

ST. JOHN'S

Regular Meeting - City Council Agenda

January 11, 2021

3:00 p.m.

4th Floor City Hall

Pages

1. CALL TO ORDER
2. PROCLAMATIONS/PRESENTATIONS
3. APPROVAL OF THE AGENDA
 - 3.1. Adoption of Agenda
4. ADOPTION OF THE MINUTES
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5. BUSINESS ARISING FROM THE MINUTES
 - 5.1. New Sanitation Regulations By-Law 17
6. NOTICES PUBLISHED
 - 6.1. Notices Published - 5 Ayrshire Place - Residential Low Density (R1) Zone - Ward 2 33
 - Application**

A Discretionary Use Application has been submitted for a Home Occupation for Seamstress at 5 Ayrshire Place.
 - Description**

The business involves creating baby and maternity accessories, and the applicant is the sole employee. The floor area for the business is 35m² and will operate Monday – Friday, 8:30 a.m. – 4:30 p.m. clients will visit the property by appointment only for pickups, and on-site parking is provided.
 - Six (6) submissions attached.

- 6.2. Notices Published - 20 Gower Street - Residential Downtown (RD) Zone
Ward 2 - APPROVED VIA E-POLL

41

Application

A Discretionary Use Application has been submitted to convert an existing Dwelling (Heritage Building) into a Bed & Breakfast and Eating Establishment at 20 Gower Street.

Description

The proposed use is for 5 Bed & Breakfast rooms, while the Eating Establishment (Heritage Use) will occupy a floor area of 37m² with seating for 12 people. Hours of operation for the Eating Establishment will be 7 days a week from 10 a.m. – 11 p.m., by reservation only. A restaurant liquor license is proposed.

Ten (10) submissions received.

- 6.3. Notices Published - 79 MacBeth Drive - Residential Low Density (R1)
Zone - Ward 1 - REJECTED VIA E-POLL DECEMBER 16, 2020

78

Application

A Discretionary Use Application has been submitted to operate a Retail Business as a Home Occupation at 79 MacBeth Drive.

Description

The business will involve the sale of miscellaneous items online (example toys and clothing), and clients will pick up purchased items from the home. The business will operate daily between 9 a.m. – 8 p.m. Pickup times will be by appointment only, with individual pickup spaces 15 minutes apart, 10-20 times per week. Two on-site parking spaces are provided for the business.

One (1) submission attached.

6.4.	Notices Published - 203 Merrymeeting Road - Residential High Density (R3) Zone - Ward 2	86
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Application

A change of Non-Conforming Use application has been submitted by The Old Dublin Bakery for 203 Merrymeeting Road.

Description

The proposed use is for a Bakery with a floor area of approximately 99.2m². The Bakery will employ up to 10 full-time employees and operate Monday-Saturday 7 a.m. to 4 p.m., and Sundays 7 a.m. – 12 p.m. The business will also include overnight production. No parking is provided onsite, and parking relief has been requested.

Eleven (11) submissions received.

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ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

December 14, 2020, 3:00 p.m.

Present:

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

Regrets:

- Councillor Maggie Burton

Staff:

- Kevin Breen, City Manager
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Cheryl Mullett, City Solicitor
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Shanna Fitzgerald, Legislative Assistant
- Kelly Maguire, Public Relations & Marketing Officer
- Brian Head, Manager - Parks & Open Spaces

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-2020-12-14/640

Moved By Councillor Skinner

Seconded By Councillor Hickman

That the agenda be adopted as presented.

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

MOTION CARRIED (10 to 0)

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - December 7, 2020**

SJMC-R-2020-12-14/641

Moved By Deputy Mayor O'Leary

Seconded By Councillor Hanlon

That the minutes of the meeting held on December 7, 2020 be adopted as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Lane, 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 Ticketing Amendment (Amendment No. 1-2020) By-Law

Amendment to Ticketing Amendment By-Law.

At the Regular Meeting held on December 7, 2020 Councillor Hickman gave notice that he will move to enact amendments to the St. John's Ticketing Amendment By-Law, the St. John's Snow Clearing By-Law, the St. John's Street Cleaning By-Law, the St. John's Parking Regulations, and the St. John's Residential Parking Area By-Law, to adjust fines and/or fees as approved in the 2021 Budget.

SJMC-R-2020-12-14/642

Moved By Councillor Hickman

Seconded By Councillor Lane

That Council approve as presented the amendments to the Ticketing Amendment By-Law to adjust fines and/or fees as approved in the 2021 Budget.

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

MOTION CARRIED (10 to 0)

5.2 Snow Clearing (Amendment No. 3-2020) By-Law

Amendment to Snow Clearing By-Law.

SJMC-R-2020-12-14/643

Moved By Councillor Hickman

Seconded By Councillor Skinner

That Council approve as presented the amendments to the Snow Clearing By-Law to adjust fines and/or fees as approved in the 2021 Budget.

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

MOTION CARRIED (10 to 0)

5.3 Street Cleaning (Amendment No. 1-2020) By-Law

Amendment to Street Cleaning By-Law.

SJMC-R-2020-12-14/644

Moved By Councillor Hickman

Seconded By Deputy Mayor O'Leary

That Council approve as presented the amendments to the Street Cleaning By-Law to adjust fines and/or fees as approved in the 2021 Budget.

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

MOTION CARRIED (10 to 0)

5.4 Paid Parking (Amendment No. 1-2020) Regulations By-Law

Amendment to Paid Parking Regulations By-Law.

SJMC-R-2020-12-14/645

Moved By Councillor Hickman

Seconded By Councillor Stapleton

That Council approve as presented the amendments to the Paid Parking By-Law to adjust fines and/or fees as approved in the 2021 Budget.

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

MOTION CARRIED (10 to 0)

5.5 Residential Parking Area (Amendment No. 2-2020) By-Law

Amendment to Residential Parking Area By-Law.

SJMC-R-2020-12-14/646

Moved By Councillor Hickman

Seconded By Councillor Collins

That Council approve as presented the amendments to the Residential Parking Area By-Law to adjust fines and/or fees as approved in the 2021 Budget.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Lane, 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 50 Bonaventure Avenue - Residential Medium Density (R2) Zone - Ward 2

A Discretionary Use Application has been submitted by Georgetown Inn to convert a portion of the Bed and Breakfast to an Eating Establishment (Tea Room) at 50 Bonaventure Avenue.

The Eating Establishment will occupy a floor area of 39.2m². Hours of operation will be by reservation from October 1 to June 1 (off season), on Friday, Saturday & Sunday. There will be only one scheduled seating per day, for 6 tables at 3 p.m. Four onsite parking spaces are provided.

13 submissions received

SJMC-R-2020-12-14/647

Moved By Councillor Skinner

Seconded By Councillor Froude

That Council approve the application to convert a portion of the Bed and Breakfast to an Eating Establishment (Tea Room) at 50 Bonaventure Avenue, subject to meeting all applicable requirements.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Lane, 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. Parking Relief for an Eating Establishment (Heritage Use) - 50 Bonaventure Avenue - DEV2000166****SJMC-R-2020-12-14/648****Moved By** Councillor Skinner**Seconded By** Deputy Mayor O'Leary

That Council approve parking relief for 7 spaces for the proposed Easting Establishment (Heritage Use) at 50 Bonaventure Avenue subject to meeting all applicable regulatory requirements.

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

MOTION CARRIED (10 to 0)**2. Approval-in-Principle and Set Parking for Emergency Shelter Use - 168-170 Military Road - DEV2000194****SJMC-R-2020-12-14/649****Moved By** Councillor Skinner**Seconded By** Deputy Mayor O'Leary

That Council approve-in-principle the proposed low barrier emergency shelter use at 168-170 Military Road (Mercy Convent) and set the parking requirement for the proposed use at 10 parking spaces.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Lane, 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)**

9. BUILDING PERMITS LIST (FOR INFORMATION ONLY)

9.1 Building Permits List for Week Ending December 9, 2020

Council considered the above noted Building Permits List for information.

10. REQUISITIONS, PAYROLLS AND ACCOUNTS

10.1 Weekly Payment Vouchers for Week Ending December 9, 2020

SJMC-R-2020-12-14/650

Moved By Councillor Collins

Seconded By Councillor Stapleton

That Council approve the Weekly Payment Vouchers for the week ending December 9, 2020 in the amount of \$6,887,226.81.

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

MOTION CARRIED (10 to 0)

11. TENDERS/RFPS

11.1 MS Govern

SJMC-R-2020-12-14/651

Moved By Councillor Froude

Seconded By Councillor Korab

That Council award this contract award without open call to N. Harris Computer Corporation for \$1,140,200.00 as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)

11.2 2020167 - Consulting Services for Energy Transition GHG Emissions and Economic Analysis

SJMC-R-2020-12-14/652**Moved By** Councillor Froude**Seconded By** Deputy Mayor O'Leary

That Council award the contract for climate change community economic modeling and support to public consultation to Sustainable Solutions Group (SSG) for \$75,538.00 (not including HST), as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)**12. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS****12.1 Notice of Motion - New Sanitation Regulations By-Law**

Councillor Froude presented the following Notice of Motion to adopt the new Sanitation Regulations By-Law:

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to repeal the Sanitation Regulation By-Law enacted April 23, 1986, and enact a new comprehensive Sanitation Regulations By-Law regulating disposal of residential waste in the City of St. John's.

DATED at St. John's, NL this 14 day of December 2020.

Councillor Ian Froude

13. OTHER BUSINESS**13.1 Extension of Membership – Seniors Advisory Committee****SJMC-R-2020-12-14/653****Moved By** Councillor Stapleton**Seconded By** Councillor Skinner

That Council extend membership for the following organizational and citizen representatives:

- Canadian Association for Retired Persons (CARP)
- Seniors NL
- Pensioners
- Glenda Reid
- Ruby Constantine
- Devonne Ryan

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

MOTION CARRIED (10 to 0)

13.2 Chairperson Appointment – St. John's Transportation Commission

SJMC-R-2020-12-14/654

Moved By Councillor Korab

Seconded By Councillor Hanlon

That Council appoint a current member of the St. John's Transportation Commission, Paul Walsh, to the position of Chairperson.

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

MOTION CARRIED (10 to 0)

13.3 Sale of City land in front of 15, 17 and 19 Airport Heights Drive

SJMC-R-2020-12-14/655

Moved By Councillor Stapleton

Seconded By Councillor Skinner

That Council approve the sale of City land at the front of 17 Airport Heights Drive for a nominal fee of \$1.00 subject to an Easement and that the City offer to sell the land in front of 15 and 19 to the respective owners under the same conditions.

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

MOTION CARRIED (10 to 0)

13.4 "What We Heard" - Rennie's River Flood Mitigation - Public Engagement

SJMC-R-2020-12-14/656

Moved By Councillor Froude

Seconded By Councillor Korab

That Council direct staff to proceed with submitting the Winter Avenue portion of the project to the Province for Environmental assessment. Further, following the Province's review there be additional public consultation.

For (9): Mayor Breen, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

Against (1): Deputy Mayor O'Leary

MOTION CARRIED (9 to 1)

13.5 Shea Heights Board Appointments

SJMC-R-2020-12-14/657

Moved By Councillor Collins

Seconded By Councillor Hanlon

That Council approve the following appointments to the Shea Heights Board of Directors:

Jerome Quinlan, Jessie Wilkins, Kearney O'Keefe, and Sherri Breen be appointed to the Shea Heights Community Centre Board of Directors to fill vacancies within the "at large" category of the Board structure.

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

MOTION CARRIED (10 to 0)

14. ACTION ITEMS RAISED BY COUNCIL

Councillor Lane tabled his resignation effective today, December 14, 2020. He thanked his fellow members of Council, staff, and the public for the opportunity to work collaboratively in making many improvements throughout the City during his tenure.

Deputy Mayor O'Leary recommended that engagement opportunities for economic recovery discussions be forwarded to the Advisory committees.

Councillor Froude advised that he would take over Transportation and Regulatory Services and Councillor Hickman will now take over Public Works with the exception of the Sustainability Plan.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 4:15 pm.

MAYOR

CITY CLERK

BY-LAW NO.
AMENDMENT NO.
SANITATION REGULATIONS
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 sanitation.

CITATION

1. This By-Law may be cited as the "St. John's Sanitation Regulations."

DEFINITIONS

2. In this By-Law:
 - a. "Bulk Item" means a large item of a household nature including, but not limited to, a large piece of furniture or a large household appliance that satisfies each of the following:
 - i. the item does not fit inside a Cart, Regular Garbage Container or Regular Garbage Bag;
 - ii. the longest dimension of the item does not exceed 1.5 metres in length; and
 - iii. the item does not exceed 68 kilograms (150 pounds) in weight.
 - b. "Cart" means a receptacle assigned by the City to a property solely for Regular Garbage collection.
 - c. "Collectable Waste" means Regular Garbage, Recyclable Materials, Bulk Items and Yard Waste.
 - d. "Collection Schedule" means a schedule of the day or days that apply to properties within each collection area of the City when Curbside collection will take place.
 - e. "Commercial Landfill Permit" means a valid permit issued by an Inspector for a vehicle used in the business of collecting and depositing Collectable Waste which grants entry into the Regional Waste Management Facility located at Robin Hood Bay.

- f. "Container Products" means the following Recyclable Materials:
- i. aluminium trays and cans;
 - ii. milk and juice cartons and containers;
 - iii. Tetra Pak containers;
 - iv. steel ("tin") cans;
 - v. recyclable plastic materials including food containers, trays, tubs, household cleaning product containers, toiletry containers, and drink bottles; and
 - vi. any other Collectable Waste that the City may from time to time designate as a Container Product.
- g. "Curbside" means the place where a property boundary joins with the abutting street, which may include a driveway where there is one, specifically:
- i. where there is a sidewalk and the abutting street allows for on-street parking, "Curbside" means the place on the street, not on the sidewalk, nearest the property boundary or driveway;
 - ii. where there is a sidewalk and the abutting street does not allow for on-street parking, "Curbside" means the place on the street, not on the sidewalk, nearest the property boundary or where there is a driveway, means the end of the driveway;
 - iii. where there is no sidewalk between the abutting street and the property, "Curbside" means the place on the gravel shoulder nearest the property boundary or driveway; and
 - iv. where an Owner is subject to a collection notice in which "Curbside" is expressly defined, "Curbside" shall have such meaning as set out in the collection notice.
- h. "Dwelling Unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- i. "Fibre Products" means the following Recyclable Materials:

- i. newspaper, flyers;
 - ii. lottery tickets;
 - iii. magazines, catalogues and phone books;
 - iv. writing paper, computer paper and envelopes;
 - v. books (provided that the outer hardcover, if any, is removed);
 - vi. boxboard, corrugated cardboard, egg cartons, and take out drink trays;
 - vii. empty paper towel rolls and toilet paper rolls; and
 - viii. any other Collectable Waste that the City may from time to time designate as a Fibre Product.
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- j. "Inspector" means a person designated by City Council to administer and enforce this By-Law.
 - k. "Non-Collectable Waste" means any waste that is not eligible for municipal curbside collection, more particularly described in Schedule "A" hereto annexed, which Schedule forms part of this By-Law.
 - l. "Owner" means a person or organization of persons owning or having the legal right to use the property.
 - m. "Recyclable Bag" means a commercially available watertight bag that is transparent and blue in colour, and between 0.5 metres and 1 metre in length when empty.
 - n. "Recyclable Container" means a commercially available watertight container that is inaccessible to wildlife, constructed of durable, non-porous, easily cleaned material, features a tight-fitting lid or cover that is tied or connected to the container, is weighted at the bottom or is of sufficient weight so as to be secure against wind, has a capacity of between 70 litres and 360 litres, and which is blue in color or, if not blue, bears a sticker issued by an Inspector that indicates the container is used for Recyclable Materials.
 - o. "Recyclable Materials" means Fibre Products and Container Products.
 - p. "Regular Garbage" means household waste and other refuse other than Recyclable Materials, Yard Waste and Bulk Items.

- q. “Regular Garbage Bag” means a commercially available, transparent and colourless, watertight bag that is between 0.5 metres and 1 metre in length when empty.
- r. “Regular Garbage Container” means a commercially available watertight container that is inaccessible to wildlife, constructed of durable, non-porous, easily cleaned material, features a tight fitting lid or cover that is tied or connected to the body of the container, is weighted at the bottom or is of sufficient weight so as to be secure against wind, has a capacity of between 70 litres and 360 litres in volume, and which is any color except blue.
- s. “Regular Garbage Privacy Bag” means a commercially available opaque watertight bag that is between 0.5 metres and 1 metre in length when empty. An Owner is permitted to use a maximum of 1 Regular Garbage Privacy Bag during any regular garbage collection.
- t. “Regulation Net” means a solid colour nylon or polyester net which is secure against wind, easily removable by municipal curbside collection personnel, has a maximum mesh size of 25 millimetres by 25 millimetres, and which is designed and maintained so as to provide adequate coverage of Regular Garbage placed on the Curbside.
- u. “Yard Waste” means the following Collectable Waste:
- i. grass clippings, sod, plants, flowers, weeds and leaves;
 - ii. twigs and branches not exceeding 2.5 centimetres in diameter;
 - iii. sawdust and woodchips;
 - iv. soil and dirt not exceeding 5 kilograms in total;
 - v. pumpkins, provided that any candles and lights have been removed; and
 - vi. any other Collectable Waste that the City may from time to time designate as Yard Waste.
- v. “Yard Waste Bag” means a commercially available and compostable heavy-duty paper bag designed to contain Yard Waste.

COLLECTION ANNOUNCEMENT

3. The City may from time to time issue a collection announcement to the public about municipal curbside collection which may include, but is not limited to, publication in the City of St. John's City Guide, posting on the City website or social media, radio, television, or other media.

COLLECTION NOTICE TO AN OWNER

4. The City may from time to time issue a collection notice to an Owner about municipal curbside collection services.
5. The City may serve a collection notice on an Owner by attaching it to any thing placed on or about the Curbside of the property.
6. Where the City has issued and served a collection notice on an Owner, the Owner shall not place Collectable Waste for collection except in accordance with the collection notice.

POSTPONEMENT OR CANCELLATION

7. Where inclement weather or any other circumstance has or is likely to interfere with municipal curbside collection services, the City may postpone or cancel such services and any revised date stated by the City shall become the collection day.

COLLECTION SCHEDULE

8. The City may from time to time:
 - a. divide the City into collection areas for the purpose of municipal curbside collection;
 - b. alter the boundaries of a collection area as deemed necessary on reasonable notice to the public; and/or
 - c. issue a Collection Schedule.

TIMING OF PLACEMENT AND REMOVAL FROM CURBSIDE

9. Collectable Waste shall not be placed earlier than 6:00 a.m. and no later than 8:00 a.m. on the morning of a collection day unless written permission is provided by an Inspector to the Owner.
10. Except where otherwise approved by the City, the Owner of the property shall remove all remaining bagged Collectable Waste, any Cart(s), any Recyclable Container(s), and

any Regular Garbage Container(s) from a Curbside by no later than 8:00 p.m. in the evening of a collection day.

11. Notwithstanding s. 9 and s. 10, Collectable Waste shall not be placed for collection at a Curbside at a time or in a manner which may impede or prevent City snow clearing or street and/or sidewalk cleaning operations.

BAGGED COLLECTABLE WASTE

12. All Regular Garbage shall be bagged in Regular Garbage Bags, which may include the prescribed limit of 1 Regular Garbage Privacy Bag, and each bag shall:
 - a. not exceed 22 kilograms (50 pounds) in weight; and
 - b. be securely closed, free of rips or tears and capable of being carried from the topside without tearing or spilling.
13. All Recyclable Materials shall be bagged in one or more Recyclable Bag and each bag shall:
 - a. not exceed 22 kilograms (50 pounds) in weight;
 - b. contain only Fibre Products or contain only Container Products which have been rinsed and drained of residue and contaminants; and
 - c. be securely closed, free of rips or tears and capable of being carried from the topside without tearing or spilling.
14. Notwithstanding section 13, Fibre Products may be securely tied into a bundle, provided that each bundle shall not exceed:
 - a. 22 kilograms (50 pounds) in weight; and
 - b. 60 centimetres by 60 centimetres by 90 centimetres in dimension.
15. All Yard Waste shall be bagged in one or more Yard Waste Bags and each bag shall:
 - a. not exceed 22 kilograms (50 pounds) in weight; and
 - b. be securely closed, free of rips or tears and capable of being carried from the topside without tearing or spilling.

CARTS – GENERAL

16. No person shall
 - a. modify or damage a Cart; or
 - b. remove a Cart assigned to a property the person is not the Owner of;
except where authorized in writing by the City.
17. Where a Cart assigned to a property has been lost, stolen or damaged, the City may charge a Cart repair fee or Cart replacement fee to the Owner of the property, and may suspend municipal curbside collection services to the property until such fee has been paid.
18. The Owner of a property to which a Cart has been assigned shall:
 - a. ensure that the Cart is labeled, by permanent marker or other means with the civic address of the property to which the Cart has been assigned;
 - b. ensure the Cart is kept clean and maintained in good condition;
 - c. except when placed for collection, ensure that a Cart is secure against theft, loss and damage and shall promptly report to the City any stolen, lost or damaged Cart;
 - d. upon the City's request, make a Cart available to the City for inspection, repair, removal or replacement; and
 - e. pay any Cart repair fee or Cart replacement fee levied by the City.

REGULAR GARBAGE COLLECTION – WITH A CART

19. Where a Cart has been assigned to a property, Regular Garbage shall not be placed for collection except in accordance with the following:
 - a. All Regular Garbage shall be bagged in Regular Garbage Bags, which may include the prescribed limit of 1 Regular Garbage Privacy Bag, and each bag shall be placed inside the Cart;
 - b. the Cart, together with its contents, does not exceed 100 kilograms in weight;
 - c. the Cart is placed in an upright and stable position with the lid closed and with the front of the Cart facing the centre of the street; and

- d. the Cart is placed:
 - i. on the Curbside;
 - ii. at least 1 metre away from any object on either side of the Cart;
 - iii. at least 3 metres away from any object above the top of the Cart;
 - iv. at least 30 centimetres away from any object behind the Cart; and
 - v. such that it is not on top of, or behind, any snowbank exceeding 30 centimetres in height.

REGULAR GARBAGE COLLECTION – WITHOUT A CART

- 20. Where a Cart has not been assigned to a property, Regular Garbage shall not be placed for collection except in accordance with the following:
 - a. all bagged Regular Garbage is placed for collection either:
 - i. directly on the Curbside; or
 - ii. inside a Regular Garbage Container that is placed on the Curbside.
 - b. where Regular Garbage Bags or the prescribed limit of 1 Regular Garbage Privacy Bag are placed directly on the Curbside:
 - i. each bag shall be placed at least 1 metre away from any Regular Garbage Container placed on the Curbside;
 - ii. no more than 4 bags shall be placed for collection for each Dwelling Unit situate at the property, which may include the prescribed limit of 1 Regular Garbage Privacy Bag, per Dwelling Unit; and
 - iii. between April 1 and November 30 of each year, each bag placed for collection shall be fully covered with a Regulation Net.
 - c. where a Regular Garbage Container is placed on the Curbside:
 - i. the Regular Garbage Container shall be placed in an upright and stable position with the lid closed and with the front of the Regular Garbage Container facing the centre of the street;

- ii. the Regular Garbage Container, together with its contents, shall not exceed 100 kilograms in weight; and
- iii. except where otherwise approved by the City, no more than 1 Regular Garbage Container shall be placed for collection for each Dwelling Unit situate at the property.

RECYCLABLE COLLECTION

21. Recyclable Materials shall not be placed at a Curbside except in accordance with the following:
- a. all bagged or bundled Recyclable Materials are placed for collection either:
 - i. directly on the Curbside; or
 - ii. within a Recyclable Container that is placed on the Curbside.
 - b. where bagged and/or bundled Recyclable Materials are placed directly on the Curbside, the bagged and/or bundled Recyclable Materials shall be placed at least 1 metre away from any Cart, Regular Garbage Container or Recyclable Container placed on the Curbside.
 - c. where a Recyclable Container is placed on the Curbside:
 - i. the Recyclable Container shall be placed in an upright and stable position with the lid closed and with the front of the Recyclable Container facing the centre of the street; and
 - ii. the Recyclable Container shall be placed at least 1 metre away from any Cart or Regular Garbage Container placed on the Curbside.

YARD WASTE COLLECTION

22. Yard Waste shall be bagged and placed on the Curbside at least 1 metre away from any Cart, Regular Garbage Container or Recyclable Container placed on the Curbside.

BULK ITEMS COLLECTION

23. Bulk Items shall not be placed for collection except in accordance with the following:
- a. the Owner of the property has requested and been approved for a Bulk Items collection appointment;

- b. the Owner of the property has listed all Bulk Items to be placed for collection at the time of making an appointment;
- c. only the Bulk Items listed by the Owner for pick up at the time of making an appointment shall be placed for collection;
- d. where a Bulk Item contains a door, lid, latch or movable surface permitting access to the inside, the Bulk Item shall not be placed for collection unless the door, lid, latch or movable surface has been removed; and
- e. any Bulk Item placed for collection must adhere to all provincial and federal disposal requirements.

OTHER WASTE COLLECTION

- 24. The City may from time to time announce municipal curbside collection services in addition to, or in substitution of, Bulk Items collection, Regular Garbage collection, Recyclable Materials collection, and/or Yard Waste collection, and an Owner of a property shall not place materials for collection except in accordance with the dates, terms and conditions set out by the City.

SCAVENGING

- 25. No person shall pick over, interfere with, disturb, remove or scatter any Collectable Waste at the Regional Waste Management Facility located at Robin Hood Bay without the written consent of the City.

NON-COLLECTABLE WASTE

- 26. The Owner of a property shall, at their own expense, arrange for the safe and sanitary storage, removal, transportation and disposal of any Non-Collectable Waste situate at the property in accordance with all applicable federal, provincial and municipal legislation.

COLLECTABLE AND NON-COLLECTABLE WASTE WHERE NO MUNICIPAL CURBSIDE SERVICES

- 27. The Owner of a property not in receipt of municipal curbside services shall, at their own expense, make arrangements for the safe and sanitary storage, removal, transportation and disposal of any Collectable Waste and Non-Collectable Waste situate at the property in accordance with all applicable federal, provincial and municipal legislation.

COMMERCIAL LANDFILL PERMIT

- 28. a. No person shall engage in the business of depositing Collectable Waste at the Regional Waste Management Facility located at Robin Hood Bay except where such person is the holder of a valid Commercial Landfill Permit.

- b. A Commercial Landfill Permit required under Section 28(a) herein shall be obtained annually at a cost to be prescribed by the City.
- c. The holder of a Commercial Landfill Permit shall comply with the terms and conditions of the Commercial Landfill Permit.
- d. The holder of a Commercial Landfill Permit shall comply with all federal, provincial and municipal legislation that applies.
- e. Where, in the opinion of an Inspector, the holder of a Commercial Landfill Permit has violated:
 - (i) this Section; and/or
 - (ii) any term or condition of a Commercial Landfill Permit;then the Inspector may revoke the Commercial Landfill Permit.
- f. A 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 Commercial Landfill 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 City, has been provided.
- g. A person who owes outstanding property taxes to the City of St. John's shall not be entitled to a Commercial Landfill Permit issued pursuant to this By-Law until such time as all such outstanding taxes have been paid.

MEDICAL EXEMPTION

29. Where a note signed by a health care practitioner recommends that the Owner of a property be relieved from performing one or more requirements herein, the Owner may apply to the City to be exempted from performing the requirement(s).

PENALTY

30. 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.
31. The City may suspend or discontinue any municipal curbside collection services to any property if an Owner does not comply with this By-Law or is in violation of this By-Law.

