

ST. JOHN'S

Regular Meeting - City Council Agenda

February 6, 2024

3:00 p.m.

4th Floor City Hall

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1. CALL TO ORDER
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ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

January 23, 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:**
- 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
 - Jackie O'Brien, Manager, Corporate Communications
 - Jennifer Squires, Legislative Assistant
- Others:**
- Lindsay Lyghtle Brushett, Supervisor, Planning & Development
 - Tracy-Lynn Goosney, Manager, Development Engineering

Land Acknowledgement

The following statement was read into the record:

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

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

- 3.1 **Adoption of Agenda**

SJMC-R-2024-01-23/25

Moved By Councillor Ravencroft

Seconded By Deputy Mayor O'Leary

That the Agenda be adopted as presented.

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)

4. **ADOPTION OF THE MINUTES**

- 4.1 **Adoption of Minutes - January 9, 2024**

SJMC-R-2024-01-23/26

Moved By Councillor Hanlon

Seconded By Councillor Bruce

That the minutes of January 9, 2024, be adopted as presented.

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)

5. **BUSINESS ARISING FROM THE MINUTES**

- 5.1 **Amendments to Rules of Procedure (Notice of Motion given by Councillor Ellsworth at Regular Meeting of January 9, 2024)**

Deputy Mayor O'Leary questioned if the land acknowledgment should be included as part of the updated Order of Business as noted in Section 18. Staff advised that as the acknowledgement occurs before the adoption of the agenda, no recommendation was made for addition. Should Council wish to include the acknowledgement an amendment could be considered. Deputy Mayor O'Leary then asked the City Solicitor what the procedure would be should a breach of decorum occur. The City Solicitor explained that should a breach of decorum occur, a member of Council could make a point of order to address the issue to the Chair of the Meeting. The Chair has the authority to call the individual to order. Additional information concerning decorum can be found on page 9 of the Rules of Procedure.

SJMC-R-2024-01-23/27

Moved By Councillor Ellsworth

Seconded By Councillor Ravencroft

That Council adopt the revised Rules of Procedure By-Law as proposed.

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)

6. DEVELOPMENT APPLICATIONS

6.1 Quarry Permit Referral – 959 Robert E. Howlett Memorial Drive – CRW2400001

SJMC-R-2024-01-23/28

Moved By Councillor Ridgeley

Seconded By Councillor Ellsworth

That Council reject the quarry referral for 959 Robert Howlett Memorial Drive as Mineral Working is not a use that is permitted or discretionary within the Agriculture (AG) 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)

6.2 Request for Parking Relief – 323 Hamilton Avenue – INT2300073

SJMC-R-2024-01-23/29

Moved By Councillor Ridgeley

Seconded By Councillor Ravencroft

That Council approve parking relief for ten (10) parking spaces at 323 Hamilton Avenue, which will allow the proposed 6 residential Dwelling Units.

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)

6.3 Notices Published – 71 O'Leary Avenue – DEV2300175

SJMC-R-2024-01-23/30

Moved By Councillor Ridgeley

Seconded By Deputy Mayor O'Leary

That Council approve the Discretionary Use application at 71 O'Leary Avenue for a Place of Amusement for an arts-based children's center and that Council waive parking for 12 parking spaces.

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)

6.4 Notices Published – 97A Logy Bay Road – DEV2300171

SJMC-R-2024-01-23/31

Moved By Councillor Ridgeley

Seconded By Councillor Bruce

That Council approve the Discretionary Use application at 97A Logy Bay Road for a Home Occupation that provides spa services.

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)

6.5 Notices Published – 65-74 Autum Drive - DEV2300156

Councillor Bruce noted that she was in support of the previous motion to defer the issue as it allowed the applicant sufficient time to respond to residents and provide the information requested. Both Council and residents are now content with the responses provided. Councillor Ellsworth advised applicants to pay attention and respond to residential concerns in a timely manner, as the lack of engagement may result in a delay of Council approval.

SJMC-R-2024-01-23/32

Moved By Councillor Ridgeley

Seconded By Councillor Bruce

That Council support the application for six (6) antennas on an existing tower in the vicinity of 65-74 Autumn Drive.

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)

7. RATIFICATION OF EPOLLS

8. COMMITTEE REPORTS

8.1 Committee of the Whole Report

1. 21 Merrymeeting Road – REZ2300018

SJMC-R-2024-01-23/33

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

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)

2. 50 Bennett Avenue – MPA2300007

Councillor Ravencroft and Councillor Ellsworth noted their support of the rezoning of 50 Bennet Avenue, as both the densification of the area and the increase in revenue would be of benefit to the City. Councillor Ravencroft spoke to the necessity of affordable housing in all areas of the City and the importance of breaking down the stigma associated with such projects. Councillor Ellsworth questioned why a Land Use Report (LUR) would not be required for the rezoning. The Deputy City Manager of Planning, Engineering, & Regulatory Services responded that as the change in zoning would not change the context of the surrounding neighbourhood, and as senior's apartment buildings were previously considered in the Institutional Zone, a LUR would not be necessary.

SJMC-R-2024-01-23/34

Moved By Councillor Burton

Seconded By Councillor Ravencroft

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)

3. Development Design Manual Adoption

Deputy Mayor O'Leary asked the Deputy City Manager of Planning, Engineering, and Regulatory Services to provide clarification on some of the changes in the Development Design Manual. He advised that although security costs may be higher for the Developer, these costs are generally recouped and result in improved, higher quality developments for residents. The changes hold Developers to City Standards. For example, although the required asphalt thickness has increased, resulting in higher costs to Developers, the increased thickness will reduce the premature deterioration the streets, thereby reducing the amount of repair work required and overall cost to taxpayers. Members of Council informed Staff that they had received an email from developers noting concern with the proposed changes. Staff advised that as no developer's association exists, engagement had taken place with larger players in the development community and their feedback had been taken into consideration. Should Developers have concerns with the proposed changes, they can be discussed and amendments to the Manual may be made at the discretion of Council. Councillor Hickman made a motion to defer the adoption for two weeks to provide an additional opportunity for engagement. The motion was defeated.

SJMC-R-2024-01-23/35

Moved By Councillor Hickman

Seconded By Councillor Hanlon

That Council defer the adoption of the Development Design Manual to the next regular meeting of Council on February 6, 2024.

For (2): Councillor Hickman, and Councillor Hanlon

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

MOTION LOST (2 to 8)

SJMC-R-2024-01-23/36

Moved By Councillor Ridgeley

Seconded By Councillor Ellsworth

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)

9. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

9.1 Development Permits List January 4 - 17, 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 January 10, 2024

SJMC-R-2024-01-23/37

Moved By Councillor Ellsworth

Seconded By Councillor Bruce

That the weekly payment vouchers for the week ending January 10, 2024, in the amount of \$4,757,726.92 be approved as presented.

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)

11.2 Weekly Payment Vouchers for the Week Ending January 17, 2024

SJMC-R-2024-01-23/38

Moved By Councillor Ellsworth

Seconded By Deputy Mayor O'Leary

That the weekly payment vouchers for the week ending January 17, 2024, in the amount of \$6,841,938.45 be approved as presented.

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. TENDERS/RFPS

12.1 2023115 - Supply and Delivery of Two Cab and Chassis Trucks

SJMC-R-2024-01-23/39

Moved By Councillor Korab

Seconded By Councillor Ravencroft

THAT Council approve open call "2023115 - Supply and Deliver Two (2) New Cab and Chassis Trucks" to Cabot Ford for \$172,605.60 plus tax.

