



The City of Saint John

MINUTES – REGULAR MEETING  
COMMON COUNCIL OF THE CITY OF SAINT JOHN  
JUNE 10, 2024 AT 6:00 PM  
2<sup>ND</sup> 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](http://www.saintjohn.ca)) or on Rogers TV.

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Present: Acting Mayor / Councillor-at-Large Gary Sullivan  
Councillor Ward 1 Greg Norton  
Councillor Ward 1 Joanna Killen  
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: Mayor Donna Noade Reardon  
Deputy Mayor John MacKenzie  
Councillor-at-Large Brent Harris

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

**1. Call to Order**

1.1 Land Acknowledgement

Councillor Ogden 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 Symphony Youth Orchestra performed O Canada by video.

**2. Approval of Minutes**

2.1 Minutes of May 27, 2024

Moved by Councillor Hickey, seconded by Councillor Stewart:  
RESOLVED that the minutes of May 27, 2024, be approved.

MOTION CARRIED.

**3. Approval of Agenda**

Moved by Councillor Norton, seconded by Councillor Radwan:  
RESOLVED that the agenda for June 10, 2024 be approved with the addition of 17.1 Amended and Restated Membership Agreement with Envision; 17.2 160 Thorne Avenue – Timeline Update and Changes to Agreement of Purchase and Sale; 17.3 Request for Expression of Interest for Former West Saint John Tourist Bureau at civic #1509 Saint John Throughway; 17.4 Land Exchange Agreement with Timothy and Donna Collins of Upper Loch Lomond; 17.5 Venue Management Agreement for Trade and Convention Center; 17.6 Legal Proceeding against BGC Engineering Inc. (West Wells) – Litigation Update and Torys’ Retainer; and 17.7 Patio Licenses for Market Square Boardwalk.

MOTION CARRIED.

**4. Disclosures of Conflict of Interest**

**5. Consent Agenda**

5.1 RESOLVED that as recommended in the submitted report *M&C 2024-150: Low Carbon Economy Fund (LCEF) Fourth Amending Agreement – Municipal Buildings Energy Retrofit Project*, Common Council approve the Fourth Amending Agreement under the Low Carbon Economy Fund for the Municipal Buildings Energy Retrofit Project in the form and upon the terms and conditions as submitted; and that the Mayor and City Clerk be authorized to execute the said Amending Agreement.

5.2 RESOLVED that as recommended in the submitted report *M&C 2024-152: Community Development Fund Agreement: Canada Games Aquatic Centre Upgrades*, the City enter into an Agreement with the Regional Development Corporation for funding under the Province of New Brunswick Community Development Fund for the following project: Canada Games Aquatic Centre Upgrades, Project No. 17566, in the form and upon the terms and conditions as submitted; and that the Mayor and City Clerk be authorized to execute the said Agreement.

5.3 RESOLVED that the submitted report *M&C 2024-159: Public Information Session: Charlotte Street (Union Street to King Square South) Storm Sewer Installation and Street Reconstruction Project* be received for information.

5.4 RESOLVED that as recommended in the submitted report *M&C 2024-155: Designation of a By-Law Enforcement Officer*, Common Council appoint Benn Purinton as a by-law enforcement officer for various City By-Laws, the appointments being more fully described in the attachment to the submitted report.

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

MOTION CARRIED UNANIMOUSLY.

## **6. Members Comments**

Members commented on various local events.

## **7. Proclamation**

7.1 Acting Mayor Sullivan declared June 12, 2024, as Nigerian Democracy Day in The City of Saint John.

7.2 Acting Mayor Sullivan declared June 20, 2024, as World Kidney Cancer Day in The City of Saint John.

7.3 Acting Mayor Sullivan declared June 20, 2024, as World Refugee Day in The City of Saint John.

## **8. Delegations / Presentations**

## **9. Public Hearings – 6:30 p.m.**

9.1 Proposed Municipal Plan Amendment with Planning Advisory Committee report and Staff Presentation – 901 Foster Thurston Drive (1<sup>st</sup> and 2<sup>nd</sup> Reading)

Commissioner Poffenroth introduced the proposed Municipal Plan Amendment with respect to a parcel of land located at 901 Foster Thurston Drive, to include the site within the Primary Development Area to allow for the site to be serviced with municipal services.

Senior Planner M. Reade reviewed the submitted staff presentation.

Acting Mayor Sullivan called the Public Hearing to Order.

