

Staff recommends slow approach on proposed project

DEVELOPMENT → B1

core, considering that it is now a surface parking lot.

The report notes that variances relating to parking will be required as the entire amount of required parking will not be available on site. The applicant is finalizing its approach to parking for the building and will make the necessary variance application relating to parking at the April PAC meeting, the report says.

The liquor store on Union Street,

being built by Commercial Properties Ltd. for the liquor corporation, also requires a variance approval.

The bylaw requires a minimum of two storeys for buildings in the area and the proposed liquor store is only one storey. But according to documents it will be made to look like a two-storey building to better fit the neighbourhood. Staff recommend allowing the structure to go ahead.

The St. Patrick's proposal calls for rezoning the building from neighbourhood community facility to

integrated development.

Andreas Holmes, the applicant, has submitted a plan to rezone the property at 172 City Line from Neighbourhood Community Facility to Integrated Development. He is seeking to establish a "commercial hub" that includes a cluster of small, predominantly service-based land uses in the former school. The new use of the building would involve up to 34 tenants.

One potential use identified by Holmes is a doggy-daycare and he asked for permission to allow animals

to be kept in the building overnight. Staff did not recommend that a "kennel" for the overnight keeping of animals be among the permitted uses.

"The keeping of several dogs on an overnight basis could generate significant noise, which may conflict with the adjacent residents," the report said.

The former school is still the property of the Roman Catholic Diocese of Saint John and Holmes and his wife Nicole have made a conditional offer to the church to purchase the building if the city agrees to the rezoning.

in the courts

Sex offender denied bail in alleged attack

SAINT JOHN • A sex offender with a history of violent crime was denied bail in Saint John on Monday morning. **Edward Martin Zarpa**, 37, had been living in Fredericton in recent years, but court documents state he was most recently residing on Peters Street, in Saint John. He's been in custody for almost a month after being arrested for allegedly assaulting a woman with two hardcover books and resisting arrest on Feb. 16. The complainant is Brenda Cook, who's left eye was purple and bloodshot during Zarpa's arraignment last month. The details of the bail hearing, as well as Judge William McCarroll's reasons for denying bail, can't be reported due to a publication ban on the hearing. Zarpa had been placed on a court order prohibiting him from contacting Cook from jail, an order which McCarroll reinforced after remanding Zarpa into custody pending trial. Zarpa's counsel, Brian Ferguson, asked to have his client's matters brought back to court in short order, saying he'd be discussing the case with the Crown. Zarpa will return to court on March 29 to set a trial date.

Man orders threats at drive-thru window

SAINT JOHN • On Dec. 28, 2014, **James Gordon Phinney** pulled up to the drive-thru window at the Marr Road Tim Hortons in Rothesay. He wasn't placing an order, but he did leave a tip – if Hannah Dallon talked about him behind his back, he would beat her up. Phinney issued the threat to Machaela Kincade, Dallon's supervisor. Dallon had been working the drive-thru window, but stepped aside when Phinney pulled up. She was only a few feet away when the threat was made. On Monday, Phinney, 22, of Sierra Avenue, in Rothesay, pleaded guilty to the threat. He had been scheduled for trial, but made a motion instead to change his plea. A second count, of breaching a court order, was set aside until sentencing. In presenting the facts of Phinney's crime, Crown prosecutor Chris Ryan read aloud from Kincade's police statement. Kincade said Phinney was complaining that Dallon was telling stories about him beating his girlfriend. If she didn't stop, he warned, she would be the one getting beaten. Phinney drove off after the threat. Ryan said there's been no issue between Phinney and Dallon since the incident more than a year ago. However, Dallon does wish to file a victim-impact statement, Ryan said, so sentencing had to be adjourned to allow her time to do so. A joint recommendation is expected to be offered at sentencing. Phinney's lawyer, Wes McIntosh, said his client was doubly frustrated when he threatened Dallon. He was upset over the alleged rumours, and he was further angered when the supervisor wouldn't let him speak to Dallon. "It really was schoolyard behaviour here, your honour," said McIntosh. Sentencing was scheduled for April 14.

