

New Brunswick backs Irving Oil headquarters

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complaint. He now works as a property developer specializing in the conservation of heritage buildings and owns a number of buildings in uptown Saint John with a few blocks of the proposed site of the new office building, including two on Wentworth Street and three on Princess Street, and across the street from the site on Sydney Street. He's won numerous awards for his work, including two from the Saint John Heritage Development Board in February, and the Queen Elizabeth II Golden Jubilee Medal from the Governor General of Canada in 2002. "I'm not a wingnut," said Bezanson. "I've got a very extensive, well documented, nationally respected career demonstrated by the awards I've received.

"I'm expressing my concern for the future well-being and respectful development in my community," he said. Bezanson first raised his concerns at the heritage board's March 9 meeting, but the board chose to approve the plan. Doucet said he couldn't comment on the reasons behind the appeal as the appeal board is independent of the government. "All we can say is we're very hopeful that they'll make a decision as soon as possible and decide in favour of the project," he said. "This is of tremendous importance. So as a province, we'd certainly like to see this project go ahead." Irving Oil spokesman Andrew Carson said the company has been working with various stakeholders to build their new headquarters "in a way that respects and enhances the heritage character of uptown Saint John.

"This project would also help drive significant economic development, as it would be entirely privately-funded and bring 1,000 Irving Oil employees under one roof in the heart of uptown Saint John," he said via email Monday. Carson said the company is encouraged by the strong support it has seen from many in Saint John and around New Brunswick since plans for the building were unveiled in February, particularly over the last few days. "We remain committed to working hard to make this project happen for our company and the city," he said. Other public officials and business leaders have also voiced their support for the project since news that construction was delayed came to light Friday. The Saint John Region Chamber of Commerce issued a statement Monday urging "decision-makers" to dismiss the appeal, and saying that they are working

with business and community leaders to address the matter. "We appreciate the process and the rights of individual citizens to express concern, but our members and the community as a whole support this important project," said the Chamber's CEO David Duplisea in a press release. "We strongly urge leadership to remove road blocks so that this project can move forward without further delay." A joint statement from MLAs Trevor Holder, Dorothy Shephard and Glen Savoie said the trio feel the appeal is without merit and that construction must be allowed to proceed. "As your MLAs, we join with the public in our steadfast support for this project. We hope our city council and provincial government members of the legislature will do all they can to put this matter to rest so construction can begin as soon as possible," the statement reads.

in the courts

Trial set to decide multiple alleged charges

SAINT JOHN • Denied bail two weeks ago for multiple violent offences, **John Philip "BJ" Trecartin** had his trial dates set before the Court of Queen's Bench on Monday. He'll be tried by judge alone from Sept. 6 to Sept. 12. Trecartin, 34, of Nepesic, has been in custody since February. All his charges stem from Feb. 15, and are all related to the same complainant. A publication ban prohibits the naming of the complainant. Trecartin is accused of assaulting the complainant using a knife, attempting to choke them, threatening them and attempting to obstruct justice by trying to dissuade the complainant from giving a statement. He also charged with failing to abide by a police order with respect to the complaint. Trecartin's lawyer, Hazen Brien, said the case is "a complicated matter" requiring five days. Any possible pre-trial hearings are scheduled to be set on May 2, once the Crown has provided complete disclosure to Brien. Trecartin has another trial, involving the same complainant, to begin in May. In that matter, he's accused of uttering threats and assault from 2014 and 2015.

Trial dates set for teacher accused of sex assault

SAINT JOHN • A four-day trial will be held next fall for a one-time Kennebecasis Valley High School teacher accused of sexually assaulting two youths. **Ryan Hachey**, 33, of Shadowhill Court, in Rothesay, was before the Court of Queen's Bench on Monday morning to set the trial dates. His lawyer, Reid Chedore, did all the talking during the brief appearance. The trial was set for Nov. 7 to Nov. 10. For each complainant, Hachey is accused of sexual exploitation, for touching a youth for a sexual purpose, as well as sexual assault. The first allegations were laid by the Kennebecasis Regional Police in January 2015, but are said to have happened between Jan. 1, 2007, and Jan. 1, 2009. In October 2015, Sussex RCMP laid the additional counts for a second complainant. Those offences are said to have happened more recently, between March 1, 2010, and June 30, 2012. Given the nature of the charges, the complainants can't be identified. Chedore previously told the court that the cases were "similar in nature," but little details of the allegations have been presented in court. In March, Chedore waived a preliminary inquiry on all matters. The trial will be before judge alone. Chedore told the court on Monday that the trial may end up taking less time than scheduled. He said he will be meeting with the Crown in advance of the trial to "review matters," which could shorten the trial. Crown prosecutor Chris Titus added that dates didn't need to be scheduled for pre-trial matters. If any issues arise that need to be decided by voir dire, he said those could be handled during the trial.