REPEAL

32. The St. John's Sanitation Regulations enacted by the City of St. John's on April 23, 1986, together with all amendments thereto, is hereby repealed.
33. The St. John's Covering of Garbage Placed for Collection By-Law enacted by the City of St. John's on April 17, 2006, together with all amendments thereto, is hereby repealed.

EFFECTIVE DATE

34. The St. John's Sanitation Regulations come into force and shall take effect as of March 1, 2021, with the exception of the required use of Regular Garbage Bags, which comes into force on January 1, 2022.

DRAFT

SCHEDULE "A" TO THE SANITATION BY-LAW

"Non-Collectable Waste" means any waste that is not eligible for municipal curbside collection, and includes each of the following:

- i. batteries and devices which contain batteries that have not been removed;
- ii. propane tanks (of any size), butane tanks and aerosol cans;
- iii. pesticides, herbicides and fungicides;
- iv. chemicals;
- v. firearms;
- vi. Christmas trees;
- vii. liquids and gels including, but not limited to, paint, paint thinner, varnish, shellac, stain, glue, motor oil, gasoline, kerosene, diesel, automotive fluids, ethanol gel chafing fuel, cooking oil, grease and any waste material that has not been completely drained of fluid;
- viii. combustible or explosive materials including, but not limited to, celluloid cuttings, motion picture film, oil or gasoline-soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite and other similar material;
- ix. biomedical waste including, but not limited to, dressings, bandages, pharmaceuticals, medications or other contaminated, infected, pathogenic or biohazardous material;
- x. medical sharps including, but not limited to, hypodermic needles, syringes, glass stem pipes, lancets and insulin tips;
- xi. mercury and devices that contain mercury including, but not limited to, thermometers and thermostats that contain mercury;
- xii. tires;
- xiii. Recyclable appliances, including toasters and other devices that can be deposited at a recycling facility;
- xiv. smoke and carbon monoxide detectors and alarms;

- xv. insect repellant, pest control products and flea collars;
- xvi. electronic devices including, but not limited to, radios, video cameras, computer monitors, laptops, tablets, and smart phones;
- xvii. gravel, rocks, sand, fill, soil and tree stumps in excess of 5 kilograms in total;
- xviii. Vinyl siding, asphalt shingles, toilets, parquet, treated wood, screws and nails;
- xix. fluorescent lights, bulbs and tubes and compact fluorescent lights;
- xx. carcasses or parts of any animal except food waste;
- xxi. pieces of scrap metal and sheet metal;
- xxii. automobile parts, scrapped vehicles and machine parts;
- xxiii. septic tank pumping's, raw sewage and industrial sludge;
- xxiv. broken glass, ceramics or any other jagged, sharp-edged, barbed or pointed material unless such materials have been wrapped in cardboard, or placed in a sealed puncture proof container and labelled in a manner that clearly describes the contents;
- xxv. manure, kennel waste, excrement and fish processing waste;
- xxvi. burning or smouldering waste;
- xxvii. maggot-infested waste, including any collection from maggot-infested Carts or Regular Garbage Containers, or maggot infested Regular Garbage Privacy Bags or Regular Garbage Bags;
- xxviii. urea formaldehyde foam insulation;
- xxix. materials containing asbestos;
- xxx. radioactive materials;
- xxxi. any material listed or characterized as hazardous by any federal or provincial law;

- xxxii. any material banned from landfill disposal by the Newfoundland and Labrador government, except Recyclable Materials and Yard Waste; and
- xxxiii. any other material that the City may from time to time designate as Non-Collectable Waste.

DRAFT

NOTICE OF MOTION

TAKE NOTICE that I will at the next regular meeting of the St. John's Municipal Council move to repeal the Sanitation Regulation By-Law enacted April 23, 1986, and enact a new comprehensive Sanitation Regulations By-Law regulating disposal of residential waste in the City of St. John's.

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

COUNCILLOR

ST. JOHN'S

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on January 11, 2021**

Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
5 Ayrshire Place Residential Low Density (R1) Zone Ward 2	Application A Discretionary Use Application has been submitted for a Home Occupation for Seamstress at 5 Ayrshire Place. Description The business involves creating baby and maternity accessories, and the applicant is the sole employee. The floor area for the business is 35m ² and will operate Monday – Friday, 8:30 a.m. – 4:30 p.m. clients will visit the property by appointment only for pickups, and on-site parking is provided.	6 Submissions Received (attached)	It is recommended to approve the application subject to meeting all applicable requirements.

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

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

From: [Stacey M. Corbett](#)
To: [City Clerk](#)
Subject: 5 Ayrshire Place - Home Occupation
Date: Friday, December 18, 2020 11:08:55 AM

We just received a phone call from a [REDACTED] who lives on Ayrshire place, wanting to show her full support for the above noted application.

Thank you,
Stacey

Disclaimer: This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

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From: [CityClerk](#)
To: [REDACTED]
[REDACTED] [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) Business at 5 Ayrshire Place
Date: Wednesday, December 16, 2020 11:51:43 AM

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to reaching a final decision on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 16, 2020 10:43 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Business at 5 Ayrshire Place

Dear Sir/ Madam,

We are sending this email today in response to a letter that was provided to us in regards to a new business (seamstress) to be opened at 5 Ayrshire Pl.

The residence of [REDACTED] Place have no issue with this and wish her all the best.

If you require any further information please do not hesitate to contact us using the details below.

Thank you

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [CityClerk](#)
To: [REDACTED] [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) Re: 5 Ayrshire Place - Discretionary Use Application
Date: Friday, December 18, 2020 11:11:50 AM

Good Morning:

We thank you for your feedback and advise that all submissions shall be forwarded to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Thursday, December 17, 2020 5:28 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Re: 5 Ayrshire Place - Discretionary Use Application

Hello!

I received a notice about an application for discretionary use for a seamstress business at 5 Ayrshire Place. I think it's a lovely idea, I hope it's approved, and I wish her every success.

Thanks, and happy holidays!

[REDACTED]
[REDACTED]

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From: [CityClerk](#)
To: [REDACTED] [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) Re: 5 Ayrshire Place
Date: Tuesday, December 15, 2020 10:56:07 AM

Good Morning:

We acknowledge receipt of your feedback and advise that that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Monday, December 14, 2020 12:22 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Re: 5 Ayrshire Place

My wife and I have no problem with the business being proposed for 5 Ayrshire Place as long as it continues to be visit by appointment only for pickups.

[REDACTED]
[REDACTED]
St. John's, NL

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From: [CityClerk](#)
To: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: FW: (EXT) Home-based business 5 Ayrshire Place
Date: Monday, December 14, 2020 11:00:13 AM

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: CityClerk <cityclerk@stjohns.ca>
Sent: Monday, December 14, 2020 11:00 AM
To: [REDACTED] CityClerk <cityclerk@stjohns.ca>
Cc: [REDACTED]
Subject: RE: (EXT) Home-based business 5 Ayrshire Place

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Sunday, December 13, 2020 2:06 PM
To: CityClerk <cityclerk@stjohns.ca>
Cc: [REDACTED]
Subject: (EXT) Home-based business 5 Ayrshire Place

Hi ,

We, [REDACTED], received the City's notice regarding an application for a home-based

business for seamstress at 5 Ayrshire Place.

We own and reside at [REDACTED]. This is a R1 low density residential subdivision.

Generally we admire and are supportive of entrepreneurs who wish to own and start a business. However, in this case we cannot support the application for a home-based business. The business will bring additional traffic to a low density residential neighbourhood which is quickly facing increases in traffic due to City regulations and other City actions.

TRAFFIC INCREASE:

Firstly, City regulations permit absentee landlords to purchase property with basement apartments and allow 8 unrelated individuals to reside in the structure....4 on the main floor and 4 in the apartment. If each individual has a car where do the renters park? This causes an increase in traffic coming and going in the low density residential neighbourhood.

Secondly, the City, in August 2020, erected a NO Left Turn sign on Thourbourn Road disallowing traffic to enter Exmouth Street/O'Briens Hill. This City action, we were told, was to provide "calming" to those who reside on the street. Traffic, prior to the erection of the sign, used this as a route to get to the Parkway. All this has done is to shift traffic down a few hundred meters on Thourbourn Road and increase traffic on Baird Place. Traffic now uses Larkhall Street and MacPherson Avenue to Vinnicombe Street then onto Baird Place to access the Parkway. Traffic has certainly increased and will in the months ahead when the University and the College of the North Atlantic open for classes following the end of the current pandemic. In addition, once the new Mental Hospital opens more traffic in a low density residential neighbourhood.

QUESTIONS:

1. Does the applicant for the business own the property?
2. If the property is sold does the business approval, should it now be given, expire with sale?
3. If the business operates will customers have to visit for measurements...not sure what is meant by baby and maternity accessories?
4. Has the City ever approved another home-based business for this low density subdivision, or is this the first home-based business for this residential neighbourhood?

Thank you,

[REDACTED]
[REDACTED]

Sent from [Mail](#) for Windows 10

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Karen Chafe

From: CityClerk
Sent: Friday, December 11, 2020 11:59 AM
To: [REDACTED]
Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 5 Ayrshire Place

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

-----Original Message-----

From: [REDACTED]
Sent: Thursday, December 10, 2020 9:14 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 5 Ayrshire Place

Hi - [REDACTED]

I support this application.

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NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on January 11, 2021**

Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
20 Gower Street Residential Downtown (RD) Zone Ward 2	<p>Application A Discretionary Use Application has been submitted to convert an existing Dwelling (Heritage Building) into a Bed & Breakfast and Eating Establishment at 20 Gower Street.</p> <p>Description The proposed use is for 5 Bed & Breakfast rooms, while the Eating Establishment (Heritage Use) will occupy a floor area of 37m² with seating for 12 people. Hours of operation for the Eating Establishment will be 7 days a week from 10 a.m. – 11 p.m., by reservation only. A restaurant liquor license is proposed.</p>	10 Submissions Received (attached)	<p>It is recommended to approve the application subject to meeting all applicable requirements.</p> <p>** Approved via e-poll on December 16, 2020</p>

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

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

Karen Chafe

From: CityClerk
Sent: Tuesday, December 8, 2020 11:17 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Monday, December 7, 2020 12:09 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

My family and I reside at [REDACTED] Street. Our back garden abuts [REDACTED] the subject property. Regarding the application for discretionary use to convert 20 Gower Street into a B&B and eating establishment I wish to raise the following concerns:

1. Noise

The subject property is located in a residential neighbourhood and I am incensed that a proposal for a restaurant with liquor license, open every night to 11 pm, could possibly be considered. There was no mention of the eating establishment using the outdoor space behind the property, but if the applicants have any intention of doing this as well (for the restaurant or the entertainment of B&B guests) then the idea is even more intolerable. The constant noise would severely impact the peaceful enjoyment of our own property. That particular property, along with its two neighbouring properties have, over the years, been the sites of frequent loud late night parties - there is never any enforcement of noise bylaws and I fear allowing such a discretionary use would only make a bad problem worse.

2. Parking

I can imagine you hear parking complaints ad nauseum. Nevertheless, this would also be a huge issue. This is a residential neighbourhood with very few off-street parking options. On-street parking spots are already at a premium. Residents have permits, but it has been my experience that un-permitted cars being parked in front of my home and nearby homes are almost never ticketed. Allowing such an establishment into the neighbourhood would only make this problem worse. And, of course, winter conditions further compound this problem.

3. Zoning concerns

There are plenty of already commercially zoned buildings in the immediate vicinity that are standing empty. An example would be the derelict pool hall at the corner of Duckworth and Cochrane Streets. If the applicants wish to enter the restaurant business, should they not be required to consider options already commercially zoned rather than be allowed to change the character of a pleasant residential neighbourhood?



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Karen Chafe

From: CityClerk
Sent: Friday, December 11, 2020 11:40 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) Application - 20 Gower Street

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Thursday, December 10, 2020 7:37 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Application - 20 Gower Street

Evening,

My name is [REDACTED] and I'm [REDACTED] of Brewdock Beer Bar & Eatery located at 85 Duckworth Street. We at Brewdock would like to show our support for the Postmaster House. Their B&B and dining room are a perfect fit for our artisan district. It is great to see buildings in the area being renovated and repurposed and to see the area continue to grow.

Appreciate your time,

Craig Farewell, CPA
Brewdock Beer Bar & Eatery
Beach Head Brewing Co.
[REDACTED]

Disclaimer: This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

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From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [REDACTED]; [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 20 Gower Street proposed B & B and Eating Establishment
Date: Tuesday, December 15, 2020 11:28:34 AM

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, December 15, 2020 9:11 AM
To: CityClerk <cityclerk@stjohns.ca>
Cc: [REDACTED]
Subject: (EXT) 20 Gower Street proposed B & B and Eating Establishment

To Whom it May Concern:

Regarding the proposal for 20 Gower Street, I have no problem with a B & B or Eating Establishment in the area or on the street. My only concern is the impact it will have on parking (which is paid for by the residents). It may not be a huge concern during summer months, but in winter months I would like to know how it will be managed. Currently, in winter months, it is challenging enough to shovel a parking space and then leave only to return to have either a vehicle without a permit parked there or another resident from the area parked there. In winter, the parking is additionally limited, with snow

banks taking up many spaces. Also worth noting, we are in a pandemic where many people are working from home, (with no end date in sight) and hence are parked on the street for longer periods of time, naturally. If the City already has considered this issue and have come up with a solution, that would be great.

I do not want my name or address publicly displayed in this matter.

Regards,

[REDACTED]

[REDACTED]

[REDACTED] information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

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Attention: City Clerk Ms. E Henley
2020

December 15,

Subject: Application - 20 Gower Street

To whom it may concern,

With regard to this application our concern is about the parking for the establishment and the capacity - if this is a Covid-19 capacity which would be increased later.

We are concerned about turnover and the number of cars seeking parking where there is already quite limited parking for residents.

Thank you for your consideration of these concerns.

We wish to remain anonymous.

Thank you,

██████████

██████████

St. John's, NL

Karen Chafe

From: CityClerk
Sent: Monday, December 7, 2020 11:33 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Saturday, December 5, 2020 4:53 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Hello,

I am writing in regards to the Bed and Breakfast established at 20 Gower Street. We reside [REDACTED]
[REDACTED] Please provide this feedback anonymously.

We welcome entrepreneurial use of the vacant homes on our street. Our concerns are limited to the following:

1. Parking on the street in our area of Gower street is scarce and becomes much more so in the winter months. We are concerned that a bed and breakfast operating as a restaurant as well would create a lot of problems with parking. Where is parking to be done? How many guest passes will be provided to this business property? We would request that this be limited to the maximum number allowed per dwelling in a residential area.
2. A bed and breakfast and a restaurant are two different things. The fact that there will be lunch and dinner service 7 days a week could change the quality of the neighbourhood substantially. Noise is one concern, but so is the constant traffic and foot traffic that comes with a restaurant. Is this residential area zoned for a restaurant? What are the restrictions placed on such places when they cohabit a neighbourhood with families etc?

We want to see businesses succeed in our community, especially at this difficult time, but are concerned about the character of our street in line with the above concerns.

Karen Chafe

From: CityClerk
Sent: Thursday, December 10, 2020 3:16 PM
To: [REDACTED]
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street feedback

Good Afternoon [REDACTED]:

We thank you for your feedback and advise that all submissions shall be forwarded to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: Planning <planning@stjohns.ca>
Sent: Thursday, December 10, 2020 1:42 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: FW: (EXT) 20 Gower Street feedback

From: [REDACTED]
Sent: Thursday, December 10, 2020 12:52 PM
To: Planning <planning@stjohns.ca>
Subject: (EXT) 20 Gower Street feedback

To whom it may concern,

In reference to the 20 Gower Street proposal, I personally like it. Twelve people would provide a pretty unique and quaint atmosphere and of course provide a livelihood for the owners and a destination for many. I think businesses like Halliday's, Georgetown Bakery, Volcano Bakery, Food for Thought, The Parlour, Caines, etc add so much to the downtown. **Without them, we are just a suburb that happens to be situated downtown.**

I realize the parking concerns, and fully understand the NIMBY sentiment, but I don't see this 12-seater being a major issue.

My one and only caveat would be that the proprietor consistently includes in their advertising, and advises all guests/reservations that they are "walking or taxi only, no parking provided on Gower or neighbouring streets".

Thank you,

Karen Chafe

From: CityClerk
Sent: Monday, December 7, 2020 11:32 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Friday, December 4, 2020 9:43 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Good Evening,

[REDACTED]
St. John's, NL

My only concern about this application is how parking is going to work for the B&B/restaurant. With five rooms and 12 dining guests, I'm concerned about where they will park since we don't have a glut of parking spaces at that end of Gower/Wood Street.

The closing hours are in line with other establishments in this end of town.

Best regards,

[REDACTED]

Karen Chafe

From: CityClerk
Sent: Thursday, December 3, 2020 9:41 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 2, 2020 7:02 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Hello,

I have no objection to #20 Gower being a B & B, but I do object to a restaurant operating out of the same building.

This is a residential area, and it will devalue my property to have a noise maker next door, as well as clog up the little parking we have right now. If they want a restaurant, tell them to go down the hill to Duckworth Street, it shouldn't be allowed over here.

I own [REDACTED]
[REDACTED]

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From: CityClerk
Sent: Friday, December 11, 2020 11:39 AM
To: [REDACTED], CityClerk
Cc: Andrea Roberts, Ann-Marie Cashin, Ashley Murray, Dave Wadden, Jason Sinyard, Karen Chafe, Ken O'Brien, Lindsay Lyghtle Brushett, Planning
Subject: RE: (EXT) 20 Gower Street Discretionary Use

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 9, 2020 11:19 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street Discretionary Use

We are in full support of the discretionary use at 20 Gower Street.

The 5 rooms and small eating area along with a respectable closing time seems like a great fit to the neighborhood. The city should support more projects like this to help diversify the downtown core, help neighborhoods become more walkable, livable and with the ability to conduct business in.

The downtown has many empty buildings and derelict buildings, so it's amazing to see the new ownership put life and renovations into this heritage building.

[REDACTED]
[REDACTED]
[REDACTED]

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Karen Chafe

From: CityClerk
Sent: Friday, December 11, 2020 11:39 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street Discretionary Use

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street Discretionary Use

We are in full support of the discretionary use at 20 Gower Street.

The 5 rooms and small eating area along with a respectable closing time seems like a great fit to the neighborhood. The city should support more projects like this to help diversify the downtown core, help neighborhoods become more walkable, livable and with the ability to conduct business in.

The downtown has many empty buildings and derelict buildings, so it's amazing to see the new ownership put life and renovations into this heritage building.



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Karen Chafe

From: CityClerk
Sent: Tuesday, December 8, 2020 12:59 PM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street - Comments

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be forwarded to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, December 8, 2020 12:48 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street - Comments

Hello,

I am a resident of [REDACTED] and the only concern I have with the Bed and Breakfast and Eating Establishment being established at 20 Gower Street is the parking. With all the AirBnBs in the neighbourhood, and its proximity to downtown, the neighbouring streets are overrun with guest parkers and non-permit parkers. Property owners with residential permits are often unable to secure a parking, which is rather frustrating. I would ask that guest parking permits not be provided for each occupant of the Bed and Breakfast (as that would mean 5 guest permits for what was intended as one resident), and that parking rules in the area are strictly adhered to by guests and monitored by the City.

If you have any questions, please let me know.

Thank you,

[REDACTED]

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DECISION/DIRECTION NOTE

Title: E-Poll - Discretionary Use – 20 Gower Street.

Date Prepared: December 16, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

20 Gower Street:

A Discretionary Use application has been submitted to convert an existing Dwelling at 20 Gower Street into a Bed & Breakfast and Eating Establishment. The dwelling is in the Residential Downtown (RD) Zone and the proposed Bed and Breakfast Use is considered a Permitted Use. The Dwelling is a designated Heritage Building, therefore Heritage Use which “means any Use of a designated heritage building which is, in Council’s opinion, is compatible with the adjoining Uses” may be considered. In this case the proposed Heritage Use is for an Eating Establishment.

The proposed Bed & Breakfast will have 5 rooms, while the Eating Establishment (Heritage Use) will occupy a floor area of 37m² with seating for 12 people. The proposed hours of operation for the Eating Establishment will be 7 days a week from 10 a.m.-11 p.m., by reservation only. A restaurant liquor license is proposed.

Parking is a major concern for many of those who provided comments. This particular property falls within the Downtown Parking Area and since the building is not being expanded, no additional onsite parking is required. In the case of non-residential uses, only Lots over 350m² require parking spaces to be provided for new development, and the proposed Lot area is under this requirement.

Parking concerns were referred to our Transportation Engineering division for review. In this area parking is regulated as a maximum of 2hrs between 9am and 5pm on Monday to Friday. Parking in the area is in high demand, but the additional parking generated from this use would be negligible and should not be a concern for the area.

The back yard of this property is shared with 18, 20, and 22 Gower Street. The owner states that as they only own 20 Gower, the majority of the garden is owned by our neighbors, and any use of our portion of the garden would have to be with consideration of our neighbors and have no intentions of using the back yard for the ‘eating establishment’. The owner does state the once the B&B is open, that guests will visit the garden, or choose to sit on the deck. An outdoor eating area is also considered as a discretionary use and the owner would need to be make an application for approval of this use, which would require further advertising.

ST. JOHN'S

Recommendation:

That the Discretionary Use Application to convert an existing Dwelling at 20 Gower Street into a Bed & Breakfast and Eating Establishment be approved subject to meeting all applicable requirements.

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council **via e-poll on December 16, 2020.**

Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
20 Gower Street Residential Downtown (RD) Zone Ward 2	Application A Discretionary Use Application has been submitted to convert an existing Dwelling (Heritage Building) into a Bed & Breakfast and Eating Establishment at 20 Gower Street. Description The proposed use is for 5 Bed & Breakfast rooms, while the Eating Establishment (Heritage Use) will occupy a floor area of 37m ² with seating for 12 people. Hours of operation for the Eating Establishment will be 7 days a week from 10 a.m. – 11 p.m., by reservation only. A restaurant liquor license is proposed.	10 Submissions Received (attached)	It is recommended to approve the application subject to meeting all applicable requirements.

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

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

Result of E-Poll – December 17, 2020

Discretionary Use Application – 20 Gower Street

Resolution - That the Discretionary Use Application to convert an existing dwelling at 20 Gower Street into a bed and breakfast and eating establishment be approved subject to meeting all applicable requirements.

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 Skinner	X		
Councillor Korab	X		
Councillor Froude			X
Councillor Collins	X		

Karen Chafe

From: CityClerk
Sent: Tuesday, December 8, 2020 11:17 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Monday, December 7, 2020 12:09 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

My family and I reside at [REDACTED] Street. Our back garden abuts the backyard of the subject property. Regarding the application for discretionary use to convert 20 Gower Street into a B&B and eating establishment I wish to raise the following concerns:

1. Noise

The subject property is located in a residential neighbourhood and I am incensed that a proposal for a restaurant with liquor license, open every night to 11 pm, could possibly be considered. There was no mention of the eating establishment using the outdoor space behind the property, but if the applicants have any intention of doing this as well (for the restaurant or the entertainment of B&B guests) then the idea is even more intolerable. The constant noise would severely impact the peaceful enjoyment of our own property. That particular property, along with its two neighbouring properties have, over the years, been the sites of frequent loud late night parties - there is never any enforcement of noise bylaws and I fear allowing such a discretionary use would only make a bad problem worse.

2. Parking

I can imagine you hear parking complaints ad nauseum. Nevertheless, this would also be a huge issue. This is a residential neighbourhood with very few off-street parking options. On-street parking spots are already at a premium. Residents have permits, but it has been my experience that un-permitted cars being parked in front of my home and nearby homes are almost never ticketed. Allowing such an establishment into the neighbourhood would only make this problem worse. And, of course, winter conditions further compound this problem.

3. Zoning concerns

There are plenty of already commercially zoned buildings in the immediate vicinity that are standing empty. An example would be the derelict pool hall at the corner of Duckworth and Cochrane Streets. If the applicants wish to enter the restaurant business, should they not be required to consider options already commercially zoned rather than be allowed to change the character of a pleasant residential neighbourhood?



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Karen Chafe

From: CityClerk
Sent: Friday, December 11, 2020 11:40 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) Application - 20 Gower Street

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Thursday, December 10, 2020 7:37 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Application - 20 Gower Street

Evening,

My name is [REDACTED] and I'm co-owner of Brewdock Beer Bar & Eatery located at 85 Duckworth Street. We at Brewdock would like to show our support for the Postmaster House. Their B&B and dining room are a perfect fit for our artisan district. It is great to see buildings in the area being renovated and repurposed and to see the area continue to grow.

Appreciate your time,

[REDACTED]
Brewdock Beer Bar & Eatery
Beach Head Brewing Co.
[REDACTED]

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From: [CityClerk](#)
To: [REDACTED] [CityClerk](#)
Cc: [Hubert Alacoque](#); [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 20 Gower Street proposed B & B and Eating Establishment
Date: Tuesday, December 15, 2020 11:28:34 AM

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, December 15, 2020 9:11 AM
To: CityClerk <cityclerk@stjohns.ca>
Cc: Hubert Alacoque <hubert.alacoque@iddel.ca>
Subject: (EXT) 20 Gower Street proposed B & B and Eating Establishment

To Whom it May Concern:

Regarding the proposal for 20 Gower Street, I have no problem with a B & B or Eating Establishment in the area or on the street. My only concern is the impact it will have on parking (which is paid for by the residents). It may not be a huge concern during summer months, but in winter months I would like to know how it will be managed. Currently, in winter months, it is challenging enough to shovel a parking space and then leave only to return to have either a vehicle without a permit parked there or another resident from the area parked there. In winter, the parking is additionally limited, with snow

banks taking up many spaces. Also worth noting, we are in a pandemic where many people are working from home, (with no end date in sight) and hence are parked on the street for longer periods of time, naturally. If the City already has considered this issue and have come up with a solution, that would be great.

I do not want my name or address publicly displayed in this matter.

Regards,

[REDACTED]

[REDACTED]

[REDACTED] This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

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Attention: City Clerk Ms. E Henley
2020

December 15,

Subject: Application - 20 Gower Street

To whom it may concern,

With regard to this application our concern is about the parking for the establishment and the capacity - if this is a Covid-19 capacity which would be increased later.

We are concerned about turnover and the number of cars seeking parking where there is already quite limited parking for residents.

Thank you for your consideration of these concerns.

We wish to remain anonymous.

Thank you,

██████████
██████████
██████████

Karen Chafe

From: CityClerk
Sent: Monday, December 7, 2020 11:33 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Saturday, December 5, 2020 4:53 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Hello,

I am writing in regards to the Bed and Breakfast established at 20 Gower Street. We reside across the street at [REDACTED] St. Please provide this feedback anonymously.

We welcome entrepreneurial use of the vacant homes on our street. Our concerns are limited to the following:

1. Parking on the street in our area of Gower street is scarce and becomes much more so in the winter months. We are concerned that a bed and breakfast operating as a restaurant as well would create a lot of problems with parking. Where is parking to be done? How many guest passes will be provided to this business property? We would request that this be limited to the maximum number allowed per dwelling in a residential area.

2. A bed and breakfast and a restaurant are two different things. The fact that there will be lunch and dinner service 7 days a week could change the quality of the neighbourhood substantially. Noise is one concern, but so is the constant traffic and foot traffic that comes with a restaurant.

Is this residential area zoned for a restaurant? What are the restrictions placed on such places when they cohabit a neighbourhood with families etc?

We want to see businesses succeed in our community, especially at this difficult time, but are concerned about the character of our street in line with the above concerns.

