

ST. JOHN'S

Committee of the Whole Agenda

January 30, 2024

3:00 p.m.

4th Floor City Hall

Pages

1. Call to Order
2. Approval of the Agenda
3. Adoption of the Minutes
 - 3.1 Minutes of January 16, 2024 3
4. Presentations/Delegations
5. Finance & Administration - Councillor Ron Ellsworth
6. Public Works - Councillor Jamie Korab
7. Community Services and Special Events - Councillor Jill Bruce
8. Housing - Councillor Ron Ellsworth
9. Economic Development, Tourism & Immigration - Mayor Danny Breen
10. Arts & Culture - Councillor Sandy Hickman
11. Governance & Strategic Priorities - Mayor Danny Breen
 - 11.1 Records and Information Management Policy and Procedures 8
12. Planning - Councillor Maggie Burton
 - 12.1 46 Hazelwood Crescent – REZ2300019 29
 - 12.2 Text Amendment – Institutional Zone Standards 39
13. Development - Councillor Carl Ridgeley

14. Transportation and Regulatory Services - Councillor Sandy Hickman
15. Sustainability - Deputy Mayor Sheilagh O'Leary
16. Other Business
17. Adjournment

ST. JOHN'S

Minutes of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

January 16, 2024, 3:00 p.m.

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

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
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Karen Chafe, City Clerk
Stacey Baird, Legislative Assistant
Jackie O'Brien, Communications & Public Relations Officer

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

Moved By Councillor Hanlon
Seconded By Councillor Bruce

That the agenda be adopted as presented.

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

MOTION CARRIED (9 to 0)

3. Adoption of the Minutes

3.1 Adoption of Minutes - December 19, 2023

Moved By Deputy Mayor O'Leary

Seconded By Councillor Burton

That the minutes of December 19, 2023, are accepted as presented.

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

MOTION CARRIED (9 to 0)

4. Presentations/Delegations

5. Finance & Administration - Councillor Ron Ellsworth

6. Public Works - Councillor Jamie Korab

7. Community Services and Special Events - Councillor Jill Bruce

8. Housing - Councillor Ron Ellsworth

9. Economic Development, Tourism & Immigration - Mayor Danny Breen

10. Arts & Culture - Councillor Sandy Hickman

11. Governance & Strategic Priorities - Mayor Danny Breen

12. Planning - Councillor Maggie Burton

12.1 21 Merrymeeting Road – REZ2300018

Moved By Councillor Burton

Seconded By Councillor Ellsworth

That Council consider a text amendment to the Envision St. John's Development Regulations to add Lodging House as a discretionary use in the Commercial Office (CO) Zone.

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

MOTION CARRIED (10 to 0)

12.2 50 Bennett Avenue – MPA2300007

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council consider rezoning 50 Bennett Avenue from the Institutional (INST) Zone to the Apartment 1 (A1) Zone for a Four-Plex and Apartment Buildings, and amend the definition/conditions of a Four-Plex to allow multiple buildings on one lot. Further, upon receiving a satisfactory site plan, that Council advertise the amendment for public review and comment.

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

MOTION CARRIED (10 to 0)

13. Development - Councillor Carl Ridgeley

13.1 Development Design Manual Adoption

Councillor Ridgeley reviewed the Development Design Manual decision note with Council.

Some questions were asked to staff regarding boulevards between streets and sidewalks. These included questions regarding snow clearing, depth of driveways. It was advised that the boulevards do not effect driveways as they would not infringe on anyone's property.

Some concerns were also expressed at the lack of design guidelines for drive-thrus in the City. The Manager of Transportation Engineering advised Council that all applications for drive-thrus are brought forth to the Traffic Division so that they may provide comments and recommendations. It is very difficult to include a specific section in the design manual as requirements for drive-thrus would be site specific.

Moved By Councillor Ridgeley

Seconded By Councillor Hanlon

That Council adopt the 2024 Development Design Manual as presented, and that Council rescind the Subdivision Development Policy and the Commercial Development Policy.

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

MOTION CARRIED (10 to 0)

14. Transportation and Regulatory Services - Councillor Sandy Hickman

14.1 Shared-Use Path Route Update: Summary of Feedback from Additional Engagement

Councillor Burton reviewed the information on the Shared-Use Path Route Update with Council.

Councillor Bruce advised that the residents chose option 2 and she will be supporting their decision. She relayed the concerns expressed by residents and asked staff if the path, which the City has not committed to snow clearing at this time, will be used for snow storage. The Deputy City Manager of Public Works advised that snow clearing will take place the same way it does now, which would leave residents responsible for clearing the path in front of their driveways.

15. Sustainability - Deputy Mayor Sheilagh O'Leary

16. Other Business

17. Adjournment

There being no further business the meeting adjourned at 3:55p.m.

Mayor

DECISION/DIRECTION NOTE

Title: Records and Information Management Policy and Procedures

Date Prepared: January 22, 2024

Report To: Committee of the Whole

Councillor and Role: Mayor Danny Breen, Governance & Strategic Priorities

Ward: N/A

Decision/Direction Required:

Council's approval is required to implement the attached updated Records and Information Management Policy and Procedures.

Discussion – Background and Current Status:

The policy was first established in 2012 and later updated in 2017. Its purpose is to provide standardized, accountable, and transparent governance for Records and Information Management and to provide direction on appropriate management of all City records.

