



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

Monday, January 28, 2019

6:00 pm

8th Floor Common Council Chamber (Ludlow Room)

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

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**City of Saint John
Common Council Meeting
Monday, January 28, 2019**

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 10.(2)(4) of the Municipalities Act and Council / Committee will make a decision(s) in that respect in Open Session:

4:30 p.m., 8th Floor Boardroom, City Hall

- 1.1 Approval of Minutes 68(1)
- 1.2 Employment Matter 68(1)(j)
- 1.3 Land Matter 68(1)(d)



**Ville de Saint John
Séance du conseil communal
Lundi 28 janvier 2019
18 h**

Salle du conseil communal (salle Ludow), au 8^e étage de l'hôtel de ville

Comité plénier

1. Ouverture de la séance

Si vous souhaitez obtenir des services en français pour une réunion du conseil communal, veuillez communiquer avec le bureau du greffier communal au 658-2862.

Chacun des points suivants, en totalité ou en partie, peut faire l'objet d'une discussion en privé en vertu des dispositions prévues à l'article 10 de la *Loi sur les municipalités*. Le conseil/comité prendra une ou des décisions à cet égard au cours de la séance publique :

16 h 30 – Salle de conférence, 8^e étage, hôtel de ville

- 1.1 Approbation du procès-verbal – paragraphe 68(1)
- 1.2 Question relative à l'emploi – alinéa 68(1) *j*
- 1.3 Question relative aux biens-fonds – alinéa 68(1) *c, d*

Séance ordinaire

1. Ouverture de la séance

2. Approbation du procès-verbal

- 2.1 Procès-verbal du 14 janvier 2019

3. Approbation de l'ordre du jour

4. Divulgations de conflits d'intérêts

5. Questions soumises à l'approbation du conseil

- 5.1 Lettre de M.E. Carpenter concernant la Commission des transports de Saint John (recommandation : accepter à titre informatif)
- 5.2 The Hardman Group Limited – Célébration de la veille du jour de l'An (recommandation : accepter à titre informatif)

- 5.3 Date proposée pour la tenue des audiences publiques – 97-99, rue Exmouth, 348, chemin Rockland et 21, rue Canon (recommandation figurant au rapport)
- 5.4 Émission d’obligations du printemps – Avis de motion (recommandation figurant au rapport)

6. Commentaires présentés par les membres

7. Proclamation

- 7.1 Journée Bell Cause pour la cause – 30 janvier 2019
- 7.2 Semaine de la canne blanche – Du 3 au 9 février 2019

8. Délégations et présentations

9. Audiences publiques – 18 h 30

- 9.1 Modification proposée en vertu de l’article 59 concernant le 93, chemin Loch Lomond – Rapport du Comité consultatif d’urbanisme recommandant la modification
- 9.2 Modification proposée en vertu de l’article 59 concernant le 1350, chemin Hickey – Présentation du personnel et rapport du Comité consultatif d’urbanisme recommandant la modification
- 9.3 Modification proposée à l’Arrêté de zonage concernant le 3700, rue King William – Rapport du Comité consultatif d’urbanisme recommandant le rezonage conformément aux conditions imposées par l’article 59
 - 9.3.1 Modification de l’Arrêté de zonage (première et deuxième lectures)

10. Étude des arrêtés municipaux

- 10.1 Modification proposée au plan d’aménagement municipal – 179-185, chemin Golden Grove
- 10.2 Présentation publique – Projet de modification du plan municipal relatif au 40, promenade Mountain View
- 10.3 Modification de l’arrêté procédural concernant la participation par voie électronique aux réunions et le format des présentations/représentations faites à la suite d’une audience publique (première et deuxième lectures)

11. Présentations aux membres du conseil

12. Affaires municipales évoquées par les fonctionnaires municipaux

- 12.1 Priorités relatives à la violation des données du logiciel Click2Gov et à la cybersécurité

13. Rapports déposés par les comités

14. Étude des sujets écartés des résolutions en bloc

15. Correspondance générale

15.1 Demande d'achat de billets – Fondation de Loch Lomond Villa

15.2 Demande d'achat de billets – Petit-déjeuner à l'occasion de la Journée mondiale du rein

16. Ordre du jour supplémentaire

17. Comité plénier

18. Levée de la séance



The City of Saint John

MINUTES – REGULAR MEETING
COMMON COUNCIL OF THE CITY OF SAINT JOHN
JANUARY 14, 2019 AT 6:00 PM
IN THE COUNCIL CHAMBER

Present: Acting Mayor / Deputy Mayor Shirley McAlary
Councillor-at-Large Gary Sullivan
Councillor Ward 1 Blake Armstrong
Councillor Ward 1 Greg Norton
Councillor Ward 2 Sean Casey
Councillor Ward 2 John MacKenzie
Councillor Ward 3 Donna Reardon
Councillor Ward 4 David Merrithew

Absent: Mayor Don Darling
Councillor Ward 4 Ray Strowbridge

Also Present: City Manager J. Collin
Fire Chief K. Clifford
Police Chief B. Connell
City Solicitor J. Nugent
Commissioner Growth and Community Development J. Hamilton
Commissioner of Finance and Treasurer K. Fudge
Commissioner of Transportation and Environment M. Hugenholtz
Commissioner of Saint John Water B. McGovern
Common Clerk J. Taylor
Deputy Common Clerk P. Anglin

1. Call to Order

2. Approval of Minutes

2.1 Minutes of December 17, 2018

Moved by Councillor Sullivan, seconded by Councillor Norton:

RESOLVED that the minutes of the meeting of Common Council, held on December 17, 2018, be approved.

MOTION CARRIED.

3. Approval of Agenda

Moved by Councillor MacKenzie, seconded by Councillor Sullivan:

RESOLVED that the agenda of this meeting be approved.

MOTION CARRIED.

4. Disclosures of Conflict of Interest

5. Consent Agenda

5.1 That the Saint John Tool Library & DIY Centre Request to Present be referred to the Clerk to schedule.

5.2 That as recommended in the submitted Planning Advisory Committee report *Subdivision (Money-in-lieu of Land for Public Purposes) 944 Fairville Boulevard*, Common Council authorize the acceptance of money-in-lieu of the required land for public purposes.

5.3 That the submitted report *2019-2: Terms of the Fall 2018 Debenture Issue*, be received for information.

5.4 That as recommended by the City Manager in the submitted report *2019-4: Borrowing Resolutions*, Common Council adopt the following resolutions:

1. That the Commissioner of Finance is hereby authorized to borrow, on behalf of the City of Saint John (the Corporation), from the Bank of Nova Scotia (the Bank) from time to time by way of direct advances by Promissory Notes, Overdraft, or Standby Letters of Credit/Letters of Guarantee, a sum or sums not exceeding at any one time six million dollars (\$6,000,000) to meet current expenditures for the year 2019; and

2. That the Commissioner of Finance is hereby authorized to borrow, on behalf of the City of Saint John (the Corporation), from the Bank of Nova Scotia (the Bank) from time to time by way of direct advances by Promissory Notes, a sum or sums not exceeding at any one time twenty five million dollars (\$25,000,000) to meet capital expenditures for the year 2019.

5.5 That as recommended by the City Manager in the submitted report *2019-3: City Market Lease with Chicken by Felix*,

1. That the City enter into a Lease for Stall “No. 10” in the City Market with Yufan Investment Ltd., under the terms and conditions as set out in the Lease submitted with M&C 2019–3, and further;
2. That the Mayor and Common Clerk be authorized to execute any necessary documents.

5.6 That as recommended by the City Manager in the submitted report *M&C 2019-08: 2019 Insurance Renewal*, Council accepts the insurance package presented by BFL Canada, underwritten by AIG Insurance Company and Certain Underwriters at Lloyds through our Agent of Record, JM & CW Hope Grant Ltd. and approves maximum payments as follow:

Insurance Premiums of	\$921,336
Agreed Agency Fee of	\$26,400
Payable to JM & CW Hope Grant Ltd.	\$938,736

Moved by Councillor Sullivan, seconded by Councillor Merrithew:
RESOLVED that the recommendation set out in each consent agenda item respectively, be adopted.

MOTION CARRIED UNANIMOUSLY.

6. **Members Comments**

Council members commented on various community events.

7. **Proclamations**

8. **Delegations/Presentations**

8.1 Lord Beaverbrook Rink Presentation

Referring to the submitted report entitled *LBR Presentation*, M. Simon MD, Chair LBR, board members and Manager D. Nicholson provided an update on the revitalization and enhancements to the LBR facilities and social media presence.

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:
RESOLVED that the Lord Beaverbrook Rink Presentation be received for information.

MOTION CARRIED.

9. Public Hearings 6:30 PM

10. Consideration of By-laws

10.1 Business Improvement Area 2019 Budget

Referring to the submitted report entitled *Business Improvement Area 2019 Budget* the Clerk advised that the budget has been advertised in the newspaper and no written objections have been received. Council may proceed with approving the budget and amending the BIA bylaw for 2019.

Moved by Councillor Norton, seconded by Councillor Reardon:
RESOLVED that the Executive Director of Uptown Saint John, Nancy Tissington be invited to speak to the submitted report entitled *Business Improvement Area 2019 Budget* on the budget expenditures.

MOTION CARRIED.

Council asked the Executive Director to address the budget. Executive Director of Uptown Saint John, Nancy Tissington responded to questions on the budget item for Operations and Administrative Expenses comprising \$291,174.00 of the total budget amount of \$481,997.00. Ms. Tissington said the Membership approved the budget at the AGM in November and that the budget follows other BIA budgets in the area.

Moved by Councillor Sullivan, seconded by Councillor Norton:
RESOLVED that the verbal presentation from Ms. Tissington be received for information.

MOTION CARRIED.

Moved by Councillor Sullivan, seconded by Councillor Reardon:
RESOLVED that as recommended by the Board of Directors of Uptown Saint John Inc., Common Council approve the submitted 2019 budget for the Business Improvement Area.

MOTION CARRIED with Councillor Merrithew voting nay, stating that the budget for Operations and Administrative Services is too high, comprising 60% of the overall budget.

Moved by Councillor Sullivan, seconded by Councillor Reardon:

RESOLVED that the by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law", by applying a levy of 16 cents for each one hundred dollars of assessed value for 2019, be read.

MOTION CARRIED with Councillor Merrithew voting nay.

The by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law" was read in its entirety.

Moved by Councillor Sullivan, seconded by Councillor Reardon:

RESOLVED that the by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law", by applying a levy of 16 cents for each one hundred dollars of assessed value for 2019, be read a third time, enacted and the Corporate Common Seal affixed thereto.

MOTION CARRIED with Councillor Merrithew voting nay.

Read a third time by title, the by-law entitled, "A Law to Amend By-Law Number BIA-2, Business Improvement Levy By-Law."

11. Submissions by Council Members

11.1 Expanding the Saint John Common Council Committee Structure to add a Public Safety Committee (Councillor Norton)

Referring to the submitted motion, Councillor Norton said that the intent is to refer the matter to the City Manager to come back with recommendations. The motion is intended to provide a broad view of Public Safety, not just fire and police. Fire and police in this instance would be two bullets in a series of bullets that would fall under the proposed committee structure, other safety issues would include:

- Pedestrian Safety
- Sidewalk surfacing
- EMO
- School Zone safety
- Positive recreation
- Street lighting
- Cyber security
- Environmental hazards and response.

The referral would provide the City Manager leeway to bring recommended feedback back to council in an open timeline.

Moved by Councillor Norton, seconded by Sullivan:

RESOLVED that Council refer item 11.1 *Expanding the Saint John Common Council Committee Structure* to the City Manager, to report back recommendations on developing a plan to expand the City of Saint John Common Council Committee Structure to include a third Committee, that being a Public Safety Committee / Environment and Transportation services.

MOTION CARRIED with Councillor Merrithew stating he is voting nay at this time because of the priority of the city's sustainability and the 2018 Provincial Election white paper focus being required in Q1 and Q2 of 2019; Councillor Reardon also voting nay.

12. Business Matters - Municipal Officers

R. Van Wart provided Council a visual description of the three properties on the location. The City Solicitor advised that the property description should be noted as containing three buildings.

12.1 Demolition of three vacant, dilapidated and dangerous buildings at 1536 Loch Lomond Road (PID 312744)

The Deputy Mayor provided the following cautionary statement:

"The information which has been provided in the Council Kit includes the report of the Building Inspector stating that the three buildings located at 1536 Loch Lomond Road (PID 312744) are a hazard to the safety of the public by virtue of its being, amongst other things, dilapidated or structurally unsound. Is there present an owner, including anyone holding any encumbrance upon this property, who wishes to present evidence to the contrary, i.e. that the three buildings are structurally sound and not dilapidated?"

No one came forward to present evidence that the three buildings are structurally sound and not dilapidated.

Moved by Councillor Sullivan, seconded by Councillor Merrithew:

RESOLVED that the three buildings located at 1536 Loch Lomond Road, PID# 312744, are to be demolished as they have become a hazard to the safety of the public by reason of dilapidation; and

BE IT FURTHER RESOLVED, that said three buildings are to be demolished as they have become a hazard to the safety of the public by reason of 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.

MOTION CARRIED.

12.2 Winter Management Plan Overview

Referring to the submitted PowerPoint and report entitled *Winter Management Plan Overview*, M. Hugenholz outlined the 7 governing principles, priorities and deliverables of the plan aligned with best practices in other jurisdictions. The plan was adopted in 2009, but it is a living document reviewed annually, and has been updated from time to time. The budget and staffing were discussed.

Quick facts of the Winter Management Plan:

- The City services 1,160 lane kilometers of road
- The City services 240 kilometers of sidewalk (61% of the City's sidewalks)
- 81 primary pieces of equipment used to service streets, plus 6 that clear parks, arenas and other recreational facilities
- In an average year, the City consumes 13,000 tons of road salt, and
- 3,000 tons of sand

Street plowing is prioritized into categories to effectively use resources. Each of which has service standards to meet once the storm has ended.

- Priority 1 – Emergency routes, main streets and highway connections.
- Priority 2 – Major bus routes, school zones, community centres and business districts
- Priority 3 – Residential collector streets, minor bus routes and industrial parks
- Priority 4 – Local or subdivision streets

Service standards for road conditions after a storm:

- Within 8 hours Priority 1 and 2 roads are passable
- Within 12 hours Priority 3 and Priority 4 roads are passable
- Within 2 days Priority 1 and Priority 2 – snow has been pushed back and anti-icing material has been applied
- Within 3 days Priority 3 - snow has been pushed back and anti-icing material has been applied
- Within 4 days Priority 4 - snow has been pushed back and anti-icing material has been applied

Sidewalk plowing is prioritized into categories:

- Priority 1 – Major retail areas and Saint John Transit bus stops
- Priority 2 – Immediate school areas
- Priority 3 – Arterial routes
- Priority 4 – Local or subdivision streets

Sidewalk service maintenance standards for each priority:

- During Storm
 - Priority 1 and Priority 2 – create a basic level of accessibility
- Post Storm
 - Priority 1 – Basic pedestrian passage within 12 hours
 - Salt or sand applied within 2 days
 - Priority 2 and Priority 3 – Basic pedestrian passage within 1 day
 - Salt or sand applied within 3 days
 - Priority 4 – Basic pedestrian passage within 3 days
 - Salt or sand applied within 4 days

The Commissioner demonstrated the interactive map on the City website that indicates the service level objectives and street priority for property locations in the City. The interactive map replaces a PDF static map.

The Commissioner responded to questions.

Q: What is the snow threshold gauge / at how many centimeters do you decide to bring out the snow removal equipment?

A:

- When conditions deteriorate, if it is regular working hours the crews are out once the snow begins to fly tending to the routes.
- During off hours we have customer service staff that are in and about 24 / 7. As they observe street conditions change, or as citizens call in, they discuss with a duty manager an appropriate response.
- There is a threshold for full city plow operation when 10 cm of snow has accumulated.

Q: Is it possible to call the crews out earlier, at 4 cm?

A:

- Even if we called in all our resources once the snow starts to fly that does not preclude ice or packed snow developing on a road. There will be a time gap when our crews are working to when they can clear any particular street. They do have routes to run and snow will accumulate. Any vehicle driving by will pack the snow down. No matter how quick you call out your resources.

Q: How many staff are available to plow snow on a regular shift?

A:

- We have 92 front line
- 24 are night shift
- The rest are day shift or evening

Q: Does the operator make a single pass, or does he go back and widen?

A:

- Typically the priority focus on the mains is to maintain accessibility. The plow may go back several times to do another pass. Typically when the snow ends they go back again to clear the full travel lane.

Q: When is a snow ban declared?

A:

- The goal is to balance livability in the city and the necessity to call a parking ban. The entire weather system is assessed. There is no hard and fixed rule.

Q: What is the actual time to plow all the priority streets?

A:

- The routes are designed to be plowed in a 10 hour shift, post storm.

Q: If a priority 1 street is 1 km long with 10 side streets that are priority 4s: why can't the loops off the priority 1 be plowed at the same time?

A:

- During a storm, focus is on the priority 1 to keep passable. If conditions warrant, they may divert off if they are able, i.e. if the priority 1 can be maintained accessible.

Councillor comment: Residents must take some responsibility to mitigate the ice and snow, for example wearing proper footwear.

Q: Are continuous improvement initiatives undertaken?

A:

- Yes, a number of projects are undertaken during the Winter Management Plan. For example, sidewalk machines are decentralized. Two units have depots uptown out of City Hall, others are located at Rothesay Ave, Boars Head Road and East and West Saint John and other locations. This saves travel time not to have all the depot units in one location.

Q: Are parking bans used to clean up after the storm?

A:

- The MVA allows parking bans for the specific purpose of clearing snow without putting signage up.
- The North, East and West (N.E.W.) parking ban will be called during the actual event or the evening of the event to get folks off the street and clean up

- The South / Central Peninsula ban is typically the following night to push back snow and clear

Q: Specific improvements since the plan was presented three years ago?

A: We added the following:

- Added a section of sidewalk from Coast Guard site to Market Square
- Introduction North East parking ban
- No change to the inventory of sidewalks
- Improvement to service delivery - direct brine application
- Re-location depots

Q: Are there audits and reporting deadlines for priority 1,2,3,4, streets?

A:

- Yes, foreman audit the routes during the storm and after the storm to service level standards.
- We are leveraging Automatic Vehicle Location (AVL) technology to get objectivity in the data.

Q: Is there a policy / capacity for drivers to call tow trucks during a parking ban to remove cars?

A:

- Yes.
- We also have a pre-event meeting with Parking Staff and the Police to discuss the game plan and hotspots.
- The Parking Commission tickets cars before snow removal crews go out.
- Police follow the Parking Staff to call and authorize towing.

Q: Can the driver on the plow during the storm report a car?

A: Yes, absolutely.

Q: The road policy does not clear down to pavement. Have you considered paving every street so that it is passable? There might be some snow on the ground, but it won't be two feet deep. Maybe you cannot drive 50 km per hour, but 20-25 km.

A:

- We will never let the snow accumulate to that kind of level.
- If those streets are accumulating to that level we would have our full crews out responding.
- Our expectation we would achieve a measure of accessibility - for priority 4 streets to be passable in 12 hours after the end of the storm.
- If we need to call in extra resources to achieve that, we would.

Councillor comment: Priority 4s located in subdivisions are not a main priority, density rather than urban sprawl is a method to manage road clearing.

Councillor comment: Living on a bus route also is a manner to manage public expectations for getting around in a storm. Bus routes are a higher priority.

Q: Using AVL technology and audits – are we confident our plan is executed as intended?

A:

- Yes, I have confidence the plan is being executed. We discuss the plan and communicate with the foreman during storm events.

Councillor comments: How can we provide services where density exists to drive more density? Services are cheaper to deliver where density exists.

Bans and towing are important to keep the city streets passable.

Sidewalks should be the responsibility for owners not city. City can augment with sidewalk plows.

Snow dumping – who monitors? Enforcement is a waste of Police time – It would be better to have authority in a bylaw for City Bylaw Enforcement Officers.

A: Re: the enforcement - we made the request for Parking Staff to have the authority to enforce towing to the Provincial Registrar over a year ago, and have sent a reminder. We don't have that authority. We have to rely on working closely with the Police.

Q: We can't control weather but we can control the policy, if we are not satisfied with the outcomes. AVL technology to make plows more efficient. How can we as a council help improve the outcomes? As councillors direct calls to the Customer Service line 658-4455 or the Parking ban information line 658-4040. Have programs, such as Adopt a hydrant, Adopt a catch basin? Be good stewards in our own community.

A: Increasing public awareness of the plan and the service standards deliverables and timelines are very important. Communicating the plan will assist managing expectations.

The City Manager highlighted the overarching message: We need to get much better at communicating the message and increasing the awareness of everyone. We failed it that this year. I am here to recognize that and to tell you that we will get better at it. What you see before you, the info graphs, the new interactive map and this meeting three examples of where we are trying to get in terms of that awareness. I also heard discussion that the plan is 10 years old and is it still valid? We believe so and don't believe it needs a fundamental revision right now. But as an example where we have failed to communicate effectively, we have not made you aware of the changes we have

made and the continuous improvements and performance outcomes on a regular basis. We have taken on as an initiative that our overall situational awareness has to improve across the board - both with Council and the residents of Saint John.

Q: What is staffing during the week and weekend. When we call in do we need to pay overtime?

A: Every year we look at the Plan, past experience and the resources and try to come up with the optimum shift schedule that allows us to achieve those objectives of the Winter Management Plan. That allows us to have sufficient resource to do the other things we need to do in the winter – things like: snow removal, pothole patching.

- Our shift structure is Mon – Fri during the day.
- We have an evening shift and a night shift Sun – Thurs night.

That is sufficient for a lot of the events we see on a weekly basis. When issues or weather occurs outside those times we do cover using overtime resources.

Customer Service Staff, Com Centre staff and a duty manager and others are on rotation call 24/7.

Q: If we had a bad storm on the weekend – we need to use overtime?

A: Yes. We look at the past experience as somewhat beneficial. We look at the worst case scenario analysis. We analyzed the shift structures and believe the current shift structure is the best to mitigate overtime in a heavy snow winter.

Q: Do you have meeting with the drivers for input?

A: The foremen represent the front line and their concerns, gaps for improvement in service delivery. The foremen have offices in the depot and see the front line staff on a daily basis.

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:
RESOLVED that the submitted report *M&C 2019-6: Winter Management Plan Overview*, be received for information.

MOTION CARRIED.

13. Committee Reports

14. Consideration of Issues Separated from Consent Agenda

15. General Correspondence

16. Supplemental Agenda

17. Committee of the Whole

18. Adjournment

Moved by Councillor Sullivan, seconded by Councillor MacKenzie:

RESOLVED that the meeting of Common Council held on January 14, 2019, be adjourned.

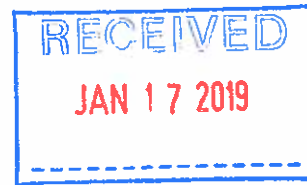
MOTION CARRIED.

The Mayor declared the meeting adjourned at 8:55 p.m.

DRAFT

To: Mayor and Council of the City of Saint John

Re: Criminal liability



Your Worship and Council,

Survival season is upon us once again; the sidewalks are treacherous and it is no safer to use the bus.

January marks the anniversary of when I was not allowed to board a local bus with a valid monthly pass. It took two trips to the SJ Transit office to verbally confirm the offending driver's assertion that he was "just doing his job." However, according to *Right to Information and Protection of Privacy Act* responses, SJ Transit has no Customer Service Policy or any documentation respecting such. This seems to hold the drivers solely liable for the illegal practices of a public transit system that only makes sense if it was designed to benefit the taxi industry.

Last year marked the first municipal transportation plan in the last half century to mention pedestrians, if only in the restricted context of recreational trails. A forward thinking transportation plan should be based on the professionally compiled Plan SJ. SJ Transit blatantly contravenes these guidelines. Who is responsible for this publically funded entity whose primary purpose is to directly service the public but has no Customer Service Policy?

The official list is short. Policy is dictated by SJ Transit's operation manager and the Transit Commission which has now been absorbed by the Parking Commission. Is any member of this cabal even qualified to make public transit decisions? Do they use the bus? What certified Urban Transportation respecting public transit credentials do they possess? None seem evident in SJ Transit's design and operation.

The crucial first step for a genuine forward thinking transportation plan is the professional evaluation of SJ Transit by experts from outside the greater Saint John area before the Provincial Ethics Commission's involvement becomes necessary.

Respectfully,

A handwritten signature in orange ink, appearing to read "Mary Ellen Carpenter".

Mary Ellen Carpenter

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Saint John, NB E2L 0E2
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January 10, 2019

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Saint John, NB
E2L 4L1

Attention: Mayor Don Darling

Dear Mayor Darling:

Re: New Year's Eve Celebrations

The holiday season is always tied up securely with feelings of both reflection and anticipation. It was our profound pleasure to provide the City of Saint John with a grand display of Fireworks on New Year's Eve. We could not have done it however, without the help of you. Your sponsorship enabled a worthy display for all who appreciated it. Thank you for your commitment to Saint John and your service to the community in which we live.

All the best to you and yours in 2019. As we look forward to this New Year, we also look forward to working with you on many levels and hope you again join in our efforts in presenting a spectacular New Year's Eve FREE Family Event to our community.

Thank you again, and Happy New Year,

Yours very truly,
The Hardman Group Limited

Heather Peterson
Regional Property Manager

COUNCIL REPORT

M&C No.	2019-367
Report Date	January 22, 2019
Meeting Date	January 28, 2019
Service Area	Growth and Community Development Services

His Worship Mayor Don Darling and Members of Common Council

SUBJECT: Proposed Public Hearing Date – 97-99 Exmouth Street, 348 Rockland Road and 21 Canon Street

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	City Manager
<i>Mark Reade</i>	<i>Jacqueline Hamilton</i>	<i>John Collin</i>

RECOMMENDATION

That Common Council schedule the public hearing for the rezoning applications of Krystal Kindred on behalf of Supreme Human Services (97-99 Exmouth Street) and Natasha Tobias (348 Rockland Road and 21 Canon Street) for Monday March 11, 2019 at 6:30 p.m. in the Council Chamber, and refer the applications to the Planning Advisory Committee for a report and recommendation.

EXECUTIVE SUMMARY

The purpose of this report is to advise Common Council of the rezoning and Section 59 amendment applications received and to recommend an appropriate public hearing date. The next available public hearing date is Monday March 11, 2019.

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

As provided in Common Council's resolution of August 3, 2004, this report indicates the rezoning and Section 59 amendment applications received and recommends an appropriate public hearing date. Details of the applications are available in the Common Clerk's office and will form part of the documentation at the public hearings. The following applications have been received:

<u>Name of Applicant</u>	<u>Location</u>	<u>Existing Zone</u>	<u>Proposed Zone</u>	<u>Reason</u>
Krystal Kindred on behalf of Supreme Human Services	97-99 Exmouth Street	Urban Centre Residential (RC)	General Commercial (CG)	To construct a medical clinic providing counselling services.
Natasha Tobias	348 Rockland Road and 21 Canon Street	Neighbourhood Community Facility (CFN)	General Commercial (CG)	To convert the former church and rectory into a banquet hall/events venue and single unit dwelling.

STRATEGIC ALIGNMENT

While the holding of public hearings for proposed rezoning and Section 59 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.

On a broader note, the development approvals process works towards fulfilling key Council priorities including:

- ensuring Saint John has a competitive business environment for investment,
- supporting business retention and attraction; and
- driving development in accordance with PlanSJ which creates the density required for efficient infrastructure, services and economic growth.

SERVICE AND FINANCIAL OUTCOMES

The scheduling of the public hearing and referral to the Planning Advisory Committee satisfies the legislative and service requirements as mandated by the Community Planning Service.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

Not Applicable

ATTACHMENTS

None

COUNCIL REPORT

M&C No.	2019-11
Report Date	January 22, 2019
Meeting Date	January 28, 2019
Service Area	Finance and Administrative Services

His Worship Don Darling and Members of Common Council

SUBJECT: Spring Debenture Issue – Notice of Motion

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	City Manager
<i>Craig Lavigne</i>	<i>Kevin Fudge/Cathy Graham</i>	<i>John Collin</i>

RECOMMENDATION

It is recommended that the Mayor make the following motion:

“I hereby give Notice that I will, at a meeting of Common Council held after the expiration of thirty days from this day, move or cause to be moved, the following resolution:

RESOLVED that occasion having arisen in the public interest for the following Public Civic Works and needed Civic Improvements that the City of Saint John proposes issue of the following debentures to be dated on or after February 27th, 2019:

REFINANCE DEBENTURES

Debenture No. BA 9- 2009 (General Fund – 5 years)	\$	4,670,000
Debenture No. BA 10 -2009 (Water & Sewerage – 10 years)	\$	750,000
Debenture No. BA 11 -2009 (Transit – 5 years)	\$	<u>500,000</u>

TOTAL

\$ 5,920,000

THEREFORE RESOLVED that debentures be issued under provisions of the Acts of Assembly 52, Victoria, Chapter 27, Section 29 and amendments thereto, to the amount of \$ 5,920,000.

EXECUTIVE SUMMARY

The Notice of Motion has been prepared as a first step in requiring refinancing of debentures issued in June, 2009.

PREVIOUS RESOLUTION

N/A

REPORT

The Notice of Motion has been prepared as a first step in refinancing of debentures issued in June 2009.

The Notice of Motion places the City in a position to take action after the expiry of 30 days at such time as bond market conditions and opportunities permit.

At this stage, it is not necessary to set limits with respect to the coupon rate or the terms for which bonds are to be issued. These will be established at a later date and will be related to the market conditions at that time.

SERVICE AND FINANCIAL OUTCOMES

N/A

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

N/A

ATTACHMENTS

N/A



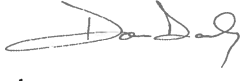
The City of Saint John

PROCLAMATION

WHEREAS: January 30th, 2019 marks the 9th Annual Bell Let’s Talk Day, a day of conversation and mental health; and

WHEREAS: Bell Let’s Talk Day promotes mental health awareness, acceptance and action built on 4 key pillars: fighting stigma, improving access to care, supporting world-class research and leading by example in workplace mental health; and

WHEREAS: The City of Saint John raises a flag to celebrate Bell Let’s Talk Day to encourage you to join the conversation through calls, texts, and social media interactions to drive Bell’s donation to mental health past \$100 million.

NOW THEREFORE: I, *Mayor Don Darling*,  of *Saint John* do hereby proclaim Wednesday, January 30th, 2019 be recognized as “Bell Let’s Talk Day” in the City of Saint John and encourage support of this campaign.

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



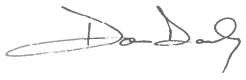


The City of Saint John

PROCLAMATION

WHEREAS: The first full week of February is recognized as White Cane Week in Canada; and

WHEREAS: White Cane Week (a program of the Canadian Council of the Blind) aims to raise awareness regarding the challenges faced by more than one million Canadians living with vision loss, and that the WHITE CANE used by the blind is a symbol of independence.

NOW THEREFORE: I, *Mayor Don Darling*,  of *Saint John* do hereby proclaim the week of February 3rd – 9th, 2019 as “White Cane 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.





93 Loch Lomond Road

Presentation to Common Council

2019 January 28



Growth & Community Planning Team
Growth & Community Development Services

Proposal

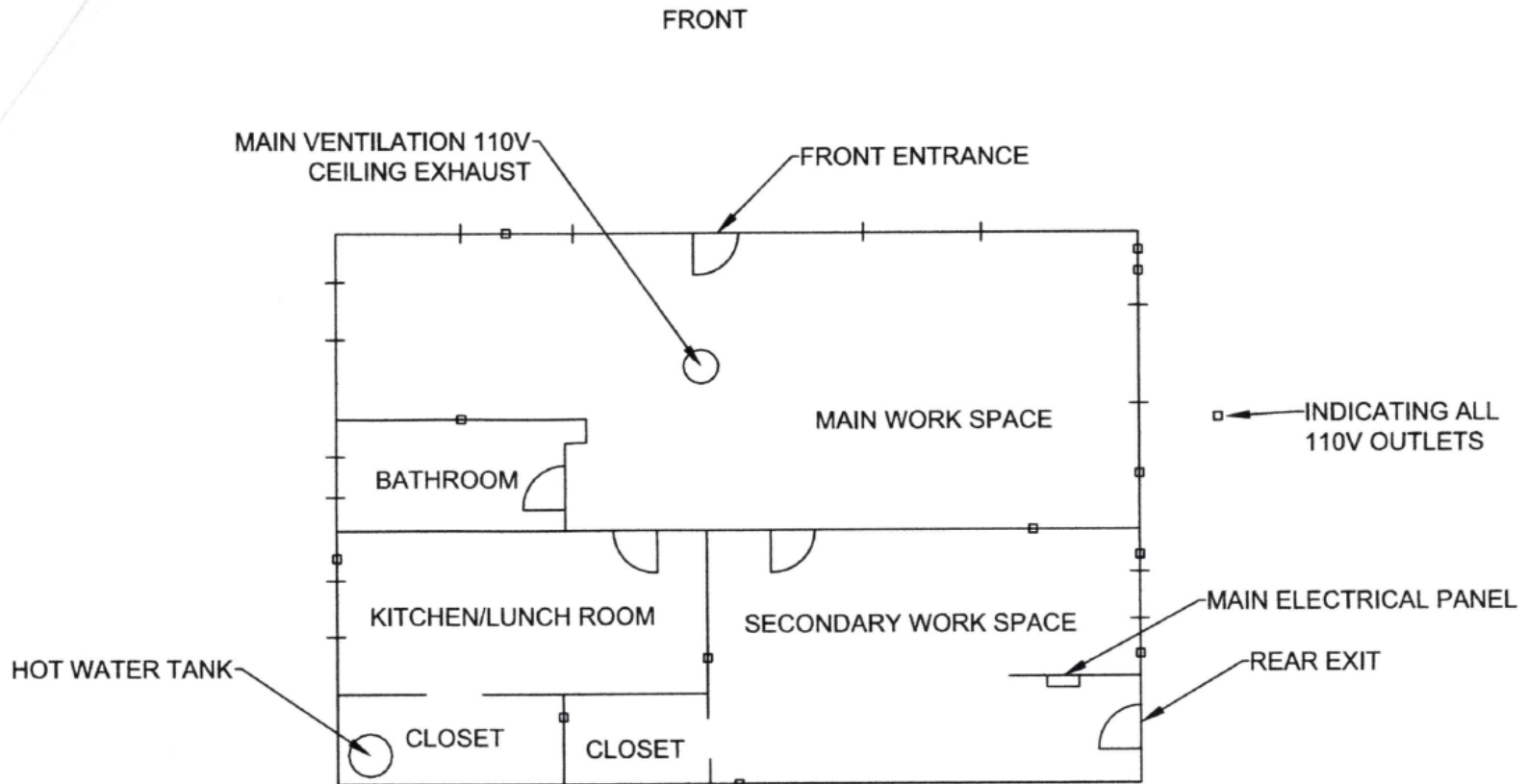
- To rescind the existing Section 39 conditions limiting the use of the site to an office use
- Permit a personal service establishment (aesthetic salon)



Site Location



Site Plan



Site Aerial



Site Photos



Site Photos



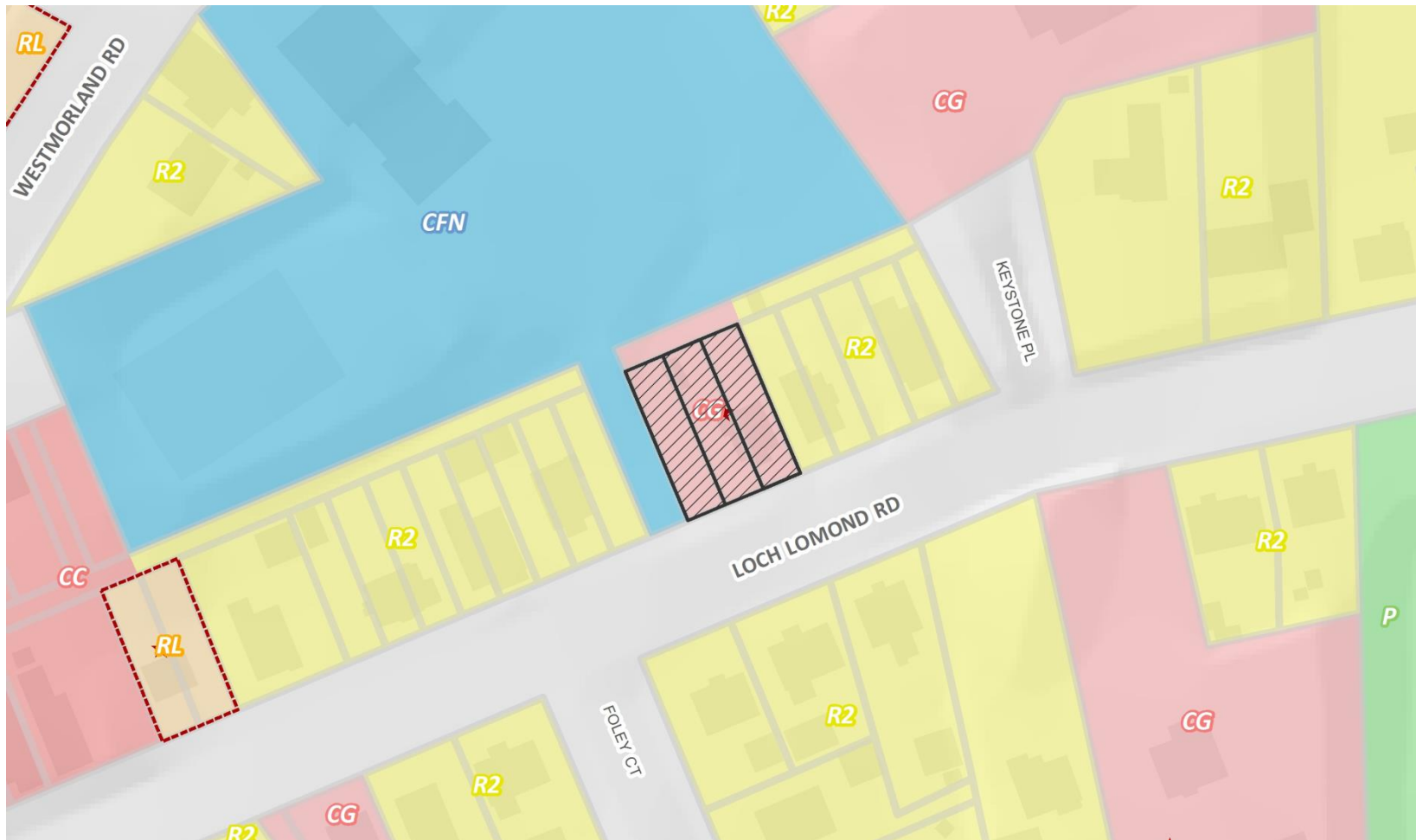
Future Land Use



- Meets intent of Policy LU-88
 - Scale of proposal
 - Long standing commercial use of property (45 years)
 - Residential character of building
 - Serviced site on arterial road



Zoning



Zoning (Section 59 conditions)

- Expand list of permitted uses
 - Underlying General Commercial (CG) zone
- Rescind site development conditions
 - Now Zoning By-law standards



Staff Recommendation

- That Common Council rescind the Section 39 conditions imposed on the June 18, 1973 rezoning of the property located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769; and amended May 11, 1987, June 22, 1987 and March 30, 1992.
- That pursuant to Section 59 of the Community Planning Act, the development and use of the parcel of land with an area of approximately 693 square metres, located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769 shall be limited to the uses outlined in the report



PAC Recommendation

- That Common Council rescind the Section 39 conditions imposed on the June 18, 1973 rezoning of the property located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769; and amended May 11, 1987, June 22, 1987 and March 30, 1992.
- That pursuant to Section 59 of the Community Planning Act, the development and use of the parcel of land with an area of approximately 693 square metres, located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769 shall be limited to the uses outlined in the report



PLANNING ADVISORY COMMITTEE



The City of Saint John

January 17, 2019

His Worship Mayor Don Darling and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Section 59 amendment application
93 Loch Lomond Road**

On December 17, 2018 Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its January 15, 2019 meeting.

Ms. Brenda Defazio, the applicant, appeared before the Committee and was in agreement with the staff recommendation. No other persons appeared before the Committee regarding the application and no letters were received regarding the application.

After considering the report and the comments made by the applicant, the Committee adopted the staff recommendation regarding the approval of the Section 59 Amendment.

RECOMMENDATION:

1. That Common Council rescind the Section 39 conditions imposed on the June 18, 1973 rezoning of the property located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769; and amended May 11, 1987, June 22, 1987 and March 30, 1992.
2. That pursuant to Section 59 of the Community Planning Act, the development and use of the parcel of land with an area of approximately 693 square metres, located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769 shall be subject to the following conditions:

a) That the use of the lot be limited to the following uses as defined by the Zoning By-Law:

- Artist or Craftsperson Studio;
- Bakery;
- Business Office, subject to paragraph 11.7(3)(b);
- Commercial Group;
- Community Policing Office;
- Day Care Centre;
- Dwelling Unit, subject to paragraph 11.7(3)(c);
- Financial Service;
- Funeral Service;
- Garden Suite, subject to section 9.8;
- Grocery Store;
- Home Occupation;
- Library;
- Medical Clinic;
- Personal Service;
- Pet Grooming;
- Place of Worship;
- Restaurant;
- Retail, General;
- Secondary Suite, subject to section 9.13;
- Service and Repair, Household;
- Supportive Housing, subject to section 9.14;
- Veterinary Clinic.

Respectfully submitted,



Eric Falkjar
Chair

Attachments





The City of Saint John

Date: January 11, 2019
To: Planning Advisory Committee
From: Growth & Community Planning
Growth & Community Development Services
For: **Meeting of Tuesday, January 15, 2019**

SUBJECT

Applicant: Brenda Defazio
Owner: E.R. Steeves Limited
Location: 93 Loch Lomond Road
PID: 55088777, 00319558, 55088769
Plan Designation: Stable Residential
Existing Zoning: General Commercial (CG)
Application Type: Section 59 Amendment
Jurisdiction: Common Council has requested the views of the Planning Advisory Committee concerning proposed amendments to the Section 59 conditions of the subject property. Council will consider the Committee's recommendation at a public hearing on **Monday, January 28, 2019.**

SUMMARY

The applicant is seeking to amend the existing Section 59 conditions that limit the use of the subject site to a business office and general insurance office to allow for the establishment of an

aesthetic salon (personal service shop) in the existing building. The proposed establishment would provide services related to eyelash extensions and a nail salon. Staff recommend that the existing Section 39 conditions be rescinded and the listing of uses permitted on the site be amended to include personal service and other permitted uses in the General Commercial (CG) zone that are compatible with the surrounding neighbourhood and the intent of the Stable Residential land use designation of the Municipal Plan.

RECOMMENDATION

1. That Common Council rescind the Section 39 conditions imposed on the June 18, 1973 rezoning of the property located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769; and amended May 11, 1987, June 22, 1987 and March 30, 1992.
2. That pursuant to Section 59 of the *Community Planning Act*, the development and use of the parcel of land with an area of approximately 693 square metres, located at 93 Loch Lomond Road, also identified as PID Nos. 55088777, 00319558, and 55088769 shall be subject to the following conditions:
 - a) That the use of the lot be limited to the following uses as defined by the Zoning By-Law:
 - Artist or Craftsperson Studio;
 - Bakery;
 - Business Office, subject to paragraph 11.7(3)(b);
 - Commercial Group;
 - Community Policing Office;
 - Day Care Centre;
 - Dwelling Unit, subject to paragraph 11.7(3)(c);
 - Financial Service;
 - Funeral Service;
 - Garden Suite, subject to section 9.8;
 - Grocery Store;
 - Home Occupation;
 - Library;
 - Medical Clinic;
 - Personal Service;
 - Pet Grooming;
 - Place of Worship;
 - Restaurant;
 - Retail, General;
 - Secondary Suite, subject to section 9.13;
 - Service and Repair, Household;
 - Supportive Housing, subject to section 9.14;
 - Veterinary Clinic.

DECISION HISTORY

On June 18, 1973, Common Council rezoned the property from "R-2" One and Two Family Residential to "B-2" General Business zone with a Section 39 (now Section 59) resolution limiting the use of the existing building to an insurance office.

On May 11, 1987 Common Council approved an amendment to the Section 39 resolution to allow for the construction of a new building on the site for an insurance office. The amendment included a requirement for the new building to be located on the front portion of the lot with a paved and curbed parking area to be located to the rear of the proposed building. Staff had recommended denial of the submitted proposal which had the building located to the rear of the lot with parking located at the front, but provided the alternate rear lot location for the Committee's consideration.

On June 22 1987, Common Council approved an amendment to the Section 39 resolution to permit the demolition of the existing building and to replace it with a new building in the rear portion of the site, to be used as an insurance office, with parking provided at the front of the site, on the condition that:

- 1) the parking lot be paved with asphalt and have concrete curbs;
- 2) a professional landscape architect be hired to design a berm and hedge for across the front of the property.

This proposed redevelopment of the site never occurred and the Section 39 conditions were amended again on March 30, 1992 to allow for the site to be used as a general business office.

ANALYSIS

Proposal

The applicant is seeking to amend the existing Section 59 conditions to permit the establishment of an aesthetic salon (personal service), whereas the existing conditions limit the commercial use of the building to a business office and insurance office. The conditions limiting the use of the site were imposed on the approval of past applications as a measure by the Committee and Council to contain the type of commercial uses that could be located on the site and along this section of Loch Lomond Road.

The applicants have indicated that they will have two staff on site, with each staff member serving one customer at any given time resulting in a limited amount of traffic accessing the site on a daily basis.

Site and Neighbourhood

The subject site is located on the City's East Side, east of the Loch Lomond Road and Westmorland Road intersection. The site contains three separate PIDs with a total area of 693 square metres. The building on the site was originally constructed as a two-storey dwelling in 1951 and a large paved parking area, accessed from Loch Lomond Road, is located in the western portion of the site. As mentioned above, the property was rezoned in 1973 to permit an insurance office and the permitted uses on the site were expanded to also include a general business office through an amendment in 1992.

The surrounding area contains a mix of residential, commercial and institutional zoning and land uses. The majority of properties along this immediate section of Loch Lomond Road are zoned Two-Unit Residential (R2) and Low-Rise Residential (RL) and contain single and two-unit dwellings. Woodlawn School, zoned Neighbourhood Community Facility (CFN), borders the site to the west and north. There is a significant presence of commercially zoned properties in the vicinity of the subject site, as illustrated on the attached zoning map (see Appendix 3). The City's Municipal Plan identifies the area west of the subject site, at the Westmorland Road / Loch Lomond Road intersection, as part of the Commercial Corridor, which also continues along Westmorland Road. In addition, there are a few lots in the immediate vicinity of the subject site, including 74 Loch Lomond Road, 114 Loch Lomond Road and 1 Keystone Place, where the General Commercial (CG) zone currently exists.

Municipal Plan

The subject property is designated Stable Residential in the Municipal Plan. This Municipal Plan designation primarily considers residential land uses but also contemplates commercial and other non-residential land uses which are neighbourhood-focused and support the development of a 'complete community over time.

Policy LU-88 of the Municipal Plan provides criteria to assess the compatibility of redevelopment proposals in Stable Residential areas. A summary of the assessment of the proposed land uses against these criteria is provided in the following table.

Criteria	Analysis
<ul style="list-style-type: none"> • The proposed land use is desirable and contributes positively to the neighbourhood; • The proposal is compatible with surrounding land uses; 	<p>Staff note that smaller scale Personal Service establishments, such as that proposed in the application, are permitted as home occupations in residential zones, which is a measure of their compatibility with residential land uses and their complementary nature to a residential area.</p> <p>The property is currently zoned General Commercial (CG) and has had a commercial use established on the site for more than 45 years. The continued presence of a commercial land use of a limited scale is expected to have no negative impact the existing mix of residential and commercial uses along this stretch of Loch Lomond Road.</p>
<ul style="list-style-type: none"> • The development is in a location where all necessary water and wastewater services, parks and recreation services, schools, public transit and other community facilities and protective services can readily and adequately be provided; • Consideration is given to site suitability including such considerations as road access, availability of public transit, necessary municipal servicing, compatibility with surrounding land uses, high quality urban design and landscaping. • Site design features that address such matters as safe access, buffering and landscaping, site grading and stormwater management are incorporated; 	<p>The site is serviced and no site modifications are proposed as part of the current proposal. A paved parking area exists that is sufficient to accommodate the required number of parking spaces.</p> <p>The building on the site was originally constructed as a single unit dwelling and has remained generally unchanged from its original residential character providing comparable design and massing with surrounding residential dwellings.</p>
<ul style="list-style-type: none"> • The proposal is on a property identified as a Corridor on the City 	<p>The site is located on Loch Lomond Road, which is identified as an arterial roadway on Schedule C of the Municipal Plan and is located approximately 110 metres east of the</p>

<p>Structure map (Schedule A) or does not detract from the City's intention to direct the majority of new residential development to the Primary Centres, Local Centres, and Intensification Areas.</p>	<p>Commercial Corridor designation at the Westmorland Road / Loch Lomond Road intersection. The existing building has a floor area of approximately 80 square metres. Staff are of the opinion that the proposal will not detract from future development in intensification areas given the scale of the proposal and the location of the development.</p>
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Staff are of the opinion the proposal meets the intent of the Municipal Plan.

Section 59 Amendment

The applicant is seeking to amend the Section 59 conditions that limit the use of the site to a business office and general insurance office to allow for the conversion of the existing building to a personal service establishment (aesthetic salon).

It should be noted the existing General Commercial (CG) zoning of the site permits a range of commercial uses. Given the underlying zoning, combined with the surrounding neighbourhood context of the site, which includes its proximity to lands designated Commercial Corridor and location along an arterial roadway, Staff recommend permitting a broader range of commercial land uses beyond that which is currently permitted and that being sought by the applicant. This would provide the potential for future redevelopment of the site with alternate uses without the need for a future application for a further amendment to the Section 59 conditions. The proposed list of permitted land uses would be sufficiently narrow to ensure compatibility with the underlying Stable Residential land use designation and surrounding residential uses. This will ensure current and future use of the site will have minimal impact on the surrounding neighbourhood structure.

