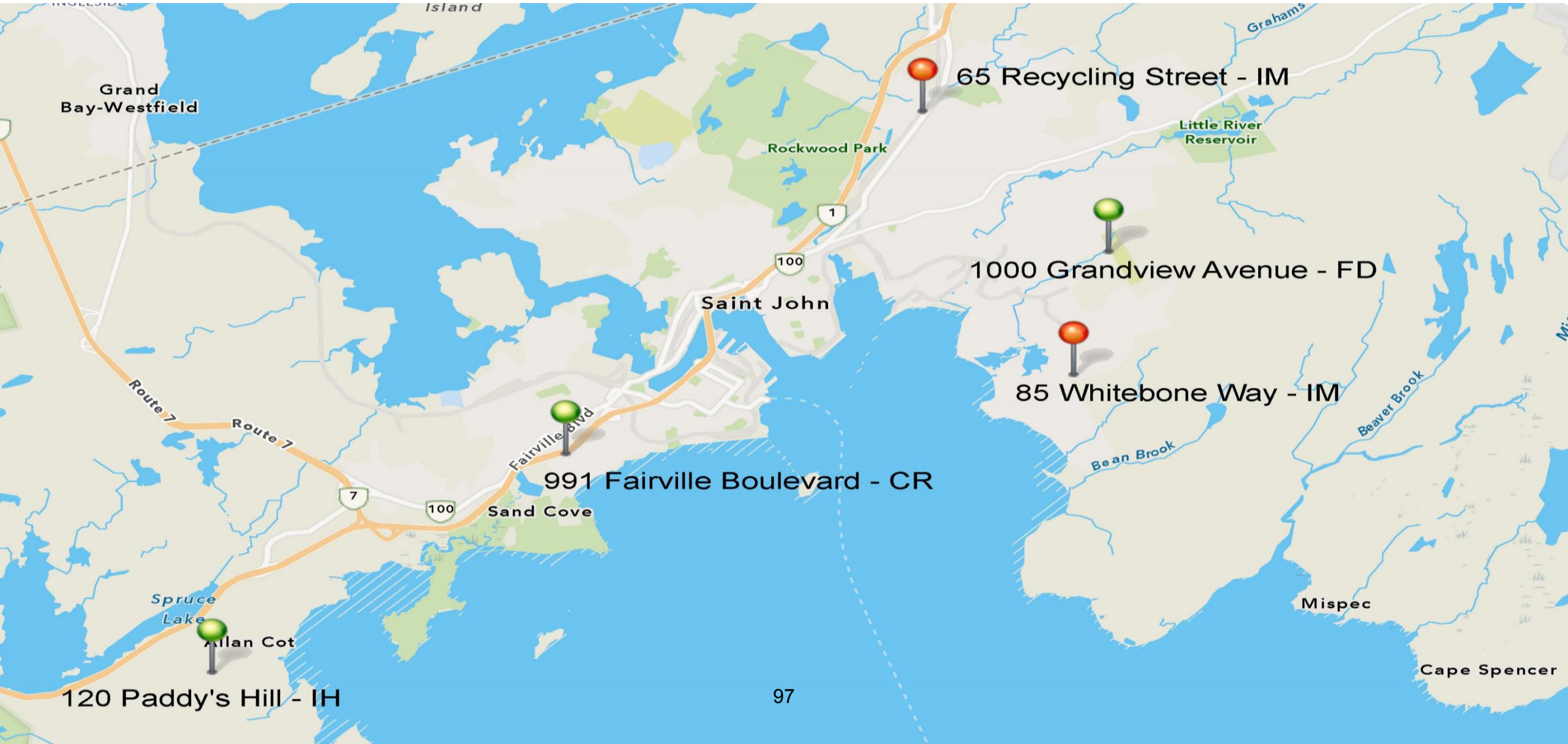


Medium Industrial (IM) By-Law Amendment Proposal

- Removing Scrap or Salvage Yard from the list of permitted uses in Medium Industrial (IM) which limits the use to Heavy Industrial (IH).
- Existing Scrap or Salvage Yards zoned Medium Industrial (IM) would be added to Schedule E: Exemptions.



Scrap or Salve Yard Locations





Medium Industrial (IM) By-Law Amendment

Scrap or Salvage Yard

“any land or building used for storage, wrecking, disassembling, refurbishing, or handling of goods, machinery, or motor vehicles. It may also include a recycling facility, the sale of salvaged materials, or outdoor storage.”



City Comparison

Municipality	Permitted Zones	Unique Requirements
Saint John	Medium Industrial (IM) Heavy Industrial (IH)	A 2-metre opaque fence, wall, berm, or approved landscaping (per Section 6 of the Zoning By-law) is required for screening.
Fredericton	Heavy Industrial (IH)	A 3-5m opaque fence 6m front and 1.5m side/rear setbacks. Materials cannot exceed fence height and must be at least 3m away from it.
Moncton	Heavy Industrial (IH) Rail Industry (RI)	A 3-5m opaque fence 6m front/flankage and 1.5m setbacks with landscaping between the fence and lot lines.
Miramichi	Heavy Industrial (IH)	Not Specified
Woodstock	Industrial (I)	200 m from residential uses.
Bathurst	Heavy Industrial (IH)	Not Specified
Edmundston	Council Approval	Section 59 Conditions



Medium Industrial (IM) By-Law Amendment

Offensive Heavy Industrial Use

*“(...a) type of manufacturing process involved or the type of material used, produced, or stored may cause a dangerous gas or fume, dust, objectionable odour, noise or vibration, or the unsightly storage of goods, wares, merchandise, salvage, junk, waste, or other material to a condition that could be hazardous or injurious as regards to a person’s health or safety, or which prejudices the character of the surrounding neighbourhood, or could interfere with the normal enjoyment of any land, building, or structure, and shall include, but not be limited to, a brewery, pulp and paper mill, or **a scrap or salvage yard.**”*



Zoning By-Law Alignment

Standards	Medium Industrial (IM)	Offensive Heavy Industrial (IH)
Intent	Allows medium industrial activities, including outdoor operations and storage, but requires that any nuisances remain within the lot boundary.	Supports large-scale heavy industrial activities, where nuisances and risks are expected to extend beyond the property boundary. Due to their impact, adequate separation from non-industrial areas is necessary for public safety.
Front Yard	7.5m	30m
Flankage Yard	7.5m	30m
Side Yard	Abutting Residential Zone: 15m Other: 7.5m	Abutting Non-Industrial Zone: 30m Abutting Industrial Zone: 15m
Rear Yard	Abutting Residential Zone: 15m Other: 7.5m	Abutting Non-Industrial Zone: 30m Abutting Industrial Zone: 15m
Maximum Lot Occupancy	65%	60%

Medium Industrial (IM) By-Law Amendment

Public Engagement



Mailout:	April 4, 2025
Ad Posted on Website:	April 14, 2025
Applicant Engagement:	N/A
Letters Received:	0
PAC Date:	April 15, 2025

Proposed Amendment to the Zoning By-Law of The City of Saint John RE: Public Hearing

Public Notice is hereby given that the Common Council of The City of Saint John intends to consider amending The Zoning By-Law of The City of Saint John (By-Law Number C.P. 111) at its regular meeting to be held in the Council Chamber on **Monday, May 5, 2025, at 6:30 p.m.**

The amendment affects the Medium Industrial (IM) zone by:

- Removing Scrap or Salvage Yard from the list of Permitted Uses within the Medium Industrial (IM) zone.

For details on how to inspect the amendment, or to register to participate, please contact the Office of the City Clerk at CityClerk@saintjohn.ca. Written objections to the amendment may be provided in writing and/or verbally at the Public Hearing to be held by Common Council. To register for participation in the hearing, please contact the City Clerk's Office in advance at cityclerk@saintjohn.ca

If you require French services for a Common Council meeting, please contact the office of the City Clerk.

Jonathan Taylor, City Clerk

(506) 658-2862

CityClerk@saintjohn.ca

Medium Industrial (IM) By-Law Amendment PAC & Staff Recommendation



That Common Council adopt the by-law amendment titled, “By-Law No. C.P. 111-193, A Law to Amend the Zoning By-Law of The City of Saint John.”

Scrap or Salvage Yard

- Section 3 is amended by adding the term “shredding” to the definition of Scrap or Salvage Yard.

Medium Industrial (IM)

- Section 12 and 12.2(1) is amended by deleting “Scrap or Salvage Yard” use from the Medium Industrial (IM) zone.
- Section 12.2(2) is amended by deleting Conditions of Use.

Schedule E

- Schedule E is amended by adding the list of IM zoned and licensed scrap or salvage yards to the Industrial Exceptions list.

Proposed Amendment to the Zoning By-Law of The City of Saint John
RE: Public Hearing

Public Notice is hereby given that the Common Council of The City of Saint John intends to consider amending The Zoning By-law of The City of Saint John (By-law Number C.P. 111) at its regular meeting to be held in the Council Chamber on **Monday, May 5, 2025, at 6:30 p.m.**

The amendment affects the Medium Industrial (IM) zone by:

- Removing Scrap or Salvage Yard from the list of Permitted Uses within the Medium Industrial (IM) zone.

For details on how to inspect the amendment, or to register to participate, please contact the Office of the City Clerk at CityClerk@saintjohn.ca. Written objections to the amendment may be provided in writing and/or verbally at the Public Hearing to be held by Common Council. To register for participation in the hearing, please contact the City Clerk's Office in advance at cityclerk@saintjohn.ca

If you require French services for a Common Council meeting, please contact the office of the City Clerk.

Jonathan Taylor, City Clerk
(506) 658-2862
CityClerk@saintjohn.ca

PROJET DE MODIFICATION DE L'ARRÊTÉ DE ZONAGE DE THE CITY OF SAINT JOHN
Objet : AUDIENCE PUBLIQUE

Par les présentes, un avis public est donné par lequel le Conseil communal de The City of Saint John a l'intention de modifier l'Arrêté de zonage de The City of Saint John (arrêté no C.P. 111), au cours de la séance ordinaire qui aura lieu dans la salle du conseil le **lundi 5 mai 2025 à 18 h 30**.

La modification affecte la zone industrielle moyenne (IM) en :

- Retirant le parc à ferraille ou dépôt d'objets de récupération de la liste des utilisations autorisées dans la zone industrielle moyenne (IM).

Pour plus d'informations concernant la lecture de l'amendement, ou pour s'enregistrer à l'audience publique, veuillez contacter le Bureau du greffier de la municipalité à l'adresse CityClerk@saintjohn.ca. Les objections à l'amendement peuvent être écrites ou présentées oralement à l'audience publique tenue par le conseil commun.

Si vous souhaitez obtenir des services en français, veuillez contacter le bureau du greffier de la municipalité.

Jonathan Taylor, greffier de la municipalité
(506) 658-2862
CityClerk@saintjohn.ca

PROPOSED MUNICIPAL PLAN AMENDMENT RE: 1384 Latimore Lake Road (PID 55203095)

Public Notice is hereby given that the Common Council of The City of Saint John intends to consider an amendment to the Municipal Development Plan that would:

1. Redesignate on Schedule A of the Municipal Development Plan, land having an approximate area of 3.85 hectares, located at 1384 Latimore Lake Road, also identified as a part of PID 55203095, from **Rural Resource Area and Park and Natural Area** to **Stable Area**, as illustrated below.
2. Redesignate on Schedule B of the Municipal Development Plan, land having an approximate area of 3.85 hectares, located at 1384 Latimore Lake Road, also identified as a part of PID 55203095, from **Rural Resource and Park and Natural Area** to **Rural Residential**, as illustrated below.



REASON FOR CHANGE:

To allow for the construction of a land-lease mini-home park.

A public presentation of the proposed amendment will take place at a regular meeting of Common Council, to be held in the Council Chamber at City Hall on **Monday, May 5, 2025**. Written objections to the proposed amendment may be made to the Council, in care of the undersigned, by **Wednesday, June 4, 2025**.

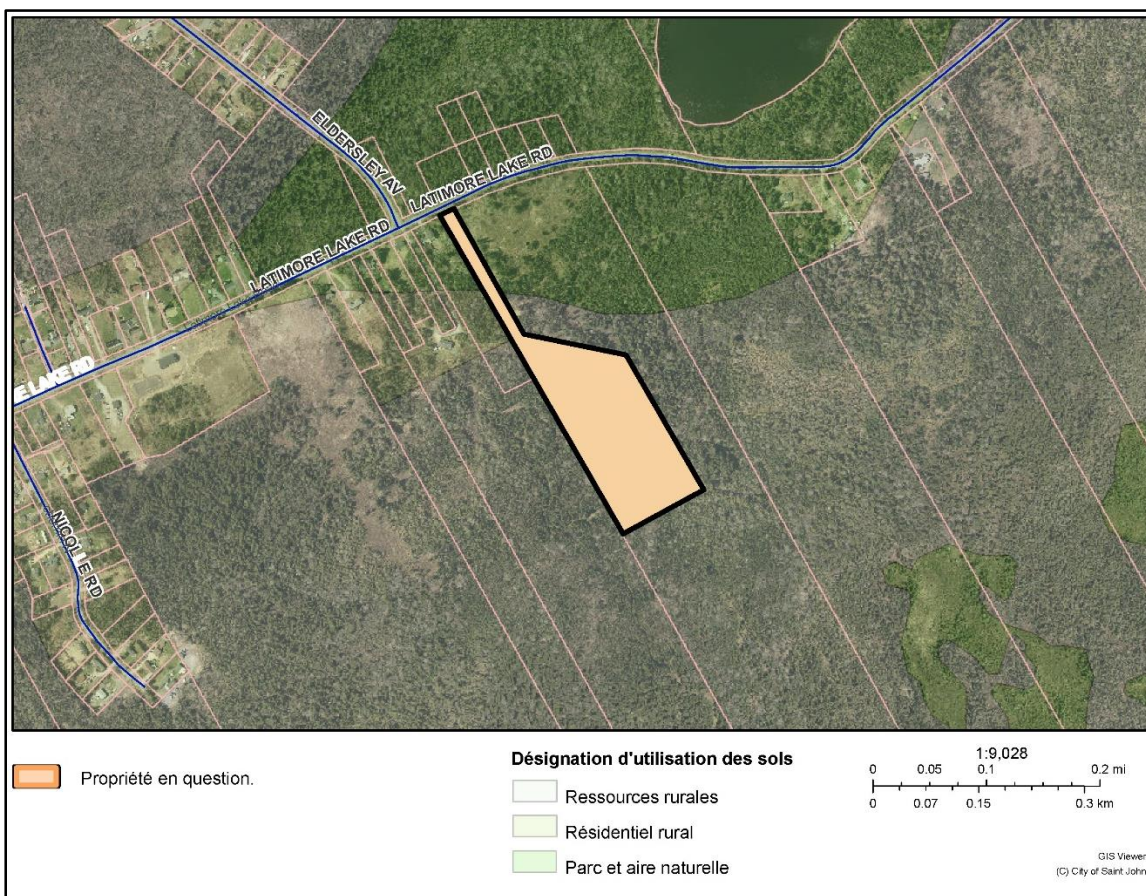
Enquiries may be made at the office of the City Clerk or Growth & Community Services, City Hall, 15 Market Square, Saint John, N.B. between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, inclusive, holidays excepted.

Jonathan Taylor, City Clerk
cityclerk@saintjohn.ca
(506) 658-2862

PROJET DE MODIFICATION DU PLAN MUNICIPAL
OBJET : 1384, chemin Latimore Lake (NID 55203095)

Par les présentes, un avis public est donné par lequel le conseil communal de ville de Saint John a l'intention d'étudier la modification du plan d'aménagement municipal comme suit :

1. À l'annexe A du plan d'aménagement municipal, modifier la désignation d'un terrain d'une superficie approximative de 3.85 hectares, située au 1384, chemin Latimore Lake, également identifié comme partie du NID 55203095, qui passera de **secteur de ressources rurale et parc ou aire naturelle** à **secteur stable**, comme illustré ci-dessous.
2. À l'annexe B du plan d'aménagement municipal, modifier la désignation d'un terrain d'une superficie approximative de 3.85 hectares, située au 1384, chemin Latimore Lake, également identifié comme partie du NID 55203095, qui passera de **ressources rurales et parc ou aire naturelle** à **résidentiel rural**, comme illustré ci-dessous.



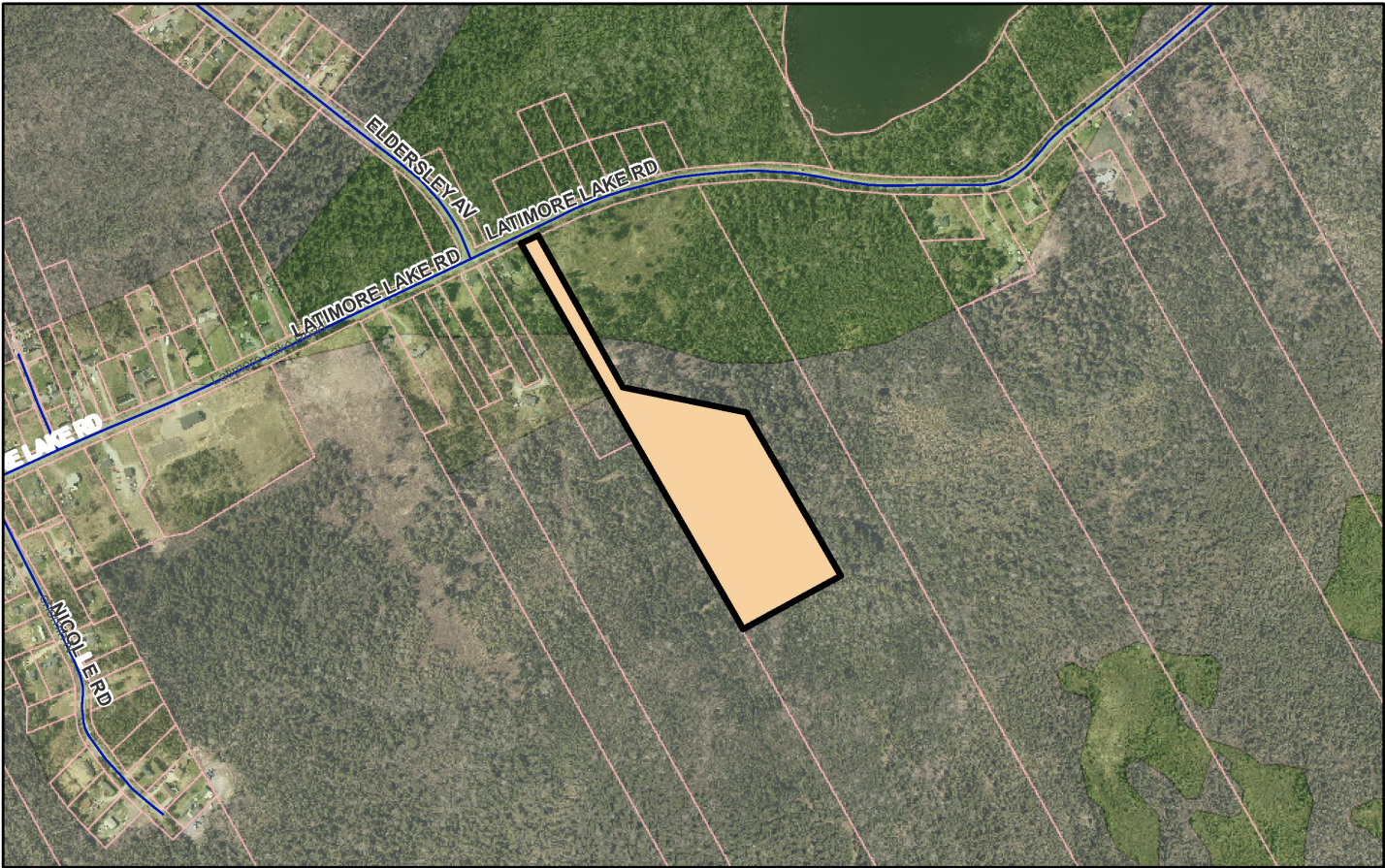
RAISON DE LA MODIFICATION: Construire une communauté bail foncier de mini-maisons.

