

# ST. JOHN'S

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## Regular Meeting - City Council Agenda

November 8, 2021

3:00 p.m.

4th Floor City Hall

Pages

1. CALL TO ORDER
2. PROCLAMATIONS/PRESENTATIONS
3. APPROVAL OF THE AGENDA
  - 3.1. Adoption of Agenda
4. ADOPTION OF THE MINUTES
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5. BUSINESS ARISING FROM THE MINUTES
6. DEVELOPMENT APPLICATIONS
7. RATIFICATION OF EPOLLS
8. COMMITTEE REPORTS
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10. BUILDING PERMITS LIST (FOR INFORMATION ONLY)
  - 10.1. Building Permits List 19
11. REQUISITIONS, PAYROLLS AND ACCOUNTS

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| 11.1.      | Weekly Payment Vouchers for the Week Ending November 3, 2021                      | 23 |
| <b>12.</b> | <b>TENDERS/RFPS</b>   |    |
| 12.1.      | 2021164 - Robin Hood Bay Waste Management Facility Security Services (2022 -2023) | 24 |
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| <b>13.</b> | <b>NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS</b>                     |    |
| 13.1.      | Notice of Motion - Amendment to St. John's Taxi By-Law                            | 29 |
|            | Notice of Motion to amend St. John's Taxi By-Law to increase flag rates.          |    |
| <b>14.</b> | <b>OTHER BUSINESS</b>   |    |
| 14.1.      | Sale of City Land at the front of 3 Dartmouth Place                               | 30 |
| 14.2.      | Sale of City Land at the rear of 7 Exeter Avenue                                  | 33 |
| 14.3.      | Sale of City Land adjacent to 5 Mooney Crescent                                   | 37 |
| 14.4.      | Sale of City Land adjacent to 55 Springdale Street                                | 41 |
| 14.5.      | 130 Aberdeen Avenue, Adoption-in-Principle, MPA1900006                            | 44 |
| <b>15.</b> | <b>ACTION ITEMS RAISED BY COUNCIL</b>   |    |
| <b>16.</b> | <b>ADJOURNMENT</b>  |    |

# **ST. JOHN'S**

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

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

**November 1, 2021, 3:00 p.m.**

**Present:**

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Ron Ellsworth
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Jill Bruce
- Councillor Ophelia Ravencroft
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Carl Ridgeley

**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
- Lynnnann Winsor, Deputy City Manager of Public Works
- Cheryl Mullett, City Solicitor
- Susan Bonnell, Manager - Communications & Office Services
- Ken O'Brien, Chief Municipal Planner
- Karen Chafe, City Clerk
- Kelly Maguire, Public Relations & Marketing Officer
- Jennifer Squires, Legislative Assistant

### **Land Acknowledgement**

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

**“We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John's is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of indigenous and**

other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi'kmaq, Innu, Inuit, and Southern Inuit of this Province.”

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

- 3.1 **Adoption of Agenda**

SJMC-R-2021-11-01/513

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Hanlon

That the Agenda be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (11 to 0)**

4. **ADOPTION OF THE MINUTES**

- 4.1 **Adoption of Minutes - October 25, 2021**

SJMC-R-2021-11-01/514

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O'Leary

That the minutes of October 25, 2021, be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (11 to 0)**



5. **BUSINESS ARISING FROM THE MINUTES**

6. **DEVELOPMENT APPLICATIONS**

6.1 **Request for Rear Yard Variance – 3 Colonial Street- SUB2100052**

Councillor Hanlon asked if she should abstain from voting, as this was her Uncle's property, and she may be involved in the sale. The City Solicitor advised as there may be a direct pecuniary interest or financial benefit that she should abstain.

SJMC-R-2021-11-01/515

**Moved By** Councillor Korab

**Seconded By** Councillor Ravencroft

That Council approved the proposed 10% Variance to allow for a 5.4-meter Rear Yard setback at 3 Colonial Street.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

Abstain (1): Councillor Hanlon

**MOTION CARRIED (9 to 0)**

6.2 **Re-establish Building Line Setback – 34 O'Neil Avenue – INT2100106**

SJMC-R-2021-11-01/516

**Moved By** Councillor Korab

**Seconded By** Councillor Bruce

That Council approve a 3.35 metre Building Line at 34 O'Neil Avenue to accommodate the front porch extension.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**6.3     Request for Lot Frontage Variance – Land Adjacent 72 Howlett’s Line – SUB2100029**

SJMC-R-2021-11-01/517

**Moved By** Councillor Korab

**Seconded By** Councillor Burton

That Council approve a 10% Variance to allow the creation of a Building Lot adjacent to 72 Howlett’s Line with a Lot Frontage of 27metres.

For (11): Mayor Breen, Deputy Mayor O’Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (11 to 0)**

**7.     RATIFICATION OF EPOLLS**

**8.     COMMITTEE REPORTS**

**8.1     Committee of the Whole Report - October 20, 2021**

**1.         New Emergency and Continuity Management Policy**

SJMC-R-2021-11-01/518

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O’Leary

That Council approve the new Emergency and Continuity Management Policy and rescind associated related policies.

**MOTION CARRIED**

**2.         Windsor Lake Water Treatment Plant Equipment Reserve Fund Replacement of UPS Batteries**

SJMC-R-2021-11-01/519

**Moved By** Councillor Hickman

**Seconded By** Councillor Ellsworth

That Council approve access to funding from the Windsor Lake WTP Equipment Reserve Fund to support the purchase of this equipment.

**MOTION CARRIED**

3. **Royal St. John's Regatta Committee Hall of Fame Induction Ceremony Luncheon and Awards Dinner**

SJMC-R-2021-11-01/520

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Hickman

That Council fund the Hall of Fame Induction Ceremony luncheon and provide funding for half the cost of the Awards Dinner at a venue to be determined.

**MOTION CARRIED**

4. **19 King's Bridge Road, MPA2100004**

Councillor Ellsworth informed Council that he would be abstaining from the vote.

SJMC-R-2021-11-01/521

**Moved By** Councillor Froude

**Seconded By** Councillor Burton

That Council consider rezoning the property at 19 King's Bridge Road from the Institutional (INST) Zone to the Commercial Neighbourhood (CN) Zone to allow an Office, Clinic, or similar uses; and that the application be advertised and referred to a virtual public meeting chaired by an independent facilitator. This would also require a Municipal Plan amendment

**MOTION CARRIED**

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

**9.1 Development Permits List October 21 to 27, 2021**

Council considered the Development Permits List for information.

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

**10.1 Building Permits List - November 1, 2021**

Council considered the Building Permits List for information.

**11. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**11.1 Weekly Payment Vouchers for the Week Ending October 27, 2021**

SJMC-R-2021-11-01/522

**Moved By** Councillor Ravencroft

**Seconded By** Councillor Bruce

That the weekly payment vouchers for the week ending October 27, 2021, in the amount of \$19,734,410.08 be approved as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (11 to 0)**

**12. TENDERS/RFPS**

**12.1 2021136 – RWIS and Weather Forecasting Services**

SJMC-R-2021-11-01/523

**Moved By** Councillor Hickman

**Seconded By** Councillor Ridgeley

THAT Council award the contract to the highest-scoring proponent in the proposal review, AMEC Foster Wheeler (Wood Weather), as per the Public Procurement Act.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (11 to 0)**

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

**14. OTHER BUSINESS**

**14.1 Council Appointment to the 2025 Canada Summer Games Host Society Board of Directors**

SJMC-R-2021-11-01/524

**Moved By** Councillor Korab

**Seconded By** Deputy Mayor O'Leary

That Council approve the appointment of Councillor Hickman, and one staff person, namely Tanya Haywood, Deputy City Manager, Community Services to the 2025 Canada Summer Games Host Society Board of Directors

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**14.2 George Street Prince Edward Plaza Park and Stage Revitalization Concept Plan**

SJMC-R-2021-11-01/525

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Ridgeley

That Council allocate \$20,000 from the 2021 Capital Out Of Revenue budget surplus to fund the George Street Prince Edward Park and Main Stage Revitalization Concept Plan.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**15. ACTION ITEMS RAISED BY COUNCIL**

The Mayor provided the following statement on the decision to suspend the Growlers from Mile One pending the outcome of disrespectful workplace conduct allegations:

I know that this news has been difficult for Growler's fans who were looking forward to the season opener this coming weekend. I can also appreciate the impact this decision has on businesses particularly in the downtown that were also looking forward to spin offs activity on game nights.