Thank you.

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Karen Chafe

From: CityClerk
Sent: Thursday, December 10, 2020 3:16 PM
To: [REDACTED]
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street feedback

Good Afternoon Lorne:

We thank you for your feedback and advise that all submissions shall be forwarded to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: Planning <planning@stjohns.ca>
Sent: Thursday, December 10, 2020 1:42 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: FW: (EXT) 20 Gower Street feedback

From: [REDACTED]
Sent: Thursday, December 10, 2020 12:52 PM
To: Planning <planning@stjohns.ca>
Subject: (EXT) 20 Gower Street feedback

To whom it may concern,


In reference to the 20 Gower Street proposal, I personally like it. Twelve people would provide a pretty unique and quaint atmosphere and of course provide a livelihood for the owners and a destination for many.

I think businesses like Halliday's, Georgetown Bakery, Volcano Bakery, Food for Thought, The Parlour, Caines, etc add so much to the downtown. **Without them, we are just a suburb that happens to be situated downtown.**

I realize the parking concerns, and fully understand the NIMBY sentiment, but I don't see this 12-seater being a major issue.

My one and only caveat would be that the proprietor consistently includes in their advertising, and advises all guests/reservations that they are "walking or taxi only, no parking provided on Gower or neighbouring streets".

Thank you,



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Karen Chafe

From: CityClerk
Sent: Monday, December 7, 2020 11:32 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Friday, December 4, 2020 9:43 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Good Evening,

[REDACTED]

My only concern about this application is how parking is going to work for the B&B/restaurant. With five rooms and 12 dining guests, I'm concerned about where they will park since we don't have a glut of parking spaces at that end of Gower/Wood Street.

The closing hours are in line with other establishments in this end of town.

Best regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We acknowledge that the lands on which Memorial University’s campuses are situated are in the traditional territories of diverse Indigenous groups, and we acknowledge with respect the diverse histories and cultures of the Beothuk, Mi’kmaq, Innu, and Inuit of this province.

At Memorial University, the fall 2020 semester is proceeding in a primarily remote/online environment. As academic programs, research operations and student and administrative services continue, Memorial is committed to supporting students, faculty and staff to be safe and successful.

MUNup is a new online tools and resources hub to help students succeed while learning remotely. With transition and orientation programs, services, virtual events and community engagement opportunities, the sky’s the limit.

For more information on Memorial University and COVID-19, visit <https://www.mun.ca/covid19/>

Courage is the price that life exacts for granting peace. The soul that knows it not, knows no release from little things; Knows not the livid loneliness of fear, nor mountain heights where bitter joy can hear the sound of wings. –Amelia Earhart

Remember that the most difficult tasks are consummated not by a single burst of energy or effort, but by consistent application of the best you have within you. –Og Mandino

The best teachers are not the ones who provide you all the answers. They're the ones who get deeply excited by the questions they cannot answer, the ones who teach how to question and doubt the things you learn. –Richard Feynman

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Karen Chafe

From: CityClerk
Sent: Thursday, December 3, 2020 9:41 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 2, 2020 7:02 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Hello,

I have no objection to #20 Gower being a B & B, but I do object to a restaurant operating out of the same building.

This is a residential area, and it will devalue my property to have a noise maker next door, as well as clog up the little parking we have right now. If they want a restaurant, tell them to go down the hill to Duckworth Street, it shouldn't be allowed over here.

I own [REDACTED], [REDACTED]

[REDACTED]

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From: CityClerk
Sent: Friday, December 11, 2020 11:39 AM
To: [REDACTED], CityClerk
Cc: Andrea Roberts, Ann-Marie Cashin, Ashley Murray, Dave Wadden, Jason Sinyard, Karen Chafe, Ken O'Brien, Lindsay Lyghtle Brushett, Planning
Subject: RE: (EXT) 20 Gower Street Discretionary Use

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 9, 2020 11:19 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street Discretionary Use

We are in full support of the discretionary use at 20 Gower Street.

The 5 rooms and small eating area along with a respectable closing time seems like a great fit to the neighborhood. The city should support more projects like this to help diversify the downtown core, help neighborhoods become more walkable, livable and with the ability to conduct business in.

The downtown has many empty buildings and derelict buildings, so it's amazing to see the new ownership put life and renovations into this heritage building.

[REDACTED]
[REDACTED]
[REDACTED]

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Karen Chafe

From: CityClerk
Sent: Friday, December 11, 2020 11:39 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street Discretionary Use

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 9, 2020 11:19 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street Discretionary Use

We are in full support of the discretionary use at 20 Gower Street.

The 5 rooms and small eating area along with a respectable closing time seems like a great fit to the neighborhood. The city should support more projects like this to help diversify the downtown core, help neighborhoods become more walkable, livable and with the ability to conduct business in.

The downtown has many empty buildings and derelict buildings, so it's amazing to see the new ownership put life and renovations into this heritage building.

[REDACTED]
St. John's, NL

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Karen Chafe

From: CityClerk
Sent: Tuesday, December 8, 2020 12:59 PM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street - Comments

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be forwarded to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, December 8, 2020 12:48 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street - Comments

Hello,

I am a resident of [REDACTED] Street and the only concern I have with the Bed and Breakfast and Eating Establishment being established at 20 Gower Street is the parking. With all the AirBnBs in the neighbourhood, and its proximity to downtown, the neighbouring streets are overrun with guest parkers and non-permit parkers. Property owners with residential permits are often unable to secure a parking, which is rather frustrating. I would ask that guest parking permits not be provided for each occupant of the Bed and Breakfast (as that would mean 5 guest permits for what was intended as one resident), and that parking rules in the area are strictly adhered to by guests and monitored by the City.

If you have any questions, please let me know.

Thank you,

[REDACTED]

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NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on January 11, 2021**

Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
79 MacBeth Drive Residential Low Density (R1) Zone Ward 1	Application A Discretionary Use Application has been submitted to operate a Retail Business as a Home Occupation at 79 MacBeth Drive. Description The business will involve the sale of miscellaneous items online (example toys and clothing), and clients will pick up purchased items from the home. The business will operate daily between 9 a.m. – 8 p.m. Pickup times will be by appointment only, with individual pickup spaces 15 minutes apart, 10-20 times per week. Two on-site parking spaces are provided for the business.	1 Submissions Received (attached)	It is recommended to approve the application subject to meeting all applicable requirements. ** Rejected via e-poll on December 16, 2020

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

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

DECISION/DIRECTION NOTE

Title: E-Poll - Discretionary Use – 79 MacBeth Drive.

Date Prepared: December 16, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

A Discretionary Use application has been submitted to operate a Retail Business as a Home Occupation, which will involve the sale of miscellaneous items online (example toys and clothing). Clients will pick up purchased items from the home and the business will operate daily between 9 a.m. and 8 p.m, while pickup times are by appointment only.

There was a concern with traffic and speed within the neighbourhood. Transportation Engineering provided the following response: surveys upstream and downstream of the curve in MacBeth at civic 79 have shown that the typical speeds are in the 45-50kph range and average speeds are around 40kph. With these speeds this area does not qualify for traffic calming. This is an area with ongoing complaints from a few residents but there is no evidence of a technical problem that needs to be addressed.

Recommendation:

That the Discretionary Use Application to operate a Retail Business a a Home Occupation at 79 MacBeth Drive be approved subject to meeting all applicable requirements.

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council **via e-poll on December 16, 2020.**

Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
79 MacBeth Drive Residential Low Density (R1) Zone Ward 1	<p>Application A Discretionary Use Application has been submitted to operate a Retail Business as a Home Occupation at 79 MacBeth Drive.</p> <p>Description The business will involve the sale of miscellaneous items online (example toys and clothing), and clients will pick up purchased items from the home. The business will operate daily between 9 a.m. – 8 p.m. Pickup times will be by appointment only, with individual pickup spaces 15 minutes apart, 10-20 times per week. Two on-site parking spaces are provided for the business.</p>	1 Submissions Received (attached)	It is recommended to approve the application subject to meeting all applicable requirements.

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

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

Result of E-Poll – December 17, 2020

Discretionary Use Application – 79 MacBeth Drive

Resolution “That Council approve the discretionary use application to operate a Retail Business Home Occupation at 79 MacBeth 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 Skinner		X	
Councillor Korab		X	
Councillor Froude		X	
Councillor Collins		X	

From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Garrett Donaher](#); [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 79 MacBeth Drive
Date: Tuesday, December 15, 2020 11:23:11 AM

Good Morning:

We thank you for your feedback and advise that your email has been forwarded to the City's Department of Planning, Engineering & Regulatory Services for a response to the questions asked.

Elaine Henley


Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Monday, December 14, 2020 4:28 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 79 MacBeth Drive

Good evening,

With regards to a Discretionary Use Application to operate a Retail Business as a Home Occupation at 79 Macbeth Drive, I humbly request that before any such application be considered let alone approved, that the City fulfill the commitment it made over two years ago to install speed bumps on the corner of Macbeth Drive that includes the address in question. Councillor Stapleton did email local residents on or about 2019/10/07 in which she stated and I quote "Macbeth is on our list for speed bumps". To date no speed bumps have been installed. In fact on 2020/10/09 Councillor Stapleton wrote that Macbeth Drive will NOT be receiving traffic calming. Now the City is considering bringing additional traffic to our corner, a corner we have been lobbying for traffic calming for over 12 years. There have been numerous reported near misses, and many, many emails, pictures sent and pleas made. This is a residential area. If the City wishes to bring commercial traffic to an area that has been reported as problematic from a traffic perspective, that is one thing, but could someone, anyone, your Worship, please, finally advise when traffic calming will be implemented. A response to this request is anticipated.

Regards,
[REDACTED]



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From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Garrett Donaher](#); [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 79 MacBeth Drive
Date: Tuesday, December 15, 2020 11:23:11 AM

Good Morning:

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Elaine Henley


Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Monday, December 14, 2020 4:28 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 79 MacBeth Drive

Good evening,

With regards to a Discretionary Use Application to operate a Retail Business as a Home Occupation at 79 Macbeth Drive, I humbly request that before any such application be considered let alone approved, that the City fulfill the commitment it made over two years ago to install speed bumps on the corner of Macbeth Drive that includes the address in question. Councillor Stapleton did email local residents on or about 2019/10/07 in which she stated and I quote "Macbeth is on our list for speed bumps". To date no speed bumps have been installed. In fact on 2020/10/09 Councillor Stapleton wrote that Macbeth Drive will NOT be receiving traffic calming. Now the City is considering bringing additional traffic to our corner, a corner we have been lobbying for traffic calming for over 12 years. There have been numerous reported near misses, and many, many emails, pictures sent and pleas made. This is a residential area. If the City wishes to bring commercial traffic to an area that has been reported as problematic from a traffic perspective, that is one thing, but could someone, anyone, your Worship, please, finally advise when traffic calming will be implemented. A response to this request is anticipated.

Regards,
[REDACTED]



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NOTICES PUBLISHED

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Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
203 Merrymeeting Road Residential High Density (R3) Zone Ward 2	<p>Application A change of Non-Conforming Use application has been submitted by The Old Dublin Bakery for 203 Merrymeeting Road.</p> <p>Description The proposed use is for a Bakery with a floor area of approximately 99.2m². The Bakery will employ up to 10 full-time employees and operate Monday-Saturday 7 a.m. to 4 p.m., and Sundays 7 a.m. – 12 p.m. The business will also include overnight production. No parking is provided onsite, and parking relief has been requested.</p>	11 Submissions Received (attached)	It is recommended to approve the application subject to meeting all applicable requirements.

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

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

From: CityClerk
Sent: Monday, December 21, 2020 10:16 AM
To: [REDACTED] CityClerk
Cc: Maureen Harvey, Shanna Fitzgerald, Andrea Roberts, Ann-Marie Cashin, Ashley Murray, Dave Wadden, Jason Sinyard, Karen Chafe, Ken O'Brien, Lindsay Lyghtle Brushett, Planning
Subject: RE: (EXT) 203 Merrymeeting Road

Good Morning:

We thank you for your feedback and advise that all applications shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

-----Original Message-----

From: [REDACTED]
Sent: Saturday, December 19, 2020 6:37 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road

Good morning,

This business would be a wonderful and welcome addition to our neighbourhood. Most patrons would be walking to the bakery for goods and there's plenty of on street parking in the area. I sincerely hope this business is approved and if you've ever had their baked goods I'm sure you'd agree.

Merry Christmas!

[REDACTED]
[REDACTED]

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From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) Application - 203 Merrymeeting Road
Date: Thursday, December 17, 2020 10:32:48 AM

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 16, 2020 7:53 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Application - 203 Merrymeeting Road

Good afternoon, I am emailing my support for the proposed Old Dublin Bakery. I live on [REDACTED] Street and welcome more businesses to the area, especially within walking distance.

Nearby is Fabulous Foods which has always had a terrible parking problem which has never been addressed. Considering that business is allowed to operate with such limited parking available in the immediate area, parking for this bakery should not be a major factor in the decision.

I am familiar with the Old Dublin Bakery and I feel a store front would be successful.

Best regards,

[REDACTED]

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From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 203 Merrymeeting Road Application
Date: Wednesday, December 23, 2020 10:12:20 AM

Good Morning:

We than you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, December 22, 2020 11:25 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road Application

Hi I am a resident of Ward 2 and I would like to voice my wholehearted support of the plan to use 203 Merrymeeting Road as a bakery. I have lived in this ward, and driven past the unused building daily since before it's vacancy in 2019. In the time since it's vacancy it has become weathered and worn, and I think this would be a great way to spruce up and the building.

I have also been purchasing products from Old Dublin Bakery for several years. Kevin creates high quality products and provides top notch customer service. I think that this would be a great use of the space, and would liven up the area. I think given the walkability of the neighbourhood that parking should not be an issue, and I would walk to the bakery at least weekly to pick up my baked goods.

I hope the council moves forward with this application as I think it would be a great addition to the neighbourhood!

Thanks,
[REDACTED]
Ward 2 Resident

From: CityClerk
Sent: Monday, December 21, 2020 10:19 AM
To: [REDACTED], CityClerk
Cc: Maureen Harvey, Shanna Fitzgerald, Andrea Roberts, Ann-Marie Cashin, Ashley Murray, Dave Wadden, Jason Sinyard, Karen Chafe, Ken O'Brien, Lindsay Lyghtle Brushett, Planning
Subject: RE: (EXT) 203 Merrymeeting Road

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Sunday, December 20, 2020 12:19 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road

As a 29-year center city resident, I'm delighted to see new businesses opening in center city from jack axes to salt clothing. I supported those businesses and I will continue to support small business owners.

I say yes to a new bakery proposal in a fantastic location with tons of potential and I love homemade bread.

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From: CityClerk
Sent: Monday, December 21, 2020 9:40 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts, Ann-Marie Cashin, Ashley Murray, Dave Wadden, Jason Sinyard, Karen Chafe, Ken O'Brien, Lindsay Lyghtle Brushett, Planning
Subject: RE: (EXT) 203 Merrymeeting Road

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Friday, December 18, 2020 9:31 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road

Hello, As a resident of the area I am writing to support the proposed bakery for 203 Merrymeeting road. This enterprise promotes community and increases the walkability of the are and could help enrich the neighborhood greatly. There are many pedestrians in the area that would be able to frequent the establishment without vehicles. I fully endorse the applicant.

[REDACTED]
[REDACTED] rd

Sent from my Galaxy

Disclaimer: This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

Any correspondence with employees, agents, or elected officials of the City of St. John's may be subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, 2015, S.N.L. 2015, c.A-1.2.

From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 203 Merrymeeting Road
Date: Tuesday, December 15, 2020 11:29:28 AM

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

-----Original Message-----

[REDACTED]
Sent: Tuesday, December 15, 2020 10:11 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road

My only concern with the application to open a bakery at 203 Merrymeeting Road is the parking. When Planned Parenthood was on that site, on-street parking nearby was very restricted on most days, to the inconvenience of neighbours and especially of anyone visiting the neighbours. If the Old Dublin Bakery can rent parking space from the current owners of the site of the former Booth Memorial High School, then that would reduce my concerns.

Without an adequate parking solution, I must register my opposition to this application.

Yours sincerely,

[REDACTED]

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Karen Chafe

From: Elaine Henley
Sent: Thursday, December 10, 2020 11:19 AM
To: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: FW: (EXT) 203 Merrymeeting Rd

FYI

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: CityClerk
Sent: Thursday, December 10, 2020 11:19 AM
To: [REDACTED] CityClerk <cityclerk@stjohns.ca>
Subject: RE: (EXT) 203 Merrymeeting Rd

Good Morning:

We acknowledge receipt of your feedback and advise that all submissions will be presented to Council for consideration prior to reaching its final decision.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Thursday, December 10, 2020 10:24 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Rd

Good morning,

My name is [REDACTED] and my young family and I own and live at [REDACTED] Rd. I wanted to write a letter of support for the proposed development of the property at 203 Merrymeeting Rd. The addition of Old Dublin Bakery to our neighbourhood would be so positive, not to mention the addition of jobs to this area of the city.

This project has mine and my growing family's full support!!

Thank you!



*I stand
on the sacrifices
of a million women before me
thinking
what can I do
to make this mountain taller
so the women after me
can see farther*

legacy - Rupi Kaur

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Karen Chafe

From: CityClerk
Sent: Wednesday, December 9, 2020 1:30 PM
To: [REDACTED]
Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 203 Merrymeeting Road

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 9, 2020 12:26 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road

I believe that this will be an asset to the neighborhood. I live on [REDACTED] and there are far too many vacant buildings in the area. These buildings are problematic in that they encourage vermin, and provide unofficial shelter to individuals who use drugs. It's great that the Old Dublin Bakery is interested in investing in our community. There are no bakeries in the neighborhood. Further, the employment opportunity that Kevin will be offering is much needed during the current economic downturn.

[REDACTED]

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From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 203 Merrymeeting Road
Date: Monday, December 14, 2020 10:54:16 AM

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

-----Original Message-----

From: [REDACTED]
Sent: Saturday, December 12, 2020 11:19 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road

To Whom it May Concern,

We received correspondence to comment on the proposed bakery at 203 Merrymeeting Road.

We are writing to support this application. We believe it will be a benefit to the neighbourhood. We do not object to parking relief being granted.

With thanks,

[REDACTED]

Sent from my iPhone

Disclaimer: This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

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Karen Chafe

From: CityClerk
Sent: Monday, December 14, 2020 10:23 AM
To: [REDACTED] CityClerk
Cc: Maureen Harvey; Shanna Fitzgerald; Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) Fwd: Application - 203 Merrymeeting Road

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Friday, December 11, 2020 1:50 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Fwd: Application - 203 Merrymeeting Road

We would ABSOLUTELY love to have the Old Dublin Bakery in my neighbourhood.

Thank you!

[REDACTED]
[REDACTED]
St. John's, [REDACTED]

----- Forwarded message -----

From: St. John's e-Updates <eupdates@stjohns.ca>
Date: Wed, Dec 9, 2020 at 10:49 AM
Subject: Application - 203 Merrymeeting Road
To: <PUBLCNOTICE@listserv.stjohns.ca>

From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 203 Merrymeeting Road
Date: Thursday, December 17, 2020 10:28:46 AM

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 16, 2020 6:47 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 203 Merrymeeting Road

This would be a great spot for a bakery! It would add a lot to the neighbourhood. Parking shouldn't be a big problem, since it's not a very high-density area. (Can people park alongside the soccer field on Freshwater between Linscott and Adams Ave.?) This is exactly the sort of business development we should be encouraging.

[REDACTED]
[REDACTED] Rd.

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DECISION/DIRECTION NOTE

Title: Request for Crown Land Lease in the Agriculture (AG) Zone
529 Power's Road
CRW2000017

Date Prepared: January 5, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 5

Decision/Direction Required:

To seek approval for a Crown Land Lease for 3.1 hectares of land.

Discussion – Background and Current Status:

The Provincial Department of Fisheries, Forestry and Agriculture has referred an application to the City requesting a lease for a parcel of land with an area of 3.1 hectares to be used for growing vegetables and blueberries. This property is in the Agriculture (AG) Zone and the proposed use is considered a Permitted Use in this Zone. The property is located within the Gould's Environmentally Valuable Area (EVA) and a small portion of the property is within an identified wetland, which could not be developed. Should the applicant be successful in obtaining the Crown Land Lease, a development application is required, and a Land Use Assessment Report (LUAR) must be completed.

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 10.34 and Section 11.3 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.

ST. JOHN'S

8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Development application is required along with a LUAR for the Gould's EVA subject to the lease being granted.

Recommendation:

That Council approve the Crown Land lease for 3.1 hectares of land at 529 Power's Road.

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- Proposed Crown Land Lease for Agriculture Use at 529 Power's Pond Road.docx
Attachments:	- SHEEHAN PROPERTY (CROWN LAND) 529 Power's Road.pdf
Final Approval Date:	Jan 6, 2021

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

Lindsay Lyghtle Brushett - Jan 6, 2021 - 10:42 AM

Jason Sinyard - Jan 6, 2021 - 11:33 AM

AG

-  SHEEHAN PROPERTY
-  EVA AREA
-  WETLANDS AREA

DECISION/DIRECTION NOTE

Title: Set parking relief for a proposed Bakery
203 Merrymeeting Road
DEV2000188

Date Prepared: January 5, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Decision/Direction Required:

To consider parking requirement for a Bakery Use at 203 Merrymeeting Road.

Discussion – Background and Current Status:

An application was submitted for a change of Non-Conforming Use for a Bakery at 203 Merrymeeting Road. As the parking requirement for a Bakery Use is not specified in the Development Regulations, it is to be set by Council as per Section 9.1.1. The proposed site has no available onsite parking spaces. The Bakery is being marketed as a neighborhood use, which is walkable for people in the surrounding area and patrons visiting the site will either need to walk or use available, on-street parking. Based on the nature of the proposal, it is recommended that Council approve parking relief for the proposed Bakery and require no parking be provided.

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: St. John's Development Regulations Section 9.1.1 and Section 9.1.2(1).
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.

ST. JOHN'S

8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council approve parking relief for the proposed Bakery at 203 Merrymeeting Road.

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 Parking Relief at 203 Merrymeeting Road- DEV2000188.docx
Attachments:	- 203 Merrymeeting Rd.png
Final Approval Date:	Jan 6, 2021

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

Lindsay Lyghtle Brushett - Jan 6, 2021 - 11:25 AM

Jason Sinyard - Jan 6, 2021 - 11:31 AM



DECISION/DIRECTION NOTE

Title: Request for Crown Land Transfer
Paddy's Pond Place
CRW2000020

Date Prepared: January 5, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 5

Decision/Direction Required:

To seek approval for a Crown Land Grant for 7.55 hectares.

Discussion – Background and Current Status:

The Provincial Department of Fisheries, Forestry and Agriculture has referred an application to the City requesting approval that 7.55 hectares of Provincial Crown Land be transferred as Federal Government Crown Land for the purpose of a Helicopter Hanger. The parcel of land is located in the Forestry (F) Zone where the proposed Helicopter Hanger Use is not a Permitted or Discretionary Use. At this time the Provincial Government is only asking for the City's consent regarding the transfer of the land, not consideration of the proposed use by the Federal government. Historically, the Federal government has complied with the City's Development Regulations when undertaking projects.

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 10.35 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.

ST. JOHN'S

8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council approve the transfer of Provincial Crown Land to Federal Crown Land in the area of Paddy's Pond Place.

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- Proposed Crown Land Transfer on Paddy's Pond Place- CRW2000020.docx
Attachments:	- 154166 - CL Map 1 5000 - Copy.pdf
Final Approval Date:	Jan 7, 2021

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

Lindsay Lyghtle Brushett - Jan 6, 2021 - 3:08 PM

Jason Sinyard - Jan 7, 2021 - 10:07 AM

Government of Newfoundland & Labrador Department of Fisheries & Land Resources



NOTE TO USERS

The information on this map was compiled from land surveys registered in the Crown Lands Registry.

Since the Registry does not contain information on all land ownership within the Province, the information depicted cannot be considered complete.

The boundary lines shown are intended to be used as an index to land titles issued by the Crown. The accuracy of the plot is not sufficient for measurement purposes and does not guarantee title.

Users finding any errors or omissions on this map sheet are asked to contact the Crown Titles Mapping Section, Howley Building Higgins Line, St. John's Newfoundland.

Users finding error or omissions can contact the Crown Titles Mapping Section by telephone at 729-0061. Some titles may not be plotted due to Crown Lands volumes missing from the Crown Lands registry or not plotted due to insufficient survey information.

The User hereby indemnifies and saves harmless the Minister, his officers, employees and agents from and against all claims, demands, liabilities, actions or cause of actions alleging any loss, injury, damages and matter (including claims or demands for any violation of copyright or intellectual property) arising out of any missing or incomplete Crown Land titles, and the Minister, his or her officers, employees and agents shall not be liable for any loss of profits or contracts or any other loss of any kind as a result.

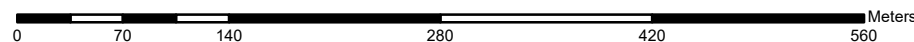
For inquiries please contact a Regional Lands Office.
Corner Brook - 637-2390
Gander - 256-1400
Clareville - 466-4074
St. John's - 729-2654
Goose Bay - 896-2488



Scale 1:5,000

Compiled on December 22, 2020

Crown Lands Division



DECISION/DIRECTION NOTE

Title: Request for Crown Land Transfer
Foxtrap Access Road
CRW2000019

Date Prepared: January 5, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 5

Decision/Direction Required:

To seek approval for a Crown Land Grant for 8.1 hectares.

Discussion – Background and Current Status:

The Provincial Department of Fisheries, Forestry and Agriculture has referred an application to the City requesting approval that 8.1 hectares of Provincial Crown Land be transferred as Federal Government Crown Land for the purpose of a Helicopter Hanger. The parcel of land is located in the Rural (R) Zone, which allows Floatplane operations and related activities, including a hanger, as a Discretionary Use. At this time the Provincial Government is only asking for the City's consent regarding the transfer of land, not consideration of the proposed use by the Federal government. Historically, the Federal government has complied with the City's Development Regulations when undertaking projects.

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 10.38 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.

ST. JOHN'S

8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council approve the transfer of Provincial Crown Land to Federal Crown Land in the area of the Foxtrap Access Road.

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 Crown Land Transfer on Foxtrap Access Road- CRW2000019.docx
Attachments:	- 153598 CL .jpg
Final Approval Date:	Jan 7, 2021

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

Lindsay Lyghtle Brushett - Jan 6, 2021 - 3:08 PM

Jason Sinyard - Jan 7, 2021 - 10:09 AM

Government of Newfoundland & Labrador Department of Fisheries & Land Resources



NOTE TO USERS

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Some titles may not be plotted due to Crown Lands volumes missing from the Crown Lands registry or not plotted due to insufficient survey information.

The User hereby indemnifies and saves harmless the Minister, his officers, employees and agents from and against all claims, demands, liabilities, actions or cause of actions alleging any loss, injury, damages and matter (including claims or demands for any violation of copyright or intellectual property) arising out of any missing or incomplete Crown Land titles, and the Minister, his or her officers, employees and agents shall not be liable for any loss of profits or contracts or any other loss of any kind as a result.

