

# ST. JOHN'S

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## Regular Meeting - City Council Agenda

November 16, 2020

3:00 p.m.

4th Floor City Hall

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# Proclamation

## National Housing Day November 22, 2020

WHEREAS: Since 1998, municipalities and other organizations across the nation have recognized National Housing Day on November 22nd. National Housing Day recognizes that having a safe, secure home is a basic human right and a key pathway out of poverty. It is important for all levels of government, organizations, and communities to work together to provide affordable and adequate housing that will make a real difference in the lives of many adults and children who require shelter; and

WHEREAS: The City of St. John's has adopted a ten-year Affordable Housing Strategy to create solutions across the housing continuum. The strategy was developed and is being led by the Affordable Housing Working Group which includes representation from all levels of government, the community sector and private industry; and

WHEREAS: Access to safe, stable and affordable homes is pivotal in the response to the COVID-19 health crisis we are currently facing; and

WHEREAS: National Housing Day is meant to raise awareness about housing and homelessness and encourage events designed to focus on the needs of individual communities. This year an online housing event; virtual workshop; funder pitch sessions; and the launch of a video highlighting partners in the housing sector have been planned; and

WHEREAS: These events will emphasize that Affordable Housing is a sound public investment that contributes to resident well-being and the economy, and is a foundation for a safe, prosperous and healthy community;

THEREFORE: I, Mayor Danny Breen, do hereby proclaim November 22<sup>nd</sup> as National Housing Day in the City of St. John's.

Signed at City Hall, St. John's, NL on this 16th day of November 2020.



Danny Breen, Mayor

# **ST. JOHN'S**

## **Minutes of Regular Meeting - City Council**

**Council Chamber, 4th Floor, City Hall**

**November 9, 2020, 3:00 p.m.**

**Present:**

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Deanne Stapleton
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Wally Collins
- Councillor Shawn Skinner

**Regrets:** Councillor Dave Lane

**Staff:**

- Kevin Breen, City Manager
- Derek Coffey, Deputy City Manager of Finance & Administration
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Cheryl Mullett, City Solicitor
- Susan Bonnell, Manager - Communications & Office Services
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Maureen Harvey, Legislative Assistant

**Others:**

- Brian Head, Acting DCM - Public Works
- Jennifer Langmead - Supervisor of Events and Services

### **Land Acknowledgement**

**The following statement was read into the record:**



**“We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John’s is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of indigenous and other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi’kmaq, Innu, Inuit, and Southern Inuit of this Province.”**

1. **CALL TO ORDER**
2. **PROCLAMATIONS/PRESENTATIONS**
3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

**SJMC-R-2020-11-09/569**

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Hanlon

That the Agenda be adopted as presented.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, and Councillor Collins

**MOTION CARRIED (9 to 0)**

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - November 2, 2020**

**SJMC-R-2020-11-09/570**

**Moved By** Councillor Stapleton

**Seconded By** Councillor Collins

That the minutes of November 2, 2020 be adopted as presented

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

**5. BUSINESS ARISING FROM THE MINUTES**

**5.1 Heritage Designation By-Law - 50 Bonaventure Avenue**

In response to the Notice of Motion brought forward at the November 2, 2020 meeting, the following was introduced.

**SJMC-R-2020-11-09/571**

**Moved By** Councillor Burton

**Seconded By** Councillor Korab

Pursuant to the powers vested in it under section 355 of the City of St. John's Act, RSNL 1990 c. C-17, as amended and all other powers enabling it, the City of St. John's enacts the following By-Law relating to the heritage designation of 50 Bonaventure Avenue, Parcel ID 7887:

**BY-LAW**

1. This by-law may be cited as the St. John's Heritage Designation (50 Bonaventure Avenue, Parcel ID #7887) By-Law.
2. The building situate on property at 50 Bonaventure Avenue, Parcel ID #7887 is designated as a Heritage Building.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

**6. NOTICES PUBLISHED**

**6.1 Notices Published - Foxtrap Access Road**

A Discretionary Use Application has been submitted to develop a Mineral Workings Quarry for land off the Foxtrap Access Road (0.5km North of Foxtrap Access Road and Trans-Canada Highway Interchange.)

The proposed Quarry will be 25 hectares in area and used for the production and removal of aggregate material for construction purposes.

No submissions received

**SJMC-R-2020-11-09/572**

**Moved By** Councillor Collins

**Seconded By** Councillor Hanlon

That the discretionary use application to develop a Mineral Workings Quarry for land off the Foxtrap Access Road (0.5km North of Foxtrap Access Road and Trans-Canada Highway Interchange.) be approved subject to meeting all applicable requirements.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

## **7. COMMITTEE REPORTS**

### **7.1 Development Committee Report**

- 1. Request for an Accessory Building in Commercial Industrial (CI) Zone  
60 Eastland Drive**

**SJMC-R-2020-11-09/573**

**Moved By** Councillor Burton

**Seconded By** Councillor Stapleton

That Council approve the construction of a 41.6m<sup>2</sup> Accessory Building at 60 Eastland Drive.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

- 2. Request for Crown Land Grant Pursuant  
1226 Blackhead Road  
CRW2000016**

**SJMC-R-2020-11-09/574**

**Moved By** Councillor Burton

**Seconded By** Councillor Collins

That Council approve the Crown Land Grant Pursuant of 0.4 hectares at 1226 Blackhead Road.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

## **7.2 Committee of the Whole Report**

### **1. Insurance Renewal Negotiations – 2020-21 Ratification of E-Poll**

**SJMC-R-2020-11-09/575**

**Moved By** Councillor Hanlon

**Seconded By** Councillor Hickman

That Council ratify an e-poll conducted to approve moving from a \$100,000 deductible for its Primary Property insurance to a \$500,000 Self-Insured Retention and purchase just one Excess Property Policy. This would result in a cost savings of \$398,823 plus tax \$59,823.45 for a total of \$458,646.45.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

### **2. Revisions to the Winter Parking Restrictions**

**SJMC-R-2020-11-09/576**

**Moved By** Councillor Froude

**Seconded By** Councillor Skinner

That Council reject the recommendation to have the start date of the Winter On-street Parking Restriction for areas outside the Downtown and the Business District Winter Parking Restriction to December 1 each year. This parking restriction is currently implemented in early January and the exact date varies each year.

For (8): Mayor Breen, Deputy Mayor O'Leary, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Collins, and Councillor Skinner

Against (2): Councillor Burton, and Councillor Froude

**MOTION CARRIED (8 to 2)**

**SJMC-R-2020-11-09/577**

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O'Leary

That Council extend the overnight parking ban in areas outside the downtown, when operationally required. This restriction would apply when the DCM determines it is necessary due to a snow event.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

**SJMC-R-2020-11-09/578**

**Moved By** Councillor Froude

**Seconded By** Councillor Collins

That Council revise the hours of Downtown Winter Parking Restriction which is used during snow removal operations. The current restriction is from 12:30 a.m. to 7:30 a.m. and the proposed hours are from 11:00 p.m. to 6:00 a.m.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

**3. Sidewalk Snow Clearing Priority Revisions**

**SJMC-R-2020-11-09/579**

**Moved By** Councillor Froude

**Seconded By** Councillor Burton

That Council adopt the following sidewalk snow clearing priority system:

Priority 1A	School Zones
Priority 1	First side of arterial roads and downtown business district (main pedestrian corridors)
Priority 2	Second side of multi-lane arterial roads and downtown business district, and first side of collectors
Priority 3	Second side of remaining arterial roads (with both sides serviced)
Priority 4	Second side of collector streets (with both sides serviced) and any remaining sections of sidewalk in program

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)****4. Inclusion Advisory Committee Report - October 7, 2020****SJMC-R-2020-11-09/580****Moved By** Councillor Stapleton**Seconded By** Councillor Hanlon

That Council review the recommendations put forward by the Inclusion Advisory Committee for the Downtown Pedestrian Mall and share with all relevant parties. Recommendations include considering implications for those with vision loss such as wayfinding, indication of an upcoming ramp and obstacles on sidewalks; ensuring ramps meet code, are slip-resistant and lead to a deck that can be maneuvered by a wheelchair; access to accessible washrooms for Pedestrian Mall users; accessible parking located inside the mall was hazardous; and a need for inclusion education amongst business and security staff in the area.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)****5. Shea Heights Community Centre Board of Directors Structure and Terms of Reference Update****SJMC-R-2020-11-00/581****Moved By** Councillor Collins**Seconded By** Councillor Korab

That Council approve the Shea Heights Community Centre Board structure and outlined changes to the Terms of Reference.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

**8. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)**

**8.1 Development Permits List October 28 To November 4, 2020**

Council considered the attached Development Permits List.