I have heard from many individuals who question why the decision was made.

I can tell you this had nothing to do with the Growler's recent announcements that they were looking to construct a new arena. And regarding ticket sales, while we did have a problem that delayed us in selling tickets as of October 20, we were close to having that issue resolved.

As with any workplace harassment investigation, things have been evolving quickly. Last week, it was clear to the Board and Council that we could not – for the wellbeing and mental health of staff at the former Mile One – go ahead with at least the first six games of the season.

There has been a lot of speculation about why this matter couldn't have been resolved in a different way, and I understand that. However, I can't go into detail about the nature of the multiple allegations currently being investigated. This is not a simple matter of one or two complaints. I ask the public to be patient and understanding for all parties involved in this difficult situation.

I know that Deacon has filed a notice of default and we expected that they would do so.

This is both a legal matter and an active occupational health and safety matter. On behalf of the Board and Council, we all want this matter resolved as quickly as possible.

Members of Council voiced their support of the decision and spoke on the importance of the safety and well-being of employees.

**16. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:29 p.m.

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MAYOR

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CITY CLERK

# DECISION/DIRECTION NOTE

**Title:** 2021 Holiday Parades and Road Closures Events

**Date Prepared:** November 3, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Debbie Hanlon, Special Events Regulatory Committee

**Ward:** N/A

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**Decision/Direction Required:** Seeking Council approval of the following holiday events- Christmas on Cochrane, Downtown St. John's Christmas Parade, and the Goulds Lions Club Christmas Parade.

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

### Downtown St. John's Christmas Parade

- Sunday November 28 (alternate weather date, Sunday, December 5)
- Parade will run from 12:00pm – 2:00pm
- RNC will provide a parade escort
- Parades are permitted under the current Public Health guidelines.
- Event requires closure of the following roads:
  - Factory Lane
  - Plymouth Road
  - Duckworth Street
  - Prescott Street
  - Water Street

### Christmas on Cochrane

An application was received to host a weekly tree lighting/holiday celebration in front of Cochrane Street United Church. They would like to close the section of Cochrane Street from Military Road to Bond Street from 3:00pm – 5:00pm on each of the four dates noted below.

- Sunday November 28
- Sunday December 5
- Sunday December 12
- Sunday December 19

Volunteers will be present as security on the barricades.

### Goulds Lions Club Christmas Parade

- Sunday December 5 (alternate weather date, Sunday, December 12)
- Parade will run from 1:00pm – 3:00pm
- RNC will provide a parade escort

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- Organizer has secured the services of a Traffic Control Company.
- Parades are permitted under the current Public Health guidelines.
- Event requires closure of the following roads:
  - Lake View Drive
  - Main Road.
  - Access from side roads to Main Road will be restricted during the Parade.

**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans:  
Aligns with the City's strategic direction of a Connected City. A city that works within the community to enhance a sense of pride, belonging, place, and engagement and supports how we connect with each other, within our neighbourhoods, within the larger community, and with the city organization and Council.
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve:

1. Christmas on Cochrane (Nov 28, Dec 5, Dec 12, Dec 19)
2. The Downtown St. John's Christmas Parade (Nov 28, backup date of Dec 5)
3. The Goulds Lions Club Christmas Parade (Dec 5, backup date Dec 12).

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

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

**Report Approval Details**

|                      |   |
|----------------------|---|
| Document Title:      | 2021 Holiday Parades and Road Closures.docx |
| Attachments:         |   |
| Final Approval Date: | Nov 3, 2021                                 |

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

**Jennifer Langmead - Nov 3, 2021 - 2:32 PM**

**Tanya Haywood - Nov 3, 2021 - 3:03 PM**

# DECISION/DIRECTION NOTE

**Title:** Remembrance Day Ceremony - Road Closure

**Date Prepared:** November 4, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Debbie Hanlon, Special Events Regulatory Committee

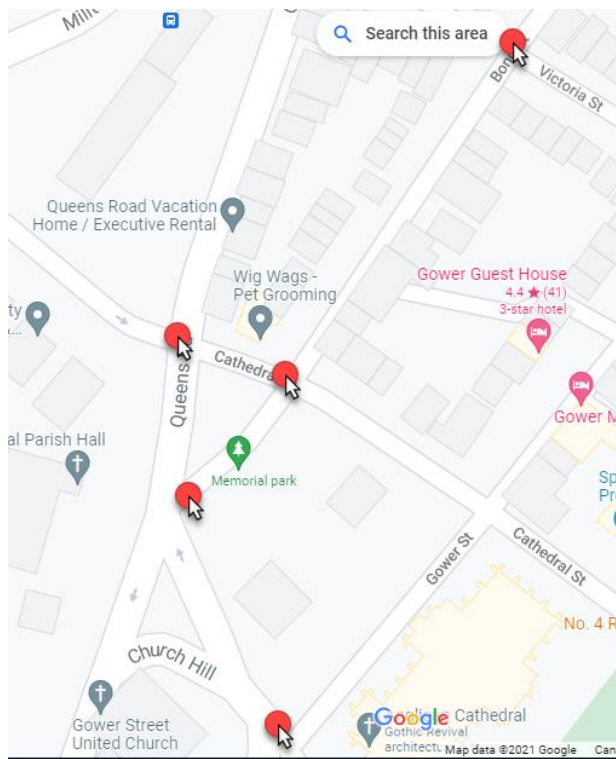
**Ward:** Ward 2

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**Decision/Direction Required:** Seeking Council approval of a road closure as part of the Remembrance Day Ceremony at the Warrants and Sergeants Memorial on November 11.

**Discussion – Background and Current Status:** The Royal Newfoundland Regiment and the Canadian Armed Forces are requesting the following road closure in conjunction with their Remembrance Day Ceremony:

- November 11, 9:30am – 10:30am
- Closure of Queens Road from Church Hill to Victoria Street
- Closure of Garrison Hill
- Canadian Armed Forces Soldiers will man the barricades



## ST. JOHN'S

**Key Considerations/Implications:**

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

**Recommendation:**

That Council approve the road closure request as part of the Remembrance Day Ceremony at the Warrants and Sergeants Memorial on November 11.

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

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

**Report Approval Details**

|                      |  |
|----------------------|--|
| Document Title:      | Remembrance Day Ceremony - Road Closure.docx |
| Attachments:         |  |
| Final Approval Date: | Nov 4, 2021                                  |

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

**Jennifer Langmead - Nov 4, 2021 - 10:59 AM**

**Tanya Haywood - Nov 4, 2021 - 12:51 PM**

**Development Permits List  
For the Period of Oct 28 to Nov 3, 2021**

| Code | Applicant | Application          | Location                   | Ward | Development Officer's Decision | Date     |
|------|-----------|----------------------|----------------------------|------|--------------------------------|----------|
| RES  |           | Lot re-configuration | 38 & 40 Craigmillar Avenue | 3    | Approved                       | 21-11-01 |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |
|      |           |                      |                            |      |                                |          |

|    |   |
|----|---|
| *  | <b>Code Classification:</b><br>RES - Residential      INST - Institutional<br>COM - Commercial      IND - Industrial<br>AG - Agriculture<br>OT - Other  |
| ** | This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal. |

