ST. JOHN'S

Regular Meeting - City Council
Agenda

September 5, 2023
3:00 p.m.
4th Floor City Hall

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16. ADJOURNMENT

Proclamation

Childhood Cancer Awareness Month
September 2023

WHEREAS: September is recognized around the world as Childhood Cancer Awareness Month; and

WHEREAS: Throughout the month of September, Candlelighters NL shares information about Childhood Cancer and how it affects families here in Newfoundland and Labrador; and

WHEREAS: Throughout the month of September, Candlelighters NL advocates for awareness of childhood cancer by reaching out to municipalities across the province to sign a proclamation in recognition of Childhood Cancer Awareness Month; and

WHEREAS: By recognizing September as Childhood Cancer Awareness Month, it helps to raise awareness about childhood cancer, to remember the lives taken too soon, to stand with the families continuing to fight, and to celebrate with those who have won their battle; and

THEREFORE: I, Mayor Danny Breen, do hereby proclaim September 2023, as Childhood Cancer Awareness Month in the City of St. John's.

Signed at City Hall, St. John's, NL on this fifth day of September, 2023.

_____
Danny Breen, Mayor

ST. JOHN'S

Proclamation

Welcoming Week
September 8-17, 2023

WHEREAS: September 8-17, 2023, is Welcoming Week for Newcomers in Canada; and

WHEREAS: Sharing Our Cultures contributes towards building inclusive, equitable, and cohesive communities; and

WHEREAS: Sharing Our Cultures' Open House Event on September 15 and 16 is to bring together the community to engage, celebrate, and learn from each other; and

WHEREAS: Newcomers are a vital part of our community—bringing fresh perspectives and new ideas, starting businesses, and contributing to the vibrant diversity that we all value.

THEREFORE: I, Mayor Danny Breen, do hereby proclaim September 8 to 17, 2023, as Welcoming Week in the City of St. John's.

Signed at City Hall, St. John's, NL on this 5th Day of September 2023.

_____
Danny Breen, Mayor

ST. JOHN'S

ST. JOHN'S

Minutes of Regular Meeting - City Council
Council Chamber, 4th Floor, City Hall

August 21, 2023, 3:00 p.m.

Present:	Mayor Danny Breen Councillor Ron Ellsworth Councillor Sandy Hickman Councillor Ophelia Ravencroft Councillor Jamie Korab Councillor Ian Froude Councillor Carl Ridgeley
Regrets:	Deputy Mayor Sheilagh O'Leary Councillor Maggie Burton Councillor Debbie Hanlon Councillor Jill Bruce
Staff:	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 Cheryl Mullett, City Solicitor Ken O'Brien, Chief Municipal Planner Karen Chafe, City Clerk David Crowe, Manager - Roads, Public Works Erin Skinner, Manager of Communications (Acting) Christine Carter, Legislative Assistant

Land Acknowledgement
The following statement was read into the record:
"We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John's is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of Indigenous and other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi'kmaq, Innu, Inuit, and Southern Inuit of this Province."

1. CALL TO ORDER

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

2. PROCLAMATIONS/PRESENTATIONS

3. APPROVAL OF THE AGENDA

3.1 Adoption of Agenda

SJMC-R-2023-08-21/361
Moved By Councillor Korab
Seconded By Councillor Ellsworth

That the Agenda be adopted as presented.

For (6): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (6 to 0)

4. ADOPTION OF THE MINUTES

4.1 Minutes of August 7, 2023

SJMC-R-2023-08-21/362
Moved By Councillor Froude
Seconded By Councillor Hickman

That the minutes of August 7, 2023 are accepted as presented.

For (6): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (6 to 0)

5. BUSINESS ARISING FROM THE MINUTES

6. DEVELOPMENT APPLICATIONS

6.1 Notices Published – 300 Torbay Road - DEV2300073

SJMC-R-2023-08-21/363
Moved By Councillor Korab
Seconded By Councillor Ridgeley

That Council approve the Discretionary Use application for a Car Sales Lot at 300 Torbay Road.

For (6): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (6 to 0)

6.2 Notices Published – 13 Cessna Street - DEV2300080

SJMC-R-2023-08-21/364
Moved By Councillor Korab
Seconded By Councillor Hickman

That Council approve the Discretionary Use application to allow a Home Occupation for family childcare at 13 Cessna Street.

For (6): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (6 to 0)

6.3 Notices Published – 16 Forest Road - DEV2300082

SJMC-R-2023-08-21/365
Moved By Councillor Korab
Seconded By Councillor Ellsworth

That Council approve the application for a change of Non-Conforming Use at 16 Forest Road to allow a Clinic Use.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

6.4 Notices Published – 167 Bay Bulls Road - DEV2300076

SJMC-R-2023-08-21/366
Moved By Councillor Korab
Seconded By Councillor Ridgeley

That Council approve the Discretionary Use application at 167 Bay Bulls Road for a Restaurant (take-out).

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

6.5 Notices Published – 21-23 Queen's Road - DEV2300068

SJMC-R-2023-08-21/367
Moved By Councillor Korab
Seconded By Councillor Hickman

That Council approve the Discretionary Use application at 21-23 Queen's Road to allow an Office Use and a Heritage Use, which will include a tasting room (restaurant with liquor license) for screech-in ceremonies, retail, and a museum display in a designated Heritage Building.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

6.6 Proposed Accessory Building, Deck and Fence in the Floodplain Buffer – 60 Pepperwood Drive – INT2300045

SJMC-R-2023-08-21/368
Moved By Councillor Korab
Seconded By Councillor Ridgeley

That Council approve the residential accessory building, deck, and fence in the floodplain buffer at 60 Pepperwood Drive, subject to meeting other applicable conditions of the Envision St. John's Development Regulations.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

6.7 Proposed Fence in the Floodplain Buffer – 36 Smithville Crescent - INT2300047

SJMC-R-2023-08-21/369
Moved By Councillor Korab
Seconded By Councillor Froude

That Council approve the residential Fence in the Floodplain Buffer at 36 Smithville Crescent.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

7. RATIFICATION OF EPOLLS

7.1 Building Safer Communities Steering Committee Terms of Reference

Mayor Breen advised that the Building Safer Communities Steering Committee would see the City of St. John's develop a comprehensive, evidence-based Safer Community Strategy by engaging residents, community partners, service providers, and other stakeholders. A solution-oriented Steering Committee will be formed to provide information and recommendations to the City of St. John's in the development of the strategy and public engagement processes.

The Steering Committee areas of focus include:

- Knowledge sharing and evidence of what works in other jurisdictions in Canada as well as locally.
- Inform a data collection strategy and evaluation framework.
- Inform local and community–based strategies and initiatives.
- Inform evidence-based and targeted prevention and intervention activities.
- Contribute to a public awareness campaign.

The recent announcement for funding of up to $1.83 million, through the Government of Canada's Building Safer Communities Fund (BSCF), over three years will be used to develop a crime and violence prevention strategy in collaboration with community partners and stakeholders. The purpose of the project is to help prevent crime and violence in the municipality by addressing root causes (i.e., social determinants).

SJMC-R-2023-08-21/370
Moved By Councillor Ellsworth
Seconded By Councillor Hickman

That Council approve the attached Building Safer Communities Steering Committee Terms of Reference and Selection Process for Members.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

8. COMMITTEE REPORTS

9. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

9.1 Development Permits List August 3 - 16, 2023

10. BUILDING PERMITS LIST (FOR INFORMATION ONLY)

10.1 Building Permits List

11. REQUISITIONS, PAYROLLS AND ACCOUNTS

11.1 Weekly Payment Vouchers for the Week Ending August 9, 2023

SJMC-R-2023-08-21/371
Moved By Councillor Ellsworth
Seconded By Councillor Froude

That the weekly payment vouchers for the week ending August 9, 2023, in the amount of $ 3,318,319.63 , be approved as presented.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

11.2 Weekly Payment Vouchers for the Week Ending August 16, 2023

SJMC-R-2023-08-21/372
Moved By Councillor Ellsworth
Seconded By Councillor Korab

That the weekly payment vouchers for the week ending August 16, 2023, in the amount of $ 6,517,410.48 , be approved as presented.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

12. TENDERS/RFPS

12.1 2023114 After Hours Contact Center Services 311

SJMC-R-2023-08-21/373
Moved By Councillor Hickman
Seconded By Councillor Ellsworth

THAT Council approve for award this open call to the top ranked proponent, Intercon Messaging Inc, for $70,000 per year (HST not included) as per the Public Procurement Act.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

12.2 Supply and Deliver 4 Tandem Axle Waste Trucks with Automated Arms

SJMC-R-2023-08-21/374
Moved By Councillor Hickman
Seconded By Councillor Ridgeley

That Council approve for award this open call to the bidder with the highest points as determined by the City's evaluation team, Shu-Pak Equipment for the amount of $1,780,200.00 (HST Included), as per the Public Procurement Act

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

12.3 2023002 - City Hall - Chiller Replacement

SJMC-R-2023-08-21/375
Moved By Councillor Hickman
Seconded By Councillor Ellsworth

That Council approve for award this open call to the lowest bidder meeting specifications, G.J. Cahill & Company (1979) Limited, for $422,745.06 (HST Incl.) as per the Public Procurement Act.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

12.4 2023124- Independent Claims Adjusting Services

SJMC-R-2023-08-21/376
Moved By Councillor Ellsworth
Seconded By Councillor Ridgeley

THAT Council approve for award this open call to the top ranked proponent, 10177 Nfld. Inc. (Colonial Adjusting & Appraisal Services), for $63,125 per year (HST not included) as per the Public Procurement Act.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

12.5 RFP122005574A – Standing Offer Agreement for Office Supplies

SJMC-R-2023-08-21/377
Moved By Councillor Ellsworth
Seconded By Councillor Froude

That Council approve for award this open call to Dicks and Company Limited for $70,000.00 (HST not included) per year, as issued by the Province of Newfoundland and Labrador, as per the Public Procurement Act.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

12.6 2023136 - Traffic Poles

SJMC-R-2023-08-21/378
Moved By Councillor Hickman
Seconded By Councillor Ravencroft

That Council approve for award open call 2023136 – Traffic Poles to the lowest, and only bidder meeting specification, Traffic Structure Ltd., for $454,089.00 (HST included), as per the Public Procurement Act.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

12.7 Supply and Deliver 10 new Tandem axle Sanders

SJMC-R-2023-08-21/379
Moved By Councillor Hickman
Seconded By Councillor Ridgeley

That Council approves for award of this open call to the bidder with the highest points as determined by the City's evaluation team, Nova Enterprises for $4,627,214.75 (HST Included), as per the Public Procurement Act

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

13.1 Cabot Street Petition

Councillor Ellsworth presented a petition received from area homeowners and residents of Cabot Street. The petition is asking that Council prohibit bed sitter homes and boarding houses from operating on Cabot Street.

13.2 Notice of Motion re: Amendment Number 23 (Rural Tourism Use Definition)

Councillor Froude gave notice that, he will at a future Regular Meeting of Council, move a motion to have City Council rescind the following motion approved at the Regular Council Meeting of August 7, 2023:

SJMC-R-2023-08-07/357
Moved By Councillor Froude
Seconded By Councillor Ridgeley

That Council adopt the attached resolutions for Envision St. John's Development Regulations Amendment Number 23, 2023, to add a new Rural Tourism use definition, and add Rural Tourism as a discretionary use in the Rural (RUR) Zone, Rural Residential (RR) Zone and Rural Residential Infill (RRI) Zone.

14. OTHER BUSINESS

14.1 RHB Compactor Purchase

SJMC-R-2023-08-21/380
Moved By Councillor Hickman
Seconded By Councillor Froude

That Council approve using the RHB Equipment Reserve to fund the buyout option at the end of lease of the 2019 Caterpillar 826K Landfill Compactor at a purchase price of $220,000 (+HST).

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

14.2 Water and Wastewater Equipment Reserve Status

Councillor Hickman presented an update to Council on equipment purchases funded through the capital equipment reserves applicable to each of the water and wastewater treatment facilities, noting that this update covers the first six months of 2023 (January to June).

Staff will continue to update Council of any equipment purchases funded through any of the Water and Wastewater Treatment Facilities Capital Equipment Reserves on a semi-annual frequency.

14.3 Strategic Plan Quarter 2 2023 Report

Mayor Breen advised that the Strategic Plan Quarter 2 - 2023 report is provided for information and that the full Strategic Plan can be found online.

14.4 360-370 Empire Ave interpret zone lines

Councillor Froude presented the Information Note to Council, which outlines the issue of the interpretation of the zone lines at the rear of properties at 360 to 370 Empire Avenue.

The residential properties in question are on the north side of Empire Avenue near Ropewalk Lane and back onto the Swilers rugby field and the walking trail that runs alongside it. These properties are residentially zoned as Residential 2 (R2), Apartment 1 (A1), and Apartment 3 (A3). Under the Envision St. John's Municipal Plan, they are all designated Residential. However, at their north ends, bordering the trail, they are zoned Open Space (O) and designated Open Space. This appears to be a mistake, going back to when the original zone lines were drawn without benefit of property boundaries.

In dealing with a rezoning application for 366 to 376 Empire Avenue, the issue with the Open Space (O) Zone was highlighted. The zone is intended for the walking trail and the Swilers rugby field. It was not intended to intrude into the back yards of these residential properties along Empire Avenue.

At 360 to 370 Empire Avenue, the zone boundary between three (3) residential zones Residential 2, Apartment 1 and Apartment 3) and the Open Space (O) Zone is interpreted to run along the rear boundary lines of these properties. Corresponding changes will be made to the Future Land Use Map of the Envision St. John's Municipal Plan. This accords with the rules of zone interpretation in Section 10.3 of the Envision St. John's Development Regulations.

14.5 SERC – Film Shoot Road Closure

SJMC-R-2023-08-21/381
Moved By Councillor Ellsworth
Seconded By Councillor Ravencroft

That Council approve the requested road closure for the filming of Son of a Critch on August 25.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

14.6 366-374 Empire Avenue - REZ2100013 - Adoption

SJMC-R-2023-08-21/382
Moved By Councillor Froude
Seconded By Councillor Ellsworth

That Council adopt Envision St. John's Development Regulations Amendment Number 24, 2023, to rezone land at 366-374 Empire Avenue from the Apartment 1 (A1) and Residential 2 (R2) Zones to the Residential 3 (R3) Zone.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

15. ACTION ITEMS RAISED BY COUNCIL

16. ADJOURNMENT

There being no further business, the meeting adjourned at 3:40 pm.

_____

MAYOR

_____

CITY CLERK

NOTICE OF MOTION

TAKE NOTICE that I will at a future Regular Meeting of Council, move a motion to have City Council rescind the following motion approved at the Regular Council Meeting of August 7, 2023:

> SJMC-R-2023-08-07/357
> **Moved By** Councillor Froude
> **Seconded By** Councillor Ridgeley
>
> That Council adopt the attached resolutions for Envision St. John's Development Regulations Amendment Number 23, 2023, to add a new Rural Tourism use definition, and add Rural Tourism as a discretionary use in the Rural (RUR) Zone, Rural Residential (RR) Zone and Rural Residential Infill (RRI) Zone;
>
> For (6): Deputy Mayor O'Leary, Councillor Hickman, Councillor Bruce, Councillor Ravencroft, Councillor Froude, and Councillor Ridgeley
>
> **MOTION CARRIED (6 to 0)**

DATED at St. John's, NL, this 21st day of August, 2023.

_____

Councillor Ian Froude

DECISION/DIRECTION NOTE

Title: Notices Published – 22 O'Leary Avenue - DEV2300093

Date Prepared: August 30, 2023

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 for SX Store Ltd. at 22 O'Leary Avenue.

Discussion – Background and Current Status:
An application has been submitted for a Retail Use, which is discretionary in the Industrial Commercial (IC) Zone at 22 O'Leary Avenue. The hours of operation are Monday to Saturday, 11:00 a.m. to 10:00 p.m. and Sunday, 12:00 p.m. to 6:00 p.m. The use will occupy a floor area of 162.5m^2. On-site parking is provided.

No submissions were received.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Property owner and neighboring property owners.

3. Alignment with Strategic Directions:

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

   Choose an item.

4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: St. John's Development Regulations Section 10.5 "Discretionary Use" and Section 10 "Industrial Commercial (IC) Zone".

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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 site. The application has been advertised in The Telegram newspaper at least twice and is 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 at 22 O'Leary Avenue for a Retail Use.

