



COMMON COUNCIL REPORT

M&C No.	2025-191
Report Date	July 24, 2025
Meeting Date	July 28, 2025
Service Area	Growth and Community Services

Her Worship Mayor Donna Noade Reardon and Members of Common Council

SUBJECT: Supplementary Report - Municipal Plan Amendment and Rezoning of 500 Pelton Road.docx

AUTHORIZATION

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

RECOMMENDATION

That Common Council complete the third readings of the proposed amendments to the Municipal Plan and Zoning By-Law as presented in the attached Council Resolution Sheet.

EXECUTIVE SUMMARY

An application to amend the Municipal Plan and to Rezone the property located at 500 Pelton Road is being considered for third reading. The application would facilitate the development of a low-density residential development on a private road. During discussions that occurred prior to 1st and 2nd reading, Common Council requested that staff prepare a Section 59 condition for a Sunset Clause.

PREVIOUS RESOLUTION

July 7, 2025 Regular Meeting of Common Council:

- Common Council gave 1st and 2nd reading to By-Law Number C.P. 106-41 a Law to Amend the Municipal Plan of the City of Saint John.
- Common Council gave 1st and 2nd reading to By-Law Number C.P. 111-204 a Law to Amend the Zoning By-Law of the City of Saint John.

REPORT

On July 7, 2025, Common Council gave 1st and 2nd reading to a Municipal Plan Amendment to redesignate 500 Pelton Road from Major Community Facility to Stable Residential. In addition, 1st and 2nd reading were also given to Rezone the property from the Major Community Facility (CFM) zone to the Low-Rise Residential (RL) zone.

The rezoning would facilitate the development of a low-density, serviced, residential development including 24 townhouses over 6 lots and 16 semi-detached dwellings on 8 lots, along on a private road accessed from Sandy Point Road.



As part of the application package, staff were proposing the amendment to the existing Section 59 and 131 conditions, which were based on the previous development concept. Included in the amendment, is the removal of the existing 2021 Sunset Clause which required the development to be completed within 5 years of the date of rezoning.

Common Council requested that staff prepare language for a Section 59 condition that would impose a new Sunset Clause on the project. Staff have prepared the following language for consideration:

That within 5 years of the date the rezoning came into effect, a building permit shall have been issued for one dwelling unit. If the building permit has not been issued, Council may take steps to cancel the resolution and repeal the rezoning pursuant to Section 59(5) and 59(6) of the New Brunswick Community Planning Act.

The Section 59 Condition would require the developer to begin work within five years of the property being rezoned. The proposed Sunset Clause adds a specific requirement: a building permit for at least one dwelling unit must be issued within that same five-year period. A building permit can only be issued once City water and sanitary services have been extended to the site, and the private road has been constructed to provide physical access to the development area. This Sunset Clause ensures that on-site work is underway, while allowing flexibility for the full build-out of the development, which may be influenced by external factors that affect the pace of construction.

If the developer does not meet the requirements of the Sunset Clause, Common Council does have the ability to cancel the resolution, which would revert the zoning of the property. In this situation, the property would revert to the existing Major Community Facility (CFM) zone, which would permit a range of more intense land uses than what could be developed under the proposed Low-Density Residential (RL) zone.

STRATEGIC ALIGNMENT

The proposed development aligns with the Council Priority of Grow by helping to “Grow our population at a rate of 2% annually by the end of Council’s term” and to “Achieve 3% annual property tax base growth and ongoing work to increase the target”.

SERVICE AND FINANCIAL OUTCOMES

The processing of Municipal Plan Amendment and Rezoning Applications are part of the standard operations of the Growth and Community Services Department. They include the payment of an application fee as established by Common Council in the City’s Zoning By-Law.

INPUT FROM OTHER SERVICE AREAS

Name of Service Area/Stakeholder	Name of Staff Person
General Counsel Office	Jacqueline Boucher
General Counsel Office	Maria Powell
Ethos Ridge (applicant)	Scott Walton



ATTACHMENTS

Staff Recommendation for Council Resolution – 3rd Reading for 500 Pelton Road