Une présentation publique de la modification proposée aura lieu lors d'une réunion ordinaire du Conseil communal, qui aura lieu dans la salle du Conseil à l'hôtel de ville, le **lundi 5 mai 2025**. Les objections écrites à la modification proposée peuvent être présentées au Conseil, aux soins du soussigné, d'ici **mercredi 4 juin 2025**.




Les demandes de renseignements peuvent être présentées au bureau du greffier de la municipalité ou aux Services de croissance et de développement communautaire, Hôtel de ville, 15, carré Market, Saint John (N.-B.), entre 8 h 30 et 16 h 30, du lundi au vendredi, inclusivement, les jours fériés exclus.

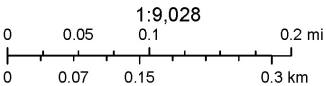
Jonathan Taylor, greffier de la municipalité
cityclerk@saintjohn.ca
(506) 658-2862

Proposed Future Land Use Map - 1384 Latimore Lake Road



 Subject Site - Rural Residential Designation

- Future Land Use**
-  Rural Resource
 -  Rural Residential
 -  Park and Natural Area



GIS Viewer
(C) City of Saint John

LOCATION	CIVIC ADDRESS :	1384 Latimore Lake Rd		PID # :	SS203095
STAFF USE	HERITAGE AREA: Y / <input checked="" type="checkbox"/> N	INTENSIFICATION AREA: Y / <input checked="" type="checkbox"/> N	FLOOD RISK AREA: Y / N	APPROVED GRADING PLAN: Y / N	
	APPLICATION #:	DATE RECEIVED:			
	RECEIVED BY:				
APPLICANT INFORMATION	APPLICANT	Brendan Tom Cole, Brad Barricau, Brendan McElme		EMAIL	Brendan@McElmeGroup.com
	PHONE	416 859 2602			
	MAILING ADDRESS	337 Butthesay Ave #288		POSTAL CODE	E2J 2C8
	CONTRACTOR	EMAIL		PHONE	
	MAILING ADDRESS	POSTAL CODE			
	OWNER	EMAIL		PHONE	
MAILING ADDRESS	POSTAL CODE				
PRESENT USE: PROPOSED USE:					
CHECK ALL THAT APPLY	BUILDING		PLANNING	INFRASTRUCTURE	HERITAGE
	<input type="checkbox"/> INTERIOR RENOVATION <input type="checkbox"/> EXTERIOR RENOVATION <input type="checkbox"/> ADDITION <input type="checkbox"/> DECK <input checked="" type="checkbox"/> CHANGE OF USE <input type="checkbox"/> MINIMUM STANDARDS	<input checked="" type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ACCESSORY BLDG <input type="checkbox"/> POOL <input type="checkbox"/> DEMOLITION <input type="checkbox"/> SIGN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> PLANNING LETTER <input checked="" type="checkbox"/> PAC APPLICATION <input type="checkbox"/> COUNCIL APP <input type="checkbox"/> SUBDIVISION <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> STREET EXCAVATION <input checked="" type="checkbox"/> DRIVEWAY CULVERT <input checked="" type="checkbox"/> DRAINAGE <input type="checkbox"/> WATER & SEWERAGE <input type="checkbox"/> OTHER	<input type="checkbox"/> HERITAGE DEVELOPMENT <input type="checkbox"/> HERITAGE SIGN <input type="checkbox"/> HERITAGE INFILL <input type="checkbox"/> HERITAGE DEMO <input type="checkbox"/> OTHER
REQUIRED:		BUILDING SPRINKLERED: Y / <input checked="" type="checkbox"/> N		FIRE ALARM: Y / <input checked="" type="checkbox"/> N	
DESCRIPTION OF WORK	Develop 17 Small home park				
	PROJECT ESTIMATE (IF APPLICABLE)				

☒ I consent to the City of Saint John sending to me commercial electronic messages, from time to time, regarding City initiatives and incentives.

General Collection Statement

This information is being collected in order for the City of Saint John to deliver an existing program / service; the collection is limited to that which is necessary to deliver the program / service. Unless required to do so by law, the City of Saint John will not share your personal information with any third party without your express consent.

The legal authority for collecting this information is to be found in the Municipalities Act and the Right to Information and Protection of Privacy Act. For further information or questions regarding the collection of personal information, please contact the Access & Privacy Officer:

City Hall Building
 15 Market Square Saint
 John, NB E2L 1E8
commonclerk@saintjohn.ca
 (506) 658-2862



I, the undersigned, hereby apply for the permit(s) or approval(s), indicated above for the work described on plans, submissions and forms herewith submitted. This application includes all relevant documentation necessary for the applied for permit(s) or approval(s). I agree to comply with the plans, specifications and further agree to comply with all relevant City By-laws and conditions imposed.

Thomas Cole, Brad Barricau, Brendan McElme

Applicant Name

[Signatures]

Applicant Signature

Dec 2, 2024

Date

CIVIC ADDRESS	1384 Latimer Lake Rd	APPLICATION #		FEE PAID	Y	N
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TYPE OF APPLICATION		
<input type="checkbox"/> Land for Public Purposes Release Service Fee: \$300	<input type="checkbox"/> Non-Conforming Use Service Fee: \$200	<input type="checkbox"/> Satisfactory Servicing Service Fee: \$200
<input type="checkbox"/> Section 59 Amendment Service Fee: \$2,650	<input type="checkbox"/> Zoning By-law Amendment Service Fee: \$2,650	<input checked="" type="checkbox"/> Zoning By-law Amendment with a Municipal Plan Amendment Service Fee: \$3,700

DETAILED DESCRIPTION OF APPLICATION
Where applicable, indicate the changes to existing Section 39 conditions, zoning, or Municipal Plan designation being requested. Attach site plans, building elevations, floor plans, and other documentation to fully describe the application. The submission of a preliminary proposal and a Pre-Application Meeting is encouraged prior to seeking approval. Please contact the One-Stop Development Shop at (506) 658-2911 for further information.

Build ~~17~~ 17 unit small home park.

As per pre app notes, needs to rezone to Mini-Home Park Residential (RM)

Municipal Plan Amendment is also required as per the Pre-App Notes - added Jennifer Kirchner, December 3, 2024

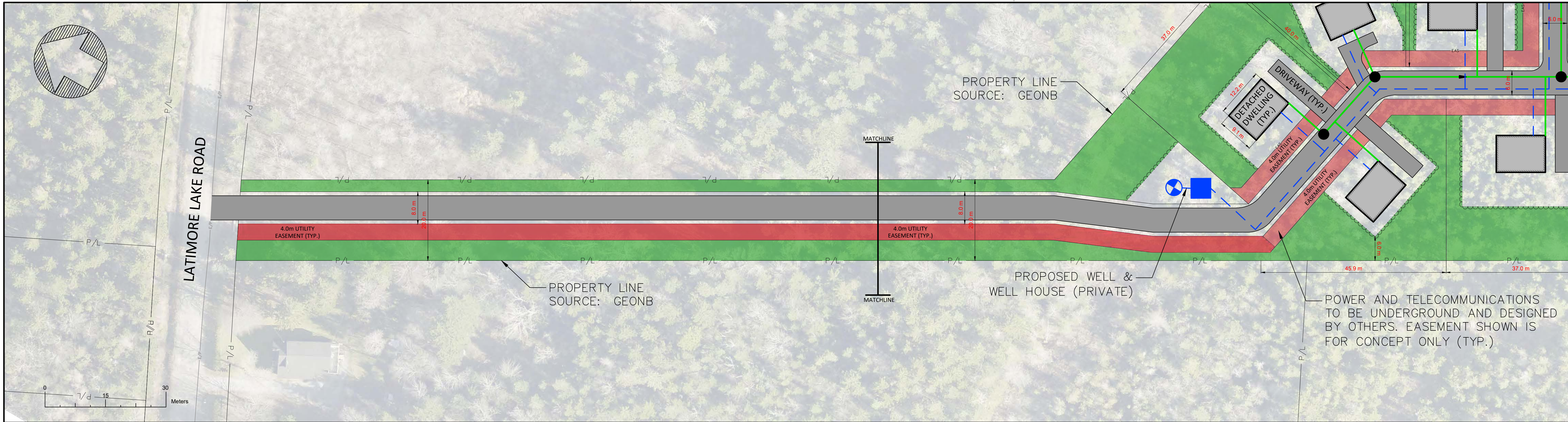
ENCUMBRANCES
Describe any easements, restrictive covenants, and other encumbrances affecting the land.

AUTHORIZATION

As of the date of this application, I, the undersigned, am the registered owner of the land described in this application or the authorized agent thereof, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize the applicant to represent this matter and to provide any additional information that will be necessary for this application.

_____ Registered Owner or Authorized Agent	_____ Additional Registered Owner
_____ Date	_____ Date

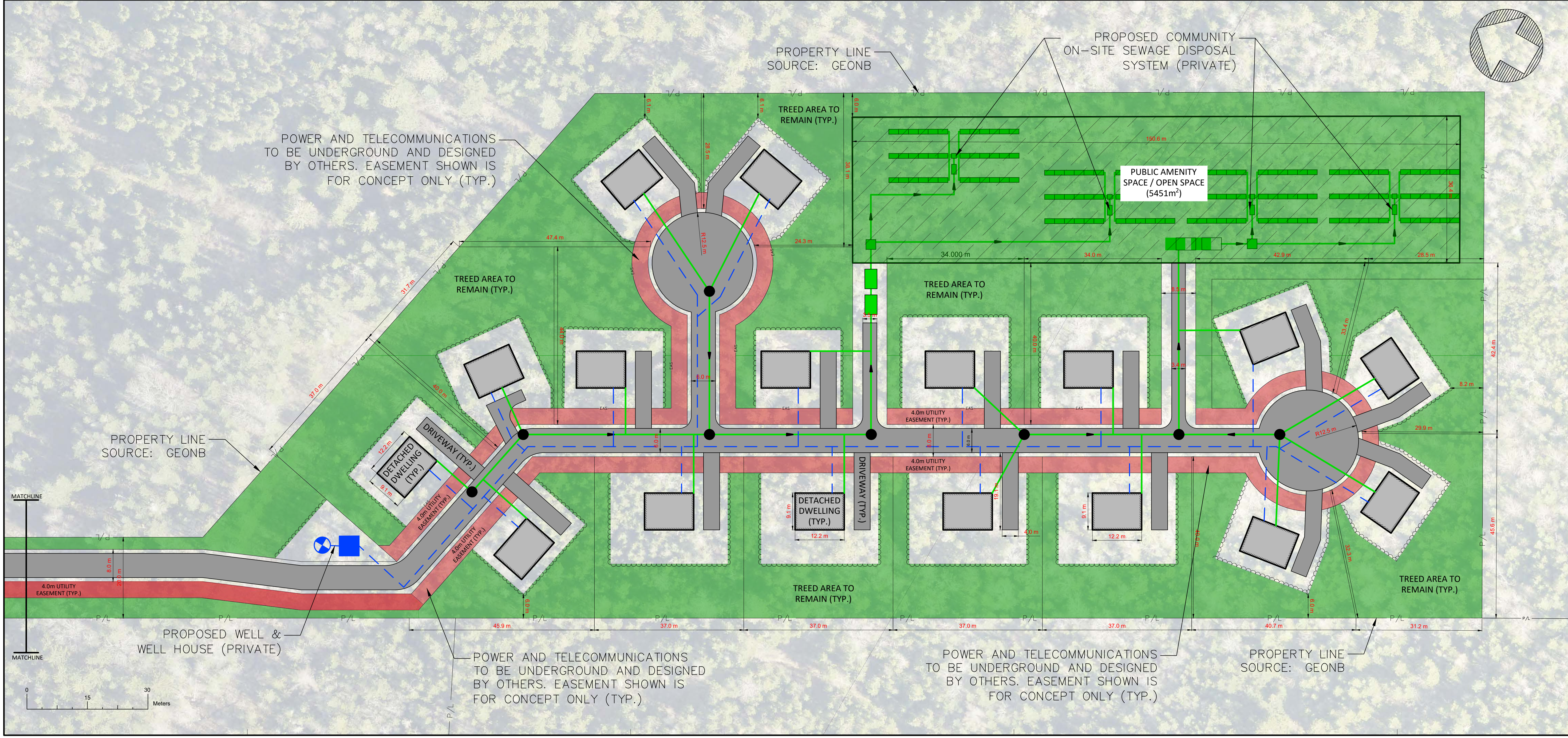
The information contained in this application and any documentation, including plans, drawings, reports, and studies, provided in support of this application will become part of the public record.



- NOTES**
1. ALL DIMENSIONS ARE IN MILLIMETRES.
 2. SPATIAL REFERENCE SYSTEM IS NAD83(CRS). ELEVATIONS ARE IN THE CANADIAN GEODETIC CERTICAL DATUM OF 1928 (CGVD28).
 3. ALL CHAINAGES ARE IN METRES.
 4. LOCATION OF EXISTING SERVICES, STRUCTURES AND BUILDINGS APPROXIMATE ONLY. UNDERGROUND UTILITY LOCATES ARE REQUIRED TO CONFIRM LOCATION AND PRIOR TO ANY EXCAVATION ACTIVITIES.
 5. ALL FIELD SURVEY INFORMATION PROVIDED BY ENGINEERING BY HOUGHTON.
 6. MATERIALS, METHODS, TYPICAL SECTIONS, DETAILS, AND SPECIFICATIONS ARE AS PER THE CITY OF SAINT JOHN GENERAL SPECIFICATIONS (LATEST EDITION).
 7. PROPERTY LINE INFORMATION FROM GEONB (NOT LEGAL).
 8. THE CONTRACTOR MUST NOTIFY THE ENGINEER AND RELEVANT LOCAL AUTHORITIES/DEPARTMENTS BEFORE ANY CONSTRUCTION ACTIVITIES BEGIN.
 9. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF EXISTING CONDITIONS AND/OR ELEVATIONS ARE NOT AS SHOWN.
 10. NO CHANGES SHALL BE MADE WITHOUT THE APPROVAL OF THE ENGINEER.
 11. THE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL SEDIMENT AND EROSION CONTROL MEASURES UNTIL ALL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
 12. THE CONTRACTOR IS RESPONSIBLE TO KEEP DETAILED DAILY AND LEGIBLE NOTES AND PHOTOGRAPHS OF ALL CONSTRUCTION ACTIVITIES AND PROVIDE THEM TO THE OWNER AND ENGINEER ON AT LEAST A MONTHLY BASIS AND/OR WITH ALL PROGRESS CLAIMS.

LEGEND

PROPOSED	EXISTING



B	ISSUED FOR REVIEW	FEB 14/25	DLH
A	ISSUED FOR REVIEW	OCT 25/24	DLH
NO.	DESCRIPTION	DATE	BY

REVISION OR ISSUE

ENGINEERING
by **HOUGHTON**

25-27 MAIN STREET WEST, SAINT JOHN, NB, E2M 3M9
INFO@ENGINEERINGBYHOUGHTON.CA
PH: (506) 777-3294 WWW.EBYH.CA FAX: (506) 777-3294

Stamp

CONCEPT ONLY
NOT FOR
CONSTRUCTION

BRENDON MCCLURE
PROPOSED MINI HOME PARK
1384 LATIMORE LAKE ROAD
SAINT JOHN, NB

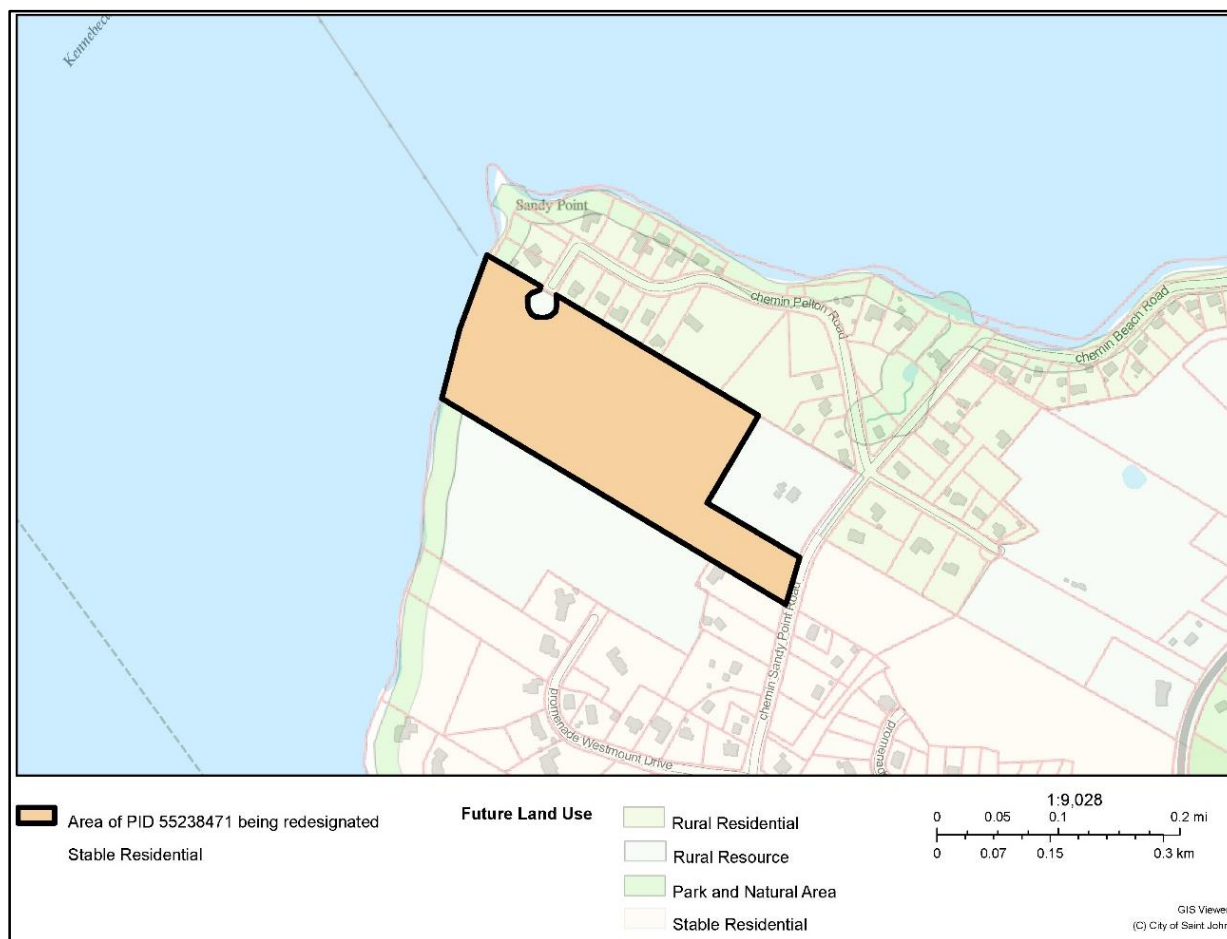
CIVIL
PR. LAYOUT & SERVICING
PID 55203095
SAINT JOHN, NB

Project #	243039	Drawn	DLH	Designed	DLH	Approved	DLH
Date	FEB 14, 2025	Sheet of	2 / 2	Revision			
Scale	1:500	Drawing No	C2				

PROPOSED MUNICIPAL PLAN AMENDMENT
RE: Ethos Ridge – 500 Pelton Road (PID 55238471)

Public Notice is hereby given that the Common Council of The City of Saint John intends to consider an amendment to the Municipal Development Plan that would:

1. Redesignate on Schedule B of the Municipal Development Plan, land having an approximate area of 84.6 hectares, located at 500 Pelton Road, also identified as PID 55238471, from **Major Community Facility** to **Stable Residential**.