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

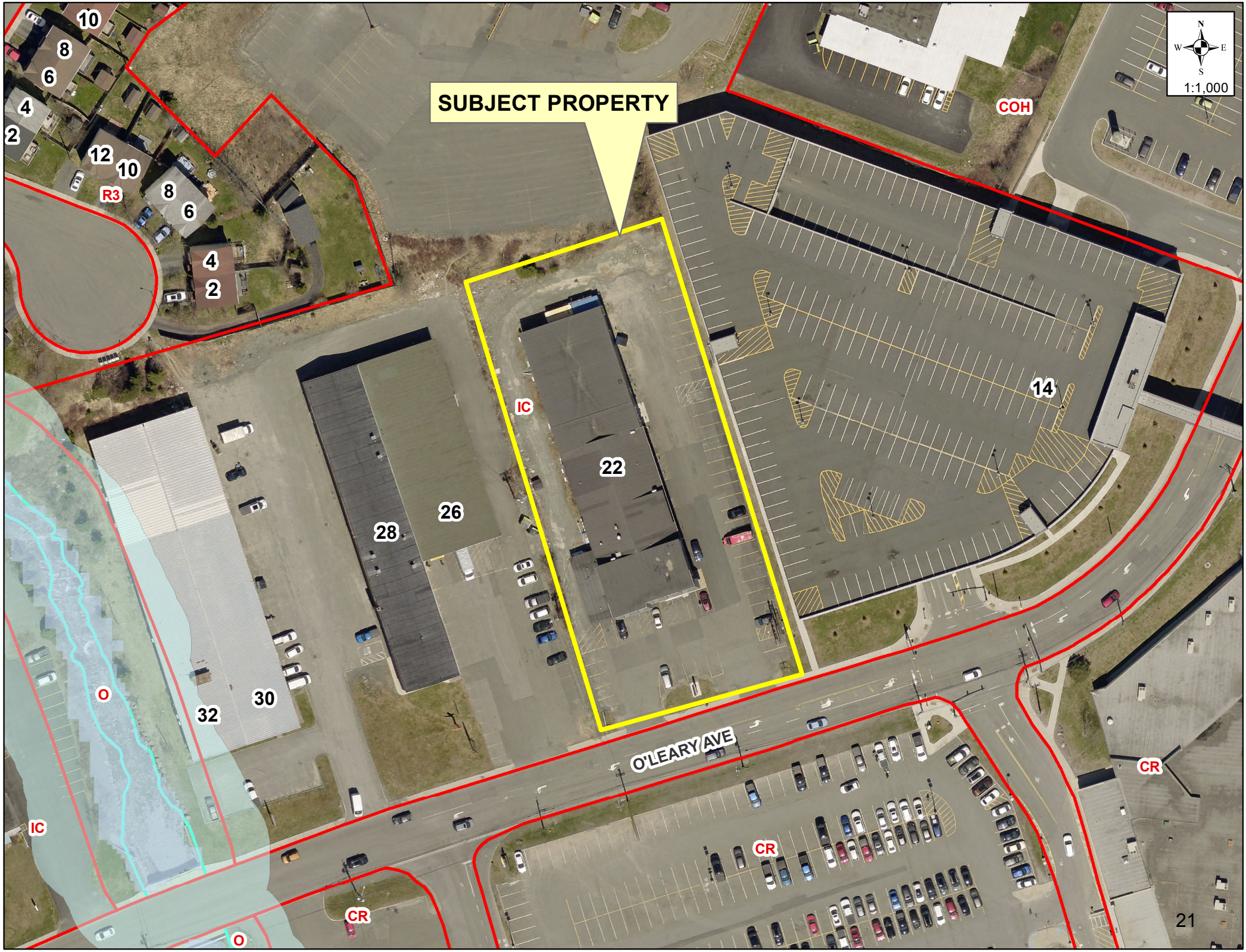
Report Approval Details

Document Title:	Notices Published - 22 O'Leary Avenue.docx
Attachments:	- DEV2300093-22 O'LEARY AVENUE.pdf
Final Approval Date:	Aug 30, 2023

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

Lindsay Lyghtle Brushett - Aug 30, 2023 - 9:13 AM

Jason Sinyard - Aug 30, 2023 - 10:06 AM



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DECISION/DIRECTION NOTE

Title: Notices Published – 255 Major's Path - DEV2300103

Date Prepared: August 30, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: Ward 1

Decision/Direction Required:
A Discretionary Use application has been submitted by Dr. Jessica Wade Sport and Exercise Medicine for 255 Major's Path.

Discussion – Background and Current Status:
The proposed application is for a Clinic Use at 255 Major's Path. The floor area of the clinic will be approximately 88m^2 and is located on the 1st floor. Hours of operation will be Monday to Friday 8 a.m. to 2 p.m. and on-site parking is provided. The proposed application site is in the Industrial Commercial (IC) Zone.

No submissions were received.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Property owner and neighboring property owners.

3. Alignment with Strategic Directions:

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

   Choose an item.

4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: Not applicable. St. John's Development Regulations Section 10.5 "Discretionary Use" and Section 10 "Industrial Commercial (IC) 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 site. The application has been advertised in The Telegram newspaper at least twice and is 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 at 255 Major's Path for a Clinic Use.

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

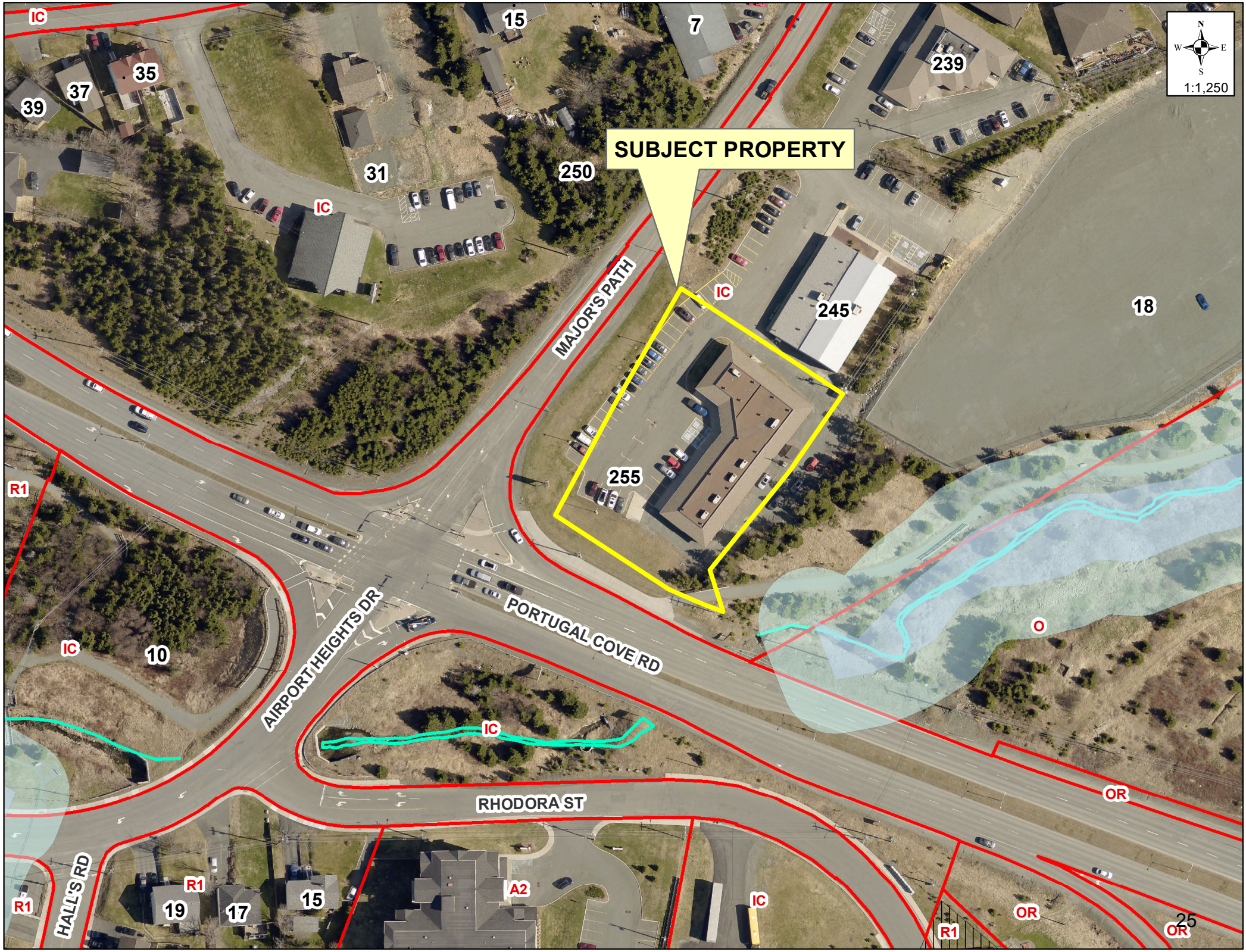
Report Approval Details

Document Title:	Notices Published - 255 Major's Path.docx
Attachments:	- DEV2300103-255 MAJOR'S PATH.pdf
Final Approval Date:	Aug 30, 2023

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

Lindsay Lyghtle Brushett - Aug 30, 2023 - 9:09 AM

Jason Sinyard - Aug 30, 2023 - 10:07 AM



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DECISION/DIRECTION NOTE

Title: Notices Published – 775-777 Main Road - DEV2300101

Date Prepared: August 30, 2023

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 for 775-777 Main Road.

Discussion – Background and Current Status:
The Home Occupation is for a hair salon which will be owner operated. The floor area will be approximately 33m^2 and operate on Saturdays from 9 a.m. to 3 p.m. Parking will be provided on-site. The proposed application site is in the Rural Residential Infill (RRI) Zone.

Two submissions were received. One submission was in favour, while the other raised concerns pertaining to parking. The Traffic division reviewed the application and had no concerns with the proposal. Parking is proposed on-site, and it is unlikely that a customer would choose to park on Main Road. Should the business be approved, staff can further investigate any complaints received.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Property owner and neighboring property owners.

3. Alignment with Strategic Directions:

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

   Choose an item.

4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.

5. Accessibility and Inclusion: Not applicable.

ST. JOHN'S

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".

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 site. The application has been advertised in The Telegram newspaper at least twice and is 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 Home Occupation at 775-777 Main Road to allow a hair salon.

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

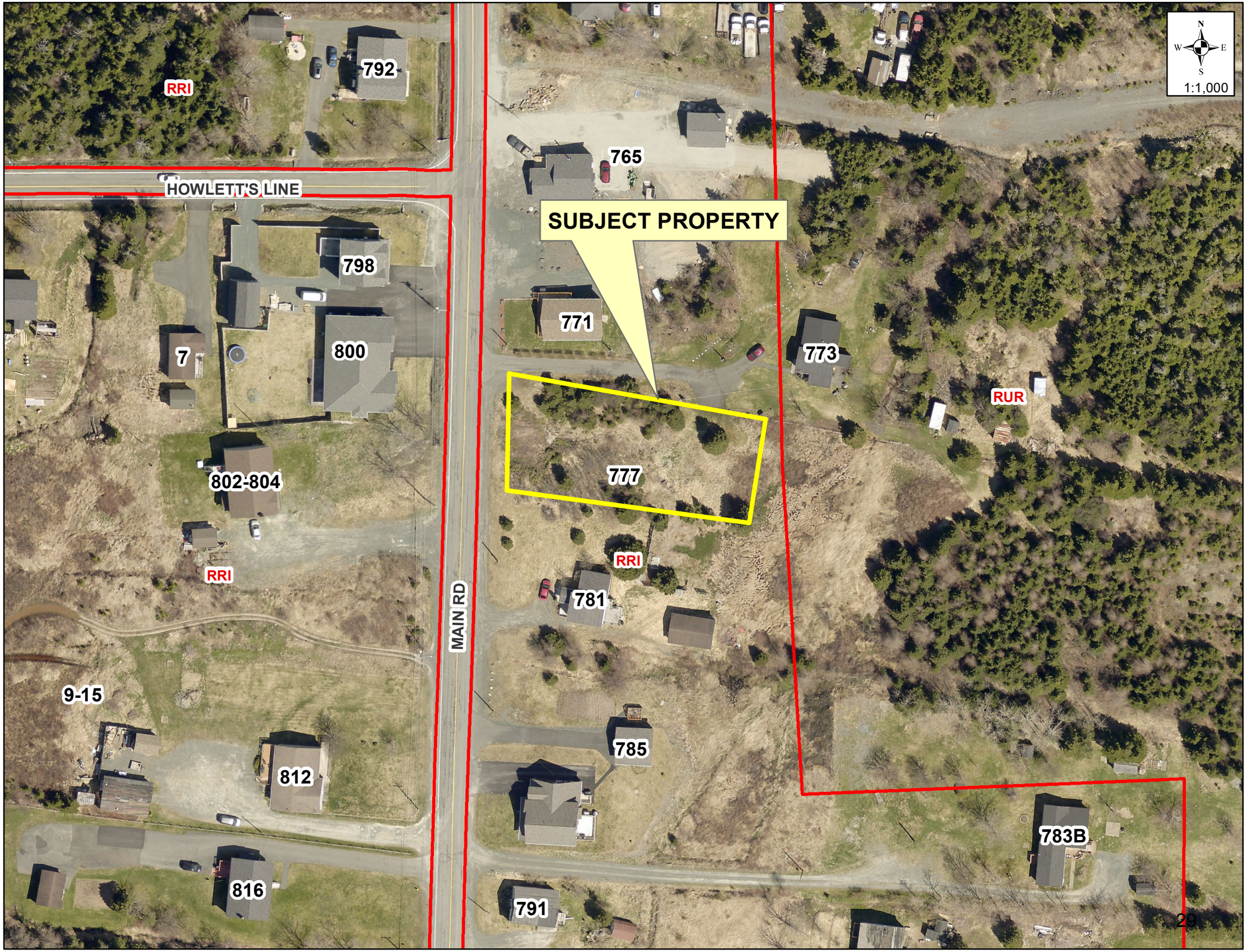
Report Approval Details

Document Title:	Notices Published - 775-777 Main Road.docx
Attachments:	- DEV2300101-775-777 MAIN ROAD.pdf
Final Approval Date:	Aug 30, 2023

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

Lindsay Lyghtle Brushett - Aug 30, 2023 - 9:06 AM

Jason Sinyard - Aug 30, 2023 - 10:08 AM



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Karen Chafe

From: [redacted]
Sent: Friday, August 18, 2023 1:57 PM
To: CityClerk
Subject: (EXT) Discretionary Application for 775-777 Main Road

City Clerk

[redacted] and [redacted] have no objections to the Discretionary Application.

Thanks in advance

[redacted]

Karen Chafe

From: [redacted]
Sent: Monday, August 21, 2023 3:23 PM
To: CityClerk
Cc: [redacted]
Subject: (EXT) 775-777 Main Road

Good Afternoon,

Recently, I was sent correspondence outlining my opportunity to provide commentary regarding a Discretionary Use Application for the subject-noted property.

I live [redacted] of said property, and while I do not have **major** concerns respecting the use of the property for a business, I do have to point out that there does not seem to be ample area for parking. Because of that, I would not want to see cars parked all over the shoulder of the road. The city has not made these road shoulders very wide, and with numerous cars parked on them, [redacted], I am concerned of the safety risk that may arise when [redacted].

Given this, I would like to know how the city will mitigate any safety risks due to lack of parking. Will "No Parking" signs be placed in the area around the property? Have other measures been thought of?

When able, I would appreciate a response on this matter.

Regards,
[redacted]

DECISION/DIRECTION NOTE

Title: Request for Parking Relief – 280-290 East White Hills – SUB2200051

Date Prepared: August 30, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: Ward 2

Decision/Direction Required: To approve parking relief for the proposed Warehouse Building at 280 - 290 East White Hills Road.

Discussion – Background and Current Status:
The Morgan Group of Companies submitted an application to consolidate land and construct a Warehouse building at 280 - 290 East White Hills Road. As per Section 8.3 of the Envision St. John's Development Regulations, a minimum of seventy-two (72) parking spaces are required for the Warehouse Use and a minimum of ten (10) spaces for the Office Use; a total of eighty-two (82) parking spaces are required for the new building. Thirty (30) parking spaces are proposed, therefore parking relief for fifty-two (52) parking spaces is requested.

As justification for parking relief, the applicant has indicated that the occupant requires seventeen (17) parking spaces for regular staff and infrequently an additional eight (8) parking spaces for additional staff during meetings. There is no public visiting the facility and all pickup and delivery is by the property occupant at the loading bays. The applicant believes that twenty-five (25) parking spaces will meet the maximum staff demand**,** and the provided thirty (30) parking spaces will provide an additional buffer.

Under the Development Regulations, warehouse parking is calculated based on floor area; in this case the large floor area is not directly proportional to number of employees required on-site. Section 8.12 of the Development Regulations state that where an applicant wishes to provide a different number of parking spaces than required under Section 8.3 and where the change does not merit a parking report, a staff report may be accepted in lieu.

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.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: Envision St. John's Development Regulations Section 8.3 "Parking Standards" and Section 8.12 "Parking Report".

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 parking relief for fifty-two (52) parking spaces for the proposed Warehouse Use at 280-290 East White Hills Road.

Prepared by:
Andrea Roberts, 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 - Request for Parking Relief – 280-290 East White Hills – SUB2200051.docx
Attachments:	- AERIAL MAP - 280-290 EAST WHITE HILLS ROAD.pdf
Final Approval Date:	Aug 30, 2023

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

Lindsay Lyghtle Brushett - Aug 30, 2023 - 11:43 AM

Jason Sinyard - Aug 30, 2023 - 11:48 AM

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DECISION/DIRECTION NOTE

Title: Notices Published – 285 Thorburn Road - DEV2300092

Date Prepared: August 30, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: Ward 4

Decision/Direction Required:
A Change of Non-Conforming Use has been submitted by C.H.A.N. Motors Ltd. for 285 Thorburn Road.

Discussion – Background and Current Status:
The proposed application is to change the non-conforming use from an Office Use with storage at the rear of the site to a Car Sales Lot. Vehicles will be serviced and detailed on-site and then stored in the rear yard until they are shipped out of province. No commercial garage repairs for the public will occur on-site. Hours of operation will be Monday to Friday, 8 a.m. to 5 p.m. and Saturday, 11 a.m. to 4 p.m. The floor area of the business will remain at approximately 72.8m^2. On-site parking is provided. The proposed application site is in the Rural Residential (RR) Zone.