**9. BUILDING PERMITS LIST (FOR INFORMATION ONLY)**

**9.1 Building Permits List for the week ending November 4, 2020**

Council considered the Building Permits List for the week ending November 4, 2020.

**10. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**10.1 Weekly Payment Vouchers for the Week Ending November 4, 2020**

**SJMC-R-2020-11-09/582**

**Moved By** Councillor Hickman

**Seconded By** Deputy Mayor O'Leary

That Council approve the weekly payment vouchers for the week ending November 4, 2020 in the amount of 5,254,107.68

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

**11. TENDERS/RFPS**

**12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS**

**12.1 Snow Clearing By Law Notice of Motion**

Councillor Froude gave notice that he will at the next regular meeting of the St. John's Municipal Council, move to enact amendments to the St. John's Snow Clearing By-Law to give effect to the new winter parking restrictions as discussed at the meeting of the Committee of the Whole on October 28, 2020.

**12.2 Sign By Law Notice of Motion**



Councillor Hickman gave notice that at the next regular meeting of the St. John's Municipal Council he will move to repeal the St. John's Heritage Area Sign By-Law enacted January 14, 2002, the St. John's Mobile Sign By-Law enacted September 20, 1999, and the St. John's Sign By-Law enacted May 31, 2004, and enact a new comprehensive Sign By-Law regulating signage in the City of St. John's.

### 13. **OTHER BUSINESS**

#### 13.1 **Downtown Holiday Market Road Closure**

**SJMC-R-2020-11-09/583**

**Moved By** Councillor Hanlon

**Seconded By** Councillor Skinner

That Council approve Option No. 2 as proposed by staff for a Downtown Holiday Market as amended to read as follows:

Event to take place on the weekend of December 5-6, and the weekend of December 12-13

Soft Road Closure (outside event hours) - Water Street (Adelaide Street to Prescott Street).

- This option has the same logistics as the full road closure, however, taxis and other drop off/pick up vehicles will be permitted on the road as of 9:00pm Friday and Saturday until 12:00pm the next day.
  - Road closure will occur 9:00pm on Friday night and will continue until 6:00pm on Sunday.
  - Signage will be used to indicate that cars not removed from Water Street will be towed at owner's expense.
  - Deliveries and couriers are permitted to enter the street before 12:00pm on Saturday and Sunday.
- All barricades will require continuous security as only designated vehicles will be permitted.
- There will be no parking permitted on the street throughout the weekend and there will be ample signage and communication to reflect this.
- This option is being suggested in light of concerns from our Downtown Pedestrian Mall stakeholder and public engagement, regarding safety and access to the road late at night.

- Estimated cost \$22,000.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, and Councillor Collins

Against (1): Councillor Skinner

**MOTION CARRIED (9 to 1)**

### **13.2 Special Event Regulatory Committee - Road Closures**

**SJMC-R-2020-11-09/584**

**Moved By** Councillor Hanlon

**Seconded By** Deputy Mayor O'Leary

That Council approve the road closure request for Elton Place on November 27 and the road closure requests for Cochrane Street on November 29, December 6, December 13, December 20, and December 24.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

**MOTION CARRIED (10 to 0)**

### **14. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:23 pm.

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MAYOR

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CITY CLERK

# DECISION/DIRECTION NOTE

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**Title:** New Sign By-Law

**Date Prepared:** November 10, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** N/A

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## **Decision/Direction Required:**

To decide whether to enact the new Sign By-Law which consolidates current by-laws related to signs and better reflects current practices.

## **Discussion – Background and Current Status:**

The Legal Department, working with Regulatory Services, has consolidated various by-laws concerning sign regulation. The new Sign By-Law incorporates various changes to provide a clearer and more effective regulatory regime.

A summary of those changes is found below:

1. Amend the Sign By-Law to:
  - Prohibit the placing of a sign on a utility pole, except on the sleeved utility poles in the downtown;
  - Include regulations about “third party signs” to create a category for smaller signs advertising offsite products and services;
  - Remove the time limit of 12 consecutive months on a real estate sign to allow for real estate developments to continue to advertise, while still requiring the signs be kept in good repair
  - Prohibit signs on City owned property, except as permitted by Council;
  - State that a permit is not required for an election sign;
  - Empower the City to remove any illegal sign without notice to anyone, and at the expense of the owner (where appropriate);
2. Amend the Heritage Area Sign By-Law to:
  - Prohibit signs on City owned property within a Heritage Area, except where permitted by Council;
  - State that a permit is not required for an election sign;
  - Empower the City to remove any illegal sign, without notice to anyone, and at the expense of the owner (where appropriate);

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3. Amend all 3 signage by-laws to:

- Create a single comprehensive by-law that covers matters related to signage
- Continue to remove signs that interfere with utility poles or with traffic control devices in accordance with current practices.

This By-Law combines the provisions of the Sign By-Law with those of the Heritage Area Sign By-Law and the Mobile Sign By-Law. Changes were made to remove duplication, improve clarity, and ensure consistency.

As part of the drafting process the Legal Department also worked with Regulatory Services and Transportation Engineering to remove any outdated/unnecessary provisions and add new provisions to better reflect current practices. Notable changes include restrictions around digital display signs (static and changeable), expanding the definition of mobile signs to include empty frames, exempting non-illuminated signs within a building, and restricting signs at designated heritage buildings.

**Key Considerations/Implications:**

1. Budget/Financial Implications:

- The City continues to incur expenses associated with removing signs on utility poles. The By-Law amendments will make it clear that putting such signs on utility poles is prohibited, except paper signs on City-installed poster sleeves

2. Partners or Other Stakeholders:

- The general public
- Regulatory Services and Transportation Engineering
- In relation to signs on utility poles, stakeholders include NL Power and Rogers Communications

3. Alignment with Strategic Directions/Adopted Plans:

- Effective City – Work with our employees to improve organizational performance through effective processes and policies – By creating a single, comprehensive By-law that clarifies prohibitions and when/where to conduct sign removal operations
- Sustainable City – Plan for land use and preservation and enhance natural and built environment – By reducing litter associated with illegal signs
- A City that moves – improve safety for all users on a well-maintained street network – By removing signs that interfere with traffic sight lines and road safety

4. Legal or Policy Implications:

- Amending the By-Law will improve clarity on restrictions and the penalties/process to follow if the By-law is violated

5. Privacy Implications: N/A

6. Engagement and Communications Considerations: N/A

7. Human Resource Implications: N/A

8. Procurement Implications: N/A

9. Information Technology Implications:

- The amended By-Law will need to be updated on the City's website.

10. Other Implications: N/A

**Recommendation:**

That Council enact the new Sign By-Law as drafted.

**Prepared by: Katie Philpott**

**Approved by: Cheryl Mullett**

**Report Approval Details**

Document Title:	New Sign By-Law.docx
Attachments:	- CSJ_Sign_Bylaw.pdf
Final Approval Date:	Nov 10, 2020

This report and all of its attachments were approved and signed as outlined below:

**Cheryl Mullett - Nov 10, 2020 - 2:06 PM**

**BY-LAW NO.****SIGN BY-LAW****PASSED BY COUNCIL ON**

Pursuant to the powers vested in it under the City of St. John's Act, RSNL 1990, c C-17, as amended, and all other powers enabling it, the City of St. John's enacts the following By-Law relating to signage in the City of St. John's.