REASON FOR CHANGE: To permit the development of a residential neighbourhood consisting of 6 townhomes and 8 semi-detached homes.

A public presentation of the proposed amendment will take place at a regular meeting of Common Council, to be held in the Council Chamber at City Hall on **Monday, May 5, 2025**. Written objections to the proposed amendment may be made to the Common Council, in care of the undersigned, by **Wednesday, June 4, 2025**.

Enquiries may be made at the office of the City Clerk or Growth & Community Services, City Hall, 15 Market Square, Saint John, N.B. between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, inclusive, holidays excepted.

Jonathan Taylor, City Clerk

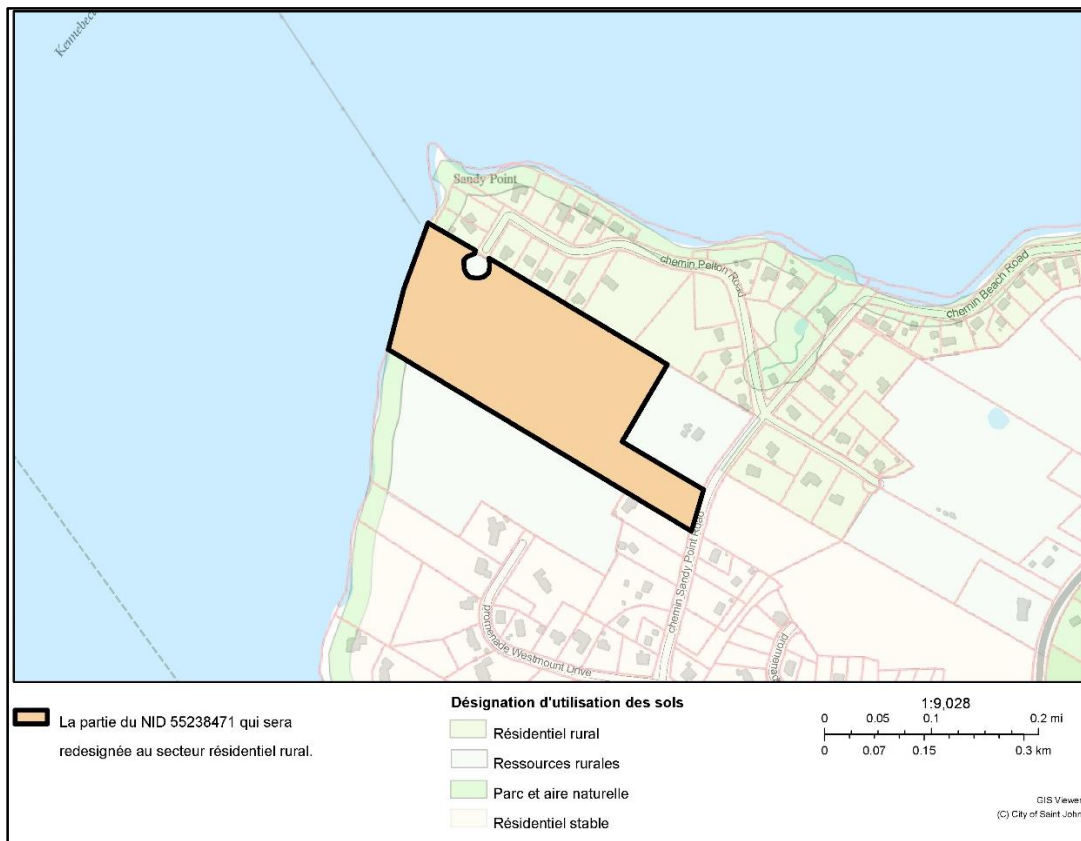
cityclerk@saintjohn.ca
(506) 658-2862

PROJET DE MODIFICATION DU PLAN MUNICIPAL

OBJET : Ethos Ridge – 500, chemin Pelton (NID 55238471)

Par les présentes, un avis public est donné par lequel le Conseil Communal de ville de Saint John a l'intention d'étudier la modification du plan d'aménagement municipal comme suit :

1. À l'annexe B du plan d'aménagement municipal, modifier la désignation d'un terrain d'une superficie approximative de 84.6 hectares, situé au 500, chemin Pelton, également identifié comme NID 55238471, qui passera de **secteur établissement communautaire majeur** à **secteur résidentiel stable**.



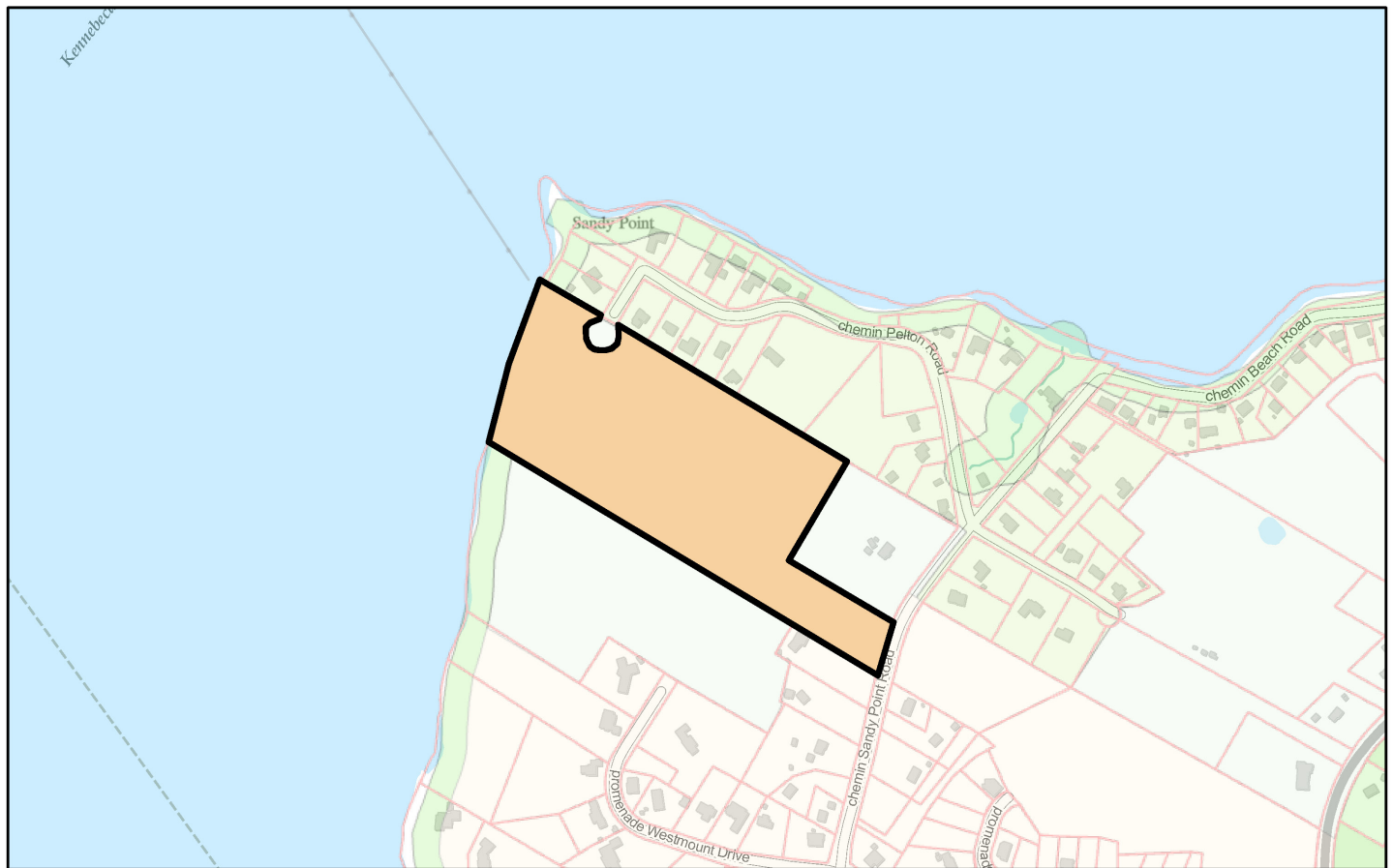
RAISON DE LA MODIFICATION: Permettre le développement d'un quartier résidentiel composé de 6 habitations en rangée et de 8 maisons jumelées.

Une présentation publique de la modification proposée aura lieu lors d'une réunion ordinaire du Conseil communal, qui aura lieu dans la salle du Conseil à l'hôtel de ville, le **lundi 5 mai 2025**. Les objections écrites à la modification proposée peuvent être présentées au Conseil Communal, aux soins du soussigné, d'ici **mercredi 4 juin 2025**.

Les demandes de renseignements peuvent être présentées au bureau du greffier de la municipalité ou aux Services de croissance et de développement communautaire, Hôtel de ville, 15, carré Market, Saint John (N.B.), entre 8 h 30 et 16 h 30, du lundi au vendredi, inclusivement, les jours fériés exclus.

Jonathan Taylor, greffier de la municipalité
cityclerk@saintjohn.ca
(506) 658-2862

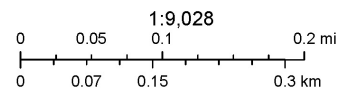
Proposed Future Land Use Map - Ethos Ridge (PID 55238471)



Area of PID 55238471 being redesignated
Stable Residential

Future Land Use

- Rural Residential
- Rural Resource
- Park and Natural Area
- Stable Residential



GIS Viewer
(C) City of Saint John

LOCATION	CIVIC ADDRESS :	Ethos Ridge	PID # :	55238471																																			
STAFF USE	HERITAGE AREA: Y / N INTENSIFICATION AREA: Y / N FLOOD RISK AREA: Y / N APPROVED GRADING PLAN: Y / N																																						
	APPLICATION #:		DATE RECEIVED:																																				
			RECEIVED BY:																																				
APPLICANT INFORMATION	APPLICANT		EMAIL	PHONE																																			
	Ethos Ridge		ian@ethosridge.com	506-647-2715																																			
	MAILING ADDRESS		POSTAL CODE																																				
	CONTRACTOR		EMAIL	PHONE																																			
	Isaiah Reid		Isaiah.reid@dmse.ca	506-850-8167																																			
	MAILING ADDRESS		POSTAL CODE																																				
APPLICANT INFORMATION	OWNER		EMAIL	PHONE																																			
	Scott Walton		walton.scott@gmail.com	506-647-2715																																			
	MAILING ADDRESS		POSTAL CODE																																				
PRESENT USE: CFM PROPOSED USE: RL																																							
CHECK ALL THAT APPLY	<table border="1"> <thead> <tr> <th colspan="2">BUILDING</th> <th>PLANNING</th> <th>INFRASTRUCTURE</th> <th>HERITAGE</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> INTERIOR RENOVATION</td> <td><input type="checkbox"/> NEW CONSTRUCTION</td> <td><input type="checkbox"/> VARIANCE</td> <td><input type="checkbox"/> STREET EXCAVATION</td> <td><input type="checkbox"/> HERITAGE DEVELOPMENT</td> </tr> <tr> <td><input type="checkbox"/> EXTERIOR RENOVATION</td> <td><input type="checkbox"/> ACCESSORY BLDG</td> <td><input type="checkbox"/> PLANNING LETTER</td> <td><input type="checkbox"/> DRIVEWAY CULVERT</td> <td><input type="checkbox"/> HERITAGE SIGN</td> </tr> <tr> <td><input type="checkbox"/> ADDITION</td> <td><input type="checkbox"/> POOL</td> <td><input checked="" type="checkbox"/> PAC APPLICATION</td> <td><input type="checkbox"/> DRAINAGE</td> <td><input type="checkbox"/> HERITAGE INFILL</td> </tr> <tr> <td><input type="checkbox"/> DECK</td> <td><input type="checkbox"/> DEMOLITION</td> <td><input type="checkbox"/> COUNCIL APP</td> <td><input type="checkbox"/> WATER & SEWERAGE</td> <td><input type="checkbox"/> HERITAGE DEMO</td> </tr> <tr> <td><input type="checkbox"/> CHANGE OF USE</td> <td><input type="checkbox"/> SIGN</td> <td><input type="checkbox"/> SUBDIVISION</td> <td><input type="checkbox"/> OTHER</td> <td><input type="checkbox"/> OTHER</td> </tr> <tr> <td><input type="checkbox"/> MINIMUM STANDARDS</td> <td><input type="checkbox"/> OTHER</td> <td><input type="checkbox"/> OTHER</td> <td></td> <td></td> </tr> </tbody> </table>				BUILDING		PLANNING	INFRASTRUCTURE	HERITAGE	<input type="checkbox"/> INTERIOR RENOVATION	<input type="checkbox"/> NEW CONSTRUCTION	<input type="checkbox"/> VARIANCE	<input type="checkbox"/> STREET EXCAVATION	<input type="checkbox"/> HERITAGE DEVELOPMENT	<input type="checkbox"/> EXTERIOR RENOVATION	<input type="checkbox"/> ACCESSORY BLDG	<input type="checkbox"/> PLANNING LETTER	<input type="checkbox"/> DRIVEWAY CULVERT	<input type="checkbox"/> HERITAGE SIGN	<input type="checkbox"/> ADDITION	<input type="checkbox"/> POOL	<input checked="" type="checkbox"/> PAC APPLICATION	<input type="checkbox"/> DRAINAGE	<input type="checkbox"/> HERITAGE INFILL	<input type="checkbox"/> DECK	<input type="checkbox"/> DEMOLITION	<input type="checkbox"/> COUNCIL APP	<input type="checkbox"/> WATER & SEWERAGE	<input type="checkbox"/> HERITAGE DEMO	<input type="checkbox"/> CHANGE OF USE	<input type="checkbox"/> SIGN	<input type="checkbox"/> SUBDIVISION	<input type="checkbox"/> OTHER	<input type="checkbox"/> OTHER	<input type="checkbox"/> MINIMUM STANDARDS	<input type="checkbox"/> OTHER	<input type="checkbox"/> OTHER		
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DESCRIPTION OF WORK	Ethos Ridge is seeking a change in Zoning from the current CFM to RL Zone. In this development, there will be a proposed 6 townhouses, and 8 Semi-detached homes. We will be extending the public water to the site, installing a force main and handling storm water on site. Attached you will find Site Plans, Servicing Plans, Elevation drawings and proposed phasing																																						

☐ I consent to the City of Saint John sending to me commercial electronic messages, from time to time, regarding City initiatives and incentives.

General Collection Statement

This information is being collected in order for the City of Saint John to deliver an existing program / service; the collection is limited to that which is necessary to deliver the program / service. Unless required to do so by law, the City of Saint John will not share your personal information with any third party without your express consent.

The legal authority for collecting this information is to be found in the Municipalities Act and the Right to Information and Protection of Privacy Act. For further information or questions regarding the collection of personal information, please contact the Access & Privacy Officer:

City Hall Building
 15 Market Square Saint
 John, NB E2L 1E8
commonclerk@saintjohn.ca
 (506) 658-2862



I, the undersigned, hereby apply for the permit(s) or approval(s), indicated above for the work described on plans, submissions and forms herewith submitted. This application includes all relevant documentation necessary for the applied for permit(s) or approval(s). I agree to comply with the plans, specifications and further agree to comply with all relevant City By-laws and conditions imposed.

Isaiah Reid

Applicant Name

Isaiah Reid

Applicant Signature

January 29, 2025

Date

CIVIC ADDRESS	Ethos Ridge	APPLICATION #		FEE PAID	Y	N
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TYPE OF APPLICATION		
<input type="checkbox"/> Land for Public Purposes Release Service Fee: \$300	<input type="checkbox"/> Non-Conforming Use Service Fee: \$200	<input type="checkbox"/> Satisfactory Servicing Service Fee: \$200
<input type="checkbox"/> Section 39 Amendment Service Fee: \$2,500	<input type="checkbox"/> Zoning By-law Amendment Service Fee: \$2,500	<input type="checkbox"/> Zoning By-law Amendment with a Municipal Plan Amendment Service Fee: \$3,500

DETAILED DESCRIPTION OF APPLICATION
Where applicable, indicate the changes to existing Section 39 conditions, zoning, or Municipal Plan designation being requested. Attach site plans, building elevations, floor plans, and other documentation to fully describe the application. The submission of a preliminary proposal and a Pre-Application Meeting is encouraged prior to seeking approval. Please contact the One-Stop Development Shop at (506) 658-2911 for further information.
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installing a force main and handling storm water on site. Attached you will find Site Plans, Servicing Plans, Elevation drawings
and proposed phasing.
Please refer all contact to - Isaiah.reid@dmse.ca 506-850-8167

ENCUMBRANCES
Describe any easements, restrictive covenants, and other encumbrances affecting the land.
N/A

AUTHORIZATION		
As of the date of this application, I, the undersigned, am the registered owner of the land described in this application or the authorized agent thereof, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize the applicant to represent this matter and to provide any additional information that will be necessary for this application.		
<table> <tr> <td> Isaiah Reid <hr/> Registered Owner or Authorized Agent January 28, 2025 <hr/> Date </td> <td> Scott Walton <hr/> Additional Registered Owner January 28, 2025 <hr/> Date </td> </tr> </table>	Isaiah Reid <hr/> Registered Owner or Authorized Agent January 28, 2025 <hr/> Date	Scott Walton <hr/> Additional Registered Owner January 28, 2025 <hr/> Date
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The information contained in this application and any documentation, including plans, drawings, reports, and studies, provided in support of this application will become part of the public record.		

