

ST. JOHN'S

Committee of the Whole Agenda

April 7, 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. Minutes of March 24, 2021 3
4. Presentations/Delegations
 - 4.1. Jerry Dick, Executive Director of Heritage NL will be present to discuss Future Development within Sensitive Heritage Areas
5. Finance & Administration - Councillor Shawn Skinner
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6. Public Works - Councillor Sandy Hickman
7. Community Services - Councillor Jamie Korab
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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.	130 Aberdeen Avenue, MPA1900006	18
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15.	Other Business	
16.	Adjournment	

ST. JOHN'S

Minutes of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

March 24, 2021, 9:30 a.m.

Present: Mayor Danny Breen
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
Councillor Maggie Burton

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
Susan Bonnell, Manager - Communications & Office Services
Elaine Henley, City Clerk
Ken O'Brien, Chief Municipal Planner
Maureen Harvey, Legislative Assistant

Others Brian Head, Manager of Parks & Open Space
Jennifer Langmead, Supervisor - Tourism & Culture

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

Recommendation

Moved By Councillor Skinner

Seconded By Councillor Stapleton

That the agenda be adopted as presented.

MOTION CARRIED

3. Adoption of the Minutes

3.1 Minutes of March 10, 2021

Recommendation

Moved By Councillor Hanlon

Seconded By Councillor Korab

That the minutes of March 10, 2021 be approved as presented.

MOTION CARRIED

4. Presentations/Delegations

**4.1 Mark and Leah Richards - 42-44 Fourth Pond Road - File REZ2000011
(see also item 13.2 - Driveways in Floodplains)**

The Chief Municipal Planner informed the Committee that the issue at hand is in relation to applicant Mark & Leah Richards who have requested to construct the driveway in the floodplain. He noted that while driveways are permitted in floodplain buffers they are prohibited from floodplains. Mark and Leah Richards conducted a presentation in the hope of Council supporting their application. The presentation can be viewed in the meeting video. This matter was also referenced under item 13.2 on the agenda.

5. Finance & Administration - Councillor Shawn Skinner

6. Public Works - Councillor Sandy Hickman

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****11.1 Downtown Pedestrian Mall Road Closure 2021**

Supervisor of Events and Services, Jennifer Langmead, conducted a detailed presentation that supports the recommendation of staff in relation to the areas that ought to be considered for the 2021 Pedestrian Mall. A copy of the presentation is attached.

Considerable discussion took place with the following recommendation brought forward.

Recommendation

Moved By Councillor Hanlon

Seconded By Councillor Stapleton

That Council approve the following from July 2 to September 6:

1. Close Water Street from Adelaide Street to Prescott Street.
2. Due to the reasons outlined in the presentation at the March 24 Committee of the Whole, that sections 2, 4, and 5 of Duckworth Street are not included in the road closure.
3. As sections 1 and 3 have no identified barriers preventing a road closure, that Council include both of these sections in the 2021 Downtown Pedestrian Mall.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

12. Governance & Strategic Priorities - Mayor Danny Breen**13. Planning & Development - Councillor Maggie Burton****13.1 142 Old Pennywell Road, REZ2000012****Recommendation**

Moved By Councillor Froude

Seconded By Councillor Hanlon

That Council consider rezoning the property at 142 Old Pennywell Road from the Residential Low Density (R1) to the Residential Medium Density (R2) Zone to allow three Townhouses; and advertise the application for public review and comment.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

13.2 Driveways in Floodplains

This matter was discussed briefly under item 4.1 of the agenda.

Recommendation

Moved By Councillor Collins

Seconded By Councillor Skinner

That Council consider the attached amendment to the St. John's Development Regulations which would allow driveways, wharves and stages in a floodplain at the discretion of Council and advertise the amendment for public review and comment.

Further, that Council refer the proposed amendment to the City's Environment and Sustainability Experts Panel for review.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

13.3 Draft Heritage By-Law for Public Consultation

Recommendation

Moved By Councillor Hickman

Seconded By Councillor Skinner

That Council advertise the draft Heritage By-Law for public review and comment, refer the draft Heritage By-Law to a virtual Public Meeting

chaired by an independent facilitator, and refer the draft Heritage By-Law to the Built Heritage Experts Panel.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

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

14.1 Kelly's Brook Shared-Use Path - WWH

Recommendation

Moved By Councillor Froude

Seconded By Councillor Hickman

That Council approve the following key decisions as this project moves into detailed design:

- a) use of an asphalt surface treatment for the length of Kelly's Brook Shared-Use Path
- b) pursue the Graves Street alignment option (subject to feasibility and property impact)
- c) pursue the alignment option that passes behind the Community Market (subject to feasibility and property impact)
- d) use a one-way configuration for the Empire Avenue section
- e) include illumination in the plan with a balanced approach that is sensitive to adjacent uses and minimizes dim areas immediately adjacent the trail during normal use hours
- f) include and consider accessibility in the provision of amenities such as recycling and waste receptacles, benches, pet waste stations, shade and wind-break planting, way-finding signs, shared-use guideline signs, and bike racks
- g) continue to consult with the Inclusion Advisory Committee and other stakeholders as needed during the detailed design process

For (7): Mayor Breen, Councillor Hickman, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (7 to 0)

14.2 Traffic Calming Policy - Update on Review

Recommendation

Moved By Councillor Froude

Seconded By Councillor Skinner

That Council approve the 12 policy update areas noted above to proceed to public engagement prior to staff making final policy update recommendations.

For (7): Mayor Breen, Councillor Hickman, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (7 to 0)

15. Other Business

16. Adjournment

There being no further business the meeting adjourned at 11:35 pm.

Mayor

DECISION/DIRECTION NOTE

Title: Interest Free Payment Plan

Date Prepared: March 26, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Shawn Skinner, Finance & Administration

Ward: N/A

Decision/Direction Required: Whether to provide an interest free payment option for residential municipal taxes

Discussion – Background and Current Status:

Council requested staff consider the impact of modifying the existing monthly payment plans for residential taxpayers to be interest free and not require payment in advance. The request did not include commercial taxpayers as they are billed in arrears on a quarterly basis and are also complicated by potential vacancy allowance claims.

The City currently has an interest free monthly payment option for those using preauthorized payment (PAP) however it requires payment in advance. For example – if the January 2021 tax bill was \$1,200 a taxpayer would pay \$200 from September 2020 through February 2021 so that after the six months \$1,200 would be accumulated on the taxpayers' account so that no interest would be charged. These taxpayers are referred to as "pay in advance" accounts.

There are also regular PAP clients who pay the same amount each month but are being charged interest. As an example, a taxpayer availing of this method on a home valued at \$300,000 will pay approximately \$60 in interest over the course of a year.

There are approximately 2,800 accounts which are paying in advance, 2,000 regular accounts making monthly payments with interest, and another 17,000 where payments are made by a financial institution. With approximately 40,000 residential accounts this leaves approximately 18,200 who could avail of such a change. Of these 18,200 there are also a number of residents who pay directly to the City each year in full and as a result would not "cost" the City interest revenue.

Attempting to assess the full uptake of such a program is very difficult. If this is immensely popular the type of payment becomes an important consideration. If for example 5,000 accounts switched to this method and they all wanted to use post-dated cheques this would create an additional 60,000 transactions to be keyed by staff. This is for illustrative purposes as many would use the PAP option. That said, to prevent increased staffing costs for keying transactions PAP is the preferred payment method.

ST. JOHN'S

Key Considerations/Implications:

1. Budget/Financial Implications:

The full loss in interest revenue of providing a monthly interest free option is difficult to ascertain as the full utilization is hard to assess. For the 2,000 accounts currently on regular PAP, and assuming an average house in the City valued at \$300K, the loss of interest revenue to the City will be approximately \$120,000. For every additional 1,000 accounts that are currently paying interest and that partake in an interest free program the cost to the City is estimated at \$60,000. While this could be upwards of 18,200 accounts the uptake is not expected anywhere close to that amount. The impact on interest revenue is not expected to materially impair the City's finances.

2. Partners or Other Stakeholders:

This will provide taxpayers with some interest relief and payment flexibility. It will allow them to smooth their cash flows without having to make two significant lump sum payments.

3. Alignment with Strategic Directions/Adopted Plans:

A sustainable City

4. Legal or Policy Implications:

5. Privacy Implications:

6. Engagement and Communications Considerations:

A communications plan has been developed to make taxpayers aware of the monthly interest free option and to provide direction for those who already make monthly payments.

7. Human Resource Implications:

8. Procurement Implications:

9. Information Technology Implications:

10. Other Implications:

Recommendation:

That Council approve the creation of a monthly interest free payment program for residential taxpayers whose accounts are current and are set up for a preauthorized payment option only. This option would become effective April 1, 2021.

Prepared by:

Approved by:

Report Approval Details

Document Title:	Interest Free PAP.docx
Attachments:	
Final Approval Date:	Apr 1, 2021

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

Kevin Breen - Apr 1, 2021 - 11:10 AM

DECISION/DIRECTION NOTE

Title: Affordable Housing Catalyst Grant Allocations 2021

Date Prepared: March 31, 2021

Report To: Committee of the Whole

Councillor and Role: Deputy Mayor Sheilagh O'Leary, Housing

Ward: N/A

Decision/Direction Required:

Seeking Council approval on 2021 Housing Catalyst Grant allocations

Discussion – Background and Current Status:

The City of St. John's approved the 'Affordable Housing Strategy, 2019-2028', in November 2018. The strategy will address the municipality's housing needs by working in step with partners, stakeholders, and residents to create and maintain safe, suitable and affordable housing throughout the city.

Leading innovation is a strategic direction of the new strategy, intended to inspire and facilitate creativity in affordable housing projects. Implementation action 3.1 *Continue to offer the Housing Catalyst Fund grants yearly for affordable housing projects* is found under this direction.

The Housing Catalyst Fund allows the City to be a catalyst for practical and collaborative projects that produce tangible housing solutions for people. The City's role through this fund is to work collaboratively with community groups and other stakeholders (housing providers, service providers, non-profit organizations, builders/developers) to facilitate and plan housing solutions that will enhance the quality of life for individuals and families and build a healthier community.

In fall 2020, the City of St. John's signed an agreement to collaborate with the Community Housing Transformation Centre (CHTC) to enhance the impact and reach of the Housing Catalyst Fund. The new partnership adds \$100,000 to the City's \$50,000. Grants will continue to fund short term projects with a one to two-year timeline of completion, however the maximum grant amount available to applicants has increased from \$10,000 to \$30,000.



A Housing Catalyst Grant selection committee was established to review submissions, and included a representative from CMHC, two representatives from CHTC, two citizen representatives with experience in the housing and homelessness sector, and three staff from the City of St. John's.

The City of St. John's Manager - Housing and the Affordable Housing & Development Facilitator declared conflicts of interest and recused themselves from the review of these applications.

The following matrix was used to evaluate projects:

Housing Catalyst Fund 2021: Selection Criteria		
Item #	Criteria	Weighting
1	Project aligns with Affordable Housing Strategy and CHTC's Priority Areas	25%
2	Impact of project	25%
3	Project responds to clearly identified need	20%
4	Project is realistic and feasible	15%
5	Clarity of request	15%

The selection committee is recommending 6 applications be approved for funding. They are as follows

Organization	Project	Grant Amount		
		City	CHTC	Total
End Homelessness St. John's	Hiring of a consultant to explore the prospects and problems associated with developing cohousing/house sharing projects for low-income individuals in St. John's.	-	\$30,000	\$30,000
Association for New Canadians	Hiring of a consultant to identify best practices and provide key recommendations on operating a transition house, particularly for newcomer women seeking shelter from family violence.	-	\$30,000	\$30,000
S.O.D. Housing Co-operative	Energy efficiency upgrades to downtown properties.	\$10,000	-	\$10,000
Empower	Work with various partners on the development of a model based on current needs, and source various levels of funding, to build or renovate accessible housing for people with disabilities.	\$5,000	\$25,000	\$30,000
Fundamental Inc.	The Community-Supported Micro-Living Pilot Project is looking to explore the opportunity for providing a housing-vulnerable youth with a community-sponsored micro-unit.	\$10,000	\$15,000	\$25,000
Cohousing NL	Offering an affordable cohousing participatory design workshop and information series.	\$10,000	-	\$10,000

When reviewed in their entirety there is \$15,000 remaining in the overall Housing Catalyst Fund. It is recommended that Council retain this amount for the next grant cycle.

Key Considerations/Implications:

1. Budget/Financial Implications: \$50 000 has been approved for the 2021 Housing Catalyst Fund. Once approved, the City will transfer \$15,000 to CHTC for the administration of projects that are co-funded.
2. Partners or Other Stakeholders: CHTC, and 6 partners in their affordable housing efforts
3. Alignment with Strategic Directions/Adopted Plans: Affordable Housing Strategy 2019-2028- 3.1 Continue to offer the Housing Catalyst Fund grants yearly for affordable housing projects
4. Legal or Policy Implications: In 2020, the City of St. John's signed an MOU with CHTC outlining the Catalyst Fund Partnership agreement
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: Housing staff will work with Marketing and Communications and CHTC in releasing information.
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 recommended 2021 Housing Catalyst Grant allocations and retain the unawarded amount to the 2022 grant cycle.

Prepared by: Jennifer Langmead, Supervisor – Tourism and Events

Approved by: Tanya Haywood, DCM – Community Services

Report Approval Details

Document Title:	2021 Housing Catalyst Grants.docx
Attachments:	
Final Approval Date:	Mar 31, 2021

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

Judy Tobin - Mar 31, 2021 - 12:04 PM

Tanya Haywood - Mar 31, 2021 - 12:14 PM

DECISION/DIRECTION NOTE

Title: 130 Aberdeen Avenue, MPA1900006

Date Prepared: March 29, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 1

Decision/Direction Required:

To consider a rezoning application for land at 130 Aberdeen Avenue from the Commercial Regional (CR) Zone to the Apartment Medium Density (A2) Zone and Residential High Density (R3) Zones to accommodate a residential development consisting of single detached dwellings, semi-detached dwellings, townhouses and apartment buildings.

Discussion – Background and Current Status:

The City has received an application to rezone land at 130 Aberdeen Avenue from the Commercial Regional (CR) Zone to the Apartment Medium Density (A2) and Residential High Density (R3) Zones for the purpose of a residential subdivision with a mix of housing types. A Municipal Plan amendment is also required. This application is still being reviewed by staff but is being brought to Council before the review is finished; Council's decision may affect the design of the proposed development.

When the application was received, it was referred to the St. John's International Airport Authority (SJIAA) for comment. Generally, the Airport Authority reviews applications with respect to building height, location within the Noise Exposure Forecast (NEF) system, and sometimes building materials (some materials can affect air navigation by radar). Transport Canada uses the NEF system to evaluate noise impacts; it includes factors such as the number of aircraft movements, types of aircraft, runways used, and the glide and approach paths. The higher the NEF number, the louder the noise. The aim is to ensure that land uses which are sensitive to airport noise, such as residential uses where people could be awakened by noise) are kept away from the airport.

For the proposed development at 130 Aberdeen Avenue, there were no concerns from the Airport Authority with respect to the building heights, but they did express concern with airport noise. According to their most recent NEF maps (attached), the proposed development is bisected by the 30 NEF line and they assert that new residential development is not suitable above 30 NEF. They recommended that the developer rearrange the site plan to keep residential uses on the low side of the 30 NEF line. The Airport Authority recommends following their map showing the ultimate NEF lines. Even if it is 30+ years in the future, the building would still be there when the ultimate NEF comes to pass.



This ultimate NEF map differs from the NEF map used in the St. John's Development Regulations, which is based on the 1996 map in the St. John's Urban Region Regional Plan. The City also uses the airport policies in the Regional Plan. Relevant sections of the Regional Plan are attached for Council's reference.

The Province's Regional Plan recognizes that aircraft and helicopter movements are noisy and aims to minimize their adverse impacts. The Plan sets minimum requirements for development, limits new residential uses to areas outside (or lower than) the 35 NEF line, and recommends that any residential development between 30 and 35 NEF have sufficient sound insulation. The Regional Plan's NEF map is from 1996 and has not been updated. Using these lines, the proposed rezoning at 130 Aberdeen Avenue would fall between the 25 and 30 NEF lines and thus would be permitted under the Regional Plan.

In addition to the NEF map in the Regional Plan being older than the one used and recommended by the Airport Authority, their policies are also different. The Regional Plan recommends that new residential uses can proceed between the 30 and 35 NEF lines, subject to sufficient noise insulation, but Transport Canada recommends against new residential development above 30 NEF. If the responsible authority (in this case, the City) chooses to proceed contrary to Transport Canada's recommendation, then Transport Canada advises that:

- a) appropriate acoustic insulation features must be considered, and
- b) a noise impact assessment study must be completed. Further, the developer should be required to inform all prospective tenants or purchasers that airport noise (creating annoyance and interfering with speech) is a problem at 30 NEF and is very significant by 35 NEF.