Since the original policy's inception, a shift has taken place to provide a more critical focus to the governance of records management. The attached policies and procedures reflect this shift while providing clear direction on planning, oversight, application and legislative compliance.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: City employees, citizens and the general public
3. Alignment with Strategic Directions:

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

4. Alignment with Adopted Plans: Records and Information Management Strategy
5. Accessibility and Inclusion: N/A
6. Legal or Policy Implications: Aligns with the City of St. John's Act

ST. JOHN'S

7. Privacy Implications: Supports *Access to Information and Protection of Privacy Act*
8. Engagement and Communications Considerations: Engagement and consultation through RIM Governance Team
9. Human Resource Implications: N/A
10. Procurement Implications: N/A
11. Information Technology Implications: oversight of electronic records
12. Other Implications: N/A

Recommendation:

That Council approve the Records and Information Management Policy and Procedures as presented.

Prepared by:

Approved by:

Report Approval Details

Document Title:	Records and Information Management Policy and Procedures.docx
Attachments:	- Draft Records and Information Management Policy 2024-01-24.docx - Draft Records and Information Management Procedures 2024-01-24.docx
Final Approval Date:	Jan 25, 2024

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

No Signature found

Theresa Walsh - Jan 25, 2024 - 9:25 AM

City of St. John’s Corporate and Operational Policy Manual

Policy Title: Records and Information Management	Policy #: 01-04-01
Last Revision Date: June 19, 2017	Policy Section:
Policy Sponsor: City Clerk	

1. Policy Statement

- a) This policy provides standardized, accountable, and transparent governance for Records and Information Management for the City.ⁱ
- b) The policy, its associated procedures and related documents provide direction on the appropriate management of all City Records throughout their lifecycle, consistent with legislated requirements.ⁱⁱ

2. Definitions

“Archival Record” means a Record that has been appraised for permanent retention because of its enduring legislative, historical, informational, evidential, research, or other value.ⁱⁱⁱ

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

“Metadata” means data that provides information about a Record to make it easier to retrieve, use, or manage; it includes, but is not limited to: means of creation of the data, purpose of the data, time and date of creation, and creator or author of data.^v

“Official Record” means any Record created, received, and/or maintained by the City that is needed for legal, operational, fiscal, or archival purposes or to provide evidence of decision-making.^{vi}

“Record” shall have the same meaning as the Access to Information and Protection of Privacy Act, 2015, that is, “a record of information in any form, including a dataset, information that is machine readable, written, photographed, recorded, or stored in any manner, but does not include a computer program or a mechanism that produced records on any storage medium.” A Record includes a Transitory Record, a Vital Record, an Official Record, and an Archival Record.

“Transitory Record” means a Record of temporary usefulness, and one that is not needed for legal, operational, fiscal, or archival purposes or to provide evidence of decision-making.^{vii}

“Vital Record” means any Record that is essential to maintain and continue the operations of the City, to establish or recreate the City’s legal or financial position, and/or to preserve the rights of the City, its employees, and the members of the public.^{viii}

3. **Policy Requirements**

3.1 **Planning and Oversight**

- a) The Senior Executive Committee (SEC) shall appoint the Records and Information Management Governance Team (RIMGT), which shall operate as detailed in the **RIMGT Terms of Reference** approved by the SEC.
- b) The Archives and Records Management (ARM) Division shall develop standards, procedures, and guidelines for records management as detailed in the **Records and Information Management Procedures**.

- c) The ARM Division shall manage Records as detailed in the **Records and Information Management Procedures**^{ix} and in accordance with the City of St. John's Act.^x
- d) The ARM Division shall be the official repository for City Records, as well as for private records of enduring archival value donated to the Division.^{xi} Access to and donations to the City Archives^{xii} shall be managed as detailed in the **Records and Information Management Procedures**.

3.2 Types of Records and Their Management

- a) Once an Employee creates or receives a Record in the normal course of business, it shall be deemed to be in the ownership, custody, and control of the City.^{xiii}
- b) All Records and their Metadata, including but not limited to Official Records, Archival Records, and Transitory Records, shall be managed as detailed in the **Records and Information Management Procedures**.
- c) Transfer of original Transitory Records or Official Records into the possession of private organizations or individuals shall be prohibited except for the purposes of microfilming, imaging, duplication, format conversion, binding, conservation, or other records management and preservation procedures or where authorized by bylaw, legislation, or contractual agreement.^{xiv} Any transfers to other organizations or individuals shall be managed as detailed in the **Records and Information Management Procedures**.

3.3 Recognition of Electronic Records as Official Records^{xv}

- a) Electronic Records may be retained as Official Records provided that they comply with the requirements detailed in the **Records and Information Management Procedures**.

3.4 Vital Records

- a) The ARM Division and departments shall identify Vital Records.
- b) The ARM Division shall work with Emergency and Safety Services to support the protection and management of Vital Records.

3.5 Legal Holds

- a) An Employee who becomes aware of potential legal proceedings shall advise their Manager, who shall inform the Office of the City Solicitor.
- b) The Office of the City Solicitor shall advise whether a legal hold shall be required and Employees shall manage legal holds as detailed in the **Legal Hold Procedures**.

3.6 Policy and Legislative Compliance

- a) All Records shall be managed and maintained in accordance with all applicable legislation, policies, and/or related procedures.

