



The City of Saint John

MINUTES – REGULAR MEETING  
COMMON COUNCIL OF THE CITY OF SAINT JOHN  
OCTOBER 13, 2020 AT 6:00 PM  
MEETING CONDUCTED BY ELECTRONIC PARTICIPATION

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Present: All Council Members present attended by video conference  
Mayor Don Darling  
Deputy Mayor Shirley McAlary  
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 3 David Hickey  
Councillor Ward 4 David Merrithew  
Councillor Ward 4 Ray Strowbridge

Absent: Councillor-at-Large Gary Sullivan

Also Present: All staff present attended by video conference  
City Manager J. Collin  
General Counsel M. Tompkins  
Fire Chief & Chief Emergency Management Services K. Clifford  
Chief of Staff & Chief Financial Officer K. Fudge  
Commissioner, Human Resources S. Hossack  
Commissioner, Public Works and Transportation Services M. Hugenholtz  
Commissioner, Utilities & Infrastructure Services B. McGovern  
Commissioner, Growth & Community Services J. Hamilton  
Director Legislative Services / City Clerk J. Taylor  
Deputy Clerk P. Anglin  
Administrative Officer R. Evans

To conform to the Government COVID-19 State of Emergency and Mandatory Order isolation requirements, Council Members and senior staff participated by video conference. The City Clerk conducted roll call of the Council Members to determine quorum; Councillor Sullivan was noted absent. To ensure access to the public and transparency of the meeting, livestreaming on the City's YouTube feed is provided. Rogers TV also provides the public live streaming of the Council meeting.

**1. Call to Order**

**2. Approval of Minutes**

2.1 Minutes of September 28, 2020

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:  
RESOLVED that the minutes of September 28, 2020 be approved.

MOTION CARRIED.

**3. Approval of Agenda**

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:  
RESOLVED that the agenda of this meeting be approved with the addition of Item:  
17.1 Saint John Water – Bill Payment Support; and  
17.2 Sale of Vacant Lot at Civic #55 Boars Head Road to 639282 NB Ltd., and revision to the Consent item 5.5 Schedule C to correct a clerical error; the cost per square foot is \$30.26/sg ft.

MOTION CARRIED.

**4. Disclosures of Conflict of Interest**

**5. Consent Agenda**

5.1 That as recommended by the City Manager in the submitted report M&C 2020-227: Mobility Service Provider – Contract Award, Common Council approve the following:

1. That the City enter into a three (3) year term Enterprise Agreement with Rogers Communications Canada Inc. for the provision of mobility services, which includes voice and data services, and the supply of related mobile devices such as phones, tablets, modems, and Push-to-talk (PTT) devices (as submitted), and
2. That the Mayor and Common Clerk be authorized to execute the submitted Enterprise Agreement.

5.2 That as recommended by the City Manager in the submitted report M&C 2020-253: Bell Aliant Data Centre Sale Consent, Common Council authorize the Mayor and Common Clerk be authorized to countersign the submitted letter to agree to the assignment of the Data Centre-Infrastructure & Hosting Services Schedule (Colocation) ("Assigned Agreement") dated May 28, 2018, to Equinix Canada Ltd. ("Purchaser").

5.3 That as recommended by the City Manager in the submitted report M&C 2020-246: Easement Acquisition at 720 Grandview Avenue, Common Council approve the following:

1. That Common Council acquire an easement from Envirosystems Incorporated over the property located at civic #720 Grandview Avenue, also identified as being PID No. 55116222, for an electrical conduit to support the City's fire training facility on an adjacent property at civic #688 Grandview Avenue, the said easement having an area of 12.5 square metres as shown on an attached plan of survey, titled "Plan of Survey Showing Easement to be granted for Utility Services to benefit the City of Saint John", dated September 14, 2020, in consideration of the sum of \$2.00;
2. That the City pay a maximum of \$500 plus HST (if applicable) for the vendor's legal costs associated with the conveyance of the easement to the City; and
3. That the Mayor and Common Clerk be authorized to execute any document necessary to effect the acquisition of the easement.