The requirement for noise insulation for residential developments between 30 and 35 NEF is similar to the policy of the Regional Plan, though it is against Transport Canada's recommendation.

There are two ways in which Council can approach the current rezoning request:

1. Consider rezoning the entire property for residential use. This is the applicant's request. Should Council decide on this direction, staff recommend that the applicant be required to provide sufficient sound insulation as proposed in the attached Aircraft Noise Feasibility Assessment prepared for the applicant.
2. Consider rezoning only the portion of the property that is below the 30 NEF line. This would require the applicant to redesign the development. The portion between 30 and 35 NEF would remain in the Commercial Regional (CR) Zone where airport noise is less of a concern.

Given that the St. John's Development Regulations and the Province's Regional Plan would allow the proposed development; given that the applicant has prepared an Aircraft Noise Feasibility Assessment for Council's consideration; and given that, should the NEF map be updated, the proposed noise insulation would fall in line with the Regional Plan policies and the cautionary recommendation from Transport Canada - it is recommended that Council consider rezoning the entire property for residential use. Should Council consider rezoning the entire

property, the application would be advertised once the staff review is complete and staff confirm that the proposed development meets City regulations and policies. Some revisions to the attached site plan may be required.

Staff recognize the important economic role of the Airport regionally and provincially, including its need to operate 24 hours a day. There are many Canadian airports where overnight operations are not allowed due to the presence of residential areas close by. With the geographic location of St. John's at the extreme east of Canada, the airlines start their day very early so that aircraft move westward across the country. Also, some flights end their run in St. John's well after midnight. Years ago, the Airport Authority advised the City that any threat to 24-hour operation would challenge the Airport's ability to meet the needs of the airlines.

Therefore, staff recommend that the City work with the Airport Authority and the Province in determining the best approach to update the NEF map and policies. Engine and airframe technology and changing flight schedules affect the NEF lines and can change over time. Using a map from 1996 is not appropriate when there are updated maps. As the Airport grows, we must keep our policies up to date. Staff also recommend deferring any further applications to rezone properties to residential use within the 30 NEF line until Council decides on any new policy. Areas already zoned for residential use would not be affected by this. As shown on the attached map, these are areas currently zoned Commercial Regional (CR), Industrial General (IG), Agricultural (AG), Rural, and other non-residential zones.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring property owners and residents; the St. John's International Airport Authority; and the NL Department of Environment, Climate Change and Municipalities (for the Regional Plan).
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: Should Council decide to consider the rezoning, following staff review the application will be advertised in *The Telegram* newspaper and on the City's website, and notices will be mailed to property owners within 150 metres of the application site.
7. Human Resource Implications: Not applicable.

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

Recommendation:

That Council:

- 1) consider rezoning the property at 130 Aberdeen Avenue from the Commercial Regional (CR) Zone to the Apartment Medium Density (A2) and Residential High Density (R3) Zones to allow a residential development containing single detached dwellings, semi-detached dwellings, townhouses and apartment buildings; and following staff review, advertise the application for public review and comment;
- 2) direct staff to work with the St. John's International Airport Authority and the Province to determine the best approach to update the airport noise (NEF) maps and policies and bring back recommendations to Council; and
- 3) defer any future rezoning applications for new residential development within the 30 NEF line until Council makes a decision on new NEF maps and policies.

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

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

Report Approval Details

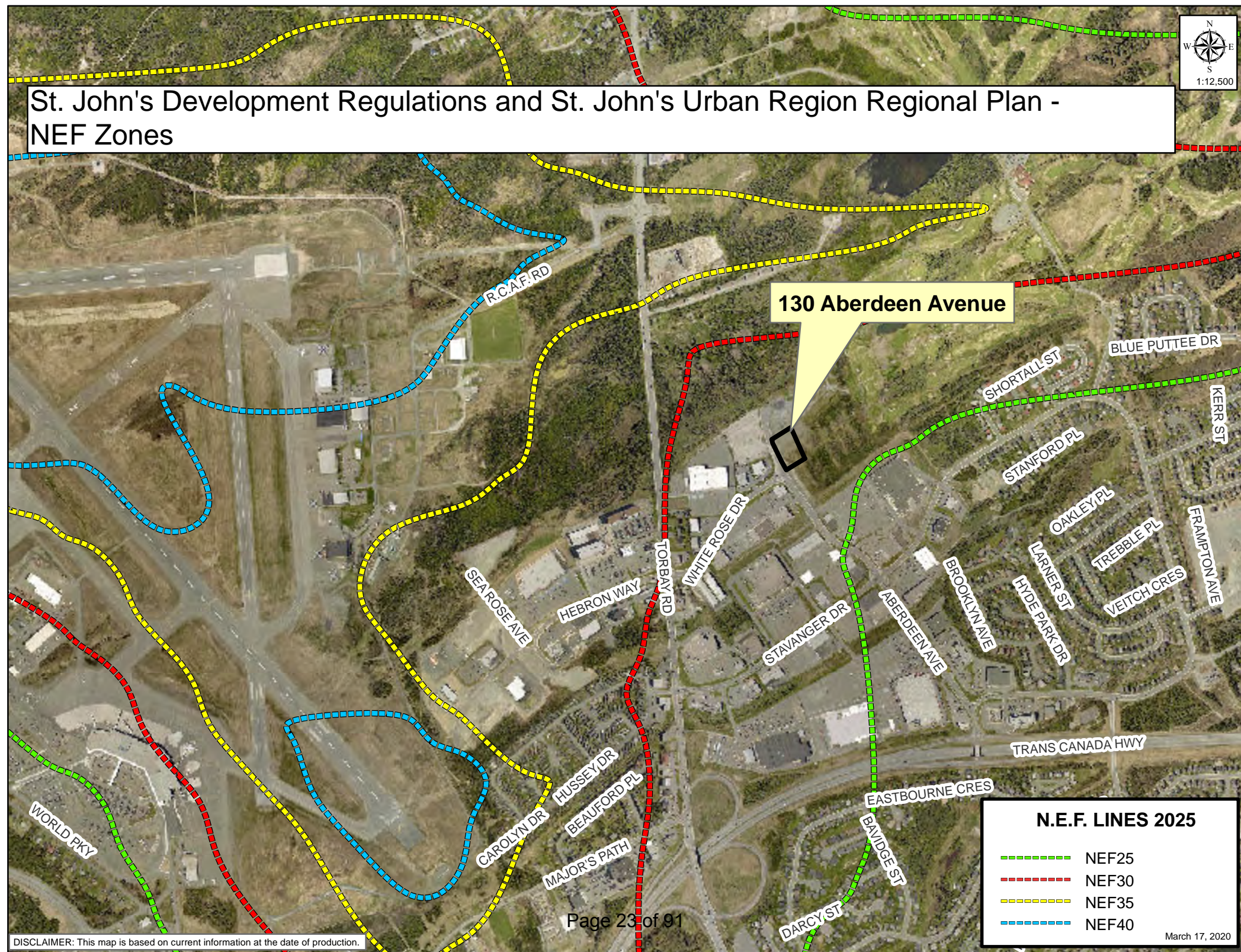
Document Title:	130 Aberdeen Avenue, MPA1900006.docx
Attachments:	- 130 Aberdeen Avenue - COTW Attachments(compressed).pdf
Final Approval Date:	Mar 31, 2021

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

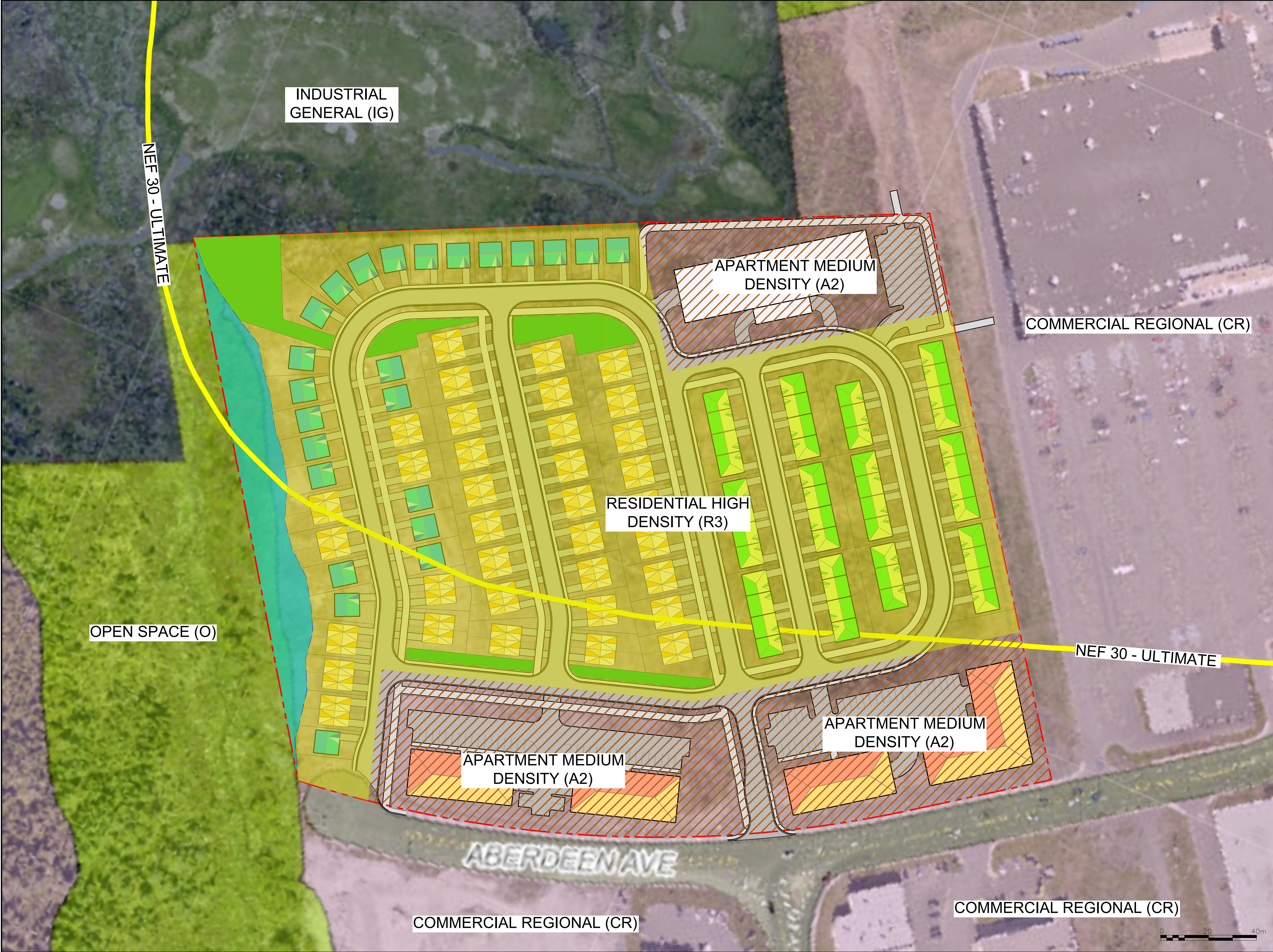
Ken O'Brien - Mar 30, 2021 - 5:28 PM

Jason Sinyard - Mar 31, 2021 - 1:05 PM

St. John's Development Regulations and St. John's Urban Region Regional Plan - NEF Zones







CONTRACTOR MUST VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH ANY PORTION OF THIS WORK. REPRODUCTIONS OF THIS DRAWING MAY HAVE BEEN REDUCED OR ENLARGED. REFER TO GRAPHIC SCALE. DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

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B	ISSUED FOR APPROVAL		21/01/27	
A	ISSUED FOR APPROVAL		19/12/06	
No.	REVISIONS	APP	DWN	DATE


NORTH:

STAMP:

Progressive Engineering
& Consulting Inc.

PERMIT STAMP:

PROVINCE OF NEWFOUNDLAND AND LABRADOR



PERMIT HOLDER
This Permit Allows

PROGRESSIVE ENGINEERING & CONSULTING INC

To practice Professional Engineering
in Newfoundland and Labrador.
Permit No. as issued by PEG N0566
which is valid for the year 2021

OWNER/CLIENT NAME:

A HARVEY &
COMPANY LTD.

PROJECT TITLE:

ABERDEEN AVENUE
DEVELOPMENT

DRAWING TITLE:

PROPOSED ZONING PLAN

DRAWN BY:	DESIGNED BY:	APPROVED BY:
J.P.	J.P.	J.P.
MAE No:	DATE:	SCALE:
N/A	DEC 2019	AS SHOWN
PROJECT No:	DRAWING No:	REV:
2019-019	C1	B

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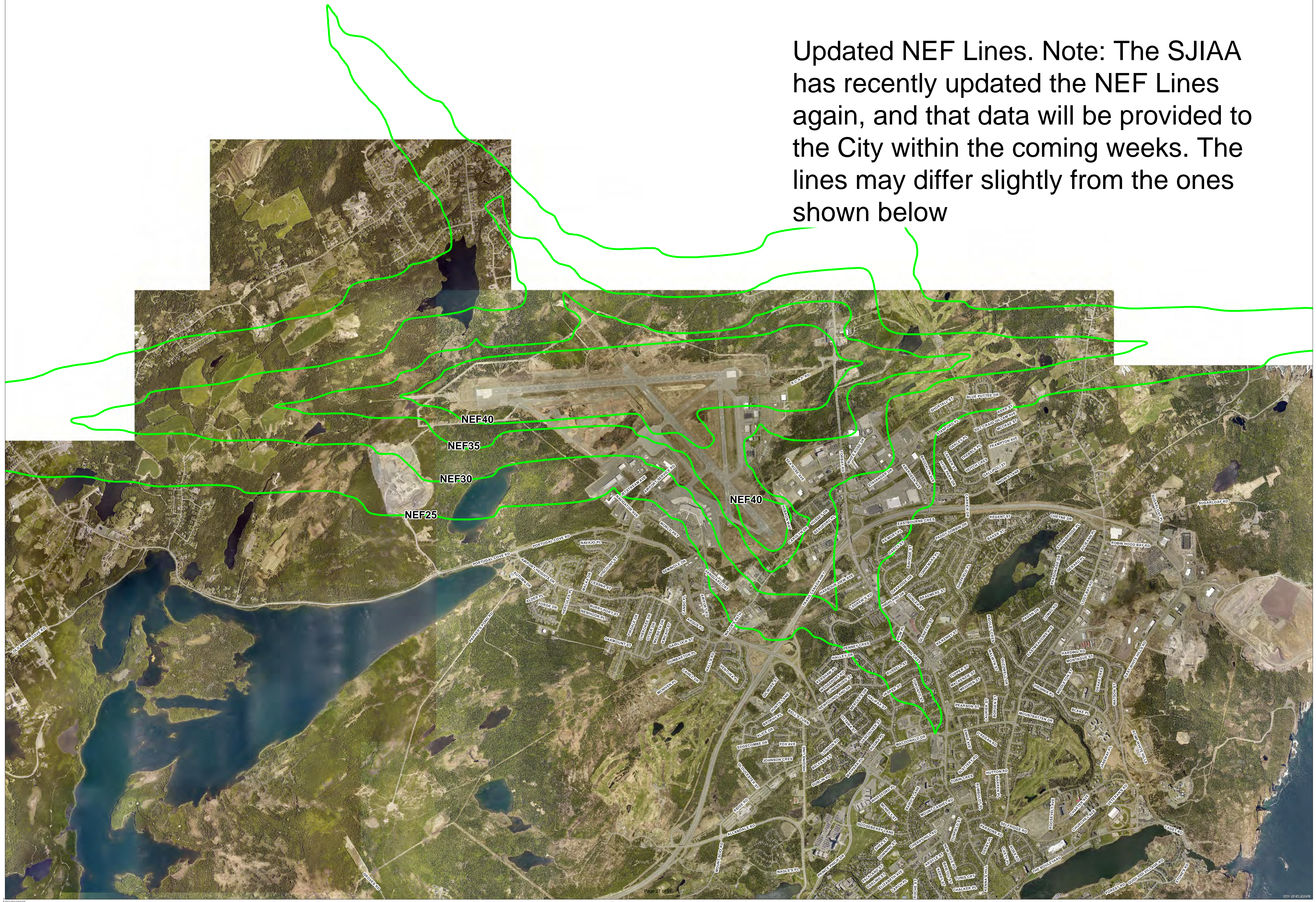
2012 NEF LINES - ST. JOHN'S AIRPORT

The NEF Lines the City currently use. The 1996 lines were digitized and sent to the City in 2012.



