

ST. JOHN'S

Committee of the Whole Agenda

January 27, 2021

9:30 a.m.

4th Floor City Hall

Pages

1. Call to Order
2. Approval of the Agenda
3. Adoption of the Minutes
 - 3.1. Adoption of Minutes - January 13, 2021 3
4. Presentations/Delegations
5. Finance & Administration - Councillor Shawn Skinner
6. Public Works - Councillor Sandy Hickman
 - 6.1. Non-Profit Housing Capital Improvements – Funding Approval 8
7. Community Services - Councillor Jamie Korab
 - 7.1. Membership for the Inclusion Advisory Committee (IAC) 11
8. Special Events - Councillor Shawn Skinner
9. Housing - Deputy Mayor Sheilagh O'Leary
10. Economic Development - Mayor Danny Breen
11. Tourism and Culture - Councillor Debbie Hanlon
12. Governance & Strategic Priorities - Mayor Danny Breen
 - 12.1. Final Report – Ward 2 By-Election 14
13. Planning & Development - Councillor Maggie Burton

13.1.	58 Arnold Loop - Interpret Zone Boundary - INT2100002	34
13.2.	Galway Decorative Lights	38
14.	Transportation and Regulatory Services & Sustainability - Councillor Ian Froude	
15.	Other Business	
16.	Adjournment	

ST. JOHN'S

Minutes of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

January 13, 2021, 9:00 a.m.

Present: Mayor Danny Breen
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: Deputy Mayor Sheilagh O'Leary

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
Elaine Henley, City Clerk
Maureen Harvey, Legislative Assistant

Others Victoria Etechegary, Manager of Organizational Performance and Strategy
Shelley Traverse, Communications and PR Officer

-
1. **Call to Order**
 2. **Approval of the Agenda**

Recommendation

Moved By Councillor Skinner

Seconded By Councillor Froude

That the agenda be adopted as presented.

MOTION CARRIED

3. Adoption of the Minutes

3.1 Adoption of Minutes - December 9, 2020

Recommendation

Moved By Councillor Korab

Seconded By Councillor Stapleton

That the minutes of the meeting held December 9, 2020 be adopted as presented.

MOTION CARRIED

4. Presentations/Delegations

4.1 Citizen Satisfaction Survey

The Manager of Organizational Performance and Strategy, in consultation with David Head of MQO Research, conducted a powerpoint presentation outlining the results of a Citizen Satisfaction Survey which was used to guide the process of strategic planning.

Questions were raised and answered throughout the presentation by members of Council.

The Committee thanked the presenters and acknowledged the following conclusions:

- Overall, the City is performing well as evidenced by notable increases in satisfaction on key indicators in comparison to 2018. This suggests investments made by the City as part of the new strategic directions are paying dividends in the eyes of residents.

- Residents were also more satisfied this year with the City's ability to communicate and be accountable to St. John's residents. Ratings for all communication and accountability metrics increased compared to 2018 which speaks well for the performance of city staff.
- Most residents exhibited some level of trust in the City of St. John's. They also showed strong support for the City's key areas of strategic direction, and perceptions of elements related to the City's strategic directions were very positive.
- Residents of St. John's are mixed in their experiences of how the pandemic has impacted their lives.
- In light of the pandemic the City should ensure that programs and services are easily accessible to all residents (whether online or in-person), that the City is responsive to requests for assistance, and that City staff continue to positively interact with residents.
- When it comes to public spending, residents are concerned with key areas of infrastructure maintenance but are also supportive of capital spending on non-essential infrastructure. These should be areas of focus for investment moving forward; a well-rounded budget will ensure focus on a variety of key areas to improve quality of life for all City residents.

5. **Finance & Administration**

5.1 **Occupational Health and Safety Program Manual**

Recommendation

Moved By Councillor Skinner

Seconded By Councillor Hickman

That Council approve the attached Occupational Health and Safety Program manual and that Emergency and Safety Services division implement a mandatory awareness program for City of St. John's managers and supervisors.

MOTION CARRIED

6. **Public Works - Councillor Sandy Hickman**

**6.1 Windsor Lake Water Treatment Plant Equipment Reserve Fund
Replacement of High Zone Pumping Station Pump #3**

Recommendation

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That Council approve access to funding from the Windsor Lake WTP Equipment Reserve Fund to support the purchase of a replacement High Zone Pumping Station Pump #3 at the Windsor Lake Water Treatment Plant.

MOTION CARRIED

- 7. **Community Services - Councillor Jamie Korab**
- 8. **Special Events - Councillor Shawn Skinner**
- 9. **Housing - Deputy Mayor Sheilagh O'Leary**
- 10. **Economic Development - Mayor Danny Breen**
- 11. **Tourism and Culture - Councillor Debbie Hanlon**
- 12. **Governance & Strategic Priorities - Mayor Danny Breen**
- 13. **Planning & Development - Councillor Maggie Burton**

13.1 Galway Decorative Lights

Recommendation

Moved By Councillor Collins

Seconded By Councillor Stapleton

That the matter of Galway Decorative Lighting be deferred to the next Committee of the Whole meeting scheduled to take place on January 27, 2021.

MOTION CARRIED

- 14. **Transportation and Regulatory Services & Sustainability - Councillor Ian Froude**

15. **Other Business**

16. **Adjournment**

There being no further business the meeting adjourned at 10:33 am

Mayor

DECISION/DIRECTION NOTE

Title: Non-Profit Housing Capital Improvements – Funding Approval

Date Prepared: January 21, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Sandy Hickman, Public Works

Ward: N/A

Decision/Direction Required: Seeking approval to proceed with the project noted below through funding from existing Capital Reserves for NPH.

Discussion – Background and Current Status:

- Total reserves for Non-Profit Housing currently sit at over \$2M.
- Proposed project for 2021:
 - Location: Riverhead Towers, 30 Hamilton Avenue
 - Constructed: 1983
- 1) Washroom remodel in all 65 units:
 - a. Although some units have received various upgrades in the past, most units still contain original fixtures and bathtub. Specific scope of proposed project will include removal and installation of bathtub with surround unit, and removal and installation of toilet, vanity, and vinyl flooring. Walls will be repaired and painted where required.
- For information purposes, in 2019 a project was completed in RHT to repair/paint walls in all common spaces, including corridors and stairwells, front entrance & foyer, basement washroom, laundry room, all doors and trims, handrails and clear coating all doors.