Based on this, Staff propose that the use of the subject site be limited to the following land uses:

- Artist or Craftsperson Studio;
- Bakery;
- Business Office, subject to paragraph 11.7(3)(b);
- Commercial Group;
- Community Policing Office;
- Day Care Centre;
- Dwelling Unit, subject to paragraph 11.7(3)(c);
- Financial Service;
- Funeral Service;
- Garden Suite, subject to section 9.8;
- Grocery Store;
- Home Occupation;
- Library;

- Medical Clinic;
- Personal Service;
- Pet Grooming;
- Place of Worship;
- Restaurant;
- Retail, General;
- Secondary Suite, subject to section 9.13;
- Service and Repair, Household;
- Supportive Housing, subject to section 9.14;
- Veterinary Clinic.

It should be noted that in addition to being permitted uses in the General Commercial (CG) zone, the majority of the uses listed above are also permitted uses in the Local Commercial (CL) zone which demonstrates their compatibility with residential land uses.

In addition to a condition limiting the use of the site, two conditions were imposed in 1987 in association with a redevelopment proposal to demolish the existing building and to replace it with a new building in the rear portion of the site. These conditions require:

- 1) the parking lot be paved with asphalt and have concrete curbs;
- 2) a professional landscape architect be hired to design a berm and hedge for across the front of the property.

The existing parking area is paved and is located immediately adjacent to the paved access to Woodlawn School located to the rear of the site. The existing paved parking area is sufficient to accommodate the two required parking spaces for the personal service establishment. With respect to landscaping of the site, the existing conditions require that should the building be demolished and the site redeveloped with a new building in the rear portion of the site, a landscape architect would have to be hired by the proponent to design a berm or hedge for the front of the property. Staff note that any redevelopment of the site involving the construction of a new building will require landscaping of the required front and rear yards (3 metres) and required side yards (5 metres along the eastern property line of the site and 1.5 metres along the western property line). Staff are of the opinion the current by-law standards are sufficient to govern landscaping of the site should redevelopment occur without the specific requirement for a landscape architect to be retained to design a berm or hedge for the front portion of the site.

Conclusion

The applicant is seeking to amend the existing Section 59 conditions that were applied to the subject lot upon the original rezoning of the site in 1973 and subsequent amendments to the conditions in 1987 and 1992. Staff recommend rescinding the existing conditions and imposing a new condition to broaden the land uses permitted on the site.

ALTERNATIVES AND OTHER CONSIDERATIONS

There are no alternative recommendations proposed for this application. Although not a specific land use consideration, the proposal meets the Council Priorities related to providing a competitive business environment for investment and business creation to create job opportunities and developing neighbourhoods that align with the principles of the Municipal Plan.

ENGAGEMENT

Public

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 January 4, 2019. The public hearing for the rezoning was advertised on the City's website beginning on December 21, 2018.

SIGNATURES AND CONTACT

Prepared by:



Mark Reade, P.Eng., MCIP, RPP
Senior Planner

Approved by:



Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Mark Reade
Phone: (506) 721-0736
E-mail: mark.reade@saintjohn.ca
Project: 18-262

APPENDIX

Map 1: **Site Location**

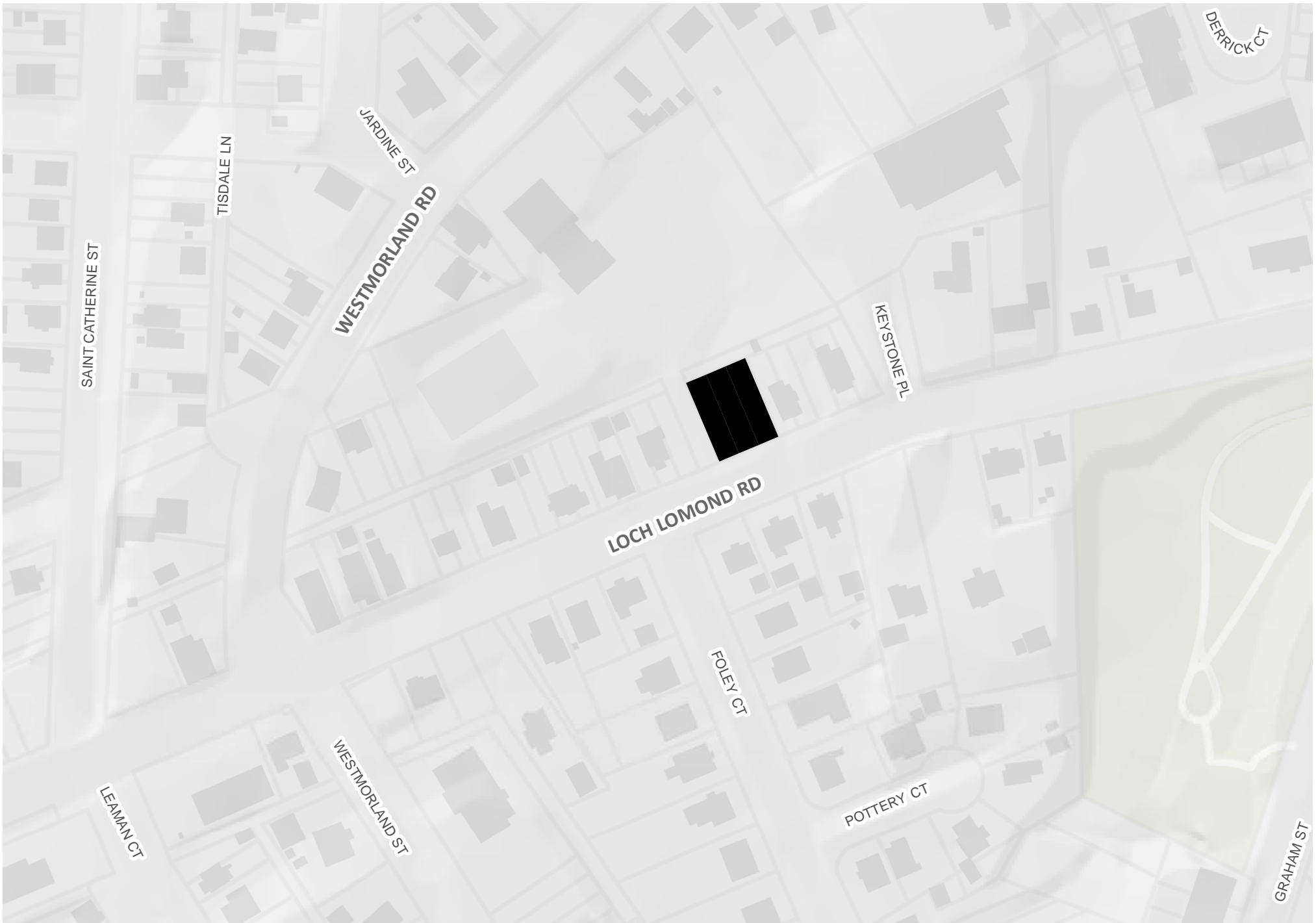
Map 2: **Municipal Plan**

Map 3: **Zoning**

Map 4: **Aerial Photography**

Map 5: **Site Photography**

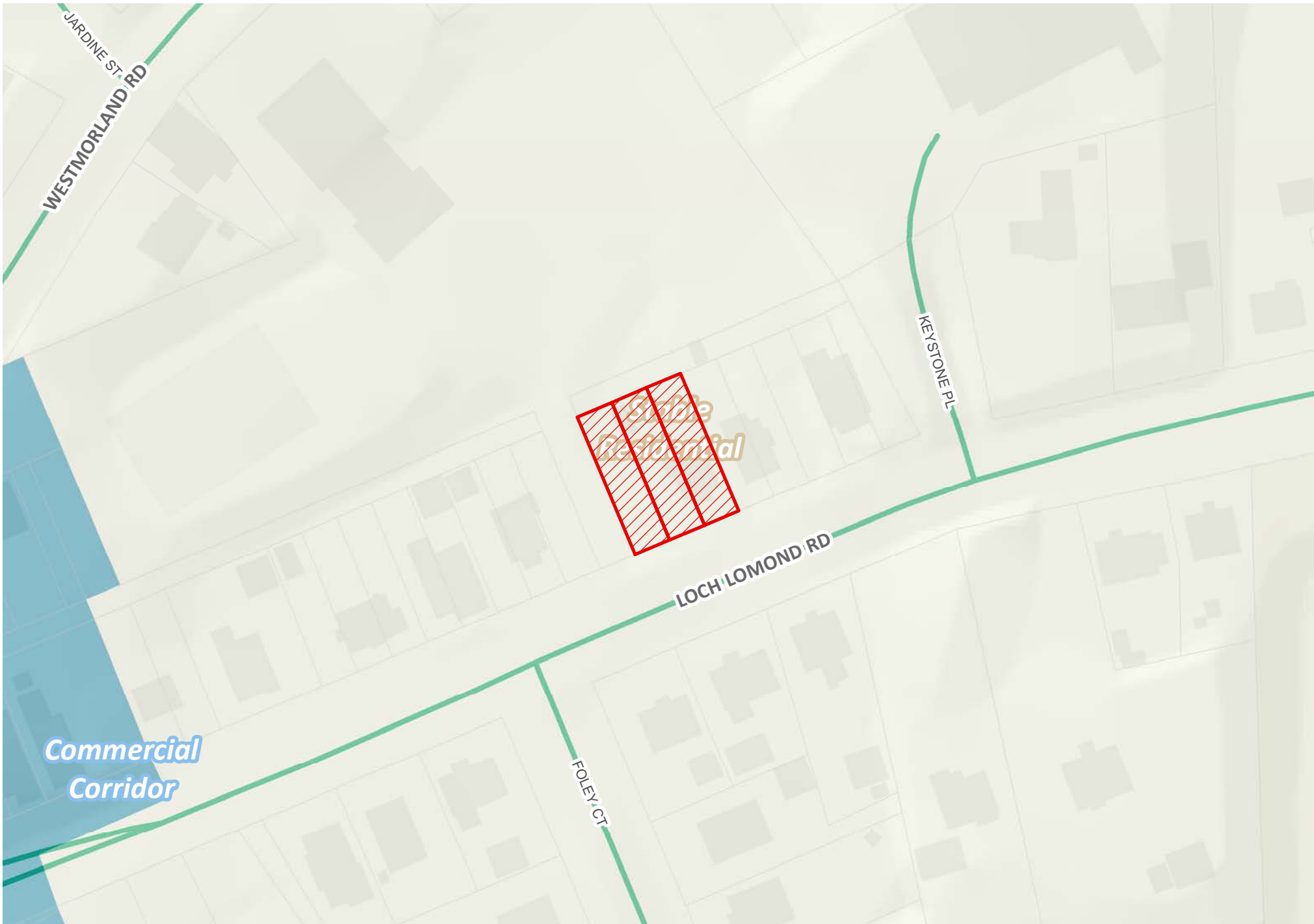
Submission 1: **Floor Plan**



Map 1 - Site Location

Brenda Defazio - 93 Loch Lomond Road

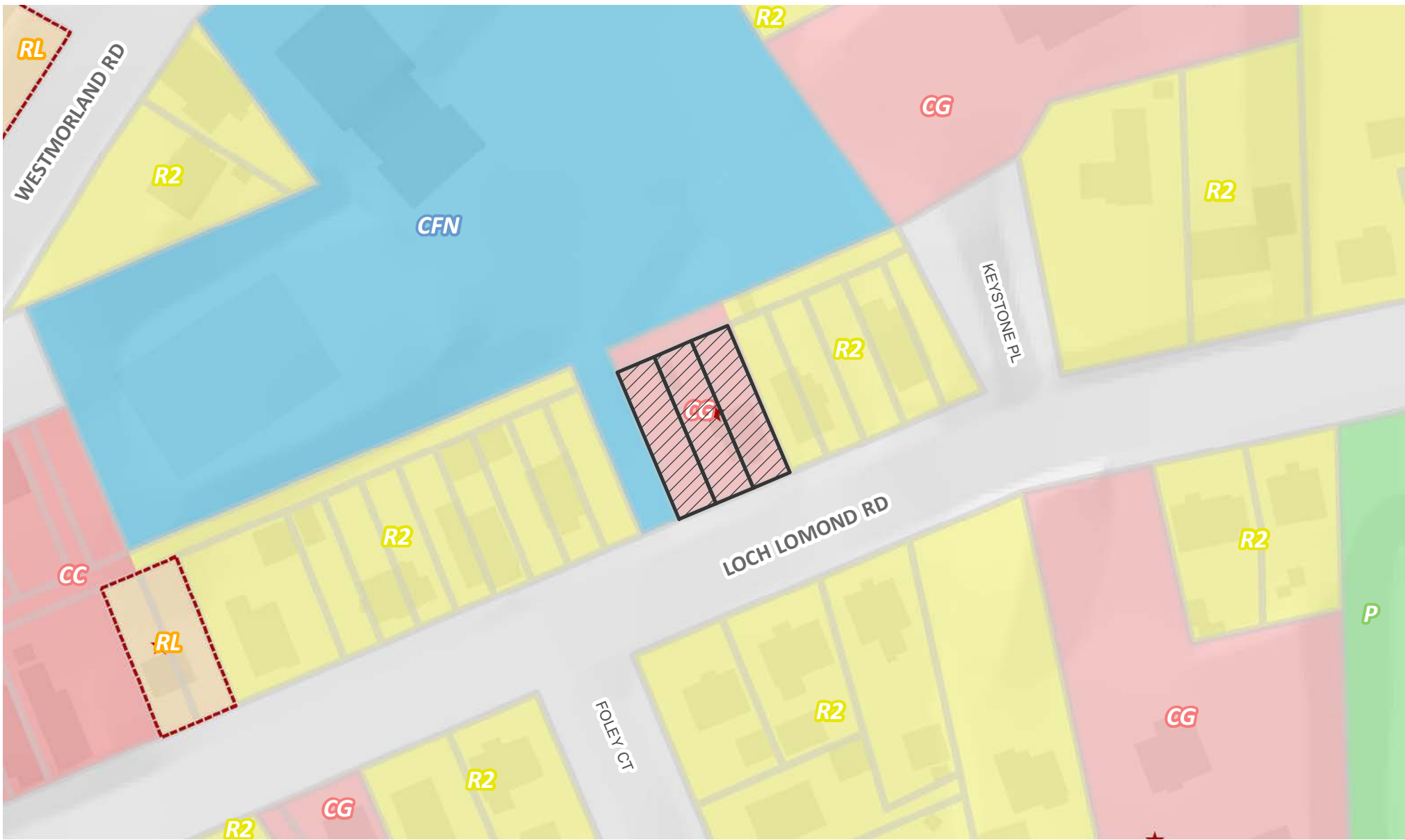




Map 2 - Future Land Use

Brenda Defazio - 93 Loch Lomond Road





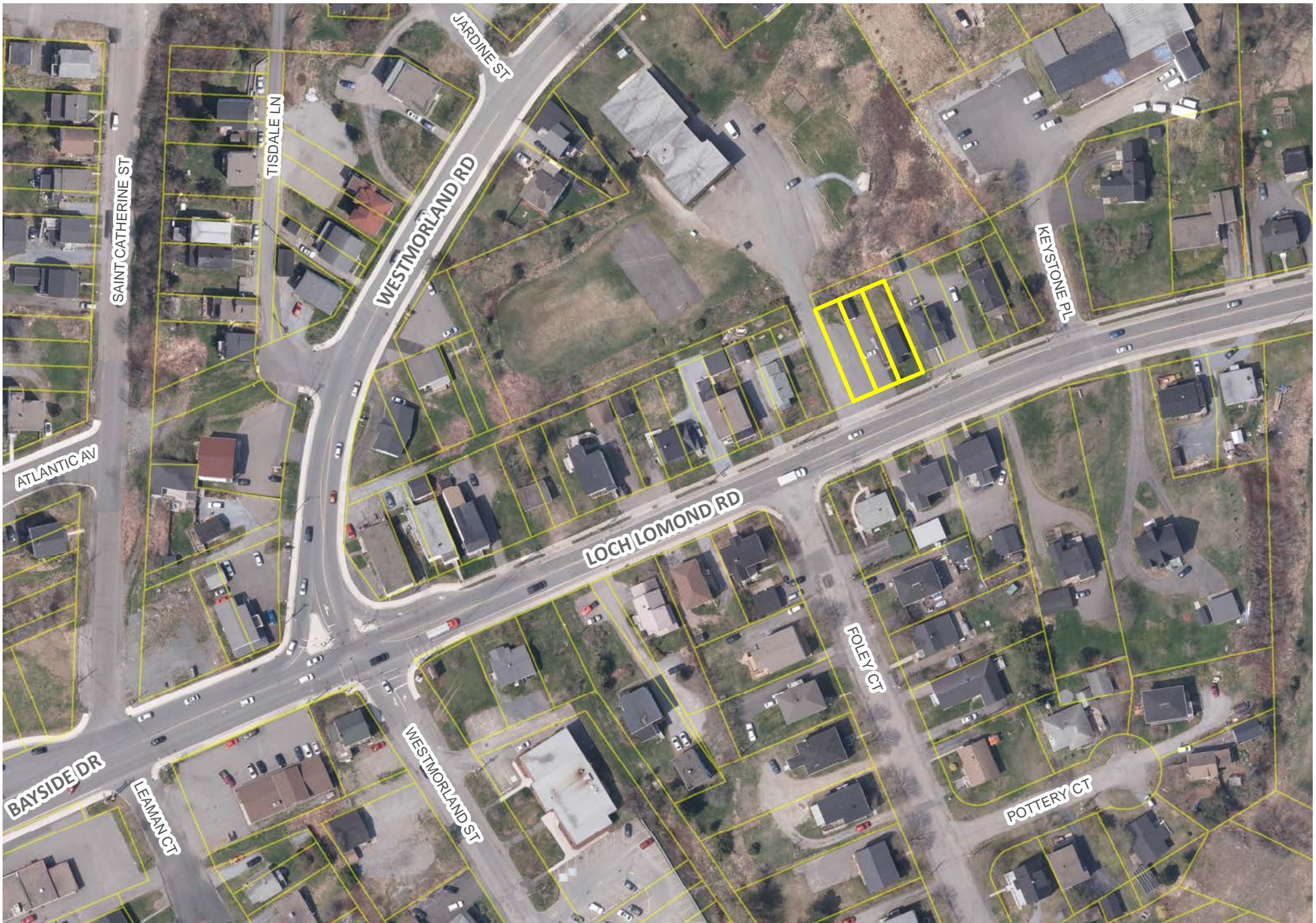
- (CC) Corridor Commercial
- (CFN) Neighbourhood Community Facility
- (CG) General Commercial
- (P) Park
- (R2) Two-Unit Residential
- (RL) Low-Rise Residential

★ Section 39 Conditions

Map 3 - Zoning

Brenda Defazio - 93 Loch Lomond Road





Map 4 - Aerial Photography

Brenda Defazio - 93 Loch Lomond Road





Map 4 - Aerial Photography

Brenda Defazio - 93 Loch Lomond Road





View of Site from Loch Lomond Road frontage.



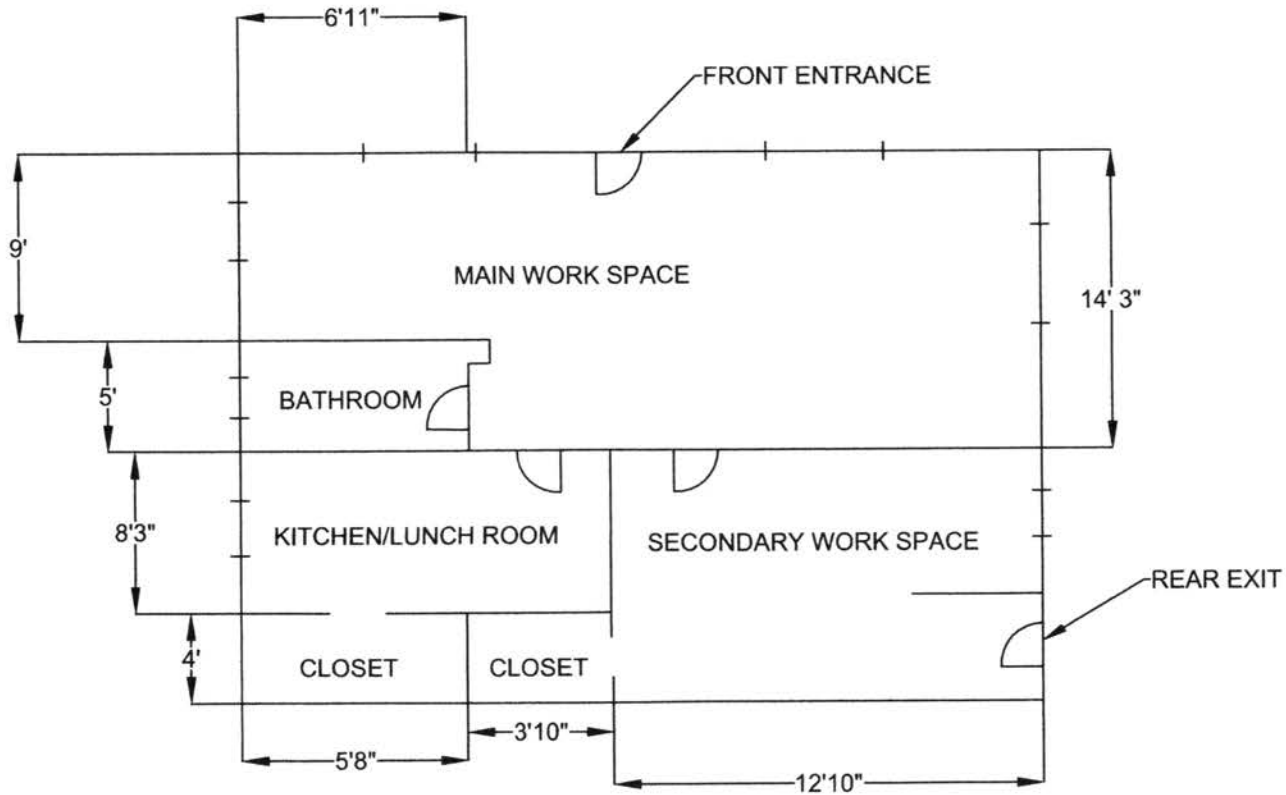
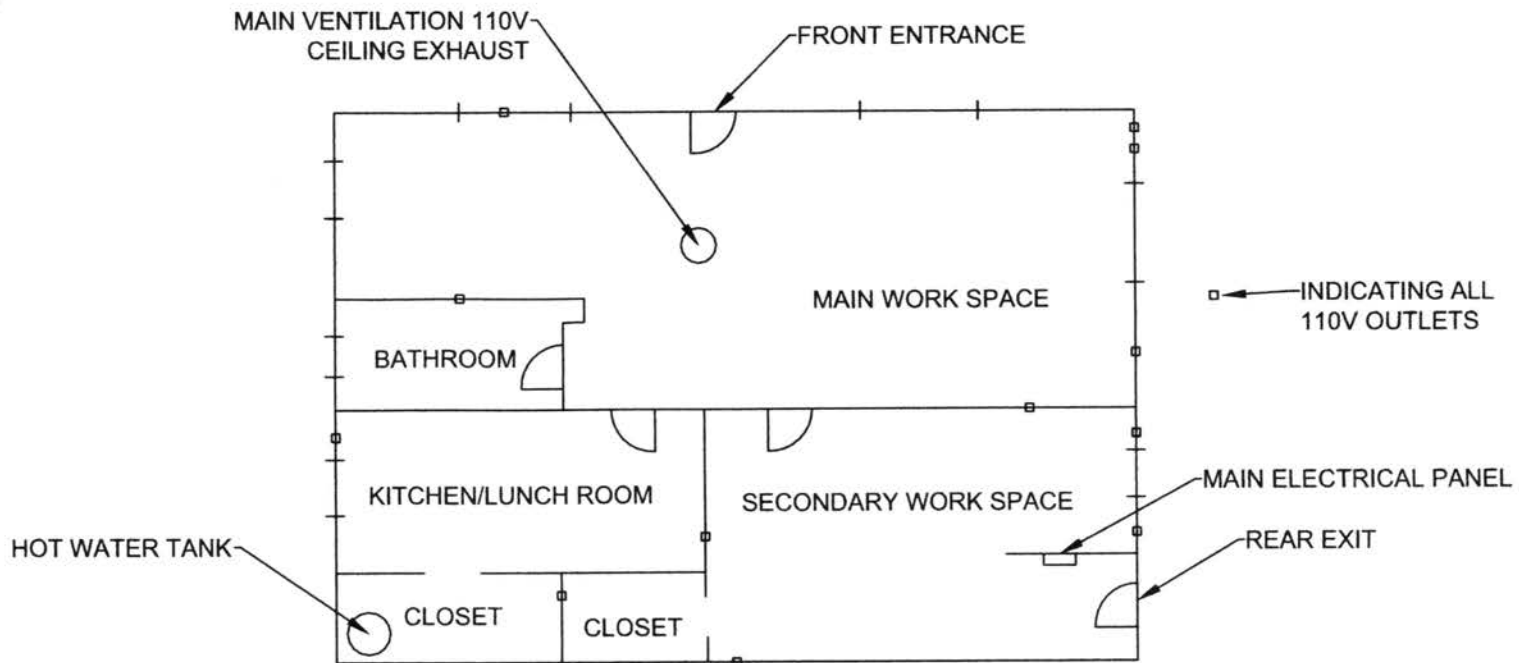
View of site from west.



View of site from west showing parking area and main and accessory buildings.



FRONT



LOCATION	CIVIC ADDRESS :	93 Loch Lomond Road		PID # :	55088777, 55088769, 00314558	
STAFF USE	HERITAGE AREA: Y / N	INTENSIFICATION AREA: Y / N	FLOOD RISK AREA: Y / N	APPROVED GRADING PLAN: Y / N		
	APPLICATION #:	18-262		DATE RECEIVED:	Dec 4, 2018	
			RECEIVED BY:	Aimee / Paula / Mark		
APPLICANT INFORMATION	APPLICANT	EMAIL	PHONE	Brenda Defazio defazio5368@gmail.com		
	MAILING ADDRESS	5 Woodhollow Pk. Apt 305		POSTAL CODE	506-607-5274	
	CONTRACTOR	EMAIL	PHONE			
	MAILING ADDRESS					
	OWNER	EMAIL	PHONE	E.R. Steeves Ltd info@steeveswelldrilling.ca 652-8544		
	MAILING ADDRESS	174 Chamberlain Rd		QUISPANSIS NB,	E2G 1B6	
PRESENT USE:		PROPOSED USE:				
CHECK ALL THAT APPLY	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 type="checkbox"/> PAC APPLICATION	<input type="checkbox"/> DRAINAGE	<input type="checkbox"/> HERITAGE INFILL	
	<input type="checkbox"/> DECK	<input type="checkbox"/> DEMOLITION	<input checked="" type="checkbox"/> COUNCIL APP	<input type="checkbox"/> WATER & SEWERAGE	<input type="checkbox"/> HERITAGE DEMO	
	<input checked="" 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			
DESCRIPTION OF WORK	No work involved					
	NO SITE CHANGES PROPOSED					
	SIGO → SAME SIZE / SAME LOCATION TO EXISTING SIG BOX → CHANGE OF SIG COM ONLY					

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
 8th Floor - 15 Market Square
 Saint John, NB E2L 1E8
 commonclerk@saintjohn.ca
 (506) 638-2862



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.

Brenda Defazio Applicant Name
Brenda Defazio Applicant Signature
Dec 3, 2018 Date

CIVIC ADDRESS	93 Loch Lomond Rd	APPLICATION #	18-262	FEE PAID	<input checked="" type="radio"/> Y <input type="radio"/> 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 checked="" 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.

The change I would like is to serve the general public for eyelash extensions. There is ample parking. I will work on one client at a time. Park accomodates 5 or more vehicles. Hours of operation are Mon-Fri 10-5, Currently zoned commercial-office space also include one nail tech. Most 4 people at one time

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

No easements, covenants or 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.

x Swan Steeves
 Registered Owner or Authorized Agent

 Additional Registered Owner

x December 4, 2018
 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

REVISED

3:15 pm, Dec 06, 2018

From: [Reade, Mark](#)
To: [Burgess, Aimee](#)
Subject: FW: 93 Loch Lomond Road, Section 39 Amendment
Date: December-06-18 1:17:38 PM

Can you add this to the application for 93 Loch Lomond Road in Laserfiche? It is in the New Files Mark folder.

Thanks

Mark

Mark Reade, P.Eng., MCIP, RPP
Senior Planner / Urbaniste Principal

Growth & Community Development Services / Services axes sur la croissance et le developpement communautaire
10th Floor, City Hall
City of Saint John
P.O. Box 1971
Saint John, NB
E2L 4L1

Reception: (506) 658-2835
Direct Tel: (506) 721-0736
Facsimile: (506) 658-2837
E-Mail: mark.reamde@saintjohn.ca

From: Brenda Defazio [<mailto:defazio5368@gmail.com>]
Sent: December-04-18 5:55 PM
To: Reade, Mark
Subject: 93 Loch Lomond Road, Section 39 Amendment

Nice to meet you today Mark.

I would like to advise you that I plan on doing eyelash extensions and nails out of my proposed lash and nail bar at 93 Loch Lomond Road. Currently it is zoned commercial with a stipulation that it be used for office space only.

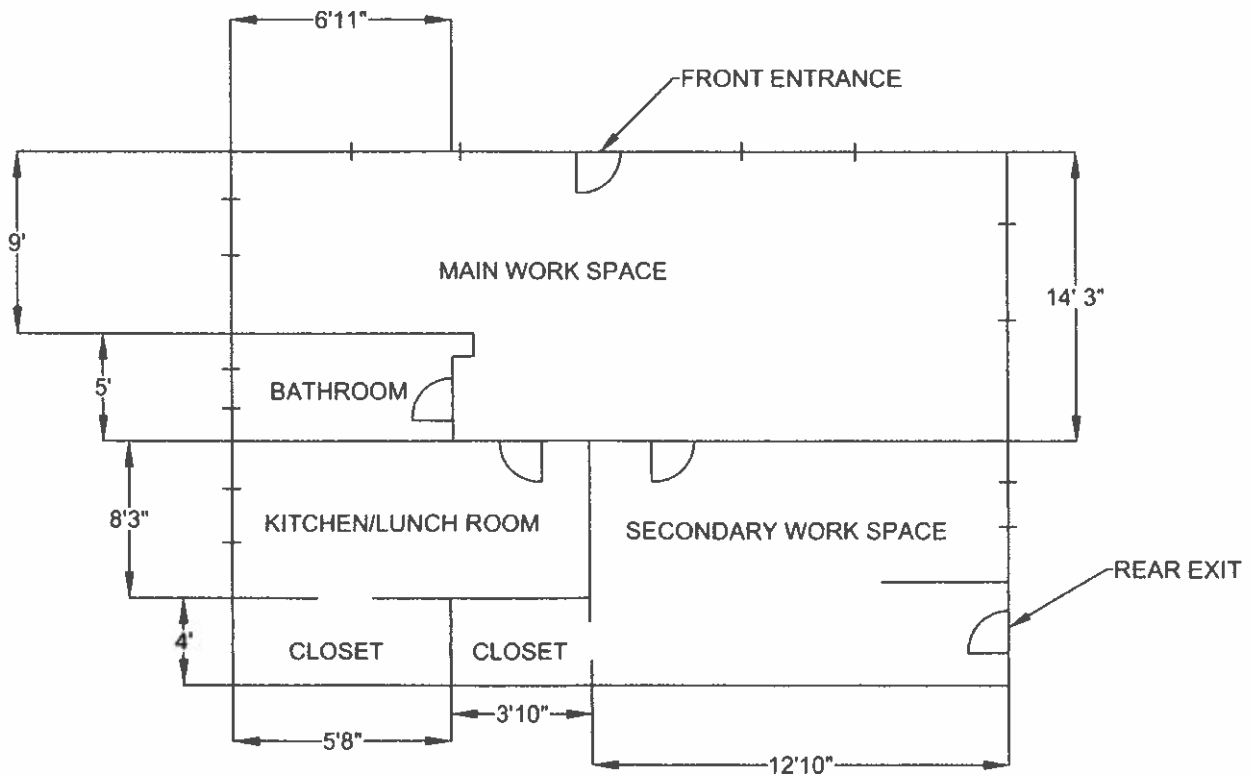
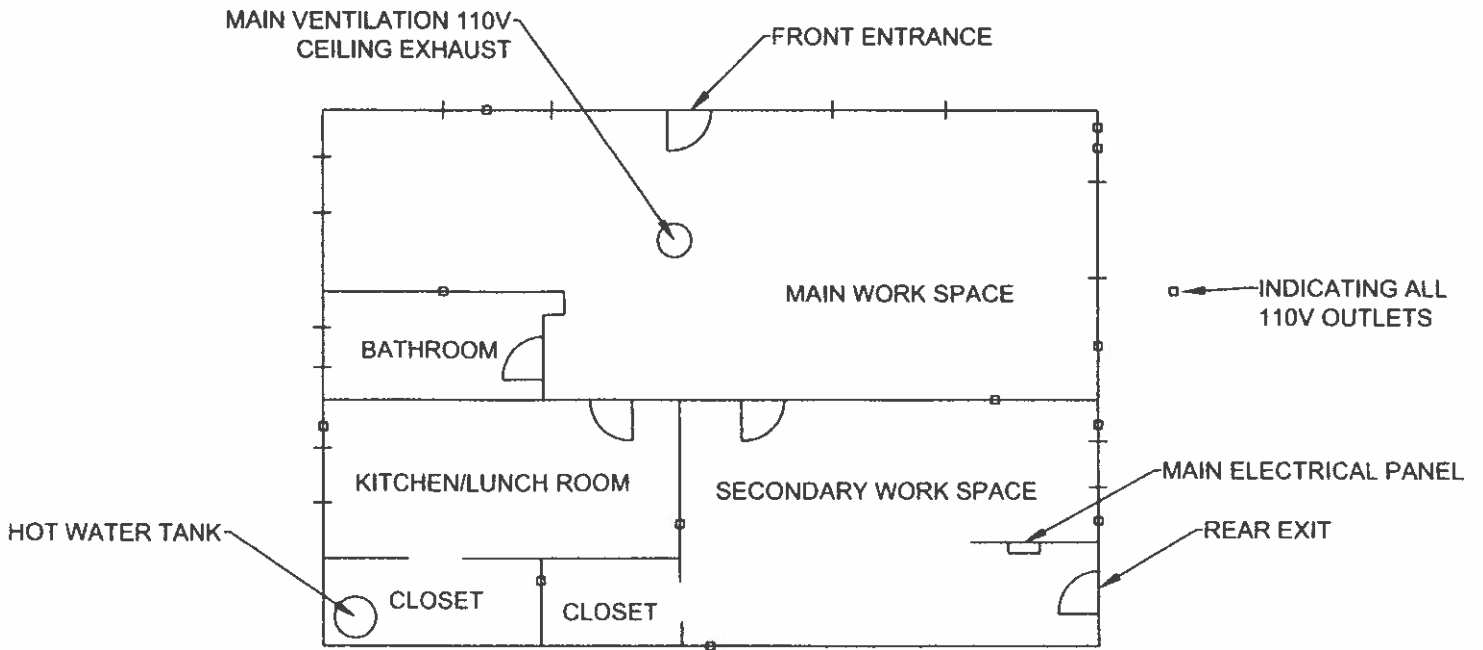
There will be at most 4 people on site; two clients and two staff. There is ample parking at this location. Hours of operation will be 9 to 5 Monday to Friday.

If you have any questions, please do not hesitate to contact me. I also appreciate the help you have given me.

Kind regards

Brenda Defazio

FRONT







PROPOSED SECTION 59 AMENDMENT RE: 93 LOCH LOMOND ROAD

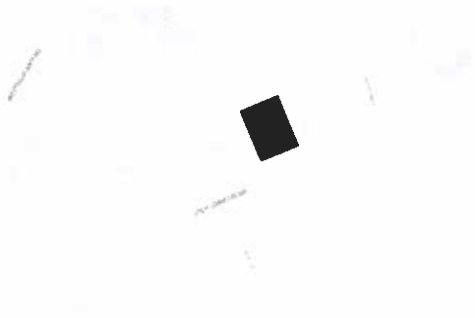
21-Dec-2018

PROPOSED SECTION 59 AMENDMENT

RE: 93 LOCH LOMOND ROAD

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 Ludlow Room on Monday, January 26, 2019 at 6:30 p.m., by:

Amending the Section 59 conditions imposed on the June 18, 1973, rezoning of the property located at 93 Loch Lomond Road, also identified as PiD Nos. 55088777, 00319558, and 55088769; and amended June 22, 1987 and March 30, 1992 to allow for a commercial use.



REASON FOR CHANGE:

To permit the use of the property as a personal service establishment.

The proposed amendment may be inspected by any interested person at the office of the Common Clerk, or in the office of Growth and Community Development 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. Written objections to the amendment may be sent to the undersigned at City Hall.

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

Jonathan Taylor, Common Clerk
658-2862



Corporate Communications
City of Saint John



1350 Hickey Road

Presentation to Common Council

January 28, 2019



Growth & Community Planning Team
Growth & Community Development Services



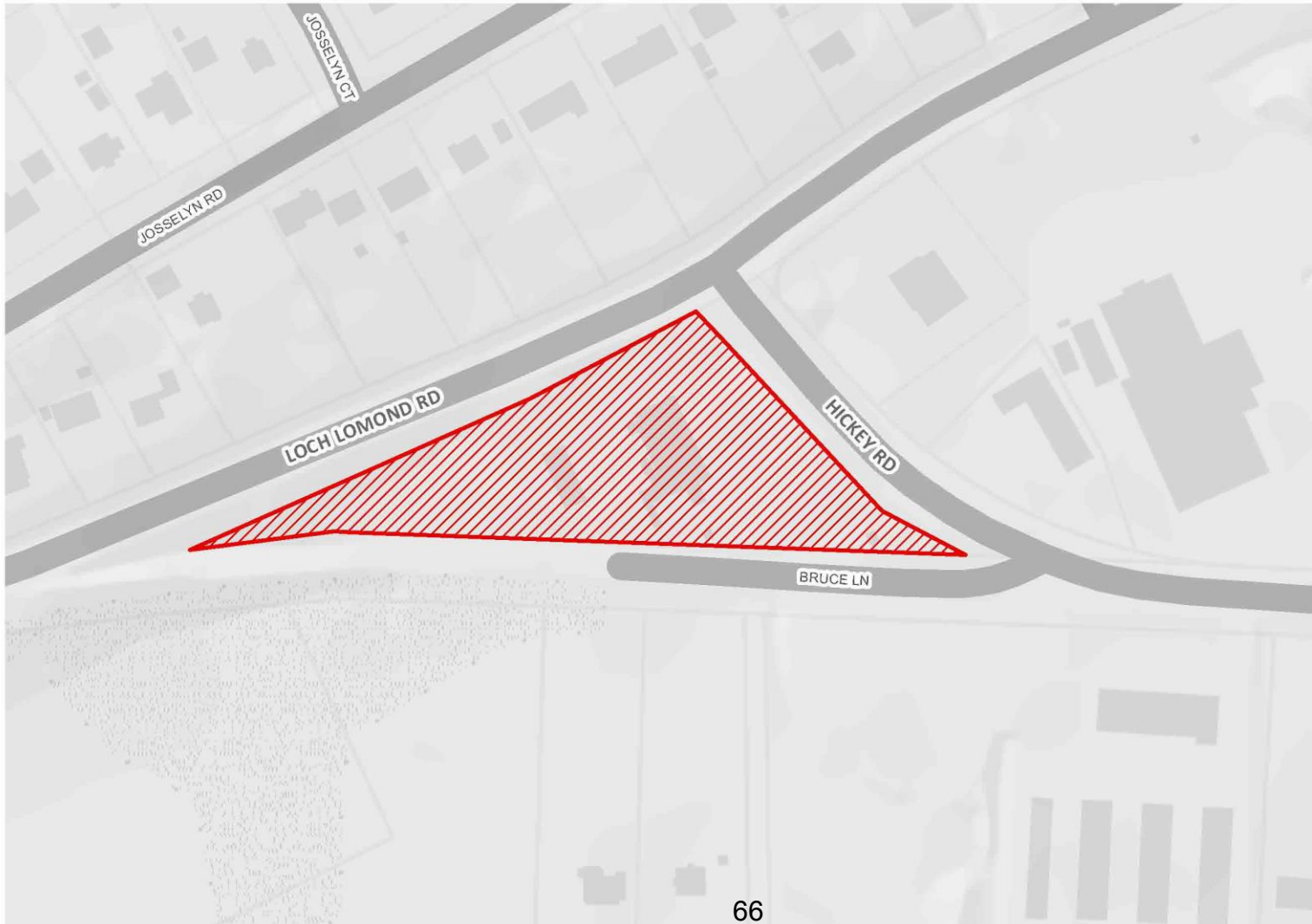
Proposal

Section 59 Application

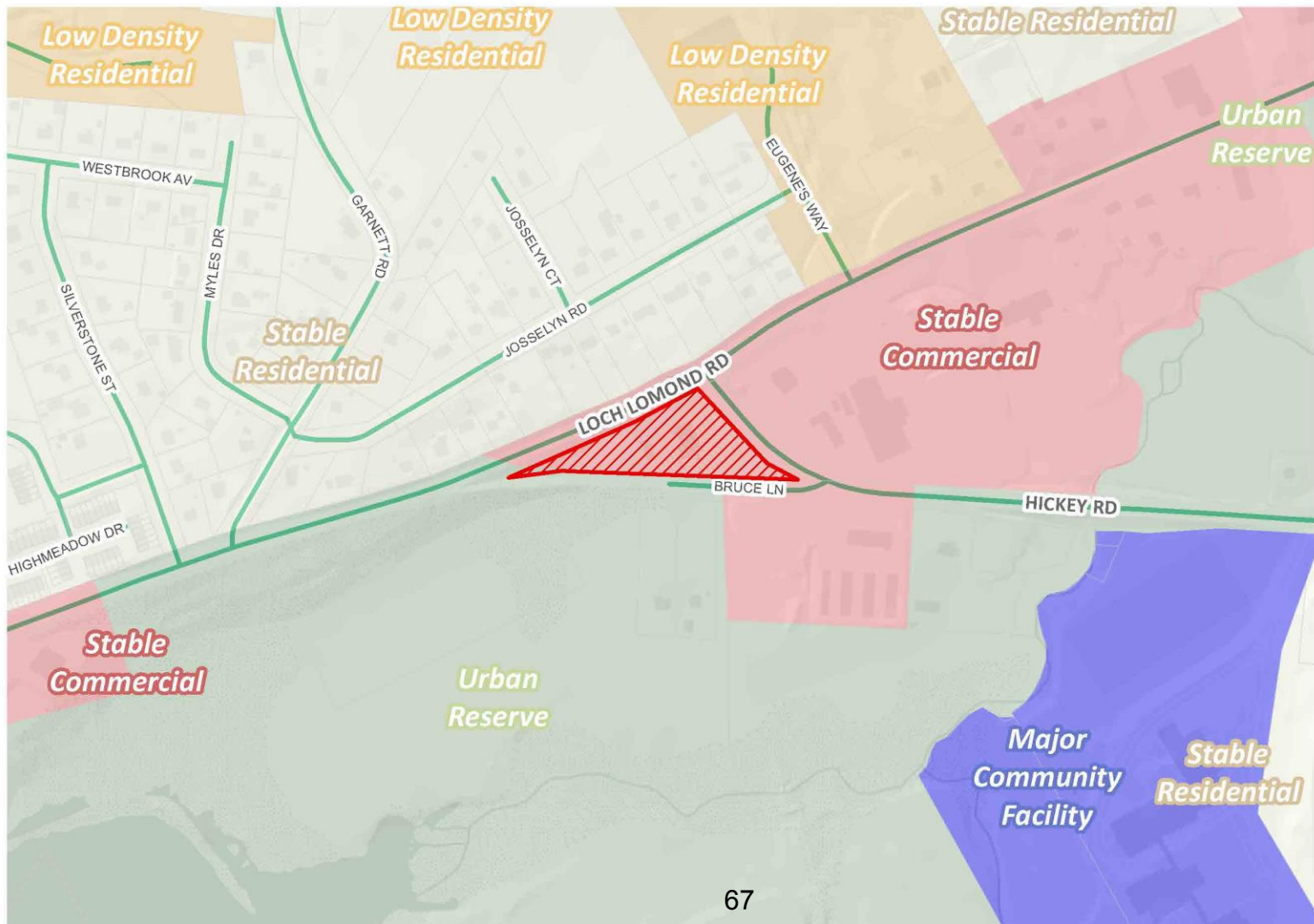
Amend existing conditions as part of the redevelopment of the “On the Vine” country market.



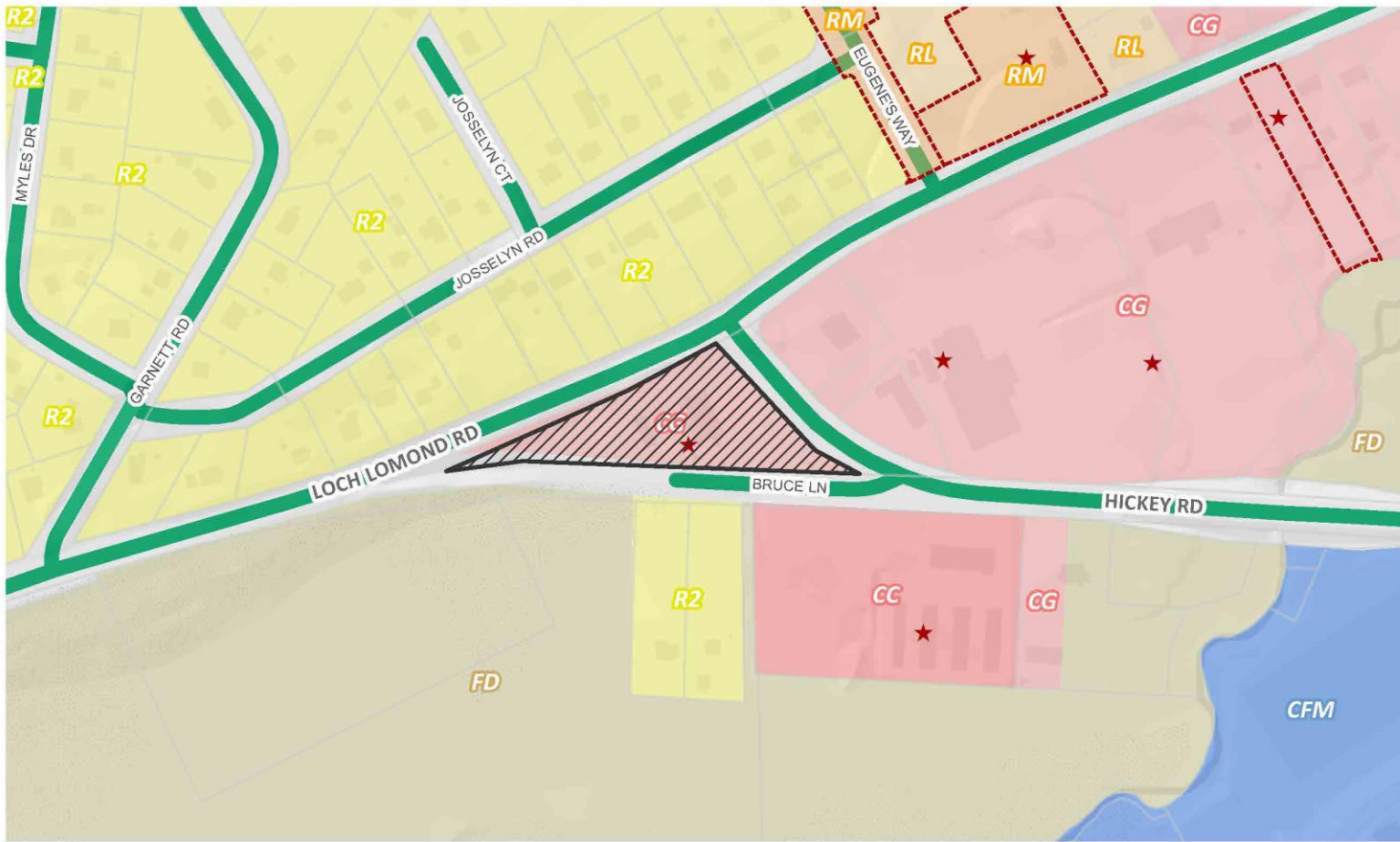
Site Location



Future Land Use



Zoning



- (CC) Corridor Commercial (RL) Low-Rise Residential
- (CFM) Major Community Facility (RM) Mid-Rise Residential
- (CG) General Commercial
- (FD) Future Development
- (R2) Two-Unit Residential



Rendering



Site Aerial



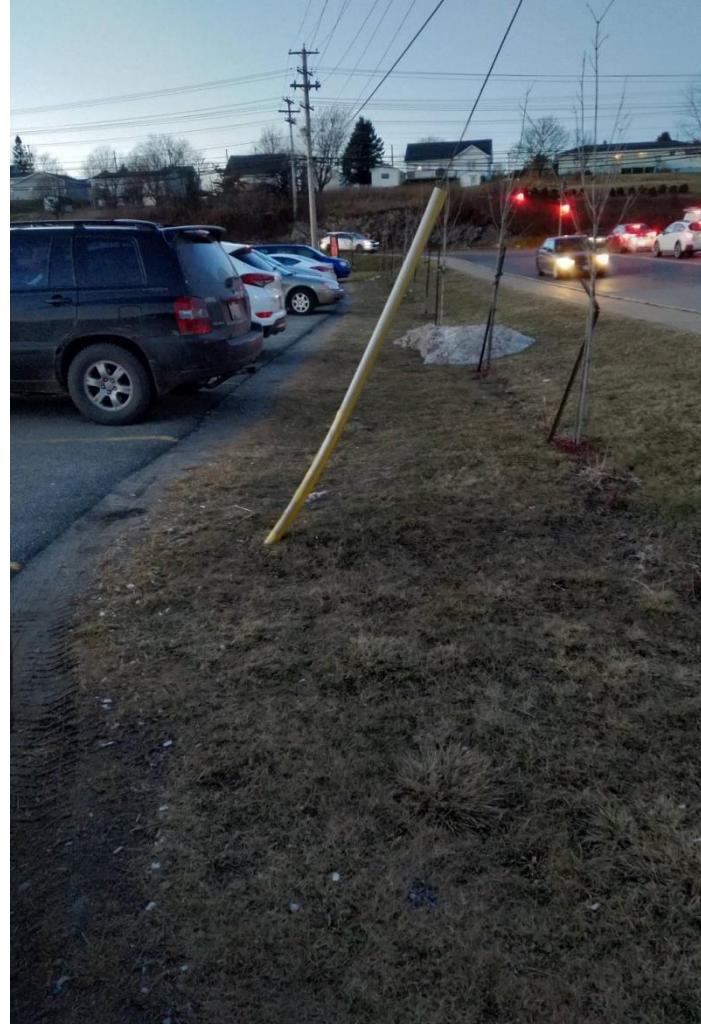
Site Aerial



Site Photos



10



73



SAINT JOHN

Site Photos



11

74



SAINT JOHN

Site Photos



- Proposed Section 59 conditions

Requested Amendments	Staff Recommendation
a) Driveways and parking areas must be paved	Driveways and parking areas must be paved and curbed
f) Limit accesses Hickey Rd (entry only), two on Bruce Lane (exit only and loading/unloading only).	
g) Remove condition to curb and provide sidewalk along Bruce Lane to any driveway	Continue to require curbing along north side of Bruce Lane to the second driveway, but remove sidewalk requirement
h) Remove condition to grant easement	
i) Remove condition to require detailed site plan	Retain this condition as it is an important measure to ensure appropriate landscaping, driveway signage, curbing.
j) Remove site improvements timeline of one year	
	Additional condition– storm drainage systems require submission and acceptance of as-built drawings prior to issuance of occupancy permit.

