

# ST. JOHN'S

## Regular Meeting - City Council Agenda

July 12, 2022

3:00 p.m.

4th Floor City Hall

Pages

1. CALL TO ORDER
2. PROCLAMATIONS/PRESENTATIONS
  - 2.1. Healthy City St. John's and Memorial University of Newfoundland and Labrador Creating Inclusive Environments during St. John's Pride Week
3. APPROVAL OF THE AGENDA
  - 3.1. Adoption of Agenda
4. ADOPTION OF THE MINUTES
  - 4.1. Adoption of Minutes - June 28, 2022 4
5. BUSINESS ARISING FROM THE MINUTES
  - 5.1. 68 Queen's Road Commissioner 18
6. DEVELOPMENT APPLICATIONS
  - 6.1. Notices Published – 90 Duckworth Street - DEV2200080 21
  - 6.2. Request for Crown Land Lease – 899 Northern Pond Road – CRW1900018 31
  - 6.3. Re-establish Building Line – 30 Lemarchant Road – INT2200028 35
  - 6.4. Notices Published – 33 Cedar Hill Place - DEV2200082 39
  - 6.5. Notices Published – 357 Main Road - DEV2200086 45
  - 6.6. Notices Published – 410 Old Pennywell Road - DEV2200077 51

6.7.	Notices Published – 47 Harvey Road - DEV2200079	56
<b>7.</b>	<b>RATIFICATION OF EPOLLS</b>	
7.1.	Development Committee - Proposed Park and Landscaping in Floodplain and Buffer at 150 Clinch Crescent - DEV2200076	62
<b>8.</b>	<b>COMMITTEE REPORTS</b>	
8.1.	Committee of the Whole Report - June 29, 2022	65
1.	110 Hebron Way and 15 Verafin Way, REZ2200002	70
2.	1274 Blackhead Road, REZ2200004	77
3.	Bike Lane Pavement Markings	87
4.	Built Heritage Experts Panel - Membership	99
5.	Youth Engagement Working Group Membership	102
<b>9.</b>	<b>DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)</b>	
9.1.	Development Permits List for June 23 to July 6, 2022	105
<b>10.</b>	<b>BUILDING PERMITS LIST (FOR INFORMATION ONLY)</b>	
10.1.	Building Permits List - Week ending July 6	106
<b>11.</b>	<b>REQUISITIONS, PAYROLLS AND ACCOUNTS</b>	
11.1.	Weekly Payment Vouchers for the Week Ending June 29 & July 6, 2022	110
<b>12.</b>	<b>TENDERS/RFPS</b>	
12.1.	2022024 – Electronic Vending Units for Fleet Shop Supplies and Consumables	111
12.2.	037-22PHM - Supply and Delivery of Winter Salt to the Department of Transportation and Infrastructure Storage Locations and various Municipal Storage Locations throughout the Province of Newfoundland and Labrador	113
12.3.	2022075 – Supply and Installation of Service Truck Bodies	116
12.4.	2022132 - 2022 Bridge Rehabilitation - Contract 3	118



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

- 13.1. Notice of Motion - Removal of Heritage Designation for a Portion of the George Street United Church Building 120

Notice of Motion to remove Heritage Designation for a Portion of the George Street United Church Building

**14. OTHER BUSINESS**

- 14.1. 74 Circular Road, Restore Front Entrance, DEC2200071 121

- 14.2. Minor Change to Respectful Workplace Policy 128

- 14.3. SERC – Tely 10 146

**15. ACTION ITEMS RAISED BY COUNCIL**

**16. ADJOURNMENT**

# **ST. JOHN'S**

---

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

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

**June 28, 2022, 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 Jamie Korab
- Councillor Ian Froude
- Councillor Carl Ridgeley

**Regrets:** Councillor Ophelia Ravencroft

**Staff:**

- Kevin Breen, City Manager
- Derek Coffey, Deputy City Manager of Finance & Administration
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Lynnann Winsor, Deputy City Manager of Public Works
- Susan Bonnell, Manager, Communications & Office Services
- Ken O'Brien, Chief Municipal Planner
- Karen Chafe, City Clerk
- Jennifer Squires, Legislative Assistant

**Others:** Linda Bishop, Senior Legal Counsel

### **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-2022-06-28/277

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Bruce

That the Agenda be adopted as presented.

For (8): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Korab, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - June 20, 2022**

SJMC-R-2022-06-28/278

**Moved By** Councillor Korab

**Seconded By** Councillor Ridgeley

That the minutes of June 20, 2022, be adopted as presented.

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

**MOTION CARRIED (9 to 0)**

5. **BUSINESS ARISING FROM THE MINUTES**

**6. DEVELOPMENT APPLICATIONS**

**6.1 Notices Published - 140 Ridge Road - DEV2200067**

SJMC-R-2022-06-28/279

**Moved By** Councillor Korab

**Seconded By** Councillor Ellsworth

That Council approve the Discretionary Use application to construct an extension to an existing telecommunications tower located at 140 Ridge Road from a height of 30.5m to 37m.

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

**MOTION CARRIED (9 to 0)**

**6.2 Notices Published – 899 Northern Pond Road - DEV2100067**

Deputy Mayor O'Leary requested clarification on the application process for telecommunications towers as they fall under federal jurisdiction. The Deputy City Manager of Planning, Engineering, and Regulatory Services responded that the City considers telecommunication towers as Discretionary Uses to provide residents the opportunity for input. While the City has no authority to approve or reject the towers, Staff can use the submissions collected to persuade applicants and the federal government to relocate the towers if there are concerns from the public.

SJMC-R-2022-06-28/280

**Moved By** Councillor Korab

**Seconded By** Councillor Ridgeley

That Council approve the Discretionary Use application to construct a telecommunications tower at 899 Northern Pond Road.

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

**MOTION CARRIED (9 to 0)**

7. **RATIFICATION OF EPOLLS**

8. **COMMITTEE REPORTS**

8.1 **Committee of the Whole Report - June 15, 2022**

1. **Revised Cash Handling and Petty Cash Policy**

Councillor Ellsworth highlighted the proposed changes to the Cash Handling and Petty Cash Policy as listed below:

- Addition of Cardholder Data and Payment Card Industry Data Security Standard (PCI DSS) definitions in Section 2.
- Addition of Section 3.6: Payment Card Industry Data Security Standard.
- An update to Section 4 of the Policy to include PCI DSS.
- Changes to Section 5 concerning the responsibilities of Employees and Departments.

SJMC-R-2022-06-28/281

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Bruce

That Council approve the revised Cash Handling and Petty Cash Policy.

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

**MOTION CARRIED (9 to 0)**

2. **Shad Memorial 2022 – Sponsorship of Breakfast**

SJMC-R-2022-06-28/282

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Hickman

That Council sponsor the breakfast for the Shad Memorial 2022 at an approximate cost of \$2000.

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

**MOTION CARRIED (10 to 0)**

**3. 110 Cheeseman Drive – MPA2200002**

Deputy Mayor O'Leary noted the importance of maintaining commercial zoning in residential areas, as it provides an opportunity to build neighbourhoods with accessible services and amenities.

SJMC-R-2022-06-28/283

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O'Leary

That Council reject the application to rezone land at 110 Cheeseman Drive from the Commercial Neighbourhood (CN) Zone to the Residential 1 (R1) Zone so as to retain important commercial lands in the Southlands neighbourhood.

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

**MOTION CARRIED (10 to 0)**

**4. Membership – Sustainable and Active Mobility Advisory Committee**

SJMC-R-2022-06-28/284

**Moved By** Councillor Froude

**Seconded By** Councillor Burton

That Council approve the following ten individuals to sit on the Sustainable and Active Mobility Advisory Committee and that one additional position be reserved to be filled by a user of public para

transit or Go Bus:

- Wiseman, Debbie
- Sunner, Petra
- Lee, Justin
- Roy, Noel
- Green, Ryan
- Lomond, Megan
- Lambert, Anne
- Brake, David
- Grant, Holly
- Binimelis Avila, Makarennna Anna Belen

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

**MOTION CARRIED (10 to 0)**

**5. Environment & Sustainability Experts Panel Membership**

Deputy Mayor O'Leary spoke to the quality of those who applied to the Environment & Sustainability Experts Panel and commented on the lack of gender diversity amongst the applicants. She advised that broadening the call outside of the existing structures may be necessary to achieve gender diversity.

SJMC-R-2022-06-28/285

**Moved By** Councillor Burton

**Seconded By** Councillor Froude

That Council approve the renewed commitment of the existing experts and the appointment of Piers Evans and James Blyth to the Environment & Sustainability Experts Panel.

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

**MOTION CARRIED (10 to 0)**

**6. Demolition of Building – 17 Coronation Street**

SJMC-R-2022-06-28/286

**Moved By** Councillor Burton

**Seconded By** Councillor Ellsworth

That Council grant the Demolition Order of 17 Coronation Street as the building is in a state of total disrepair and is creating a potential safety concern.

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

**MOTION CARRIED (10 to 0)**

**8.2 Audit & Accountability Standing Committee Report - June 22, 2022**

**1. December 31, 2021 Audited Financial Statements**

Councillor Ellsworth remarked that this has been the earliest time that the audited financial statements had come to Council ahead of the June 30th legislative deadline. The Mayor asked when the cash statements would come to Council for consideration, and the Deputy City Manager of Financial & Administration responded that the statements would come to Council in the upcoming weeks.

SJMC-R-2022-06-28/287

**Moved By** Councillor Bruce

**Seconded By** Councillor Ellsworth

That Council approve the December 31, 2021, audited financial statements.

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



**MOTION CARRIED (10 to 0)**

**8.3 Built Heritage Experts Panel Report - June 1, 2022**

**1. 70 Circular Road, Designated Heritage Building Retaining Wall, SIT2200028**

SJMC-R-2022-06-28/288

**Moved By** Councillor Burton

**Seconded By** Councillor Hickman

That Council approve the retaining wall at 70 Circular Road, as proposed.

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

**MOTION CARRIED (10 to 0)**

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

**9.1 Development Permits List June 16 to June 22, 2022**

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

**10.1 Building Permits List - Week ending June 23, 2022**

**11. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**11.1 Weekly Payment Vouchers for Week Ending June 22, 2022**

SJMC-R-2022-06-28/289

**Moved By** Councillor Ellsworth

**Seconded By** Deputy Mayor O'Leary

That the weekly payment vouchers for the week ending June 22, 2022, in the amount of \$9,261,211.98 be approved as presented.

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

**MOTION CARRIED (10 to 0)**

**12. TENDERS/RFPS**

**12.1 2022121 – Supply and Delivery of Trackless Parts**

SJMC-R-2022-06-28/290

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Bruce

That Council approve for award this Open Call to the lowest bidders meeting specifications, Saunders Equipment for \$159,810.01 (HST .excluded) per year as per the Public Procurement Act

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

**MOTION CARRIED (10 to 0)**

**12.2 2022120 - Supply and Delivery of Fire Department Supplies and Equipment**

SJMC-R-2022-06-28/291

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Froude

That Council approve for award this Open Call to the lowest bidders meeting specifications, K&D Pratt for \$133,176.68 (HST excluded) per year as per the Public Procurement Act.

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

**MOTION CARRIED (10 to 0)****12.3 2022108 - Miscellaneous Asphalt Repairs**

Deputy Mayor O'Leary inquired as to what the miscellaneous asphalt repairs would cover. Staff responded that the standing offer agreement was different from the Engineering contract for road work, and as such would cover things such as pot holes, minor grind and patch, service cuts and smaller repairs.

SJMC-R-2022-06-28/292

**Moved By** Councillor Hickman

**Seconded By** Deputy Mayor O'Leary

That Council approve for award open call 2021108 – Miscellaneous Asphalt Repairs to the lowest bidder meeting specification, Parsons Paving Ltd for \$\$978,218.75 HST included, as per the Public Procurement Act.

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

**MOTION CARRIED (10 to 0)****12.4 2022106 - 2022 Bridge Rehabilitation Program - Contract 1 - Dredging**

Councillor Hickman advised that the dredging and culvert extension to address erosion issues would take place at bridges located on the Boulevard, Logy Bay Road, Guzzwell Drive, Portugal Cove Road, Wicklow Street, and Old Bay Bulls Road. There are also five additional bridges that may be considered for dredging on a provisional basis. Clarification was asked on where the dredging would take place and Staff responded that there were six bridges in the main tender, as listed by Councillor Hickman, and should prices come in favorably Staff will work on the additional five bridges as funding permits.

SJMC-R-2022-06-28/293

**Moved By** Councillor Hickman

**Seconded By** Councillor Ellsworth

That Council approve for award open call 2022106 – 2022 Bridge Rehabilitation Program – Contract 1 to the lowest bidder meeting specification, Talon Energy Services Inc, for \$608,476.50 (HST included), as per the Public Procurement Act.

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

**MOTION CARRIED (10 to 0)**

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

**14. OTHER BUSINESS**

**14.1 68 Queen's Road (Apartment Building), Adoption, MPA1900002**

Councillor Froude provided an overview of the proposed amendments for 68 Queen's Road and informed Council that should the amendment proceed, the applicant's request for a 10% variance on the building height would also come to Council for consideration. Staff are aware of the sensitivities concerning building height and the proposed maximum building heights in the zone have been set lower than the applicant's requested building height so that a variance could be applied. In doing so, additional building height could not be requested at a later date, which would ensure that the height of the apartment building does not exceed what has been proposed.

Councillor Burton noted that there were some concerns surrounding the timing of the meeting, as residents may not be available to attend in person during the summer months. She then made a motion to add a second virtual hearing to accommodate those that may be unable to attend the in-person event on June 20th. Councillor Korab questioned if the same facilitator would be used for both meetings, and Staff responded that the intent would be to have the same individual facilitate both meetings and prepare the report.

SJMC-R-2022-06-28/294

**Moved By** Councillor Froude

**Seconded By** Councillor Burton

That Council adopt the attached resolutions for St. John's Municipal Plan Amendment Number 1, 2022 and St. John's Development Regulations Amendment Number 1, 2022. The proposed date for the in-person public hearing is Wednesday, July 20, 2022, at 7 p.m. in the Foran/Greene Room of City Hall.

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

**MOTION CARRIED (10 to 0)**

SJMC-R-2022-06-28/295

**Moved By** Councillor Burton

**Seconded By** Deputy Mayor O'Leary

That a second virtual session be held to discuss the adoption of 68 Queen's Road.

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

**MOTION CARRIED (10 to 0)**

#### **14.2 Expropriation of 7 Gleneyre Street**

Councillor Bruce asked Staff to confirm that the landowner had received the registered letter concerning the expropriation of 7 Gleneyre Street. Staff replied that the letter was signed for by the property owner upon receipt. She also inquired if the surrounding properties at 5 and 14 Gleneyre Street was City owned land or if it would require expropriation at a later date. Staff confirmed that 5 and 13 Gleneyre were owned by the City.

Councillor Ellsworth questioned if the expropriation of the land at the fringes of the property would devalue the remaining land by removing the existing boundary. Senior Legal Counsel explained that as the land is wetland floodplain, it has limited development potential, and the value is reflective of that fact. Under the Urban and Rural Planning Act a sub-

standard lot cannot be developed, and by expropriating the frontage of the property, it renders the remaining portion of the land inaccessible and therefore unsuitable for development. As such, the City intends to purchase the entirety of the land at the assessed value.

SJMC-R-2022-06-28/296

**Moved By** Councillor Bruce

**Seconded By** Councillor Ellsworth

That Council approve the expropriation of the entirety of 7 Gleneyre Street as shown on the attached diagram.

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

**MOTION CARRIED (10 to 0)**

**14.3 SERC – Summer Events 2**

SJMC-R-2022-06-28/297

**Moved By** Councillor Hanlon

**Seconded By** Councillor Ellsworth

That Council approve the Shea Heights Folk Festival from July 15 – 17, and the St. John's Pride Parade on July 24.

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

**MOTION CARRIED (10 to 0)**

**15. ACTION ITEMS RAISED BY COUNCIL**

**15.1 2022 Pinnacle Award of Excellence**

The Mayor informed Council that International Association of Business Communicators Newfoundland and Labrador Chapter (IABC-NL) had awarded the City's Marketing and Communications division with the 2022 Pinnacle Award of excellence in the field of Communications Strategy.

The award was given in result of their work on the 2021 Reassessment Year, which communicated assessment information to the Public.

**15.2 Update on Livingstone Street Stairs**

Deputy Mayor O'Leary asked Staff for an update on the Stairs located off Livingstone Street near Sebastian Court, which are currently closed. The Deputy City Manager of Planning, Engineering, and Regulatory Services responded that the steps are currently unsafe and are included as the top priority in the City's retaining wall program. The retaining wall program will go to tender in the upcoming weeks and work on the steps is intended to take place later in the summer.

**15.3 Mundy Pond Regatta**

Councillor Korab noted that a portion of the walking trail on Mundy Pond would be closed from June 27th until July 13th to carry out site work for the Mews Centre replacement. As the Mundy Pond Regatta is scheduled for July 9th, he asked that Staff consider reopening the portion of the trail on that day. If it were not possible to do so, he requested that clear signage be installed on the trail at Blackler Avenue as well as the gravel parking lot and asked Staff to be lenient when issuing parking tickets on Mundy Pond Road.

**16. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:02 p.m.

---

MAYOR

---

CITY CLERK

# DECISION/DIRECTION NOTE

---

**Title:** 68 Queen's Road commissioner

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 2

---

## **Decision/Direction Required:**

Following Council adoption of the proposed amendments for 68 Queen's Road, Council may now appoint an independent commissioner to conduct the public hearing and a virtual session for St. John's Municipal Plan Amendment Number 1, 2022 and St. John's Development Regulations Amendment Number 1, 2022. The same commissioner is appointed by the Minister of Municipal and Provincial Affairs to consider an amendment to the St. John's Urban Region's Regional Plan.

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

At its regular meeting of June 28, 2022, Council adopted St. John's Municipal Plan Amendment Number 1, 2022 and St. John's Development Regulations Amendment Number 1, 2022. These concern the proposed residential apartment building which is part of the Parish Lane development; the building would border Harvey Road. An earlier amendment process involved the proposed townhouses at the front of the property along Queen's Road.

We are bringing forward Chantelle MacDonald Newhook, QC, to serve as the commissioner. She worked with the Province from 2004 to 2021, ending as the assistant deputy minister for Justice and Public Safety and the assistant deputy minister for Fisheries, Forestry and Agriculture before forming her own law firm specializing in alternative dispute resolution, employment and labour law, administrative law, and privacy and access to information.

The commissioner will conduct a public hearing in person on Wednesday, July 20, followed by a virtual session using Zoom on Thursday, July 21. Her report (with recommendations) to Council and to the Minister of Municipal and Provincial Affairs is due within 30 days of the hearing.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Commissioners are paid at a standard rate for their work.

# ST. JOHN'S



2. Partners or Other Stakeholders: Applicant; nearby property owners and residents; interested heritage and business groups.
3. Alignment with Strategic Directions:  
  
A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.  
  
An Effective City: Ensure accountability and good governance through transparent and open decision making.
4. Alignment with Adopted Plans: St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: In accordance with the public hearing provisions of the NL Urban and Rural Planning Act.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: The public hearing is being advertised in accordance with the Urban and Rural Planning Act and the Envision St. John's Development Regulations.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council appoint Chantelle MacDonald Newhook, QC, as an independent commissioner to conduct the public hearing and a virtual session for St. John's Municipal Plan Amendment Number 1, 2022 and St. John's Development Regulations Amendment Number 1, 2022..

**Prepared by: Ken O'Brien, MCIP, Chief Municipal Planner**

**Approved by: Jason Sinyard, P.Eng., MBA, Deputy City Manager – Planning,  
Engineering and Regulatory Services**

**Report Approval Details**

Document Title:	68 Queens Road commissioner MPA1900002.docx
Attachments:	
Final Approval Date:	Jul 5, 2022

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

**Jason Sinyard - Jul 5, 2022 - 3:53 PM**

# DECISION/DIRECTION NOTE

**Title:** Notices Published – 90 Duckworth Street - DEV2200080

**Date Prepared:** July 4, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 2

---

**Decision/Direction Required:** A Discretionary Use application has been submitted by Bannerman Brewing Corporation at 90 Duckworth Street.

**Discussion – Background and Current Status:** The proposed Use is for an Outdoor Eating Area and Lounge and will be temporary as part of the 2022 Parklet program. The outside area will be approximately 18.6m<sup>2</sup> and located in front of the building. Hours of operation for the Outdoor Area will be from May 20 to October 31, seven days a week from 7 a.m. to 11 p.m. The proposed application site is in the Commercial Downtown Mixed (CDM) Zone. Temporary parking relief for two parking spaces is requested. Subject to Section 8.12, Council may waive required parking and a staff report accepted in lieu of a Parking Report. No outdoor speakers are proposed.

Five submissions were received. Submissions were in favour of the application, while two questioned temporary parking relief and why it was necessary. When additional (gross) floor area is added to a development, additional parking can be required subject to applicable Parking Standards. For this application, two parking spaces are required based on the additional outside area. As the proposed Use is temporary, it is recommended that additional parking be waived.

## **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.

# ST. JOHN'S

4. Alignment with Adopted Plans: St. John's Envision Municipal Plan and Development Regulations.
5. Legal or Policy Implications: St. John's Development Regulations Section 6.22 "Lounge," Section 6.29 "Restaurants", Section 8.12 "Parking Report" and Section 10 "Commercial Downtown Mixed (CDM) Zone".
6. Privacy Implications: Not applicable.
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 Discretionary Use application for a temporary Outdoor Eating Area and Lounge at 90 Duckworth Street and waive two (2) parking space.