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 2023200 - Supply and Delivery of Annuals

SJMC-R-2024-01-23/40

Moved By Councillor Korab

Seconded By Councillor Hanlon

That Council approve for award open call 2023200 - Supply and Delivery of Annuals to the lowest bidder meeting specifications, Hickey's Greenhouses & Nursery Ltd., for \$86,973.24 (HST included), as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)

12.3 2023205 - Riverhead SCADA Servers and Workstation Equipment Replacement

SJMC-R-2024-01-23/41

Moved By Councillor Korab

Seconded By Councillor Hickman

That Council approve for award this open call to the lowest bidder meeting specifications, Triware Technologies Inc., for \$137,696.92 (HST Incl.) as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)

12.4 Harris Govern Annual Software Maintenance Renewal

SJMC-R-2024-01-23/42

Moved By Councillor Ellsworth

Seconded By Councillor Bruce

That Council approve for award the above noted contract award without open call to Harris Govern in the amount of \$215,635.35.

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)

12.5 2023212 Transportation Services for Recreation Programs

SJMC-R-2024-01-23/43

Moved By Councillor Bruce

Seconded By Deputy Mayor O'Leary

That Council approve for award open call 2023212 – Transportation Services for Recreation Programs to the lowest, and only bidder, meeting specifications, Executive Bus Ltd for \$127,890.29 (HST included), as per the Public Procurement Act.

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

MOTION CARRIED (10 to 0)

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

14. NEW BUSINESS

14.1 563 Southside Road interpret zone lines

14.2 Seatrade Cruise Global Conference 2024

SJMC-R-2024-01-23/44

Moved By Councillor Korab

Seconded By Councillor Ellsworth

That Council approve the travel cost associated for Councillor Bruce to attend the Seatrade Global Conference in Miami Florida from April 8-11, 2024.

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)

14.3 Appointment of Assessment Review Court Commissioners

SJMC-S-2024-01-23/45

Moved By Councillor Ellsworth

Seconded By Councillor Hickman

That Council appoint the following commissioners to the current roster of Assessment Review Court Commissioners: Gareth Griffiths, Barry Fleming, and John Whelan.

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)

14.4 Sustainable and Active Mobility Advisory Committee – Approval of New Member

SJMC-R-2024-01-23/46

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council approve Tolulope Victoria Akerele to serve on the Sustainable and Active Mobility Advisory Committee.

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)

14.5 Built Heritage Experts Panel – Approval of New Member

SJMC-R-2024-01-23/47

Moved By Councillor Burton

Seconded By Councillor Ravencroft

That Council approve Megan Webb to serve on the Built Heritage Experts Panel as the Historian/Archival Expert.

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

MOTION CARRIED (10 to 0)

15. OTHER BUSINESS

16. ACTION ITEMS RAISED BY COUNCIL

16.1 Mental Health First Aid

Deputy Mayor O'Leary spoke to the importance of frontline workers when it comes to navigating mental health needs and requested that Council be provided with access to mental health first aid courses and training. This training would better equip Members of Council to address the mental health needs of constituents.

16.2 Goulds Rezoning

Councillor Ridgley asked the Deputy City Manager of Planning, Engineering, and Regulatory Services for an update on the rezoning of the Main Road from Dooling's Line to Shoal Bay Road. The Deputy City Manager informed Council that the new sewer lift station would provide an opportunity to open up areas around existing roads, such as the Main Road and Shoal Bay Road, for development. Staff will provide an update to Council in the upcoming months and initiate the development process.

17. ADJOURNMENT

There being no further business, the meeting adjourned at 4:09 p.m.

MAYOR

CITY CLERK

DECISION/DIRECTION NOTE

Title: Request for Parking Relief – 22 Blatch Avenue – INT2400003

Date Prepared: January 30, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 2

Decision/Direction Required:

Request to relieve one (1) parking space for a Subsidiary Dwelling Unit at 22 Blatch Avenue.

Discussion – Background and Current Status:

An application was submitted for 22 Blatch Avenue to add a Subsidiary Dwelling Unit to the existing Single Detached Dwelling. As per Section 8.3 of the Envision Development Regulations, one (1) parking space is required for each residential Dwelling Unit. There is currently one (1) parking space available for the existing dwelling, therefore parking relief for one (1) parking space is requested for the new Subsidiary Dwelling unit.

While a double driveway is proposed, the dimensions do not meet the minimum width required, therefore the driveway can only be considered as one (1) parking space. Parking relief has been requested and the rationale for relieving the parking space is based on availability of year-round, on-street parking. As per Section 8.12 of the Development Regulations, where an applicant wishes to provide a different number of parking spaces other than those required, Council shall require a Parking Report. Where in the opinion of Council that the change requested does not merit a Parking Report, Council may accept a staff report, which is presented as this Decision Note.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions: Not applicable.

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

Choose an item.

ST. JOHN'S

4. Alignment with Adopted Plans: 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 Sections 8.3 "Parking Standards" and 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 the parking relief at 22 Blatch Avenue for one (1) parking space to accommodate the proposed Subsidiary Dwelling unit.

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 – 22 Blatch Avenue – INT2400003.docx
Attachments:	- 22 Blatch Avenue Map.pdf
Final Approval Date:	Jan 31, 2024

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

Lindsay Lyghtle Brushett - Jan 30, 2024 - 4:40 PM

Jason Sinyard - Jan 31, 2024 - 9:49 AM

22 Blatch Avenue



DECISION/DIRECTION NOTE

Title: Re-establish the Building Line Setback – 488 Logy Bay Road – INT2400002

Date Prepared: January 31, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 2

Decision/Direction Required:

To re-establish the Building Line Setback at 488 Logy Bay Road to accommodate a change in street frontage.

Discussion – Background and Current Status:

An application was submitted to change the civic number at 488 Logy Bay Road to Robin Hood Bay Road. A new access was recently installed, and the property owner has requested that their civic number match the street where they access their property.

Section 7.1.3 of the Development Regulations states that “Frontage is considered to be on the street where the Lot is accessible by emergency vehicles.” As the driveway location has changed, the civic number should also reflect that change. To recognize Robin Hood Bay Road as the new front yard, the Building Line needs to be re-established at 12.357 metres, which is the current setback of the existing building measured from Robin Hood Bay Road.

The minimum Building Line setback in the Industrial Commercial (IC) Zone is 20 metres. As per Section 7.2.1(a) of the St. John’s Development Regulations, Council shall have the power to re-establish the Building Line for any Street, or for any Lot situate thereon, at any point or place that Council deems appropriate. Changing the front yard of the property to Robin Hood Bay Road will make the Lot more confirming regarding Lot Frontage; it was currently non-conforming when measured along Logy Bay Road. The change will also make the access and frontage on the same street, which aligns with the regulations.

Key Considerations/Implications:

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

ST. JOHN’S

3. Alignment with Strategic Directions:

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

Choose an item.

4. Alignment with Adopted Plans: 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 7.2.1 "Building Lines -Yards," Section 7.1.3. "Frontage on a Street" and Section 10 "Industrial Commercial (IC) Zone".

7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations: Not applicable.