Key Considerations/Implications:

1. Budget/Financial Implications:

A preliminary estimate has been obtained per unit to remodel each washroom in RHT. Overall, it is expected that the project to cost approximately \$350,000.

2. Partners or Other Stakeholders: Not Applicable.

3. Alignment with Strategic Directions/Adopted Plans: Strategic Plan 2019-2029 Goals: Responsive and progressive; Fiscally Responsible.

ST. JOHN'S

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 approve the above noted project using current capital reserves for Non-Profit Housing.

Prepared by:

Leslie O'Brien, P.Eng., MBA
Manager, City Buildings

Approved by:

Lynnann Winsor, M.A.Sc., P. Eng.
Deputy City Manager, Department of Public Works

Report Approval Details

Document Title:	Non-Profit Housing Capital Improvements – Funding Approval.docx
Attachments:	
Final Approval Date:	Jan 21, 2021

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

Leslie O'Brien - Jan 21, 2021 - 2:40 PM

Lynnann Winsor - Jan 21, 2021 - 3:08 PM

DECISION/DIRECTION NOTE

Title: Membership for the Inclusion Advisory Committee (IAC)

Date Prepared: December 14, 2020

Report To: Committee of the Whole

Councillor and Role: Councillor Deanne Stapleton

Ward: N/A

Decision/Direction Required:

Approval of Membership for the Inclusion Advisory Committee based on the recommendations by lead staff and the Office of the City Clerk.

Discussion – Background and Current Status:

The Inclusion Advisory Committee provides information and advice to Council on matters of Accessibility and Inclusion as they relate to City programs, policies and services, as referred to it by committees of Council, or as initiated by the Advisory Committee itself.

The Autism Society of Newfoundland and Labrador (ASNL) have requested to change their representative from Sarah White to Ashley Gosse.

In order to maximize participation on the Committee and to meet the need for continuity it is requested that the following people be appointed/reaffirmed in accordance with Section 3.2 of the Terms of Reference:

1. Debbie Ryan, CNIB – extend until November 2022
2. Grant Genova, Public Representative - Universal Design – extend until November 2022
3. Joby Fleming, Empower NL – extend until November 2022
4. Kim Pratt-Baker, Canadian Hard of Hearing Association NL (CHHA-NL) – extend until November 2022
5. Megan McGie, Newfoundland and Labrador Association for the Deaf (NLAD) – extend until November 2022
6. Nancy Reid, Coalition of Persons with Disabilities (CODNL) – extend until November 2022

Key Considerations/Implications:

1. Budget/Financial Implications: n/a
2. Partners or Other Stakeholders: n/a
3. Alignment with Strategic Directions/Adopted Plans:

ST. JOHN'S

- a) A Connected City: A city where people feel connected, have a sense of belonging, and are actively engaged in community life
 - b) An Effective City: A city that performs effectively and delivers results
- 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 appoint Ashley Gosse as representative for the Autism Society of Newfoundland and Labrador and reaffirm the membership of the following members to the Inclusion Advisory Committee:

- 1. Debbie Ryan, CNIB – extend until November 2022
- 2. Grant Genova, Public Representative - Universal Design – extend until November 2022
- 3. Joby Fleming, Empower NL – extend until November 2022
- 4. Kim Pratt-Baker, Canadian Hard of Hearing Association NL (CHHA-NL) – extend until November 2022
- 5. Megan McGie, Newfoundland and Labrador Association for the Deaf (NLAD) – extend until November 2022
- 6. Nancy Reid, Coalition of Persons with Disabilities (CODNL) – extend until November 2022

Prepared by: Shanna Fitzgerald, Legislative Assistant

Approved by: Elaine Henley, City Clerk

Report Approval Details

Document Title:	Membership for the Inclusion Advisory Committee .docx
Attachments:	
Final Approval Date:	Dec 21, 2020

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

No Signature found

Natalie Godden - Dec 17, 2020 - 9:36 AM

No Signature - Task assigned to Karen Chafe was completed by assistant Elaine Henley

Karen Chafe - Dec 17, 2020 - 9:45 AM

Elaine Henley - Dec 21, 2020 - 9:19 AM

DECISION/DIRECTION NOTE

Title: Final Report – Ward 2 By-Election

Date Prepared: October 25, 2019

Report To: Committee of the Whole

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

Ward: N/A

Decision/Direction Required:

Report provided for Council's review and consideration of proposed changes to the Vote by Mail (VBM) process during the City's municipal general elections.

Discussion – Background and Current Status:

The Vote By Mail process has been in use by the City of St. John's since 2001. The statistical data outlined in the attached Final Report contains information on voter turn-out, costs and processes used to undertake the Ward 2 by-election which occurred in October 2020. A comparative analysis of vote by mail processes in other North American jurisdictions is also presented for Council's information.

The Office of the City Clerk believes it is timely to consider procedural reform in this area more in line with practices in other major Canadian cities. Such reform is recommended to facilitate both democratic accessibility and enhanced efficiencies as noted in the report.

The following is proposed:

1. Mandatory registration for VBM kits (requiring revision to the Vote By Mail By-Law)
2. Increase the number of polling stations to enable more access to traditional voting
3. Continue to lobby Province about alternative progressive voting methods

Key Considerations/Implications:

1. Budget/Financial Implications: Cost efficiencies achieved through a streamlined process of mandatory voter registration.
2. Partners or Other Stakeholders: Electors of the City of St. John's and municipal candidates.
3. Alignment with Strategic Directions/Adopted Plans: An Effective City: A city that performs effectively and delivers results.

ST. JOHN'S

4. Legal or Policy Implications: Revision to the Vote by Mail By-Law, City of St. John's
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: Extensive communications plan to advise general public of changes in electoral procedures.
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 recommendations proposed in the Final Report – Ward 2 By-Election and further that the following action be taken to facilitate the recommendation for mandatory registration to receive a Vote by Mail Kit:

1. Vote by Mail By-Law to be amended as per the attached chart and subject to Legal review. Should this revision be problematic in time for the 2021 municipal election, ministerial approval should be considered as per section 4(2) of the Municipal Elections Vote by Mail By-Law cited below:

Notwithstanding the foregoing, the returning Officer, may, with prior Ministerial approval, vary the procedures from time to time as he deems appropriate to ensure the efficiency and integrity of the municipal election.