One submission was received. Concerns raised include the selling of vehicles on site, the extreme amount of garbage blowing onto adjacent property(s), that the site has become a junkyard with stacks of tires, car parts, and mattresses, tractor trailers are parked for extended periods of time, there are broken down and beat up vehicles with currently over 40 vehicles onsite, an increase in traffic to and from the location, excessive noise during the day and late into the evening, associated crime pertaining to the location, and environmental impacts on the proximity of their well and septic services. The applicant has noted that they are waiting on municipal approval prior to moving vehicles from the site. Parts are purchased from local sources, and detailing and service work is completed within the building on-site.

Under the Development Regulations, Section 7.5 “Non-Conforming Use” 3(d) states a “Non-Conforming Use may have the existing Use for that Building, structure or Development varied with the approval of Council to a Use that is more compatible, in Council’s opinion, with the Municipal Plan and these Regulations”. The previous use in the building was for an office (restoration company) and the rear yard used for associated storge of building materials and equipment. The proposed new use for a Car Sales Lot is proposing to use the building for the detailing and servicing of cars, and the rear yard used to store the vehicles. For a change of a non-conforming use, the new proposed use is to be more comfortable and in line with other

permitted or discretionary uses within the existing Zone, to further reduce the non-conformity of the site. The proposed new use for this site does not appear to be more compatible as required by the Development Regulations.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Property owner and neighboring property owners.

3. Alignment with Strategic Directions:

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

   Choose an item.

4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: St. John's Development Regulations Section 7.5 "Non-Conforming."

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 site. The application has been advertised in The Telegram newspaper at least twice and is 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 reject the change of Non-Conforming Use application at 285 Thorburn Road for a Car Sales Lot as the proposed use is not more compatible with permitted or discretionary uses in the Rural Residential Zone.

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

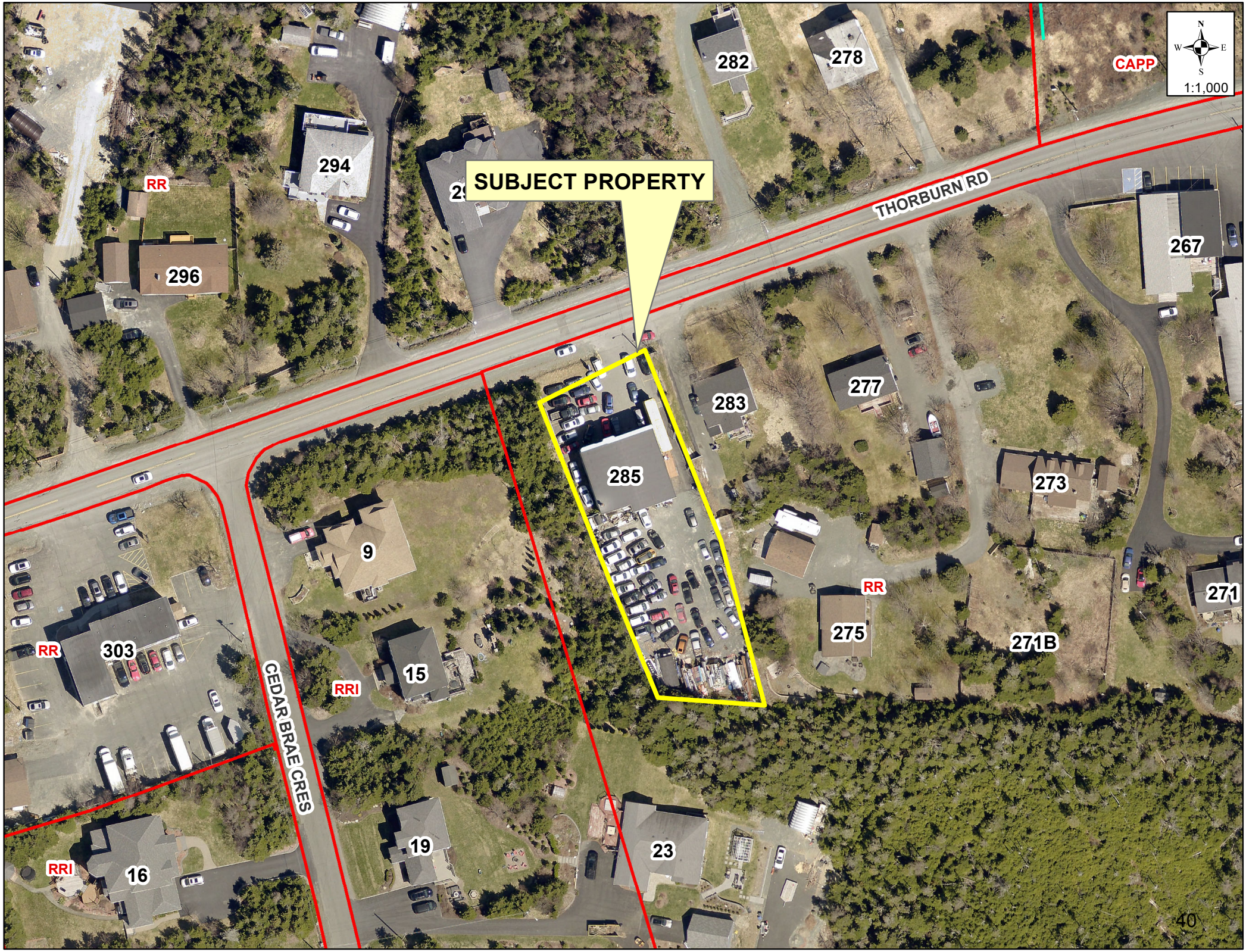
Report Approval Details

Document Title:	Notices Published - 285 Thorburn Road.docx
Attachments:	- DEV2300092-285 THORBURN ROAD.pdf
Final Approval Date:	Aug 30, 2023

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

Lindsay Lyghtle Brushett - Aug 30, 2023 - 1:41 PM

Jason Sinyard - Aug 30, 2023 - 3:13 PM



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Office of the City Clerk
P.O. Box 908
St. John's, NL
A1C 5M2

August 28th, 2023

Re: 285 Thorburn Road

To Whom it May Concern,

This letter is in response to the proposed business by C.H.A.N. Motors Ltd. at 285 Thorburn Road.

Firstly, [redacted] thank you for the opportunity to voice [redacted] concerns regarding the proposed car lot that is seeking approval at this location. [redacted] would like to strongly discourage the approval of this business. [redacted] implore you to please consider the reasons below.

[redacted]. This backlot is where all vehicles and garbage are stored, as well as where repairs are carried out.

Prior to seeking approval from the City of St. John's, this business was fully operational. Vehicles were being delivered, repaired and sold on site. [redacted] first noticed an extreme amount of garbage blowing [redacted]. It very quickly became a junkyard with stacks of tires, car parts, mattresses, tractor trailers parked for extended periods, and broken down, beat up vehicles sitting idle. Currently there are over 40 vehicles left onsite, many of which are beyond repair.

Additionally, while operational, [redacted] noticed an increase in traffic to and from the location, as well as excessive noise. This occurred during the day but, more alarmingly, late in the evening. Vehicles were being delivered by tractor trailer and repairs were being carried out well into the night. Revving vehicles without an exhaust and using tools such as hammers and angle grinders all caused excessive noise pollution beyond city noise bylaws.

[redacted] also concerned about the nature of the business. With the incidents on Pippy Place, where businesses have been broken into and vehicles stolen, [redacted] fearful that this had the potential to happen [redacted] As the car lot moved [redacted] and became operational, [redacted] property was searched and [redacted] cars were broken into. [redacted]

[redacted] biggest concern lies in the environmental impacts this business can potentially have on neighbouring homes. All properties in proximity are on well and septic services. Allowing a car lot could have dangerous consequences for water quality and drinkability in the area. There is a potential for oil and other chemicals to seep into the ground and, in turn, the groundwater sources. The over 40 vehicles currently onsite have been sitting there for months as this process for approval is ongoing. [redacted] fear what damage this has already had on [redacted] water supply and what could ensue if this business is allowed to operate. In the short amount of time of operation, there are numerous oil stains on the backlot.

[redacted]

[redacted] are adamant that the approval of this business will create more challenges than benefits for the City of St. John's and its residents. [redacted] pleading with you, the City, to not approve a car lot at 285 Thorburn Road.

Thank you for your time and consideration of this matter. If you have any further questions or concerns, please do not hesitate to contact [redacted]

Kindest regards,

[redacted]

DECISION/DIRECTION NOTE

Title: Variance Request for Front Yard Landscaping – 78 Pepperwood Drive – SUB2300025

Date Prepared: August 30, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: Ward 5

Decision/Direction Required: To seek approval for a Variance on the Front Yard Landscaping at 78 Pepperwood Drive.

Discussion – Background and Current Status: An application was submitted for a Single Detached Dwelling at 78 Pepperwood Drive. The property is zoned Residential 1 (R1) and the minimum requirement for front yard soft landscaping is 50% and shall be continuous. To accommodate the proposed dwelling and driveway location, a 10% variance was requested, which will result in 45% continuous soft landscaping on the front yard. The Lot is larger than the minimum required area for the R1 Zone. Section 7.4 of the St John's Development Regulations can allow Council to grant a Variance from the applicable requirements to a maximum of 10%.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Written notices were sent to property owners whose land abuts the Development that is subject to the Variance.

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.

5. Accessibility and Inclusion: Not applicable.

ST. JOHN'S

6. Legal or Policy Implications: St. John's Development Regulations Section 7.4 "Variances," Section 7.6 "Landscaping and Screening" and Section 10 "Residential 1 (R1) Zone".

7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations:

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 a 10% Variance at 78 Pepperwood Drive to allow a requirement for only 45% Front Yard Soft Landscaping.

Prepared by:
Lindsay Lyghtle Brushett, MCIP Supervisor Planning & Development
Planning, Engineering and Regulatory Services

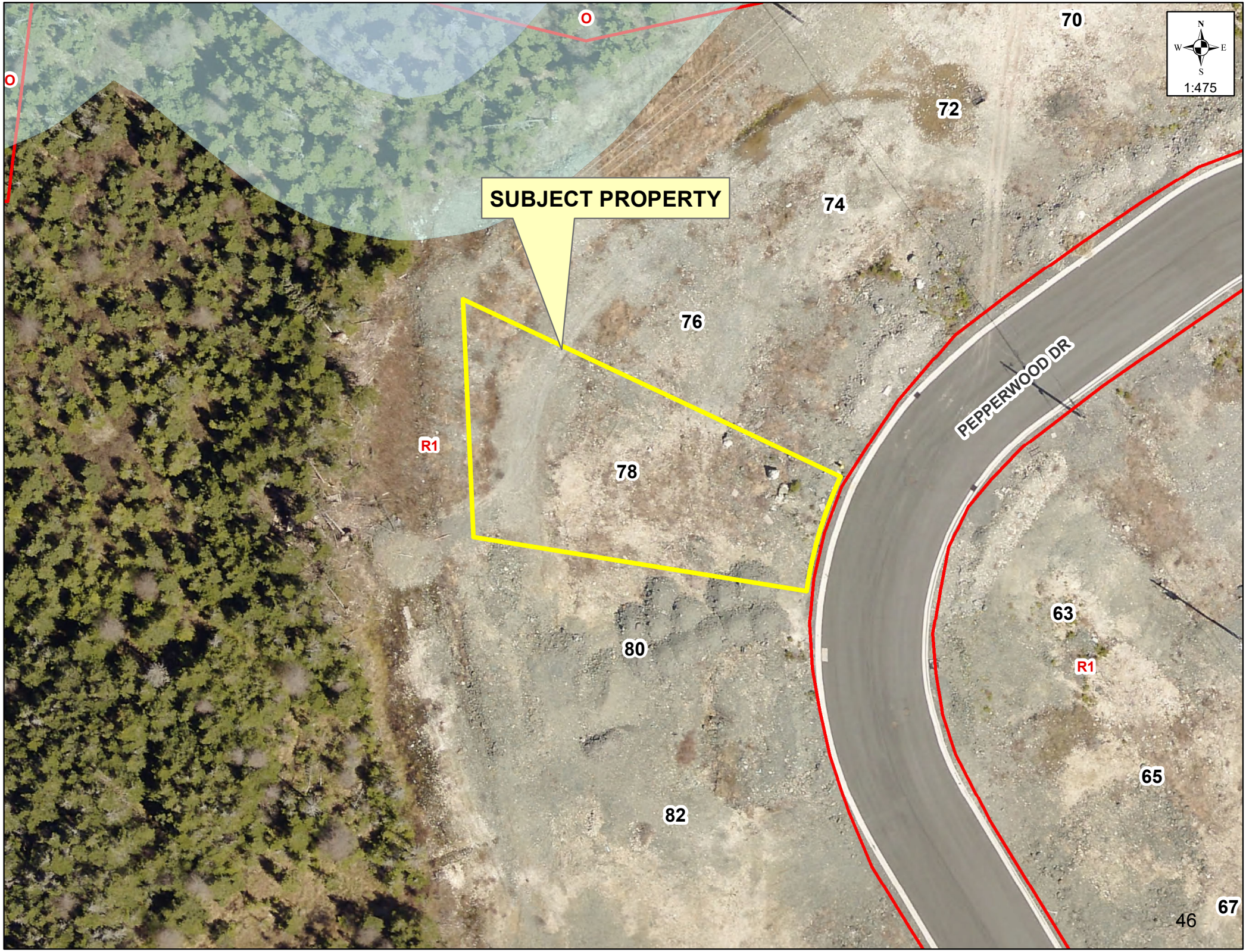
Approved by:
Jason Sinyard, P.Eng, MBA Deputy City Manager
Planning, Engineering and Regulatory Services

Report Approval Details

Document Title:	Development Committee - Variance Request on Landscaping - 78 Pepperwood Drive - SUB2300025.docx
Attachments:	- Aerial Map.pdf - Foundation on Lot 313-314 With Revised Driveway Rev. 4.pdf
Final Approval Date:	Aug 31, 2023

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

Jason Sinyard - Aug 31, 2023 - 10:22 AM



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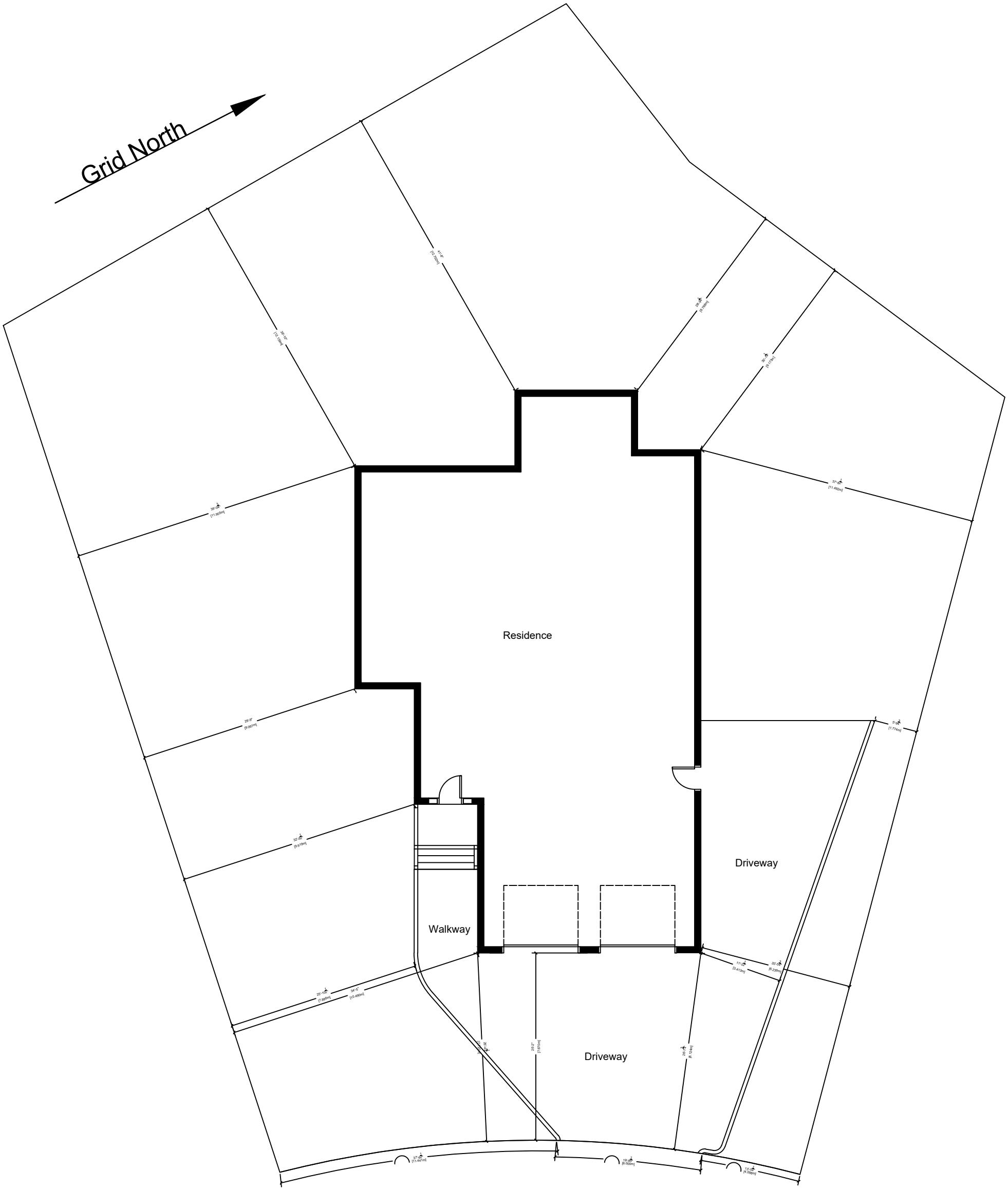
Grid North
Residence
Driveway
Walkway
Driveway

BID APPROVAL NOTE

Bid # and Name: 2023163 - 2023 Sidewalk Infill

Date Prepared: Wednesday, August 23, 2023

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-2023-156

Source of Funding: Capital

Purpose:
Installation of new sidewalk infill throughout the City.