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

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# Building Permits List

## Council's November 8, 2021 Regular Meeting

Permits Issued: 2021/10/28 to 2021/11/03

### Class: Residential

|                  |                    |                          |
|------------------|--------------------|--------------------------|
| 104 Firdale Dr   | Fence              | Fence                    |
| 11 Johnson Cres  | Renovations        | Single Detached Dwelling |
| 118 Military Rd  | Fence              | Fence                    |
| 12 Anthony Ave   | Renovations        | Townhousing              |
| 12 Anthony Ave   | Fence              | Fence                    |
| 12 Anthony Ave   | Deck               | Patio Deck               |
| 12 Ballylee Cres | New Construction   | Single Detached Dwelling |
| 121 Cheeseman Dr | Deck               | Patio Deck               |
| 14 Anthony Ave   | Renovations        | Townhousing              |
| 14 Anthony Ave   | Fence              | Fence                    |
| 14 Anthony Ave   | Deck               | Patio Deck               |
| 16 Anthony Ave   | Renovations        | Townhousing              |
| 16 Anthony Ave   | Fence              | Fence                    |
| 16 Anthony Ave   | Deck               | Patio Deck               |
| 17 Sitka St      | Accessory Building | Accessory Building       |
| 18 Anthony Ave   | Renovations        | Townhousing              |
| 18 Anthony Ave   | Fence              | Fence                    |
| 18 Anthony Ave   | Deck               | Patio Deck               |
| 18 Hayward Ave   | Renovations        | Townhousing              |
| 20 Anthony Ave   | Renovations        | Townhousing              |
| 20 Anthony Ave   | Fence              | Fence                    |
| 20 Anthony Ave   | Deck               | Patio Deck               |
| 22 Anthony Ave   | Renovations        | Townhousing              |
| 22 Anthony Ave   | Fence              | Fence                    |
| 22 Anthony Ave   | Deck               | Patio Deck               |
| 22 Bannerman St  | Renovations        | Townhousing              |
| 22 Wallace Pl    | Fence              | Fence                    |
| 23 Paton St      | Renovations        | Single Detached Dwelling |
| 24 Anthony Ave   | Renovations        | Townhousing              |
| 24 Anthony Ave   | Fence              | Fence                    |

|                     |                                    |                          |
|---------------------|------------------------------------|--------------------------|
| 24 Anthony Ave      | Deck                               | Patio Deck               |
| 26 Anthony Ave      | Renovations                        | Townhousing              |
| 26 Anthony Ave      | Fence                              | Fence                    |
| 26 Anthony Ave      | Deck                               | Patio Deck               |
| 3 Glavine St        | Deck                               | Patio Deck               |
| 34 Cherrybark Cres  | Renovations                        | Single Detached Dwelling |
| 38 Mullock St       | Renovations                        | Semi Detached Dwelling   |
| 39 Cowan Ave        | Fence                              | Fence                    |
| 399 Newfoundland Dr | Deck                               | Patio Deck               |
| 4 Sugar Pine Cres   | New Construction                   | Single Detached Dwelling |
| 4 Vancouver St      | Accessory Building                 | Accessory Building       |
| 4 Victoria St       | Renovations                        | Townhousing              |
| 44 Pleasant St      | Change of<br>Occupancy/Renovations | Apartments Or Mixed Use  |
| 45 Ryan's Pl        | Accessory Building                 | Accessory Building       |
| 51 Ryan's Pl        | Site Work                          | Vacant Land              |
| 56 Beaumont St      | New Construction                   | Townhousing              |
| 58 Beaumont St      | New Construction                   | Townhousing              |
| 6 Cape Fox St       | New Construction                   | Single Detached w/ apt.  |
| 6 Dufferin Pl       | Deck                               | Patio Deck               |
| 6 Nerissa Pl        | Change of Occupancy                | Home Office              |
| 6 Templeman St      | Renovations                        | Single Detached Dwelling |
| 60 Beaumont St      | New Construction                   | Townhousing              |
| 62 Beaumont St      | New Construction                   | Townhousing              |
| 63 Beacon Hill Cres | Accessory Building                 | Accessory Building       |
| 63 Diamond Marsh Dr | New Construction                   | Single Detached Dwelling |
| 7 Trainor Pl        | Accessory Building                 | Accessory Building       |
| 70 Queen's Rd       | Renovations                        | Semi Detached Dwelling   |
| 75 Carpasian Rd     | Accessory Building                 | Accessory Building       |
| 82 Diamond Marsh Dr | Accessory Building                 | Single Detached Dwelling |
| 96 Diamond Marsh Dr | Renovations                        | Single Detached Dwelling |

This Week: \$2,708,391.43

**Class: Commercial**

|               |                     |                      |
|---------------|---------------------|----------------------|
| 10 Austin St  | Sign                | Mixed Use            |
| 176 Water St  | Change of Occupancy | Retail Store         |
| 22 Sudbury St | Site Work           | Light Industrial Use |



|                 |                                    |                      |
|-----------------|------------------------------------|----------------------|
| 330 Torbay Rd   | Change of<br>Occupancy/Renovations | Bank                 |
| 48 Kenmount Rd  | Sign                               | Retail Store         |
| 644 Topsail Rd  | Sign                               | Private School       |
| 653 Topsail Rd  | Sign                               | Office               |
| 70 Ruby Line    | Sign                               | Mixed Use            |
| 90 Aberdeen Ave | Sign                               | Eating Establishment |
| 90 Aberdeen Ave | Renovations                        | Retail Store         |

This Week: \$539,561.78

**Class: Government/Institutional**

|                |                     |                |
|----------------|---------------------|----------------|
| 10 Paton St    | Change of Occupancy | Private School |
| 105a Torbay Rd | Renovations         | Church         |

This Week: \$199,900.00

**Class: Industrial**

This Week: \$0.00

**Class: Demolition**

This Week: \$0.00

**This Week's Total: \$3,447,853.21**

Repair Permits Issued 2021/10/28 to 2021/11/03: \$77,620.00

| YEAR TO DATE COMPARISONS              |                         |                         |                     |
|---------------------------------------|-------------------------|-------------------------|---------------------|
| November 8, 2021                      |                         |                         |                     |
| TYPE                                  | 2020                    | 2021                    | % VARIANCE<br>(+/-) |
| Residential                           | \$41,915,516.31         | \$54,475,235.99         | 30                  |
| Commercial                            | \$132,866,673.38        | \$115,620,111.82        | -13                 |
| Government/Institutional              | \$677,431.00            | \$33,219,907.00         | 4804                |
| Industrial                            | \$3,000.00              | \$4,164,500.00          | 138717              |
| Repairs                               | \$3,128,851.90          | \$4,119,880.57          | 32                  |
| <b>TOTAL</b>                          | <b>\$178,591,472.59</b> | <b>\$211,599,635.38</b> | 18                  |
| Housing Units (1 & 2 Family Dwelling) | 128                     | 161                     |                     |

Respectfully Submitted,

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

# MEMORANDUM

## **Weekly Payment Vouchers For The Week Ending November 3, 2021**

### **Payroll**

|                     |                      |
|---------------------|----------------------|
| <b>Public Works</b> | <b>\$ 426,137.08</b> |
|---------------------|----------------------|

|                         |                     |
|-------------------------|---------------------|
| <b>Bi-Weekly Casual</b> | <b>\$ 33,687.26</b> |
|-------------------------|---------------------|

|                         |                        |
|-------------------------|------------------------|
| <b>Accounts Payable</b> | <b>\$ 5,287,986.29</b> |
|-------------------------|------------------------|

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

|               |                        |
|---------------|------------------------|
| <b>Total:</b> | <b>\$ 5,747,810.63</b> |
|---------------|------------------------|

# **ST. JOHN'S**

DEPARTMENT OF FINANCE

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

# BID APPROVAL NOTE

**Bid # and Name:** 2021164 - Robin Hood Bay Waste Management Facility Security Services (2022 -2023)  
**Date Prepared:** Wednesday, November 3, 2021  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Sandy Hickman, Public Works  
**Ward:** N/A

**Department:** Public Works  
**Division:** Waste & Recycling  
**Quotes Obtained By:** Sherri Higgins  
**Budget Code:** 4331-52100  
**Source of Funding:** Operating

**Purpose:**

To provide security services to Robin Hood Bay Waste Management Facility. The vendor will provide an on-site security guard to monitor the site during non-operational hours.

**Results:** ☐ As attached ☒ As noted below

| Vendor Name                                      | Bid Amount   |
|--|--------------|
| Neptune Security Services Inc.                   | \$409,256.25 |
| Spectrum Investigation & Security (1998) Limited | \$480,119.25 |
| Eastern Ventures Inc                             | \$621,920.00 |

**Expected Value:** ☐ As above  
☒ Value shown is an estimate only for a 3 year period. The City does not guarantee to buy specific quantities or dollar value.

**Contract Duration:** Two (2) years with a one (1) year extension.

**Bid Exception:** None

**Recommendation:**

That Council approve for award the lowest bidder meeting specifications, Neptune Security Services Inc., for \$409,256.25 (HST incl.) as per the Public Procurement Act.