**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 - 90 Duckworth Street .docx
Attachments:	
Final Approval Date:	Jul 5, 2022

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

**Lindsay Lyghtle Brushett - Jul 4, 2022 - 2:36 PM**

**Jason Sinyard - Jul 5, 2022 - 9:22 AM**

## Jennifer Squires

---

**From:** Karen Chafe on behalf of CityClerk  
**Sent:** Monday, June 13, 2022 11:46 AM  
**To:** [REDACTED] CityClerk  
**Cc:** Ann-Marie Cashin; Andrea Roberts; Ashley Murray; Tracy-Lynn Goosney; Jason Sinyard; Ken O'Brien; Lindsay Lyghtle Brushett; Planning; Christine R. Carter; Jennifer Squires  
**Subject:** RE: (EXT) 90 Duckworth - DEV2200080

Good Morning:

Thank you for your email. Via this response, I am forwarding it to our planning and development staff for their review. Members of Council will receive redacted copies of all submissions submitted prior to the Regular Council Meeting of July 4, 2022.06.13

Karen Chafe  
City Clerk

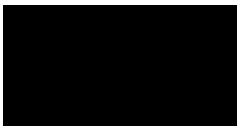
---

**From:** [REDACTED]  
**Sent:** Monday, June 13, 2022 9:41 AM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** (EXT) 90 Duckworth - DEV2200080

While I am generally in favour of this application, I am concerned about the request "temporary parking relief has been requested." It is not clear what this means.

Parking on my street, [REDACTED] is complicated by this proposal, in that despite clearly marked permit parking, people tend to park when and wherever they please in order to access local businesses. I have on a number of occasions not been able to park my own car near my home, which is very frustrating.

I would like to see a plan to expand access for public parking which would enable residents to then access permit parking.



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

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

## Jennifer Squires

---

**From:** Karen Chafe on behalf of CityClerk  
**Sent:** Monday, June 6, 2022 6:34 PM  
**To:** [REDACTED] CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Tracy-Lynn Goosney; Jason Sinyard; Ken O'Brien; Lindsay Lyghtle Brushett; Planning; Christine R. Carter; Jennifer Squires  
**Subject:** RE: (EXT) 90 Duckworth Street - Discretionary Use Public Notice

Good Afternoon:

Thank you for your email. Via this response, I am forwarding your questions to our planning and development staff for response.

Karen Chafe  
City Clerk

---

**From:** [REDACTED]  
**Sent:** Monday, June 6, 2022 6:25 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** (EXT) 90 Duckworth Street - Discretionary Use Public Notice

Hello -

I am a resident of [REDACTED], directly effected by the Bannerman Brewery activities.  
Could you please clarify for me what is meant in this notice by:

*Temporary parking relief has been requested.*

It may be as it had been in the past - or perhaps this is a new plan we are not aware of?

The neighbours have been strongly united in our effort to keep this business respectful of the neighbourhood.  
I will pass on the information you convey to my neighbours.  
Hopefully no action will be needed by our group this time.

Thanks very much -  
[REDACTED]

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

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

## Karen Chafe

---

**From:** Karen Chafe on behalf of CityClerk  
**Sent:** Thursday, June 16, 2022 9:47 AM  
**To:** Planning; CityClerk; [REDACTED]  
**Cc:** Ashley Murray; Andrea Roberts; Ann-Marie Cashin; Tracy-Lynn Goosney; Jason Sinyard; Ken O'Brien; Lindsay Lyghtle Brushett; Jennifer Squires; Christine R. Carter  
**Subject:** Discretionary Use application by Bannerman Brewing Corporation at 90 Duckworth Street - DEV 2200080

Good Morning:

Thank you for your email. Via this response, I am referring it to our planning and development staff for their information. Members of Council will receive redacted copies of all submissions received on this matter prior to the Regular Meeting of July 12 where the matter will be discussed.

Karen Chafe  
City Clerk

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

From: Planning <planning@stjohns.ca>  
Sent: Thursday, June 16, 2022 8:03 AM  
To: CityClerk <cityclerk@stjohns.ca>  
Subject: FW: [CAUTION - Possible SPAM]: (EXT) Discretionary Use application by Bannerman Brewing Corporation at 90 Duckworth Street - DEV 2200080

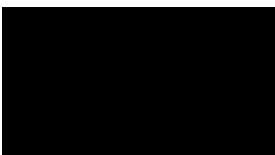
Stacey Corbett  
Administrative Clerk– Planning and Development Planning, Engineering & Regulatory Services City of St. John's

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

From: [REDACTED]  
Sent: Wednesday, June 15, 2022 6:18 PM  
To: Planning <planning@stjohns.ca>  
Subject: [CAUTION - Possible SPAM]: (EXT) Discretionary Use application by Bannerman Brewing Corporation at 90 Duckworth Street - DEV 2200080

To Whom it may concern,

I am in favour of the proposed Discretionary Use Application by Bannerman Brewing Corporation at 90 Duckworth Street in St. John's, NL, DEV2200080, for an Outdoor Eating area and Lounge.

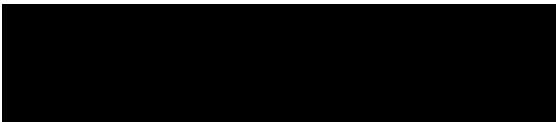




Sent from my iPhone

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

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



Office of the City Clerk (via E-mail – cityclerk@stjohns.ca)  
P.O. Box 908  
St. John's, NL  
A1C 5M2

June 14, 2022

**RE: DISCRETIONARY USE APPLICATION – 90 DUCKWORTH STREET** **DEV 2200080**

Dear Sir/Madam:

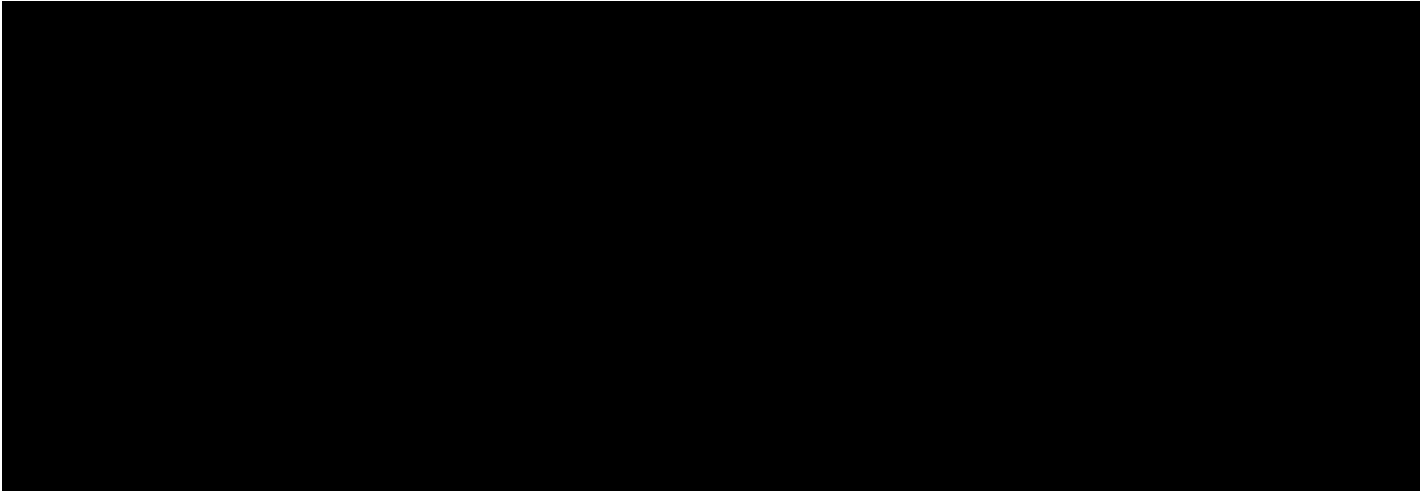
I write in full support of this proposal.

As a local resident, I believe encouraging approachable commercial development and welcoming visitors to our area is important to the charm and character of our neighbourhood.

With the pedestrian mall and other initiatives, businesses in the Duckworth East need every opportunity to compete for tourist and pedestrian traffic and I think this is a great step in this regard.

I wish the proponent every success in this endeavour.

Thank you for your time and the opportunity to comment on this proposal.



## Karen Chafe

---

**From:** [REDACTED]  
**Sent:** Monday, June 20, 2022 12:40 PM  
**To:** CityClerk  
**Subject:** (EXT) 90 Duckworth Street

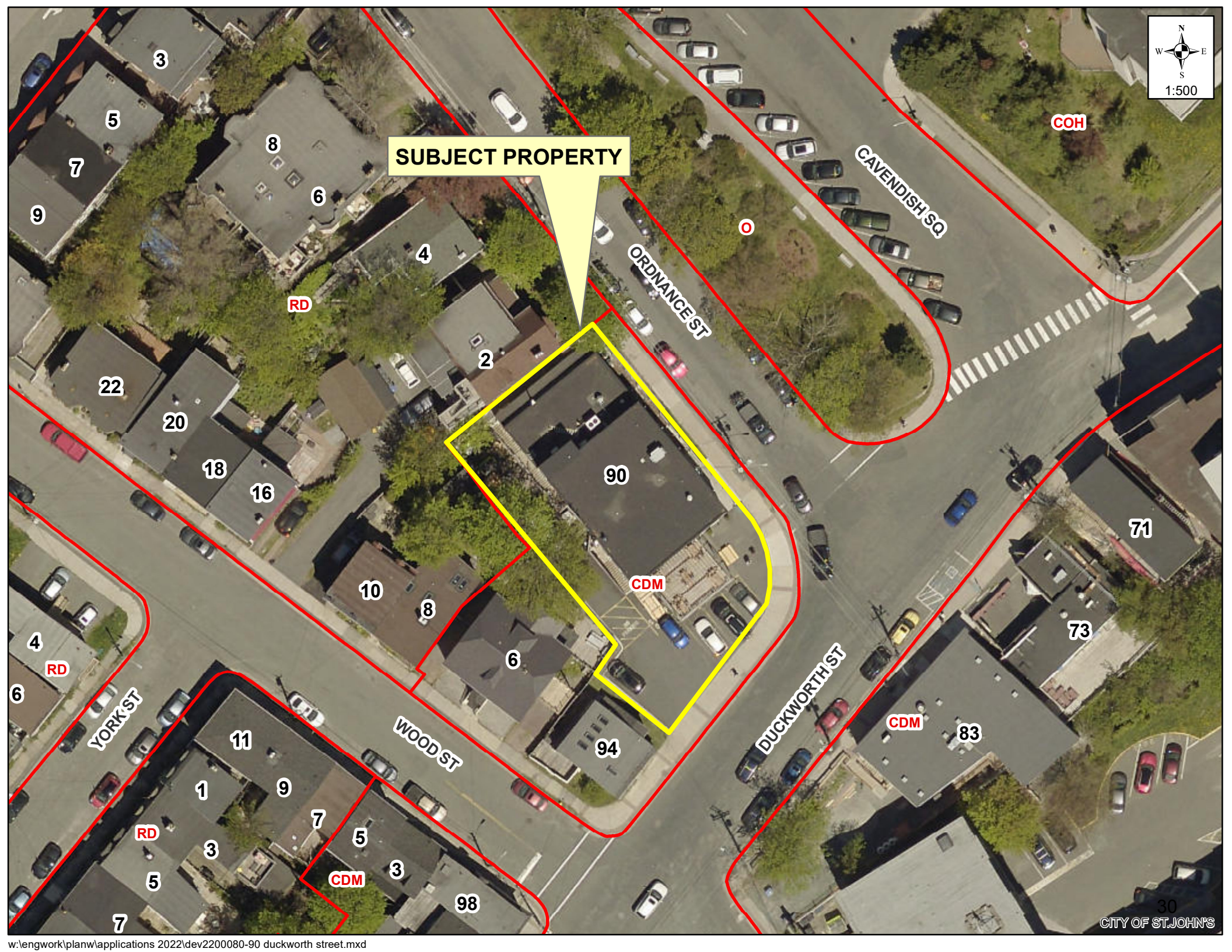
In full support of the parklet, outdoor eating and lounge area for Bannerman Brewery at 90 Duckworth Street , makes perfect sense in the commercial area that is Duckworth Street.

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





**SUBJECT PROPERTY**





# DECISION/DIRECTION NOTE

**Title:** Request for Crown Land Lease – 899 Northern Pond Road – CRW1900018

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 5

---

**Decision/Direction Required:**

To seek approval for a Crown Land lease for a telecommunications tower at 899 Northern Pond Road.

**Discussion – Background and Current Status:**

The Provincial Department of Fisheries, Forestry and Agriculture has referred an application for a Crown Land lease at 899 Northern Pond Road for approximately 2 hectares land. The area is zoned Agriculture (AG) and proposed for a telecommunications tower. The proposed Use (telecommunications tower) for the site was advertised under the City's Siting Protocol for Wireless Facilities and the Discretionary Use was approved at the regular meeting of Council on June 28, 2022. The lease for the land now needs to be considered.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not Applicable.
2. Partners or Other Stakeholders: Not Applicable.
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: St. John's Envision Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not Applicable.

# ST. JOHN'S

6. Legal or Policy Implications: St. John's Envision Development Regulations Section 10 "Agriculture (AG) Zone".
7. Privacy Implications: Not Applicable.
8. Engagement and Communications Considerations: Not Applicable.
9. Human Resource Implications: Not Applicable.
10. Procurement Implications: Not Applicable.
11. Information Technology Implications: Not Applicable.
12. Other Implications: Not Applicable

**Recommendation:**

That Council approve the Crown Land lease for approximately 2 hectares of land at 899 Northern Pond Road for a proposed telecommunications tower.

**Prepared by:**

Lindsay Lyghtle Brushett, MCIP, Supervisor - Planning and 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:	Development Committee - 899 Northern Pond Road - Crown Land.docx
Attachments:	- DEV2100067-899 NORTHERN POND ROAD.pdf
Final Approval Date:	Jul 5, 2022

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

**Lindsay Lyghtle Brushett - Jul 5, 2022 - 11:15 AM**

**Jason Sinyard - Jul 5, 2022 - 3:29 PM**





NORTHERN POND RD

TRANS CANADA HWY

SUBJECT PROPERTY

AG

AG

W



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



# DECISION/DIRECTION NOTE

---

**Title:** Re-establish Building Line – 30 Lemarchant Road – INT2200028

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 2

---

## **Decision/Direction Required:**

To reject the proposed re-establishment of the building line at 30 Lemarchant Road for construction of a front covered parking area.

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

An application was submitted to construct a front covered parking area on an existing Single Detached Dwelling at 30 Lemarchant Road. The property is zoned Residential Mixed (RM), where the minimum Building Line is 4.5 metres. The current Building Line for the dwelling is 5.23 metres and would need to be re-established at 0 metres to allow construction of the covered parking area.

Subject to Section 7.2.1, Council has the discretion to establish or re-establish the Building Line for any Lot that Council deems appropriate. Re-establishment of the Building Line is not recommended by the Transportation Engineering division as it does not allow for driver visibility before entering the Street and creates more risk of encroachment onto the sidewalk. The reduced Building Line is not consistent with other development along the street.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
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 St. John's Municipal Plan and Development Regulations.

# ST. JOHN'S

5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: Envision St. John's Development Regulations Section 7.2.1 "Building Line – Yards" and Section 10 "Residential Mixed (RM) Zone".
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council reject the proposal to re-establish the Building Line at 0 metres to allow for construction of a covered parking area at 30 Lemarchant Road due to safety concerns.

**Prepared by:**

Ashley Murray, P. Tech – Senior Development Officer  
Planning, Engineering and Regulatory Services

**Approved by:**

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

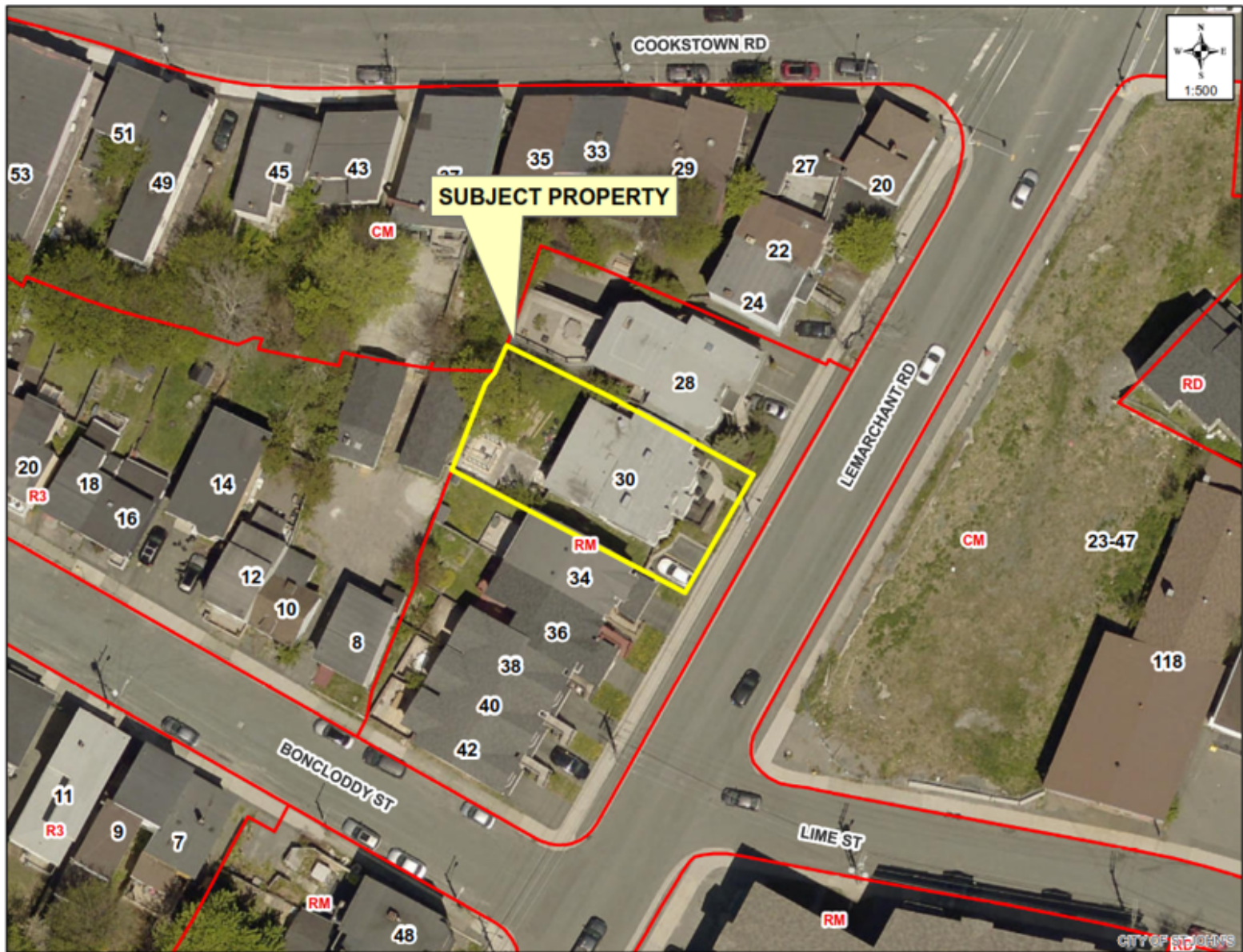
**Report Approval Details**

Document Title:	Development Committee- Re-Establish building line at 30 Lemarchant Road - INT2200028.docx
Attachments:	- 30Lemarchant.png
Final Approval Date:	Jul 5, 2022

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

**Lindsay Lyghtle Brushett - Jul 5, 2022 - 1:34 PM**

**Jason Sinyard - Jul 5, 2022 - 3:23 PM**



w:\engwork\planw\applications 2022\int2200028-30 lemarchant road.mxd

# DECISION/DIRECTION NOTE

**Title:** Notices Published – 33 Cedar Hill Place - DEV2200082

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 5

---

**Decision/Direction Required:** A Discretionary Use application has been submitted by Fairview Investments Limited at 33 Cedar Hill Place.

**Discussion – Background and Current Status:** The proposed application is for an Apartment Building with six (6) dwellings units. Each unit is approximately 94m<sup>2</sup>. On-site parking is provided. The proposed application is in the Residential 2 (R2) Zone, where an Apartment Building with a maximum of 6 Dwelling Units is a Discretionary Use.

One submission was received. Concerns raised include the decrease in property values, rental of the units instead of condominium ownership, that a parking lot is out of character for the neighbourhood, and that the development would increase traffic in the area.

Following construction of houses along Great Southern Drive, the long-term plan for this area of Southlands was to develop what is now Cedar Hill Place, and the original subdivision plan identifies mixed-use development; Townhouses, Multiple Unit Dwellings, and a few Single Detached Dwellings. This mixture of Uses allows a variety of housing form and different levels of affordability.

In 2018, development approval was granted by Council for a 6 unit building on this site. The approval expired after two years, and a new application was required. The Development Regulations control use and number of units within a building, but do not regulate the ownership model; therefore, a multiple unit dwelling (Apartment Building) can be either marketed as a condominium or for rent. The proposed building was not designed with a parking lot, but instead provides an individual driveway for each of the units. Traffic for this development is not a concern for the area.

## 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: St. John's Envision Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: Envision St. John's Development Regulations Section 10.5 "Discretionary Uses" and Section 10 "Residential 2 (R2) Zone".
7. Privacy Implications: Not applicable.
8. 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.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council approve the Discretionary Use application for an Apartment Building with six (6) dwelling units at 33 Cedar Hill Place.