Treatment ordered for husband who choked, spit on wife

COURT → B1

condition, after Crown prosecutor Jim McAvity expressed "huge concern" over the circumstances of Kirk LeBlanc's crimes.

"Intimate partner violence cannot be tolerated anymore, regardless of whether it's a first offence or subsequent offence," said Palmer, adding that a jail sentence couldn't be voided but incarceration should be reserved in instances where rehabilitation was "off the table." Given LeBlanc's age and remorse, Palmer said rehabilitation should be at the forefront of his sentence.

Police were first called the LeBlanc household on Charles Street in the east side the morning of Nov. 26, 2015. LeBlanc had left the home, but his wife Patricia was there with the red marks he left on her neck.

LeBlanc had choked his wife after

they began to argue over him waking up their children. LeBlanc ripped a door off its hinges to attack his wife, whom he choked to the point she was sputtering bile of bile in front of one of their children.

Awaiting a court date for that incident, and under police orders, LeBlanc returned home on Dec. 20, 2015, drunk. Patricia called the police, in a whisper, after locking herself in the bathroom. LeBlanc had spit in her face three times and smashed pictures. He turned himself in to police the next day, and pleaded guilty to both assault, and breaching the order, on Dec. 22.

LeBlanc has a previous conviction for assault, in 2007, but that wasn't against his wife or any other partner.

LeBlanc's lawyer, John King, said his client's behaviour was a spin-off from the death of his child a year ago. King said LeBlanc has no memory of his intoxicated

behaviour. He said he wasn't going to argue against a jail term, but asked that his client be allowed to serve it in the community and address his issues.

"People lose their judgement, lose their control, in alcohol, in grief, like putting gasoline on a fire," said King, adding that LeBlanc was a father, husband and worker.

McAvity said LeBlanc's wife had sent a letter to the Crown, welcoming back and saying LeBlanc intends to seek counselling. McAvity focused on this, as LeBlanc hasn't participated in any treatment since his guilty pleas.

LeBlanc said it was because he had been on house arrest, but McAvity said an exception could have been included if asked, and that LeBlanc had been only on a curfew since Feb. 2.

McAvity called LeBlanc's crimes "disturbing" and "serious."

"I know being drunk and disorderly

is no excuse. I'm truly sorry ... I didn't know how to cope," said LeBlanc. "I don't want to be away from (my family) or anything. I want to make this work. I love my family to death."

Palmer sentenced LeBlanc to a total of eight months under conditional sentence orders. If LeBlanc breaches any of the conditions, he could be sent back to court for a breach hearing. A judge could then revoke his conditional sentence, sending him to jail for a period of time, or for the remaining duration of the sentence.

As well counselling related to intimate partner violence, LeBlanc must participate in treatment for his grief and abide by a 9 p.m. to 6 a.m. curfew. He also must abstain from the possession and consumption of alcohol and non-prescribed drugs.

LeBlanc also must pay \$300 in victim fine surcharges.

Police force agrees to destroy all copies of lawyer's prints

LAWYER → B1

documents, though, Gillis must be informed of the date of destruction and be allowed the opportunity to oversee their removal. A written confirmation of the destruction is to be provided as well to Gillis.

It's unknown where the police stand in the process of fulfilling the consent order. Alycia Bartlett, a spokeswoman with the force, would only confirm on Monday that "We are currently in the process of bringing the matter to a conclusion." Brunswick News reached out to Gillis late on Monday, but didn't receive a reply detailing a time table for

the destruction.

The consent order only states, "the Fredericton Police Force, pursuant to policy, conducted its due diligence in searching for copies of the fingerprints and photographs."

According to the consent order, Gillis first requested to have his fingerprints and photographs destroyed on Nov. 19, 2015. That was three days after the Crown opted to offer no evidence against Gillis, and he was acquitted following a four-year ordeal.