2. Extensive communications plan developed to advise the general public of changes in VBM process, i.e. mail out cards, social media, etc.

Prepared by:

Approved by:

Report Approval Details

Document Title:	Final Report - 2020 By-Election (Ward 2).docx
Attachments:	
Final Approval Date:	Jan 21, 2021

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

Elaine Henley - Jan 21, 2021 - 2:08 PM

CITY OF ST. JOHN'S MUNICIPAL BY-ELECTION WARD 2



FINAL REPORT OCTOBER 2020

Contents

EXECUTIVE SUMMARY	3
1.0 VOTERS' LIST AND ON-LINE VOTER REGISTRATION PORTAL	4
2.0 ELECTION PERIOD – Vote by Mail	4
3.0 ELECTION RESULTS	7
4.0 VOTERS	8
5.0 ELECTION COSTS	8
6.0 IMPROVEMENTS SINCE LAST ELECTION	9
7.0 FUTURE CONSIDERATIONS.....	10

EXECUTIVE SUMMARY

On Monday, August 4, 2020, Ward 2 Councillor Hope Jamieson resigned from the City of St. John's Municipal Council, necessitating a by-election to fill the vacancy. The by-election was conducted as per the Vote by Mail By-Law passed by Council on July 10, 2001. The by-election successfully concluded with a voter turnout of 41%. Of the eight candidates who ran, Shawn Skinner was elected to fulfill the remainder of the term until the next general election in September 2021.

The 2020 Vote by Mail by-election period extended from Monday, October 5 to Election Day on Tuesday, October 20. In addition to the vote by mail process, two satellite drop off centers were made available on Election Day so that people could drop off their completed vote by mail kits or register to vote in person. All ballots received throughout the Election Period were counted on Election Day.

To save costs, the Office of the City Clerk reallocated its own resources to coordinate the by-election complemented by assistance from other departments who were able to transfer available staff during the pandemic period. A Business Plan was prepared identifying the direction to be taken to ensure that the by-election was conducted in accordance with the applicable legislation, namely the [Municipal Elections Act, S.N.L. 2001, c. M20.2](#) and the [St. John's Municipal Elections Vote by Mail By-Law](#).

The City contracted with DataFix Comprint Systems Incorporated for the preparation of the vote by mail kits and the use of Municipal VoterView software to host the voters list. Though the City typically issues an additional contract for the scanning and tabulation of returns, it was decided that the votes would be manually counted in this single ward by-election. The Permanent List of Electors was obtained from Elections Newfoundland and Labrador via an information sharing agreement with the City of St. John's. The City also entered a Business Reply Mail Account with Canada Post for the distribution and return of the vote by mail kits.

In consultation with the ATIPP Coordinator a privacy impact assessment was conducted with DataFix Comprint Systems to ensure identification and mitigation of any risks associated with their operations. The exercise confirmed that extensive safeguards were in place (physical, technical, administrative and access controls) with no major modifications required. An on-line voter registration privacy notice was incorporated before the on-line voter registration portal was launched.

In addition to the statistical data contained within this report, a comparative analysis of vote by mail processes in other North American jurisdictions is presented for Council's information. This research may prompt Council to consider procedural reform in this specific area.

1.0 VOTERS' LIST AND ON-LINE VOTER REGISTRATION PORTAL

The City of St. John's used the Permanent List of Electors provided by Elections NL which is established and maintained for election purposes.

Table 1.1

Voters' List (Permanent List of Electors) Statistics		
Date	Action	No. of Electors
2020 08 12	Elections NL provides list to City as per information sharing agreement.	17808
2020 09 23	Subsequent to data cleansing process, master list sent to DataFix (for printing/distribution of vote by mail kits)	13719
2020 09 23 - 2020 10 20	Electors added and updated to Voters List subsequent to Sept. 23 mass mailout	594
2020 10 05	Removal of names from voters list due to undeliverable VBM kits being returned to sender.	1119*
2020 10 20	Voters List Total as of Election Day	13194

**Subsequent to Election Day, this number continues to be adjusted as undeliverable VBM kits are returned.*

Overall, the reduction in the number of electors from August 12 to September 23 when the Master List was sent to Datafix for printing of vote by mail kits was 4089 electors. Subsequently, the list continued to be updated by Elections staff up to and beyond the Election period in response to individual enquiries, on-line registrations and the receipt of "return to sender" mail.

Subsequent to election day, approximately 400 additional VBM kits were returned by Canada Post as being undeliverable. Return mail will continue to trickle in over the coming months.

The City also offered a convenient on-line registration portal enabling voters to confirm their status on the voters list. A total of 1859 hits to the site were registered. Overall, 14% of the total registered electorate (13,194) availed of the on-line registration portal. Of those who voted (5414), 34% availed of this portal.

2.0 ELECTION PERIOD – Vote by Mail

The City of St. John's Vote by Mail process ensures that electors who are on the voters list receive ballots via Canada Post. The election period begins the day that

the Vote by Mail Kits are inducted into the mail system by Canada Post and continues up to and including Election Day, October 20. Electors were given until October 15th to post their returns via Canada Post or use the drop box situated in front of City Hall up to 8:00 pm on October 20. Alternatively, they were also given the option to vote in person on Election Day at one of the two satellite drop off centers within Ward 2.