Results: ☐ As attached ☒ As noted below

Vendor Name	Bid Amount
Dexter Construction Company Limited	$372,215.90
Modern Paving Limited	$412,105.38
Pyramid Construction Limited	$470,867.50
Black Diamond Construction Limited	$577,961.25

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: Work must be completed prior to September 15, 2023

Bid Exception: None

Recommendation:
That Council ratify the award of this open call to the lowest bidder meeting specifications, Dexter Construction Company Limited, for $372,215.90 (HST incl.) as per the Public Procurement Act, as it was approved by way of ePoll on August 25, 2023.

Attachments:

ST. JOHN'S

Report Approval Details

Document Title:	2023163 - 2023 Sidewalk Infill.docx
Attachments:	
Final Approval Date:	Aug 25, 2023

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

Rick Squires - Aug 25, 2023 - 10:24 AM

Derek Coffey - Aug 25, 2023 - 10:54 AM

ST. JOHN'S

Report of Committee of the Whole - City Council
Council Chambers, 4th Floor, City Hall

August 23, 2023, 9:30 a.m.

Present:	Mayor Danny Breen Councillor Ron Ellsworth Councillor Sandy Hickman Councillor Ophelia Ravencroft Councillor Jamie Korab Councillor Ian Froude Councillor Carl Ridgeley
Regrets:	Deputy Mayor Sheilagh O'Leary Councillor Maggie Burton Councillor Debbie Hanlon Councillor Jill Bruce
Staff:	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 Cheryl Mullett, City Solicitor Ken O'Brien, Chief Municipal Planner Karen Chafe, City Clerk Erin Skinner, Manager of Communications (Acting) Christine Carter, Legislative Assistant
Others	Judy Tobin, Manager, Housing David Crowe, Manager of Roads Amer Afridi, Manager, Transportation Engineering Mark Finch, Affordable Housing & Development Facilitator Marianne Alacoque, Transportation System Engineer Jackie O'Brien, Communications & Public Relations Officers

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1.0 Funding for Fleet Renewal – Phase 2

Councillor Ellsworth presented the Decision Note for the Fleet Asset Management Strategy noting that a comprehensive asset management strategy has been developed for Phase 2 Fleet Assets – blowers, loaders and sidewalk units. The asset management plan will allow for improved long-term planning and decision making regarding these assets and the essential City services they support. An in-depth analysis of the current condition of the vehicle types, the factors that led to current issues and the revaluation of the fleet replacement cycle and budget was performed by staff.

Long term planning for the vehicle types involved net present value (NPV) forecasting of several lifecycle scenarios as well as lease versus buy analysis. As the lifecycle period increases, reduced vehicle availability (downtime) increases the need for additional redundancy units. The required size of the fleet under different scenarios includes critical units to maintain service levels and redundancy units required for downtime and maintenance. Based on the scenarios analyzed by staff, which incorporated actual and projected maintenance and replacements costs the most cost-effective replacement cycles are:

- Blowers: 7 years
- Loaders: 7 years
- Sidewalk Units: 6 Years

These adjusted lifecycles result in the lowest overall budget impact, and beyond this point, maintenance costs exceed the value of the vehicles.

Councillor Froude noted that he is supportive of this, but it had been previously discussed to refer this to the upcoming budget discussions and asked why it is before Council today. The Deputy City Manager of Finance and Corporate Services advised Council that it is being brought forward to Council now to allow Staff the time to order this necessary equipment but can be a part of the upcoming budget discussions.

A motion to delay discussion to the upcoming budget discussions was made but did not receive a seconder.

<u>Recommendation</u>
Moved By Councillor Ellsworth
Seconded By Councillor Korab

That Council approve the Fleet Phase 2 asset management strategy, budget implications and financing through surplus.

For (6): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, and Councillor Ridgeley

Against (1): Councillor Froude

MOTION CARRIED (6 to 1)

2.0 Text Amendment – Unserviced Accessory Building – REZ2300007

Councillor Froude provided an overview of the Decision Note for Council to consider a text amendment to section 6.2.4 of the Envision St. John's Development Regulations to remove the 6-metre setback requirement for accessory buildings in unserviced areas.

Section 6.2.4(2) of the Envision St. John's Development Regulations requires accessory buildings located in unserviced areas (areas without municipal water services) to be located a minimum of 6 metres from any lot line. This requirement used to exist for both houses and accessory buildings, however during the Envision St. John's review of our Municipal Plan and Development Regulations, the requirement was removed for houses. It is now proposed to remove this requirement for accessory buildings.

Both the Fire Department and the Inspection Services Division agree with this change.

Recommendation
Moved By Councillor Froude
Seconded By Councillor Ridgeley

That Council consider a text amendment to the Envision St. John's Development Regulations to remove the 6-metre setback requirement for accessory buildings in unserviced areas.

For (7): Mayor Breen, Councillor Ellsworth, Councillor Hickman, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

MOTION CARRIED (7 to 0)

_____

Mayor

DECISION/DIRECTION NOTE

Title: Funding for Fleet Renewal – Phase 2

Date Prepared: July 26, 2023

Report To: Committee of the Whole

Councillor and Role: Councillor Ron Ellsworth, Finance & Administration

Ward: N/A

Decision/Direction Required:

Review and acceptance of the Fleet asset management strategy including financing requirements.

Discussion – Background and Current Status:

A comprehensive asset management strategy has been developed for Phase 2 Fleet Assets – blowers, loaders and sidewalk units. The asset management plan will allow for improved long term planning and decision making regarding these assets and the essential City services they support. An in-depth analysis of the current condition of the vehicle types, the factors that led to current issues and the revaluation of the fleet replacement cycle and budget was performed by staff.

Long term planning for the vehicle types involved net present value (NPV) forecasting of several lifecycle scenarios as well as lease versus buy analysis. As the lifecycle period increases, reduced vehicle availability (downtime) increases the need for additional redudency units.The required size of the fleet under different scenarios includes critical units to maintain service levels and redundancy units required for downtime and maintenance. Based on the scenarios analyzed by staff, which incorporated actual and projected maintenenance and replacements costs the most cost-effective replacement cycles are:

Blowers: 7 years
Loaders: 7 years
Sidewalk Units: 6 Years

These adjusted lifecycles result in the lowest overall budget impact, and beyond this point, maintenance costs exceed the value of the vehicles.

Financing the long term capital plan will involve two portions:

1. Permanent budget increase
2. Transitional financing

The permanent budget increase is the average annual change required to the capital and operating budgets. As the City shifts from maintenance to capital, the operating budget will decrease with an increase to the capital budget for acquisition of the vehicles. The adjustment of this budget allows Fleet to make asset management decisions regarding whether its in the best interest to maintain or replace an existing piece of equipment. Currently, the capital budget does not allow for such flexibility and is the deciding factor to perform maintenance. The projected increase to the City's budget is as follows:

2024	2025	2026	2027	2028	2029
1,656,340	1,149,700	1,463,350	1,522,100	1,580,820	1,639,554

Transitional financing is related to the interim period that's needed to spread the equipment purchases to avoid bulk purchasing and work with new procurement timelines of 18-24 months.

It is recommended to fund the transitional financing through the available surplus of $8.2M. The cost is estimated to be $2.7M over a 3 year period - $2.3M, $0M and $0.4M in years 2024, 2025 and 2026 respectively. The use of the suplus allows the City to avoid borrowing costs and loan payments.

Key Considerations/Implications:

1. Budget/Financial Implications:

   As discussed above.

2. Partners or Other Stakeholders:

   Citizens of St. John's are key stakeholders. The City provides snowclearing/ice control which are critical services to citizens; these services heavily rely on Phase 2 equipment.

3. Alignment with Strategic Directions:

   A Sustainable City: Be financially responsible and accountable.

   Choose an item.

4. Alignment with Adopted Plans:

5. Accessibility and Inclusion:

6. Legal or Policy Implications:

7. Privacy Implications:

8. Engagement and Communications Considerations:

9. Human Resource Implications:

10. Procurement Implications:

    Timeliness of approval of the plan is important to allow departments time to prepare (i.e. prepare tenders) for procurement schedule.

11. Information Technology Implications:

12. Other Implications:

Recommendation:
That Council approve the Fleet Phase 2 asset management strategy, budget implications and financing through surplus.

Prepared by: Melanie Shea
Approved by: Kris Connors/Derek Coffey

Report Approval Details

Document Title:	Fleet Strategy Phase 2.docx
Attachments:	- Fleet Strategy Council_P2.pdf
Final Approval Date:	Jul 27, 2023

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

Kris Connors - Jul 27, 2023 - 3:34 PM

Derek Coffey - Jul 27, 2023 - 3:55 PM

DECISION/DIRECTION NOTE

Title: Text Amendment – Unserviced Accessory Building – REZ2300007

Date Prepared: July 20, 2023

Report To: Committee of the Whole

Councillor and Role: Councillor Ian Froude, Planning

Ward: N/A

Decision/Direction Required:
To consider a text amendment to section 6.2.4 of the Envision St. John's Development Regulations to remove the 6-metre setback requirement for accessory buildings in unserviced areas.

Discussion – Background and Current Status:
Section 6.2.4(2) of the Envision St. John's Development Regulations requires accessory buildings located in unserviced areas (areas without municipal water services) to be located a minimum of 6 metres from any lot line. This requirement used to exist for both houses and accessory buildings, however during the Envision St. John's review of our Municipal Plan and Development Regulations, the requirement was removed for houses. It is now proposed to remove this requirement for accessory buildings. Both the Fire Department and the Inspection Services Division agree with this change.

It is proposed to amend section 6.2.4 of the Envision St. John's Development Regulations as follows:

6.2.4 Accessory Building Location

~~(1)~~ Accessory Buildings shall be:
(a) located in Rear and Side Yards and shall be located behind the Building Line;
(b) located a minimum of 1.2 metres from any Lot Line;
(c) located a minimum of 2.4 metres from any other Building on the Lot; and
(d) located a minimum of 3.0 metres from a Street, subject to Section 7.2.3 (Corner Lots and Yards Abutting a Street). (2022-05-27)

~~*(2) Notwithstanding Subsection (1), where an Accessory Building is located in an area without municipal water services, it shall be located a minimum of 6 metres from any Lot Line.*~~

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

ST. JOHN'S

2. Partners or Other Stakeholders: Residents and property owners in unserviced areasl the St. John's Regional Fire Department; he City's Inspection Services Division; and the NL Home Builders Association.

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: Envision St. John's Municipal Plan.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: An amendment to the Envision St. John's Development Regulations is required.

7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations: Consultation will be carried out as required by the Development Regulations. Additionally, a project page will be created on the Engage St. John's website.

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 remove the 6-metre setback requirement for accessory buildings in unserviced areas.

Prepared by: Lindsay Church, MCIP, Planner III – Urban Design and Heritage
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	Text Amendment - Unserviced Accessory Building - REZ2300007.docx
Attachments:	
Final Approval Date:	Aug 1, 2023

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

Ken O'Brien - Aug 1, 2023 - 1:32 PM

Jason Sinyard - Aug 1, 2023 - 3:01 PM

Development Permits List
For August 17 to August 30, 2023

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Atlantic Planning and Management Ltd. for North Sun Energy Inc.	Drive Through	446 Topsail Road	3	Approved	2023-08-17
RES	75579 Newfoundland & Labrador Inc.	Subdivision to create 28 Residential Lots	29-61 & 30-50 Leonard J. Cowley Street	4	Approved	2023-08-22
COM	Church of the Good Samaritan Corp	Parking lot Line Painting	10 St. Clare Avenue	2	Approved	2023-08-22
RES		Consolidation - Land Only	17 Exeter Street	4	Approved	2023-08-22
RES		Rebuild of Single Detached Dwelling	4 Stoneyhouse Street	4	Approved	2023-08-23
RES		Single Detached Dwelling on Vacant Lot	38 Critch's Path	4	Approved	2023-08-25
RES		Subdivide for Residential Lot	615 Main Road	5	Rejected – Contrary to RRI Zone section 3(a) does not meet minimum lot area	2023-08-25
RES	Smith Investments Inc.	Subdivide to Create and Develop 4 Residential Lots	2, 4, 6 & 8 Burry Port Street	1	Approved	2023-08-29

*** Code Classification:**

RES	**- Residential**	**INST**	**- Institutional**
COM	**- Commercial**	**IND**	**- Industrial**
AG	**- Agriculture**		
OT	**- Other**		

**** This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.**

Lindsay Lyghtle Brushett
Supervisor – Planning & Development

_____

Permits List

Council's September 5, 2023, Regular Meeting

Permits Issued: 2023/08/17 to 2023/08/30

BUILDING PERMITS ISSUED

Residential

Location	Permit Type	Structure Type
1 Curtis Pl	Accessory Building	Accessory Building
1 Forest Rd	Fence	Fence
10 Edmonton Pl	Site Work	Driveway
11 Willenhall Pl	New Construction	Single Detached Dwelling
114 Bonaventure Ave	Renovations	Townhousing
124 Carrick Dr	Change of Occupancy	Single Detached Dwelling
125 Penney Cres	Renovations	Single Detached w/ apt.
13 Brighton Pl	Fence	Fence
134 Cheeseman Dr	Accessory Building	Accessory Building
14 Lilac Cres	Fence	Fence
147 Lemarchant Rd	Renovations	Apartment Building
15 Dyer Pl	Fence	Fence
15 Wexford St	Change of Occupancy/Renovations	Single Detached w/ apt.
17 Courtney St	Fence	Fence
18 Hoyles Ave	Renovations	Semi Detached Dwelling
181-185 Blackmarsh Rd	Renovations	Apartment Building
19 Dorset St	Deck	Patio Deck
19 Dorset St	Renovations	Single Detached Dwelling
2 Ayre Pl	Change of Occupancy/Renovations	Single Detached w/ apt.
226 New Pennywell Rd	Accessory Building	Accessory Building
23 Donegal Run	New Construction	Semi Detached Dwelling
234 Stavanger Dr	Renovations	Single Detached Dwelling
24 Eric St	New Construction	Townhousing
24 Shriners Rd	New Construction	Single Detached w/ apt.
25 Donegal Run	New Construction	Semi Detached Dwelling
26 Clearview St	Fence	Fence
26 Eric St	New Construction	Townhousing

26 Point Leamington St	Deck	Patio Deck
27 Donegal Run	New Construction	Semi Detached Dwelling
27 Everard Ave	New Construction	Single Detached Dwelling
27 Tanner St	Accessory Building	Accessory Building
28 Eric St	New Construction	Townhousing
28 Maurice Putt Cres	Site Work	Single Detached w/ apt.
29 Donegal Run	New Construction	Semi Detached Dwelling
31 Airport Rd	Accessory Building	Accessory Building
310 Southern Shore Hwy	Site Work	Semi Detached Dwelling
36 Gambier St	Renovations	Single Detached Dwelling
36 Smithville Cres	Fence	Fence
4 Cormack St	Deck	Patio Deck
4 Stoneyhouse St	New Construction	Single Detached Dwelling
408 Elizabeth Ave	Renovations	Single Detached Dwelling
43 Sugar Pine Cres	Fence	Fence
45 Meighen St	Fence	Fence
47 Orlando Pl	Deck	Patio Deck
5 Cape Norman St	New Construction	Single Detached w/ apt.
5 Fitzpatrick Ave	Renovations	Semi Detached Dwelling
5 Military Rd	Change of Occupancy/Renovations	Single Detached w/ apt.
5 Nightingale Rd	Renovations	Single Detached Dwelling
5 Prince Charles Pl	Fence	Fence
52 Jensen Camp Rd	New Construction	Single Detached Dwelling
56 Branscombe St	Renovations	Single Detached Dwelling
58 Pepperwood Dr	New Construction	Single Detached Dwelling
59 Roosevelt Ave	Renovations	Apartment Building
6 Power St	Renovations	Single Detached Dwelling
60 Jensen Camp Rd	New Construction	Single Detached Dwelling
62 Nautilus St	Renovations	Single Detached Dwelling
7 Emerson St	Renovations	Single Detached Dwelling
7 Gosling St	Renovations	Single Detached w/ apt.
7 Mogridge St	Deck	Patio Deck
7 Munich Pl	New Construction	Single Detached Dwelling
71 Galway Blvd	Fence	Fence
75 Keith Dr	Accessory Building	Accessory Building
775-777 Main Rd	New Construction	Single Detached Dwelling

80 Oxen Pond Rd	Fence	Fence
80 Oxen Pond Rd	Deck	Patio Deck
81 Fox Ave	Change of Occupancy/Renovations	Single Detached Dwelling