5.4 That as recommended by the City Manager in the submitted report M&C 2020-235: Contract 2020-22: Carpenter Place Lift Station Upgrades, Common Council approve the following:

- a) That Common Council approve reallocating \$150,000 from the Michael Crescent – Water Service Renewals project in the 2019 Water & Sewerage Utility Fund Capital Program and \$166,000 from the 2020 Utility Fund Operating Budget to the Carpenter Place Lift Station Upgrades project to offset the projected budget variance as outlined in this report; and
- b) That Contract No. 2020-22: Carpenter Place Lift Station Upgrades be awarded to the low Tenderer, Fairville Construction Ltd., at the tendered price of \$706,595.03 (including HST) as calculated based upon estimated quantities, and further, that the Mayor and City Clerk be authorized to execute the necessary contract documents.

5.5 That as recommended by the City Manager in the submitted report M&C 2020-208: City Market Lease with Boy's Own Inc. (Java Moose), Common Council approve the following:

1. That the City enter into a Lease for Stalls 8 & 9 in the City Market with Boy's

Own Inc. doing business as Java Moose, under the terms and conditions as set out in the Lease submitted with M&C 2020-208, and

2. That the Mayor and City Clerk be authorized to execute any necessary documents.

5.6 That as recommended by the City Manager in the submitted report M&C 2020-251: Proposed Public Hearing Date – 154 Waterloo Street, 19 Paddock Street, 144 Lansdowne Avenue, Common Council approve scheduling the public hearings for the rezoning applications of Coverdale Centre for Women Inc. (154 Waterloo Street), Resonance Inc. (19 Paddock Street) and Dr. Tunde Apantaku (144 Lansdowne Avenue) for Monday December 7, 2020 at 6:30 p.m. to occur in Council Chambers with a remote participation option; and refer these applications to the Planning Advisory Committee for a report and recommendation.

5.7 That as recommended by the City Manager in the submitted report M&C 2020-247: Adoption of Updated Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee, Common Council adopt the updated Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee as submitted.

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

MOTION CARRIED UNANIMOUSLY.

**6. Members Comments**

**7. Proclamations**

**8. Delegations/Presentations**

**9. Public Hearings 6:30 PM**

**9.1 Proposed Zoning Bylaw Amendment – 910 Fairville Boulevard with PAC report recommending approval (1<sup>st</sup> and 2<sup>nd</sup> Reading)**

The City Clerk advised that the necessary advertising was completed with regard to the adoption of an amendment to the Zoning By-law to amend the Regional Commercial (CR), Regional Commercial Residential (CR-R), and Corridor Commercial (CC) zones and add to the list of permitted uses “Place of Worship” with no written objections or letters of support received.

Consideration was also given to a report from the Planning Advisory Committee submitting a copy of Planning staff's report considered at its September 29, 2020 meeting at which the Committee recommended the rezoning at 910 Fairville Boulevard as described above.

Commissioner Hamilton advised that the zoning bylaw amendment is to allow "Places of Worship" as a permitted use within various commercial zones, rather than addressing the request on a site specific basis.

The Mayor advised that the process in place during online meetings to provide opportunities for the public to speak at a Public Hearing is to register with the Clerk's Office. There are no registered speakers opposed to the application. Members of the public registered to speak in favour of the proposed amendment; Steve Kincade spoke in favour of the amendment.