For inquiries please contact the Crown Lands Inquiries Line by telephone at 1-833-891-3249 or by email at CrownLandsInfo@gov.nl.ca. Or visit the nearest Regional Lands Office; http://www.flr.gov.nl.ca/departement/contact_land.html



Scale 1:5,000

Crown Lands Administration Division



ST. JOHN'S

Report of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

December 9, 2020, 9:00 a.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 Lynnann Winsor, Deputy City Manager of Public Works Cheryl Mullett, City Solicitor Elaine Henley, City Clerk Ken O'Brien, Chief Municipal Planner Shanna Fitzgerald, Legislative Assistant Kelly Maguire, Communications & PR Officer
Others	Edmundo Fausto, Sustainability Coordinator Ryan Crewe, Operations Engineer David Crowe, Manager - Roads Garrett Donaher, Transportation Engineer Krista Gladney, Affordable Housing and Development Facilitator Judy Tobin, Manager - Housing

Public Works & Sustainability - Councillor Ian Froude

Regional Water Reserve Fund Purchase – Replacement Southlands Pump

Recommendation

Moved By Councillor Froude

Seconded By Councillor Collins

That Council approve access to funding from the Regional Water Equipment Replacement Reserve Fund to support the purchase of this equipment.

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

MOTION CARRIED (9 to 0)

Planning & Development - Councillor Maggie Burton

28 Eric Street - REZ1900015

Recommendation

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council consider a proposed rezoning of the eastern portion of 28 Eric Street from the Open Space (O) Zone to the Residential High Density (R3) Zone, and that the application be advertised and referred to a virtual Public Meeting chaired by an independent facilitator.

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)

Mayor

DECISION/DIRECTION NOTE

Title: Regional Water Reserve Fund Purchase – Replacement Southlands Pump

Date Prepared: November 23, 2020

Report To: Committee of the Whole

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

Ward: N/A

Decision/Direction Required:

To seek a decision on proceeding with the purchase of a replacement Southlands Pump funded through the Regional Water Equipment Replacement Reserve Fund.

Discussion – Background and Current Status:

The Regional Water Equipment Replacement Reserve Fund is being requested to be used for the purchase of a replacement Southlands pump at the Ruby Line Pump Station. The existing pump failed and must be replaced. The total estimated cost to supply and deliver a replacement Southlands pump is \$84,650.00 (HST Extra).

Key Considerations/Implications:

1. Budget/Financial Implications:

The Regional Water System has identified sufficient funds within the Regional Water Equipment Replacement Reserve Fund to support this equipment replacement. A detailed breakdown of contributions less purchases made through this program is provided as follows:

0000-36883 Reserve for Regional Water Equipment Replacement

2015 Contribution	\$400,000.00
Less: High Lift Motors	\$(96,705.92)
2016 Contribution	\$400,000.00
2017 Contribution	\$400,000.00
2018 Contribution	\$400,000.00
Less: Southlands Pump	\$(77,109.00)
2019 Contribution	\$400,000.00
Less: SCADA Servers	\$(183,341.27)
Balance:	\$1,642,843.81⁽ⁱ⁾

ST. JOHN'S

Note:

- (i) 2020 Contribution of \$400,000.00 has yet to be added to the reserve fund and is not reflected in the balance to date provided.
- 2. Partners or Other Stakeholders:
The Southlands pumps at the Ruby Line Pump Station supply potable water to a portion of the City St. John's, the City of Mount Pearl, the Town of CBS, the Town of Paradise and the Town of Portugal Cove-St. Phillips.
- 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:
The estimated time frame for the delivery of this replacement pump is approximately 30 weeks.
- 9. Information Technology Implications:
N/A
- 10. Other Implications:
N/A

Recommendation:

That Council approve access to funding from the Regional Water Equipment Replacement Reserve Fund to support the purchase of this equipment.

Prepared by: Daniel Martin, Manager – Regional Facilities
Approved by: Andrew Niblock, Director - Environmental Services

Report Approval Details

Document Title:	Regional Water Reserve Fund Purchase – Replacement Southlands Pump.docx
Attachments:	
Final Approval Date:	Dec 1, 2020

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

Andrew Niblock - Dec 1, 2020 - 7:33 AM

Lynnann Winsor - Dec 1, 2020 - 11:11 AM

DECISION/DIRECTION NOTE

Title: 28 Eric Street, REZ1900015

Date Prepared: November 30, 2020

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Decision/Direction Required:

To consider a rezoning application for land at 28 Eric Street from the Open Space (O) Zone to the Residential High Density (R3) Zone to allow three (3) Townhouses.

Discussion – Background and Current Status:

The City has received an application from Habitat for Humanity NL for three (3) Townhouses at 28 Eric Street. The property is zoned Open Space (O), where Townhouses are not a listed use. The applicant has asked to rezone the property to the Residential High Density (R3) Zone which allows Townhousing as a Permitted Use. A Municipal Plan amendment is not required because the land is already designated as Residential Medium Density. The rezoning is proposed only for the land where the Townhouses will be developed. The community gardens will remain zoned as Open Space (O).

The subject property is a grassed area with some trees and shrubs, rising up from Eric Street toward the rear yard of the commercial property at 301 Hamilton Avenue. The property at 28 Eric Street is owned by the City of St. John's, which acquired it from Laurier Club Limited in December 1978. It was originally the rear yard of what is now 301 Hamilton. To the west side is an area being used as a community garden.

The City's Affordable Housing Strategy seeks to identify land for affordable housing and to support partners to develop it. As part of that, Council approved the subject property for potential redevelopment as affordable housing. A letter of intent was signed with Habitat for Humanity NL on September 23, 2019, outlining Council's intent to gift the property to them, subject to successful rezoning, development approval, and collaboration with the Eric Street Community Garden. The City will retain ownership of the community garden land.

Meetings to Date

City staff met with Habitat for Humanity NL and members of the Eric Street Community Garden to discuss the project, including developing houses on the eastern part of the property and revitalizing the community garden on the western part. On October 16, 2019, there was a neighbourhood meeting held to discuss the potential project. On February 24, 2020, a meeting was held with area residents to discuss their questions and concerns.

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Proposed Rezoning and Development

The land immediately adjacent to 28 Eric Street is zoned R3. The surrounding neighbourhood is predominately zoned R3, with some Commercial Neighbourhood zoned properties to the north along Hamilton Avenue. This portion of Eric Street mostly contains Single-Detached Dwellings; further west along Eric Street, past the Richmond Street intersection, there are Townhouses and an Apartment Building. Rezoning the subject property for 3 Townhouses would complement the surrounding uses and match the zone already in this neighbourhood.

Under the St. John's Municipal Plan, the City encourages increased density in all appropriate areas and a compatible mix of residential buildings of varying densities in all zones.

The Townhouses are proposed to be 3 storeys. In Section 2.3.2 of the Municipal Plan, the Residential Medium Density District can allow up to 3 storeys or a Floor Area Ratio (FAR) of 1.0. Subject to a Land Use Assessment Report, selected areas may be zoned to allow heights up to 6 storeys and Floor Area Ratios up to 1.5. The applicant has proposed larger sideyards than minimum to provide more room to the next house and more space to the community garden, accommodating sunlight plus a new sewer easement. The proposed middle house is smaller than the end units and the project has an FAR of approximately 1.14. This will be confirmed at the development approval stage, should the amendment proceed.

From the Municipal Plan, Council may accept a staff report as an LUAR where the scale or circumstances of a proposal do not need more extensive analysis. Given the small scale of this project and the information already submitted, staff recommend that Council accept this staff report as the LUAR in order to consider an FAR between 1.0 and 1.5.

In meetings, area residents have raised concerns about water on the site, parking, and the loss of open space.

- After receiving a complaint of water pooling on the site, the City excavated some soil in the area in test pits and tested the water near the community garden. The water tested positive for chlorine, which indicates a possible watermain leak in the area. The City repaired one leak but still sees saturated ground at this site (see attached map that shows the wet area). The City believes that this is a groundwater issue and recommends that the developer address this issue at the development approval stage.
- Residents have asked for an Environment Assessment. The City would not normally require this unless there was a brownfield site such as a former gas station that required remediation. The applicant has completed a Phase I Environmental Site Assessment for their own due diligence, and that report showed no on-site sources of actual or potential contamination.
- Upon hearing concerns from area residents about on-street parking, the applicant revised the application to include a driveway and a garage for each house. This will provide 2 parking spaces per dwelling, which exceeds the City's minimum requirement.

- The City's Parks and Open Space Division reviewed the rezoning application and advised that the Open Space Master Plan identifies service levels and associated distances for various classifications of parks. The Eric Street neighbourhood is adequately serviced by 4 classifications of parks, as follows:
 - McKay Street Open Space (a Playground) serves a radius of 200m; it is 80 metres from 28 Eric Street.
 - Brother Egan Park (a Neighbourhood Park) serves a radius of 800 metres; it is 200 metres from 28 Eric Street.
 - Victoria Park (a Municipal Park) serves the entire city; it is 460 metres from 28 Eric Street.
 - Mundy Pond Park (a Community Park) serves a radius of 3,700 metres; it is 725 metres from 28 Eric Street.
- The applicant has provided a tree plan (attached) and will work with the City's Parks and Open Space Division regarding any tree protection during development.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners; members of the Eric Street Community Garden.
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 map amendment (rezoning) to the St. John's Development Regulations is required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Some initial consultation has been done. The amendment application requires public advertisement of the amendment and a public meeting.
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 consider a proposed rezoning of the eastern portion of 28 Eric Street from the Open Space (O) Zone to the Residential High Density (R3) Zone, and that the application be advertised and referred to a virtual Public Meeting chaired by an independent facilitator.

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:	28 Eric Street, REZ1900015.docx
Attachments:	- 28 Eric Street - Attachments.pdf
Final Approval Date:	Dec 2, 2020

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

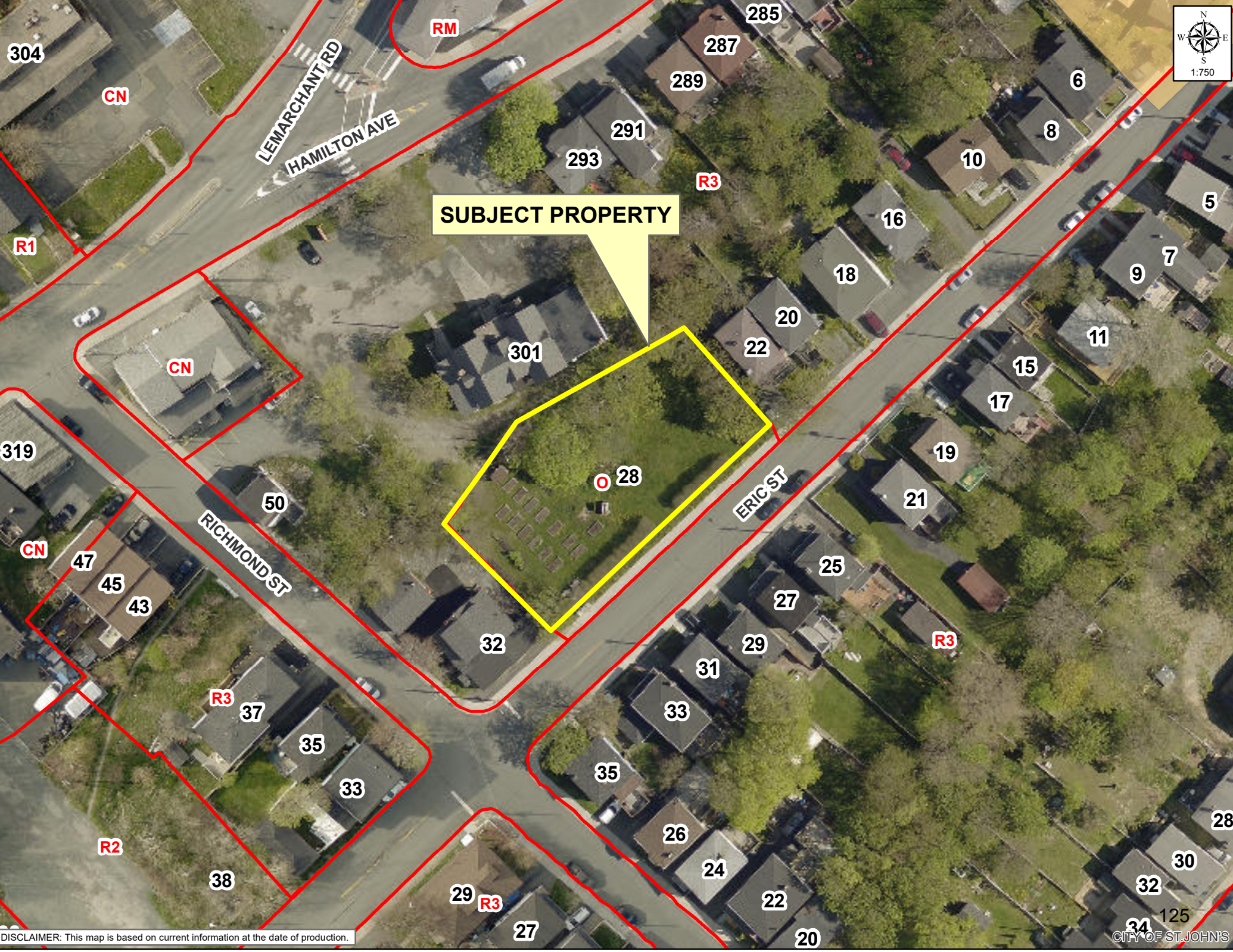
Ken O'Brien - Dec 2, 2020 - 3:30 PM

Jason Sinyard - Dec 2, 2020 - 4:25 PM



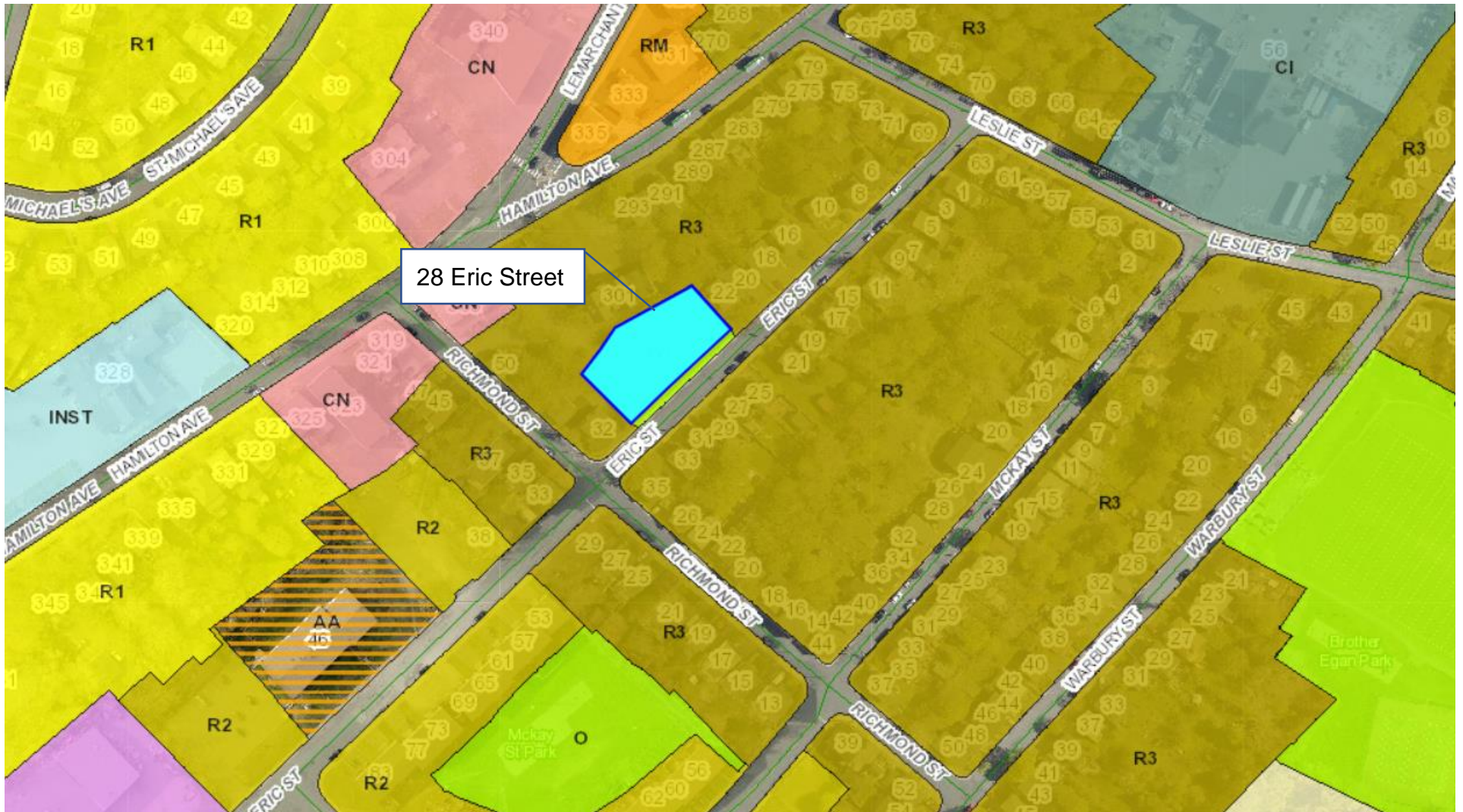
SUBJECT PROPERTY

28

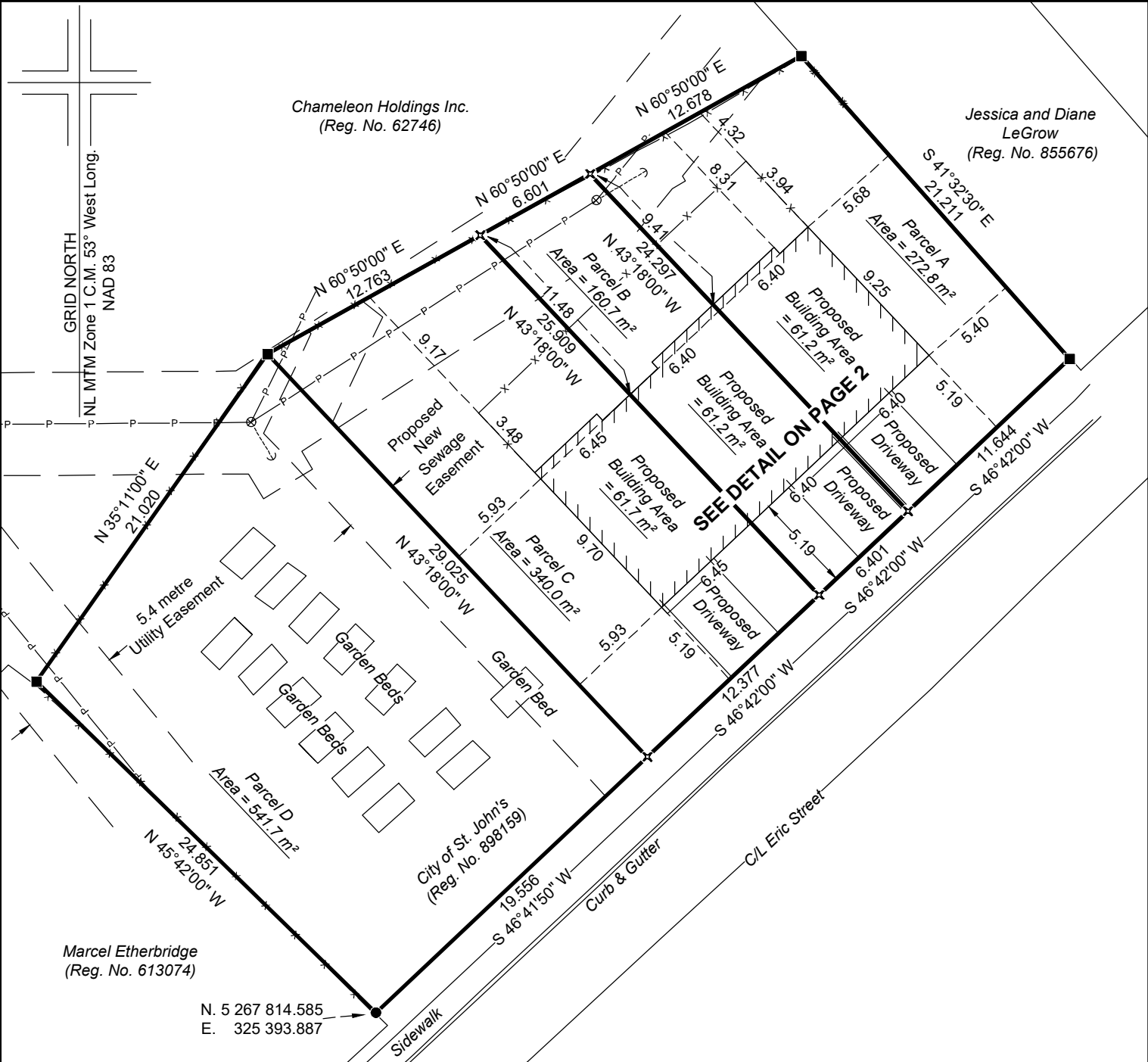


DISCLAIMER: This map is based on current information at the date of production.

28 Eric Street Neighbourhood



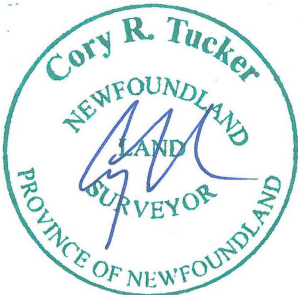
PLAN SHOWING PROPOSED DEVELOPMENT AND EXISTING ELEVATIONS
28 ERIC STREET
ST. JOHN'S, NL
FOR HABITAT FOR HUMANITY



REFERENCE MONUMENTS USED FOR CONTROL (NEWFOUNDLAND 3° MTM - NAD 83)			
DESCRIPTION	NORTHING	EASTING	ELEVATION
80G2226	5267595.736	325209.422	59.034
026151	5267526.179	325526.126	28.899

NOTES:
This plan certifies the information shown as of July 30, 2020 and only as of that date.
Combined Scale Factor = 0.999895
Distances are horizontal ground shown in metres and decimals thereof.
Reference survey by Alvin Hayes, City of St. John's, Job. No: 19034

- LEGEND**
- Iron Bar Found: ●
 - Steel Fence Post: ■
 - Temporary Position: ✕
 - Power Pole: ⊗
 - Power Pole Anchor: ----->
 - Overhead Powerline: — P — P —
 - Fence: — x — x —
 - Proposed Building: ▨
 - Spot Elevation: +000.00
 - Portions referred to are shown thus:



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7	Sept. 24/20	Removed Retaining Wall	AM	CRT	CG
6	Sept. 23/20	Moved Building	AM	CRT	CG
5	July 30/20	Moved Building, Added Waterline & Garden Beds	AM	CRT	CG
4	June 29/20	Revised Boundaries and Proposed Build, Added Sewer Easement and Proposed Fence Line	AM	CRT	--
3	May 20/20	Added 5.4 metre Utility Easement	AM	CRT	--
2	May 14/20	Added Proposed Retaining Wall	AM	CRT	--
1	May 05/20	Revised Building and Boundary Lines	AM	CRT	---
0	Dec. 13/19	Plan Issued	AM	CRT	CG
REV.	DATE	DESCRIPTION	DRAF	CHKD	SURV

McElhanney Land Surveys (NL) Ltd.
34 Pippy Place,
St. John's, NL, A1B 3X4
T 709-722-0564 F 709-722-0361
Email ctucker@mcelhanney.net



Current Zone

10.33 OPEN SPACE (O) ZONE

(See Section 5.1.4 - Development Above the 190 Metre Contour Elevation)

10.33.1 Permitted Uses

Recreational:

- (a) Park
- (b) Recreational Use
- (c) Other Uses accessory to Uses above
- (d) Accessory Building **(1995-09-15)**
- (e) A Horse Stable for the Royal Newfoundland Constabulary's Mounted Unit at the Government House Grounds at Military Road **(2007-08-03)**

10.33.2 Discretionary Uses (subject to Section 5.8)

- (a) Cemetery
- (b) Place of Assembly
- (c) Private Park **(2007-10-05)**
- (d) Public Utility
- (e) Uses accessory to Agriculture, Forestry and Fishing
- (f) Small Scale Wind Turbine **(2012-06-01)**

10.33.3 Zoning Requirements

As determined by Council

10.33.4 Battery Development Area

- (a) With respect to the development of any properties identified on Map I – Section 3 – Battery Development Area that are zoned as Open Space (O), no buildings or structures shall be permitted unless these buildings and structures will not be visible from the Downtown; and
- (b) In addition to the requirements of Section 10.33.3, the development of any properties that are included on Map I, Section 3 – Battery Development Area that are zoned as Open Space (O), is subject to Section 7.28 and Appendix A – Footprint and Height Control Overlay for the Battery Development Area. **(2009-07-24)**

O

Proposed Zone

10.5 RESIDENTIAL-HIGH DENSITY (R3) ZONE

(See Section 5.1.4 - Development Above the 190 Metre Contour)

10.5.1 Permitted Uses

Residential:

- (a) Accessory Building (subject to Section 8.3.6) (1995-06-09)
- (b) Bed and Breakfast (subject to Section 7.27) (1998-10-23)(2008-01-25)
- (c) Boarding or Lodging House
(accommodating between five (5) and sixteen (16) persons) (1999-04-16)
- (d) Duplex Dwelling
- (e) Home Office (subject to Section 7.9) (1997-08-08)
- (f) Semi-Detached Dwelling
- (g) Single Detached Dwelling
- (h) Subsidiary Apartment
- (i) Townhousing (except for the Battery neighbourhood of
Planning Area 2, where Townhousing is not a permitted Use.) (1999-08-20)

Recreational:

- (j) Park

Other:

- (k) Family Home Child Care Service (subject to Section 7.6) (2004-05-14)

10.5.2 Discretionary Uses (subject to Section 5.8)

- (a) Adult Day Care Facility (subject to Section 7.3)
- (b) Day Care Centre (subject to Section 7.6)
- (c) Converted Building (2002-01-02)
- (d) Heritage Use
- (e) Home Occupation (subject to Section 7.8)
- (f) Infill Housing (subject to Section 7.10)
- (g) Parking Lot (subject to Section 7.13)
- (h) Planned Unit Development (subject to Section 5.10.3)
- (i) Private Park (2007-10-05)
- (j) Public Utility

10.5.3 Zone Requirements

Notwithstanding the following, an application to construct or enlarge a building situate in the Fort Amherst residential area (from Civic Number 8 Fort Amherst Road up to and including Civic Number 56 Fort Amherst Road on one side, and Civic Number 55 and Civic Number 59 Fort Amherst Road on the other side) may be subject to height limitations. (2009-02-20)

R3

The following requirements shall apply to:

- (1) Bed and Breakfast: (subject to Section 7.27) (2008-01-25)
The same requirements as established for the Dwelling types in this Zone. (1998-10-23)
- (2) Boarding or Lodging House:
The same requirements as established for the Dwelling types in this Zone.
- (3) Converted Building
 - (j) Lot Area (minimum) at the discretion of Council (2009-02-20)
 - (k) Building Height (maximum) 3 storeys
 - (l) Side Yard on Flanking Road (minimum) 2 metres
 - (m) Rear Yard (minimum) 4.5 metres
 - (n) Landscaping of Lot (minimum) 20% (2002-02-01)
- (4) Duplex Dwelling:
 - (a) Lot Area (minimum) 350 m²
 - (b) Lot Frontage (minimum) 14 m
 - (c) Building Line (minimum) 4.5 m
 - (d) Side Yards (minimum) Two of 1.2 m (1994-11-04)
 - (e) Side Yard on Flanking Road (minimum) 4.5 m
 - (f) Rear Yard (minimum) 6 m
- (5) Semi-Detached Dwelling:
 - (a) Lot Area (minimum) 188 m² per Dwelling Unit (1997-03-07)
 - (b) Lot Frontage (minimum) 15 m; 7.5 m per Dwelling Unit
 - (c) Building Line (minimum) 4.5 m
 - (d) Side Yards (minimum) Two of 1.2m (1994-11-04)
 - (e) Side Yard on Flanking Road (minimum) 4.5 m
 - (f) Rear Yard (minimum) 6 m
- (6) Single Detached Dwelling:
 - (a) Lot Area (minimum) 300 m²
 - (b) Lot Frontage (minimum) 10 m (1994-11-04)
 - (c) Building Line (minimum) 4.5 m
 - (d) Side Yards (minimum) 1.2 m (1994-11-04)
 - (e) Side Yard on Flanking Road (minimum) 4.5 m
 - (f) Rear Yard (minimum) 6 m
- (7) Townhousing:
 - (a) Lot Area (minimum) 140 m² per Dwelling Unit
 - (b) Lot Frontage (minimum) 5.5 m per Dwelling Unit
 - (c) Building Line (minimum) 0 m
 - (d) Side Yard for End Unit Townhouses (min.) 1.2 metres (2002-07-05)
 - (e) Side Yard on Flanking Road (minimum) 2.4 m
 - (f) Rear Yard (minimum) 6 m

R3

(8) Day Care Centre in a non-residential Building:

- | | | | |
|-----|------------------------------|-------------------------|---------------------|
| (a) | Lot Size (minimum) | 450 m ² | |
| (b) | Lot Frontage (minimum) | 15 m | |
| (c) | Landscaping on Lot (minimum) | Subject to Section 8.5. | (1998-09-11) |

10.5.4 Battery Development Area

- (1) Notwithstanding the requirements of Section 10.5.3, the maximum Building Height for properties that are included on Map I – Battery Development Area that are zoned as Residential High Density (R3), is three (3) storeys from the downhill side of a lot; and
- (2) In addition to the requirements of Section 10.5.3, the development of any properties that are included on Map I – Battery Development Area, is subject to Section 7.28 and Appendix A, “Footprint and Height Control Overlay for the Battery Development Area.”
(2009-07-24)

R3



LEGEND

PROPERTY BOUNDARY

EX. OVERHEAD WIRE

EX. HYDRO POLE

EX. FENCELINE

EX. SAN SEWER

EX. ROOTMAT

EX. WATERMAIN

EX. CATCHBASIN

EX. SUBDRAIN

EX. STM SEWER

PINNACLE

ENGINEERING (2018) LIMITED

NOTES

1. TOPOGRAPHIC SURVEY OF DECEMBER, 2019 BY M&L HANNEY LAND SURVEYS.

2. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH CITY OF ST. JOHN'S SPECIFICATIONS BOOK.