Community Engagement

- Public hearing advertised on City website on December 21st, 2018
- Neighbours were notified within 100 metres of property on January 4th, 2019
- Two members of the public in attendance at the Planning Advisory Committee meeting in support of application in principle.
- No letters received regarding the application.
- Applicant in attendance and in full support of staff's recommendation.



Planning Advisory Committee Recommendation

1. That Council amend the section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road by rescinding the existing conditions and imposing the following (as contained in staff report)
2. The Committee also recommended that Infrastructure and Operations staff review the construction of the curb on the north side of Bruce Lane, in particular the existing curb return radius, from an operational and safety perspective in light of the concerns raised by residents and communicate back to the applicant prior to the Public Hearing.



Supplementary Report

Subsequent to the PAC meeting, staff meet with Infrastructure and Operations to discuss the curb on the north side of Bruce Lane. As a result of the condition of the existing street standard, staff have decided to endorse removing this condition. The modified recommendation has been included in a supplemental Council report.



Staff Recommendation

1. That Council amend the section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road by rescinding the existing conditions and imposing the following (as contained in staff report)



COUNCIL REPORT

M&C No.	2019-368
Report Date	January 23, 2019
Meeting Date	January 28, 2019
Service Area	Growth and Community Development Services

His Worship Mayor Don Darling and Members of Common Council

SUBJECT: 1350 Hickey Road – Supplementary Report

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Authors	Commissioner/Dept. Head	City Manager
<i>Andrew Reid</i>	<i>Jacqueline Hamilton/ Michael Hugenholtz</i>	<i>John Collin</i>

RECOMMENDATION

That Common Council consider amending Planning Advisory Committee’s recommendation with the following:

That Common Council amend the Section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road, also identified as PID 00313072 by rescinding the existing conditions and imposing the following:

- a) The developer must pave all parking areas, vehicle manoeuvring areas and full widths of the driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
- b) Adequate site drainage systems must be provided by the developer, in accordance with an engineered storm drainage submission, and subject to the approval of the Chief City Engineer or designate, and the approved drainage submission must be attached to any application for building permit for the development;
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
- e) Vehicular access to the site shall consist of a maximum of one driveway on

Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, and a maximum of one driveway from Bruce Lane for loading and unloading for deliveries all with appropriate signage. No access is permitted on Loch Lomond Road. The exact location of any permitted driveway is subject to the approval of the Chief City Engineer or designate;

f) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development; and

g) All Storm Drainage Systems require As-Built Drawings confirming the installation of the required stormwater drainage system must be submitted and accepted by the City prior to the issuance of an Occupancy Permit;

EXECUTIVE SUMMARY

As part of the review of the 1350 Hickey Road Section 59 Amendment application, staff was directed by the Planning Advisory Committee to consult with Infrastructure Development and Transportation and Environment staff to ensure staff's recommendation regarding curbing the north side of Bruce Lane would not exacerbate the existing conditions of the street. Subsequent to the meeting, staff undertook further assessment of Bruce Lane and decided to remove the requirement to install curbing along Bruce Lane.

PREVIOUS RESOLUTION

On January 15th, the Planning Advisory Committee directed that staff consult with that Infrastructure Development and Transportation and Environment staff to review the construction of the curb on the north side of Bruce Lane, in particular the existing curb return radius, from an operational and safety perspective in light of the concerns raised by residents and communicate back to the applicant prior to the Public Hearing.

STRATEGIC ALIGNMENT

n/a

REPORT

Upon further review of the existing Bruce Lane street alignment, Planning, Infrastructure Development, and Transportation & Environment staff determined that considerable work to the right-of-way would be required to extend curbing along the north side of Bruce Lane. Considering street width, curb installation and any required street drainage, staff concluded it would more appropriately be addressed through a future street reconstruction. Staff are therefore recommending a revised recommendation that Common Council proceed with the Planning Advisory Committee's recommendation, while removing the curbing condition the north side of Bruce Lane.

SERVICE AND FINANCIAL OUTCOMES

No service or financial implications are anticipated as a result of this report; the recommendation deals with improvements to private property.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

This report has been reviewed by Infrastructure Development and Transportation & Environment Services.

ATTACHMENTS

- 1 – Staff Presentation re: 1350 Hickey Road
- 2 – Recommendation from the Chair of Planning Advisory Committee re: 1350 Hickey Road
- 3 – Staff Report dated January 11, 2019 re: 1350 Hickey Road

PLANNING ADVISORY COMMITTEE



The City of Saint John

January 25, 2019

His Worship Mayor Don Darling and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Section 59 Application
1350 Hickey Road**

On December 17, 2018 Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its January 15, 2019 meeting. Staff presented the applicant's request and staff's recommended amendments to the set of existing Section 39 conditions.

The applicant was in attendance and requested clarification regarding part (h), with respect to as-built drawings. After receiving clarification, the applicant voiced full support for staff's recommendation.

David Pollard, a resident of Bruce Lane, appeared before the Committee. He noted he was in favour of staff's recommendation to remove the sidewalk requirement on Bruce Lane, due to the narrowness of the street. He indicated concern that because the sidewalk and curb curving off Hickey Road had decreased the width of Bruce Lane, he was not in support of extending the curb from the existing infrastructure along Bruce Lane.

The applicant re-appeared before the Committee, requesting clarity on curbing the north side of Bruce Lane. Staff responded that the inquiry regarding existing infrastructure would need to be deferred to Transportation and Environment Services and Infrastructure Development; however, a curb may still be suitably designed on the North Side of Bruce Lane and this issue need not necessarily affect the proposed Section 59 condition.

The Committee recommended that Infrastructure and Transportation and Environment staff review the construction of the curb and sidewalk return on the

north side of Bruce Lane, in particular the existing curb return radius, from an operational and safety perspective in light of the concerns raised by residents and communicate back to the applicant prior to the public hearing.

RECOMMENDATION:

That Common Council amend the Section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road, also identified as PID 00313072 by rescinding the existing conditions and imposing the following:

- a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
- b) Adequate site drainage systems must be provided by the developer, in accordance with an engineered storm drainage submission, and subject to the approval of the Chief City Engineer or designate, and the approved drainage submission must be attached to any application for building permit for the development;
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
- e) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, and a maximum of one driveway from Bruce Lane for loading and unloading for deliveries all with appropriate signage. No access is permitted on Loch Lomond Road. The exact location of any permitted driveway is subject to the approval of the Chief City Engineer or designate;
- f) The developer must extend concrete curb to City specifications, along the north side of Bruce Lane to the second driveway;
- g) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be

attached to any application for building permit for the development; and

h) All Storm Drainage Systems require As-Built Drawings confirming the installation of the required stormwater drainage system must be submitted and accepted by the City prior to the issuance of an Occupancy Permit;

Respectfully submitted,



Eric Falkjar
Chair

Attachments

1 – Report to Planning Advisory Committee dated January 11, 2019



The City of Saint John

Date: January 11, 2019
To: Planning Advisory Committee
From: Growth & Community Planning
Growth & Community Development Services
For: **Meeting of Tuesday, January 15, 2019**

SUBJECT

Applicant: Residential Contractors Inc. on behalf of 616813 N.B. Ltd
Owner: 616813 N.B. Ltd (On the Vine Meat & Produce)
Location: 1350 Hickey Road
PID: 00313072
Plan Designation: Stable Commercial
Existing Zoning: General Commercial (CG)
Application Type: Section 59 Amendment
Jurisdiction: Common Council has requested the views of the Planning Advisory Committee concerning proposed amendments to the existing Section 39 conditions of the subject property. Council will consider the Committee's recommendation at a public hearing on **Monday, January 28, 2019.**

SUMMARY

The applicant is proposing to amend existing Section 39 conditions as part of the redevelopment of the "On the Vine" market. The market has expanded incrementally over the years. The most recent proposal is to partially demolish the existing structure and rebuild. With

the redevelopment of the site, the applicant is seeking to remove existing conditions related to curbing, provision of sidewalks, and access limitations on Bruce Lane. While there is no rationale to remove conditions on curbing, staff are supportive of eliminating the sidewalk requirement on Bruce Lane because the street is a dead end and is not anticipated to be well used by pedestrians. In addition, two driveways off Bruce Lane are acceptable provided appropriate signage is implemented showing the second driveway to be used for loading/unloading only. Further amendments to the conditions are recommended to reflect Growth and Community Development's current practice.

RECOMMENDATION

That Common Council amend the Section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road, also identified as PID 00313072 by rescinding the existing conditions and imposing the following:

- a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
- b) Adequate site drainage systems must be provided by the developer, in accordance with an engineered storm drainage submission, and subject to the approval of the Chief City Engineer or designate, and the approved drainage submission must be attached to any application for building permit for the development.
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
- e) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, and a maximum of one driveway from Bruce Lane for loading and unloading for deliveries all with appropriate signage. No access is permitted on Loch Lomond Road. The exact location of any permitted driveway is subject to the approval of the Chief City Engineer or designate;
- f) The developer must extend concrete curb to City specifications, along the north side of Bruce Lane to the second driveway; and
- g) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas,

driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development.

- h) All Storm Drainage Systems require As-Built Drawings confirming the installation of the required stormwater drainage system must be submitted and accepted by the City prior to the issuance of an Occupancy Permit;

DECISION HISTORY

On April 9, 1990, Common Council resolved to withhold third reading on a Municipal Plan amendment and rezoning for a six-bay car wash until a Section 39 agreement including paving, curbing, and landscaping for the subject property was executed. Third reading was not given because the applicant decided not to proceed with the proposal.

On March 1, 2004, Common Council gave third reading to rezone the subject property from RS-2 to B-2 and pursuant to Section 39 of the *Community Planning Act*, imposed conditions on the property related to paving, drainage, landscaping, and access to develop a “country market,” which included a garden centre, bakery, delicatessen and produce store (the 2004 conditions are attached).

On November 20, 2006, Common Council held a public hearing for an application to amend Section 39 conditions on the subject property for the purposes of constructing a food distribution centre and related training facility. Subsequent to the application being circulated, the applicant decided not to proceed with the distribution centre; however, the section 39 application proceeded. At the public hearing, the applicant opposed the Committee’s recommendation and Council resolved that the proposed amendments be referred to staff for further discussion to reach a more agreeable settlement. An alternative agreement was not reached and the matter has remained largely unresolved.

ANALYSIS

Proposal

The applicant is proposing to amend existing Section 39 conditions related to site improvements, curbing, sidewalks, and accesses. A number of conditions have been dealt with over the years by previous owners and the current owner; however, curbing and site improvements around Bruce Lane have remained outstanding. Concurrent with this application, a phase one building permit has been sought to enable the foundation of the building to be poured. A permit for phase two of the development, which will involve construction of the building and site improvements, will be contingent on the outcome of this application. A phase two permit will not be issued unless the required conditions are met.

Site and Neighbourhood

The subject property is located at the intersection of Loch Lomond Road, Hickey Road, and Bruce Lane. The property current contains the On the Vine country market. The property is designated Stable Commercial and zoned General Commercial (CG). There are several other businesses located at this commercial node, including a large hardware store, a restaurant, two auto repair garages, and a self-storage facility.

The market and parking area has incrementally expanded since the site was first developed in 2004. Around 2006, a second driveway was added off Bruce Lane for loading and unloading. No curbing improvements have been made to the parking area over the years such that landscaping around the site, in particular the south side around Bruce Lane has become washed out with gravel. In addition, the driveway widths have not been properly delineated with curbs.

Overview of Conditions

Existing Section 39 conditions are outlined below, with the applicant's proposed amendments marked in bold. Comments have also been provided to detail the rationale behind staff's recommendation.

Requested Amendments by Applicant	Staff support	Staff Comments
a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;	×	Not supported. Curbing of the site has been outstanding for 15 years. It is a standard of the Zoning By-law for this area of the city and typical of surrounding commercial developments. Staff recommends retaining this condition to ensure proper demarcation of driveways, parking areas, and landscaped areas. There is no planning rationale for removing this standard.
b) Adequate site drainage facilities must be provided by the developer, including catch basins where necessary, in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate, and the approved drainage plan must be attached to any application for building permit for the development;	No Amendment	Staff is in agreement that this condition remain. The condition has been updated to reflect current practice related to the regulation of storm drainage plans. This is now required by the City's Drainage By-law.
c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;	No Amendment	Staff is in agreement that this condition remain. There should be no gravel in parking or landscaped areas as a result of curbing clearly defining these boundaries.

d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;	No Amendment	This condition has been met. The landscaping along the front yard (Hickey Road) is to standard.
e) The developer must install all telephone and electrical wires underground from the existing overhead facilities on the street to any building on the site;	No Amendment	Staff are recommended that this condition be removed given the context of the area.
f) Vehicular access to the site shall consist of one driveway on Hickey Road used as an entry only , a maximum of one driveway on Bruce Lane used as an exit only , a driveway from Bruce Lane for loading and unloading , and no access on Loch Lomond Road, and the exact location of any permitted driveway is subject to the approval of the Chief City Engineer or his designate;	<input checked="" type="checkbox"/>	Fully supported by staff. A new driveway was added around 2006 to support loading and unloading for the expanded market. The driveways are adequately spaced. Signage should indicate the second driveway is to be used for service deliveries only.
g) The developer must extend concrete curb and sidewalk, to City specifications, along Bruce Lane to any driveway;	<input checked="" type="checkbox"/>	Partially supported. Given the property owner's ongoing use of Bruce Lane, staff recommend curbing improvements be implemented along Bruce Lane to the second driveway. From the perspective of providing a sidewalk for connectivity, Bruce Lane is a dead end street and there is no destination with which to connect.
h) Prior to commencing the development of the site, the owner of the land shall grant to the City of Saint John any necessary easements that, in the opinion of the Chief City Engineer, are required to protect the existing municipal water transmission lines that traverse the site, with all documentation to be prepared by the City and executed at no cost to the owner;	<input checked="" type="checkbox"/>	Fully supported by staff. The easement has been granted and this condition may be removed.
i) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs,	×	Removal of this condition is not supported by staff. A site plan is a standard requirement and an important measure to ensure the site is developed in accordance with an approved plan. It is important that the site plan show appropriate signage for types of access include that the second driveway off Bruce Lane is limited to service deliveries only.

exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development;		
j) All site improvements as shown on the approved site plan and drainage plan must be completed within one year of building permit approval;	☑	It is a standard requirement for site improvements to be complete within two years of the issuance of a building permit and therefore this condition is redundant.

An additional condition is also recommended requiring storm drainage submission and approval of as-built drawings prior to the issuance of an occupancy permit for the new building.

Variances

Should the applicant be successful in removing condition (a) with respect to curbing, a variance would be required from part 4.2(5) a of the Zoning By-law, which requires cast-in-place curbing. The variance may be considered by the Development Officer but not until such time as Council renders a decision on the application.

Conclusion

The proposed expansion of the market is a welcome addition to this site and the surrounding neighbourhood. On balance, the proposal is largely supported by staff. Recommendations include modifications to the existing conditions that apply to the site to ensure appropriate redevelopment of the site. Staff is not recommending relaxation of the curbing requirement as requested by the applicant; there is an established standard for commercial development in the City's Zoning Bylaw with respect to curbing to protect the landscaped areas and to facilitate proper drainage, and there continues to be no planning rationale to support relaxing requirement for this particular site.

ALTERNATIVES AND OTHER CONSIDERATIONS

The Committee may propose modifications to staff's recommendation regarding individual or the collection of conditions.

ENGAGEMENT

Public

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 January 4, 2019. The public hearing for the rezoning was advertised on the City website on December 21st, 2018.

SIGNATURES AND CONTACT

Prepared:



Andrew Reid , MCIP, RPP
Planner

Reviewed:



Mark Reade, P.Eng., MCIP, RPP
Senior Planner

Approved:



Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Andrew Reid
Phone: (506) 658-4447
E-mail: andy.reid@saintjohn.ca
Project: 18-255

APPENDIX

Map 1: **Site Location**

Map 2: **Municipal Plan**

Map 3: **Zoning**

Map 4: **Aerial Photography**

Map 5: **Site Photography**

Attachment 1: **2004 Conditions**

Submission 1: **Requested Amendments by Applicant**

Submission 2: **Site Plan**

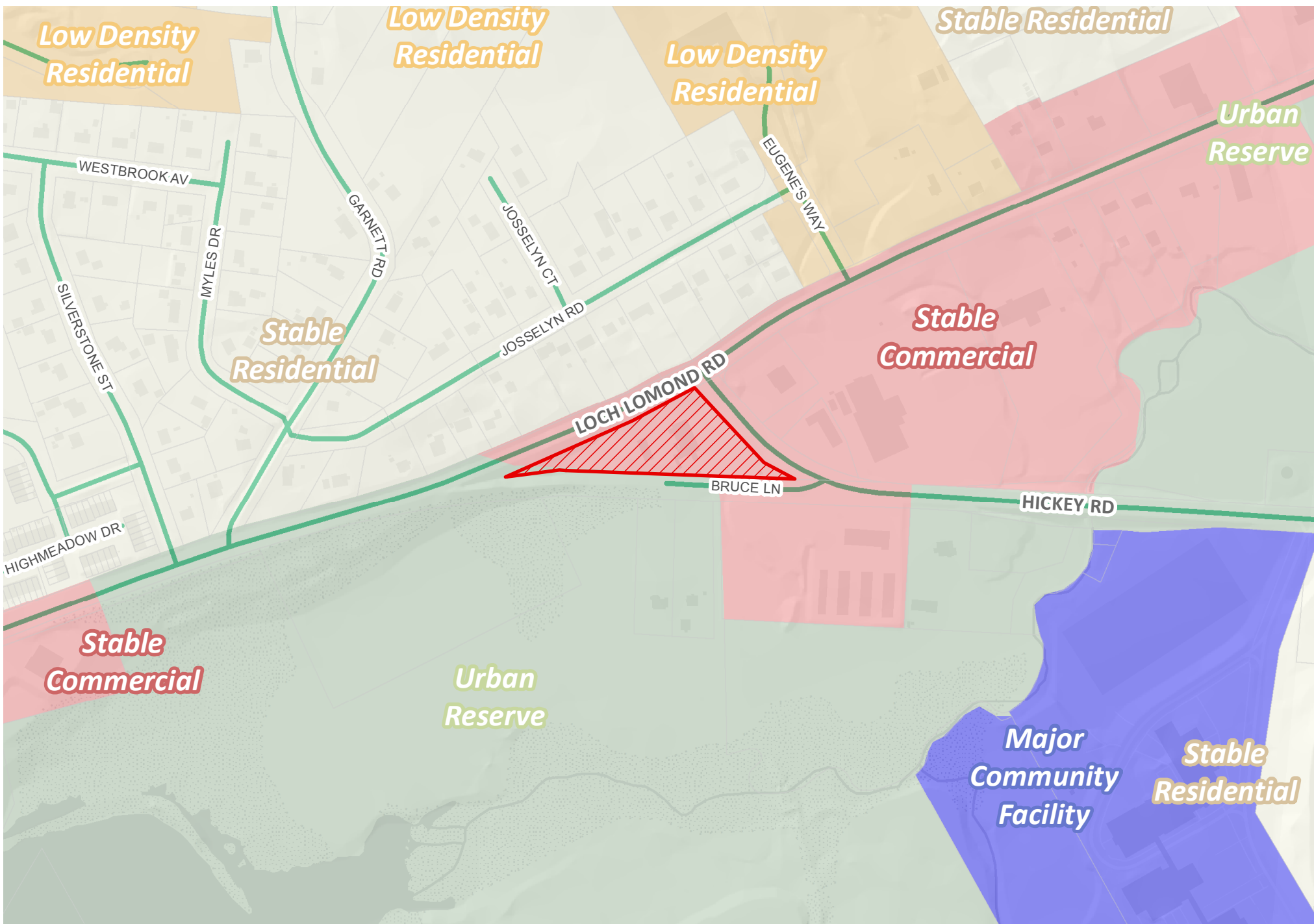
Submission 3: **Renderings**



Map 1 - Site Location

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road

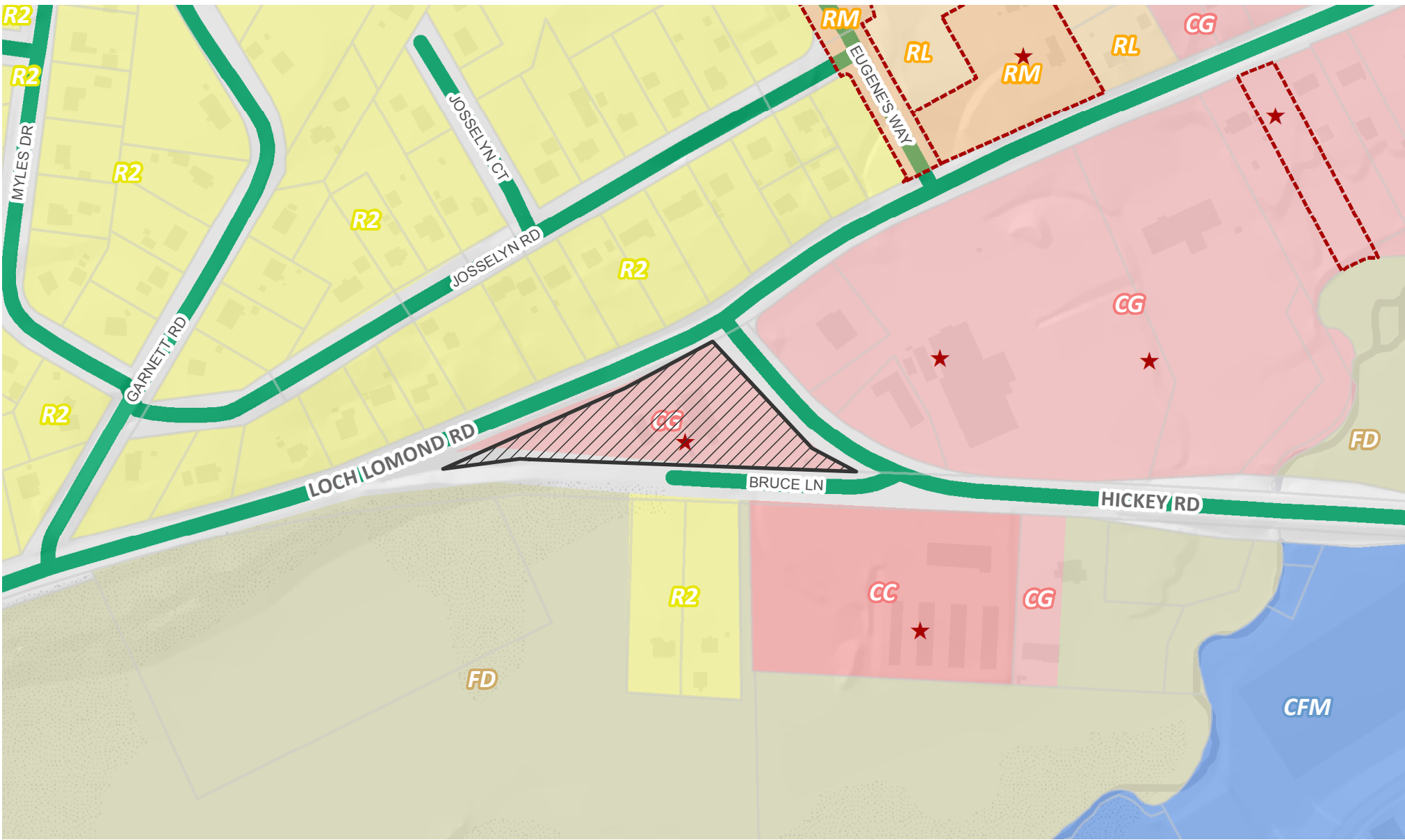




Map 2 - Future Land Use

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road





- (CC) Corridor Commercial (RL) Low-Rise Residential
- (CFM) Major Community Facility (RM) Mid-Rise Residential
- (CG) General Commercial
- (FD) Future Development
- (R2) Two-Unit Residential

★ Section 39 Conditions

Map 3 - Zoning

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road



Map 4 - Aerial Photography

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road

98

The City of Saint John
Date: December-04-1

0 25 m

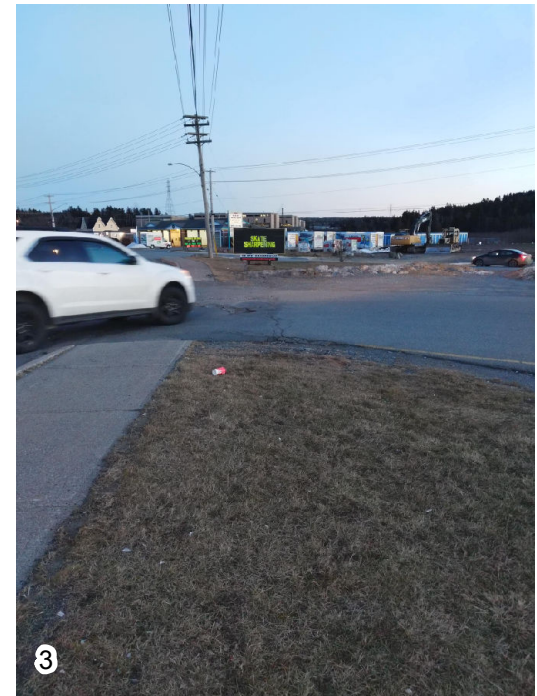




Hickey Road Access 1



2



3



Parking Area and Bruce Lane Access



Parking Area

Site Photography

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road



Attachment 1: 2004 Conditions

1. That pursuant to the provisions of Section 39 of the *Community Planning Act*, the proposed development of a parcel of land with an area of approximately 7200 square metres (1.8 acres), located at 1350 Hickey Road, also identified as being PID 313072, for commercial purposes be subject to the following conditions:
 - a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
 - b) Adequate site drainage facilities must be provided by the developer, including catch basins where necessary, in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate, and the approved drainage plan must be attached to any application for building permit for the development;
 - c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
 - d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
 - e) The developer must install all telephone and electrical wires underground from the existing overhead facilities on the street to any building on the site;
 - f) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road, a maximum of one driveway on Bruce Lane, and no access on Loch Lomond Road, and the exact location of any permitted driveway is subject to the approval of the Chief City Engineer or his designate;
 - g) The developer must extend concrete curb and sidewalk, to City specifications, along Bruce Lane to any new driveway;
 - h) Prior to commencing the development of the site, the owner of the land shall grant to the City of Saint John any necessary easements that, in the opinion of the Chief City Engineer, are required to protect the existing municipal water transmission lines that traverse the site, with all documentation to be prepared by the City and executed at no cost to the owner;
 - i) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development;
 - j) All site improvements as shown on the approved site plan and drainage plan must be completed within one year of building permit approval, with the exception of site paving, which must be completed within eighteen months of building permit approval;

and further that upon the rezoning the area, the land and any building or structure thereon must be developed and used in conformity with the proposal and conditions identified herein.

ADOPTED BY COMMON COUNCIL 1 MARCH 2004

Submission 1: Requested Amendments by Applicant

**Proposal to Amend Section 39 Conditions under Section 59,
616813 N. B. Ltd. Property Operating as On the Vine,
Hickey Road - PID #00313072**

It is proposed the property be subject to the following conditions:

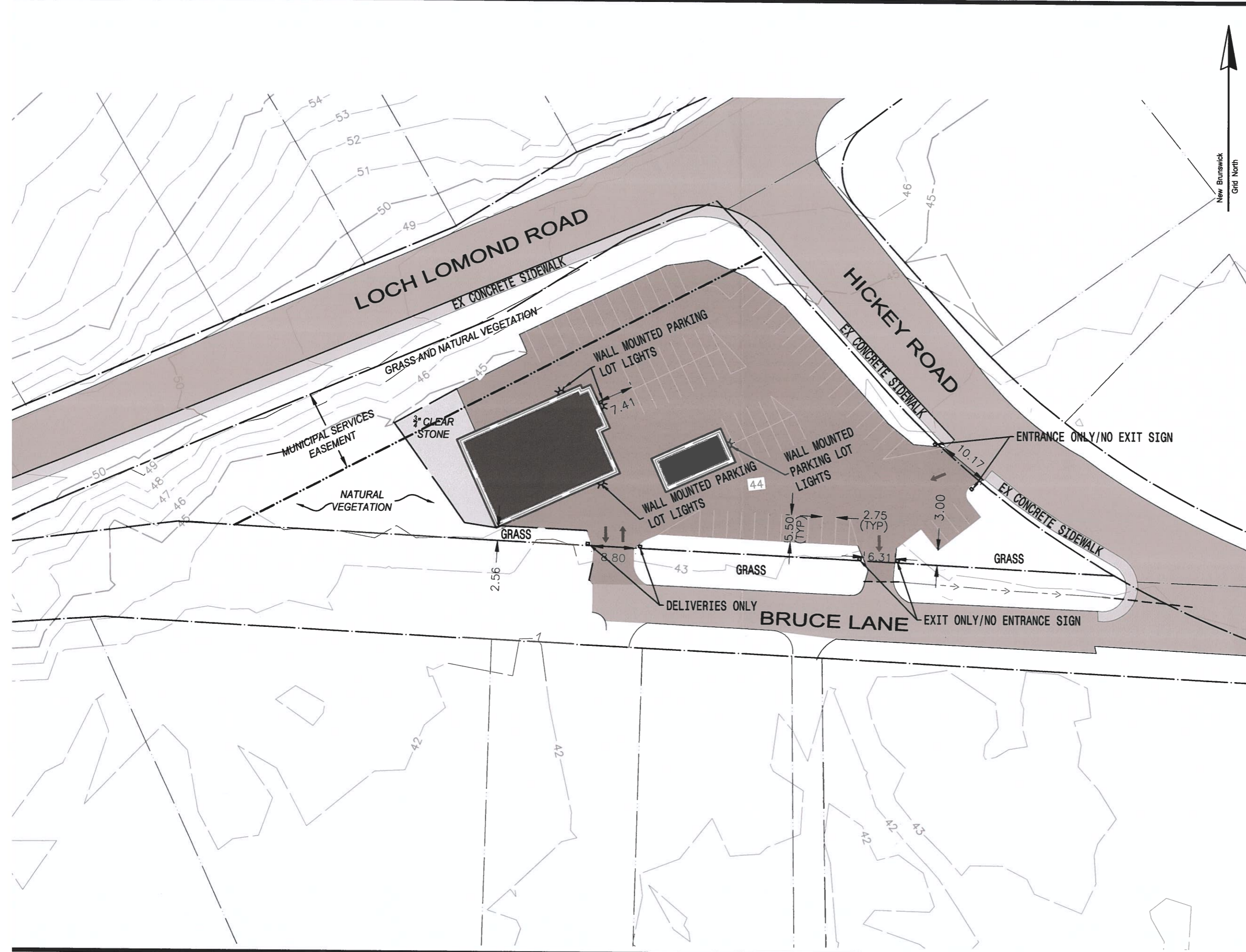
- a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and facilitate proper drainage;*
- b) Adequate site drainage facilities must be provided by the developer, including catch basins where necessary, in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate, and the approved drainage plan must be attached to any application for building permit for the development;*
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;*
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by permitted driveways;*
- e) The developer must install all telephone and electrical wires underground from the existing overhead facilities on the street to any building on the site;*
- f) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, a driveway from Bruce Lane for loading and unloading all with appropriate signage and no access on Loch Lomond Road, and the exact location of any permitted driveways is subject to the approval of the Chief City Engineer or his designate;*

The property owner has faced a number of challenges over the years they have been operating but now find they are in a position to do a much needed modernization and expansion of their business. The modernization and expansion of their business will provide an opportunity to create additional jobs and the larger, more modern premises will add to the property value thus producing an enhanced assessment.

Many of the previously imposed conditions have been met. For example an easement for municipal services was granted to The City of Saint John to protect existing municipal water transmission lines that traverse the site granted at no cost to the municipality.

Modifications to the site access have been adjusted to provide for a safer situation for customers, staff and deliveries to the site over the years and form part of this application. Site drainage is being addressed in accordance with the city's recently adopted by-law. We request the condition to add sidewalk and curbing along Bruce Lane be eliminated as it appears to add an unnecessary cost to the project.

The recently applied for building permit for modernization and expansion of their business addresses many of the conditions imposed in the March 2004. Conditions that are subject to approval of the Development Officer as authorized by Common Council at that time.



0	ISSUED FOR APPROVAL	28-NOV 2018	JLP
No.	Revisions	Date	By



Hughes Surveys & Consultants Inc.
(WEBSITE: www.hughesurveys.com)
575 Crown Street, Saint John, NB E2L 5E3
Tel: (506) 634-1717
Fax: (506) 634-0759
email: info@hughesurveys.com

Project Title
PROPOSED DEVELOPMENT

ON THE VINE PROPERTY
1350 HICKEY ROAD

Drawing Title
SITE PLAN
PROPOSED CONDITIONS

CADD By JLP	Chk'd by RET	Scale HORZ. 1:750
Project No. Y18172-	Phase	Revision 0
		Sheet 2

H:\2018Jobs\S18172\C3D\Y18-172-site plan.dwg PROPOSED Thursday, November 29, 2018



No.	Revisions	Date	By
0	ISSUED FOR APPROVAL	28-NOV 2018	JLP



Hughes Surveys & Consultants Inc.
(WEBSITE: www.hughesurveys.com)
 575 Crown Street Saint John, NB E2L 5E3
 Tel : (506)634-1717 Fax : (506)634-0759
 Email : info@hughesurveys.com

Project Title
PROPOSED DEVELOPMENT
 ON THE VINE PROPERTY
 1350 HICKEY ROAD

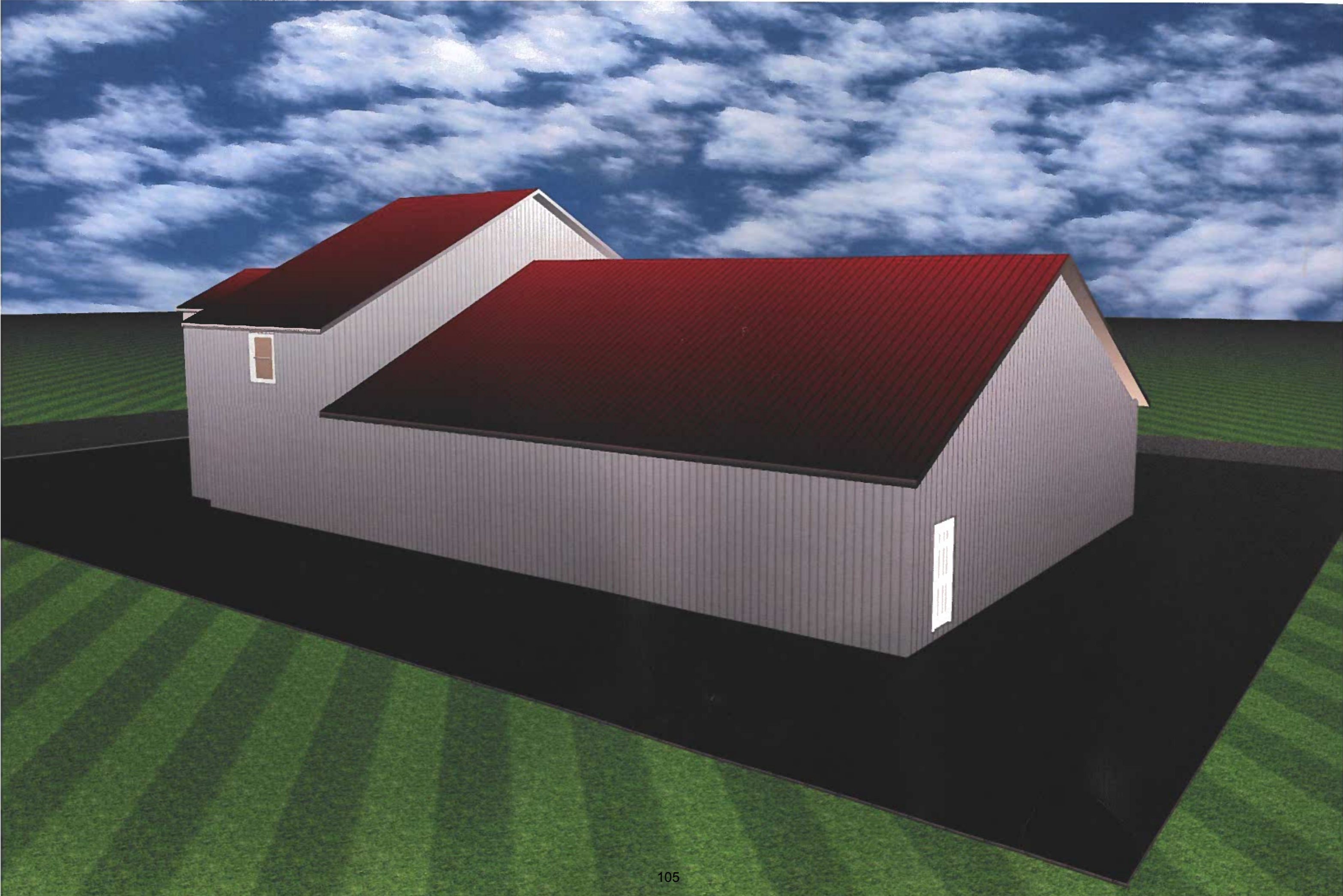
Drawing Title
SITE PLAN
 EXISTING CONDITIONS

CADD By JLP	Chk'd by RET	Scale HORZ. 1:750
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Project No. Y18172-	Phase	Revision 0	Sheet 1
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LOCATION	CIVIC ADDRESS :	1350 Hickey Rd, Saint John, NB E2J 5C9	PID # :	00313072	
STAFF USE	HERITAGE AREA: Y / N	INTENSIFICATION AREA: Y / N	FLOOD RISK AREA: Y / N	APPROVED GRADING PLAN: Y / N	
	APPLICATION #:	18-255	DATE RECEIVED:	Nov. 30, 2018	
			RECEIVED BY:	Aimee + Andy	
APPLICANT INFORMATION	APPLICANT	Residential Contractors on behalf of 616813 N. B. Ltd.	EMAIL	PHONE	
			Bob Landry <res.contractors@rogers.com>	(506)647-8181	
	MAILING ADDRESS	POSTAL CODE			
		3396 Loch Lomond Rd, Saint John, NB E2N 1B5			
	CONTRACTOR /DEVELOPER	EMAIL	PHONE		
		Residential Contractors Ltd.	Bob Landry <res.contractors@rogers.com>	(506)647-8181	
	MAILING ADDRESS	POSTAL CODE			
	3396 Loch Lomond Rd, Saint John, NB E2N 1B5				
	OWNER	EMAIL	PHONE		
	616813 N. B. Ltd.		(506)657-8463		
	MAILING ADDRESS	POSTAL CODE			
	1350 Hickey Rd, Saint John, NB E2J 5C9				
PRESENT USE: Commercial Meat and Produce Sales PROPOSED USE: Commercial Meat and Produce Sales					
CHECK ALL THAT APPLY	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 type="checkbox"/> PAC APPLICATION	<input type="checkbox"/> DRAINAGE	<input type="checkbox"/> HERITAGE INFILL
	<input type="checkbox"/> DECK	<input type="checkbox"/> DEMOLITION	<input checked="" 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		
DESCRIPTION OF WORK	This application is for the purposes of proposing amendments under Section 59 of the Community Planning Act to a Section 39 agreement established by Common Council on March 1, 2004.				

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
 8th Floor - 15 Market Square
 Saint John, NB E2L 1E8
 (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.

Residential Contractors - Bob Landry 616813 N. B. Ltd.
 on behalf of 616813 N. B. Ltd. - Sean Fillmore

Applicant Name	Owner / Authorization
Applicant Signature	Owners Signature
November 26, 2018	November 26, 2018
Date	Date



Residential Contractors Ltd.
3396 Loch Lomond Road,
Saint John, N.B.
E2N 1B5

Office: 696-8521
Fax: 696-8520

res.contractors@rogers.com

November 26, 2018

Mr. Mark Reade, MCIP
Growth & Development Services
City of Saint John
10th Floor, City Hall
Saint John, NB

Re: Application to Amend Existing Section 39 Conditions (Section 59 Amendment),

Dear Mark,

Please find enclosed the following for the above noted Section 39 conditions application:

- General Application Form and Council Application Form;
- Our clients cheque in the amount of \$2500 for the application fee;
- Copy of Preliminary Site Plan (3) showing existing conditions;
- Copy of Preliminary Site Plan (3) showing proposed site conditions.

Details of the proposal are outlined in the application. Once you have reviewed the enclosed material if you have any questions, please do not hesitate to contact me. A digital submission to Onestop has been forwarded by Hughes Surveys & Consultants Ltd. at our request.

We trust this application will help move the process of obtaining a building permit forward without delay. Please advise as to who we should meet with to discuss how this will impact our schedule. I can be reached at 506-647-8181 anytime.

Yours truly,

Residential Contractors Ltd.


Robert (Bob) Landry

CIVIC ADDRESS	1350 Hickey Road	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 checked="" type="checkbox"/> Section 59 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.

Amend Section 39 conditions for PID 00313072 Under Section 39 of the revised Community Planning Act

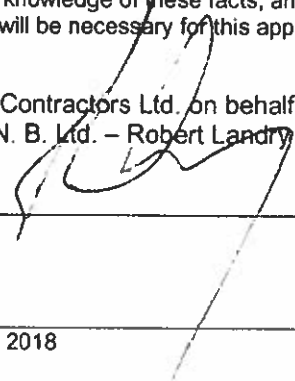
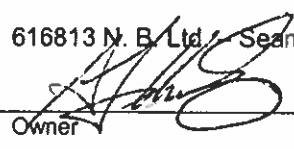
See attached page for details.

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

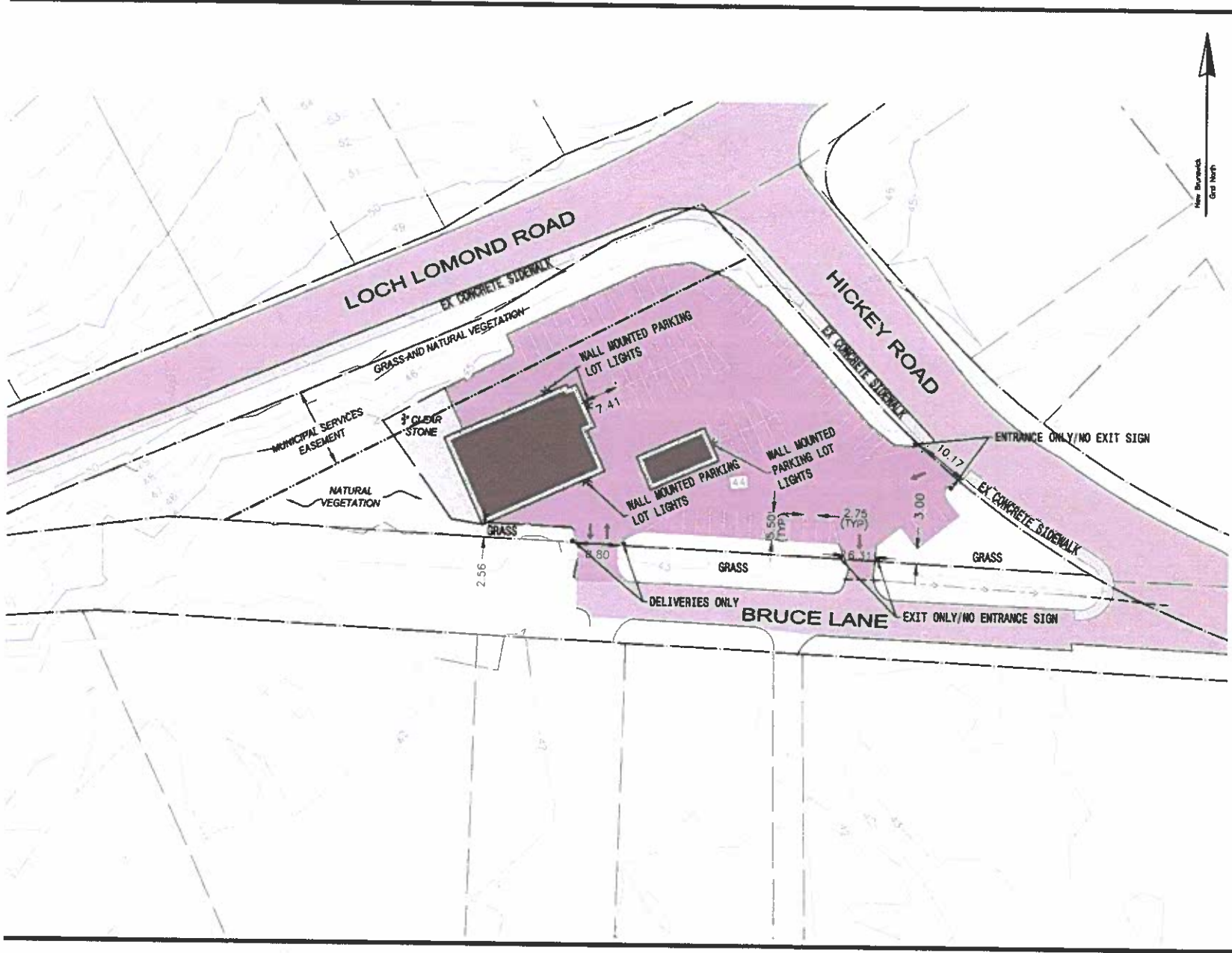
An Easement for Municipal Services exists along the Loch Lomond Road frontage. We are not aware of any other encumbrances affecting the property.

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.

Residential Contractors Ltd. on behalf of 616813 N. B. Ltd. – Robert Landry	616813 N. B. Ltd. – Sean Fillmore
	
_____ Authorized Agent	_____ Owner
_____ Date November 26, 2018	_____ Date November 26, 2018

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.