9. Human Resource Implications: Not applicable.

10. Procurement Implications: Not applicable.

11. Information Technology Implications: Not applicable.

12. Other Implications: Not applicable.

Recommendation:

That Council approve the re-established Building Line setback at 12.357 metres as measured from Robin Hood Bay Road to allow the change in frontage and new civic address for the property currently recognized as 488 Logy Bay 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

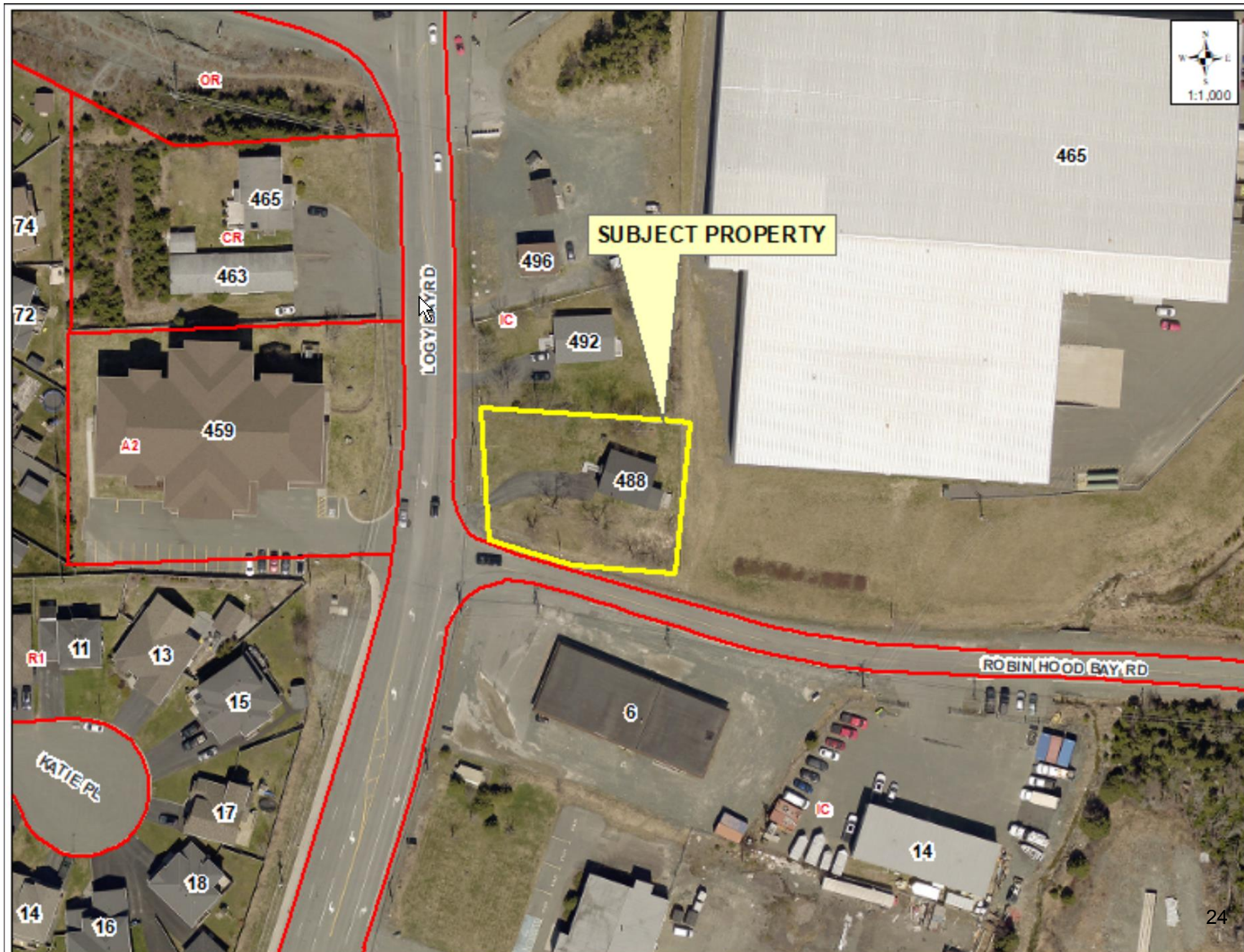
Document Title:	Development Committee - Request to Establish the Building Line Setback – 488 Logy Bay Road – INT2400002.docx
Attachments:	- 488 Logy Bay Road Map.pdf
Final Approval Date:	Jan 31, 2024

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

Lindsay Lyghtle Brushett - Jan 31, 2024 - 10:09 AM

Jason Sinyard - Jan 31, 2024 - 2:18 PM

488 Logy Bay Road



DECISION/DIRECTION NOTE

Title: Notices Published – 120 East White Hills Road - DEV2300170

Date Prepared: January 31, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 2

Decision/Direction Required:

A Discretionary Use application has been submitted by the SPCA at 120 East White Hills Road.

Discussion – Background and Current Status:

The proposed application is for a Kennel Use. A new building will be constructed, with hours of operation from 7:30 a.m. to 8:30 p.m., 7 days a week. The business will employ 12 people and onsite parking is provided. The proposed application site is zoned Rural (R).

Two submissions were received which support the proposed application.

As per Section 8.3 of the Development Regulations, parking standards for a Kennel Use are not specified; therefore, it is up to Council to determine the parking requirement. The site plan indicates 35 parking spaces. The SPCA has noted that visitors are invited to the facility as per a defined schedule and feel the maximum number of people on-site at any one time would be limited to 30. Therefore, based on the facility's operational requirements and site plan, it is recommended that parking be set at 35 parking spaces.

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.

ST. JOHN'S

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 8.3 "Parking Standards," Section 10.5 "Discretionary Use" and Section 10 "Rural (R) 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 120 East White Hills Road for a Kennel Use and set parking at 35 spaces for the proposed Kennel 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

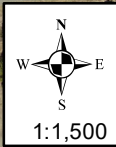
Report Approval Details

Document Title:	Notices Published - 120 East White Hills Road.docx
Attachments:	- DEV2300170-120 EAST WHITE HILLS ROAD.pdf
Final Approval Date:	Jan 31, 2024