**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 - 33 Cedar Hill Place.docx
Attachments:	- DEV2200082-33 CEDAR HILL PLACE.pdf
Final Approval Date:	Jul 5, 2022

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

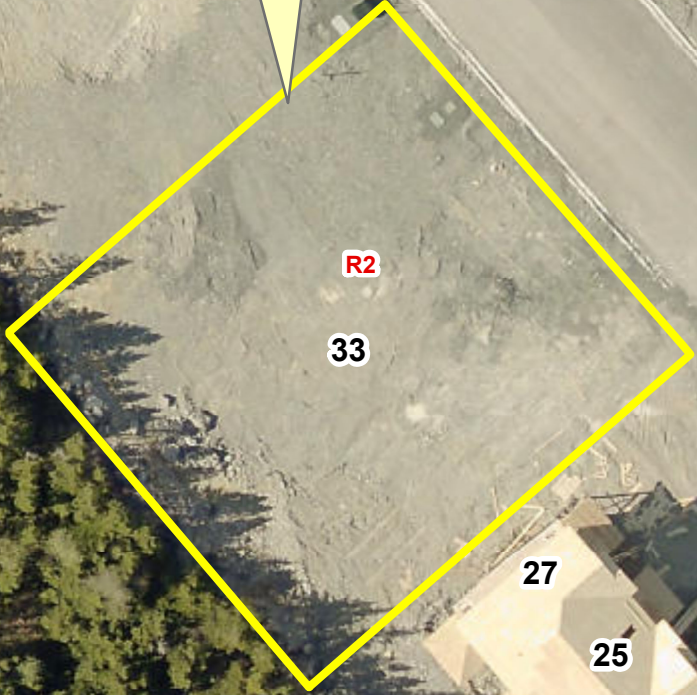
**Lindsay Lyghtle Brushett - Jul 5, 2022 - 11:31 AM**

**Jason Sinyard - Jul 5, 2022 - 3:29 PM**





SUBJECT PROPERTY



R2

33

9



36

34

32

30

28

26

24

22

20

18

27

25

23

21

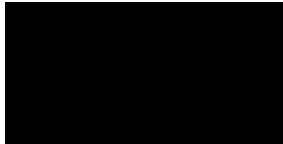
19

17

15

43





June 25, 2022

To whom it may concern,

I currently live within [REDACTED] of the proposed apartment complex for Cedar Hill Place. I am not in favor of this happening for several reasons.

First of all, when I bought my house I was told that the lot in question was to be used for a condo building for four units. It was mentioned that the plan was to make them small and keep the structure the same style as the houses that are currently there in order to maintain the residential character of the housing. A condo would be owned by a person or family and thus they would have pride in the property. An apartment building will have renters and I feel that the pride in keeping the community clean will be lost.

Secondly, a six apartment complex will need a parking lot and the small housing feeling that currently exists will be lost. Who wants a parking lot [REDACTED]? If this was the initial plan then I would not have bought my house knowing this but that was not the case. I was led to believe a totally different situation.

Thirdly, the quiet little area will see a large increase in traffic immediately next door. Six apartments could bring in 12 potential cars plus visitors. This increase in traffic will increase the noise level and ruin the sense of community that currently exists there.

Fourthly, I feel that this apartment complex will decrease the value and selling potential of my house. My home currently is in a quiet area with little noise pollution, all the homes are the same and I feel a great area that would attract many looking to buy a home. But, who wants to buy a house [REDACTED] an apartment building with a parking lot? I feel that this will decrease the desirability of my home and will put me at a disadvantage.

Please take into consideration the above issues. If this plan was revealed before I had purchased it then I definitely would not have settled there. Such a plan should have been outlined in advance.

Thank you for your time and consideration,  
[REDACTED]

# DECISION/DIRECTION NOTE

**Title:** Notices Published – 357 Main Road - DEV2200086

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 5

---

**Decision/Direction Required:** A Discretionary Use application has been submitted by Jungle Jim's at 357 Main Road.

**Discussion – Background and Current Status:** The proposed Use is for an Outdoor Eating and Lounge Area, which will be from May 20 to October 31, each year. The outside area will be approximately 49m<sup>2</sup> and located in front of the building (hatched area of pavement). Hours of operation for the Outdoor Area will be seven days a week from 11:30 a.m. to 10 p.m. The proposed application is in the Commercial Neighbourhood (CN) Zone. Parking relief is requested for 4 parking spaces. Subject to Section 8.12, Council may waive required parking and accept a staff report in lieu of a Parking Report. No outdoor speakers are proposed.

One submission was received, with questions pertaining to parking relief, if the use would increase business capacity and if additional washroom facilities were required. Based on the parking requirements, an increase in floor area of 49m<sup>2</sup> will require an additional four (4) parking spaces. There is a large parking lot for the site and the applicant does not foresee any parking issues. Should the Discretionary Use be approved, Inspection Services and St. John's Regional Fire Department will review the application to determine if additional capacity can be provided and if washroom facilities are required to be upgraded.

## **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.

# ST. JOHN'S

4. Alignment with Adopted Plans: St. John's Envision Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Envision Development Regulations Section 6.22 "Lounges", Section 6.29 "Restaurants", Section 8.12 "Parking Report", Section 10.5 "Discretionary Use" and Section 10 "Commercial Neighbourhood (CN) Zone".
7. Privacy Implications: Not applicable.
8. 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.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council approve the Discretionary Use application for an Outdoor Eating and Lounge Area at 357 Main Road and provide parking relief for four (4) parking spaces.

**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**

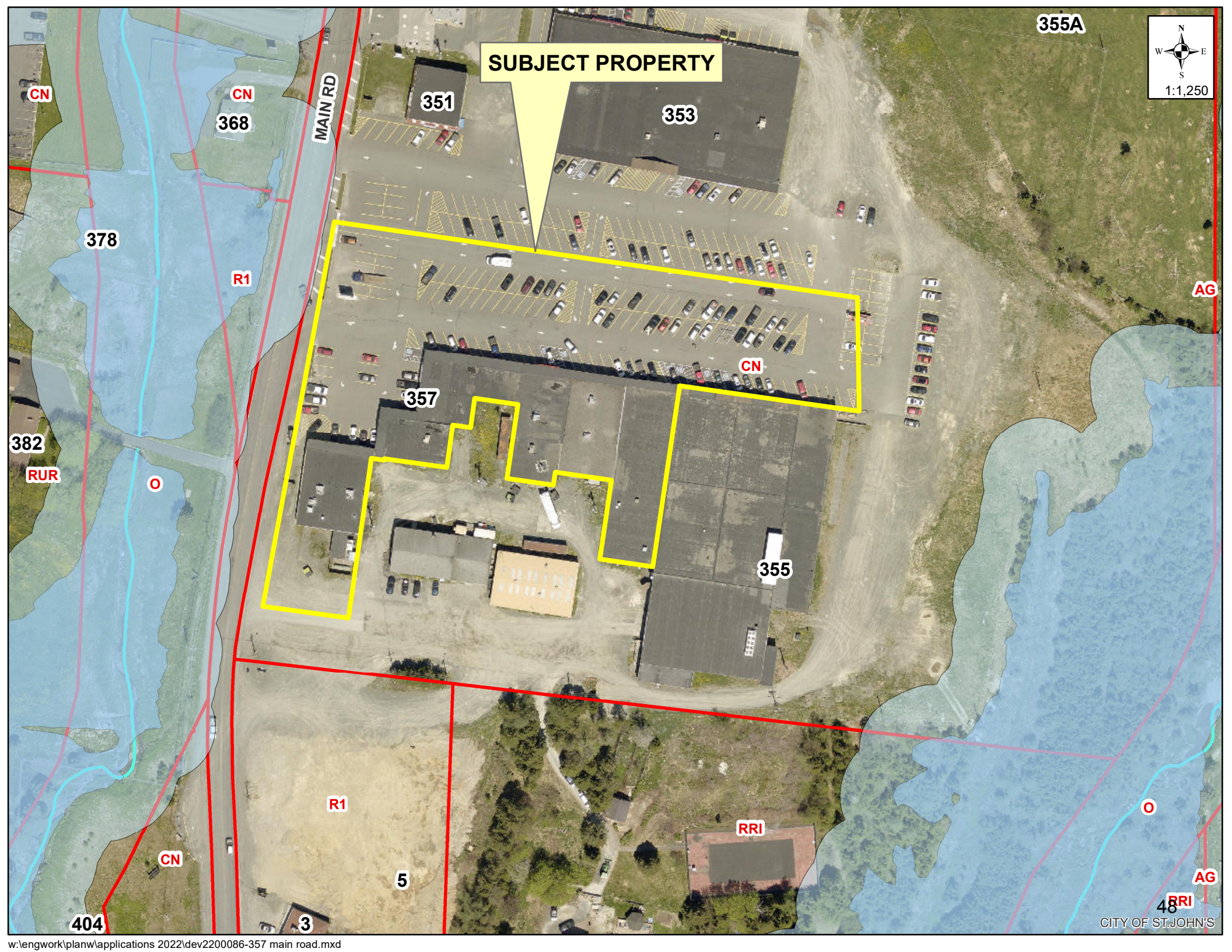
Document Title:	Notices Published - 357 Main Road.docx
Attachments:	- DEV2200086-357 MAIN ROAD.pdf
Final Approval Date:	Jul 5, 2022

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

**Lindsay Lyghle Brushett - Jul 5, 2022 - 1:43 PM**

**Jason Sinyard - Jul 5, 2022 - 3:22 PM**





**SUBJECT PROPERTY**

355A



CN

351

353

368

MAIN RD

378

R1

AG

CN

357

382

RUR

O

355

R1

O

RRI

AG

CN

5

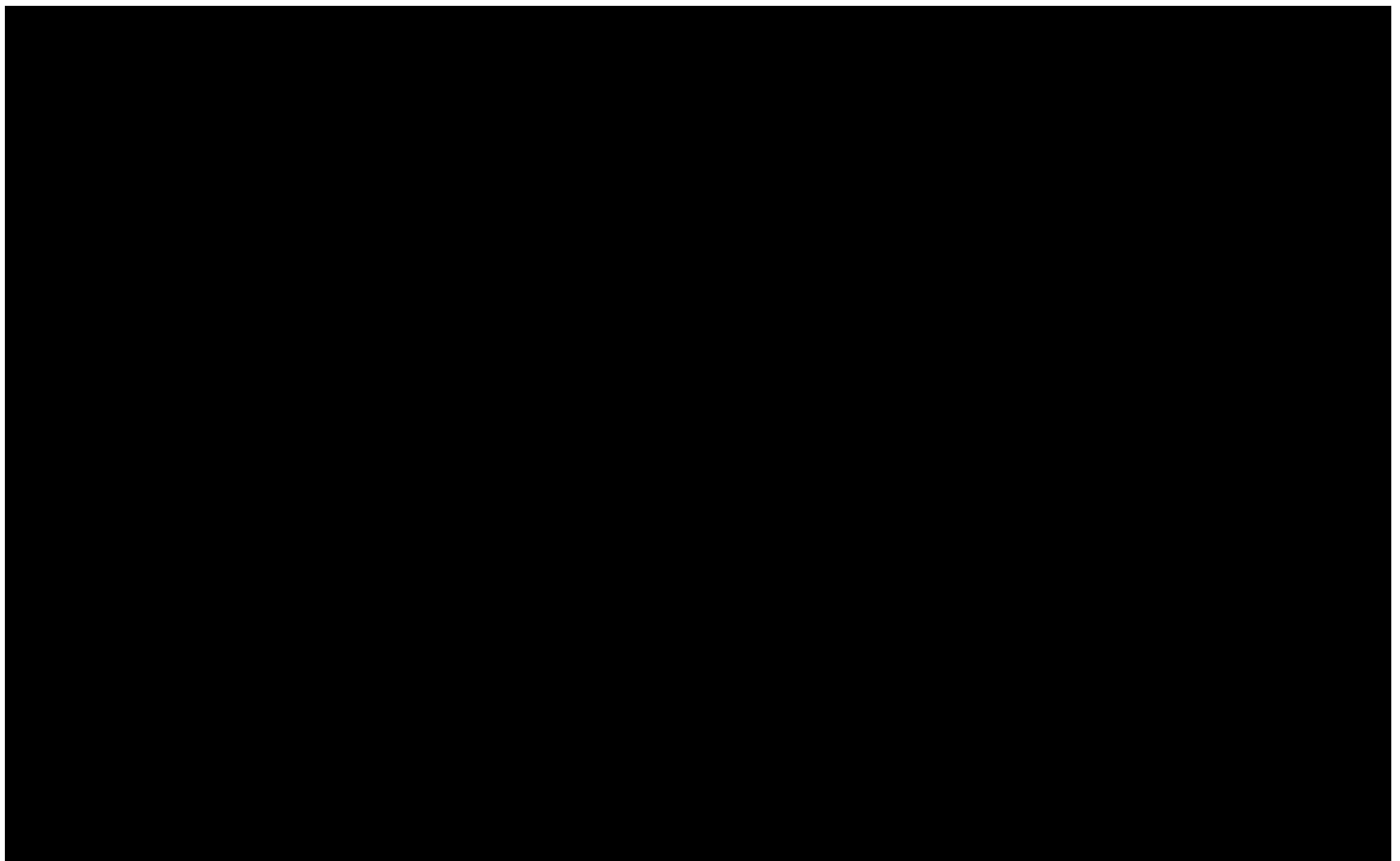
48 RRI

404

3

CITY OF ST. JOHN'S





---

**From:** Karen Chafe <kchafe@stjohns.ca> **On Behalf Of** CityClerk

**Sent:** Wednesday, June 22, 2022 2:17 PM

**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>

**Subject:** RE: (EXT) Application - 357 Main Road

Good Day:

Via this email, I am referring your questions to planning and development staff cc'd above for response. Also, I have included a link [here](#) for your reference.

Karen Chafe  
City Clerk

---

**From:** [REDACTED]

**Sent:** Wednesday, June 22, 2022 11:30 AM

**To:** CityClerk <[cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca)>

**Subject:** (EXT) Application - 357 Main Road

Hi,

I have a few questions regarding this application:

1. What and why is "Parking relief requested" ?
2. Would the outside "Eating and Lounge area" increase capacity?
3. Are the bathroom facilities being upgraded to accommodate the increase in occupancy?
- 4.

Thanks,



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

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



# DECISION/DIRECTION NOTE

**Title:** Notices Published – 410 Old Pennywell Road - DEV2200077

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 4

---

**Decision/Direction Required:** A Discretionary Use application has been submitted at 410 Old Pennywell Road.

**Discussion – Background and Current Status:** The application is a Home Occupation for the hydroponic production of leafy green vegetables. The proposed use will be located in the Accessory Building and has an area of 40m<sup>2</sup>. The produce will be delivered off site and no clients will visit the property. The proposed application site is zoned Rural Residential Infill (RRI).

One submission was received in favour of the application.

**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: St. John's Envision Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Development Regulations Section 6.18 "Home Occupation", Section 10.5 "Discretionary Use" and Section 10 "Rural Residential Infill (RRI) Zone".

# ST. JOHN'S

7. Privacy Implications: Not applicable.
8. 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.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council approve the Discretionary Use for a Home Occupation for the hydroponic production of leafy green vegetables at 410 Old Pennywell 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

**Report Approval Details**

Document Title:	Notices Published - 410 Old Pennywell Road.docx
Attachments:	- DEV2200077-410 OLD PENNYWELL ROAD.pdf
Final Approval Date:	Jul 5, 2022

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

**Lindsay Lyghtle Brushett - Jul 5, 2022 - 11:42 AM**

**Jason Sinyard - Jul 5, 2022 - 3:26 PM**





**SUBJECT PROPERTY**

605

CH

398

390

402

RRI

410

OLD PENNYWELL RD

422

RRI

395

391

387

RUR

399

54

CITY OF ST. JOHN'S



**Karen Chafe**

---

**From:** [REDACTED]  
**Sent:** Friday, July 1, 2022 6:31 AM  
**To:** CityClerk  
**Subject:** (EXT) 410 Old Pennywell Road

Good Morning,

Just a quick note to support the proposal of a home occupation for the production of leafy green vegetables. Anyone who can produce healthy home grown food for their their own use and to provide a service to the community that is much needed everywhere I see no problem. With no clients visiting the property is a bonus. Good Luck!

[REDACTED]

Sent from my iPad

# DECISION/DIRECTION NOTE

**Title:** Notices Published – 47 Harvey Road - DEV2200079

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 2

---

**Decision/Direction Required:** A Discretionary Use application has been submitted for 47 Harvey Road.

**Discussion – Background and Current Status:** The proposed application is for a Dwelling Unit on the 1<sup>st</sup> storey, located on the main floor of the building with frontage on Harvey Road. The current commercial unit measures 105m<sup>2</sup> and will be converted to a residential Dwelling Unit, which will be combined into the existing residential use of the building to create one dwelling unit. The proposed application is in Commercial Mixed Use (CM) Zone. As part of the application review, code requirements shall require 47 and 47A to have their own entryway into the building, wholly contained on their own property.

One submission was received, which requested clarification on the internal structure of the building. Staff clarified that building was being converted into one residential dwelling unit and not multiple apartments; the existing residential unit will extend down to the main floor, replacing the existing commercial space as residential.

## **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: St. John's Envision Municipal Plan and Development Regulations.

# ST. JOHN'S

5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Development Regulations Section 10.5 "Discretionary Use" and Section 10 "Commercial Mixed Use (CM) Zone".
7. Privacy Implications: Not applicable.
8. 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.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council approve the Discretionary Use application for a Dwelling Unit on the 1st storey at 47 Harvey Road. Code requirements shall require 47 and 47A to have their own entryway into the building, wholly contained on their own property.

**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 - 47 Harvey Road.docx
Attachments:	- DEV2200079-47 HARVEY ROAD.pdf
Final Approval Date:	Jul 5, 2022

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

**Lindsay Lyghtle Brushett - Jul 5, 2022 - 12:01 PM**

**Jason Sinyard - Jul 5, 2022 - 3:25 PM**





SUBJECT PROPERTY

FORT TOWNSEND

HARVEY RD

LONG'S HILL



INST

CM

CM

CM

RD

RD



CITY OF ST. JOHN'S



## Karen Chafe

---

**From:** [REDACTED]  
**Sent:** Tuesday, June 14, 2022 10:40 AM  
**To:** CityClerk; Planning  
**Subject:** (EXT) Re: Application - 47 Harvey Road

this needs more clarification because the building has an upstairs with a residential kitchen bathroom and balcony, and a downstairs which has a garage - the main floor located on harvey road is only one part of the 3 story space. i suspect that the commercial use will simply be removed as the entire building gets zoned as a single residential unit?

please have the applicant submit actual floorplans for the entire building and how it will be divided into a semi-detached single dwelling unit, or if it will be multiple apartments.

On Tue, Jun 14, 2022 at 10:28 AM St. John's e-Updates <[eupdates@stjohns.ca](mailto:eupdates@stjohns.ca)> wrote:

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

=====

### Public Notice

Application - 47 Harvey Road

### Application

A Discretionary Use application has been submitted for 47 Harvey Road.

### Description

The application has been submitted for a Dwelling Unit on the 1<sup>st</sup> storey, which is located on the main floor of the Building and fronts on Harvey Road. The current commercial unit measures 105m<sup>2</sup> and will be converted to a residential Dwelling Unit that will be combined into the existing residential use of the building.

### Comment By

9:30 a.m. July 5, 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

July 12, 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 Map](#)

---

#### **DISCLAIMER**

To protect your privacy the City of St. John's has strict controls in place. Your e-mail address will only be used to subscribe to this e-mail update and for no other purpose.

Information contained in City of St. John's e-Updates is provided as a public service and solely for the user's information. Information is provided without warranty or guarantee of any kind, express or implied. The City of St. John's cannot guarantee that all information is current or accurate. Users should verify information before acting on it. The City of St. John's will not be liable for any loss or damages of any nature, either direct or indirect, arising from the use of information provided in this e-Update.

If you have any questions about City of St. John's e-Updates contact [Access St. John's](#).

---

To unsubscribe from any City of St. John's mailing list, click the following link:

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

# DECISION/DIRECTION NOTE

**Title:** Park (playground) and Landscaping in the Floodplain and Floodplain Buffer – 150 Clinch Crescent – DEV2200076

**Date Prepared:** July 6, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 4

---

**Decision/Direction Required:**

To seek approval for a park (playground) and landscaping in the Floodplain and Floodplain Buffer at 150 Clinch Crescent.

**Discussion – Background and Current Status:**

Ronald McDonald House has applied to construct a park (playground area) with landscaping at 150 Clinch Crescent, which is zoned C.A. Pippy Park (CAPP). Pippy Park Commission was contacted, and they are in support of the proposed application. A portion of the playground and landscaping is in the Floodplain Buffer, while some landscaping work will also be required to take place in the Floodplain and would involve the reinstatement of vegetation. The playground will include an upgraded play area with rubber surfacing, concrete walkways and small multi-court, landscape lighting and planting, open pavilion, and perimeter fencing. Subject to Section 4.10(4) and Section 4.10(5), Council may permit both landscaping and park uses within the Floodplain and Floodplain buffer.

Subject to Section 4.10(6) the application was referred to the Environmental Sustainability Experts Panel (ESEP). The Panel was in support of the application, as the proposed development is low and less impactful to the buffer than other developments considered. The increase in diversity of vegetation and permeable surfaces were considered positive additions. The Panel also suggested that there was an educational opportunity to allow those using the space to engage and learn about the surrounding wetlands. The Panel asked the city to take into consideration the impacts of downstream development of the new mental health facility and to ensure that there would be no new infrastructure in the Floodplain based on that study. This CBCL study was reviewed and there is no additional infrastructure within the Floodplain, except for the landscaping/grading as previously advised.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.

# 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: St. John's Envision Municipal Plan and Development Regulations.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: St. John's Envision Development Regulations Sections 4.10 "Waterways, Wetlands, Ponds Or Lakes" and Section 10 "C.A. Pippy Park (CAPP) Zone".

7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations: Not applicable.

9. Human Resource Implications: Not applicable.

10. Procurement Implications: Not applicable.

11. Information Technology Implications: Not applicable.

12. Other Implications: Not applicable.

**Recommendation:**

That Council approved the park (playground) and landscaping in the Floodplain and Floodplain Buffer at 150 Clinch Crescent.