Moved by Deputy Mayor McAlary, seconded by Councillor Hickey:

RESOLVED that the by-law entitled, "A Law to Amend the Zoning By-Law of The City of Saint John" adopting an amendment to the Zoning By-law to amend the Regional Commercial (CR), Regional Commercial Residential (CR-R), and Corridor Commercial (CC) zones and add "Place of Worship" to the list of permitted uses, 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 Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "A Law to Amend the Zoning By-Law of The City of Saint John" adopting an amendment to the Zoning By-law to amend the Regional Commercial (CR), Regional Commercial Residential (CR-R), and Corridor Commercial (CC) zones and add "Place of Worship" to the list of permitted uses, 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 Bylaws**

### **10.1 Proposed Zoning ByLaw Amendment – 4001 King William Road (3<sup>rd</sup> Reading)**

Having been absent for the public hearing Mayor Darling, Councillor Reardon and Councillor Strowbridge were excused from voting on third reading of item 10.1.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "By-Law Number C.P. 111-99 A Law to Amend the Zoning ByLaw of The City of Saint John" rezoning a parcel of land having an area of approximately 80.98 hectares, located at 4001 King William Road, also identified as a portion of PID Number 00412189, from Rural (RU) to Green Energy (GE); and rezoning a parcel of land having an area of approximately 55.21 hectares, located at 4001 King William Road, also identified as a portion of PID Number 00412189, from Medium Industrial (IM) to Green Energy (GE), be read.

MOTION CARRIED.

The by-law entitled, "By-Law Number C.P. 111-99 A Law to Amend the Zoning ByLaw of The City of Saint John", was read in its entirety.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "By-Law Number C.P. 111-99 A Law to Amend the Zoning ByLaw of The City of Saint John" rezoning a parcel of land having an area of approximately 80.98 hectares, located at 4001 King William Road, also identified as a portion of PID Number 00412189, from Rural (RU) to Green Energy (GE); and rezoning a parcel of land having an area of approximately 55.21 hectares, located at 4001 King William Road, also identified as a portion of PID Number 00412189, from Medium Industrial (IM) to Green Energy (GE), be read a third time, enacted, and the Corporate Common Seal affixed thereto.

MOTION CARRIED.

Read a third time by title, the by-law entitled, "By-Law Number C.P. 111-99 A Law to Amend the Zoning ByLaw of The City of Saint John."

10.2 Proposed Zoning ByLaw Amendment with Section 59 Conditions – 445 St. Martin's Road (3<sup>rd</sup> Reading)

Having been absent for the public hearing Mayor Darling, Councillor Reardon, Councillor Strowbridge and Councillor Merrithew were excused from voting on third reading.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "By-Law Number C.P. 111-100 A Law to Amend the Zoning ByLaw of The City of Saint John" amending Schedule "A", the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 8100 square metres located at 445 St. Martins Road, also identified as a portion of PID Nos. 55071088, and 00356188, from Rural (RU) to Neighbourhood Community Facility (CFN), be read.

MOTION CARRIED.

The by-law entitled, “By-Law Number C.P. 111-100 A Law to Amend the Zoning ByLaw of The City of Saint John”, was read in its entirety.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that Common Council, pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the following conditions on the parcel of land having an area of approximately 8,100 square metres, located at 445 St. Martins Road, also identified as portions of PID Numbers 55071088 and 00356188:

(a) The development and use of the parcel of land be in accordance with detailed building elevation and site plans, prepared by the proponent and subject to the approval of the Development Officer, illustrating the design and location of buildings and structures, garbage enclosures, outdoor storage, driveway accesses, vehicle and bicycle parking, loading areas, landscaping, amenity spaces, signs, exterior lighting, and other such site features; and

(b) The above elevation and site plans be attached to the building permit application for the development of the parcel of land.

MOTION CARRIED.

Moved by Deputy Mayor McAlary, seconded by Councillor Casey:

RESOLVED that the by-law entitled, “By-Law Number C.P. 111-100 A Law to Amend the Zoning ByLaw of The City of Saint John” amending Schedule “A”, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 8100 square metres located at 445 St. Martins Road, also identified as a portion of PID Nos. 55071088, and 00356188, from Rural (RU) to Neighbourhood Community Facility (CFN), be read a third time, enacted, and the Corporate Common Seal affixed thereto.

MOTION CARRIED.

Read a third time by title, the by-law entitled, “By-Law Number C.P. 111-100 A Law to Amend the Zoning ByLaw of The City of Saint John.”

