

# ST. JOHN'S

## Regular Meeting - City Council Agenda

May 2, 2022

3:00 p.m.

4th Floor City Hall

### Pages

1. **CALL TO ORDER**
2. **PROCLAMATIONS/PRESENTATIONS**
  - 2.1. Mental Health Week 2022 3
  - 2.2. Clean St. John's - Pick it up for YYT Cleanup Campaign 4
  - 2.3. Youth Week Proclamation 5
3. **APPROVAL OF THE AGENDA**
  - 3.1. Adoption of Agenda
4. **ADOPTION OF THE MINUTES**
  - 4.1. Adoption of Minutes - April 26, 2022 6
5. **BUSINESS ARISING FROM THE MINUTES**
  - 5.1. Notice of Motion - Corporate Social Media Usage Policy 11  
Notice of Motion given by Councillor Ellsworth at the April 26, 2022  
Regular Council meeting.
  - 5.2. Notice of Motion - Replacement of Service Laterals when Redeveloping  
Residential Property 12  
Notice of Motion given by Councillor Hickman at the April 26, 2022  
Regular Council meeting.
6. **DEVELOPMENT APPLICATIONS**
  - 6.1. Notices Published – 49 Hillview Drive East - DEV2200048 13
  - 6.2. Notices Published – 35 Barrows Road – DEV2200043 17

<b>7.</b>	<b>RATIFICATION OF EPOLLS</b>	
<b>8.</b>	<b>COMMITTEE REPORTS</b>	
<b>9.</b>	<b>DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)</b>	
9.1.	Development Permits List April 21 to April 27, 2022	28
<b>10.</b>	<b>BUILDING PERMITS LIST (FOR INFORMATION ONLY)</b>	
10.1.	Building Permits List	29
<b>11.</b>	<b>REQUISITIONS, PAYROLLS AND ACCOUNTS</b>	
11.1.	Weekly Payment Vouchers for the Week Ending April 27, 2022	32
<b>12.</b>	<b>TENDERS/RFPS</b>	
12.1.	2022012 - Citizen Request Management (CRM) System for 311	33
12.2.	2022022 – Supply of Gas Cylinders	35
12.3.	2022039 - Snow Clearing - Various City Sites	37
<b>13.</b>	<b>NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS</b>	
<b>14.</b>	<b>OTHER BUSINESS</b>	
14.1.	Arts & Culture Advisory Committee – Call for Members	40
14.2.	Built Heritage Experts Panel – Selection of Chair	44
14.3.	Text Amendment for Stand-Alone Single Detached Dwellings in the Rural Zone for Civic Numbers 420 to 496 Maddox Cove Road	47
14.4.	SERC – Road Closures and George Street Festival	61
<b>15.</b>	<b>ACTION ITEMS RAISED BY COUNCIL</b>	
<b>16.</b>	<b>ADJOURNMENT</b>	

# Proclamation

## MENTAL HEALTH WEEK May 2-8, 2022

**WHEREAS:** CMHA Mental Health Week promotes mental health awareness through education campaigns, activities and events held across Newfoundland and Labrador and offers practical ways to maintain and improve mental health and support recovery from mental health problems and illnesses; and

**WHEREAS:** The Canadian Mental Health Association encourages everyone to Get Real for mental health – before you weigh in, tune in to improve mental health for all Canadians; and

**WHEREAS:** Increased awareness and understanding of mental health will promote the use of mental health services and supports and ensure Canadians with mental health problems and illnesses are afforded the opportunity to recover; and

**WHEREAS:** The Canadian Mental Health Association actively supports and encourages good mental health in all aspects of our lives, during CMHA Mental Health Week and throughout the year

THEREFORE: I, Mayor Danny Breen, do hereby proclaim hereby proclaim the week of **May 2 - 8, 2022**, as **CMHA MENTAL HEALTH WEEK**. I encourage all citizens to join me and **#GetReal about what mental health really is.**

Signed at City Hall, St. John's, NL on this 2nd day of May, 2022.



Canadian Mental  
Health Association

Association canadienne  
pour la santé mentale

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Danny Breen, Mayor



## Proclamation

### Pick it up for YYT Cleanup Campaign

**Whereas:** Clean St. John's exists as a community-based organization dedicated to promoting the involvement of all St. John's citizens in environmental stewardship.

**Whereas:** Major litter sources that contribute to the litter problems are improper commercial refuse putouts, including dumpsters, improper household refuse, construction and demolition sites, loading docks, uncovered vehicles, motorists' and pedestrians.

**Whereas:** Over 8000 volunteers are expected to take part in this spring cleanup campaign from schools, individuals, youth groups, tenant associations, service organizations, environmental groups and businesses.

**Whereas:** It is expected that over 40 tons of garbage will be collected.

**Whereas:** This spring has been targeted for a city-wide cleanup campaign to encourage citizens, business and community groups to assist in the cleanup of harmful litter that pollutes the environment.

**Therefore Be It Resolved That** I, Mayor Danny Breen hereby proclaim today May 2nd, 2022 as the start of this spring's **Pick it Up for YYT Clean Up Campaign** in the City of St. John's.

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Mayor, Danny Breen



# Proclamation

**Youth Week  
May 1 - 7, 2022**

WHEREAS: There is an increasing interest in intentional youth development through recreation in Canada that is founded on a substantial and growing body of research to support the role of recreation in the positive development of youth. Meaningful youth engagement through recreation emphasizes access, equity and social justice and leads to positive youth development.

WHEREAS: National Youth Week reminds us all of the valuable contributions that recreation and parks can make to youth development and that youth can make to community development and with the knowledge that National Youth Week is endorsed by a network of agencies and individuals committed to the positive development of youth;

THEREFORE: I, Mayor Danny Breen, do hereby proclaim May 1 to 7, 2022, as Youth Week in the City of St. John's.

Signed at City Hall, St. John's, NL on this 2<sup>nd</sup> day of May 2022.



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Danny Breen, Mayor

# **ST. JOHN'S**

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

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

**April 26, 2022, 3:00 p.m.**

**Present:** Mayor Danny Breen  
Councillor Maggie Burton  
Councillor Ron Ellsworth  
Councillor Sandy Hickman  
Councillor Debbie Hanlon  
Councillor Jill Bruce  
Councillor Ophelia Ravencroft  
Councillor Carl Ridgeley

**Regrets:** Deputy Mayor Sheilagh O'Leary  
Councillor Jamie Korab  
Councillor Ian Froude

**Staff:** Tanya Haywood, Deputy City Manager of Community Services  
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services  
Cheryl Mullett, City Solicitor  
Susan Bonnell, Manager, Communications & Office Services  
Karen Chafe, City Clerk  
Brian Head, Acting Deputy City Manager, Public Works  
Christine Carter, 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**

Mayor Breen called the meeting to order at 3:00 pm.

2. **PROCLAMATIONS/PRESENTATIONS**

2.1 **National Poetry Month: Reading by Sharon King-Campbell, with an introduction by Mary Dalton**

3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2022-04-18/169

**Moved By** Councillor Ravencroft

**Seconded By** Councillor Bruce

That the Agenda be adopted as presented.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - April 18, 2022**

Clarification on Council's approval of Item: 2020056 - 4 New Articulating Rubber Tire Sidewalk Plows. (item was previously approved during May 11, 2020 Regular Meeting of Council).