**Prepared by:**

Ashley Murray, P. Tech – Senior Development Officer  
Planning, Engineering and Regulatory Services

**Approved by:**

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

150 Clinch Cres - DEV2200076

Technical drawing showing a site plan for 150 Clinch Cres. The plan includes a building footprint, parking areas, and landscaped zones. A red 'X' is drawn across the bottom half of the plan. Technical stamps and a permit label are visible in the lower-left area.

PERMIT TO CONSTRUCT  
 PROJECT NO. 2200076  
 PROJECT NAME: 150 CLINCH CRES  
 PROJECT LOCATION: 150 CLINCH CRES, ST. JOHN'S, NL  
 PROJECT OWNER: THE PERMIT HOLDER  
 PROJECT ENGINEER: THE PERMIT HOLDER  
 PROJECT DATE: 2022-07-26

ST. JOHN'S  
 CITY OF ST. JOHN'S

# ST. JOHN'S

## Report of the Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

June 29, 2022, 9:30 a.m.

Present:	Mayor Danny Breen Deputy Mayor Sheilagh O'Leary Councillor Maggie Burton Councillor Ron Ellsworth Councillor Sandy Hickman Councillor Jill Bruce Councillor Jamie Korab Councillor Ian Froude Councillor Carl Ridgeley
Regrets:	Councillor Debbie Hanlon Councillor Ophelia Ravencroft
Staff:	Kevin Breen, City Manager 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 Susan Bonnell, Manager - Communications & Office Services Ken O'Brien, Chief Municipal Planner Karen Chafe, City Clerk Jennifer Squires, Legislative Assistant
Others	Linda Bishop, Senior Legal Counsel David Crowe, Manager, Roads Amer Afridi, Manager, Transportation Engineering Marianne Alacoque, Transportation System Engineer

---

**1. 110 Hebron Way and 15 Verafin Way, REZ2200002**

Councillor Froude informed Council on the proposed text amendment to the St. John's Development Regulations. The amendment would allow pedways to cross boundaries as prompted by a request of the owner of 110 Hebron Way and 15 Verafin Way to connect the two buildings. The Development Regulations currently do not permit a development to extend beyond the side yard or to cross the property boundary.

Recommendation

**Moved By** Councillor Froude

**Seconded By** Councillor Burton

That Council consider a text amendment to the Envision St. John's Development Regulations to add an allowance for pedway developments to cross property boundaries and advertise the amendment for public review and comment.

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

**MOTION CARRIED (9 to 0)**

**2. 1274 Blackhead Road, REZ2200004**

Members of Council requested that an in-person meeting take place for the public meeting concerning the application. Staff advised that a solution is being investigated to hold hybrid meetings in the Foran/Green Room but is not yet available. The word "virtual" was removed from the recommendation, and should the solution be ready the meeting will take place both online and in person.

Recommendation

**Moved By** Councillor Froude

**Seconded By** Deputy Mayor O'Leary

That Council consider a text amendment to the Envision St. John's Development Regulations to consider rural tourism uses within the Rural Residential (RR) Zone, as prompted by a Nordic spa development at 1274 Blackhead Road; and approve the attached draft terms of reference for a Land Use Report (LUR).



Further, upon receiving a satisfactory Land Use Report, that Council refer the application to a public meeting chaired by an independent facilitator for public input and feedback.

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

### **MOTION CARRIED (9 to 0)**

### **3. Bike Lane Pavement Markings**

The Deputy City Manager of Planning, Engineering & Regulatory Services informed Council that the attached decision note was prompted by a previous discussion concerning painted and unpainted bike lanes in Airport Heights. The note summarizes the variations of the Bike Plan since 2009, past decisions of Council, and the current status of the lanes. Transportation Engineering Staff were in attendance to respond to Council's questions and are looking for direction as to how to proceed.

Councillor Burton advised that the current network includes Airport Heights Drive, Viscount Street, Cowan Avenue, Canada Drive, Mundy Pond Road, and Cashin Avenue. All other previously painted lanes that are not part of the full network or backbone network have been removed, and what remains is aligned with the [2019 Bike St. John's Master Plan](#). In these areas, there are painted unidirectional bike lanes on each side of the street, with a hatched buffer and parking permitted on one side. The lanes also include painted bike symbols with reserved bike lane diamonds.

While bike lanes do improve safety, reduce collisions, and help cyclists navigate, they are not attractive for new or nervous riders. In order to increase ridership, the City needs to build routes of protected bike lanes or shared-use paths that are comfortable and attract new riders. Councillor Burton noted the importance of connecting the new Mews Centre at Mundy Pond, as well as other centres, to the bike network and existing pathways. The Staff recommendation is to maintain the bike lanes along Mundy Pond and Cashin Avenue. Staff are further recommending removal of the lanes on Canada Drive as construction of a new active transportation facility is scheduled to start in 2023. Councillor Burton requested that this be reconsidered as funding for the project is not

guaranteed and it would be important for the existing infrastructure to remain. Councillor Korab advised that as public engagement had recently completed on [Canada Drive Active Transportation and Road Safety Improvements](#), it would be best to provide Staff an opportunity to make a recommendation on the issue before moving forward. Staff further informed Council that the transitions between sections of Canada Drive from two unidirectional lanes to one lane, to nothing, increase the level of risk for cyclists using the lanes.

Councillor Froude expressed his concern over the removal of the lanes on Canada Drive, as the timeline was uncertain as to when the new facilities would be complete. If funding were not available, it could take years for the network to be complete, leaving the route without lanes. It was decided to leave Canada Drive as is for the time being to permit Staff an opportunity to review the information collected via the engagement project and make a recommendation. The Deputy City Manager of Public Works advised that bike lanes were not included in the 2022 budget, and that Staff would provide additional information on cost in advance of next year's budget discussions. Councillor Burton further advised that Staff would distribute letters to residents along affected streets to communicate the maintenance or removal of painted bike lanes, and there would be a 30-day grace period after pavement markings are completed where Staff would leave notices and warnings on vehicles parking in bike lanes instead of issuing tickets.

#### Recommendation

**Moved By** Councillor Burton

**Seconded By** Councillor Bruce

That Council approve painted bike lane pavement marking maintenance recommended in the table as outlined in the Decision Note and communicate with residents as follows.

- Distribute letters to residents on the affected streets explaining why the bike lanes are being repainted or removed, what it means for their parking options and garbage bin placement, and how to reach city staff with questions or concerns.
- Implement a 30-day enforcement grace period after pavement markings are completed, where Parking Services will leave notices/warnings on vehicles instead of issuing tickets.

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

**MOTION CARRIED (9 to 0)**

**4. Built Heritage Experts Panel - Membership**

Recommendation

**Moved By** Councillor Burton

**Seconded By** Councillor Ellsworth

That Council approve of the appointment of Tyler Stapleton to the Built Heritage Experts Panel.

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

**MOTION CARRIED (9 to 0)**

**5. Youth Engagement Working Group Membership**

Recommendation

**Moved By** Councillor Bruce

**Seconded By** Councillor Hickman

That Council appoint Saadia Jamila Mary Azam to the Youth Engagement Working Group.

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

**MOTION CARRIED (9 to 0)**

---

Mayor

# DECISION/DIRECTION NOTE

**Title:** 110 Hebron Way and 15 Verafin Way, REZ2200002

**Date Prepared:** June 15, 2022

**Report To:** Committee of the Whole

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

**Ward:** Ward 1

---

## **Decision/Direction Required:**

To consider a text amendment to the St. John's Development Regulations to allow pedways (pedestrian connections) to cross property boundaries. This is prompted by an application for a pedway at 110 Hebron Way and 15 Verafin Way.

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

The City received an application from 55732 NL Inc. (KMK Capital Inc.) to develop a pedway (enclosed pedestrian connection) between an existing building located at 110 Hebron Way and a new proposed building located at 15 Verafin Way. Both properties are within the Commercial District of the St. John's Municipal Plan, with 15 Verafin Way zoned as Commercial Office (CO) and 110 Hebron Way zoned as Commercial Office (CO) and Commercial Regional (CR). The proposed connection and new building will be located within the CO Zone.

Under the Envision St. John's Development Regulations, developments within the CO Zone must have a two side yards, each equal to 1 metre for every 5 metres of Building Height, to a maximum of 6 metres. This does not permit a development to extend beyond the side yard or cross a property boundary. It is recommended to amend the Development Regulations to allow consideration of pedways - a sheltered pedestrian connection that could cross property boundaries, streets, or rights of way.

The amendment will introduce a "Pedway" definition, as well as conditions associated with the use, such as the minimum height above grade for an overhead pedway. The intent is to include underground, ground-level or overhead pedways (also known as skywalks). Should Council wish to consider the amendment, it will be drafted for Council's consideration following the public notification period.

The subject properties are currently owned by the same owner, however should the amendment proceed and in the event of a sale, access agreements/easements for the pedway will be required. The attached site plan is provided as a reference/concept, however development review of the pedway has not been completed yet. Further information on the nearby floodplain may be required to determine if the proposed location of the pedway is acceptable.

# ST. JOHN'S

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residential 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.  
  
A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.
4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Any accessibility requirements from the National Building Code of Canada will be required at the building permit stage.
6. Legal or Policy Implications: A text amendment to the Envision St. John's Development Regulations is required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Should Council consider the amendment, it will be advertised in accordance with the Development Regulations.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council consider a text amendment to the Envision St. John's Development Regulations to add an allowance for pedway developments to cross property boundaries, and advertise the amendment for public review and comment.

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

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

**Report Approval Details**

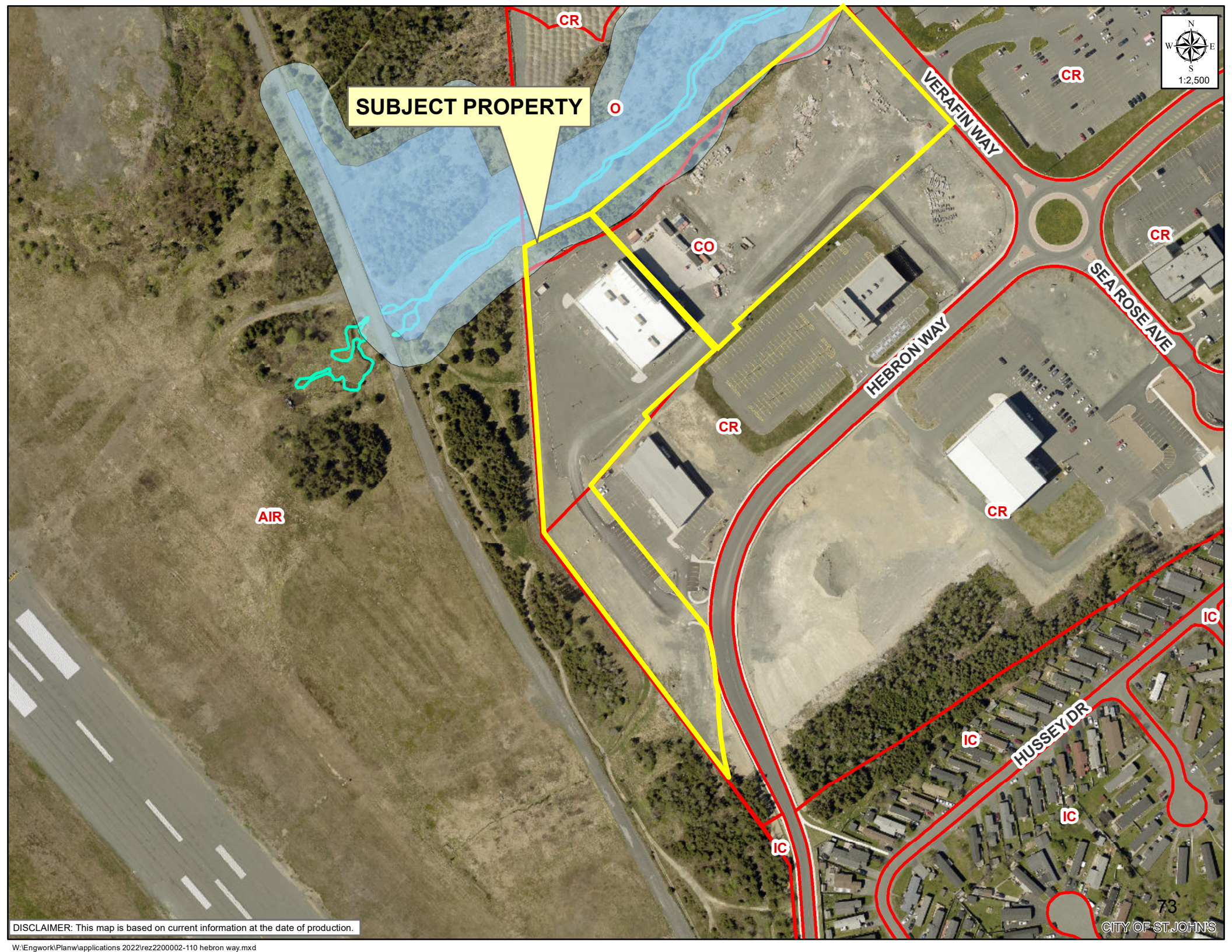
Document Title:	110 Hebron Way and 15 Verafin Way, REZ2200002.docx
Attachments:	- 110 Hebron Way - Attachments.pdf
Final Approval Date:	Jun 22, 2022

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

**Ken O'Brien - Jun 22, 2022 - 10:01 AM**

**Jason Sinyard - Jun 22, 2022 - 11:13 AM**





## SUBJECT PROPERTY



**CR**

**CR**

**CR**



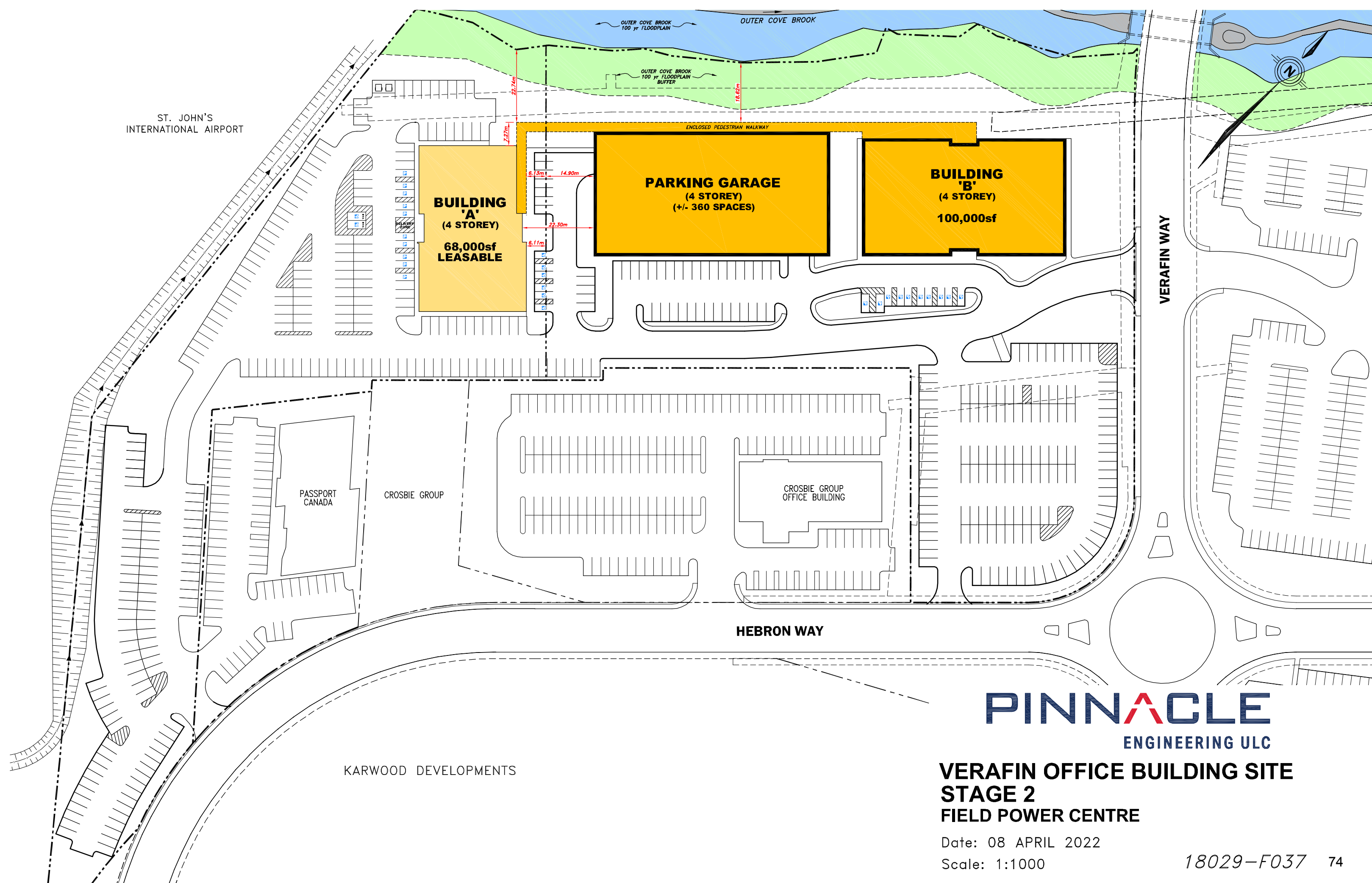
73

CITY OF ST. JOHN'S

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

W:\Engwork\Planw\applications 2022\rez2200002-110 hebron way.mxd







COMMERCIAL OFFICE (CO) ZONE

CO

- (1)

PERMITTED USES, *except 172 Logy Bay Road (PID #18723)*

Accessory Building

Adult Day Centre

Convenience Store

Daycare Centre

Dwelling Unit – 2<sup>nd</sup> storey or higher

Office

Park

Public Utility

Service Shop
- (2)

DISCRETIONARY USES

Accessory Dwelling Unit

Clinic

Heritage Use

Parking Garage

Parking Lot

Pharmacy

Recycling Depot

Wind Turbine – Small Scale
- (3)

PERMITTED USE – 172 LOGY BAY ROAD (PID #18723)

Office

**(4) ZONE STANDARDS EXCEPT PARK, PUBLIC UTILITY, PARKING LOT AND HERITAGE USE**

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Height (maximum), except 57 Margaret’s Place (PID #10805)	45 metres
(d)	Building Height (maximum) - 57 Margaret’s Place (PID #10805)	18 metres
(e)	Building Line (minimum)	6 metres
(f)	Side Yards (minimum)	2, each equal to 1 metre for every 5 metres of Building Height to a maximum of 6 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(g)	Rear Yard (minimum)	6 metres
(h)	Lot Coverage (maximum) (except Gas Station)	50%
(i)	Landscaping (minimum)	20%

**(5) ZONE STANDARDS FOR PARK, PUBLIC UTILITY, PARKING LOT AND HERITAGE USE SHALL BE IN THE DISCRETION OF COUNCIL.**

# DECISION/DIRECTION NOTE

**Title:** 1274 Blackhead Road, REZ2200004

**Date Prepared:** June 15, 2022

**Report To:** Committee of the Whole

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

**Ward:** Ward 5

---

## **Decision/Direction Required:**

To consider a text amendment to the Envision St. John's Development Regulations to allow consideration of a spa facility with associated hospitality services in the Rural Residential (RR) Zone. This is prompted by an application at 1274 Blackhead Road.

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

The City has received an application from HW Architecture for a spa facility with associated hospitality services at 1274 Blackhead Road. The subject property is within the Rural District of the Envision St. John's Municipal Plan and is primarily zoned Rural Residential (RR) with a small portion at the rear of the lot within the Rural (RUR) Zone. The policies of Section 10.7 of the Municipal Plan, for Planning Area 17 – Blackhead, apply.

The proposed development is a “Nordic spa”, a new type of development for St. John's that combines spa services with lodging in a rural setting. The development will include a main building, treatment domes, sauna structures, a yoga dome, a warming dome and sleeping domes, as indicated on the attached site plan. The photo below shows how the domes will sit on platforms. Sleeping domes will include shower/toilet, kitchenette, queen-sized bed and pull-out sofa.

This will be a year-round establishment with approximately 18 employees. Hours of operation will be 10am-7pm with hopes to eventually expand the hours to 9am-9pm. Guests will receive a day pass and can use all services. They anticipate 100 to 125 guests a day, with 12 of the guests staying overnight. There are three sleeping domes proposed, each with a 4-person capacity.



## Analysis

The Rural Land Use District is applied to lands characterized by farms, large tracts

# ST. JOHN'S

of open spaces, along with a limited number of rural dwellings on larger lots. From policy 8.10(1), within the Rural District, Council can establish zones that will accommodate natural heritage and tourism and other complementary uses. As the proposed development has a tourism component and may be a tourist destination, it could be considered in the Rural District without an amendment to the Municipal Plan

The inclusion of the sleeping domes makes this tourist destination, rather than simply a spa. Staff would not recommend amending the Development Regulations to just include Service Shop (spa) in the Rural Residential (RR) Zone, as adding new commercial uses is not the intent of the Rural District. The intent is to consider commercial services that have a tourism component

The applicant has stated that developing in a rural setting with natural scenery is a key component of a Nordic spa. They would not consider placing a Nordic spa in an urban setting. Therefore, should Council wish to consider the development at this location, staff recommend creating a new discretionary use that would consider rural tourism uses within the RR Zone. Should the amendment proceed, the new use and any associated conditions will be drafted following public consultation and feedback from the neighbouring properties.

As per Section 4.9 of the Development Regulations, Council requires a Land Use Report for all applications to amend the Municipal Plan or Development Regulations. Draft terms of reference for a Land Use Report are attached for Council's review. As the proposed development is located between existing houses, we include in the terms of reference that the applicant must do initial consultation with surrounding property owners before submitting the Land Use Report. This way, any concerns from the neighbourhood will be known prior to completing the report.

#### Next Steps

Should Council agree to consider the amendment and approve the terms of reference for a Land Use Report, the applicant will be required to prepare the Land Use Report, and a public meeting will be scheduled after staff confirm that the report meets the terms of reference.