**Attachments:**

# ST. JOHN'S

### Report Approval Details

|                      |  |
|----------------------|--|
| Document Title:      | 2021164 - Robin Hood Bay Waste Management Facility Security Services (2022 -2023).docx |
| Attachments:         |  |
| Final Approval Date: | Nov 3, 2021  |

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

**Rick Squires - Nov 3, 2021 - 2:15 PM**

**Derek Coffey - Nov 3, 2021 - 2:50 PM**

# DEPARTMENTAL APPROVAL REQUEST/RFP

**Commodity/Bid #:** 2021080  
**Date Prepared:** Wednesday, November 3, 2021  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Ron Ellsworth, Finance and Administration  
Choose Councillor  
**Ward:** N/A

**Department:** Finance and Admin  
**Quotes Obtained By:** Keith Barrett  
**Budget Code:** 1272  
**Source of Funding:** Capital

**Purpose:**

This open call was issued to request proposals for the website redevelopment plan and implementation as well as a vendor hosting and support.

**Proposals Submitted By:**

| Vendor Name                       |
|-----------------------------------|
| Blu Creative Digital Technologies |
| Brickworks Communications         |
| Digital Echidna                   |
| eSolutions Group                  |
| Evolving Web Inc.                 |
| Mobikasa LLC                      |
| OPIN Digital, Inc                 |
| Triware Technologies Inc.         |
| Vision33 Canada Inc.              |
| Yellow Pencil Inc.                |

**Expected Value:** ☒ Value shown is an estimate only for a 5 year period. The City does not guarantee to buy specific quantities or dollar value.

**Contract Duration:** 5 Years

**Recommendation:**

THAT Council approve for award open call 2021080 to eSolutions Group for \$105,900.00 plus HST over five years as per the Public Procurement Act

# ST. JOHN'S

**Attachments:**

### Report Approval Details

|                      |                  |
|----------------------|------------------|
| Document Title:      | RFP-Website.docx |
| Attachments:         |                  |
| Final Approval Date: | Nov 3, 2021      |

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

**Keith Barrett - Nov 3, 2021 - 3:57 PM**

**Derek Coffey - Nov 3, 2021 - 4:05 PM**



## **NOTICE OF MOTION**

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move to amend Schedule A - "Tariff of Fares of the St. John's Taxi By-Law" so as to increase the flag rates for the first kilometer, each additional kilometer and for waiting time and to provide for travelling rates to be applicable for each 0.1 of a kilometer.

DATED at St. John's, NL this                      day of November, 2021.

---

COUNCILLOR

# ST. JOHN'S

# DECISION/DIRECTION NOTE

---

**Title:** Sale of City Land at the front of 3 Dartmouth Place

**Date Prepared:** November 3, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Ian Froude, Planning

**Ward:** Ward 4

---

## Decision/Direction Required:

Recommendation on the sale of City land at the front of 3 Dartmouth Place, as shown in red on the attached diagram.

## Discussion – Background and Current Status:

The owner of 3 Dartmouth Place has approached the City requesting to purchase the parcel of City owned land at the front of his property, as shown in red on the attached diagram. This request was circulated amongst the required City departments with no objections noted. A buffer will be retained, the width of the existing sidewalk with an additional 0.5 meters, should the City wish to install a sidewalk in the future.

The purchase price has been established at a rate of \$5.00 per square foot, plus HST and administrative fees. The area in question is approximately 160 square feet, resulting in an approximate purchase price of \$800.00. The exact area requested will be confirmed by a survey which will be provided by the property owner and the purchase price will be reflected accordingly.

## Key Considerations/Implications:

1. Budget/Financial Implications:
  - a. The City will receive \$5.00 per square foot for the sale of the land, plus \$300.00 for the administrative fee.
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans:
  - a. An Effective City
4. Legal or Policy Implications:
  - a. A Deed of Conveyance will have to be prepared.
5. Privacy Implications: N/A

# ST. JOHN'S

6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve the sale of land at the front of 3 Dartmouth Place, as shown in red on the attached diagram.

**Prepared by:** Andrew Woodland, Legal Counsel  
**Approved by:** Cheryl Mullett, City Solicitor



**Report Approval Details**

|                      |   |
|----------------------|---|
| Document Title:      | Sale of City Land - Front of 3 Dartmouth Place.docx |
| Attachments:         |   |
| Final Approval Date: | Nov 4, 2021   |

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

**Cheryl Mullett - Nov 4, 2021 - 11:11 AM**

# DECISION/DIRECTION NOTE

**Title:** Sale of City Land at the rear of 7 Exeter Avenue

**Date Prepared:** November 1, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Ian Froude, Planning

**Ward:** Ward 4

---

## Decision/Direction Required:

Recommendation on the sale of City land at the rear of 7 Exeter Avenue, as shown in red on the attached diagram.

## Discussion – Background and Current Status:

The owner of 7 Exeter Avenue has approached the City requesting a Letter of Tolerance for the encroachment of the fence at the rear of their property onto open space. This fence has been located in this location for a number of years. In discussion with the Parks and Open Spaces, it was determined that the best route to proceed would be to sell this land to the property owner. A Letter of Tolerance would not be appropriate in this situation as it leaves the City open to liability should anyone injure themselves on the property. A lease would also be difficult as the majority of insurance companies for private property charge a substantial amount of money to provide Commercial General Liability Insurance in the amount of \$2,000,000.00, which is the City's minimum requirement.

The purchase price will be for fair market value per square foot, plus HST and administrative fees. The exact area requested will be confirmed by a survey which will be provided by the property owner.

## Key Considerations/Implications:

1. Budget/Financial Implications:
  - a. City to receive fair market value for the sale of the land, plus administrative fees.
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans:
  - a. An Effective City
4. Legal or Policy Implications:
  - a. A Deed of Conveyance will have to be prepared.
5. Privacy Implications: N/A



6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve the sale of City land at the rear of 7 Exeter Avenue, as shown in red on the diagram below.

**Prepared by:** Andrew Woodland, Legal Counsel  
**Approved by:** Cheryl Mullett, City Solicitor





**Report Approval Details**

|                      |  |
|----------------------|--|
| Document Title:      | Sale of City Land - Rear of 7 Exeter Avenue.docx |
| Attachments:         |  |
| Final Approval Date: | Nov 4, 2021                                      |

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

**Cheryl Mullett - Nov 4, 2021 - 10:39 AM**



# DECISION/DIRECTION NOTE

**Title:** Sale of City Land adjacent to 5 Mooney Crescent

**Date Prepared:** November 1, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Carl Ridgeley, Ward 5

**Ward:** Ward 5

---

## Decision/Direction Required:

Recommendation on the sale of City land adjacent to 5 Mooney Crescent, as shown in green on the attached diagram.

## Discussion – Background and Current Status:

The owner of 5 Mooney Crescent approached the City a few years ago to acquire property that he was encroaching upon, plus an additional few feet. This was approved and the property owner relocated his fence in line with the new survey. Due to an error in the survey, the fence was erected outside the new boundary. As such, the property owner has come back to the City to request to purchase the additional land between his new boundary and the recently erected fence. Parks and Open Spaces Department have advised that they have no objections with this sale.

The purchase price will be for \$3.50 per square foot, plus HST and administrative fees. The exact area requested will be confirmed by a survey which will be provided by the property owner.