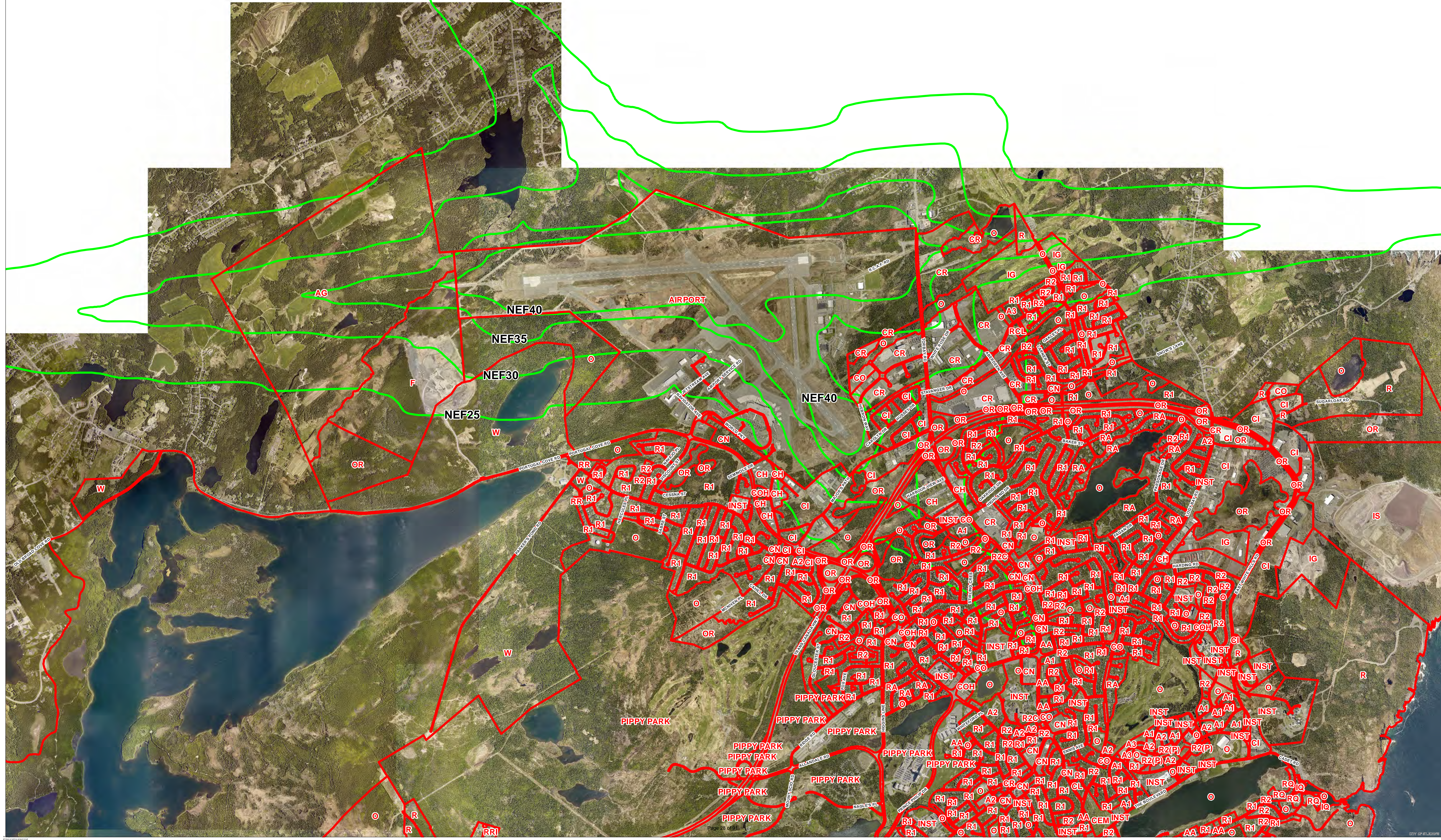
2025 NEF LINES - ST. JOHN'S AIRPORT SCENARIO 2

Updated NEF Lines. Note: The SJIAA has recently updated the NEF Lines again, and that data will be provided to the City within the coming weeks. The lines may differ slightly from the ones shown below



Most of the areas within the 30+ NEF Lines are zoned for non-residential uses.

Most of the areas within the 30+ NEF Lines are zoned for non-residential uses.



ST JOHN'S URBAN REGION

REGIONAL PLAN

1976

with

Forestry Policy Amendment, 1978

Watershed Protected Areas Policy Amendment, 1980

and

Subsequent Amendments

OCTOBER 1995

Unofficial Consolidation as of May 1, 2007

Prepared by

Engineering and Land Use Planning Division

Department of Municipal Affairs

Residential uses shall not be permitted in any industrial area except for a dwelling for an essential workman or caretaker and his family, or for transient accommodations.

(Amendment #2, 1994)

The amenity of surrounding non-industrial areas shall be protected by keeping noises, fumes and any hazardous aspects of industrial operations as far as possible from the property lines dividing the industrial and non-industrial areas.

[Crossed out: Green Bay Industrial Site.]

a) the purpose of the site is to accommodate an offshore service base to provide docking and related loading, storage, repair, maintenance and administrative facilities in support of offshore oil and gas exploration, development and production effort.

b) development of the site will be dependent upon the approval of a Development Scheme prepared under the provisions of the Urban and Rural Planning Act.

(as amended 1987)

(b) Torbay Airport

Notwithstanding the land use designations on the Regional Plan Map and any other policies of this Regional Plan, the following special provisions shall apply within the vicinity of Torbay Airport:

- i) No development shall infringe the height limitations in the vicinity of Torbay Airport unless otherwise approved by the Ministry of Transport.*
- ii) No development shall be permitted in the vicinity of Turbo Airport that would, in the opinion of the Ministry of Transport, pose a danger to the operations of aircraft by interfering with navigational aids or telecommunications equipment.*
- iii) Within the noise zones indicated on Annex I (Noise Exposure Forecast Values) decisions upon permitting development shall in the first instance have regard to the policies set out elsewhere in this Plan according to the*

designation of the area in which they are to be located and, in addition, the policies set out in Annex II of the Plan shall be used as guidelines.

Within the area designated 'Airport' on the Regional Plan Map development shall be limited to uses associated with the operation of the airport and to which the Ministry of Transport have no objection.

(c) Regional Industrial Uses

Policy:

The policies set out above for Major Industrial Uses(a) will apply in the Regional Industrial areas, except that the types of uses which may be permitted include light industrial and certain additional commercial uses. Commercial uses that require large lots and floor areas and direct vehicular access for loading of purchased goods may be permitted in addition to those outlined in (a) above.

The Regional Industrial use designation shall not preclude the setting aside of conservation and other open space areas for the protection of waterbodies, for passive or active recreation, for reservation of heights of land or land which should not be developed because of steep slopes, hazardous conditions, servicing, or other development constraints.

(Amendment #3, 1994)

H. TRANSPORTATION

The transportation network forms the backbone of the Regional Plan; it is the component that ties all the parts together. The transportation policies of the Regional Plan have been developed in conjunction with the land use policies and the transportation plan is incorporated on the Regional Plan Map, providing for the following classes of roads:

ST. JOHN'S AIRPORT ENVIRONS POLICY

1983

as amended

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1. INTRODUCTION

The area which is the subject of the St. John's Airport Environs Policy is generally bounded as follows:

- i) to the south by the 1981 boundary of the City of St. John's and by the boundary of the C.A. Pippy Park;
- ii) to the west by the far western boundary of St. John's Airport;
- iii) to the north by an east/west line running through the northern tip of South Pond; and
- iv) to the east by a north/south line to the east of Quidi Vidi Lake.

The above area is shown on the attached St. John's Airport Environs Policy Map, but is emphasized that there are other areas in the Urban Region, which lie outside of the above area and which are impacted by proposals for that area, and policies made relevant to that area which by their nature apply outside of the area.

The policies which follow are based on the findings contained in the report "St. John's Airport Environs Development Plan, Volume I Development Plan, and Volume II Background Report". Relevant statistical data, analysis and reasoning from which these policies were derived can be found in the above noted work.

2. AIMS FOR ST. JOHN'S AIRPORT ENVIRONS

The principal aims for the St. John's Airport Environs Policy are to allow for development of land uses which will:

- i) not hinder in any way the optimum use of the Airport;
- ii) provide for the highest and best use of the land around the Airport, for both trend growth and for economic development derived from growth of the offshore oil and gas industry; and
- iii) complement the surrounding regional context of both urban and rural uses.

3. GOALS AND OBJECTIVES

The following five broad goals for the St. John's Airport Environs are recognized:

- i) the optimization of Airport use;
- ii) the optimization of the potential for offshore oil and gas related developments around the Airport;
- iii) the optimization of the quality of the residential environment;
- the optimization of investment in municipal services; and
- iv) comprehensive regional planning.

From these goals are derived specific objectives which are set out below with, where appropriate, a brief explanatory note.

3.1 Goal: Optimization of Airport Use

Optimization of airport use is seen as a development goal on three counts:

- i) To assist in the development of regular traffic growth.
- ii) To protect the significance of the airport as a critical transportation link for the economy of the whole province and, in particular, the St. John's Urban Region.
- iii) To enhance the role of the airport and thus the Urban Region in its service function for the offshore oil and gas industry.

Although the main tools to optimize the use of the airport relate more specifically to the future development, operation and management of the airport itself, the rational planning for and the use of lands surrounding the airport have significant impact. Thus, planning for the Airport Environs will encourage development of the right kind and at the right locations, and prevent development which would potentially reduce optimum use of the airport.

Objectives:

- a) Maximization of Land Availability for Airport-Derived Commercial Use.
- b) Maximization of Land Availability for Airport-Derived Industrial Use.

3.2 Goal: Optimization of the Potential for Offshore Industry Development Around the Airport

Since the offshore industry is so dependent on airport use, adequate well located land around the airport should be reserved to assist potential industrial growth associated with development of this industry.

Objectives:

- a) Maximization of land Availability for Offshore/Airport-Related Industrial and Commercial Uses.
- b) Implementation of a Comprehensive Regional Road Network and Improvement of Airport-Port/Downtown Access.

3.3 Goal: Optimization of the Quality of the Residential Environment.

Any disruption to already developed and still undeveloped areas due to airport activity should be minimized.

Objectives:

- a) Avoidance of All Noise Disturbance in Future Residential Areas.
- b) Minimization of Noise Disturbance in Existing Residential Areas.
- c) Allocation of Land Uses so as to Minimize Conflicts between Airport-related Industrial and Commercial Uses and Existing or Future Residential Uses.

3.4 Goal: Optimization of Investment in Municipal Services

Objectives:

- a) Disposition of Land Uses so as to Fully Utilize Existing and Planned Municipal Infrastructure.
- b) Phasing of Land Development so as to Maximize Existing Infrastructure and planned phasing of New Servicing.
- c) Minimization of Right-of-way Impacts and Costs, by Implementation of a Multiple-use Service Corridor.

3.5 Goal: Comprehensive Regional Planning

The Airport Environs is an integral part of the St. John's Urban Region and it must function within this context and respect, where appropriate, other regional policies.

Objectives:

- a) The Retention and Encouragement of Designated Agricultural Areas within the Airport Environs.
- b) The Retention of Designated Watershed Areas in or abutting the Airport Environs.

4. ST. JOHN'S AIRPORT ENVIRONS POLICY

The St. John's Airport Environs Policy Map shows the land uses proposed for the lands surrounding the airport. These are: residential; commercial, ~~airport-related commercial; airport-related industrial/commercial; airport-related industrial;~~ industrial, agriculture, watershed and rural. Each of these uses is discussed below in general terms, followed by policies relating to their implementation. Following the policies relating to specific land uses are policies relating to noise impact, bird hazard constraints, and infrastructure.

(Amendment #2, 1991)

4.1 Residential Uses

New areas of residential uses within the Airport Environs are designated only outside of the consolidated forecast 25 NEF Noise Exposure Forecast (NEF) line. Other areas designated residential, lying both within and outside of the 25 NEF line, are all either developed, in the process of development or are approved subdivisions.

(Amendment #1, 1991)

(Amendment #1, 1994)

Policies:

- ▶ That new residential uses be restricted to only those areas lying outside of the ~~25~~ 35 NEF consolidated noise footprint.

(Amendment #1, 1991)

(Amendment #1, 1994)

- ▶ That infill development of new residential uses shall be permitted in existing or approved residential areas, but that the full acoustic insulation shall be incorporated into building design specifications.

- ▶ Any new residential development between the 30 NEF contour and the 35 NEF contour shall include sufficient sound insulation as established from time to time by appropriate authorities.

(Amendment #1, 1994)

4.2 Commercial Uses

In many instances this designation encompasses existing uses. In addition to commercial uses in general, specific-purpose commercial uses, i.e., airport-related, are identified and dealt with as a separate policy heading.

It is the intent of this Policy to consolidate commercial uses at nodes along arterial roads, and not to encourage the further proliferation of strip commercial development.

Policy:

- ▶ That commercial uses only be permitted in the areas appropriately designated. The definition of such uses shall be the responsibility of the appropriate local authority but shall generally include retail and office activities, as well as commercial clubs, restaurants and service stations provided particular attention is given to site design and access.

4.3 Airport-Related Commercial Uses

(Deleted in Amendment #2, 1991)

4.4 Industrial/Commercial Uses

Within this designation light industrial or commercial uses will be permitted. Highway-related uses will not be permitted on that land so designated and lying to the south of the proposed Outer Ring Road because of the controlled access nature of this road. However, such uses will be permitted elsewhere in this designation provided strict consideration is given to site design and access.

Policy:

- That only industrial/commercial uses be permitted in this designation and that these uses shall accord with the Major Industrial Policy of the St. John's Urban Region Regional Plan, with the additional stipulation that heavy industrial uses shall not be permitted.

4.5 Airport-Related Industrial/Commercial Uses

(Deleted in Amendment #2, 1991)

4.6 Industrial Uses

A large area surrounding the airport is designated for industrial use. A large proportion of this, particularly to the east and northeast of the airport, is ideally suited for offshore-related industrial use.

This White Hills area is also designated for industrial use and possesses great locational advantages of good future regional road access to this airport and port.

Policy:

- That industrial uses only shall be permitted in the areas so designated and that these uses shall be subject to the "Major Industrial Policy" of the St. John's Urban Region Regional Plan.

4.7 Airport-Related Industrial Uses

(Deleted in Amendment #2, 1991)

4.8 Aviation-Related Industrial Uses

This designation is given to land lying on Airport property immediately east of runway 02/20 and between it and Turbo Road. The designation has been applied to this area since it is of such importance to support the helicopter and general aviation activity, with many of the former and its support uses likely being offshore-related.

Policies:

- ▶ That helicopter and specific aviation-related industrial uses only shall be permitted in the areas so designated.
- ▶ That a full definition of compliance with a helicopter and aviation-related use classification shall be developed by the appropriate jurisdictions for use in the development of this land and this definition shall be included in any implementing regulation for this plan and any municipal, local area plan, or airport plan prepared in accordance with it.

4.9 Agricultural Use

The St. John's Agricultural Development Area encompasses lands to the north and northeast of the airport. The lands are a regional and provincial resource which cannot be replaced if used for other purposes. Analysis of land demands for urban uses has indicated that there is no shortage of potentially developable land for such uses and that there is on these grounds no cause to consider amendment to existing agricultural policy.

Policy:

- ▶ That agricultural uses only be permitted in the areas so designated and that the policies relating to these uses be those of the St. John's Urban Region Regional Plan.

(Section 4.9 is affected by amendments to the policies of Section F(a) of the Regional Plan).

4.10 Rural Use

The rural designation has been applied to areas beyond current and proposed servicing limits or where topographic and drainage considerations might well hinder development. Land demand analysis indicates that there is no need to consider the urban use of these lands.

Policy:

- ▶ That rural uses only be permitted in the areas so designated and that policies relating to these uses be those of the St. John's Urban Region Regional Plan.

4.11 Watershed Use

The Windsor Lake and South Pond Watersheds fall partly within the Airport Environs. Their existing and future use as domestic water sources is undisputed and they will be accordingly protected.

Policy:

- ▶ That the Windsor Lake and South Pond Watersheds remain subject to the Watershed Protected Areas Policy of the St. John's Urban Region Regional Plan.

4.12 Noise

Aircraft and helicopter movements are generally noisy and the disposition of the above noted land uses has been determined on the basis of anticipated movements and noise levels in order to minimize impacts. However, there are existingly developed areas and areas committed for development which are and will be affected by aircraft noise. It is essential that incompatible development not be permitted in potentially high noise areas and that, where possible, steps be taken to minimize impacts on existingly developed areas. Airport and aircraft operations are beyond the control of this plan, but certain steps can be taken beyond the boundaries of the airport to minimize adverse impacts. Annex I shows the Noise Exposure Forecast values for St. John's Airport for ~~1985~~ 1996, which replace the former NEF values of the St. John's Urban Region Regional Plan with effect from the approval of these policies. The following policies apply equally to areas beyond what this plan defines as the St. John's Airport Environs.