#### **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.

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Any accessibility requirements from the National Building Code or Service NL will be applied at the building permit stage.
6. Legal or Policy Implications: An amendment to the Envision St. John's Development Regulations is required in order to consider the amendment.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Should Council agree to consider the amendment, public consultation will occur once the Land Use Report is completed.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council consider a text amendment to the Envision St. John's Development Regulations to consider rural tourism uses within the Rural Residential (RR) Zone, as prompted by a Nordic spa development at 1274 Blackhead Road; and approve the attached draft terms of reference for a Land Use Report (LUR).

Further, upon receiving a satisfactory Land Use Report, that Council refer the application to a virtual public meeting chaired by an independent facilitator for public input and feedback.

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

**Report Approval Details**

Document Title:	1274 Blackhead Road, REZ2200004.docx
Attachments:	- 1274 Blackhead Road - Attachments.pdf
Final Approval Date:	Jun 23, 2022

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

**Ken O'Brien - Jun 23, 2022 - 10:10 AM**

**No Signature - Task assigned to Jason Sinyard was completed by workflow administrator Karen Chafe**

**Jason Sinyard - Jun 23, 2022 - 4:18 PM**





**SUBJECT PROPERTY**

**BLACKHEAD RD**

**1302**

**1294**

**1274**

**1281**

**1273**

**1265**

**1259**

**1254**

**OR**

**RR**

**RR**

**R**

**R**

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

W:\Engwork\Planw\applications 2022\rez2200004-1274 blackhead road.mxd



1. MAIN BUILDING \_ 12.4m X 16.9m
2. STEAM SAUNA \_ 5.2m X 7.3m
3. DRY SAUNA \_ 5.2m X 7.3m
4. HOT POOLS (4) \_ 3.0m X 4.9m
5. COLD PLUNGE \_ 1.8m X 2.4m
6. COLD WATERFALL \_ 1.8m X 2.4m
7. TREATMENT DOMES (3) \_ 5.2m DIAMETER
8. AIRBNB RENTAL DOMES (3) \_ 6.1m DIAMETER
9. YOGA DOME \_ 9.14m DIAMETER
10. BISTRO/WARMING DOME \_ 10.1m DIAMETER
11. WALKING PATH
12. PARKING (TOTAL PARKING NUMBER TBD)
13. ACCESSIBLE PARKING (4 AS SHOWN; INCREASED AS REQ.)
14. FUTURE/OVERFLOW PARKING (AS REQUIRED)
15. PROPERTY LINE
16. TOPOGRAPHIC CONTOUR LINE (5m ELEVATION CHANGES)
17. ADJACENT WOODS PATH
18. POWER LINES (EASEMENTS UNCONFIRMED)
19. CURRENT ZONING BOUNDARY
20. APPROXIMATE LOCATION OF SEPTIC FIELD

- A. PROPERTY WILL BE SERVICED BY ON SITE WELL AND SEPTIC. CURRENT PROPOSED SEPTIC LOCATION IS EAST OF PARKING SHOWN ON PLAN.
- B. AREAS NOT DEVELOPED WITH BUILDINGS, POOLS, PARKING AND PATHS WILL BE LEFT AS NATURAL LANDSCAPE.
- C. LOT AREA: 3.4 ha
- D. ALL STRUCTURES TO BE ONE-STOREY IN HEIGHT. MAIN BUILDING MAY HAVE WALK-OUT BASEMENT.



DRAWING NUMBER

A-1.1

**TERMS OF REFERENCE  
LAND USE REPORT (LUR)  
APPLICATION FOR A SPA FACILITY AND HOSPITALITY SERVICES AT  
1274 BLACKHEAD ROAD  
PROPONENT: HW ARCHITECTURE  
JUNE 21, 2022**

---

The proponent shall identify significant impacts and, where appropriate, also identify measures to mitigate impacts on land uses adjoining the subject property. All information is to be submitted under one report in a form that can be reproduced for public information and review. The numbering and ordering scheme used in the report shall correspond with that used in this Terms of Reference and a copy of the Terms of Reference shall be included as part of the report (include an electronic PDF version with a maximum file size of 15MB). A list of those persons/agencies who prepared the Land Use Report shall be provided as part of the report. The following items shall be addressed by the proponent at its expense:

**A. Public Consultation**

- Prior to submitting a first draft of the Land Use Report to the City for review, the applicant must consult with adjacent property owners. The Land Use Report must include a section which discusses feedback and/or concerns from the neighbourhood and how the proposed design addresses the concerns.

**B. Building Use.**

- Identify the size of all proposed buildings by:
  - Gross Floor Area, and
  - Floor Area Ratio (FAR).
- Identify all proposed uses/occupancies within the building by their respective floor area.
- Identify the number of employees and the hours of operation.

**C. Elevation & Building Materials**

- Provide elevations of the proposed building.
- Identify the finish and colour of exterior building materials.

**D. Building Height & Location**

- Identify graphically the exact location with a dimensioned civil site plan:
  - Location of the proposed building in relation to neighbouring buildings;
  - Proximity of the building to property lines and identify setbacks;
  - Identify any stepbacks of higher storeys from lower storeys (if applicable);
  - Identify any encroachment over property lines (if applicable);
  - Identify the height of all buildings;
  - Information on the proposed construction of patios/balconies (if applicable); and
  - Identify if the building will be sprinklered or not.
  - Provide street scape views/renderings of the proposed building from the property frontage at Blackhead Road.
- Provide a Legal Survey of the property.

**E. Exterior Equipment and Lighting**

- Identify the location and type of exterior lighting to be utilized, including parking lot lighting if applicable. Identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.
- Identify the location and type of any exterior HVAC equipment if applicable and identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.

**F. Landscaping & Buffering**

- Identify with a landscaping plan, details of site landscaping (hard and soft).
- Identify the location and proposed methods of screening of any electrical transformers and refuse containers to be used at the site.

**G. Snow Clearing/Snow Storage**

- Provide information on any snow clearing/snow removal operations.

**H. Off-street Parking and Site Access**

- Identify the number and location of off-street parking spaces to be provided, including accessible parking spaces.
- Identify the number and location of bicycle parking to be provided.
- Identify the location of all access and egress points.
- Plans must be in accordance with the City's Commercial Development Policy.

**I. Site Servicing**

- Indicate how water will be obtained and provide information on the proposed installation of onsite septic systems. Show locations on the site plan.
- The proposed development will be required to comply with the City's stormwater detention policy. Provide information on how onsite stormwater detention will be managed.

**J. Construction Timeframe**

- Indicate any phasing of the project and approximate timelines for beginning and completion of each phase or overall project.

RURAL RESIDENTIAL (RR) ZONE

RR

(1) PERMITTED USES

Accessory Building	Lodging House
Bed and Breakfast	Park
Community Garden	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit

(2) DISCRETIONARY USES

Agricultural Use	Kennel
Daycare Centre	Parking Lot
Forestry Use	Place of Worship
Heavy Equipment Storage	Public Utility
Home Occupation	Residential Retail Store
Indoor Riding Arena	Warehouse

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	4000 metres square
(b)	Lot Frontage (minimum)	45 metres
(c)	Building Line (minimum)	20 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 6 metres
(f)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS FOR ALL OTHER USES

(a)	Lot Area (minimum)	4000 metres square
(b)	Lot Frontage (minimum)	45 metres
(c)	Building Line (minimum)	20 metres
(d)	Building Height	Council discretion
(e)	Side Yards (minimum)	Two of 6 metres
(f)	Rear Yard (minimum)	6 metres



# DECISION/DIRECTION NOTE

---

**Title:** Bike Lane Pavement Markings

**Date Prepared:** June 22, 2022

**Report To:** Committee of the Whole

**Councillor and Role:** Councillor Maggie Burton, Transportation & Regulatory Services

**Ward:** N/A

---

## **Decision/Direction Required:**

Direction is required to maintain bike lane pavement markings for recommended routes.

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

### **2009 Cycling Master Plan**

Following the adoption of the 2009 Cycling Master Plan, the city installed signage and pavement markings to designate 32 kms of shared streets and painted bike lanes.

In the decade that followed, implementation of the 2009 Cycling Master Plan was discontinued. Some bike lanes were removed. Following conversations with Council, the bike lane pavement markings were not maintained and in some areas they are now unrecognizable.

### **2019 Bike St. John's Master Plan**

Council approved the Bike Master Plan in 2019 and committed to its vision to create “a safe, inclusive, and convenient cycling network that is well-connected, attractive, and reflective of the City’s unique topography and climate. As part of an integrated mobility network, this is supported by policies and programs that promote a cycling friendly culture.”

The 2019 Bike Master Plan outlines a citywide bike network and implementation plan, including the following action item.

*Primary Action: Remove signs and bicycle pavement markings on 2009 Cycling Master Plan routes that are no longer incorporated in the 2019 bike network. (Section 7.3.2 Old Route Retirement)*

The plan outlines which bike routes do not form part of the new network and as such, can be reverted to their previous configuration. These routes have been removed.

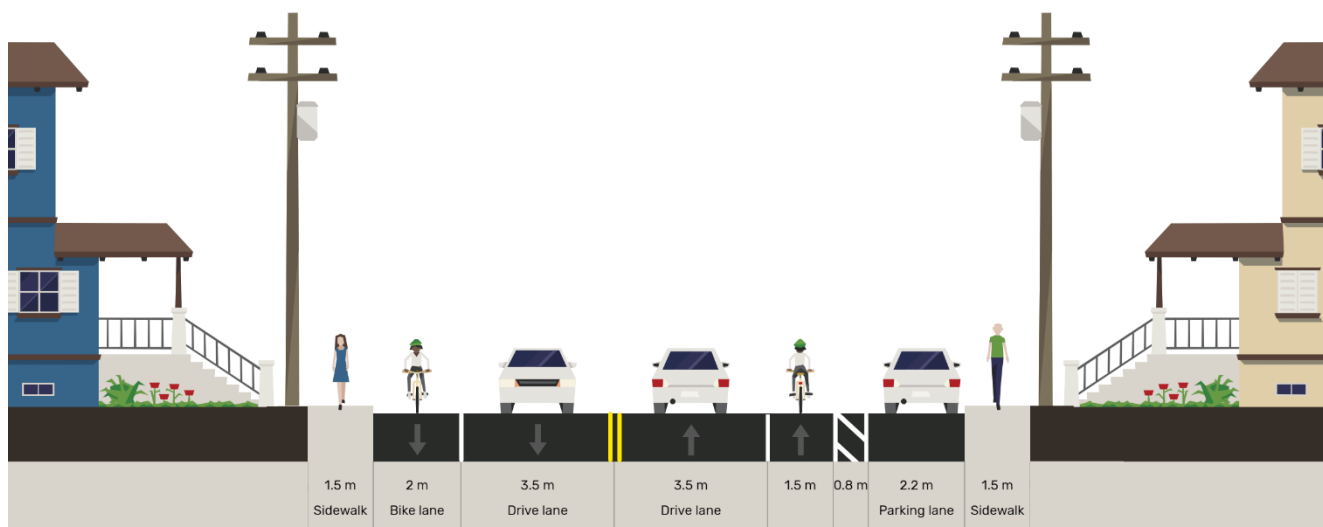
The 'signed-only' routes and 'sharrows' have also been removed. These did not adequately improve safety for people cycling along those streets.

Appendix A includes a table listing all the on-street bike routes that have been installed and removed since 2009.

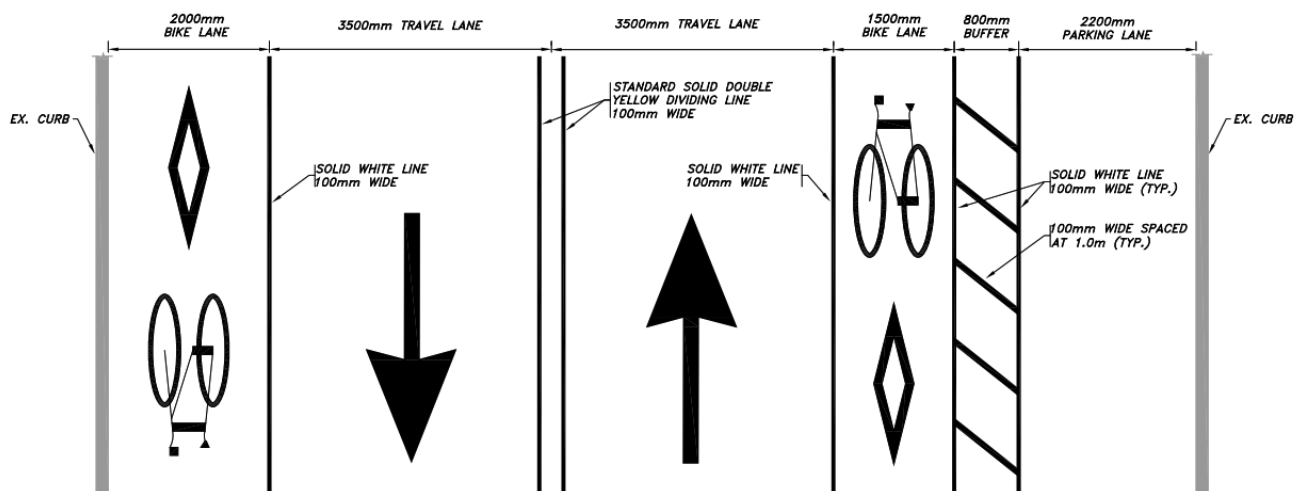
This leaves the streets that have painted bike lanes and are part of the full bike network. There are currently painted bike lanes on 6 streets that are part of the bike network. These streets are listed below.

<i>Neighbourhood</i>	<i>Street</i>	<i>Bike Network</i>
Airport Heights	Airport Heights Drive (Parkers Pond Road to Elderberry Place)	Full Network
	Viscount Street (Airport Heights Drive to SUP at Portugal Cove Rd)	Full Network
Cowan Heights	Cowan Avenue (Freckler Drive to Topsail Road)	Full Network
	Canada Drive (Hamlyn Road to Cowan Avenue)	Backbone Network
Mundy Pond	Munday Pond Road (Columbus Drive to Cashin Avenue/Campbell Ave)	Backbone Network
	Cashin Avenue Ext. (Mundy Pond Road to Blackmarsh Road)	Full Network

In each of these areas, there are painted unidirectional bike lanes on each side of the street, usually with a hatched buffer and parking allowed on one side. The bike lanes include painted bike symbols with reserved bike lane diamonds. The intersection pavement markings are very simple. The following figure shows a typical cross-section for Airport Heights Drive.



The following pavement markings are required for the cross-section illustrated above.



### Painted Bike Lanes and Safety

From a safety perspective, the following evaluation of painted bike lanes is relevant.

*The literature indicates that painted bicycle lanes reduce bicycle injury and collision frequency when compared to roadways without bicycle facilities. This result is supported by research investigating the impact of vehicle encroachment which indicates that painted bicycle lanes increase the distance between overtaking vehicles and bicyclists. At intersections, collision rate decreases with the presence of painted bicycle lanes*

*approaching the intersection. The literature indicates that confident bicyclists perceive painted bicycle lanes to be comfortable when compared to no facility. However, noncyclists do not perceive painted bicycle lanes to be comfortable. (TAC Report: Safety Performance of Bike Infrastructure in Canada, 2020)*

To increase bike ridership and meet the city's mode share targets it is important to build bike routes that are comfortable and attractive to new riders. Although painted bike lanes improve safety as noted above, they are not generally perceived as attractive for new or nervous riders. They are a good type of bike route depending on context.

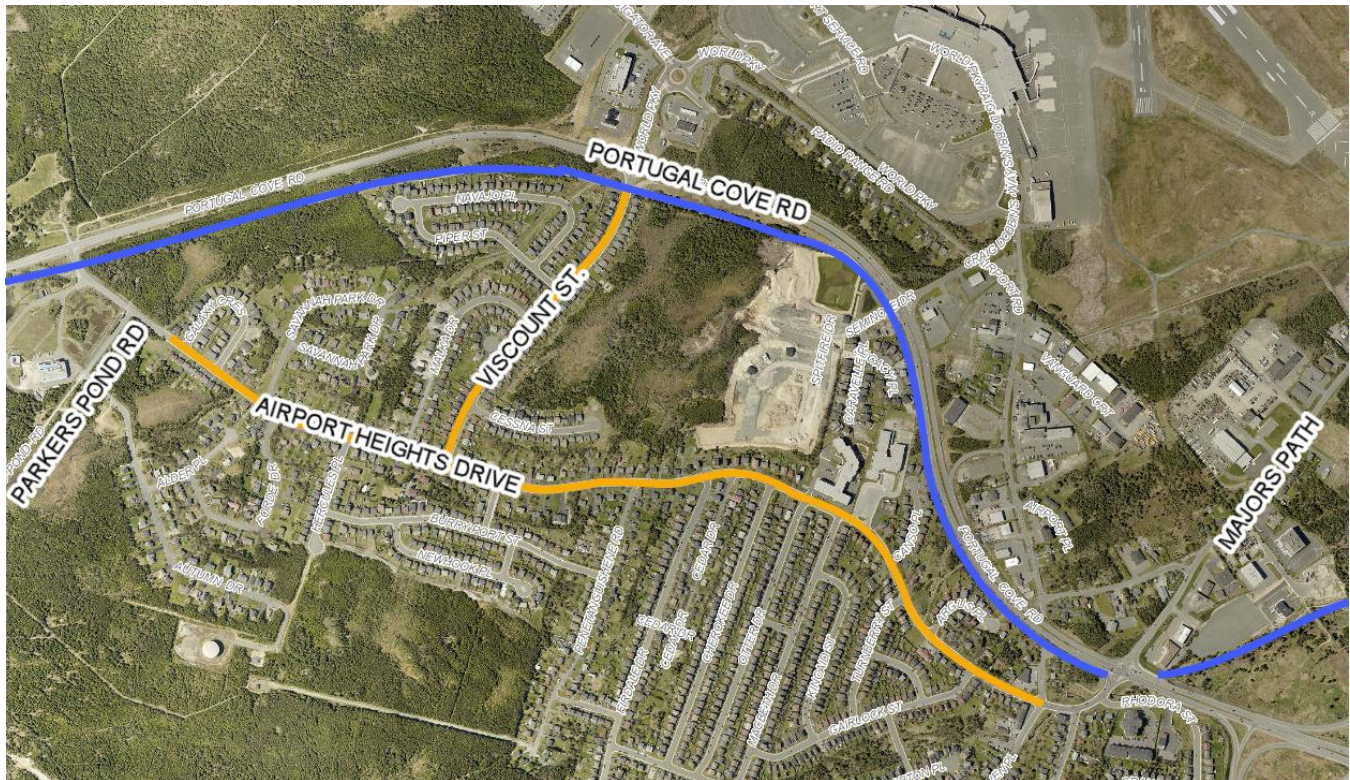
The white edge line that is created by the bike lane is a critical piece of pavement marking for safe operation of the road. Without it, drivers do not receive the appropriate guidance on lane discipline or speed cues. As such the bike lane pavement markings need to be regularly maintained.

### **Airport Heights Drive & Viscount Street Bike Lanes**

The painted bike lanes in Airport Heights connect almost immediately to other existing sections of the bike network and are important links to maintain and grow our bicycle network. These connections are described below and shown in the following image.

The painted bike lanes on Airport Heights Drive extend from Elderberry Place to where the sidewalks end at Parkers Pond Road. They connect the shared-use path along Portugal Cove Road through Viscount Street, Argus Place and Elderberry Place. These bike lanes pass in front of Roncalli Elementary School. Curb extensions have been installed in front of the school with bike lanes built-in.

The painted bike lanes on Viscount Street connect the Airport Heights Drive bike lanes to the shared-use path along Portugal Cove Road.



**ORANGE LINE – PAINTED BIKE LANES (EXISTING)**

**BLUE LINE – SHARED-USE PATH (EXISTING)**

*Recommendation:*

- *Maintain painted bike lanes on Airport Heights Drive*
- *Maintain painted bike lanes on Viscount*
- *Add wayfinding signage at Elderberry Place and Argus Place to improve connectivity to the Shared-Use Path along Portugal Cove Road*

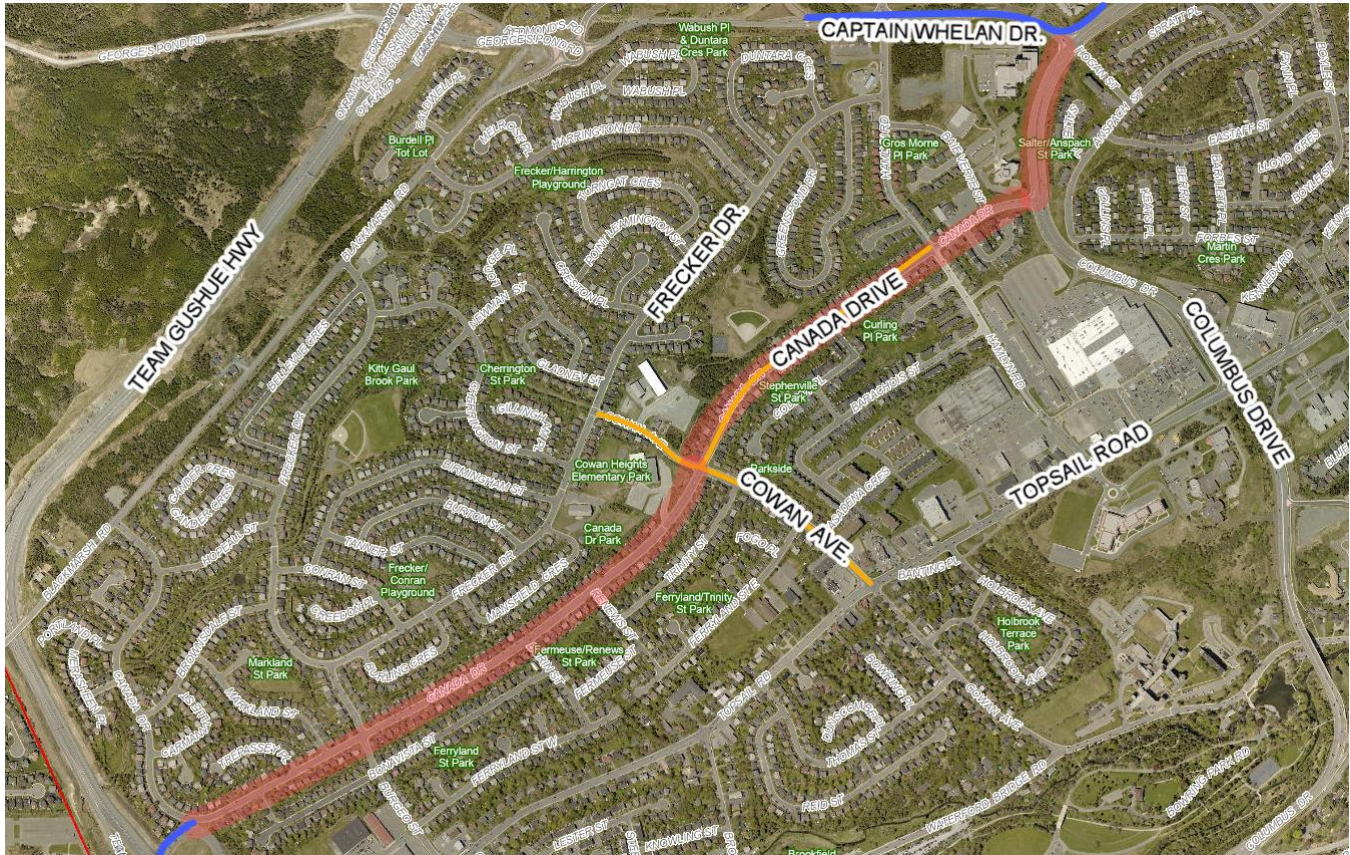
**Canada Drive & Cowan Avenue Bike Lanes**

The painted bike lanes along Canada Drive extend from Hamlyn Road to Cowan Avenue.