Table 2.1

Election Period (October 5 to October 20, 2020)	
Date	Activity
2020 10 01	<ul style="list-style-type: none"> • Vote by Mail Kits inducted into mail system by Canada Post.
2020 10 02	<ul style="list-style-type: none"> • Drop Box placed outside City Hall
2020 10 05	<ul style="list-style-type: none"> • Election staff begins work
2020 10 05 – 2020 10 20	<ul style="list-style-type: none"> • Completed kits/ballots returned & processed daily • Blank kits provided as requested/needed
2020 10 20	<ul style="list-style-type: none"> • Election Day Staff start • Satellite Drop Off Centres open • Ballots removed from secure area and relocated to counting room (Foran/Greene Room) for counting • Results tabulated and released at 9:00 pm

Table 2.2

Accepted and Rejected Ballots & Percentages					
Date	Total # Accepted	Total # Rejected	Total # Received	% Per Day	Cumulative Total
05-Oct-20	9	0	9	0.2%	0.2%
06-Oct-20	36	0	36	0.7%	.9%
07-Oct-20	152	3	155	2.8%	3.7%
08-Oct-20	244	2	246	4.5%	8.2%
09-Oct-20	101	0	101	1.8%	10.0%
12-Oct-20*	Thanksgiving Day Holiday				
13-Oct-20	494	4	498	9.1%	19.1%
14-Oct-20	92	2	94	1.7%	20.8%
15-Oct-20	988	10	998	18.2%	39.0%
16-Oct-20	154	2	156	2.8%	41.9%
19-Oct-20	1672	16	1688	30.8%	72.7%
20-Oct-20	1472	26	1498	27.3%	100.0%
Total	5414	65	5479	100%	100%

Table 2.3

Election Day: Voting in Person vs. Dropping Off Returns			
Ward	Voted in Person at SDOC	Dropped off Returns at SDOC/City Hall Drop Box/Canada Post	Total Received on Election Day
2	468	1030	1498
Election Day %	31.2%	68.8%	100%
Overall %	8.5%	18.8%	27.3%

Table 2.4

Comparison of Daily Ballots Received from Previous Years										
Day	2009		2013		2016*		2017		2020*	
	Rec'd	Daily % Rec'd	Rec'd	Daily % Rec'd	Rec'd	Daily % Rec'd	Rec'd	Daily % Rec'd	Rec'd	Daily % Rec'd
1	0	0	0	0	11	0.2%	2	0.01%	9	0.2%
2	107	0.2%	41	0.1%	0	0.0%	17	0.04%	3	0.7%
3	3092	8.2%	1076	3.0%	208	3.7%	405	1.05%	155	2.8%
4	3399	9.0%	3193	8.9%	1079	19.5%	903	2.35%	246	4.5%
5	3151	8.3%	3224	9.0%	1005	18.2%	941	2.44%	101	1.8%
6	2394	6.3%	3231	9.0%	360	6.5%	4045	10.53%	0**	0%
7	5061	13.4%	5277	14.8%	349	6.3%	3595	9.32%	498	9.1%
8	2924	7.7%	3113	8.7%	479	8.7%	908	2.35%	94	1.7%
9	2960	7.8%	3286	9.2%	355	6.4%	9321	24.22%	998	18.2%
10	3094	8.2%	4602	12.9%	430	7.7%	3972	10.32%	156	2.8%
11	4692	12.4%	2711	7.6%	455	8.2%	6628	17.22%	1688	30.8%
12***	7004	18.5%	5935	16.6%	798	14.4%	7754	20.14%	1498	27.3%
Total	37878	100%	35689	100%	5529	100%	38491	100%	5479	100%

*by-elections; **stat holiday; ***election day

Table 2.5

Rejected Ballots		
Code	Explanation	Number
VN	Voter declaration form not included	32
VU	Voter Declaration Form - Unsigned/Improperly Signed	23
VS	Voter Declaration Form - Too Many Signatures	
VM	Voter Declaration Form - Too Many	
VI	Voter Declaration Form – Invalid	1
VR	Voter Declaration Form - Voter Invalid (not registered)	
VA	Voter Declaration Form - Already Accepted/Voted	
SI	Secrecy Envelope - Identifying Marks	
SN	Secrecy Envelope - NOT included	3
SM	Secrecy Envelope - Too Many	6
SE	Secrecy Envelope – Empty	
SU	Secrecy Envelope - Unsealed & unable to be resealed	
RL	Return Envelope - Received Late (after 8:00 p.m. on Sept. 26)	
TOTAL		65

3.0 ELECTION RESULTS

The following are the official results of the 2020 Municipal By-Election:

Table 3.1

Ward 2		
Candidate	Number of Votes	Percentage
Furlong, Carol Anne	564	10.4%
House, Matt	482	8.9%
Loder, Lorne	917	17.0%
Noseworthy, Greg	469	8.7%
Ravencroft, Ophelia	932	17.2%
Ryan, Wallace	222	4.10%
Skinner, Shawn (Elected)	1244	22.9%
Smith, Greg	584	10.8%
TOTAL:	5414	100.00%

4.0 VOTERS

Table 4.1

Voter Turnout			
Poll	Total Ballots Cast	Eligible Voters	Turnout
Ward 2	5414	13194	41%

Table 4.2

% of Voter Turnout by Age					
Age	Total Registrant Count	% of Overall Registrants	Actual Voted	% of Turnout within Age Range	% Turnout Overall Registrants
18-24	376	2.8%	191	50.8%	1.4%
25-34	2078	15.7%	631	30.4%	4.8%
35-44	2567	19.5%	758	29.5%	5.7%
45-54	2039	15.5%	739	36.2%	5.6%
55-64	2506	19.0%	1185	47.3%	9.0%
65-74	2146	16.3%	1190	55.5%	9.0%
75-84	1078	8.2%	574	53.2%	4.4%
85+	404	3.1%	146	36.1%	1.1%
Total	13194	100%	5414		41.0%

5.0 ELECTION COSTS

Table 5.1

Election Costs (Vote by Mail) – Yearly Comparison							
Budget	2001	2005	2009	2013	2016	2017	2020
Labour – Regular	\$65,419.14	\$57,916.00	\$38,590	\$62,926	\$23,721	\$61,066.54	\$24,352 *
Labour – Overtime	\$29,538.78	\$28,928.00	\$12,134	\$26,863	\$1,330	\$3,187.84	\$2,580
Labour – Payroll Costs/Benefits	\$11,394.86	\$13,423.00	\$7,706	\$14,366	\$5,450	\$14,123.29	\$6,260
Mileage	\$44.14	\$34.00	\$0		\$0	\$0	\$0
Postage	\$249,352.66	\$156,964.55	\$39,044	\$67,102	\$8,115	\$77,068.07	\$14,699
Messenger Services				\$1,534		\$0	\$0
Cellular Phones	\$0	\$0	\$588	\$436	\$652	\$0	\$0
Advertising	\$31,847.32	\$40,825.00	\$34,759	\$21,591		\$25,000	
Professional & Special Services	\$82,678.42	\$37,742.57	\$133,937	\$150,482	\$65,120	\$167,358.18	\$41,245

Servicing of Office Equipment				\$481		\$0	
Rental/Lease Property	\$1060.50	\$1,218.00			\$350	\$1,697.15	\$521
Materials & Supplies	\$1,885.18	\$2,348.00	\$2,650	\$2,211	\$0	\$0	\$0
Stationery & Office Supplies	\$1,530.21	\$819.00	\$881	\$1,990	\$0	\$875.75	\$277
Computer Equipment	\$0	\$2,995.00	\$615		\$0	\$0	
Total	\$474,751.21	\$343,213.12	\$270,903	\$349,982	\$104,738	\$352,393.82	\$89,934.00
*The cost cited is not an additional cost to the City but rather a reallocation of a staff person from one position to another.							

