



The City of Saint John

MINUTES – REGULAR MEETING
COMMON COUNCIL OF THE CITY OF SAINT JOHN
MAY 13, 2024 AT 6:00 PM
2ND FLOOR COMMON COUNCIL CHAMBER, CITY HALL

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

Present: Mayor Donna Noade Reardon
Deputy Mayor John MacKenzie
Councillor-at-Large Gary Sullivan
Councillor-at-Large Brent Harris
Councillor Ward 1 Greg Norton (virtual attendance)
Councillor Ward 2 Barry Ogden
Councillor Ward 3 Gerry Lowe
Councillor Ward 3 David Hickey
Councillor Ward 4 Greg Stewart
Councillor Ward 4 Paula Radwan

Absent: Councillor Ward 1 Joanna Killen
Chief Administrative Officer (CAO) B. McGovern

Also Present: Acting Chief Administrative Officer / Commissioner Utilities & Infrastructure Services I. Fogan
General Counsel M. Tompkins
Chief Financial Officer K. Fudge
M. Baker City Engineer
Fire Chief R. Nichol
Commissioner Human Resources S. Hossack
Commissioner Growth & Community Services A. Poffenroth
Director External Relations L. Caissie
Commissioner Public Works & Transportation M. Hugenholtz
City Clerk J. Taylor
Deputy Clerk P. Anglin

1. Call to Order

1.1 Land Acknowledgement

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

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

1.2 National Anthem

The Saint John High School Choir performed O Canada by video.

2. Approval of Minutes

2.1 Minutes of April 29, 2024

Moved by Councillor Hickey, seconded by Councillor Radwan:
RESOLVED that the minutes of April 29, 2024, be approved.

MOTION CARRIED.

3. Approval of Agenda

Moved by Councillor Stewart, seconded by Councillor Sullivan:
RESOLVED that the agenda for May 13, 2024, be approved with the addition of items 17.1 FCM Green Municipal Fund Grant Agreement – North End Sustainable Neighbourhood Action Plan; and 17.2 Recommended Appointments to Committees.

MOTION CARRIED.

4. Disclosures of Conflict of Interest

Councillor Sullivan declared a conflict of interest with item 5.3 and withdrew from the meeting for the consideration of item 5 Consent Agenda.

5. Consent Agenda

5.1 RESOLVED that as recommended in the submitted report *M&C 2024-133: Proposed Public Hearing Dates for 1670 Hickey Road, 1750 Sandy Point Road, 910 Fairville Boulevard, and 72 and 122 Clint Drive*, Common Council schedule the public hearings for the Zoning Bylaw Rezoning and Section 59 Amendment Application submitted by Joyce E. Barrett for 1670 Hickey Road (PID: 55221790 and part of PID 55198410), the Rezoning Application submitted by 667117 NB Inc. for 1750 Sandy Point Road (PID: 00050849), the Rezoning application submitted by Shabahat Shakeel for 910 Fairville Boulevard (PID: 00402446) and the Section 59 Amendment Application submitted by Brad Kierstead (Don-

More Surveys) for 72 and 122 Clint Drive (PIDs: 55242671 and 55243166) for Monday, July 8, 2024 at 6:30 p.m. at the Council Chamber, City Hall 2nd floor, 15 Market Square, Saint John, NB.

5.2 RESOLVED that as recommended in the submitted report *M&C 2024-130: License for Loyalist Day Military Gun Salute at Fort Howe*, Common Council approve that the City of Saint John enter into the License Agreement with His Majesty The King In Right Of Canada, as represented by the Minister of National Defence, in the form as attached to M&C 2024-130, for the purpose of conducting a Loyalist Day 21 Gun Salute on a portion of PID 414276 being Fort Howe, and that the Mayor and City Clerk be authorized to execute the said License Agreement.

5.3 RESOLVED that as recommended in the submitted report *M&C 2024-134: Millidge Avenue Boat Ramp Maintenance Agreement: City of Saint John – Royal Kennebecasis Yacht Club*, Common Council approve that the City enter into an agreement with the Royal Kennebecasis Yacht Club (RKYC) to maintain the Millidge Avenue boat ramp in the form and upon the terms and conditions as attached to M&C No. 2024-134; and that the Mayor and City Clerk be authorized to execute the said Agreement.