### 10.3 Economic and Community Recovery – 15 Minute Parking Spaces – Amendments to Saint John Parking ByLaw (1<sup>st</sup> and 2<sup>nd</sup> Reading)

Commissioner Hamilton advised that the Parking Bylaw amendment actions the September 28<sup>th</sup> resolution of Council to revert the 15 minute parking spaces on Canterbury and Germain Streets initiated as COVID economic recovery efforts back to 2 hour parking. Public engagement on the COVID economic recovery initiatives will be reported back to Council at a future date.

Moved by Councillor Merrithew, seconded by Councillor MacKenzie:

RESOLVED that the by-law entitled, "By-Law No. LG-8, A By-Law to Amend a By-Law respecting the Regulation of Parking in The City of Saint John and amendments thereto", be amended by reverting the 15-Minute Parking space on Canterbury St to 2-hour parking and reverting the 15-Minute Parking space on Germain St that is 37.4 Meters north of Princess St to 2 hour Parking, be read a first time.

MOTION CARRIED.

Read a first time by title, the by-law entitled, "By-Law No. LG-8, A By-Law to Amend a By-Law respecting the Regulation of Parking in The City of Saint John and amendments thereto."

Moved by Councillor Reardon, seconded by Deputy Mayor McAlary:

RESOLVED that the by-law entitled, "By-Law No. LG-8, A By-Law to Amend a By-Law respecting the Regulation of Parking in The City of Saint John and amendments thereto", be amended by reverting the 15-Minute Parking space on Canterbury St to 2-hour parking and reverting the 15-Minute Parking space on Germain St that is 37.4 Meters north of Princess St to 2 hour Parking, be read a second time.

MOTION CARRIED.

Read a second time by title, the by-law entitled, "By-Law No. LG-8, A By-Law to Amend a By-Law respecting the Regulation of Parking in The City of Saint John and amendments thereto."

10.4 Traffic By-Law Amendment: Two-Way Traffic on Harding Street West (3<sup>rd</sup> Reading)

Director T. O'Reilly presented the solution to Council's concerns raised at the June 22<sup>nd</sup> Public Hearing during approval of 1<sup>st</sup> and 2<sup>nd</sup> reading, namely to change to a portion of Harding Street West from one way traffic flow to two way traffic flow to support an adjacent land development project.

Moved by Councillor Reardon, seconded by Deputy Mayor McAlary:

RESOLVED that the by-law entitled, "By-Law MV-10.1, A By-Law to Amend a By-Law respecting the Traffic on Streets in The City of Saint John and amendments thereto" amending Schedule "D" regarding Harding Street West, be read.

MOTION CARRIED.

The by-law entitled, "By-Law MV-10.1, A By-Law to Amend a By-Law respecting the Traffic on Streets in The City of Saint John and amendments thereto", was read in its entirety.

Moved by Deputy Mayor McAlary, seconded by Councillor Norton:



RESOLVED that the by-law entitled, "By-Law MV-10.1, A By-Law to Amend a By-Law respecting the Traffic on Streets in The City of Saint John and amendments thereto" amending Schedule "D" regarding Harding Street West, be read a third time, enacted, and the Corporate Common Seal affixed thereto.

MOTION CARRIED.

Read a third time by title, the by-law entitled, "By-Law MV-10.1, A By-Law to Amend a By-Law respecting the Traffic on Streets in The City of Saint John and amendments thereto."

**11. Submissions by Council Members**

**11.1 City of Saint John Shared Risk Pension Plan (Councillor Merrithew)**

Moved by Councillor Merrithew, seconded by Deputy Mayor McAlary:

RESOLVED that the City Manager provide an update to Common Council on the Shared Risk Pension Plan, at a future meeting of Council.

MOTION CARRIED.