(Amendment #1, 1992)

Policies:

- ▶ That no noise sensitive uses, particularly residential ones, be permitted in existing and future high noise impact areas.
- ▶ That new infill housing in noise impact areas have mandatory acoustic insulation.
- ▶ That structures and landscaping on land in high noise areas be designed to also act as noise barriers or absorbers.
- ▶ That the change of use from noise-sensitive uses to noise-tolerant ones be encouraged in high noise impact areas.
- ▶ That noise levels, noise level forecasts and airport developments be monitored and, that the land use policies of this plan be reviewed on the basis of variations or forecast variations.
- ▶ The volume and frequency of helicopter movements be monitored with a view to considering with the appropriate federal, provincial, municipal, and industry authorities, the establishment of helicopter corridors to provide for safe operation with minimum impact on noise sensitive uses.

4.13 Bird Hazard Constraints

Birds and aircraft are potentially dangerous to one another. In the vicinity of any airport, therefore, steps have to be made to minimize the risk of collision between them.

Certain land uses and activities by their nature attract birds and these land uses near airports should be discouraged if not prevented. The zones of potential danger to aircraft around the St. John's Airport are shown in Annex III as three concentric circles: A) 2 mile-radius; B) 3-mile radius; C) 5-mile radius.

Zone A is the area of greatest potential hazard. Most of the Airport Environs area lies within this zone, where the preferred uses, considering potential bird hazards would be industrial and commercial uses, excluding any drive-in restaurants or other food-related commercial uses. Residential uses in any zone do not normally exacerbate the bird hazard constraint. For a detailed list of land uses and related bird hazards, see Annex III.

Policy:

- ▶ Within the Bird Hazard Zones shown in Annex III decisions upon permitting development shall in the first instance have regard to the policies set out elsewhere in this plan according to the designation of the area in which they are to be located and in addition the policies set out in Annex III.

4.14 Servicing

Proposals to provide trunk water and sewer mains to the airport environs are in hand and are essential to the realization of the areas potential. Adequate land will be serviced to meet this potential and development will only be permitted on these lands in order to minimize servicing costs, fully use those to be provided and limit unnecessary outward sprawl.

Policies:

- ▶ That the water supply system to the St. John's Northeast Expansion Zone be implemented.
- ▶ That the Penetanguishene extension of the Pleasantville Trunk Sewer be implemented.
- ▶ That storm sewerage in the airport environs be given adequate consideration in the design and implementation of new developments.
- ▶ That no activity at or emission be undertaken from the Robin Hood Bay waste disposal site which could be a hindrance to air navigation.
- ▶ That the route of the proposed Outer Ring Road through the airport environs area be utilized as a multiple-use service corridor for linear services such as roads, water and sewer mains, hydro lines and pipelines. The full cooperation of concerned agencies will be solicited for this section of the Outer Ring Road, and elsewhere on its route where appropriate.

4.15 Road Network

The planned regional road network will be capable of accommodating the potential development of the areas surrounding St. John's Airport and in part by providing excellent regional access will promote the area's development. Consideration will be given to other improvements to aid traffic flow and promote development as the rate of development dictates.

Policies:

- ▶ That the regional road network as depicted in the St. John's Urban Region Regional Plan be implemented.
- ▶ That the Outer Ring Road be given the highest priority so that its construction will enable the realization of development potential in both the Airport Environs and the Region as a whole.
- ▶ That the Penetanguishene Bypass and Airport Access Road be constructed in conjunction with the Outer Ring Road and the development of St. John's Airport facilities.
- ▶ That an Airport-Port/Downtown St. John's link from the eastern limit of the Outer Ring Road be developed.
- ▶ That a link to the Outer Ring Road from the planned industrial area to the east of Turbo Road be investigated for possible realization as the industrial area develops.
- ▶ That further research be carried out into the potential truck traffic generated by Airport Environs industrial areas, with particular emphasis on port destined or derived traffic, with a view to establishing truck routes and/or defined times for truck movements through city streets.

ANNEX I
NOISE EXPOSURE FORECASTS

NOISE EXPOSURE FORECASTS

The Noise Exposure Forecast (NEF) system used by Transport Canada to evaluate the real extent of noise impacts is dependent upon a number of factors:

- i) number of traffic movements;
- ii) type of aircraft in use;
- iii) proportional mix of aircraft;
- iv) runways utilized;
- v) glide and approach paths;
- vi) height of traffic on approach and departure paths;
- vii) noise and characteristics of aircraft types, during both landing and take-off procedures;
- viii) duration of noise;
- ix) frequency components of the noise (pure tones); and
- x) subjective analysis of the degree of annoyance of the noise. This evaluation is a result of a combination of physical and behavioural studies and is considered the most up-to-date method of evaluating noise problems with an airport.

NEF contours to reflect the anticipated aircraft movements in 1985 have been projected by Transport Canada.* These contours are shown on Annex I and are based on the Optimistic Oil Scenario for 1985.

No NEF contours have been supplied for traffic movements beyond 1985, although projections for traffic volumes have been calculated. This absence of NEF contours for beyond the near future is clearly a major constraint for land use planning in the Airport Environs area.

(1985 NEF contours have been replaced with 1996 contours).

* It should be noted that NEF contours are computer-plotted at a scale of 1:50,000. This means that any enlargement of the scale, eg., to 1:12,500 runs the risk of an inherent distortion. The NEF lines thus have to be evaluated in this light. Nonetheless, they are the best estimated of the anticipated locations of noise-affected areas.

The NEF contours were plotted based on an assumption of a mix of summer day traffic. Offshore helicopter traffic was incorporated into the noise forecast, however, the helicopters were assumed to be operating under IFR conditions and therefore would be flying at a much higher level than they would be under VFR conditions. This fact also may have distorted the NEF contours.

BPD+ Boundridge Planning and Development Services Inc.
24 Silverton Street, St. John's, Newfoundland
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15 March 2021

Ken O'Brien, MCIP
Chief Municipal Planner
Department of Planning, Engineering and Regulatory Services
City of St. John's Municipal Council

**Re: Application to Rezone Land at Civic # 130 Aberdeen Avenue
to Accommodate a Mixed-Form Housing Development
York Development Inc/York Construction
CSJ File #: MPA1900006**

Good Day, Mr. O'Brien:

On behalf of Peter Batson and York Development Inc. (York) and as part of the project team, I want to convey our appreciation to the City of St. John's for the opportunity provided us on 24 February 2021 to attend a meeting with the Committee of the Whole (COTW) and make a short presentation on this project to develop a new residential neighbourhood in the City's northeast.

Purpose of the Presentation

As you are aware, City representatives advised York that it should meet with the COTW to better familiarize Council representatives about what the rezoning application is intended to accomplish. York agreed and prepared a presentation for the COTW meeting to discuss the proposed development project and to inform the COTW of the relevance of the St. John's Airport Noise Exposure Forecast (NEF) contours as they relate to municipal and provincial planning policies involving the responsible use by Council of its discretionary authority to allow residential development to occur within the 30 – 35 dB NEF contour band; and to garner some measure of support from Council members for exercising this discretion when considering the York application to rezone and redesignate 130 Aberdeen Avenue to support York's subsequent application to develop a new mixed-form residential neighbourhood. We also felt it important to remind current Council members that, in accordance with the *Urban and Rural Planning Act, 2000* (URPA), the ultimate authority to allow the requested rezoning and approve the proposed development rests with the City of St. John's.

We also believed it important to impart to City representatives some of the knowledge about NEF mapping that our project team obtained through consulting with professional staff of the St. John's Airport Authority, and the results of the professional sound impact assessment that York had commissioned. The former is important as it reveals how NEF contours are identified and...

... 2

...how they have changed over time. The latter is important as it indicates, using Canadian Government guidance, the mitigative measures which will be undertaken during dwelling construction to increase the liveability of dwellings on the small part of the Aberdeen Avenue site within the 30 – 35 dB NEF contour band.

The Regulatory Regime

The St. John's Municipal Plan (**Part I, Section 1.4 - Relation to Other Levels of Government**) "...must conform to the St. John's Urban Region Regional Plan which was adopted by the Province in 1976. The Regional Plan applies to all land in the St. John's Urban Region, which is essentially the Northeast Avalon Peninsula....the St. John's Development Regulations implement the policies of the St. John's Municipal Plan and are subordinate to it."

The St. John's Municipal Plan, as noted in the following policy excerpt, gives clear direction to the City in the matter of residential development in the vicinity of the St. John's Airport.

CSJ Municipal Plan - (Part III, Section 4.3.4 – St. John's Airport Land Use District Policies)

"The City shall work with the Airport Authority to ensure that residential land uses and other uses that may be detrimentally affected by noise are limited in accordance with the Noise Exposure Forecast (NEFF) Contours shown on the General Land Use (**Map III-I**)"

The above St. John's Municipal Plan policy is implemented by the following regulation which is part of the St. John's Development Regulations.

CSJ Development Regulations (Section 11 – Overlay Districts)

11.1 Airport Vicinity Requirements

"In addition to or supplementing any other provisions of these Regulations, any Developments in the vicinity of the St. John's Airport are subject to the St. John's Urban Region Regional Plan concerning Noise Exposure Forecast Zones and Bird Hazard Zones." (emphasis added)

The St. John's Urban Regional Plan ("the Regional Plan") has a very specific policy pertaining to the St. John's Airport - the **St. John's Airport Environs Policy 1983**. The principal aims of the St. John's Airport Environs Policy "are to allow for development of land uses which will:

- i) not hinder in any way the optimum use of the Airport;
- ii) provide for the highest and best use of the land around the Airport, for both trend growth and for economic development derived from growth of the offshore oil and gas industry; and

... 3

- iii) complement the surrounding regional context of both urban and rural uses”

This Airport Environs Policy document contains a series of sub-policies which provide clear guidance to the Airport Authority, municipalities and property owners/developers having lands within the Airport Environs. In regard to residential development, it states the following:

“4.1 Residential Uses

New areas of residential uses within the Airport Environs are designated only outside of the consolidated forecast 35 Noise Exposure Forecast (NEF) Line. Other areas designated residential, lying both within and outside the 35 NEF line, are all either developed, in the process of development, or are approved subdivisions.

Policies:

- That new residential uses be restricted to only those areas lying outside of the consolidated 35 NEF consolidated noise footprint.
- That infill development of new residential uses shall be permitted in existing or approved residential areas, but that the full acoustic insulation shall be incorporated into building design specifications. (emphasis added)
- Any new residential development between the 30 NEF contour and the 35 NEF contour shall include sufficient sound insulation as established from time to time by appropriate authorities.” (emphasis added)

The St. John’s International Airport Master Plan Update 2015 – 2035, St. John’s International Airport Authority (Final Report Prepared for the St. John’s International Airport Authority, January 2017; WSP Canada Ltd.) utilizes the best practices in recommending an array of policies and standards for the successful operation of airports in the country. Amongst these are *TP1247 9th Edition – Aviation Land Use in the Vicinity of Airports*.

The *Aviation Land Use in the Vicinity of Airports* document begins with the statement “From a regulatory perspective, the authority for the designation of and control of the use of lands located outside of aerodrome property rests with provincial/municipal levels of government.” Part IV of this document deals specifically with the subject of Aircraft Noise and includes the blanket statement that “Transport Canada does not support or advocate *incompatible land use (especially residential housing)* (emphasis added) in areas affected by aircraft noise...” Section 4.8 of this guideline document provides recommended practices for various land use types, including residential development, as follows:

“A

Annoyance caused by aircraft noise may begin as low as NEF 25. It is recommended that developers be made aware of this fact and that they undertake to so inform all prospective tenants or purchasers of residential units. In addition, it is suggested that development should not proceed until the responsible authority is satisfied that acoustic insulation features, if required, have been considered in the building design.”

“B

(b) This Note applies to NEF 30 to 35 only. New residential construction or development should not be undertaken. If the responsible authority chooses to proceed contrary to Transport Canada's recommendation, residential construction or development between NEF 30 and 35 should not be permitted to proceed until the responsible authority is satisfied that: (1) appropriate acoustic insulation features have been considered in the building and (2) a noise impact assessment study has been completed and shows that this construction or development is not incompatible with aircraft noise. Notwithstanding point 2, the developer should still be required to inform all prospective tenants or purchasers of residential units that speech interference and annoyance caused by aircraft noise are, on average, established and growing at NEF 30 and are very significant by NEF 35.” (emphasis added)

The Airport Noise Impact Assessment

In accordance with the direction provided by Regional Plan’s St. John’s Airport Environs Policy 1983 and *The St. John’s International Airport Master Plan Update 2015 – 2035*, York engaged Valcoustics Canada Ltd. (“Valcoustics”) to complete an assessment of the potential noise impact from air traffic using the St. John’s International Airport upon the proposed mixed-form residential neighbourhood development. The noise impact assessment was completed on November 11, 2020 and is attached for your information.

Valcoustics undertook the noise assessment drawing guidance from published guideline documents from the Canada Mortgage and Housing Corporation (CMHC), Transport Canada and the National Research Council (NRC) [“New Housing and Airport Noise”- CMHC, 1981; “Aviation, Land Use in the Vicinity of Aerodromes” (TP1247E), Transport Canada, 2019; “Building Practice Note, Controlling Sound Transmission Into Buildings (BPN 56), National Research Council].

The Valcoustics noise impact assessment report notes that the majority of the proposed residential development lies between the NEF 25 and NEF 30 contours with the western portion of the site between NEF 30 and NEF 35; and that “residential development is still permitted between the NEF 30 and NEF 35 contours provided that appropriate sound insulation is provided for the dwellings to protect the indoor spaces.” (emphasis added).

The NRC’s BPN 56 assessment determines the Sound Transmission Class (STC) requirements for individual building elements (i.e., exterior windows, walls and roof). The sound impact assessment for part of the subject property above the 30 dB contour yielded the following results:

- “Exterior walls should have a STV of at least 54. This can be achieved using typical brick veneer construction. If lighter weight sidings, such as vinyl, are desired, additional gypsum board, cement board sheathing and/or resilient channels can be used to achieve the requirement. This can be determined as part of the detailed design of the dwellings;
- Roof construction with a STC of at least 50 is needed. This can be achieved using a typical wood roof truss with ventilated attic and asphalt shingle construction; and
- Exterior windows should have a STC of at least 34. This can be achieved using a double glazed window with 2 panes of 6 mm thick glass separated by a 13 mm air space. Alternatively , a double glazed window with a pane of 6 mm thick laminated glass, 6 mm air space and 3 mm thick glass can be used.

The sound isolation requirements can be reduced at lower NEF contours. The requirements for living/dining rooms, recreation spaces and kitchens will be lower due to higher indoor sound level criteria....Final acoustical insulation requirements should be determined once final building plans are available. As per TC guidance, future occupants should be made aware of the potential noise situation through an appropriate warning clause(s).”

As the City can now conclude, and as previous Councils concluded, successful residential development in the vicinity of the St. John’s Airport can occur without adverse impact on the operations of the airport or the residents.

The Path Forward

Transport Canada and the Airport Authority are automatically opposed to residential development on land above the 30 dB contour and recommend to municipalities that it not be allowed. Transport Canada and the Airport Authority defer to the legislated authority of the City of St. John’s to regulate development on lands outside the boundaries of the airport and concede that residential development of land above the 30 dB contour in the vicinity of the airport may occur provided a noise impact assessment study has been undertaken, and appropriate acoustic insulation features have been considered in the design of proposed residential buildings.

This balanced approach is reflected in the St. John's Airport Environs Policy which is part of the St. John's Urban Region Regional Plan. This approach has been followed by previous Councils who have a much broader perspective and set of responsibilities than the Airport Authority, particularly in providing opportunities within the City for more affordable housing, housing that will have a positive fiscal impact upon the City and makes good sense from a planning perspective.

After extensive consultation with City representatives to address municipal technical and policy issues, York (with the assistance of its engineering consultant – Progressive Engineering & Consulting Inc.) has a well-developed plan for the development of a new residential neighbourhood on the property at 130 Aberdeen Avenue. The November 2020 Valcoustics noise impact assessment study demonstrates that, using Canadian Government guidelines, residential development between the 30 – 35 dB contour band is feasible at this location with appropriate acoustic insulation.

As we are aware, the next step in the rezoning process is to have a staff report, with a recommendation/direction, brought forward to the COTW for consideration and a recommendation to Council. The recommendation to Council could be that the application be rejected, or that it be referred to the public consultation process (i.e., advertisement and/or public meeting); followed by Council referral of the proposed Municipal Plan and Development Regulations amendments to the Department of Environment, Climate Change and Municipalities (DECCM) for an URPA Section 15 review and release; adoption of the amendments at a Regular Meeting of Council; Council appointment of an independent Commissioner and the scheduling of a public hearing; consideration by Council of the Commissioner's Report and a final decision at a Regular Meeting of Council on the proposed rezoning and approval of the proposed/adopted Municipal Plan and Development Regulations amendments.