A uniquely Saint John sort of drama is unfolding

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close, I can state that he is passionate about heritage buildings – he has a national reputation in the field, and he has carefully restored a handful of heritage properties in the uptown core. In fairness, I can also state that his rather passionate feelings over built heritage can be at times vexing, especially among those whose perspective is less cast in stone. Not everyone can afford to be a heritage purist, especially when the economics ultimately have to support the sustainable preservation of the city's many older buildings. Indeed, the very question of divergent perspective is one that is at the heart of Bezanson's appeal to provincial officials – he is essentially arguing that the city's heritage review board is ignoring its own bylaw, while the board (which has debated Irving Oil's proposed headquarters and examined pages of documents in two separate meetings to date) seems to be taking the position that as a regulatory body, they have every right to be pragmatic on questions of building design. Recent history would suggest that the council-appointed body might be correct in taking that approach, especially as it seeks to protect historically important neighbourhoods in a city whose municipal plan embraces

higher density. Many of the buildings currently being protected by the city's heritage bylaw were constructed well before the widespread use of elevators, and to create relatively artificial skylines for Saint John in large part because the oldest neighbourhoods were built prior to the modern age seems rather arbitrary – smart cities build up, not out, and the application of strict heritage rules to an empty parking lot is certainly not the most effective way to attract either investment or more people to the heart of the urban core. This doesn't mean the heritage bylaw isn't important – it very much is, and over a period of decades it has helped renew entire streetscapes in the central core. Yet it must be administered with a high degree of pragmatism, ensuring that fresh investment is welcomed as a way to ensure that the city's unique built heritage and attractive skyline is preserved for generations. But don't take my word for it. This take was essentially the recommendation of a blue ribbon panel chaired by city lawyer Ray Gorman (now head of the provincial utilities board) that was asked by city hall to look at heritage regulations back in 2005, after council was faced with a potential condo development on Germain Street that may have clashed with the existing streetscape.

This is what Gorman told council back in 2005, as reported in the Telegraph-Journal: "There needs to be a pragmatic recognition that if standards are too inflexible and projects too costly, developers may stay away and the city's heritage building stock could deteriorate to the point of being lost," said Mr. Gorman. Gorman's advice should be considered relevant today, and it should also be recognized that even if the proposed setback from the sidewalk and total building height isn't exactly to the specific tastes of the city's former heritage officer, an awful lot of smart people inside the heritage review board accepted Irving Oil's headquarters plans after thoughtful deliberation and a careful examination of the proposed design. They likely came to this position because they saw how the conceptual plans contained many of the design elements sought after in the city's heritage bylaw; what has been so far unsaid in the frenzy surrounding the sudden construction halt is that the city's heritage board in fact allows for all sorts of modest variances (such as aluminum-clad windows or fire resistant fibre board panelling on select built heritage sites) in order to ensure that a building can be successfully renewed. As far as I know, few if any of

these variances have been subject to the provincial appeals process that surrounds the King's Square site plan. In the end, let's hope pragmatism wins out on this file, and this particular Saint John drama is short-lived. The proposed structure – if built – will be an important addition to the city's streetscape, and this is largely because it incorporates the best elements of the heritage architecture that surrounds it. Considering how the appeals process is being launched over a site that now holds a parking lot, it's only natural for most observers to expect some degree of latitude from heritage officials if it helps to ensure that investment is welcomed and the city's unique streetscape is strengthened – and for this reason, it is fair to state that the city's heritage board (which too often unfairly takes flak from the development crowd) made the right choice in its recent deliberations. An appeals tribunal should be summoned soon to affirm that choice – any other action is effectively a rejection of the collective wisdom of the city's heritage development board.