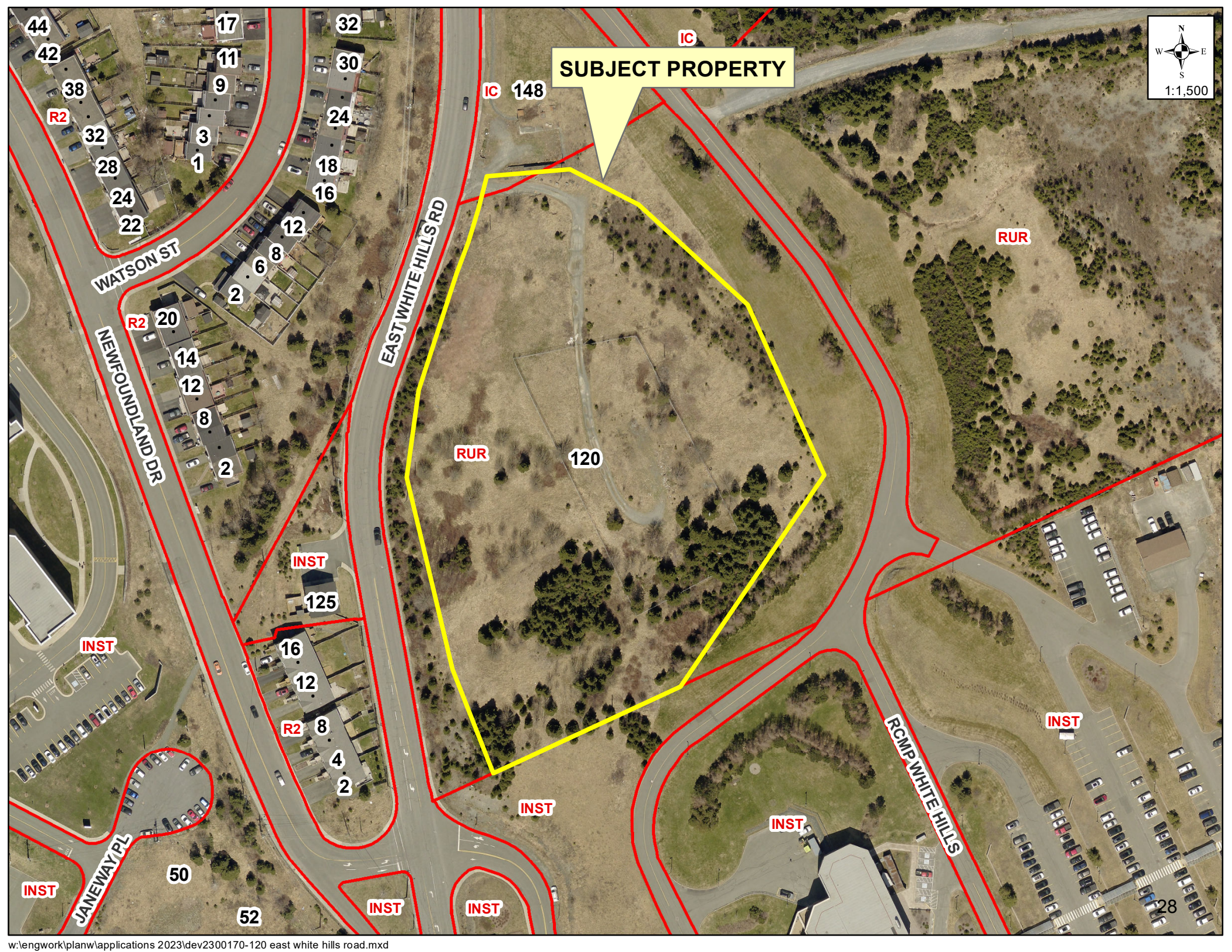
This report and all of its attachments were approved and signed as outlined below:

Lindsay Lyghtle Brushett - Jan 31, 2024 - 10:27 AM

Jason Sinyard - Jan 31, 2024 - 2:14 PM



SUBJECT PROPERTY



Karen Chafe

From: [REDACTED]
Sent: Saturday, January 27, 2024 12:06 PM
To: CityClerk
Subject: 120 East White Hills Road - SPCA proposed kennel

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Good day,

We 100% agree with this decision!

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

[REDACTED]

To Whom It May Concern:

We, the [REDACTED]
[REDACTED] have no objection to the new building
of the SPCA.

Thank you.

Yours sincerely,
[REDACTED]

DECISION/DIRECTION NOTE

Title: Notices Published – 220 Newfoundland Drive - DEV2300138

Date Prepared: January 31, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 2

Decision/Direction Required:

A Discretionary Use application has been submitted by RJC Development Consulting Inc. for 220 Newfoundland Drive.

Discussion – Background and Current Status:

The proposed application is for a Parking Garage at 220 Newfoundland Drive. The parking garage will accommodate 48 vehicles and is located on the 1st storey of a proposed new building, which will have a floor area of 2170m² and a building height of 15.24 metres (5 storeys). The new building will have dwelling units on the 2nd storey and higher, which is a permitted use, while the parking garage is a discretionary use in the Commercial Office Hotel (COH) 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.

ST. JOHN'S

6. Legal or Policy Implications: St. John's Development Regulations Section 10.5 "Discretionary Use" and Section 10 "Commercial Office Hotel (COH) 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 220 Newfoundland Drive for a Parking Garage, located on the 1st storey of a proposed new building.

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 - 220 Newfoundland Drive.docx
Attachments:	- DEV2300138-220 NEWFOUNDLAND DRIVE.pdf
Final Approval Date:	Jan 31, 2024

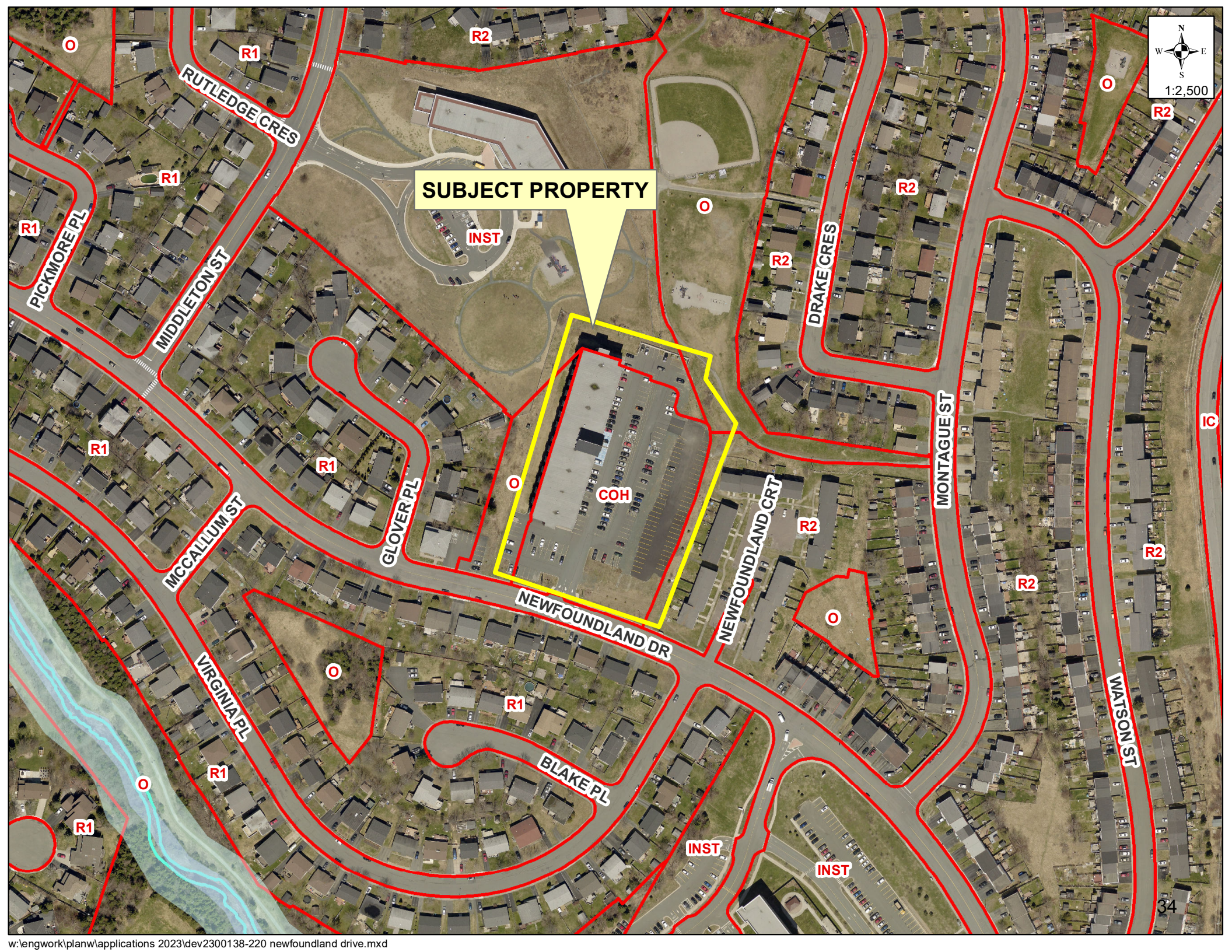
This report and all of its attachments were approved and signed as outlined below:

Lindsay Lyghtle Brushett - Jan 31, 2024 - 10:33 AM

Jason Sinyard - Jan 31, 2024 - 1:56 PM



SUBJECT PROPERTY



DECISION/DIRECTION NOTE

Title: Notices Published – 410 Thorburn Road - DEV2300154

Date Prepared: January 31, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 4

Decision/Direction Required:

A Discretionary Use application has been submitted by Nidus Developments Inc. at 410 Thorburn Road.