BY-LAW NUMBER LG-7
A LAW TO AMEND THE BY-LAW FOR THE
STORAGE, COLLECTION AND DISPOSAL
OF SOLID WASTE IN THE CITY OF SAINT
JOHN

Be it enacted by The City of Saint John in Common Council convened, as follows:

A By-law of The City of Saint John entitled “A By-law for the Storage, Collection and Disposal of Solid Waste in the City of Saint John” enacted on the seventeenth day of October, A.D. 2022, is amended by:

1. Adding the following definitions at Section 2:

“**Act**” means the *Clean Environment Act*, RSNB 1973, c. C-6, as amended, and includes the *Designated Materials Regulation – Clean Environment Act*, NB Reg. 2024-37; (*Loi*)

“**multi-residential property**” means higher density housing, including apartment buildings, with five (5) or more units and rooming houses with more than ten (10) rooms; (*immeuble multirésidentiel*)

“**Producer Responsibility Organization (PRO)**” means the third-party organization responsible for operating the curbside collection and recycling of material pursuant to the *Act*; (*organisme de responsabilité des producteurs*)

“**recyclable material**” means and includes recyclable containers, recyclable fibres, and other items or materials as set out in Schedule “E” which are collected by a Producer Responsibility Organization; (*matières recyclables*)

2. Deleting the words “collectible solid waste” from the definitions of “alternative collection day” and “scheduled collection day” at section 2 and replacing them with the following:

“organic material and refuse”.

ARRÊTÉ NUMÉRO LG-7
ARRÊTÉ MODIFIANT L'ARRÊTÉ
RÉGLEMENTANT L'ENTREPOSAGE,
LA COLLECTE ET L'ÉLIMINATION
DES DÉCHETS SOLIDES SUR LE
TERRITOIRE DE THE CITY OF SAINT
JOHN

Lors d'une réunion du conseil communal, The City of Saint John a décrété ce qui suit :

L'arrêté de The City of Saint John intitulé « *Arrêté réglementant l'entreposage, la collecte, et l'élimination des déchets solides sur le territoire de The City of Saint John* » décrété le 17 octobre 2022 est ainsi modifié :

1. Par adjonction des définitions suivantes à l'article 2 :

« **Loi** » désigne la *Loi sur l'assainissement de l'environnement*, LRN-B 1973, ch. C-6, ensemble ses modifications, et comprend le *Règlement sur les matières désignées – Loi sur l'assainissement de l'environnement*, Règl. du N.-B. 2024-37; (*Act*)

« **immeuble multirésidentiel** » désigne les logements à haute densité, y compris les immeubles d'habitation comprenant au moins cinq logements et les maisons de chambres comprenant plus de dix chambres; (*multi-residential property*)

« **organisme de responsabilité des producteurs** » désigne l'organisation tierce responsable pour l'exploitation de la collecte en bordure de trottoir et le recyclage des matières conformément à la *Loi*; (*Producer Responsibility Organization*)

« **matières recyclables** » désigne et comprend les récipients recyclables, les fibres recyclables et autres articles ou matières tel que prévu à l'annexe E qui sont ramassés par un organisme de responsabilité des producteurs; (*recyclable material*)

2. Par suppression des mots « déchets solides à ramasser » des définitions de « jour de collecte de remplacement » et de « jour prévu de la collecte » à l'article 2 et leur remplacement par ce qui suit :

« matières organiques et des ordures ».

3. Deleting paragraph (c) from the definition of “solid waste” at section 2 and replacing it with the following:

(c) recyclable material; (*déchets solides*)

4. Deleting subparagraph 4(4)(a)(iii).

5. Deleting the words “collectible solid waste be placed” from paragraph 4(4)(b) and replacing them with the following:

“organic material and refuse be placed”.

6. Deleting the words “Collectible solid waste shall be placed” from paragraph 5(1)(b) and replacing them with the following:

“organic material and refuse shall be placed”.

7. Adding immediately following section 8 the following:

Multi-Residential Properties

8.1(1) The collection of recyclable materials shall be done by the PRO pursuant to the *Act*.

8.1(2) An owner of a multi-residential property shall register with the PRO for collection services of recyclable materials.

8.1(3) The PRO shall determine:

- (a) the method of collection for recyclable materials; and
- (b) the schedule for the collection of recyclable materials.

8.1(4)

- (a) Where the PRO has determined curbside pick-up is possible, an owner of a multi-residential property shall provide a space equipped with recycling containers where their tenants can safely deposit recyclable materials and the PRO may safely collect recyclable materials from the street.

3. Par suppression de l’alinéa c) de la définition de « déchets solides » à l’article 2 et son remplacement par ce qui suit :

c) matières recyclables; (*solid waste*)

4. Par suppression du sous-alinéa 4(4)a)(iii).

5. Par suppression des mots « déchets solides à ramasser soient déposés » à l’alinéa 4(4)b) et leur remplacement par ce qui suit :

« matières organiques et les ordures soient déposées ».

6. Par suppression des mots « déchets solides à ramasser sont déposés » à l’alinéa 5(1)b) et leur remplacement par ce qui suit :

« matières organiques et les ordures sont déposées ».

7. Par adjonction de ce qui suit, immédiatement après l’article 8 :

Immeubles multirésidentiels

8.1(1) La collecte des matières recyclables est effectuée par l’organisme de responsabilité des producteurs conformément à la *Loi*.

8.1(2) Un propriétaire d’immeuble multirésidentiel s’inscrit auprès de l’organisme de responsabilité des producteurs pour le service de collecte des matières recyclables.

8.1(3) L’organisme de responsabilité des producteurs détermine :

- a) La méthode de collecte des matières recyclables;
- b) L’horaire de collecte des matières recyclables.

8.1(4)

- a) Lorsque l’organisme de responsabilité des producteurs a déterminé que la collecte en bordure de trottoir est possible, le propriétaire d’un immeuble multirésidentiel fournit un espace équipé de bacs de

recyclage où ses locataires peuvent déposer en toute sécurité des matières recyclables et où l'organisme de responsabilité des producteurs peut ramasser les matières recyclables en toute sécurité de la rue.

- | | |
|---|--|
| <p>(b) Where the PRO has determined curbside pick-up is not possible, the PRO and the owner of the multi-residential property shall determine another area on the owner's property where it is safe for the recycling containers to be located, used by the tenants and accessed by the PRO for collection. The area shall allow for the safe and efficient removal of recyclable materials by the PRO.</p> <p>(c) An owner of a multi-residential property shall maintain the area where the recycling containers are located clean and in good condition and accessible for tenants and the PRO at all times.</p> | <p>b) Lorsque l'organisme de responsabilité des producteurs a déterminé que la collecte en bordure de trottoir n'est pas possible, l'organisme de responsabilité des producteurs et le propriétaire d'un immeuble multirésidentiel déterminent un autre endroit sur la propriété du propriétaire où les bacs de recyclage peuvent être placés en toute sécurité, utilisés par les locataires et accessibles par l'organisme de responsabilité des producteurs pour la collecte. L'endroit permet l'enlèvement sûr et efficace des matières recyclables par l'organisme de responsabilité des producteurs.</p> <p>c) Un propriétaire d'immeuble multirésidentiel garde propre, en bonne condition et accessible en tout temps par les locataires et l'organisme de responsabilité des producteurs l'endroit où les bacs de recyclage sont placés.</p> |
|---|--|

Mayor/Maire

City Clerk/ Greffier de la municipalité

First Reading - April 22, 2025
Second Reading - April 22, 2025
Third Reading -

Première lecture - le 22 avril 2025
Deuxième lecture - le 22 avril 2025
Troisième lecture -

COMMON COUNCIL REPORT

M&C No.	2025-125
Report Date	April 29, 2025
Meeting Date	May 05, 2025
Service Area	Growth and Community Services

Her Worship Mayor Donna Noade Reardon and Members of Common Council

SUBJECT: Demolition of Vacant, Dilapidated and Dangerous Building at 49-51 Adelaide Street (PID 00374900)

AUTHORIZATION

Primary Author	Commissioner / Dept. Head	Chief Administrative Officer
<i>Justin Tinker</i>	<i>A Poffenroth / C McKiel</i>	<i>J. Brent McGovern</i>

RECOMMENDATION

RESOLVED, that the building located at 49-51 Adelaide Street, PID# 00374900, is to be demolished as it has become a hazard to the safety of the public by reasons of dilapidation and unsoundness of structural strength; and

BE IT FURTHER RESOLVED, that one or more by-law enforcement officers appointed and designated under the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law* are hereby authorized to arrange for the demolition, in accordance with the applicable City purchasing policies.

EXECUTIVE SUMMARY

The purpose of this report is to advise Council that a Notice to Comply was issued under Part 13 of the *Local Governance Act* for the building located at 49-51 Adelaide Street. The hazardous conditions outlined in the Notice have not been remedied by the owner within the required timeframe and staff is seeking authorization from Council to arrange demolition of the building.

PREVIOUS RESOLUTION

N/A

REPORT

The three-storey, three-unit apartment building located at 49-51 Adelaide Street is a hazard to the safety of the public by reason of being vacant or unoccupied, by reason of dilapidation, and by reason of unsoundness of structural strength.

Standard enforcement procedures began in December 2022 following response by the Saint John Fire Department to a small fire at the building, started by unauthorized occupants. A second fire requiring SJFD response occurred in November 2023. The property is located in a mixed commercial zone in the City's North End and is currently assessed at \$72,000, according to Service New Brunswick's Land Registry.

An internal inspection conducted by staff in January 2024 revealed extensive damage, including collapsed ceiling finishes in the main and upper units due to firefighting efforts. Water has saturated the floors beneath, which showed deflection under load, posing a risk of structural failure. A portion of the north-side exterior load-bearing wall has deteriorated. Sections of this wall have collapsed and wood elements such as framing and cladding have rotted. Additionally, charring was observed in wall assemblies and ceiling spaces on the first floor, where the fire is believed to have originated. Staff also documented signs of unauthorized occupancy, with evidence of the building being used for shelter and sleeping quarters.

The owners indicated that repairing the building at 49-51 Adelaide Street was their first priority. Staff provided the owners until April 1, 2024 to submit a building permit application, after which a Notice to Comply would be issued. A permit application was not submitted and a Notice to Comply was issued and posted on the building on April 18, 2024, in accordance with Section 132(3) of the Local Governance Act, which outlines acceptable methods of service. The Notice provided the owner with 30 days to demolish the building or submit plans and permit applications for repair of the conditions at the property.

Upon receiving the Notice, the owner submitted a Notice of Appeal, citing the timelines provided in the Notice as unreasonable. Additionally, the owner applied for a permit for interior demolition and cleanup on May 16, 2024. Interior finishes have since been removed down to the framing. The owner also installed a video monitoring system as part of efforts to prevent unauthorized entry.

On June 18, 2024, the Saint John Substandard Properties Appeal Committee heard the appeal and a decision from the Appeal Committee was provided to both the owner and the City in July. The decision upheld the Notice to Comply, making no adjustments to content or timelines.

In recognition of the owner's stated intention to add housing units in Saint John, staff met with the owner's representative on August 13, 2024 to discuss how demolition could be prevented while also preventing risk to the public presented by the building at 49-51 Adelaide Street. In this meeting, staff provided the owner's representative with a document offering the time the owner claimed was needed to complete renovations, conditional upon the owner meeting required actions and timelines. All parties agreed that the building must remain secure from unauthorized entry at all times, a structural assessment must be submitted within 45 days, and continual progress toward renovating the building must be maintained for potential postponement of demolition.

Following the meeting, an engineering report was submitted by the owner on September 20, 2024, advising on areas of concern and specifying timelines for structural repair, and restrictions to workers and loads related to the building while in its current condition. The owner also submitted an application to the Planning Advisory Committee (PAC) for several variances to support a proposed redevelopment. The proposed redevelopment aimed to expand the structure to twelve units, which the owner deemed necessary for the project to be viable. Planning staff submitted a report recommending against the variances as they would significantly reduce the zone standard. The owner then chose to withdraw the application prior to PAC consideration on December 10, 2024.

Following the withdrawal, staff was informed that the owner was revising the redevelopment plans to reduce conflict with existing zoning. However, the building was found to be listed for sale by the owner on March 27, 2025, indicating that the owner has abandoned redevelopment efforts. As a result, staff is now recommending demolition to ensure the hazardous conditions are rectified. A compliance inspection was conducted on April 28, 2025 which revealed that while the property has been cleaned up, the hazardous conditions outlined in the Notice to Comply have not been rectified.

The *Local Governance Act* indicates that where a building has become a hazard to the safety of the public by reason of dilapidation or by reason of unsoundness of structural strength, the municipality may cause the building to be demolished. As required under the Act, a report from an engineer is attached, forming part of the issued Notice to Comply, and provides evidence to the buildings' vacancy, dilapidation and resulting hazard to safety of the public.

STRATEGIC ALIGNMENT

Enforcement of the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law* aligns with Council's Belong priority. Hazardous vacant buildings create unsafe conditions in neighbourhoods and diminish community pride.

SERVICE AND FINANCIAL OUTCOMES

As is written in the *Local Governance Act* that a municipality must commence in the proceedings of remedial action, approval of Common Council is required prior to starting demolition activities at the property.

Total cost of the demolition work is estimated at \$35,000. Upon approval of the recommendation, staff will seek competitive bidding in accordance with the City's purchasing policy. The cost of the work will be billed to the property owner and if left unpaid, it will be submitted to the Province with the request for reimbursement.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

General Counsel registered the Notice to Comply with Service New Brunswick's Land Registry.

ATTACHMENTS

Affidavit of Service – Notice to Comply
Notice of Appeal
Notice of Appeal Hearing
Appeal Decision – Saint John Substandard Properties Appeal Committee
Continuous Progress Document – 49-51 Adelaide St
Structural Engineer's Letter – 49-51 Adelaide
Affidavit of Service – Notice of Common Council Hearing
Photos

CANADA
PROVINCE OF NEW BRUNSWICK
COUNTY OF SAINT JOHN
CITY OF SAINT JOHN

IN THE MATTER OF THE BUILDING THAT IS LOCATED AT

49-51 Adelaide St, Saint John, N.B. (PID number 374990)

AFFIDAVIT OF SERVICE

I, Justin Tinker, of the City of Saint John in the County of Saint John and the Province of New Brunswick MAKE OATH AND SAY AS FOLLOWS:

On the 18th day of April 2024 at approximately 6:00 PM, I posted the following documents:

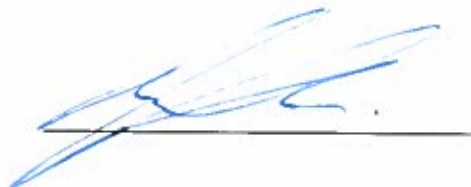
- a Notice to Comply, attached hereto as Exhibit "A"
- and a Notice of Appeal, attached hereto as Exhibit "B"

to the building at 49-51 Adelaide Street, Saint John, N.B.

Sworn To me at the
City of Saint John, N.B.
on the 30 day of
April, 2024

Colleen O'Connor

Colleen O'Connor
Commissioner of Oaths
My Commission Expires
December 31, 2026



FORM 4
NOTICE TO COMPLY – DANGEROUS OR
UNSAFELY PREMISES
(Local Governance Act, S.N.B., 2017, c.18, s 132(2))

Parcel identifier:

PID # 374900

Address: 49-51 Adelaide St, Saint John, NB

Owner(s) or Occupier(s):

Name: New Castle Institute of English Research Corp.

Address: 105 Sherwood Drive, Quispamsis NB, E2E 1H5

Local government giving notice: The City of Saint John.

By-law contravened: *Saint John Unsightly Premises and Dangerous Buildings and Structures By-Law*, By-law Number M-30 and amendments thereto (the "By-law").

Provision(s) contravened: Subsections 6(1), 6(2) and 6(3) of the By-law.

Conditions(s) that exist: A building on the premises has become a hazard to the safety of the public by reason of being vacant, dilapidation and by reason of unsoundness of structural strength. The conditions of the structure are described in Schedule "A", a true copy of the inspection report dated April 18, 2024 prepared by Justin Tinker, by-law enforcement officer, reviewed and concurred in by Pamela Bentley, P. Eng., by-law enforcement officer.

What must be done to correct the condition: The owner is to remedy the conditions by complying with the required remedial actions of the aforementioned inspection report and bring the structure and premises into compliance with the aforesaid By-law.

In the event that the owner does not remedy the condition of the structure and premises in the time prescribed by this Notice to Comply, the structure may be demolished as the corrective action to address the hazard to the safety of the public and the premises may be cleaned up.

In the event of demolition, all debris and items on the premises will be disposed of as the corrective action to address the hazard to the safety of the public.

The aforementioned remedial actions relating to the demolition of the structure and the disposal of debris and items on the premises do not include the carry-out clean-up, site rehabilitation, restoration of land, premises or personal property or other remedial action in order to control or reduce, eliminate the release, alter the manner of release or the release of any contaminant

FORMULE 4
AVIS DE CONFORMITÉ – LIEUX DANGEREUX
OU INESTHÉTIQUES
(Loi sur la gouvernance locale,
L.N.-B. 2017, ch. 18, par. 132(2))

Numéro d'identification de la parcelle :

NID : 374900

Adresse : 49-51 rue Adelaide, Saint John, NB

Propriétaire(s) ou occupant(s) :

Nom : New Castle Institute of English Research Corp.

Adresse : 105, prom Sherwood, Quispamsis NB, E2E 1H5

Gouvernement local signifiant l'avis : The City of Saint John.

Arrêté enfreint : *Arrêté relatif aux lieux inesthétiques et aux bâtiments et constructions dangereux de Saint John*, Arrêté numéro M-30, ainsi que ses modifications ci-afférentes (l'« Arrêté »).

Disposition(s) enfreinte(s) : Les paragraphes 6(1), 6(2) et paragraphe 6(3) de l'Arrêté.

Description de la (des) situation(s) : Une structure d'un toit sur les lieux est devenu dangereuse pour la sécurité du public du fait de son délabrement et du fait de son manque de solidité. Les conditions du bâtiment et des lieux sont décrites à l'annexe « A », une copie conforme du rapport d'inspection en date du 18 avril 2024 et préparé par Justin Tinker, une agente chargé de l'exécution des arrêtés du gouvernement local, révisé et en d'accorde avec par Pamela Bentley, ing., une agente chargé de l'exécution des arrêtés du gouvernement local.

Ce qu'il y a lieu de faire pour y remédier: La propriétaire doit restaurer les conditions en se conformant aux recommandations du rapport d'inspection susmentionné et d'amener la structure du toit et les lieux en conformité avec l'Arrêté.

Dans l'éventualité que la propriétaire ne remédient pas la structure du toit et les lieux dans le temps prescrit par le présent avis de conformité, la structure du toit pourront être démolis comme mesure corrective compte tenu qu'il représente un danger pour la sécurité du public et les lieux pourront être nettoyés.

Dans l'éventualité de démolition, tous les débris et autres items sur les lieux seront disposés comme mesure corrective dans le but de remédier le danger pour la sécurité du public.