0	ISSUED FOR APPROVAL	29-NOV 2018	JLP
No.	Revisions	Date	By



Hughes Surveys & Consultants Inc.
(SINCE 1988)
 325 Ossa Blvd
 St. John's, NL
 A1B 1X9

Tel: (709) 534-1717
 Fax: (709) 534-6799
 eMail: info@hugheseng.com

Project Title
PROPOSED DEVELOPMENT

ON THE VINE PROPERTY
 1350 HICKEY ROAD

Drawing Title
SITE PLAN
 PROPOSED CONDITIONS

CADD By JLP	CHK'd by RET	Scale HORZ. 1:750
Project No. Y18172-	Phase	Revision 0
		Sheet 2

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No.	Revisions	Date	By



Hughes Surveys & Consultants Inc.
(2005) 2005 hughes.com
 575 Cross Street
 Saint John, NB
 CA 5B9
 Tel : (506) 634-1717
 Fax : (506) 634-0799
 Email : info@hughes.com

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Drawing Title
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Project No. Y18172-	Phase	Revision 0	Sheet 1
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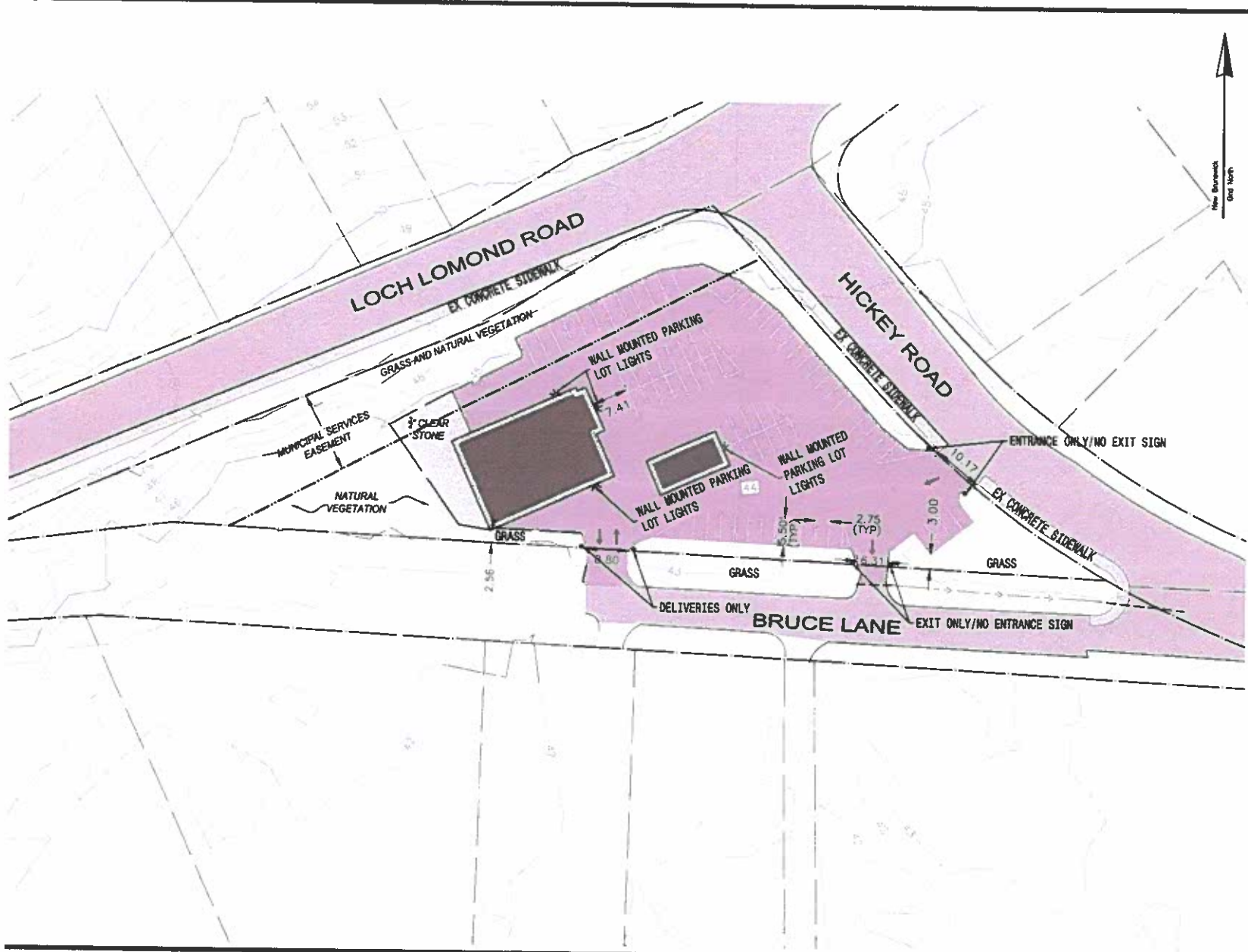
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HUGHES
SURVEYORS - ENGINEERS

Hughes Surveys & Consultants Inc.
(SINCE 1984)

525 Orono Street Tel: (506) 694-1717
 Saint John, NB Fax: (506) 694-6788
 E2L 0B9 eMail: info@hugheseng.com

Project Title	
PROPOSED DEVELOPMENT	
ON THE VINE PROPERTY 1350 HICKEY ROAD	
Drawing Title	
SITE PLAN	
PROPOSED CONDITIONS	

CADD By JLP	Chkd by RET	Scale HORZ. 1:750	
Project No. Y18172-	Phase	Revision 0	Sheet 2

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HUGHES
SURVEYORS - ENGINEERS
Hughes Surveys & Consultants Inc.
(NSICPE www.hugheseng.com)
575 Cross Street
2nd Fl. • RR
CL 3B2
Tel : (506) 361-7777
Fax : (506) 361-8788
cell : (506) 361-7777

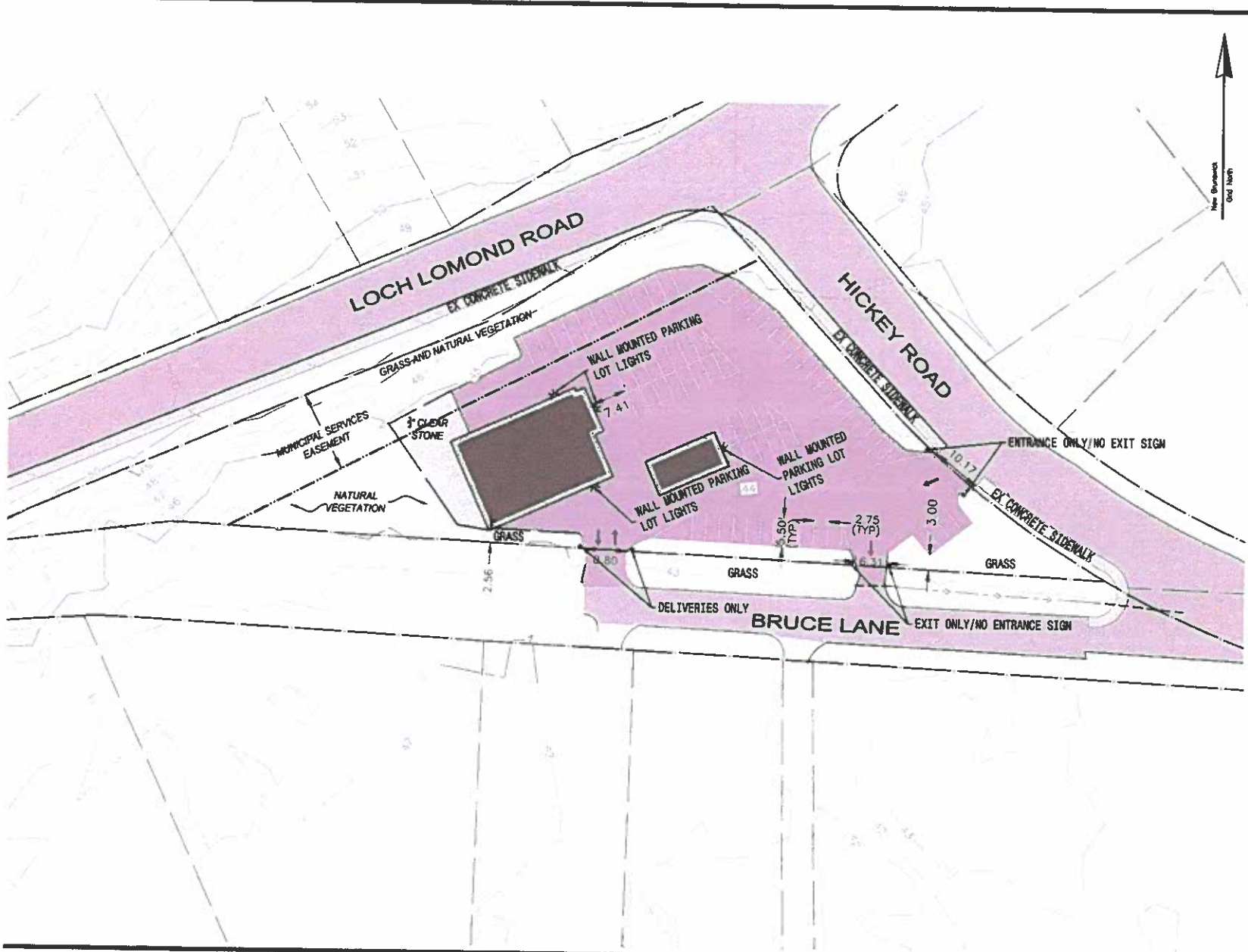
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PROPOSED DEVELOPMENT

ON THE VINE PROPERTY
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Drawing Title
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No.	Revisions	Date	By



Hughes Surveys & Consultants Inc.
(2025) www.hughesinc.com
 525 Omsa Street
 State College, PA 16801
 CB, PA
 Tel: 814-334-1777
 Fax: 814-334-0200
 Email: info@hughesinc.com

Project Title
PROPOSED DEVELOPMENT

ON THE VINE PROPERTY
 1350 HICKEY ROAD


Drawing Title
SITE PLAN
 PROPOSED CONDITIONS

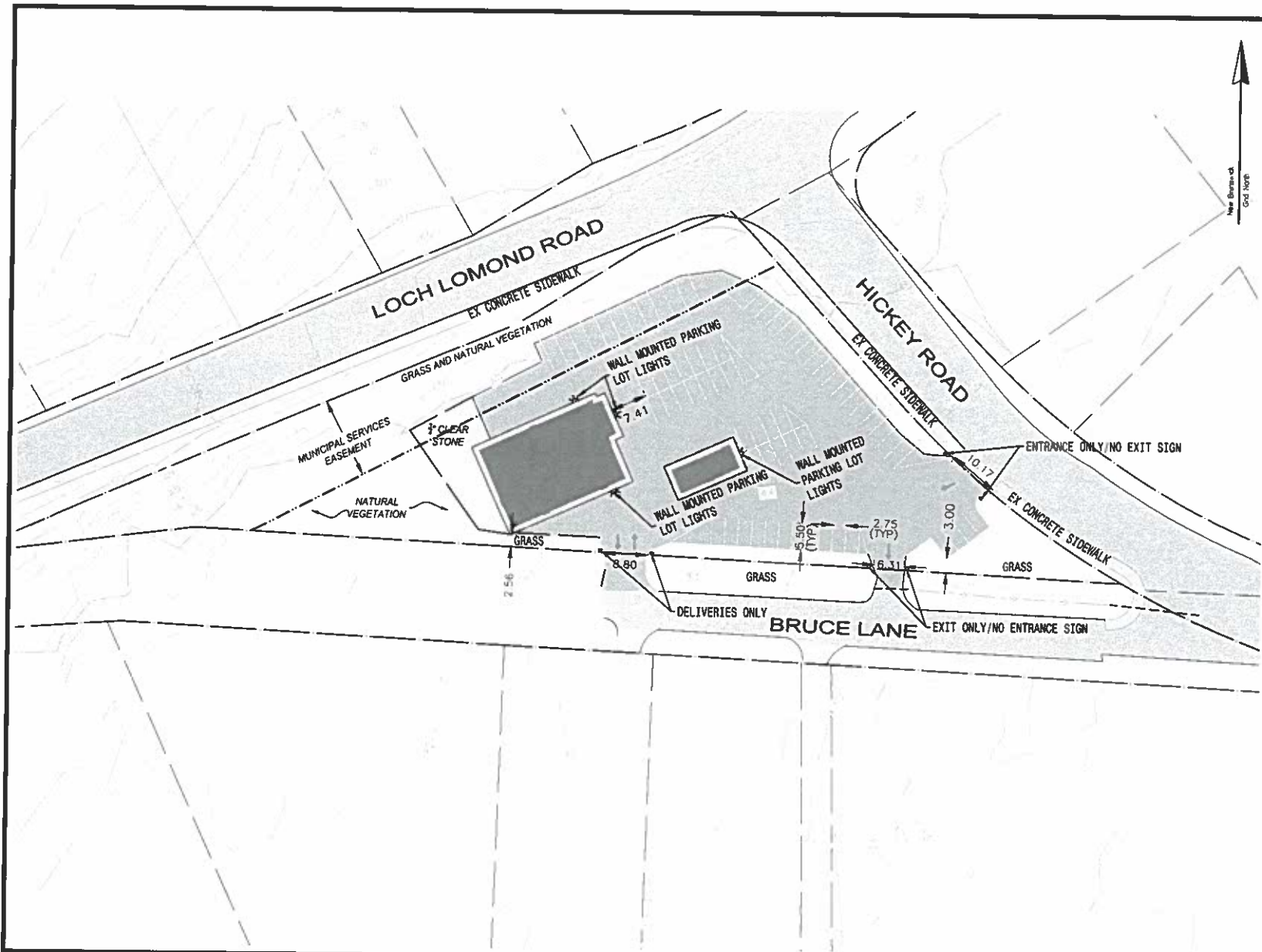
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Project No. Y18172-	Phase	Revision 0	Sheet 2
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0 ISSUED FOR APPROVAL		28-NOV 2018	JLP
No.	Revisions	Date	By
 HUGHES SURVEYORS - ENGINEERS			
Hughes Surveys & Consultants Inc. <small>(NSERC: 666666666666666666)</small>			
<small>575 Owen Street Suite 200, W ON, M2H</small>		<small>Tel: (905) 634-1717 Fax: (905) 634-8728 Web: Web@hughesengineers.com</small>	
Project Title			
PROPOSED DEVELOPMENT ON THE VINE PROPERTY 1350 HICKEY ROAD			
Drawing Title			
SITE PLAN EXISTING CONDITIONS			
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JLP	RET	HORZ. 1:750	
Project No.	Phase	Revision	Sheet
Y18172-		0	1



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No.	Revisions	Date	By



Hughes Surveys & Consultants Inc.
(HUSSE, www.hughesinc.com)
 575 Crown Street
 Suite 404 - 101
 Et. 303
 Tel: (508)334-1717
 Fax: (508)334-0729
 Email: info@hughesinc.com

Project Title
PROPOSED DEVELOPMENT
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Drawing Title
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Project No. Y18172-	Phase	Revision 0
		Sheet 2



PROPOSED SECTION 59 AMENDMENT RE: 1350 HICKEY ROAD

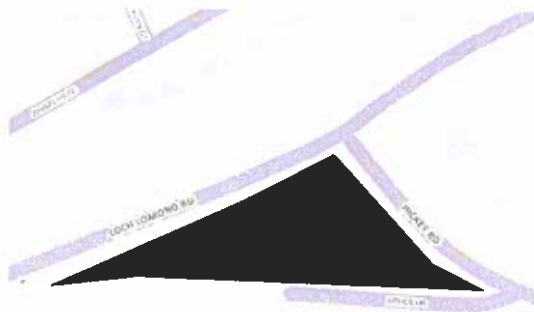
21-Dec-2018

PROPOSED SECTION 59 AMENDMENT

RE: 1350 HICKEY ROAD

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 Ludlow Room, City Hall, on Monday, January 28, 2019 at 6:30 p.m., by:

Amending the Section 39 conditions imposed on the March 22, 2004 rezoning of the property located at 1350 Hickey Road, also identified as PID No. 00313072.



REASON FOR CHANGE:

To amend existing Section 39 conditions as part of the redevelopment of the site.

The proposed amendment may be inspected by any interested person at the office of the Common Clerk, or in the office of Growth and Community Development 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. Written objections to the amendment may be sent to the undersigned at City Hall.



Media
Inquiries



3700 King William Road

Presentation to Common Council

January 28, 2019



Growth & Community Planning Team
Growth & Community Development Services



Proposal

- To rezone property to Pit and Quarry (PQ Zone) from Industrial Medium (IM) Zone.
- Rezoning will facilitate restarting former Pit and Quarry operation.



Site Location



Site Aerial



Site Photos



Site access and tree buffer along King William Road



Site Photos



Existing tree buffer (east side) – King William Road

Site Photos



Existing tree buffer (west side) – King William Road



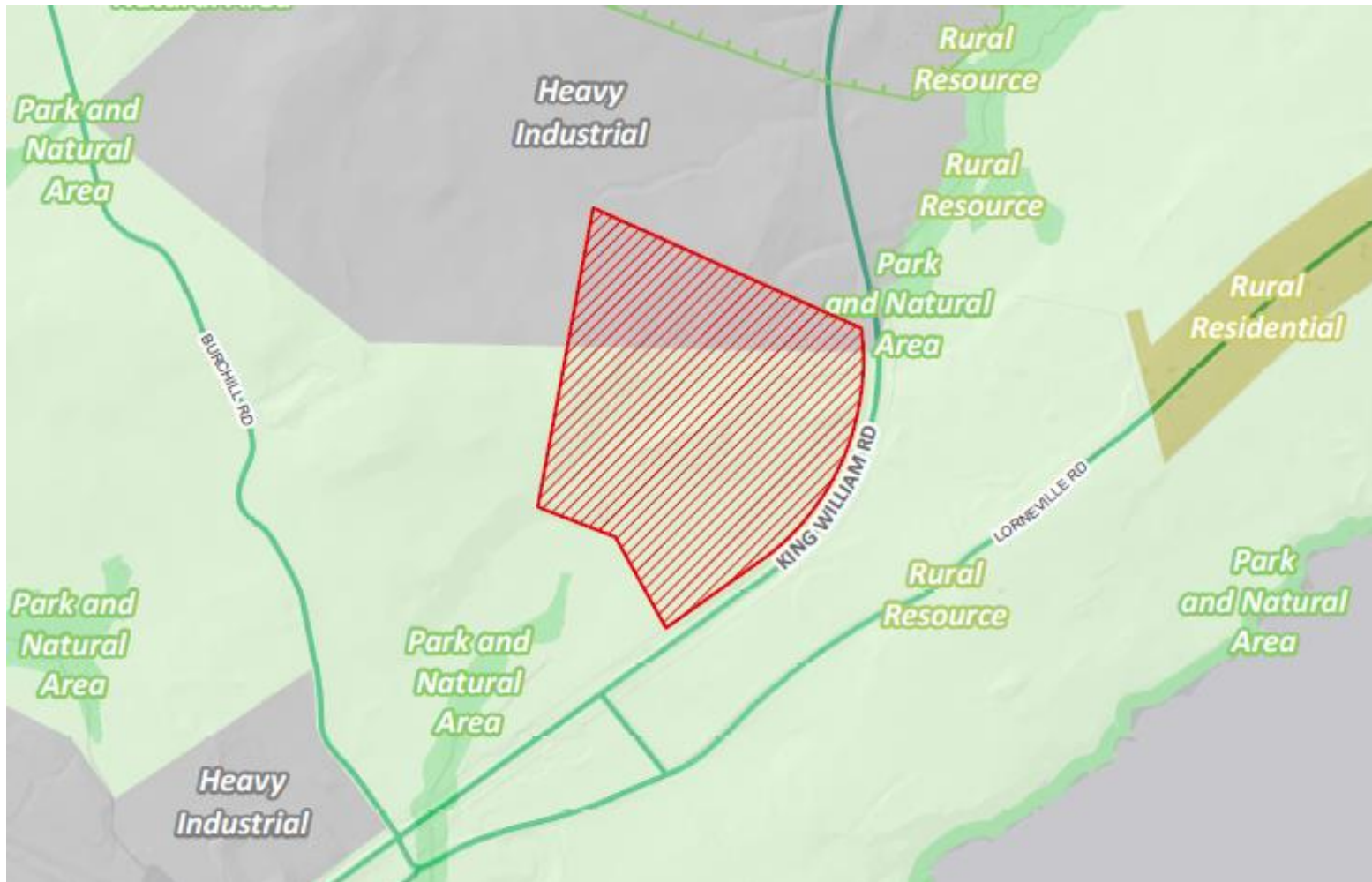
Site Photos



Existing site conditions



Future Land Use



Municipal Plan – dual designation

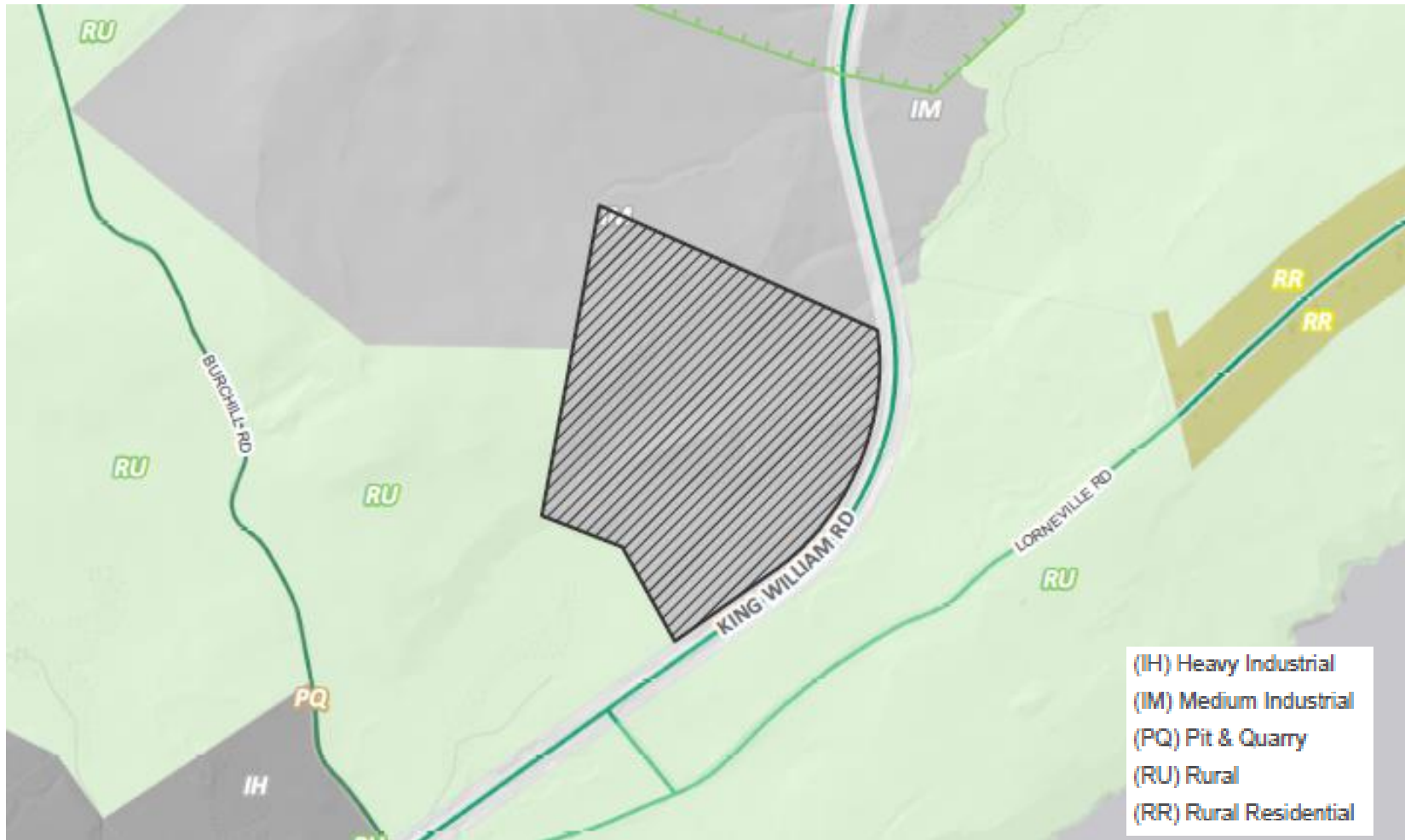
Heavy Industrial

- Contemplates major industrial uses where pollution, visual appearance and disturbance may occur.
- Pit and Quarry activities create noise, visual disturbance and many similar impacts as heavy industrial.
- Plan silent on Pits and Quarry in this designation – similar; reasonable to rezone site.

Rural Resource

- Policy LU-96 outlines requirements to consider rezoning to PQ Zone (see page 3 of staff report).
- Proposal can generally meet these requirements with exceptions to some screening requirements (due to previous temp approval).

Zoning



Proposed Section 59 Conditions

Stormwater Management Plan

- Stormwater Management Plan will be required prior to commencing any Pit or Quarry use to ensure no stormwater impacts adjacent parcels.

Screening

- Existing tree buffer/screen with natural features along King William Road – retain existing extent of this buffer; document and prevent further reduction. If any reduction occurs; it must be replanted to meet Zoning By-law (full 30m width and 4m in height).
- Ensures screening to residential to the east is maintained.
- Applicant has provided plans to replant tree buffer along all other property lines (see PAC package).

Staff Recommendation

Staff recommends that the Planning Advisory Committee recommend to Common Council that:

1. Common Council rezone 31.1ha of land at 3700 King William Road (PID 55218754) from Industrial Medium (IM) Zone to Pit and Quarry (PQ) Zone; and
2. Pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the proposed conditions contained on Page 2 of the Staff report with this rezoning.



Community Engagement

- The applicant stated they were in agreement with staff's recommendations.
- No one presented for or against the proposed rezoning.
- Letters distributed to neighbours within 100m on January 4, 2019.
- Advertised on City website on December 21, 2018 – no letters received and no members of public attended the Planning Advisory Committee meeting.



PAC Recommendation

Planning Advisory Committee recommends:

1. Common Council rezone 31.1ha of land at 3700 King William Road (PID 55218754) from Industrial Medium (IM) Zone to Pit and Quarry (PQ) Zone; and
2. Pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the proposed conditions contained on Page 2 of the Staff report with this rezoning.



PLANNING ADVISORY COMMITTEE



The City of Saint John

January 15, 2019

His Worship Mayor Don Darling and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Rezoning
3700 King William Road**

On December 17, 2018 Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its January 15, 2019 meeting.

Stephen Perry of Brunswick Engineering appeared before the Committee on behalf of the property owner, Simpco Development Ltd. Mr. Perry was in agreement with the staff recommendation. No other persons appeared before the Committee regarding the application and no letters were received regarding the application.

The Committee noted the applicant's intention to replant the required tree buffer along the north, west and south property lines but also suggested examining on each permit review the amount of regrowth, as the natural regrowth of trees may outgrow and damage potentially damaging new trees planted for the buffer.

The Committee was concerned about the potential level of truck traffic the pit and quarry operation would generate and appreciated Mr. Perry's explanation that at peak operation the operation would have likely 50 trucks per day going to and from the site. He also noted that given the industrial nature of the area, King William Road should be able to handle this traffic without creating a capacity concern.

The Committee also reminded the applicant of the importance of obtaining all appropriate permits from the Province related to watercourses and environmental protection.

RECOMMENDATION:

1. That Common Council rezone a 31.1 hectare parcel of land located at 3700 King William Road, also identified as PID No. 55218754, from Medium Industrial (IM) Zone to Pit and Quarry (PQ) Zone.
2. That, pursuant to the provisions of Section 59 of the *Community Planning Act*, the use of the parcel of land with an area of 31.1 hectares, located at 3700 King William Road, also identified as PID No. 55218754, for the use of a Pit and for the use of a Quarry, be subject to the following conditions:
 - a. An engineered storm drainage submission must be provided for excavation and rehabilitation activities. No storm drainage to the roadway or adjacent lands is allowed.
 - b. Notwithstanding the provisions of 12.4 (6) (a) of the Zoning By-law, the existing treed buffer along the portions of the property along King William Road shall be maintained. If the existing treed buffer along King William Road is damaged or further reduced, the owner must replant the buffer to meet the requirements of 12.4 (6) (a) of the Zoning By-law.

Respectfully submitted,



Eric Falkjar
Chair

Attachments



The City of Saint John

Date: January 11, 2019
To: Planning Advisory Committee
From: Growth & Community Planning
Growth & Community Development Services
For: **Meeting of Tuesday, January 15, 2019**

SUBJECT

Applicant: F. Andrew Simpson Contracting Limited
Owner: Simpco Development Ltd.
Location: 3700 King William Road
PID: 55218754
Plan Designation: Heavy Industrial and Rural Resource
Existing Zoning: Medium Industrial (IM)
Proposed Zoning: **Pit and Quarry (PQ)**
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 recommendation at a public hearing on **Monday, January 28, 2019.**

SUMMARY

F. Andrew Simpson Contracting Limited (Applicant) has submitted an application on behalf of Simpco Development Ltd. (Owner), which is seeking to rezone the site (PID 55218754) located at 3700 King William Road from Medium Industrial (IM) Zone to a Pit and Quarry (PQ) Zone. The Applicant is proposing to undertake a pit and quarry operation.

RECOMMENDATION

1. That Common Council rezone a 31.1 hectare parcel of land located at 3700 King William Road, also identified as PID No. 55218754, from Medium Industrial (IM) Zone to Pit and Quarry (PQ) Zone.
2. That, pursuant to the provisions of Section 59 of the *Community Planning Act*, the use of the parcel of land with an area of 31.1 hectares, located at 3700 King William Road, also identified as PID No. 55218754, for the use of a Pit and for the use of a Quarry, be subject to the following conditions:
 - a. An engineered storm drainage submission must be provided for excavation and rehabilitation activities. No storm drainage to the roadway or adjacent lands is allowed.
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DECISION HISTORY

On July 13, 2010, the Planning Advisory Committee granted a conditional use approval for temporary excavation for up to five years to prepare the site for future industrial development on the subject site. This application made no provision for treed buffers along the north, south and western edges of the site.

ANALYSIS

Proposal

The applicant is seeking to rezone the subject property at 3700 King William Road from Medium Industrial (IM) Zone to a Pit and Quarry (PQ) Zone in order to allow for the operation of a pit and quarry on the subject property.

Site and Neighbourhood

The subject site is approximately 31 hectares and was previously used as a pit and quarry. The site is located north east of the Coleson Cove Generating Station and south west of the Community of Lorneville. The surrounding development is generally undeveloped land with a former quarry to the east. The closest residential development is located to the east along Lorneville Road and is approximately 550 metres (0.5 km) from the subject site.

The site is located just outside of the Primary Development Area (PDA), with the boundary being located approximately 470 metres north along King William Road.

Municipal Plan and Rezoning

The Municipal Plan future land use map indicates the site has two designations: Heavy Industrial and Rural Resource. A small part of the north east corner of the site is within the Heavy Industrial Designation while the remainder is the Rural Resource designation.

The Heavy Industrial Designation of the Municipal Plan is silent regarding the operation of a Pit or Quarry. The Plan recognizes that Heavy Industrial Lands tend to contain "...industrial operations which may have a significant detrimental effect on the safety, use, amenity or enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods"¹. These typically are things such as refineries, major manufacturing facilities and other similar significant industrial manufacturing, operations or processing.

From a sound planning perspective, a Pit or Quarry operation is very similar to these types of heavy industrial uses since noise, vibration and appearance may impact adjacent development. From this perspective the proposed rezoning is reasonable for the Heavy Industrial designation portion of the site. The remaining area of the site is subject to the Rural Resource Designation. Policy LU-96 provides specific guidelines for the consideration of a rezoning to the Pit and Quarry (PQ) zone:

Municipal Plan – Policy LU-96	
Guideline	Response
Compatibility with and/or minimal impact on existing adjacent land uses.	Operations will have minimal impact to adjacent uses as the lands are either in a natural state or of an industrial nature. The site is more than the minimum required distance from residential development.
An appropriate location and acceptable hours of operation.	The proposal is appropriately located and exceeds the minimum setback requirements for both Pit and Quarry Uses. Hours of operation are limited from 7:00 a.m. to 8:00 p.m. as per the PQ Zoning standards.

¹ Policy LU-76 of the Municipal Plan.

A stormwater management plan.	A stormwater drainage submission will be required through a Section 59 condition before a Development Permit is issued. The applicant will also be required to obtain all proper Provincial Permitting related to potential impacts to disturbances within 30 metres of a regulated watercourse.
Incorporation of site development measures which will assist in the control of smoke, dust, odour, toxic materials, vibration and noise.	These measures will be incorporated into plans which form part of a Development Permit and must be followed once issued.
Compliance with required setback, yard and separation distances from existing roads or uses.	The proposal is able to meet and exceed all setback requirements of the PQ Zone which is outlined on page 5 of this report.
The provision of visual screening.	The site currently would be unable to meet screening requirements. However the applicant has proposed to replant screening along certain property lines and retain the existing tree buffer along King William Road; which Staff deems sufficient provided no further removal occurs. Discussion of this is found on page 6 of the report.
Acceptable location for buildings and equipment.	The proposal can meet the requirements of the PQ Zone.
Inclusion of necessary safety and protective measures.	The operator of the proposed Pit and Quarry uses is required to adhere to all appropriate Provincial and Federal workplace regulations and Laws. Access to the site is limited by a gate.
Acceptable location of entrances and exits, and the designation of acceptable hauling routes.	All access to the site will be from the existing access onto King William Road
Demonstrated compliance with signage and landscaping provisions.	The proposal is capable of meeting the signage and landscaping provisions of the Zoning By-Law (with the exception of the screening provisions noted above).
Measures to ensure future rehabilitation of the site.	The operator will be required to post a security as per the rules of the PQ Zone prior to ensure the City is protected against failure to comply with the PQ Zone requirements for rehabilitation of the site.

Zoning Review

The Pit and Quarry (PQ) Zone provides rules for the operation of Pit and Quarry uses which include (but is not limited to):

- hours of operation;
- maximum size of a pit (5 hectares);
- setback requirements to other zones or uses of land (such as residential uses or residentially zoned properties);
- site rehabilitation;
- screening of sensitive uses; and
- enforcement powers to ensure compliance with Zoning rules.

Should Common Council approve the proposed Rezoning; the applicant will be required to submit a Development Permit application which will be subject to all of the rules of the PQ Zone. A future application to approve the Pit and Quarry operation will be required; which will include a site plan showing the exact operational plan – which must be followed as part of the yearly excavation approval.

Setbacks

The PQ Zone requires differing setback requirements for both a Pit and a Quarry. Since both uses will operate on this site, both sets of requirements have been reviewed and in both cases, these setbacks are more than exceeded:

	Minimum distance from a Quarry	Minimum distance from a Pit	Distance provided
Public Water Supply	600 metres	150 metres	Greater than 600 metres
Residentially zoned lot or dwelling present at the time of the application to rezone for a pit or quarry	200 metres	150 metres	525 metres
Public Street	30 metres	30 metres	105 metres
Lot line of the excavation site	30 metres	30 metres	Greater than 30 metres
Other zones	50 metres	30 metres	Greater than 50 metres

Screening

Screening of uses is a typical method in a Zoning By-law to help reduce the impact of one use from another – particularly if there may be the potential of negative effects such as dust, noise of appearance.

The PQ Zone requires that a treed buffer of a minimum of thirty metres in depth and a minimum of four metres height or a topographic feature of a minimum of four metres in height be provided around the site excavation site with the exception of an area of approved access. If trees are not planted, the applicant is be required to construct a landscaped berm of at least 4 metres in height to visually screen the excavation site and associated activities.

In reviewing the 2010 approval; the previous Pit and Quarry was allowed to clear cut to the property lines along the north, west and south. Along King William Road some vegetative screening and a high rockface are present.

The applicant has agreed to replant the required screening along the north, west and south property lines, which will comply with Zoning By-law standards. The applicant has requested that the existing treed screening and topographic features along King William Road be retained as screening to the residential development to the east. Staff is supportive of this approach as it will restore the required vegetation and the existing screening along King William Road (in addition to distance) should be more than sufficient to screen the use from nearby residential (over 500m away).

Staff is proposing a screening condition that will require the existing treed buffer along King William Road to be maintained (thus preventing further loss of this buffer from occurring). A site plan indicating these conditions are to be met will be necessary for the future pit and quarry permit application.

Access

Existing access is from King William Road and shown on the plans submitted for this Rezoning application. No additional access points will be allowed from King William Road. The PQ Zone requires that the access driveway be paved for the first thirty metres from the intersection with a public street (section 12.4 (4) (a)).

Conclusion

The proposed rezoning can be supported as it meets the intent of the policies contained in both the Rural Resource and Heavy Industrial designations of the Municipal Plan. The proposal can generally meet the Zone Standards of the PQ Zone (with the exception of some screening requirements which are addressed with Section 59 conditions). The PQ Zone provides sufficient rules and standards to limit the impacts of the proposal and ensure compliance with applicable Municipal and Provincial regulations and ensure rehabilitation of the lands will occur.

ALTERNATIVES AND OTHER CONSIDERATIONS

Alternatives

No alternatives considered.

Other Considerations

As part of the 2016-2022 term of Common Council, four key priorities have been identified:

1. Growth & Prosperity;
2. Vibrant and Safe City;
3. Valued Service Delivery; and
4. Fiscal Responsibility.

These priorities, although not Planning Policies, are considerations of this application. This application would help fulfill Council's priority of Growth & Prosperity by allowing development that would support creation of a competitive business environment (encouraging investment), retention and creation of job opportunities in Saint John.

ENGAGEMENT

Public

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 January 4, 2019. The public hearing for the rezoning was advertised on the City's website on December 21, 2018.

SIGNATURES AND CONTACT

Prepared:



Kenneth Melanson, BA, RPP, MCIP
Manager, Community Planning

Reviewed:



Mark Reade, P.Eng., MCIP, RPP
Senior Planner

Approved:



Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Kenneth Melanson
Phone: (506) 721-8694
E-mail: ken.melanson@saintjohn.ca
Project: 18-253

APPENDIX

Map 1: **Site Location**

Map 2: **Municipal Plan**

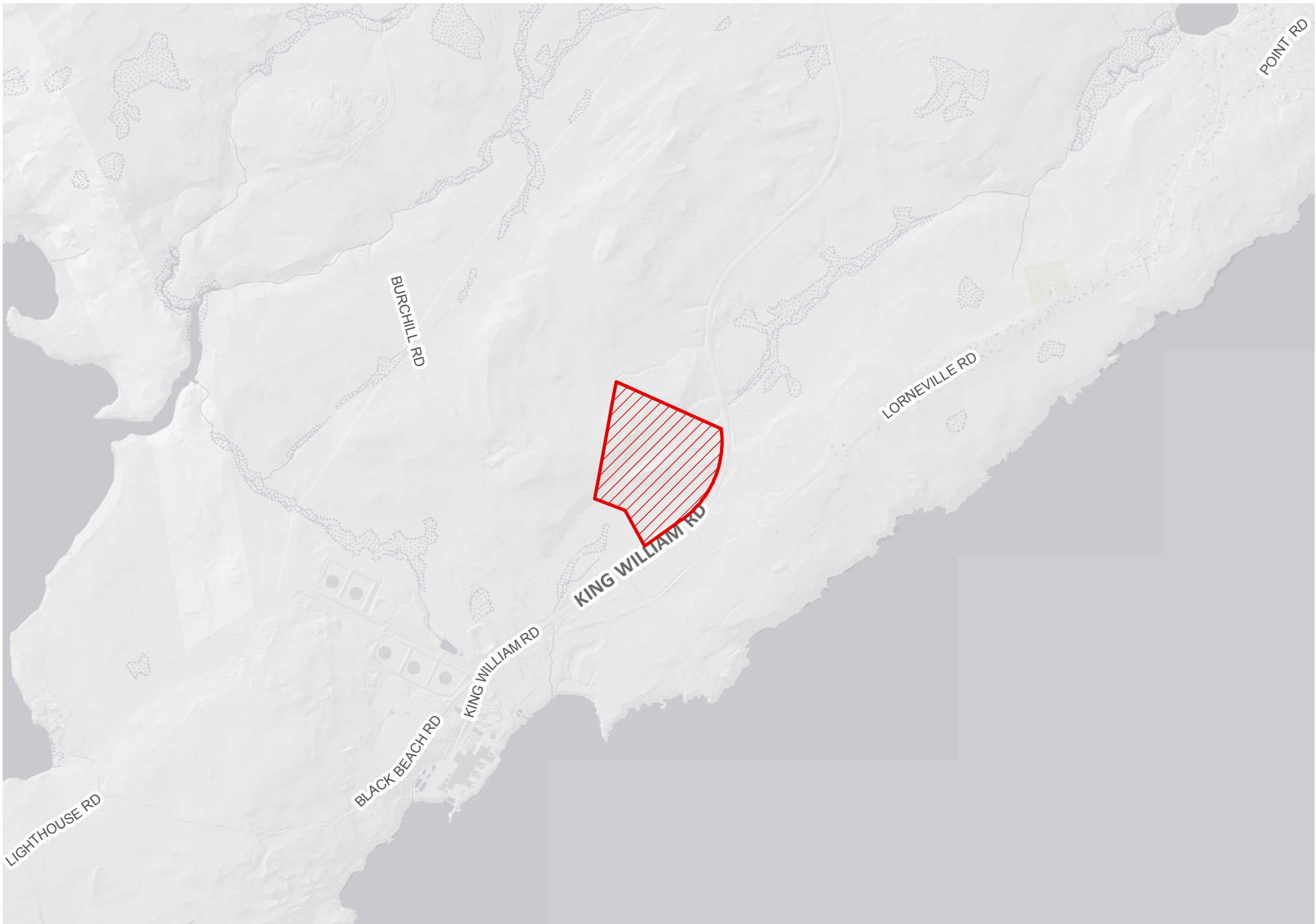
Map 3: **Zoning**

Map 4: **Aerial Photography**

Map 5: **Site Photography**

Map 6: **Lidar Map**

Submission 1: **Site Plan**



Map 1 - Site Location

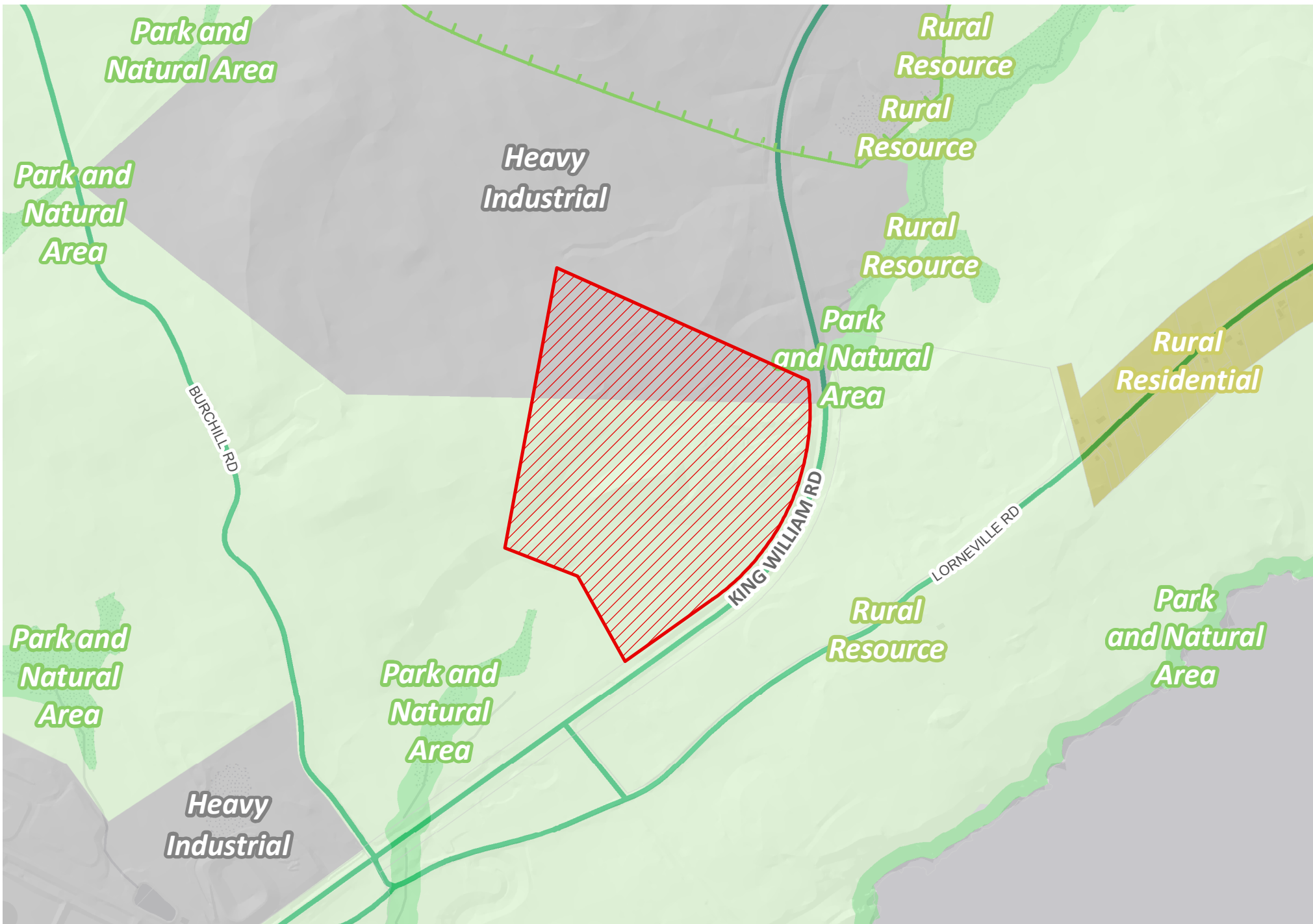
F. Andrew Simpson Contracting Limited - 3700 King William Road

144

The City of Saint John
Date: January-08-19

0 600

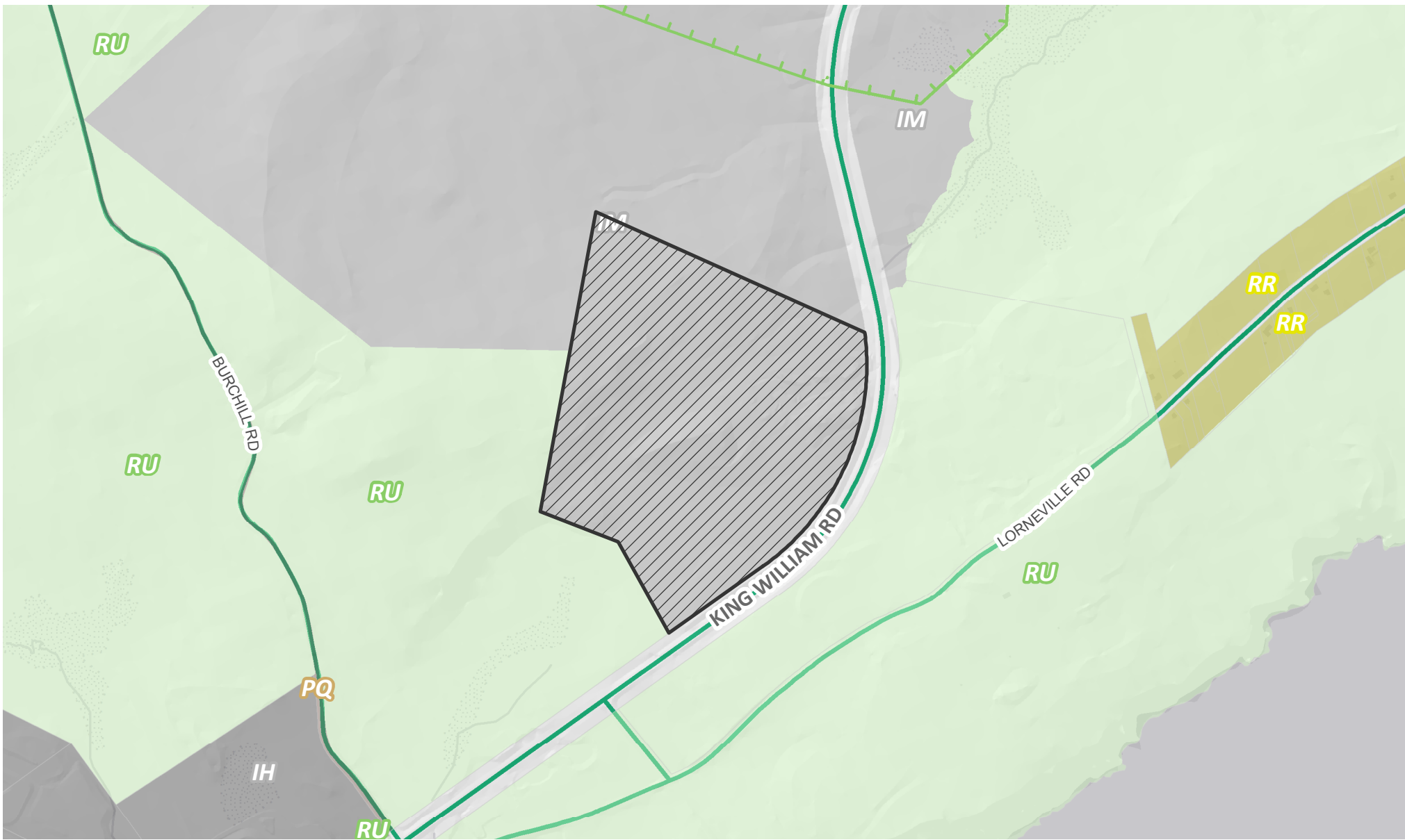




Map 2 - Future Land Use

F. Andrew Simpson Contracting Limited - 3700 King William Road





- (IH) Heavy Industrial
- (IM) Medium Industrial
- (PQ) Pit & Quarry
- (RU) Rural
- (RR) Rural Residential

★ Section 39 Conditions

Map 3 - Zoning

F. Andrew Simpson Contracting Limited - 3700 King William Road

146

The City of Saint John
Date: January-08-19

0 150 m





Map 4 - Aerial Photography

F. Andrew Simpson Contracting Limited - 3700 King William Road

147

The City of Saint John
Date: January 08-19

0 275 m





Site access & tree buffer from King William Road



Existing tree buffer along King William Road



Tree buffer west side King William Road



Tree buffer on east side King William Road

Map 5 - Site Photography

F. Andrew Simpson Contracting Limited - 3700 King William Road





Map 6 - LiDAR Hillshade (50 cm)

F. Andrew Simpson Contracting Limited - 3700 King William Road

149

The City of Saint John
Date: January-08-19

0 100 m





FUTURE SITE CONTOURS FOR SOIL EXCAVATION
 FUTURE SITE WILL HAVE MAX SLOPE OF 2:1
 FUTURE TOP OF SLOPE WILL BLEND WITH EXISTING GRADE

FUTURE SITE CONTOURS FOR ROCK EXCAVATION
 FUTURE SITE WILL HAVE MAX SLOPE OF 2:1
 FUTURE TOP OF SLOPE WILL BLEND WITH EXISTING GRADE

PID 55218754
 BOUNDARY

PROPOSED STORM WATER DRAINAGE
 DITCH AT MINIMUM 1% SLOPE

ELEVATIONS OF ORIGINAL GROUND (m)

EXISTING NATURAL TREED BUFFER

STORAGE OF TOP SOIL / ORGANICS
 TO BE USED FOR REHABILITATION

CURRENT SOIL FACE

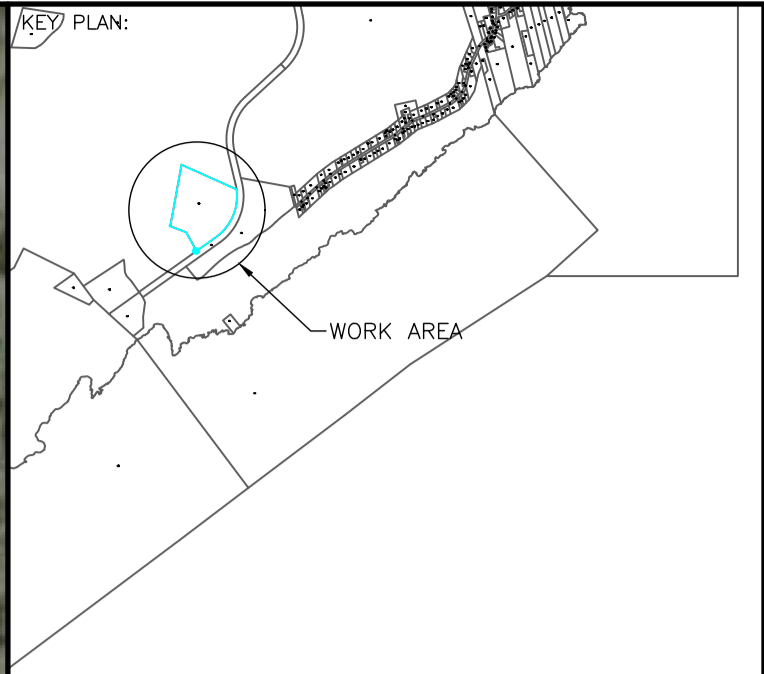
CURRENT ROCK FACE

GATE AT SITE ENTRANCE

SIGN AT ENTRANCE OF SITE
 APPROXIMATELY 1' x 1'

30m BUFFER ZONE

KING WILLIAM ROAD



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 CONSULTING INC. SEE SHEET ## FOR CONSTRUCTION NOTES AND DETAILS.