3. PROPOSED REAR AND SIDE LOT GRADES OF THE PROPOSED DEVELOPMENT TO MATCH EXISTING GRADES OF ABUTTING PROPERTIES.

4. DESIGN GRADES FOR LOT PROVIDED AT KEY LOCATION ONLY. GRADE LOTS TO SHED WATER AWAY FROM HOUSE IN ACCORDANCE WITH NATIONAL BUILDING CODE.

5. SIDE YARDS TO HAVE MAX. 2:1 (H:V) SLOPE BETWEEN LOTS.

6. HOME BUILDER TO ENSURE FROST WALL CONSTRUCTION ADHERES TO LOT GRADING PLAN.

7. CONTOURS GENERATED FROM CITY OF ST. JOHN'S LIDAR DATA.

8. DO NOT SCALE FROM DRAWINGS.

9. CONTRACTOR TO INSTALL PROTECTIVE FENCING AT A MINIMUM OF 2.4 METERS FROM THE BASE OF THE TREE OR AS OTHERWISE DESCRIBED IN THE TREE INVENTORY ASSESSMENT DATED DECEMBER 23, 2019. FENCING TO COMPRISE OF ORANGE SNOW FENCING SECURED TO METAL T-RAILS. "CITY OF ST. JOHN'S TREE PROTECTION ZONE" SIGNAGE MUST BE INSTALLED ON FENCING. SAMPLE OF SIGN CAN BE OBTAINED FROM THE CITY OF ST. JOHN'S OR PROJECT ENGINEER.

10. ANY ROOTS ENCOUNTERED OVER 3 cm IN DIAMETER, OR LIMBS WHICH MAY BE IMPACTED BY CONSTRUCTION, SHOULD BE PRUNED BY A QUALIFIED PROFESSIONAL USING SHARP HAND TOOLS. RIPPING OR TEARING OF ROOTS AND LIMBS CREATE ACCESS POINTS FOR DISEASE AND PROMOTE DECAY WHICH CAN HAVE A DETRIMENTAL IMPACT ON TREE HEALTH.

11. NO MATERIALS OR DEBRIS ARE TO BE STORED OR GRADE CHANGES TO OCCUR WITHIN DEFINED TREE PROTECTION ZONES.

12. CONTRACTOR TO CONTACT CITY OF ST. JOHN'S MUNICIPAL ARBORIST, BRIAN MERCER, TO ARRANGE FOR INSPECTION OF TREE PROTECTION FENCING PRIOR TO THE START OF CONSTRUCTION (709-863-0276; bmercer@stjohns.ca).

C	REVISED PER MUNICIPALITY COMMENTS	24/08/20
B	REVISED EASEMENT	25/05/20
A	ISSUED FOR REVIEW	07/05/20
NO.	REVISIONS	DATE

PROFESSIONAL STAMP

10088

ADAM P. HARVEY

SIGNATURE

15 JUNE 2020

DATE

NEWFOUNDLAND & LABRADOR

PROVINCE OF NEWFOUNDLAND

pegnl

PERMIT HOLDER

Class "A"

This Permit Allows

PINNACLE ENGINEERING (2018) LIMITED

To practice Professional Engineering in Newfoundland and Labrador. Permit No. as issued by PEGNL L0331 which is valid for the year 2020.

CLIENT

Habitat

for Humanity

Newfoundland & Labrador

PROJECT TITLE

HABITAT FOR HUMANITY
28 ERIC STREET

SHEET TITLE

EXISTING CONDITIONS

PROJECT NO.

PN 20005

DRAWN BY

DJC

CHECKED BY

APH

DATE

APRIL 2020

DRAWING NO.

C1

SCALE

1 : 150

PRELIMINARY

NOT FOR CONSTRUCTION



JUNE 21 - 0900AM



JUNE 21 - 1200PM



JUNE 21 - 0300PM



SEPT 23 - 0900AM



SEPT 23 - 1200PM



SEPT 23 - 0300PM

ARCHITECTURAL CONSULTANT
collective
ARCHITECTURE + DESIGN

SUBCONSULTANT - STRUCTURAL

SUBCONSULTANT - MECHANICAL & ELECTRICAL

SUBCONSULTANT - CIVIL

DRAWN K.N. CHECKED K.N.
DESIGNED K.N. APPROVED K.N.
CONSULTANT'S PROJECT NO.
2020-07
PROFESSIONAL STAMP & PERMIT

PRELIMINARY
NOT FOR CONSTRUCTION

NOTES:
1. DO NOT SCALE FROM THIS DRAWING.
2. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN MILLIMETERS.
3. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS ON SITE PRIOR TO PROCEEDING WITH ANY PORTION OF THIS WORK.
4. CONTRACTOR SHALL DO ALL WORK IN ACCORDANCE WITH THE APPLICABLE STANDARDS AND CODES INCLUDING, BUT NOT LIMITED TO, THE NATIONAL BUILDING CODE OF CANADA, CURRENT EDITION.

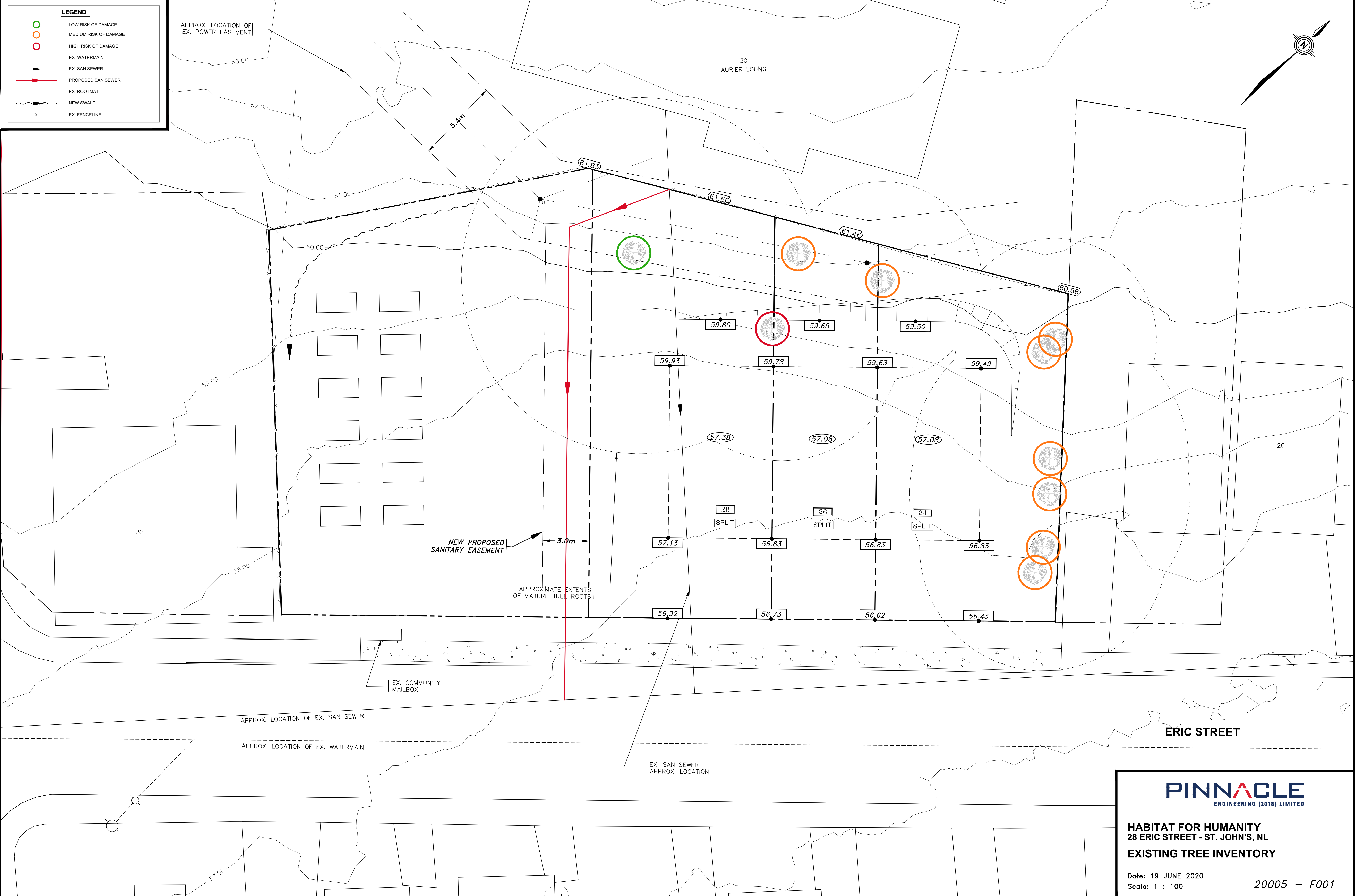
01	ISSUED FOR REVIEW	20/06/07	KN
NO.	DESCRIPTION	YY/MM/DD	BY

REVISIONS
DRAWING NOMENCLATURE

Detail/Section No. 3
A-1
3
Dwg. No. Where detailed

PROJECT TITLE
28 ERIC STREET TRIPLEX
ST. JOHN'S, NL
DRAWING TITLE
SHADOW STUDIES

SCALE	SHEET NUMBER
DATE	A-6.2
REVISION NO.	135



LEGEND

- LOW RISK OF DAMAGE
- MEDIUM RISK OF DAMAGE
- HIGH RISK OF DAMAGE
- EX. WATERMAIN
- EX. SAN SEWER
- PROPOSED SAN SEWER
- EX. ROOTMAT
- NEW SWALE
- EX. FENCELINE

PINNACLE
ENGINEERING (2018) LIMITED

HABITAT FOR HUMANITY
28 ERIC STREET - ST. JOHN'S, NL

EXISTING TREE INVENTORY

Date: 19 JUNE 2020
Scale: 1 : 100

20005 - F001

ST. JOHN'S

Report of Audit and Accountability Standing Committee

December 16, 2020

10:30 a.m.

Virtual

Present: Boyd Chislett, Citizen Representative - Chair
Mayor Danny Breen
Councillor Deanne Stapleton
Derek Coffey, Deputy City Manager of Finance and Administration
Sean Janes, City Internal Auditor
Sean McGrath, Senior Internal Auditor
Tanya Haywood, Deputy City Manager Community Services
Shanna Fitzgerald, Legislative Assistant

St. John's Regional Fire Department - Review of Training Division

Moved By Deanne Stapleton

Seconded By Danny Breen

That Council approve the SJRFD – Review of Training Division report and the associated action plans put forth by management.

MOTION CARRIED

Closure of Recreation Division Report

Moved By Boyd Chislett

Seconded By Deanne Stapleton

That Council approve the removal of the H.G.R. Mews Community Centre and Wedgewood Park Recreation Centre (Cash Handling, Petty Cash, Sales and Attendance Reporting) audit report from Internal Audit's follow-up list.

MOTION CARRIED

Closure of Commercial Property Tax Allowance Report

Moved By Boyd Chislett

Seconded By Deanne Stapleton

That Council approve the removal of the Commercial Property Tax Allowance audit report from Internal Audit's follow-up list.

MOTION CARRIED

CHAIR, BOYD CHISLETT

DECISION/DIRECTION NOTE

Title: St. John's Regional Fire Department - Review of Training Division

Date Prepared: December 9, 2020

Report To: Audit Committee

Councillor and Role: N/A

Ward: N/A

Decision/Direction Required:

To approve the St. John's Regional Fire Department – Review of Training Division report and the associated action plans put forth by management.

Discussion – Background and Current Status:

The Office of the City Internal Auditor recently completed a review of the Training Division at the St. John's Regional Fire Department ("SJRFDD").

The review identified several areas for improvement. Details of these opportunities and related recommendations can be found in the attached audit report. Management have provided action plans and implementation dates for all recommendations.

The Office of the City Internal Auditor would like to thank the Fire Chief, Deputy Chief of Support Services and the Training Officer for their invaluable help and time during this review.

Key Considerations/Implications:

1. Budget/Financial Implications:
 - There may be budget implications depending on how management decides to mitigate the risks highlighted in the report.
2. Partners or Other Stakeholders:
 - Members of the SJRFDD
 - Residents of St. John's and surrounding areas who are serviced by the SJRFDD
 - External training providers (e.g. St. John's Ambulance)
3. Alignment with Strategic Directions/Adopted Plans:
 - N/A



4. Legal or Policy Implications:
 - Policies and/or procedures have been recommended throughout this report
5. Privacy Implications:
 - There may be privacy implementations depending on how management decides to mitigate the risks highlighted in the report.
6. Engagement and Communications Considerations:
 - There may be engagement and communications considerations depending on how management decides to mitigate the risks highlighted in the report.
7. Human Resource Implications:
 - There may be human resource implications depending on how management decides to mitigate the risks highlighted in the report.
8. Procurement Implications:
 - There may be procurement implications depending on how management decides to mitigate the risks highlighted in the report.
9. Information Technology Implications:
 - There may be information technology implications depending on how management decides to mitigate the risks highlighted in the report.
10. Other Implications:
 - There may be other implications depending on how management decides to mitigate the risks highlighted in the report.

Recommendation:

That Council approve the SJRFD – Review of Training Division report and the associated action plans put forth by management.

Prepared by: Sean McGrath, Senior Internal Auditor

Approved by: Sean Janes, City Internal Auditor

Report Approval Details

Document Title:	SJRFD Training Division Review.docx
Attachments:	- SJRFD Review of Training Division Final Audit Report.pdf
Final Approval Date:	Dec 11, 2020

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

Kevin Breen - Dec 11, 2020 - 3:10 PM

INTERNAL AUDIT REPORT

St. John's Regional Fire Department **Review of Training Division**

Assignment # 20-03

INTERNAL AUDIT REPORT

St. John's Regional Fire Department

Review of Training Division

Assignment # 20-03

Sean McGrath CPA,
CA, CFE
Senior Internal Auditor
Date: October 13, 2020

Sean P. Janes, CPA,
CMA, CIA, CFE
City Internal Auditor
Date: October 13, 2020

ST. JOHN'S

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To: Chair & Council Members, City of St. John's Audit Committee

Area Responsible: Sherry Colford – Fire Chief, SJRFD

Copy to: Kevin Breen, City Manager

INTRODUCTION

OBJECTIVES

In accordance with the City's approved audit plan, the objective of this audit was to determine if the St. John's Regional Fire Department's Training Division had adequate systems, processes, and controls in place to administer training for its members.

BACKGROUND

Through the office of the Fire Chief, the St. John's Regional Fire Department ("SJRFD") is responsible for providing St. John's and surrounding regions with an acceptable level of fire and emergency protection in an economic manner. Services provided to the public include fire suppression, fire prevention, road traffic accident response, medical response, hazardous material and special teams response and 911 communication services.

SJRFD senior management includes the Fire Chief, Deputy Chief of Operations and Deputy Chief of Support Services. The latter is responsible for Fire Prevention Division, 911 Communications Centre and Training Division.

Training Division, which is located at Central Fire Station, is staffed with three members including a Training Officer and two Assistant Training Officers. These positions are unionized positions, and as such, associated job responsibilities are outlined in the collective agreement between the City of St. John's ("City") and International Association of Firefighters Local 1075.

Training Division is responsible for the training and career development of all SJRFD suppression staff, who are spread out across the 8 fire stations in the region. Additionally, the division is responsible for tracking the completion of member training and maintaining the supporting documentation. This is an important process as firefighters have various training requirements, either mandated by legislation or internally by the SJRFD, that must be completed in order to effectively perform their duties.

Training standards and best practices are set by the National Fire Prevention Association (“NFPA”), many of which have been adopted by the SJRFD. Training Division uses job performance requirement sheets (“JPRs”) to provide training in relation to these standards. Per NFPA, JPRs consist of the task to be performed; the tools, equipment, or materials that must be provided to successfully complete the task; evaluation parameters and/or performance outcomes; and lists of requisite knowledge and skills one must have to be able to perform the task.

Multiple JPRs can be utilized to evaluate a single standard. Lower-level or introductory JPRs can be administered by on-duty Captains and Lieutenants. These individuals are required to provide the physical JPRs to Training Division after completion. Other JPRs, such as the actual fire apparatus driving test, are administered directly by a member from Training Division.

Training Division is also involved in the administration of other training such as first aid and powerline hazard instruction. Although final certification comes from St. John’s Ambulance and Workplace NL, respectively, for these training courses, Training Division is involved in organizing the training and transferring the testing documents to the external body for certification. Training Division also retains copies of the source documents.

At the time of the audit, Training Division was using excel spreadsheets to track the completion of member training and source documents were maintained in

binders. It is imperative that these records are accurate and complete to substantiate that the related training was completed.

METHODOLOGY & SCOPE

The scope of the audit included a review of the processes used by the St. John's Regional Fire Department's Training Division to administer training. Specifically, the audit evaluated the controls in place to ensure member training records were accurate and complete and supported by adequate documentation. Substantive testing was utilized to determine the integrity of training records. When selecting samples for testing, only samples from the prior three years (2017, 2018 and 2019) were selected.

Other key controls, such as management oversight and policy and procedure, were also examined during the audit to ensure they were in place and operating effectively. Additionally, the audit examined whether the SJRFD Training Division had a mandate and purpose formally documented to help ensure training activities are carried out in a systematic and structured manner.

The audit also examined if the prerequisites for the roles of both Training Officer and Assistant Training Officer, as outlined in the collective agreement, had been met by the current members of Training Division. This was included in the scope of the audit to ensure that Training Division members had the required expertise to effectively administer training.

Preliminary discussions with management and members indicated that the Incident Critique Analysis process, which is used to review unique or difficult emergency calls, had potential training implications. Therefore, this process was reviewed as part of the audit as well.

The audit did not examine the quality or effectiveness of the actual training administered by Training Division, or if the content of training courses met

applicable best practices. Similarly, it did not examine if firefighters had completed all applicable training, or if they held the required certifications to work as a firefighter. Inclusion of these areas in the audit would have broadened the scope and, due to resource constraints, inhibited us from issuing a timely report. As such, these areas are better suited for inclusion in a separate, stand-alone audit.

CONCLUSION

The audit determined that the SJRFD had a formalized system and related processes in place to administer training for its members. Numerous key controls were implemented as part of this system including electronic record keeping, standardized supporting documentation and appropriate signoffs on training forms. However, it was found that governance processes and procedures to ensure the accuracy and completeness of training documentation was lacking. As a result, the audit noted opportunities to both strengthen existing controls and implement additional controls which would better ensure the accuracy and completeness of training records.

EXECUTIVE SUMMARY

Internal Audit's review of the SJRFD Training Division focused on whether adequate systems, processes and controls were in place to allow Training Division to effectively administer training for its members.

Audit testing and procedures utilized during the review identified several positive outcomes. Foremost, Training Division had a spreadsheet system in place to track member training. The spreadsheets were supported by source documentation such as job performance requirement sheets that were designed to include the signature of both the trainee and trainer. This dual signature represents best practice as it contributes to the validity of the training documentation.

Additionally, the SJRFD had implemented an Incident Critique Analysis process to review difficult or unique emergency calls. While the purpose of this process was to identify any lessons learned for a given incident, it was also being used to identify training needs. The SJRFD should be commended for having such an important process formalized and implemented.

However, the audit identified areas for improvement regarding several existing controls, as well as opportunities for the development and implementation of new controls. Audit testing showed that SJRFD training records were not complete and accurate, indicating that the record keeping process requires improvement. Furthermore, formalized policy and procedure was not in place to guide the operations of Training Division. Additionally, the audit determined that the implementation of a new training system, which the SJRFD had purchased but not yet implemented, may potentially benefit the record keeping process.

Other recommendations pertain to strengthening the governance process through the use of annual training reports, undertaking annual reviews of

member records and the record keeping system, further leveraging the Incident Critique Analysis process to identify training needs and ensuring Training Division members have achieved their NFPA teaching certification.

These recommendations and other observations outlined in the report will assist the SJRFD in its continued effort in developing an effective and efficient Training Division. It should be noted that management has agreed to implement all proposed recommendations.

DETAILED ANALYSIS

As part of the audit, we obtained master training spreadsheets for various training courses that included the names of members who completed the training and the date of completion. From these spreadsheets, we chose 20 samples and requested to see the supporting Job Performance Requirement sheet ("JPR"). This allowed us to assess the accuracy and completeness of the forms. We also reviewed the forms to help substantiate if the training was completed. We did this by verifying the JPRs were appropriately signed off by both the instructor and student.

The sample included JPRs for training related to Spartan Pump Operator, Sutphen Ladder, Rapid Intervention Crew and Driver/Operator Ariel Performance. The results are outlined in Table 1.0 below:

Table 1.0 – JPR Testing			
<i>Number of JPRs requested by Internal Audit</i>	<i>Number of JPRs provided to Internal Audit</i>	<i>Number of JPRs reviewed without exception</i>	<i>Number of JPRs reviewed with exceptions</i>
20	20	15 (75%)	5 (25%)

As noted in Table 1.0, 15 of the 20 JPRs were reviewed without issue as all pertinent fields were completed and each form was signed off by both the instructor and the student. However, five of the sampled forms were missing the student's signature. Therefore, we could not verify that the training had been completed from reviewing these 5 JPRs.

We also examined documentation for other types of training including first aid and powerline hazard training. We selected five samples from the first aid spreadsheet and three samples from the powerline hazard spreadsheet and

requested to see the supporting forms and documentation. The results are outlined in Table 1.1 below:

Table 1.1 – First Aid and Powerline Hazard				
	<i>Number of forms requested by Internal Audit</i>	<i>Number of forms provided to Internal Audit</i>	<i>Number of forms reviewed without exception</i>	<i>Number of forms reviewed with exceptions, including missing forms</i>
<i>First Aid</i>	5	3	1 (25%)	4 (75%)
<i>Powerline Hazard</i>	3	0	0 (0%)	3 (100%)

As noted in Table 1.1, Training Division was unable to locate supporting documentation for two requested first aid samples and three requested powerline hazard samples. Furthermore, 2 of the 3 first aid forms provided were missing the student's signature. Therefore, we could not verify the validity of training for seven samples from the forms.

For the 12 total samples (including JPR, first aid and powerline hazard samples) that had missing documentation, we attempted to follow up directly with respective members to confirm if they had completed the training. One of the sampled members had retired, but the remaining 11 were contacted via telephone. 10 of the contacted members verified they had completed the associated training as outlined in the spreadsheet, while one member was uncertain if he completed the training.

Incomplete and/or inaccurate training documentation is indicative of poor-quality training records, which in turn could cause significant issues for the SJRFD, especially if such forms are ever needed for regulatory, compliance or legal purposes. The following recommendations contained in this report will aid the SJRFD in addressing this issue and help ensure training records and supporting

documentation are complete and accurate and can be accessed in a timely manner.

Issue 1.1 Divisional Procedure

Discussions throughout the audit with the Training Officer highlighted inherent difficulties in maintaining adequate training documentation. Foremost, although Training Division is located at Central Fire Station, on-duty Captains and Lieutenants could administer certain JPRs at each of the 8 fire stations located throughout the region. This presents a logistical issue as the JPRs and other supporting training forms must be physically sent to Training Division. This is also applicable to first aid and powerline hazard instructors who must provide supporting documentation to Training Division as well.

There was also uncertainty regarding what level of review Training Division should be doing on the training forms it received. The Training Officer indicated Training Division would attempt to follow-up with the sender regarding incomplete and/or missing training forms, however, it was a very time intensive process as many firefighters do not have City email addresses and do not have traditional nine to five work schedules.

The audit also determined that there was no formal filing system for documents in Training Division. Discussions with the Training Officer indicated that while documentation for each training course is organized into binders, some binders may have been misplaced over the years or stored in different locations due to turnover within the division. This disorganization likely contributed to the missing documentation.

It is best practice that critical recurring activities, such as how training records are completed, sent to Training Division, reviewed, and filed, are detailed in

procedural documents to ensure they are carried out accurately and consistently. Without adequate procedure, employees may lack proper guidance on how to perform processes correctly, which can lead to process deficiencies. The absence of detailed procedure regarding the above activities was, in our opinion, a major contributor to the incomplete and inaccurate training records.

Recommendation 1.1

- i. To ensure all JPRs and other training forms are accurate and complete, SJRFD management should develop and implement procedure regarding how these forms are completed, sent to Training Division, reviewed, and filed. The procedure should, at a minimum, address the following regarding JPRs and other training forms:
 - who in the organization is authorized to complete the forms
 - how the forms are completed (e.g. mandatory fields that must be completed, who is required to sign the forms, etc.)
 - if persons outside Training Division are authorized to complete the forms, how the forms are provided to Training Division and the timelines for completing and forwarding the forms
 - if forms can be sent electronically or if hard copies are required
 - how Training Division reviews the forms and follow-up procedures to adhere to if the forms contain deficiencies
 - how forms are filed by Training Division (e.g. if forms should be filed by member or by training course)
 - the required record retention period for the forms
 - the potential discipline or repercussions for non-compliance with the procedure
- ii. To ensure all JPRs and other training forms are accurate and complete, management should provide training to those tasked with completing and reviewing the forms and familiarize them with the procedure to be

followed.