Les mesures correctives susmentionnées relativement à la démolition du la structure du toit et la disposition des débris et autres items sur les lieux ne comprennent pas le nettoyage, la remise en état des lieux, des terrains ou des biens personnels ou toute autre mesure corrective dans le but de contrôler ou de réduire, d'éliminer le

into or upon the environment or any part of the environment.	déversement, de modifier le mode de déversement ou le déversement d'un polluant dans ou sur l'environnement ou toute partie de l'environnement.
Date before which the condition must be corrected: ¹	Délai imparti pour y remédier : ¹
<p>a) The demolition of the structure or plans and permit applications for repair related remedies, must be submitted: within 30 days of being served with the Notice to Comply.</p> <p>b) The repair related remedies must be complete within 120 days of being served with the Notice to Comply.</p>	<p>a) La démolition du la structure du toit ou à laquelle les plans et demande de permis pour les mesures des réparations, doivent être soumises, dans les 30 jours qui suivent la signification de l'avis de conformité.</p> <p>b) Les réparations reliées aux mesures doivent être complétées dans les 120 jours qui suivent la signification de l'avis de conformité.</p>
Date for giving notice of appeal: Within 14 days of being served with the Notice to Comply.	Date limite pour donner l'avis d'appel: Dans les 14 jours qui suivent la notification de l'avis de conformité.
Process to appeal: The owner may within 14 days after having been served with this Notice to Comply, send a Notice of Appeal by registered mail to the City Clerk of The City of Saint John, City Hall – 2 nd Floor, 15 Market Square, Saint John, New Brunswick, E2L 4L1.	Processus d'appel : La propriétaire peut dans les 14 jours qui suivent la notification de l'avis de conformité, envoyé un avis d'appel par courrier recommandé à la greffière de la municipalité, à The City of Saint John, Édifice de l'hôtel de ville, 2 ^e étage, 15 Market Square, Saint John, Nouveau-Brunswick, E2L 4L1.
Potential penalty for not complying with notice within time set out in notice: ² Subsection 11(1) of the By-law states that a person who fails to comply with the terms of a Notice to Comply given under section 7 of the said By-law, commits an offence that is punishable under Part 2 of the <i>Provincial Offences Procedure Act</i> as a category F offence.	Peine possible en cas d'omission de se conformer aux exigences de l'avis dans le délai y imparti : ² Le paragraphe 11(1) de l'Arrêté prévoit quiconque omet de se conformer aux exigences formulées dans un avis de conformité notifié aux termes de l'article 7 de ladite Arrêté, commet une infraction qui est punissable en vertu de la partie 2 de la <i>Loi sur la procédure applicable aux infractions provinciales</i> à titre d'infraction de la classe F.
Where an offence under subsection 11(1) continues for more than one day, the minimum fine that may be imposed is the minimum fine set by the <i>Provincial Offences Procedure Act</i> for a category F offence multiplied by the number of days during which the offence continues pursuant to subparagraph 11(3)(b)(i).	Lorsqu'une infraction prévue au paragraphe 11(1) se poursuit pendant plus d'une journée, l'amende minimale qui peut être imposée est l'amende minimale prévue par la <i>Loi sur la procédure applicable aux infractions provinciales</i> pour une infraction de la classe F multipliée par le nombre de jours pendant lesquels l'infraction se poursuit conformément à l'alinéa 11(3)(b)(i).
Local government's authority to undertake repairs or remedy: ³ Paragraphs 12(1)(a), 12(1)(b) and 12(1)(c) of the By-law state that if an owner or occupier does not comply with a Notice to Comply given under section 7 within the time set out in the said Notice, the City may, cause the premises of that owner or occupier to be cleaned up or repaired, or cause the building or other structure of that owner or occupier to be repaired or demolished. Further, subsection 12(3) of the By-law states that the cost of carrying out such work, including any associated charge or fee, is chargeable to the owner or occupier and becomes a debt due to the City.	Pouvoir du gouvernement local d'entreprendre des réparations ou de remédier à la situation : ³ Conformément aux alinéas 12(1)a), 12(1)b) et 12(1)c) de l'Arrêté, si un avis de conformité a été signifié aux termes de l'article 7 de ladite Arrêté et, que le propriétaire ou l'occupant ne se conforme pas à cet avis de conformité dans le délai imparti et tel qu'il est réputé confirmé ou tel qu'il est confirmé ou modifié par un comité du conseil ou par un juge en vertu le paragraphe 12(3) de ladite Arrêté, la municipalité peut faire nettoyer ou réparer les lieux de ce propriétaire ou de cet occupant ou de faire réparer ou démolir le bâtiment ou autre construction de ce propriétaire ou de cet occupant, et les coûts afférents à l'exécution des ouvrages, y compris toute redevance ou tout droit connexe, sont mis à la charge du propriétaire ou de l'occupant et deviennent une créance de la municipalité.
Dated at Saint John on the <u>18th</u> day of April, 2024.	Fait à Saint John le ____ avril 2024.
Local government: The City of Saint John.	Gouvernement locale : The City of Saint John.

Signature of the officer of the local government:



Contact information of the officer of the local government:

Name: Justin Tinker

Mailing address:

Growth and Community Services

The City of Saint John
15 Market Square
City Hall Building, 1st Floor
P. O. Box 1971
Saint John, New Brunswick
E2L 4L1

Telephone: (506) 658-4455

E-mail: justin.tinker@saintjohn.ca

Fax: (506) 632-6199

Corporate seal of the local government



Notes:

1. All appropriate permits must be obtained and all relevant legislation must be complied with in the course of carrying out the required remedial action.
2. Payment of the fine does not alleviate the obligation to comply with the by-law, standard or notice.
3. Costs become a debt due to the local government and may be added to the joint local government and provincial Real Property Assessment and Tax Notice.

Signature du fonctionnaire du gouvernement local:



Coordonnées du fonctionnaire du gouvernement local:

Nom : Justin Tinker

Adresse postale:

Service de la Croissance et du Communautaire

The City of Saint John
15 Market Square
Édifice de l'hôtel de ville, 1^{er} étage
Case postale 1971
Saint John (Nouveau-Brunswick)
E2L 4L1

Téléphone : (506) 658-4455

Adresse électronique: justin.tinker@saintjohn.ca

Télécopieur : (506) 632-6199

Sceau du gouvernement local



Notes :

1. Tous les permis prescrits doivent être obtenus et toute la législation pertinente doit être respectée pendant l'exécution des mesures de remédiation.
2. Le paiement de l'amende n'a pas pour effet d'annuler l'obligation de se conformer à l'arrêté, à la norme ou à l'avis.
3. Les coûts deviennent une créance du gouvernement local et peuvent être ajoutés à l'avis commun d'évaluation et d'impôt foncier des gouvernements local et provincial.

INSPECTION REPORT
Schedule "A"
49-51 Adelaide St
Saint John, New Brunswick
PID# 374900

Inspection Date: January 25, 2024

Inspection Conducted By: Justin Tinker, EIT & Benn Purinton, EIT

Introduction

Inspection of the property, PID# 374900, revealed one building located on the premises, a vacant two-storey, wood-framed, multi-unit apartment building (the "Building"). Staff first became aware of the vacancy of the Building in December 2022 and began standard enforcement procedures. The Building has become a hazard to the safety of the public by reason of being vacant and unoccupied, by reason of dilapidation and by reason of unsoundness of structural strength. The property is located in the City's North End in a mixed commercial zone.

Discussion

The Building does not comply with the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, By-law Number M-30, and amendments thereto (the "By-law").

Unsightly Building Conditions

Subsection 6(1) of the By-law states:

No person shall permit premises owned or occupied by him or her to be unsightly by permitting to remain on any part of such premises.

- a) any ashes, junk, rubbish or refuse,
- b) an accumulation of wood shavings, paper, sawdust or other residue of production or construction,
- c) a derelict vehicle, equipment, machinery or the body of any part of a vehicle equipment or machinery, or
- d) a dilapidated building.

1. There is junk, rubbish and refuse present throughout the property, primarily composed of building materials. The junk, rubbish and refuse are unsightly.
2. There are loose and damaged building shingles and trim on the front of the Building. There are locations where shingles, trim and siding are missing. There are several broken windows with loose glass in the window casings. The damaged or missing shingles, trim and windows are unsightly.

Vacant and Unoccupied

Subsection 6(2) of the By-law states:

No person shall permit a building or other structure owned or occupied by the person to become a hazard to the safety of the public by reason of being vacant or unoccupied.

The Building is a hazard to the safety of the public by reason of being vacant or unoccupied for the following reasons:

1. Buildings in a dilapidated condition that are known to be vacant can attract vandalism, arson and criminal activity. Multiple citizen complaints since 2022 have been submitted to City staff stating that individuals have been observed entering the Building. The Saint John Fire Department responded to multiple fires at the location, most recently in November 2023. In addition, the Saint John Police Force have been called on multiple occasions to remove individuals from the Building. During an inspection of the Building, a rear door was found to be unsecured. The presence of unlawful occupants could present a hazard to any individual required to be in the Building. The dilapidated conditions of the Building affect the quality of life of occupants of neighboring properties and negatively impacts property value of real estate in the area due to negative perceptions of unsafe and deteriorating conditions.
2. There is an increased risk of a fire event occurring at the property since it is known that the Building is vacant. Individuals unlawfully entering the Building further increase the risk of a fire event. The Building has been routinely accessed unlawfully despite continued efforts to secure the Building. The Building is in close proximity to the neighboring building at 41 Adelaide Street and is attached to the neighboring building at 55 Adelaide Street, which would allow a fire at the Building to spread to them. Given the documented history of and increased risk of future fire events occurring at this location, neighbouring buildings and their occupants are at increased levels of danger.
3. There have been multiple emergency responses to fires at this location. There is a concern for firefighter safety in the event of a fire. If firefighters suspect there may be people inside the Building, it would be reasonable to expect they may be required to enter. There are large quantities of debris throughout the building, presenting trip and fall hazards to responding firefighters. Loose ceiling and roofing material could fall from overhead, injuring responding firefighters. The condition of the Building is not known to firefighters which poses a hazard to their safety in the event of a fire.

Dilapidated Building Conditions

Subsection 6(3) of the By-law states:

No person shall permit a building or other structure owned or occupied by the person to become a hazard to the safety of the public by reason of dilapidation.

The Building is a hazard to the safety of the public by reason of dilapidation for the following reason:

1. The roof is dilapidated and has been compromised following firefighting efforts in 2023. Loose or unsecured roofing material is a hazard to the public as it could detach during windy conditions and strike property and people in the area. Portions of the roof, particularly noticeable at the front of the Building, allow water ingress. Water infiltration will accelerate the rate of deterioration of the building.
2. The Building is situated near neighbouring buildings and parking lots. An exit system for dwelling units exists at the rear of the building and shows signs of material deterioration.
3. There are broken windows with loose glass remaining in the panes of the street-facing side of the building. Loose glass presents a hazard as it could fall and strike individuals near the Building. Due to the Building's location, the likelihood of loose material striking property and people in the area is heightened.
4. There is debris, rubbish and refuse present throughout the Building. Rubbish and refuse attract pests, obstruct drainage, promote mold growth, pose fire hazards, and degrade indoor air quality, and presents a tripping hazard to individuals in the Building.

Structurally Unsound Building Conditions

Subsection 6(3) of the By-law states:

No person shall permit a building or other structure owned or occupied by the person to become a hazard to the safety of the public by reason of unsoundness of structural strength.

The Building is a hazard to the safety of the public by reason of unsoundness of structural strength for the following reason:

1. The Building's roof structure has experienced a loss of structural strength following a fire in the building and is allowing water ingress. Roofing materials that have been fire damaged are a hazard to the public. Loose materials carried by wind could injure nearby individuals and damage neighbouring property. A collapse of the roof structure could cause injury to any occupant or first response personnel.
2. Framing material in the Building has been compromised following a fire event. Wall framing, sheathing, cladding and ceiling joists that have been fire damaged are a hazard to the public, as loss of structural strength could potentially lead to collapse of a portion of the Building if left unaddressed.

The Building is situated near neighbouring buildings and parking lots. Due to the Building's location, the likelihood of any collapse causing injury to individuals nearby or damaging neighbouring property is heightened.

Required Remedial Actions

The owner must comply with one of the two options stated below:

Option 1: Remedy the conditions of the Building through all repair and remedial actions as follows:

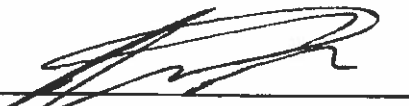
1. The Building must be repaired or replaced to remedy the above-mentioned hazards to public safety while meeting the requirements of the *National Building Code of Canada* (2015) as well as all other applicable by-laws.
2. A detailed plan must be submitted to the Growth and Community Services Department of the City of Saint John (the "Department") for review and approval. The plan should also include a schedule for the work that is to be carried out. The repaired Building must meet the *National Building Code of Canada* (2015) as well as other applicable codes.
3. The detailed plan, including schedules and any engineering reports, must be approved by the Department prior to commencing repair work.
4. A building permit must be obtained for any and all applicable work prior to commencing said work from the City of Saint John in order to comply with the *By-law Respecting the Construction, Repair and Demolition of Buildings and Structures in the City of Saint John*, By-law Number BC-1 and amendments thereto (the "*Saint John Building By-law*").
5. The premises must be cleared of all debris found on the property including any and all rubbish that may be considered hazardous or unsightly. Any debris from the premise must be disposed of at an approved solid waste disposal site, in accordance with all applicable by-laws, acts and regulations. Documented proof, that clearly demonstrates an approved solid waste disposal site was used for disposal of the debris must be provided to the

Department. The premise must comply with all applicable By-laws, Acts, Codes and Regulations.

Option 2: Demolition of the Building and cleanup of all debris on the premise by complying with all remedial actions as follows:


1. The Building must be demolished to remove the hazard to the safety of the public by reason of dilapidation and by reason of unsoundness of structural strength.
2. A demolition permit must be obtained from the City of Saint John in order to comply with the *Saint John Building By-law*.
3. The premises must be cleared of debris from the demolition and the lot must be reasonably level with grade so as to not create a tripping or falling hazard. All debris must be disposed of at an approved solid waste disposal site, and in accordance with all applicable By-laws, Acts and Regulations.
4. All debris that is currently on the premise must be removed and disposed of at an approved solid waste disposal site, and in accordance with all applicable By-laws, Acts and Regulations. Documented proof, that clearly demonstrates an approved solid waste disposal site was used for the disposal of debris, must be provided to the Department.
5. The property must be in compliance with all applicable By-laws, Acts and Regulations.

Prepared by:


Justin Tinker, EIT
Technical Services Junior Engineer
Growth and Community Services

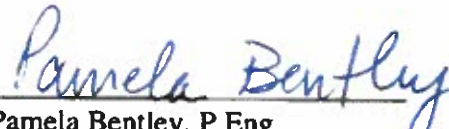
2024-04-18
Date

Reviewed and concurred in by:


Benn Purinton, EIT
Technical Services Junior Engineer
Growth and Community Services

2024-04-18
Date

Reviewed and concurred in by:


Pamela Bentley, P.Eng.
Technical Services Senior Engineer
Growth and Community Services

April 18, 2024
Date

This is Exhibit
Referred to in the Affidavit of
Service

Sworn before me at the City of
Saint John, New Brunswick

the 30 day of April, 2024


Commissioner of Oaths

Schedule "B"
FORM 1
NOTICE OF APPEAL

Annexe « B »
FORMULE 1
AVIS D'APPEL

File No.: _____

N° du dossier : _____

BETWEEN :

ENTRE :

_____,
Appellant(s),
- and -

_____,
Appellant(s),
- et -

THE CITY OF SAINT JOHN,

Respondent.

THE CITY OF SAINT JOHN,

Intimée.

Parcel Identifier : PID #

Numéro d'identification de la parcelle : # NID

Parcel Address: _____

Adresse de la parcelle : _____

Owner(s) or Occupier(s):

Propriétaire(s) ou occupant(s) :

Name: _____

Nom : _____

Address: _____

Adresse : _____

Telephone: _____

Téléphone: _____

Name: _____

Nom : _____

Address: _____

Adresse : _____

Telephone: _____

Téléphone: _____

The above named appellant(s) is (are) not satisfied with the terms and conditions set out in:

L'appelant ou les appelants susnommé(s) n'accepte(nt) pas les modalités ou les conditions qui sont énoncés dans :

(a) a Notice that was given under section 7 of the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-Law*; or

(a) un AVIS qui a été donné en vertu de l'article 7 de l'*Arrêté relatif aux lieux inesthétiques et aux bâtiments et constructions dangereux dans The City of Saint John*; ou

(b) an Order that was issued under section 25 of the *Saint John Minimum Property Standards By-Law*;

(b) une ORDONNANCE qui a été émise en vertu de l'article 25 de l'*Arrêté concernant les normes minimales régissant les résidences de Saint John*

and therefore appeals to the *Saint John Substandard Properties Appeal Committee*.

et fait ainsi appel devant le *Comité des appels sur les résidences non conformes aux normes de Saint John*.

The appellant's grounds for this appeal are as follows (set out the grounds clearly but briefly):

Les motifs d'appel de l'appelant(s) dans le présent appel sont les suivants (énoncer les motifs de façon

claire et concise) :

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Dated at _____ the _____ day of _____ Fait à _____ le _____, 20 ____.

Signature of owner or occupier

Signature du propriétaire ou de l'occupant

The appellant(s) intends to proceed in the English [] or French [] language (Please check the appropriate box).

L'appelant a ou les appelants ont l'intention d'utiliser la langue française [] ou anglaise [] (Veuillez cocher la case appropriée).

*Please forward your Notice of Appeal by registered mail to the City Clerk within **fourteen (14) days** after having been given the Notice or Order at the following address:*

*Veillez faire parvenir votre AVIS D'APPEL par courrier recommandé au greffier municipal dans les **quatorze (14) jours** qui suivent la notification de l'AVIS ou de l'ORDONNANCE à l'adresse suivante :*

City Clerk's Office
15 Market Square, City Hall Building, 2nd Floor
P. O. Box 1971
Saint John, New Brunswick
E2L 4L1

Bureau du greffier municipal
15 Market Square, Édifice de l'hôtel de ville, 2^e étage
Case postale 1971
Saint John (Nouveau-Brunswick)
E2L 4L1

Telephone: 506-658-2862
Facsimile: 506-674-4214

Téléphone : 506-658-2862
Facsimilé : 506-674-4214

Notes:

Notes :

1. A Notice or Order that is not appealed within **fourteen (14) days** after having been given or issued shall be deemed to be confirmed.

1. Un AVIS ou une ORDONNANCE dont il n'est pas interjeté appel dans les **quatorze (14) jours** qui suivent la notification de l'AVIS ou l'émission de l'ORDONNANCE est réputé confirmé.

2. On an appeal, the *Saint John Substandard Properties Appeal Committee* shall hold a hearing into the matter at which the owner(s) or occupier(s) bringing the appeal has (have) a right to be heard and may be represented by counsel.

2. Lors d'un appel, le *Comité des appels sur les résidences non conformes aux normes de Saint John* doit tenir, sur le point en litige, une audience au cours de laquelle le(s) propriétaire(s) ou l'occupant ou les occupants qui interjette(nt) appel a (ont) le droit d'être entendu(s) et peut (peuvent) se faire représenter par un avocat.

3. On an appeal, the *Saint John Substandard Properties Appeal Committee* may confirm, modify or rescind the Notice or Order, or extend the time for complying with the Notice or Order.

3. Lors d'un appel, le *Comité des appels sur les résidences non conformes aux normes de Saint John* peut confirmer, modifier ou annuler l'AVIS ou l'ORDONNANCE ou proroger le délai pour s'y conformer.

4. The *Saint John Substandard Properties Appeal Committee* shall provide a copy of its decision to the owner(s) or occupier(s) of the premises, building or structure who brought the appeal within **fourteen (14) days** after making its decision.

4. Le *Comité des appels sur les résidences non conformes aux normes de Saint John* doit fournir une copie de sa décision au(x) propriétaire(s) ou à l'occupant ou aux occupants des lieux, du bâtiment ou de la construction qui lui a (ont) interjeté appel dans les **quatorze (14) jours** suivant la date à laquelle il a rendu

sa décision.