REVISION:	

STATUS	

NO.	DATE (YYYY/MM/DD)	DESCRIPTION
0	2018/11/27	SUBMISSION TO CLIENT

CLIENT:
SIMPCO DEVELOPMENT LTD

CLIENT REF. #: 2230
 PROJECT:

**ZONING BY-LAW
 AMENDMENT APPLICATION**
 3700 KING WILLIAM ROAD

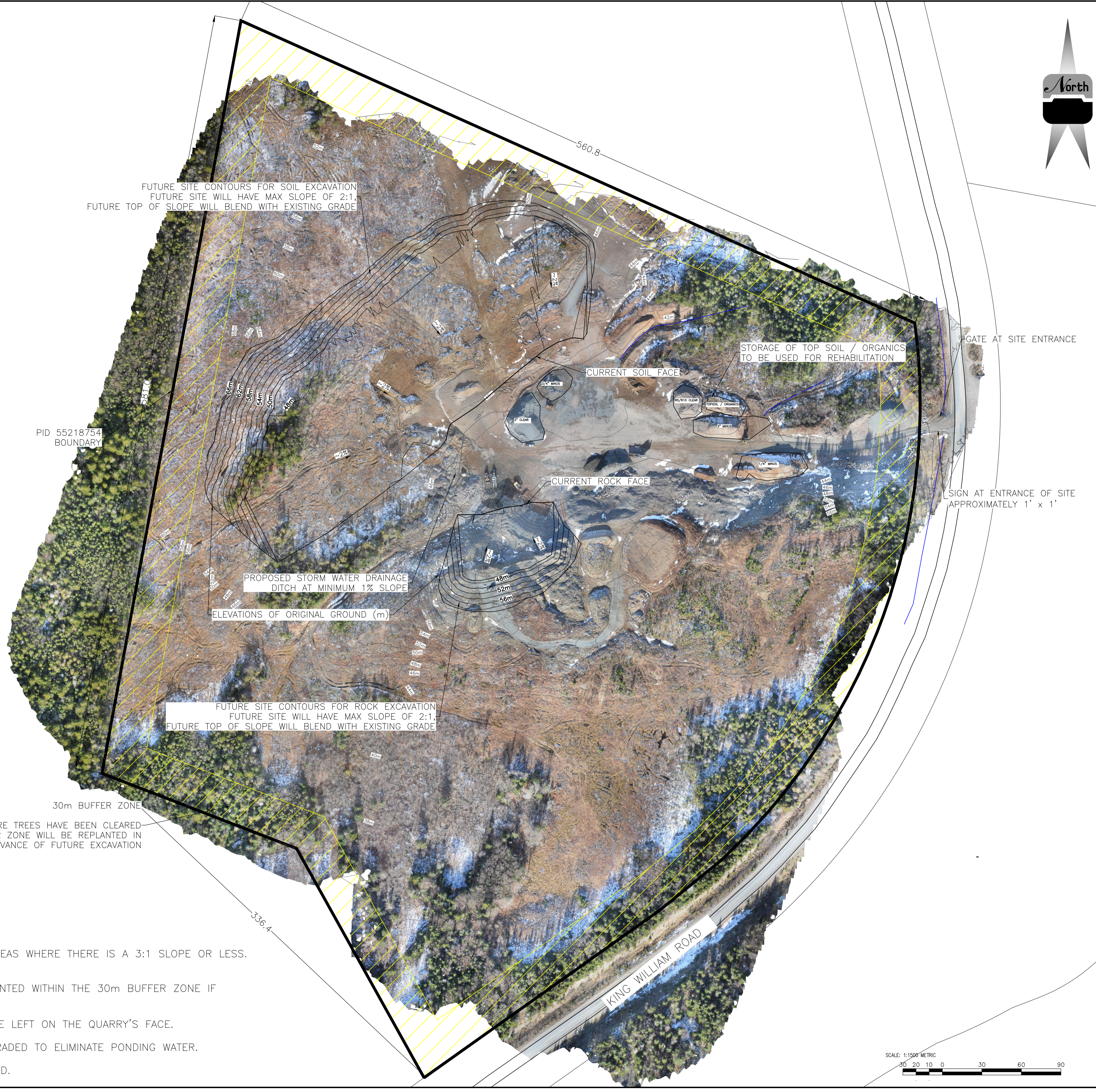
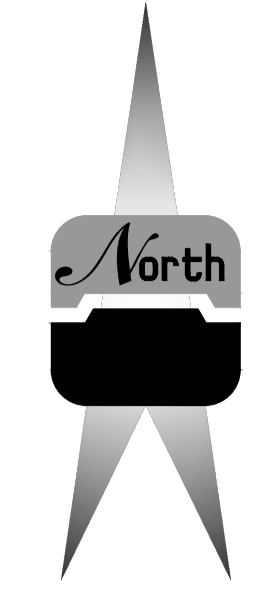
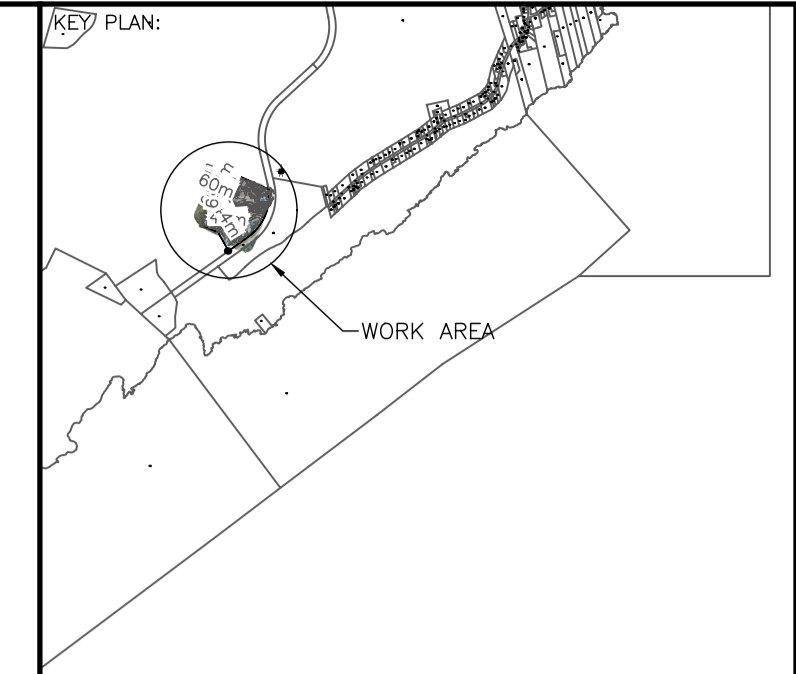
TITLE:
**FUTURE SITE PLAN AND
 RECLAMATION PLAN**



DESIGNED BY:	DRAWN BY:	CHECKED BY:
AWJB	BLH	SRP
PROJECT NO: 2230.01	DATE: (YYYY/MM/DD) 2018/11/19	IF THIS BAR IS NOT 25mm LONG, ADJUST YOUR PLOTTING SCALE.
ORIGINAL SCALE: HORIZONTAL: 1:1500	VERTICAL: N/A	25mm

SHEET NUMBER:	3
SHEET #:	3 OF 3

- GENERAL NOTES:
- TOPSOIL WILL BE PLACED ON AREAS WHERE THERE IS A 3:1 SLOPE OR LESS.
 - CONIFEROUS TREES WILL BE PLANTED WITHIN THE 30m BUFFER ZONE IF NECESSARY.
 - NO OVERHANGING ROCKS WILL BE LEFT ON THE QUARRY'S FACE.
 - ANY FLAT AREAS WILL BE RE-GRADED TO ELIMINATE PONDING WATER.
 - ALL EQUIPMENT WILL BE REMOVED.



FUTURE SITE CONTOURS FOR SOIL EXCAVATION
 FUTURE SITE WILL HAVE MAX SLOPE OF 2:1
 FUTURE TOP OF SLOPE WILL BLEND WITH EXISTING GRADE

STORAGE OF TOP SOIL / ORGANICS
 TO BE USED FOR REHABILITATION

CURRENT SOIL FACE

CURRENT ROCK FACE

PROPOSED STORM WATER DRAINAGE
 DITCH AT MINIMUM 1% SLOPE

ELEVATIONS OF ORIGINAL GROUND (m)

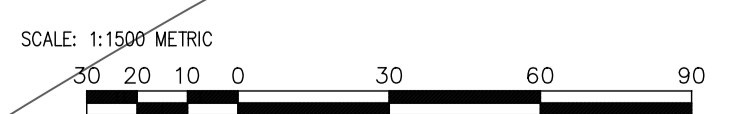
FUTURE SITE CONTOURS FOR ROCK EXCAVATION
 FUTURE SITE WILL HAVE MAX SLOPE OF 2:1
 FUTURE TOP OF SLOPE WILL BLEND WITH EXISTING GRADE

30m BUFFER ZONE

NOTE: ANY AREAS WHERE TREES HAVE BEEN CLEARED
 WITHIN 30m BUFFER ZONE WILL BE REPLANTED IN
 ADVANCE OF FUTURE EXCAVATION

GENERAL NOTES:

- TOPSOIL WILL BE PLACED ON AREAS WHERE THERE IS A 3:1 SLOPE OR LESS.
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REVISION:

0 2019/01/10 REVISED ORTHO SUBMISSION
 STATUS

1 2019/01/10 SUBMITTED FOR REVIEW

0 2018/11/27 SUBMISSION TO CLIENT

NO. (DATE YYYY/MM/DD) DESCRIPTION

CLIENT:

SIMPCO DEVELOPMENT LTD

CLIENT REF. #: 2230
 PROJECT:

**ZONING BY-LAW
 AMENDMENT APPLICATION**
 3700 KING WILLIAM ROAD

TITLE:
**FUTURE SITE PLAN AND
 RECLAMATION PLAN**



SEAL:

DESIGNED BY: AWJB	DRAWN BY: BLH	CHECKED BY: SRP
PROJECT NO: 2230.01	DATE: (YYYY/MM/DD) 2018/11/19	IF THIS BAR IS NOT 25mm LONG, ADJUST YOUR PLOTTING SCALE.
ORIGINAL SCALE: HORIZONTAL: 1:1500	VERTICAL: N/A	25mm

SHEET NUMBER:
3
 SHEET #: 3 OF 3

LOCATION	CIVIC ADDRESS :	3700 King Williams Road	PID #:	55218754	
STAFF USE	HERITAGE AREA: Y / N	INTENSIFICATION AREA: Y / N	FLOOD RISK AREA: Y / N	APPROVED GRADING PLAN: Y / N	
	APPLICATION #:	18-253	DATE RECEIVED:	Nov. 27, 2018	
APPLICANT INFORMATION	APPLICANT	EMAIL		PHONE	
	F. Andrew Simpson contracting Ltd.				
	MAILING ADDRESS	POSTAL CODE			
	CONTRACTOR	EMAIL		PHONE	
	Brunswick Engineering andrew@brunswickengineering.com 506-636-1117				
	MAILING ADDRESS	POSTAL CODE			
40 Ashburn Lake Road, Saint John, NB E2L 4E3					
OWNER	EMAIL		PHONE		
SIMPSON@NB.AIBU.COM					
MAILING ADDRESS	POSTAL CODE				
PRESENT USE: <u>garage</u> PROPOSED USE: <u>garage</u>					
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 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 checked="" 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 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	Rezoning of parcel from Medium Industrial				
	to P+ant Quarry (PQ).				

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

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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
 8th Floor - 13 Market Square
 Saint John, NB E2L 1E8
 (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.

Luke Simpson
 Applicant Name

 Applicant Signature
Nov 27 / 2018
 Date

CIVIC ADDRESS	3700 King Williams 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 39 Amendment Service Fee: \$2,500	<input checked="" 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.


Re-Zoning of Land from Medium Industrial to p+ and Quarry (PR).
 - See attached Summary Report and Engineering Drawings

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.


 Registered Owner or Authorized Agent

Additional Registered Owner

Nov 27 / 2018
 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.

***3700 KING WILLIAMS ROAD
SAINT JOHN, NB
REZONING APPLICATION***

***submitted to
City of Saint John***

by

Brunswick Engineering & Consulting Inc.



BRUNSWICK
Engineering & Consulting Inc.

40 Ashburn Lake Road tel: 506.696.9155
PO Box 1045, Saint John, NB fax: 506.696.9158
E2L 4E3 reception@brunswickengineering.ca

November 27, 2018

File: 2230.01

Attn: One Stop Development Stop

RE: REZONING APPLICATION, 3700 KING WILLIAMS ROAD, SAINT JOHN, NB

Please find enclosed our report for the above referenced site.

Should you have any questions please contact the undersigned at your convenience.

Andrew Black, E.I.T

AWJB

Enclosures

**REZONING APPLICATION
3700 KING WILLIAMS ROAD (PID 55218754)
SAINT JOHN, NB**

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REZONING APPLICATION
3700 KING WILLIAMS ROAD (PID 55218754)
SAINT JOHN, NB

1.0 INTRODUCTION

Brunswick Engineering & Consulting Inc. has been retained by Simpc Development Ltd to provide engineering services related to the site design and development of a property located at 3700 King Williams Road (PID: 55218754). In the past the property has been used as a quarry/pit via temporary excavation permits approved by the City of Saint John. It should be noted that the last temporary permit expired in 2015. From 2015 to 2018 minor work has been conducted on site including: crushing material, minor earthworks, etc. The Majority of this quarry/pit's expansion was completed prior to the permit expiring in 2015. Finally, it should be noted that at present no work is being conducted on the property.

Currently, the property is zoned as "Medium Industrial Zone" (IM) per City Zoning Maps. Thus, this property requires Zoning By-law Amendment to the Pit & Quarry Zone (PQ) to recommence it's operations.

This report is being submitted with the rezoning amendment application as a means to describe the current site conditions, future site condition, and its value to the Saint John Spruce Lake Industrial Park. With the approval of the rezoning, the operation of the quarry will remain relatively unchanged from activity conducted under it's temporary permit that expired in 2015; it will simply continue to expand outwards towards the property lines.

2.0 CURRENT SITE CONDITIONS

The site is located at 3700 King Williams Road (PID 00305128) in Saint John, New Brunswick. The property is currently zoned as medium industrial (I2) and is identified as a combination of employment area and rural resource per the municipal plan map. The property is registered to Simpc Developments Limited and as per Service New Brunswick Records is approximately 31.1 hectares in area.

Currently, the property is partially developed as a quarry/pit through work primarily conducted under a

temporary 5 year land excavation permit. A gravel access road connects King Williams Road to the Quarry/Pit; the site is relatively concealed from King Williams Road as a treed buffer was left standing. There is a steel gate and signage to prevent unauthorized entry or illegal dumping. At present, the quarry floor is relatively flat, gravel covered, and covers an area of approximately 2.7 hectares. For the most part, the land slopes upward at steep grades away from the quarry floor, especially to the south where a large rock face is present.

Please see the scaled engineering drawing with the file title “2230.01-002 1” for existing site conditions.

The size of the operation has not changed significantly since the work conducted under the 5-year temporary permit as shown by Google Earth Satellite Imagery from 2011 to 2017 in Appendix A.

3.0 PROPOSED QUARRY/PIT EXPANSION AND REHABILITATION

To restart quarry/pit operations the parcel must be rezoned to allow for expansion. The existing quarry/pit currently has an established rock face to the south and soil excavation face on the west side of the property. The proposed expansion of the quarry/pit operations would consist of soil excavation starting at the west face and migrate west/north. The proposed expansion also consists of commencing rock removal which would start at the existing south face and migrate south. We understand that both an excavation permit and quarry operational permit will be required in addition to the rezoning amendment.

It is our intention to maintain a minimum floor grade of 2% to allow drainage and reduce the amount of standing water on site. The slope of the rock face and soil face will be maintained at maximum grades of 2:1. No overhanging material will be left to reduce the risk of slope failure. Additionally, stripped topsoil will be stored in a pile on site for future rehabilitation. Upon closure of the quarry/pit the topsoil pile will be used to cover areas with a 3:1 slope or less to promote vegetation growth. At the time of closure, additional trees will also be planted in the boundary between King Williams Road and the quarry/pit.

Please see the scaled engineering drawing with the file title “2230.01-002 3” for a future site plan and rehabilitation plan.

4.0 *POTENTIAL FUTURE DEVELOPMENT*

This property is located at the very end of the Spruce Lake Industrial Park Area which classifies this property as a potential strategic development property. At present, all developments within the Spruce Lake Industrial Park are concentrated well north of this property; however, development will only continue to advance south towards this property. It is intended to convert this property into industrial property once a significant portion of the rock/soil has been removed.

5.0 *PROPOSED RE-ZONING*

For this application we are proposing to rezone PID 55218754 from Medium Industrial (I2) to Pit & Quarry (PQ). Table 1 below illustrates the required setbacks listed in section 12.4(3) of the PQ zone versus measured distances; showing that all requirements will be met.

Table 1 - Required PQ Zoning Setbacks.

Setback	Minimum Distance From Quarry (m)	Minimum Distance From Pit (m)	Actual Distance (m) / Future Distance (m)
Public Water Supply	600	150	>600
Residentially zoned lot	200	150	~525
Public Street	30	30	105
Lot Line Excavation	30	30	>30
Other Zones	50	30	>50

Please see the scaled engineering drawing with the file title "2230.01-002 1" for a site plan illustrating major PQ zoning setback requirements.

6.0 *CONCLUSIONS /CLOSURE*

A quarry/pit has successfully operated at this location previously under a temporary permit; this re-zoning application is being submitted to expand the existing footprint of the quarry/pit. The Spruce Lake Industrial Park continues to expand; this quarry/pit can provide high quality topsoil, soil, and

rock to future developments within the Spruce Lake Industrial park and within the greater Saint John Area. In addition, this property could be converted to an industrial property upon closure of the quarry/pit.

Appendix A

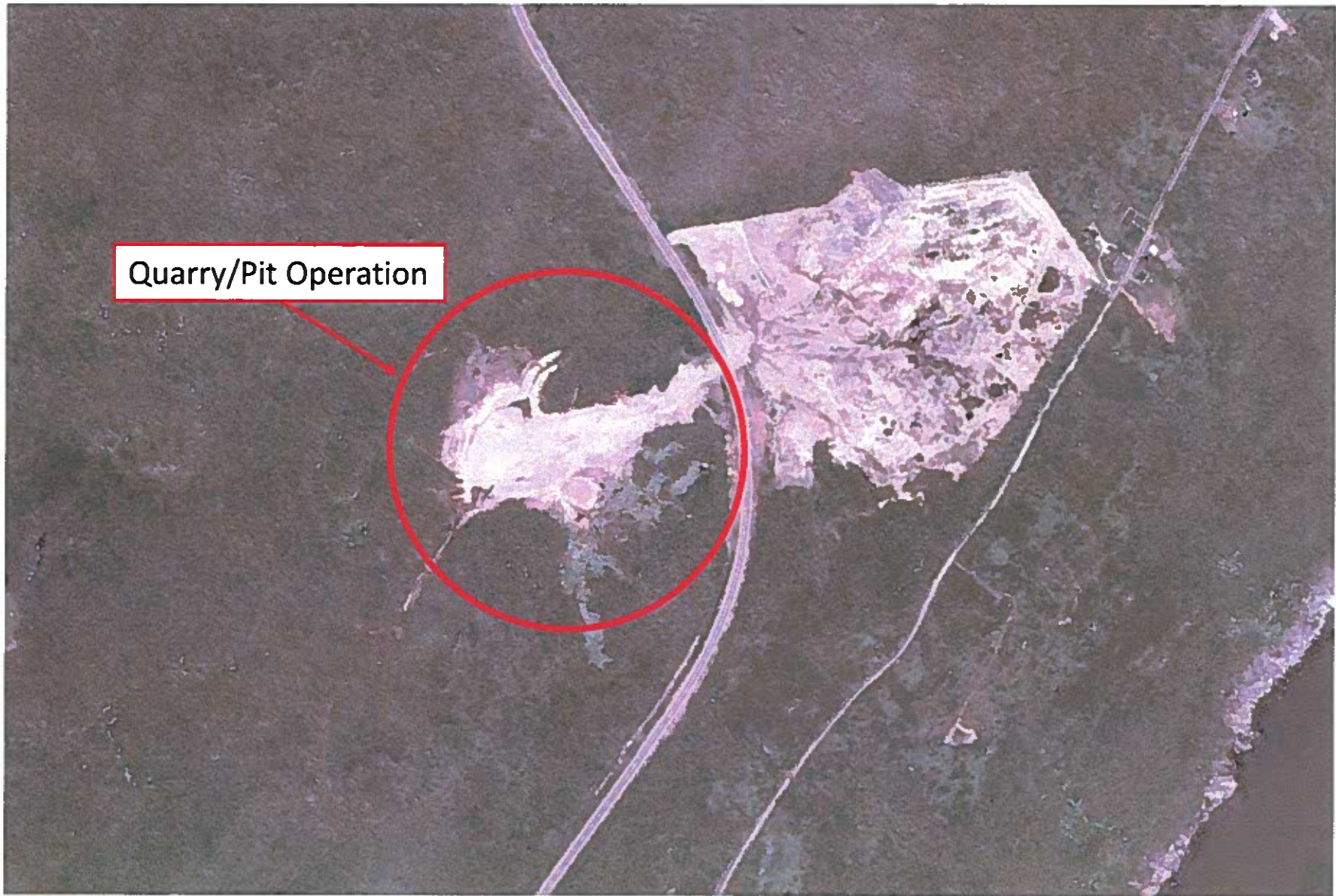
Historic Satellite Images



Satellite Imagery-Taken 10/28/2011. Source Google Earth.



Satellite Imagery-Taken 3/20/2012. Source Google Earth.



Satellite Imagery-Taken 7/3/2013. Source Google Earth.



Quarry/Pit Operation

Satellite Imagery-Taken 3/14/2014. Source Google Earth.



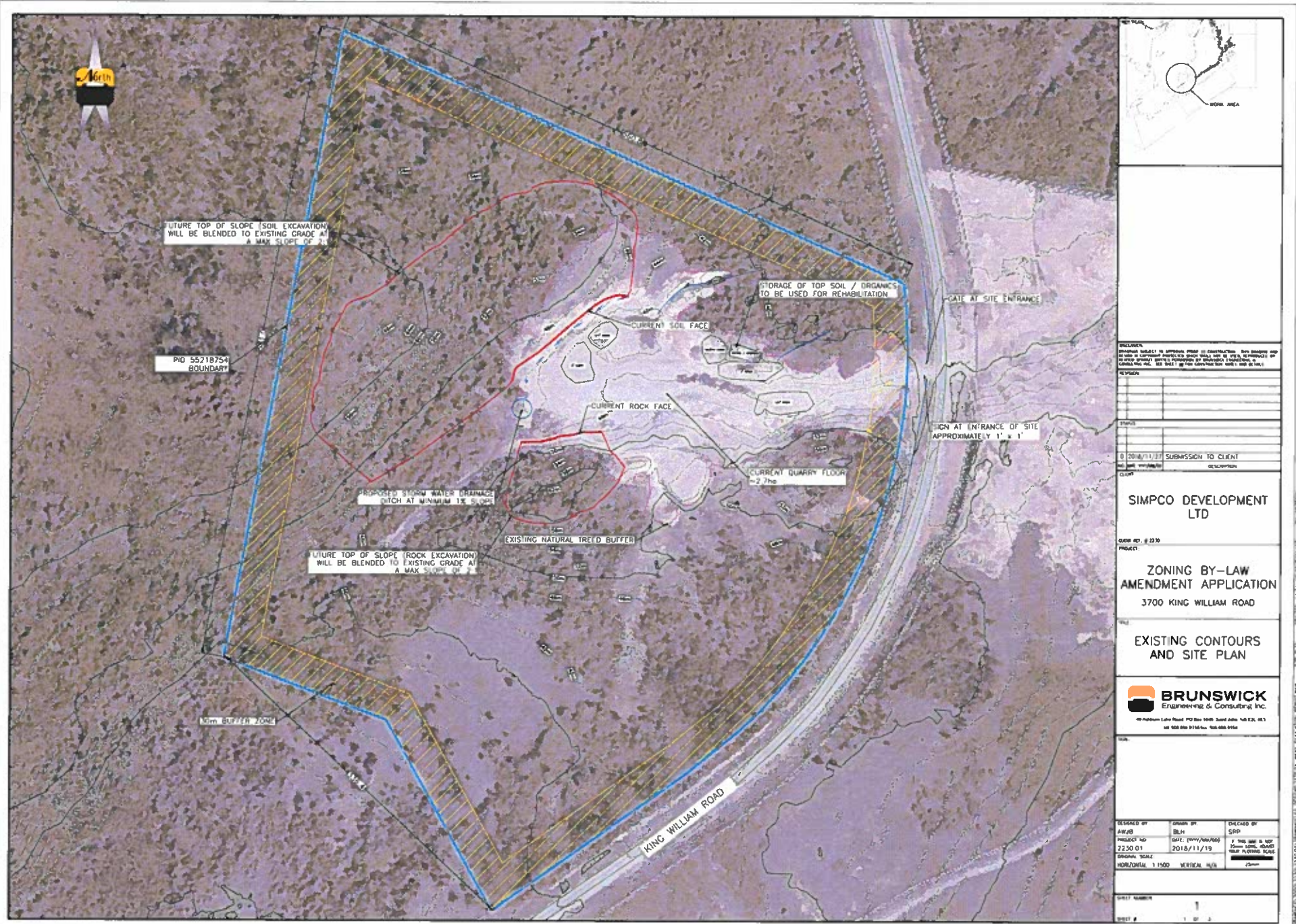
Satellite Imagery-Taken 9/25/2015. Source Google Earth.



Satellite Imagery-Taken 4/9/2016. Source Google Earth.



Satellite Imagery-Taken 9/9/2017. Source Google Earth.



FUTURE TOP OF SLOPE (SOIL EXCAVATION) WILL BE BLENDED TO EXISTING GRADE AT A MAX SLOPE OF 2%

PID 55218754 BOUNDARY

STORAGE OF TOP SOIL / ORGANICS TO BE USED FOR REHABILITATION

CALL AT SITE ENTRANCE

CURRENT SOIL FACE

CURRENT ROCK FACE

SIGN AT ENTRANCE OF SITE APPROXIMATELY 1' x 1'

CURRENT QUARRY FLOOR -2.7m

PROPOSED STORM WATER DRAINAGE DITCH AT MINIMUM 1% SLOPE

EXISTING NATURAL TREED BUFFER

FUTURE TOP OF SLOPE (ROCK EXCAVATION) WILL BE BLENDED TO EXISTING GRADE AT A MAX SLOPE OF 2%

M10m BUFFER ZONE

KING WILLIAM ROAD



REVISIONS

NO.	DATE	DESCRIPTION
0	2018/11/19	SUBMISSION TO CLIENT

SIMPCO DEVELOPMENT LTD

CLIENT REF: # 2330

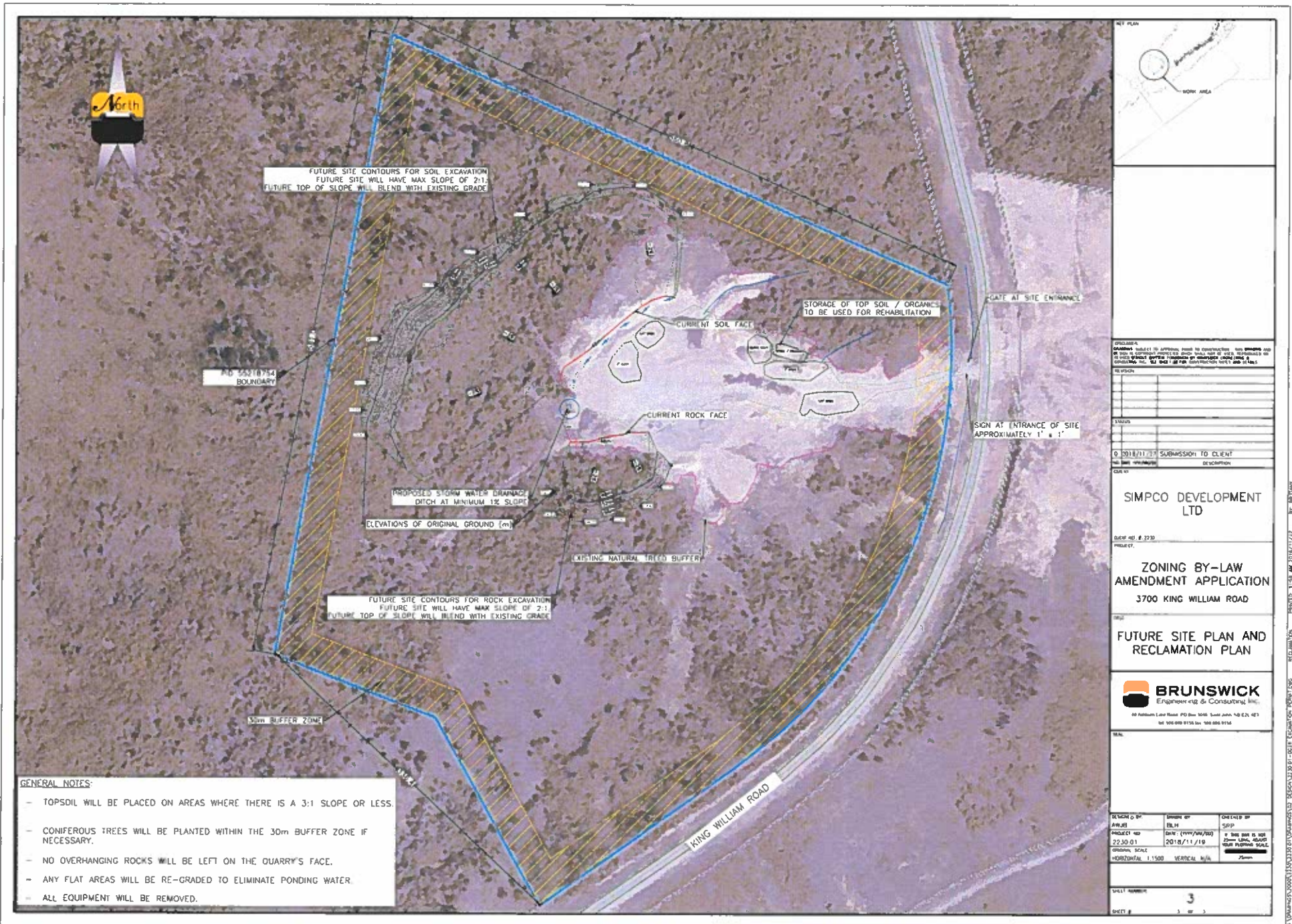
ZONING BY-LAW AMENDMENT APPLICATION
3700 KING WILLIAM ROAD

EXISTING CONTOURS AND SITE PLAN



DESIGNED BY	DRAWN BY	CHECKED BY
AM/JB	BLM	SPD
PROJECT NO	DATE	SCALE
7230 01	2018/11/19	25mm - 100% (AS SHOWN)
DATE PLOTTED		DATE PLOTTED
HORIZONTAL 1:1500	VERTICAL 1:150	

SHEET NUMBER
1 OF 3



FUTURE SITE CONTOURS FOR SOIL EXCAVATION
 FUTURE SITE WILL HAVE MAX SLOPE OF 2:1
 FUTURE TOP OF SLOPE WILL BLEND WITH EXISTING GRADE

STORAGE OF TOP SOIL / ORGANICS
 TO BE USED FOR REHABILITATION

CURRENT SOIL FACE

CURRENT ROCK FACE

PROPOSED STORM WATER DRAINAGE
 DITCH AT MINIMUM 1% SLOPE

ELEVATIONS OF ORIGINAL GROUND (m)

EXISTING NATURAL TREE BUFFER

FUTURE SITE CONTOURS FOR ROCK EXCAVATION
 FUTURE SITE WILL HAVE MAX SLOPE OF 2:1
 FUTURE TOP OF SLOPE WILL BLEND WITH EXISTING GRADE

30m BUFFER ZONE

GENERAL NOTES:

- TOPSOIL WILL BE PLACED ON AREAS WHERE THERE IS A 3:1 SLOPE OR LESS.
- CONIFEROUS TREES WILL BE PLANTED WITHIN THE 30m BUFFER ZONE IF NECESSARY.
- NO OVERHANGING ROCKS WILL BE LEFT ON THE QUARRY'S FACE.
- ANY FLAT AREAS WILL BE RE-GRADED TO ELIMINATE PONDING WATER.
- ALL EQUIPMENT WILL BE REMOVED.



PROJ. NO. 2230-01
 DATE: 2018/11/19
 SCALE: 1:1500 VERTICAL 1:500

NO.	REVISION

DATE: 2018/11/19
 SUBMISSION TO CLIENT

SIMPCO DEVELOPMENT LTD

ZONING BY-LAW AMENDMENT APPLICATION
 3700 KING WILLIAM ROAD

FUTURE SITE PLAN AND RECLAMATION PLAN



DESIGNED BY	DRAWN BY	CHECKED BY
PROJECT NO.	DATE	SCALE
2230-01	2018/11/19	1:1500 VERTICAL 1:500

SHEET NUMBER: **3**
 OF 3



PROPOSED ZONING BY-LAW AMENDMENT RE: 3700 KING WILLIAM ROAD

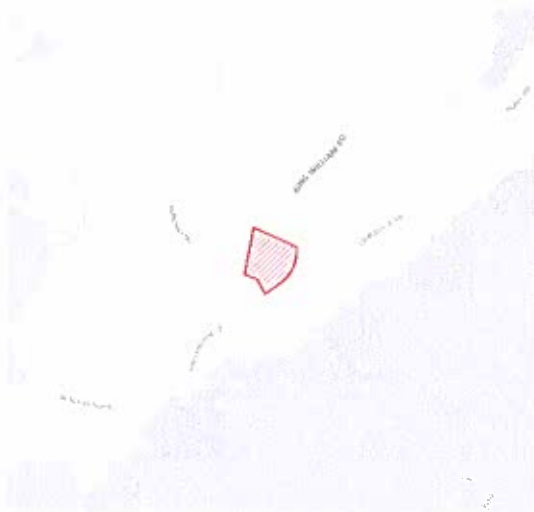
21-Dec-2018

PROPOSED ZONING BY-LAW AMENDMENT

RE: 3700 KING WILLIAM ROAD

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 Ludlow Room, City Hall, on Monday, January 28, 2019 at 6:30 p.m., by:

Rezoning a parcel of land having an area of approximately 31.1 hectares, located at 3700 King William Road, also identified as PID No. 55218754, from Medium Industrial (IM) to Pit and Quarry (PQ), as illustrated below.



REASON FOR CHANGE
To permit a pit and quarry.

The proposed amendment may be inspected by any interested person at the office of the Common Clerk, or in the office of Growth and Community Development 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. Written objections to the amendment may be sent to the undersigned at City Hall.

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

Jonathan Taylor, Common Clerk
658-2862

**BY-LAW NUMBER C.P. 111-
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:

1 Amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 31.1 hectares, located at 3700 King William Road, also identified as PID No. 55218754 from Medium Industrial (IM) to Pit and Quarry (PQ)

- 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 * day of *, A.D. 2018 and signed by:

Mayor/Maire

Common Clerk/Greffier communal

First Reading -
Second Reading -
Third Reading -

**ARRÊTÉ N° C.P. 111-
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 de zonage de The City of Saint John, décrété le quinze (15) décembre 2014, est modifié par :

1 La modification de l'annexe A, Carte de zonage de The City of Saint John, permettant de modifier la désignation pour une parcelle de terrain d'une superficie d'environ 31.1 hectares, située a 3700, chemin King William et portant le NID 55218754, de zone d'industrie moyenne (IM) à zone de carrières et de gravières (PQ)

- 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 * 2018, avec les signatures suivantes :

Première lecture -
Deuxième lecture -
Troisième lecture -



January 23, 2018

His Worship Mayor Don Darling
And Councillors

Your Worship and Councillors

SUBJECT: Proposed Municipal Plan Amendment – 179-185 Golden Grove Road

A Public Presentation was made on December 17, 2018 of a proposed amendment to the Municipal Development Plan which would redesignate on Schedule A of the Municipal Development Plan, a parcel of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Numbers 55057848, 55057855 and 55201750, from Stable Area to Employment Area; and to redesignate on Schedule B of the Plan, the same parcel of land, from Stable Residential to Stable Commercial, to construct a vehicle body and paint shop.

The required advertising has been completed, and attached you will find a copy of the public notice, and any letters of opposition or support received.

If Council wishes, it may choose to refer the matter to the Planning Advisory Committee for a report and recommendation and authorize the necessary advertising with a Public Hearing to be held on Monday, March 11, 2019 in the Council Chamber at 6:30 pm, or not to proceed with the proposed amendment process and adopt a resolution to deny the application.

Respectfully submitted,

Jonathan Taylor
Common Clerk

Attachment





PROPOSED MUNICIPAL PLAN AMENDMENT RE: 179-185 GOLDEN GROVE ROAD

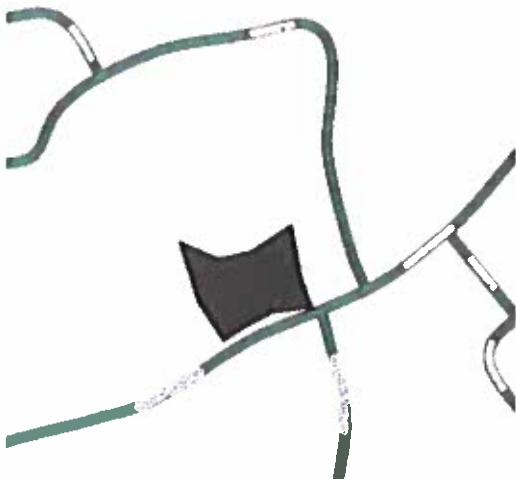
07-Dec-2018

PROPOSED MUNICIPAL PLAN AMENDMENT

RE: 179-185 GOLDEN GROVE ROAD

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 which would:

1. Redesignate on Schedule A of the Municipal Development Plan, a parcel of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750, from Stable Area to Employment Area as illustrated below.
2. Redesignate, on Schedule B of the Plan, the same parcel of land, from Stable Residential to Stable Commercial.



A public presentation of the proposed amendment will take place at a regular meeting of Common Council on **Monday, December 17, 2018** in the Council Chamber, Lobby Level, City Hall.

REASON FOR CHANGE:

To construct a vehicle body and paint shop.

Written objections to the proposed amendment may be made to the Council, in care of the undersigned, by **January 16, 2019**. Enquiries may be made at the office of the Common Clerk or Growth and Community Development 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, Common Clerk

649-2862

LOCATION	CIVIC ADDRESS :	185 Golden Grove Rd at vacant lots	PID #:	55201750, 55057855	
STAFF USE	HERITAGE AREA: Y / N	INTENSIFICATION AREA: Y / N	FLOOD RISK AREA: Y / N	APPROVED GRADING PLAN: Y / N	
	APPLICATION #:	18-0182	DATE RECEIVED:	Sept 2018	
			RECEIVED BY:	Paula	
APPLICANT INFORMATION	APPLICANT	EMAIL	PHONE		
	Scotts Autobody & Collision Ltd.	scottrites@fixauto.com	506-694-8769		
	MAILING ADDRESS		POSTAL CODE		
	187 Golden Grove Rd Saint John, NB		E2H 1X7		
	CONTRACTOR	EMAIL	PHONE		
	MAILING ADDRESS		POSTAL CODE		
	OWNER	EMAIL	PHONE		
	Doug Mitton		506-696-8542		
	MAILING ADDRESS		POSTAL CODE		
	185 Golden Grove Rd Saint John, NB		E2H 1X7		
	PRESENT USE:	Home	PROPOSED USE:	Collision Centre	
CHECK ALL THAT APPLY	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 checked="" 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		
DESCRIPTION OF WORK	Demolish existing house and outbuildings to construct new collision centre				

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 Access to Information 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 to Privacy Officer.

City Hall Building
 5th Floor - 15 Market Square
 Saint John, NB E2L 1E8
 Tel: 506-636-2622
 Fax: 506-636-2622



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.

By submitting a complete permit application, the applicant grants permission to City inspectors to enter the land, building or premises at all reasonable times for the purposes of conducting inspection(s) associated with the permit.

Applicant Signature: *[Signature]*
 Date: Aug 23/18

CIVIC ADDRESS	185 Golden Grove Rd	APPLICATION #	18-0182	FEE PAID	<input checked="" type="radio"/> Y <input type="radio"/> N
----------------------	---------------------	----------------------	---------	-----------------	--

TYPE OF APPLICATION VISA

<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 checked="" 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.

Requesting current property to be rezoned to construct a new collision centre facility.

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

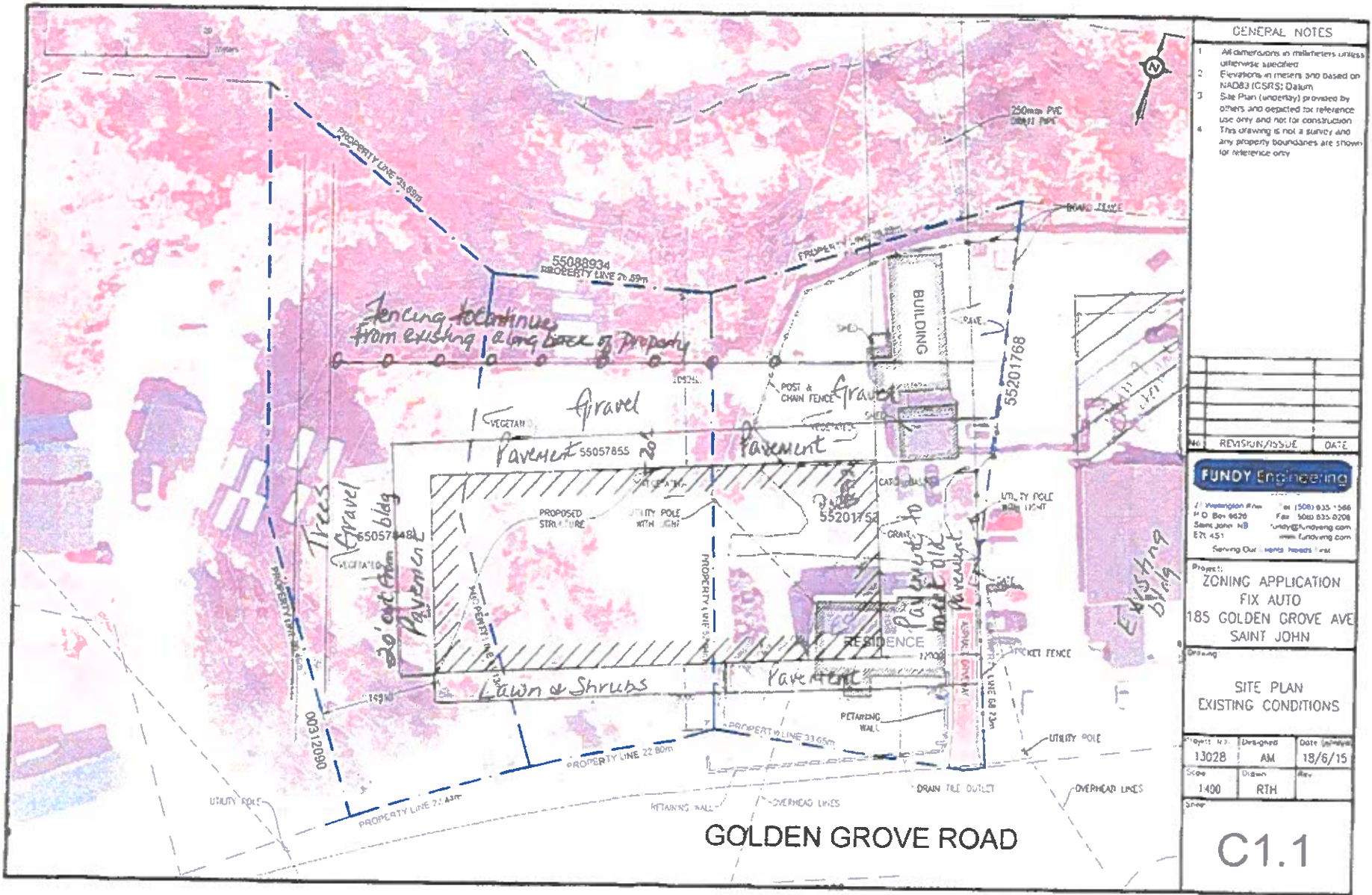
 Additional Registered Owner

Aug 23/18

 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.

- Purchase house and two vacant lots – leave the last lot as a buffer zone
- Build new shop to handle work flow. Two additions have been added to our current building over the last 7 years, which we have outgrown.
- Hire 10-15 more staff to handle work load
- Fence in area for a compound for cars under repair so that they are not seen from the road
- Lot will be landscaped
- We must stay in this area due to our contract with Fix Auto, as all Insurance work goes by postal codes
- I purchased the existing building in 2009 and have continued to make improvements to the building and land (new siding, windows, roof, aluminum entrance, pavement, landscaping, fenced in yard) to appeal to our neighbors and community
- We have had no complaints from the community since being here
- We currently have 13 employees
- Increased tax base for the City of Saint John
- Economical spin-off of hiring new employees



Reade, Mark

From: Fix Auto Saint John East <saintjohneast@fixauto.com>
Sent: October-24-18 11:20 AM
To: Reade, Mark
Subject: FW: New Shop
Attachments: LOGO.gif; a0.gif; a1.gif; a2.gif; a3.gif; b0.gif; b1.gif; b3.gif; c0.gif; c3.gif; d0.gif; d3.gif; e0.gif; solidline350.gif

Importance: High

Here's some pic's of what we would like to do.

Thanks

Scott Trites 654-0994 cell





This message was sent from a Bell mobile phone.

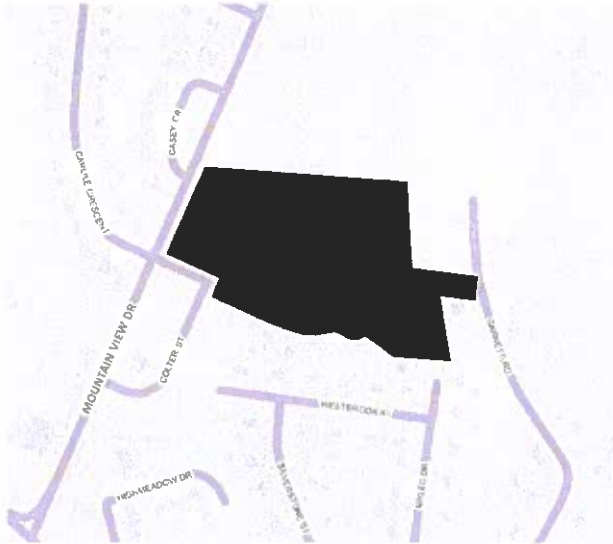


**PROPOSED MUNICIPAL PLAN
AMENDMENT**

RE: 40 MOUNTAIN VIEW DRIVE

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 which would:

1. Redesignate on Schedule B of the Municipal Development Plan, a parcel of land with an area of approximately 3.25 hectares, located at 40 Mountain View Drive, also identified as PID Nos. 00313429 and 00426452, from **Low Density Residential** to **Low to Medium Density Residential** as illustrated below;



A public presentation of the proposed amendment will take place at a regular meeting of Common Council on **Monday, January 28, 2019** in the Ludlow Room, 8th floor, City Hall.

REASON FOR CHANGE:

To undertake a medium density residential development with a mix of housing types.

Written objections to the proposed amendment may be made to the Council, in care of the undersigned, by **February 27, 2019**. Enquiries may be made at the office of the Common Clerk or Growth and

**PROJET DE MODIFICATION DU PLAN
MUNICIPAL**

OBJET : 40, CHEMIN MOUNTAIN VIEW

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

1. Modifier la désignation, à l'annexe B du plan, d'une parcelle de terrain d'une superficie d'environ 3.25 hectares, située au 40, chemin Mountain View, et portant les NID 00313429 and 00426452, afin de la faire passer de **Résidentiel à faible densité** à **Résidentiel à densité faible ou moyenne**, comme il est indiqué ci-dessous;



Une présentation publique du projet de modification aura lieu lors de la réunion ordinaire du conseil communal le **lundi 28 janvier 2019** dans la salle Ludlow, 8^{ème} étage, à l'hôtel de ville.

RAISON DE LA MODIFICATION :

Entreprendre un développement résidentiel de densité moyenne avec une variété de types de logements.

Veuillez faire part au conseil par écrit de vos objections au projet de modification au plus tard le **27 février 2019** à l'attention du soussigné. Pour toute demande de renseignements, veuillez

Community Development 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, Common Clerk
658-2862

communiquer avec le bureau du greffier communal ou le bureau de service de la croissance et du développement communautaire à l'hôtel de ville au 15, Market Square, Saint John, N.-B., entre 8 h 30 et 16 h 30 du lundi au vendredi, sauf les jours fériés.