SJMC-R-2022-04-18/170

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Burton

That the minutes of April 18, 2022, be adopted as presented with the removal of the following item which was previously approved at the Regular Meeting of Council dated May 11, 2020:

- 2020056 – 4 New Articulating Rubber Tire Sidewalk Plows

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

5. **BUSINESS ARISING FROM THE MINUTES**

6. **DEVELOPMENT APPLICATIONS**

6.1 **Proposed Accessory Building in the Floodplain Buffer – 76C Old Bay Bulls Road – INT2200013**

SJMC-R-2022-04-18/171

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Ellsworth

That Council approve the Accessory Building in the Floodplain buffer at 76C Old Bay Bulls Road with the condition that it conforms to Section 6.2 “Accessory Buildings”, of the Envision St. John’s Development Regulations.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

7. **RATIFICATION OF EPOLLS**

8. **COMMITTEE REPORTS**

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

9.1 **Development Permits List April 14 to April 20, 2022**

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

10.1 **Building Permits List**

11. **REQUISITIONS, PAYROLLS AND ACCOUNTS**

11.1 **Weekly Payment Vouchers for the Week Ending April 20, 2022**

SJMC-R-2022-04-18/172

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Hickman

That the weekly payment vouchers for the week ending April 20, 2022, in the amount of \$1,294,656.88 be approved as presented.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

**12. TENDERS/RFPS**

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

**13.1 Notice of Motion - Corporate Social Media Usage Policy**

**13.2 Notice of Motion - Replacement of Service Laterals when Redeveloping Residential Property**

**14. OTHER BUSINESS**

**14.1 2022 Municipal Symposium – May 5-8, 2022 - Gander**

SJMC-R-2022-04-18/173

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Hanlon

That Council approve the travel costs for Councillor Carl Ridgeley to attend the 2022 Municipal Symposium in Gander from Thursday, May 5th to Saturday, May 8th, 2022.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

**14.2 Sale of City land adjacent to 188 New Pennywell Road**

SJMC-R-2022-04-18/174

**Moved By** Councillor Hanlon

**Seconded By** Councillor Ravencroft

That Council approve the sale of City land on New Pennywell Road, as shown in red on the attached diagram.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

**14.3 Easement of City land adjacent to 430 Topsail Road**

SJMC-R-2022-04-18/175

**Moved By** Councillor Bruce

**Seconded By** Councillor Hanlon

That Council approve the easement with the operator of Wendy's on the Village Mall parking lot, as shown in red on the attached diagram

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

**14.4 SERC – Road Closure May 1**

SJMC-R-2022-04-18/176

**Moved By** Councillor Hanlon

**Seconded By** Councillor Hickman

That Council approve the road closure on May 1 for the Battle of the Atlantic Ceremony.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

**15. ACTION ITEMS RAISED BY COUNCIL**

**16. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:25 pm.

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MAYOR

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CITY CLERK

## NOTICE OF MOTION

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move to rescind Council Resolution SJMC2010-05-31/315R – Corporate Social Media Usage Policy approved at the May 31, 2010 Regular Meeting of Council and revised via motion SJMC2011-05-02/224R approved at the May 2, 2011 Regular Meeting of Council.

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Councillor Ron Ellsworth



## NOTICE OF MOTION

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move to rescind Council Resolution R2008-05-12/13 Policy for Replacement of Service Laterals when Redeveloping Residential Property approved at the May 6, 2008 Regular Meeting of Council.

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Councillor Sandy Hickman

# ST. JOHN'S



# DECISION/DIRECTION NOTE

**Title:** Notices Published – 49 Hillview Drive East - DEV2200048

**Date Prepared:** April 27, 2022

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Jamie Korab, Development

**Ward:** Ward 5

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**Decision/Direction Required:** A Discretionary Use application was submitted for a Home Occupation at 49 Hillview Drive East.

**Discussion – Background and Current Status:** The proposed Home Occupation is for a hand-dye yarn studio for online and offsite sales only. The floor area for the business is 7.8m<sup>2</sup> and will operate Monday to Friday from 9 a.m. to 8 p.m. The applicant is the resident and sole employee. No clients will visit the site. The proposed application site is in the Residential 2 (R2) Zone.

Zero submissions were received.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighbouring property owners
3. Alignment with Strategic Directions:  
  
A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.  
Choose an item.
4. Alignment with Adopted Plans: Envision Municipal Plan and Development Regulations.
5. Legal or Policy Implications: Envision St. John's Development Regulations Section 6.18 "Home Occupation" and Section 10 "Residential 2 (R2) Zone".
6. Privacy Implications: Not applicable.

# ST. JOHN'S

7. Engagement and Communications Considerations: Public advertisement in accordance with Section 4.8 Public Consultation of the St. John's Envision Development Regulations. The City has sent written notices to property owners within a minimum 150-metre radius of the application sites. Applications have been advertised in The Telegram newspaper at least twice and are posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
8. Human Resource Implications: Not applicable.
9. Procurement Implications: Not applicable.
10. Information Technology Implications: Not applicable.
11. Other Implications: Not applicable.

**Recommendation:**

That Council approve the application for Home Occupation at 49 Hillview Drive East.

**Prepared by:**

Lindsay Lyghtle Brushett, MCIP Supervisor – Planning & Development  
Planning, Engineering and Regulatory Services

**Approved by:**

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

**Report Approval Details**

Document Title:	Notices Published - 49 Hillview Drive East n.docx
Attachments:	- DEV2200048-49 HILLVIEW DRIVE EAST.pdf
Final Approval Date:	Apr 28, 2022

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

**Lindsay Lyghtle Brushett - Apr 27, 2022 - 9:06 AM**

**Jason Sinyard - Apr 28, 2022 - 2:11 PM**





**SUBJECT PROPERTY**

R2

R1

41

43

45

47

49

R2

51

53

55

57

OR

OR

HILLVIEW DRE

PITTS MEMORIAL DR

IG



# DECISION/DIRECTION NOTE

**Title:** Notices Published – 35 Barrows Road – DEV2200043

**Date Prepared:** April 28, 2022

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Jamie Korab, Development

**Ward:** Ward 2

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**Decision/Direction Required:** A Discretionary Use application has been submitted by Canadian Wilderness Holidays Limited at 35 Barrows Road.

**Discussion – Background and Current Status:** The Discretionary Use is for a Restaurant that will serve food within the existing Lounge at Quidi Vidi Brewery, which has an inside seating area of 80m<sup>2</sup> and an outdoor seating area of 110m<sup>2</sup>. There will be no expansion to the building. Restaurant hours of operations will be seven days a week, 12 - 9 p.m. On-site parking is provided. The proposed application site is in the Industrial Quidi Vidi (IQV) Zone.

Four submissions were received. Concerns raised included the addition of food service and the impact on the overall neighbourhood due to the increased size of the building and operation, traffic, noise, smell, and offensive views from tanks and equipment. With additional deliveries, waste collection and patrons, traffic will increase in an already stressed environment with limited parking options. It was also noted that no further commercial development should be allowed within the Quidi Vidi neighbourhood to preserve the Village and its natural surroundings.

The proposed Restaurant Use is to allow food to be served within the Lounge, which is an existing, approved Use. Earlier this year the applicant applied to change their entrance, but that application has been withdrawn. There will be no expansion to the building (inside or outside) for the Restaurant Use, therefore the Development Regulations would not require additional parking. Nine on-site parking spaces are provided (4 at the front of the building and 5 within the site near the water). In 2019, Council approved an application for an Outdoor Area for the Lounge and 16 parking spaces were waived (parking relief) for the site. Rational for this decision was based on the construction of 60 new parking spaces between Cadet Road and the northside of Cuckhold's Cove Road. Parking along a public street is not subject to the permission of adjacent property owners. The City's Noise By-Law would apply.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable
2. Partners or Other Stakeholders: Property owner and neighbouring property owners.

# ST. JOHN'S

3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.

4. Alignment with Adopted Plans: Envision Municipal Plan and Development Regulations
5. Legal or Policy Implications: Envision St. John's Development Regulations Section 10.5 "Discretionary Uses" and Section 10 "Industrial Quidi Vidi (IQV) Zone".
6. Privacy Implications: Not applicable.
7. Engagement and Communications Considerations: Public advertisement in accordance with Section 4.8 of the Envision St. John's Development Regulations. The City has sent written notices to property owners within a minimum 150-metre radius of the application sites. Applications have been advertised in The Telegram newspaper at least twice and are posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
8. Human Resource Implications: Not applicable
9. Procurement Implications: Not applicable.
10. Information Technology Implications: Not applicable.
11. Other Implications: Not applicable.

**Recommendation:**

That Council approve the Discretionary Use application for a Restaurant at 35 Barrows Road.

**Prepared by:**

Lindsay Lyghtle Brushett, MCIP Supervisor – Planning & Development  
Planning, Engineering and Regulatory Services

**Approved by:**

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

## Karen Chafe

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**From:** [REDACTED]  
**Sent:** Wednesday, April 6, 2022 3:25 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; CityClerk  
**Subject:** (EXT) Re: FW: Application - 35 Barrow's Road  
**Attachments:** 2573FD6EF98042A8BD96DF18A8EBC9FD.png; 20220406\_152131.jpg; 20220406\_152135.jpg

Good Afternoon ,

Could someone from the planning dept please come show us where this on site parking is?

We live on [REDACTED] & for the life of me I don't see any extra parking space, there is 4 as I can see...

Second picture [REDACTED], which will not be available to the Brewery.

On Wed., Apr. 6, 2022, 12:46 p.m. [REDACTED] wrote:

On Site Parking is provided? Council is obviously not being told the truth .