This Week: $6,806,645.50

Commercial

Location	Permit Type	Structure Type
115 Cavendish Sq	Change of Occupancy/Renovations	Hotel
151-153 Water St	Renovations	Office
155 Water St	Renovations	Retail Store
157-163 Water St	Renovations	Office
167 Water St	Renovations	Retail Store
169-173 Water St	Renovations	Other
23 Beaumont Hamel Way	Sign	Clinic
25 White Rose Dr	Change of Occupancy	Other
290 East White Hills Rd	Accessory Building	Accessory Building
293 Freshwater Rd	Renovations	Apartment Building
33 Pippy Pl	Change of Occupancy/Renovations	Office
410 Stavanger Dr	Change of Occupancy	Other
48 Kenmount Rd	Renovations	Retail Store
50 Harbour Dr	Renovations	Office
55 Hebron Way	Sign	Recreational Use
67-71 Harvey Rd	Change of Occupancy/Renovations	Restaurant
99 Military Rd	Renovations	Mixed Use

This Week: $318,939.00

Government/Institutional

Location	Permit Type	Structure Type
6 Cathedral St	Renovations	Church

This Week: $793,500.00

Industrial

Location	Permit Type	Structure Type

This Week: $0.00

Demolition

Location	Permit Type	Structure Type
38 Gear St	Demolition	Warehouse
5 Nightingale Rd	Demolition	Patio Deck

This Week: $70,000.00

This Week's Total: $7,989,084.50

REPAIR PERMITS ISSUED: **$96,328.60**

NO REJECTIONS

YEAR TO DATE COMPARISONS			
September 5, 2023			
TYPE	**2022**	**2023**	**% Variance (+/-)**
Residential	$53,886,539.84	$58,333,455.65	8
Commercial	$77,126,637.38	$65,351,577.71	-15
Government/Institutional	$1,275,188.00	$6,138,759.99	381
Industrial	$351,000.00	$190,000.00	-46
Repairs	$1,097,059.44	$1,150,310.98	5
TOTAL	**$133,736,424.66**	**$131,164,104.33**	-2
Housing Units (1 & 2 Family Dwelling)	171	131	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers
For The
Week Ending August 23, 2023

Payroll

Public Works	**$ 464,952.91**
Bi-Weekly Casual	**$ 137,515.86**
Accounts Payable	**$ 6,594,577.74**

(A detailed breakdown available here)

Total: $ 7,197,046.51

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

MEMORANDUM

Weekly Payment Vouchers
For The
Week Ending August 30, 2023

Payroll

Public Works	**$**	**515,128.40**
Bi-Weekly Administration	**$**	**902,762.29**
Bi-Weekly Management	**$**	**988,529.79**
Bi-Weekly Fire Department	**$**	**1,004,432.03**
Accounts Payable	**$**	**1,900,093.70**

(A detailed breakdown here)

Total: $ 5,310,946.21

DEPARTMENTAL APPROVAL REQUEST/RFP

Commodity/Bid #: 2023106 - Waste Management Technology Platform

Date Prepared: Thursday, August 24, 2023

Report To: Regular Meeting

Councillor and Role: Councillor Sandy Hickman, Public Works

Ward: **N/A**

Department: Public Works

Quotes Obtained By: Jonathan Murphy/Sherry Kieley

Budget Code: 4321-52536

Source of Funding: Operating

Purpose:
To provide hardware and software to assist in daily operation of the automated garbage collection program.

Proposals Submitted By:

Vendor Name
Fleetmind Solutions Inc. (Safefleet)
Routeware Inc.

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

Contract Duration: Five (5) years

Recommendation:
THAT Council award to Fleetmind Solutions Inc. (Safefleet) in the amount of $630,508.00 based on evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

Attachments:

ST. JOHN'S

Report Approval Details

Document Title:	2023106 - Waste Management Technology Platform .docx
Attachments:	
Final Approval Date:	Aug 28, 2023

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

Andrew Niblock - Aug 28, 2023 - 8:53 AM

Lynnann Winsor - Aug 28, 2023 - 2:03 PM

BID APPROVAL NOTE

Bid # and Name: 2023153 - Supply and Delivery of Safety Supplies

Date Prepared: Friday, September 1, 2023

Report To: Regular Meeting

Councillor and Role: Councillor Ron Ellsworth, Finance & Administration

Ward: N/A

Department: Finance & Corporate Services

Division: Supply Chain

Quotes Obtained By: Leanne Bastow

Budget Code: 0000-15101

Source of Funding: Operating

Purpose:
The purpose of this open call is for the supply and delivery of safety supplies for various divisions, to be used on an as required basis.

Results: ☒ As attached ☐ As noted below

Vendor Name	Bid Amount

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 (1) year, with two (2) possible one (1) year extensions.

Bid Exception: None

Recommendation:
That Council approve for award this open call, that was evaluated on a section-by-section basis to the top ranked proponent, Vision Packaging Supplies Ltd. Section 1 - $33,793.93 per year (HST not included) and Section 2 - $63,533.90 per year (HST not included), as per the Public Procurement Act.

Attachments:
Results - “2023153 Bid Approval Attachment Final”

ST. JOHN'S

Report Approval Details

Document Title:	2023153 - Supply and Delivery of Safety Supplies.docx
Attachments:	- 2023153 Bid Approval Attachment Final.pdf
Final Approval Date:	Sep 1, 2023

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

Rick Squires - Sep 1, 2023 - 11:25 AM

Derek Coffey - Sep 1, 2023 - 11:35 AM

Vendor Name	Bid Amount
OMB Parts & Industrial Ltd.	Section 1 - $65,828.95 Section 2 - $127,784.32
Rock Safety Industrial ltd.	Section 1 - $37,537.58 Section 2 - $72,485.8
MSSLTD	Section 1 - $63,454.55 Section 2 - $68,962.68
Source Atlantic Ltd	Section 1 - $40,244.7 Section 2 - $72,144.32
Vision Packaging Supplies Ltd	**Section 1 - $33,793.93** **Section 2 - $63,533.9**
Work Authority	Section 1 - Disqualilfied Section 2 - No Bid
Petroleum Measurements Integrators Ltd.	Section 1 - Disqualilfied Section 2 - $91,936.54
McLoughlan Supplies Limited - Safety	Section 1 - $47,186.56 Section 2 - $93,740.38
eSupply Canada Ltd.	Section 1 - $77,333.29 Section 2 - $99,633.72
Vallen Canada Inc.	Section 1 - $44,482.68 Section 2 - $76,881.79

DECISION/DIRECTION NOTE

Title: SERC - Fall Events 2023

Date Prepared: August 28, 2023

Report To: Regular Meeting of Council

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

Ward: N/A

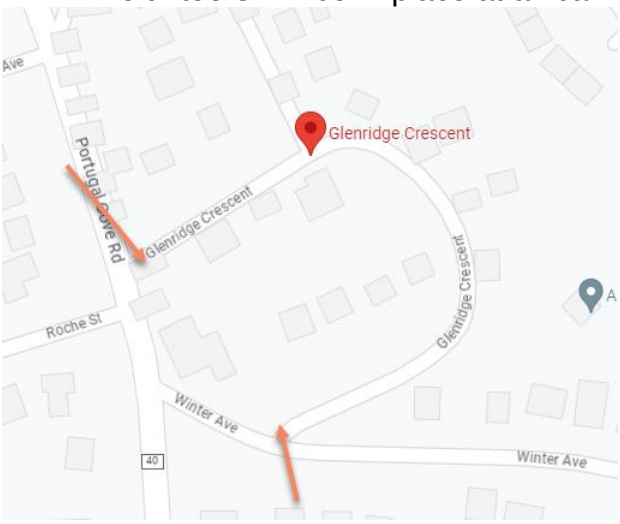
Decision/Direction Required: Seeking Council approval of road closures and noise by-law extension associated with the following events: Glenridge Cres Block Party on September 9, Provincial Marathon/Uniformed Services Run on September 10, Terry Fox Run on September 17, The Battle of Britain Parade on September 17, and George Street Association Back to School Bash on September 22.

Discussion – Background and Current Status:

Glenridge Cres Block Party:

- The residents of Glenridge Cres are hosting a block party on Saturday September 9 (rain date of September 16) from 9am – 10pm.

- Volunteers will be in place at all barricades, and local access will be permitted.



Provincial Marathon and the Uniformed Services Run:
This is scheduled to take place on Sunday September 10 beginning at 7:00am and finishing at 1:00pm. All roads will be opened after the last runners.

ST. JOHN'S

The main course is the Half-Marathon distance of 21.1 km. The Marathon consists of two loops of this course for a total of 42.2 km. The course consists of the following:

- Start: Caribou Monument, Bowring Park
- Exit Bowring Park East Gate, eastbound on Waterford Bridge Road
- Right turn onto Old Bay Bulls Road
- Left turn onto Southside Road
- Left turn onto Blackhead Road
- Right turn onto Water Street West
- Right turn onto Harbour Drive, continuing onto Job's Cove
- Right turn onto Water Street East
- Left turn onto Temperance Street, then use Quidi Vidi Road to get to Empire Avenue
- Empire Avenue to Kingsbridge Road, and around the corner onto Lake Avenue
- Left turn onto Carnell Drive
- Right turn onto The Boulevard, continuing into Quidi Vidi Village Road
- Quidi Vidi Village Road into Forest Road
- Left turn onto Empire Avenue, and return to Temperance Street
- Right turn onto Water Street East, and continue to Waterford Bridge Road
- Continue on Waterford Bridge Road to Park Road and the West Gate of Bowring Park
- Park Road to the Finish line near the Bungalow.

Road closures are required to provide safety for runners by removing vehicles that would be travelling in the same direction on the road. Most closures are in one direction of the road only, so vehicles can move in the other direction. Local residences and businesses can still be accessed, but only from one direction.

<u>Terry Fox Run:</u>
Scheduled to take place on September 17 around Quidi Vidi Lake.
The organizers are requesting the closure of Clancey Drive from Carnell Drive to Lakeview Avenue, and Lakeview Avenue to Forest Road, from 9:00am – 11:00am.

The Battle of Britain Parade:
Scheduled to take place on Sunday September 17.

- The first portion of the parade is a rolling closure and will travel from the CLB Armory at 10:30am and finish at the Anglican Cathedral on Church Hill at 11:00am.
- The second portion of the parade is a rolling closure and will travel from The Sergeants Memorial on Queens Road at 1:00pm and finish at City Hall 1:20pm.
- RNC and Military Police will be present to implement all road closures.
- This approval is pending the submission and approval of a finalized traffic plan to our City traffic division.

George Street Association – Back to School Bash:
Scheduled to take place on Friday September 22.

- George Street Association are requesting a noise by-law extension until 12am.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A

2. Partners or Other Stakeholders: George Street Association, NLAA, RNC, Royal Canadian Air Force, Terry Fox Foundation.

3. Alignment with Strategic Directions: N/A

4. Alignment with Adopted Plans: N/A

5. Accessibility and Inclusion: N/A

6. Legal or Policy Implications: Extension of noise by-law requested.

7. Privacy Implications: N/A

8. Engagement and Communications Considerations: Major road closures will communicated to the public through a public notice.

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 road closures and noise by-law extension associated with the following events: Glenridge Cres Block Party on September 9, Provincial Marathon/Uniformed Services Run on September 10, Terry Fox Run on September 17, The Battle of Britain Parade on September 17, and George Street Association Back to School Bash on September 22.

Prepared by: Christa Norman, Special Projects Coordinator
Approved by: Erin Skinner, Manager of Tourism, Culture, and Events.

Report Approval Details

Document Title:	SERC - Fall Events 2023.docx
Attachments:	
Final Approval Date:	Aug 29, 2023

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

Erin Skinner - Aug 28, 2023 - 4:04 PM

Tanya Haywood - Aug 29, 2023 - 9:22 AM

DECISION/DIRECTION NOTE

Title: Development Regulations Amendment No. 23, 2023 – Rural Tourism Use

Date Prepared: August 29, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Ian Froude, Planning

Ward: N/A

Decision/Direction Required:
To consider adoption of a text amendment to the Envision St. John's Development Regulations to add Rural Tourism Use as a Discretionary Use in the Rural (RUR), Rural Residential (RR) and Rural Residential Infill (RRI) Zones. At this time, Blackhead Road will not be added to the list of scenic roads.

Discussion – Background and Current Status:
The City received an application for a Nordic spa in a Rural Residential (RR) Zone. Staff recommended adding a "Rural Tourism" definition to the Envision St. John's Development Regulations. Council decided not to consider the proposed Nordic spa at the location on Blackhead Road, however, given the public support for this type of use, Council decided to proceed with a text amendment. The original amendment added Blackhead Road as a scenic road, but since the application there was decided against, Council decided against the scenic road provision at this time. It has been removed from the amendment package.

Municipal Plan Analysis
The Rural Land Use District is for areas that have farms or large tracts of open spaces, along with some houses on large rural lots. Within the Rural District, Council can establish zones to accommodate natural heritage, tourism and complementary uses. The proposed Rural Tourism use can be considered without an amendment to the Municipal Plan.

Public Consultation
At its July 12, 2022 regular meeting, Council decided to consider the amendment. It was advertised in *The Telegram* three times, mailed to properties within 150 metres of the property and posted on the City's website. There was also a project page on the City's Planning Engage page. A hybrid public meeting (in person and virtual) was held on June 8, 2023.

At its August 7, 2023 regular meeting, Council decided to proceed with the text amendment, but not allow a Rural Tourism use at the proposed location. The amendment package has been updated and is attached for Council's consideration. While the new Rural Tourism use was prompted by the application on Blackhead Road in the RR Zone, the definition is broad enough to include other nature-based tourism activities. Given the interest in this type of use,

staff recommended adding Rural Tourism use to the RUR and RRI Zones. Should applications come forward at other properties, they can be evaluated at the discretion of Council.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Residents and property owners of St. John's; rural tourism business owners; prospective clients of such businesses.

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: Not applicable.

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: Public engagement in accordance with the Envision St. John's Development Regulations was carried out.

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 adopt the attached resolutions for Envision St. John's Development Regulations Amendment Number 23, 2023, to add a new Rural Tourism Use definition and add Rural Tourism use as a discretionary use in the Rural (RUR) Zone, Rural Residential (RR) Zone and Rural Residential Infill (RRI) Zone.

Prepared by: Ann-Marie Cashin, MCIP, Planner III
Approved by: Ken O'Brian, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	Development Regulations Amendment No. 23, 2023 - Rural Tourism Use.docx
Attachments:	- DR Amend No. 23, 2023 - Rural Tourism Use - TEXT (amc).pdf
Final Approval Date:	Aug 29, 2023

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

Ken O'Brien - Aug 29, 2023 - 12:58 PM

Jason Sinyard - Aug 29, 2023 - 1:37 PM

City of St. John's Development Regulations, 2021

St. John's Development Regulations
Amendment Number 23, 2023

Add Rural Tourism Use as a Discretionary Use in the Rural (RUR) Zone, Rural Residential (RR) Zone and Rural Residential Infill (RRI) Zone

August 2023

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

CITY OF ST. JOHN'S Development Regulations, 2021

Amendment Number 23, 2023

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the City of St. John's Development Regulations Amendment Number 23, 2023.

Adopted by the City Council of St. John's on the 5th day of September, 2023.

Signed and sealed this ____ day of _____.

Town Seal

Mayor: _____

Clerk: _____

Canadian Institute of Planners Certification

I certify that the attached City of St. John's Development Regulations Amendment Number 23, 2023 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000.*

MCIP/FCIP: _____

MCIP/FCIP Stamp

Development Regulations/Amendment
REGISTERED

Number _____
Date _____
Signature _____

CITY OF ST. JOHN'S

Development Regulations Amendment Number 23, 2023

BACKGROUND AND ANALYSIS
The City initially received an application for a "Nordic Spa" at 1274 Blackhead Road. The subject property is within the Rural District of the St. John's Municipal Plan and is zoned Rural Residential (RR) at the front of the property and Rural (RUR) along the rear. Under the St. John's Development Regulations, there are no current uses within RUR or RR Zone that would allow the development to proceed. A text amendment to add a new Rural Tourism Use to the St. John's Development Regulations was required to consider the proposed development. Following public consultation, Council decided that they would not consider the Nordic Spa at the proposed location, but given the public's support for the new use, Council would like to proceed to add Rural Tourism Use to Rural Zones.

Polices in the Envision St. John's Municipal Plan support providing opportunities for tourism uses. The Rural Land Use District is applied to lands outside the urban core and are characterized by farms, large tracks of open spaces, along with limited number of rural dwellings. The proposed Rural Tourism Use would apply to uses where a rural/natural setting is part of the overall tourism experience. The proposed use would not be found in an urban setting.

From Policy 8.10.1 of the Municipal Plan, Within the Rural Land Use designation, Council shall establish rural land use zones that will accommodate uses in the form of agriculture, quarrying, forestry, natural heritage and tourism, limited rural residential uses, and other complementary uses as outlines in the permitted and discretionary uses of the zones identified in the Development Regulations.

Given that a Nordic Spa and other similar Rural Tourism Uses require a rural setting and that tourism uses are enabled through the Municipal Plan policies, the City is proposing to add a new Rural Tourism Use to the Rural (RUR) Zone, Rural Residential (RR) Zone, and Rural Residential Infill (RRI) Zone.

During the public meeting on the proposed use, residents raised concerns that such a use would commercialize rural areas. Staff believe that Rural Tourism Use would be low-impact uses. It would be added to the zones as a Discretionary Use, so Council would be able to consider each application on its own merit.

PUBLIC CONSULTATION
The proposed amendment was advertised on three occasions in The Telegram newspaper on May 20, May 27 and June 3, 2023. A notice of the amendment was also posted on the City's website, the Planning Engage Page and mailed to property owners

within 150 metres of 1274 Blackhead Road. A public meeting was held on June 8, 2023 at St. John's City Hall.