Jonathan Taylor, Greffière communale
658 2862



HUGHES SURVEYS & CONSULTANTS INC.
NB LAND SURVEYORS, CONSULTING ENGINEERS

January 14, 2019

Mr. Mark Reade, MCIP
Growth & Development Services
City of Saint John
10th Floor, City Hall
Saint John, NB

Re: PID 00313429 and 00426452 – Application for Municipal Plan Amendment and Rezoning to Integrated Development (ID) Zone

Dear Mark,

Attached is a listing of the submitted package for the above noted application. Details of the proposal are outlined in the application and plans for what is anticipated to be a premier project marketed under the name Calabria Estates.

Once you have reviewed the enclosed material if you have any questions, please do not hesitate to contact me. A digital submission to Onestop has been delivered.

We trust you will find the application meets your needs for processing the same.

Yours truly,
Hughes Surveys & Consultants Inc.

A handwritten signature in black ink, appearing to read "Richard Turner", is written over the typed name.

Richard Turner

CC John P. Rocca

Calabria Estates
Table of submitted documents,
Municipal Plan Amendment to *Low to Medium Density Residential*
and Rezoning Application to Integrated Development,
40 Mountain View Drive.

Listed below are the submitted documents and plans for the above noted application. A digital submission of the documents and plans is provided through the city Onestop portal.

Note that a separate payment of \$1000 is being made to cover the Municipal Plan amendment to change from *Low Density Residential* to *Low to Medium Density Residential* classification.

- General Application Form;
- Council Application Form;
- Council Application Proposal Outline Calabria;
- Subdivision Application Form;
- Variance Application Form;
- Our clients cheque in the amount of \$2500 for the rezoning application fee;
- Our clients cheque in the amount of \$500 for the subdivision application fee;
- Our clients cheque in the amount of \$300 for the variance application fee;
- Concept, context and profile plans;
- Concept plans for the proposed 98 unit apartment building;
- Landscaping plan for eastern portion of site;
- Landscaping plan for western portion of site;
- Stormwater management plan with grading for eastern portion of site;
- Stormwater management plan with grading for western portion of site;
- Tentative Plan showing proposed subdivision details;
- Table of unit and bedroom counts for project;
- Type A building elevation plan & floor plans;
- Type B building elevation plan & floor plans;
- Type C building elevation plan & floor plans;
- Type D building elevation plan & floor plans.

LOCATION	CIVIC ADDRESS : 40 Mountain View Drive	PID # :	PID 00313429 and 00426452		
STAFF USE	HERITAGE AREA: Y / N INTENSIFICATION AREA: Y / N FLOOD RISK AREA:	Jan. 16, 2019			
	APPLICATION #:	19-0011	DATE RECEIVED:	Aimee and Andrew	
			RECEIVED BY:		
APPLICANT INFORMATION	APPLICANT Hughes Surveys & Consultants Inc. on behalf of 048367 N. B. Ltd.	EMAIL rick.turner@hughessurveys & Consultants Inc.	PHONE 506-634-1717		
	MAILING ADDRESS	POSTAL CODE			
	575 Crown Street, Saint John , NB E2L 5E9				
	CONTRACTOR /DEVELOPER	EMAIL jprocca@nbnet.nb.ca	PHONE 506-647-2660		
	MAILING ADDRESS	POSTAL CODE			
	048367 N. B. Ltd. C/O Hughes Surveys & Consultants Inc, 575 Crown Street, Saint John , NB E2L 5E9				
APPLICANT INFORMATION	OWNER	EMAIL jprocca@nbnet.nb.ca	PHONE 506-647-2660		
	MAILING ADDRESS	POSTAL CODE			
	048367 N. B. Ltd. C/O Hughes Surveys & Consultants Inc, 575 Crown Street, Saint John , NB E2L 5E9				
PRESENT USE: Residential		PROPOSED USE: Residential			
CHECK ALL THAT APPLY	BUILDING	PLANNING	INFRASTRUCTURE	HERITAGE	
	<input type="checkbox"/> INTERIOR RENOVATION	<input type="checkbox"/> NEW CONSTRUCTION	<input checked="" 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 type="checkbox"/> PAC APPLICATION	<input type="checkbox"/> DRAINAGE	<input type="checkbox"/> HERITAGE INFILL
	<input type="checkbox"/> DECK	<input type="checkbox"/> DEMOLITION	<input checked="" 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 checked="" type="checkbox"/> SUBDIVISION	<input type="checkbox"/> OTHER	<input type="checkbox"/> OTHER
	<input type="checkbox"/> MINIMUM STANDARDS	<input type="checkbox"/> OTHER	<input type="checkbox"/> OTHER		
DESCRIPTION OF WORK	This application is for the purposes of proposing amending the Municipal Plan designation from <i>Low Density Residential</i> to <i>Low to Medium Density Residential</i> . It is also proposed to rezone the subject properties from <i>High Rise Residential</i> and <i>Two-Unit Residential Zones</i> to <i>Integrated Development (ID) Zone</i> . Additional detail is provided in the Council application for rezoning.				

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
 8th Floor - 15 Market Square
 Saint John, NB E2L 1E8
 info@monclerk@saintjohn.ca
 (506) 638-2862



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.

Hughes Surveys & Consultants Inc. on behalf of 048367 N. B. Ltd. - Richard Turner

048367 NB Ltd. - Represented by John P. Rocca

Applicant Name	Owners Authorization
<i>[Signature]</i>	<i>[Signature]</i>
Applicant Signature	Owners Signature
<i>[Signature]</i>	<i>[Signature]</i>
Date	Date
Jan 15, 2019	January 15/19

CIVIC ADDRESS	40 Mountain View Drive	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: \$2,500 | <input type="checkbox"/> Zoning By-law Amendment
Service Fee: \$2,500 | <input checked="" 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.

PID 00313429 and 00426452 – This application is for the purposes of proposing amending the Municipal Plan designation from *Low Density Residential* to *Low to Medium Density Residential*. It is also proposed to rezone the subject properties from *High Rise Residential* and *Two-Unit Residential Zones* to *Integrated Development (ID) Zone*.

See attached pages and submitted plans for details.

Myles Drive

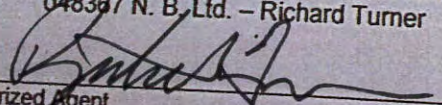
An Easement for Municipal Services exists extending from Sonya Court to Garnett Road and Myles Drive. The Certificate of Registered Ownership does not indicate there are any other easements or restrictive covenants affecting the property. There are Section 39 conditions which are proposed to be amended through this application process.

AUTHORIZATION

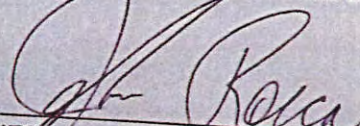
As of the date of this application, I, the undersigned, am the registered owner of the land described in this application or the authorized agent thereof, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as 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.

Hughes Surveys & Consultants Inc. on behalf of
 048367 N. B. Ltd. – Richard Turner

048367 NB Ltd. - Represented by John P. Rocca



 Authorized Agent



 Owner

Jan 15, 2019

 Date

January 15, 2019

 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.

Calabria Estates Proposal

By 048367 N. B. Ltd.

This is to introduce *Calabria Estates* (pronounced Ca.leb.ria), named after the Calabria Region in Italy, which will soon become one of Saint John's premier developments. It will see PID 00313429 and 00426452 developed following a strict development concept in accordance with a proposal committed to by the developer. The landscaping concept provided commits to a strong focus on landscaping for this premier development that goes well beyond City bylaw requirements.

External control of the development concepts will be through the acceptance of the project under an Integrated Development (ID) zoning designation. Many of the developments concepts are explained below.

STREET AND SERVICING STANDARDS

Via Calabria Street (Sonya Extension)

This section, from the existing public portion of Sonya Court to the cul-de-sac, is proposed to be built to match the existing developed portion of Sonya Court. The cross section will match that shown in S045-300 of the City of Saint John General Specifications and will have full curb, grassed median and sidewalk.

Lamezia Lane (North – South Section)

The section of Lamezia Lane extending northward from the cul-de-sac is proposed to have an 8m wide driving surface. It will be curbed and will have a median and sidewalk on the eastern side of the street. Pavement structure, curb and sidewalks are to be to City standards for local streets.

Lamezia Lane (East - West Section)

This section of Lamezia Lane is proposed to have an 8m wide driving surface. It will be curbed but there will be no sidewalk. With the amount of driveways and the presence of the interior walkways, sidewalks are not seen as necessary. Pavement structure and curbing are to be to City standards for local streets.

Pedestrian and Emergency Access to Myles Drive

This is proposed to be 6m wide and will be curbed from the cul-de-sac up to the end of the parking lots. Beyond that no curbing is proposed. There will be a gate just past the end of the curbing and entrance to the last parking lot.

STORM WATER MANAGEMENT PLAN

The SWMP assumes that approximately 90% of the site storm water will be detained in a pond at the bottom of the slope fronting Mountain View. The remaining 10% of the site is located above the cul-de-sac on Sonya. This upper area consists mostly of surface parking. The surface parking will be engineered to detain storm water within the three terraced parking lots and storm pipes. If additional parking is required a portion or all of the area designated as "Future Parking Area" will be engineered and constructed to detain storm water.

The intention is to have the pond as an attractive landscape feature. The pond depth will be limited to 0.6m except in central areas where pools will be located to facilitate a floating fountain which serves to aerate the pond to minimize algae growth. A small detention pond is also planned for the landscaped courtyard area to detain a small amount of water and serve primarily as a landscape focal point. An overflow pipe will direct water to the lower larger detention pond. All storm water on Lamezia will be diverted through storm structures to the lower detention pond. A decorative recirculating waterfall/pond feature is planned as part of the entry sign experience.

The slopes and depth of water are such that a barrier fence is unwarranted.

ENTRANCE GATES

Gates at the west end of Lamenzia Lane will be controlled by an onsite manager that the City can call to gain access or the gates can be open on scheduled maintenance days. The gateway is a design element to enhance the main entrance and provide a sense of place. Unobstructed access to the townhouse area will be open to traffic from the opposite end of Lamenzia Lane at its intersection with Via Calabria Street. .

FUTURE PARKING

The concept plan shows an area designated as "Future parking if required". Until the project is underway and the market is identified it is difficult to establish what the parking demand will be. The developer requires the flexibility to add future parking if the project demands it.

LANDSCAPING

The landscaping concept provided commits to a strong focus on landscaping for the proposed premier development that goes well beyond City bylaw requirements. The preliminary planting list shown on the submitted Landscaping Plans for **Calabria Estates** is intended to be an example of the quality and atmosphere the developer envisages and is committed to.

AREA IMPROVEMENTS

The developer has raised a number of concerns that they respectfully request the City to consider participating in making some of site improvements to enhance the neighbourhood. They relate to improvements that will enhance the intensification area in general and support the developer's project. Since the Forest Hills area is a designated intensification area these improvements and the proponents project will be a catalyst for future development of other lands in the area.

Timeframes have been assigned based on the developers projected construction schedule so the City can consider it in their capital budgets for future years. This is proposed so City staff can review the request and formulate a resolution in their recommendations to Council.

Item	Proposed Improvement	Responsible Party	Suggested Timeframe	Note
1	Dog Park on Land for Public Purposes for neighbourhood usage.	City to build based on agreed to plans and development would be responsible for on-going maintenance.	Fall 2020	
2	Signage and landscaping of intersection of Mountain View Drive and McAllister Drive to identify the Forest Hills community and reflect its sense of quality.	City	Summer 2019 when Colter Street model homes are ready.	Building permits have been applied for.
3	Sidewalks and burial of power lines on Mountain View Dr along northern boundary of our property starting at Sonya Ct.	City	Fall 2020	
4	City to pick up the garbage for the townhouses area only as has been the practice for other similar planned community developments in the City of Saint John.	City	At completion of each four unit townhouse block.	Apartment buildings are not included in this request.

TIMING OF SITE PREPARATION

To ensure a timely construction of the main apartment building the developer will work with City staff to determine when pre-approval site preparation can commence under the present approvals that exist for the site. Subsurface conditions are shale rock in some areas where excavation will be up to 2 metres deep. The optimum time to do the rock excavation is now since winter weather conditions do not hinder progress.

The merits to allowing pre-approval site preparation are as follows:

- The developer will be able to plan a construction schedule that will avoid harsh weather conditions at critical stages later in the project (ex: being closed in prior to next fall/winter) ;
- The most disruptive work, site rock excavation, can take place during the time of year when most neighbours are less likely to be engaged in outside activities.
- This will optimize the timing to bring the main structure to market and allow it to be included in the assessment role at the soonest time possible;
- It will be putting civil contractors to work during a time when many of their staff are off work due to seasonal conditions;
- Transporting of material to be removed from the site can take place prior to weight restrictions being imposed.

If excavation in accordance with City bylaws under the present approval can be expedited the developer is prepared to take out a building permit for excavation only for a four storey apartment building. The building will have the same footprint as is set out in the present application.

The developer recognizes there is a chance that the present proposal may not get approved but the advantage of having site work started now can work for either scenario, under the present approvals or the new proposal if approved. From the developers standpoint the advantages out-weigh the risk.

We look forward to working with staff to advance the timely dispatch and success of the project.

Respectfully submitted

HUGHES SURVEYS & CONSULTANTS INC.



Richard Turner

Subdivision Application

GROWTH & COMMUNITY DEVELOPMENT SERVICES
 CITY OF SAINT JOHN

CIVIC ADDRESS	40 Mountain View Drive	APPLICATION #		FEE PAID	Y	N
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TYPE OF APPLICATION		FEE PAID	Y	N
<input type="checkbox"/> Instrument Documents requiring Development Officer endorsement for registration Service Fee: \$50	Tier 1 Subdivision Lot boundary adjustments, consolidations, and new lots along an existing street Service Fee: \$250 plus \$50 per new building lot	X		
	Tier 2 Subdivision Subdivisions involving the construction of a street Service Fee: \$500 plus \$100 per new building lot			

DETAILED DESCRIPTION OF APPLICATION
 Attach the instrument or tentative subdivision plan, whichever is applicable, and any additional documentation to fully describe the application. Tentative subdivision plans must adhere to the requirements of Section 49 of the *Community Planning Act of New Brunswick*. In the case of a Tier 2 Subdivision, the submission of a preliminary proposal and a Pre-Application Meeting with City staff is encouraged prior to seeking approval. Please contact the One-Stop Development Shop at (506) 658-2911 for further information.

Calabria Estates Proposal

This application is to request approval for a Subdivision Plan to:

- Make a provision for future lots 18-01 and 18-02 by adjusting the boundaries between PID # 00313429 and 00426452. Tentative approval to adjust the boundaries is requested at this time but will take place at a later date, if required;
- Creation of joint Municipal Services Easements and Public Utility Easements are proposed and the submitted plan illustrates their approximate configuration;
- A provision for right of ways over the Private Accesses to benefit and burden Lots 18-01 and 18-02;
- And create an emergency and pedestrian access from Sonya Court to Myles Drive.

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

An Easement for Municipal Services exists extending from Sonya Court to Garnett Road and Myles Drive. The Certificate of Registered Ownership does not indicate there are any other easements or restrictive covenants affecting the property. There are Section 39 conditions which are proposed to be amended through this application process.

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.

Hughes Surveys & Consultants Inc. on behalf of
 048367 N. B. Ltd. - Richard Turner

[Signature]
 Registered Owner or Authorized Agent

048367 NB Ltd. - Represented by John P. Rocca

[Signature]
 Additional Registered Owner

January 4, 2019
 Date

January 4, 2019
 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.

Subdivision Application Form 20/01/2017



Variance Application

GROWTH & COMMUNITY DEVELOPMENT SERVICES
CITY OF SAINT JOHN

CIVIC ADDRESS	40 Mountain View Drive	APPLICATION #		FEE PAID	Y	N
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TYPE OF APPLICATION		
<input type="checkbox"/> Tier 1 Variance Variances not greater than 25% of a numeric standard Service Fee: \$50 plus \$10 per additional variance	<input type="checkbox"/> Tier 2 Variance Variances greater than 25% of a numeric standard Service Fee: \$100 plus \$20 per additional variance	<input checked="" type="checkbox"/> PAC Variance Variances considered by the Planning Advisory Committee Service Fee: \$300 plus \$60 per additional variance

DETAILED DESCRIPTION OF APPLICATION
Attach site plans, building elevations, floor plans, and other documentation to fully describe the application. Calabria Estates. A variance is respectfully requested to allow the development to proceed using an access to most units by a private street system constructed and maintained by the developer and other variances as may be required to carry out the development generally in accordance with the submitted plans. See submitted plans for details.

ENCUMBRANCES
Describe any easements, restrictive covenants, and other encumbrances affecting the land. An Easement for Municipal Services exists extending from Sonya Court to Garnett Road and Myles Drive. The Certificate of Registered Ownership does not indicate there are any other easements or restrictive covenants affecting the property. There are Section 39 conditions which are proposed to be amended through this application process.

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>Hughes Surveys & Consultants Inc. on behalf of 048367 N.B. Ltd. - Richard Turner</td> <td>048367 NB Ltd. - Represented by John P. Rocca</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Registered Owner or Authorized Agent</td> <td>Additional Registered Owner</td> </tr> <tr> <td>January 4, 2019</td> <td>January 4, 2019</td> </tr> <tr> <td>Date</td> <td>Date</td> </tr> </table>	Hughes Surveys & Consultants Inc. on behalf of 048367 N.B. Ltd. - Richard Turner	048367 NB Ltd. - Represented by John P. Rocca			Registered Owner or Authorized Agent	Additional Registered Owner	January 4, 2019	January 4, 2019	Date	Date
Hughes Surveys & Consultants Inc. on behalf of 048367 N.B. Ltd. - Richard Turner	048367 NB Ltd. - Represented by John P. Rocca									
Registered Owner or Authorized Agent	Additional Registered Owner									
January 4, 2019	January 4, 2019									
Date	Date									

Commented [RT1]:

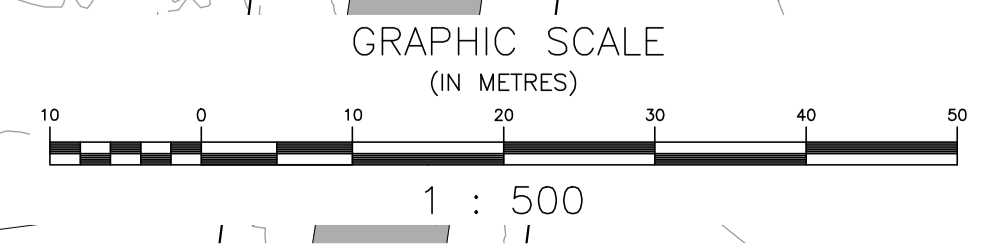
Variance Application Form 20/01/2017

THIS IS TO INTRODUCE AN APPROXIMATELY 148 UNIT RESIDENTIAL DEVELOPMENT BY 048367 NB LTD..

CALABRIA TOWNHOMES AND APARTMENTS WILL CONSIST OF A NUMBER OF HOUSING STYLES AND TYPES. CONCEPTUAL PLANS FOR SOME OF THE UNITS ARE ENCLOSED.

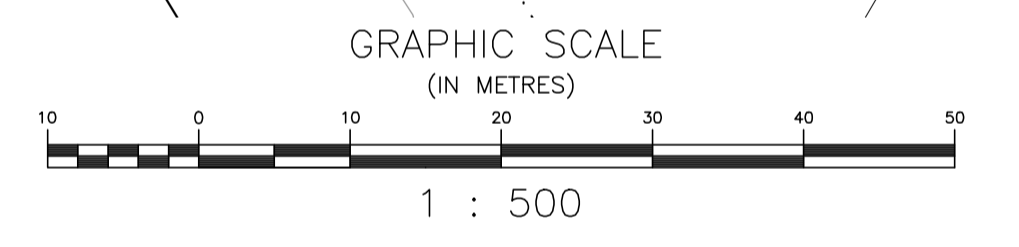
THE BUILDING TYPES ARE:

- TYPE A - (1) 8-UNIT APARTMENT BUILDING
- TYPE B - (3) 4-UNIT TWO LEVEL TOWNHOMES 20'X41'
- TYPE C - (4) 4-UNIT TWO LEVEL TOWNHOMES WITH ROOFTOP PATIO 20'X37'
- TYPE D - (3) 4-UNIT ONE LEVEL TOWNHOMES 30'X54'
- TYPE E - SIX STOREY APARTMENT COMPLEX WITH APPROXIMATELY 100 UNITS

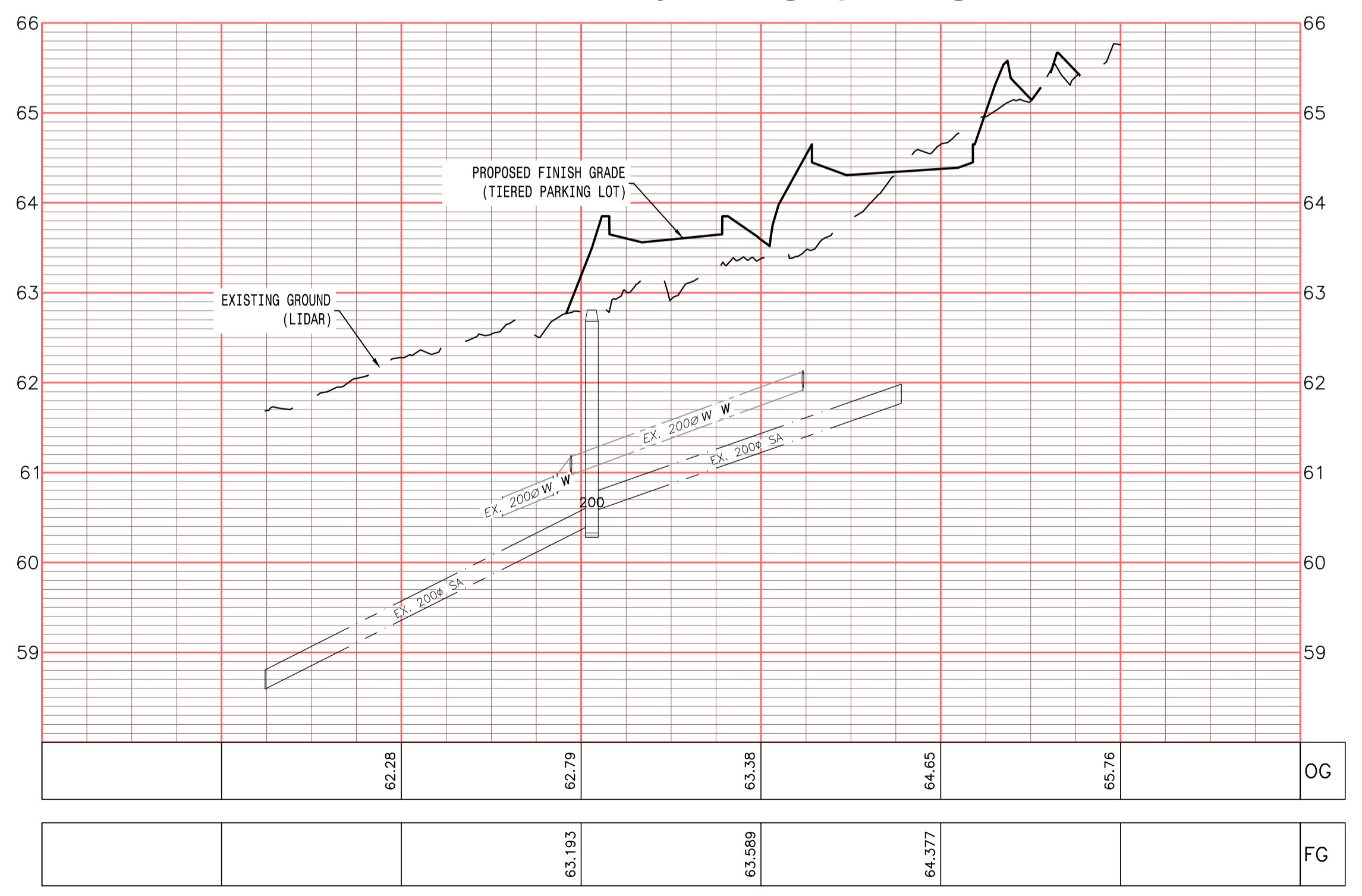


CONCEPTUAL LAYOUT
Calabria-Townhome
&
Apartment Development

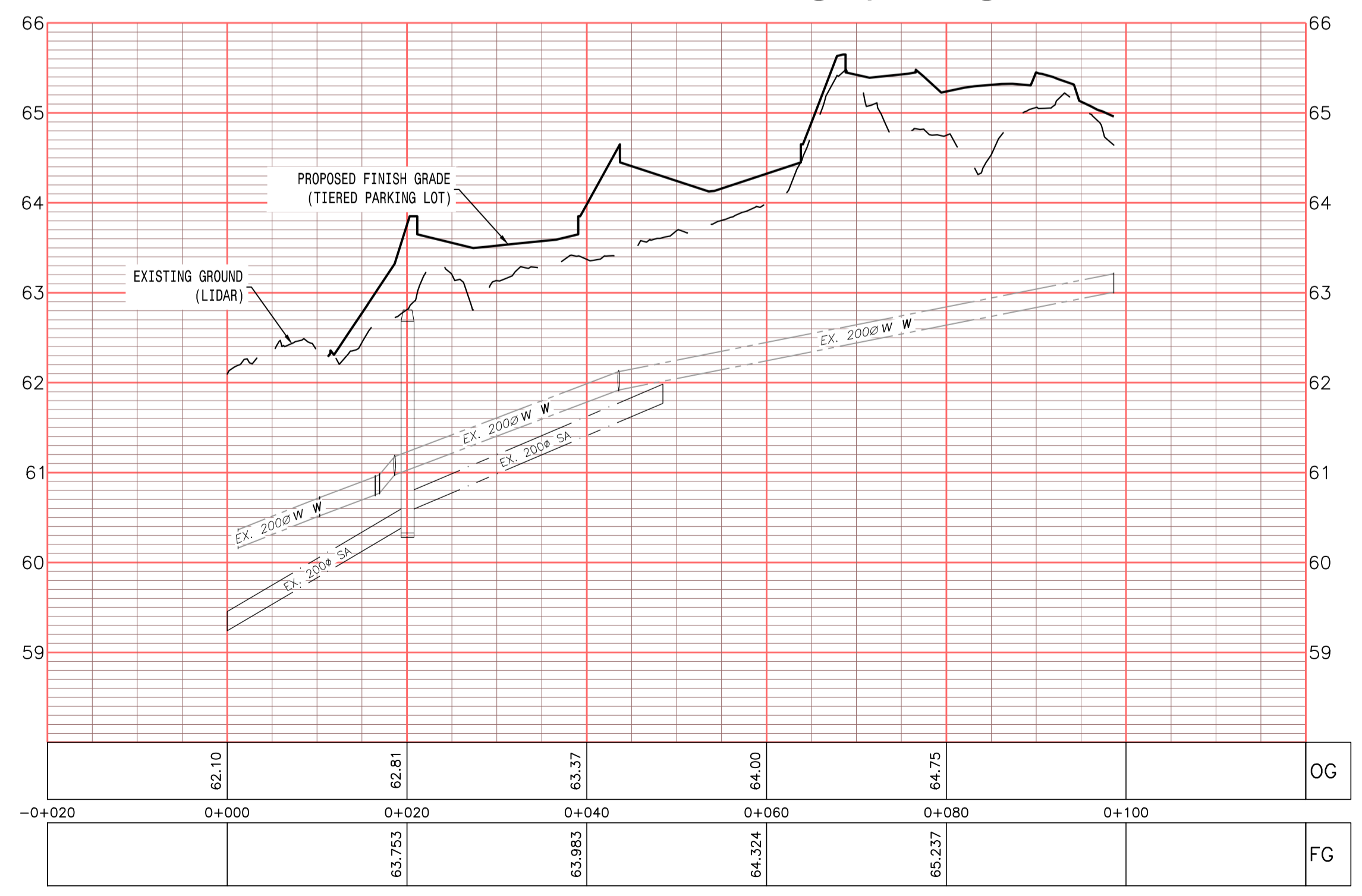
14-January-2019
Sheet 1 of 3



Profile sanitary through parking



Profile watermain through parking



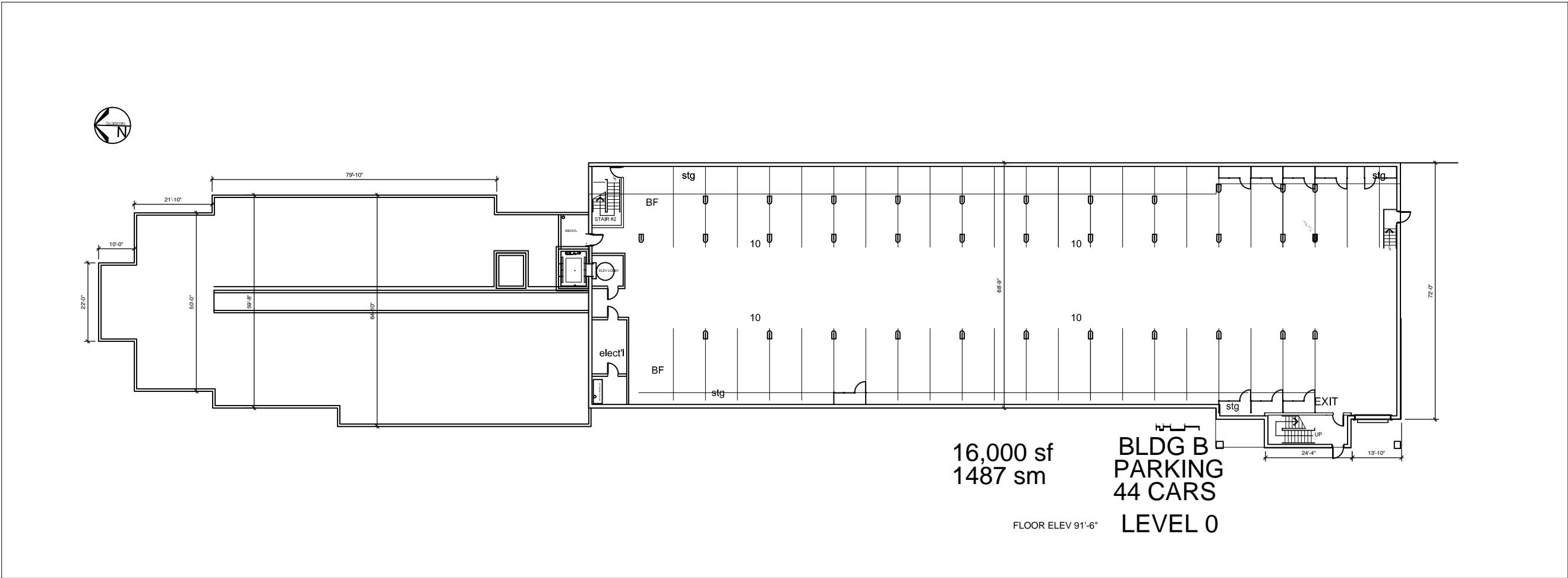
Calabria
ESTATES

PROFILES ALONG EASEMENT
Existing Sanitary and Water
towards
Myles Drive and Garnett Road

14-January-2019
Sheet 3 of 3

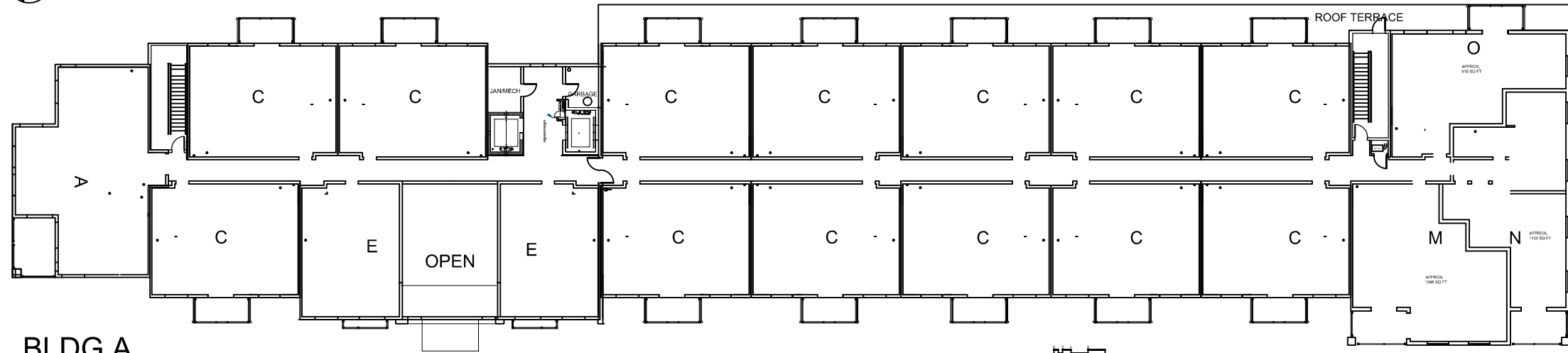


WEST ELEVATION



16,000 sf
1487 sm
BLDG B
PARKING
44 CARS
LEVEL 0
FLOOR ELEV 91'-6"

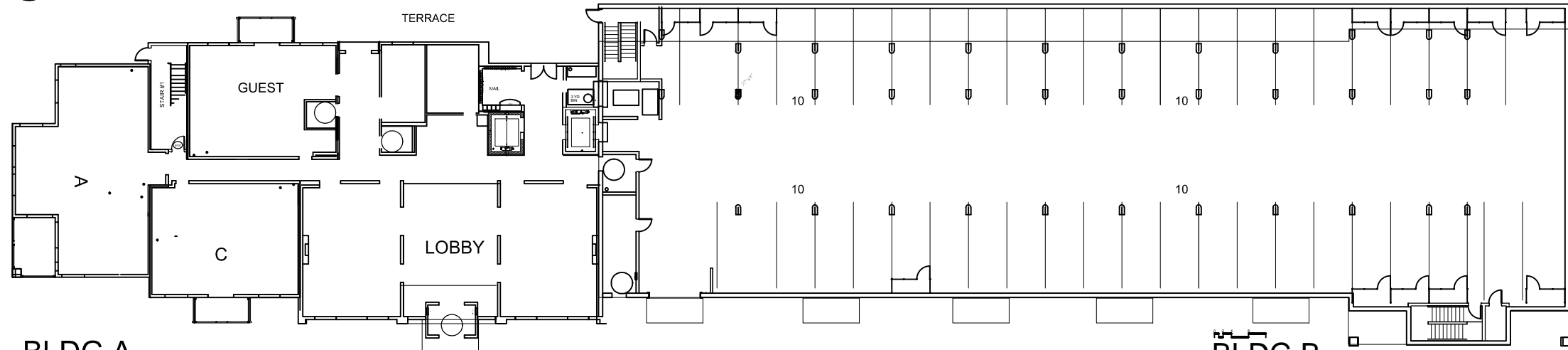




BLDG A
LEVEL 2
6 UNITS

FLOOR ELEV 111'-6"
BLDG B
LEVEL 2
13 UNITS

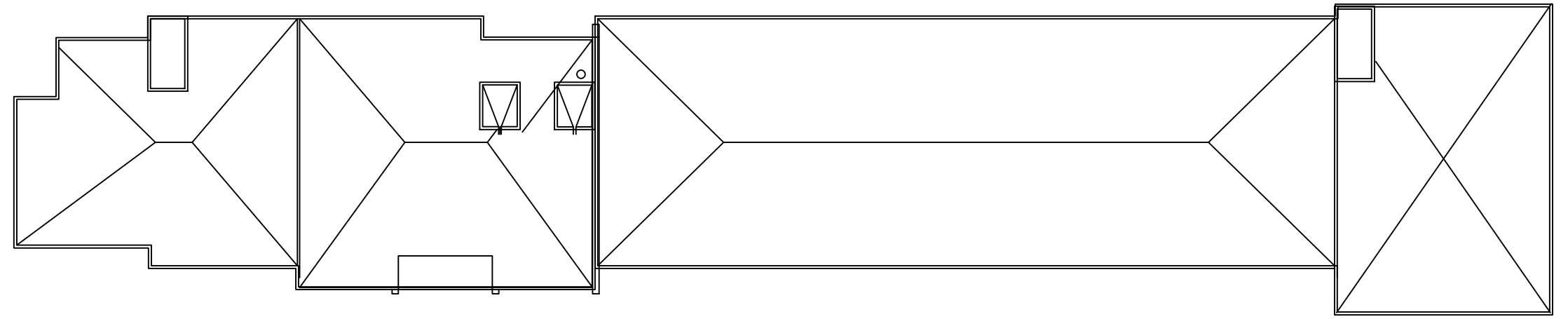
UNIT TYPE		FIRST FLOOR	2nd FLOOR	3rd FLOOR	4th FLOOR	5th FLOOR	6th FLOOR	TOTAL
UNIT A 2 BED, 2.5 BATH	1374 sf	1	1	1	1	1	1	6
UNIT Cg 1 BED, 1 BATH	750 sf	1						1
UNIT C 2 BED, 2 BATH	956 sf	1	13	13	13	13	13	66
UNIT E 1 BED, 1 BATH	774 sf		2					2
UNIT G 2 BED, DEN, 1 BATH	1048 sf		2	2	2	2	2	8
UNIT M 2 BED, 2 BATH	1098 sf		1	1	1	1	1	5
UNIT N 2 BED, 2 BATH	1130 sf		1	1	1	1	1	5
UNIT O 2 BED, 2 BATH	915 sf		1	1	1	1	1	5
TOTAL		3	19	19	19	19	19	98



BLDG A
3 UNITS
LEVEL 1

FLOOR ELEV 100'-0"
BLDG B
PARKING
44 CARS
LEVEL 1

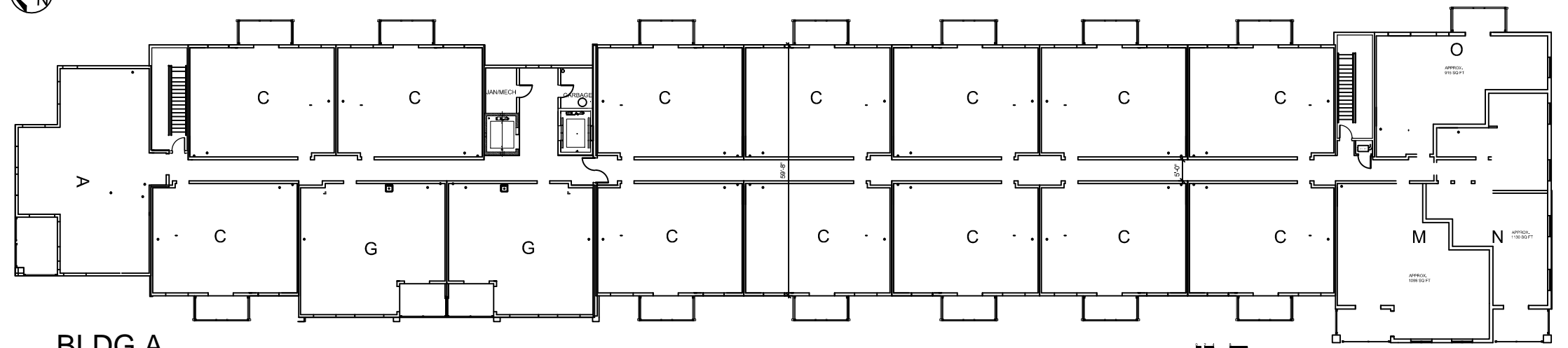




BLDG A



BLDG B
ROOF PLAN

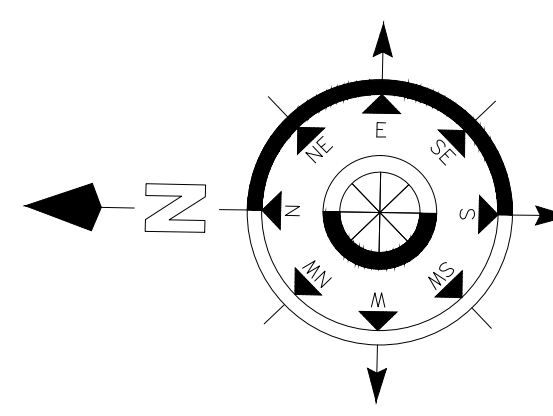


BLDG A
LEVELS 3,4,5,6
6 UNITS 7912 sf
753 sm

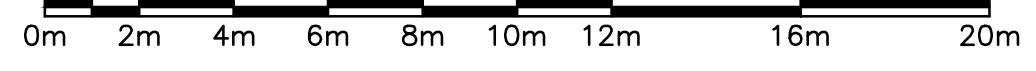
14,264 sq ft
1326 SQ M

BLDG B
LEVELS 3,4,5,6
13 UNITS

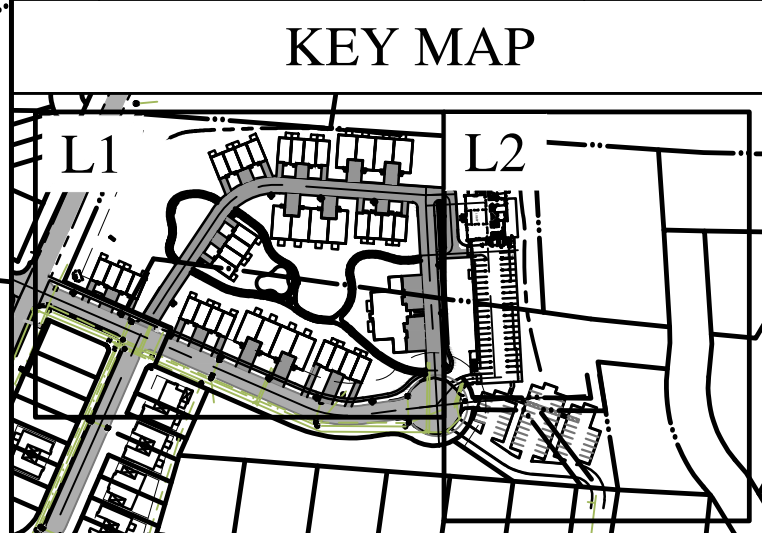




SCALE : 1:250



REVISIONS		
No.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	01.03.2019

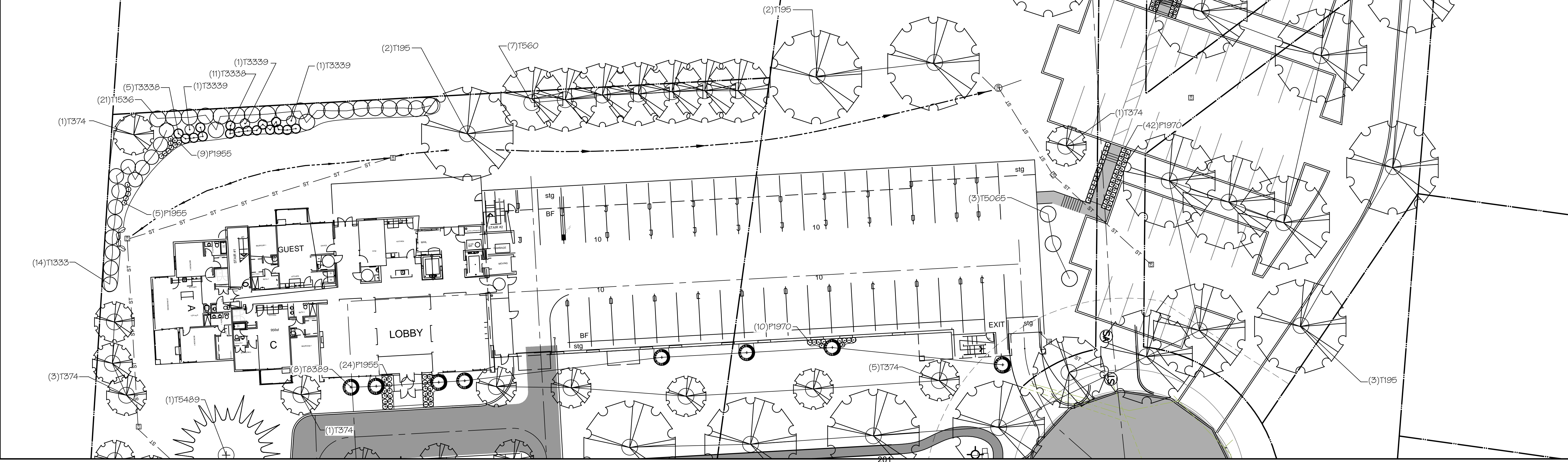


LEGEND	
	ROCK SWALE
	SWALE CENTRE LINE
	PROPOSED STORM LINE
	NEW BENCH
	PROPOSED SPOT ELEVATION
	PROPOSED CONTOUR
	EXISTING CONTOUR

DETAIL REFERENCE NODE	
	DETAIL NUMBER
	SHEET NUMBER

NOTES	
1.	ALL DIMENSIONS ARE IN MILLIMETRES.
2.	FIELD SURVEY COMPLETED ON JAN. 29, 2002 BY HUGHES SURVEYS.
3.	ALL COMPUTATIONS PERFORMED AND COORDINATES SHOWN ON THIS PLAN ARE BASED ON NEW BRUNSWICK STEREOGRAPHIC DOUBLE PROJECTION AND THE NAD83(CSRS) ELLIPSOID AS REALIZED BY SERVICE NEW BRUNSWICK ADJUSTED COORDINATE SURVEY MONUMENTS.
4.	CONTOURS ARE GEODETIC DATUM IN METRES AND COLLECTED FROM LIDAR DATA PROVIDED BY GEONBS.CA
5.	LOCATION AND SIZE OF UNDERGROUND SERVICES WERE DERIVED FROM VARIOUS SOURCES AND ARE APPROXIMATE ONLY. ACTUAL LOCATION SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITY.
6.	REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.
7.	ALL DIMENSIONS, MEASURED FACE TO FACE.
8.	RESTORE ALL DISTURBED AREAS TO ORIGINAL CONDITIONS OR BETTER.

PRELIMINARY SAMPLE OF PROPOSED PLANTS					
CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
T86	4	A...	F...	100	
T177	15	A...	P...	50	
T195	24	A...	A...	50	
T215	1	A...	S...	50	
T229	1	A...	G...	50	
T374	54	A...	A...	2.5	
T481	128	B...	D...	30	
T487	95	B...	R...		
T560	18	B...	P...	200	
T645	28	B...	G...	30	
T1329	11	C...	H...	50	
T1333	66	C...	R...	50	
T1536	33	C...	Y...	50	
T1559	9	C...	B...	50	
T2019	37	D...	B...	30	
T2416	4	E...	D...	50	
T3140	25	H...	E...	50	
T3174	4	H...	L...	50	
T3338	52	I...	B...	40	
T3339	8	I...	M...	40	
T4437	3	M...	C...	125	
T4598	2	M...	M...	45	
T4600	1	M...	P...	45	
T4716	41	M...	R...	20	
T5153	9	P...	W...	150	
T5065	17	P...	S...	50	
T5489	6	P...	W...	150	
T6331	18	R...	P...	30	
T6789	3	R...	G...	45	
T7511	1	S...	T...	45	
T7976	4	S...	S...	30	
T8044	33	S...	C...	30	
T8032	18	S...	B...	50	
T8153	6	S...	P...	120	
T8289	14	S...	K...	100	
T8389	28	T...	C...	100	
T9024	2	W...	V...	50	
P790	31	C...	A...	1	
P1970	52	H...	P...	1	
P1955	314	H...	A...	1	
P1956	26	H...	C...	1	
P2015	102	H...	P...	1	
P2022	32	H...	A...	1	
P2355	14	H...	A...	1	
P2394	92	H...	G...	1	



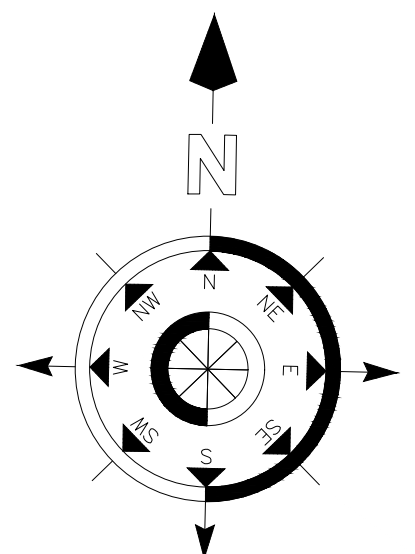
STAMP

GLENN GROUP
LANDSCAPE ARCHITECTS & PARK PLANNERS
PH: (506)455-2473
FAX: (506)459-2685

PROJECT TITLE
CALABRIA ESTATES
SAINT JOHN, NB

DRAWING NAME
LANDSCAPE PLAN

DATE PRINTED: 1.15.2019	DESIGNED BY: DKG, BP
DRAWN BY: MB	CHECKED BY: DKG
CLIENT PROJECT No.:	GG PROJECT NO.: 1902
SCALE: 1:250	DATE: 01.03.2019
SHEET NUMBER L4	



SCALE : 1:250
0m 2m 4m 6m 8m 10m 12m 16m 20m

REVISIONS		
No.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	01.03.2019

KEY MAP

LEGEND

- ROCK SWALE
- SWALE CENTRE LINE
- PROPOSED STORM LINE
- NEW BENCH
- PROPOSED SPOT ELEVATION
- PROPOSED CONTOUR
- EXISTING CONTOUR

DETAIL REFERENCE NODE

1 L6
DETAIL NUMBER SHEET NUMBER

NOTES

1. ALL DIMENSIONS ARE IN MILLIMETRES.
2. FIELD SURVEY COMPLETED ON JAN. 29, 2002 BY HUGHES SURVEYS.
3. ALL COMPUTATIONS PERFORMED AND COORDINATES SHOWN ON THIS PLAN ARE BASED ON NEW BRUNSWICK STEREOGRAPHIC DOUBLE PROJECTION AND THE NAD83(GRS) ELLIPSOID AS REALIZED BY SERVICE NEW BRUNSWICK ADJUSTED COORDINATE SURVEY MONUMENTS.
4. CONTOURS ARE GEODETIC DATUM IN METRES AND COLLECTED FROM LIDAR DATA PROVIDED BY GEONIX.CA
5. LOCATION AND SIZE OF UNDERGROUND SERVICES WERE DERIVED FROM VARIOUS SOURCES AND ARE APPROXIMATE ONLY. ACTUAL LOCATION SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITY.
6. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.
7. ALL DIMENSIONS, MEASURED FACE TO FACE.
8. RESTORE ALL DISTURBED AREAS TO ORIGINAL CONDITIONS OR BETTER.