Discussion – Background and Current Status:

The proposed application is for a Daycare Centre, which will accommodate up to 144 children and approximately 20 employees. The daycare will encompass two buildings, that each have a floor area of 435m². The Daycare Centre will operate 7 days a week, 7 a.m. to 6 p.m. and on-site parking is provided. The proposed application site is zoned Rural Residential (RR).

Nine submissions were received. Three submissions were in support of the application, while concerns were raised pertaining to inaccurate surveys and property ownership, that Thorburn Road is a direct route for emergency vehicles to the hospital sites and not a good location for a daycare, that the use will create traffic congestion and traffic will backup to/from the site, that there is no Metrobus service or sidewalks in the area and the road has a very narrow shoulder, and concern over well/septic services.

Concerns pertaining to inaccurate survey information and property ownership were withdrawn after follow-up with the residents.

Transportation Engineering reviewed the proposal and noted that all parking must be met on-site, and no parking will be permitted along Thorburn Road. As part of the detailed development review, should the Discretionary Use be considered, the applicant will need to complete a trip generation memo documenting anticipated AM and PM peak hour trips, and may be required to complete an existing traffic count and capacity assessment of the development access (Thorburn Road) intersection to confirm operations. Given the volume of traffic on Thorburn Road, there may be a need for access upgrades to the site including turn bays.

As this is an unserviced area, the application was also reviewed with St. John's Regional Fire Department (SJRFD). Under SJRFD priority rating, a daycare centre is considered priority 1

ST. JOHN'S

(highest risk priority). For this site, the primary response to that area from Kenmount Fire Station (nearest fire station) would be 5 minutes, one minute over the recommended response as per NFPA. While there are many areas in our Region with that response time, it is typically in a serviced area or for commercial buildings with self-sufficient occupants. Given the response time, if a fire occurs, evacuation will need to be managed solely by staff, which is concerning with the type of occupants in the building. There are also challenges with dry hydrants and with underground tanks, which are required for an unserviced area. Given the mitigating factors, SJRFD would not consider it ideal to build a daycare in an unserviced area. At this point, the city does not have any daycare centres in unserviced areas.

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 "Rural Residential (RR) 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 reject the Discretionary Use application at 410 Thorburn Road as the proposed location for the Daycare Centre is in an unserviced area, which raises safety concerns as outlined by St. John's Regional Fire Department.

Prepared by:

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

Approved by:

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

Report Approval Details

Document Title:	Notices Published - 410 Thorburn Road.docx
Attachments:	- 410 THORBURN ROAD.pdf
Final Approval Date:	Jan 31, 2024

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

Lindsay Lyghtle Brushett - Jan 31, 2024 - 11:00 AM

Jason Sinyard - Jan 31, 2024 - 1:54 PM



**SUBJECT PROPERTY
(410 Thorburn Road)**

F

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THORBURN RD

RR

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Karen Chafe

From: [REDACTED]
Sent: Thursday, January 11, 2024 11:15 AM
To: CityClerk
Subject: 410 Thorburn Road

You don't often get email from [REDACTED] [Learn why this is important](#)

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Hi, I just wanted to register my support for this proposed development of a daycare center. It's a service that the city is desperately short of and is affecting the ability of parents to return to work from maternity or paternity leave. The site seems like a good location for kids with lots of greenspace in the area. Looking at the map, I do wonder if it would require the addition of a turning lane as I suspect this development would result in significant traffic at peak times where the center would be serving 144 kids + 20 staff and I'm sure that they would also have traffic from service providers.

Thanks!

[REDACTED]
[REDACTED]

Karen Chafe

From: [REDACTED]
Sent: Saturday, January 20, 2024 5:19 PM
To: CityClerk
Subject: Application 410- Thorburn Road

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Good Day,

I am writing on behalf of myself and my wife, [REDACTED] to say that we would greatly benefit from the proposed daycare on Thorburn road. She is a nurse and I'm a rotational worker, with most daycares hours starting at 0800, a 0700 start which is on her way to work would be a huge benefit for us.

[REDACTED]

Karen Chafe

From: [REDACTED]
Sent: Tuesday, January 16, 2024 7:00 AM
To: CityClerk
Subject: Daycare at 410 Thorburn Road

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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This is a great idea. There is a shortage of daycares within metro and adding a daycare that can hold 144 kids will certainly help a lot of working parents.

[REDACTED]
[REDACTED]
[REDACTED]

Karen Chafe

From: [REDACTED]
Sent: Thursday, January 11, 2024 12:14 PM
To: CityClerk
Subject: 410 thorburn rd application daycare use

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First off, the spelling of thorburn rd is incorrect.

Secondly, this is a busy main road in the heart of St. John's, it is an emergency route for emergency vehicles, police, ambulance, fire trucks. 2 buildings this size with this amount of kids may cause traffic congestion for left turning traffic not to mention stopped traffic that will let vehicles exit the parking lot of the daycare center. It's going to slow traffic and will turn this road into a traffic nightmare at 4-6 pm. It's already a narrow roadway, with potentially 144 parents entering and exiting the parking lot here will most likely end up in congested traffic. What happens if traffic is congested and emergency vehicles need to get by with this as their emergency route to the outter ring road?

A great idea but a little excessive size for the thorburn rd area. In a residential area at that.

Karen Chafe

From: [REDACTED]
Sent: Monday, January 15, 2024 11:12 AM
To: CityClerk
Subject: Application - 410 Thorburn Road

You don't often get email from [REDACTED] [Learn why this is important](#)

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Good Morning,

Further to the Application relating to property located at 410 Thorburn Road. Please be advised that I am objecting to this application for various reasons.

The first reason being that this application is encompassing family land [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Regards,
[REDACTED]

Karen Chafe

From: [REDACTED]
Sent: Monday, January 15, 2024 5:13 PM
To: CityClerk
Subject: Application for proposed daycare

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

To whom it may concern, We are [REDACTED]. We have some issues with this application for a daycare at 410 Thorburn Road. The first is that the application map has taken in some of our family property [REDACTED] there is suppose to be a lot of property behind 434 Thorburn, We have papers on that property and we will be disputing it. The second issue is traffic every morning it takes at least 10 mins to get out of my driveway at 8 am, unless someone gives me a break and at 4:30-5:30 in the evening it is worse 10 min or more waiting to get on Thorburn Road from our driveway, unless someone gives you a break and now you want to add another 122 car traffic dropping and picking up children 7 days a week, „Are you joking? The school bus has a job to stop to let the kids off and on for all traffic backed up, A three way stop not even feasible, when you exit the 410 property on the left of Thorburn Road is a blind turn and in the evening on a sunny day you are completely blinded from the evening sun, on the right side exiting the property there is a hill you can only see so many feet to the cars that are coming, I have lived in this area all my life and have witnesses many accidents of people coming in and out of their driveways in that area. That is not counting it is the main route to the Health Science from the highway there is a steady stream of ambulances back and forth. There is a ditch on each side of the road so a round about between a blind hill and sharp turn, not good and putting in a stop light, the traffic will be backed up to the outer ring on one way and the Avlon Mall the other way. Traffic is a big issue on Thorburn Road. There are no sidewalks on Thorburn Road.