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

The Acting Mayor called for members of the public to speak in favour of the proposed amendment with no one presenting.

Acting Mayor Sullivan closed the public hearing.

Moved by Councillor Lowe, seconded by Councillor Hickey:

RESOLVED that the by-entitled “A Law to Amend the Municipal Plan By-Law” amending Schedule A – City Structure, by redesignating a parcel of land with an area of approximately 7.93 hectares, located at 901 Foster Thurston Drive, also identified as PID 55242945, from Park and Natural Area (outside of the Primary Development Area) to Park and Natural Area (within the Primary Development Area); and amending Schedule B – Future Land Use, by redesignating a parcel of land with an area of approximately 7.93 hectares, located at 901 Foster Thurston Drive, also identified as PID 55242945, from Park and Natural Area (outside of the Primary Development Area) to Park and Natural Area (within the Primary Development Area), 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 Hickey, seconded by Councillor Radwan:

RESOLVED that the by-entitled “A Law to Amend the Municipal Plan By-Law” amending Schedule A – City Structure, by redesignating a parcel of land with an area of approximately 7.93 hectares, located at 901 Foster Thurston Drive, also identified as PID 55242945, from Park and Natural Area (outside of the Primary Development Area) to Park and Natural Area (within the Primary Development Area); and amending Schedule B – Future Land Use, by redesignating a parcel of land with an area of approximately 7.93 hectares, located at 901 Foster Thurston Drive, also identified as PID 55242945, from Park and Natural Area (outside of the Primary Development Area) to Park and Natural Area (within the Primary Development Area), 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.”

9.2 Proposed Zoning By-Law Amendment with Planning Advisory Committee report and Staff Presentation – 50 Heather Way (1<sup>st</sup> and 2<sup>nd</sup> Reading)

Commissioner Poffenroth introduced the proposed Zoning By-Law Amendment with respect to a parcel of land located at 50 Heather Way to permit a residential development with a mix of townhouses and multiple unit buildings.

Senior Planner M. Reade reviewed the submitted staff presentation.

Acting Mayor Sullivan called the Public Hearing to Order.

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

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

- Bill Dunnet the applicant

Acting Mayor Sullivan closed the public hearing.

Moved by Councillor Stewart, seconded by Councillor Hickey:

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 area of approximately 9.15 hectares, located at 50 Heather Way, also identified as PIDs 55124358, 00456640, 00456657, 00456665, and 55190227, from Two-Unit Residential (R2) to Mid-Rise Residential (RM), 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 Lowe, seconded by Councillor Stewart:

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 area of approximately 9.15 hectares, located at 50 Heather Way, also identified as PIDs 55124358, 00456640, 00456657, 00456665, and 55190227, from Two-Unit Residential (R2) to Mid-Rise Residential (RM), 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.”

9.3 Proposed Zoning By-Law Amendment with Planning Advisory Committee report and Staff Presentation – 435 Woodward Avenue (1<sup>st</sup> and 2<sup>nd</sup> Reading)

Commissioner Poffenroth introduced the proposed Zoning By-Law Amendment with respect to a parcel of land located at 435 Woodward Avenue to permit the construction of two 10-unit buildings.

Planner Thomas Lewallen outlined the submitted staff presentation.

Acting Mayor Sullivan called the Public Hearing to Order.

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

The Acting Mayor called for members of the public to speak in favour of the proposed amendment with no one presenting.

Acting Mayor Sullivan closed the public hearing.

Moved by Councillor Stewart, seconded by Councillor Lowe:

RESOLVED that the by-law entitled “A Law to Amend the Zoning By-Law of The City of Saint John” amending Schedule "A", the Zoning Map of The City of Saint John, by rezoning a piece of land having an area of approximately 8,988 square metres, located at 435 Woodward Avenue, also identified as PID 00049916 from Neighbourhood Community Facility (CFN) to Mid-Rise Residential (RM), 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 Radwan, seconded by Councillor Hickey:

RESOLVED that the by-law entitled “A Law to Amend the Zoning By-Law of The City of Saint John” amending Schedule "A", the Zoning Map of The City of Saint John, by rezoning a piece of land having an area of approximately 8,988 square metres, located at 435 Woodward Avenue, also identified as PID 00049916 from Neighbourhood Community Facility (CFN) to Mid-Rise Residential (RM), 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.”