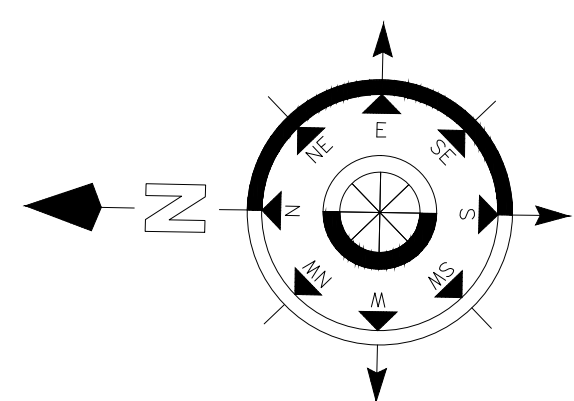
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GLENN GROUP
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PH: (506)455-2473
FAX: (506)459-2685

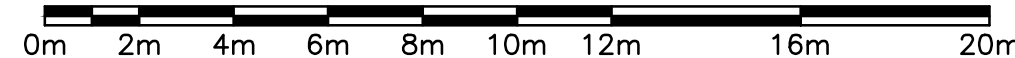
PROJECT TITLE
CALABRIA ESTATES
SAINT JOHN, NB

DRAWING NAME
LANDSCAPE PLAN

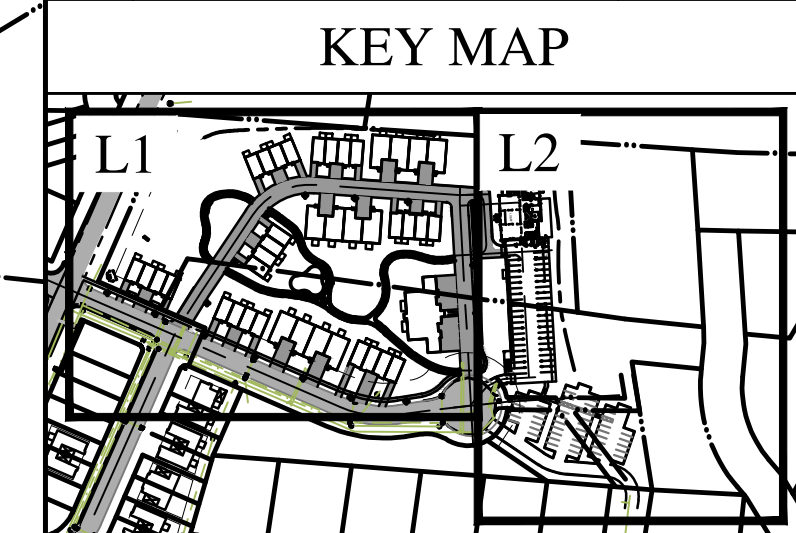
DATE PRINTED: 1.7.2019	DESIGNED BY: DKG, BP
DRAWN BY: MB	CHECKED BY: DKG
CLIENT PROJECT No.:	GG PROJECT NO: 1902
SCALE: 1:200	DATE: 01.03.2019
SHEET NUMBER L3	



SCALE : 1:250



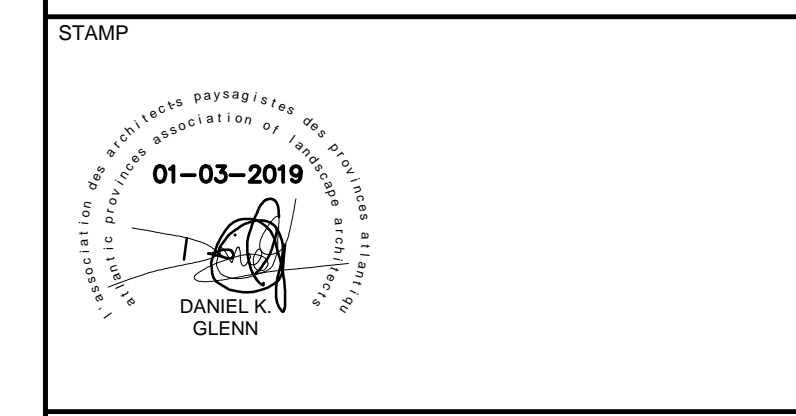
REVISIONS		
No.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	01.03.2019



LEGEND	
	ROCK SWALE
	SWALE CENTRE LINE
	PROPOSED STORM LINE
	NEW BENCH
	PROPOSED SPOT ELEVATION
	PROPOSED CONTOUR
	EXISTING CONTOUR

DETAIL REFERENCE NODE	
	DETAIL NUMBER
	SHEET NUMBER

- NOTES**
1. ALL DIMENSIONS ARE IN MILLIMETRES.
 2. FIELD SURVEY COMPLETED BY HUGHES SURVEYS.
 3. ALL COMPUTATIONS PERFORMED AND COORDINATES SHOWN ON THIS PLAN ARE BASED ON NEW BRUNSWICK STEREOGRAPHIC DOUBLE PROJECTION AND THE NAD83(CRS) ELLIPSOID AS REALIZED BY SERVICE NEW BRUNSWICK ADJUSTED COORDINATE SURVEY MONUMENTS.
 4. CONTOURS ARE GEODETIC DATUM IN METRES AND COLLECTED FROM LIDAR DATA PROVIDED BY GEONB.CA
 5. LOCATION AND SIZE OF UNDERGROUND SERVICES WERE DERIVED FROM VARIOUS SOURCES AND ARE APPROXIMATE ONLY. ACTUAL LOCATION SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITY.
 6. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.
 7. ALL DIMENSIONS, MEASURED FACE TO FACE.
 8. RESTORE ALL DISTURBED AREAS TO ORIGINAL CONDITIONS OR BETTER.



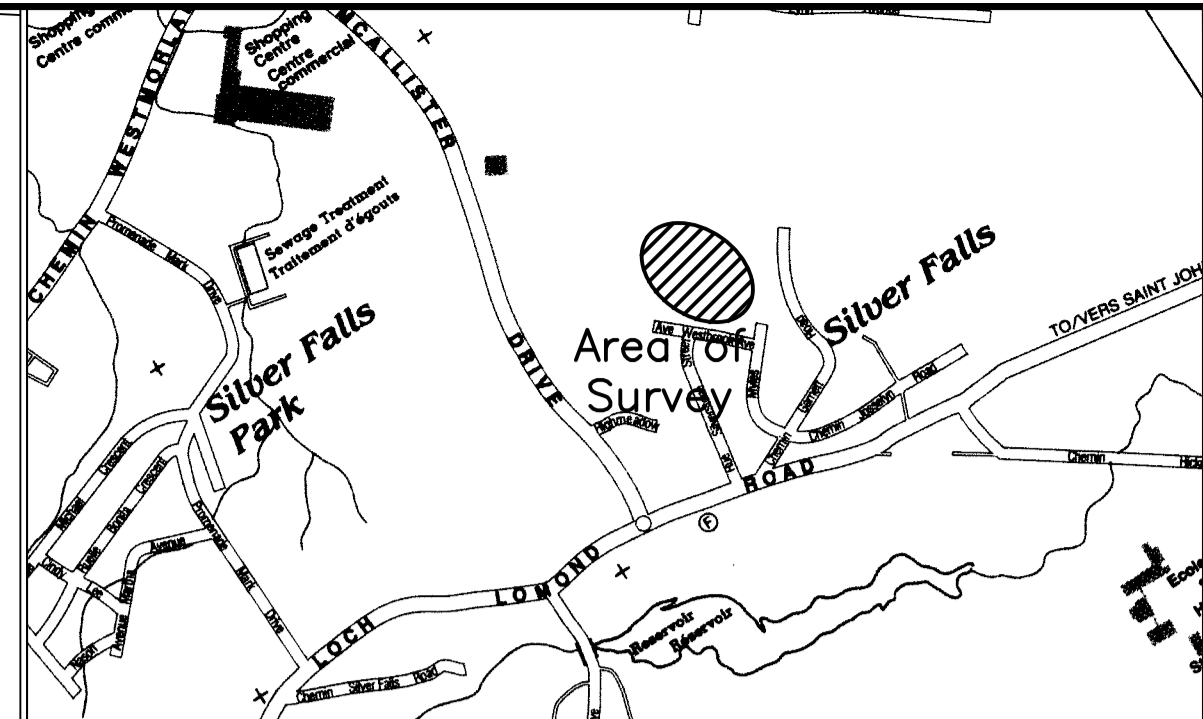
PROJECT TITLE
CALABRIA ESTATES
SAINT JOHN, NB

DRAWING NAME
STORM WATER MANAGEMENT PLAN

DATE PRINTED: 1.7.2019	DESIGNED BY: DKG, BP
DRAWN BY: MBJMC	CHECKED BY: DKG
CLIENT PROJECT No.:	GG PROJECT NO.: 1902
SCALE: 1:200	DATE: 01.03.2019
SHEET NUMBER L2	



APPROVALS



Key Plan Scale 1:15,000

Registration Data	
Owner Name :	048367 N.B. Inc.
PID :	00313429
Effective Date :	---
Instrument :	Transfer # ---
Owner Name :	048367 N.B. Inc.
PID :	00426452
Effective Date :	---
Instrument :	Transfer # ---
Owners	Owner Names

- NOTES**
- Directions are N. B. Grid azimuths derived from G.P.S. observations on N.B. Mon's. ---- (based on NAD83 CSRS HPN Value on N.B. Mon. ---).
 - All distances are in metres; to convert to imperial equivalents divide by 0.3048.
 - Area of survey outlined thus , peripheral information compiled from various sources.
 - All document and plan references refer to the Registry Office for Saint John County or the Land Titles District of New Brunswick.
 - Field survey completed on ----.
 - All computations performed and coordinates shown on this plan are based on New Brunswick Stereographic Double Projection and the NAD83(CSRS) Reference System as realized by Service New Brunswick High Precision Network coordinate survey monuments.

Purpose Of Plan
To create Lot 18-01, Lot 18-02, Local Government Services Easements, Public Utility Easements, Right of Ways, and a Pedestrian & Emergency Access

New Brunswick Grid Co-Ordinate Values			
Sta.	X	Y	Rmks.

Scale Factor Applied -----

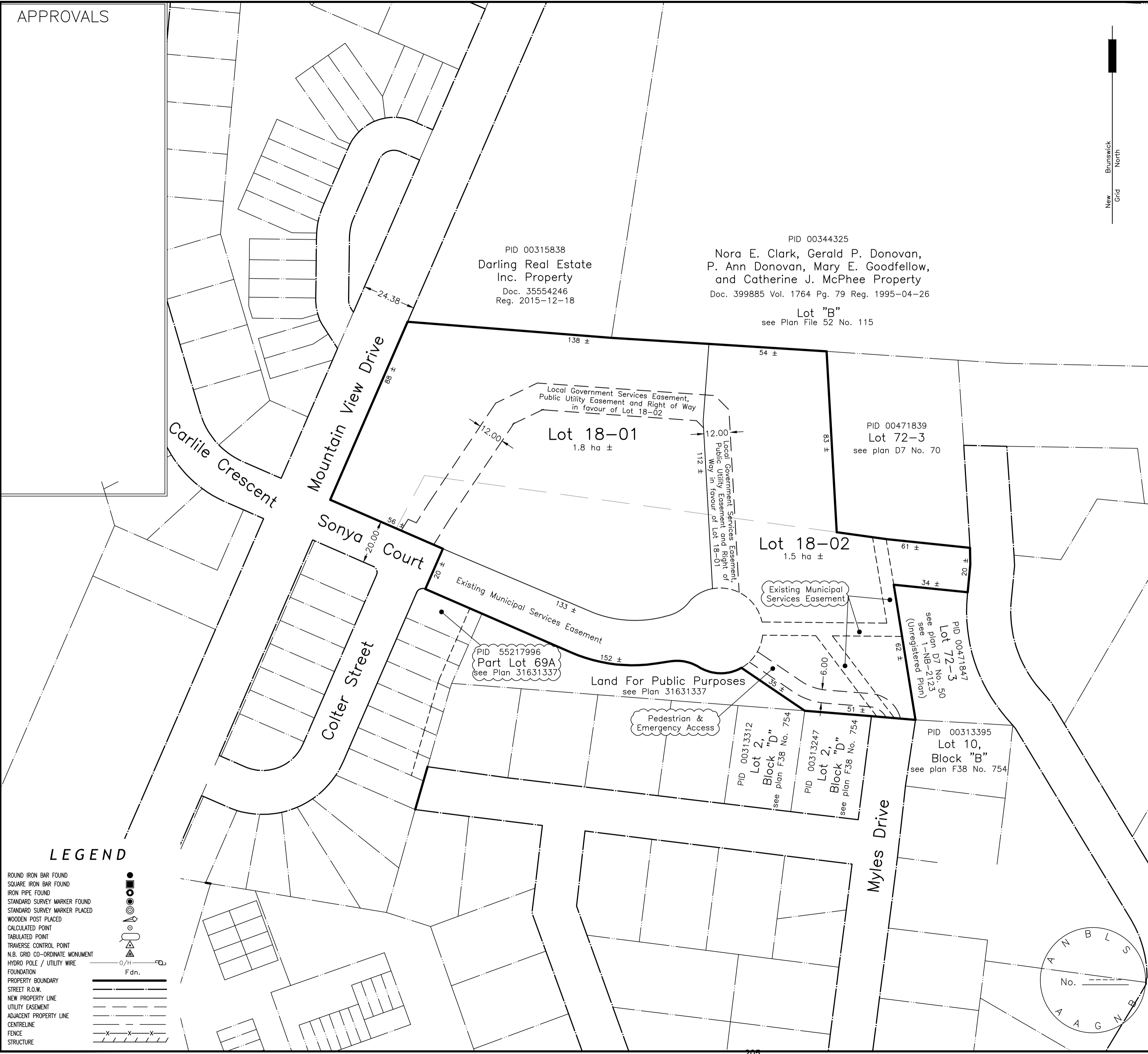
Tentative Plan
Calabria Estates,
Mountain View Drive,
City of Saint John,
Saint John County,
New Brunswick

Prepared By
HUGHES SURVEYS & CONSULTANTS INC.

Surveyed by _____ Jan. 3, 2019
Date

20 0 20 40 60 80
1 : 1000 _____
meters

Dwg. No. S18255	Disk No. 2018	Topos -----	Disk No. ----
Dwn. by B.E.S.	Job No. Y18-255	Rev. No. -----	Map Ref. -----



New Brunswick North Grid

LEGEND

- ROUND IRON BAR FOUND
- SQUARE IRON BAR FOUND
- IRON PIPE FOUND
- STANDARD SURVEY MARKER FOUND
- STANDARD SURVEY MARKER PLACED
- WOODEN POST PLACED
- CALCULATED POINT
- TABULATED POINT
- TRAVERSE CONTROL POINT
- N.B. GRID CO-ORDINATE MONUMENT
- HYDRO POLE / UTILITY WIRE
- FOUNDATION
- PROPERTY BOUNDARY
- STREET R.O.W.
- NEW PROPERTY LINE
- UTILITY EASEMENT
- ADJACENT PROPERTY LINE
- CENTRELINE
- FENCE
- STRUCTURE

Calabria Estates Subivision

Townhouse Portion of Development - Unit and Bedroom Count

Building Type	Number of Buildings	Number of Units Per Building		Number of Bedroom Per Unit	Number of Bedrooms
A	1	8		2	16
B	3	3	B-1	2	18
		1	B-2	3	9
C	4	4		2	32
D	3	2	D-1	4	24
		2	D-2	2	12
				Bedroom Total	111

Aparment Building - Unit and Bedroom Count

Unit Type	Number of Units	Number of Bedrooms Per Unit	Number of Bedrooms
GUEST	1	1	1
A	6	2	12
E	2	1	2
C	66	2	132
G	8	2	16
M	5	2	10
N	5	2	10
O	5	2	10
Bedroom Total			193

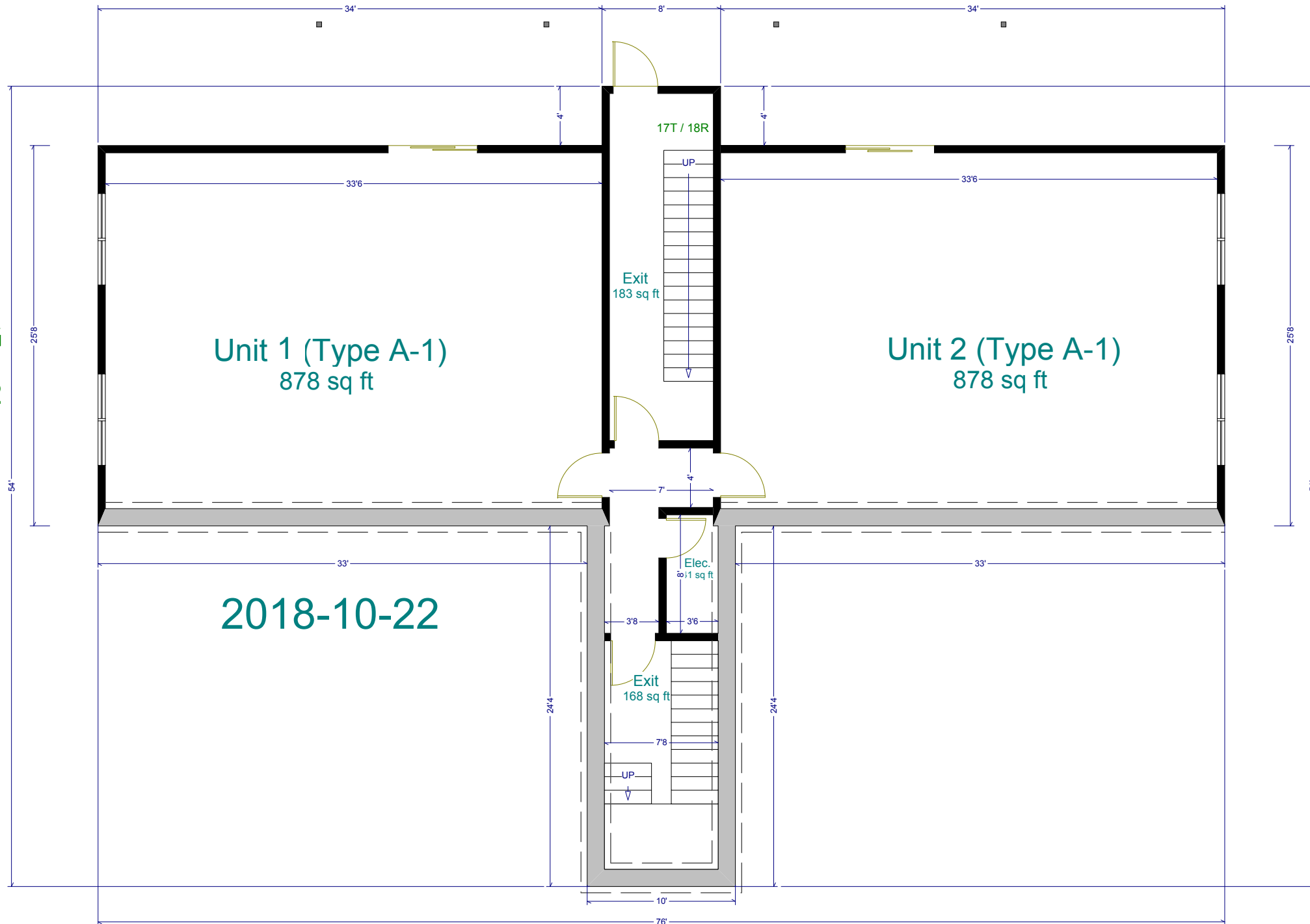
TOTAL BEDROOMS FOR DEVELOPMENT	304
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Basement Floor Building Type A - 10G

Basement Area : 2,226 Ft2

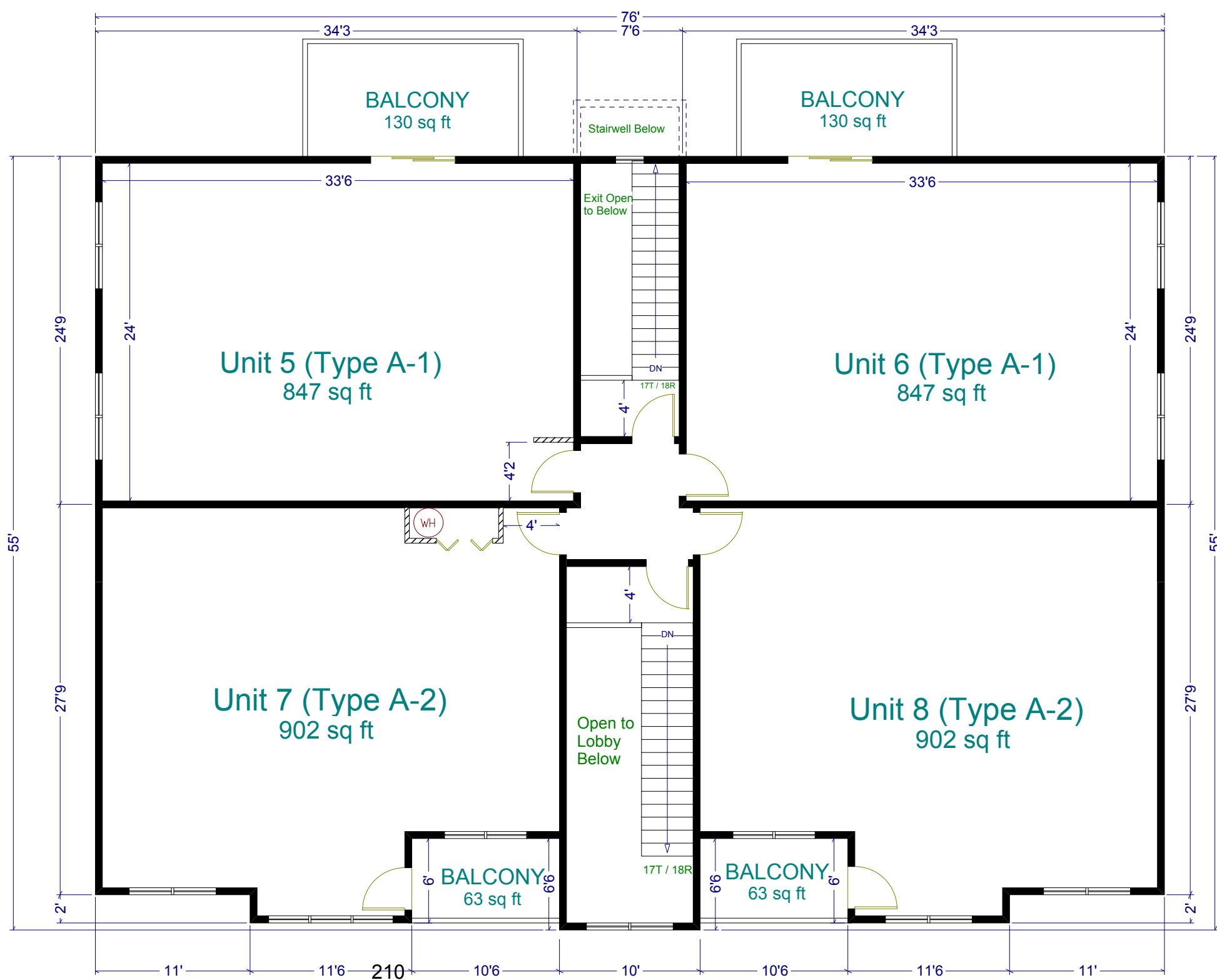
2 Type A-1 Units



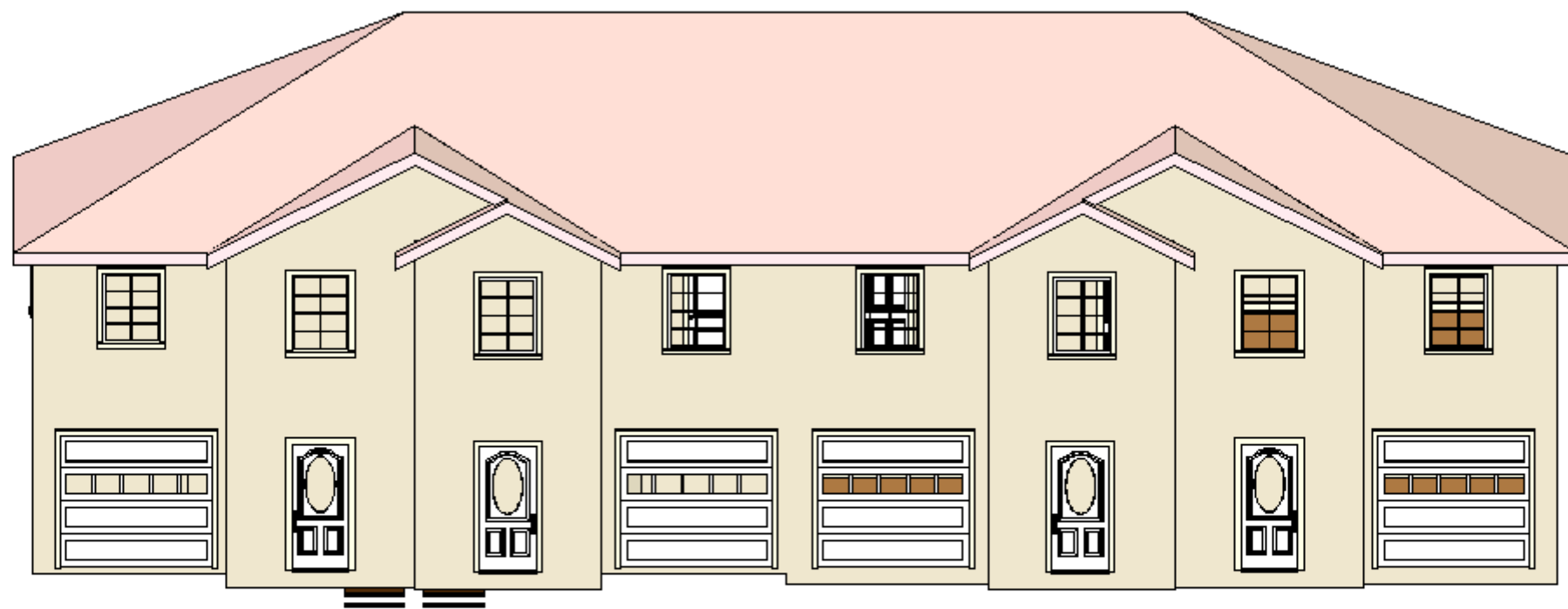
2018-10-22

2018-10-24

Type A - 10G
2nd Floor Area : 3,981 Ft²
2 Type A-1 Units
2 Type A-2 Units



2018-10-24

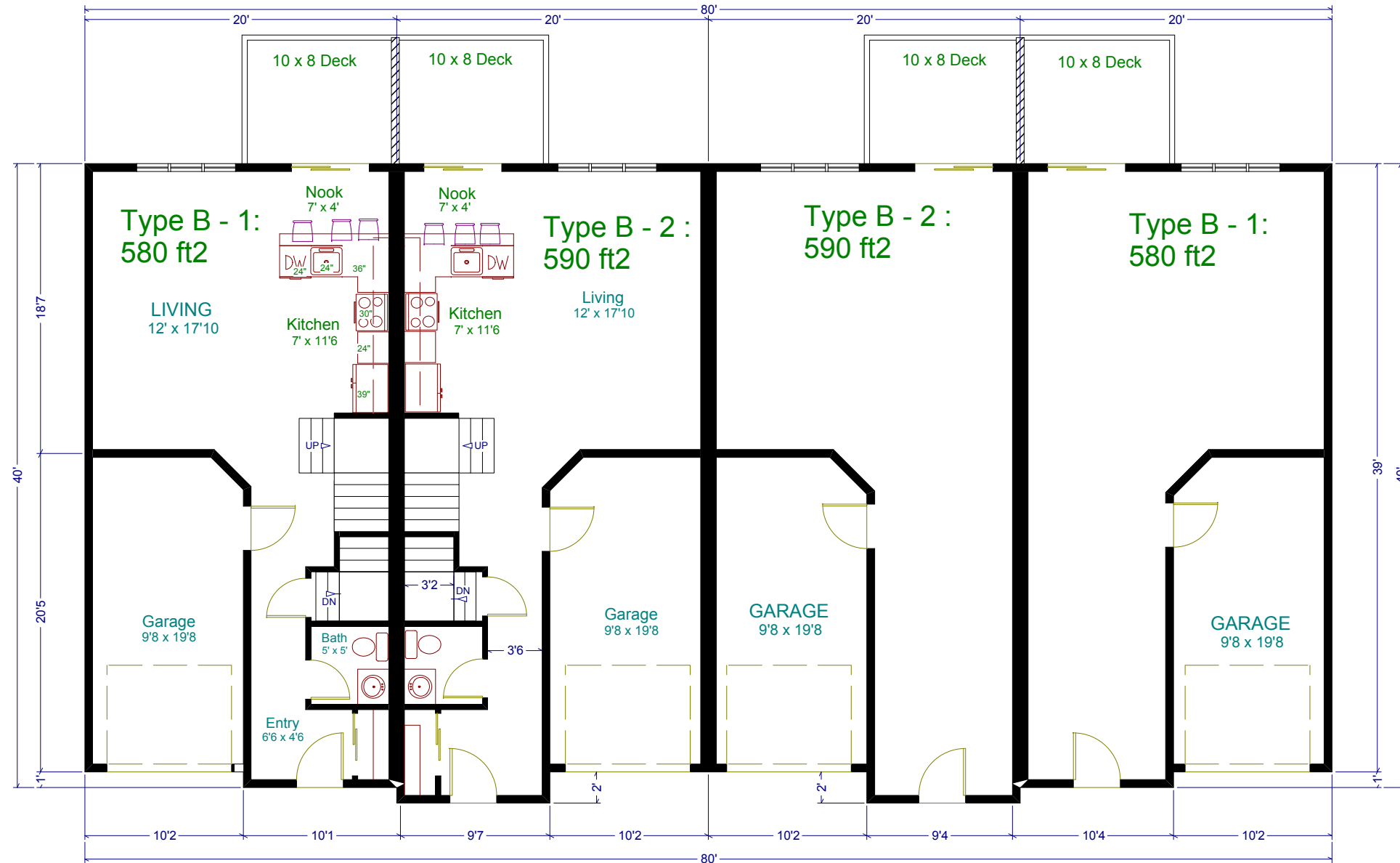


Type B - 4 Unit
2 Level Townhouses + Basements
Building Footprint = 80' x 41'

Type B-1 Living Area : 1,370 Ft²
 Unit Footprints = 20' x 40' (39' + 1)
 Main Floor Area : 580 Ft²
 2nd Floor Area : 790 Ft²
 Garage Area : 210 Ft²

Type B-2 Living Area : 1,390 Ft²
 Unit Footprints = 20' x 41' (39' + 2)
 Main Floor Area : 590 ft²
 2nd Floor Area : 800 Ft²
 Garage Area : 210 Ft²

2018-10-23 Drawing

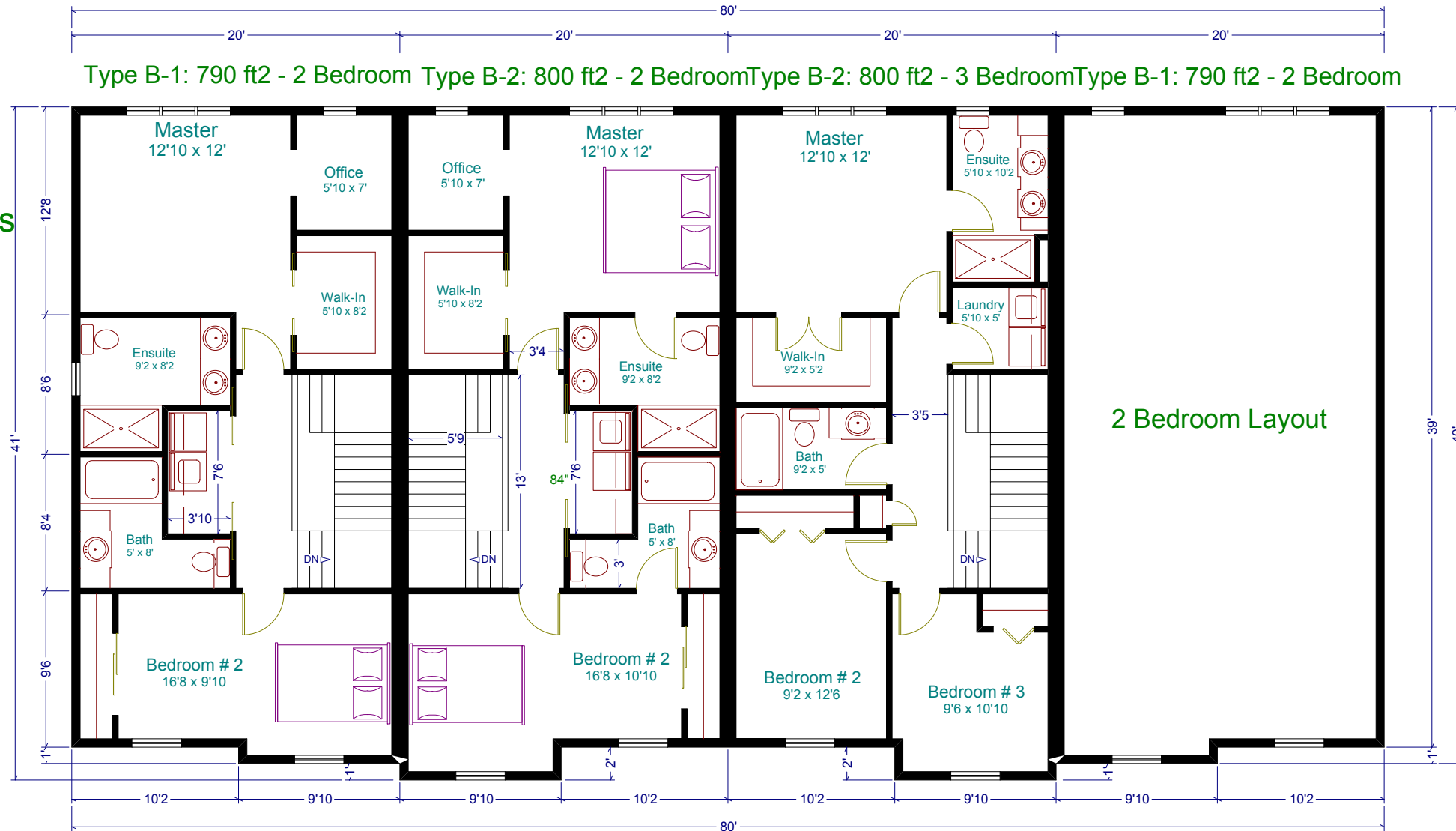


Type B - 4 Unit
 2 Level Townhouses + Basements
 Building Footprint = 80' x 41'

Type B-1 Living Area : 1,370 Ft²
 Unit Footprints = 20'x40' (39' + 1')
 B-1 Main Floor Area : 580 Ft²
 B-1 2nd Floor Area : 790 Ft²

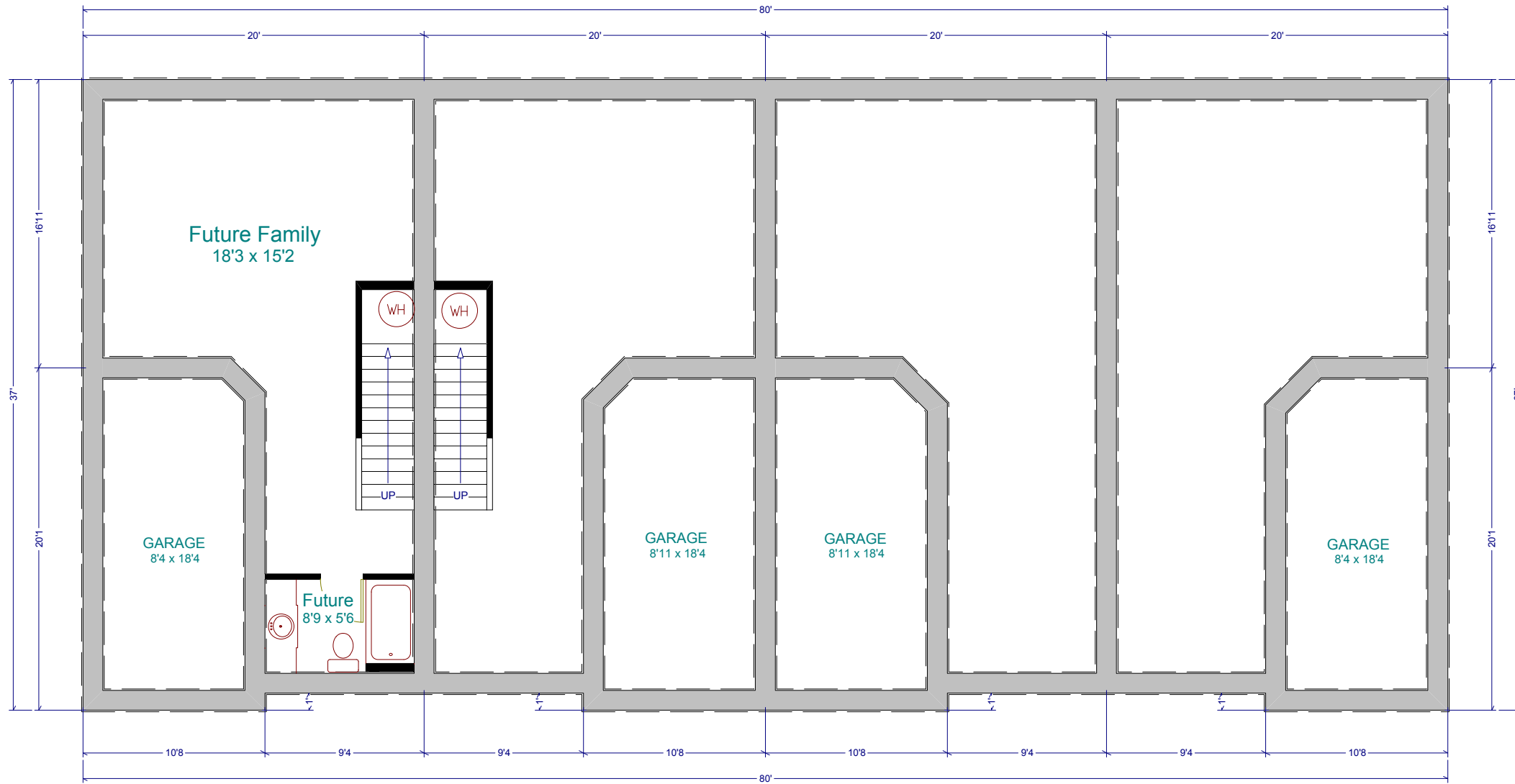
Type B-2 Living Area : 1,390 Ft²
 Unit Footprints = 20'x41' (39' + 2')
 B-2 Main Floor Area : 590 ft²
 B-2 2nd Floor Area : 800 Ft²

2018-10-23 Drawing





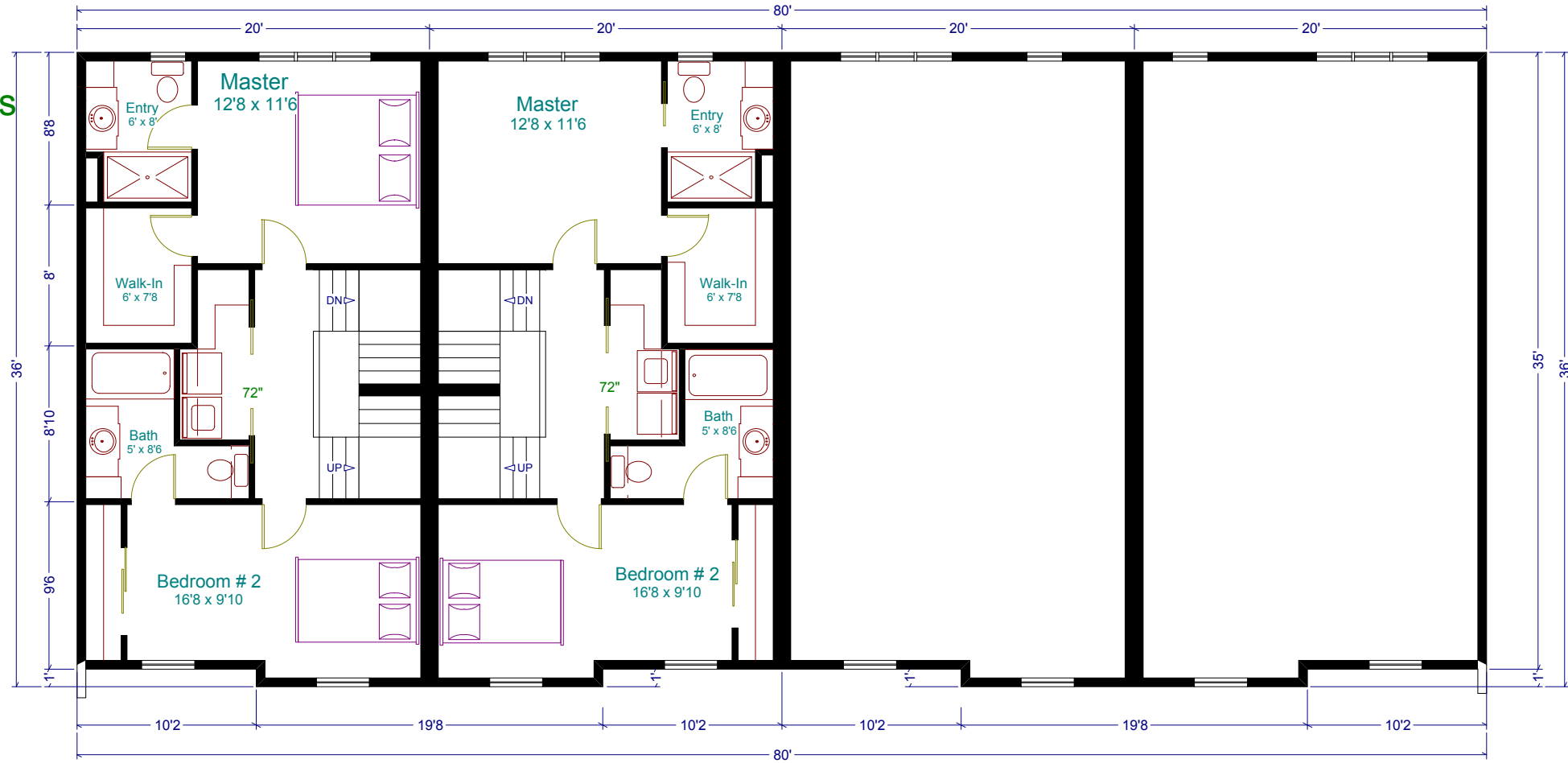
Type C Basement Plan



Type C - 4 Unit
2 Level Townhouses + Basements
Building Footprint = 80' x 37'

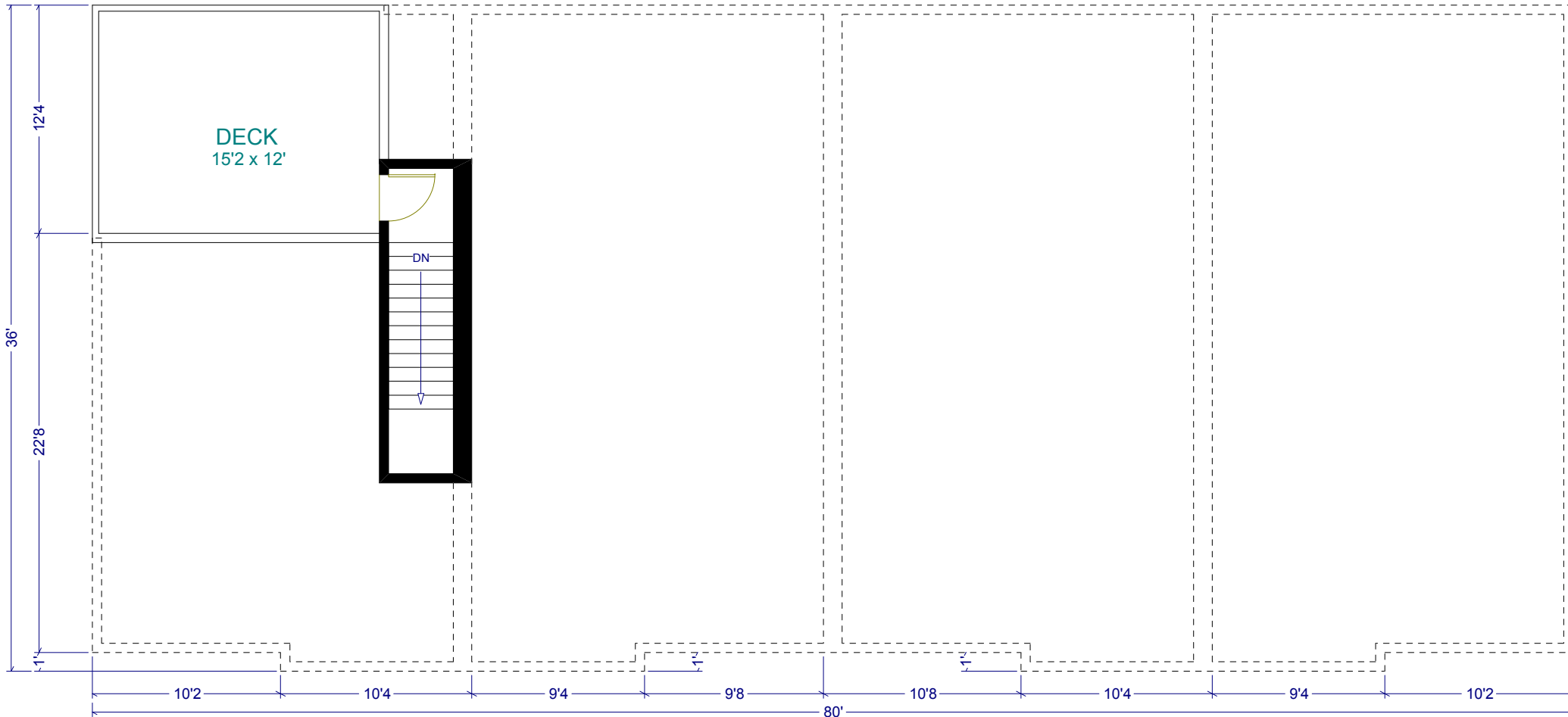
Type C-1 Living Area : 1,210 Ft²
Unit Footprints = 20'x37' (36' + 1')
Main Floor Area : 500 Ft²
2nd Floor Area : 710 Ft²