**SIGN BY-LAW**

1. This By-Law may be cited as the "St. John's Sign By-Law".
2. In this By-Law:
  - (a) "awning sign" means a sign that is painted or screen printed onto the surface of an awning;
  - (b) "back-lit sign" means a sign which is lit from the interior;
  - (c) "banner sign" means a sign made of lightweight material such as cloth, paper or flexible fabric and may be enclosed in a rigid frame;
  - (d) "billboard" means a third-party sign which is at least 17 square metres (17 m<sup>2</sup>) in area;
  - (d) "changeable message sign" means a digital display sign which has or incorporates one or more of the following features:
    - (i) moving parts;
    - (ii) moving or changing images;
    - (iii) changing text; or
    - (iv) moving or intermittent lights;
  - (e) "commemorative sign" means a sign which commemorates a person, place or thing and which is issued by an organization recognized by the City;
  - (f) "digital display sign" means a sign which is designed to display digital content to one or more screens in a static or changeable message format;

- (g) “directory sign” means a sign designed to provide direction to persons entering a building;
- (h) “election sign” means any sign advertising or promoting a candidate in a federal, provincial, or municipal election;
- (i) “fascia sign” means a sign affixed to or placed on the fascia of a building, that being the long flat surface under the eaves or cornice and above the door and window;
- (j) “ground sign” means a sign affixed to or supported by the ground and not attached to a building;
- (k) “heritage area” means an area that is designated by Council as a heritage area;
- (l) “heritage building” means a building that Council has designated, in whole or in part, as a heritage building and includes, but is not limited to, any extension or addition thereto;
- (m) “inspector” means any person designated by the council to administer and enforce this By-Law;
- (n) “mobile sign” means a sign intended for temporary use which is not permanently affixed to a structure or to the ground and includes a frame designed to advertise a product or service or relay a message or illustration regardless of whether such advertising, message, or illustration is actually displayed;
- (o) “owner” means the person or company owning:
  - (i) the sign; and/or
  - (ii) the building or property to which the sign is attached, as recorded on the tax roll of the City of St. John’s;
- (p) “poster sleeve” means a device attached by the City to a utility pole and which provides an area for paper signs to be affixed and displayed;
- (q) “projecting sign” means a sign which is affixed to a building on one end and projects out from the building wall and may include a marquee;
- (r) “residential zone” means a zone as established in the *St. John’s Development Regulations*;
- (s) “roof sign” means a sign which is supported on a building’s roof;



- (t) “sign” means a device or platform designed to advertise a product or service or relay a message or illustration and includes but is not limited to advertising, messages or illustrations applied directly to a building, walls or other surfaces, and includes a mural;
- (u) “temporary sign” means a sign intended for a limited period of display for special events or functions;
- (v) “third-party sign” means a sign which references or advertises a company, store, service, produce or event not available or occurring at the building or site to which the sign is affixed;
- (w) “traffic control device” means a traffic control device as defined by the *Highway Traffic Act*, RSNL 1990, c H-3, as amended;
- (x) “wall sign” means a sign which is painted on or which is affixed parallel to a wall of a building, but excludes a fascia sign, a mural and a billboard; and
- (y) “window sign” means a sign placed in a window and visible from the exterior, and includes writing or lettering directly on the surface of the window.

#### **GENERAL/APPLICABLE TO ALL SIGNS**

3. The following signs shall be exempt from the provisions of this By-Law except those provisions related to issues of construction, maintenance and safety:
  - (a) signs erected by the City of St. John’s, the Province of Newfoundland and Labrador and/or the Government of Canada;
  - (b) traffic control devices;
  - (c) window signs, unless located in a heritage area;
  - (d) commemorative signs;
  - (e) signs at a construction site which denote the architect, engineer, contractors or others involved with the project, provided such signs are removed upon completion of construction;
  - (f) signs required to be maintained by law or government order or regulation;
  - (g) non-illuminated signs within a building; and

- (h) non-illuminated real estate signs advertising a property for sale or rent provided that the sign does not exceed 1 square metre (1 m<sup>2</sup>) in area.
- 4. All signs shall be constructed, erected, placed, relocated, altered, repaired and maintained in accordance with the provisions of this By-Law.
- 5. (1) A permit is required prior to the construction, erection, placement, alteration, repair or relocation of any sign within the City of St. John's, except:
  - (a) a sign that is exempt under section 3;
  - (b) a sign placed in accordance with section 10(2); and
  - (c) an election sign.
- (2) The application for a sign permit shall be accompanied by such plans, specifications and other information as may be required by the inspector, including but not limited to design drawings stamped by a professional engineer licensed to practice in Newfoundland and Labrador.
- (3) A permit issued for a mobile sign shall expire 6 months from the date of issue.
- (4) Notwithstanding any other provision of this By-Law any person who owes outstanding fines to the City of St. John's for a by-law or regulatory violation for which that person has been convicted shall not be entitled to a permit issued pursuant to this By-Law until such time as all such outstanding fines have been paid and proof of payment, in a form acceptable to the inspector, has been provided to the inspector.
- 6. Every sign and all supporting components shall be designed, constructed, erected and maintained to safely resist all structural loads.
- 7. Every sign and all related components shall be constructed, erected and maintained to be weather and corrosion resistant and be kept in good repair.
- 8. When required by the inspector, access to any or all parts or components of a sign shall be made available for inspection prior to, during or after erection of the sign.
- 9. Except as otherwise provided, or at the discretion of Council, no sign shall be placed:
  - (a) on a residential property;
  - (b) at a designated heritage building;

- (c) on City owned property, unless the sign is an election sign; or
- (d) over or across any public street, road or highway, unless the sign is a temporary sign.

10. (1) No sign shall:

- (a) interfere with or obstruct sight distance requirements for traffic or interfere with the flow of vehicle or pedestrian traffic, as determined by the inspector or City's traffic engineer;
- (b) be placed upon, or interfere with or obstruct, in the opinion of the inspector, a traffic control device; or
- (c) be placed on a utility pole.

(2) Notwithstanding section 10(1)(c):

- (a) a person may place a paper sign on a utility pole that has been equipped with a City-installed poster sleeve; and
- (b) a utility company may place a sign related to safety on a utility pole.

### **THIRD-PARTY SIGNS**

11. A third-party sign shall not be placed in a residential zone or within 60 metres of a residential zone unless the third-party sign is placed on the opposite side of the street from the residential zone.

### **ELECTRICALLY ILLUMINATED/OPERATED SIGNS**

12. All electrically illuminated or operated signs shall:

- (a) meet the standards regarding Portable and Stationary Electric Signs and Displays adopted by the Canadian Standards Association, and shall also meet any future editions or amendments to those standards within 6 months following the date of their publication; and
- (b) have a clearly visible Canadian Standards Association sticker attached to the frame or face.

13. All electrically illuminated or operated signs shall comply with the *St. John's Electrical By-Law*.

### **DIGITAL DISPLAY SIGNS**

14. (1) Digital display signs shall:

- (a) have a maximum illumination level of 1, 500 lumens for daytime use and 375 lumens for nighttime use;
- (b) be shielded to reduce glare in a manner acceptable to the inspector;
- (c) have a positive contrast orientation;
- (d) not have animation;
- (e) not have flashing, strobe, intermittent or moving lights;
- (f) not have lights in a colour or combination of colours which in the opinion of the inspector may be misinterpreted as an emergency/warning device or vehicle or other traffic control device; and
- (g) meet any additional requirements that the inspector, at their sole discretion, deems appropriate.

(2) In addition to the requirements in section 14(1), changeable message signs shall:

- (a) immediately transition from one image to the next;
- (b) have a minimum image display time of 10 seconds; and
- (c) not be located within 60 metres of a residential house unless the sign remains in a static position between the hours of 11 P.M. to 7 A.M.

### **GROUND SIGNS**

- 15. The maximum height of a ground sign shall be 8 metres above grade, unless otherwise approved by Council.
- 16. A ground sign shall not exceed 20 square metres (20 m<sup>2</sup>) in area, unless otherwise approved by Council.
- 17. A ground sign shall:
  - (a) be located a distance equivalent to one half the total height of the sign from the property line or 1.8 metres from the property line, whichever is greater; and

(b) not impede vehicular access to or egress from the property on which it is situate.

18. Any part of a ground sign which is constructed of wood and in contact with the ground shall be made of pressure treated wood.

#### **PROJECTING SIGNS AND AWNING SIGNS**

19. The lowest part of every projecting sign or awning sign shall not be less than 2.4 metres above grade, except where vehicular traffic is required to flow under the projecting sign or awning sign then the lowest part of such sign shall not be less than 4.5 metres above grade.
20. Projecting signs or awning signs shall not overhang public streets unless otherwise approved by Council.