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**From:** [St. John's e-Updates](#)  
**Sent:** April 6, 2022 11:34 AM  
**To:** [PUBLCNOTICE@LISTSERV.STJOHNS.CA](mailto:PUBLCNOTICE@LISTSERV.STJOHNS.CA)  
**Subject:** Application - 35 Barrow's Road

City of St. John's Media Relations has issued the following:

=====

### Public Notice

Application - 35 Barrow's Road

### Application

A Discretionary Use application has been submitted by Canadian Wilderness Holidays Limited at 35 Barrow's Road.

### Description

The Discretionary Use is for a Restaurant that will serve food within the existing Lounge, which has an inside seating area of 80m<sup>2</sup> and an outdoor seating area of 110m<sup>2</sup>. There will be no expansion to the building. Restaurant Hours of operations will be seven days a week, 12 - 9 p.m. On-site parking is provided.

### Comment By

9:30 a.m. April 26, 2022

### Comments

Provide your comments to the Office of the City Clerk including your name and address to [cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca) or P.O.

Box 908, St. John's, NL, A1C 5M2.

Comments received become a matter of public record and are included in the Council agenda for the date a decision on the application will be made. Any identifying information (including your name) will be removed prior to your comment being released publicly. If you are writing on behalf of a group, organization, business, etc. and wish to remain anonymous, you must indicate as such with your submission.

Collection of personal information is authorized under the Access to Information and Protection of Privacy Act, 2015 and is needed to consider your comments on this application. Questions about the collection and use of your information may be directed to the City Clerk at 709-576-8202 or [cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca).

#### **Council Decision Date**

May 2, 2022

#### **Additional Information**

Notices are sent to property owners within 150 metres of the application site. For more information call 709-576-6192 or email [planning@stjohns.ca](mailto:planning@stjohns.ca).

#### [Location](#)

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<http://www.stjohns.ca/eupdatesunsubscribe>









## Karen Chafe

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**From:** [REDACTED]  
**Sent:** Monday, April 11, 2022 12:42 PM  
**To:** CityClerk  
**Subject:** (EXT) 35 Barrows Road Application

Dear City of St. John's,

I was hesitant to respond to this Discretionary Use application. The fact that Council puts this request out now to Property Owners is just lip service. The Council decision to proceed with this application has already been determined. Residents do not have a voice in approving development in Quidi Vidi; but just to deal with the consequences.

Simply put the Gut should be closed to further commercial development... period. We should be protecting what's left of the harbour, green spaces and the natural tranquility of the area. Where else could one fill in 30 feet of harbour without an environmental impact study into the effects on the marine ecosystem and the impact on flooding when ocean levels are rising? We residents get asked for input after the fact on how the land might be used through more discretionary use permits but to no avail.

Simply, any request that further strains the ongoing issues of safety, traffic, congestion, parking, noise and disruption to the peace and privacy of residents in Quidi Vidi should be rejected.

The notion of serving food in the brewery lounge with its panoramic view makes a nice picture. That would have been a logical step to enhance the visitors experience when the establishment was only a microbrewery with a Tap Room. Now that it has grown into a "macro-brewery" with a 200 m2 lounge area, we are being asked to endure even more growth and traffic. It is not fair to make us [REDACTED] be the bad guys. The City allowed the overdevelopment of this property by granting exceptions when required to sidestep the bylaws. As long as the big outdoor brewing tanks and the patio extensions do not have roofs and walls, they do not classify as "expansions", only add-ons and therefore granted City approval.

If nothing else, the Council needs to remove "onsite parking" from this application. QV Brewery only has 4 parking spaces in front of the building which are filled by workers and contractors. The additional 5 parking spaces onsite are "on paper only". These spaces are Loading Zones and Laydown area for the big trucks, forklift, trailers and product handling/storage. It is closed off to the public throughout the week.

In 2019, Council permitted Parking Relief for 16 parking spaces in their approval for the 110 m2 outdoor eating and lounge area. It may be academic as these same spaces will apply to the restaurant application, but note that the additional parking on Cadet Road is always full. Between the dozens of workers in QV, the hikers and dog walkers, all parking around the Gut is full by noon. We can say that the city has provided parking relief around QV but these spaces can not accommodate the hundreds of vehicles that circle the village each summer in search of parking.

This summer with Covid restrictions lifted, we expect to see a major increase in the number of visitors and tourists in Quidi Vidi. Hopefully the closure of the Inner Gut to pedestrian and local traffic only will be extended to 7-days a week. It should be noted in the application how the owner and City plan to handle the restaurant traffic during the summer restriction period.

These are the points that I wish to make with Council for what it is worth. I am not against the idea of serving food at the brewery. It is more that the business has been allowed to grossly overgrow its footprint with piecemeal approvals and exceptions. Overall it may not be a bad thing to have food served in the lounge. It may cut down on the intoxicated patrons singing out and urinating on [REDACTED] after hours while they wait for taxis.



**Karen Chafe**

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**From:** [REDACTED]  
**Sent:** Tuesday, April 26, 2022 8:20 AM  
**To:** CityClerk  
**Subject:** (EXT) Fwd: Submission re DEV2200043

Sent from my iPad

Begin forwarded message:

**From:** [REDACTED]  
**Date:** April 26, 2022 at 4:47:26 AM MDT  
**To:** "CityClerk [REDACTED]" <cityclerk@stjohns.ca>  
**Subject:** Submission re DEV2200043

## CityClerk

Re 35 Barrows Road -DEV2200043

My husband and I wish to re-register our continued disapproval of adding any further expansion to Quidi Vidi Brewery (QVB). We object to any form of building or service expansion, and we strongly object to construction of any wharf extension that would further reduce the Gut's rapidly diminishing water space.

We also feel strongly that QVB's 'parking lot' brewery must be removed, or compelled to comply with the city's existing, industrial regulations and bylaws. This must happen before further concessions are made to this business.

The brewery's on-going expansion has already exceeded acceptable footprint limits for such a small property, especially given that the actual brewing operation has literally spilled out onto the parking lot, with all its attendant noise, smells and offensive views.

Where is the parking for prospective restaurant patrons? Food delivery and food waste collection will mean more traffic and more noise. Does anyone at city hall even remember that Quidi Vidi is supposed to be a fishing village, not Donovan's Park, or George Street? Why [REDACTED] listen to fork lift alarms before dawn, throughout the day, and even after mid-night? Complaints to 311 are never heeded, so something is very wrong. This is grossly unfair to [REDACTED] residents who payed a lot for their residential properties, only to find they can no longer experience the peaceful enjoyment of living in their own homes.

It is indeed ironic that this discretionary use application is submitted by 'Canadian Wilderness Holidays Limited.' There is no mention of Quidi Vidi Brewery in the document. This is deliberately deceptive because industrial developments like the brewery are actually destroying any remaining wilderness experience one might have previously experienced in the Gut. More industry, more traffic, more noise, and more garbage adds up to more congestion, and diminishing wildlife or wilderness experiences for everyone. Tourists don't want to come to Quidi Vidi to hear, or look at industrial machinery. They certainly don't want to fight their way around a steady stream of

delivery vans and commercial garbage collection trucks, spewing diesel in their faces. They want to hear the birds and the sea, not forklifts beeping at all hours.

St John's has city regulations that specifically apply to industrial operations located within the city's residential areas. Sections 8.5 to 10 specify rules about parking, security fencing, setbacks, blinders, landscaping, lighting, freezing and storage units, diesel generating trailers, industrial garbage collection, etc. The brewery is not operating in compliance with these industrial regulations and bylaws. Why is this? How is this particular brewery exempt when all other residents and businesses must comply with city regulations and noise bylaws?

Please, come down to Quidi Vidi and take a look. Everyone who cares about preserving the village should use their voice to encourage preservation of what natural beauty is left. Decide for yourself whether the Quidi Vidi 'gem' in the heart of St John's is already tarnished beyond repair, due to poor city hall decisions.



Sent from my iPad

## Karen Chafe

---

**From:** [REDACTED]  
**Sent:** Thursday, April 28, 2022 12:28 PM  
**To:** Karen Chafe  
**Subject:** (EXT) Comments on expansion at 35 Barrow's Road - DEV2200043

Hello Karen,

Here are my comments and concerns:

Re: 35 Barrows Road- DEV2200043

Received your mail out! Total Misrepresentation. Please correct and send out a new mail out with the correct information before this goes to Council.

If you are referring to Quidi Vidi Micro Brewery, owned by "Canadian Wilderness Holidays Limited" please state it so that everyone knows which business they are looking at.