The submissions received are included in Council's August 7, 2023 agenda package. Many responses, in particular those received via the project Engage website, were in favour of the project and stated the need for this type of use within the City of St. John's. Some attendees at the public meeting discussed how Nordic Spas can provide physical and metal health benefits to users.

There were a number of concerns raised by the attendees at the public meeting and in written submissions. Their concerns are summarized below.

- **Commercialization of the area** – Area residents felt that it will commercialize their residential area.
- **Water Use** – Residents said that they experience low water pressure and wells going dry, and raised concerns that the water required for the spa would add to these problems.
- **Risk of fire** – Many area residents raised concerns that the proposed development would increase the risk of fire.
- **Flood plain** – During the review, staff confirmed a water body on provincial mapping. Should the amendment proceed, a flood plain analysis would be required.

These concerns were specific to the proposed site at 1274 Blackhead Road. At the August 7, 2023 Regular Council meeting, Council ultimately decided not to consider a Rural Tourism Use at that location, but given the general support/demand for the proposed use as indicated in the submissions received, Council directed to proceed with the text amendment and include Rural Tourism Use is all three Rural Zones (Rural (RUR), Rural Residential (RR) and Rural Residential Infill (RRI).

ST. JOHN'S URBAN REGION REGIONAL PLAN

The proposed amendment is in line with the St. John's Urban Region Regional Plan. An amendment to the St. John's Urban Region Regional Plan would not be required to add Rural Tourism Use in the Rural (RUR) Zone, the Rural Residential (RR) and the Rural Residential Infill (RRI) Zone.

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 23, 2023

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

1) **Adding the following to Section 2 – Definitions**
   "RURAL TOURISM USE means a type of tourism activity in which the visitor's experience is linked to nature-based activities, rural lifestyle/ culture, sightseeing, and may include overnight accommodations and other ancillary uses."

2) **Adding "Rural Tourism Use" as a Discretionary Use to the following Zones:**
   Rural (RUR) Zone,

Rural Residential (RR) Zone, and
Rural Residential Infill (RRI) Zone

DECISION/DIRECTION NOTE

Title: 81 Cochrane Street and 42 Bannerman Street – Designated Heritage Building – REN2300276

Date Prepared: August 24, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Heritage

Ward: Ward 2

Decision/Direction Required:
To approve exterior alterations to 81 Cochrane Street and 42 Bannerman Street (Cochrane Street United Church), a designated Heritage Building.

Discussion – Background and Current Status:
The subject property is located within the Institutional (INST) District of the Envision St. John's Municipal Plan, is zoned Institutional Downtown (INST-DT), is located within Heritage Area 1, and is a designated Heritage Building. The building is also designated by the province as a Registered Heritage Structure. A location map and the heritage statement of significance is attached for reference.

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, without referral to the City's Built Heritage Experts Panel.

The application proposes to replace all windows with the same size and type, repair and repaint existing exterior, and re-clad the elevator core in brick. The elevator was added to the Annex of the building around 2016 and covered in a stucco-like cladding that was intended to mimic the original church. This cladding is failing and pieces are falling off. There are brick elements on the eixisting building around doorways, and the brick proposed for the elevator core matches the existing brick. The elevator core is visible from Bannerman Street.

From the City's Heritage Design Standards:

> *Window Replacements – All window replacements shall be restored / returned in keeping with the window style and window configuration of the building's architectural characteristics.*
>
> *For Additions to Existing Designated Heritage Buildings – Additions shall be the same architectural style, or similar and compatible with the building's architectural characteristics.*

ST. JOHN'S

The proposed design meets our Heritage Design Standards and therefore is recommended for approval.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Other Stakeholders: Property owner; residents; other owners and residents in the heritage area.

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 Heritage By-Law.

5. Accessibility and Inclusion: Not applicable.

6. Legal or Policy Implications: In line with the City's Heritage Design Standards.

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 exterior alterations, as proposed, to 81 Cochrane Street and 42 Bannerman Street, a designated Heritage Building.

Prepared by: Lindsay Church, MCIP, Planner III – Urban Design and Heritage
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	81 Cochrane Street and 42 Bannerman Street - Designated Heritage Building - REN2300376.docx
Attachments:	- Location Map.pdf - Statement of Significance.pdf - Exterior Renovations Proposal.pdf
Final Approval Date:	Aug 30, 2023

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

Ken O'Brien - Aug 29, 2023 - 4:42 PM

Jason Sinyard - Aug 30, 2023 - 10:13 AM

81 Cochrane Street and 42 Bannerman Street (Cochrane Street United Church)

Statement of Significance

81 Cochrane Street – Cochrane Street United Church

42 Bannerman Street – Cochrane Street united Church Annex (rear of Church)

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

Description of Historic Place
Cochrane Street United (formerly Methodist) Church, is a steel-framed church reminiscent of the Mediterranean style of architecture. Built in 1915, Cochrane Street United Church is located on Cochrane Street in downtown St. John's. This designation is confined to the footprint of the building.

Heritage Value
Cochrane Street United Church is designated as a municipal heritage building by the City of St. John's due to its architectural and environmental values.

Cochrane Street United Church is architecturally valuable for its unique design. Designed in a Mediterranean style of architecture reminiscent of Romanesque Revival, Cochrane Street United Church is the only church of this type in St. John's. The church features many unique elements, including Roman arched windows, arcading and an impressive, open bell tower. The red and white colours of the building are further indicators of the Mediterranean style, as is the use of Corinthian capitals throughout the structure. The interior of the church also features a number of unique elements including barrel vaults and a soaring Byzantine style dome. It exhibits features of the Arts and Crafts/Art Nouveau styles of Architecture, such as the use of wood for the doors and stairs, the geometric, opalescent stained glass windows in the stairwells and the leaded stained glass in the sanctuary.

Built during World War I, the architecture of Cochrane Street United Church is a reminder of what is possible during times of restraint. Circumstances such as fire, wartime and limited resources prompted the congregation of Cochrane Street United Church to think and act in a more contemporary manner. The result was an architecturally unique structure designed by a leading architectural firm.

Cochrane Street United Church is also architecturally valuable for its association with the architectural firm of Ross and McDonald. Ross and McDonald are credited with being the longest continuous architectural firm in Canadian history, conducting business between 1913 and 1942. The Montreal firm is credited with many architecturally important buildings throughout Canada including the Royal York Hotel in Toronto and numerous buildings on the McGill University Campus in Montreal.

Cochrane Street United Church is environmentally valuable for its location in St. John’s. Situated just outside the official boundaries of the St. John's Ecclesiastical District, it is generally recognized that Cochrane Street United Church plays an important role in defining the overall historic locale. It is situated just south of Newfoundland's Government House and grounds, as well as the Colonial Building - the former seat of Newfoundland's government. This church forms part of a complex of select buildings which symbolize the early governmental, religious, and military history of Newfoundland.

Source: City of St. John's Appendix to the St. John's Development Regulations, updated July 5, 2005.

Character Defining Elements
All elements that define the building's Mediterranean and Romanesque Revival design including:

- use of local materials;
- location in St. John’s;
- steel frame construction;
- colours of building;
- Roman windows and arcading;
- Byzantine dome;
- bell tower;
- decorative brickwork around doors and windows;
- eaves brackets;
- interior barrel vaulting;
- window style and placement; and
- finials.

All those interior elements that reflect the Arts and Crafts/Art Nouveau styles of architecture, including:

- stained glass windows;
- geometric, opalescent stained glass windows; and
- use of wood in doors and staircases.

Location and History

Community		St. John's
Municipality		City of St. John's
Civic Address		81 Cochrane Street
Construction		1915 - 1915
Architect		Ross and McDonald
Builder		Downing Cook Construction Company
Style		Mixed
Building Plan		Rectangular Short Façade
Website Link		http://www.cochranestreetuc.com/

Additional Photos

COCHRANE STREET ANNEX EXTERIOR RENOVATION

ISSUED FOR PERMIT
JULY 19, 2023

GENERAL NOTES:

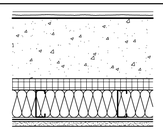
1. CONTRACTOR TO CONFIRM EXISTING CONDITIONS PRIOR TO COMMENCING WORK
2. CONTRACTOR TO PATCH AND REPAIR ANY FINISHES DISTURBED DURING CONSTRUCTION

WALL ASSEMBLY NOTES

Wx - DENOTES WALL ASSEMBLY TYPE

Px - DENOTES PARTITION ASSEMBLY TYPE

W1



PLAN

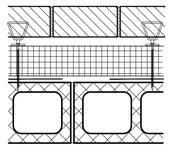
EXISTING WALL ASSEMBLY TYPE 1

- EXISTING PAINT FINISH TO BE STRIPPED AND REAPPLIED
- EXISTING PARGING TO BE PATCHED AND REPAIRED
- EXISTING CONCRETE WALL
- EXISTING 38mm RIGID INSULATION
- EXISTING 92mm METAL STUD WALL
- EXISTING BATT INSULATION
- EXISTING VAPOUR BARRIER
- EXISTING 16mm GYPSUM BOARD

(CONTRACTOR TO CONFIRM EXISTING CONDITIONS)

NOTES:

W2



PLAN

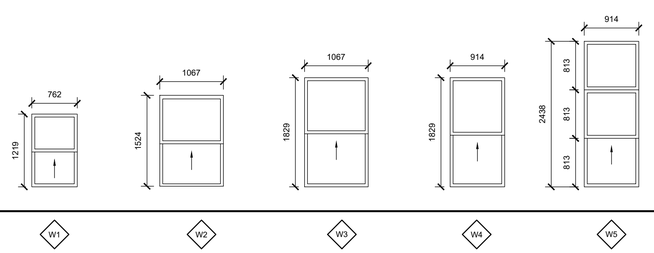
EXISTING WALL ASSEMBLY TYPE 2

NEW BRICK CLADDING
NEW ADJUSTABLE MASONRY TIES @ 400mm VERTICAL, 800mm HORIZONTAL
25mm MIN. AIR GAP
EXISTING 100mm HORIZONTAL Z-BARS
EXISTING 100mm RIGID INSULATION
EXISTING VAPOUR BARRIER
EXISTING 190mm CONCRETE BLOCK

(CONTRACTOR TO CONFIRM EXISTING CONDITIONS)

NOTES:
- CONTRACTOR TO REMOVE EXISTING CEMENT BOARD, VERTICAL METAL FURRING

2 / A000 WALL ASSEMBLIES
SCALE: N.T.S



WINDOW SCHEDULE

NUMBER	QUANTITY	SIZE W	SIZE H	HEAD HEIGHT	TYPE	NOTES
W1	2	762	1219	N/A	SINGLE HUNG	CONTRACTOR TO CONFIRM R.O. DIMENSIONS
W2	14	1067	1524	N/A	SINGLE HUNG	CONTRACTOR TO CONFIRM R.O. DIMENSIONS
W3	38	1067	1829	N/A	SINGLE HUNG	CONTRACTOR TO CONFIRM R.O. DIMENSIONS
W4	4	914	1829	N/A	SINGLE HUNG	CONTRACTOR TO CONFIRM R.O. DIMENSIONS
W5	3	914	2438	N/A	SINGLE HUNG / FIXED	CONTRACTOR TO CONFIRM R.O. DIMENSIONS

1 / A000 WINDOW SCHEDULE
SCALE: N.T.S

GENERAL WINDOW FRAME NOTES

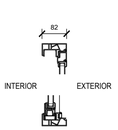
VINYL WINDOW

TYPE:

FRAMES TO BE THE ANDERSON 100 SERIES WINDOWS OR APPROVED ALTERNATE
- ALL FRAMES TO BE THERMALLY BROKEN
- WINDOWS TO BE DOUBLE GLAZED
- ALL WINDOWS, DOORS, AND FRAMES TO HAVE WHITE FINISH FROM MANUFACTURER'S STANDARD COLOUR PALETTE

GLAZING:
CLEAR GLASS, SOLARBAN 60 SOLAR CONTROL, ARGON FILLED,
LOW E COATING; OR EQUIVALENT.

TYPICAL PROFILE (FIXED)



LIST OF DRAWINGS

ARCHITECTURAL

A101 EXISTING / DEMOLTION ELEVATIONS
A102 EXISTING SITE PHOTOS
A301 NEW ELEVATIONS
A401 BUILDING SECTIONS
A701 DETAILS
A702 DETAILS

NOTES

1. DO NOT RELY UPON INFORMATION SHOWN ON THIS DRAWING FOR CONSTRUCTION UNLESS IT STATES BELOW THE SHEET HAS BEEN SPECIFICALLY ISSUED FOR THAT PURPOSE AND THE SHEET HAS BEEN STAMPED AND SIGNED.
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NEWFOUNDLAND AND LABRADOR ASSOCIATION OF ARCHITECTS
CHRISTOPHER WOODFORD
Member / Licence Holder
Expires 31 Dec 2023
Date: 19 July 2023

NORTH REF.

No.	By	DESCRIPTION	Date
01	KF	ISSUED FOR PERMIT	2023-07-19

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info@woodfordarchitecture.ca

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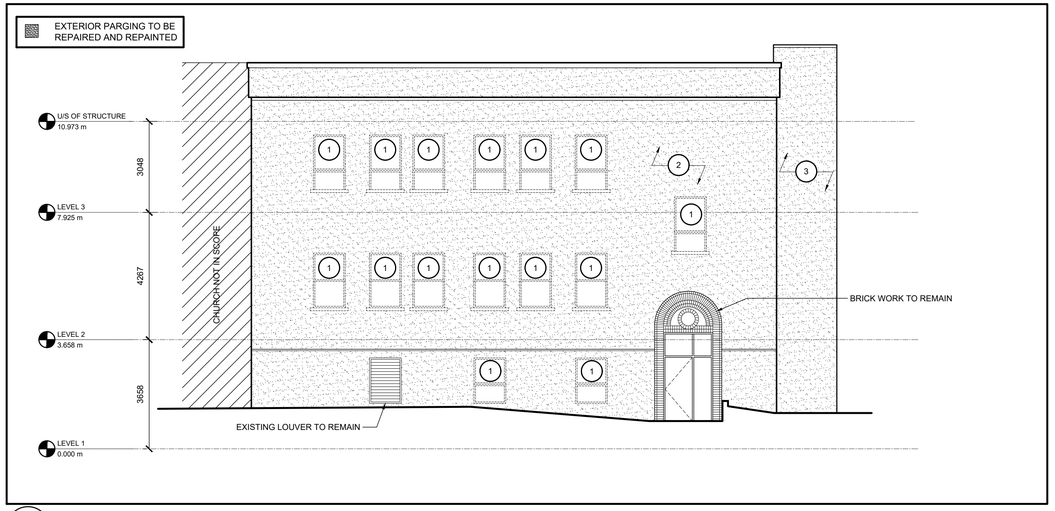
FIRST LIGHT

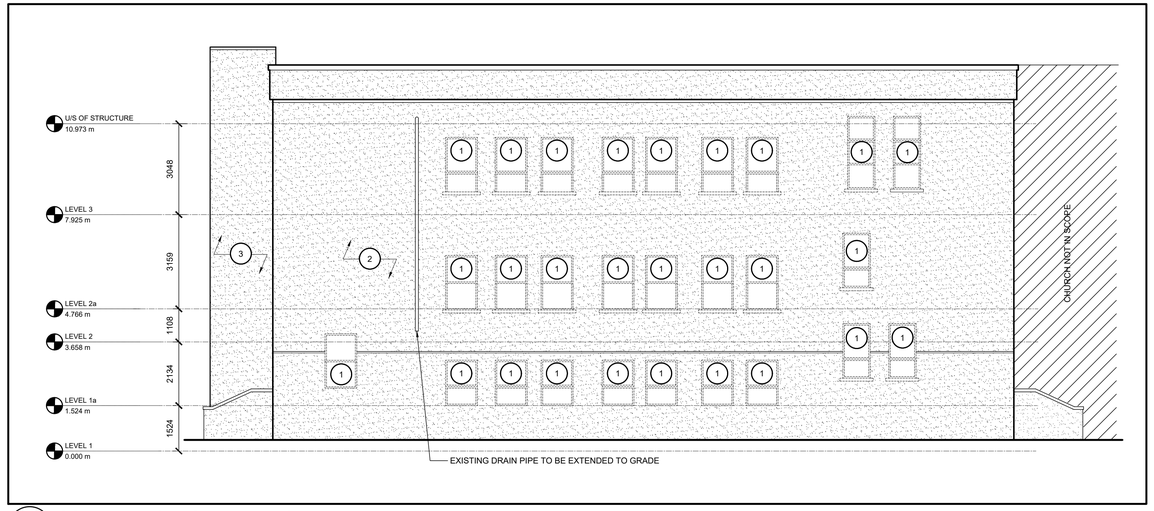
PROJECT
COCHRANE STREET ANNEX RENOVATION

DRAWING
COVER

DESIGNED	DRAWN	SCALE
CW	KF	AS SHOWN
APPROVED	DATE	SHEET
CW	2022-05-07	A000
PROJECT NO.		
2022-07		



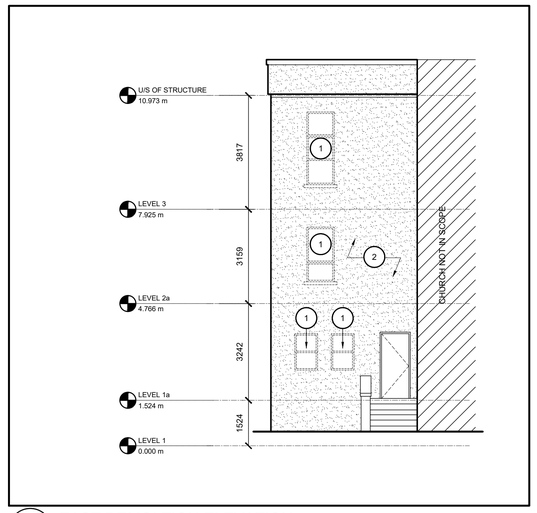
4 A101 NORTH DEMOLTION ELEVATION
SCALE: 1:100