5.4 RESOLVED that the submitted report *M&C 2024-136: Saint John Fire Department Annual Report 2023*, be received for information.

5.5 RESOLVED that as recommended in the submitted report *M&C 2024-140: Fleet Replacement Procurement – May 2024*, Common Council award the purchase of ten (10) full size half-ton four-wheel drive crew cab pick-up trucks, four (4) full size three-quarter ton four-wheel drive crew cab pick-up trucks with a fleet side short box and nine (9) one-and-a-half-ton dual rear wheel four-wheel drive crew cab and chassis trucks at a total cost of \$2,315,385.00 plus HST to Downey Ford Sales Ltd.

5.6 RESOLVED that as recommended in the submitted report *M&C 2024-137: Contract No. 2023-28: Charlotte Street (King Sq. S. to Princess Street) – Street Reconstruction*, Common Council approve the following:

- (A) Council approve reallocating \$44,000 of funding from the Engineering Investigations and Design project to the Charlotte Street (King Sq. S. to Princess Street) – Street Reconstruction project to offset the projected budget variance as outlined in the report and;
- (B) Contract No. 2023-28: Charlotte Street (King Sq. S. to Princess Street) - Street Reconstruction be awarded to the lowest tenderer, Galbraith Construction Ltd., at their tendered price of \$602,565.50 (including HST) as calculated based on estimated quantities, and further that the Mayor and City Clerk be authorized to execute the necessary contract documents.

5.7 RESOLVED that the Council Community Fund application submitted by Councillor Norton for the Saint Rose School Playground Fund for \$1500, be approved.

Moved by Deputy Mayor MacKenzie, seconded by Councillor Harris:
RESOLVED that the recommendation set out in each consent agenda item respectively be adopted.

MOTION CARRIED UNANIMOUSLY.

Councillor Sullivan re-entered the meeting.

6. Members Comments

Members commented on various local events.

7. Proclamation

7.1 The Mayor declared Tuesday, May 14, 2024, as Retired Teacher's Day in The City of Saint John.

7.2 The Mayor declared Thursday, May 16, 2024, as Moose Hide Campaign Day in The City of Saint John.

7.3 The Mayor declared the week of May 19 to May 25, 2024, as National Public Works Week in The City of Saint John.

8. Delegations / Presentations

9. Public Hearings – 6:30 p.m.

9.1 Municipal Plan and Rezoning By-Law Amendments with Staff Presentation and Planning Advisory Committee report – 241-281 Douglas Avenue (1st and 2nd Reading)

Commissioner Poffenroth introduced the proposed amendment to the Municipal Plan and Zoning By-Law on the property located at 241-281 Douglas Avenue to permit the expansion of a museum. Staff and the Planning Advisory Committee are aligned and recommend approval of the amendments.

Manager, Community Planning J. Kirchner provided a staff presentation on the development of the NB Museum site expansion.

Mayor Noade Reardon called the Public Hearing to Order.

The Mayor called for members of the public to speak against the application with no one presenting.

The Mayor called for members of the public to speak in favour of the application with the following presenting:

- Tracy Clinch, Chair NB Museum (NBM) Board
- Michael Leckman – NBM Architect Diamond Schmitt

Mayor Noade Reardon closed the public hearing.

Moved by Councillor Hickey, seconded by Deputy Mayor MacKenzie:

RESOLVED that the by-law entitled, "A Law to Amend the Municipal Plan By-Law",

1. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 584.42 square metres, located at 241 Douglas Avenue, also