## Key Considerations/Implications:

1. Budget/Financial Implications:
  - a. City to receive \$3.50 per square foot for the sale of the land, plus administrative fees.
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans:
  - a. An Effective City
4. Legal or Policy Implications:
  - a. A Deed of Conveyance will have to be prepared.
5. Privacy Implications:
  - a. N/A
6. Engagement and Communications Considerations: N/A

# ST. JOHN'S

7. Human Resource Implications: N/A

8. Procurement Implications: N/A

9. Information Technology Implications: N/A

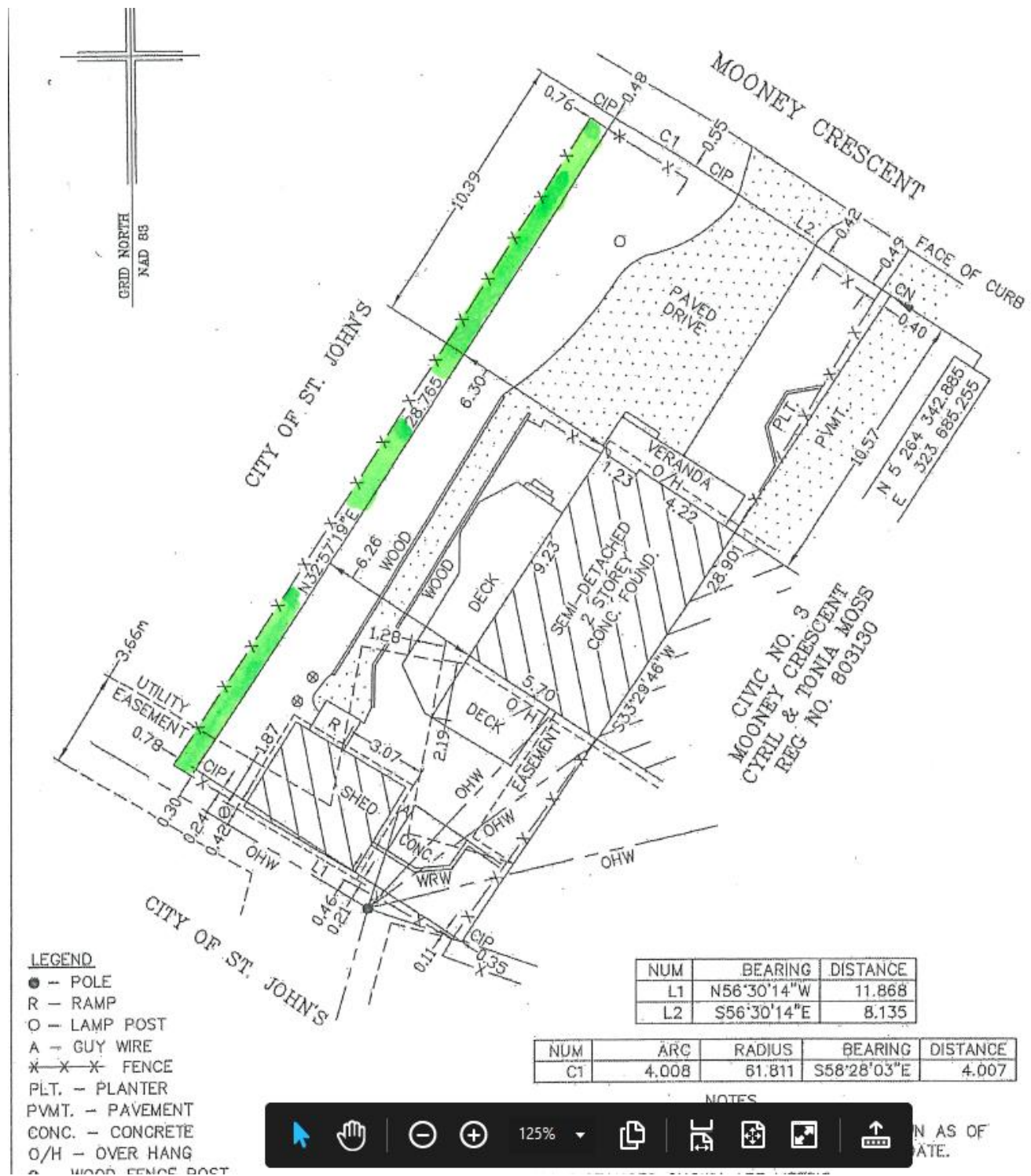
10. Other Implications: N/A

**Recommendation:**

That Council approve the sale of City land adjacent to 5 Mooney Crescent, as shown in green on the diagram below

**Prepared by:** Andrew Woodland, Legal Counsel

**Approved by:** Cheryl Mullett, City Solicitor



**Report Approval Details**

|                      |   |
|----------------------|---|
| Document Title:      | Sale of City Land adjacent to 5 Mooney Crescent, Additional Land.docx |
| Attachments:         |   |
| Final Approval Date: | Nov 4, 2021   |

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

**Cheryl Mullett - Nov 4, 2021 - 10:37 AM**

# DECISION/DIRECTION NOTE

**Title:** Sale of City Land adjacent to 55 Springdale Street

**Date Prepared:** November 1, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Ophelia Ravencroft, Housing

**Ward:** Ward 2

---

## Decision/Direction Required:

Recommendation that Council approve the sale of City land adjacent to 55 Springdale Street, as shown in red on the diagram below.

## Discussion – Background and Current Status:

The owner of 55 Springdale Street is currently in the process of completing renovations to the property. In order to meet building code requirements, he is required to install a window which will require a window well. Council approved this request on October 25, 2021. However, the property owner is now requesting additional land, as shown in red on the attached diagram. The Legal Department has discussed this matter with the Roads Department from a snow clearing perspective and they have no issue with the sale. The City will retain 0.5 meters behind the sidewalk for future upgrades.

The City also currently has a lease in place with this property owner for a shed. By selling this land, that lease will no longer be necessary.

The purchase price has been established at \$15.00 per square foot for approximately 120 square feet., plus HST and administrative fees. The exact area requested will be confirmed by a survey which will be provided by the property owner and the purchase price will be reflected accordingly. The property owner will also be required to consolidate this land with his existing property.

## Key Considerations/Implications:

1. Budget/Financial Implications:
  - a. City to receive \$15 for the sale of the land, plus administrative fees.
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions/Adopted Plans:
  - a. An Effective City
4. Legal or Policy Implications:
  - a. A Deed of Conveyance will be prepared by the Legal Department.



5. Privacy Implications: N/A
6. Engagement and Communications Considerations: N/A
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

That Council approve the sale of City land adjacent to 55 Springdale Street, as shown in red on the diagram below.

**Prepared by:** Andrew Woodland, Legal Counsel  
**Approved by:** Cheryl Mullett, City Solicitor



**Report Approval Details**

|                      |   |
|----------------------|---|
| Document Title:      | Sale of City land adjacent to 55 Springdale Street - Additional Land Request.docx |
| Attachments:         |   |
| Final Approval Date: | Nov 4, 2021   |

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

**Cheryl Mullett - Nov 4, 2021 - 10:31 AM**

# DECISION/DIRECTION NOTE

**Title:** 130 Aberdeen Avenue, Adoption-in-Principle, MPA1900006

**Date Prepared:** November 1, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Ian Froude, Planning

**Ward:** Ward 1

---

## **Decision/Direction Required:**

That Council adopt-in-principle the resolutions for Envision St. John's Municipal Plan Amendment Number 2, 2021 and St. John's Development Regulations Amendment Number 3, 2021.

## **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 A2 and R3 Zones for the purpose of a residential subdivision with a mix of housing types. A Municipal Plan amendment is also required.

The 4.781 hectare parcel is vacant land at the end of Aberdeen Avenue, with the large Walmart store east of the property and other commercial businesses opposite the property along Aberdeen Avenue and White Rose Drive. Outer Cove Brook runs north of the property and is zoned Open Space (O). Under the Envision St. John's Municipal Plan, the property is designated Commercial and therefore a Municipal Plan amendment is required to designate the property as Residential in order to consider residential zones.

The applicant has proposed to rezone the area to the Apartment 2 (A2) (formerly called Apartment Medium Density) and Residential 3 (R3) (formerly called Residential High Density) Zones. The R3 Zone will include a mix of Single Detached Dwellings, Semi-Detached Dwellings and Townhouses, and the A2 Zone will contain four 4-storey Apartment Buildings along Aberdeen Avenue and one 4-storey Apartment Building in the northeast corner of the parcel. The attached site plan is conceptual at present and references standards from the previous St. John's Development Regulations, 1994, as amended. The site plan will be updated to reflect the requirements in the Envision St. John's Development Regulations at the development stage. The applicant has been advised that minor adjustments may be required to meet the Envision standards. For example, the flanking yards will need to be 6 metres, which is not currently shown on the conceptual site plan.

Staff are still reviewing this application with respect to stormwater detention. The proposed design does not meet the City's Stormwater Detention Policy and staff are working with the developer to determine how best to meet the policy. The applicant has been advised that stormwater detention will be required. It is recommended that Council consider adoption-in-

# ST. JOHN'S



principle for the amendments now, so it can proceed to provincial review. Staff have advised the applicant that they will have to show how the development complies with the Stormwater Detention Policy before the amendments are brought back to Council later for adoption.