That case dated back to 2009, when Gillis was defending former MLA Frank Branch in a matter

concerning the North Shore Forest Products Marketing Board. At the time, Gillis wrote an offer-of-settlement letter in which he wrote, "offer no evidence."

For writing the letter, Gillis was convicted of obstruction of justice in 2013. He spent a night in Campbellton jail. In 2014, the Court of Appeal ordered a new trial, which is what resulted in Gillis being found not guilty last fall.

Not having received a response from Lord, who was one of the officers involved in the Gillis investigation, the lawyer sent another request in January, including a copy to police chief Fitch as well.

The same day Gillis filed his motion with the Court of Queen's Bench, he was contacted by Fredericton Police and asked to fill out a form requesting the destruction. It's policy that such a form be completed, and Gillis returned it that same day.

The scheduled hearing was removed from the court docket on March 9.

Gillis had warned in November, that litigation was pending.

After his acquittal, he said, "Am I going to sue some people? ... The answer is 'most definitely.'" The motion for the destruction of his documents was his first legal action tied to the case.

On robust labour markets and the old Lorne school

ECONOMY → B1

economically resilient over the long term. And on this score, Saint John's labour force participation rate of 64.8 per cent is almost as close to communities still struggling to adapt to a fast-changing global economy (in parts of rural New Brunswick and on the Burin Peninsula in Newfoundland the labour force participation rate is in the low 50s) as it is to some of Canada's more vibrant economic actors (even as it faces a dramatic downturn caused by the oil slump, the labour force participation rate in the Fort McMurray region of Alberta remains very high at 76 per cent).

As of this February, the major urban centre in Canada with the most robust labour force participation rate was Guelph, Ontario (with a rate of 77 per cent), followed by Edmonton at 75 per cent. These are the sorts of robust labour markets Saint John should aim to match, even after accounting for regional differences. In fact, given the province's demographic outlook, finding ways to expand the current size of

the potential labour force ought to be as important for the city's well-being as meeting previously-stated job targets.

Further cultivating the local business startup scene – startup events are being held throughout the province this week – is obviously one way to get



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more residents attached to the economy, but on this economic plane it's fair to assume that the app developers of today will never employ as many workers as the factory owners or even call centre operations of decades past (tech giants like Facebook have a huge

market capitalization, but a rather small HR footprint). Business activity everywhere is getting leaner, and this means that even the most robust startup culture won't by itself meaningfully grow the labour force, at least not on a provincial scale.

Governments can, and should, help make sure that the human resource potential of the population is fully tapped, however, and this often isn't the case in neighbourhoods (or communities) that are all too often ignored. That is why a recent letter forwarded by Common Council to the province over the future of the old Lorne school site in the city's north end shows some promise – local community groups want to revitalize it as a sort of community wellness centre, and are looking to open up a conversation as to what that sort of investment might look like.

It's fair to state that if the initiative ended up enabling healthier residents of the north end, it would also help enable a healthier local economy. While health may have only a tangential link to labour markets, it is there – one of

the reasons why Calgary's labour market is so robust is because its median age is less than most other urban centres, and its potential work force is also on average in better health. Of course, the Lorne school as a community hub concept would be strengthened even further if a deeper focus on education credentials and other determinants of economic success were made part of the initiative – and since it is a large building space, there's likely plenty of room for complementary programming.

By making strategic investments in neighbourhoods with lower than average labour force participation, government can directly help move the economic data in the right direction – and investing in people generally works out a lot better in the long run than investing in businesses that come and go, depending on whichever ineffective subsidy might be available.

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words in season

And beside this, giving all diligence, add to your faith virtue; and to virtue knowledge; And to knowledge temperance; and to temperance patience; and to patience godliness; And to godliness brotherly kindness; and to brotherly kindness charity. For if these things be in you, and abound, they make you that ye shall neither be barren nor unfruitful in the knowledge of our Lord Jesus Christ. **2 Peter 1:5-8 (King James Version)**

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Lotteries

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