

COMMITTEE OF THE WHOLE REPORT

M&C No.	2025-009
Report Date	January 08, 2025
Meeting Date	January 13, 2025
Service Area	General Counsel

Her Worship Mayor Donna Noade Reardon and Members of Common Council

SUBJECT: Initiate Stop-Up and Closure for Sunnyside Ave Right of Way

CLOSED SESSION DISCUSSION REASON

This matter is to be discussed in closed session pursuant to the provisions of subsection 68(1)(d) of the Local Governance Act.

OPEN SESSION RESOLUTION REQUIRED

Yes, resolution and full report to be added to open session

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	Chief Administrative Officer
<i>Blair MacPhee & Jacqueline Boucher</i>	<i>Mélanie C. Tompkins, K.C.</i>	<i>J. Brent McGovern</i>

RECOMMENDATION

It is recommended that Common Council adopt the following resolution:

1. That the Public Hearing to consider the passing of an amendment to the Street Closing By-law to close a portion of a public street known as Sunnyside Avenue Right Of Way, having an approximate area of 7,450 square meters, as shown on a sketch titled, "Sketch of Proposed Stop-up and Close of a portion of Sunnyside Avenue Right-Of-Way, City of Saint John, Saint John County, NB" (attached), be set for Monday, February 10th, 2025 at 6:30 p.m. in the Council Chamber;
2. That Common Council authorize the publishing of a notice of its intention to consider the passing of such By-law, identified above; and
3. In the event that Common Council gives Third Reading to the By-Law Amendment as stated above, that the City sell the property to 684401 N.B. Ltd. for a purchase price of \$1.00, and that the purchaser be responsible for:
 - a. any plan of survey required to initiate the process for the stop-up and closure for a portion of a public street known as Sunnyside Avenue Right of Way; and

- b. any fees or administrative processes to effect the conveyance of the property.
4. That the Mayor and City Clerk be authorized to execute the documents necessary to effect the transaction.

EXECUTIVE SUMMARY

The United Way Maritimes has entered into a Purchase and Sale Agreement with Wilton Management Ltd to purchase land on Sunnyside Avenue for the purpose of building a 75 – 80-unit tiny home community. The United Way Maritimes is requesting that the City of Saint John convey an unused section of the vested Sunnyside Ave. Right of Way, having an area of approximately 7,450 sq m, for the purpose of consolidating it with their two adjoining properties. The area of this Right of Way being proposed for this stop-up and closure is undeveloped and has never been travelled upon by the public. The lower section of the right of way that is currently used to access the SJ Energy site as well as the two communication towers, will not be impacted. The purpose of this report is to seek Council's approval to initiate the process to stop-up and close the above noted portion of the Sunnyside Ave. right-of-way.

PREVIOUS RESOLUTION

N/A

REPORT

The City of Saint John was approached by David Alston in July 2024 to see if it was possible to convey property to the United Way Maritimes and allow them to pursue an ambitious development of a tiny home community for the residents of Saint John. This development will be similar to other tiny home communities through-out Atlantic Canada, such as the 12 Neighbours Community in Fredericton.

The United Way Maritimes will own and operate this community, and they have found a suitable location at the crest of Sunnyside Avenue. A Purchase and Sale Agreement has been signed with Wilton Management Ltd who currently owns the property, with the sale being contingent on the City of Saint John completing the Stop Up and Closure of the upper portion of the right of way as well as the rezoning from "Park" zone to "Mini Home Park" zone.

Infrastructure Development, Parks and Recreation, and Community Planning are all supportive of the Stop Up and Closure and staff recommendation.

The recommendation in this report is to set the Public Hearing date and to authorize staff to commence the advertising for consideration of street closure.

STRATEGIC ALIGNMENT

This report aligns with the City's priority of Livable Neighbourhoods and will help ease the strain on affordable housing to the most severely impacted demographic.

SERVICE AND FINANCIAL OUTCOMES

United Way Maritimes will be responsible for the costs associated with the stop-up and closure, mainly the survey plan required.

The land will be sold to United Way Maritimes for \$1.00 and will assist in meeting the needs of the unhoused population within the City.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

Infrastructure Development, Parks and Rec, and Community Planning have provided input into the preparation of this report.

ATTACHMENT

1. *Location Map*
2. *Sketch of Street Areas to be Closed.*

1. Location Map



2. Sketch of Proposed Stop-up and Close of a portion of Sunnyside Avenue
Right-of-Way, City of Saint John, Saint John County, NB