- identified as PID 00379230, from **Stable Area** and **Park and Natural Area** to **Stable Area**; and
2. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 829.18 square metres, located at 247 Douglas Avenue, also identified as PID 55172860, from **Stable Area** and **Park and Natural Area** to **Stable Area**; and
 3. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 960.21 square metres, located at 249 Douglas Avenue, also identified as PID 00379255, from **Stable Area** and **Park and Natural Area** to **Stable Area**; and
 4. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 16,773.37 square metres, located at PID 00377937, from **Stable Area**, and **Park and Natural Area** to **Stable Area**; and
 5. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 694 square metres, located at 281 Douglas Avenue, also identified as a portion of PID 55222129, from **Park and Natural Area** to **Stable Area**; and
 6. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 584.42 square metres, located at 241 Douglas Avenue, also identified as PID 00379230, from **Stable Residential** and **Park and Natural Area** to **Major Community Facility**; and
 7. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 829.18 square metres, located at 247 Douglas Avenue, also identified as PID 55172860, from **Stable Residential** and **Park and Natural Area** to **Major Community Facility**; and
 8. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 960.21 square metres, located at 249 Douglas Avenue, also identified as PID 00379255, from **Stable Residential** and **Park and Natural Area** to **Major Community Facility**; and
 9. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 115.88 square metres, located at 255 Douglas Avenue, also identified as PID 55222012, from **Stable Residential** to **Major Community Facility**; and
 10. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 544.57 square metres, located at 261 Douglas Avenue, also identified as PID 00377945, from **Stable Residential** to **Major Community Facility**; and
 11. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 546.77 square metres, located at 263 Douglas Avenue, also identified as PID 00358481, from **Stable Residential** to **Major Community Facility**; and
 12. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 16,773.37 square metres, located at PID 00377937, from **Stable Residential**, **Park and Natural Area** and **Major Community Facility** to **Major Community Facility**; and
 13. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 694 square metres, located at 281 Douglas Avenue, also identified as a portion of PID 55222129, from **Park and Natural Area** to **Major Community Facility**, be read a first time.

MOTION CARRIED.

Read a first time by title, the by-law entitled “A Law to Amend the Municipal Plan By-Law”.

Moved by Councillor Lowe, seconded by Councillor Sullivan:

RESOLVED that the by-law entitled, “A Law to Amend the Municipal Plan By-Law”,

1. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 584.42 square metres, located at 241 Douglas Avenue, also identified as PID 00379230, from **Stable Area** and **Park and Natural Area** to **Stable Area**; and
2. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 829.18 square metres, located at 247 Douglas Avenue, also identified as PID 55172860, from **Stable Area** and **Park and Natural Area** to **Stable Area**; and
3. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 960.21 square metres, located at 249 Douglas Avenue, also identified as PID 00379255, from **Stable Area** and **Park and Natural Area** to **Stable Area**; and
4. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 16,773.37 square metres, located at PID 00377937, from **Stable Area**, and **Park and Natural Area** to **Stable Area**; and
5. Redesignating on Schedule A of the Municipal Development Plan, land having an approximate area of 694 square metres, located at 281 Douglas Avenue, also identified as a portion of PID 55222129, from **Park and Natural Area** to **Stable Area**; and
6. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 584.42 square metres, located at 241 Douglas Avenue, also identified as PID 00379230, from **Stable Residential** and **Park and Natural Area** to **Major Community Facility**; and
7. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 829.18 square metres, located at 247 Douglas Avenue, also identified as PID 55172860, from **Stable Residential** and **Park and Natural Area** to **Major Community Facility**; and
8. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 960.21 square metres, located at 249 Douglas Avenue, also identified as PID 00379255, from **Stable Residential** and **Park and Natural Area** to **Major Community Facility**; and
9. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 115.88 square metres, located at 255 Douglas Avenue, also identified as PID 55222012, from **Stable Residential** to **Major Community Facility**; and
10. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 544.57 square metres, located at 261 Douglas Avenue, also identified as PID 00377945, from **Stable Residential** to **Major Community Facility**; and
11. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 546.77 square metres, located at 263 Douglas Avenue, also identified as PID 00358481, from **Stable Residential** to **Major Community Facility**; and
12. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 16,773.37 square metres, located at PID 00377937, from

Stable Residential, Park and Natural Area and Major Community Facility to Major Community Facility; and

13. Redesignating on Schedule B of the Municipal Development Plan, land having an approximate area of 694 square metres, located at 281 Douglas Avenue, also identified as a portion of PID 55222129, from **Park and Natural Area to Major Community Facility**, be read a second time.

MOTION CARRIED.

Read a second time by title, the by-law entitled “A Law to Amend the Municipal Plan By-Law”.

Moved by Councillor Norton, seconded by Deputy Mayor MacKenzie:

RESOLVED that the by-law entitled “A Law to Amend the Zoning By-Law of The City of Saint John” rezoning a parcel of land having an approximate area 21048 square meters, located at 241-281 Douglas Avenue, also identified as PID Numbers 00379230, 55172860, 00379255, 00377937, 55222012, 00377945, 00358481, and a portion of PID number 55222129, from Park (P), Mid-Rise Residential (RM), and Major Community Facility (CFM) to Major Community Facility (CFM), be read a first time.