6.0 IMPROVEMENTS SINCE LAST ELECTION

Enhanced Data Cleansing Methods

Immediately upon receipt of the permanent list of electors (voters list) provided by Elections NL, the City's Land Information Systems (LIS) Division assisted the Office of the City Clerk in the following manner:

- Ensured the list was specific to Ward 2 area, as the Province's electoral district is different from the City's Ward 2 boundary.
- Reconciled the list of sales data within Ward 2 since the last election with the current voters list, ensuring voters whose properties had sold were removed from the property.
- Removed the deceased from the voters list as provided by Vital Statics via an information sharing agreement with the City.

In addition to the above noted, an NCOA (National Change of Address) scan was conducted by Canada Post and Datafix to identify those who had recently moved from or within Ward 2.

Increased Satellite Drop Off Center Locations

As per recommendations from the City's previous election review, two satellite drop off centers were opened on election day instead of one. This process will continue into the next general election, thereby doubling the number of stations throughout the City. Consideration will be given to additional stations and ensuring they are strategically placed to best accommodate the general public.

Streamlining of Voting Process at Satellite Drop Off Centers (SDOCS)

During this by-election, visitors to satellite drop off centers were able to vote more quickly and easily, thereby shortening lineups. Once voters were registered or confirmed by the election worker, they were required to sign a voter declaration form after which they were given a single ballot to complete behind a privacy screen, thus eliminating the necessity of having to complete an entire

vote by mail kit. The voter declaration form once signed was immediately scanned to VoterView by the election worker and retained for filing. The pre-folded ballot enabled voting privacy to be maintained until the ballot was securely deposited in the ballot box.

The change in process no longer required that voters read directions and reassemble the return kit (sign form, stuff secrecy and return envelopes) behind a voter screen. It also offset the requirement for assistance as the process of voting was much easier. The time to vote on site was significantly reduced and streamlined, thereby shortening queues of voters waiting in line. In addition, as voter declaration forms were immediately scanned, this enabled candidates to see in real time when electors voted.

The streamlined process at the satellite drop off centers translated accordingly to the counting room at City Hall. Ballots coming from the SDOC's could be immediately counted as they were already processed on site.

Accessibility of Voting Process

In terms of accessibility, all satellite drop-off centers were wheelchair accessible. Interpretive Services were available free of charge with advance notice required. Ballots were printed in large 14-point Arial font and reviewed and approved by accessibility staff before mass production. Braille templates were made available for the first time ever in the City's history of elections. For those voting in person, each privacy screen contained the following:

- enhanced lighting
- extra large ballot on display
- magnifying glass
- access to braille ballot templates for those wishing to independently cast a vote in private

Election staff consulted with the lead staff of the City's Inclusion Advisory Committee, as well as with the CNIB and Empower NL who provided advice and support on the enhancement of accessibility during this by-election. We will continue to consult with these groups in advance of future elections to explore innovative methods and ensure accessibility standards are maintained and improved upon where necessary.

7.0 FUTURE CONSIDERATIONS

The vote by mail process has evolved considerably since its inception in 2001; however, continued reform is necessary to facilitate both democratic accessibility and enhanced efficiencies. The following is proposed:

1. Mandatory registration for VBM kits (requiring revision to the Vote By Mail By-Law)
2. Increase the number of polling stations to enable more access to traditional voting.
3. Continue to lobby Province about alternative progressive voting forms.

1. Mandatory registration for VBM Kits

Based on City data accumulated since 2001, approximately 38-57% of the City's electorate will vote in any given election with by-elections having a lower turn-out (38-43%) vs general elections (51-57%). Mandatory registration for VBM kits would ensure kits are not sent unnecessarily to the approximate 40% or greater of the population that does not traditionally vote.

Election Year	Mailed VBM kits	Returned VBM Kits	Percentage of Returns
2001 (by-election)	63094	27053	43%
2005	75051	38252	51%
2009	70027	37878	54%
2013	68904	35689	52%
2016 (by-election)	14609	5529	38%
2017	66601	38491	57%
2020 (by-election)	13719	5479	40%

All eligible electors who do not register for a VBM kit will still have the option to vote in person on election day. In person voting is the current practice for other municipal, provincial and federal elections which occur traditionally in this Province and throughout Canada; and they require mandatory registration for special mail in ballots.

The costs noted in the table below reflect the VBM costs for the 2020 Ward 2 by-election and will increase fivefold for general elections.

Service/Item	Cost
DataFix – preparation, printing and mailing of kits @\$2.45 per unit	\$41,245.00
Canada Post business return mail for 13,719 residents @ 0.83 per unit including tax	\$12,867.00
Business Reply Mail (returns received and return to sender mail). Fee for returned mail \$0.95 per unit	\$1,832.00 + (estimated and ongoing cost as returns are received)
Total	\$55,944.00

Based on these numbers, the VBM portion of the upcoming 2021 general election is estimated to cost \$279,720. If the City was to eliminate unsolicited mass mailing to all eligible electors, including the 40% plus who do not typically vote, this would result in a minimum cost savings of \$112,000.. Such savings may not be realized in the 2021 election given the change in election processes will require an intense communications plan including, but not limited to, more advertising.

To further illustrate, the Office of the City Clerk surveyed 38 Canadian cities with a population of 100,000 or above. Of those, fifteen provide vote by mail options as listed below. St. John's is the only municipality within that group that provides mass mailing to all electors on the voters list. Voters in the other 14 municipalities are required to register to receive VBM kits. Only five of the fifteen cited below do not restrict to those with special needs.