Assuming that the rezoning application is successful and following the conclusion of the lengthy rezoning process with the publishing of a Notice of Registration in the *Newfoundland and Labrador Gazette*, York will then apply to the City for approval to commence development of the mixed-form residential neighbourhood.

York and its project team continue to rely upon City representatives for clarity in communications in understanding and addressing municipal engineering and planning policy concerns. If there is anything else which we can provide at this stage to assist Council in the decision making process (i.e., a Statement of Planning Rationale document) or to aid in the preparation of a comprehensive planning report to the COTW, please advise us and it will be provided in due course.

If there are any questions or if additional information is required from York's project team, please do not hesitate to contact me.

Yours truly,


Paul Boundridge, MCIP
Planning and Development Consultant

Copy: Jason Sinyard – Deputy City Manager; Planning, Engineering and Regulatory Services
Ann Marie Cashin, MCIP – Planner III, City of St. John's
Peter Batson – York Development
Gerard Doran – Plan First Development

Attachments:

"Aircraft Noise Feasibility Assessment, Proposed Residential Development, 130 Aberdeen Avenue, St. John's, Newfoundland, VCL File 120-0422": November 11, 2020; Valcoustics Canada Ltd.

November 11, 2020

York Construction
9 Westview Avenue
P.O. Box 21447
St. John's, Newfoundland
A1A 5G6

Attention: Peter Batson
peter@yorkbuilt.ca

VIA E-MAIL

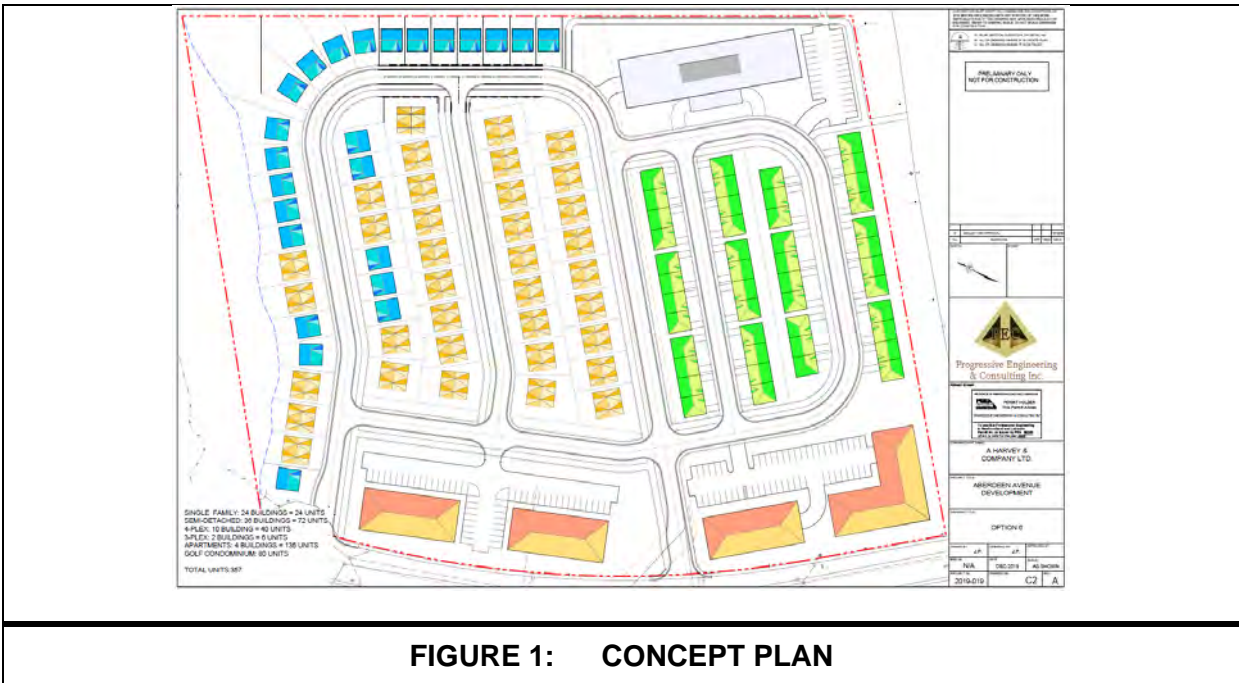
**Re: Aircraft Noise Feasibility Assessment
Proposed Residential Development
130 Aberdeen Avenue
St. John's, Newfoundland
VCL File: 120-0422**

Dear Mr. Batson:

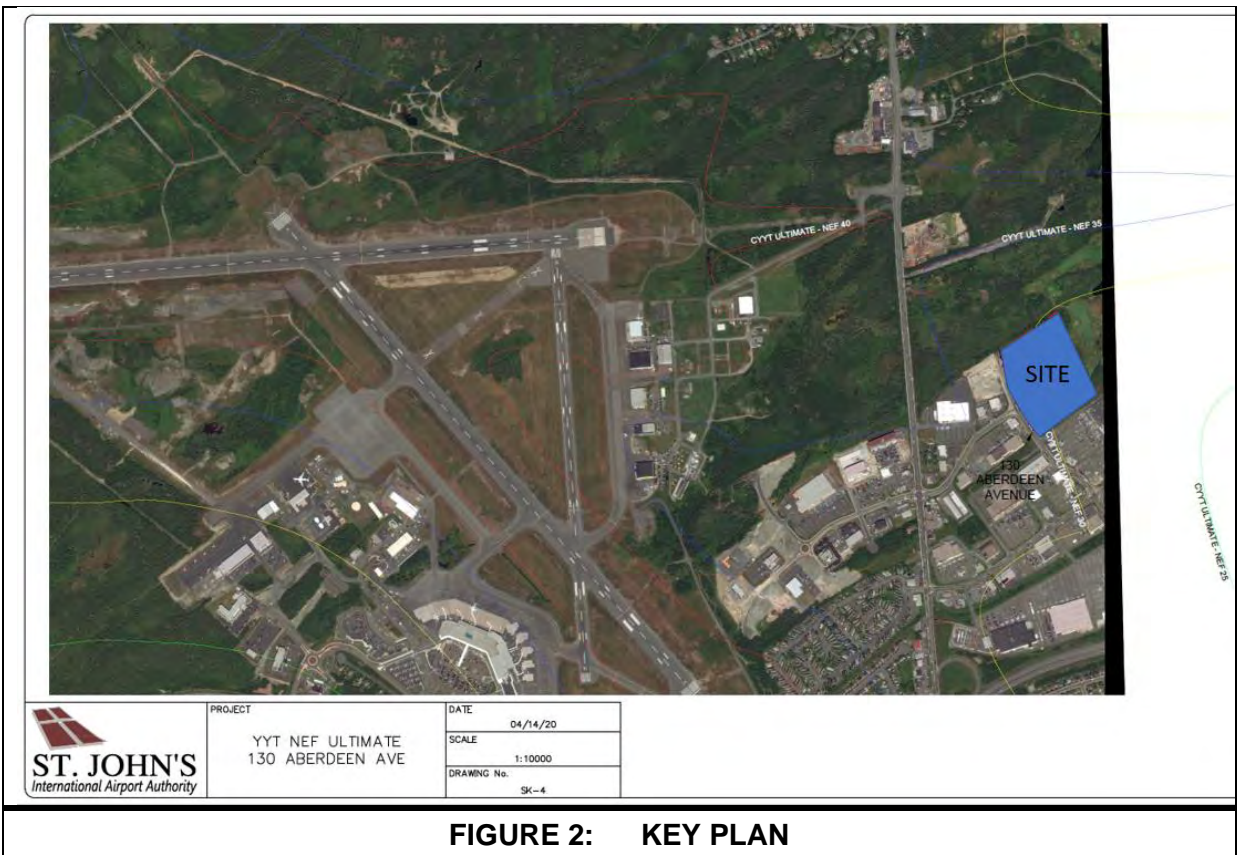
1.0 INTRODUCTION

An assessment of the potential noise impact from air traffic using the St. John's International Airport (SJIA) on the proposed residential development has been completed. Our findings and recommendations are provided herein.

The proposed residential development consists of 24 detached dwellings, 36 semi-detached dwellings, 10 four-plex buildings, 2 three-plex buildings, 4 apartment buildings and 1 condominium building. A copy of the concept plan is Figure 1.



The site of the proposed development is to the east of SJIA. A Key Plan is Figure 2.



A number of methods have been devised to evaluate the noise exposure in the vicinity of airports. They are all similar in nature and combine many factors into a single number evaluation. The system currently used by Transport Canada (TC) and SJIA is Noise Exposure Forecast (NEF).

The NEF contours for St. John's International Airport are also shown on Figure 2. The majority of the proposed residential development lies between the NEF 25 and NEF 30 contours with western portion of the site between NEF 30 and NEF 35.

It should be noted that the Key Plan shows existing residential development to the north of the development site that is between the NEF 35 and NEF 40 contours as well as between the NEF 30 and NEF 35 contours.

2.0 NOISE GUIDELINES

The noise assessment has been completed using the guidance provided in published guideline documents.

2.1 CANADA MORTGAGE AND HOUSING CORPORATION

The Canada Mortgage and Housing Corporation (CMHC) has a guideline document "New Housing and Airport Noise", first published in 1978 and revised in 1981. Section 4.2.5 states "where noise exposure factors are between 25 and 35 NEF inclusive, the Corporation recommends or requires adequate sound insulation in new dwellings".

The dwellings must be designed so the indoor sound levels do not exceed those in Table 1.

TABLE 1: CMHC Indoor Noise Exposure Criteria

Use of Space	Maximum Indoor NEF
Bedrooms	0
Living, Dining, Recreation	5
Kitchen, Bathroom	10

Note that the above indoor criteria are consistent with those currently used in Ontario as outlined in Publication NPC-300 (issued in 2013).

2.2 TRANSPORT CANADA

TC has a document "Aviation, Land Use in the Vicinity of Aerodromes" (TP1247E). The Explanatory Notes for Table 2 state:

"...residential construction or development between NEF 30 and 35 should not be permitted to proceed until the responsible authority is satisfied that:

- 1. Appropriate acoustic insulation features have been considered in the building, and*
- 2. A noise impact assessment study has been completed and shows that this construction is not incompatible with aircraft noise.*

Notwithstanding point 2, the developer should still be required to inform all prospective tenants or purchasers of residential units that speech interference and annoyance caused

by aircraft noise are, on average, established and growing at NEF 30 and are very significant by NEF 35."

The above noted TC publication does not provide indoor sound level criteria.

3.0 NOISE ASSESSMENT

The majority of the proposed development site lies between the NEF 25 and NEF 30 contours and is acceptable for residential development. The westernmost portion of the site lies between the NEF 30 and NEF 35 contours. Residential development is still permitted provided that appropriate sound isolation is provided for the dwellings to protect the indoor spaces.

3.1 ACOUSTIC INSULATION

A preliminary assessment has been completed to determine the acoustic insulation required for the exterior facades of the dwellings needed to meet the CMHC indoor sound exposure objectives. The assessment was completed using "*Building Practice Note, Controlling Sound Transmission into Buildings (BPN 56)*" published by the National Research Council of Canada (NRC). The BPN 56 assessment determines the Sound Transmission Class (STC) requirements for the individual building elements (i.e. exterior walls, windows and roof).

The preliminary assessment looked at the worst case scenario:

- Dwelling unit located at NEF 33 contour;
- Bedroom (has the most stringent indoor objective of NEF 0) located at an exterior corner (has maximum amount of exterior surface area); and
- Wall and window areas assumed to be 80% and 20% of the bedroom floor area on each of the two exterior corner facades.

3.2 ASSESSMENT RESULTS

The results of the assessment indicate:

- Exterior wall should have a STC of at least 54. This can be achieved using typical brick veneer exterior wall construction. If lighter weight sidings, such as vinyl, are desired, additional gypsum board, cement board sheathing and/or resilient channels can be used to achieve the requirement. This can be determined as part of the detailed design of the dwellings;
- Roof construction with a STC of at least 50 is needed. This can be achieved using a typical wood roof truss with ventilated attic and asphalt shingle construction; and
- Exterior windows should have a STC of at least 34. This can be achieved using a double glazed window with 2 panes of 6 mm thick glass separated by a 13 mm air space. Alternatively, a double glazed window with a pane of 6 mm thick laminated glass, 6 mm air space and 3 mm thick glass could be used.

The sound isolation requirements can be reduced at lower NEF contours. The requirements for living/dining rooms, recreation spaces and kitchens will be lower due to higher indoor sound level criteria.

In addition to the sound isolation requirements for the exterior facades, the dwellings should also be air conditioned to permit exterior windows to remain closed for noise control purposes.

Final acoustic insulation requirements should be determined once final building plans are available. As per TC guidance, future occupants should be made aware of the potential noise situation through an appropriate warning clause(s).

4.0 CONCLUSIONS

The proposed residential development lies between the NEF 25 and NEF 35 contours from the SJIA. Residential development is permitted within this range provided appropriate acoustic insulation is provided for the dwelling units.

The results of the preliminary assessment indicate that it is feasible to provide a suitable indoor acoustical environment for the future occupants. The dwellings should be air conditioned to permit exterior windows to remain closed for noise control purposes. Future occupants should also be made aware of the potential noise situation through an appropriate warning clause(s).

A detailed assessment of the acoustic insulation requirements should be done once detailed building plans and a site layout is available.

If there are any questions or if additional information is needed, please do not hesitate to call.

Yours truly,

VALCOUSTICS CANADA LTD.

Per: _____
John Emeljanow, P.Eng.

JE\
J:\2020\1200422\000\Letters\2020-11-11 Preliminary Report V0.1.docx

His Worship the Mayor and members of Council,

Further to the COTW meeting of February 25/21 and having contributed to the presentation of the subdivision development plan, the value of visual aid clearly demonstrates the benefits of this affordable housing project. The proximity to public transportation, access to commercial services, including shopping are within short commuting distance of the development. Residential development, especially affordable housing is much desired and needed in the north and north-east parts of the City. In the recent decades, housing in this area has been designed and built for middle class or high-income earners. With scarce land inventory remaining in this location, there lies a great opportunity to offer affordable living to both homeowners and rental accommodation. Included with the presentation was the sound literary context of the Noise Exposure Forecast (NEF).

Abiding by planning policy and the technical requirements, development plans are well advanced in pursuit of a favorable consideration of this much needed affordable housing project.



For reference, a similar development that mirrors the housing stock of Hawkesbury Estates has existed in Ward 3 for almost 50 years. The multi-zoned and multiple dwelling development at Hamlyn Road, Barachois Street and Pasadena Crescent (shown above) boasts modern urban convenience with its affordable housing options of rental and private home ownership choices. That west end development is more than twice as large in the land area as Hawkesbury.

Sincerely,

Gerard Doran

DECISION/DIRECTION NOTE

Title: Re-Imagine Churchill Square Concept Plan

Date Prepared: March 29, 2021

Report To: Committee of the Whole

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

Ward: Ward 4

Decision/Direction Required:

Decision is required whether to approve the proposed Re-imagine Churchill Square concept plan and determine the next steps with regards to design and construction of improvements to the public space in Churchill Square.

Discussion – Background and Current Status:

In the fall of 2019, Council recognized an opportunity to explore and coordinate improvements and engagement on a concept design project for the Churchill Square area. In February of 2020, the City retained Mills & Wright Architecture and began work on the Re-Imagine Churchill Square project. The first phase of the project involved consulting the City's Advisory Committees and engaging business community stakeholders and the general public on their vision of what a Re-imagined Churchill Square could be.

Public Engagement Phase 1: Establishing Vision and Priorities

Priorities and a vision of how the public space in Churchill Square could be improved were explored in the first round of engagement that occurred from March to June last year. This process included a variety of methods to reach the community, including an interactive project page, an online survey, virtual meetings with the public and the Churchill Square Business Association representatives, as well as consultation with the City's Advisory Committees. The [What We Heard](#) document summarizing the feedback received through this process was released in mid August, 2020.

Key themes that emerged from the public consultation process include:

- The space needs to be pedestrian and community oriented;
- More outdoor amenities and upgrades to current infrastructure is needed;
- Ample parking is critical to the success of businesses in Churchill Square;
- Well-spaced accessible parking, and improved accessibility of buildings is required;
- Re-configuration of traffic flow and/or parking could provide more community space;
- More greenspace and amenity areas are important;
- Existing lighting is generally poor and could be improved;

ST. JOHN'S

- Improved snow clearing and maintenance needs to be provided.

Proposed Re-Imagine Churchill Square Concept Plan

Public and stakeholder feedback was considered in conjunction with technical considerations such as site access requirements, vehicle, pedestrian and cyclist circulation needs, underground water and sewer service conflicts, and general site grading constraints. The proposed concept plan was developed and released for a second round of feedback on March 12, 2021.