#### **BILLBOARDS**

21. The maximum height of a billboard shall be 8 metres above grade, unless otherwise approved by Council.
22. A billboard shall not exceed 20 square metres (20 m<sup>2</sup>) unless otherwise approved by Council.
23. Billboards are prohibited on roadways and highways where the posted speed limit is 70 km/h or greater.
24. Billboards shall not be erected within 100 metres of another billboard on the same side of the street.
25. Billboards shall not be permitted in a residential zone or within 60 metres of a residential zone unless the billboard is on the opposite side of the street from the residential zone.

#### **ROOF SIGNS**

26. The approval of roof signs, including their size, design and location shall be at the discretion of Council.

#### **TEMPORARY SIGNS**

27. The approval of temporary signs, including their size, design, location and duration of placement, shall be at the discretion of Council.

### **ELECTION SIGNS**

28. Election signs may be displayed for no more than 60 days prior to election day, or such other time as dictated by Provincial or Federal legislation and regulations.
29. The candidate shall be responsible for the removal of his/her election signs within 3 days after election day.
30. Election signs shall not be located on a roadway as defined in the *Highway Traffic Act*, RSNL 1990, c H-3, as amended, and/or a road or road surfaces including paved or gravel shoulders, centre medians, traffic islands or traffic circles.
31. Election signs shall not be located within 20 metres of a signalized intersection or within 15 metres of an unsignalized intersection.
32. Election signs are not permitted on the same post as, or immediately adjacent to any traffic control device.

### **MOBILE SIGNS**

33. In addition to the foregoing, mobile signs must also conform to the below sections of this part. In the case of any conflict between the provisions in this part 33-43 and the foregoing with respect to a mobile sign, the provisions of this part shall prevail.
34. No person other than an individual or a corporation possessing a valid mobile sign contractor's license issued under this By-Law shall place, erect or lease mobile signs within the City of St. John's.
35. The applicant for a mobile sign contractor's license shall make application for such license to the inspector in writing.
36. (1) The fee for a mobile sign contractor's license shall be set by Council.  
  
(2) A mobile sign contractor's license shall be valid for one year from the date of issue.
37. Every mobile sign shall:
  - (a) display the name of the mobile sign contractor;
  - (b) display an identification number; and
  - (c) be of a design approved by the inspector.
38. A mobile sign shall only be placed or erected on a site for which its advertising or

message is directly related.

39. A mobile sign shall only be placed on a site with the written permission of the site owner.
40. (1) The minimum permissible distance between any two mobile signs on a site shall be 12 metres as measured from the face or face edge of the mobile sign.  
  
(2) Only one mobile sign shall be placed on a site which has frontage of 12 metres or less.
41. A mobile sign shall be placed a minimum of 2 metres from the property line of a site as measured from the face or face edge of the mobile sign.
42. A mobile sign shall not contain symbols, slogans or lighting similar to that used for traffic control and warning.
43. Unless approved by Council, a mobile sign shall not be placed or erected in a residential zone.

#### **SIGNS IN HERITAGE AREAS**

44. In addition to the foregoing, signs located in heritage areas must also conform to the below sections of this part. In the case of any conflict between the provisions in this part 44-59 and the foregoing with respect to a sign in a heritage area, the provisions of this part shall prevail.
45. The following signs or design elements shall be prohibited:
  - (a) billboards, except where approved by Council;
  - (b) third-party signs, except where approved by Council;
  - (c) back-lit signs having a predominantly white background; and
  - (d) mobile signs.
46. A sign shall not obscure architectural features on a building.
47. The registered trademark of a specific product may occupy no more than 50 per cent of the area of a sign face unless the sale of the specific product is the major business conducted on the premises.
48. The following signs or design elements may be permitted only upon the

recommendation of the Heritage Advisory Committee and at the discretion of Council:

- (a) wall signs and murals;
- (b) roof signs; and/or
- (c) digital display signs.

49. Not more than two of the following types of signs may be used at the same time on the same façade:

- (a) fascia sign,
- (b) projecting sign,
- (c) ground sign,
- (d) awning sign, and
- (e) wall sign.

50. (1) A fascia sign shall be permitted for each occupancy fronting on a street.

(2) Fascia signs shall not extend beyond the ends of the wall to which it is attached.

(3) Fascia signs shall not exceed 60 centimetres in height.

(4) On one storey buildings, fascia signs shall not extend above the lowest part of the roof.

(5) Notwithstanding the foregoing, fascia signs shall fit within the existing sign band.

51. (1) Only one projecting sign for each store front together with one additional projecting sign shall be permitted on a building.

(2) A projecting sign shall project no more than 1.8 metres from the building face and shall not project within 1 metre of the curb face.

(3) A projecting sign shall be erected a minimum of 2.1 metres above the grade except where vehicular traffic is moving beneath the projecting sign in which case the projecting sign shall be erected a minimum of 4.5 metres above the grade.

(4) Each face of a projecting sign shall not exceed 1.2 square metres (1.2 m<sup>2</sup>) in area.



- (5) A projecting sign shall be affixed to the building face at a 90 degree angle.
- 52. (1) Window signs may be affixed or applied to the interior or exterior of a window and shall not occupy more than 50% of the window area in which they are affixed or applied.
- (2) Notwithstanding the foregoing, individual characters on a window sign shall not exceed 45 centimetres in height.
- (3) Notwithstanding the foregoing, back-lit plastic signs are not permitted in windows.
- 53. Commemorative signs shall not be obscured or removed.
- 54. (1) Awnings shall not project within 1 metre of the curb face.
- (2) Awnings shall be erected a minimum of 2.1 metres above the grade except where vehicular traffic is moving beneath the awning in which case the awning shall be erected a minimum of 4.5 metres above the grade.
- (3) Text on an awning shall not exceed 60 centimetres in height.
- 55. (1) Directory signs shall be located parallel to the building facade and adjacent to a building entrance.
- (2) Directory signs may only exceed .6 metres x .9 metres at the discretion of Council.
- 56. (1) One ground sign may be erected on each side of a building fronting on a street.
- (2) Ground signs shall not exceed 3.6 metres in height.
- (3) A ground sign shall not have more than 4 sides and each side of a ground sign shall not exceed 3.6 metres x 1.2 metres.
- 57. (1) Wall signs shall not be placed over the second storey windows or higher on a building façade.
- (2) Wall signs shall not exceed 3 square metres (3 m<sup>2</sup>) in area.
- 58. (1) Banner signs shall be for temporary use only to advertise special events.
- (2) The design, location and length of display of a banner sign shall be at the discretion of Council.
- 59. Notwithstanding any provision contained herein, the Heritage Advisory Committee may recommend to Council the acceptance of certain non-conforming signs whose particular

design or situation merit such consideration, and Council may accept or reject the recommendation.

### **PENALTIES**

60. Failure to comply with the provisions of this By-Law may result in the issuance of a stop work order.
61. Any sign, other than an election sign, erected, placed, or displayed in violation of this By-Law may be removed without notice to the owner, and the cost of such removal may be charged to the owner;
62. Where a sign, other than an election sign, is removed by the City, the sign may be stored, immediately destroyed, and/or disposed of without notice
63. (1) Where an election sign is erected, placed, or displayed in violation of this By-Law, the election sign may be removed after the inspector has provided at least 48 hours notice to the authorized agent of the candidate or organization that has erected the sign.  
  
(2) Notwithstanding section 63(1), where an election sign is erected, placed, or displayed in violation of section 10(1), 30, 31, or 32, the election sign may be removed without notice.
64. Where an election sign is removed by the City, the election sign will be stored for no more than 30 days, after which it may be destroyed or otherwise disposed of without notice.
65. A person shall not be entitled to any compensation, nor shall the City be responsible, for any loss or damage resulting from the removal, storage, destruction, and/or disposal of any sign.
66. Any person who contravenes the provisions of this By-Law shall be guilty of an offence and liable upon summary conviction to:
  - (a) a fine of \$100.00 where the person is issued a ticket; or
  - (b) a penalty as provided for in section 403 of the *City of St. John's Act*, RSNL 1990, c C-17, as amended, where an information is laid.
67. The *St. John's Heritage Area Sign By-Law* enacted January 14, 2002 and all amendments thereto is hereby repealed.
68. The *St. John's Mobile Sign By-Law* enacted September 20, 1999 and all amendments thereto is hereby repealed.