Canada Drive is in the process of being redesigned with a shared-use path from Columbus Drive to approximately Civic #243 where a shared-use path will connect under Team Gushue Highway. The new design will include a shared-use path along one side of the street, establishing an improved bike route along this corridor. Construction will be phased over several years and is scheduled to start in 2023.



The painted bike lanes along Cowan Avenue extend from Topsail Road to Frecker Drive. This route is an important connection to the neighbourhood pathway network at Frecker Drive, to two elementary schools, to Canada Drive (backbone bike network) and Topsail Road (full bike network). Although there are currently no bike lanes on Topsail Road, the Cowan Avenue painted bike lanes end about 300m from Waterford Valley High which is an important destination.



**RED SHADED AREA – CANADA DRIVE SHARED-USE PATH (PLANNED)**

**ORANGE LINE – PAINTED BIKE LANES (EXISTING)**

**BLUE LINE – SHARED-USE PATH (EXISTING)**

#### *Recommendation:*

- *Remove bike lanes on Canada Drive because construction of a more comfortable active transportation facility is scheduled to start next year*
- *Maintain painted bike lanes on Cowan Avenue between Frecker Drive and Topsail Road*

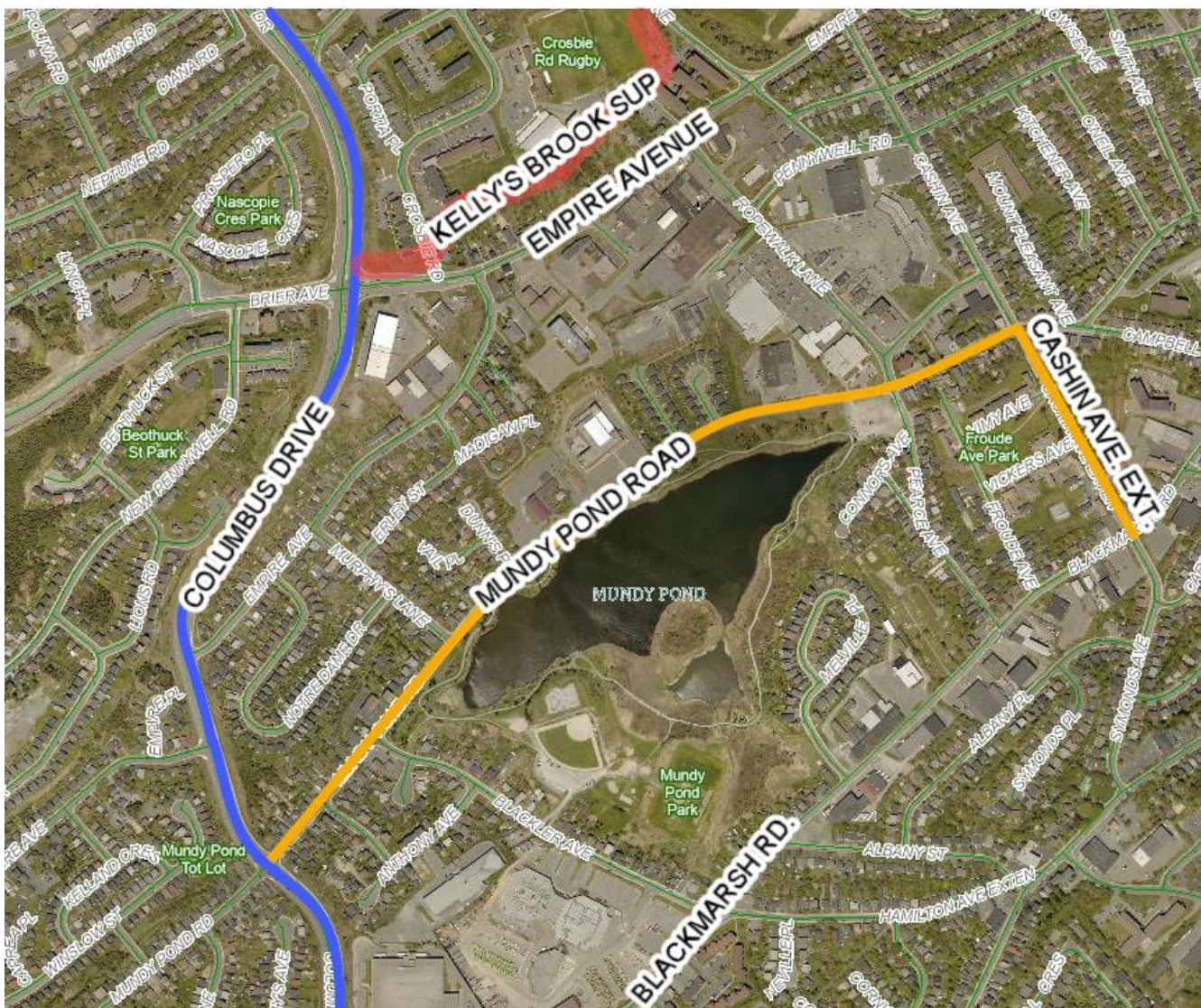


## Mundy Pond Road & Cashin Avenue Extension Bike Lanes

These painted bike lanes connect almost immediately to other existing sections of the bike network and are important links to maintain and grow our bicycle network. These connections are described below and shown in the following image.

The painted bike lanes on Mundy Pond Road and Campbell Avenue extend from Cashin Avenue to the shared-use path on Columbus Drive. Some key destinations connected by this bike lane include St Theresa's Elementary School and Mundy Pond walking trail.

The painted bike lanes on Cashin Avenue Extension connect the bike lanes from Campbell Avenue to Blackmarsh Road.



**RED SHADED AREA – KELLY’S BROOK SHARED-USE PATH (PLANNED)**

**ORANGE LINE – PAINTED BIKE LANES (EXISTING)**

**BLUE LINE – SHARED-USE PATH (EXISTING)**

### *Recommendation*

- *Maintain bike lanes along Mundy Pond Road*
- *Maintain bike lanes along Cashin Avenue Extension bike lanes.*

### **On-Street Parking**

Over the years residents have started parking vehicles in the faded bike lanes.

The wintertime exemption of the parking restrictions along bike lanes was revoked with the adoption of 2019 Bike St John’s Master Plan.

In recent years parking officers have only issued tickets to vehicles parked in bike lanes where there is clear signage and only when a complaint was received. When pavement markings are maintained and clear, parking officers can enforce parking violations. The Parking Enforcement Division reviewed the streets with painted bike lanes in terms of parking supply and noted no concerns.

In 2020 and 2021 a contractor repainted the bike lane markings along Airport Heights Drive between Portugal Cove Road and Otter Drive as part of a road rehabilitation project. While 311 reported receiving no calls about the freshly painted bike lanes and Parking Enforcement do not recall any significant issues, residents did reach out to members of Council with concerns / complaints. Residents are generally aware of the bike lane in front of their house even if its faded.

Due to the changes in the bike program over the years and the enforcement approach, there may be some pushback anticipated when enforcement of painted bike lanes begins.

### **Key Considerations/Implications:**

#### **1. Budget/Financial Implications:**

The cost to complete this work is estimated at \$80k-\$90K. This money has not been budgeted for in 2022.

#### **2. Partners or Other Stakeholders:**

n/a

#### **3. Alignment with Strategic Directions:**

A City that Moves: Improve safety for all users on a well-maintained street network.

A City that Moves: Expand and maintain a safe and accessible active transportation network.

4. Alignment with Adopted Plans:

The 2019 Bike St John's Master Plan outlines the following action.

*Primary Action: Remove signs and bicycle pavement markings on 2009 Cycling Master Plan routes that are no longer incorporated in the 2019 bike network. (Section 7.3.2 Old Route Retirement)*

Council has committed to adopt a sustainable mode share target of 16% to be achieved by 2030 and 22% by 2050 (Decision Note November 2020). Achieving this target is only possible if the City continues to invest more in transit, pedestrian, and bike facilities.

5. Accessibility and Inclusion:

6. Legal or Policy Implications:

Parking enforcement of painted bike lanes is covered under the *Ticketing Amendment By-law* Section 13(1), which carries a \$75 fine.

7. Privacy Implications:

n/a

8. Engagement and Communications Considerations:

Letters will be distributed to residents along affected streets to communicate the maintenance or removal of painted bike lanes.

9. Human Resource Implications:

n/a

10. Procurement Implications:

n/a

11. Information Technology Implications:

n/a

12. Other Implications:  
n/a

**Recommendation:**

That Council approve painted bike lane pavement marking maintenance recommended in the table below and communicate with residents as follows.

- Distribute letters to residents on the affected streets explaining why the bike lanes are being repainted or removed, what it means for their parking options and garbage bin placement, and how to reach city staff with questions or concerns.
- Implement a 30-day enforcement grace period after pavement markings are completed, where Parking Services will leave notices/warnings on vehicles instead of issuing tickets.

<i>Street</i>	<i>Length (km)</i>	<i>Network</i>	<i>Line Painting</i>
Airport Heights Drive (Parkers Pond Road to Elderberry Place)	2.42	Full Network	<b>Maintain</b>
Viscount Street (Airport Heights Dr to Portugal Cove Rd SUP)	0.70	Full Network	<b>Maintain</b>
Cowan Avenue (Freckler Drive to Topsail Road)	0.68	Full Network	<b>Maintain</b>
Canada Drive (Hamlyn Road to Cowan Avenue)	0.68	Backbone Network	<b>Remove</b>
Mundy Pond Road (Columbus Dr to Cashin Avenue/Campbell Ave)	1.42	Backbone Network	<b>Maintain</b>
Cashin Avenue Ext. (Mundy Pond Road to Blackmarsh Road)	0.35	Full Network	<b>Maintain</b>
Total distance of bike lanes to be painted: 5.6kms			

**Prepared by:** Marianne Alacoque, Transportation Systems Engineer  
**Approved by:** Amer Afridi, Manager Transportation Engineering

**Report Approval Details**

Document Title:	Bike Lane Pavement Markings.docx
Attachments:	- Appendix A On-Street Bike Route Installations and Removals.pdf
Final Approval Date:	Jun 23, 2022

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

**Scott Winsor - Jun 22, 2022 - 4:29 PM**

**No Signature - Task assigned to Jason Sinyard was completed by workflow administrator Karen Chafe**

**Jason Sinyard - Jun 23, 2022 - 4:18 PM**



## APPENDIX A: On-street bike route installation and removal since 2009

S.N.	Street	Installed in 2011 as per 2009 Cycling Plan	Status in the 2019 Bike Master Plan (Backbone or Full network)	Removed based on 2019 Bike Master Plan	Streets with Painted Bike Lanes (2022)
1	Airport Heights Drive	Dedicated Cycle lane	Full Network		Existing Bike Lane
2	Viscount Street	Dedicated Cycle lane	Full Network		Existing Bike Lane
3	Frecker Drive (Blackmarsh Road to Hamlyn Road)	Dedicated Cycle lane	none	Removed	
4	Hamlyn Road	Dedicated Cycle lane	none	Removed	
5	Cowan Avenue (Frecker Drive to Topsail Road)	Dedicated Cycle lane	Full Network		Existing Bike Lane
6	Cowan Avenue (Topsail to Waterford Bridge)	Sharrows (shared lane)	Full Network	Removed	
7	Canada Drive (Hamlyn Road to Cowan Avenue)	Dedicated Cycle lane	Backbone Network		Existing Bike Lane
8	East White Hills Road	Dedicated Cycle lane	none	Removed	
9	O'leary Avenue	Dedicated Cycle lane	none	Removed	
10	Munday Pond Road/Campbell Avenue	Dedicated Cycle lane	Backbone Network		Existing Bike Lane
11	Cashin Avenue Ext./Blackmarsh Road	Dedicated Cycle lane	Full Network		Existing Bike Lane
13	Churchill Avenue	Sharrows (shared lane)	Full Network	Removed	
14	Wicklow Street	Sharrows (shared lane)	none	Removed	
15	Larkhal Street	Sharrows (shared lane)	Full Network	Removed	
16	Blackmarsh Road/ Bennett Avenue/Campbell Avenue	Sharrows (shared lane)	none	Removed	
17	Hogan Street/Anspach Street/Mercer's Lane	Sharrows (shared lane)	none	Removed	
18	Mcniven Place/Elderberry Place	Signed only	none	Removed	
19	Hamilton Avenue/Job Street	Signed only	Full Network	Removed	
20	Beaumont Street/Pleasant Street/Patrick Street	Signed only	none	Removed	
21	Topsail Road (Craigmillar Ave to Blackhead Road Ref C0)	Sharrows (shared lane)	Full Network	Removed	
22	James Lane/Cornwall Avenue/Craigmillar Avenue	Signed only	Full Network	Removed	
23	Merrymeeting Road (small section)	Signed only	Full Network	Removed	
24	Newtown Road	Signed only	Backbone network	Removed	
25	The Boulevard/Quidi Vidi Village Road	Signed only	Full Network	Removed	
26	Quidi Vidi Village Road/Forest Road	Signed only	none	Removed	
27	Empire Avenue/Signal Hill Road	Signed only	none	Removed	
28	Southside Road	Signed only	none (T'railway identified in backbone network)	Removed	
29	Southside Road/Fort Amherst Road	Signed only	none	Removed	

# DECISION/DIRECTION NOTE

---

**Title:** Built Heritage Experts Panel - Membership

**Date Prepared:** June 16, 2022

**Report To:** Committee of the Whole

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

**Ward:** N/A

---

## **Decision/Direction Required:**

Approval of a new member of the Built Heritage Experts Panel (BHEP) as directed by lead staff.

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

The City's Built Heritage Experts Panel provides expertise, opinion, and perspective about built heritage, its protection and designation in the City of St. John's. The Built Heritage Experts Panel considers applications, proposals, reports, and related items referred to it by staff or Council and makes recommendations to Council on heritage matters.

Nicholas Lynch informed Staff in April of 2022 that he would no longer be able to participate as a member of the BHEP. As a result, a Call for Members was placed in April to fill the "Other" with demonstrated relevant experience category. The call was advertised in the Telegram and on the City's website, shared via social media, and circulated to Committee Members and the Inclusion Network. Nine applications were received, and Staff are recommending Tyler Stapleton for Council's approval.

Mr. Stapleton is a sitting member on the board of Directors of the NL Historic Trust, a volunteer, non-profit organization dedicated to the preservation of the province's historic buildings and landscapes and their importance to communities. The combination of Mr. Stapleton's volunteer work, experience with restoration, and perspective as a resident make him an excellent candidate to fill the vacancy on the BHEP.

## **Key Considerations/Implications:**

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

# ST. JOHN'S

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

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

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

4. Alignment with Adopted Plans: Heritage By-Law
5. Accessibility and Inclusion: The call was circulated through the City's Inclusion Network and the application form is available in a variety of formats. Assistance is available through the City's Clerk's department if required.
6. Legal or Policy Implications: N/A
7. Privacy Implications: N/A
8. Engagement and Communications Considerations: Calls for new members were advertised and promoted by the City's Communications Division.
9. Human Resource Implications: N/A
10. Procurement Implications: N/A
11. Information Technology Implications: N/A
12. Other Implications: N/A

**Recommendation:**

That Council approve of the appointment of Tyler Stapleton to the Built Heritage Experts Panel.

**Prepared by:**

**Approved by:**

**Report Approval Details**

Document Title:	Built Heritage Experts Panel - Membership June 2022.docx
Attachments:	
Final Approval Date:	Jun 20, 2022

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

**No Signature found**

**Ken O'Brien - Jun 20, 2022 - 10:29 AM**

**Karen Chafe - Jun 20, 2022 - 11:05 AM**

# DECISION/DIRECTION NOTE

**Title:** Youth Engagement Working Group Membership

**Date Prepared:** June 17, 2022

**Report To:** Committee of the Whole

**Councillor and Role:** Councillor Jill Bruce, Youth Engagement Working Group

**Ward:** N/A

---

## **Decision/Direction Required:**

Approval of a new member of the Youth Engagement Working Group (YEWG) as directed by lead staff.

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

The City's Youth Engagement Working Group oversees the implementation of the Youth Engagement Strategy approved by Council in October 2020 and provides ongoing advice and guidance on how to best engage youth on City matters.

At the YEWG meeting of June 7, 2022, Nicholas Hillier informed the working group that he was resigning from his position. As all membership applications remain on file for a period of two years for consideration should a vacancy occur, staff returned to their list of applicants resulting from the call placed in Winter of 2022. During the selection review process, applicants were ranked via a rubric of qualities: diversity, passion, and value, all of which were based on the responses to the following questions:

- Why do you want to be involved with the Youth Engagement Working Group?
- How would the Youth Engagement Working Group benefit from your involvement?

Applicants were also given the opportunity to identify as either 2SLGBTQIA +, indigenous, a person with a disability, or a visible minority, to ensure the working group is representative of the youth community. Rankings were then averaged, and of the remaining candidates, staff are recommending Saadia Jamila Mary Azam for appointment to the YEWG.

## **Key Considerations/Implications:**

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

# ST. JOHN'S



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

4. Alignment with Adopted Plans: Youth Engagement Strategy
5. Accessibility and Inclusion: N/A
6. Legal or Policy Implications: N/A
7. Privacy Implications: N/A
8. Engagement and Communications Considerations: Communications Staff advertised and promoted the original call for members.
9. Human Resource Implications: N/A
10. Procurement Implications: N/A
11. Information Technology Implications: N/A
12. Other Implications: N/A

**Recommendation:**

That Council appoint Saadia Jamila Mary Azam to the Youth Engagement Working Group.