- iii. SJRFD management should review NFPA 1401: Recommended Practice for Fire Service Training Reports and Records for best practices when developing procedure to ensure the accuracy and completeness of training records. Per NFPA, this standard provides fire service personnel with basic information tools for effective training administration.

Management Response and Intended Course of Action 1.1

This recommendation will be implemented in its entirety by February 2021.

Conclusion 1.1

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** February 2021

Information Only: Fire Chief

Issue 1.2 Formal Policy and Mandate

SJRFD management have developed a Policy and Operational Guidelines Manual that covers numerous aspects of the Fire Department and should be commended for doing so. However, the manual does not include a policy outlining the purpose, mandate, and responsibilities of Training Division. It is best practice for organizations to have policies in place for important processes, such as organizational training, to ensure departmental activities are congruent with the strategic goals and objectives of the organization.

In the absence of a clear policy and mandate, Training Division may be carrying out activities that are not in line with the SJRFD's overall goals and objectives.

The development and implementation of a formal training policy would help minimize this risk and contribute to a more purposeful Training Division.

It should be noted that the SJRFD's section on the City's website does include a brief summary of the responsibilities of Training Division. Additionally, Policy 01-02-10 - Training Officer, which outlines the duties and responsibilities of the Training Officer position, does indirectly discuss aspects of the role of Training Division.

Recommendation 1.2

The SJRFD should develop a formal policy outlining the purpose, mandate, and responsibilities of Training Division. Information from the summary of the responsibilities of Training Division on the City's website and Policy 01-02-10 could be leveraged when developing this policy.

Management Response and Intended Course of Action 1.2

This recommendation will be implemented in its entirety by January 2021.

Conclusion 1.2

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** January 2021

Information Only: Fire Chief

Issue 1.3 Information Management System

Discussions with SJRFD management indicated that while they do have an electronic training module that is compatible with their current fire department information management system, it has not been implemented. Instead, they rely on a number of Excel workbooks to track training. Excel spreadsheets generally

have inherent control weakness such as the inability to quickly perform queries and generate timely reports with ease. Additionally, the risk of training records being inaccurate and/or incomplete increases when multiple workbooks are used, and information fields are not standardized.

These control weaknesses were present in various training spreadsheets reviewed during the audit. For example, the powerline hazard training spreadsheet did not use a standardized format to capture the date training was completed. Some fields included the exact date the training was completed, while others only included the year the training was done. Similarly, individual certificate numbers, which are issued by Workplace NL when a person completes the training, were not consistently captured for all members.

Furthermore, multiple Excel workbooks existed for a single type of training. For example, there was a first aid workbook that captured training completed in 2017 and 2018, and another workbook that captured training for 2019. However, some of the information in the 2019 workbook was already captured in the 2017/2018 workbook, making the process inefficient and cumbersome.

Recommendation 1.3

- i. The SJRFD should consider implementing a new training system to help plan and track employee training. The training module associated with the information management system currently in place at the SJRFD may be the most logical system to consider; however, it should be investigated to determine if it meets the needs of the division.
- ii. If a new training system is implemented, then members of Training Division should be provided adequate training to ensure they can confidently utilize the electronic system going forward to track member training.

iii. If it is decided to not implement a new training system, then management should implement controls to ensure the accuracy and completeness of the Excel spreadsheets currently in use. This would include written procedures addressing:

- how the spreadsheets are to be updated
- what information is captured in the spreadsheets and in what standardized format
- who is authorized to update the spreadsheets and who has access to them
- who should review the information contained in the spreadsheets
- the naming convention of each workbook and where they are saved on the network
- if a single workbook for a particular type of training can be used to capture multiple years of training records (e.g. a tab for each year) or if new a workbook must be created each year

It should be recognized that management's ability to perform certain queries or generate reports from the Excel spreadsheets will be limited.

Management Response and Intended Course of Action 1.3

Recommendation 1.3 (i) and (ii) will be implemented but not fully completed, by September 2021. A follow-up date will be provided on status of new system prior to this date.

Recommendation 1.3 (iii) will be implemented by December 2020 as an interim tracking system until an appropriate computer system is considered and if feasible, implemented.

Conclusion 1.3

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** September 2021

Information Only: Fire Chief

Issue 1.4 Evaluating Individual Training Records

Training Division does not perform scheduled reviews of its training records. Per Section 6.1 of NFPA Standard 1401: Recommended Practice for Fire Service Training Reports and Records, it is best practice that individual training records are evaluated at specified intervals to ensure members have completed all applicable training requirements. Without this evaluation, there is a risk that members have missed training and therefore do not have the skills needed to effectively perform their duties. Additionally, as some training is mandated by legislation (e.g. powerline hazard training), there is a risk that the SJRFD could face penalties for non-compliance pursuant to that legislation.

Recommendation 1.4

Management should establish specified intervals for Training Division to review individual training records and formally document this requirement in policy. As outlined in Section 6.1 of NFPA Standard 1401: Recommended Practice for Fire Service Training Reports and Records, each individual's training record should be reviewed to determine the following:

- if the individual has taken all required training
- if required training has not been completed, that the individual has been scheduled for the missed training
- if performance deficiencies show up on the individual's training record
- if deficiencies do exist, that a program has been developed to overcome them
- if all required JPRs established by the department have been met

- if JPRs have not been met, that problems have been identified and a program has been developed to overcome them
- If there are areas of training that are being overlooked
- If the cycle of training is sufficient to maintain skill levels

Management Response and Intended Course of Action 1.4

The review of training records and the Policy will be implemented in its entirety by April 2021.

Conclusion 1.4

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** April 2021

Information Only: Fire Chief

Issue 1.5 Annual Review of System

Training Division does not perform an annual review of the record keeping system and supporting training forms. Per Section 6.2 of NFPA Standard 1401: Recommended Practice for Fire Service Training Reports and Records, it is best practice that a review of the record keeping system and supporting training forms is performed at least annually. Without this review, there is a risk that the SJRFD would be unaware of issues related to the record keeping system or if improvements could be made to it. Likewise, the SJRFD may not realize if training forms have become outdated and no longer reflect current job performance requirements and associated best practices.

Recommendation 1.5

Management should ensure the record keeping system and supporting training forms are evaluated annually. This will help ensure the system continues to meet the needs of the SJRFD and training forms are up to date and reflect current job performance requirements and NFPA standards. The review should include, at a minimum, the following activities:

- Discussions between management and members of Training Division regarding the effectiveness of the record keeping system, related issues, possible improvements and ultimately if it is meeting the needs of the SJRFD
- A review of JPRs and other training forms to ensure they reflect current training methods and best practices as set by NFPA
- A review of JPRs and other training forms to ensure they continue to capture all necessary information

Management Response and Intended Course of Action 1.5

This recommendation will be implemented in its entirety by February 2022. The Policy is scheduled to be implemented in February 2021 and while reviews will be conducted for quality assurance purposes, the first official annual review will be in February 2022.

Conclusion 1.5

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** February 2022.

Information Only: Fire Chief

Issue 1.6 Annual Plans

SJRFD management does not receive an annual plan from Training Division regarding what training is planned for the upcoming year and if the prior year's annual plan had been achieved. Per section 5.2.4.2 of NFPA Standard 1401: Recommended Practice for Fire Service Training Reports and Records, annual plans are an important element when organizing training. These plans encompass best practices as they help ensure training is relevant, effective, and properly delivered in a consistent and cost-effective manner. Additionally, they provide management with appropriate oversight to determine if Training Division is meeting its mandate. Plans such as these are also excellent learning tools as they can formally document lessons learned throughout the year for Training Division.

It should be noted that during the audit, the Deputy Chief of Support Services was working on the development of a three-year training plan for SJRFD suppression staff. This plan, which was documented in an excel workbook, included all the training courses applicable to SJRFD firefighters, the delivery method and timeframe, applicable legislation, recertification timelines, estimated cost of the training courses and applicable NFPA standards. Although this plan was not fully completed, the SJRFD should be applauded for developing this document as it captured important training details.

Recommendation 1.6

- i. Management should ensure that Training Division develops a formulized training plan annually and submits it to SJRFD senior management for review and sign-off. The annual report should include:
 - the goals and objectives of Training Division
 - accomplishments during the year
 - if the prior year's training plan was achieved or if applicable, reasons why it was not achieved or had to be modified

- the projected training plan for the upcoming year
 - areas for improvement and lessons learned that can be incorporated into future training plans.
- ii. Management should continue to develop and finalize its three-year training plan and use this document to ensure the submission of annual training plans by Training Division is complete and in-line with organizational training requirements.

Management Response and Intended Course of Action 1.6

As indicated above, the Training Division already works from a 3-year Training Plan and will develop its Annual Plan from that. This recommendation will be implemented in its entirety by December 2020.

Conclusion 1.6

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** December 2020

Information Only: Fire Chief

Issue 1.7 External Training Confirmation

Discussions with the Training Officer indicated that there are issues regarding how documentation is sent to external training organizations such as St. John's Ambulance and Workplace NL. Foremost, the Training Officer noted that St. John's Ambulance had deemed some of the documentation received from SJRFD on behalf of its members as incomplete and therefore have not been issuing first aid certificates to these members. While these members have completed the training per the SJRFD, they are not technically certified until

proper documentation is provided to St. John's Ambulance and the certification is issued. This is a significant risk for the SJRFD as firefighters are required to be certified in first aid per the SJRFD Recruitment Guide.

Likewise, the Training Officer noted that there are significant discrepancies between Training Division's records for the completion of powerline hazard training and those on file with Workplace NL. Information provided by the Training Officer indicated Training Division recorded 111 firefighters as having completed the training in 2018, while Workplace NL records only showed 45 as being certified. Powerline hazard training is legislated training that must be completed every three years, and hence these inaccuracies are a significant risk to the SJRFD.

Recommendation 1.7

To ensure that current and future SJRFD training records match what is on-file with St. John's Ambulance and Workplace NL, Training Division should:

- i. On an annual basis, confirm that its training records for first aid and powerline hazard training match those on file with St. John's Ambulance and Workplace NL, respectively. Any discrepancies should be immediately investigated.
- ii. Develop procedure in relation to external training certifications such as first aid and powerline hazard training to clarify its role and responsibilities in the reporting process. The procedure should outline how information is sent to St. John's Ambulance and Workplace NL, what information needs to be provided, what documentation is retained by SJRFD and where issued course completion certificates are stored.

Management Response and Intended Course of Action 1.7

Work has already commenced on Recommendation 1.7 and will be finalized by September 2021.

Conclusion 1.7

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** September 2021

Information Only: Fire Chief

Issue 1.8 Workplace NL Portal

Workplace NL provides an on-line portal for external organizations such as the SJRFD to access and review their employees' training records. Discussions with SJRFD personnel indicated that the Training Officer and Deputy Chief of Support Services are supposed to have identical access rights in the portal to ensure a continuity of access. However, the Training Officer indicated that their access rights are not the same. For example, he indicated that he could see copies of the training certificates issued to firefighters on the system while the Deputy Chief could not. As such, there is a risk that complete Workplace NL training records may not be accessed in a timely manner if only a single individual has access to them.

Recommendation 1.8

To ensure that Workplace NL training records can be accessed in a timely manner, the SJRFD should contact Workplace NL and request that the Training Officer and Deputy Chief of Support Services both have full access to the portal.

Management Response and Intended Course of Action 1.8

This recommendation has been completed as of August 2020.

Conclusion 1.8

The recommendation has been implemented.

Action By: Deputy Chief Support Services **Action Date:** Completed

Information Only: Fire Chief

Issue 1.9 Training and Incident Critique Analysis

Discussions with management indicated that the SJRFD performs an Incident Critique Analysis for unique or difficult emergencies on an as needed basis. The Incident Critique Analysis involves the completion of a form that captures background information on the incident including the location of the incident, the personnel involved, a description of the incident, the root cause of the incident, corrective measures and lessons learned.

During the audit, we obtained a copy of this form and noted that multiple sections asked if “specific training needs were identified” in relation to the incident. This was brought to the attention of the Training Officer, who indicated that Training Division helps facilitate the Incident Critique Analysis process. The division sets up the time and date of the critique and provides those details to the applicable participants. Training Division also attends the critique and retains copies of the Incident Critique Analysis forms.

Further discussions with the Training Officer noted that while Training Division reviews these forms individually for training purposes, they do not track the root causes and lessons learned in a formal document or database. By not tracking

this information, it is difficult to perform a trend analysis and identify incidents with similar root causes or recurring incidents that require additional training.

Recommendation 1.9

Training Division should track issues and lessons learned from Incident Critique Analysis forms in a formal document and periodically review this document throughout the year to identify potential reoccurring issues that require further attention.

Management Response and Intended Course of Action 1.9

POGs currently exist and will need to be updated which is currently ongoing. The process on next steps once a completed form is received through Training will need to be developed and will be implemented by March 2021.

Conclusion 1.9

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** March 2021

Information Only: Fire Chief

Issue 1.10 Lessons Learned and Incident Critique Analysis

The Incident Critique Analysis form captures lessons learned for each incident under review. These lessons learned are an invaluable learning tool as they provide opportunities for the SJRFD to improve operations and increase the safety of firefighters. However, discussions with various firefighters indicated that copies of Incident Critique Analysis forms are not provided to firefighters, including those that attend the formal critique process. Additionally, management indicated that there is no formal mechanism in place to disseminate the lessons learned throughout the entire organization.

Consequently, management is missing an opportunity to build organizational awareness regarding threats to safety and ultimately improve firefighters' safety. Additionally, if practical data were shared with the entire organization, it may inspire urgency and improvement within the ranks as real dangers would be highlighted.

Recommendation 1.10

The SJRFD should develop a process to ensure that lessons learned from Incident Critique Analysis are communicated to all members of the SJRFD. This could include a memo forwarded to all Platoon Chiefs and/or Captains to be discussed amongst their groups or more formal training sessions put off by Training Division.

Management Response and Intended Course of Action 1.10

This is a recommendation that has been part of the past process however the process has not been fully implemented in a number of years. This process can be re-implemented by November 2020.

Conclusion 1.10

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** November 2020

Information Only: Fire Chief

Issue 1.11 Incident Critique Procedure

Discussions with management and members regarding the Incident Critique Analysis process indicated there is no formal procedure documenting the process. Therefore, important details such as when a critique is performed, its

purpose, who leads the critique, who must attend and how each critique is reviewed are undocumented.

Formally documenting important processes, such as the Incident Critique Analysis, encompasses best practice as it helps ensure the integrity of the process. Without adequate procedure, members may lack proper guidance on how to carry out the Incident Critique Analysis, which increases the risk of the process being ineffective and/or inefficient.

Recommendation 1.11

Procedures should be developed for the Incident Critique Analysis process. The procedures should outline, at a minimum, the following:

- under what circumstances a critique analysis should be performed
- timeline for when the critique should be performed
- who should lead the critique
- who should attend the critique
- who should review and approve the critique to ensure questions are fully explored with complete and meaningful answers provided
- how information gathered in the critique should be distributed throughout the organization for learning and training purposes.

Management Response and Intended Course of Action 1.11

While other recommendations overlap with this recommendation, this specific Policy will be implemented in its entirety by April 2021.

Conclusion 1.11

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** April 2021

Information Only: Fire Chief

Issue 1.12 Incident Critique Analysis Form Sign-off

A review of the Incident Critique Analysis form showed that the form does not have a section allowing the individuals preparing and reviewing it to sign and date it. Ensuring forms are appropriately signed and dated is an essential part of maintaining an adequate audit trail. Without signatures and dates, it is difficult to verify the validity of the document and the corresponding Incident Critique Analysis process.

Recommendation 1.12

Management should ensure that the Incident Critique Analysis form is redesigned to include areas where the preparer and reviewer of the form can sign and date it.

Management Response and Intended Course of Action 1.12

This recommendation will be implemented in its entirety by November 2020.

Conclusion 1.12

The recommendation will be implemented as stated above.

Action By: Deputy Chief Support Services **Action Date:** November 2020

Information Only: Fire Chief

Issue 1.13 NFPA Fire Instructor I Certification

The Training Officer and one of the two Assistant Training Officers had not achieved their NFPA Fire Instructor I certification as of the time of the audit. As outlined in the collective agreement, this certification is required upon promotion to Assistant Training Officer. While no time frame for completion is provided in the collective agreement, it does suggest that the certification must be obtained prior to being promoted to Training Officer. While there were mitigating circumstances justifying why the Training Officer had yet to complete the instructor course, it must still be completed to ensure compliance with the collective agreement.

Recommendation 1.13

Management should ensure that all members of training division have either completed or are in the process of completing the NFPA Fire Instructor I certification as stipulated in the collective agreement.

Management Response and Intended Course of Action 1.13

This recommendation has already been implemented.

Conclusion 1.13

The recommendation has been implemented.

Action By: Deputy Chief Support Services **Action Date:** Completed

Information Only: Fire Chief

DECISION/DIRECTION NOTE

Title: Closure of Recreation Division Report

Date Prepared: December 8, 2020

Report To: Audit Committee

Councillor and Role: N/A

Ward: N/A

Decision/Direction Required:

To approve the removal of the H.G.R. Mews Community Centre and Wedgewood Park Recreation Centre (Cash Handling, Petty Cash, Sales and Attendance Reporting) audit report (Assignment #14-01) from Internal Audit's follow-up list.

Discussion – Background and Current Status:

Current practice of the Office of the City Internal Auditor is to remove a report from the follow-up list after five years. The reasons for this practice are:

- changes occurring in an area over five years (i.e. new management, systems, processes, etc.) can make recommendations outdated
- perceived lack of importance of recommendations that are not acted upon over such a long period
- lack of resources available to internal audit that could be better spent in other areas

Management indicates the recommendations made in the H.G.R. Mews Community Centre and Wedgewood Park Recreation Centre (Cash Handling, Petty Cash, Sales and Attendance Reporting) audit report are now substantially implemented (i.e. 95%). Three recommendations remain outstanding and management have provided action plans for their implementation. To ensure audit resources are optimally utilized it is now recommended to remove this report from the follow-up list.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A

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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 removal of the H.G.R. Mews Community Centre and Wedgewood Park Recreation Centre (Cash Handling, Petty Cash, Sales and Attendance Reporting) audit report from Internal Audit's follow-up list.

Prepared by: Sean Janes, City Internal Auditor

Approved by: Sean Janes, City Internal Auditor

Report Approval Details

Document Title:	Closure of Recreation Division Report.docx
Attachments:	
Final Approval Date:	Dec 11, 2020

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

Kevin Breen - Dec 11, 2020 - 3:10 PM

DECISION/DIRECTION NOTE

Title: Closure of Commercial Property Tax Allowance Report

Date Prepared: December 8, 2020

Report To: Audit Committee

Councillor and Role: N/A

Ward: N/A

Decision/Direction Required:

To approve the removal of the Commercial Property Tax Allowance audit report from Internal Audit's follow-up list.

Discussion – Background and Current Status:

Current practice of the Office of the City Internal Auditor is to remove a report from the follow-up list after five years. The reasons for this practice are:

- changes occurring in an area over five years (i.e. new management, systems, processes, etc.) can make recommendations outdated
- perceived lack of importance of recommendations that are not acted upon over such a long period
- lack of resources available to internal audit that could be better spent in other areas

Management indicates the recommendations made in the Commercial Property Tax Allowance audit report are now substantially implemented (i.e. 83%). Five recommendations remain outstanding and these recommendations are linked as changes are required to by-laws, policies, and forms. In addition, some of the changes will depend on regulations. Management indicated that after these regulations are published staff will regroup to address a path forward. To ensure audit resources are optimally utilized it is now recommended to remove this report from the follow-up list.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A

ST. JOHN'S

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 removal of the Commercial Property Tax Allowance audit report from Internal Audit's follow-up list.

Prepared by: Sean Janes, City Internal Auditor

Approved by: Sean Janes, City Internal Auditor

Report Approval Details

Document Title:	Closure of Commercial Property Tax Allowance Report.docx
Attachments:	
Final Approval Date:	Dec 11, 2020

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

Kevin Breen - Dec 11, 2020 - 3:10 PM

**Development Permits List
For the Period of December 10 To January 6, 2021**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Home Office for Administration of Immigration Services	39 Keane Place	2	Approved	20-12-11
INST	First Light St. John's Friendship Centre	Transitional Housing with Admin Offices	716 Water Street	2	Approved	20-12-18
AGR		Proposed Installation of Well for Livestock	6 Cochrane Pond Road	5	Approved	20-12-23
RES		Proposed Building Lot	6 Winter Avenue	4	Rejected- Located in Floodplain & Buffer	21-01-06

* **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 January 11, 2021 Regular Meeting

Permits Issued: 2020/12/10 to 2020/12/31

BUILDING PERMITS ISSUED

Residential

Location	Permit Type	Structure Type
1 Diamond Marsh Dr	New Construction	Single Detached Dwelling
1 Kerr St	Renovations	Single Detached Dwelling
1 Ozark Pl	New Construction	Single Detached w/ apt.
10 McLoughlan St	Accessory Building	Accessory Building
11 Gosling St	Deck	Patio Deck
115 Merrymeeting Rd	Fence	Fence
127 Portugal Cove Rd	Renovations	Single Detached w/ apt.
131 Moss Heather Dr	Change of Occupancy	Home Occupation
154 Hussey Dr	Renovations	Mobile Home
17 Adventure Ave	New Construction	Single Detached Dwelling
17 London Rd	Renovations	Single Detached Dwelling
2 Burke Pl	Renovations	Single Detached Dwelling
223 Mundy Pond Rd	Extension	Single Detached Dwelling
23 Clearview St	Renovations	Single Detached Dwelling
289 Lemarchant Rd	Renovations	Single Detached Dwelling
31 Gillies Rd	Site Work	Swimming Pool/Hot Tub
33 Ballylee Cres	Renovations	Single Detached Dwelling
38 Johnson Cres	Fence	Fence
38 Johnson Cres	Accessory Building	Accessory Building
38 Johnson Cres	Deck	Patio Deck
38 Johnson Cres	Renovations	Single Detached Dwelling
39 Keane Pl	Change of Occupancy	Home Office
44 Ladysmith Dr	Fence	Fence
5 Goodridge St	Fence	Fence
5 Walsh's Sq	Renovations	Single Detached Dwelling
50 Hyde Park Dr	Fence	Fence
52 Claddagh Rd	New Construction	Townhousing
54 Claddagh Rd	New Construction	Townhousing
56 Claddagh Rd	New Construction	Townhousing
58 Claddagh Rd	New Construction	Townhousing

6 Lemarchant Rd	Site Work	Single Detached Dwelling
60 Claddagh Rd	New Construction	Townhousing
60 Mcniven Pl	Renovations	Single Detached Dwelling
61 Diamond Marsh Dr	Fence	Fence
62 Claddagh Rd	New Construction	Townhousing
65 Feild St	Extension	Semi Detached Dwelling
67 Wabush Pl	Renovations	Single Detached w/ apt.
68 Navajo Pl	Change of Occupancy/Renovations	Single Detached Dwelling
75 Golf Ave	Deck	Patio Deck
78 Bennett Ave	Fence	Fence
9 Cabot Ave	Site Work	Single Detached Dwelling
9 Galashiels Pl	Site Work	Swimming Pool/Hot Tub
98 Howlett's Line	Extension	Single Detached Dwelling

This Week: \$2,390,004.02

Commercial

Location	Permit Type	Structure Type
10 Messenger Dr	Renovations	Office
107 Bay Bulls Rd	Renovations	Apartment Building
107 Bay Bulls Rd	Renovations	Apartment Building
107 Bay Bulls Rd	Renovations	Apartment Building
107 Bay Bulls Rd	Renovations	Apartment Building
107 Bay Bulls Rd	Renovations	Apartment Building
107 Bay Bulls Rd	Renovations	Apartment Building
11 Major's Path	Accessory Building	Accessory Building
290 Lemarchant Rd	Change of Occupancy/Renovations	Mixed Use
301 Brookfield Rd	Site Work	Service Station
340 Water St	Change of Occupancy	Tavern
357 Main Rd	Renovations	Retail Store
40 Hamlyn Rd	Renovations	Mixed Use
40 Kenmount Rd	New Construction	Retail Store
48 Kenmount Rd	Sign	Retail Store
48 Kenmount Rd	Change of Occupancy	Retail Store
48 Kenmount Rd	Change of Occupancy/Renovations	Bank
515 Kenmount Rd	Accessory Building	Accessory Building
553 Torbay Rd	Sign	Eating Establishment
60 Eastland Dr	Sign	Other

602 Water St	Renovations	Mixed Use	
67 Lemarchant Rd	Site Work	Office	
			This Week: \$1,855,654.00

Government/Institutional			
Location	Permit Type	Structure Type	
			This Week: \$0.00

Industrial			
Location	Permit Type	Structure Type	
			This Week: \$0.00

Demolition			
Location	Permit Type	Structure Type	
59 Feild St	Demolition	Single Detached Dwelling	
			This Week: \$5,000.00
		This Week's Total:	\$4,250,658.02

<u>REPAIR PERMITS ISSUED:</u>	\$54,325.73
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NO REJECTIONS

YEAR TO DATE COMPARISONS			
January 11, 2021			
TYPE	2019	2020	% Variance (+/-)
Residential	\$48,878,935.73	\$51,613,048.87	6
Commercial	\$200,795,789.69	\$137,169,004.05	-32
Government/Institutional	\$4,724,650.00	\$804,490.10	-83
Industrial	\$1,812,266.07	\$3,000.00	-100
Repairs	\$2,375,933.50	\$3,446,479.63	66
TOTAL	\$258,587,574.99	\$193,036,022.65	-25
Housing Units (1 & 2 Family Dwelling)	139	159	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending December 16, 2020

Payroll

Public Works	\$ 548,166.94
---------------------	----------------------

Bi-Weekly Casual	\$ 34,146.99
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Accounts Payable	\$ 3,531,689.35
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(A detailed breakdown available [here](#))

Total:	\$ 4,114,003.28
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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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending December 23, 2020

Payroll

Public Works \$ 571,342.72

Bi-Weekly Administration \$ 778,598.27

Bi-Weekly Management \$ 877,993.47

Bi-Weekly Fire Department \$ 859,471.19

Accounts Payable \$ 2,408,703.34

(A detailed breakdown available [here](#))

Total: \$ 5,496,108.99

ST. JOHN'S

DEPARTMENT OF FINANCE

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending January 6, 2021

Payroll

Public Works \$ 536,611.94

Bi-Weekly Administration \$ 759,964.49

Bi-Weekly Management \$ 869,914.46

Bi-Weekly Fire Department \$ 886,153.24

Accounts Payable \$ 4,389,544.73

(A detailed breakdown available [here](#))

Total: \$ 7,442,188.86

ST. JOHN'S

DEPARTMENT OF FINANCE

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

BID APPROVAL NOTE

Bid #	2020175		
Bid Name	Community Services - Bussing for Recreation Programs		
Department	Community Services	Division	Recreation
Budget Code	7321, 7311, 7333, 7337, 7338, 7339 - 52124		
Source of Funding	<input checked="" type="radio"/> Operating <input type="radio"/> Capital <input type="radio"/> Multiyear Capital		
Purpose	The purpose of this open call is to provide transportation services to the afterschool, summer, senior and youth programs for the City of St. John's.		
Results	<input type="radio"/> As attached <input checked="" type="radio"/> As noted below		
	Vendor Name	Bid Amount	
	Executive Bus Limited	\$73,814.96	
	Newfound Cabs 2015 Inc.	\$102,203.73	
Expected Value	<input type="radio"/> As above <input checked="" type="radio"/> Value shown is an estimate only for a 1 year period. The City does not guarantee to buy any specific quantities or dollar value.		
Contract Duration	two (2) years with one (1) year extension		
Bid Exception	<input checked="" type="radio"/> None <input type="radio"/> Contract Award Without Open Call <input type="radio"/> Professional Services		
Recommendation	It is recommended to award this open call to the lowest bidder meeting specifications, Executive Bus Limited, for \$73,814.96 (HST not included) per year as per the Public Procurement Act.		
Supply Chain Buyer	Sherri Higgins		
Supply Chain Manager	Rick Squires <div style="font-size: small;"> Digitally signed by Rick Squires Date: 2020.12.15 11:08:40 -03'30' </div>	Date	December 15, 2020
Deputy City Manager*		Date	

*Only required for a bid exception (contract award without open call or professional services).