69. The *St. John's Sign By-Law* enacted May 31, 2004 and all amendments thereto is hereby repealed.

**NOTICE OF MOTION**

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move to repeal the St. John's Heritage Area Sign By-Law enacted January 14, 2002, the St. John's Mobile Sign By-Law enacted September 20, 1999, and the St. John's Sign By-Law enacted May 31, 2004, and enact a new comprehensive Sign By-Law regulating signage in the City of St. John's.

DATED at St. John's, NL this                      day of November, 2020.

\_\_\_\_\_  
COUNCILLOR

# DECISION/DIRECTION NOTE

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**Title:** Snow Clearing By-Law Amendments

**Date Prepared:** November 10, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Ian Froude, Public Works & Sustainability

**Ward:** N/A

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## **Decision/Direction Required:**

To approve the amendments to the Snow Clearing By-Law that give effect to the new winter parking restrictions as discussed at COTW on October 28, 2020.

## **Discussion – Background and Current Status:**

On October 28, 2020, Public Works presented a Decision Note to Council at COTW concerning revisions to the winter parking restrictions. Council approved two of the recommendations from the Decision Note, being:

1. Extend the overnight parking ban in areas outside the downtown, when operationally required. This restriction would apply when the DCM determines it is necessary due to a snow event.
2. Revise the hours of the Downtown Winter Parking Restriction which is used during snow removal operations. The current restriction is from 12:30 a.m. to 7:30 a.m. and the proposed hours are from 11:00 p.m. to 6:00 a.m.

As identified in the Legal or Policy Implications section of the Decision Note, both of these recommendations require changes be made to the existing Snow Clearing By-Law. The Legal Department, working with Public Works, has drafted these By-Law amendments.

To avoid multiple sections and confusion, Legal recommends amending the existing section 4(1) to reflect the needs of Public Works concerning the parking ban outside the Downtown/Business District. The new, amended section would read:

4(1). Notwithstanding section 4, the Deputy City Manager – Public Works and Parks may at anytime implement a 24 hour parking restriction outside the Downtown and Business District, and when such restriction is in effect no person shall park a motor vehicle or trailer on any street outside the Downtown and Business District until the restriction is lifted.

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In consultation with Communications and Public Works, the Legal Department has also drafted a section that clarifies that notice of the 24 hour parking restriction will be done online.

Public Works has recommended that notice of the 24 hour parking restriction be handled similar to other snow advisories. That is, Public Works will notify Communications of the start time of the 24 hour ban, and Communications will forward this message to the public. Public Works will aim to give as much notice as it can; however, as forecasts can change, this might not always be possible. When the 24 hour restriction is over, Communications will be notified again. Public Works indicates that the goal is for residents to become familiar with the way these events are declared and learn to anticipate them based on the forecast.

### **Key Considerations/Implications:**

#### **1. Budget/Financial Implications:**

- The 24hr parking restriction is a separate ticketable offence under the Snow Clearing By-Law

#### **2. Partners or Other Stakeholders:**

- The general public
- Public Works
- Regulatory Services – Parking Services
- Communications

#### **3. Alignment with Strategic Directions/Adopted Plans:**

- A City that Moves – improve safety for all users on a well-maintained street network – by implementing parking restrictions that allow for snow clearing operations

#### **4. Legal or Policy Implications: N/A**

#### **5. Privacy Implications: N/A**

#### **6. Engagement and Communications Considerations:**

- Amendments to the By-Law will have to be advertised and published in the Gazette in order to legally be in effect
- Communications will work with the Public Works Department and the Access Centre to ensure that a plan is put in place to notify the public about (1) overall changes to the City's winter parking bans and (2) the 24-hour restriction, as called.

7. Human Resource Implications: N/A

8. Procurement Implications: N/A

9. Information Technology Implications:

- The amended By-Law will have to be updated on the City's Website.

10. Other Implications:

**Recommendation:**

That Council approve the amendments to the Snow Clearing By-Law that give effect to the new winter parking restrictions as discussed at COTW on October 28, 2020.

**Prepared by: Katie Philpott**

**Approved by: Cheryl Mullett**

**Report Approval Details**

Document Title:	Snow Clearing By-Law Amendments.docx
Attachments:	- Snow_Clearing.docx
Final Approval Date:	Nov 10, 2020

This report and all of its attachments were approved and signed as outlined below:

**Cheryl Mullett - Nov 10, 2020 - 3:33 PM**



**BY-LAW NO.**

**ST. JOHN'S SNOW CLEARING (AMENDMENT NO. – 2020) BY-LAW**

**PASSED BY COUNCIL ON NOVEMBER \_\_\_\_\_, 2020**

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Under and by virtue of the powers conferred by section 189 of the Highway Traffic Act, RSNL 1990 c H-3, and pursuant to a delegation of power by the Minister of Highways, and all other powers enabling it, the City of St. John's enacts the following by-law relating to snow clearing in the City of St. John's.

**BY-LAW**

1. This By-Law may be cited as the St. John's Snow Clearing (Amendment No. – 2020) By-Law.
2. Subsection 4(b) of the St. John's Snow Clearing By-Law is hereby amended by replacing the words "between the hours of 12:30 a.m. in the morning and 7:30 a.m. in the morning of the same day" with "between the hours of 11:00 P.M. at night and 6:00 A.M. in the morning of the following day".
3. Subsection 4(1) of the St. John's Snow Clearing By-Law is hereby deleted and replaced with the following:
  - 4(1) Notwithstanding section 4, the Deputy City Manager – Public Works and Parks may at anytime implement a 24 hour parking restriction outside the Downtown and Business District, and when such restriction is in effect no person shall park a motor vehicle or trailer on any street outside the Downtown and Business District until the restriction is lifted.
4. Section 4 of the St. John's Snow Clearing By-Law is further amended by adding the following subsection:
  - 4(2) Notice of the 24 hour parking restriction referenced in section 4(1) shall be given by posting on the City's website.

**IN WITNESS WHEREOF** the Seal of the City of St. John's has been hereunto affixed and

this By-Law has been signed by the Mayor  
and City Clerk this \_\_\_\_\_ day of  
November, 2020.

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MAYOR

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CITY CLERK

**NOTICE OF MOTION**

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move to enact amendments to the St. John's Snow Clearing By-Law to give effect to the new winter parking restrictions as discussed at the meeting of the Committee of the Whole on October 28, 2020.

DATED at St. John's, NL this 9 day of November 2020.

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COUNCILLOR

# DECISION/DIRECTION NOTE

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**Title:** Request for Building Line Setback  
61 Boyle Street  
DEV2000174

**Date Prepared:** November 10, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 3

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**Decision/Direction Required:**

To seek approval for a 6.0 meter Building Line setback at 61 Boyle Street.

**Discussion – Background and Current Status:**

An application was submitted for construction of a Single Detached Dwelling. The property is situated in the Residential Low Density (R1) Zone where the minimum Building Line for existing streets or service streets is to be established by Council subject to Section 8.3.1. The proposed Building Line setback of the new Dwelling would be at 6.0 meters.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: *St. John's Strategic Plan 2019-2029 - A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: Section 10.3.3 (c)(ii) and Section 8.3.1 of the St. John's Development Regulations.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.

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10. Other Implications: Not applicable.

**Recommendation:**

That Council approve the 6.0 metre Building Line setback for 61 Boyle Street.

**Prepared by:**

Ashley Murray, PTech – Development Officer II

**Approved by:**

Jason Sinyard, P. Eng, MBA, Deputy City Manager  
Planning, Engineering & Regulatory Services

### Report Approval Details

Document Title:	Development Committee- Request for Building Line Setback at 61 Boyle Street- DEV2000174.docx
Attachments:	- Map.png
Final Approval Date:	Nov 10, 2020

This report and all of its attachments were approved and signed as outlined below:

**Lindsay Lyghtle Brushett - Nov 10, 2020 - 11:47 AM**

**Jason Sinyard - Nov 10, 2020 - 4:28 PM**



# DECISION/DIRECTION NOTE

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**Title:** Request for Rear Yard Variance  
52 Regent Street  
INT2000102

**Date Prepared:** November 10, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 1

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**Decision/Direction Required:** To seek approval for a 7.3% variance on the Rear Yard at 52 Regent Street.