4. Application

- a) This policy applies to all Records created or received by an Employee in the course of official business, including, but not limited to reports, studies, and/or artwork commissioned by the City by an external consultant, which shall become the absolute property of the City upon delivery.^{xvi}

5. Responsibilities

5.1 The Archives and Records Management Division

The Archives and Records Management Division shall be responsible for:

- a) establishing and coordinating Records Management activities throughout The City and managing The City's Archives.^{xvii}
- b) providing Departments and Employees with direction related to Records and Information Management, including appropriate communications regarding RIM policies, procedures, and associated documents.
- c) managing, maintaining and monitoring the policy, procedures, and associated documents for effectiveness and compliance.

5.2 Department Heads

Department Heads shall be responsible for:

- a) complying with the policy, procedures, and related documents and making their Employees aware of them and advise them to comply with them, including those Employees who are Direct Supervisors.

5.3 Direct Supervisors

Direct Supervisors shall be responsible for:

- a) being aware of, complying with, and advising their Employees of the requirements of the policy, procedures, and related documents and the requirement they comply with them.

5.4 Employees

Employees shall be responsible for:

- a) complying with the policy, procedures, and related documents.

6. References

- a) Records and Information Management Governance Team Terms of Reference
- b) Other City Policies:
 - i. Emergency and Continuity Management Policy
 - ii. Information Technology Policy
 - iii. Privacy Management Policy
- c) Refer to the **Legal and Regulatory Framework for Records Management** document for other related information and regulatory requirements.

7. Approval

- Policy Sponsor: City Clerk
- Policy Writer: Policy Analyst; Manager, Archives and Records Management
- Date of Approval from
 - Corporate Policy Committee:
 - Senior Executive Committee:
 - Committee of the Whole:
- Date of Approval from Council:

8. Monitoring and Contravention

- a) The Office of the City Clerk shall monitor the application of the policy and procedures.
- b) Any contravention of the policy or procedures may be brought to the attention of the Office of the City Clerk, Department of Finance and Corporate Services (Human Resources Division), Office of the City

Solicitor, and/or the City Manager for further investigation and potential follow up disciplinary or legal action, up to and including dismissal.

9. Review Date

Every four years

-
- ⁱ Based on Calgary's Information Management and Security Policy
 - ⁱⁱ Based on Calgary's Information Management and Security Policy
 - ⁱⁱⁱ Based on Kingston Records Retention Bylaw and part of the Halifax Corporate Information Management Administrative Order.
 - ^{iv} Based on definition previously approved by Legal.
 - ^v Based on London's Record Management Policy
 - ^{vi} Based on Calgary's Information Management and Security Policy
 - ^{vii} Based on a combination of definitions from the RIM Best Practices Guide and the Calgary Information Management and Security Policy
 - ^{viii} Kingston Records Retention Bylaw
 - ^{ix} Section 4.2 of the 2017 RIM Policy
 - ^x From Records Management Handbook
 - ^{xi} Based on Calgary's Archival Records Management Policy, more general than Section 4.1 of the 2017 RIM Policy
 - ^{xii} Based on Section 4.1.3 of 2017 RIM Policy, details to be in procedures
 - ^{xiii} Part of Section 2.0.2 of 2017 policy
 - ^{xiv} Based on London's [Record Management Policy](#)
 - ^{xv} Information in the procedures is adapted from the Federal [Electronic Documents and Electronic Information Regulations](#)
 - ^{xvi} Based on London's [Record Management Policy](#) and Section 3.0 of the current City RIM policy
 - ^{xvii} Calgary Information Management and Security Policy

DRAFT – For Discussion Only

Last updated 2024-01-16

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

Procedure Title: Records and Information Management Procedures	
Authorizing Policy: Records and Information Management Policy	
Last Revision Date: N/A	Procedure #: 01-04-01-01
Procedure Sponsor: City Clerk	

1. Procedure Statement

- a) These procedures support the standardized, accountable, and transparent governance for Records and Information Management for the City.ⁱ
- b) The policy, its associated procedures, and related documents provide direction on the appropriate management of all City Records throughout their lifecycle, consistent with legislated requirements.ⁱⁱ

2. Definitions

“Archival Record” a Record that has been appraised for permanent retention because of its enduring legislative, historical, informational, evidential, research, or other value.ⁱⁱⁱ

“Disposition” means the final destination of Records after they have reached the end of their retention period and includes destruction or transfer to the City Archives.^{iv}

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

“Metadata” means data that provides information about a Record to make it easier to retrieve, use, or manage; it includes, but is not limited to: means of creation of the data, purpose of the data, time and date of creation, and creator or author of data.^{vi}

“Official Record” means any Record created, received, and/or maintained by the City that is needed for legal, operational, fiscal, or archival purposes or to provide evidence of decision-making.^{vii}

“Record” shall have the same meaning as the Access to Information and Protection of Privacy Act, 2015, that is, “a record of information in any form, including a dataset, information that is machine readable, written, photographed, recorded, or stored in any manner, but does not include a computer program or a mechanism that produced records on any storage medium.” A Record includes a Transitory Record, a Vital Record, an Official Record, and an Archival Record.