9.4 Proposed Zoning By-Law Text Amendments – Excavation and Filling – with Planning Advisory Committee report and Staff Presentation (1<sup>st</sup> and 2<sup>nd</sup> Reading)

Commissioner Poffenroth introduced the proposed Zoning By-Law Amendment which would adopt amended provisions related to the excavation and filling of land by a public utility or a local, provincial, or federal government.

Senior Planner M. Reade reviewed the submitted staff presentation.

Acting Mayor Sullivan called the Public Hearing to Order.

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

The Acting Mayor called for members of the public to speak in favour of the proposed amendment with no one presenting.

Acting Mayor Sullivan closed the public hearing.

Moved by Councillor Radwan, seconded by Councillor Killen:

RESOLVED that the by-law entitled, “A Law to Amend the Zoning By-Law of The City of Saint John” amending Section 9.7 by deleting subparagraph 9.7(1)(c)(ii) and replacing it with “(ii) Any work performed by a public utility or a local, provincial, or federal government”; and amending Section 9.7 by deleting subparagraph 9.7(2)(c)(ii) and

replacing it “(ii) Any work performed by a public utility or a local, provincial, or federal government”, 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 Norton, seconded by Councillor Stewart:

RESOLVED that the by-law entitled, “A Law to Amend the Zoning By-Law of The City of Saint John” amending Section 9.7 by deleting subparagraph 9.7(1)(c)(ii) and replacing it with “(ii) Any work performed by a public utility or a local, provincial, or federal government”; and amending Section 9.7 by deleting subparagraph 9.7(2)(c)(ii) and replacing it “(ii) Any work performed by a public utility or a local, provincial, or federal government”, 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.”

## **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)**

CAO McGovern provided an update on the housing advocacy project. The City is on track to meet the targets for building permits with affordable housing units under the the Housing Accelerator Fund.

The South End and North End catalytic school projects have received funding from the province for the Community Hubs in both schools. Public Engagements for enhancements to Rainbow Park, Turner Brewer Memorial, and the South End School will commence in July.

The City’s investments in the Industrial Parks and the governance structure of the Saint John Industrial Parks (2024) Ltd. as a non-profit Board is established, and the board member appointments are underway.

The redevelopment of Fundy Quay, Market Slipp and Ihtoli-maqahamok is proceeding.

Commissioner of Infrastructure Ian Fogan provided an update on the infrastructure progress. The patio closure was a response to the alternative solution to provide for a safe space while testing of the components being rejected by the Fire Marshall. The fire system and sprinkler system are now active. Final signoff by the Fire Marshall is required.

Moved by Councillor Hickey, seconded by Councillor Radwan:

RESOLVED that the verbal update from the Chief Administrative Officer on select Catalytic Projects and Advocacy be received for information.

MOTION CARRIED.

12.2 Cleanup of Unsightly Premises on Prince Street

Commissioner Poffenroth introduced the recommendation from the Community Standards Program.

Manager Community Standards Program, Benn Purinton outlined the enforcement measures taken and the resulting clean-up of the property.

Moved by Councillor Killen, seconded by Councillor Radwan:

RESOLVED that the update on the clean-up completed on the property located at 480 - 488 Prince Street be received for information.

MOTION CARRIED.

**13. Committee Reports**

**14. Consideration of Issues Separated from Consent Agenda**

**15. General Correspondence**

15.1 C. Donovan: Request to Present – Slowing measures at King Street East and Carmarthen Street (Recommendation: Refer to CAO to have Traffic Engineer communicate with the requester)

Moved by Councillor Hickey, seconded by Councillor Norton:

RESOLVED that the correspondence from C. Donovan with respect to slowing measures at King Street East and Carmarthen Street be referred to the CAO to have the Traffic Engineer communicate with the requestor.

MOTION CARRIED.

15.2 Citizen Letters: 1671 Sandy Point Road (Recommendation: Refer to the Growth Committee)

Moved by Councillor Radwan, seconded by Councillor Hickey:

RESOLVED that the citizen letters regarding 1671 Sandy Point Road be referred to the Growth Committee.

MOTION CARRIED.

15.3 WE Believe Request to Present (Recommendation: Refer to Growth Committee for a presentation)

Moved by Councillor Stewart, seconded by Councillor Hickey:

RESOLVED that the Request to Present from WE Believe be received for information.



MOTION CARRIED.