**"There will be no expansion of the building".** Obviously, the restaurant building application has been submitted and is on your desk. I am told the entrance will change from the loading zone area and go to the 3 car parking area, directly on Barrows Road, in front of the oil tanks. This should eliminate some stairs and safety concerns presently in the loading zone area. However, with this renovation, how many 'legal' parking spots are left for the Restaurant? Where is the handicapped parking located? Where is the disclosure to our village community?

**"On-site parking is provided."** Please show us where this parking is on the mailout, before Council votes on this misrepresentation.

As you are aware, under the {NEW} REVISED SECTION 8 - PARKING REQUIREMENTS:

### **Section 8.3 - For a Restaurant - 1 parking space for every 5 sq meters of Gross Floor Area**

So where are the 16 parking spaces for the new Restaurant's 80 square metres?

So where are the 22 parking spaces for the enclosed outdoor seating area 110 square metres?

### **Section 8.10 OFF-STREET LOADING AND TRUCK PARKING**

**"Every development for a Commercial, Industrial, or Industrial Use outside the Downtown Business Improvement Area {Map 6} shall have a loading space on the lot which is 10 metres long and 3.5 metres wide with a vertical clearance of 4.5 metres, and which loading space has access to a street".**

It should be easy to provide this information since you're saying it is being provided by the business in question!

In 2019, there was a scam orchestrated by the Quidi Vidi Micro Brewery and City Employees/Patrons of the Brewery, that provided Council with fraudulent information to get parking relief for their patio expansion. They used [REDACTED] properties on the North side of Cuckhold's Cove Road, as if it was an area where they could park? [REDACTED] have not granted permission to Council nor QVB/Canadian Wilderness Holidays Limited to park on or in front of [REDACTED]!

Reference to Cadet Road was used in that same scam as the required Parking Area for their development, using it to seek relief from providing the required parking.

At the present time, the neighbours/Senior citizens on Barrows Road and Maple View Place all have more parking spaces than the 4 parking spaces that the Restaurant has. Unfortunately, they have had to put up No Parking Signs and had to put chains and cones out to maintain their own private property and prevent strangers from parking on their land. It's time to revisit this Parking Relief before the renovations start. Some of visitors/patrons are very abusive, to say the least, to Senior Owners, and the City is aware of that!

We ask that our NEW COUNCILLOR, Ophelia Ravencroft, the silent one, to speak on our behalf and we ask for honesty and full disclosure on this application.



Quidi Vidi Village Property Owners

**Development Permits List  
For the Period of April 21 to April 27, 2022**

<b>Code</b>	<b>Applicant</b>	<b>Application</b>	<b>Location</b>	<b>Ward</b>	<b>Development Officer's Decision</b>	<b>Date</b>
RES		Subdivide for Semi-Detached Dwelling	22A & 22B Shaw Street	3	Approved	22-04-22
RES	Nidus Development Inc.	Lot Consolidation – no development approval	31, 33 & 35 St. Michael's Avenue	2	Approved	26-04-22

**\* Code Classification:**

<b>RES</b> - Residential	<b>INST</b> - Institutional
<b>COM</b> - Commercial	<b>IND</b> - Industrial
<b>AG</b> - Agriculture	
<b>OT</b> - 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 & Development**

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## Building Permits List

### Council's May 2, 2022 Regular Meeting

Permits Issued: 2022/04/21 to 2022/04/28

#### Class: Residential

103 Bond St	Renovations	Townhousing
15 Grieve St	Change of Occupancy	Home Office
15 Victoria St	Renovations	Semi Detached Dwelling
152 Signal Hill Rd	Accessory Building	Accessory Building
17 Montgomery St	Fence	Fence
18 Electra Dr	Accessory Building	Accessory Building
18 Kensington Dr	Renovations	Single Detached Dwelling
19 Garrison Hill	Renovations	Townhousing
19 Rosscommon Pl	Accessory Building	Accessory Building
21 Winnipeg St	Fence	Fence
25 Ross Rd	Renovations	Single Detached Dwelling
3 Fergus Pl	Fence	Fence
3 Spitfire Dr	New Construction	Single Detached Dwelling
31 Rumboldt Pl	Renovations	Single Detached Dwelling
37 Morris Ave	Renovations	Single Detached Dwelling
37 Morris Ave	Renovations	Single Detached Dwelling
39-41 Mount Royal Ave	New Construction	Single Detached w/ apt.
41 Charter Ave	Renovations	Apartment Building
41 Fox Ave	Renovations	Single Detached Dwelling
46 Squires Ave	Extension	Accessory Building
6 Leonard J. Cowley St	Renovations	Single Detached Dwelling
83 Parkhill St	Accessory Building	Accessory Building
91 Maurice Putt Cres	Deck	Patio Deck

This Week: \$770,633.56

#### Class: Commercial

140 Water St	Renovations	Office
16 George St	Renovations	Club
20 Lemarchant Rd	Renovations	Single Detached Dwelling
25-27 Pippy Pl	Renovations	Office
293 Freshwater Rd	Renovations	Apartment Building

33 Pippy Pl	Change of Occupancy	Clinic
48 Kenmount Rd	Change of Occupancy/Renovations	Retail Store
74-76 Patrick St	Change of Occupancy	Service Shop

This Week: \$2,375,010.00

**Class: Government/Institutional**

This Week: \$0.00

**Class: Industrial**

This Week: \$0.00

**Class: Demolition**

This Week: \$0.00

**This Week's Total: \$3,145,643.56**

Repair Permits Issued 2022/04/21 to 2022/04/28: \$29,550.00

YEAR TO DATE COMPARISONS			
May 2, 2022			
TYPE	2021	2022	% VARIANCE (+/-)
Residential	\$12,373,471.13	\$20,455,004.65	65
Commercial	\$14,671,179.44	\$22,854,032.52	56
Government/Institutional	\$779,941.00	\$317,288.00	-59
Industrial	\$4,007,500.00	\$29,000.00	-99
Repairs	\$1,964,757.00	\$440,292.49	-78
<b>TOTAL</b>	<b>\$33,796,848.57</b>	<b>\$44,095,617.66</b>	30
Housing Units (1 & 2 Family Dwelling)	38	63	

Respectfully Submitted,

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

# MEMORANDUM

## **Weekly Payment Vouchers For The Week Ending April 27, 2022**

### **Payroll**

<b>Public Works</b>	<b>\$ 390,576.10</b>
<b>Bi-Weekly Administration</b>	<b>\$ 754,986.73</b>
<b>Bi-Weekly Management</b>	<b>\$ 874,902.27</b>
<b>Bi-Weekly Fire Department</b>	<b>\$ 866,014.01</b>
<b>Accounts Payable</b>	<b>\$ 3,713,850.93</b>

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

**Total: \$ 6,600,330.04**

# **ST. JOHN'S**

DEPARTMENT OF FINANCE

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

# DEPARTMENTAL APPROVAL REQUEST/RFP

**Commodity/Bid #:** 2022012  
**Date Prepared:** Wednesday, April 27, 2022  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Ron Ellsworth, Finance & Administration  
**Ward:** N/A

**Department:** Finance and Administration

**Quotes Obtained By:** Keith Barrett

**Budget Code:** 1272

**Source of Funding:** Multiyear Capital

**Purpose:**

To procure a Citizen Request Management System for the Access 311 Contact Center.

**Proposals Submitted By:**

Vendor Name
Arrias Technical Solutions/Verint
Integrated Telecom Solutions, Inc. DBA Inovar
Avepoint/i7 Solutions
KPMGLLP

**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 a 5 year contract to Arrias Technical Solutions/Verint for up to \$965,981 for the implementation of a Citizen Request Management System as per the Public Procurement Act.

**Attachments:**

# ST. JOHN'S

### Report Approval Details

Document Title:	Citizen Request Management (CRM) System for 311.docx
Attachments:	
Final Approval Date:	Apr 27, 2022

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

**No Signature - Task assigned to Derek Coffey was completed by delegate Kris Connors**

**Derek Coffey - Apr 27, 2022 - 2:20 PM**

# BID APPROVAL NOTE

**Bid # and Name:** 2022022 – Supply of Gas Cylinders  
**Date Prepared:** Thursday, April 28, 2022  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Sandy Hickman, Public Works  
**Ward:** N/A

**Department:** Public Works  
**Division:** Fleet  
**Quotes Obtained By:** Sherri Higgins  
**Budget Code:** 3121-55467, 3123-55467, 4122-55467, 2504-52476, 7121-55467, 4225-52628, 0000-15101  
**Source of Funding:** Operating

**Purpose:**  
The purpose of this open call is for the supply of welding gases.

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

Vendor Name	Bid Amount
Air Liquide Canada Inc.	\$26, 790.87
Linde Canada Inc.	\$31, 980.36

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

**Contract Duration:** Three (3) years with two (2) potential one (1) year extensions.

**Bid Exception:** None

**Recommendation:**  
That Council approve for award this open call to the lowest bidder meeting specifications, Air Liquide Canada Inc., for \$26, 790.87 per year (HST not Incl.) as per the Public Procurement Act.