Further, it is recommended to expand the Open Space Zone alongside the subject property to include parts of the current floodplain buffer and wetland buffer. The applicant is completing floodplain analysis and the Open Space Zone may be further adjusted at the adoption stage to match any identified floodplains and buffers. This area will be analysed in the 2021 Wetland Study Phase 2A. The results of that study may affect this proposed development at the development approval stage, in particular the lots which back onto Outer Cove Brook.

Should the amendment proceed, the applicant will have to prepare a Transportation Impact Study at the development approval stage. This may change the proposed street network. If the development layout does change, the R3 Zone permits several residential building forms, so the applicant does have flexibility in how to arrange the various lots.

The application was referred to the St. John's International Airport Authority for comment. 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 noise exposure forecast (NEF) maps, the proposed development is bisected by the 30 NEF line and they assert that new residential development is not suitable above 30 NEF. 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.

The Province's St. John's Urban Region Regional Plan recognizes that aircraft and helicopter movements are noisy and aims to minimize 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 applicant has provided a noise assessment report which recommended that the dwelling units use appropriate acoustic insulation and that a detailed assessment of the acoustic insulation requirements be completed once the detailed site layout and building plans are available. At its April 19, 2021 regular meeting, Council reviewed the Airport Authority's concerns and the applicant's noise report and directed staff to consider rezoning the land for residential purposes. Should the amendment proceed, a detailed noise assessment should be completed at the development stage to address the concerns of the Airport Authority. The applicant has indicated residential development between the 30 and 35 NEF range is feasible at this location with appropriate acoustic insulation. This could form a condition of the development should the amendments proceed.

The proposed amendments were advertised three times in *The Telegram* newspaper and posted on the City's website, and a notice was mailed to property owners within 150 metres of the application site. No submissions were received by the City Clerk's Office.

The Envision St. John's Municipal Plan and Development Regulations will be in effect when this decision note is brought to Council. As per Section 4.9 of the Envision Development Regulations, a Land Use Report is required for all applications to amend the Municipal Plan or

Development Regulations. Given that this applicant was initiated under the previous Development Regulations and that the applicant already knows that a Transportation Impact Study is required at the development stage, it is recommended that as per Section 4.9 (3), Council accept this staff report as the Land Use Report. The noise assessment prepared by the applicant is attached to form part of this staff report.

Should Council adopt-in-principle the attached amendments, a copy will be forwarded to the provincial Department of Municipal and Provincial Affairs for review, as required by the Urban and Rural Planning Act.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners; the St. John's International Airport Authority.
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 Envision St. John's Municipal Plan and Development Regulations will be required. Any amendments must conform to the Province's Regional Plan for the St. John's Urban Region.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Should the amendments proceed, a commissioner's public hearing will be scheduled following provincial review and release.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council adopt-in-principle the resolutions for Envision St. John's Municipal Plan Amendment 2, 2021 and St. John's Development Regulations Amendment 3, 2021, regarding land at 130 Aberdeen Avenue.

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





**SUBJECT PROPERTY**

714

145

130

CR

710

65

55

WHITE ROSE DR

70

ABERDEEN AVE

CR

50

98

96

80

47

702

696

694

692

35

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





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.

A

B

C

A - PLAN, SECTION, ELEVATION, OR DETAIL No.  
B - No. OF DRAWING WHERE 'A' IS ON SITE PLAN  
C - No. OF DRAWING WHERE 'A' IS DETAILED

PRELIMINARY ONLY  
NOT FOR CONSTRUCTION

|     |                      |     |     |          |
|-----|----------------------|-----|-----|----------|
| C   | REVISED FOR APPROVAL |     |     | 21/07/08 |
| B   | REVISED 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.         |              |
| T.M:        | DATE:        | SCALE:       |
| N/A         | DEC 2019     | AS SHOWN     |
| PROJECT No: | DRAWING No:  | REV:         |
| 2019-019    | C1           | C            |

48



**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

**ST. JOHN'S Municipal Plan, 2021**

**Amendment Number 2, 2021**

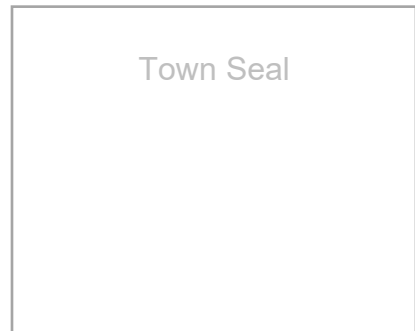
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the St. John's Municipal Plan Amendment Number 2, 2021.

Adopted by the City Council of St. John's on the \_\_\_\_ day of [Click or tap to enter a date..](#)

Signed and sealed this \_\_\_\_ day of \_\_\_\_\_.

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_



**Canadian Institute of Planners Certification**

I certify that the attached St. John's Municipal Plan Amendment Number 2, 2021 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: \_\_\_\_\_



***URBAN AND RURAL PLANNING ACT, 2000***

**RESOLUTION TO ADOPT**

**ST. JOHN'S Development Regulations, 2021**

**Amendment Number 3, 2021**

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the St. John's Development Regulations Amendment Number 3, 2021.

Adopted by the City Council of St. John's on the \_\_\_\_ day of [Click or tap to enter a date..](#)

Signed and sealed this \_\_\_\_ day of \_\_\_\_\_.

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_

Town Seal

**Canadian Institute of Planners Certification**

I certify that the attached St. John's Development Regulations Amendment Number 3, 2021 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: \_\_\_\_\_

MCIP/FCIP Stamp

## **CITY OF ST. JOHN'S**

### **Municipal Plan Amendment Number 2, 2021 and Development Regulations Amendment Number 3, 2021**

#### **BACKGROUND**

The City of St. John's wishes to allow a residential development comprised of a mix of Single-Detached Dwellings, Semi-Detached Dwellings, Townhouses and Apartment Buildings at 130 Aberdeen Avenue. See attached Council Decision Note dated February 17, 2021, March 29, 2021 and November 1, 2021 for detailed background information on St. John's Municipal Plan Amendment Number 2, 2021 and Development Regulations Amendment Number 3, 2021.

#### **PUBLIC CONSULTATION**

The proposed amendments were advertised on three occasions in The Telegram newspaper on October 2, October 9, and October 16, 2021. A notice of the amendments was also mailed to property owners within 150 metres of the application site and posted on the City's website and social media. No submissions were received by the City Clerk's Office.