A concept plan is an early design document that is intended to establish how areas of space will be used and the general layout of the public space. This includes areas of parking, drive-aisles, and sidewalks, as well as the general locations of intersections landscaping. Concept designs provide direction for the next step of detailed design and are used to develop project cost estimates. Some of the most notable changes to the existing layout shown in the concept plans include:

- Sidewalks in front of businesses around the square have been expanded to provide more amenity, landscaping, and pedestrian space.
- Parking areas have been reoriented by 90 degrees to improve circulation efficiency and the concept plan reflects a reduction in total area parking by about 26 spaces.
- Space along the central drive aisle has been dedicated for separated pedestrian and bike connections between Elizabeth Avenue and the central plaza area at the Terrace on the Square building.
- The intersection in front of Terrace on the Square has been reconfigured to allow through movements only and raised to sidewalk level providing improved accessibility while calming traffic. A separate lay-by area is located outside the front door for GoBus and passenger drop-off/pick-up and deliveries.
- A continuous sidewalk is provided adjacent to parking along the Terrace on the Square and ramps to the building have been improved to meet current accessibility requirements.
- Existing trees along Elizabeth Avenue have been preserved and enhanced with additional landscape features.
- Improved lighting for parking lot and sidewalk areas.

While the plans and images of the renderings show a lot of detail at this stage, many features including curb ramps and tactile warning surfaces are not shown. These features would be included as part of the detailed design process. Some features that are shown in the concept plan such as the type of tables and bike racks may not be the exact products used or shown in the exact placement. This phase of the project and these plans and images are the first step to understanding the re-imagined vision of Churchill Square.

Public Engagement Phase 2: Feedback on Proposed Concept Plan

A second round of consultation was held from December 2020 to March 2021 to gather feedback on the proposed concept plan. Staff met with the Inclusion Advisory Committee (IAC) on March 23, 2021 to review the concept plan and gather input. Key points discussed at the meeting are summarized below:

- There was support expressed for the drop-off layby accommodation provided for Go Bus at the front of Terrace on the Square and the IAC was very pleased with the proposed improvements to the drop off/pick up including the raised intersection at this central drop-off and crossing point.
- There was a request for one or two accessible spaces to be located at parking along the end of Rowan Street (near the street exit to Pine Bud Avenue).
- There was general support expressed for the project as a whole with emphasis on the potential improved accessibility and amenity areas, including structures that will protect users from weather (wind, wet, fog).
- IAC members highlighted that layout/paths that prioritize pedestrian movement and safety were an extremely important part of design and that providing spaces that are comfortable for these users to spend time is key.
- No significant concerns were identified at this project stage and the IAC was generally supportive of the project at this time.

Consultation with other City's advisory committees was held on March 24, 2021 during a virtual meeting. Public feedback on the concept plan was gathered through the project's online Engage! page through quick polls, commentary, and questions submitted through the platform. Emails to engage@stjohns.ca and phone calls to the Access Centre were also received. In addition, two virtual public open houses were held on March 25, 2021.

Key points heard through this second round of engagement are provided below:

- Too much space is still allocated for parking.
- The redesign is an improvement to pedestrian safety.
- Interest in the mix-use opportunities was expressed while some had concerns about neighbourhood impacts of possible events.
- The concept plan represents a definite improvement in accessibility.
- Expanded sidewalks in the area were well received and people were generally supportive of expanding pedestrian and amenity space.
- Some people were disappointed there wasn't more pedestrian and green space. There was an expectation by some that there would be a significant reduction in area parking.
- Residents in the area generally felt the project was positive for the neighbourhood.
- Support for maintaining the existing vendor setups and improving the Square for vendors was noted.
- Importance of the bike facility connections and parking was voiced.
- People want to see electric vehicle charging stations incorporated.
- The importance of ongoing winter maintenance and design to support all-season and all-weather use was expressed.
- Many comments provided feedback on what people would like to see out of a detailed design (e.g. types of landscaping) were received in addition to other comments on things outside of the project scope (e.g. type of businesses in the square and ideas for the park space across the street).

Representatives of the Churchill Square Business Association were consulted through the process and reviewed the proposed concept plan. They have expressed that they are supportive of the proposed concept plan and would like to see the project move ahead. They also provided requests for ongoing maintenance and other operational considerations. A copy of the letter outlining their support and comments is attached for consideration.

Maintenance

Maintenance was identified as being critical to the success of the proposed concept plan, both by city staff and through the engagement process. To prioritize snow clearing and winter maintenance of the parking area in Churchill Square, Council approved the work to be completed by a private contractor in the fall of 2019. This annual contract is currently \$57,000 before tax and includes snow clearing and ice control of the parking area. This two-year contract is currently cluing up, and an increased total cost is expected when it is re-tendered. It is noted that this contract does not currently include sidewalk snow clearing in the area. City crews clear the sidewalk along the Rowan Street side of the Square up to Elizabeth Avenue.

The proposed concept plan was reviewed by the City's Public Works department to estimate the potential costs of a future contract for continued enhanced winter maintenance of the reconfigured public space. Enhanced winter maintenance for the parking area with the addition of sidewalk and pedestrian plaza snow clearing could cost an additional \$60,000 to \$90,000 annually for a total annual anticipated cost of about \$120,000 to \$150,000 before tax. The main reasons for the additional cost would be the additional scope of sidewalk clearing as well as the introduction of new features, which would require the use of additional machinery (not just a loader, but smaller equipment as well) as well as some clearing by hand. In addition, the reduction of snow storage space would require added costs to include more frequent snow removals from the area.

The Parks and Open Spaces division of Public Works reviewed the proposed concept plan and advised that maintenance of the landscaping in the area could be addressed with existing resources.

Coordination of Capital Works Projects

Existing underground watermain in the area are generally in poor condition and in need of repair/replacement. Public Works has confirmed that the planned and budgeted work required to upgrade this utility infrastructure could be coordinated with the potential implementation of the proposed Churchill Square concept plan. A condition assessment of the sewer infrastructure in the area has also been initiated. While this inspection is not yet complete, it is expected that it will likely reveal the need for rehabilitation work. A high-level estimate for sewer main lining in the area was completed and found that the work could cost in the order of \$2,000,000. If required, underground infrastructure rehabilitation work would need to be completed and coordinated with the construction of the Re-imagined Churchill Square.

About 30 years ago (in the early 1990s) the access to Churchill Square along Elizabeth Avenue was consolidated from two unsignalized accesses to the signalized intersection present today as part of a street widening project along Elizabeth Avenue. At that time, some limited paving and sidewalk work was also completed. Just over 10 years ago the asphalt

surface of the northeast parking lot was repaved. No other significant capital projects have occurred in this area since that time.

Key Considerations/Implications:**1. Budget/Financial Implications:**

The overall estimated cost for design and construction of the proposed concept plan is in the order of \$3,225,100. This budget excludes any potential sewer rehabilitation costs noted below.

In addition to the estimated capital project costs, ongoing enhanced winter maintenance of the reconfigured public area could cost \$60,000 to \$90,000 annually in addition to the current winter maintenance budget of \$57,000.

If sewer rehabilitation in the area is deemed necessary through the detailed condition assessment, a coordinated project to complete this work could cost approximately \$2,000,000.

At present, there is about \$560,000 available in the Churchill Square Parking Reserve Fund. Of the parking meter revenue generated in Churchill Square, 20% is dedicated to this fund which is set aside for capital improvements in Churchill Square. A portion of the proposed concept plan project could be completed through this available fund.

2. Partners or Other Stakeholders:

Residents, businesses (and their employees) and visitors of Churchill Square, City Advisory Committees, and the general public.

3. Alignment with Strategic Directions/Adopted Plans:

4. Completion of the Re-Imagine Churchill Square project aligns with the strategic direction to create a Connected City. Specifically, “A city where people feel connected, have a sense of belonging, and are actively engaged in community life.” and the goal to “develop and deliver programs, services, and public spaces that build safe, healthy and vibrant communities”.

5. Legal or Policy Implications: Not applicable**6. Privacy Implications: Not applicable****7. Engagement and Communications Considerations:**

Two rounds of consultation and engagement with City Advisory Committees, area stakeholders, and the general public were completed as part of this project. What We Heard documents were prepared and submitted to Council summarizing the feedback received.

If the concept plan were to move forward for implementation, the City would continue to engage with necessary stakeholders and relevant Advisory Committee's while

communicating project progress to the public. Where feasible, feedback from the engagement on the concept plan will be incorporated into the design process.

- 8. Human Resource Implications: Not applicable
- 9. Procurement Implications: Not applicable
- 10. Information Technology Implications: Not applicable
- 11. Other Implications: Not applicable

Recommendation:

That Council approve the proposed Re-imagine Churchill Square concept plan and it be referred for future capital works consideration to proceed with the detailed design and construction as funding becomes available.

Prepared by: Anna Snook P.Eng. PTOE, Transportation System Engineer

Approved by: Scott Winsor P.Eng., Director of Engineering

Report Approval Details

Document Title:	Re-Imagine Churchill Square Concept Plan.docx
Attachments:	- Re-imagine Churchill Square_Concept Report.pdf - 23-03-2021-Inclusion Advisory Committee Meeting.pdf - CSBA REPORT COMMENTS.pdf
Final Approval Date:	Mar 31, 2021

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

Scott Winsor - Mar 31, 2021 - 2:33 PM

Jason Sinyard - Mar 31, 2021 - 3:11 PM

REIMAGINE

CHURCHILL SQUARE

Introduction

Churchill Square is bounded on the north and south by multi-unit, mixed-use buildings including a new multi-unit residential building that is currently under construction on the site of the former Dominion. The Square is bounded on the east by the Terrace on the Square commercial centre and, to the west, faces Elizabeth Avenue and a large recreational area containing soccer fields and a playground. The central area contains a large surface parking lot and brick-lined walkways which provide space for food trucks, open air farmer's markets, and seasonal vendors.




Over time, the Square has evolved to become an important public space for St. John's and it has long acted as a local hub for residents of the Churchill Park and surrounding neighbourhoods. Recently, the City has been considering an upgrade to several important pieces of municipal infrastructure that serve the area such as the lighting and the parking management system.

These initiatives allow us to look at other improvement opportunities that may exist, such as accessibility improvements, new public amenities, or additional landscaping. The purpose of this study is to "Re-imagine Churchill Square" by taking a holistic look at what opportunities could be considered to revitalize and restore the Square as a high-quality public space.



Community Engagement - Round 1 (March to June, 2020)

How We Engaged

 Engagement Activity	 Date	 How Many People Engaged?
Meeting with the City's Advisory Committees	March 10th	20+
Meetings with Representatives of the Churchill Square Business Association	April 21st/May 14th	4
Online Survey	May to June	646
engagestjohns.ca	May to June	1,898
Meeting with KMK Capital (developers of former Dominion)	May 20th	2
Community Virtual Open House	June 25th, 1pm	45
Community Virtual Open House	June 25th, 7pm	44
Submissions via email or Access St. John's (311)	May to June	24

Note: The full What We Heard Summary can be found on the Engage page at <https://www.engagestjohns.ca/12603/widgets/49996/documents/38194>

What We Heard



The space needs to be comfortable for cyclists and include infrastructure such as bike lanes & bike racks



More benches and places to sit, relax, linger, and have social interaction



The current configuration seems to prioritize vehicles over pedestrians; this should be reversed



More trees and green space are needed throughout



Move bus stops closer to the Terrace on the Square for better transit service



Support the small businesses, especially mobile vendors, by providing public space for their customers



Addition of a grocery store would provide a much needed amenity for the area



Signage clutter along Elizabeth Avenue takes away from the Square's curb appeal



Better lighting is needed, but must consider neighbours by reducing glare and bright spots



Churchill Square needs to provide outdoor spaces that can be used in all four seasons



Parking and access to the Square is extremely important to support the business community



Can the centre driving lane be removed and reconfigured to provide a pedestrian promenade?



Pedestrian safety challenges exist at the intersection and sidewalk in front of Terrace on the Square



Consider alternate uses for the parking lot during off-peak hours such as evenings and weekends

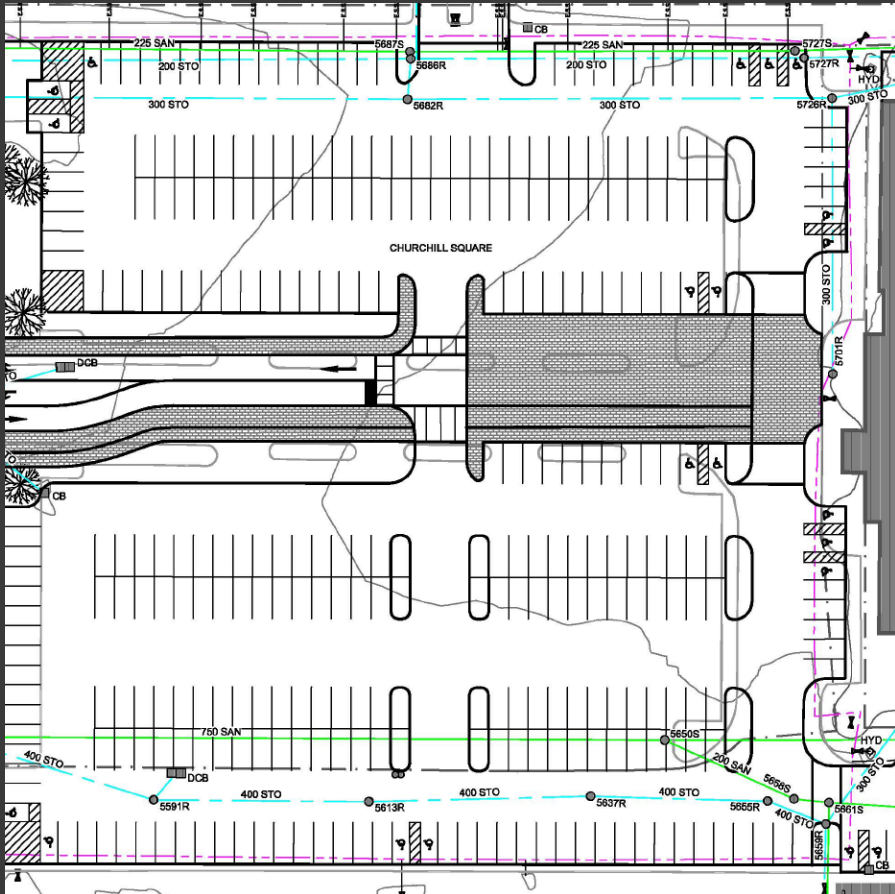


Underutilized spaces adjacent to By Sharpe Design and CIBC bank should be better incorporated



Improve walkability through better, wider sidewalks and strong connections to adjacent areas

Technical Analysis



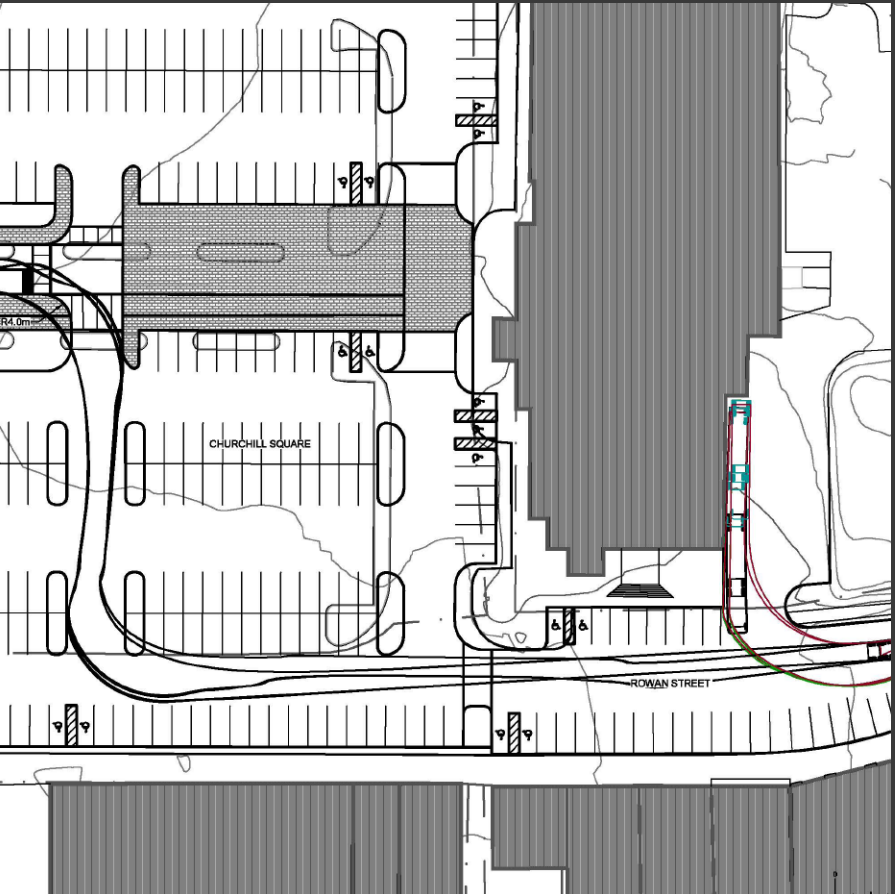
Underground Infrastructure

Existing underground infrastructure such as water, sanitary, and storm sewer lines were overlaid on the Churchill Square site plan to ensure possible conflicts with proposed elements (such as trees or structural footings) was avoided. Proposed infrastructure changes associated with the new KMK mixed-use building was also reviewed. Mitigation of any potential conflicts with these services was identified and reflected in the proposed Churchill Square concept plan presented in this report.