“Records Retention and Disposition Schedule” (RRDS) means a document that guides the management of City Records, including detailing the content of the record series or types; linking Records to the organizational unit and business process; prescribing timeframes for retention of active and semi-active storage to meet operational and legislative requirements; and authorizes the Disposition of the Records.^{viii}

“Transitory Record” means a Record of temporary usefulness, and one that is not needed for legal, operational, fiscal, or archival purposes or to provide evidence of decision-making.^{ix}

“Vital Record” means any Record that is essential to maintain and continue the operations of the City, to establish or recreate the City’s legal or financial position, and/or to preserve the rights of the City, its employees, and the members of the public.^x

3. Procedure Requirements

3.1 Archives and Records Management Division

- a) The Archives and Records Management (ARM) Division shall provide services to departments related to records management, including but not limited to:
 - i. Consultation and advisory services;
 - ii. Assistance with implementation and maintenance of Records schedules and filing systems;
 - iii. Records management training;
 - iv. Storage and retrieval services for Official Records stored in the ARM Division.
- b) The ARM Division shall manage Records, including, but not limited to, Records requisition, retention, and disposal in accordance with the policy, procedures, and the City of St. John's Act.^{xi}

3.2 Records Creation and Acquisition^{xii}

- a) During the routine course of business, the City receives documentation from residential and commercial property owners and occupiers and other external sources. Once received by the City, all documentation shall become the absolute property of the City, with the exception of the following:^{xiii}
 - i. Architectural drawings: Copyright rests with the creator (e.g., architect or consulting firm) as stated in the Canadian Copyright Act. See notes in Section 4.0, Restricted or Limited Access, Property Information.
 - ii. Photographs: Copyright rests with the photographer as stated in the Canadian Copyright Act.
 - iii. Reports or publications that are not commissioned by the City. Access to this information shall be governed by applicable legislation or policy.

- b) Reports, studies and artwork commissioned by the City of St. John's by an external consultant shall become the absolute property of the City. Copyright and all associated rights are transferred to the City once the work is completed.^{xiv}
- c) Employees shall not remove Records in their custody or control from City premises unless such removal is required to conduct City business.^{xv}

3.3 Records Retention and Disposition

- a) The ARM Division shall be the central repository for inactive Records, and may be the central repository for semi-active Records and that are required to be retained for legal, legislative, financial, audit, or operational reasons.^{xvi}
- b) The ARM Division shall develop and implement Records Retention and Disposition Schedules for Official Records from all departments.^{xvii}
- c) The retention and Disposition of Official Records shall be determined by their retention schedules and Official Records shall not be destroyed without consultation with the ARM Division
- d) Departments may transfer semi-active Records or inactive Records to the ARM Division or retain them until the remainder of their retention period.
- e) When required, ARM Division Employees shall send notification to Departments advising them that certain groups of Records are eligible for Disposition.^{xviii}
- f) ARM Division shall notify the Department Head and Division Manager of the scheduled destruction of such Records and provide them with 30 days to respond if other action is required.^{xix}
- g) ARM Division or their delegates shall arrange for Records authorized for destruction to be disposed of via appropriate methods, as determined solely by the ARM Division, for physical and electronic Records.^{xx}
- h) The ARM Division shall maintain a Record of all Records and their final Disposition.^{xxi}

3.3.1 Email Records

- a) Employees shall be responsible for managing Official Records created or received via email until final Disposition.^{xxii}
- b) Emails that are required as evidence for City business activities shall be saved to relevant project or function files via the process detailed in **Records and Information Management Best Practice – Email Management.**^{xxiii}
- c) The owner of an email shall be^{xxiv}:
 - i. for internal emails, the originator of the first email thread of an emails, or
 - ii. for emails that originated outside of the City but requires a response from the City, the recipient of an email.
- d) It shall be an email owner's responsibility to ensure that the email is managed appropriately.

3.3.2 Records Security

Records Access

- a) Departments shall not be able to access another department's Records in the ARM Division without approval from the Divisional Manager responsible for the Records; unless such access is part of normal business process.
- b) Records in all formats shall be managed and protected throughout their lifecycle by any employee or contractor who creates or collects the Record as part of their responsibility in performing work for the City.^{xxv}
- c) Records and information shall be protected from unauthorized access. Physical and technical means shall be applied, as appropriate to the level of sensitivity of the information, taking into consideration requirements to preserve confidentiality, support availability, and protect the integrity of the information.^{xxvi}

3.3.3 Metadata

- a) Departments shall comply with the requirements as detailed in the **RIM Best Practice - Metadata** document.

3.4 Archival Records

- b) The ARM Division may acquire Records through a formal process of Disposition from City departments or by donation from private entities.^{xxvii}
- c) When non-City Records, photographs, and/or other items are donated to the City, the ARM Division shall make every effort to have copyright and all associated rights transferred to the City whenever possible. A Deed of Gift form shall be completed for all donations.^{xxviii}
- d) Archival Records acquired by the ARM Division shall be permanently under its custody and control.^{xxix}

3.5 Transitory Records

- a) Employees shall identify Transitory Records according to established criteria and timelines detailed in the **RIM Best Practices – Transitory Records** document and securely dispose of them.^{xxx}
- b) Employees may destroy Transitory Records without authorization from the Archives and Records Management (ARM) Division,^{xxxi} unless they are subject to a legal hold or they are relevant to any current Access to Information requests.

3.6 Records Transfer

- a) To transfer Records to the ARM Division, Departments shall follow the processes detailed in the **Records Management User Guides** related to initiating a transfer, preparing Records for transfer, and preparing Records transfer lists.