5. The owner(s) or occupier(s) who is provided with a copy of a decision from the *Saint John Substandard Properties Appeal Committee* regarding a Notice, may appeal the decision to a judge of The Court of Queen's Bench of New Brunswick within *fourteen (14) days* after the copy of the decision was provided to the owner(s) or occupier(s) on the grounds that (a) the procedure required to be followed by the by-law was not followed, or (b) the decision is unreasonable.

5. Le(s) propriétaire(s) ou l'occupant ou les occupants à qui une copie d'une décision a été fournie par le *Comité des appels sur les résidences non conformes aux normes de Saint John* concernant un AVIS peut (peuvent), dans les *quatorze (14) jours* qui suivent, interjeter appel de la décision devant un juge de la Cour du Banc de la Reine du Nouveau-Brunswick au motif que (a) la démarche à suivre en vertu de l'arrêté n'a pas été suivie, ou (b) la décision est déraisonnable.

This is Exhibit
Referred to in the Affidavit of
Service
Sworn before me at the City of
Saint John, New Brunswick
the 30 day of April, 2024
Colleen O'Connor
Commissioner of Oaths

Schedule "B"

**FORM 1
NOTICE OF APPEAL**

File No.: 22-1529

BETWEEN :

New Castle Institute of English Research Corp.

Appellant(s),

- and -

THE CITY OF SAINT JOHN,

Respondent.

Parcel Identifier : PID #
00374900

Parcel Address: 49-51 Adelaide Street, Saint John, NB

Owner(s) or Occupier(s):

Name: New Castle Institute of English Research Corp.

Address: 105 Sherwood Drive, Quispamsis, NB
E2E 1H5

Telephone: 506-719-9013

Name:

Address:

Telephone:

The above named appellant(s) is (are) not satisfied with the terms and conditions set out in:

(a) a Notice that was given under section 7 of the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-Law*; or

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**FORMULE 1
AVIS D'APPEL**

N° du dossier : _____

ENTRE :

Appellant(s),

- et -

THE CITY OF SAINT JOHN,

Intimée.

Numéro d'identification de la parcelle : # NID

Adresse de la parcelle : _____

Propriétaire(s) ou occupant(s) :

Nom : _____

Adresse : _____

Téléphone: _____

Nom : _____

Adresse : _____

Téléphone: _____

L'appelant ou les appelants susnommé(s) n'accepte(nt) pas les modalités ou les conditions qui sont énoncés dans :

(a) un AVIS qui a été donné en vertu de l'article 7 de l'Arrêté relatif aux lieux inesthétiques et aux bâtiments et constructions dangereux dans The City of Saint John: ou

claire et concise) :

We are currently already working with the City of Saint John, NB Housing, and CMHC to try to secure much-needed funding to be able to support the reconstruction of this property. We will be submitting permits to demo the interior of this property as well as for using the City Streets by the end of the month, but we do not feel we will be able to meet the 120 deadline of completion. This will be 60-90 just for drawings, Fire Marshall, and City approval. This is assuming there are no delays by the City or the Fire Marshall due to holidays and staffing issues. A more realistic timeline for a building permit is 180-240 days.

Dated at Saint John the 24 day of April, 2024. Fait à _____ le _____ 20_____.



Signature of owner or occupier

Signature du propriétaire ou de l'occupant

The appellant(s) intends to proceed in the English ☒ or French ☐ language (*Please check the appropriate box*).

L'appelant a ou les appelants ont l'intention d'utiliser la langue française ☐ ou anglaise ☐ (*Veillez cocher la case appropriée*).

*Please forward your Notice of Appeal by registered mail to the City Clerk within **fourteen (14) days** after having been given the Notice or Order at the following address:*

*Veillez faire parvenir votre AVIS D'APPEL par courrier recommandé au greffier municipal dans les **quatorze (14) jours** qui suivent la notification de l'AVIS ou de l'ORDONNANCE à l'adresse suivante :*

City Clerk's Office
15 Market Square, City Hall Building, 2nd Floor
P. O. Box 1971
Saint John, New Brunswick
E2L 4L1

Bureau du greffier municipal
15 Market Square, Édifice de l'hôtel de ville, 2^e étage
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Saint John (Nouveau-Brunswick)
E2L 4L1

Telephone: 506-658-2862
Facsimile: 506-674-4214

Téléphone : 506-658-2862
Facsimilé : 506-674-4214

Notes:

Notes :

1. A Notice or Order that is not appealed within **fourteen (14) days** after having been given or issued shall be deemed to be confirmed.

1. Un AVIS ou une ORDONNANCE dont il n'est pas interjeté appel dans les **quatorze (14) jours** qui suivent la notification de l'AVIS ou l'émission de l'ORDONNANCE est réputé confirmé.

2. On an appeal, the *Saint John Substandard Properties Appeal Committee* shall hold a hearing into the matter at which the owner(s) or occupier(s) bringing the appeal has (have) a right to be heard and may be represented by counsel.

2. Lors d'un appel, le *Comité des appels sur les résidences non conformes aux normes de Saint John* doit tenir, sur le point en litige, une audience au cours de laquelle le(s) propriétaire(s) ou l'occupant ou les occupants qui interjette(nt) appel a (ont) le droit d'être entendu(s) et peut (peuvent) se faire représenter par un avocat.

3. On an appeal, the *Saint John Substandard*

3. Lors d'un appel, le *Comité des appels sur les*

sa décision.

5. The owner(s) or occupier(s) who is provided with a copy of a decision from the *Saint John Substandard Properties Appeal Committee* regarding a Notice, may appeal the decision to a judge of The Court of Queen's Bench of New Brunswick within ***fourteen (14) days*** after the copy of the decision was provided to the owner(s) or occupier(s) on the grounds that (a) the procedure required to be followed by the by-law was not followed, or (b) the decision is unreasonable.

5. Le(s) propriétaire(s) ou l'occupant ou les occupants à qui une copie d'une décision a été fournie par le *Comité des appels sur les résidences non conformes aux normes de Saint John* concernant un AVIS peut (peuvent), dans les ***quatorze (14) jours*** qui suivent, interjeter appel de la décision devant un juge de la Cour du Banc de la Reine du Nouveau-Brunswick au motif que (a) la démarche à suivre en vertu de l'arrêté n'a pas été suivie, ou (b) la décision est déraisonnable.

CANADA

PROVINCE OF NEW BRUNSWICK

COUNTY OF SAINT JOHN

CITY OF SAINT JOHN

AFFIDAVIT OF SERVICE

I, Pw Hunter of the Community of Nerepis in the County of Kings and the Province of New Brunswick MAKE OATH AND SAY AS FOLLOWS:

1. On the 30TH day of MAY 2024, I served ANSON GARVILLE, NEW CASTLE INSTITUTE OF ENGLISH RESEARCH CORP with the following documents:

- , Attached hereto as Exhibit "A"
- , Attached hereto as Exhibit "B"

By leaving a copy with him/her at

4 GROVE STREET, ROTHESAY, New Brunswick.

2. I was able to identify the person served by means of the fact that he/she acknowledged to me he/she was

ANSON GARVILLE OF NEW CASTLE INSTITUTE OF ENGLISH RESEARCH CORP.

Sworn To me at the
City of Saint John, N.B.

on the 6th day of
June, 2024 C.O.C.

Colleen O'Connor

Colleen O'Connor
Commissioner of Oaths
My Commission Expires
December 31, 2026

Pw Hunter

NOTICE OF HEARING
(Saint John Dangerous Buildings and Structures
By-law, By-law Number M-30, ss. 9(3))

AVIS D'AUDITION
(Arrêté concernant les bâtiments et constructions
dangereux de Saint John, Arrêté numéro M-30, par
9(3))

File No.: 22-1529

N° du dossier : 22-1529

BETWEEN :

ENTRE :

New Castle Institute of English Research Corp,

New Castle Institute of English Research Corp,

Appellant(s),

Appelant(s),

- and -

- et -

THE CITY OF SAINT JOHN,

THE CITY OF SAINT JOHN,

Respondent.

Intimée.

Parcel Identifier : PID #

Numéro d'identification de la parcelle : # NID

374900

374900

Parcel Address:,

Adresse de la parcelle :

49-51 Adelaide Street, Saint John, NB

49-51 rue Adelaide, Saint John, NB

Owner(s) or Occupier(s):

Propriétaire(s) ou occupant(s) :

Name: New Castle Institute of English Research Corp Nom : New Castle Institute of English Research Corp

Address: 105 Sherwood Drive, Quispamsis NB, E2E 1H5 Adresse : 105, prom Sherwood, Quispamsis, NB, E2E 1H5

Name: _____

Nom : _____

Address: _____

Adresse : _____

Nom : _____

Nom : _____

Adresse : _____

Adresse : _____

The Saint John Substandard Properties Appeal Committee has set a hearing into the matter as follows: Le Comité d'appel des propriétés inférieures aux normes de Saint John a fixé une audience comme suit :

Place: 15 Market Square
City Hall Building, 2nd Floor
Saint John, New Brunswick

Lieu : 15 Market Square
Édifice de l'hôtel de ville, 2ème étage
Saint John (Nouveau-Brunswick)

Time: 9:00AM

Heure : 9h00

Date: June 18th, 2024

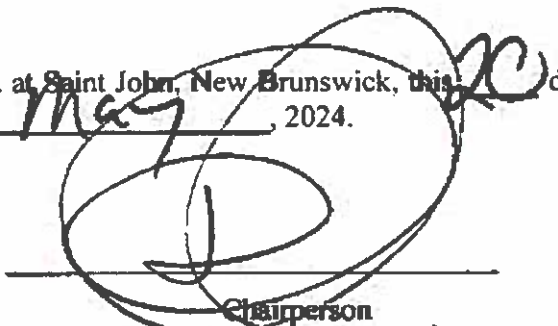
Date: le 18 juin 2024

The appellant(s) intends to proceed in the English ☒ or French ☐ language.

L'appellant(s) a (ont) l'intention d'utiliser la langue française ☐ ou anglaise ☒.

Dated at Saint John, New Brunswick, this 18 day of May, 2024.

Fait à Saint John, Nouveau-Brunswick, ce ____ jour de ____ 2024.



Chairperson
Donald F. Cullen

Président

CANADA

PROVINCE OF NEW BRUNSWICK

COUNTY OF SAINT JOHN

CITY OF SAINT JOHN

AFFIDAVIT OF SERVICE

I, Pw Hunter of the Community of Nerepis in the County of Kings and the Province of New Brunswick MAKE OATH AND SAY AS FOLLOWS:

1. On the 8TH day of JULY 2024, I served MR DARVILLO with the following documents:

- , Attached hereto as Exhibit "A"

By leaving a copy with him/her at Sherwood Drive, Quispamsis, New Brunswick.

2. I was able to identify the person served by means of the fact that he/she acknowledged to me he/she was Mr. Darvillo

Sworn To me at the
City of Saint John, N.B.
on the 9 day of
July, 2024

Colleen O'Connor
Colleen O'Connor
Commissioner of Oaths
My Commission Expires
December 31, 2026

Pw Hunter

FILE NUMBER: 22-1529

IN THE MATTER OF AN APPEAL pursuant to the LOCAL GOVERNANCE
ACT, S.N.B., and the SAINT JOHN UNSIGHTLY PREMISES and
DANGEROUS BUILDINGS and STRUCTURES BY-LAW

BETWEEN:

NEW CASTLE INSTITUTE OF
ENGLISH RESEARCH CORP.

Appellant

-and-

THE CITY OF SAINT JOHN

Respondent

DATE OF HEARING: June 18th, 2024

DATE OF DECISION: July 2nd, 2024

DECISION

1. The Appellant, New Castle Institute of English Research Corp. is the registered owner of the lands and premises located at civic address 49-51 Adelaide Street, Saint John, New Brunswick, bearing PID 374900, (the "Property") appeals by a Form 1, Notice of Appeal dated April 24th, 2024, a Form 4 Notice to Comply (the "Notice") issued by the City of Saint John dated April 18th 2024.

2. The Notice references an Inspection Report dated April 18th, 2024 prepared by Technical Service Junior Engineer, Justin Tinker, that stated the property "...does not comply with the **Saint John Unsightly Premises and Dangerous Building and Structure By-law, By-law Number M-30** and amendments thereto." The Notice further elaborates with the Headings "**Insightly Building Conditions, Vacant and Unoccupied, Dilapidated Building Conditions, and Structurally Unsound Building Conditions**;" with reasons listed beneath each Heading. The Notice also contained a Heading "**Required Remedial Actions**" listing 2 possible options with 5 listed conditions each for the Appellant to choose and follow.

3. The Appellant in its Notice of Appeal under the section provided for grounds for appeal, says the following in its entirety: "We are currently already working the City of Saint John, NB Housing and CMHC to try and secure much-needed funding to be able to support the reconstruction of this property. We will be submitting permits to demo the interior of this property as well as for using the City streets by the end of the month, but we do not feel we will be able to meet the 120 deadline of completion. This will be a 60-90 just for drawings, Fire Marshall and City approval. This is assuming there are no delays by the city or the fire Marshall due to holidays and staffing issues. A more realistic timeline for a building permit is 180-240 days".

3. A Hearing of the Appeal was heard on June 18th, 2024, with the Appellant represented by Anson Darville, Retain Property Management. The Respondent was represented by Justin Tinker, By-Law Officer and Technical Services Engineer and Benn Purinton, Technical Services Junior Engineer.

4. I will summarize each parties' representations as follows:

The Appellant:

Mr. Darville advised that the Appellant, which appears to be a real estate investment company, had purchased approximately nineteen buildings in the last several years in the City of Saint John and specifically the property in question on or around January 2022. He advised that he was retained by the Appellant on September 1st, 2023, to assess the Appellant's holdings, including the property, which by that time according to Mr. Darville was in such a state of disrepair that significant costly renovations were needed immediately failing which would require a complete rebuild.

He further advised that the original plan was to create twelve units at the property and thus increase the affordable housing stock in the City. He complained about the intractable and inflexible layers of municipal and provincial bureaucracy that were, in both terms of providing financial incentives and timely permitting, making moving forward with this plan extremely difficult to almost impossible.

In his reply to the City's representations, Mr. Darville said the proposed "milestones" were completely unrealistic and didn't anticipate renovations, if any, to completed until the Spring of 2026.

The Respondent:

The Respondent acknowledged that since Mr. Darville's involvement some progress had been made, i.e., the property had been significantly cleaned up and confirmed that a demolition of the property's interior had been completed by the Appellant. The Respondent presented, among other things, a Case Timeline indicating when the Appellant bought the property, (January 6th, 2022), when the Saint John Fire Department was called to the property (December 12th, 2022, and November 24th, 2023), citizen complaints, correspondence and interactions with the Appellant, inspections, to the granting of demolition permit on May 16th, 2024. Also provided were 17 photographs of the property's exterior and interior as well as a document title "City-Requested Milestones" which listed had timeframes for certain actions to be achieved by the Appellant.

5. Both parties made it clear that the status quo for the property was untenable. While I found the Appellant's arguments, which at times became impassioned speeches about the frustrating inflexibility of bureaucracy coupled with the grim economic realities of developing older properties, understandable but ultimately irrelevant to the matter at hand.

6. I was not presented with any evidence that the Appellant unwittingly inherited the property nor was compelled to purchase the property under duress. Mr. Darville throughout emphasized the Appellant's supposed business sophistication or at least the extensive financial resources the Appellant has available. The ownership of properties for express commercial purposes comes with multiple responsibilities that include complying with the local municipality's minimum building standards especially ensuring that the properties are not an eyesore, not a fire hazard and overall safe.

7. I find that that the 2 possible options presented by the Respondent in its Notice are reasonable on their face as well in substance. Accordingly, The Notice to Comply of April 18th, 2024, is hereby confirmed.

DATED at Saint John, New Brunswick this 2 day of July 2024.



Donald F. Cullinan, Chair

City of Saint John – Growth & Community Services

Date: August 13, 2024

Subject: Continual Progress Requirement for 49 Adelaide Street

To: New Castle Institute of English Research, c/o Anson Darville

Dear Mr. Darville,

This document serves as formal notice regarding the necessary actions and continual progress required on the building located at 49 Adelaide Street. In order for the City of Saint John to consider postponing a demolition recommendation to Common Council, the following conditions must be met and maintained:

1. Immediate Actions

- **Structural Assessment:** A comprehensive structural assessment must be conducted by a certified structural engineer. Within 45 days from the date of this notice, the detailed engineering report including identified issues and proposed remedies, must be submitted to the City's Building Inspector and the Manager of Community Standards Compliance.
- **Safety Measures:** Any immediate safety concerns identified in the structural assessment must be addressed without delay to ensure the safety of the public and neighboring properties. This includes but is not limited to securing the perimeter and installing fencing, reinforcing unstable structures, and posting appropriate safety signage.

2. Short-Term Goals (Within 90 Days)

- **Detailed Rehabilitation Plan:** Submit a detailed rehabilitation plan outlining the steps and timeline for the restoration and repair of the building. This plan must be reviewed and approved by the City's Building Inspection Department and the Manager of Community Standards Compliance.
- **Permit Acquisition:** Obtain all necessary permits for the proposed rehabilitation work. Ensure all permit applications are complete and adhere to the City's building codes and regulations.

3. Continual Progress Monitoring

- **Security of Site/Premises:** The premises at 49 Adelaide Street must always be secured to prevent public entry. The owner is required to take reasonable measures to prevent unauthorized access, including but not limited to, ensuring there is continuous work on the property, securing the perimeter with fencing, and installing security cameras. Any evidence of unauthorized public access will be deemed a violation of this condition and will trigger the Consequences of Non-Compliance outlined in Item 5.
- **Inspections:** Allow City inspectors access to the property to verify the progress of the rehabilitation work. Inspections will be scheduled as deemed necessary by the City.

4. Long-Term Commitments

- **Completion Timeline:** The rehabilitation work must be completed within 18 months from the date of this notice. Extensions may be granted upon review of progress and justification for delays.
- **Compliance with Codes:** Ensure all rehabilitation work complies with the City's Zoning By-law, Building By-law and the National Building Code of Canada. Non-compliance will result in resumption of enforcement measures.

5. Consequences of Non-Compliance

Failure to adhere to the conditions outlined in this document will result in staff proceeding to Common Council with the recommendation to authorize staff to proceed with demolition of the Building. The City of Saint John reserves the right to proceed with the demolition of the building at 49 Adelaide Street if sufficient progress is not demonstrated and maintained.

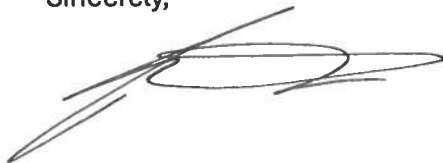
6. Contact Information

For any questions or further clarification, please contact:

Justin Tinker
Manager of the Dangerous & Vacant Building Program
Growth & Community Standards, City of Saint John
506-648-4455
justin.tinker@saintjohn.ca

Benn Purinton
Manager of Community Standards Compliance
Growth & Community Standards, City of Saint John
506-648-4455
benn.purinton@saintjohn.ca

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Tinker', with a stylized flourish extending from the end.