Canadian City	Vote By Mail (Y/N) Availability	Mass Circulation of VBM kits to All Registered Voters	Registration /Application Requirement for VBM Kits	Available with restrictions, i.e. physical disability, absent, etc.	Available to all upon request
Toronto, ON	Y	N	Y		*
Calgary, AB	Y	N	Y		*
Ottawa, ON	Y	N	Y		*
Edmonton, AB	Y	N	Y	*	
Winnipeg, MB	Y	N	Y	*	
Vancouver, BC	Y	N	Y	*	
Surrey, BC	Y	N	Y	*	
Laval, QC	Y	N	Y	*	
Saskatoon, SK	Y	N	Y		
Regina, SK	Y	N	Y		
Richmond, BC	Y	N	Y	*	
Abbotsford, BC	Y	N	Y		*
Whitby, ON	Y	N	Y	*	
Kelowna, BC	Y	N	Y	*	
St. John's, NL	Y	Y	N		*

There are numerous smaller Canadian municipalities as referenced by Datafix Comprint Systems Inc. wherein VBM kits are mass mailed in a similar manner to St. John's, but their populations are significantly smaller, i.e. mass mailings ranging from 450 to 28,000 kits. During a general election, the City of St. John's mails just under 70,000 VBM kits to all registered voters. Voters lists in smaller municipalities are more manageable. In the Province of Ontario, the voters list is administered by the Municipal Property Assessment Corporation (MPAC) which

has access to more databases than does the City of St. John's, ensuring their lists are more accurate.

It is worth noting that the client base of Datafix Comprint Systems Inc. has seen a trend toward electronic voting resulting in a 44 percent reduction in the circulation of VBM kits since 2014 as follows:

2014	893,082 VBM kits delivered to 129 municipalities
2018	394,078 VBM kits delivered to 78 municipalities

During the recently held American presidential election, VBM was offered as an option and was heavily used by voters due to the Covid 19 Pandemic. Of the 51 states surveyed by the [National Conference of State Legislatures](#), only eleven states did not require electors to apply for VBM kits. Of those, four were specific to only the November 2020 election. In terms of the voters list, most if not all state legislatures have access to databases such as motor registration agencies that enable confirmation of election data, i.e. analysis of signature and photographic data. ATIPP legislation in the Province of NL severely restricts or prohibits such access between levels of government bodies and regulatory agencies.

The City of St. John's relies on the permanent list of electors provided by Elections NL. Due to privacy legislation, the City has minimal access to government databases outside its own jurisdiction to assist with data cleansing. These limitations compromise the City's ability to administer an accurate voters list, an essential component to the City's current method of mass mailing.

Pros and Cons of sending VBM Kits to all Registered Voters

Current Method	Pros	Cons
Delivery of VBM's to all registered voters	<ul style="list-style-type: none"> Everyone receives a VBM kit 	<ul style="list-style-type: none"> Increased risk of error despite data cleansing. Expense (cost to print and mail 70,000 kits) Extra resources dedicated to cleansing of voters list. ATIPP legislation prevents access to databases to cleanse voters list. People check mail less frequently due to super mailboxes

Pros and Cons of Mandatory VBM Registration

Proposed Method	Pros	Cons
Mandatory registration for VBM Kits	<ul style="list-style-type: none"> • Cost savings as VBM kits are no longer sent to registrants unsolicited, many of whom choose not to vote. • Potential risk of voter fraud is reduced. • Less work and resources required to data cleanse the permanent list of electors. • Accessibility of the election is still maintained but in a more efficient and cost-effective manner, offering opportunities for electors to vote at home or at a polling booth as they see fit. • Reduced cost to environment (reduced use of paper) 	<ul style="list-style-type: none"> • People will need to self-register. • Concern about reduced voter turn-out.

2. Increase Polling Station Locations

To ensure capacity on Election Day, the Office of the City Clerk has already committed to the doubling of satellite drop off centers (polling stations) from one to two within each ward. Should Council eliminate mass mailout of VBM kits, polling station locations could be further increased to accommodate the anticipated demand on Election Day.

3. Continue to lobby Province about Alternative Progressive Voting Methods

As the data suggests, many Canadian municipalities are exploring alternative options to VBM such as electronic voting. Though the City of St. John's is limited legislatively in terms of the electoral processes permitted under the Municipal Elections Act, it should continue to lobby the Province to explore innovative and progressive options that achieve both democratic inclusivity and cost efficiency.

Next Steps:

If Council is agreeable to the proposed three directions outlined above, the following must be implemented:

- Vote by Mail By-Law to be amended as per the attached chart and subject to Legal review. Should this revision be problematic in time for the 2021 municipal election, ministerial approval should be considered as per section 4(2) of the Municipal Elections Vote by Mail By-Law cited below:
 - *Notwithstanding the foregoing, the returning Officer, may, with prior Ministerial approval, vary the procedures from time to time as he*

deems appropriate to ensure the efficiency and integrity of the municipal election.

- Extensive communications plan developed to advise the general public of changes in VBM process, i.e. mail out cards, social media, etc.