- b) To obtain Records located at the ARM Division, Departments shall follow processes detailed in the **Records Management User Guides** related to obtaining reference service.
- c) When physical custody of Official or Transitory Records is transferred to another institution not covered by this policy, a protocol agreement shall be in place. The agreement shall identify the Records in question, define the rights retained by the City, and ensure that the Records will be managed in accordance with government legislation, by-laws, regulations, policies, standards and schedules.

3.7 Recognition of Electronic Records as Official Records^{xxxii}

- a) A Record that is created, sent or received by the City and that needs to be retained may be retained in an electronic format if when the document or information is created, sent or received:
 - i. in the case of a document or information in a non-electronic format, it is retained in a format that does not alter its contents: or
 - ii. in the case of a document or information in an electronic format, it is retained in the format in which it was created, sent, or received; or
 - iii. in a format that accurately represents the electronic document or the electronic information that was originally created, sent, or received.
 - iv. the contents of the electronic document or the electronic information and its related Metadata are readable or perceivable so as to be usable for subsequent reference; and
 - v. the format and the medium in which the electronic document or the electronic information is retained provide a reliable means of maintaining, from the time the source document or information is created, sent or received, the integrity of the electronic document or the electronic information, including the integrity of the Record of retention actions and administrative activities, apart from any changes or additions made in the normal course of communication, storage or display.

3.8 Vital Records

- a) Departments shall include the identification of Vital Records in their Records Retention and Disposition Schedules and their Business Continuity Plans.

4. Application

- a) This procedure applies to (i) all Employees, all Members of Council, and all City locations and operations; and (ii) all Records created or received by an Employee in the course of official business, including, but not limited to reports, studies, and/or artwork commissioned by the City by an external consultant, which shall become the absolute property of the City upon delivery.^{xxxiii}

5. Responsibilities

5.1 Archives and Records Management Division

The Archives and Records Management Division shall be responsible for:

- a) providing Departments and Employees with direction related to Records and Information Management, including appropriate communications regarding RIM policies, procedures, and associated documents.^{xxxiv}
- b) Managing, maintaining and monitoring the policy, procedures, and associated documents for effectiveness and compliance.

5.2 Department Heads

Department Heads shall be responsible for:

- a) complying with the policy, procedures, and related documents and making their Employees aware of them and advise them to comply with them, including those Employees who are Direct Supervisors.

5.3 Direct Supervisors

Direct Supervisors shall be responsible for:

- a) being aware of, complying with, and advising their Employees of the requirements of the policy, procedures, and related documents and the requirement they comply with them.

5.4 Employees

Employees shall be responsible for:

- a) complying with the policy, procedures, and related documents.

6. References

- a) Records and Information Management Governance Team Terms of Reference
- b) Other City Policies:
 - vi. Emergency and Continuity Management Policy
 - vii. Information Technology Policy
 - viii. Privacy Management Policy
- c) Refer to the **Legal and Regulatory Framework** for Records and Information Management document for other related information and regulatory requirements.

7. Approval

- Procedure Sponsor: Manager, Archives and Records Management
- Procedure Writer: Policy Analyst; Manager, Archives and Records Management

- Date of Approval from:
 - Corporate Policy Committee
 - Senior Executive Committee

8. Monitoring and Contravention

- a) The Office of the City Clerk shall monitor the application of the policy and procedures.
- b) Any contravention of the policy or procedures may be brought to the attention of the Office of the City Clerk, Department of Finance and Corporate Services (Human Resources Division), Office of the City Solicitor, and/or the City Manager for further investigation and potential follow up disciplinary or legal action, up to and including dismissal.

9. Review Date

Concurrent with policy.

-
- i Based on Calgary's Information Management and Security Policy
 - ii Based on Calgary's Information Management and Security Policy
 - iii Based on Kingston Records Retention Bylaw and part of the Halifax Corporate Information Management Administrative Order.
 - iv Adapted from 2017 RIM Policy definitoin
 - v Based on definition previously approved by Legal.
 - vi Based on London's Record Management Policy
 - vii Based on Calgary's Information Management and Security Policy
 - viii Adapted from GNL OCIO Glossary
 - ix Based on a combination of definitions from the RIM Best Practices Guide and the Calgary Information Management and Security Policy
 - x Kingston Records Retention Bylaw
 - xi From Records Management Handbook
 - xii Based on Section 2 of the 2017 RIM policy
 - xiii Based on Section 2.0.4 of the 2017 policy
 - xiv Section 3.0 of 2017 policy
 - xv Based on Section 2.0.3 of the 2017 policy
 - xvi Halifax AO
 - xvii From Records Management Handbook
 - xviii Section 4.2.4 of 2017 policy
 - xix Section 4.2.4 of 2017 policy
 - xx Section 6.0.1
 - xxi Based on Section 4.2.
 - xxii Based on Draft RIM Best Practice Guide – Email Management
 - xxiii Based on Draft RIM Best Practices Guide – Email Management
 - xxiv Based on Draft RIM Best Practices Guide – Email Management
 - xxv Based on Govt of NL Information Management and Protection Policy p. 4
 - xxvi Based on Govt of NL Information Management and Protection Policy p. 4
 - xxvii Based on Calgary's Archival Records Management Policy
 - xxviii Based on Section 4.1.3 of 2017 policy
 - xxix Based on Calgary's Archival Records Management Policy
 - xxx Calgary Transitory Records Management Policy
 - xxxi Draft RIM Best Practices Guide – Transitory Records
 - xxxii Adapted from the Federal [Electronic Documents and Electronic Information Regulations](#)
 - xxxiii Based on London's [Record Management Policy](#) and Section 3.0 of the current City RIM policy
 - xxxiv Adapted from Govt of NL Information Management and Protection Policy

DECISION/DIRECTION NOTE

Title: 46 Hazelwood Crescent – REZ2300019

Date Prepared: January 24, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning lead

Ward: Ward 3

Decision/Direction Required:

To consider rezoning 46 Hazelwood Crescent from the Residential 1 (R1) Zone to the Apartment 1 (A1) Zone to bring an existing Apartment Building into conformance.