Justin Tinker
Manager, Vacant & Dangerous Buildings Program
Growth & Community Standards
City of Saint John

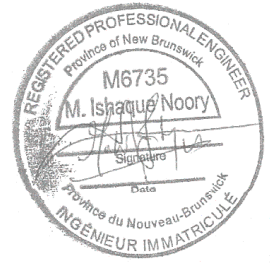
Anson Darville
RETAIN Property Management
105 Sherwood Drive
Quispamsis, NB

Sept 20th, 2024

613-806-8830

ATTENTION: TO WHOM IT MAY CONCERN – City of Saint John

RE: 49 Adelaide Street, Saint John, NB



Noory Engineering submits the following site visit report conducted on Sept 19th, 2024, at 10:00am in the presence of Kate (Client Representative). The purpose of this site visit was to visually perform a structural assessment of the overall structure in general and assess if it is at risk of 'collapse' and being unsafe to the public.

The structure is an existing three-story wood construction with a crawl space and a flat roof. The front of building, along the pedestrian sidewalk, is only 21ft wide. A variance application was recently submitted to the city to allow for its renovation, extension, and reinforcement, pending building permit drawing submission.

The following are our observations, conclusions, and recommendations:

- 1) The ride side of the building wall is caved-in: Floor framing is intact, bracing the wall in concern and is in stable condition.
- 2) Upper floor vertical support framing at some locations was damaged by fire. The framing is intact and in stable condition, however:
 - a. Localized framing reinforcement to replace some of the burnt wood members. These locations were located to the client at site.
 - b. No interior drywall bracing exists, however building sheathing exterior is in place and is considered acceptable.
 - c. No loading of building is allowed. Exception will be to allow a maximum of 3 laborers/on-site/on-site personnel at one time.
- 3) The structure is boarded (not accessible) and its footprint takes most of the site area. Being a private property and with no pedestrian access other than the 21ft front face in front of the sidewalk.
 - a. Provide fencing to avoid pedestrian access to the side/rear of site.
- 4) The immediate plan for this structure is to restructure and extend it. New foundation in the form of slab-on grade is currently being designed for as permanent foundation solution.

It is our conclusions that the structure

- i. Is 'structurally stable' in its current condition
- ii. Structural renovation to start by next year at the most.

Thanks

Should there be any clarifications required, you may contact the undersigned.

Yours truly,

M. Ishaque Noory, P. Eng.
Structural Engineer

Noory Engineering Inc.

Noory E

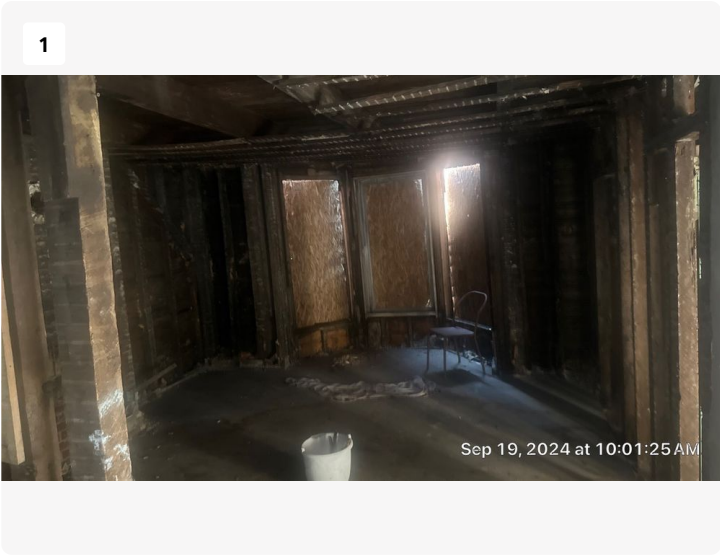
Noory Engineering Inc.

9/23/2024 | 27 Photos

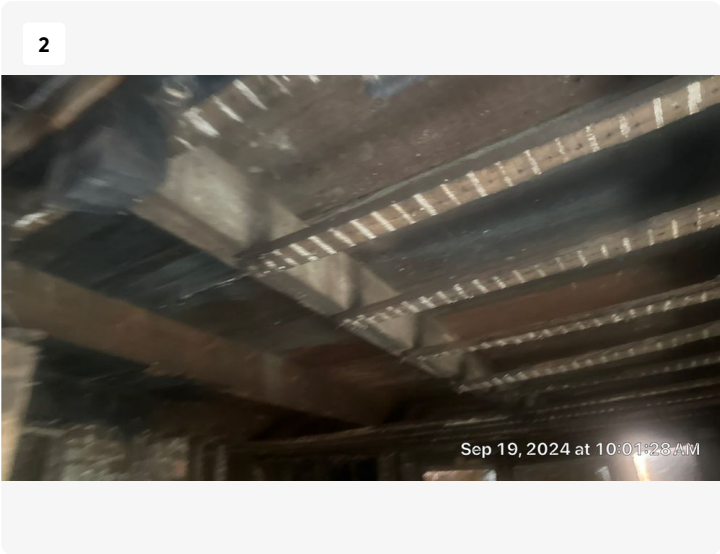


49 Adelaide St

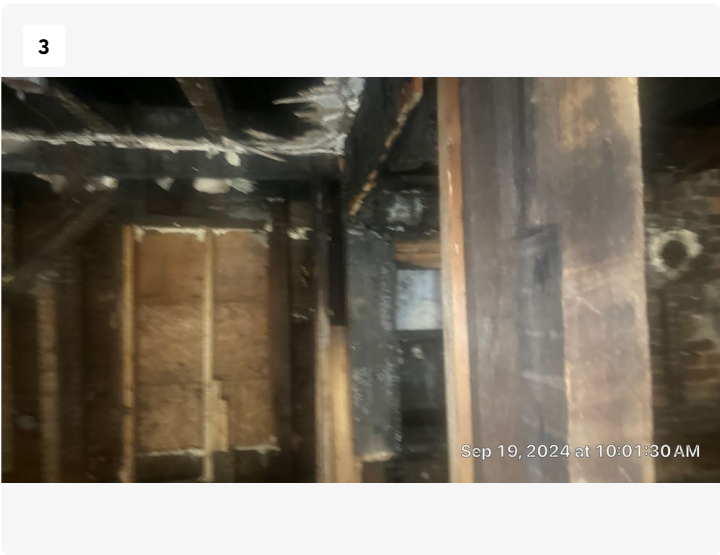
Section 1



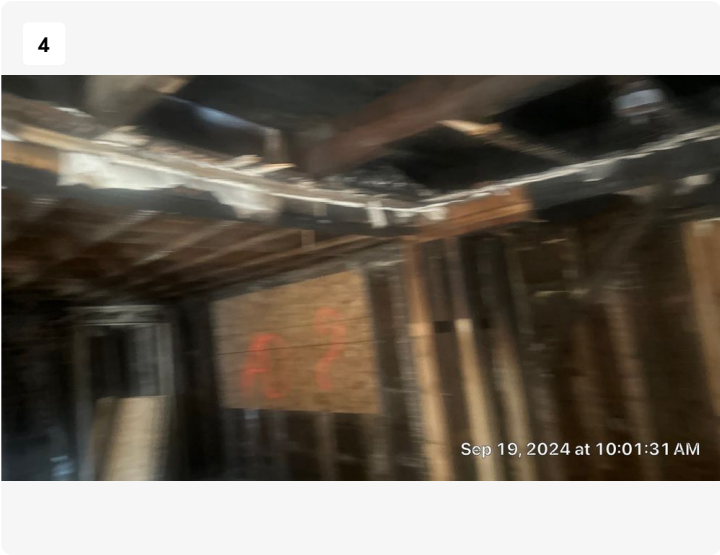
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Date: 9/19/2024, 10:01am
Creator: Noory E



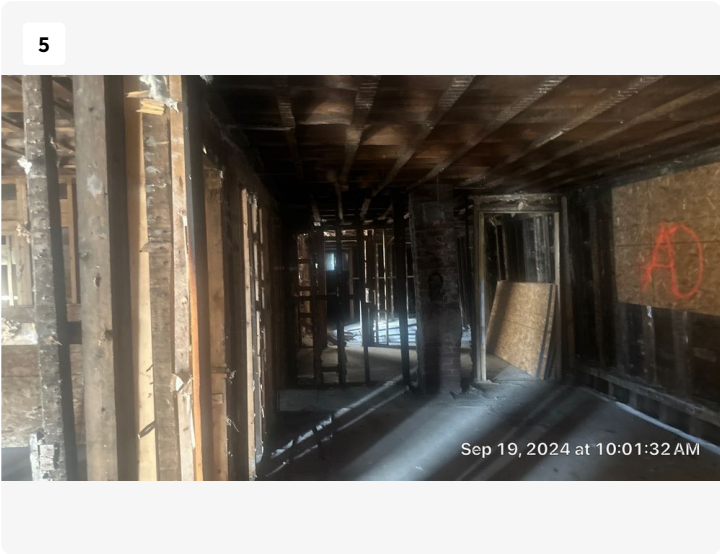
Project: 49 Adelaide St
Date: 9/19/2024, 10:01am
Creator: Noory E



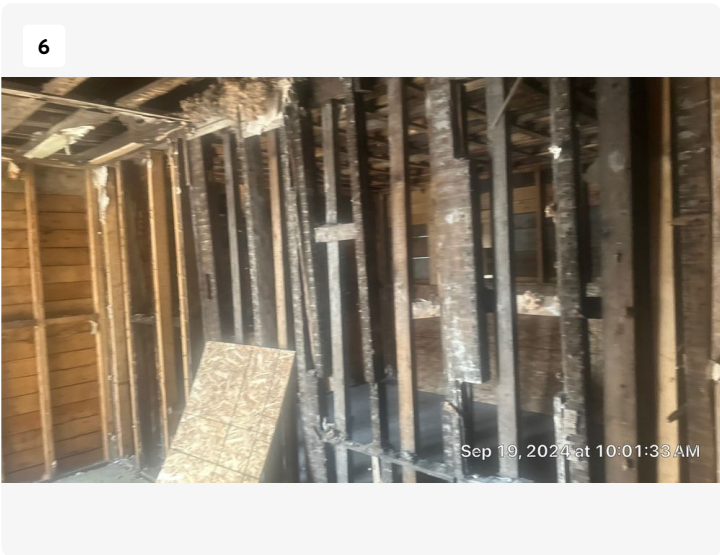
Project: 49 Adelaide St
Date: 9/19/2024, 10:01am
Creator: Noory E



Project: 49 Adelaide St
Date: 9/19/2024, 10:01am
Creator: Noory E



Project: 49 Adelaide St
Date: 9/19/2024, 10:01am
Creator: Noory E



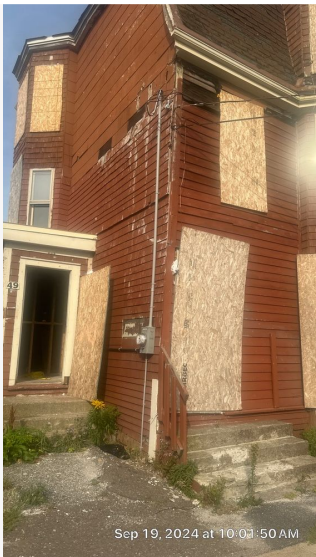
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Creator: Noory E

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Project: 49 Adelaide St
Date: 9/19/2024, 10:01am
Creator: Noory E

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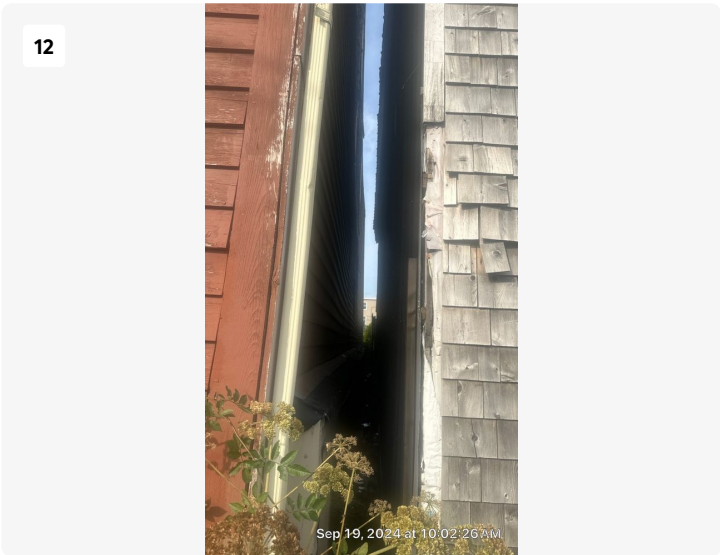
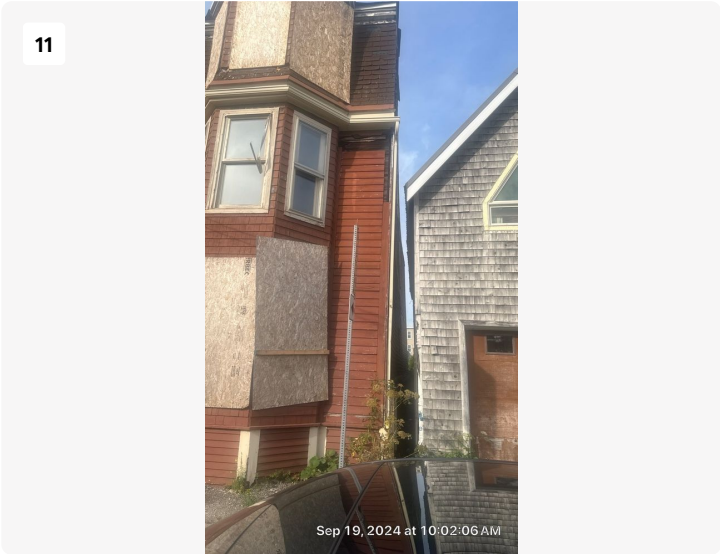
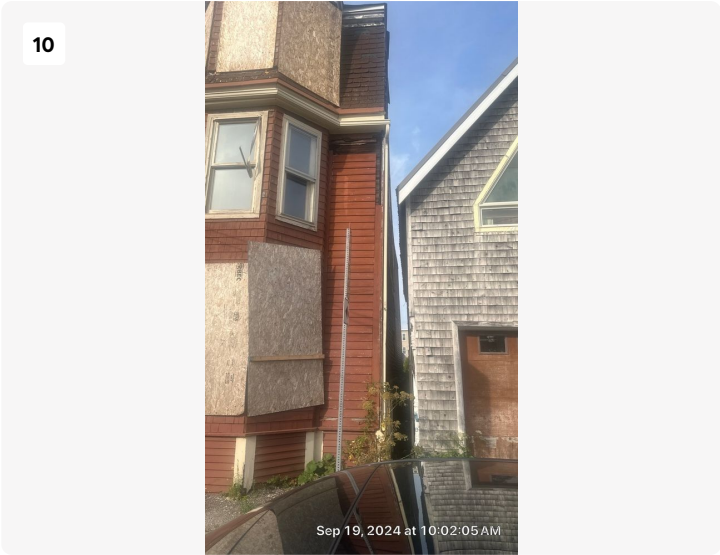


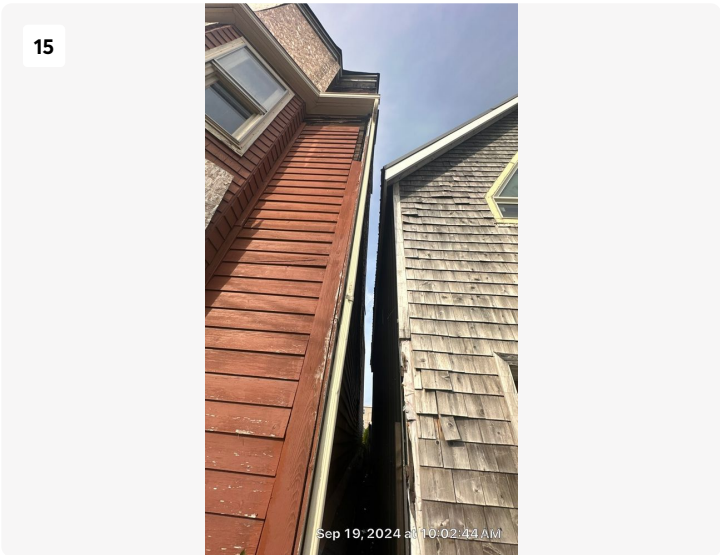
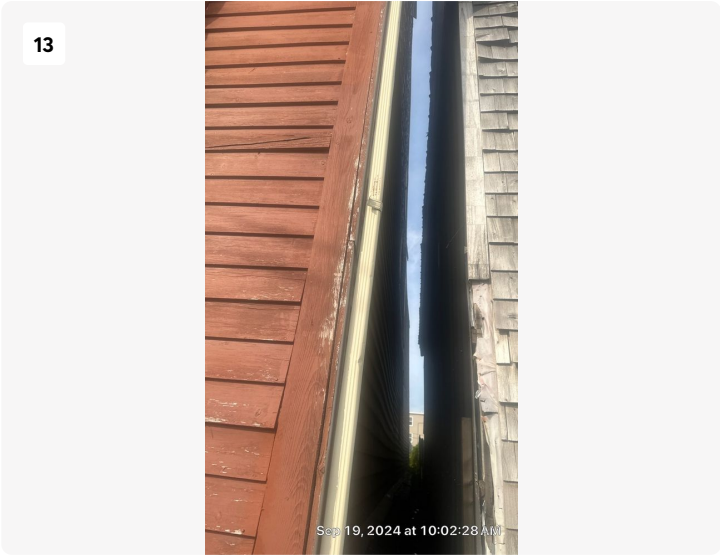
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Creator: Noory E

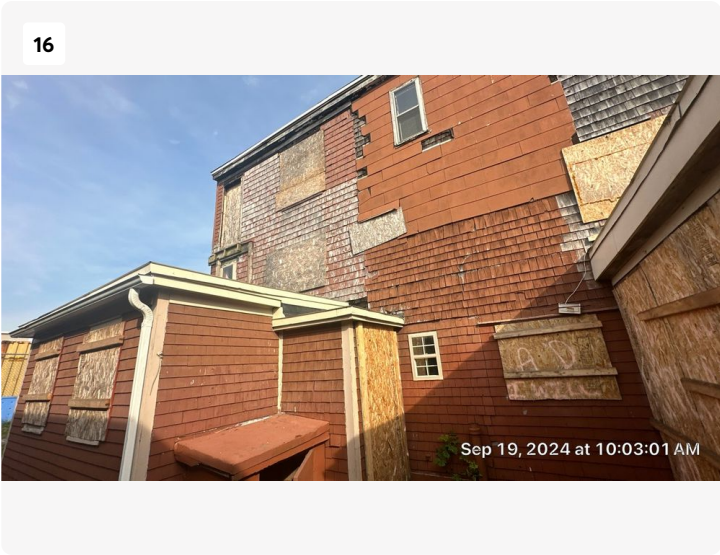
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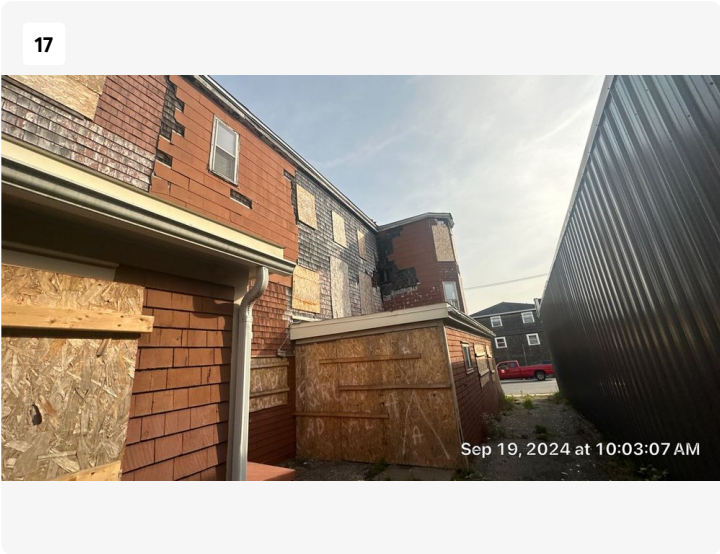
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Creator: Noory E