**Discussion – Background and Current Status:**

An application was submitted to construct an extension to the rear of the existing Dwelling at 52 Regent Street. The property is situated in the Residential Low Density (R1) Zone where the minimum Rear Yard requirement is 6 metres. The proposed extension would require a 7.3% Variance in order to be developed. Section 8.4 of the Development Regulations provides that up to a 10% variance pertaining to Lot Requirements can be considered.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Abutting property owners have been notified.
3. Alignment with Strategic Directions/Adopted Plans: *St. John's Strategic Plan 2019-2029 - A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: St. John's Development Regulations Section 10.3.3(1)(f) and Section 8.4.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.





9. Information Technology Implications: Not applicable.

10. Other Implications: Not applicable.

**Recommendation:**

That Council approve the 7.3% Rear Yard Variance at 52 Regent Street to accommodate the proposed extension.

**Prepared by:** Andrea Roberts P.Tech – Senior Development Officer  
Planning, Engineering and Regulatory Services

**Approved by:** Jason Sinyard, P. Eng., MBA, Deputy City Manager-  
Planning, Engineering and Regulatory Services

**Report Approval Details**

Document Title:	Development Committee - Request for Rear Yard Variance at 52 Regent Street.docx
Attachments:	- INT2000102-52 REGENT STREET.pdf
Final Approval Date:	Nov 13, 2020

This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Jason Sinyard was completed by workflow administrator Shanna Fitzgerald**

**Jason Sinyard - Nov 12, 2020 - 5:02 PM**

**No Signature - Task assigned to Kevin Breen was completed by workflow administrator Shanna Fitzgerald**

**Kevin Breen - Nov 13, 2020 - 11:03 AM**





OR

SUBJECT PROPERTY

R1

52

50

48

46

60

58

56

54

REGENT ST

BAKER ST

R1

54

41

R1

37

35

33

47

DISCLAIMER: This map is based on current information at the date of production.

CITY OF ST. JOHN'S

W:\Engwork\Planw\applications 2020\int2000102-52 regent street.mxd

**Development Permits List**  
**For the Period of November 5 To November 11, 2020**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Home Office for Electrical Contractor	7 Spruce Grove Ave	5	Approved	20-11-06
IND	Nova Consultants Inc.	Watering Station	Harbour Drive, Pier 11	2	Approved	20-11-06

\* Code Classification:  
RES - Residential      INST - Institutional  
COM - Commercial     IND - Industrial  
AG - Agriculture  
OT - Other

\*\* This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.

**Lindsay Lyghtle Brushett**  
**Supervisor - Planning and Development**



**Permits List**  
**Council's November 16, 2020 Regular Meeting**

Permits Issued: 2020/11/05 to 2020/11/11

**BUILDING PERMITS ISSUED**

<b>Residential</b>		
<b>Location</b>	<b>Permit Type</b>	<b>Structure Type</b>
1 Pringle Pl	Deck	Patio Deck
10 Gallipoli St	Fence	Fence
11 Frampton Ave	Site Work	Swimming Pool/Hot Tub
12 Roche St	Renovations	Single Detached Dwelling
133 Cabot St	Change of Occupancy/Renovations	Subsidiary Apartment
1372 Blackhead Rd	New Construction	Single Detached Dwelling
152 Blackmarsh Rd	Renovations	Single Detached Dwelling
23 Laughlin Cres	Site Work	Swimming Pool/Hot Tub
25 Lake Ave	Renovations	Single Detached Dwelling
25 Tobin's Rd	Accessory Building	Accessory Building
26 Miranda St	Change of Occupancy/Renovations	Subsidiary Apartment
28 Ridge Rd	Extension	Single Detached w/ apt.
3 Hebbard Pl	Site Work	Single Detached Dwelling
37 Gleneyre St	Deck	Patio Deck
4 Cormack St	Renovations	Single Detached w/ apt.
4 Mahogany Pl	Accessory Building	Accessory Building
44 Signal Hill Rd	New Construction	Townhousing
46 Signal Hill Rd	New Construction	Townhousing
49 Feild St	Site Work	Semi Detached Dwelling
5 Norfolk Pl	Accessory Building	Accessory Building
50 Sugar Pine Cres	New Construction	Single Detached Dwelling
6 Frampton Ave	Fence	Fence
64 Tigress St	New Construction	Single Detached w/ apt.
65 Jordan Pl	Fence	Fence
66 Diamond Marsh Dr	New Construction	Single Detached Dwelling
7 Frampton Ave	New Construction	Single Detached Dwelling
75 Parkhill St	Deck	Patio Deck
76 Beacon Hill Cres	Extension	Single Detached Dwelling
96 Halley Dr	Extension	Single Detached Dwelling

This Week: \$1,951,744.98

### Commercial

Location	Permit Type	Structure Type
25 White Rose Dr	Sign	Other
349 Kenmount Rd	Sign	Retail Store
43 Cashin Ave	Sign	Eating Establishment
430 Topsail Rd	Sign	Retail Store
430 Topsail Rd	Change of Occupancy	Retail Store
48 Kenmount Rd	Change of Occupancy/Renovations	Retail Store
51 O'leary Ave	Site Work	Communications Use
545 Kenmount Rd	New Construction	Communications Use
55 Kiwanis St	Sign	Retail Store
60 Elizabeth Ave	Sign	Retail Store
60 Elizabeth Ave	Change of Occupancy	Retail Store
60 O'leary Ave	Change of Occupancy/Renovations	Recreational Use
60 O'leary Ave	Change of Occupancy/Renovations	Warehouse
7 Navigator Ave	Sign	Restaurant
Southside Rd	Accessory Building	Accessory Building

This Week: \$635,293.08

### Government/Institutional

Location	Permit Type	Structure Type
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This Week: \$0.00

### Industrial

Location	Permit Type	Structure Type
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This Week: \$0.00

### Demolition

Location	Permit Type	Structure Type
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This Week: \$0.00

**This Week's Total: \$2,587,038.06**

**REPAIR PERMITS ISSUED:**

**\$29,950.00**

**NO REJECTIONS**

<b>YEAR TO DATE COMPARISONS</b>			
<b>November 16, 2020</b>			
<b>TYPE</b>	<b>2019</b>	<b>2020</b>	<b>% Variance (+/-)</b>
Residential	\$41,509,894.63	\$44,043,605.29	6
Commercial	\$156,971,351.16	\$133,479,741.46	-15
Government/Institutional	\$2,824,650.00	\$677,431.00	-76
Industrial	\$1,812,266.07	\$3,000.00	-100
Repairs	\$2,261,933.50	\$3,158,801.90	60
<b>TOTAL</b>	<b>\$205,380,095.36</b>	<b>\$181,362,579.65</b>	<b>-12</b>
Housing Units (1 & 2 Family Dwelling)	109	131	

Respectfully Submitted,

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Jason Sinyard, P.Eng., MBA  
Deputy City Manager  
Planning, Engineering and Regulatory Services

# MEMORANDUM

## **Weekly Payment Vouchers For The Week Ending November 10, 2020**

### **Payroll**

<b>Public Works</b>	<b>\$ 410,887.42</b>
<b>Bi-Weekly Administration</b>	<b>\$ 789,632.03</b>
<b>Bi-Weekly Management</b>	<b>\$ 847,073.99</b>
<b>Bi-Weekly Fire Department</b>	<b>\$ 832,301.14</b>

<b>Accounts Payable</b> <i>(A detailed breakdown available <a href="#">here</a>)</i>	<b>\$ 3,270,837.23</b>
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<b>Total:</b>	<b>\$ 6,150,731.81</b>
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# **ST. JOHN'S**

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA



# DECISION/DIRECTION NOTE

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**Title:** 52 Stamp's Lane Adoption, REZ2000006

**Date Prepared:** November 3, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 4

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## **Decision/Direction Required:**

That Council adopt the attached resolution for St. John's Development Regulations Amendment 713, 2020, regarding Subsidiary Apartments, prompted by an application at 52 Stamp's Lane.