Discussion – Background and Current Status:

The City has received an application to rezone property at 46 Hazelwood Crescent from the Residential 1 (R1) Zone to the Apartment 1 (A1) Zone to bring an existing Apartment Building into conformance with the zoning. Currently, the Apartment Building is a non-conforming use and would have to comply with Section 7.5 “Non-Conforming” of the Envision St. John’s Development Regulations, which places restrictions on the use. The subject property is within the Residential District of the Envision St. John’s Municipal Plan, so a Municipal Plan amendment is not required.

The existing building was previously the O’Dwyer Apartments and owned by the Roman Catholic Episcopal Corporation of St. John’s as a residence for priests. The current owner has maintained the use as an Apartment Building. There is no development proposed at this time, however should the proposed rezoning be adopted, any use in the A1 Zone (attached) could be considered on the site. The site is 7,311 square metres (1.8 acres) and could potentially accommodate more development or an extension to the building. The site plan is attached. The building meets the standards of the A1 Zone.

Alignment with Municipal Plan Policies

Section 4.1 of the Envision Municipal Plan enables a range of housing to create diverse neighbourhoods. Section 8.4.11 promotes the development of infill, rehabilitation, and redevelopment projects, thereby better utilizing existing infrastructure. While the application is for an existing development, the Apartment Building is located within a primarily low-density neighbourhood, adding variety to the housing types in the neighbourhood. It is adjacent to Hazelwood Elementary School and within walking distance to the Village shopping centre and public transit routes. It is an appropriate location for an Apartment Building. The proposed rezoning is in line with the policies in the Municipal Plan.

Section 4.9(2)(a) of the Envision Development Regulations requires a land use report (LUR) for rezonings. However, as per Section 4.9(3), where the scale or circumstances of the

ST. JOHN’S

proposed development do not merit a full LUR, Council may accept a staff report. There is no development proposed at this time, so additional information or a development and engineering review is not required. Staff recommend that Council accept a staff report in lieu of an LUR. The staff report will be brought to Council at a later stage should the rezoning proceed. Should development be proposed following rezoning, the applicant would be required to meet all City policies and regulations.

Public Consultation

Should Council consider this amendment, staff recommend public notification, in accordance with Section 4.8 of the Development Regulations. Following consultation, the amendment will be brought back to Council for consideration.

Key Considerations/Implications:

1. Budget/Financial Implications: No applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. Alignment with Strategic Directions:

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

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.
4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: A Development Regulations map amendment (rezoning) is required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Public notification in accordance with Section 4.8 of the Development Regulations. The application will also have a project page on the Planning Engage Page.
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 rezoning property at 46 Hazelwood Crescent from the Residential 1 (R1) Zone to the Apartment 1 (A1) Zone to bring an existing Apartment Building into conformance and advertise the amendment for public review and comment.

Prepared by: Ann-Marie Cashin, MCIP, Planner III

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

Report Approval Details

Document Title:	46 Hazelwood Crescent- REZ2300019.docx
Attachments:	- 46 Hazelwood Crescent - Aerial.pdf - 2023-019 Existing Site Plan.pdf - R1 and A1 Zone Tables.pdf
Final Approval Date:	Jan 25, 2024