ST. JOHN'S

Result of E-Poll – December 15, 2020

2020175 - Community Services - Bussing for Recreation Programs

It is recommended to award this open call to the lowest bidder meeting specifications, Executive Bus Limited, for \$73,814.96 (HST not included) per year as per the Public Procurement Act.

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

BID APPROVAL NOTE

Bid # and Name: 2020189 – Supply and Delivery of Leather Work Boots
Date Prepared: Thursday, January 7, 2021
Report To: Regular Meeting
Councillor and Role: Councillor Dave Lane, Finance & Administration
Ward: N/A

Department: Finance and Administration
Division: Supply Chain
Quotes Obtained By: Jessica Squires
Budget Code: Charged to various user operating budgets as required
Source of Funding: Operating

Purpose:

To provide leather work boots to City employees. These items will be stocked in the City's central stores to ensure accessibility on an as required basis.

Results: ☒ As attached ☐ As noted below

Vendor Name	Bid Amount

Expected Value: ☐ As above
☒ Value shown is an estimate only for a 1 year period. The City does not guarantee to buy specific quantities or dollar value.

Contract Duration: 2 years, with option to extend for an additional two 1-year terms

Bid Exception: None

Recommendation:

That Council award open call 2020189 – Supply and Delivery of Leather Work Boots, to the lowest bidder meeting the specifications, Campbell's Ship Supplies for \$90,089.88 (including HST), as per the Public Procurement Act.

Attachments:

Attachment for council1.pdf

ST. JOHN'S

Report Approval Details

Document Title:	2020189 - Supply and Delivery of Leather Work Boots.docx
Attachments:	- Attachment for council1.pdf
Final Approval Date:	Jan 7, 2021

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

Rick Squires - Jan 7, 2021 - 10:23 AM

Derek Coffey - Jan 7, 2021 - 10:30 AM

Table 1 - Appendix C - Leather Work Boots		
Campbell's Ships Supplies	Submission 1	<u>\$90,089.88</u>
Source Atlantic Ltd	Submission 1	\$90,333.40
Source Atlantic Ltd	Submission 2	\$94,034.79
Rock Safety Industrial Ltd.	Submission 2	\$91,560.70
Rock Safety Industrial Ltd.	Submission 1	\$96,430.95
Vallen Canada Inc	Submission 1	\$103,492.81
Spartan Industrial Marine Ltd.	Submission 2	\$104,505.82
Spartan Industrial Marine Ltd.	Submission 1	\$106,424.70
NORTH ATLANTIC SUPPLIES	Submission 1	\$105,733.13
Work Authority	Submission 1	\$115,911.95
Bellman's Industrial Supply	Submission 1	\$121,025.71
Derks Formal LTD.	Submission 1	\$122,145.87
Canadian Linen	Submission 1	\$155,838.26

DECISION/DIRECTION NOTE

Title: Ratification of E-Poll – Local Board of Appeal Membership

Date Prepared: January 5, 2021

Report To: Regular Meeting of Council

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

Ward: N/A

Decision/Direction Required:

To ratify an e-poll confirming membership on the Local Board of Appeal.

Discussion – Background and Current Status:

Given the end-of-term for two members of the Local Board in October 2020, solicitation for two new members took place resulting in a slate of interested persons. The deadline for receipt of applications was November 20, 2020.

Recognizing that an appeal was scheduled on January 12, 2021, staff prepared a selection matrix and conducted an e-poll over the Christmas season seeking approval of two new members.

The following members of Council participated in the e-poll:

- Danny Breen
- Sheilagh O’Leary
- Sandy Hickman
- Shawn Skinner
- Deanne Stapleton
- Jamie Korab
- Wally Collins
- Dave Lane

Resulting from that e-poll, the following two people were recommended: Renee Dyer and Nick Summers

Key Considerations/Implications:

1. Budget/Financial Implications: N/A

2. Partners or Other Stakeholders: Local Board of Appeal is appointed by Council.
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications: St. John's Development Regulations governs the Local Board of Appeal
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: Solicitation for members through several media platforms.
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications:

Recommendation:

That Council ratify its decision to appoint Renee Dyer and Nick Summers to the City of St. John's Local Board of Appeal effective immediately.

Report Approval Details

Document Title:	Ratification of E-Poll - Local Board of Appeal Membership.docx
Attachments:	
Final Approval Date:	Jan 5, 2021

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

Karen Chafe - Jan 5, 2021 - 12:55 PM

Elaine Henley - Jan 5, 2021 - 1:08 PM

DECISION/DIRECTION NOTE

Title: Temporary Bump-outs / Intersection of Ladysmith and Kiwanis

Date Prepared: December 17, 2020

Report To: Special Meeting of Council

Councillor and Role: Ian Froude, Transportation/Regulatory Services & Sustainability

Ward: Ward 4

Decision/Direction Required:

Seeking approval for the temporary bump-outs at the intersection of Ladysmith Drive and Kiwanis Street to remain in place until the permanent bump-outs are constructed.

Discussion – Background and Current Status:

There have been some concerns expressed from the residents in Kenmount Terrace about the bump-outs at the intersection of Ladysmith Drive and Kiwanis Street, including asking for their removal.

The temporary curb extensions (bump-outs) were installed as part of the pilot project for the crosswalk at this location. At the Regular Meeting of Council held March 30, 2020, the results of the pilot project were provided to Council for consideration and included concerns from the area residents. At that meeting, Council approved making this crosswalk and bump-outs permanent installations. The temporary configuration was to remain in place until the permanent installation could occur and as such, it is included on the list of capital projects for consideration in 2021. Much of the negative feedback received at that time is similar to the recent complaints.

Staff feel these bump-outs improve safety at the crosswalk by reducing the speed of vehicles and reducing the crossing distance that pedestrians are exposed to vehicles. There has been reference made by residents about the potential of painting the roadway rather than keeping the bump-outs. The paint does not offer the same level of protection as a physical barrier and while it may look nice when freshly painted, there is concern about its effectiveness when the paint fades or is snow-covered. Staff feel that concerns about the current temporary extensions creating an unsafe situation are perception rather than the reality of how this area functions and would never have proposed this solution if it was felt it would minimize safety.

It is relevant to note that the temporary bump-outs have been in place for the past two winters with no real issues and the occasional call for maintenance has been completed as received.

Temporary Bump-outs / Intersection of Ladysmith and Kiwanis

While the staff did recommend that the crosswalk is not warranted, Council voted for it to remain and as such the bump-outs are needed as they go hand in hand. The bump-outs provide an increased level of safety for pedestrians using this crosswalk. If the City was to remove the bump-outs for the winter, it would effectively make the crosswalk less safe until such time that they are reinstated in the spring. Staff acknowledge that the bump-outs are inconvenient for vehicles as that is part of their intended function.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders:
 - Pedestrians and Drivers
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 for the temporary bump-outs at the intersection of Ladysmith Drive and Kiwanis Street to remain in place until the permanent bump-outs are constructed.

Prepared by:

Approved by:

Report Approval Details

Document Title:	Temporary Bump-outs at Intersection of Ladysmith and Kiwanis.docx
Attachments:	
Final Approval Date:	Jan 6, 2021

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

Scott Winsor - Jan 5, 2021 - 1:59 PM

Jason Sinyard - Jan 6, 2021 - 11:53 AM

DECISION/DIRECTION NOTE

Title: 138 Ladysmith Drive, Adoption MPA2000007

Date Prepared: January 4, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 4

Decision/Direction Required:

Following provincial release of the proposed amendment for 138 Ladysmith Drive, Council may proceed and adopt St. John's Municipal Plan Amendment Number 156, 2021 and St. John's Development Regulations Amendment Number 712, 2021.

Discussion – Background and Current Status:

The City has received an application from RTO Capital Inc. for three (3) Townhouses at 138 Ladysmith Drive. The properties are zoned Residential Narrow Lot (RNL) where the only housing form permitted is a Single Detached Dwelling containing only 1 Dwelling Unit. The applicant has asked to rezone the property to the Apartment Medium Density (A2) Zone which allows Townhousing as a Permitted Use. A Municipal Plan amendment is also required.

The property is designated Residential Low Density under the St. John's Municipal Plan. An amendment is required to re-designate this property to Residential Medium Density in order to consider the A2 Zone. From Sections 1.2.2 and 1.2.3 of the Municipal Plan, the City shall encourage increased density in all areas where appropriate and encourage a compatible mix of residential buildings of varying densities in all zones. The three Townhouses would slightly increase the density of this area while being compatible with the adjacent A2 and RNL Zones. The applicant is proposing two-storey Townhouses. From Section 2.3.2 of the Municipal Plan, the Residential Medium Density District can allow up to three storeys, therefore a Land Use Assessment Report is not required. The proposed Floor Area Ratio (FAR) is less than 1.0 for each Townhouse and permitted within the RMD District.

At its regular meeting on October 26, 2020, Council decided to proceed with the proposed amendments and asked that the NL Department of Environment, Climate Change and Municipalities issue a provincial release for the amendments. The release has now been issued for St. John's Municipal Plan Amendment Number 156, 2021 and St. John's Development Regulations Amendment Number 712, 2021. It is now in order for Council to proceed with the next steps in the amendment process which include adoptions and setting the date of a Public Hearing. Should the application proceed to a Public Hearing, if no objections to the amendment are received up to two days prior to the Hearing, Council may cancel the Hearing.

ST. JOHN'S

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
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: Map amendments to the St. John's Municipal Plan and Development Regulations are required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: If adopted, a Public Hearing will be advertised in accordance with the St. John Development Regulations and the Urban and Rural Planning Act, 2000.
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 the attached resolutions for St. John's Municipal Plan Amendment Number 156, 2021 and St. John's Development Regulations Amendment Number 712, 2021, and appoint Mr. Glenn Barnes, NLAA, MRAIC, a member of the City's commissioner list, to conduct a virtual Public Hearing on the proposed amendments. The proposed date for the Public Hearing is Thursday, February 4, 2021, at 7 p.m.

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:	138 Ladysmith Drive, Adoption MPA2000007.docx
Attachments:	- 138 Ladysmith Drive - Attachments - Adoption.pdf
Final Approval Date:	Jan 7, 2021

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

Ken O'Brien - Jan 6, 2021 - 4:34 PM

Jason Sinyard - Jan 7, 2021 - 10:12 AM



SUBJECT PROPERTY

A2

O

146A

146

144

RNL

142

138

136

134

132

RK

LADYSMITH DR

147

RK

143

141

200

CITY OF ST. JOHN'S

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

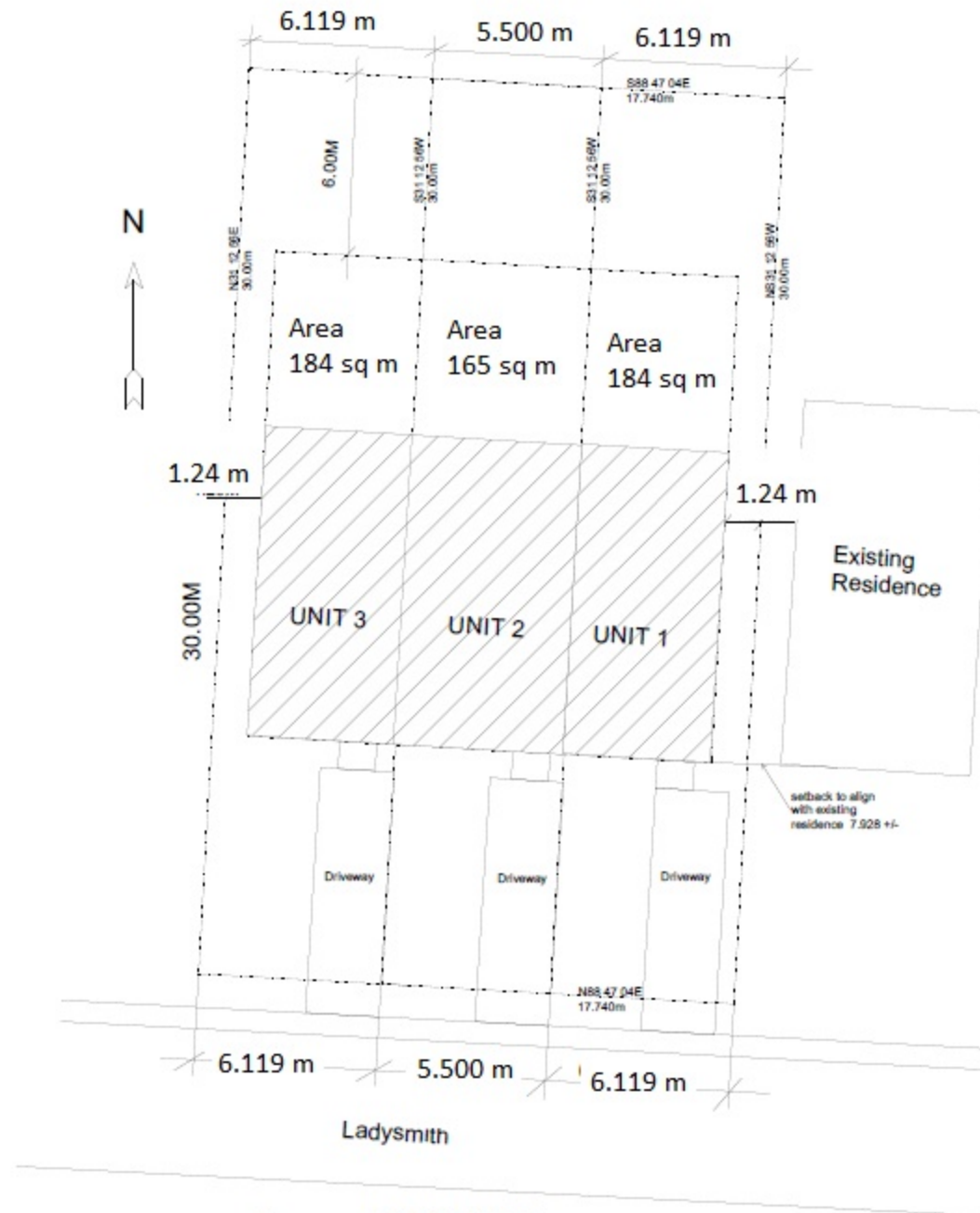


Proposed Townhomes Elevation 138 Ladysmith Drive

www.rjrober
designplanning.ca
709- 753 8169

Proposed Plot Plan
138 Ladysmith Drive

date July 2 2020	drawn by rjr	S- 2 202
project		



Proposed PLOT PLAN
Townhouses 138 Ladysmith Drive

1:200

www.rjroberts
designplanning.ca

709- 753 8169

Proposed Plot Plan
138 Ladysmith Drive

date July 2 2020	drawn by rjr	208-1
project		

RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 156, 2021

WHEREAS the City of St. John's wishes to allow the development of three (3) Townhouses at 138 Ladysmith Drive.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act:

Redesignate land at 138 Ladysmith Drive [Parcel ID# 404650] from the Residential Low Density (RLD) Land Use District to the Residential Medium Density (RMD) Land Use District as shown on Map III-1A attached.

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 _____, 2021.

Mayor

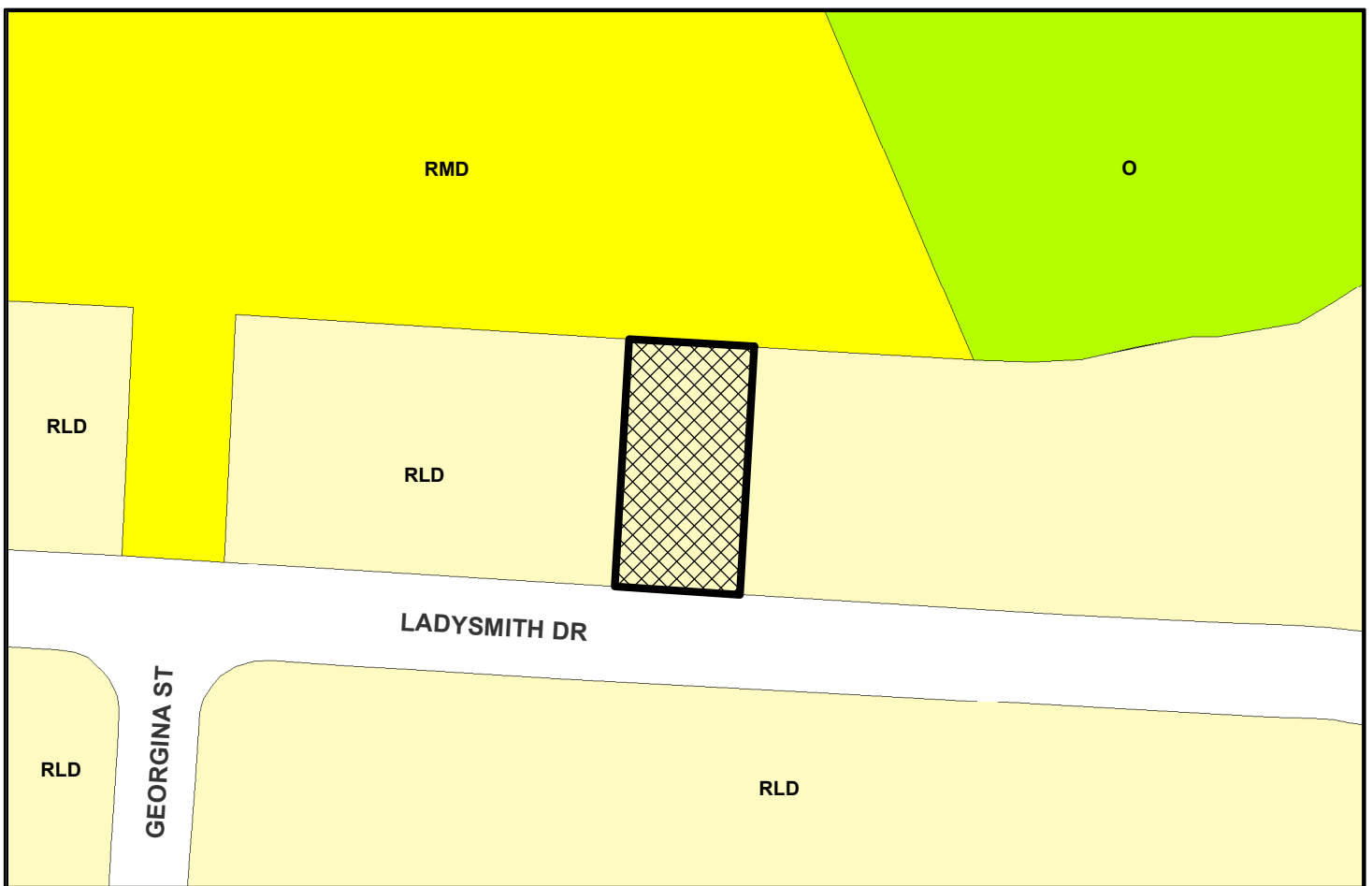
MCIP

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

City Clerk

Council Adoption

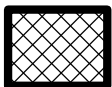
Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 156, 2021
[Map III-1A]**

2020 10 20 Scale: 1:1000
City of St. John's
Department of Planning, Development
& Regulatory Services

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



**AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT TO
RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT**

**138 LADYSMITH DRIVE
Parcel ID 404650**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 712, 2021

WHEREAS the City of St. John's wishes to allow the development of three (3) Townhouses at 138 Ladysmith Drive.

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

Rezone land at 138 Ladysmith Drive [Parcel ID# 404650] from the Residential Narrow Lot (RNL) Zone to the Apartment Medium Density (A2) Zone as shown on Map Z-1A attached.

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 _____, 2021.

Mayor

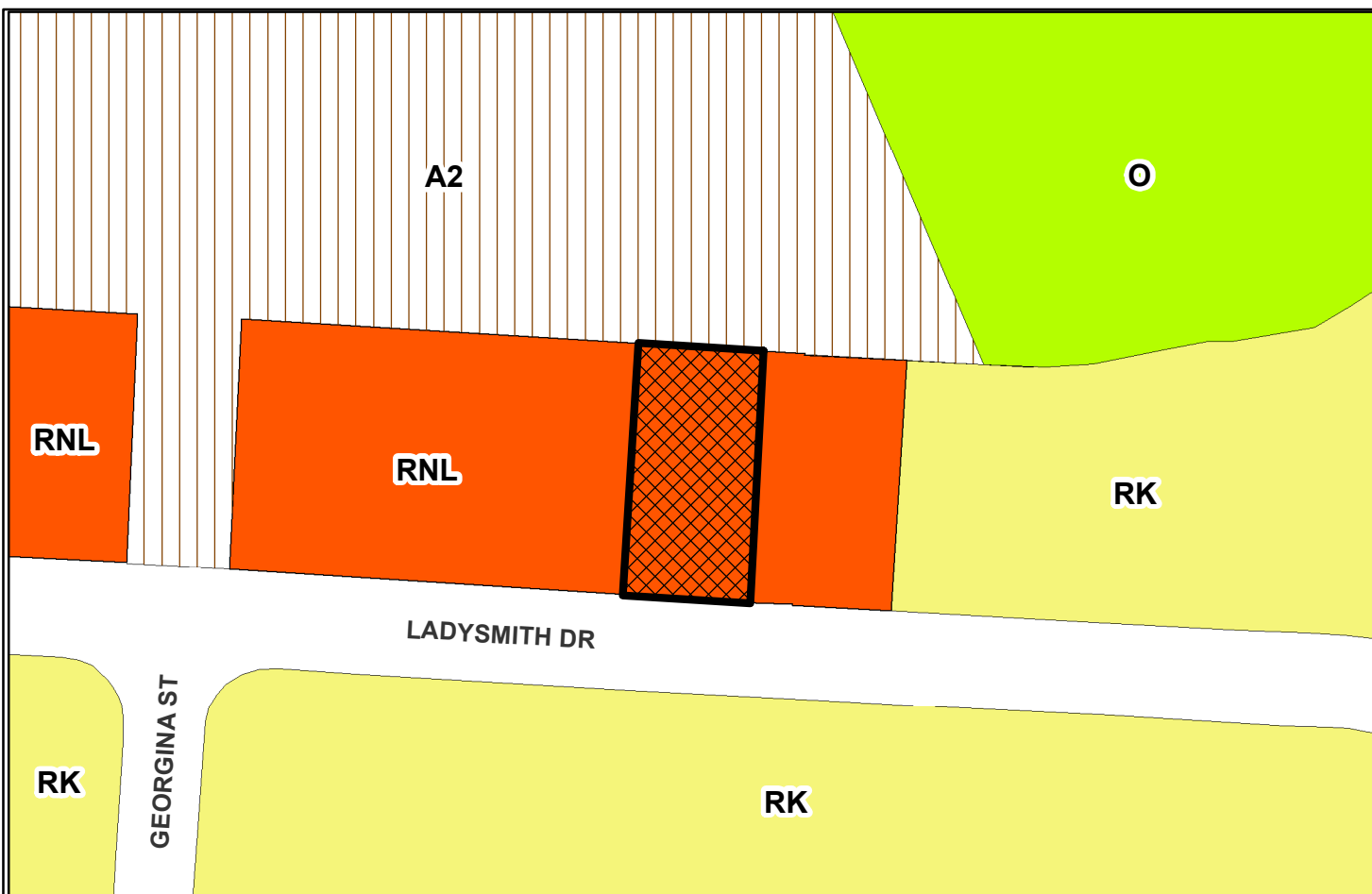
MCIP

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



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 712, 2021
[Map Z-1A]**

2020 10 20 Scale: 1:1000
City of St. John's
Department of Planning, Development
& Regulatory Services

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



**AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL NARROW LOT (RNL) LAND USE ZONE
TO APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE**

**138 LADYSMITH DRIVE
Parcel ID 404650**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

DECISION/DIRECTION NOTE

Title: Stormwater Detention Requirement in LUAR Terms of Reference

Date Prepared: January 5, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: N/A

Decision/Direction Required:

To update the stormwater detention wording in the Land Use Assessment Report (LUAR) Terms of Reference for 5 & 7 Little Street (MPA2000003), 6 Lambe's Lane (MPA2000005) and 314-316 LeMarchant Road (MPA2000008).

Discussion – Background and Current Status:

Incorrect wording was used to refer to the stormwater detention requirements in recent Land Use Assessment Report (LUAR) Terms of Reference for 3 applications:

- 5 & 7 Little Street (proposed personal care home)
- 6 Lambe's Lane (proposed student apartment buildings)
- 314-316 LeMarchant Road (proposed apartment building)

The wording used in the Terms of Reference written by City staff and adopted by Council referred to the 10-year climate-change rainfall. This is used for developments where stormwater detention is not required (for example, on sites that were previously developed, located downtown). However, the 3 sites noted above either require stormwater detention or additional information on how stormwater will be managed.

Staff have advised the 3 applicants that their developments are subject to the City's stormwater detention policy. So far, only the applicant for Little Street has submitted their LUAR for staff review. Since the LUAR Terms of Reference are voted on by Council, the correction must also be voted by Council.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: The applicants for each site.
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.

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4. Legal or Policy Implications: Not applicable.
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 update the “Municipal Services” section of the Land Use Assessment Report Terms of Reference for 5 & 7 Little Street and 6 Lambe’s Lane to remove reference to the 10-year climate-change rainfall and replace it with the following: “The proposed development will be required to comply with the City’s stormwater detention policy. Provide information on how on-site stormwater detention will be managed.”

Further, than Council update the “Municipal Services” section of the Land Use Assessment Report Terms of Reference for 314-316 LeMarchant Road to remove reference to the 10-year climate-change rainfall and replace it with the following: “The proposed development will be required to comply with the City’s stormwater detention policy. Provide information on how stormwater will be managed on the site.”

Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design and Heritage
Approved by: Ken O’Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	Stormwater Detention Requirement in LUAR Terms of Reference.docx
Attachments:	
Final Approval Date:	Jan 7, 2021

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

No Signature - Task assigned to Ken O'Brien was completed by workflow administrator Maureen Harvey

Ken O'Brien - Jan 7, 2021 - 3:11 PM

No Signature - Task assigned to Jason Sinyard was completed by workflow administrator Maureen Harvey

Jason Sinyard - Jan 7, 2021 - 3:14 PM

Result of E-Poll – January 5, 2020

Stormwater Detention Requirement in LUAR Terms of Reference

That Council update the “Municipal Services” section of the Land Use Assessment Report Terms of Reference for 5 & 7 Little Street and 6 Lambe’s Lane to remove reference to the 10-year climate-change rainfall and replace it with the following: “The proposed development will be required to comply with the City’s stormwater detention policy. Provide information on how on-site stormwater detention will be managed.”

Further, than Council update the “Municipal Services” section of the Land Use Assessment Report Terms of Reference for 314-316 LeMarchant Road to remove reference to the 10-year climate-change rainfall and replace it with the following: “The proposed development will be required to comply with the City’s stormwater detention policy. Provide information on how stormwater will be managed on the site

Councillor	Agree	Disagree	Did Not Vote
Mayor Breen	X		
Deputy Mayor O’Leary	X		
Councillor Burton			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

Title: 42-52 Diamond Marsh Drive, Adoption MPA2000002

Date Prepared: January 5, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 5

Decision/Direction Required:

Following provincial release of the proposed amendment for 42-52 Diamond Marsh Drive, Council may proceed and adopt St. John's Municipal Plan Amendment Number 155, 2021 and St. John's Development Regulations Amendment Number 711, 2021.