**2 Bedroom
 Layout C-1**



2018-10-23 Drawing

Type C - 4 Unit
Roof Deck



Type D Front

Of: **6**

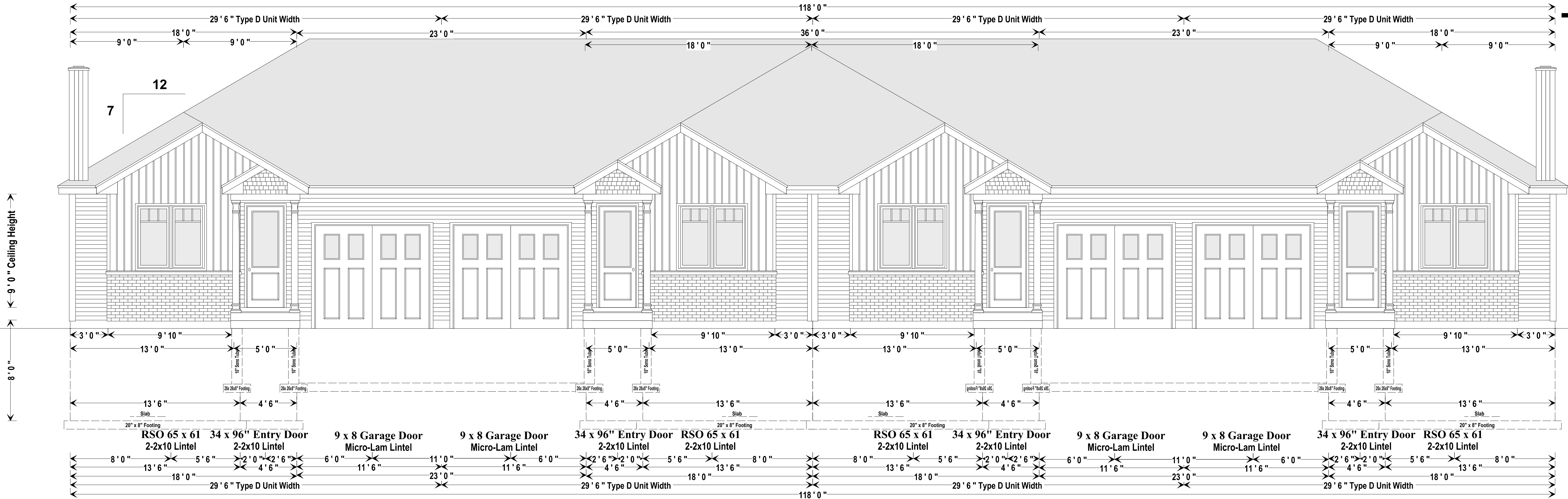
Page: **1**

Date: **Nov. 26, 2018**

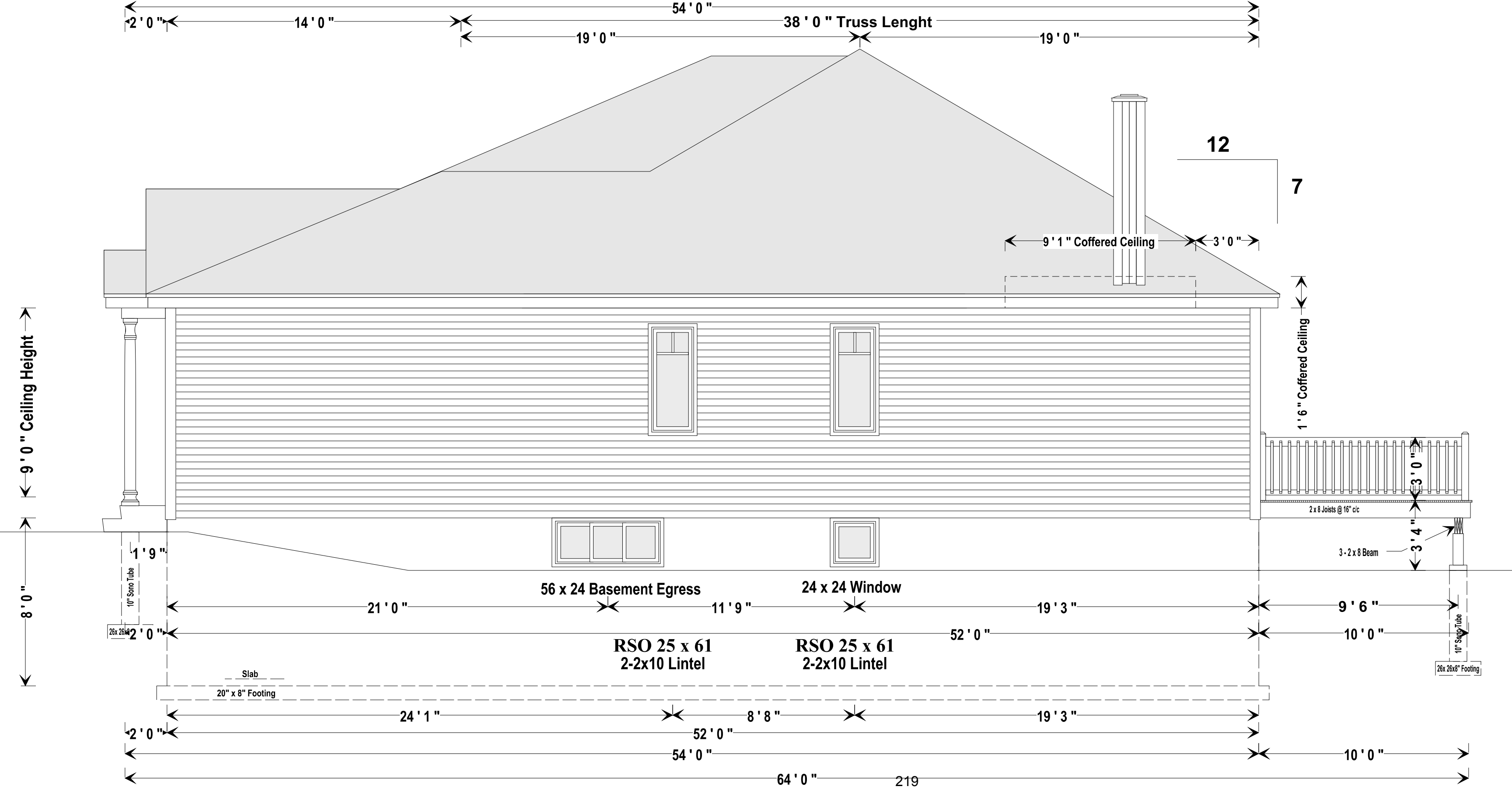
Drawing: **Front & Side 1**

For Date: **Calabria Estates - Homes "TYPE - D"**

Scale: **1/4" = 1' - 0"**

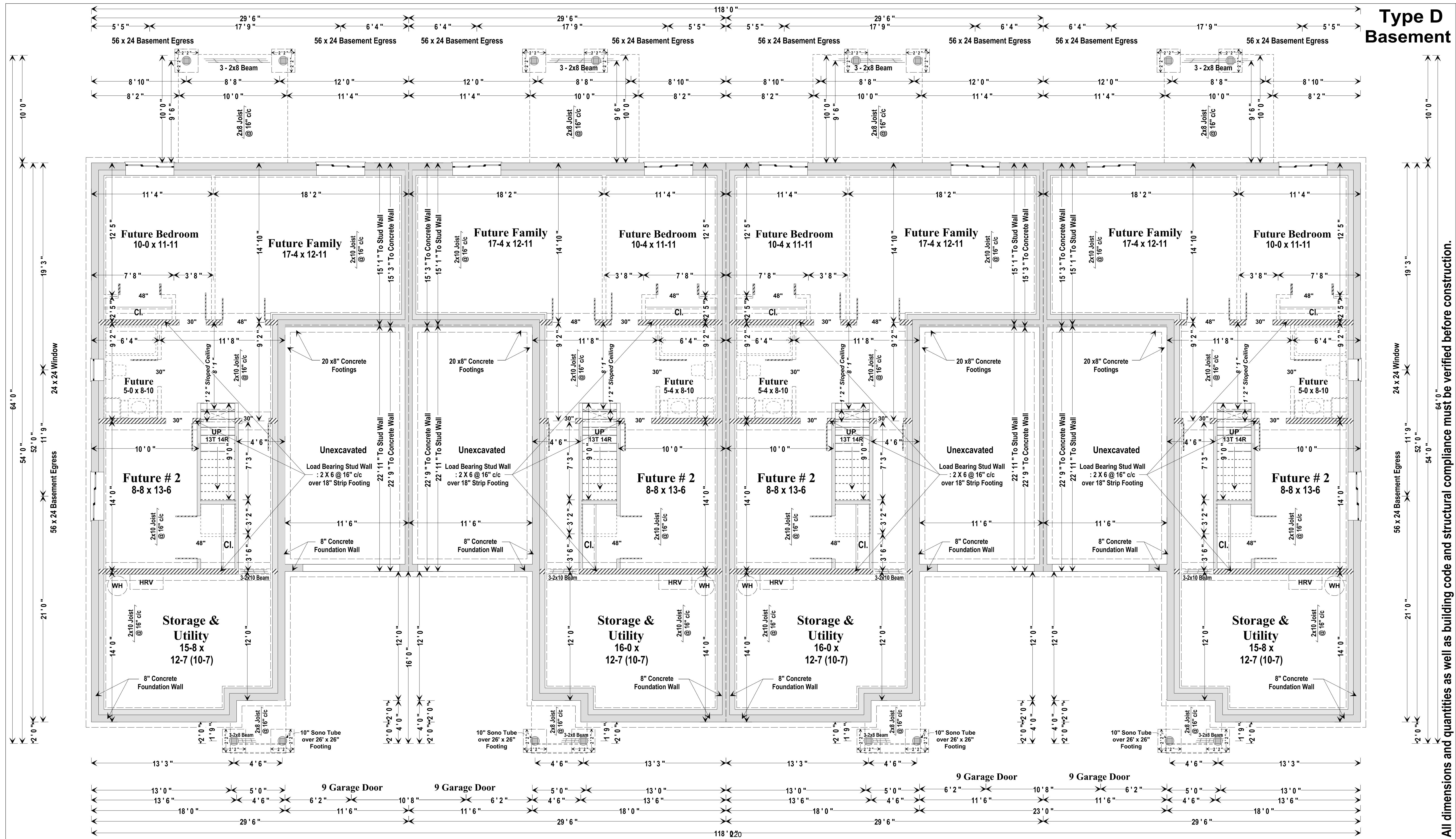


Side 1

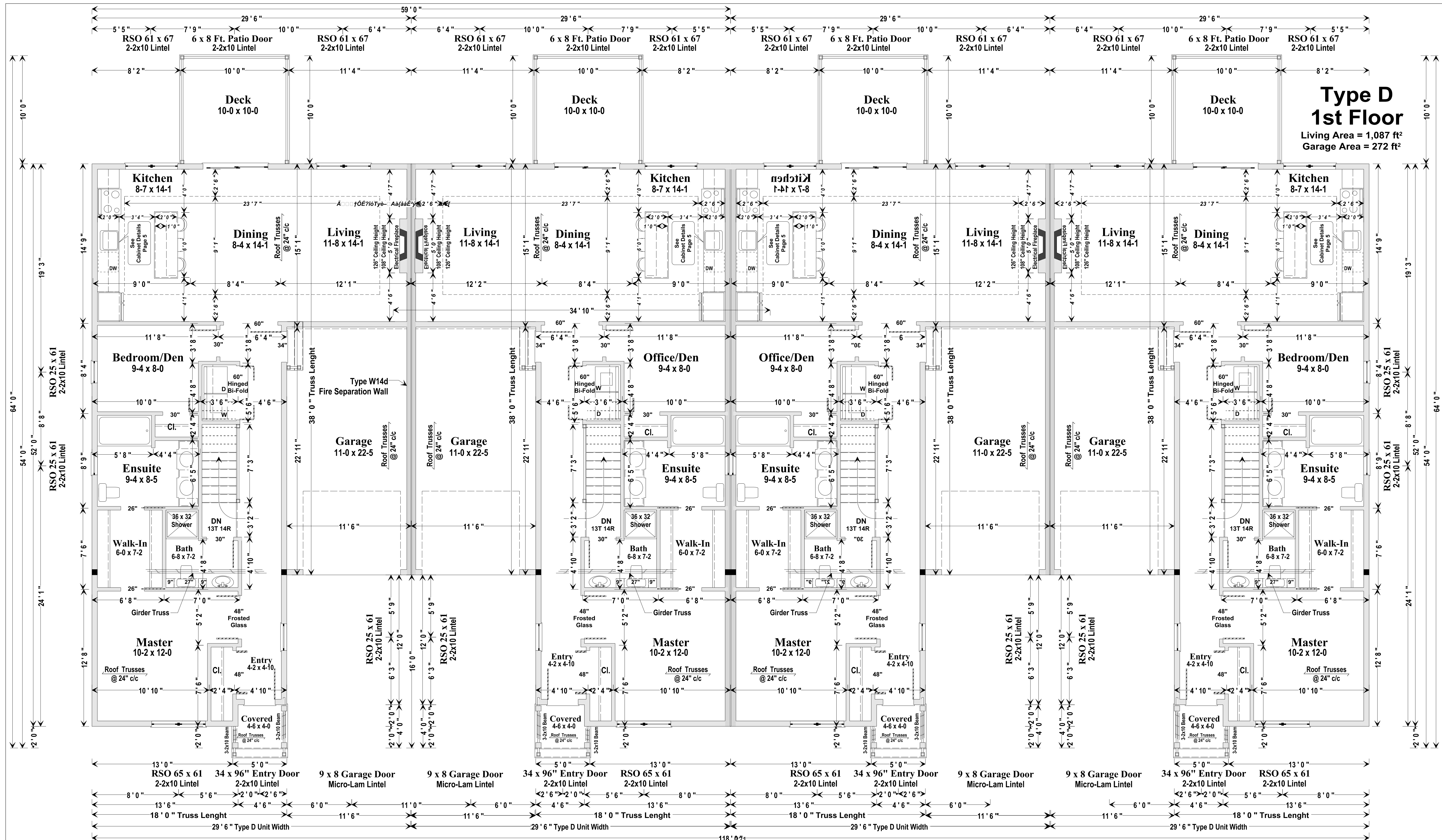


Living Area = 1,087 ft²
Garage Area = 272 ft²

All dimensions and quantities as well as building code and structural compliance must be verified before construction.



All dimensions and quantities as well as building code and structural compliance must be verified before construction.



**Type D
1st Floor**
Living Area = 1,087 ft²
Garage Area = 272 ft²

All dimensions and quantities as well as building code and structural compliance must be verified before construction.

COUNCIL REPORT

M&C No.	2019-14
Report Date	January 23, 2019
Meeting Date	January 28, 2019
Service Area	Corporate Services

His Worship Mayor Don Darling and Members of Common Council

SUBJECT: Procedural Bylaw Amendment Respecting Electronic Participation in Meetings and Submissions/Representations made Subsequent to a Public Hearing

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	City Manager
<i>Jonathan Taylor</i>		<i>John Collin</i>

RECOMMENDATION

It is recommended that council give 1st and 2nd reading to the attached Procedural bylaw amendment, and further, direct staff to add to the bylaw prior to 3rd reading a provision which allows Council members to participate using electronic means of communication for Committee of the Whole closed meetings.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with a draft procedural by-law amendment which:

- Permits remote participation for Council members via tele conference for special meetings, emergency meetings and Committee of the Whole closed session
- Provides a formal process for managing submissions or representations received by the City subsequent to a legislated public hearing held by Council

PREVIOUS RESOLUTION

February 16, 2018 Council resolution:

RESOLVED that Council allow for remote participation using teleconference for special or emergency meetings of council; and further, that Council not proceed

at this time with changing its procedural by-law to allow for remote electronic participation in regular open session meetings of Council, Committee of the Whole or other committee meetings until reliable technological solutions have been identified.

August 8, 2017 Council resolution:

RESOLVED that Common Council direct the City Solicitor to amend the *Bylaw Respecting Procedures of the Common Council* to incorporate the resolution of Common Council made on October 27th, 2014 respecting submissions and representations made subsequent to a public hearing, with the deletion of the following phrase “and further that the author of any such submission/representations be advised by the Common Clerk of the foregoing direction”; and further that the City Solicitor consolidate the *Procedural Bylaw* to incorporate all amendments.

REPORT

Electronic Meetings

The new Local Governance Act contains provisions (s 69) which allow Council members to participate in Council and Committee of Council meetings remotely using technology, such as tele conference or video conference, if the following conditions are met:

- Members of Council can hear and speak to each other
- The public can hear the member if the meeting is open to the public
- Only a member of council who, at the time of the meeting, is outside of the local government or is physically unable to attend the meeting may participate using electronic means
- In a one-year period members of Council shall not participate in a meeting using electronic means more than 25% of the regular meetings, or more than four special meetings, except for reasons of disability
- A member of Council must provide sufficient notice to the Clerk
- A member of Council who participates electronically in a closed meeting shall, at the beginning of the meeting, confirm that her or she is alone
- If the meeting is open to the public, notice of the meeting must be given to the public advising of the location of the meeting and that electronic means of communication will be used at the meeting

In order to permit the participation in a meeting using electronic means of communication, the legislation requires an amendment to the Council procedural bylaw.

Council discussed the topic of electronic meetings on February 16, 2018 and subsequently adopted a resolution to permit remote participation for members of Council via tele conference for Special or Emergency meetings of Council. Staff was directed to prepare the bylaw amendment and report back to Council.

The attached bylaw amendment has been prepared by the Solicitor's office and submitted to Council for consideration of 1st and 2nd reading. Staff recommends that Council consider adding a further provision to the bylaw to permit the electronic participation of Council members in Committee of the Whole closed session meetings. Should Council wish to proceed with this addition, it can be added to the bylaw amendment prior to Council giving 3rd reading.

Staff is currently investigating technological options for remote meeting participation while the permanent Council Chamber undergoes renovations as part of the City Hall project. Many of the audio and visual components in the Chamber were installed in 2002 and require upgrades/replacement. Staff is exploring various options, such as remote electronic voting connected to the Council Chamber meeting management software, video conferencing, and web streaming. It is recommended that a reliable technological solution be in place prior to Council considering electronic participation for regular open session meetings.

Submissions/Representations made subsequent to a public hearing

At its meeting of August 8, 2017, Council directed the City Solicitor to prepare an amendment to the procedural bylaw regarding submissions/representations received by the city subsequent to a legislated public hearing held by Common Council.

Specifically, in the event of submissions or representations being received subsequent to the conclusion of a statutorily mandated public hearing held by Council, the Common Clerk shall retain those submissions or representations in the Clerk's records but not make them available to Council members until Council's final decision on the subject matter of the public hearing, unless the City Solicitor advises that providing such submissions or representations prior to Council's final decision is appropriate from a legal perspective and the author of such submissions or representations is advised by the Clerk of the foregoing direction.

It is recommended that Council give 1st and 2nd reading to the bylaw, and further, that staff be directed to add a provision to the bylaw which allows for remote meeting participation in Committee of the Whole closed session meetings.

SERVICE AND FINANCIAL OUTCOMES

Estimated cost for conference phone: \$500 - \$1000

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

The City Manager was consulted. The Solicitor's Office drafted the bylaw.

ATTACHMENTS

Procedural bylaw amendment.

**BY-LAW NUMBER M-5
A LAW TO AMEND A BY-LAW
RESPECTING THE PROCEDURE OF THE
COMMON COUNCIL
OF THE CITY OF SAINT JOHN**

Be it enacted by the Common Council of The City of Saint John as follows:

A By-Law of The City of Saint John entitled “a By-Law Respecting the Procedures of the Common Council of The City of Saint John” enacted on the 29th day of November, A.D. 2010, is hereby amended as follows:

1 Section 2.19 is repealed and replaced with the following:

“2.19 Recorded vote – defined

“Recorded vote” means

- (a) a vote taken by show of hands during a meeting with participation in person; or
- (b) a vote taken by roll call during a special or emergency meeting with electronic participation by telephone conference call. A vote is taken by roll call when each Member votes “yea” or “nay” as his or her name is called by the Presiding Officer, so that the names of Members voting on each side are recorded.”

2 Section 5.5 is amended by deleting the words “telecommunications equipment” immediately after the words “by use of” and replacing them with the words “telephone conference call”.

3 The following Section is enacted and added immediately following Section 5.8:

“5.9 Electronic participation – special meetings – emergency meetings

- (1) *Local Governance Act* requirements:

**ARRÊTÉ N° M-5
ARRÊTÉ MODIFIANT L’ARRÊTÉ
CONCERNANT LE RÈGLEMENT
INTÉRIEUR DU CONSEIL COMMUNAL DE
THE CITY OF SAINT JOHN**

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

Par les présentes, l’arrêté de The City of Saint John intitulé « Arrêté concernant le règlement intérieur du conseil communal de The City of Saint John », édicté le 29 novembre 2010, est modifié comme suit :

1 L’article 2.19 est abrogé et remplacé par ce qui suit :

« 2.19 Vote enregistré – définition

« vote enregistré » désigne

- a) un vote à main levée, en personne, lors d’une réunion; ou
- b) un vote par appel nominal au cours d’une réunion extraordinaire ou d’une réunion d’urgence avec participation par voie électronique par conférence téléphonique. Un vote par appel nominal a lieu lorsque chaque membre vote par oui par non lorsque le président du conseil appelle son nom pour que le nom des membres qui votent soit pour l’un ou pour l’autre soit enregistré. »

2 L’article 5.5 est modifié par la suppression des mots « du matériel de télécommunications » immédiatement après les mots « en ayant recours à du » et leur remplacement par les mots « une conférence téléphonique ».

3 L’article suivant est édicté et suit immédiatement l’article 5.8 :

« 5.9 Participation par voie électronique – réunions extraordinaires – réunions d’urgence

- 1) Exigences de la *Loi sur la gouvernance locale* :

Provided the conditions set out in section 69 of the *Local Governance Act* are met, a Member may participate in a special meeting or emergency meeting by means of a telephone conference call.

Lorsque les conditions établies à l'article 69 de la *Loi sur la gouvernance locale* sont remplies, un membre peut participer à une réunion extraordinaire ou à une réunion d'urgence par conférence téléphonique.

(2) Grievance Hearings:

2) Audiences de griefs

A hearing under the Working Agreement between the City of Saint John and The Canadian Union of Public Employees Local # 18 (Outside Workers) - Article 12 - Grievance Resolution Process - Internal shall not be held with Members participating electronically by telephone conference call.

Une audience tenue en vertu de l'entente de travail entre The City of Saint John et le Syndicat canadien de la fonction publique section locale 18 (cols bleus) — article 12 — Processus de règlement des griefs — n'a pas lieu en présence de membres participant par voie électronique par conférence téléphonique.

(3) Call-in time:

3) Heure pour joindre la conférence téléphonique :

The Clerk shall schedule a telephone conference call, to begin 15 minutes before the start of each meeting.

Le greffier/la greffière planifie que la conférence téléphonique commencera 15 minutes avant le début de chaque réunion.

(4) Form of Electronic Meeting Notice:

4) Forme de l'avis de réunion électronique :

Notice of a meeting shall include the time and location of the meeting and the phone numbers and any access code needed to connect to the telephone conference call.

L'avis d'une réunion inclut l'heure et l'endroit où se tiendra la réunion ainsi que les numéros de téléphone et les codes d'accès requis pour se connecter à une conférence téléphonique.

(5) Meeting-room equipment:

5) Équipement de la salle de réunion :

(a) The City shall provide a speakerphone at each meeting, which the Clerk shall connect to the telephone conference call at least 5 minutes prior to the start of the meeting.

a) Lors de chaque réunion, la municipalité fournit un haut-parleur que le greffier/la greffière branchera à la conférence téléphonique au moins 5 minutes avant le début de la réunion.

(b) Members participating electronically from outside the City are responsible to provide their own equipment to connect to the telephone conference call.

b) Les membres qui participent par voie électronique et qui sont à l'extérieur de la ville sont responsables de fournir leur propre équipement pour pouvoir se connecter à la conférence téléphonique.

(6) Location of the Presiding Officer:

6) Emplacement physique du président/de la présidente du conseil :

The Presiding Officer of the meeting must be

Le président/la présidente de la réunion du conseil

physically present in the meeting room.

doit être physiquement présent dans la salle de réunion.

(7) Location of the Mayor:

7) Emplacement physique du maire ou de la mairesse :

If the Mayor is out of the City, he or she shall not participate as Presiding Officer but may participate as a Member and vote.

Si le maire ou la mairesse est à l'extérieur de la ville, il/elle ne participera pas en tant que président/présidente du conseil, mais pourra participer en tant que membre et pourra voter.

(8) Joining the telephone conference call late:

8) Se joindre à la conférence téléphonique en retard :

A Member is not permitted to participate electronically in a meeting if that Member does not join the meeting within 15 minutes of its scheduled starting time.

Un membre n'a pas le droit de participer à une réunion par voie électronique si ce membre ne se joint pas à la réunion dans les 15 minutes suivant l'heure prévue du début de la réunion.

(9) Arrival announcements:

9) Annonce d'arrivée :

Members who participate in the meeting by phone shall announce themselves at the first opportunity after joining the telephone conference call, but may not interrupt a speaker for the purpose of doing so.

Les membres qui participent à la réunion par téléphone doivent signifier leur présence à la première occasion après qu'ils se sont joints à la conférence téléphonique, mais ne peuvent le faire en interrompant un intervenant.

(10) Departure announcements:

10) Annonce de départ :

Members who leave the telephone conference call or the meeting room prior to adjournment shall announce their departure, but may not interrupt a speaker for the purpose of doing so.

Les membres qui quittent la conférence téléphonique ou la salle de réunion avant l'ajournement annoncent leur départ, mais ne peuvent le faire en interrompant un intervenant.

(11) Quorum calls:

11) Vérification du quorum :

The Presiding Officer shall establish the presence of quorum by roll call at the beginning of the meeting and on demand of any Member. Such a demand may be made following the departure of any Member or following the taking of any vote for which the announced totals add to less than a quorum.

Le président/la présidente du conseil procède à la vérification du quorum par appel nominal au début de la réunion et à la demande d'un membre. Une telle demande peut être effectuée à la suite du départ d'un membre ou à la suite de la tenue d'un vote où le total des votes est inférieur au quorum.

(12) Obtaining the floor:

12) Obtenir la parole :

To seek recognition by the Presiding Officer, a Member shall address the Presiding Officer and state his or her own name.

Afin d'être reconnu par le président/la présidente du conseil, un membre s'adresse au président/à la présidente du conseil et donne son nom.

(13) Voting methods:

13) Modes de scrutin :

All votes shall be taken by roll call.

Tous les votes sont pris par appel nominal.

(14) Technical malfunctions and requirements:

14) Défaillances techniques et exigences :

Each Member is responsible for his or her connection to the telephone conference call; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented him or her from participating in the meeting.

Chaque membre est responsable de son branchement à la conférence téléphonique; aucune action ne devrait être annulée sous prétexte que la perte de branchement ou la mauvaise qualité du branchement d'un membre l'a empêché de participer à la réunion.

(15) Link interruptions:

15) Interruption de la voie de communication :

If there is an interruption in the communications' link to a Member who is participating electronically, the Presiding Officer may:

Advenant le cas où il y aurait une interruption de la voie de communication avec un membre qui participe par voie électronique, le président/la présidente du conseil peut :

- (a) decide on a short recess until it is determined whether or not the link can be re-established; or
- (b) continue the meeting and treat the interruption in the same manner as if a Member who is physically present leaves the meeting room.

- a) décider de prendre une courte pause jusqu'à ce qu'on détermine si la communication pourra être rétablie; ou
- b) continuer la réunion et traiter l'interruption de la communication comme une situation où un membre qui est physiquement présent quitte la salle de réunion.

(16) Forced disconnections:

16) Débranchement forcé :

The Presiding Officer may direct a Member to disconnect or mute their connection to the telephone conference call if it is causing undue interference with the telephone conference call. The Presiding Officer's decision to do so, which is subject to an undebatable appeal that can be made by any Member, shall be announced and recorded in the minutes."

Le président/la présidente du conseil peut demander à un membre d'interrompre le branchement à la conférence téléphonique ou de couper le son si le branchement cause une perturbation excessive avec la conférence téléphonique. La décision du président/de la présidente du conseil d'agir ainsi, sujette à un appel qui ne peut être discuté et qui peut être fait par tout membre, doit être annoncée et inscrite au procès-verbal. »

4 The following Section is enacted and added immediately following Section 9.3:

4 L'article suivant est édicté et suit immédiatement l'article 9.3 :

“9.4 Submission received subsequent to a public hearing

« 9.4 Soumission reçue après une audience publique

In the event of submissions or representations being received subsequent to the conclusion of a statutorily mandated public hearing held by

Advenant le cas où des soumissions ou des représentations seraient reçues après la fin d'une audience publique mandatée par la loi tenue par le

Council, the Clerk shall retain those submissions or representations in the Clerk's records but not make them available to Members until Council's final decision on the subject matter of the public hearing, unless the City Solicitor advises that providing such submissions or representations prior to Council's final decision is appropriate from a legal perspective and the author of such submissions or representations is advised by the Clerk of the foregoing direction."

conseil, le greffier/la greffière conserve ces soumissions ou ces représentations dans les dossiers du greffier/de la greffière, mais ne les met pas à la disposition des membres jusqu'à ce que le conseil ait pris une décision définitive sur le sujet de l'audience publique, sauf si le avocat municipal avise que la présentation de telles soumissions ou représentations, avant que le conseil ait pris une décision définitive, est appropriée du point de vue juridique et que l'auteur desdites soumissions ou représentations/ est avisé par le greffier/la greffière de la direction prise. »

5 Section 16.8 is repealed.

5 L'article 16.8 est abrogé.

6 The following Section is enacted and added immediately following Section 16.15:

6 L'article suivant est édicté et suit immédiatement l'article 16.15 :

“16.16 Recorded Vote – minutes

« 16.16 Vote enregistré — procès-verbal

A Recorded vote shall be entered in the minutes.”

Un vote enregistré est inscrit au procès-verbal. »

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. 2019 and signed by:

EN FOI DE QUOI The City of Saint John a fait apposer son sceau communal sur le présent arrêté le _____ 2019, avec les signatures suivantes :

Mayor/Maire

Common Clerk / Greffier communal

First Reading -
Second Reading -
Third Reading -

Première lecture -
Deuxième lecture -
Troisième lecture -

COUNCIL REPORT

M&C No.	2019-13
Report Date	January 23, 2019
Meeting Date	January 28, 2019
Service Area	Corporate Services

His Worship Mayor Don Darling and Members of Common Council

SUBJECT: Click2Gov Data Breach and Cybersecurity Priorities

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	City Manager
<i>Stephanie Rackley-Roach Jonathan Taylor</i>	<i>Neil Jacobsen</i>	<i>John Collin</i>

RECOMMENDATION

The City Manager recommends that Common Council endorse the cybersecurity strategy presented in this report.

EXECUTIVE SUMMARY

On December 21, 2018, it came to the City’s attention through two online articles that an unknown third-party may have gained access to confidential customer payment information provided through the Click2Gov application, an online payment tool to pay such things as parking tickets. In working with CentralSquare Technologies, the owner of the Click2Gov application, a breach of confidential information belonging to individuals that had paid parking tickets using purchasing cards was confirmed. This report outlines the details of the data breach that spans from May 2017 to December 2018, including how the breach happened and why the City was not aware of the breach sooner.

The Right to Information and Protection of Privacy Act requires that the City provide notification to individuals of potential data breaches. As a result, the City mailed a written notice, in both official languages, to anyone that may have paid a City of Saint John parking ticket using a purchasing card during the at-risk timeframe. In addition to two public updates posted on the City’s website, the mailed notification was sent to over 10,000 individuals potentially at risk.

The current Click2Gov software application was taken offline and continues to be unavailable to the public to pay parking tickets. In order to ensure trust in the payment system, of both the public and staff, the City is investigating another online payment solution.

Cyber threats to municipalities are on the rise. Given the risk and potential damages from cyberattacks, staff is proposing short-term actions to improve cybersecurity in 2019. Over the next year, these actions will evolve into a long-term, comprehensive cybersecurity strategy.

PREVIOUS RESOLUTION

N/A

REPORT

Overview of Data Breach and Investigation

On December 21, 2018, it came to the City's attention through two online articles that an unknown third-party may have gained access to confidential customer payment information provided through the Click2Gov application. The City uses the Click2Gov software owned by CentralSquare Technologies to provide customers with the ability to pay parking tickets online through the City's website. The City of Saint John was among forty-seven (47) municipalities in North America that were identified in the online reports as having experienced a potential breach using this CentralSquare Technologies software.

City staff immediately started an investigation to determine if there was any validity to the claims outlined in the articles. A case was opened with CentralSquare Technologies at the City's insistence to complete a forensic investigation. CentralSquare Technologies then engaged Sylint, an internationally recognized cybersecurity and digital data forensics firm with extensive experience discretely addressing some of today's biggest breaches.

Sylint initially completed a live scan of the City's server and immediately determined there had been malicious activity. Through a more in-depth review of the City's server, Sylint was able to outline how the attackers were able to gain access and collect user information. Attackers captured the following information: name (including first name, last name, and middle initial), account number (i.e., card number), CVV number (security code), card expiry date, and address.

From the investigation, Sylint was able to determine when the City's server was first injected with card capturing code (May 2, 2017) and the last web access by the attacker (December 11, 2018). Sylint was not able to determine the true at-risk date of the attack, meaning when card data was actually extracted from the City's server. The investigator was also not able to identify which individuals had their card information breached.

The process used by the attacker involved them accessing the City's server through the web to download a file with captured card information. Once downloaded, the attacker would delete the file, which would trigger the creation of a new file with card information. With this process, the attacker essentially did not leave any evidence of their attack on the City's Click2Gov server.

Based on the details provided by Sylint on malicious activity on the City's Click2Gov server, City staff determined the at-risk period to be May 1, 2017 to December 16, 2018.

Those at risk of a potential breach in their information included anyone that paid a parking ticket using a payment card online, by telephone, or in person.

Click2Gov Maintenance and Due Diligence

CentralSquare Technologies is the current owner and support of the City's HTE Naviline Enterprise Resource Planning (ERP) system that includes the Click2Gov software. Information Technology (IT) staff have been diligent in ensuring the City is using the latest version of Naviline and have been testing the upgrades prior to using them in a live environment. Maintenance of the system, including patching, is carried out regularly, either by staff or the vendor. Patching involves uploading a set of changes to a computer program, or its supporting data, to update, fix, or improve it, including addressing security vulnerabilities.

The City received a concern from an individual on November 16, 2018 claiming their payment had been breached after paying a parking ticket on the City's website. City staff opened a case with CentralSquare Technologies to determine if there was validity in this claim. The vendor completed a scan of the City's Click2Gov server and found no malicious activity. CentralSquare Technologies also indicated that the version of Click2Gov the City was using was not part of the targeted attacks. The breach of information in other municipalities was on servers using the new Click2Gov3 version.

While investigating the validity of the breach December 21, 2018, CentralSquare Technologies advised they had completed a proactive scan of the City's server in July of 2018. At that time there were no indications of any breaches or malicious activity on the City's server.

The City received a security advisory in September of 2017. In that advisory, Superion (now CentralSquare Technologies) "were investigating a report of potentially compromised customer data from a Click2Gov3 customer that has different characteristics". Superion also indicated they "have not seen any evidence that the servers were compromised through a security issue with the Click2Gov software, Superion takes security issues very seriously and we are continuing to investigate".

Upon receipt of the advisory, the IT team completed the mitigation that was outlined, which included a review of the City's server to check for vulnerabilities and to apply security patches. It is noteworthy that the City was using Click2Gov1, as an upgrade to Click2Gov3 for parking ticket payment was not in production.

In November 2018, as City staff was working on upgrading to Click2Gov3, online research revealed continuing breaches to the Click2Gov application as late as October in the same year. Staff proactively connected with CentralSquare Technologies to ensure that the migration to Click2Gov3 was safe. Again, staff was advised that the data breaches were occurring on Click2Gov3 servers and their customers were being notified of the security mitigation protocols.

Notification to Impacted Individuals

Immediately upon verifying a breach of the City's Click2Gov1 server on December 21, 2018, the City's response team updated Common Council and issued a public notice on the City's website and the notice was pushed out using social media and traditional media outlets. This notification outlined a potential impact to those individuals that paid parking tickets using the online application, the steps the City was taking to

investigate the breach and ensure the safety of user information, steps users should take if they thought they may have been impacted, and how to pay parking tickets while the online functionality was unavailable.

A second public notice was issued on December 31, 2018. This notification provided a timeframe for those that may have been impacted by the breach. The public was made aware that the breach could impact anyone who had paid a City-issued parking ticket over the past two years, from early 2017 to December 16, 2018.

As required through provincial legislation, the Common Clerk, the head of privacy and access for the City of Saint John, notified the Office of the Integrity Commissioner (the Integrity Office) on December 24, 2018. This involved completing a reporting form and submitting it to the Integrity Office. A case manager was assigned to the City to review notification requirements and next steps with the City's response team.

Given that the forensic investigation was unable to determine which individuals were impacted by the breach (i.e., from whom purchasing card information was stolen), City staff decided to mail a notice to any individual that paid a parking ticket by purchasing card between May 1, 2017 and December 16, 2018. Mail was determined to be the only way to notify individuals that their personal information may have been breached, as phone numbers and email addresses were not recorded as part of the payment process for parking tickets.

During a conference call with the Integrity Office case manager on January 4, 2019, the draft notice was reviewed, feedback was provided, and next steps were discussed. The case manager was complimentary of the City's efforts to ensure public awareness and notification on the breach of personal information.

The notice was mailed out on January 10 and 11, 2019 to approximately 10,000 individuals (in both official languages) who paid parking tickets with purchasing cards during the aforementioned timeframe. In mailing these notices, there is a risk that individuals who may have moved since paying their parking ticket will not receive the notice of a potential breach to their personal information. The City is using the information that is available to determine addresses.

Since the notice was mailed out, the City telephone line provided in the notice received twelve (12) calls. Most callers wanted to know what to do or asked when the ticket was paid as they did not recall. The Police Force has reported eighteen (18) calls on file.

Corrective Measures and New Payment System

The City disabled the Click2Gov application on the City's website immediately upon learning of a potential breach. The online payment option has remained offline since December 21, 2018. Individuals that need to pay parking tickets can do so with the other options outlined on the City's website or on the parking ticket: by mail, telephone, or in-person through point of sale terminals.

City Staff are investigating the implementation of a new online payment solution. The solution being investigated is currently used by Saint John Energy, Halifax Water, and Maritime Electric to take payments. This system is also currently being used by the Saint John Parking Commission for recurring monthly billing for off-street parking.

City staff has completed preliminary investigation with the vendor to determine the feasibility of the new solution, including functionality to integrate with parking ticket information and Payment Card Industry Data Security Standard (PCI-DSS) compliance. Provided that all requirements are met to securely process parking tickets, the expected timeline for launching the online payment solution is the second quarter of 2019.

City of Saint John Cybersecurity Strategic Actions

Cyberattacks on municipal governments are on the rise. With thousands of attacks launched daily around the world, it is not a matter of “if”, but “when” an organization will experience a cyberattack.

Local governments are attractive targets for cyberattacks given they house private data (on-premise servers), cyber security is not a top priority, attacks have been successful, and are public-facing. The cost of successful cyberattacks include interruptions in essential service delivery, loss of data or records, loss of productivity, cost recovery at the expense of taxpayers, inability to collect revenue, and erosion of trust.

Municipalities in Ontario and Quebec made headlines in 2018 as victims of cyberattacks. In these cases, municipalities were forced to negotiate with cyber attackers on payment amounts to release files encrypted through ransomware attacks.

As part of the 2019 budget process, the IT team highlighted cybersecurity as a priority. Additional funds were included in the budget to enhance the safeguarding of the City’s information systems and data. The following chart outlines the strategic cybersecurity actions that will be undertaken in 2019. These are short-term actions required to enhance the safeguarding of the City’s information systems and data, and will evolve over the next year to address more long-term requirements.

Action	Description
Risk Threat Assessments	As per the agreement approved by Common Council on December 17, 2018, the IT team will work with the Canadian Institute of Cybersecurity (CIC) to assess and evaluate security measures, as well as to identify vulnerabilities and risks to the security of all information along with the recommended mitigations.
Enhanced Antivirus Solution	The ways in which cyber attackers are creating and deploying malware have evolved to evade traditional antivirus detection. The Information Technology team will investigate and implement more antivirus solutions.
Firewall Upgrades and Security Information and Event Management System (SIEM)	The Information Technology team is in the process of upgrading firewalls and investigating the purchase of a new SIEM to provide more robust monitoring of information systems for detection and response to cyberattacks.
Cybersecurity Expertise	The IT team will invest in improving security expertise within the IT team through a combination of training and contracted support.

Actions Continued	Description
Employee Education	The IT team will work with the CIC to deliver awareness programs aimed at educating all employees in how they can identify and prevent cybersecurity threats.
Cyber Insurance	With the support of the Risk Management team, the City will secure cyber insurance that will meet the City's needs in the event of a successful cyberattack.
Security and Recovery Plans	The IT team will ensure there is a well-documented disaster recovery and business continuity plan in place in the event of future attacks.

STRATEGIC ALIGNMENT

The proposed cybersecurity strategy aligns with Council's priority of valued service delivery. The actions outlined in the strategy focus on service improvements that enhance the safeguarding of the City's information systems and data, ensuring that service delivery is seamless and customer information remains confidential.

SERVICE AND FINANCIAL OUTCOMES

Strategic initiatives outlined in this report are funded in the 2019 General Fund Operating Budget.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

The report has been reviewed by the Click2Gov breach response team. The team includes Information Technology, Finance, Communications, Risk Management, Legal, Common Clerk's Office, and Parking Commission staff.

ATTACHMENTS

Presentation



Click2Gov Data Breach Update and Cybersecurity Priorities for 2019

January 28, 2019



Indication of Breach

Who (impacted):

Potential 6,000 customers in SJ
47 Municipalities including SJ

What (happened):

Potential breach of Click2Gov

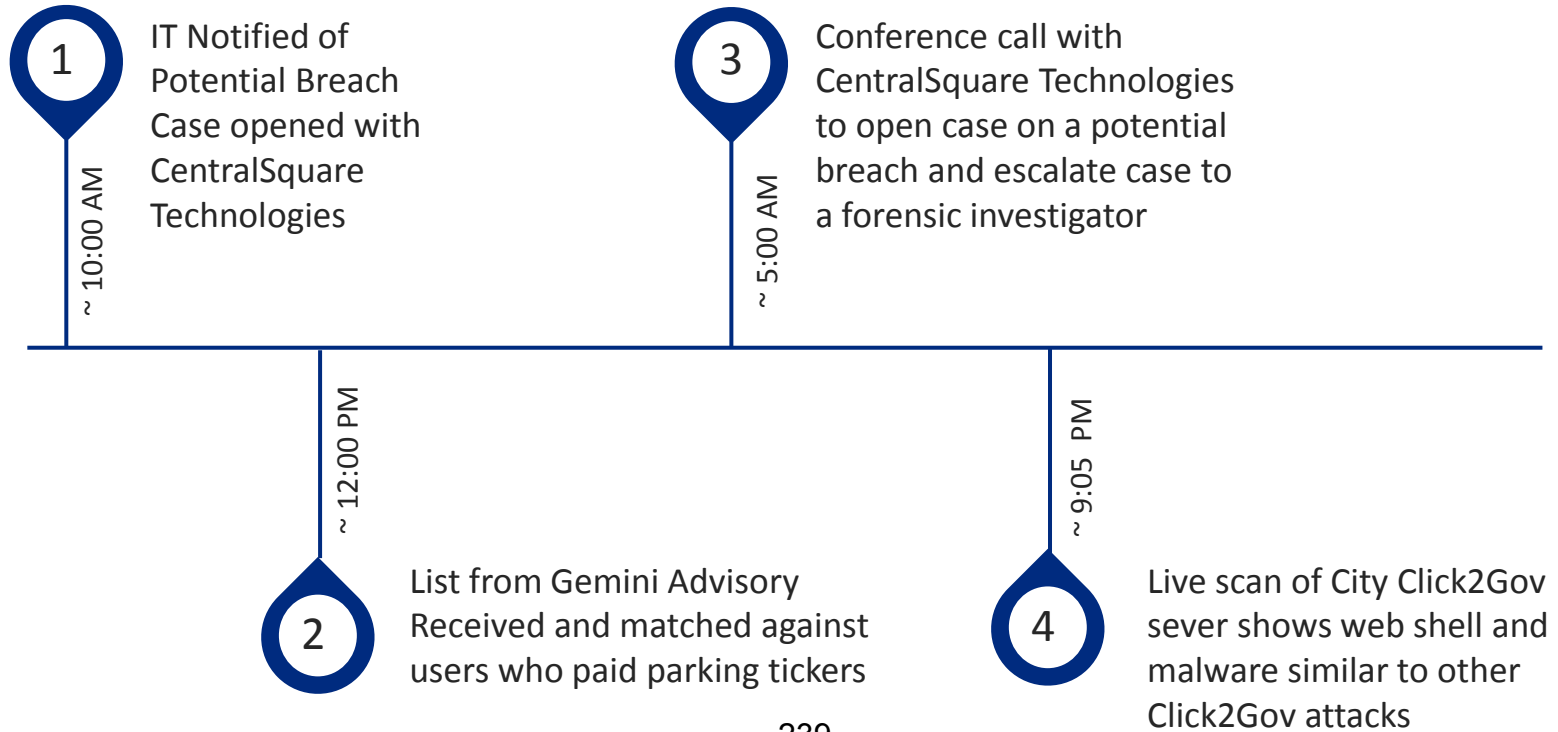
When (made known):

December 21, 2018

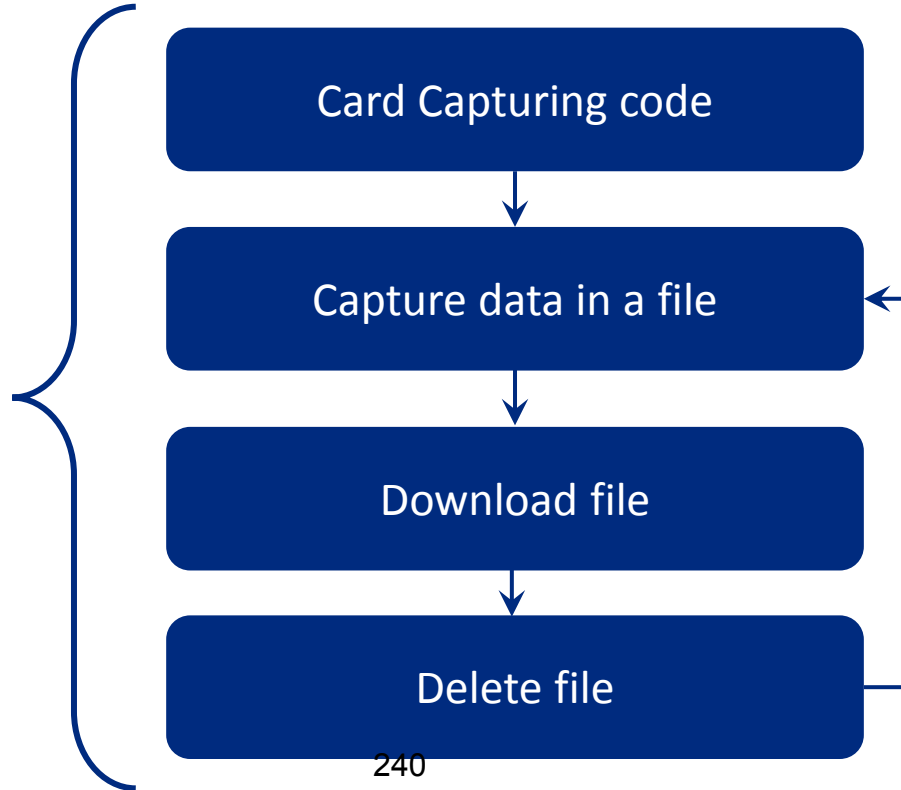
IT WORLD CANADA



Timeline to Validate Breach



Forensic Investigation Findings



240

Forensic Investigation Findings

- Code Injected – May 2, 2017
- Last Web Access – December 11, 2018
- True At-Risk Date – Unknown
- Impacted Individuals - Unknown

At-Risk Timeframe

May 1, 2017 to
December 16, 2018

Why was the breach not detected earlier?

- CentralSquare Technologies Scan
 - July 17, 2018
 - November 16, 2018
- City not notified of breaches to Click2Gov directly
- Breaches were on newest version of Click2Gov (as per vendor)

Missed malicious activity?

- Search for the file in server locations known from other breaches
- File not in these locations on the City's server

Notifications to At-Risk Individuals

- Public notice on website
 - December 21, 2018
 - December 31, 2018
- Mail-out to over 10,000 at risk individuals (paid parking ticket with card between May 1, 2017 and December 16, 2018
 - January 10 and 11, 2019

Compliance with the Office of the Integrity Commissioner

- Description of breach
- Date of breach or timeframe
- Information compromised
- Corrective measures
- Steps for impacted individuals
- Contact information

Integrity Office Notification

- December 24, 2018

Corrective Measures and Next Steps

- Click2Gov remaining off-line
- Staff from Finance/Parking/IT have engaged another online payment provider.
- Payment provider provides online payments solutions for:
 - Saint John Parking Commission (monthly parking customers only)
 - Saint John Energy
 - Halifax Water
 - Maritime Solutions
- Payment solution will have the same functionality for customers to pay tickets online.
- Formal statement of work being finalized between City and vendor.
- Goal is to have new online parking ticket payment system operational in Quarter 2 of 2019.

Cybersecurity Strategic Actions

- Risk Threat Assessments
- Enhanced Antivirus Solution
- Firewall Upgrades & SIEM
- Cybersecurity Expertise
- Employee Education
- Cyber Insurance
- Security and Recovery Plans



Click2Gov Data Breach Update and Cybersecurity Priorities for 2019

January 28, 2019





January 14, 2019

City Of Saint John
Ms. Colleen O'Connor
P. O. Box 1971
Saint John, NB E2L 4L1

Dear Ms. O'Connor,

On Friday, May 10th, 2019 Loch Lomond Villa Foundation will host our 18th Annual Fundraising Dinner & Auction at the Saint John Trade & Convention Centre. Our theme this year is “A Maritime Barn Bash,” and we’re looking for your support.

As our community ages, and as more of us find ourselves caring for aging parents or family members, we need you by our side. Your purchase of tickets to this event, will help us continue providing additional funding for recreation programs and necessary care equipment, that is not covered by the annual provincial budget for Loch Lomond Villa.

Join us for a lobster dinner and buffet, be entertained by the Homemade Bread Band playing some Maritime favorites, and don't forget about our famous eliminator draw and auctions! Tickets for “A Maritime Barn Bash” are \$120 each with a \$60 charitable tax receipt or receive a discount on tickets when you reserve a table of eight for \$900 or a table of ten tickets for \$1,100.

Purchase your tickets easily online to ensure you receive important updates prior to the event including your table number, preview to the online silent auction items and important announcements about the event.

Your attendance and support of this event will help us continue to “improve the quality of life for the residents and families of Loch Lomond Villa.” Purchase your tickets online today at www.llvf.ca/events or contact the us at the Foundation Office should you require an invoice.

We look forward to seeing you there, and as always casual or themed dress is welcome!

Sincerely,

Cassandra Hanson
Foundation Coordinator

185 Loch Lomond Road
Saint John, NB E2J 3S3

Sincerely,

Georgie Day
Board Chair

P: (506) 643-7110
E: foundation@lochlomondvilla.com

/LLVFoundation @LLVFoundation
www.lochlomondvillafoundation.com

From: Tanya Kelley [<mailto:tanya.kelley@kidney.ca>]
Sent: January-22-19 6:23 PM
To: External - CommonClerk
Subject: World Kidney Day 2019: March 14th 7:30 a.m.

Mayor of Saint John and Council Members,

We would love to once again have the city of Saint John council members partner with us for this year's World Kidney Day breakfast. This year's theme is "Kidney Health for Everyone Everywhere". There will be guest speakers, door prizes and Hilton is providing a delicious healthy buffet breakfast once again this year which went over really well last year.

Previously the city purchased 7 tickets at \$25 each. We would love to have the city purchase that amount again or a whole table (which is 8 seats).

We would love to have your support of this educational event again.

Warm regards,

Tanya

Tanya Kelley | Development Coordinator | Kidney Foundation of Canada - Atlantic Branch, New Brunswick
212 Queen Street, Suite 404| Fredericton NB | E3B 1A8
Office:506.453.9352| Fax: 506.454.3639
Cell: 506.870.0407| Email: Tanya.Kelley@Kidney.ca
Toll Free | Sans frais 1.877.453.0533
www.kidney.ca/atlantic | www.rein.ca/atlantique