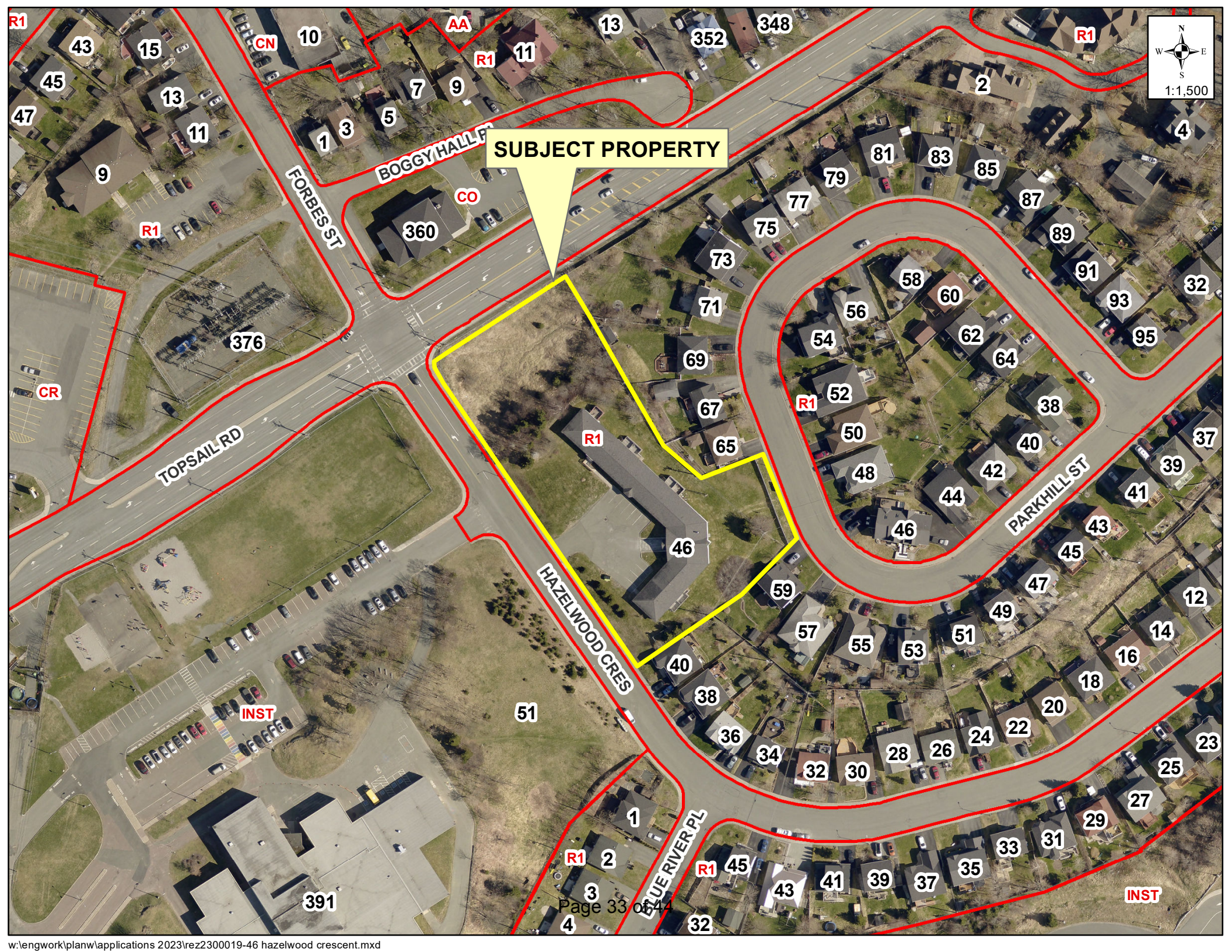
This report and all of its attachments were approved and signed as outlined below:

Ken O'Brien - Jan 24, 2024 - 3:05 PM

Jason Sinyard - Jan 25, 2024 - 11:27 AM



SUBJECT PROPERTY





TOTAL SITE AREA:	7311 m ²
LANDSCAPE AREA:	5457 m ² (74.6%)
LOT COVERAGE:	13.6%
BUILDING HEIGHT:	APPROX. 4m

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

A
B
C

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

LEGEND	
SYMBOL	DESCRIPTION
—	NEW SANITARY SEWER MAIN
—	EXISTING SANITARY SEWER MAIN
—○—	EXISTING MANHOLE
●	NEW STORM MANHOLE
—	NEW STORM SEWER MAIN
—	EXISTING STORM SEWER MAIN
■	NEW CATCH BASIN
□	EXISTING CATCH BASIN
→	DIRECTION OF FLOW
—	NEW WATERMAIN
—	EXISTING WATERMAIN
—X—	EXISTING GATE VALVE
—H—	EXISTING FIRE HYDRANT
—D—	EXISTING REDUCER
—	CURB STOP
—T—	WATERMAIN TEE
—B—	WATERMAIN BEND
—	STUB WITH END CAP
•	POLE
—	EXISTING CULVERT
—	SLOPED EMBANKMENT
x—x—x	FENCE
100.00	FINISHED GRADE ELEVATION
100.00	EXISTING ELEVATION
+	AREA TO BE LANDSCAPED

A	ISSUED FOR APPROVAL			24/01/16
No.	REVISIONS	APP	DWN	DATE

NORTH:

STAMP:

Progressive Engineering
& Consulting Inc.

PERMIT STAMP:

PROVINCE OF NEWFOUNDLAND AND LABRADOR

PERMIT HOLDER
This Permit Allows
PROGRESSIVE ENGINEERING & CONSULTING INC.
To practice Professional Engineering
in Newfoundland and Labrador.
Permit No. as issued by PEG N0566
which is valid for the year 2024

OWNER/CLIENT NAME:

ASHLEY BENSARD

PROJECT TITLE:

46 HAZELWOOD CRESCENT

DRAWING TITLE:

EXISTING
SITE PLAN

DRAWN BY:	DESIGNED BY:	APPROVED BY:
TR-M:	DATE:	SCALE:
N/A	JAN. 2024	AS SHOWN
PROJECT No:	DRAWING No:	REV:
2023-019	C1	A

Page 34 of 44

RESIDENTIAL 1 (R1) ZONE

R1

(1) PERMITTED USES

Accessory Building	Park
Community Garden	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit

(2) DISCRETIONARY USES

Adult Day Centre	Home Occupation
Bed and Breakfast	Parking Lot
Daycare Centre	Public Utility
Heritage Use	

(3) ZONE STANDARDS FOR SINGLE DETACHED DWELLINGS

(a)	Lot Area (minimum)	450 metres square
(b)	Lot Frontage (minimum)	15 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

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

APARTMENT 1 (A1) ZONE

A1

(1) PERMITTED USES

Accessory Building	Home Office
Apartment Building	Park
Community Garden	Personal Care Home
Daycare Centre	Townhouse