## **Discussion – Background and Current Status:**

The City has received an application from JCK Properties to develop a Single Detached Dwelling with a Subsidiary Apartment at 52 Stamp's Lane. The former house at this site was recently demolished. The property is zoned Residential Low Density (R1) in which both uses are permitted, however a text amendment is required due to the size of the proposed Subsidiary Apartment

Under the Development Regulations, Subsidiary Apartment is defined as "a Suite within a Single Detached Dwelling whose Floor Area does not exceed 40% of the Gross Floor Area of the Dwelling". For this development, the applicant is proposing that the main unit will have an area of 109.1 square metres (1,174 square feet) and the Subsidiary Apartment will have an area of 103.8 square metres (1,117 square feet). That would make the Subsidiary Apartment approximately 48.5% of the Gross Floor Area.

The definition of Subsidiary Apartment in the draft Envision St. John's Development Regulations (used in the attached amendment) provides flexibility on the size of Subsidiary Apartments by removing the percentage requirement, and would allow this development to proceed as proposed. While the text amendment was prompted by the application at 52 Stamp's Lane, it would apply to Subsidiary Apartments anywhere in the city.

The proposed amendment was advertised on two occasions in *The Telegram* newspaper and was posted on the City's website. Property owners within 150 metres of the application site were notified. One written submission was received by the City Clerk and is included in Council's agenda package.

The resident who wrote in raises concerns that the amendment would allow the introduction of Semi-Detached Dwellings to the R1 Zone. While the current and proposed definitions do not dictate the location of the Subsidiary Apartment within the dwelling (it need not be in the

# ST. JOHN'S

basement), this would not be a Semi-Detached Dwelling. Semi-Detached Dwellings (also called double houses), are required to have each unit on a separate lot and need to be a listed use in a Zone in order to be considered. (The only exception to this would be Semi-Detached Dwellings in a condominium development, where all houses are located on one lot that is in common ownership by the condo corporation.)

The new definition of Subsidiary Apartment still requires that the apartment is subordinate to the main dwelling unit and is located on the same lot. The proposed amendment only removes the percentage requirement of the apartment to allow flexibility in design.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners near 52 Stamp's Lane and wherever Subsidiary Apartments are located or may be built.
3. Alignment with Strategic Directions/Adopted Plans:  
*St. John's Strategic Plan 2019-2029 – A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: A text amendment to the St. John's Development Regulations is required to change the definition of a Subsidiary Apartment.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: The application was advertised in *The Telegram* newspaper and on the City's website, and notices were mailed to property owners within 150 metres of the application site.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council adopt St. John's Development Regulations Amendment Number 713, 2020, which will update the definition of Subsidiary Apartment.

**Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage**

**Approved by: Ken O'Brien, MCIP, Chief Municipal Planner**

**Report Approval Details**

Document Title:	52 Stamp's Lane Adoption, REZ2000006.docx
Attachments:	- 52 Stamp's Lane - Adoption Attachments.pdf
Final Approval Date:	Nov 5, 2020

This report and all of its attachments were approved and signed as outlined below:

**Ken O'Brien - Nov 5, 2020 - 12:41 PM**

**Jason Sinyard - Nov 5, 2020 - 2:24 PM**





SUBJECT PROPERTY

STAMP'S LANE

WISHINGWELL RD

DISCLAIMER: This map is based on current information at the date of production.

W:\Engwork\Planw\applications 2020\rez2000006-52 stamps lane.mxd

CITY OF ST. JOHN'S



**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 713, 2020**

**WHEREAS** the City of St. John's wishes to remove percentage requirements from the definition of Subsidiary Apartment.

**BE IT THEREFORE RESOLVED** that the City of St. John's hereby adopts the following text amendments to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act:

- 1) Repeal the Definition of "SUBSIDIARY APARTMENT" in Section 2 – Definitions and replace with the following:**

**"SUBSIDIARY APARTMENT means a separate Dwelling Unit that is located within the structure of a main Building and which is subordinate to the main Dwelling Unit."**

**BE IT FURTHER RESOLVED** that the City of St. John's requests the Minister of Environment, Climate Change and Municipalities to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this \_\_\_\_ day of \_\_\_\_\_, **2020**.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**MCIP**

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Council Adoption**

\_\_\_\_\_  
**Provincial Registration**





# DECISION/DIRECTION NOTE

**Title:** E-Poll – Film Shoot Road Closure

**Date Prepared:** November 6, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Shawn Skinner, Special Events Regulatory Committee

**Ward:** Ward 2

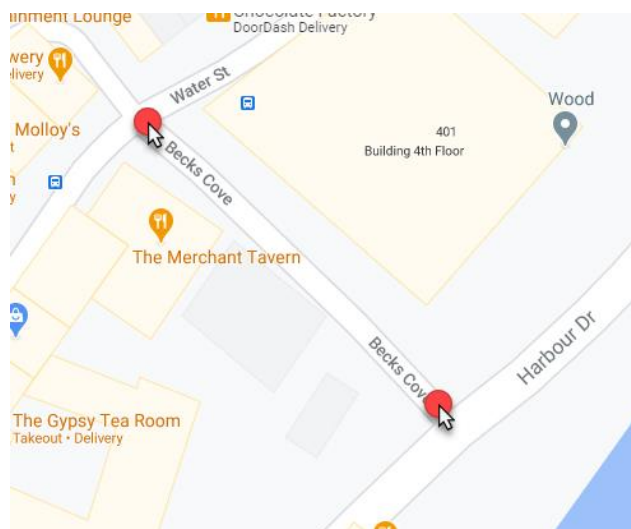
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**Decision/Direction Required:** Council approval of road closure for the filming of The Surrealtor.

**Discussion – Background and Current Status:** ‘The Surrealtor’ production is requesting road closure (except for local traffic) for the following:

- Wednesday, November 11
- 7:00pm – 9:00pm (road will be closed for 45 minutes only, within this time frame)
- Beck’s Cove (from Water Street to Harbour Drive)

Traffic control company has been secured for this road closure.



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**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve the requested road closure for The Surrealtor film shoot.

**Prepared by:** Christa Norman, Special Projects Coordinator

**Approved by:** Jennifer Langmead, Supervisor – Tourism and Events

**Report Approval Details**

Document Title:	E-Poll - Film Shoot Road Closure .docx
Attachments:	
Final Approval Date:	Nov 6, 2020

This report and all of its attachments were approved and signed as outlined below:

**Jennifer Langmead - Nov 6, 2020 - 10:36 AM**

**Tanya Haywood - Nov 6, 2020 - 2:59 PM**

Result of E-Poll – November 10, 2020

**Film Shoot Road Closures**

'The Surrealtor' production is requesting road closure (except for local traffic) for the following:

- Wednesday, November 11
- 7:00pm – 9:00pm (road will be closed for 45 minutes only, within this time frame)
- Beck's Cove (from Water Street to Harbour Drive)

Councillor	Agree	Disagree	Did Not Vote
Mayor Breen	X		
Deputy Mayor O'Leary	X		
Councillor Burton	X		
Councillor Lane	X		
Councillor Hickman	X		
Councillor Hanlon	X		
Councillor Stapleton	X		
Councillor Korab	X		
Councillor Froude	X		
Councillor Collins	X		
Councillor Skinner	X		

# DECISION/DIRECTION NOTE

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**Title:** New Year's Eve Fireworks

**Date Prepared:** November 11, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Shawn Skinner, Special Events Regulatory Committee

**Ward:** N/A

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**Decision/Direction Required:** Approval from Council to hold New Year's Eve fireworks at 8pm.

**Discussion – Background and Current Status:** In 2019, the City of St. John's introduced a series of family friendly New Year's Eve activities. The events offered throughout the day included family swims at City pools, gym activities at Paul Reynolds Community Centre, and a skating party at The Loop. The evening was capped off with a Countdown Celebration and Fireworks show at 8:00pm at Quidi Vidi Lake. The Countdown Celebration was hosted through a partnership with NTV and included a DJ as well as an NTV personality hosting lakeside. NTV filmed the event and broadcast the fireworks during their televised New Year's Eve (midnight) show.