We are all on well and septic in this area, that is an awful amount of septic with 122 children 7 days a week plus staff for an area with no water and sewer, we are in forestry and a green zone, Where would all the grey water go, there are many rivers and wet lands there, that house many animal and birds

Having that many children in a wetland marsh area with bottomless bog holes with forest surrounding it does not seem suitable for a daycare enviroment, I know there are fences but children are children and they often wander. We are against putting a daycare there for these reasons, we don,t think it would be a good fit for this area. My family will be disputing this property area that is on the application seeing that a portion of our family land is included in this application. Sincerely [REDACTED]

Karen Chafe

From: [REDACTED]
Sent: Monday, January 29, 2024 9:33 PM
To: CityClerk
Subject: Proposed Thorburn Road Daycare

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello,

My name is [REDACTED] I am sending this email to voice my disapproval of the proposed daycare at 410 Thorburn Road.

I have lived at [REDACTED] and I can attest to the large volume of traffic travelling this road every weekday. Especially, at peak traffic times. I believe a traffic assessment should be conducted before any approval is granted. The speed limit would have to be reduced and it will be adding approximately 400 plus vehicles to the volume of traffic on a two lane road with no Metrobus service.

Please email any questions.

Thank You

[REDACTED]

[REDACTED]

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

Comments for Discretionary Use Application 410 Thorburn Road

Good Day, Office of the City Clerk

We are not in support of the discretionary use application for a Daycare Center at 410 Thorburn Road.

We understand the urgent need for additional daycare spaces in the city of St. John's. This need should not outweigh that this application is not suited for this location, for the following.

Thorburn Road, since the construction and completion of the Outer Ring Road, has become the primary access point to the only tertiary care hospital in the province, the Health Sciences complex, the only children's hospital, the Janeway and soon the new Mental Health and Addictions Facility.

This by default makes Thorburn Road the quickest and easiest route to these facilities.

As we all know, minutes can save lives, and potentially adding an additional 164 vehicles to an already busy 2 lane road, during prime-time commuting hours in the morning and afternoon, can and will pose safety issues for, ambulances, commuters and those wanting to enter and exit this new daycare facility.

We understand that health facilities are a Provincial responsibility, with the City being responsible for the planning, construction, and maintenance of the road infrastructure. With this in mind, it would be prudent for the City to ensure the road system to the main tertiary care hospitals in the province remains as quick as possible.

Thorburn Road has not only become the primary route to the hospital's but also to major shopping center, the Avalon Mall, the main provincial postal facility on Kenmount Road, several large courier companies in the business area of O'Leary Avenue as well as shopping in the Kelsey Drive and area.

Some traffic needing to access the above locations could route through the Outer Ring Road to the off ramp on Team Gushue. However, during the busy prime-time commuting in the morning the difficult left-hand turn onto Goldstone leads to potential accidents or near-misses.

I reference the latest report on dangerous intersections in the City, the one at Thorburn Road and Goldstone has been listed as number one. It does not have the most accidents overall, but due to the volume of vehicles and injuries has been placed number one. Left hand turns have been listed as one of the primary reasons for this ranking. The traffic flow through this intersection is an indicator of the traffic volume using Thorburn Road.

If we use the traffic volume at the Goldstone/Thorburn Road intersection as an estimate of the traffic volume on Thorburn Road it may indicate the potential impacts the new entrance to the daycare center at 410 Thorburn Road may experience, in the morning and afternoon rush hours. With the possible 164 vehicles entering the daycare facility in the morning, it would suggest the majority will be travelling east on Thorburn Road from the Outer Ring Road and then making a left hand turn into the facility. The risk of a collision is high.

Compound this in the late spring and summer when the rising sun will be shining directly into the eyes of the morning commuters as they travel east on Thorburn entering the city and dropping off children and again in the afternoon as the setting sun shines in the eyes of the commuters travelling west on Thorburn as they are exiting the city, and potentially meeting slower traffic entering Thorburn Road from the daycare facility. This is compounded with the entrance and exit from the daycare facility will be just past a bend on Thorburn Road and exiting drivers will not have a clear view of westbound traffic on Thorburn Road.

We have not completed a count of the west bound traffic travelling into the city in the morning but know from firsthand experience that it begins as early as 6am and steadily increases to its peak until after approximately 9:45. The afternoon west bound rush starts at about 2:30pm and will not start to slow until after 5-5:30pm.

For us, trying to make a left hand turn to go west on Thorburn Road from our driveway during the morning rush can be challenging. We try to avoid this turn if possible.

The proposed application will have multiple vehicles attempting to cross the flow of busy traffic on Thorburn Road possibly several times each day.

Thorburn Road is only one lane in each direction, has no curb or sidewalks and a very narrow shoulder with steep embankments to an open drainage ditch down each side of the road. While this is conducive to the free flow of traffic in each direction, adding potentially 164 vehicles that must turn during the busy morning and afternoon commuter rush without any way for commuting traffic to bypass those turning is a safety risk no responsible person would advocate for. Also, there is no public transit on Thorburn Road past the Goldstone intersection, meaning everyone needing to go to this daycare facility must do so in a vehicle.

Thank you for the opportunity to provide comments on the proposed development at 410 Thorburn Road.

Looking at the larger picture and the conceivable risk for those entering and exiting this development and the daily commuters who use Thorburn Road, we cannot support this development.

[REDACTED]
[REDACTED]
[REDACTED]

TO Whom IT MAY CONCERN

In response to your letter circulated to
neighbors on Thorburn Road in regard to the construction
and operation of a Day Care in the area.

I live at [REDACTED]. I [REDACTED]

[REDACTED] have lived here since childhood. The
addition of a daycare facility is probably a bonus to
any neighborhood but my concern is traffic jams.
On any workday between 7am - 9am or evening
rush hours 4-7pm it is almost impossible to get
in or out of most driveways in this area especially
if you have to cross to the other direction of your
driveway. Traffic backs up pretty quickly.

I would suggest that before construction
begins on this new venture that lights plus extra
turning lanes with arrows being installed in this
area for the safety of all concerned. An extra 144+
vehicles approaching and leaving this area is certainly
a recipe for traffic accidents, traffic backups
and God forbid loss of life and/or severe injuries
to our most precious resource - our children.

Resident

DECISION/DIRECTION NOTE

Title: Notices Published – 44 Austin Street - DEV2300176

Date Prepared: January 31, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 4

Decision/Direction Required:

A Discretionary Use Application has been submitted by Deacon Investments Ltd. at 44 Austin Street.

Discussion – Background and Current Status:

The proposed application is for a Daycare Centre which will accommodate up to 74 children. The floor area will be 565m² and operate Monday to Friday 7 a.m. to 7 p.m. The Daycare will employ up to 20 people and provides on-site parking. The proposed application site is zoned Industrial Commercial (IC), where a Daycare Centre is a Discretionary Use.