**12. Business Matters - Municipal Officers**

**12.1 City Manager Update**

The City Manager discussed the following:

- Structural Review of the workforce and the new key service alignment: Growth and Community Services, Fire and Emergency Management Services, Public Works and Transportation Services, Utilities and Infrastructure Services, Strategic Services, and Corporate Services;
- New building project development activities (\$78 million to date this year) were highlighted by Commissioner J. Hamilton;
- City Hall integrated customer service area is opening to the public Monday October 19<sup>th</sup>;
- COVID 19 Directives - Staff are working in the new City Hall space following health protocols issued by the Province.

Moved by Deputy Mayor McAlary, seconded by Councillor Hickey:

RESOLVED that the City Manager Update be received for information.

MOTION CARRIED.

12.2 MoveSJ Draft Cycling Strategy

Commissioner M. Hugenholtz introduced the Draft Cycling Strategy for Council feedback. The Cycling Strategy is a part of Phase 3 of MoveSJ the City's new Transportation Plan. MoveSJ has the aspirational goal of providing each Saint John citizen the opportunity to use the mode of transportation of their choice and be safe while doing so.

Referring to the submitted report entitled *M&C 2020-249: MoveSJ Draft Cycling Strategy*, Director T. O'Reilly outlined the strategy that focuses on targeted investments in cycling infrastructure on 3 main cycling routes; the Campus Harbour Connection Bike Route, the City's portion of the "Great Trail" and the Main Street Temporary Bike Lane. Public engagement sessions and targeted sessions with cycling groups will be initiated.

The City Manager commented that resource priorities will need to be addressed to move forward.

Moved by Deputy Mayor McAlary, seconded by Councillor Hickey:  
RESOLVED that the submitted report M&C 2020-249: MoveSJ Draft Cycling Strategy be received for information.

MOTION CARRIED with Councillor Armstrong voting nay.

**13. Committee Reports**

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

**15. General Correspondence**

15.1 UNB: Letter of Support – City of Saint John Active Transport Plan  
(Recommendation: Receive for Information)

Moved by Councillor Reardon, seconded by Deputy Mayor McAlary:  
RESOLVED that the Letter of Support from UNB regarding the City of Saint John Active Transportation Plan be received for information.

MOTION CARRIED.

15.2 Saint John Cycling: Request to Present (Recommendation: Refer to Clerk to  
Schedule)

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:  
RESOLVED that the Saint John Cycling request to present be referred to the Clerk to schedule.

MOTION CARRIED.

15.3 Saint John Soccer Club: Multipurpose Fields in Saint John (Recommendation: Refer to City Manager)

Moved by Deputy Mayor McAlary, seconded by Councillor Reardon:

RESOLVED that the letter from the Saint John Soccer Club: Multipurpose Fields in Saint John be referred to the City Manager.

MOTION CARRIED.

**16. Supplemental Agenda**

**17. Committee of the Whole**

17.1 Saint John Water – Bill Payment Support

Moved by Deputy Mayor McAlary, seconded by Councillor Reardon:

RESOLVED that the submitted report “Saint John Water – Bill Payment Support”, be received for information.

MOTION CARRIED.

17.2 Sale of Vacant Lot at Civic #55 Boars Head Road to 639282 NB Ltd.

Moved by Deputy Mayor McAlary, seconded by Councillor MacKenzie:

RESOLVED that as recommended by Committee of the Whole, having met on October 13, 2020, Common Council recommends that the City of Saint John enter into the Agreement of Purchase and Sale with 639282 NB Ltd., in the form as attached to M & C # 2020-245 for the sale of PID No. 55147383, also known as civic #55 Boars Head Road and further that the Mayor and Common Clerk be authorized to execute the documents necessary to effect the conveyance of PID No. 55147383.

MOTION CARRIED.

**18. Adjournment**

Moved by Councillor MacKenzie, seconded by Councillor Hickey:

RESOLVED that the meeting of Common Council held on October 13, 2020 be adjourned.

MOTION CARRIED.

The Mayor declared the meeting adjourned at 7:56 p.m.