**Prepared by: Jennifer Squires, Legislative Assistant**

**Approved by: Victoria Etchegary, Manager, Organizational Performance and Strategy**

**Report Approval Details**

Document Title:	Youth Engagement Working Group Membership - June 2022.docx
Attachments:	
Final Approval Date:	Jun 20, 2022

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

**Karen Chafe - Jun 20, 2022 - 9:33 AM**

**Development Permits List  
For the Period of June 23 to July 6, 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		Residential Building Lot	364 Old Pennywell Road	4	Approved	22-06-24
RES		Subdivision for 1 additional lot for Semi-Detached Dwelling	66 Leslie Street	2	Approved	22-06-24
COM	Drive Products Inc.	Commercial Garage	30 Edmond Place	4	Approved	22-06-24
RES		Single Detached Dwelling	358 Old Pennywell Road	4	Approved	22-06-30

**\* 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**

---

## Building Permits List

### Council's July 12, 2022, Regular Meeting

Permits Issued: 2022/06/23 to 2022/07/06

#### Class: Residential

1 Legacy Pl	Accessory Building	Accessory Building
11 Chafe's Lane	New Construction	Single Detached w/ apt.
11 Merasheen Pl	Extension	Single Detached Dwelling
11 Renouf Pl	Site Work	Single Detached Dwelling
11 Suez St	New Construction	Single Detached Dwelling
123 Edison Pl	Deck	Patio Deck
133 Diamond Marsh Dr	Site Work	Swimming Pool/Hot Tub
14 St. Joseph's Lane	Fence	Fence
151 Casey St	Renovations	Single Detached Dwelling
16 Montague St	Change of Occupancy	Home Office
164 Castle Bridge Dr	Fence	Fence
165b Doyle's Rd	New Construction	Single Detached w/ apt.
17 Devine Pl	Renovations	Townhousing
19 Leonard J. Cowley St	Fence	Fence
19 Old Bay Bulls Rd	Deck	Patio Deck
19 Point Leamington St	Fence	Fence
199 Frecker Dr	Renovations	Single Detached Dwelling
2 Coleman Pl	Fence	Fence
22 Dauntless St	Fence	Fence
22 Dauntless St	Site Work	Single Detached Dwelling
22 Electra Dr	New Construction	Single Detached Dwelling
23 Lynch Pl	New Construction	Semi Detached Dwelling
238 Stavanger Dr	Accessory Building	Accessory Building
24 Castle Bridge Dr	Site Work	Swimming Pool/Hot Tub
24 Empire Ave	New Construction	Single Detached Dwelling
25 Lynch Pl	New Construction	Semi Detached Dwelling
26 Claddagh Rd	New Construction	Single Detached Dwelling
26 Henry St	Fence	Fence
26 Rosalind St	Accessory Building	Accessory Building
27 Lynch Pl	New Construction	Semi Detached Dwelling

271 Freshwater Rd	Accessory Building	Accessory Building
29 Lynch Pl	New Construction	Semi Detached Dwelling
3 Carson Ave	Renovations	Single Detached Dwelling
3 Glen Abbey St	Fence	Fence
3 Ozark Pl	Fence	Fence
3 Ozark Pl	Accessory Building	Accessory Building
3 Sheffield Pl	Renovations	Single Detached Dwelling
31 Burton St	Accessory Building	Accessory Building
34 Craigmillar Ave	Renovations	Single Detached Dwelling
35 King's Bridge Rd	Renovations	Apartment Building
36 O'reilly St	Accessory Building	Accessory Building
4 Connolly's Lane	Accessory Building	Accessory Building
4 Lilac Cres	Fence	Fence
40 Carpasian Rd	Renovations	Single Detached Dwelling
41 Goodridge St	New Construction	Townhousing
42 Diamond Marsh Dr	Site Work	Landscaping
43 Goodridge St	New Construction	Townhousing
44 Autumn Dr	Site Work	Single Detached Dwelling
44 Boyle St	Renovations	Single Detached Dwelling
44 Diamond Marsh Dr	Deck	Patio Deck
45 Goodridge St	New Construction	Townhousing
47 Great Southern Dr	Renovations	Semi Detached Dwelling
48 Rumboldt Pl	Deck	Patio Deck
49 Nautilus St	New Construction	Single Detached Dwelling
5 Ireland St	Change of Occupancy/Renovations	Single Detached w/ apt.
5 Terry Lane	Accessory Building	Accessory Building
58 Empire Ave	Fence	Fence
586 Southside Rd	Renovations	Single Detached w/ apt.
59 Huntingdale Dr	Renovations	Single Detached Dwelling
6 Eden St	Deck	Patio Deck
6 St. Shotts Pl	Accessory Building	Accessory Building
60 Almond Cres	Renovations	Single Detached Dwelling
61 Jordan Pl	New Construction	Single Detached Dwelling
61-63 Howlett's Line	Renovations	Single Detached Dwelling
70 Circular Rd	Site Work	Retaining Walls



782 Main Rd	Change of Occupancy/Renovations	Single Detached w/ apt.
8 Ginger St	New Construction	Single Detached Dwelling
8 Stenlake Cres	Deck	Patio Deck
9 Carrick Dr	Accessory Building	Accessory Building
9 Pepperwood Dr	Fence	Fence
94 Tigress St	New Construction	Single Detached Dwelling

This Week: \$4,839,781.44

**Class: Commercial**

11 Major's Path	Sign	Commercial Garage
13 George St	Renovations	Tavern
14 George St	Change of Occupancy	Patio Deck
140 Water St	Change of Occupancy	Patio Deck
156 Water St	Change of Occupancy	Patio Deck
169-173 Water St	Change of Occupancy	Patio Deck
18 East White Hills Rd	Renovations	Retail Store
181c Brookfield Rd	Accessory Building	Accessory Building
199 Kenmount Rd	Accessory Building	Accessory Building
235 Danny Dr	Accessory Building	Accessory Building
235 Water St	Change of Occupancy/Renovations	Office
270 Water St	Sign	Retail Store
288 Water St	Change of Occupancy	Patio Deck
288 Water St	Change of Occupancy	Patio Deck
295-301 Water St	Change of Occupancy	Patio Deck
315 Water St	Change of Occupancy	Fence
32 George St	Change of Occupancy	Restaurant
320 Water St	Change of Occupancy	Patio Deck
329 Duckworth St	Change of Occupancy	Patio Deck
36 Pearson St	Renovations	Restaurant
362 Duckworth St	Change of Occupancy	Patio Deck
42-44 Elizabeth Ave	Change of Occupancy	Retail Store
5 Sea Rose Ave	Renovations	Other
53-59 Main Rd	Sign	Retail Of Building Supply
8 Adelaide St	Change of Occupancy	Patio Deck

This Week: \$1,715,401.00

**Class: Government/Institutional**

This Week: \$0.00

**Class: Industrial**

This Week: \$0.00

**Class: Demolition**

41 Goodridge St

Demolition

Single Detached Dwelling

This Week: \$5,000.00

**This Week's Total: \$6,560,182.44**

Repair Permits Issued 2022/06/23 to 2022/07/06:

\$110,236.75

YEAR TO DATE COMPARISONS			
July 12, 2022			
TYPE	2021	2022	% VARIANCE (+/-)
Residential	\$25,815,709.90	\$39,448,180.63	53
Commercial	\$88,948,627.54	\$49,585,095.58	-44
Government/Institutional	\$1,309,499.00	\$570,288.00	-56
Industrial	\$4,164,500.00	\$31,000.00	-99
Repairs	\$3,134,476.43	\$840,337.44	-73
<b>TOTAL</b>	<b>\$123,372,812.87</b>	<b>\$90,474,901.65</b>	<b>-27</b>
Housing Units (1 & 2 Family Dwelling)	79	127	

Respectfully Submitted,

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

# MEMORANDUM

## **Weekly Payment Vouchers For The Week Ending June 29 & July 6, 2022**

### **Payroll**

<b>Public Works</b>	<b>\$ 969,901.77</b>
<b>Bi-Weekly Administration</b>	<b>\$ 868,616.25</b>
<b>Bi-Weekly Management</b>	<b>\$ 969,748.34</b>
<b>Bi-Weekly Casual</b>	<b>\$ 51,116.83</b>
<b>Bi-Weekly Fire Department</b>	<b>\$ 903,359.07</b>
<b>Accounts Payable</b>	<b>\$ 4,311,682.41</b>

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

**Total: \$ 8,074,424.67**

# **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:** 2022024 – Electronic Vending Units for Fleet Shop Supplies and Consumables  
**Date Prepared:** Wednesday, June 29, 2022  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Ron Ellsworth, Finance & Administration  
**Ward:** N/A

**Department:** Public Works  
**Division:** Fleet  
**Quotes Obtained By:** Sherry Kieley  
**Budget Code:** 3121-55588  
**Source of Funding:** Operating

**Purpose:**

The purpose of this Open Call is to provide vending units for fleet shop supplies and consumables. The vending units will be located in the Fleet Maintenance Garage.

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

Vendor Name	Bid Amount
Grainger Canada	\$47,279.61
MSC Industrial Supply Inc.	\$71,397.20

**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:** 1 year with the possibility of four 1 year extensions

**Bid Exception:** None

**Recommendation:**

That Council approve for award this Open Call to the lowest bidder meeting specifications, Grainger Canada for \$47,279.61 (HST excluded) per year as per the Public Procurement Act.

**Attachments:**

# ST. JOHN'S

### Report Approval Details

Document Title:	2022024 - Electronic Vending Units for Fleet Shop Supplies and Consumables.docx
Attachments:	
Final Approval Date:	Jun 30, 2022

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

**Rick Squires - Jun 30, 2022 - 9:31 AM**

**Derek Coffey - Jun 30, 2022 - 9:35 AM**



# BID APPROVAL NOTE

**Bid # and Name:** 037-22PHM - Supply and Delivery of Winter Salt to the Department of Transportation and Infrastructure Storage Locations and various Municipal Storage Locations throughout the Province of Newfoundland and Labrador

**Date Prepared:** Thursday, June 30, 2022

**Report To:** Regular Meeting

**Councillor and Role:** Councillor Sandy Hickman, Public Works

**Ward:** N/A

**Department:** Public Works

**Division:** Roads and Traffic

**Quotes Obtained By:** Sherri Higgins

**Budget Code:** 3231-55277

**Source of Funding:** Operating

**Purpose:**

The purpose of this procurement is for the supply of salt for winter road maintenance.

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

Vendor Name	Bid Amount
A. Harvey & Company Limited	\$4,007,000.00

**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:** One year with two possible one-year extensions

**Bid Exception:** None

**Recommendation:**

That Council approve for award this open call to the lowest and sole bidder for the City of St. John's, A. Harvey & Company Limited, for \$4,007,000.00 per year (HST not incl.) as per the Public Procurement Act. **Note:** this open call was completed by the Provincial government.

# ST. JOHN'S

**Attachments:**

### Report Approval Details

Document Title:	Supply and Delivery of Winter Salt to the Dept of Transportation and Infrastructure and Municipal Locations throughout NL.docx
Attachments:	
Final Approval Date:	Jul 5, 2022

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

**Rick Squires - Jul 4, 2022 - 9:01 AM**

**Derek Coffey - Jul 5, 2022 - 4:04 PM**

# DEPARTMENTAL APPROVAL REQUEST/RFP

**Commodity/Bid #:** 2022075 – Supply and Installation of Service Truck Bodies  
**Date Prepared:** Wednesday, July 6, 2022  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Sandy Hickman, Public Works  
**Ward:** N/A

**Department:** Public Works  
**Quotes Obtained By:** Sherry Kieley  
**Budget Code:** 4131-52629  
**Source of Funding:** Operating

**Purpose:**

The purpose of this open call is to replace two service truck bodies for water and sewer maintenance.

**Proposals Submitted By:**

Vendor Name
Action Car and Truck Accessories - \$116,767.38 (HST excluded)
NL Lightbars and Offroad Accessories

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

**Contract Duration:** Delivery shall be on or before December 16, 2022.

**Recommendation:**

That Council approve for award this Open Call to the lowest bidder meeting specifications, Action Car and Truck Accessories for \$116,767.38 (HST excluded) per year as per the Public Procurement Act.

**Attachments:**

# ST. JOHN'S

### Report Approval Details

Document Title:	2022075 - Supply and Installation of Service Truck Bodies.docx
Attachments:	
Final Approval Date:	Jul 6, 2022

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

**No Signature - Task assigned to Andrew Niblock was completed by delegate Lynnann Winsor**

**Andrew Niblock - Jul 6, 2022 - 10:32 AM**

**Lynnann Winsor - Jul 6, 2022 - 10:33 AM**



# BID APPROVAL NOTE

**Bid # and Name:** 2022132 - 2022 Bridge Rehabilitation - Contract 3  
**Date Prepared:** Wednesday, July 6, 2022  
**Report To:** Regular Meeting  
**Councillor and Role:** Councillor Sandy Hickman, Public Works  
**Ward:** N/A

**Department:** Planning Engineering & Regulatory Services  
**Division:** Engineering  
**Quotes Obtained By:** Sherri Higgins  
**Budget Code:** ENG-2022-075  
**Source of Funding:** Capital

**Purpose:**

Undertaking necessary bridge rehabilitation works at the Blackhead Road Bridge over the Waterford River.

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

Vendor Name	Bid Amount
Pyramid Construction Limited	\$501,026.25

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

**Contract Duration:** Substantial Completion is required by October 28, 2022.

**Bid Exception:** None

**Recommendation:**

That Council approve for award this open call to lowest and sole bidder meeting specifications, Pyramid Construction Limited, for \$501,026.25 (HST Incl.) as per the Public Procurement Act.

**Attachments:**

# ST. JOHN'S

### Report Approval Details

Document Title:	2022132 - 2022 Bridge Rehabilitation - Contract 3.docx
Attachments:	
Final Approval Date:	Jul 7, 2022

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

**Rick Squires - Jul 6, 2022 - 1:54 PM**

**No Signature - Task assigned to Derek Coffey was completed by workflow administrator Karen Chafe**

**Derek Coffey - Jul 7, 2022 - 12:27 PM**

## **NOTICE OF MOTION**

**TAKE NOTICE** that I will at the next regular meeting of the St. John's Municipal Council move a motion to remove the Heritage Building designation on the annex portion of George Street United Church located at 25 Buchanan Street/130 George Street West

DATED at St. John's, NL this \_\_\_\_\_ day July, 2022.

---

COUNCILLOR

# ST. JOHN'S

# DECISION/DIRECTION NOTE

**Title:** 74 Circular Road, Restore Front Entrance, DEC2200071

**Date Prepared:** July 5, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 2

---

## **Decision/Direction Required:**

To approve the proposed front entrance restoration at 74 Circular Road, a designated Heritage Building.

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

The City has received an application to restore the front entrance at 74 Circular Road. The subject property is located in the Residential District of the St. John's Municipal Plan, the Residential Special 1 (RA1) Zone, Heritage Area 2 and is designated by Council as a Heritage Building.

Any exterior alterations to a designated Heritage Building require Council's approval. At its May 13, 2019, regular meeting, Council directed that minor maintenance applications for designated Heritage Buildings can be evaluated by staff and sent directly to Council for approval.

The applicant is proposing to replace aluminium columns at the front entrance with wood columns, as well as repair the cement base, tile the front steps and repair cedar decking. From the Heritage By-Law, the original style of decks and balconies on Heritage Buildings are to be maintained. Modern materials can be permitted if the appearance replicates the building's period/architectural characteristics. Staff have no concerns with the proposed renovations.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
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.

# ST. JOHN'S

4. Alignment with Adopted Plans: St. John's Heritage By-Law.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: Not applicable.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council approve the front entrance restoration at 74 Circular Road, as proposed.

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

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

**Report Approval Details**

Document Title:	74 Circular Road, Restore Front Entrance, DEC2200071.docx
Attachments:	- 74 Circular Road - Attachments.pdf
Final Approval Date:	Jul 5, 2022

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

**Ken O'Brien - Jul 5, 2022 - 4:31 PM**

**Jason Sinyard - Jul 5, 2022 - 4:38 PM**



## Statement of Significance



### **74 Circular Road – Canada House**

#### **Formal Recognition Type**

City of St. John's Heritage Building, Structure, Land or Area

#### **Description of Historic Place**

Canada House is a two-and-one-half storey, Queen Anne Revival, single dwelling located at 74 Circular Road, St. John's. The municipal heritage designation is confined to the footprint of the building.

#### **Heritage Value**

74 Circular Road, Canada House, has been designated a Municipal Heritage Building because of its aesthetic and historical values.

74 Circular Road has aesthetic value because it is a good example of Queen Anne Revival style. It has varying roof forms and a mixture of architectural styles. This house has a steep gable roof punctuated by three chimneys through the ridge. The asymmetrical facade has a two-storey tower at one end and one somewhat centrally located. They have steep pediments and this is reflected in the peaked dormer at the opposite end of the house. Large windows and a variety of classical features, like the pediments and columns are indicative of the Queen Anne Revival style. The house also has a transom over the main entrance located under the covered, open porch, as well as eaves brackets, dentils and some arched windows.

74 Circular Road has historic value because of its associations with its builders and prominent residents. It was built in 1902 by St. John's contractors M. and E. Kennedy, and painted and decorated under the supervision of architect M. F. Butler for the Hon. J.D. Ryan, a member of the Newfoundland legislature and a prominent Water Street merchant. The next owner was Sir Michael Cashin, a former Prime Minister of Newfoundland. The next occupant was Captain Olaf Olsen, who managed a shipping company in St. John's. In 1941 the house was taken over by the Canadian Government and it was then it acquired its present name, Canada House. It housed Charles J. Burchell, the first Canadian High Commissioner to Newfoundland. Between 1949,

when Newfoundland joined with Canada, and 1960, the Hon. J. R. Smallwood, the Premier of Newfoundland, had his home and offices there. The property was sold by the government in 1960 and today it is a private residence.

Source: City of St. John's Council meeting held 1981/10/24

### Character Defining Element

All those elements that embody the Queen Anne Style of architecture, including:

- varying roof forms;
- eaves brackets;
- bay windows;
- decorative work;
- porch;
- all window styles, shapes and fenestrations; and
- Classical pediments and columns.

### Notes of Interest

Picture windows with dentils. Pilasters throughout, two two-and-one-half-storey bow windows, with pediments, one with palladian window, one with semi-circular window. One one-storey bow window with hipped roof.

### Location and History

Community	St. John's
Municipality	City of St. John's
Civic Address	074 Circular Road
Construction	1902 - 1902
Architect	M.F. Butler
Builder	M. and E. Kennedy
Style	Queen Anne
Building Plan	Rectangular Long Façade
Website Link	<a href="http://en.wikipedia.org/wiki/Charles_Jost_Burchell">http://en.wikipedia.org/wiki/Charles_Jost_Burchell</a>

### Additional Pictures



### Statement of Significance









"Kedra," residence of Hon. J. D. Ryan, President B. I. S.



# INFORMATION NOTE

---

<b>Title:</b>	Minor Change to Respectful Workplace Policy
<b>Date Prepared:</b>	July 6, 2022
<b>Report To:</b>	Committee of the Whole
<b>Councillor and Role:</b>	Councillor Ron Ellsworth, Finance & Administration
<b>Ward:</b>	N/A

---

**Issue:** Minor changes required to Respectful Workplace Policy to comply with provincial Occupational Health and Safety requirements.

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

The City's Respectful Workplace Policy is part of its requirements under provincial Occupational Health and Safety legislation. The City has been advised that the review of the policy must occur on an annual basis.

Section 9 of the current policy states that the initial review of the policy was to be after three years, with subsequent reviews occurring every five years. Based on direction from the province, the Human Resources Division has undertaken an immediate review of the policy and plans to review annually as required by the legislation.

Council initially approved the policy on January 13, 2020, and therefore the following change has been made to Section 9 to reflect the requirements: "Initial Review: 2.5 years, Subsequent Reviews: Annually."

As these changes are minor in nature and are required to comply with provincial legislation, they have not been through the regular policy development process. If any substantive changes emerge through the policy review process, they will follow the Council-approved process for policy development and review.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: There are no budget or financial implications.
2. Partners or Other Stakeholders: These changes are required by the Government of Newfoundland and Labrador's Occupational Health and Safety Act and Regulations.

3. Alignment with Strategic Directions:

An Effective City: Work with our employees to improve organizational performance through effective processes and policies.

4. Alignment with Adopted Plans: Not applicable.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: The Office of the City Solicitor has reviewed and approved the policy change.

7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations: The department will advise any internal stakeholders who need to be aware of this change.

9. Human Resource Implications: The reviews will be undertaken by existing Human Resources (HR) staff and there are no additional HR implications

10. Procurement Implications: Not applicable.

11. Information Technology Implications: Not applicable.

12. Other Implications: Not applicable.

**Conclusion/Next Steps:** The HR Division will advise the provincial OHS staff that the policy changes have been made to ensure compliance with legislation.

**Prepared by:** Trina Caines, Policy Analyst  
**Reviewed by:** Tammy Sheppard, HR Advisor  
**Approved by:** Kevin Breen, City Manager;  
Karen Chafe, City Clerk, Corporate Policy Committee (CPC) Co-Chair



### Report Approval Details

Document Title:	Information Note - Minor Change to Respectful Workplace Policy.docx
Attachments:	- Draft Respectful Workplace Policy (Revised 2022).pdf
Final Approval Date:	Jul 7, 2022

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

**Karen Chafe - Jul 7, 2022 - 9:15 AM**

## City of St. John's Corporate and Operational Policy Manual

<b>Policy Title:</b> Respectful Workplace Policy	<b>Policy #:</b> 03-05-19
<b>Last Revision Date:</b> July 4, 2022	<b>Policy Section:</b> Human Resources > Employee Conduct
<b>Policy Sponsor:</b> Director, Human Resources	

### 1. Policy Statement

The purpose of this policy is to confirm the City's commitment to creating and maintaining a healthy, safe, inclusive, and Respectful Workplace. "Be Respectful" and "Create a Positive Environment" are two of the City's core values. The City recognizes its responsibility to build and maintain a Respectful Workplace where everyone has the right to be treated with dignity and respect, and Employees and Members can complete their duties without fear of Bullying, Discrimination, Harassment, or Violence.

### 2. Definitions

**"Abuse of Authority"** means an individual using the authority or power related to their position with the intention of negatively affecting an Employee or Member by potentially compromising an Employee's or Member's job performance, career, or wellbeing.

**"Affiliated Entity"** means any organization, group, foundation, club, or corporation that is affiliated wholly or partially with the City, including but not limited to St. John's Sports and Entertainment Limited, Newfoundland and Labrador Coastal Railway Museum, The V.P. Foundation Inc., or St. John's Transportation Commission.

**"Allegation"** means any informal, verbal or written claim received by the appropriate investigative authority in any matter whatsoever.

**“Bullying”** means a form of Harassment that involves the deliberate, persistent attempt to intimidate, demean, torment, control, isolate, or harm another person physically or mentally.

**“Complaint”** means a signed written document alleging that a person has engaged in conduct that is contrary to the provisions of this policy.

**“Discrimination”** shall have the same meaning as defined by Section 2(d) of the Human Rights Act, 2010, that is, “‘Discrimination’ includes the conduct described in subsections 11 (1) and (2) and 12 (1), section 13, subsections 14 (1), (4) and (5) and 16 (1), sections 17 and 18, subsection 19 (1) and section 20 (of the Human Rights Act, 2010)”.

**“Disrespectful Behaviour”** means any action, conduct, or comment that can reasonably be expected to cause humiliation, offense, or other physical or psychological injury, including, but not limited to, Harassment, Discrimination, Sexual Harassment, Sexual Solicitation, and Violence.

**“Employee”** means any person employed by the City of St. John’s as a permanent, term, part-time, casual, contract, seasonal, temporary, or student worker.”