MOTION CARRIED.

Read a first time by title, the by-law entitled “A Law to Amend the Zoning By-Law of The City of Saint John”.

Moved by Councillor Sullivan, seconded by Councillor Harris:

RESOLVED that the by-law entitled “A Law to Amend the Zoning By-Law of The City of Saint John” rezoning a parcel of land having an approximate area 21048 square meters, located at 241-281 Douglas Avenue, also identified as PID Numbers 00379230, 55172860, 00379255, 00377937, 55222012, 00377945, 00358481, and a portion of PID number 55222129, from Park (P), Mid-Rise Residential (RM), and Major Community Facility (CFM) to Major Community Facility (CFM), be read a second time.

MOTION CARRIED.

Read a second time by title, the by-law entitled “A Law to Amend the Zoning By-Law of The City of Saint John”.

9.2 Heritage Conservation Areas By-Law Amendment (1st and 2nd Reading)

Commissioner Poffenroth introduced the proposed amendment to the Heritage Conservations Areas By-Law which would remove the property situated at 241 Douglas Avenue from the Douglas Avenue Heritage Conservation Area and would incorporate clarifying language associated with an encroachment into the Douglas Avenue Heritage Conservation Area.

Heritage Analyst R. Campos provided the staff recommendation to facilitate the NB Museum project.

Mayor Noade Reardon called the Public Hearing to Order.

The Mayor called for members of the public to speak against the application with no one presenting.

The Mayor called for members of the public to speak in favour of the application with the following presenting:

- Melissa Wakefield, Architect

Mayor Noade Reardon closed the public hearing.

Moved by Councillor Hickey, seconded by Deputy Mayor MacKenzie:

RESOLVED that the by-law entitled “By-Law Number HC-1 A Law to Amend the Saint John Heritage Conservation Areas By-Law” which would remove the property situated at 241 Douglas Avenue from the Douglas Avenue Heritage Conservation Area; and would also incorporate clarifying language associated with an encroachment into the Douglas Avenue Heritage Conservation Area, be read a first time.

MOTION CARRIED.

Read a first time by title, the by-law entitled “By-Law Number HC-1 A Law to Amend the Saint John Heritage Conservation Areas By-Law”.

Moved by Councillor Sullivan, seconded by Councillor Stewart:

RESOLVED that the by-law entitled “By-Law Number HC-1 A Law to Amend the Saint John Heritage Conservation Areas By-Law” which would remove the property situated at 241 Douglas Avenue from the Douglas Avenue Heritage Conservation Area; and would also incorporate clarifying language associated with an encroachment into the Douglas Avenue Heritage Conservation Area, be read a second time.

MOTION CARRIED.

Read a second time by title, the by-law entitled “By-Law Number HC-1 A Law to Amend the Saint John Heritage Conservation Areas By-Law”.

10. Consideration of By-Laws

11. Submissions by Council Members

12. Business Matters – Municipal Officers

12.1 Chief Administrative Officer Update on Select Catalytic Projects and Advocacy (Verbal)

Acting CAO I. Fogan updated Council on select catalytic projects: the South End School, North End School, Fundy Quay, Ihtoli-magahamock, Harbour Passage, and advised Saint John Industrial Parks (2024) Ltd. is incorporated under the Companies Act.

Update on Advocacy – Homelessness Hub Centre Services are being provided, the Out-Of-the-Cold Shelter has closed for the season.

Moved by Deputy Mayor MacKenzie, seconded by Councillor Hickey:

RESOLVED that the Chief Administrative Officer verbal update on select catalytic projects and advocacy be received for information.

MOTION CARRIED.

12.2 Repair of Unightly Conditions at 80 Main Street

Manager Dilapidated and Dangerous Building Program B. Purinton provided the staff recommendation.

Moved by Councillor Hickey, seconded by Councillor Radwan:

RESOLVED that as recommended in the submitted report *M&C 2024-135: Repair of Unightly Conditions at 80 Main Street* Common Council direct one or more of the Officers appointed and designated by Council for the enforcement of the Saint John Unightly Premises and Dangerous Buildings and Structures By-law to clean-up the premises and repair the unightly, dilapidated conditions on the building located at 80 Main Street (PID# 00374108).