Discussion – Background and Current Status:

City staff have recommended that Council consider a rezoning from the Open Space (O) Zone to the Residential Low Density (R1) Zone at 42-52 Diamond Marsh Drive to accommodate development of six (6) Single-detached Dwellings. As the Open Space Zone does not include Single-detached Dwellings as a use, a rezoning is required. A Municipal Plan amendment is also required.

During the original rezoning for the Diamond Marsh subdivision, land at 42-52 Diamond Marsh Drive was zoned Open Space to retain it for a proposed playground. During the development approval stage, the land at 42-52 Diamond Marsh Drive was mistakenly proposed as building lots and the subdivision approved as such, inadvertently overlooking the zoning. Water and sewage services have been installed to the lots. This rezoning is proposed to accommodate the lots.

Council referred the application to the City's Environment and Sustainability Experts Panel. The minutes from the October 23, 2020 meeting are attached for Council's review. After considerable discussion, members concluded that they agree with the recommendation and requested that staff review considerations made by the committee.

A Panel member raised concerns about length of two parcels located at 42 and 44 Diamond Marsh Drive. They felt that having the lot extend past a standard size would unnecessarily encroach the forest area. In this case, land ownership determined the shape of the parcels of land. The Development Regulations do not set a maximum length of lot, and the City would avoid approving a subdivision that would landlock a parcel at the rear of a lot. Further, if the Open Space zone was retained at the rear of the lot, it would be difficult for the City to enforce people keeping the trees in their own back yards and the Open Space zone would still permit the development of Accessory Buildings.

ST. JOHN'S

The Panel agreed that considerations should include:

- Ensuring that the space provided in-leu accommodates an adequate and equivalent recreational space for the neighbourhood.
- Ensuring the rock line ditch in the open space that is being provided in leu of these two lots can handle stormflow and/or ensure this is remedied during development of the playground.
- That public review and comment is sought after for the neighbourhood to ensure the space fits their needs.

To replace the planned playground for this neighbourhood, Fairview Investments Inc. will sign an agreement with the City to use land west of 15 Bulrush Avenue which is already zoned Open Space (see attached aerial photo). Details of the agreement, including a survey of the property and any other requirements, are to be determined. The parcel of land is wet in some areas but has room for a playground. Initial site preparation may be part of the agreement. Should Council decide to proceed with the attached amendment, the agreement confirms that open space land for a playground will be available to the residents of this neighbourhood.

At its regular meeting on October 26, 2020, Council decided to proceed with the proposed amendments and requested that the Department of Environment, Climate Change and Municipalities issue a provincial release for the amendments. Provincial release has now been issued for St. John's Municipal Plan Amendment Number 155, 2021 and St. John's Development Regulations Amendment Number 711, 2021. It is now in order for Council to proceed with the next steps in the amendment process.

Should the application proceed to a Public Hearing, if no objections to the amendment are received up to two days prior to the Hearing, Council may cancel the Public Hearing.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
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: Map amendments to the St. John's Municipal Plan and Development Regulations are required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: If adopted, a Public Hearing will be advertised in accordance with the St. John Development Regulations and the Urban and Rural Planning Act, 2000.

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 the attached resolutions for St. John's Municipal Plan Amendment Number 155, 2021 and St. John's Development Regulations Amendment Number 711, 2021, and appoint Mr. Cliff Johnston, MCIP, a member of the City's commissioner list, to conduct a virtual Public Hearing on the proposed amendments. The proposed date for the Public Hearing is Wednesday, February 3, 2021, at 7 p.m.

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:	42-52 Diamond Marsh Drive, Adoption MPA2000002.docx
Attachments:	- 42-52 Diamond Marsh Drive Attachments - Adoption.pdf
Final Approval Date:	Jan 7, 2021

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

No Signature - Task assigned to Ken O'Brien was completed by workflow administrator Maureen Harvey

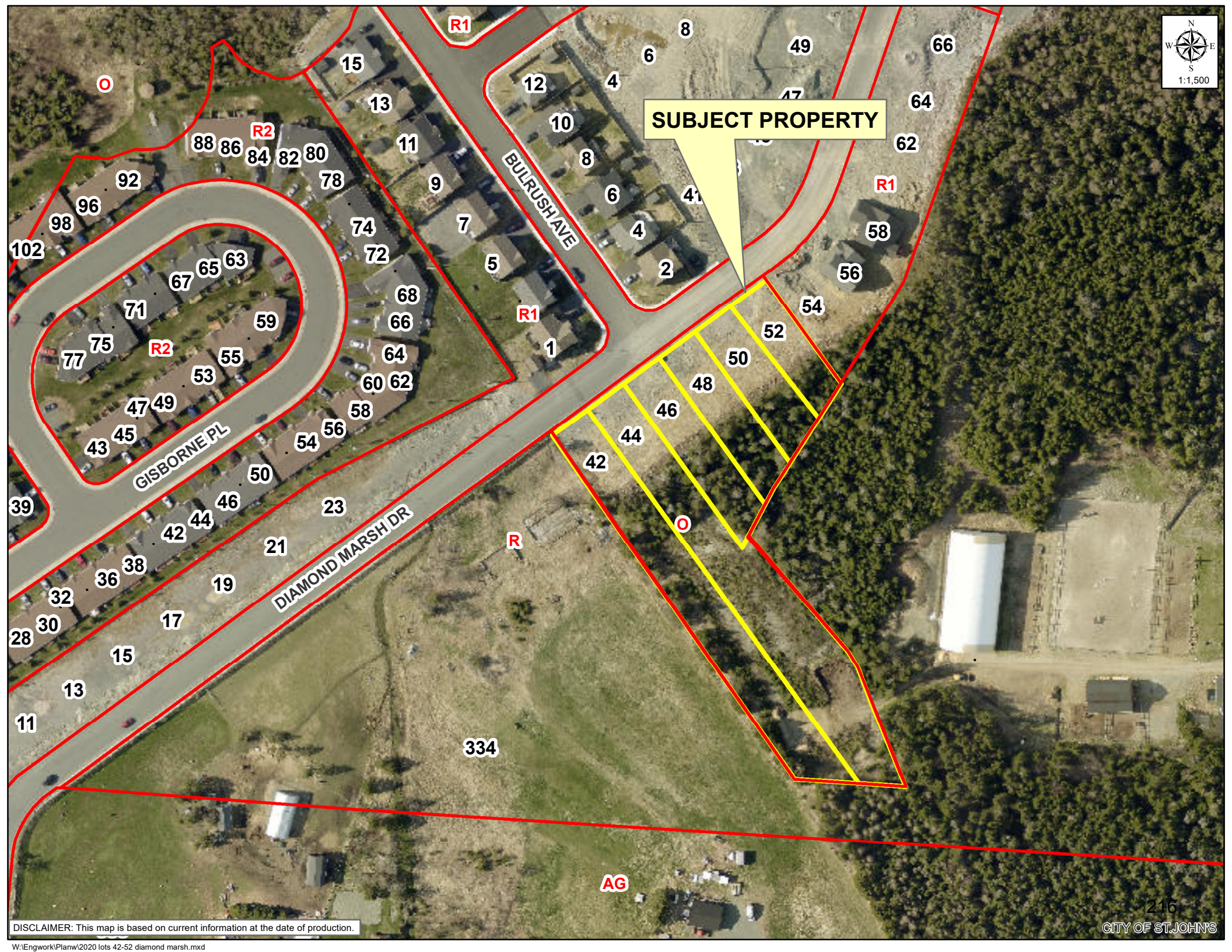
Ken O'Brien - Jan 7, 2021 - 8:37 PM

No Signature - Task assigned to Jason Sinyard was completed by workflow administrator Maureen Harvey

Jason Sinyard - Jan 7, 2021 - 8:37 PM

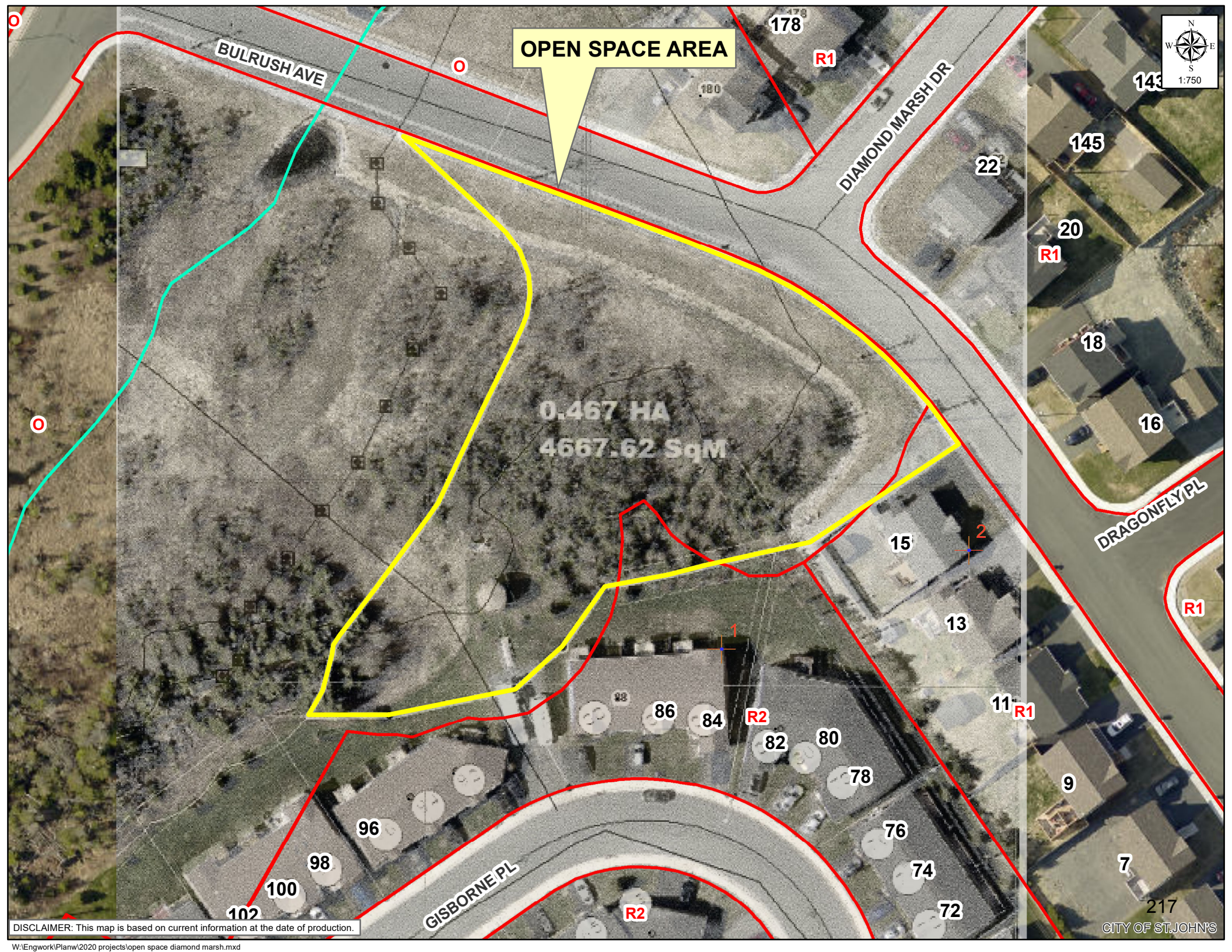


SUBJECT PROPERTY



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

W:\Engwork\Planw\2020 lots 42-52 diamond marsh.mxd



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

MOTION CARRIED

3. ADOPTION OF THE MINUTES

3.1 Adoption of Minutes - September 25, 2020

Moved By Kieran Hanley

Seconded By Joel Finnis

That the minutes of the meeting held on September 25, 2020 be adopted as presented.

MOTION CARRIED

4. BUSINESS ARISING

4.1 Newfoundland Power Potential Study and Other Electrification Efforts

Krista Langthorne and Steph Daley of Newfoundland Power presented to the Panel on the Electrification, Conservation and Demand Management Plan: 2021-2025. Mike Adam, Operations Supervisor of Parks, and Marianne Alacoque, Transportation System Engineer were in attendance for this presentation. The plan will be submitted to the Public Utilities Board and more information will be released in 2021 as part of a program launch. The Panel was invited to advise of funding agency recommendations for potential partnerships.

5. NEW BUSINESS

5.1 42-52 Diamond Marsh Drive - MPA2000002

Please see link to [Development Regulations](#)

At the Regular meeting of September 28, Council voted in favor of considering the rezoning of land at 42-52 Diamond Marsh Drive from the Open Space (O) Zone to the Residential Low Density (R1) Zone and to advertise the application for public review and comment. This application was referred to the Environment and Sustainability Experts Panel for review. Ken O'Brien, Chief Municipal Planner and Ann-Marie Cashin, Planner were in attendance for this portion of the meeting and presented an overview of the application to the Panel.

The Panel was advised of the development process and were provided background on the recommendation from staff. It was noted that a Municipal Plan amendment is required for this application which provides a second opportunity for the public to provide comment via a commissioners public hearing.

During the original rezoning for the Diamond Marsh subdivision, land at 42-52 Diamond Marsh Drive was zoned Open Space to retain it for a proposed playground. During the development approval stage, the land at 42-52 Diamond Marsh Drive was proposed as building lots and the subdivision was approved as such, inadvertently overlooking the zoning. Water and sewage services have been installed to the lots. This rezoning is proposed to accommodate the lots.

In return, the developer, Fairview Investments Inc., will enter into an agreement with the City to use land west of 15 Bulrush Avenue (see attached map appended to the agenda) for open space requirements for the Diamond Marsh subdivision. Details of the agreement, including a survey of the property and any other requirements, are to be determined. The land is already zoned Open Space (O). The parcel of land is wet in some areas but has room for a playground. Initial site preparation may be part of the agreement. The usable space is comparable to that of the Diamond Marsh space.

There are no development or engineering concerns with the six building lots at 42-52 Diamond Marsh Drive. The building lots at 42 and 44 Diamond Marsh Drive have back yards much deeper than the neighboring properties to prevent leaving a land-locked parcel there. A Panel member felt there is no justification to extending the parcels further than the standard size and encroaching on forest area. Members were advised that land ownership determined the size and shape of the parcels of land. Keeping part of the land zoned as Open Space can be problematic.

During discussion of the proposed new Open Space area, concern was raised about the rock line ditch to handle stormflow and how that would be remedied during development. It was agreed that stormwater management should be considered in the design.

The Panel agreed that considerations should include:

- Ensuring that the space provided in-leu accommodates an adequate and equivalent recreational space for the neighbourhood.

- Ensuring the rock line ditch in the open space that is being provided in-leu of these two lots can handle stormflow and/or ensure this is remedied during development of the playground.
- That public review and comment is sought after for the neighbourhood to ensure the space fits their needs.

The Panel was advised there is an adoption in principal on the agenda for the Regular Council meeting on October 26, 2020.

After considerable discussion, members concluded that they agree with the recommendation and requests that staff review considerations made by the committee. This matter will now be referred via PERS to Council.

5.2 Community Energy Transition Economic Analysis

At the Regular meeting of October 13, Council voted to support the development of a Community Energy Transition Model to inform the economic perspectives of the Resilient St. John's Climate Plan. The Sustainability Coordinator provided a brief overview to the Panel of the Energy Transition Economic Study for review and feedback. A request for public feedback and early engagement was released via the engagestjohns.ca page. Members will provide feedback via email.

6. OTHER BUSINESS

6.1 Clarifications of ESEP Terms of Reference

At a previous meeting of the Panel, the question was raised concerning the limits of the mandate of the Environment and Sustainability Experts Panel. After review, it was determined that the Terms of Reference establishes that the role of the ESEP is:

- To provide expert opinion to ensure Council makes informed decisions, on items referred by Council, with regards to the environment and sustainability.
- Review of development or re-development applications when referred by Council (based on environmental requirements).
- Supporting the development and later the implementation of the Sustainability Plan.

The method is through providing recommendations and evidence on best practices to enable evidence-based decision making.

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 155, 2021**

WHEREAS the City of St. John's wishes to allow the development of six (6) Single-detached Dwellings at 42-52 Diamond Marsh Drive.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act:

Redesignate land at 42-52 Diamond Marsh Drive [Parcel ID# 404149, 404150, 404151, 404152, 404153, & 404154] from the Open Space (O) Land Use District to the Residential Low Density (RLD) Land Use District as shown on Map III-1A attached.

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 _____, 2021.

Mayor

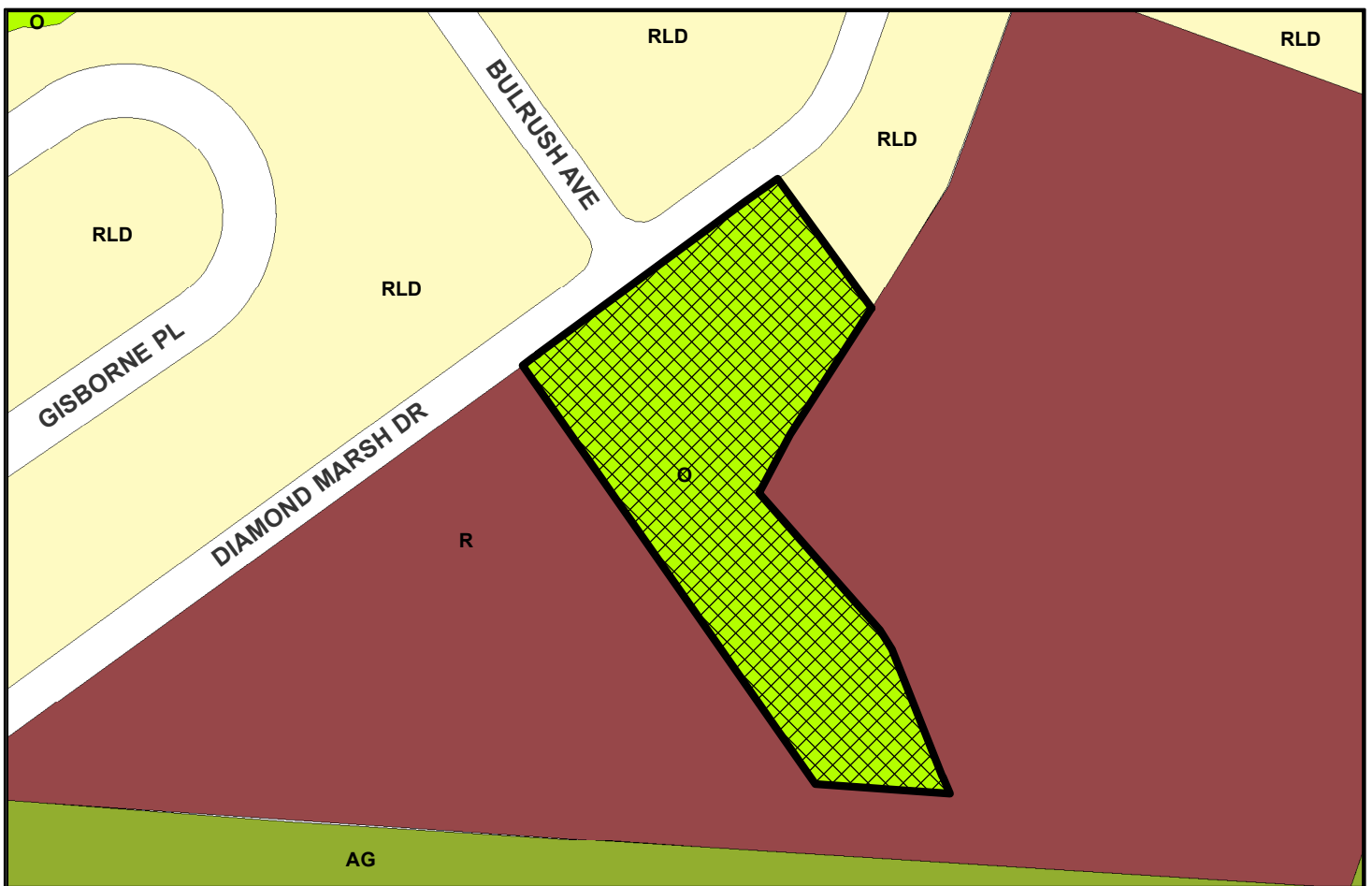
MCIP

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

City Clerk

Council Adoption

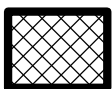
Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 155, 2021
[Map III-1A]**

2020 10 20 Scale: 1:2000
City of St. John's
Department of Planning, Development
& Regulatory Services

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



AREA PROPOSED TO BE REDESIGNATED FROM
OPEN SPACE (O) LAND USE DISTRICT TO
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT

**42-52 DIAMOND MARSH DR
Parcel IDs 404149, 404150, 404151
404152, 404153, 404154**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 711, 2021

WHEREAS the City of St. John's wishes to allow the development of six (6) Single-detached Dwellings at 42-52 Diamond Marsh Drive.

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

Rezone land at 42-52 Diamond Marsh Drive [Parcel ID# 404149, 404150, 404151, 404152, 404153, & 404154] from the Open Space (O) Zone to the Residential Low Density (R1) Zone as shown on Map Z-1A attached.

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 _____, 2021.

Mayor

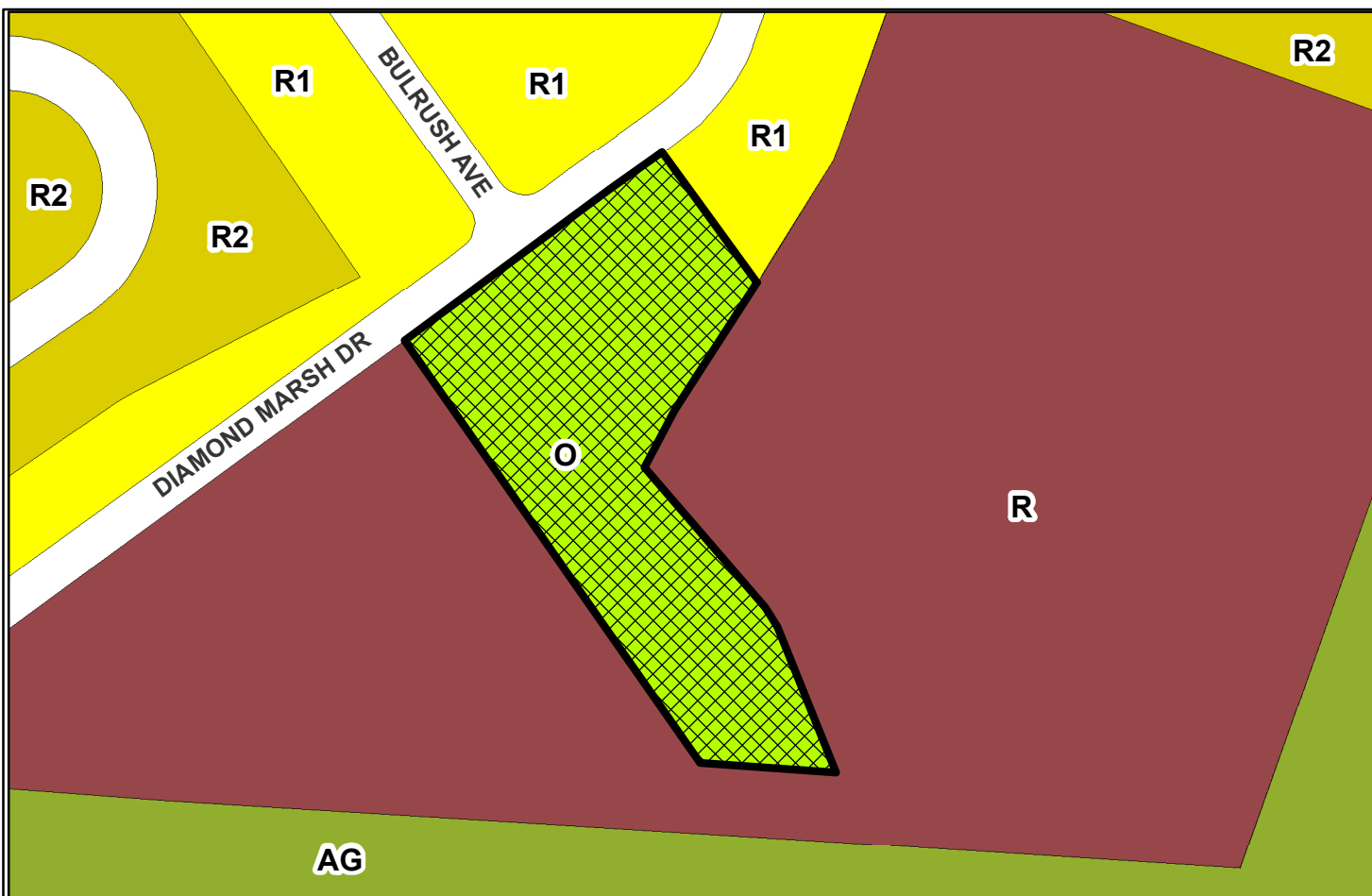
MCIP

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



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 711, 2021
[Map Z-1A]**

2020 10 20 Scale: 1:2000
City of St. John's
Department of Planning, Development
& Regulatory Services

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



AREA PROPOSED TO BE REZONED FROM
OPEN SPACE (O) LAND USE ZONE TO
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE

**42-52 DIAMOND MARSH DR
Parcel IDs 404149, 404150, 404151
404152, 404153, 404154**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

DECISION/DIRECTION NOTE

Title: Collective Agreement – City of St. John's and NAPE Local 7808

Date Prepared: December 16, 2020

Report To: Regular Meeting of Council

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

Ward: N/A

Decision/Direction Required:

Seeking approval from Council to ratify the Collective Agreement between the City and NAPE Local 7808 for the period of July 1, 2018 to June 30, 2022.

Discussion – Background and Current Status:

The City reached a tentative agreement with NAPE Local 7808 on December 20, 2020 and is now seeking ratification by Council.

The terms of the agreement are noted below:

Tentative Agreement – City of St. John's and NAPE Local 7808	
Duration	4 years
General Increase	0%, 0%, 0%, 0%
Severance	a) No further accrual for employees hired after March 30, 2020 b) One-time payout option for severance accrued up to December 31, 2019
Signing Bonus	\$1,000

Key Considerations/Implications:

1. Budget/Financial Implications:
 - The estimated cost of paying out the signing bonus to NAPE 7808 employees is approximately \$13,250.
 - With respect to the severance deal, while there will be savings, it is extremely difficult to quantify this amount. It will be influenced by the number of employees who take a payout, the amount of the payout, and the future salary growth rates for the remaining service life of the employees. The proposed deal does, however, cap the pool of employees eligible to accrue severance pay which will eliminate the severance expense for the City in the long run.

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2. Partners or Other Stakeholders:
 - Employees of NAPE Local 7808
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 ratify the Collective Agreement between the City of St. John's and NAPE Local 7808 for the period of July 1, 2018 to June 30, 2022.

Report Approval Details

Document Title:	Collective Agreement - City of St. John's and NAPE Local 7808.docx
Attachments:	
Final Approval Date:	Jan 7, 2021

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

No Signature - Task assigned to Sarah Hayward was completed by workflow administrator Maureen Harvey

Sarah Hayward - Jan 7, 2021 - 8:38 PM

No Signature - Task assigned to Derek Coffey was completed by workflow administrator Maureen Harvey

Derek Coffey - Jan 7, 2021 - 8:38 PM