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Ashburn Road project takes next step to reality

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to rush into breaking ground, saying it's important to show the developers they will be able to develop on the land, if the studies fall in line, by re-zoning the land. "That, I believe, is the carrot I'm hanging in front of the developer," Farren said. Coun. Ray Strowbridge stressed that the vote is solely to re-zone the land and any construction would have to be approved by council in the future. Coun. John MacKenzie said a lot of concerns he harboured are gone after reviewing the proposal. He said the technology used to control flooding that has plagued the area for decades has worked for the East Point retail district. "You've sort of addressed a lot of the concerns by putting yourself right in there and saying, 'If this is going to be flooded, we're going to be flooded. If there's a traffic problem, we're not going to get any customers,'" MacKenzie said. John Wheatley of Horizon Management presented in favour of the project during the public hearing, touting a diverse list of benefits of the highway-centric development that would make Saint John a "drive-in" city instead of "drive-by" city. Among the benefits, he said it would support existing retail centres, create long-term job opportunities, offer a large green space and add to the city's tax base. "This a very unique highway, gateway location for the city," he said. "It's going to fulfill a market gap in the city that was identified by a market study we did. It's going to bring employment and revenues to the city.



Council moved 8-2 in favour of moving ahead with re-zoning a piece of land that would allow for a major development. PHOTO: COLIN MCPHAIL/TELEGRAPH-JOURNAL

When pressed about flood issues, Wheatley said it's not in their own best interest to move forward without properly addressing the issue. Implementation of a storm water management system would be covered by the developer. "We cannot afford to put in a development that's plagued by flooding," he said. "We will not be proceeding until the water issues are resolved." The developers are committed to executing the studies, Wheatley said, also adding that it would likely be a minimum of three years before construction would begin. Elizabeth McGhan, who resides at 1107 Rothesay Rd., spoke against the development, raising questions of traffic and flood issues as well as the thoroughness of the proposal. McGhan provided some photos she took of the existing roadways in the development area while they were inundated. She said the area is prone to flooding every spring and during the odd heavy rainstorm.

"The flooding makes the Rothesay Road impassable," McGhan said. McGhan said the development will likely exacerbate drainage issues and traffic congestion. "The way the roads are aligned now can barely handle the traffic," she said. It also isn't prudent to create more residential development when the population isn't there to fill the existing housing stock, she said. McGhan, who said she isn't against development, said the proposal fails to address many of the concerns raised by the opposition and that council should not vote to approve the re-zoning until the questions are answered. "Approving in principle is approval. Period," she said. Gordon Dalzell, an east Saint John resident, also said science-based outcomes from the studies should be reviewed before they change the zoning status. He asked council to postpone the vote, wait for the studies to be completed and engage in further public consultation.

David Greene, general manager of McAllister Place, said Common Council shouldn't vote until a comprehensive storm water management plan is conducted, also saying the proposal is not complete without the studies. "Any other developer would be required to do this," he said. Greene also said the development would dilute retail offerings in the city and it's unlikely to be a boon for the tax base. "If this succeeds, something else is going to die," he said. Steve Carson, CEO of Enterprise Saint John, said the high quality of the development fills a market gap in the community and doesn't threaten existing retailers. A report by a prominent retail consulting firm that was commissioned by Horizon Management said the development would not negatively impact other retailers. Carson said offering approval and positive signals would also boost consumer confidence in the region, something he called the "secret sauce" of economic development. Howard Yeomans, a city resident and mayoral candidate in the upcoming municipal election, said council should approve the re-zoning because it's good for the city's future, adding staff has done its due diligence to protect residents from the varied concerns raised. "The city is doing what they need to do to go ahead and make sure this doesn't cause a lot of problems," Yeomans said. "This is a chance for us to show that Saint John wants to grow."

words in season

In whom we have redemption through his blood, the forgiveness of sins, according to the riches of his grace;
Ephesians 1:7 (King James Version)

almanac

Lotteries

Visit telegraphjournal.com for the latest lottery numbers.

Today in history

1614, in Virginia, Indian chief Powhatan's daughter, Pocahontas, married English colonist John Rolfe. She was one of the first North American native converts to Christianity. She went by the name Lady Rebecca.

News of the Port

Name	Ship Line	Agent	Cargo activity	Name	Ship Line	Agent	Cargo activity
VESSELS IN PORT							
Tuesday							
UBC Maracaibo	Charter	Furncan	Potash for foreign ports	Acadian	Charter	Kent Agency	Petroleum for Foreign Ports
				Iver Progress	Charter	Kent Agency	Petroleum for Foreign Ports
Saturday							
Hojo	Charter	Kent Agency	Crude Oil from foreign ports				
				Monday			
				Advantage Summer	Charter	Kent Agency	Crude Oil from foreign ports