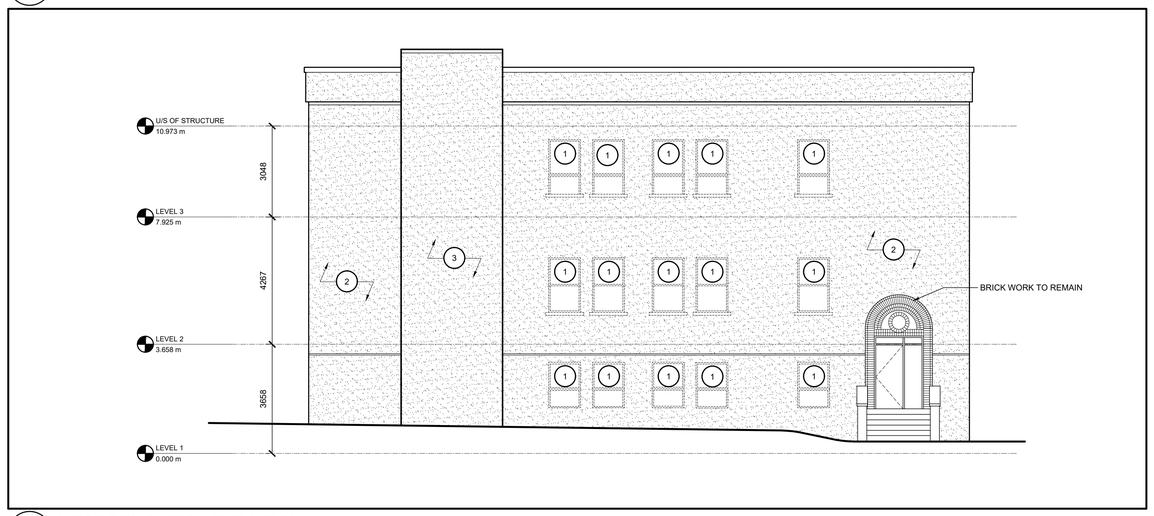
2 A101 SOUTH DEMOLTION ELEVATION
SCALE: 1:100

DEMOLITION NOTES:

1. EXISTING WINDOW TO BE REPLACED, TYPICAL. (CONTRACTOR TO CONFIRM R.O. DIMSENSIONS)
2. REPAIR AND REPAINTINING OF EXISTING PARGING
3. REMOVE EXISTING PARGING, CEMENT BOARD AND METAL CHANNEL, TO EXPOSE EXISTING RIGID INSULATION.



3 A101 EAST DEMOLTION ELEVATION
SCALE: 1:100



1 A101 WEST DEMOLITION ELEVATION
SCALE: 1:100

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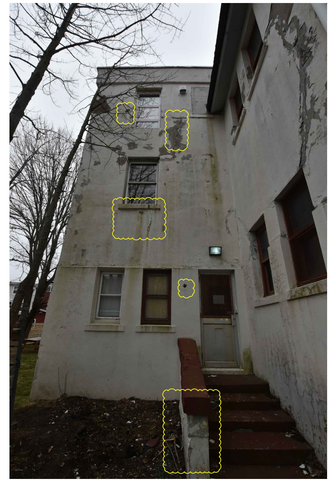
PROJECT
COCHRANE STREET ANNEX RENOVATION

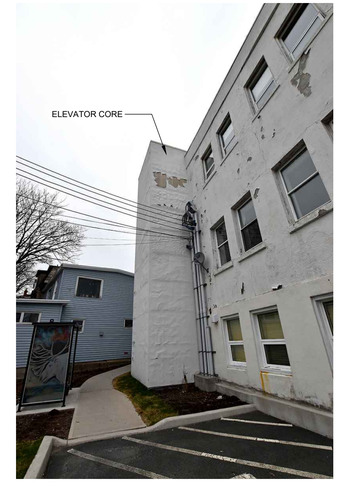
DRAWING
EXISTING / DEMOLITION ELEVATIONS

DESIGNED	DRAWN	SCALE
CW	KF	AS SHOWN
APPROVED	DATE	SHEET
CW	2022-05-07	A101
PROJECT NO.		
2022-07		

10 A102 STAIR WALL @ EAST ELEVATION
SCALE: NTS



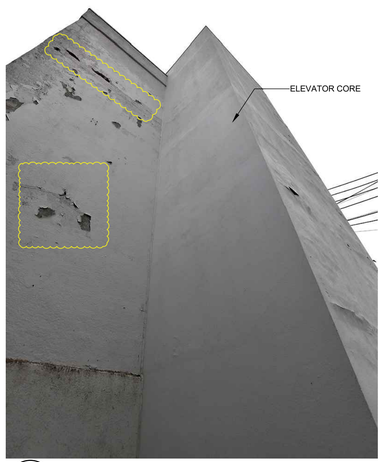
9 A102 EXISTING EAST ELEVATION
SCALE: NTS



8 A102 EXISTING WEST ELEVATION
SCALE: NTS

7 A102 EXISTING WEST ELEVATION
SCALE: NTS

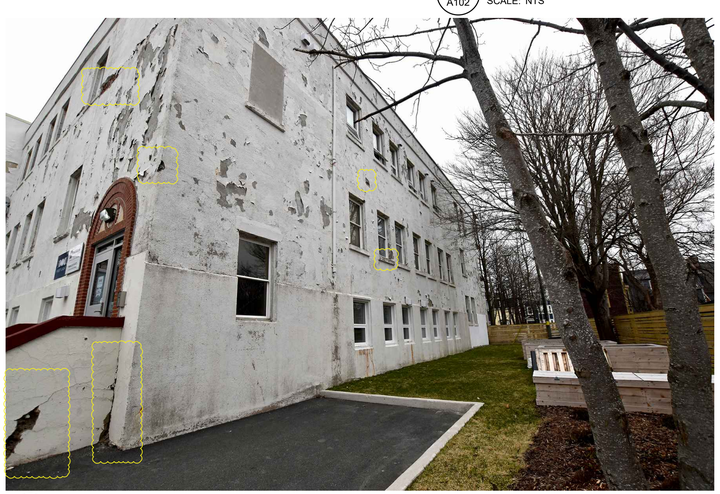
NOTES:
1. CLOUDED AREAS NOTE AREAS OF PARGING SHOWING CONSIDERABLE DAMAGE



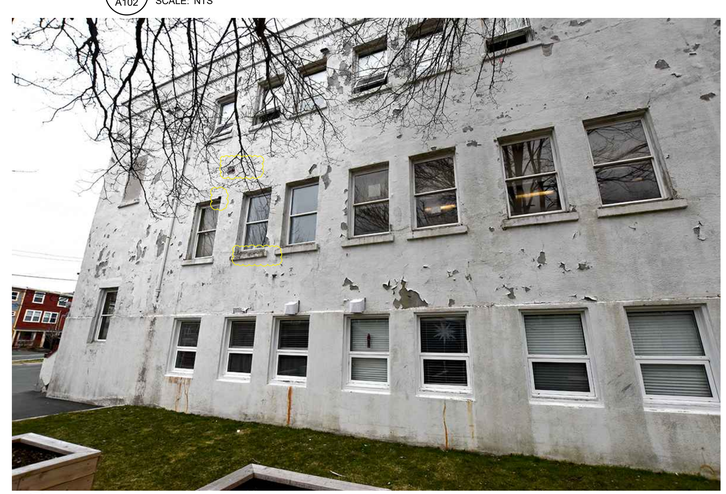
6 A102 EXISTING WEST ELEVATION
SCALE: NTS

5 A102 EXISTING NORTH ELEVATION
SCALE: NTS

4 A102 EXISTING NORTH ELEVATION
SCALE: NTS



3 A102 EXISTING SOUTH ELEVATION
SCALE: NTS



2 A102 EXISTING SOUTH ELEVATION
SCALE: NTS

1 A102 EXISTING SOUTH ELEVATION
SCALE: NTS

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CLIENT
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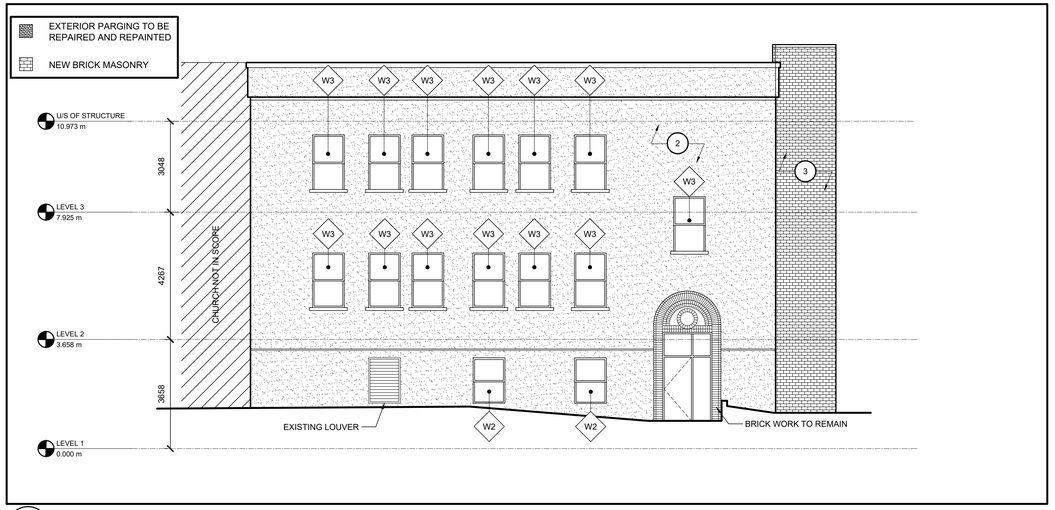
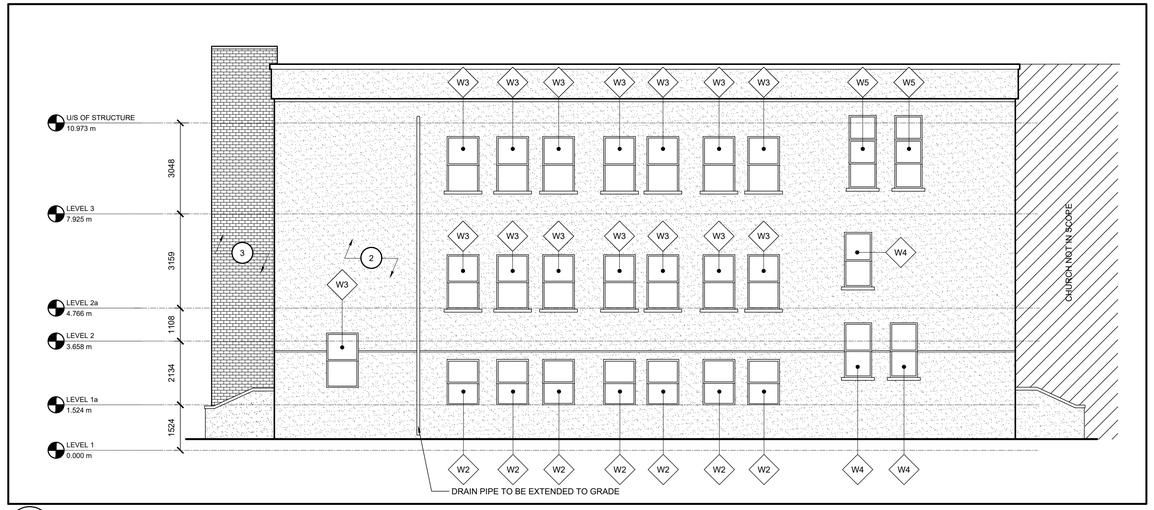
PROJECT
COCHRANE STREET ANNEX RENOVATION

DRAWING
EXISTING SITE PHOTOS

DESIGNED	DRAWN	SCALE
CW	KF	AS SHOWN
APPROVED	DATE	SHEET
CW	2022-05-07	A102
PROJECT NO.		
2022-07		



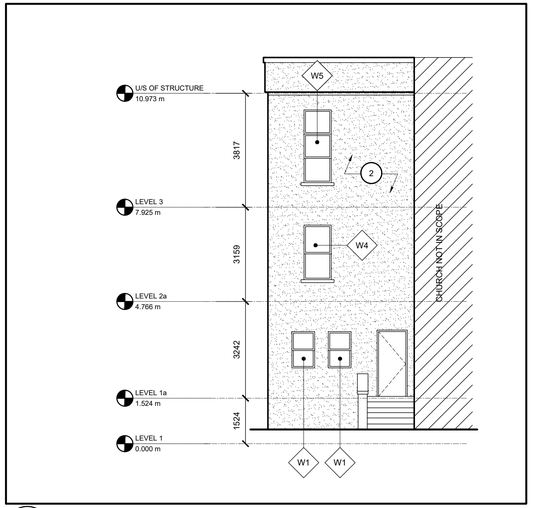
4 A301 NEW NORTH ELEVATION
SCALE: 1:100



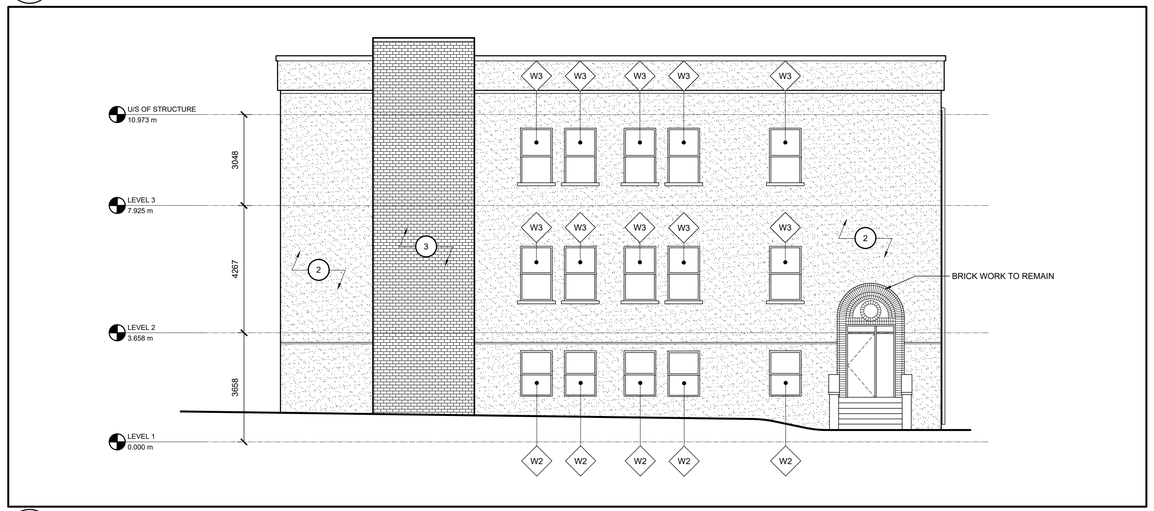
2 A301 NEW SOUTH ELEVATION
SCALE: 1:100

NOTES:

1. ALL EXISTING WINDOWS TO BE REPLACED, TYPICAL. (CONTRACTOR TO CONFIRM R.O. DIMSENSIONS)
2. REPAIR AND REPAINTINING OF EXISTING PARGING
3. NEW BRICK MASONRY (INCLUDED IN THIS SCOPE OF WORK).



3 A301 NEW EAST ELEVATION
SCALE: 1:100



1 A301 NEW WEST ELEVATION
SCALE: 1:100

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10. WHERE POSSIBLE, RETAIN EXISTING VEGETATION.

STAMP

NEWFOUNDLAND AND LABRADOR ASSOCIATION OF ARCHITECTS
CHRISTOPHER WOODFORD
Member / Licence Holder
Expires 31 Dec 2023
Date: 19 July 2023

NORTH REF.