Two submissions were received. One submission was in support, while the other expressed concern pertained to traffic, snow clearing on sidewalks, and the speed of traffic. Transportation Engineering reviewed the application and have no concerns. The area has sidewalks for accessing the site, is serviced by transit and provides sufficient on-site parking.

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.

ST. JOHN'S

5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Development Regulations Section 10.5 "Discretionary Use" and Section 10 "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 at 44 Austin Street to allow the proposed Daycare Centre.

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 - 44 Austin Street.docx
Attachments:	- DEV2300176-44 AUSTIN STREET.pdf
Final Approval Date:	Jan 31, 2024

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

Lindsay Lyghtle Brushett - Jan 31, 2024 - 10:16 AM

Jason Sinyard - Jan 31, 2024 - 2:16 PM



Karen Chafe

From: Planning
Sent: Wednesday, January 17, 2024 9:28 AM
To: CityClerk
Subject: FW: 44 Austin St Daycare

From: Access St. John's <access@stjohns.ca>
Sent: Tuesday, January 16, 2024 7:31 PM
To: Planning <planning@stjohns.ca>
Subject: Fw: 44 Austin St Daycare

See email below

Chantal
Access St. John's

Web Service

Call: 311 or 709-754-2489

Fax: 709-576-7688

From: noreply@stjohns.ca <noreply@stjohns.ca> on behalf of [REDACTED]
Sent: Tuesday, January 16, 2024 6:02 PM
To: Access St. John's <access@stjohns.ca>
Subject: 44 Austin St Daycare

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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I would like to voice my concerns about a proposal for aa daycare at 44 Austin St. I'm an employee at a neighboring business. I walk Austin Street almost every day during the work week. I'm in support of people having access to childcare and support more daycare facilities. My concern about this location is rather about traffic in the area and the lack of cleared sidewalks. Vehicles travel Austin Street at some rather high rates of speed sometimes making for some dangerous conditions, especially near the turn in the road between Rogers and Saltwire and closer to the residential area at the Thorburn Road end of the street. Add in icy or snow-covered sidewalks and you have pedestrians having to walk on the road with vehicles. Having children and their families, especially if they live near by and have to walk, or outside activities for the children dealing with these conditions is dangerous. I can't tell you how often I hear comments

about vehicles speeding and almost losing control on the turn in the road. I think if the city approves this application traffic and pedestrian safety needs to be considered. Thank you for your consideration.

Origin:

<https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.stjohns.ca%2Fen%2Fnews%2Fapplication-44-austin-street.aspx&data=05%7C02%7Caccess%40stjohns.ca%7C85e15b83335840f4a1c008dc16da9faf%7C77d442ceddc64c9ba7edf2fb67444bdb%7C0%7C0%7C638410375448468139%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=wqTB6rj20w%2FY553wwq8cdIJgiW7W0RXeUKYShDAV8g%3D&reserved=0>

[REDACTED]

Karen Chafe

From: [REDACTED]
Sent: Tuesday, January 16, 2024 7:00 AM
To: CityClerk
Subject: Daycare at 44 Austin Street

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the Report a Phish button to report it.

This is a great idea. There is a shortage of daycares within metro and adding a daycare that can hold 74 kids will certainly help a lot of working parents.

[REDACTED]
[REDACTED]
[REDACTED]

ST. JOHN'S

Committee of the Whole Report

Council Chambers, 4th Floor, City Hall

January 30, 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:

- Kevin Breen, City Manager
- Derek Coffey, Deputy City Manager of Finance & Administration
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Lynnann Winsor, Deputy City Manager of Public Works
- Cheryl Mullett, City Solicitor
- Ken O'Brien, Chief Municipal Planner
- Karen Chafe, City Clerk
- Stacey Baird, Legislative Assistant
- Jill Sheppard, Communications and PR Officer
- Theresa Walsh, Manager – Archives and Records Management

1. Records and Information Management Policy and Procedures

The Manager of Archives and Record Management who attended the meeting virtually was introduced by the City Clerk and was available for questions.

The City Clerk gave a brief overview of the updated changes to the policy and procedures for records and information management. The proposed changes adhere to the general format for policies and procedures and incorporate more comprehensive planning and oversight by the incorporation of a Records and Information Management Governance Team.

Deputy Mayor O'Leary referenced the importance of archiving records and questioned how that relates to the overall records management process. Staff advised that the updated policy focuses on active and semi active records. For those records to be reliable and accountable by the time that they are archived, they must be properly managed throughout their life span. Efficient, economical and accountable records management processes will ensure efficient archival processes.

Recommendation

Moved By Councillor Ellsworth

Seconded By Councillor Ravencroft

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

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)

2. 46 Hazelwood Crescent – REZ2300019

Concerns were expressed that by changing the zoning with no proposed changes that this would allow for changes to be made in the future which would not require resident engagement.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Hickman

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.

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

Against (1): Councillor Korab

MOTION CARRIED (9 to 1)

3. Text Amendment – Institutional Zone Standards

Councillor Ellsworth declared a conflict of interest and abstained from voting.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Ravencroft

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

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

Abstain (1): Councillor Ellsworth

MOTION CARRIED (9 to 0)

Mayor

DECISION/DIRECTION NOTE

Title: Records and Information Management Policy and Procedures

Date Prepared: January 22, 2024

Report To: Regular Meeting of Council

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

DRAFT – For Discussion Only

Last updated 2024-01-24

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: Regular Meeting of Council

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





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
—	EXISTING GATE VALVE
—	EXISTING FIRE HYDRANT
—	EXISTING REDUCER
—	CURB STOP
—	WATERMAIN TEE
—	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:

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:
DATE:	DATE:	SCALE:
N/A	JAN. 2024	AS SHOWN
PROJECT No:	DRAWING No:	REV: 86 A
2023-019	C1	

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 revised

Date Prepared: February 2, 2024

Report To: Regular Meeting of Council

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%

New wording would delete most zone standards but keep the standards for building height. This would allow new buildings to be built as high as 23 metres, except at 50 Tiffany Lane where they could rise to 72 metres, and also allowing any existing building that is higher than 23 metres to be acknowledged as such (so that a subdivision of property would not create a non-conforming building height).

This matter was discussed at Committee of the Whole on January 30, 2024, however staff did not flesh out the provisions for building height.

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

DECISION/DIRECTION NOTE

Title: Text Amendment – Institutional Zone Standards

Date Prepared: January 22, 2024

Report To: Regular Meeting of Council

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

Add:
Building Height (maximum), existing Buildings higher than 23 m - Existing Building Height as of amendment date (2024-XX-XX)
- (c)

Building Line (minimum)

6 metres
- (d)

Building Height (maximum), except 50

23 metres

Tiffany Lane (PID #45350) and except existing Buildings higher than 23 m as of amendment date (2024-xx-xx)
- (e)

Building Height (maximum) – 50 Tif-

72 metres

fany Lane (PID #45350)
- (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)~~ 50%
~~(2022-05-27)~~

(i) ~~Landscaping (minimum)~~ 20%

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

All other Zone Standards shall be in the discretionary of Council.

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.