St. John's Municipal Elections By-Law – Proposed Revisions	
Current	Proposed
Section 5: “A Voter’s Kit shall be mailed to each eligible voter and shall contain the following”	“A Voter’s Kit shall be mailed to each eligible voter <i>who registers to receive one</i> and shall contain the following...”
Section 8: The City of St. John’s shall enter into a contract with Canada Post Corporation for the provision of its Electronic Lettermail one- stop, vote by mail service.	The City of St. John’s shall enter into <i>any/all contracts necessary to conduct the election in accordance with this by-law, including but not limited to,</i> the Canada Post Corporation.
9.2: The official “Voter’s Kit” will be sent to all voters on the Voter’s List no later than 10 days after the close of the nomination period.	The official “Voter’s Kit” will be sent to all voters on the Voter’s List <i>registered to receive one</i> no later than 10 days after the close of the nomination period.
9.4: Voters will also have the option to drop their Return Envelope and Ballot Envelope into the Drop Center at City Hall 24 hours a day up to 8:00 p.m. election day	Voters will also have the option to drop their Return Envelope and Ballot Envelope into the Drop <i>Box situated outside</i> City Hall 24 hours a day up to 8:00 p.m. election day
9.19: Each Satellite Drop Off Center will be provided with the following: a. A copy of the Voter’s List as updated to the close of the business day immediately preceding election day, for the applicable Ward b. A supply of Voters’ Kits for the applicable Ward. c. A supply of the Application To Have Name Included in List of Electors forms d. Voting screen (complete with Voters Instructions attached thereto)	Each Satellite Drop Off Center will be provided with the following: a. A copy of the Voter’s List as updated to the close of the business day immediately preceding election day, for the applicable Ward b. A supply of Voters’ Kits for the applicable Ward. c. A supply of the Application to Have Name Included in List of Electors forms d. Voting screen (complete with Voters Instructions attached thereto) <i>e. Ballot boxes – those marked for completed Voters’ Kits and those marked for Ballots only</i>
9.22: In the event a voter is sworn in at a Satellite Drop Off Center, the completed application forms will be held by the Deputy Returning Officer and the Voter’s Kit will be provided to the voter. After being sworn in, the voter shall then proceed to the screen areas to complete the Voter Declaration Form and cast his/her ballot as in a conventional election, but shall place his/her ballot paper in the “Ballot Envelope” and seal the envelope. He/she shall then place the Ballot	In the event a voter is sworn in at a Satellite Drop Off Center, the completed application forms will be held by the Deputy Returning Officer. The voter shall be sworn in, added to the Voter’s List, sign a Voter Declaration Form, to be scanned by the returning officer, and be provided with a ballot only. The voter shall then proceed to the screened areas to complete their ballot and deposit it into the sealed ballot box provided.

Envelope and the Voter Declaration Form in the Return Envelope. Upon sealing the Return Envelope the voter shall deposit it in the sealed ballot box provided.	
<p>9.23:</p> <p>Secure transport of Return Envelopes and Ballot Envelopes from Satellite Drop Off Centers to City Hall will be conducted under the supervision of the Returning Officer and will take place on a continuing basis until 8:00 p.m. on election day or until all Return Envelopes and Ballot Envelopes deposited by 8:00 p.m. on election day are collected.</p>	<p>Secure transport of ballot boxes from Satellite Drop Off Centers to City Hall will be conducted under the supervision of the Returning Officer and will take place on a continuing basis until 8:00 pm on election day or until all completed kits and ballots deposited by 8:00 p.m. on election day are collected.</p>
<p>9.25:</p> <p>All completed application forms taken at the Satellite Drop Off Centers will be transported to City Hall on a continual basis as with the sealed ballot boxes. Upon arrival at City Hall, the application forms will be deposited with election officials input of the voter's name on the Voter's List.</p>	<p>All completed application forms taken at the Satellite Drop Off Centers will be transported to City Hall on a continual basis along with the sealed ballot boxes. Upon arrival at City Hall, the application forms will be provided to election officials for verification purposes.</p>

INFORMATION NOTE

Title: 58 Arnold Loop Interpret Zone Boundary INT2100002

Date Prepared: January 12, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Issue: The property at 58 Arnold Loop has 2 land-use zones. This is unnecessary.

Discussion – Background and Current Status:

The City is dealing with an application to build an accessory building in the rear yard of 58 Arnold Loop. The property is a corner lot on Arnold Loop, also fronting on Charter Avenue. Staff identified that the property is in two (2) land-use zones: the Apartment Low Density (A1) Zone for much of the property, and the Open Space (O) Zone for part of the rear yard and part of the side yard. The proposed accessory building would be built on the portion of the property zoned O, where an existing accessory building would be removed.

This property is the end unit of a row of townhouses in Pleasantville. This unit has more yard space than the other units, and there is no fence at the property line. It is likely that, when the zone lines were drawn, they followed the built-up area of each lot, allowing a typical rear yard. The driveway for 58 Arnold Loop is off Charter Avenue and runs at an angle to the house. The zone line for the A1 Zone runs along the side of the driveway, rather than along the property line which is further back. Correcting the zone line will make it easier for staff to deal with the current application.

Typically, zone boundaries follow features such as street lines, rivers, wetlands, or property boundaries. The rules of interpretation in Section 3.4 “Boundaries of the Zones” in the St. John’s Development Regulations state:

“where a zone boundary is shown as substantially following Lot Lines shown on an approved plan of subdivision or other suitable base map, the Lot Lines shall be deemed to be the boundary.”

The attached map shows the subject property and its two zones.

In accordance with Section 3.4 of the St. John’s Development Regulations, the zone line between the A1 Zone and the Open Space (O) Zone will be interpreted to align with the property boundary at 58 Arnold Loop. The adjacent Open Space Zone remains in place for the surrounding lands.

ST. JOHN’S

No interpretation is needed for the Future Land-Use Map of the St. John's Municipal Plan, as the entire area is already shown in the Residential Medium Density District.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Owner of the subject property, and owners and residents of nearby properties.
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: In line with the rules of interpretation for zone boundaries in Section 3.4 of the St. John's Development Regulations.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Inform the property owner and nearby owners.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Conclusion/Next Steps:

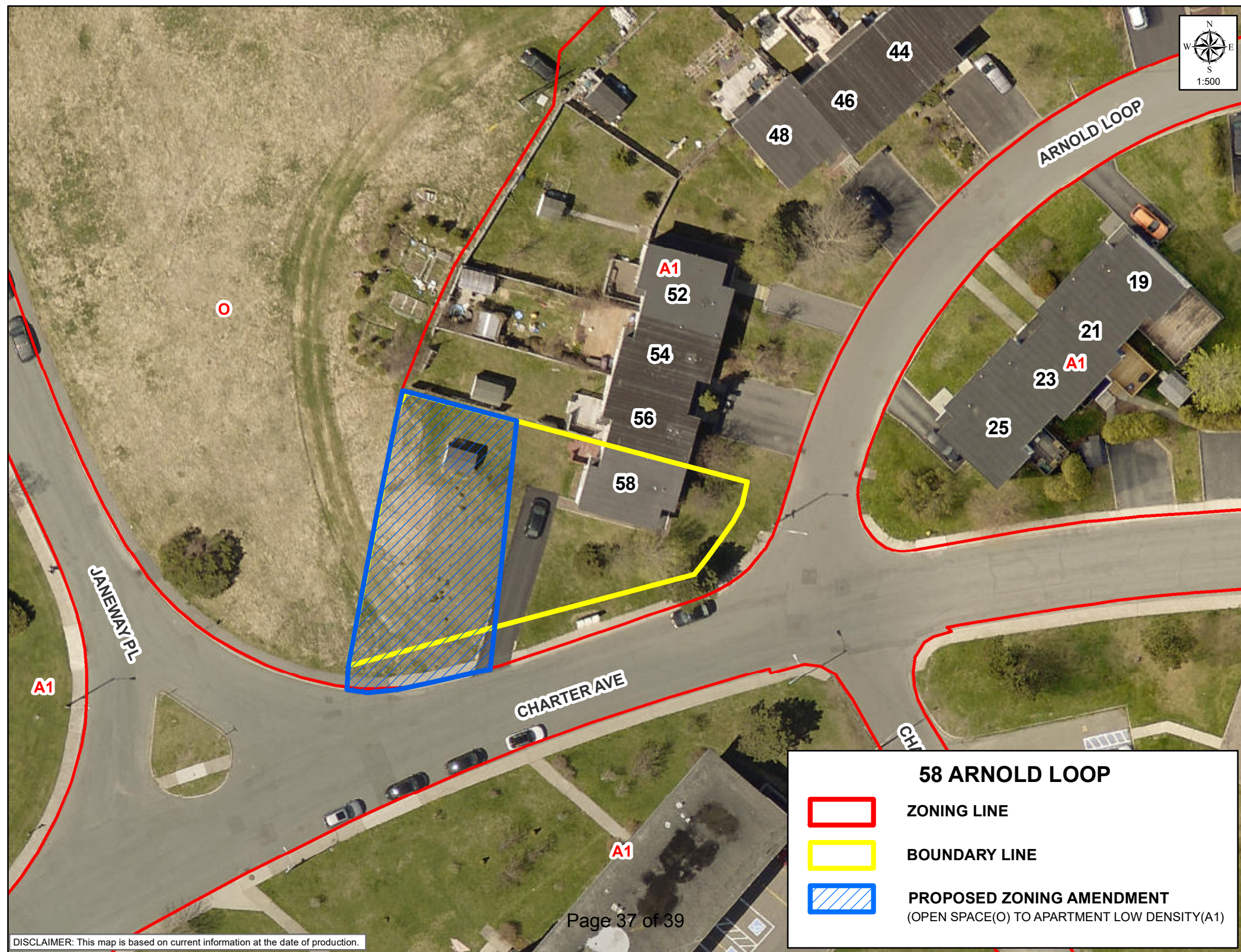
City staff will amend the Zoning Map to show one land-use zone (Apartment Low Density or A1) on the subject property at 58 Arnold's Loop, in line with Section 3.4 "Boundaries of the Zones" in the St. John's Development Regulations.

Report Approval Details

Document Title:	58 Arnold Loop interpret zone line.docx
Attachments:	- 58 ARNOLD LOOP ZONE AMENDMENT.pdf
Final Approval Date:	Jan 14, 2021

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

Jason Sinyard - Jan 14, 2021 - 11:14 AM



58 ARNOLD LOOP

ZONING LINE

BOUNDARY LINE

PROPOSED ZONING AMENDMENT
(OPEN SPACE(O) TO APARTMENT LOW DENSITY(A1))

DECISION/DIRECTION NOTE

Title: Galway Decorative Lights

Date Prepared: January 7, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 5

Decision/Direction Required:

A decision is required regarding the payment to the developer (Dewcor) of any savings the City may realize from the installation of decorative LED street lights in Galway.

Discussion – Background and Current Status:

The normal delivery of street lighting throughout the City and Province is through infrastructure owned and operated by Newfoundland Power. The City pays a monthly rate to Newfoundland Power for each light. This fee is all inclusive and besides electricity also includes the cost to operate, maintain and replace the infrastructure in perpetuity. The City does not own, operate or maintain these lights.

Rather than using standard street lights throughout Galway, Dewcor wished to install decorative street lights to enhance the aesthetics and distinctiveness in certain areas of the development. Newfoundland Power indicated that they were not interested in these decorative street lights. Subsequently, in 2016 Dewcor approached the City with a proposal that Dewcor purchase and install the decorative lights at its cost and the City take over the ownership of the lights including operation, maintenance and replacement costs in addition to normal costs of electricity. A cost analysis was prepared based on the limited data that was available. In calculating the City's ongoing costs, several assumptions were made including the life expectancy of the fixtures, the life expectancy of the poles, the cost of routine maintenance, the cost to replace the poles and the cost to replace the fixture heads.

Given that Dewcor was covering the cost to purchase and install the lights and the proposed fixtures were LED and required less electricity, the analysis indicated there would be potential savings to the City that would offset the cost of future ownership when compared to the standard Newfoundland Power installation. Based on these factors, Council approved the proposed decorative LED lights in the first phases of Galway.

After the lights were installed, Dewcor requested that any savings the City realized from the decorative LED lights be passed on to Dewcor, stating "the city must remain revenue/cost neutral with city taxpayers paying no more and no less." Staff's position is that the City is not obligated to remain revenue/cost neutral and may use any savings for the benefit of all



taxpayers. Furthermore, staff feel that Dewcor should have included this condition in its initial request to Council to use decorative lights.

It should be stated that the projected savings are based on a number of assumptions regarding future O&M costs and therefore may or may not be realized in full. In accepting ownership of these lights, the City accepted any risks associated with future costs.

Key Considerations/Implications:

1. Budget/Financial Implications:

This has a direct impact on the City's operating budget. The net present value of the potential savings over the anticipated life cycle of the infrastructure is \$491,000. This is for the decorative lights installed to date with further use of decorative lights in future phases of the development resulting in similar scenarios.

2. Partners or Other Stakeholders:

Dewcor
City taxpayers

3. Alignment with Strategic Directions/Adopted Plans:

The City maintaining any savings aligns with the strategic direction of being fiscally responsible.

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 retain any savings realized from the use of decorative street lights in Galway.

Prepared by:

Approved by: Jason Sinyard