No.	By	DESCRIPTION	Date
01	KF	ISSUED FOR PERMIT	2023-07-19

REVISIONS

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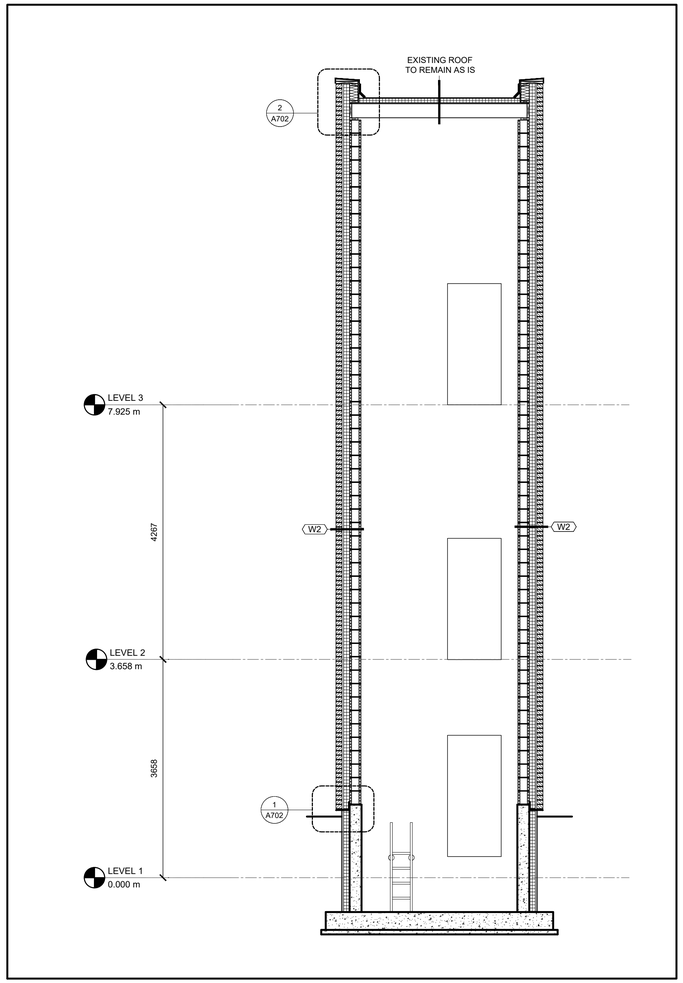
CLIENT
FIRST LIGHT

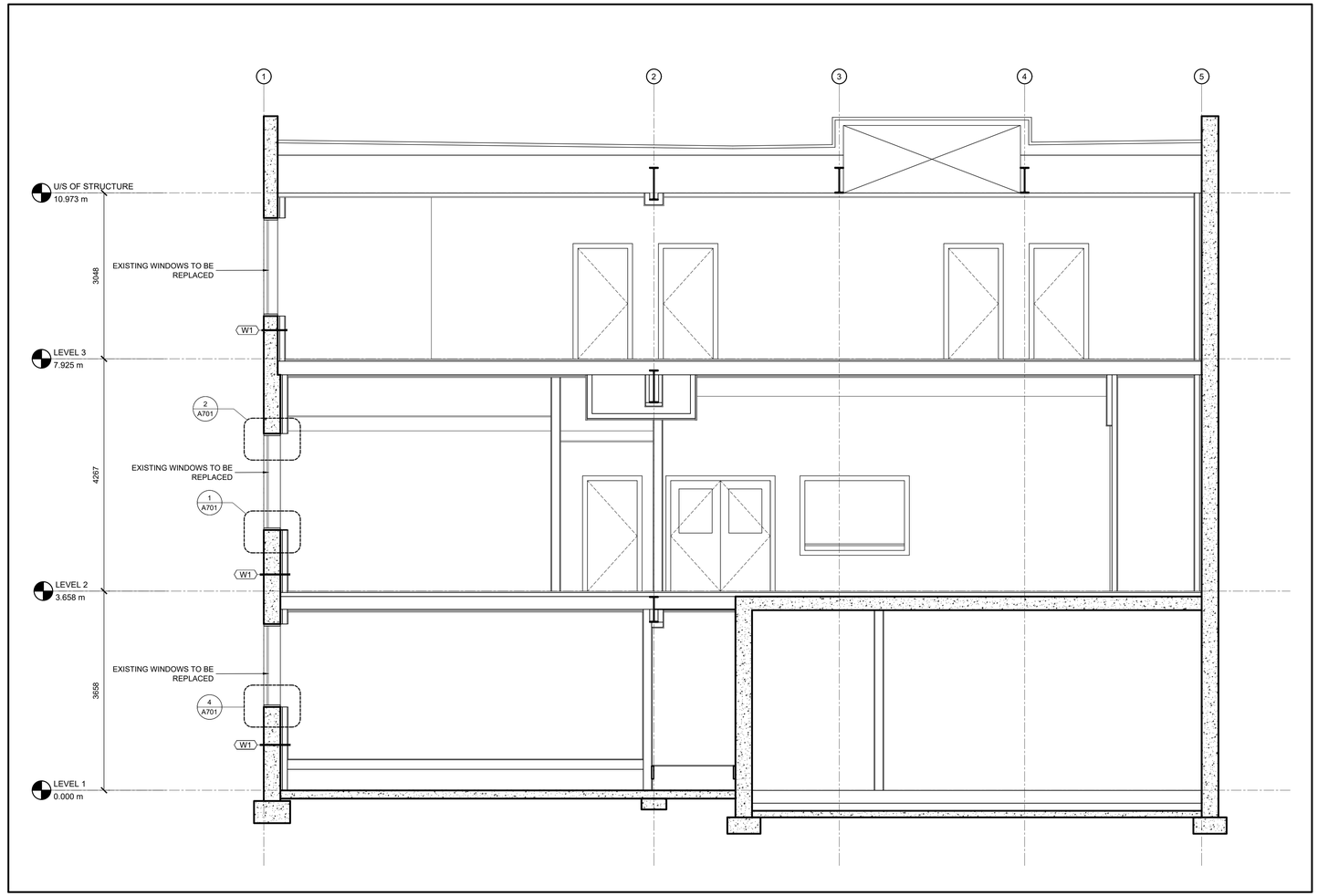
PROJECT
COCHRANE STREET ANNEX RENOVATION

DRAWING
NEW ELEVATIONS

DESIGNED	DRAWN	SCALE
CW	KF	AS SHOWN
APPROVED	DATE	SHEET
CW	2022-05-07	A301
PROJECT NO.		
2022-07		



1 A401 ELEVATOR SECTION
SCALE: 1:50



2 A401 CROSS SECTION THROUGH ANNEX
SCALE: 1:50

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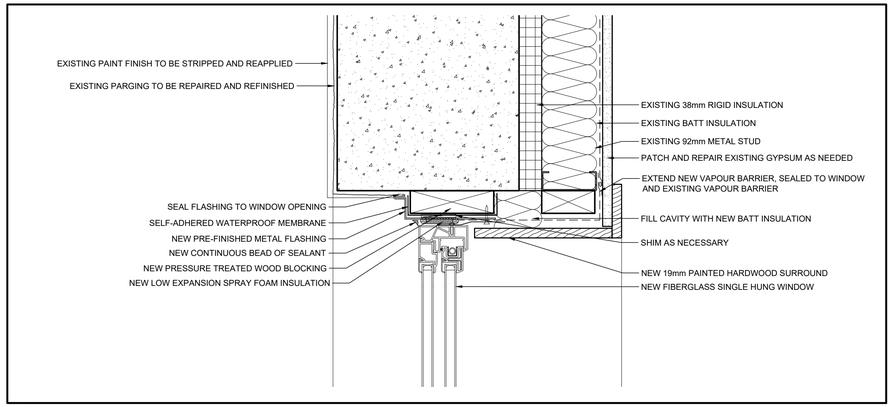
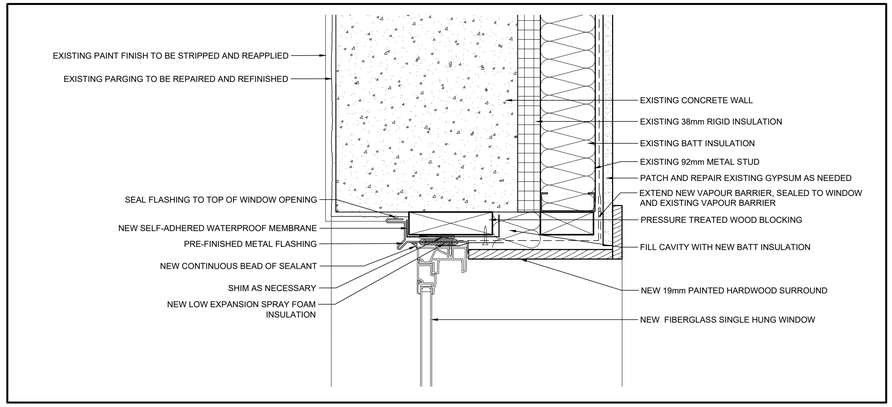
PROJECT
COCHRANE STREET
ANNEX RENOVATION

DRAWING
BUILDING SECTIONS

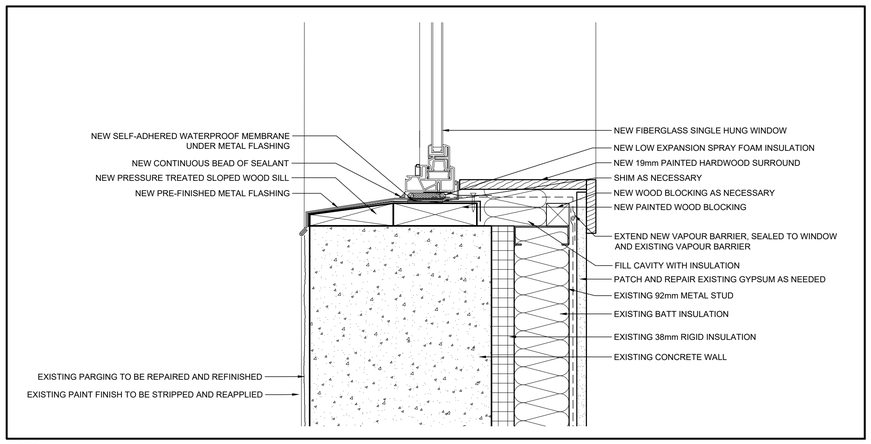
DESIGNED	DRAWN	SCALE
CW	KF	AS SHOWN
APPROVED	DATE	SHEET
CW	2022-05-07	A401
PROJECT NO.		
2022-07		



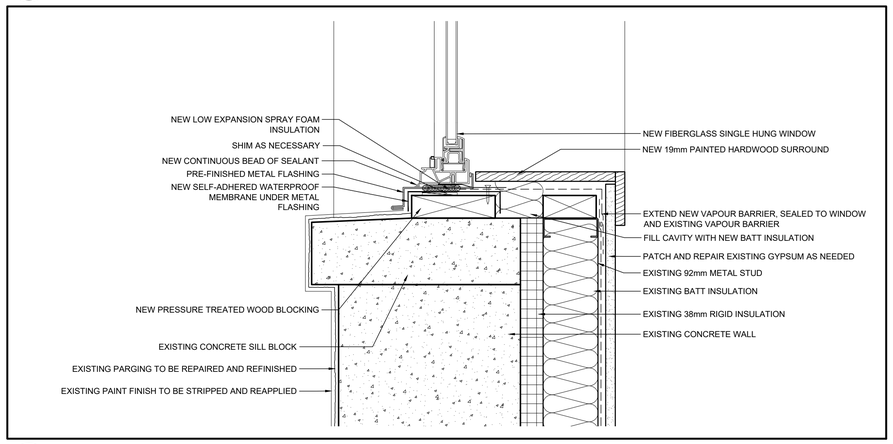
3 A701 WINDOW JAMB DETAIL (TYPICAL)
SCALE: 1:5



2 A701 WINDOW HEAD DETAIL (TYPICAL)
SCALE: 1:5



4 A701 WINDOW SILL DETAIL (TYPICAL WITHOUT PRE-CAST SILL)
SCALE: 1:5



1 A701 WINDOW SILL DETAIL (TYPICAL @ PRE-CAST SILL)
SCALE: 1:5

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PROJECT
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DRAWING
DETAILS

DESIGNED	DRAWN	SCALE
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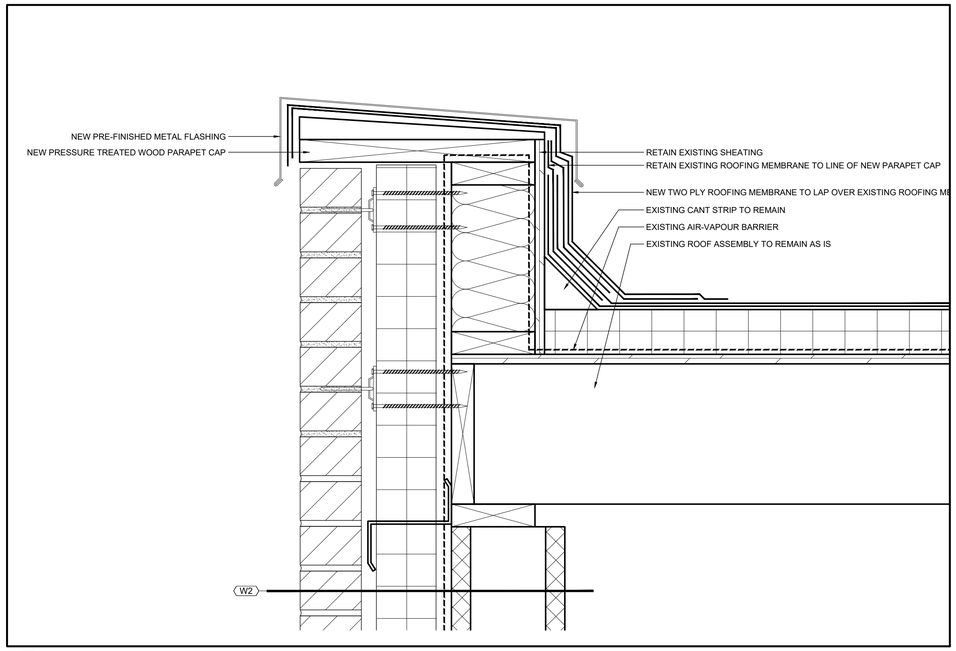
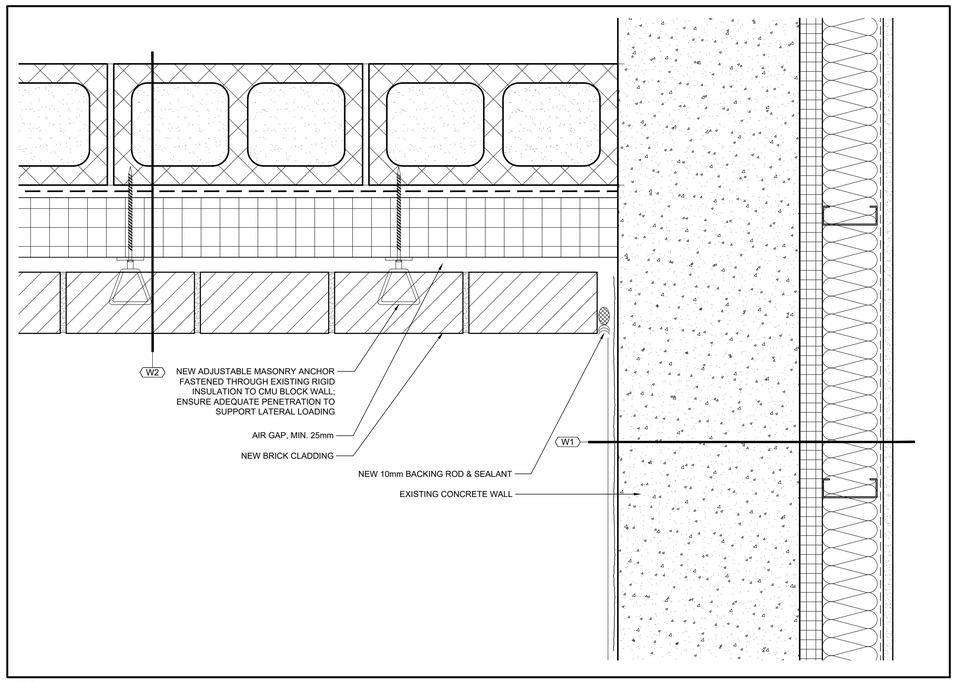
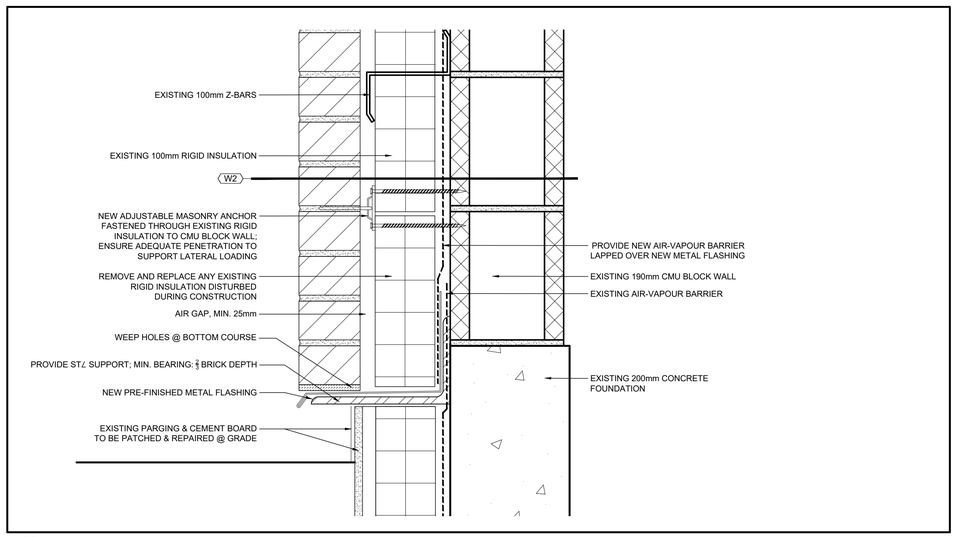
APPROVED	DATE	SHEET
CW	2022-05-07	A701
PROJECT NO.		
2022-07		



2 A702 BRICK DETAIL @ PARAPET WALL
SCALE: 1:5



3 A702 INSIDE CORNER PLAN DETAIL @ ELEVATOR CORE
SCALE: 1:5



1 A702 BRICK DETAIL @ GRADE
SCALE: 1:5

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DRAWING
BRICK DETAILS

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APPROVED	DATE	SHEET
CW	2022-05-07	A702
PROJECT NO.		
2022-07		