Grading

The finished floor elevations of the existing buildings and grades of adjacent roads and sidewalks (Elizabeth Avenue and Rowan Street) are well established. Topographic survey information was reviewed to ensure all proposed elements of the Churchill Square plan would work with the existing grading constraints. Where necessary, stairs, curb ramps, and ramps have been proposed to improve this condition. Conceptually, all proposed features meet current accessibility requirements, however slight adjustments may be required during detailed design.



Vehicle Delivery Requirements

The businesses and tenants of the Terrace on the Square building receive regular deliveries including several via large truck traffic that accesses the rear loading area. Swept path analysis of design vehicles was completed in consultation with property owners to ensure the proposed Churchill Square concept plan can accommodate commercial deliveries. Slight adjustments may be required during detailed design.

Project Goals & Objectives

The feedback collected during the Community Engagement phase directly informed the project goals and objectives.

01

Multifunctional Spaces

- » Space is limited in Churchill Square - the design must ensure spaces are able to serve more than one purpose wherever possible.
- » Ensure spaces are flexible to allow different type of activities and programs to occur.
- » The parking demand changes depending upon time of day - the design should consider other uses for the parking during off-peak times.

02

Multimodal

- » Accommodate all methods of transportation including pedestrian, vehicular, transit, and cycling.
- » Ensure the site is intuitive, safe, and enjoyable for all users regardless of their preferred method of transportation.

03

Aesthetics

- » Create high-quality public spaces that make Churchill Square one of the city's premiere attractions.
- » Improve the curb appeal of the Elizabeth Avenue frontage.
- » Improve the way public space looks and feels.
- » Preserve existing vegetation and introduce more landscaping.

04

Pedestrian Experience

- » Reduce pedestrian and vehicle conflicts.
- » Provide spaces that encourage people to linger.
- » Provide a variety of places to sit and relax.
- » Introduce places for social interaction.
- » Create safer spaces through improved lighting.
- » Improve accessibility.

05

Site Operations

- » St. John's is a winter city - the design must ensure space is able to be easily maintained during winter months to ensure year-round use.
- » Accommodate existing underground infrastructure to avoid unnecessary and potentially-costly upgrades.
- » Utilize materials that are durable and lasting to reduce maintenance requirements.
- » Consider the drop-off/delivery requirements of businesses in the area.

Overall Concept Plan



Overall Concept Plan

- 1 Streetscaping Beautification
- 2 Entry Signage
- 3 Sidewalk Zones
- 4 Two Way Bike Lane
- 5 Sidewalk Connection
- 6 Main Pedestrian Plaza
- 7 Covered Bike Parking Area
- 8 Raised Crosswalks
- 9 Terrace on the Square Plaza
- 10 Metrobus Lay-by

Total Parking Provided:
351 Spaces

Total Accessible Parking:
23 Spaces



Bird's Eye View

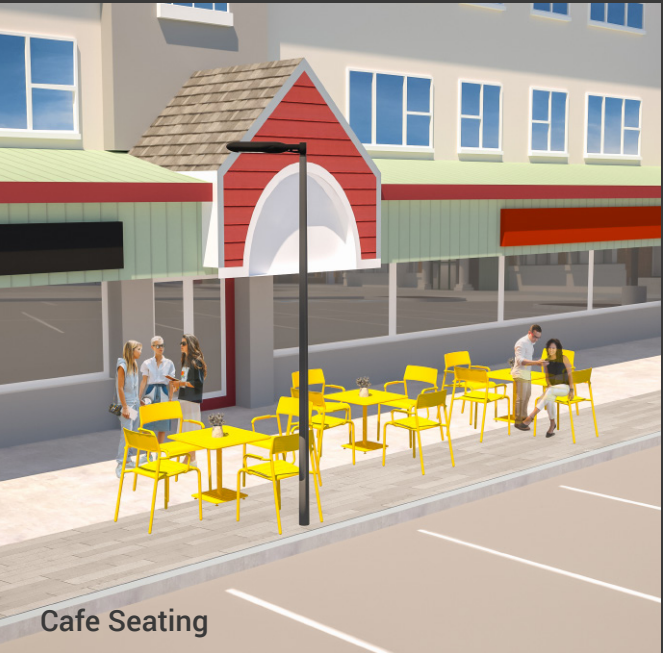


Sidewalk Zones

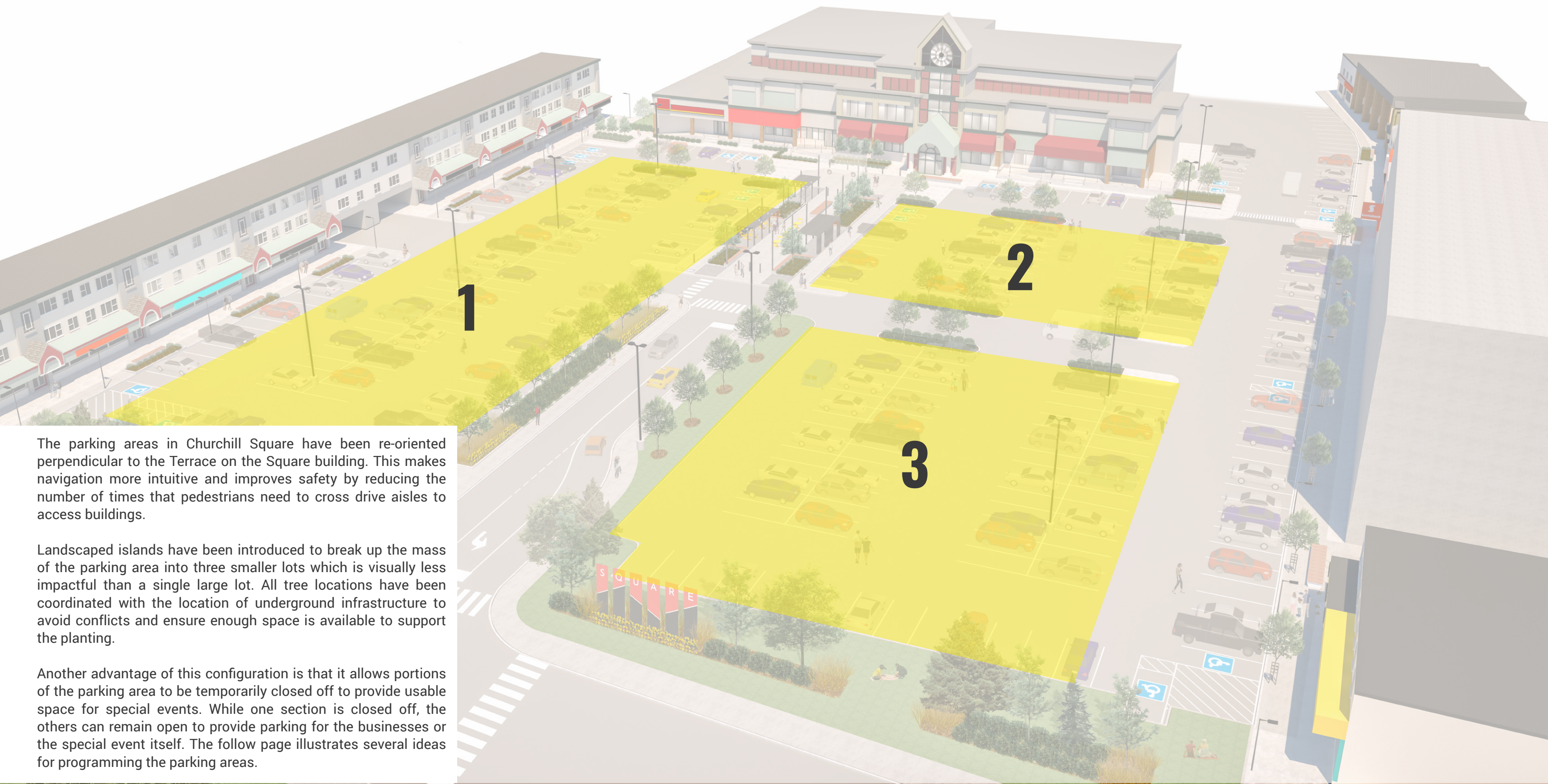
Our experience of a place is typically from the sidewalk level, so it is important that they are thoughtfully-designed as distinct public spaces. They are not simply corridors for movement, but essential pieces of the placemaking puzzle that encourage active transportation (such as walking and cycling); provide opportunity for social interaction such as dining, shopping, or sitting; contribute to an area’s economic vitality by providing access to businesses; and animate the public realm by encouraging activity and longer stays.

The existing sidewalk network in Churchill Square exists on three sides - north (in front of the Alpine Country Lodge side), east (in front of the Terrace on the Square), and south (in front of the former Dominion). This general configuration will remain, however all sidewalks have been widened by 1 to 2-metres. This provides a more generous sidewalk, increasing pedestrian space and accommodating new sidewalk amenity zones.

Sidewalk amenity zones are invisible areas that divide sidewalks into different spaces depending on their use. The sidewalk widths in Churchill Square allow for the creation of two zones; a pedestrian through zone and an amenity zone. The pedestrian through zone is the primary route that provides pedestrians with safe and adequate space. This zone is kept clear of obstructions. The amenity zone provides space for amenities that contribute to a vibrant public realm and positive pedestrian experience. The following images represent examples of typical amenities found in these zones. The amenity zone also improves site operations by ensuring streetscape elements are out of the path of sidewalk plows and protected from winter maintenance procedures.



Parking Areas



The parking areas in Churchill Square have been re-oriented perpendicular to the Terrace on the Square building. This makes navigation more intuitive and improves safety by reducing the number of times that pedestrians need to cross drive aisles to access buildings.

Landscaped islands have been introduced to break up the mass of the parking area into three smaller lots which is visually less impactful than a single large lot. All tree locations have been coordinated with the location of underground infrastructure to avoid conflicts and ensure enough space is available to support the planting.

Another advantage of this configuration is that it allows portions of the parking area to be temporarily closed off to provide usable space for special events. While one section is closed off, the others can remain open to provide parking for the businesses or the special event itself. The follow page illustrates several ideas for programming the parking areas.

Parking Areas as Multipurpose Space

Note: The images shown are conceptual and illustrate possible examples of how the reconfigured parking areas could be used for different activities/events.



Drive-in Movie Night



Ball Hockey Tournament



Food Truck Festival



Concert



Main Pedestrian Plaza

The main plaza space is located right outside the front door of the Terrace on the Square making it an extension of the building itself. It will feature places to sit and socialize, covered bike parking, and a flexible space for events such as a pop-up market or sidewalk sale.

Trees and pavilion structures at the edges provide a sense of enclosure from the adjacent parking while providing shade and protection from the elements.



Main Pedestrian Plaza



Terrace on the Square Plaza

The space in front of the Terrace on the Square has been re-imagined as a contemporary linear plaza. New ramps are provided with gentle slopes that meet current accessibility requirements. The intersection in front of the building has been raised to sidewalk level creating a smooth transition that improves accessibility and calms vehicle traffic. A lay-by is conveniently located outside the front door for drop-off/pickup, GoBus, and deliveries. Existing trees are preserved where possible with new landscaping also provided to improve curb appeal.



Design Components



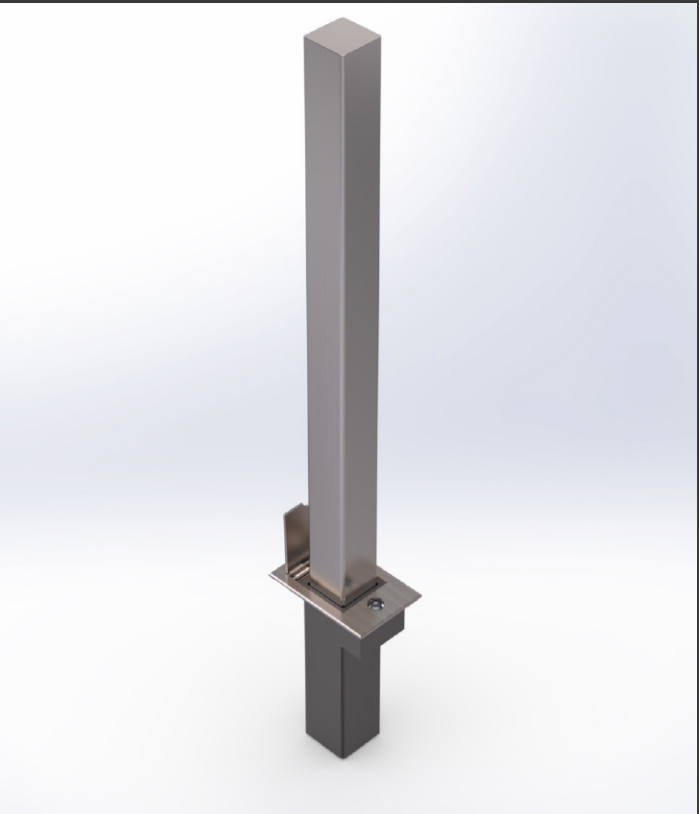
Soil compaction is a significant challenge to healthy tree establishment in urban environments. The location of the trees in the Churchill Square concept plan have been planned to provide adequate soil volume and space for healthy growth, however there may be instances where soil volume is difficult to establish (such as in front of the new mixed-use building that is currently under construction). In this case, the City may consider a **structural soil system** such as the Silva Cell or Stratacell. These systems can also be tied to the stormwater management system to improve water quality and reduce flow rates.



Tree grates allow for a balance of human and ecological needs, protecting trees from pedestrian traffic while maximizing pedestrian space. Tree grates should have small openings to be heel-friendly and to ensure garbage does not collect, and be easily removable for cleaning and maintenance purposes. In the Churchill Square concept plan, tree grates should be considered for the trees in the hardscape in front of the new mixed-use building.



The City completed a Bike Master Plan in June of 2019 which advocates for a cycling-friendly culture through the installation of high-quality cycling infrastructure. **Bike racks** encourage cycling and provide safe, secure bike storage for visitors to Churchill Square. The design should include not only covered bike parking in the main pedestrian plaza area (as shown), but additional bike parking in the sidewalk amenity areas around the Square for convenience.



Bollards are short, sturdy posts which act as traffic control devices. The City should consider installing bollards wherever pedestrians and vehicles are in close proximity to one another, such as the main pedestrian plaza or the lay-by in front of the Terrace on the Square. These can be removable (as pictured) to facilitate snow clearing during winter.

Design Components



Tactile wayfinding surface indicators are textured surfaces embedded in sidewalks which inform visually-impaired users that they are approaching an intersection or crosswalk. These should be provided at all crossing locations in Churchill Square.



Similar to a traditional paver, **mega pavers** are made of precast concrete and available in many colours. Mega pavers, however, are larger than traditional pavers making them heavier, more durable, and less likely to heave due to freeze-thaw. In the Churchill Square concept plan, these have been concentrated in areas where they will be the most impactful and contribute to achieving a vibrant public realm, including the main pedestrian plaza, the plaza in front of Terrace on the Square, and the expanded sidewalks/bike lane adjacent to the drive aisle. Special consideration in detailed design must be given to ensure proper installation to avoid uneven surfaces that may create accessibility issues.



Concrete sitting walls are proposed throughout Churchill Square. These are clad in Ipe, a durable hardwood that provides comfortable seating. Sitting walls provide flexible seating opportunities that allow users to sit alone or in groups. These are proposed around the perimeter of the site as well as the main pedestrian plaza. In most cases, they are incorporated with a planter which has the added benefit of protecting the landscaping from routine maintenance activities.

Note: The images shown are conceptual and represent items that may be further considered during detailed design.