**Attachments:**

# ST. JOHN'S

### Report Approval Details

Document Title:	2022022 - Supply of Gas Cylinders.docx
Attachments:	
Final Approval Date:	Apr 28, 2022

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

**Rick Squires - Apr 28, 2022 - 1:48 PM**

**No Signature - Task assigned to Derek Coffey was completed by delegate Kris Connors**

**Derek Coffey - Apr 28, 2022 - 1:58 PM**



# BID APPROVAL NOTE

**Bid # and Name:** 2022039 - Snow Clearing - Various City Sites  
**Date Prepared:** Tuesday, April 26, 2022  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Sandy Hickman, Public Works  
**Ward:** N/A

**Department:** Public Works  
**Division:** City Buildings  
**Quotes Obtained By:** Sherri Higgins  
**Budget Code:** 52951  
**Source of Funding:** Operating

**Purpose:**

The purpose of this open call is for snow clearing and ice control at various locations during the winter and shoulder seasons. The City currently does not have enough resources to complete this work with its own staff.

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

Vendor Name	Bid Amount
Kelloway Construction Limited	\$849,666.00
Clarke's Trucking and Excavating Limited	\$996,360.00
Siteworx Excavation and Development Ltd.	\$1,008,492.50
JAT Excavating Inc.	\$1,052,767.50
C.W. Parsons Limited	\$1,180,459.76
Parsons Paving Ltd.	\$1,338,358.50
Rock Construction Company Limited	\$1,946,930.00
Gladneys Bus Ltd.	\$2,328,469.40
Coady Construction & Excavating Limited	\$3,338,450.00
Alltask Excavating Inc.	\$3,530,500.00

**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:** Three (3) years with a potential two (2) year extension.

**Bid Exception:** None

# ST. JOHN'S

**Recommendation:**

That Council approve for award this open call to the lowest bidder meeting specifications, Kelloway Construction Limited, for \$849,666.00 (HST Incl.) for a three-year period as per the Public Procurement Act.

**Attachments:**

### Report Approval Details

Document Title:	2022039 - Snow Clearing - Various City Sites.docx
Attachments:	
Final Approval Date:	Apr 28, 2022

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

**Rick Squires - Apr 28, 2022 - 1:50 PM**

**No Signature - Task assigned to Derek Coffey was completed by delegate Kris Connors**

**Derek Coffey - Apr 28, 2022 - 1:58 PM**

# DECISION/DIRECTION NOTE

**Title:** Arts & Culture Advisory Committee – Call for Members

**Date Prepared:** April 18, 2022

**Report To:** Regular Meeting of Council

**Councillor and Role:** Deputy Mayor Sheilagh O'Leary, Arts & Culture

**Ward:** N/A

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## **Decision/Direction Required:**

Council's approval is required to appoint three new members to the Arts and Culture Advisory Committee to fill existing vacancies.

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

Three public calls were issued between December 2021 and April 2022 on behalf of the Arts & Culture Advisory Committee to fill the following:

- one vacancy representing a Film and New Media organization;
- one vacancy representing a Visual Art and Craft organization;
- two vacancies representing Cultural, Indigenous and Intangible Cultural Heritage organizations.

The calls were advertised in the Telegram, posted on the City's website, shared via social media, and circulated by email to Committee members and the City's Inclusion Network. A total of four applications were received to fill the positions. The applications were reviewed by Staff who are making the following recommendations for appointment:

- One vacancy representing a Film and New Media organization: Meghan Hollett
  - Meghan Hollett, the Interim Executive Director of the St. John's International Film Festival. SJIWFF is one of the longest-running women's film festivals in the world and is focused on supporting and promoting women's creative work in screen-based industries
- One vacancy representing a Visual Art and Craft organization: Johnny Rose
  - Johnny Rose, the Executive Director, and Founder of IceberGallery, a non-profit organization focused on providing educational, entrepreneurial, and collaborative opportunities to local visual artists

# ST. JOHN'S

- Two vacancies representing Cultural, Indigenous and Intangible Cultural Heritage organizations: Natasha Blackwood
  - Natasha Blackwood, the Centre for Performance and Creative Coordinator for First Light. The Center for Performance and Creativity strives to bridge the gap between community and professional arts, promote and further the careers of Indigenous artists, and provide meaningful opportunities to urban Indigenous people to connect to arts and culture.

As there was only one applicant to fill the Cultural, Indigenous and Intangible Cultural Heritage position the call will be readvertised.

**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Arts & Culture Advisory Committee
3. Alignment with Strategic Directions:

An Effective City: Ensure accountability and good governance through transparent and open decision making.

A Connected City: Increase and improve opportunities for residents to connect with each other and the City.

4. Alignment with Adopted Plans: N/A
5. Legal or Policy Implications: N/A
6. Privacy Implications: N/A
7. Engagement and Communications Considerations:

Calls for new members were advertised and promoted by the City's Communications Division

8. Human Resource Implications: N/A
9. Procurement Implications: N/A
10. Information Technology Implications: N/A
11. Other Implications: N/A

**Recommendation:**

That Council appoint the following members to the Arts & Culture Advisory Committee as per Staff's recommendation:

- one vacancy representing a Film and New Media organization: Meghan Hollett
- one vacancy representing a Visual Art and Craft organization: Johnny Rose
- two vacancies representing Cultural, Indigenous and Intangible Cultural Heritage organizations: Natasha Blackwood

**Prepared by:**

**Approved by:**

**Report Approval Details**

Document Title:	Arts and Culture Advisory Committee - Call for Members.docx
Attachments:	
Final Approval Date:	Apr 20, 2022

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

**No Signature found**

**Tanya Haywood - Apr 20, 2022 - 2:35 PM**

**Karen Chafe - Apr 20, 2022 - 3:01 PM**

# DECISION/DIRECTION NOTE

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**Title:** Built Heritage Experts Panel – Selection of Chair

**Date Prepared:** April 20, 2022

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Heritage

**Ward:** N/A

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**Decision/Direction Required:** Approval of the new Chair of the Built Heritage Experts Panel based on the recommendation of Staff.

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

Nick Lynch, the current Chair of the Built Heritage Experts Panel (BHEP) has vacated his position, and as such a new Chair is required. As per the terms of reference, the Built Heritage Experts Panel will be chaired by a public expert and will be selected by Council upon recommendation of staff drawing from the Panel's membership. Staff are recommending that Rachael Fitkowski, Landscape Architect and current BHEP member be appointed as Chair of the Built Heritage Experts Panel.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: The Built Heritage Experts Panel
3. Alignment with Strategic Directions:

An Effective City: Achieve service excellence through collaboration, innovation and modernization grounded in client needs.

Choose an item.

4. Alignment with Adopted Plans: N/A
5. Legal or Policy Implications: N/A
6. Privacy Implications: N/A
7. Engagement and Communications Considerations: N/A

# ST. JOHN'S



8. Human Resource Implications: N/a

9. Procurement Implications: N/A

10. Information Technology Implications: N/A

11. Other Implications: N/A

**Recommendation:**

That Council approve of the appointment of Rachael Fitkowski as Chair of the Built Heritage Experts Panel.

**Prepared by:**

**Approved by:**

**Report Approval Details**

Document Title:	Built Heritage Experts Panel - Selection of Chair.docx
Attachments:	
Final Approval Date:	Apr 21, 2022

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

**Karen Chafe - Apr 21, 2022 - 10:12 AM**

# DECISION/DIRECTION NOTE

**Title:** Text Amendment for Stand-Alone Single Detached Dwellings in the Rural Zone for Civic Numbers 420 to 496 Maddox Cove Road

**Date Prepared:** April 27, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 5

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**Decision/Direction Required:** That Council adopt St. John's Development Regulations Amendment Number 11, 2022, that will allow stand-alone single detached dwellings in the Rural (RUR) Zone for civic numbers 420 to 496 Maddox Cove Road (even numbers only).

**Discussion – Background and Current Status:** The City received an application to develop a single detached dwelling at 428 Maddox Cove Road. This lot is one of 4 undeveloped lots which are part of an approved 11-lot subdivision, called Cape Spear Estates, dating back to 2009. The proposed text amendment will allow stand-alone single detached dwellings in the Rural (RUR) Zone for civic numbers 420 to 496 Maddox Cove Road (even numbers only) and allow the last 4 vacant lots to be developed. A Municipal Plan amendment is not required.