#### **ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 2, 2021**

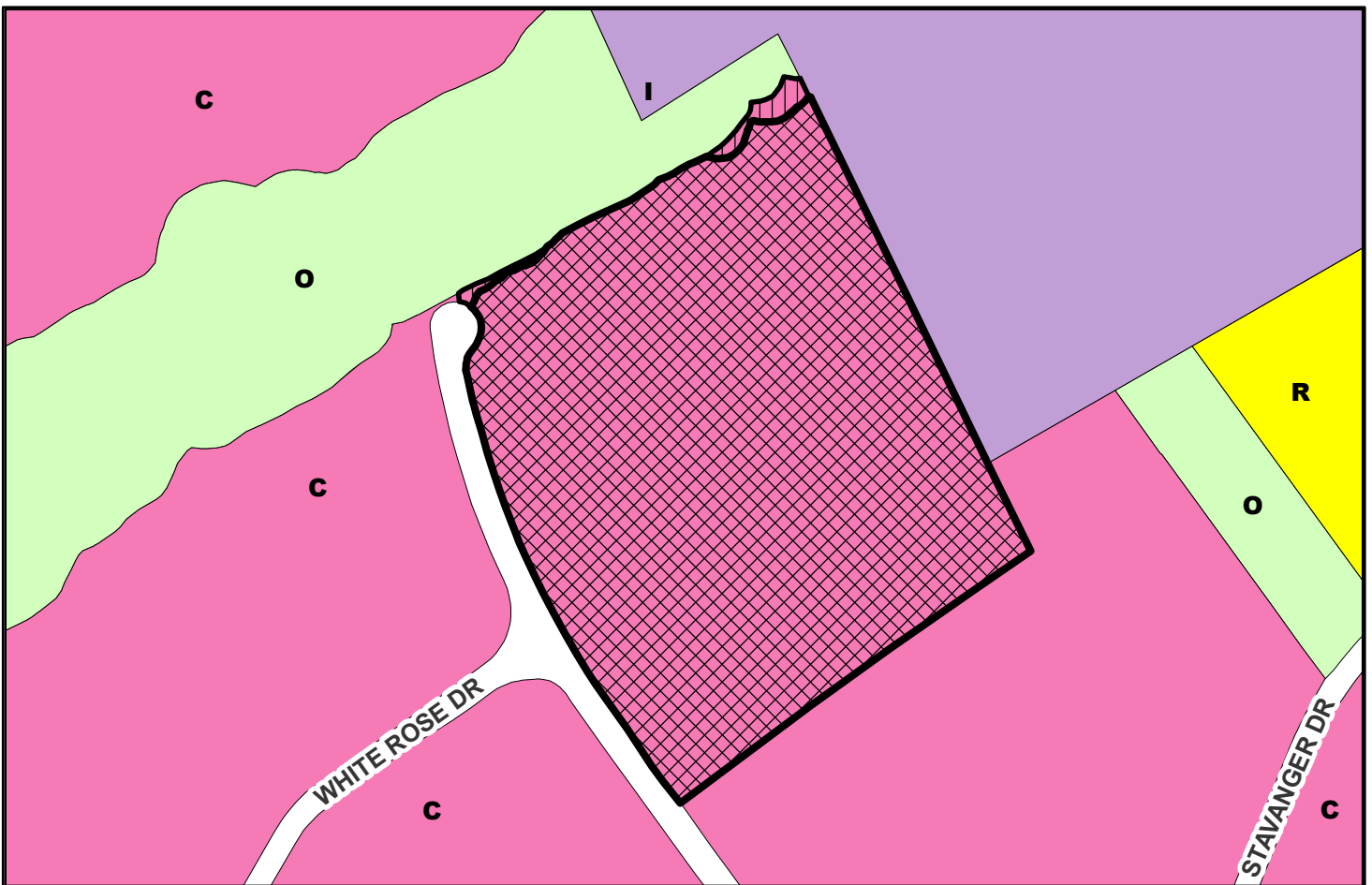
The St. John's Municipal Plan, 2021 is amended by:

- 1. Redesignating land at 130 Aberdeen Avenue [Parcel ID# 400271] from the Commercial Land Use District to the Residential Land Use District and Open Space Land Use District as shown on Future Land Use Map P-1 attached.**

#### **ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 3, 2021**

The St. John's Development Regulations, 2021 is amended by:

- 1. Rezoning land at 130 Aberdeen Avenue [Parcel ID# 400271] from the Commercial Regional (CR) Zone to the Residential 3 (R3) Zone, Apartment 2 (A2) Zone and Open Space (O) Zone as shown on City of St. John's Zoning Map attached.**

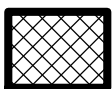


# **CITY OF ST. JOHN'S MUNICIPAL PLAN Amendment No. 2, 2021**

[Future Land Use Map P-1]

2021 10 28 Scale: 1:4000  
City of St. John's  
Department of Planning, Development  
& Regulatory Services

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



**AREA PROPOSED TO BE REDESIGNATED FROM  
COMMERCIAL (C) LAND USE DISTRICT TO  
RESIDENTIAL (R) LAND USE DISTRICT**



**AREA PROPOSED TO BE REDESIGNATED FROM  
COMMERCIAL (C) LAND USE DISTRICT TO  
OPEN SPACE (O) LAND USE DISTRICT**

**130 ABERDEEN AVENUE  
Parcel ID 400271**

\_\_\_\_\_  
M.C.I.P. signature and seal

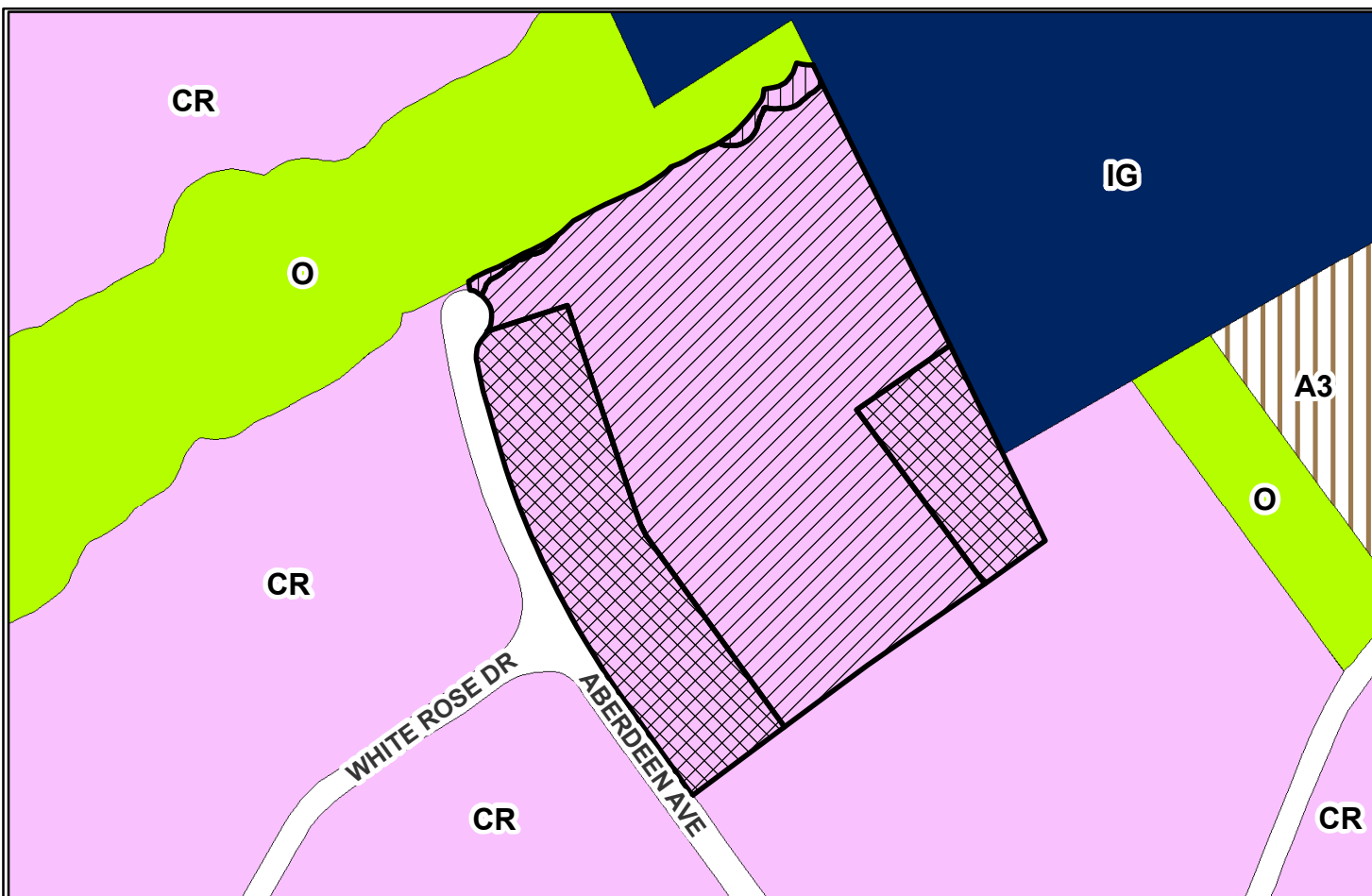
\_\_\_\_\_  
Mayor

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

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

Provincial Registration



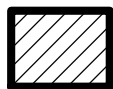


# **CITY OF ST. JOHN'S DEVELOPMENT REGULATIONS Amendment No. 3, 2021**

[City of St. John's Zoning Map]

2021 10 28 Scale: 1:4000  
City of St. John's  
Department of Planning, Development  
& Regulatory Services

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



AREA PROPOSED TO BE REZONED FROM  
COMMERCIAL REGIONAL (CR) LAND USE ZONE TO  
RESIDENTIAL 3 (R3) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM  
COMMERCIAL REGIONAL (CR) LAND USE ZONE TO  
APARTMENT 2 (A2) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM  
COMMERCIAL REGIONAL (CG) LAND USE ZONE TO  
OPEN SPACE (O) LAND USE ZONE