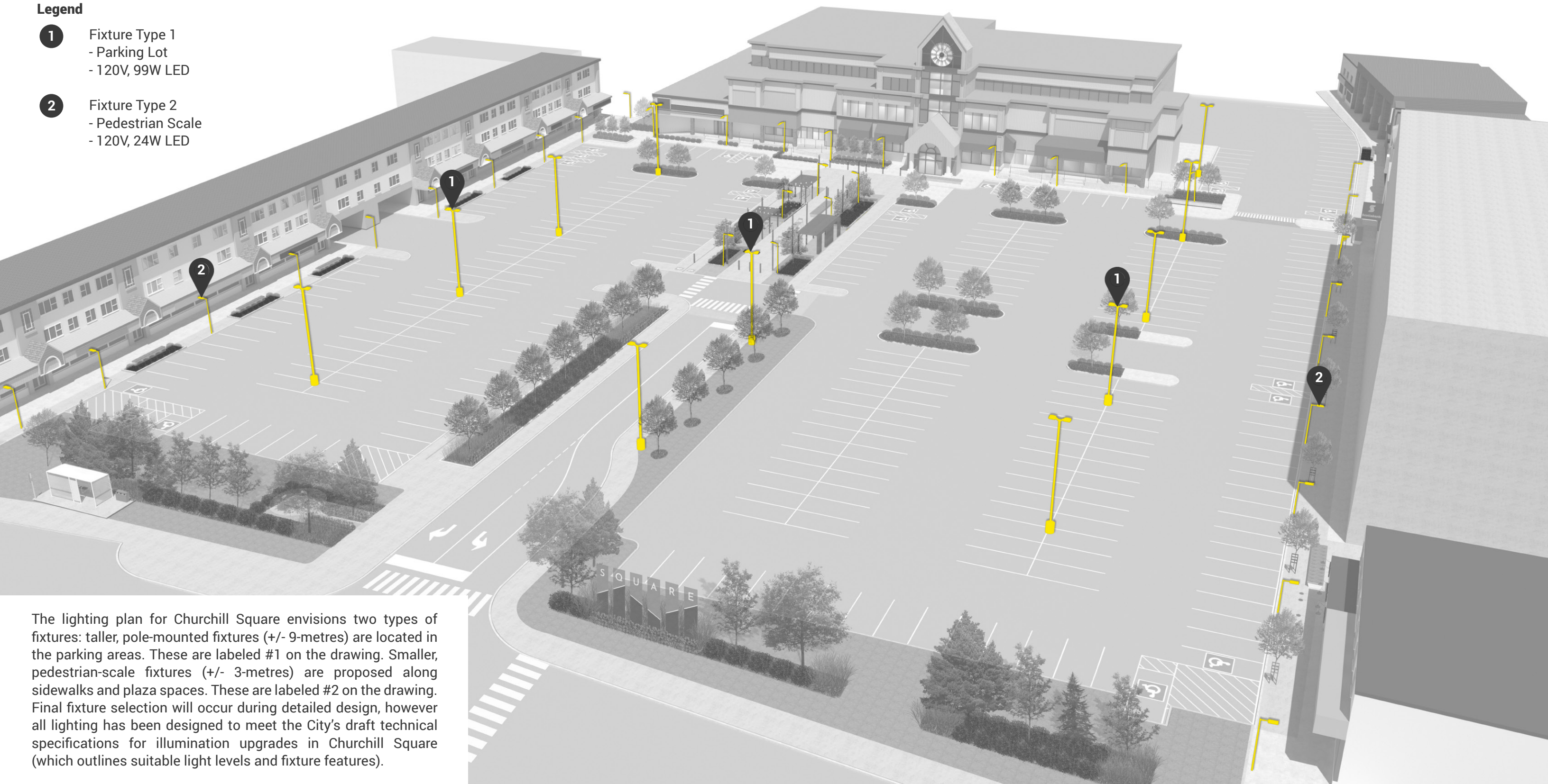


Commercial-grade string lights are proposed to hang above the main pedestrian plaza. This would enhance the pedestrian environment by making it more inviting, as well as extend the plaza's use into the evening and during shorter winter months.

Conceptual Lighting Layout

Legend




- 1 Fixture Type 1
- Parking Lot
- 120V, 99W LED
- 2 Fixture Type 2
- Pedestrian Scale
- 120V, 24W LED



The lighting plan for Churchill Square envisions two types of fixtures: taller, pole-mounted fixtures (+/- 9-metres) are located in the parking areas. These are labeled #1 on the drawing. Smaller, pedestrian-scale fixtures (+/- 3-metres) are proposed along sidewalks and plaza spaces. These are labeled #2 on the drawing. Final fixture selection will occur during detailed design, however all lighting has been designed to meet the City's draft technical specifications for illumination upgrades in Churchill Square (which outlines suitable light levels and fixture features).

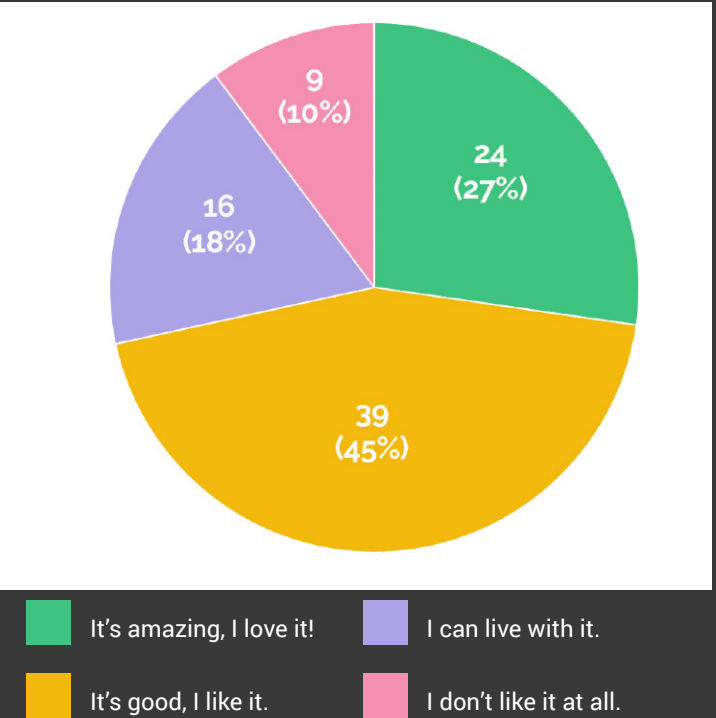
Community Engagement - Round 2 (December, 2020 to March, 2021)

How We Engaged

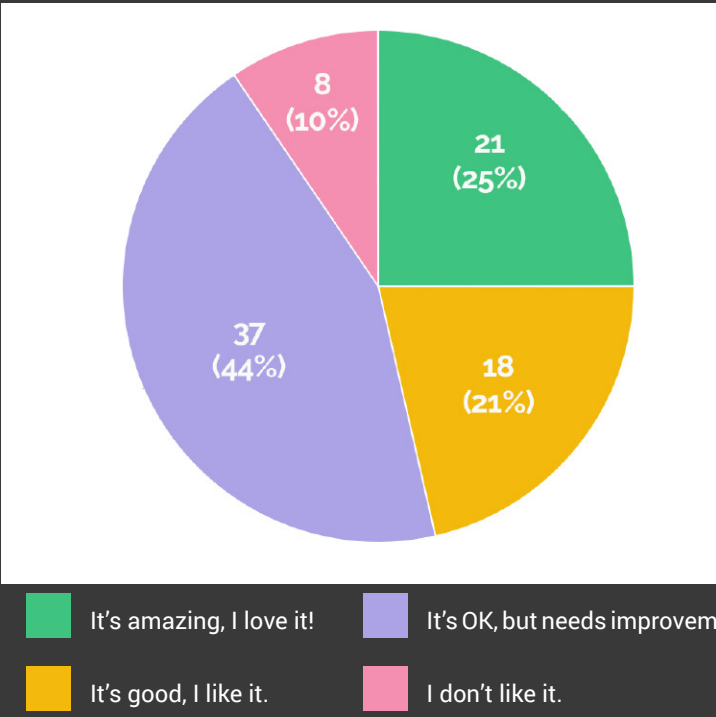
 Engagement Activity	 Date	 How Many People Engaged?
Meeting with KMK Capital (developers of former Dominion)	December 18th	2
Meeting with Representatives of the Churchill Square Business Association	January 5th	3
Submissions via email or Access St. John's (311)	March 2021	10
engagestjohns.ca	March 11th to 28th	5,513
Meeting with the City's Inclusion Advisory Committees	March 23rd	20
Meeting with the City's Advisory Committees	March 24th	27
Community Virtual Open House	March 25th, 10:30am	48
Community Virtual Open House	March 25th, 6:30pm	47

What We Heard - Engagestjohns.ca

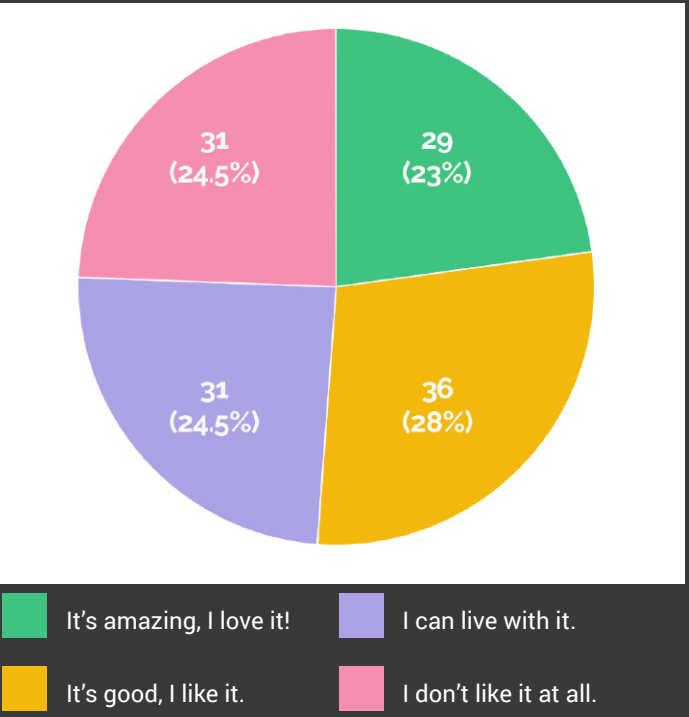
Q1: What do you think about the expanded sidewalk area in front of the businesses?



Q2: What do you think about the central plaza area for pedestrians?



Q3: How do you feel about the proposed re-imagine concept plan?



Community Engagement - Round 2 (December, 2020 to March, 2021)

What We Heard

Too much space is still allocated for parking

The redesign is an improvement to pedestrian safety

Interest in the mix-use opportunities was expressed while some had concerns about neighbourhood impacts of possible events

The concept plan represents a definite improvement in accessibility

Expanded sidewalks in the area were well received and people were generally supportive of expanding pedestrian and amenity space

Some people were disappointed there wasn't more pedestrian and green space. There was an expectation by some that there would be a significant reduction in area parking.

Residents in the area generally felt the project was positive for the neighbourhood

Support for maintaining the existing vendor setups and improving the Square for vendors was noted

Importance of the bike facility connections and parking was voiced

People want to see electric vehicle charging stations incorporated

The importance of ongoing winter maintenance and design to support all-season and all-weather use was expressed

Many comments provided feedback on what people would like to see out of a detailed design (e.g. types of landscaping) as well as comments on things outside of the project scope (e.g. type of businesses in the square and ideas for Churchill Park).

Prepared by



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In association with



Inclusion Advisory Committee Meeting

March 23, 2021

Re-Imagine Churchill Square Concept Plan

SYNOPSIS

Anna Snook, a transportation system engineer with the City, updated the Committee on the visioning/concept plan exercise conducted. Some of the main needs outlined were wider sidewalks, enhanced lighting, conveniently placed bus stops, space needs to be more pedestrian oriented, more appealing landscaping, and more outdoor amenities. The proposal presented today is an attempt to incorporate these needs in the context of challenges with existing infrastructure and grading. A concept plan is not a detailed design but rather a much higher level look at a space so the process is still at the preliminary stage. As such, specific amenities/objects/structures are not illustrated in great depth on the plan as it is more of a blocking exercise to ascertain what could fit where, all of which will require Council's approval prior to going through a detailed design phase. In terms of feedback from the IAC, staff requested direction on the layout of accessible spaces for parking, noting that the Province's Service NL will have final authorization in this regard. Anna advised that feedback is required in time for her report to Council next week.

Other noteworthy points raised:

- transit stops require more strategic placement and frequency to ensure accessibility is accommodated;
- No objections were outlined in relation to the proposed layby area for public transit, as it was noted that it is always a safety challenge in busy areas to let people on and off GoBus/Metrobus.
- Assurance that sidewalks are kept clear to accommodate public transit passengers in particular. Staff advised that maintenance considerations must be incorporated within the plan. At present, Churchill Square is snow cleared by a private contractor. The businesses in the area have been consulted on the approximate cost to accommodate maintenance within the proposed plan.
- Reference was made to the prevalence of parking spaces in Churchill Square and how these may coexist with pedestrian use/access, i.e. community assembly, passive recreational opportunities, places for people to sit and meet, access to wifi. Staff advised that a total of 26 fewer parking spaces is proposed in the design. Though it is not obvious in the plan, the idea is provide lots of space for people to gather in front of businesses and sidewalk areas will be wider than the norm.
- Reference was made to the practical use by pedestrians given the challenges with weather during certain times of the year and what consideration has been given to shelters. Any space that is created should be usable space and not simply for the creation of space. Staff was asked to address the pedestrian

aspect more positively and with more geometry. Staff advised that amenities such as wind screening would happen at the detailed design stage. When it comes to pedestrian movements, the provision of connections are important.

- There is a requirement that 6% of the total number of parking spaces must be accessible. The plan currently shows 23 accessible spaces which is just over that requirement. The placement of accessible spaces is important to consider in line with those areas requiring ramped access to business. Terrace on the Square is a challenge in this regard as its entryway is high above ground. Reference was made to a space near Alpine Country Lodge which would provide a convenient connection to the ramp by CIBC.
- Reference was made to good examples in the City of seamless procession into buildings, i.e. Walmart and Starbucks where no ramps exist or are required. Concern was expressed about the area becoming a series of ramps and the revamping of the total site may be an opportunity to address the elevation and movement of pedestrians. It was suggested that there are good examples in Europe of modernized older buildings that have no curbs and use new technologies and designs for accessibility. Staff advised that they have looked at preliminary grading; however, it becomes cost prohibitive to regrade an entire site. To do so will functionally stall the project. There are also implications in relation to impacts on the underground infrastructure should regrading take place.
- It was suggested that one or two accessible spaces on Rowan near Pinebud Avenue would be in order. Staff advised this may be a challenge due to stairs in the area but staff will take it into consideration.
- Is the sidewalk outside the public area adequately wide enough? Staff advised it is 2 meters which is about half a meter larger than typical sidewalks. There is also another 2 meters for pedestrians on the other side as well.
- Reference was made to the demographic of seniors in the area who will appreciate the enhanced space, adding to their quality of life

Ms. Anna Snook
City Of St. John's
New Gower Street
St. John's, NL

Dear Anna,

COMMENTS ON THE MILLS WRIGHT REPORT

Thank you for all of your work to date in spearheading the ReImagine Churchill Square.

The Churchill Square Business Association speaks for the sixty-eight St. John's businesses and over 400 employees that work in Churchill Square. All considered, Churchill Square represents a large and important tax base for the city and a vibrant place to conduct business.

Below are comments from Charlie, Dale and I on behalf of the Churchill Square Business Association (CSBA)

Recommendations:

- **We support the "Proposed Concept Plan"**
- **Snow Clearing Commitment (Very important)**
 - Curb to curb
 - Sidewalks and Plaza

Note: This is at the top of our list. We strongly suggest that a commitment from the city is to a snow clearing protocol for Churchill Square, that includes the new expanded sidewalks and the public plaza. Not doing so will relegate these areas to being places to deposit snow..

- **Garbage Management Commitment (Very important)**
 - Proper receptacles and clear-out schedule commitment

Note: Many high school students visit Churchill Square 5 days a week during their lunch time. If we create and encourage new public space and have not thought out a garbage strategy, then this exercise is doomed. Littering is one of Churchill Squares biggest problems.

- **Trees**
 - To bet in planters with a top lip for impromptu seating

Note: We feel concrete planters will protect the trees in the winter from snowplows, plus allow for folks to gather by providing seating in the warmer months.

- **Signage at Elizabeth Ave**
 - One large sign at Elizabeth Ave to denote the location
 - A digital board that can display information
 - Individual merchant signage would not be permitted

- **Food Vendors (not referring to the farmers market)**
 - Restricted food vendors to a maximum of one
 - Condition of vehicles

Note: We would like the city to set vehicle condition guidelines so that the trucks used as do not detract from the area. One other issue is Sea Gulls, they hang out around the food truck and foul the area and as such wish that any food truck remains at the top of the lot near Elizabeth Ave. These vendors often spread out and occupy additional valuable parking stalls.

- **Permit System for Staffing**

- A provision for no charge or reduced charge parking permits for staff

With over 400 people working in Churchill Square, it is imperative that we develop a system of permits that will allow our staff to be able to park in Churchill Square.

We appreciate being a part of this especially important dialogue.

Sincerely,

Pat Thompson

Churchill Square Business Association