Background information on the application and analysis are provided in the attached St. John's Development Regulations Amendment 11, 2022 document.

At its April 4, 2022, regular meeting, Council decided to consider the text amendment and advertise it for public review and comment. The application was advertised three times in The Telegram newspaper and was posted on the City's website. Property owners of Cape Spear Estates and property owners within 150 metres of the subject properties were notified. Written submissions were received by the City Clerk and are attached for reference.

Concerns raised during public consultation included an increase in rural density and that the proposed change would allow more lots to be created, along with concerns pertaining to well and septic approvals for the area. A second submission was in favour of the change and felt that additional lands should be included in the amendment application (including civic number 410 to 528).

Civic numbers 420 to 496 Maddox Cove Road (even numbers only) are part of the approved subdivision plan recognized as Cape Spear Estates. Council approved different minimum lot sizes for these 11 lots in order to allow the subdivision plan proposed by the developer. At that time, it was possible to build a house in the rural area without having a rural land use such as a farm or a woodlot. Since that time, regulations regarding houses in rural areas have changed. City staff realized that those changes affect the development of the remaining 4 lots along this

## ST. JOHN'S

section of Maddox Cove Road. This proposed amendment recognizes the lots that were created years ago, some of which have houses and others which are still vacant and makes it clear that the remaining lots can be developed, even though they do not have a rural land use (farm or woodlot). The amendment is not intended to set a precedent for future rezonings to allow other stand-alone residential developments in the Rural Zone, but to fix a long-standing problem. In terms of wells and septic systems, each lot must be approved by the City and by Service NL.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
  2. Partners or Other Stakeholders: Neighbouring residents and property owners.
  3. Alignment with Strategic Directions:  
A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.
- Choose an item.
4. Alignment with Adopted Plans: Envision Municipal Plan and Development Regulations
  5. Legal or Policy Implications: A text amendment to the Envision St. John's Development Regulations Rural Zone.
  6. Privacy Implications: Not applicable.
  7. Engagement and Communications Considerations: Public notification was carried out under Section 4.8 of the Envision Development Regulations.
  8. Human Resource Implications: Not applicable.
  9. Procurement Implications: Not applicable.
  10. Information Technology Implications: Not applicable.
  11. Other Implications: Not applicable.

**Recommendation:**

That Council adopt St. John's Development Regulations Amendment Number 11, 2022, to allow stand-alone single detached dwellings in the Rural (RUR) Zone for civic numbers 420 to 496 Maddox Cove Road (even numbers only).

**Prepared by:**

Lindsay Lyghtle Brushett, MCIP Supervisor – Planning & Development  
Planning, Engineering and Regulatory Services

**Approved by:**

Ken O'Brien, MCIP Chief Municipal Planner  
Planning, Engineering and Regulatory Services

**Report Approval Details**

Document Title:	Text Amendment for Stand-alone Single Detached Dwellings in the Rural Zone for Civic Numbers 420 to 496 Maddox Cove Rd.docx
Attachments:	- 420-496 MADDOX COVE ROAD.pdf - DR Amend 11 2022 - 420-496 Maddox Cove Road- TEXT (Ilb).pdf
Final Approval Date:	Apr 28, 2022

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

**No Signature found**

**Lindsay Lyghtle Brushett - Apr 27, 2022 - 12:45 PM**

**Ken O'Brien - Apr 27, 2022 - 12:47 PM**

**Jason Sinyard - Apr 28, 2022 - 2:10 PM**





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



# **City of St. John's Development Regulations, 2021**

## **St. John's Development Regulations Amendment Number 11, 2022**

**Text Amendment to Allow Stand-alone Single Detached Dwellings in  
the Rural (RUR) Zone for Civic Numbers 420-496 Maddox Cove Road  
(even numbers only).**

**April 2022**





**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

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

**Amendment Number 11, 2022**

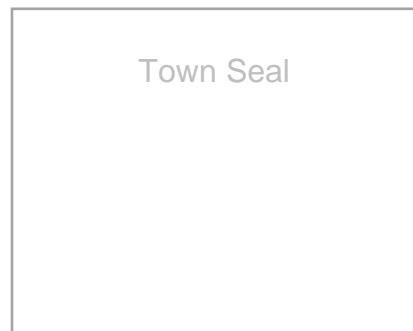
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the City of St. John's Development Regulations Amendment Number 11, 2022.

Adopted by the City Council of St. John's on the 2nd day of May, 2022.

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

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

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

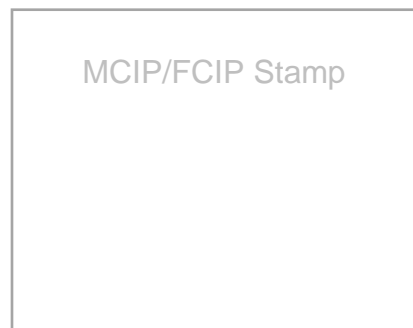


**Canadian Institute of Planners Certification**

I certify that the attached City of St. John's Development Regulations Amendment Number 11, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

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

Development Regulations/Amendment	
<b><u>REGISTERED</u></b>	
Number	_____
Date	_____
Signature	_____



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

### **Development Regulations Amendment Number 11, 2022**

#### **BACKGROUND and ANALYSIS**

The City of St. John's wishes to amend the Rural (RUR) Zone to allow stand-alone single detached dwellings for civic numbers 420 to 496 Maddox Cove Road (even numbers only).

This amendment was prompted by an application to develop a single detached dwelling at 428 Maddox Cove Road. This lot is one of 4 undeveloped lots which are part of an approved 11-lot subdivision called Cape Spear Estates dating back to 2009. The development is unusual in the Rural Zone, and staff propose an amendment to the Envision St. John's Development Regulations to allow the last 4 lots to be developed in line with the original plan, while not allowing similar developments to be considered elsewhere in the Rural Zone. Changes made to the Rural Zone since 2009 have created a situation where the last 4 lots could not be approved for development without violating the zone standards.

The area along the eastern side of Maddox Cove Road is designated and zoned Rural (RUR), except for a small area along the City's municipal boundary with the Town of Petty Harbour-Maddox Cove, which is zoned Rural Residential Infill (RRI). Under the Envision St. John's Development Regulations, a single detached dwelling is permitted in the Rural Zone only where there is an agricultural use or forestry use on the lot, and only where that use has been in continuous operation for a minimum of 3 years. Should there be no main agriculture or forestry use, a stand-alone single detached dwelling would not be permitted in the zone. Cape Spear Estates was not intended as an area where people would farm or have woodlots; it is a straightforward rural residential development on lots larger than urban or suburban lots, but smaller than what is normally required in the Rural Zone.

Specific requirements for dwellings in the Rural Zone were added to the St. John's Development Regulations in 2003 to bring them in line with regulations used by the Province for the approval of farm-related residences. Between 2003 and 2009, an amendment was made to the Development Regulations to remove these specific requirements and allow stand-alone dwellings in the Rural Zone. In 2009 these requirements were again added to the City's Development Regulations, and then carried forward last year into the new Envision St. John's Development Regulations. In 2005, during the time when stand-alone residential dwellings were permitted, a text amendment was made, which modified the lot frontage requirement in the Rural Zone from a minimum of 90 metres to 60 metres for lots along the east side of Maddox Cove Road (in Cape Spear Estates). This reduced frontage is still reflected in the Envision St. John's Development Regulations, to reflect the original intent of the development and how the land was subdivided.

The subdivision application for the lots along Maddox Cove Road was submitted in 2009 and was placed on hold while the amendment to reinstate Rural Zone standards for single detached dwellings was considered. Following approval of the amendment by Council, the 11 lots were subdivided, and a condition was written in the approval letter, stating that farming was not required prior to construction of the dwellings on those lots.

As this area is recognized as having a reduced lot frontage and the development was created specifically to allow a rural residential subdivision without farming or woodlots, a text amendment to permit stand-alone single detached dwellings along this section of Maddox Cove Road, exclusively for civic numbers 420 to 496 (even numbers only) would resolve the non-conforming status of the existing dwellings and allow the development of the final 4 lots. The amendment is not intended to set a precedent for future rezonings to allow other stand-alone residential developments in the Rural Zone, but to fix a long-standing problem where development was permitted without meeting the appropriate provisions of the St. John's Development Regulations.

### **PUBLIC CONSULTATION**

The proposed amendment was advertised on three occasions in The Telegram newspaper on April 9, April 16, and April 23, 2022. A notice of the amendment was also mailed to property owners within 150 metres of the application site and posted on the City's website and social media.