Given the estimated 5,000 to 6,000 people in attendance in and around the Clancey Drive/Carnell Drive area, the move to an 8pm fireworks show was deemed a success. This number reflected those attending the Countdown Celebration and did not include those gathered in vehicles around the Quidi Vidi/Pleasantville area. In comparison, the midnight fireworks in 2018 drew approximately 1,500 to 2,000 people.

Continuing with the success of the 2019 fireworks, and keeping COVID-19 guidelines in mind, the City proposes 2020 New Year's Eve fireworks show time of 8pm.

Although current Provincial Government guidelines does not recommend fireworks and gatherings of large groups; the City in consultation with St. John's Regional Fire Department, will introduce the following measures:

- In promotion of the event, recommend people remain in their vehicles to watch the fireworks.
- If citizens do leave their vehicle, or walk to the site, reminders to wear a mask and stay in your bubble.
- Cancellation of the DJ and Countdown Celebration event lakeside, thereby removing a public event gathering point on Carnell Drive.

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City staff are working to develop a list of activities families can participate in during the day, however there will be no City hosted events such as gym activities and skating parties. Staff are also working with a media partner to film the 8pm fireworks, which will be shown during a New Year's Eve (midnight) show.

It is felt that the 8pm fireworks show will once again offer an activity for families to participate in during challenging pandemic times.

**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Working with a media partner to bring the fireworks show to all in Newfoundland and Labrador.
3. Alignment with Strategic Directions/Adopted Plans: A Connected City - Develop and deliver programs, services and public spaces that build safe, healthy, and vibrant communities.
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations:
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve the 2020 New Year's Eve fireworks, with a firing time of 8pm.

**Prepared by: Jennifer Langmead – Supervisor, Tourism & Events**

**Approved by: Tanya Haywood – Deputy City Manager, Community Services**

**Report Approval Details**

Document Title:	New Years Eve Fireworks.docx
Attachments:	
Final Approval Date:	Nov 12, 2020

This report and all of its attachments were approved and signed as outlined below:

**Tanya Haywood - Nov 12, 2020 - 9:50 AM**

# DECISION/DIRECTION NOTE

**Title:** SERC – Road Closure Request

**Date Prepared:** November 12, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Shawn Skinner, Special Events Regulatory Committee

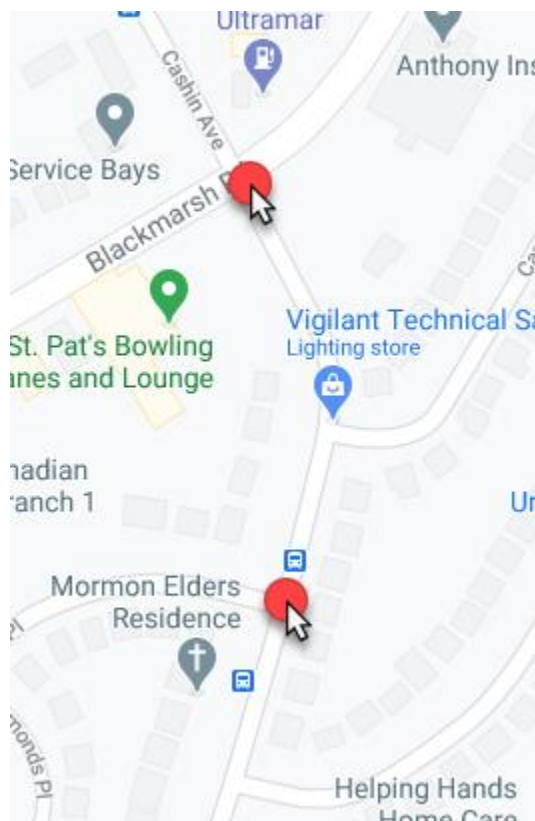
**Ward:** N/A

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**Decision/Direction Required:** Council approval of road closure for upcoming film shoot for 'The Surrealtor'.

**Discussion – Background and Current Status:** The Surrealtor production is requesting a road closure (except for local traffic) for the following date, time and location:  
A traffic control company has been secured for the road closure.

Symonds Avenue between Blackmarsh Road and Albany Place  
Monday November 23, 6:00pm – 9:00pm



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**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve the requested road closure for The Surrealtor film shoot.

**Prepared by:**Christa Norman, Special Projects Coordinator

**Approved by:** Jennifer Langmead, Supervisor – Tourism and Events



**Report Approval Details**

Document Title:	SERC - Road Closure 2.docx
Attachments:	
Final Approval Date:	Nov 12, 2020

This report and all of its attachments were approved and signed as outlined below:

**Jennifer Langmead - Nov 12, 2020 - 10:51 AM**

**Tanya Haywood - Nov 12, 2020 - 3:24 PM**

# DECISION/DIRECTION NOTE

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**Title:** Council Meetings – Christmas Schedule

**Date Prepared:** November 12, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Mayor Danny Breen, Governance & Strategic Priorities

**Ward:** N/A

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## Decision/Direction Required:

Seeking approval to suspend meetings of Council for a two-week period beginning Tuesday, December 22, 2020 and resuming Monday, January 11, 2021.

## Discussion – Background and Current Status:

Section 39(1) of the City of St. John's Act states as follows:

There is to be a meeting of the council for the consideration of the general business of the city at least once a week, except during the months of July and August.

Traditionally, Council has also approved the suspension of meetings from the week before Christmas, typically the third week in December, to the second week in January. Each year a motion is made to this effect.

The meeting schedule would be as follows:

Meeting	Last Meeting – 2020	First Meeting – 2021
Regular Meeting	Monday, Dec. 21, 2020	Monday, Jan. 11, 2021
Committee of the Whole	Wednesday, Dec. 9, 2020	Wednesday, Jan. 13, 2021

## Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders:
  - Council and Staff
  - General Public
3. Alignment with Strategic Directions/Adopted Plans: N/A

# ST. JOHN'S

4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations:
  - Communicate to the general public the revised schedule
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve the suspension of the Regular and Committee of the Whole meetings for a two-week period beginning Tuesday, December 22, 2020 and resuming Monday, January 11, 2021

**Prepared by:**

**Approved by:**

**Report Approval Details**

Document Title:	Council Meetings - Christmas Schedule.docx
Attachments:	
Final Approval Date:	Nov 13, 2020

This report and all of its attachments were approved and signed as outlined below:

**Elaine Henley - Nov 13, 2020 - 9:48 AM**

# DECISION/DIRECTION NOTE

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**Title:** Newfoundland and Labrador Sports Centre Board – Appointment of City Representative

**Date Prepared:** November 12, 2020

**Report To:** Special Meeting of Council

**Councillor and Role:** Mayor Danny Breen, Governance & Strategic Priorities

**Ward:** N/A

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## **Decision/Direction Required:**

Seeking approval to reappoint Tanya Haywood, Deputy City Manager of Community Services, to the Newfoundland and Labrador Sports Centre Board.

## **Discussion – Background and Current Status:**

Attached is a letter from Honorable Bernard Davis dated October 9, 2020 advising that the term of one of the City's two appointees to the Board has expired. Ms. Haywood is interested in being considered for reappointment.

Councillor Sandy Hickman is also a member on the Board.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders:
  - Newfoundland and Labrador Sports Centre Board
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A

9. Information Technology Implications: N/A

10. Other Implications: N/A

**Recommendation:**

That Council reappoint Tanya Haywood, Deputy City Manager of Community Services, to the Newfoundland and Labrador Sports Centre Board for an additional term.

October 9, 2020

Mayor Danny Breen  
City of St. John's  
P.O. Box 908  
St. John's, NL  
A1C 5M2

Dear Mayor Breen:

As you are aware, the City of St. John's has two positions on the Newfoundland and Labrador Sports Centre Board. The term appointment of one appointee, Ms. Tanya Haywood, has expired. Ms. Haywood has indicated she is interested in being considered for reappointment.

At your earliest convenience, please indicate whether you wish to recommend Ms. Haywood for reappointment or a different candidate for appointment. If you have any questions, please contact Michelle Healey, Director of Recreation and Sport, at 729-5241 or via email at [michellehealey@gov.nl.ca](mailto:michellehealey@gov.nl.ca).

Sincerely,



HON. BERNARD DAVIS, MHA  
District of Virginia Waters - Pleasantville  
Minister

C: Michelle Healey