(2) DISCRETIONARY USES

Adult Day Centre	Parking Lot
Convenience Store	Pedway (2022-10-14)
Four-Plex	Public Utility
Heritage Use (2022-05-27)	Semi-Detached Dwelling
Home Occupation	Service Shop
Office	

(3) ZONE STANDARDS FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	750 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	7 metres
(d)	Building Height (maximum)	12 metres
(e)	Side Yards (minimum)	Two, each equal to 1 metre for every 4 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres
(g)	Lot Coverage (maximum)	35%
(h)	Landscaping (minimum)	35%

(4) ZONE STANDARDS FOR TOWNHOUSE

(a)	Lot Area (minimum)	180 metres square
(b)	Lot Frontage (minimum)	6 metres
(c)	Building Line (minimum)	1.5 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yards (minimum)	0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for the end unit where the Side Yard on the unattached side shall be 1.2 metres
(f)	Rear Yard (minimum)	6 metres

(5) ZONE STANDARDS FOR PERSONAL CARE HOME

(a)	Lot Area (minimum)	750 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	7 metres
(d)	Building Height (maximum)	12 metres
(e)	Side Yards (minimum)	1 metre per storey, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres
(g)	Lot Coverage (maximum)	35%
(h)	Landscaping (minimum)	35%

(6) ZONE STANDARDS FOR A SEMI-DETACHED DWELLING

- (a) Lot Area (minimum) 270 metres square per Dwelling Unit
- (b) Lot Frontage (minimum) 18 metres; 9 metres per Dwelling Unit
- (c) Building Line (minimum) 0 metres
- (d) Building Height (maximum) 8 metres
- (e) Side Yards (minimum) Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
- (f) Rear Yard (minimum) 6 metres

(7) ZONE STANDARDS FOR FOUR-PLEX

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

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

DECISION/DIRECTION NOTE

Title: Text Amendment – Institutional Zone Standards

Date Prepared: January 22, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning

Ward: N/A

Decision/Direction Required:

To consider a text amendment to the Institutional (INST) Zone of the Envision St. John's Development Regulations.

Discussion – Background and Current Status:

As a result of a Supreme Court of Newfoundland and Labrador decision, the Roman Catholic Episcopal Corporation of St. John's has sold several church properties. Existing and former church properties are located in the Institutional District and in the Institutional (INST) Zone.

In some cases, new owners wish to subdivide properties as part of their redevelopment for new uses. However, if a former church building is attached to another building, then subdivision is not possible due to the zone standards such as required side yard setbacks.

To foster the adaptive reuse of these important structures and properties, a text amendment to the INST Zone is recommended. It is proposed to delete section 3 of the zone table, which states:

(3) ZONE STANDARDS EXCEPT PARK, PUBLIC USE, PUBLIC UTILITY, AND PLACE OF WORSHIP

- (a) Lot Area (minimum) 900 metres square
- (b) Lot Frontage (minimum) 30 metres
- (c) Building Line (minimum) 6 metres
- (d) Building Height (maximum), except 50 Tiffany Lane (PID #45350) 23 metres
- (e) Building Height (maximum) – 50 Tiffany Lane (PID #45350) 72 metres
- (f) Side Yards (minimum) Two, each equal to 1 metre for every 5 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres

ST. JOHN'S

(g) Rear Yard (minimum) 6 metres

(h) Lot Coverage (maximum) 50%

(i) Landscaping (minimum) 20%

It is proposed to replace section (3) with the following:

(3) Zone standards shall be in the discretion of Council.

The current section 4 in the zone table would not be needed any longer.

This text amendment would allow Council to set the zone standards based on each property and application.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owners and neighbours of all land zoned Institutional (INST).
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.
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: 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 change the standards of the Institutional (INST) Zone.

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 - Institutional Zone Standards.docx
Attachments:	- INST Zone.pdf
Final Approval Date:	Jan 25, 2024

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

Ken O'Brien - Jan 24, 2024 - 3:14 PM

Jason Sinyard - Jan 25, 2024 - 11:25 AM

INSTITUTIONAL (INST) ZONE

INST

(1) PERMITTED USES

Accessory Building	Park
Accessory Dwelling Unit	Personal Care Home
Adult Day Centre	Place of Assembly
Clinic	Place of Worship
Community Garden	Public Use
Daycare Centre	Public Utility
Funeral Home	Residential Care Facility
Institutional Use	School
Library	Training School
Long Term Care Facility	

(2) DISCRETIONARY USES

Dwelling Unit, which is ancillary to a Permitted or Discretionary Use	Pedway (2022-10-14)
Heritage Use	Service Shop
Office	Wind Turbine – Small Scale

(3) ZONE STANDARDS EXCEPT PARK, PUBLIC USE, PUBLIC UTILITY, AND PLACE OF WORSHIP

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	30 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum), except 50 Tiffany Lane (PID #45350)	23 metres
(e)	Building Height (maximum) – 50 Tiffany Lane (PID #45350)	72 metres
(f)	Side Yards (minimum)	Two, each equal to 1 metre for every 5 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(g)	Rear Yard (minimum)	6 metres

(h)	Lot Coverage (maximum) (2022-05-27)	50%
(i)	Landscaping (minimum)	20%

(4) ZONE STANDARDS FOR PARK, PUBLIC USE, PUBLIC UTILITY AND PLACE OF WORSHIP SHALL BE IN THE DISCRETION OF COUNCIL.