### **ST. JOHN'S URBAN REGION REGIONAL PLAN**

The proposed amendment is in line with the St. John's Urban Region Regional Plan. Properties zoned Rural are within the Rural designation of the Regional Plan. An amendment to the St. John's Urban Region Regional Plan would not be required to allow single detached dwellings based on the infill nature of the development and past history of residential development along Maddox Cove Road.

### **ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 11, 2022**

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

- 1) Add to the Rural (RUR) Zone "Section (3) PERMITTED USES for properties 420-496 Maddox Cove Road (PID #S 50359, 51044, 50358, 50357, 51081, 50355, 50354, 50353, 50352, 50351, 50350): Stand-alone Single Detached Dwelling" and renumber existing Section 3, 4, 5, 6.**

## Karen Chafe

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**From:** [REDACTED]  
**Sent:** Thursday, April 21, 2022 2:05 PM  
**To:** CityClerk; Ken O'Brien  
**Subject:** (EXT) Fw: Text Amendment - 420-496 Maddox Cove Road

Dear Members of Council and Mr. O'Brien

As a [REDACTED], I am opposed to this Text Amendment moving forward as-is. Density rules appear to be bending to squeeze more lots along this road for current land owners. Is there a well and septic report completed that you can share?

[REDACTED]

----- Forwarded Message -----

**From:** St. John's e-Updates <eupdates@stjohns.ca>  
**To:** "publicnotice@listserv.stjohns.ca" <publicnotice@listserv.stjohns.ca>  
**Sent:** Thursday, April 7, 2022, 10:03:34 AM GMT-2:30  
**Subject:** Text Amendment - 420-496 Maddox Cove Road

City of St. John's Media Relations has issued the following:

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Public Notice

Text Amendment - 420-496 Maddox Cove Road

### Application

A text amendment is being considered to the St. John's Development Regulations.

### Description

The City is considering a text amendment to the St. John's Development Regulations, that would allow stand-alone single detached dwellings, in the Rural (RUR) Zone, for civic numbers 420 to 496 Maddox Cove Road (even numbers only). The proposed text amendment would bring existing and new residential development for this area in line with existing development standards.

### Comment By

9:30 a.m. Tuesday, April 26, 2022

### Comments

Provide your comments to the Office of the City Clerk including your name and address to [cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca) or P.O. Box 908, St. John's, NL, A1C 5M2.

Comments received become a matter of public record and are included in the Council agenda for the date a decision on the application will be made. Any identifying information (including your name) will be removed prior to your comment being released publicly. If you are writing on behalf of a group, organization, business, etc. and wish to remain anonymous, you must indicate as such with your submission.

Collection of personal information is authorized under the Access to Information and Protection of Privacy Act, 2015 and is needed to consider your comments on this application. Questions about the collection and use of your information may be directed to the City Clerk at 709-576-8202 or [cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca).

### Council Decision Date

May 2, 2022

### Additional Information

## Karen Chafe

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**From:** Ken O'Brien  
**Sent:** Thursday, April 21, 2022 3:54 PM  
**To:** CityClerk; [REDACTED]  
**Cc:** Ann-Marie Cashin; Andrea Roberts; Ashley Murray; Tracy-Lynn Goosney; Jason Sinyard; Lindsay Lyghtle Brushett; Planning; Jennifer Squires; Christine R. Carter  
**Subject:** RE: Text Amendment - 420-496 Maddox Cove Road

[REDACTED], thanks for writing.

The lots along that stretch of Maddox Cove Road were approved by Council years ago. At that time, Council set a different minimum lot size in that specific area, so as to allow the lots proposed by the developer. At that time, it was possible for someone to build a house in that rural area without having a rural land use such as a farm or a woodlot.

Since then, regulations regarding houses in rural areas have changed. Now, to develop a house in some rural zones, the City requires that the owner first have a rural land use like a farm or woodlot, and the Province requires that a farm be of a certain size and in operation for a minimum number of years. City staff realized that those changes could affect the approval of the remaining lots along that stretch of Maddox Cove Road, which were approved as lots years ago but have not been built on. The amendment does not allow for new lots to be created – it recognizes the lots that were created years ago, some of which have houses and others of which are still vacant.

The amendment being considered makes it clear that the owners of the remaining lots that haven't yet been built on can apply and be approved for houses, even though they don't have a rural land use like a farm or woodlot. We want to be sure that those owners would not be inadvertently caught up in the changes to the regulations.

In terms of wells and septic systems, each lot has to be approved by the City and by Service NL.

I hope this helps.

Ken O'Brien

Ken O'Brien, MCIP  
Chief Municipal Planner  
City of St. John's – Planning, Engineering and Regulatory Services  
John J. Murphy Building (City Hall Annex), 4<sup>th</sup> floor  
Mail: PO Box 908, St. John's NL Canada A1C 5M2  
Phone 709-576-6121 Email [kobrien@stjohns.ca](mailto:kobrien@stjohns.ca) [www.stjohns.ca](http://www.stjohns.ca)

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**From:** Karen Chafe <kchafe@stjohns.ca> **On Behalf Of** CityClerk  
**Sent:** Thursday, April 21, 2022 3:36 PM  
**To:** [REDACTED] CityClerk <cityclerk@stjohns.ca>; Ken O'Brien <kobrien@stjohns.ca>  
**Cc:** Ann-Marie Cashin <acashin@stjohns.ca>; Andrea Roberts <aroberts@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Tracy-Lynn Goosney <tgoosney@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Ken O'Brien

## Jennifer Squires

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**From:** Ken O'Brien  
**Sent:** Wednesday, April 27, 2022 12:52 PM  
**To:** [REDACTED] CityClerk  
**Cc:** Ann-Marie Cashin; Andrea Roberts; Ashley Murray; Tracy-Lynn Goosney; Jason Sinyard; Lindsay Lyghtle Brushett; Planning; Jennifer Squires; Christine R. Carter  
**Subject:** Re: Text Amendment - 420-496 Maddox Cove Road - additional lands

[REDACTED]. The amendment proposed to Council is to ensure that the development approved years ago can still have undeveloped lots built on. It isn't intended to open up other lands along Maddox Cove Road at this time.

Regarding your attachment and proposed development, we can arrange a meeting with City staff to discuss your idea.

Ken

Ken O'Brien, MCIP  
Chief Municipal Planner  
City of St. John's – Planning, Engineering and Regulatory Services  
John J. Murphy Building (City Hall Annex), 4<sup>th</sup> floor  
Mail: PO Box 908, St. John's NL Canada A1C 5M2  
Phone 709-576-6121 Email [kobrien@stjohns.ca](mailto:kobrien@stjohns.ca) [www.stjohns.ca](http://www.stjohns.ca)

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**From:** [REDACTED]  
**Sent:** Tuesday, April 26, 2022 10:47 PM  
**To:** CityClerk <cityclerk@stjohns.ca>; Ken O'Brien <kobrien@stjohns.ca>  
**Cc:** Ann-Marie Cashin <acashin@stjohns.ca>; Andrea Roberts <aroberts@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Tracy-Lynn Goosney <tgoosney@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Planning <planning@stjohns.ca>; Jennifer Squires <jsquires@stjohns.ca>; Christine R. Carter <crcarter@stjohns.ca>  
**Subject:** (EXT) Re: Text Amendment - 420-496 Maddox Cove Road

Hi Ken

Thanks for the response. This morning, [REDACTED] to the City to subdivide [REDACTED] into 6 building lots per the attached. I hope we can have a conversation about this. I am asking that your text amendment include all even numbered properties along the same road.

[REDACTED]

On Thursday, April 21, 2022, 03:54:07 PM GMT-2:30, Ken O'Brien <[kobrien@stjohns.ca](mailto:kobrien@stjohns.ca)> wrote:

[REDACTED], thanks for writing.

**Karen Chafe**

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**From:** [REDACTED]  
**Sent:** Monday, April 25, 2022 2:37 PM  
**To:** CityClerk  
**Subject:** (EXT) COMMENT RE: 420-496 Maddox Cove Road text amendment

St. John's City Council,

I support the text amendment to the St. John's Development Regulations that would allow stand-alone single detached dwellings for civic numbers 420 to 496 Maddox Cove Road.

However, for the record, I petition for a further amendment to permit a stand-alone single detached dwelling at 510 Maddox Cove Road as well. Lots numbered 410 to 528 Maddox Cove Road are within 150 metres of the application site; there is no material difference between this and the other lots in question. It is reasonable to allow all the lots from 410 to 528 to be developed similarly.