MOTION CARRIED.

13. Committee Reports

13.1 Growth Committee: North End Neighbourhood Plan – Advisory Committee Terms of Reference

Moved by Deputy Mayor MacKenzie, seconded by Councillor Hickey:

RESOLVED that as recommended by the Growth Committee in the submitted report *M&C 2024-132: North End Neighbourhood Plan – Advisory Committee Terms of Reference*, Common Council adopt the Terms of Reference for the North End Neighbourhood Plan Advisory Committee.

MOTION CARRIED.

14. Consideration of Issues Separated from Consent Agenda

15. General Correspondence

15.1 E. Gittens: 1671 Sandy Point Road (Recommendation: Refer to Growth Committee)

Moved by Deputy Mayor MacKenzie, seconded by Councillor Radwan:

RESOLVED that the correspondence from E. Gittens regarding 1671 Sandy Point Road be referred to the Growth Committee.

MOTION CARRIED.

16. Supplemental Agenda

17. Committee of the Whole

17.1 FCM Green Municipal Fund Grant Agreement – North End Sustainable Neighbourhood Action Plan

Moved by Deputy Mayor MacKenzie, seconded by Councillor Harris:

RESOLVED that as recommended by the Committee of the Whole, having met on May 13, 2024, Common Council approve that the City of Saint John enter into a Green Municipal Fund Grant Agreement with the Federation of Canadian Municipalities (FCM) for the North End Sustainable Neighbourhood Action Plan, generally in the form as presented to the Committee of the Whole at its May 13, 2024 meeting; and, that the Mayor and Clerk be authorized to execute the said agreement and any documents ancillary thereto.

MOTION CARRIED.

17.2 Recommended Appointments to Committees

Moved by Deputy Mayor MacKenzie, seconded by Councillor Lowe:

RESOLVED that as recommended by the Committee of the Whole, having met on May 13, 2024, Common Council approve the following appointments to committees:

TD Station Commission: to reappoint Patricia Ellsworth for a three-year term from July 27, 2024, to July 27, 2027; and to appoint Mohd Suhail for a three-year term from July 27, 2024, to July 27, 2027.

Canada Games Aquatic Centre Commission: to reappoint both David Connell and Peter Murray each for a three-year term from July 27, 2024, to July 27, 2027.

Saint John Community Arts Board: to reappoint Andrea Kikuchi for a three-year term from July 27, 2024, to July 27, 2027; and to appoint Lindsay Jacquard for a three-year term from July 27, 2024, to July 27, 2027; and to appoint both Fujun Zhao and Bryn Robinson each for a three-year term from May 14, 2024 to May 14, 2027.

Saint John Shared Risk Pension Plan Board of Trustees: to appoint Samuel Teteh as the alternate trustee for a three-year term from July 27, 2024, to July 27, 2027.

Fort LaTour Development Authority: Notwithstanding the policy adopted by Common Council on October 29, 2012, regarding appointments to agencies, boards and commissions, Beth Kelly Hatt be reappointed for a one-year term from May 14, 2024, to May 14, 2025; and to appoint Brooke Cheeks for a three-year term from July 27, 2024 to July 27, 2027.

PRO Kids: to appoint Larry Harlow for a three-year term from May 14, 2024, to May 14, 2027; and to appoint Amanda Downey for a three-year term from July 27, 2024, to July 27, 2027.

Saint John Transit Commission: to reappoint Neville Crabbe for a three-year term from July 27, 2024, to July 27, 2027.

Saint John Energy: to reappoint Neil Jacobsen for a three-year term from July 27, 2024, to July 27, 2027.

Saint John Board of Police Commissioners: Notwithstanding the policy adopted by Common Council on October 29, 2012, regarding appointments to agencies, boards and commissions Michael Costello be reappointed for a one-year term from July 31, 2024 to July 31, 2025.

MOTION CARRIED.

18. Adjournment

Moved by Councillor Lowe, seconded by Councillor Hickey:

RESOLVED that the meeting of Common Council held on May 13, 2024, be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 8:12 p.m.

City Clerk