**“Family Violence”** means one or more of the following acts or omissions committed against an Employee/Member or their family member by another family member:

- a) an assault that consists of the intentional application of force that causes the Employee/Member to fear for their safety but does not include an act committed in self-defence;
- b) an intentional, reckless or threatened act or omission that causes bodily harm or damage to property;
- c) an intentional, reckless or threatened act or omission that causes a reasonable fear of bodily harm or damage to property;
- d) forcible physical confinement without lawful authority;
- e) sexual assault, sexual exploitation or sexual molestation, or the threat of sexual assault, sexual exploitation or sexual molestation;
- f) conduct that causes the Employee/Member to reasonably fear for their safety, including following, contacting, communicating with, observing or recording a person;

- g) conduct that causes psychological or emotional harm or a reasonable fear of that harm, including a pattern of behaviour the purpose of which is to undermine the psychological or emotional well-being of the Employee/Member or their family member;
- h) conduct that controls, exploits, or limits the applicant's access to financial resources for the purpose of ensuring the applicant's financial dependency; and
- i) the deprivation of food, clothing, medical attention, shelter, transportation, or other necessities of life."

**"Harassment"** shall have the same meaning as "workplace harassment" as defined by Section 22(2) of the Occupational Health and Safety Regulations, 2012, under the Occupational Health and Safety Act, that is "inappropriate vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated."

**"Inclusion"** means a process of ensuring that all people, regardless of differences, are welcome, belong, and are meaningfully engaged in the Workplace/community.

**"Member"** means a member of Council as defined in Section 5 of the City of St. John's Act.

**"Poisoned Work Environment"** means inappropriate comments or conduct which may not be directed specifically at an individual, but which nonetheless create a degrading, offensive, or uncomfortable work environment.

**"Reprisal"** means any measure taken or threatened against a person as a result of making or being suspected of making an Allegation or Complaint, or participating in or being suspected of participating in an investigation.

**"Respectful Workplace"** means a Workplace that values diversity and Inclusion; safety; dignity of a person; courteous conduct; mutual respect; fairness and equality; and collaborative working relationships.

**“Sexual Harassment”** means Harassment that involves any unsolicited material, comments, gestures, or physical contact of a sexual nature that the individual knows or ought reasonably to know to be unwelcome, objectionable, or offensive. Sexual Harassment includes Sexual Solicitation and may involve favours or promises of favours with the threat of Reprisal for refusing.

**“Sexual Solicitation”** shall have the same meaning as defined by Section 18 of the Human Rights Act, 2010, that is,

“(1) A person in a position of power shall not make a sexual advance to a Person upon whom then may confer benefit or advancement.

(2) A person in a position of power shall not deny benefit or advancement to another for the rejection of a sexual advance.”

**“Union/Association”** means CUPE Local 1289, CUPE Local 569, NAPE Local 7808, and/or IAFF Local 1075.

**“Vexatious”** means being a source of irritation or annoyance.

**“Violence”** shall have the same meaning as “violence” in Section 22(2) of the Occupational Health and Safety Regulations, 2012, under the Occupational Health and Safety Act, that is “the attempted or actual exercise of physical force to cause injury to a worker and includes threatening statements or behaviour which gives a worker reason to believe that he or she is at risk of injury.”

**“Volunteer”** means any individual that provides service on a volunteer basis for the City or Affiliated Entity.

**“Workplace”** means any location where a City Employee, Member, or person is carrying out occupational duties or is in receipt of City Services, including those locations and activities that are not on City premises. This may include a social function; training and conferences; during travel; at restaurants, hotels, or meeting facilities being used for business purposes; and during telephone, email, or other communications, including use of social networking sites (e.g., Facebook, Twitter, LinkedIn).

### **3. Policy Requirements**

The City is committed to working in collaboration with its Employees, Unions/Associations, Members, and Affiliated Entities to provide a Respectful Workplace by:

- a) promoting and maintaining a common understanding of the expectations and behaviours considered appropriate and inappropriate in the Workplace and in the delivery of or access to City services;
- b) taking action to prevent and address inappropriate behaviour in the Workplace;
- c) ensuring no disciplinary action is taken against a person for making an Allegation or Complaint in good faith;
- d) ensuring all Employees, Members, and persons are held accountable for violations of this policy to the extent possible;
- e) recognizing that conflicts or disagreements may occur and these issues can be resolved in a respectful manner that contributes to a healthy and productive Workplace;
- f) committing to responding in a timely manner to Allegations and Complaints made in relation to this Policy and to resolve issues diligently, openly, honestly, and with appropriate consideration for privacy and confidentiality; and
- g) ensuring programs, policies, systems, facilities, and services are designed and administered to foster the full Inclusion of diverse individuals and groups in accordance with the provisions of all applicable legislation.

#### **3.1 Respectful / Appropriate Workplace Behaviours**

Employees, Members, and persons are expected to conduct themselves in an appropriate manner and shall not engage in Disrespectful Behaviour in the Workplace. Appropriate behaviours support and create a Respectful Workplace and are consistent with meeting business objectives. Appropriate behaviours include, but are not limited to:

- a) being polite, courteous, fair, and respectful of others, and acting with integrity;
- b) engaging in open and respectful communication;
- c) respecting perspectives and opinions of others; and/or
- d) recognizing and valuing the diversity among City Employees, Members, and persons and fostering inclusiveness in the Workplace.



### **3.2 Inclusive, Barrier-Free Employment**

- a) The City is committed to providing inclusive, barrier-free employment, which is free from Discrimination as prohibited under all applicable legislation.
- b) The City acknowledges its duty to accommodate persons or groups protected from Discrimination under the Human Rights Act, 2010. The goal of the City's policy is to foster an inclusive community and Workplace.
- c) The City's commitment extends to all aspects of employment and use of City facilities. This includes, for example, providing a safe and designated space for medical requirements (e.g., diabetics) and expectant or nursing parents (e.g., breastfeeding).

### **3.3 Disrespectful Workplace Behaviours**

Disrespectful Behaviour will not be tolerated in the Workplace. Disrespectful Behaviour does not need to be intentional to be prohibited and may create a Poisoned Work Environment. The City shall determine, in its sole discretion, what is to be considered Disrespectful Behaviour. Disrespectful Behaviours may include, but are not limited to:

- a) all forms of Harassment, including verbal, physical, sexual, emotional, and psychological;
- b) name calling, ridicule, or derogatory gestures that are vindictive, demeaning, insulting, humiliating, or mocking in nature;
- c) frequent use of profanity or abusive language;
- d) deliberate and repeated mis-gendering by referring to a person using terms or pronouns that do not align with the person's gender identity or affirmed gender;
- e) angry yelling/shouting or blow-ups;
- f) intimidating behaviours, such as, shaking fists, slamming doors, throwing objects, or targeting individual(s) in humiliating practical jokes;
- g) deliberately damaging or tampering with a person's personal belongings or work equipment;
- h) deliberately excluding, socially isolating, or shunning a person;
- i) spreading malicious rumors or gossip, or cyber-bullying;
- j) displaying or posting offensive or intimidating messages (e.g., social media, text, email, posters);
- k) gaslighting; and/or
- l) Abuse of Authority.

### **3.3.1 Harassment**

Harassment will not be tolerated in the Workplace. A single comment or action is not Harassment unless it is repeated or serious enough to have a lasting harmful effect. Harassment does not require an intention to harm.

### **3.3.2 Workplace Violence**

Violence will not be tolerated in the Workplace. Violence may include, but is not limited to:

- a) physically aggressive behaviours including hitting, shoving, pushing, kicking, throwing an object at someone, physically restraining someone, or any other form of physical or sexual assault;
- b) physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or wielding a weapon;
- c) intimidating behaviours such as slamming fists on a desk;
- d) making threatening comments over the phone, leaving threatening notes, or sending threatening emails;
- e) stalking behaviour, such as following or maintaining surveillance of another Employee or Member;
- f) direct threats that clearly indicate an intent to do harm (e.g., “I am going to make you pay for what you did to me”);
- g) conditional threats (e.g., “If you don’t get off my back, you will regret it.”); and/or
- h) veiled threats involving body language, verbal comments, or behaviours that leave the impression of intention to harm (e.g., “Do you think anyone would care if someone beat you up?”).

### **3.3.3 Family Violence**

The City recognizes that Family Violence may impact Employees or Members in the Workplace. Section 23(2) of the Occupational Health and Safety Regulations, 2012 under the Occupational Health and Safety Act requires that if the City becomes aware or ought reasonably to be aware that Family Violence that would likely expose an Employee/Member to a physical injury may occur in the Workplace, the City shall take every precaution reasonable in the circumstances for protection of the Employee/Member.

The City shall meet this legal responsibility in a manner that:

- a) is sensitive to, and supportive of, the needs of Employees/Members who are in Family Violence situations;

- b) provides access to information regarding resources to support the physical safety, emotional health, and basic material and financial needs of Employees/Members; and
- c) is protective of the health and safety of all Employees/Members that may be placed at risk as a result of Family Violence situations impacting the Workplace while respectful of the privacy rights of the Employee/Member in a Family Violence situation.

### **3.3.4 Discriminatory Harassment**

Discriminatory Harassment will not be tolerated in the Workplace. It involves inappropriate conduct or comments based on prohibited grounds in the Human Rights Act, 2010, which a reasonable person would consider to be humiliating, demeaning, or intimidating. Prohibited grounds include race, colour, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income, political opinion, or any other ground included in the Human Rights Act, 2010.

Discriminatory Harassment may include, but is not limited to:

- a) offensive comments, jokes, or behaviour that belittle or ridicule a person's membership in one of the protected grounds;
- b) imitating a person's accent, speech, or mannerisms;
- c) persistent or inappropriate questions about whether a person is pregnant, has children, or plans to have children; and/or
- d) inappropriate comments or jokes about a person's age, sexual orientation, personal appearance, or weight.

### **3.3.5 Sexual Harassment**

Sexual Harassment will not be tolerated in the Workplace. It may include, but is not limited to:

- a) unwelcome remarks, jokes, innuendos, propositions, or taunting about a person's body, attire, gender, sexual orientation, or practices;
- b) displaying or circulating offensive pictures or materials;
- c) Sexual Solicitation or an implied or expressed threat of Reprisal for refusal to comply with a sexually-oriented request;
- d) unwanted physical contact such as touching, patting, or pinching, with an underlying sexual connotation;
- e) leering (suggestive staring) at a person's body; and/or
- f) sexual assault.

### **3.3.6 Abuse of Authority**

Abuse of Authority will not be tolerated in the Workplace. Abuse of Authority may be blatant or subtle and may include, but is not limited to:

- a) intimidation, threats, blackmail, and/or coercion, including silencing Employees/Members to cover up inappropriate behaviour;
- b) undermining or impeding someone's efforts by deliberately withholding information that is required to do their job or setting unrealistic goals with impossible deadlines.

## **3.4 Exceptions**

Disrespectful Behaviour excludes the following and/or similar legitimate actions:

- a) appropriate exercise and delegation of managerial authority, including legitimate performance reviews or matters within the normal disciplinary processes of the City;
- b) disagreements, misunderstandings, or normal Workplace conflict that may occur between individuals, or differences of opinion between co-workers;
- c) friendly teasing or bantering that is mutually acceptable and not offensive to others;
- d) requesting medical documents in support of an absence from work;
- e) work-related change of location, co-workers, scheduling, and/or job assignment and duties; and/or
- f) implementing health and safety measures or inspecting Workplaces;
- g) the legitimate use of disciplinary actions and/or other managerial responsibility essential to achieving efficiency of daily organizational operations.

## **4. Application**

### **4.1 Stakeholders**

The policy applies to the following stakeholders:

- a) Employees;
- b) contractors providing services for or to the City;
- c) suppliers providing materials to the City;
- d) students;

- e) volunteers;
- f) Members; and
- g) all persons accessing City services or City-operated facilities.

## **4.2 Disrespectful Actions by Non-Employees**

This policy also applies to situations where Employees/Members are threatened with and/or subjected to Harassment, Discrimination, or Violence in the Workplace from individuals who are not Employees/Members, such as members of the public and suppliers.

## **5. Responsibilities**

### **5.1 All Employees/Members of the City are responsible for:**

- a) ensuring their behaviour is respectful and appropriate at all times at the Workplace, including but not limited to, refraining from Violence, Discrimination, or any other form of Harassment in the Workplace;
- b) accepting responsibility for their own behaviours and their impact on others;
- c) attempting to resolve differences with other Employees/Members in a respectful manner;
- d) reporting situations, observations, or experiences of Violence, Discrimination, or any other form of Harassment that threaten or perceive to threaten a safe work environment;
- e) contacting their supervisor, manager, Human Resources, or other resource for assistance in resolving an issue when needed;
- f) immediately informing a manager/supervisor or the authorities (Royal Newfoundland Constabulary or Security) if there is an imminent threat or risk of Violence that could compromise a person's safety;
- g) participating fully in any interventions under this policy and identifying any medical restrictions or limitations to such participation, if applicable; and
- h) cooperating with any investigator and maintaining confidentiality at all times during any Workplace investigation.

**5.2 All managers who supervise Employees** are responsible for, in addition to the duties in Section 5.1:

- a) actively fostering respectful interactions in the Workplace by ensuring all Employees and volunteers under their supervision are aware of the policy, setting clear expectations, and modelling desired behaviour to support a respectful, safe, and inclusive Workplace;
- b) informing all Employees and volunteers under their supervision who may be exposed to the risk of Violence of the nature of the risk and the precautions that may be taken, including a duty to provide information related to the risk of Violence from persons who have a history of violent behaviour and whom Employees are likely to encounter in the Workplace subject to the provisions of Access to Information and Protection of Privacy Act, 2015 and other applicable laws;
- c) establishing procedures and work environment arrangements which support a respectful, inclusive, and accessible work environment and eliminate or minimize the risk of Violence, Discrimination, or any other form of Harassment, including acts or threats of Reprisal;
- d) participating in training relating to Harassment prevention and ensuring compliance with this Policy in their area of responsibility;
- e) taking all concerns raised under this policy seriously and addressing them in a prompt, confidential, and impartial manner and in compliance with the established procedures;
- f) immediately notifying Human Resources when becoming aware of Violence, Discrimination, or any other form of Harassment, regardless of whether the Employee involved wishes to pursue a formal Complaint;
- g) seeking assistance or advice as needed from Human Resources for constructive intervention when witnessing or becoming aware of conflict or disrespectful conduct in the Workplace;
- h) complying with the Code of Ethics By-Law (once enacted) and any relevant City complaints procedures;
- i) providing support to Employees experiencing or witnessing Family Violence in the Workplace and making them aware of resources (internal and external to the City) that are available to assist those affected by Family Violence (Note: a Resource list is an appendix to this policy).



**5.3 Human Resources** is responsible for supporting a Respectful Workplace environment by:

- a) working with managers and supervisors to implement this policy;
- b) providing any necessary training, support, and guidance to Employees, Members, and managers regarding policy interpretation, proper Complaint handling, and how to deal with violations of this policy;
- c) assessing concerns about conflict and disrespectful conduct, and determining and managing the appropriate process to address those concerns;
- d) taking every reasonable precaution to protect an Employee/Member in cases where Human Resources becomes aware, or ought reasonably to be aware, of Family Violence that would likely expose an Employee/Member to physical or psychological harm in the Workplace;
- e) providing conflict management services such as facilitated discussions, mediation, and coaching, when possible;
- f) addressing Respectful Workplace Complaints made against persons and determining if a formal investigation and/or external investigator is warranted;
- g) undertaking impartial, informal, and formal investigations as appropriate;
- h) ensuring that the process for reporting and responding to incidents of Violence, Discrimination, or any other form of Harassment, is communicated, maintained, and followed;
- i) ensuring Workplace Violence risk assessments are conducted to determine whether the nature of the Workplace, the type of work, or the conditions of work may place Employees/Members at risk of Violence; and
- j) taking all reasonable and practical measures to minimize or eliminate risks identified through the risk assessment process, Workplace inspections, or the occurrence of a Workplace Violence incident.

**5.4 The Inclusion Services Division, Department of Community Services** is responsible for supporting a Respectful Workplace environment by:

- a) providing support to Human Resources on Inclusion and accommodation initiatives for Employees/Members; and

- b) providing/facilitating training for managers and/or teams to enhance Inclusion and the acceptance of diversity.

### **5.5 Union/Association Executives** are responsible for:

- a) ensuring their own behaviour complies with this policy;
- b) encouraging respectful conduct in the Workplace and guiding the behaviour of others;
- c) providing advice, support, and assistance to Union/Association members as needed;
- d) supporting Respectful Workplace training initiatives; and
- e) ensuring Union/Association members' rights under their collective agreement are protected.

## **6. References**

- Code of Ethics By-Law
- Collective Agreements:
  - [City of St. John's and CUPE 1289 \(Inside Workers\)](#)
  - [City of St. John's and CUPE 569 \(Outside Workers\)](#)
  - [City of St. John's and NAPE \(Bay Bulls Big Pond Water Treatment Workers\)](#)
  - City of St. John's and IAFF 1075 (Fire Fighters)
- [Family Violence Protection Act](#)
- [Human Rights Act, 2010](#)
- [Occupational Health and Safety Act](#)
- [Occupational Health and Safety Regulations, 2012](#)
- Reference list for Family Violence supports
- Breastfeeding Protocol

## **7. Approval**

- Policy Sponsor: Director, Human Resources
- Policy Writer: Human Resources Advisor
- Date of Approval from
  - Corporate Policy Committee: June 23, 2019
  - Senior Executive Committee: December 6, 2019

- Committee of the Whole: December 11, 2019
- Date of Approval from Council: January 13, 2020

## **8. Monitoring and Contravention**

- a) The Department of Human Resources shall monitor the application of this policy.
- b) Any contravention of this policy and/or associated procedures shall be reported to:
  - i. the City Solicitor;
  - ii. the City Internal Auditor; or
  - iii. in the case of an Employee or Volunteer, to their direct supervisor or the Director of Human Resources.
- c) The City may take appropriate action, which may include, but is not limited to legal action and discipline, including dismissal.
- d) Any members of the public, volunteers, visitors to City facilities, or individuals conducting business with the City/Affiliated Entity who violate this policy may be subject to City action, including, but not limited to, prohibiting access to City facilities, prohibiting volunteering in future City endeavours, discontinuing business with individuals or organizations, issuing trespass notices, or reporting the matter to the relevant law enforcement agency.

### **8.1 Malicious or Frivolous Complaints**

Filing a fraudulent or malicious Complaint shall be considered a violation of this policy. Complaints that are found to be frivolous, malicious, or made in bad faith shall not be tolerated and the complainant shall be subject to appropriate disciplinary action or denial of service.

### **8.2 Reprisal**

- a) Everyone has the right to report, in good faith, incidents of Disrespectful Behaviour without fear of Reprisal.
- b) Reprisal by any Employee, Member, or person against anyone involved in informal, internal, or external formal Complaint processes shall not be tolerated and may be subject to discipline, up to and including dismissal or denial of City services.

### 8.3Á Protection of Statutory RightsÁ

ÁÁ

V@Á[|&Á[ ^•Á[ Áe^&Á@Áã @Á ÁÁ ÁÒ( ]|| ^^^ÉÁ ^{ à^!ÉÁ!Á!•[}Á  
~}á^!Á@Á~{ æÁÜã @ÁÁ&ÉÁFÉÁ@ÁÜ&&]æá}æÁ^æc@ÁæáÜæ^cÁ&dÁ  
c@ÁÔ!ã ã æÁÔ[ á^ÁÔæ æáæDáæ áD!Áæ ^Á c@!Áæ] |ææ| ^Á\*ã |æá} ÉÁ

Á

Á

### 9. Review Date

QãæÜ^çã, KGEÁ^æ•ÉÜ~à•^~^}Ü^çã, •KGE}~æ|^Á

Á

# DECISION/DIRECTION NOTE

**Title:** SERC – Tely 10

**Date Prepared:** July 6, 2022

**Report To:** Regular Meeting of Council

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

**Ward:** N/A

---

**Decision/Direction Required:** Seeking Council approval of the road closures associated with the 2022 Tely 10 on July 24.

**Discussion – Background and Current Status:** The 2022 Tely is scheduled for July 24, beginning at 8:00am in Paradise, and ending at approximately 11:00am in Bannerman Park.

- July 24, 8:00am – 11:00am
- Maximum of 3200 participants
- Final approval of road closures are pending the hiring of a Traffic Control Company for implementation.

## Road Closures:

### **Bannerman Road**

July 23, 2:00pm to July 24, 2:00pm

### **Circular Road**

July 24, 5:00am to 12:00pm

### **Military Road**

Bonaventure Avenue/Garrison Hill to Cochrane Street

July 24, 7:30am - 12:00pm

### **Topsail Rd @ Burgeo St. to Topsail Rd / Cornwall Avenue**

July 24 - No eastbound traffic from, 8:00am to 11:00am

### **Cornwall Avenue/Hamilton Avenue/LeMarchant Road/Harvey Road/Military Rd**

July 24 - No Eastbound and Westbound traffic: 8:00am to 11:30am

### **Columbus Drive from Topsail Road to Bay Bulls Road**

July 24 - both directions closed 8:00am to 11:00am

# ST. JOHN'S



**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A

2. Partners or Other Stakeholders:

Newfoundland and Labrador Athletics Association

3. Alignment with Strategic Directions:

A Connected City: Develop and deliver programs, services and public spaces that build safe, healthy and vibrant communities.

Choose an item.

4. Alignment with Adopted Plans: N/A

5. Accessibility and Inclusion:

Race offers inclusive registration options including teams registration, and wheelchair competition.

6. Legal or Policy Implications: N/A

7. Privacy Implications: N/A

8. Engagement and Communications Considerations:

Road closure notifications will occur in advance of the race.

9. Human Resource Implications: N/A

10. Procurement Implications: N/A

11. Information Technology Implications: N/A

12. Other Implications: N/A

**Recommendation:**

That Council approve the requested road closures for the Tely 10 on July 24, pending confirmation from the organizers that traffic control requirements are met.

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

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

**Report Approval Details**

Document Title:	SERC - 2022 Tely 10.docx
Attachments:	
Final Approval Date:	Jul 7, 2022

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

**Erin Skinner - Jul 7, 2022 - 9:58 AM**

**Tanya Haywood - Jul 7, 2022 - 10:35 AM**