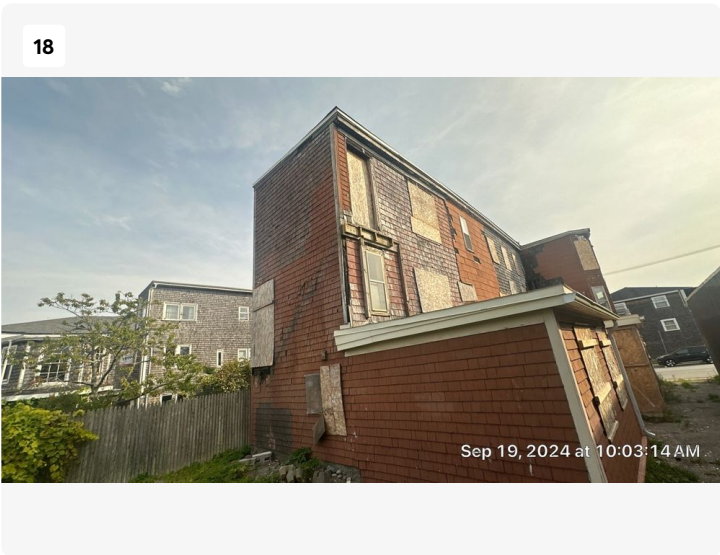




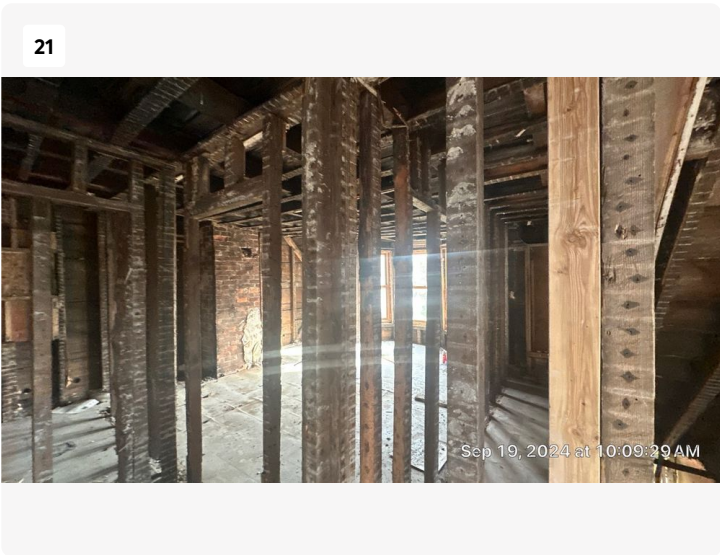
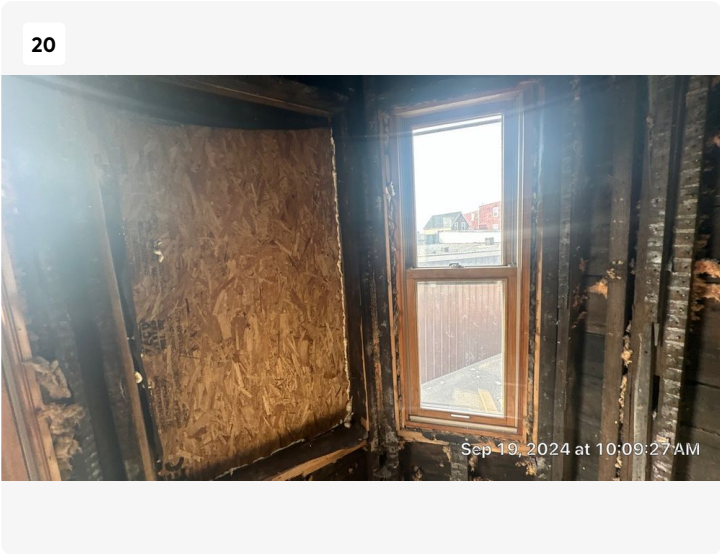
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Creator: Noory E

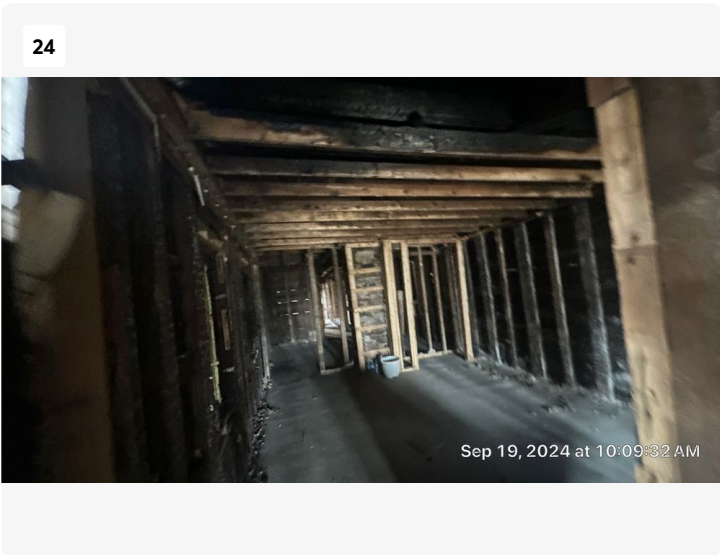


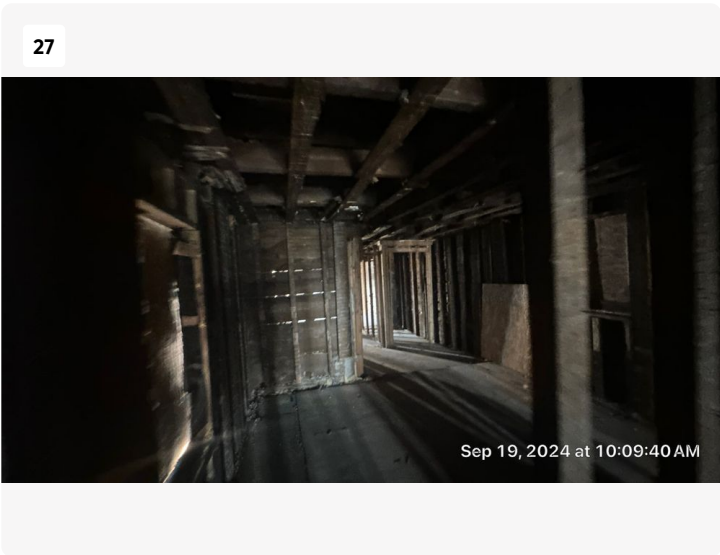
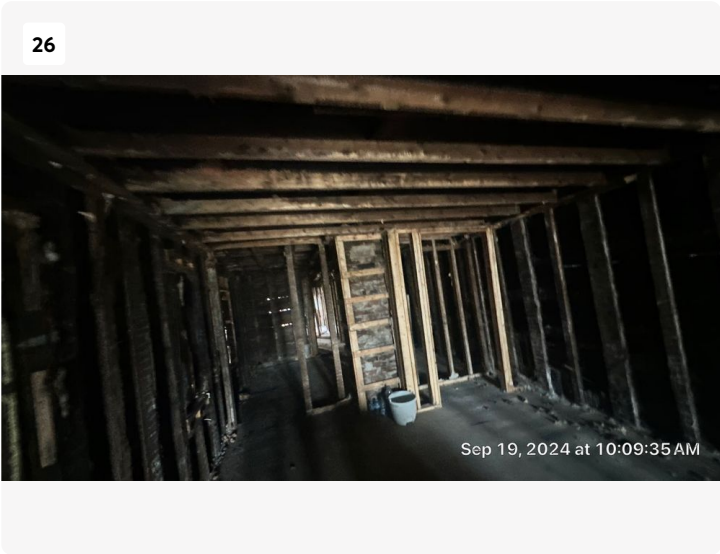
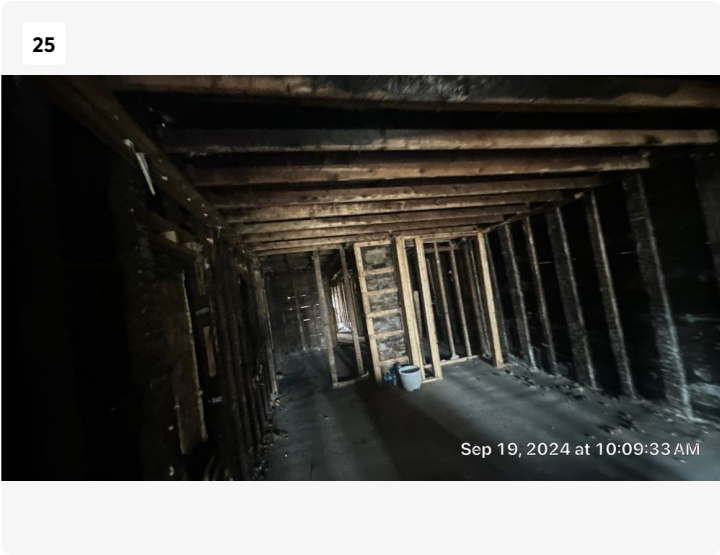
Project: 49 Adelaide St
Date: 9/19/2024, 10:03am
Creator: Noory E



Project: 49 Adelaide St
Date: 9/19/2024, 10:03am
Creator: Noory E







CANADA
PROVINCE OF NEW BRUNSWICK
COUNTY OF SAINT JOHN
CITY OF SAINT JOHN

IN THE MATTER OF THE BUILDING THAT IS LOCATED AT

49-51 Adelaide St, Saint John, N.B. (PID number 00374900)

AFFIDAVIT OF SERVICE

I, Justin Tinker, of the City of Saint John in the County of Saint John and the Province of New Brunswick MAKE OATH AND SAY AS FOLLOWS:

1. I am employed by the City of Saint John in its Growth and Community Services Department. I have personal knowledge of the matters herein deposed where otherwise stated.
2. On the 17th day of APRIL 2025 at approximately 2:10 PM, I posted a copy of the Notice of Common Council Hearing letter, annexed hereto marked Exhibit "A" to the building at 49-51 Adelaide Street, Saint John, N.B.

Sworn To me at the
City of Saint John, N.B.
on the 22nd day of
April, 2025

Colleen O'Connor
Colleen O'Connor
Commissioner of Oaths
My Commission Expires
December 31, 2026





The City of Saint John

**Permitting & Inspection / Service des inspections et de l'application
By-law Enforcement / Service d'Application des Arrêtés Municipaux**

Phone / Tel : (506) 658-4455

Fax / Téléc : (506) 632-6199

This is Exhibit A
Referred to in the Affidavit of

Service

Sworn before me at the City of
Saint John, New Brunswick

the 20th day of April, 2025

Colleen O'Rourke
Commissioner of Oaths

April 17, 2025

Case #: 22-1529

NEW CASTLE INSTITUTE OF ENGLISH RESEARCH CORP
105 SHERWOOD DRIVE
QUISPAMIS, NB
E2E 1H5

NOTICE OF COMMON COUNCIL HEARING

Dear Sir/Madam:

Re: 49-51 Adelaide St, PID #00374900

Dangerous and Vacant Building Program

On April 18, 2024, a Notice to Comply was issued for the above-mentioned property which required remedial action to bring the building and premises into compliance with the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*. The Notice to Comply was posted on said property on April 18, 2024.

The Notice to Comply was confirmed upon appeal on July 2, 2024. The timeframe provided for repairs to be completed has expired. A compliance inspection will be carried out on April 28th, 2025. If the property is not in compliance with the aforesaid By-law at the time of the inspection, City Staff will be attending the Common Council meeting scheduled on May 5th, 2025, at 6:00pm to recommend that the building be demolished because it has become a hazard to the safety of the public by reason of dilapidation or by reason of unsoundness of structural strength. Please be advised that at this meeting, you can present evidence that the building is not dilapidated or structurally unsound; however, note that this meeting will be your only opportunity to do so.

If you have any questions, don't hesitate to contact me at (506) 658-4455.

Regards,

Justin Tinker
Technical Services Officer
Growth & Community Services



SAINT JOHN



April 23,
2025

49-51 Adelaide Street,
Saint John, New Brunswick

Photo 1



January 18,
2024

49-51 Adelaide Street,
Saint John, New Brunswick

Photo 2



January 18,
2024

49-51 Adelaide Street,
Saint John, New Brunswick

Photo 3

168



January 25, 2024 49-51 Adelaide Street,
Saint John, New Brunswick

Photo 4



January 25,
2024

49-51 Adelaide Street,
Saint John, New Brunswick

Photo 5



January 25,
2024

49-51 Adelaide Street,
Saint John, New Brunswick

Photo 6



January 25,
2024

49-51 Adelaide Street,
Saint John, ¹⁷²New Brunswick

Photo 7



January 25,
2024

49-51 Adelaide Street,
Saint John, ¹⁷³New Brunswick

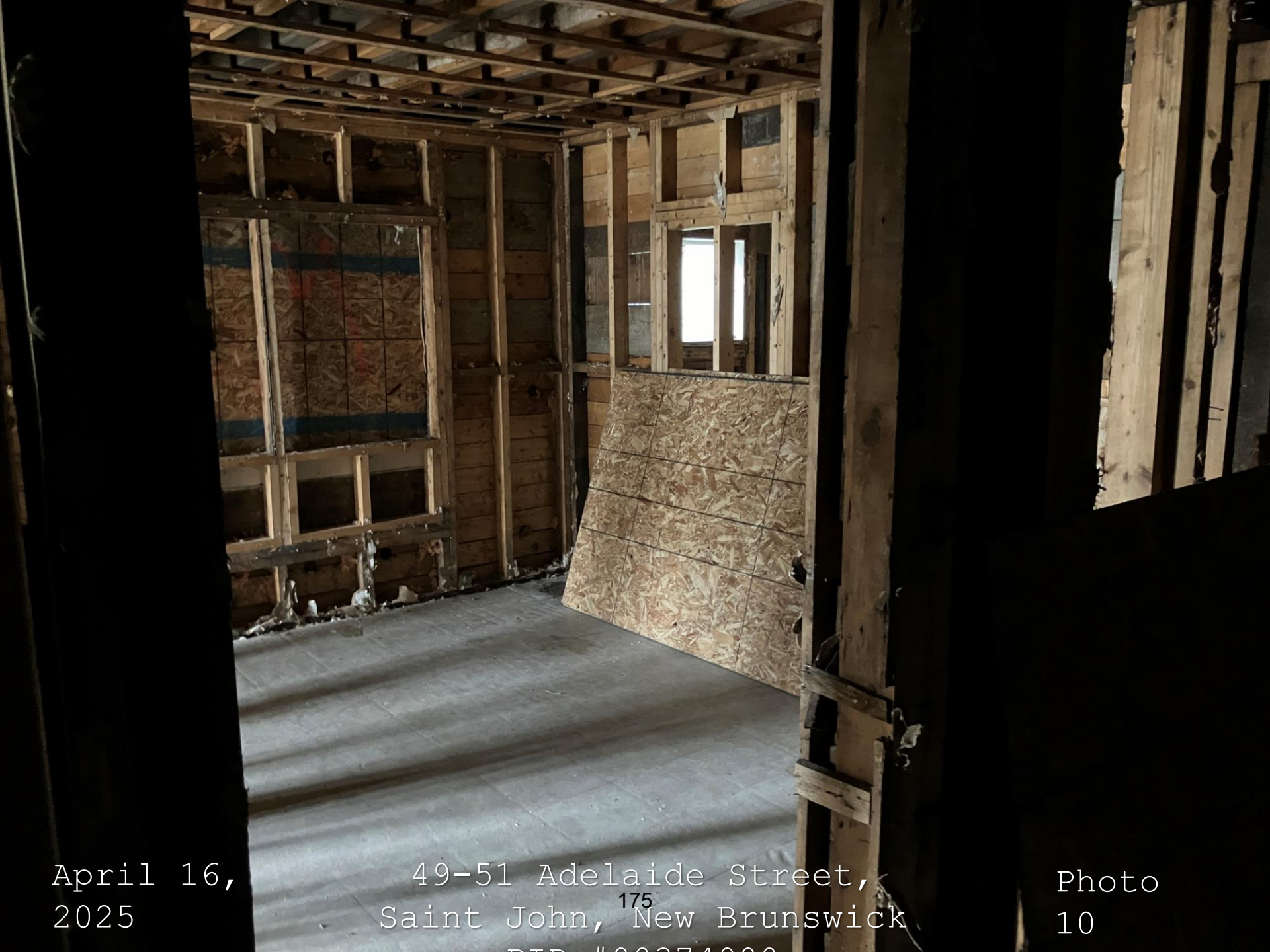
Photo 8



July 17,
2024

49-51 Adelaide Street,
Saint John, ¹⁷⁴New Brunswick

Photo 9



April 16,
2025

49-51 Adelaide Street,
Saint John,¹⁷⁵ New Brunswick
PID #20271000

Photo
10

From: City of Saint John, New Brunswick <webform-noreply@saintjohn.ca>
Sent: Thursday, April 24, 2025 3:27 PM
To: Common Clerk <commonclerk@saintjohn.ca>
Subject: Webform submission from: Submission to Council Form

[External Email Alert] **Please note that this message is from an external sender. If it appears to be sent from a Saint John employee, please forward the email to spamsample@saintjohn.ca or contact the IT Service Desk.**

Submitted on Thu, 04/24/2025 - 15:26

Submitted by: Anonymous

Submitted values are:

About Person/Group Submitting

First name

Adam

Last name

Pottle

Name of organization/group (where applicable)

none

Mailing Address

Saint John, New Brunswick. E2L 1M7

Telephone

Email

If you do not wish to have your personal information (address, phone number, email) become part of the public record, please check this box.

Yes

About your Submission

Topic of submission

Lack of sidewalk on Lower Cove Loop between Prince William and Canterbury

Purpose for submission (what is the ask of council):

Council should take advantage of the ongoing construction nearby at Rainbow Park, Broad St, and Charlotte St, and build a missing section of sidewalk along Lower Cove Loop (from the southeast end of Prince William Street, to the southwest end of Canterbury).

This gap forces pedestrians across Lower Cove Loop for no apparent reason, and frequently seems to be used for private parking. It's the only place in the South End/Uptown where the sidewalk simply stops.

With the construction of the new school, the pedestrian network in the area should be improved. It's only about 40m in length. This should align with the city's 'Move' policy.

Executive summary

Lack of sidewalk along north side of Lower Cove Loop between Prince William and Canterbury streets, despite ample public right of way, should be fixed.