**130 ABERDEEN AVENUE  
Parcel ID 400271**

\_\_\_\_\_  
M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

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

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

Provincial Registration

RESIDENTIAL 3 (R3) ZONE

R3

(1) PERMITTED USES

|                    |                          |
|--------------------|--------------------------|
| Accessory Building | Park                     |
| Bed and Breakfast  | Semi-Detached Dwelling   |
| Community Garden   | Single Detached Dwelling |
| Duplex Dwelling    | Subsidiary Dwelling Unit |
| Four-Plex          | Tiny Home Dwelling       |
| Home Office        | Townhouse                |
| Lodging House      |                          |

(2) DISCRETIONARY USES

|   |                          |
|---|--------------------------|
| Adult Day Centre                                | Parking Lot              |
| Apartment Building, maximum of 6 dwelling units | Personal Care Home       |
| Daycare Centre                                  | Public Utility           |
| Heritage Use                                    | Residential Retail Store |
| Home Occupation                                 | Service Shop             |
| Office  |                          |

(3) ZONE STANDARDS FOR SINGLE DETACHED DWELLING

|     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 300 metres square   |
| (b) | Lot Frontage (minimum)    | 10 metres   |
| (c) | Building Line (minimum)   | 4.5 metres  |
| (d) | Building Height (maximum) | 8 metres  |
| (e) | Side Yards (minimum)      | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 4.5 metres  |

**(4) ZONE STANDARDS FOR DUPLEX DWELLING**

- |     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 350 metres square   |
| (b) | Lot Frontage (minimum)    | 14 metres   |
| (c) | Building Line (minimum)   | 4.5 metres  |
| (d) | Building Height (maximum) | 8 metres  |
| (e) | Side Yards (minimum)      | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 4.5 metres  |

**(5) ZONE STANDARDS FOR SEMI-DETACHED DWELLING**

- |     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 188 metres square   |
| (b) | Lot Frontage (minimum)    | 7.5 metres  |
| (c) | Building Line (minimum)   | 4.5 metres  |
| (d) | Building Height (maximum) | 8 metres  |
| (e) | Side Yards (minimum)      | One of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 4.5 metres  |

**(6) ZONE STANDARDS FOR TOWNHOUSE**

- |     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 90 metres square  |
| (b) | Lot Frontage (minimum)    | 5.5 metres  |
| (c) | Building Line (minimum)   | 0 metres when located within the Downtown Snow Removal Area (Map 8); 4.5 metres all other locations |
| (d) | Building Height (maximum) | 10 metres   |

- |     |                      |   |
|-----|----------------------|---|
| (e) | Side Yards (minimum) | 0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for end unit where the Side Yard on the unattached side shall be 1.2 metres |
| (f) | Rear Yard (minimum)  | 4.5 metres  |

## **(7) ZONE STANDARDS FOR APARTMENT BUILDING**

- |     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 90 metres square per Dwelling Unit  |
| (b) | Lot Frontage (minimum)    | 14 metres   |
| (c) | Building Line (minimum)   | 1.5 metres  |
| (d) | Building Height (maximum) | 10 metres   |
| (e) | Side Yards (minimum)      | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 4.5 metres  |

## **(8) ZONE STANDARDS FOR TINY HOME DWELLING**

- |     |                           |                   |
|-----|---------------------------|-------------------|
| (a) | Lot Area (minimum)        | 91 metres square  |
| (b) | Lot Frontage (minimum)    | 5.5 metres        |
| (c) | Building Line (minimum)   | 0 metres          |
| (d) | Building Height (maximum) | 8 metres          |
| (e) | Side Yards (minimum)      | Two of 1.2 metres |
| (f) | Rear Yard (minimum)       | 4.5 metres        |

**(9) ZONE STANDARDS FOR FOUR-PLEX**

|     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 320 metres square   |
| (b) | Lot Frontage (minimum)    | 20 metres   |
| (c) | Building Line (minimum)   | 6 metres  |
| (d) | Building Height (maximum) | 8 metres  |
| (e) | Side Yards (minimum)      | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 6 metres  |
| (g) | Landscaping (minimum)     | 40% of Lot, 30% of Front Yard   |

**(10) ZONE STANDARDS FOR PERSONAL CARE HOME**

|     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 650 metres square   |
| (b) | Lot Frontage (minimum)    | 14 metres   |
| (c) | Building Line (minimum)   | 1.5 metres  |
| (d) | Building Height (maximum) | 10 metres   |
| (e) | Side Yards (minimum)      | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 4.5 metres  |
| (g) | Landscaping (minimum)     | 30%   |

**(11) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.**

APARTMENT 2 (A2) ZONE

A2

(1) PERMITTED USES

|                    |                    |
|--------------------|--------------------|
| Accessory Building | Home Office        |
| Apartment Building | Park               |
| Community Garden   | Personal Care Home |
| Daycare Centre     | Four-Plex          |

2) DISCRETIONARY USES

|                   |                |
|-------------------|----------------|
| Adult Day Centre  | Parking Lot    |
| Convenience Store | Public Utility |
| Home Occupation   | Service Shop   |
| Office            | Townhouse      |

(3) ZONE STANDARDS FOR APARTMENT BUILDING

|     |  |  |
|-----|--|--|
| (a) | Lot Area (minimum)   | 650 metres square  |
| (b) | Lot Frontage (minimum)   | 20 metres  |
| (c) | Building Line (minimum)  | 6 metres   |
| (d) | Building Height (maximum),<br>except Margaret’s Place (PID #46352) | 24 metres  |
| (e) | Building Height (maximum),<br>Margaret’s Place (PID #46352)        | 16 metres  |
| (f) | Side Yards (minimum)   | Two, each equal to 1 metre for every 4 metres of<br>Building Height, except on a corner Lot where the<br>Side Yard abutting the Street shall be 6 metres |
| (g) | Rear Yard (minimum)  | 6 metres   |
| (h) | Lot Coverage (maximum)   | 40%  |
| (i) | Landscaping (minimum)  | 30%  |

**(4) ZONE STANDARDS FOR TOWNHOUSE**

|     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 140 metres square   |
| (b) | Lot Frontage (minimum)    | 5.5 metres  |
| (c) | Building Line (minimum)   | 1.5 metres  |
| (d) | Building Height (maximum) | 10 metres   |
| (e) | Side Yards (minimum)      | 0 metres, 1.2 metres on unattached side, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 6 metres  |

**(5) ZONE STANDARDS FOR PERSONAL CARE HOME**

|     |                                      |  |
|-----|--------------------------------------|--|
| (a) | Lot Area (minimum)                   | 650 metres square  |
| (b) | Lot Frontage (minimum)               | 20 metres  |
| (c) | Building Line (minimum)              | 6 metres   |
| (d) | Building Height (maximum)            | 24 metres  |
| (e) | Side Yard (minimum)                  | Two, each equal to 1 metre for every 4 metres of Building Height |
| (f) | Side Yard on Flanking Road (minimum) | 6 metres   |
| (g) | Rear Yard (minimum)                  | 6 metres   |
| (h) | Lot Coverage (maximum)               | 40%  |
| (i) | Landscaping (minimum)                | 30%  |

**(6) ZONE STANDARDS FOR FOUR-PLEX**

- |     |                           |   |
|-----|---------------------------|---|
| (a) | Lot Area (minimum)        | 750 metres square   |
| (b) | Lot Frontage (minimum)    | 20 metres   |
| (c) | Building Line (minimum)   | 6 metres  |
| (d) | Building Height (maximum) | 8 metres  |
| (e) | Side Yards (minimum)      | Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum)       | 6 metres  |
| (g) | Landscaping (minimum)     | 40% of the Lot, 30% of the Front Yard   |

**7) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.**



OPEN SPACE (O) ZONE

O

- (1)

PERMITTED USES

Community Garden  
Park

Recreational Use
- (2)

DISCRETIONARY USES

Place of Assembly  
Public Utility

Public Use  
Wind Turbine – Small Scale
- (3)

ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL.



BPD+ Boundridge Planning and Development Services Inc.

24 Silverton Street, St. John's, Newfoundland

pdboundridge@yahoo.com

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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



- 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](mailto: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.



## FIGURE 2: KEY PLAN

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.**

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