**16. Supplemental Agenda**

**17. Committee of the Whole**

17.1 Amended and Restated Membership Agreement with Envision

Moved by Councillor Killen, seconded by Councillor Hickey:

RESOLVED that as recommended by the Committee of the Whole, having met on June 10, 2024, the resolution of Council adopted at its April 29, 2024, meeting regarding an Amended and Restated Members Agreement with Envision Saint John be amended by deleting the words “April 29, 2024” and replacing them with “June 10, 2024”.

MOTION CARRIED.

17.2 160 Thorne Avenue – Timeline Update and Changes to Agreement of Purchase and Sale

Moved by Councillor Lowe, seconded by Councillor Norton:

RESOLVED that as recommended by the Committee of the Whole, having met on June 10, 2024, the City enter into an Amended and Restated Agreement of Purchase and Sale generally in the form as presented to Committee of the Whole at its meeting held June 10, 2024 with 511978 N.B. Inc. for the parcel of land located at 160 Thorne Avenue (PID 55174106), and that the Mayor and City Clerk be authorized to execute the said Agreement and any documents ancillary thereto or necessary to effect the transaction.

MOTION CARRIED.

17.3 Request for Expression of Interest for Former West Saint John Tourist Bureau at civic #1509 Saint John Throughway

Moved by Councillor Radwan, seconded by Councillor Hickey:

RESOLVED that as recommended by the Committee of the Whole, having met on June 10, 2024, the City deem the property at civic #1509 Saint John Throughway, PID 55011720, as surplus to its needs.

MOTION CARRIED.

17.4 Land Exchange Agreement with Timothy and Donna Collins of Upper Loch Lomond

Moved by Councillor Hickey, seconded by Councillor Killen:

RESOLVED that as recommended by the Committee of the Whole, having met on June 10, 2024, the City of Saint John enter into an agreement with Timothy and Donna Collins to exchange a portion of PID 55055644 for another piece of land, identified as PID 349647, and further that the Mayor and City Clerk be authorized to execute the agreement and any other documents necessary to effect the transaction.

MOTION CARRIED.

17.5 Venue Management Agreement for Trade and Convention Center

Moved by Councillor Radwan, seconded by Councillor Hickey:

RESOLVED that as recommended by the Committee of the Whole, having met on June 10, 2024, Common Council approve the following:

1. That the City enter into a Venue Management Agreement with Global Spectrum Facility Management, Limited (doing business as OVG 360), in the form as presented to Committee of the Whole at its meeting held June 10, 2024, for the purpose of providing management services at the Saint John Trade and Convention Center, and that the Mayor and Clerk be authorized to execute the said Venue Management Agreement and any other documents ancillary thereto; and
2. That the City enter into a Funding Agreement with the Regional Development Corporation in the form as presented to Committee of the Whole at its meeting held June 10, 2024, for the purpose of receiving a financial contribution of up to \$31,300.00 for the TCC Management Agreement Study, and that the Mayor and Clerk be authorized to execute the said Funding Agreement and any other documents ancillary thereto.

MOTION CARRIED.

17.6 Legal Proceeding against BGC Engineering Inc. (West Wells) – Litigation Update and Torys’ Retainer

Moved by Councillor Hickey, seconded by Councillor Stewart:

RESOLVED that as recommended by the Committee of the Whole, having met on June 10, 2024, the City increase the Torys retainer for legal services required in relation to the South Bay Wellfield by a maximum of \$633,000.00 plus HST and disbursements.

MOTION CARRIED with Councillor Lowe voting nay.

17.7 Patio Licenses for Market Square Boardwalk

Moved by Councillor Radwan, seconded by Councillor Hickey:

RESOLVED that as recommended by the Committee of the Whole, having met on June 10, 2024, the City enter into a License Agreement with each of: a) Saint John Beer Market Inc.; b) 750559 NB Inc.; c) Fog Cutter Inc.; and d) Cro-Bel Inc.; (collectively the “Licensees”) generally in the form as presented to Committee of the Whole at its meeting held June 10, 2024, for the purpose of allowing the Licensees to operate the new enclosed patio spaces at Ihtoli-maqahamok and that the Mayor and City Clerk be authorized to execute the said License Agreements and any other documents ancillary thereto.

MOTION CARRIED.

**18. Adjournment**

Moved by Councillor Lowe, seconded by Councillor Hickey:

RESOLVED that the meeting of Common Council held on June 10, 2024, be adjourned.

MOTION CARRIED.

The Acting Mayor declared the meeting adjourned at 7:47 p.m.