Sincerely,

[REDACTED]

## Jennifer Squires

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**From:** Ken O'Brien  
**Sent:** Wednesday, April 27, 2022 1:41 PM  
**To:** CityClerk; [REDACTED]  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Tracy-Lynn Goosney; Jason Sinyard; Lindsay Lyghtle Brushett; Planning; Jennifer Squires; Christine R. Carter  
**Subject:** RE: (EXT) COMMENT RE: 420-496 Maddox Cove Road text amendment - additional property

Hi, [REDACTED]. Thanks for writing.

The amendment proposed to Council is to ensure that the development approved years ago at Cape Spear Estates can still have undeveloped lots built on. It isn't intended to open up other lands along Maddox Cove Road at this time.

Regarding your proposed development, we can arrange a virtual meeting or chat with City staff to discuss your idea, if you wish. There are policies that would not allow new residential development along Maddox Cove Road.

Regards,

Ken O'Brien

Ken O'Brien, MCIP  
Chief Municipal Planner  
City of St. John's – Planning, Engineering and Regulatory Services  
John J. Murphy Building (City Hall Annex), 4<sup>th</sup> floor  
Mail: PO Box 908, St. John's NL Canada A1C 5M2  
Phone 709-576-6121 Email [kobrien@stjohns.ca](mailto:kobrien@stjohns.ca) [www.stjohns.ca](http://www.stjohns.ca)

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**From:** Karen Chafe <kchafe@stjohns.ca> **On Behalf Of** CityClerk  
**Sent:** Tuesday, April 26, 2022 9:20 AM  
**To:** [REDACTED] CityClerk <cityclerk@stjohns.ca>  
**Cc:** Andrea Roberts <aroberts@stjohns.ca>; Ann-Marie Cashin <acashin@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Tracy-Lynn Goosney <tgoosney@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Ken O'Brien <kobrien@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Planning <planning@stjohns.ca>; Jennifer Squires <jsquires@stjohns.ca>; Christine R. Carter <crcarter@stjohns.ca>  
**Subject:** RE: (EXT) COMMENT RE: 420-496 Maddox Cove Road text amendment

Good Morning:

Thank you for your email. This confirms receipt. Via this response, I have forwarded it to our planning and development staff for their information and/or response. Members of Council will receive redacted copies of all submissions received on this matter prior to its referral to the May 2<sup>nd</sup> Regular Meeting of Council.

Regards

Karen Chafe



# DECISION/DIRECTION NOTE

**Title:** SERC – Road Closures and George Street Festival

**Date Prepared:** April 27, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** N/A

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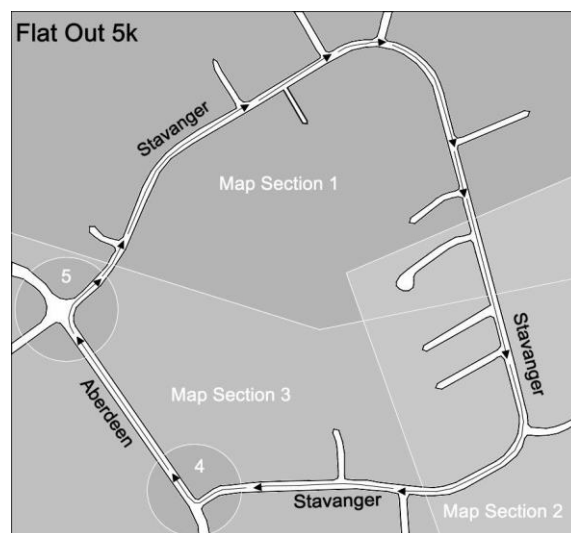
**Decision/Direction Required:** Seeking Council approval on road closures for two road races and an extension to the dates for George Street Festival.

## Discussion – Background and Current Status:

### Flat Out 5K Road Race (Date change):

Road Running Race - sanctioned by the NLAA. RNC will be present to implement lane reductions.

- Sunday May 29, 8:00am – 9:15am.
- Lane reductions:
  - Aberdeen Avenue – Close Curb Lane (North)
    - From Princess Auto to Stavanger Drive
    - 8:00 AM – 9:00 AM
  - Stavanger Drive – One Lane
    - From signalized intersection with Aberdeen (north end), easterly lane as it curves clockwise around the loop back to signalized intersection at Aberdeen (next to Princess Auto)
    - 8:00 AM – 9:15 AM
- A 2m running lane will be positioned from the Hampton Inn and Suites on Stavanger Drive to the intersection with Aberdeen Avenue. Runners will use this lane so that two-way traffic will be permitted for the hotel.
- Residential traffic can circulate Stavanger Drive in a counter-clockwise direction for all required access/egress.



# ST. JOHN'S

George Street Festival:

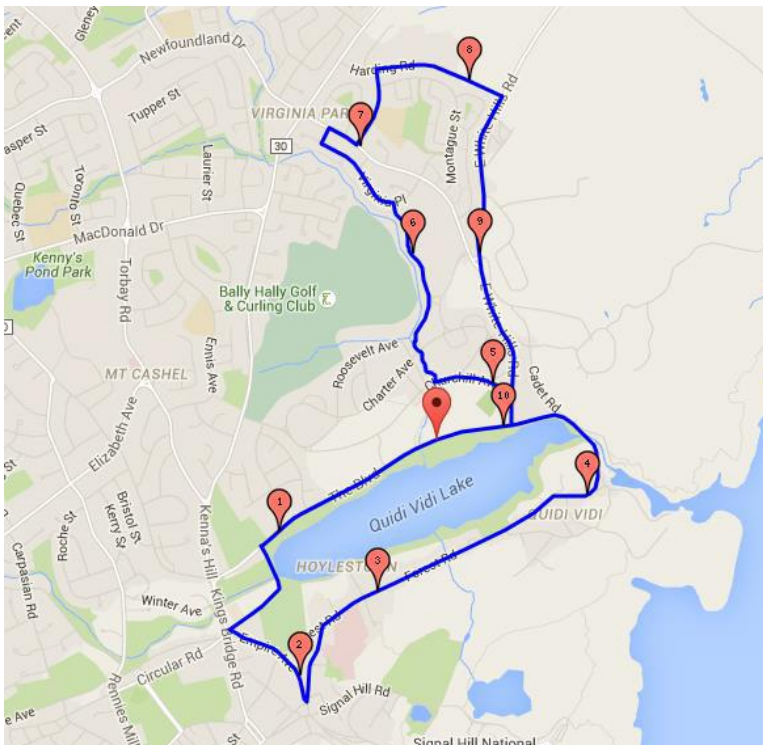
George Street Association are requesting that George Street Festival begin one night early. They are proposing the festival dates of Wednesday July 27 – Wednesday August 3.

Please note this request is for the extra date only. A separate Decision Note will be submitted to Council for event approval once SERC has reviewed.

Shoppers Love You Run for Women:

Road Running Race - sanctioned by the Running Room of Canada. RNC and a traffic control company will be present to implement road closures and lane reductions.

- Sunday June 26, 8:00am – 11:00am.
- Road closure on The Boulevard, from White Hills Road to Legion Road from 7:00am – 9:30am (local traffic permitted).
- Lane reductions on the following roads:
  - The Boulevard, from Legion Road to Carnell Drive
  - Carnell Drive, from The Boulevard to Lake Drive
  - Empire Avenue, from Kingsbridge Road to Quidi Vidi Road
  - White Hills Road, from The Boulevard to Churchill Avenue
  - Middleton Street and Harding Road
  - White Hills Road from Harding Road to The Boulevard
- All other areas of the route will be marshalled, and no reductions will be in place.
- Reductions will be complete by 9:30am.



**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions: N/A

Choose an item.

Choose an item.

4. Alignment with Adopted Plans: N/A
5. Legal or Policy Implications: N/A
6. Privacy Implications: N/A
7. Engagement and Communications Considerations: N/A
8. Human Resource Implications: N/A
9. Procurement Implications: N/A
10. Information Technology Implications: N/A
11. Other Implications: N/A

**Recommendation:**

That Council approve the road closures and lane reductions requested for road races on May 29 and June 26 and approve the extended dates of the George Street Festival.

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

**Approved by:** Erin Skinner, Supervisor - Tourism and Events

**Report Approval Details**

Document Title:	SERC - road closures and George Street Festival.docx
Attachments:	
Final Approval Date:	Apr 28, 2022

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

**Erin Skinner - Apr 28, 2022 - 2:16 PM**

**Tanya Haywood - Apr 28, 2022 - 2:17 PM**