Development Permits List For January 18 to January 31, 2023

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Rebuild of Single Detached Dwelling	305 Petty Harbour Road	5	Approved	2024-01-23
AG		Barn for Livestock	121 Cochrane Pond Road	5	Approved	2024-01-31
IND	10718 NFLD Inc.	New Street and 2 Parcels of Land	Area of 223 Danny Drive	5	Approved	2024-01-31

*** 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 February 6, 2024, Regular Meeting

Permits Issued: 2024/01/18 to 2024/01/31

BUILDING PERMITS ISSUED

Residential		
Location	Permit Type	Structure Type
11 Walsh's Sq	Deck	Patio Deck
120 Military Rd	Renovations	Semi Detached Dwelling
125 Rennie's Mill Rd	Renovations	Single Detached Dwelling
135 Logy Bay Rd	Deck	Patio Deck
15 Coronation St	Renovations	Single Detached Dwelling
16 Cowperthwaite Crt	Renovations	Townhousing
22 Coronation St	Renovations	Townhousing
23 Dragonfly Pl	Fence	Fence
23 Neptune Rd	Renovations	Single Detached Dwelling
24 Kerry St	Change of Occupancy	Single Detached Dwelling
25 Branscombe St	Change of Occupancy	Single Detached Dwelling
26 Eastbourne Cres	Change of Occupancy	Home Office
3 Walsh Pl	Change of Occupancy	Single Detached Dwelling
32 Eastmeadows Ave	Accessory Building	Accessory Building
4 Dunfield St	Change of Occupancy	Single Detached Dwelling
43 Gleneyre St	Change of Occupancy	Single Detached w/ apt.
45 Outer Battery Rd	Renovations	Single Detached Dwelling
51 Terra Nova Rd	Change of Occupancy	Single Detached Dwelling
53 Flower Hill	Deck	Patio Deck
58 Cedar Hill Pl	Accessory Building	Accessory Building
60 Stamp's Lane	Renovations	Single Detached Dwelling
69 Freshwater Rd	Renovations	Single Detached Dwelling
7 Gosling St	Renovations	Single Detached Dwelling
7 Waterford Bridge Rd	Renovations	Single Detached w/ apt.
79 Ferryland St W	Change of Occupancy	Single Detached Dwelling
8 Berrigan Pl	Change of Occupancy	Single Detached Dwelling
83 Bay Bulls Rd	Fence	Fence
94 Doyle's Rd	Change of Occupancy	Single Detached Dwelling

This Week: \$789,040.00

Commercial

Location	Permit Type	Structure Type
116 Duckworth St	Change of Occupancy	Retail Store
131 Duckworth St	Sign	Restaurant
22 O'leary Ave	Renovations	Mixed Use
3 Waterford Bridge Rd	Change of Occupancy/Renovations	Semi Detached Dwelling
430 Topsail Rd	Change of Occupancy/Renovations	Mixed Use
439 Kenmount Rd	Extension	Communications Use
446 Topsail Rd	Renovations	Service Station
45 Hebron Way	Change of Occupancy/Renovations	Office
46c Aberdeen Ave	Change of Occupancy/Renovations	Clinic
48 Kenmount Rd	Change of Occupancy/Renovations	Retail Store
48 Kenmount Rd	Change of Occupancy/Renovations	Retail Store
644 Topsail Rd	Sign	Private School

This Week: \$371,397.05

Government/Institutional

Location	Permit Type	Structure Type
60 Blackler Ave	Sign	Recreational Use

This Week: \$3,900.00

Industrial

Location	Permit Type	Structure Type
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This Week: \$0.00

Demolition

Location	Permit Type	Structure Type
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This Week: \$0.00

This Week's Total: \$1,164,337.05

REPAIR PERMITS ISSUED:

\$18,000.00

NO REJECTIONS

YEAR TO DATE COMPARISONS			
February 6, 2024			
TYPE	2023	2024	% Variance (+/-)
Residential	\$2,846,985.00	\$3,062,849.24	8
Commercial	\$2,860,867.50	\$978,878.55	-66
Government/Institutional	\$0.00	\$3,900.00	0
Industrial	\$0.00	\$0.00	0
Repairs	\$40,815.00	\$89,500.00	119
TOTAL	\$5,748,667.50	\$4,135,127.79	-28
Housing Units (1 & 2 Family Dwelling)	6	7	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending January 24, 2024

Payroll

Public Works	\$ 585,753.97
Bi-Weekly Casual	\$ 39,725.97
Accounts Payable	\$6,070,033.43

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

Total: \$ 6,695,513.30

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 January 31, 2024

Payroll

Public Works	\$ 558,017.84
Bi-Weekly Administration	\$ 829,429.26
Bi-Weekly Management	\$ 969,092.91
Bi-Weekly Fire Department	\$ 950,644.99
Accounts Payable	\$ 6,015,118.94

(A detailed breakdown [here](#))

Total: \$9,322,303.94

ST. JOHN'S

DEPARTMENT OF FINANCE

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

BID APPROVAL NOTE

Bid # and Name: 2023215 Supply & Delivery of Bosch Rexroth / Compuspread Parts
Date Prepared: Monday, January 22, 2024
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: Destiny Thompson
Budget Code: 0000-15101
Source of Funding: Operating

Purpose:

The purpose of this open call is for the supply and delivery of Bosch Rexroth / Compuspread parts for the Fleet division, to be used on an as required basis.

Results: ☐ As attached ☒ As noted below

Vendor Name	Bid Amount
Parts for Trucks Inc.	\$39,050.00

Expected Value: ☐ As above
☒ Value shown is an estimate only for a one (1) year period (HST not included). 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 to the sole bidder, Parts for Trucks Inc., meeting specification, for \$39,050.00 per year (HST not included) as per the Public Procurement Act.

Attachments:

ST. JOHN'S

Report Approval Details

Document Title:	2023215 - Supply and Delivery of Bosch Rexroth Compuspread Parts.docx
Attachments:	
Final Approval Date:	Jan 22, 2024

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

Rick Squires - Jan 22, 2024 - 2:40 PM

Derek Coffey - Jan 22, 2024 - 2:42 PM

BID APPROVAL NOTE

Bid # and Name: Water Street Infrastructure Improvements - Phase 4
Date Prepared: Wednesday, January 31, 2024
Report To: Regular Meeting
Councillor and Role: Councillor Jamie Korab, Public Works
Ward: N/A

Department: Planning Engineering & Regulatory Services
Division: Engineering
Quotes Obtained By: Mark White
Budget Code: ENG-2020-988
Source of Funding: Multiyear Capital

Purpose:

Newfoundland Power services required as part of the Water Street Infrastructure Improvements - Phase 4 contract. Due to the primary and secondary NL Power infrastructure in the vicinity of the infrastructure improvements, standby personnel were required as well as personnel for power switching.

Results: ☐ As attached ☒ As noted below

Vendor Name	Bid Amount
Newfoundland Power Inc.	\$137,518.25

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: N/A

Bid Exception: Contract Award Without Open Call

Recommendation:

That Council approve for award this work to the sole source supplier, Newfoundland Power Inc., for \$137,5818.25 (HST excluded) as per the Public Procurement Act.

Attachments:

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Report Approval Details

Document Title:	Water Street Infrastructure Improvements - Phase 4.docx
Attachments:	
Final Approval Date:	Jan 31, 2024

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

Rick Squires - Jan 31, 2024 - 2:51 PM

Derek Coffey - Jan 31, 2024 - 3:11 PM

DEPARTMENTAL APPROVAL REQUEST/RFP

Commodity/Bid #: 2023213 Shared-Use Path from Portugal Cove Road to Logy Bay Road via Kenny's Pond and Tupper Laurier Park

Date Prepared: Wednesday, January 31, 2024

Report To: Regular Meeting

Councillor and Role: Councillor Jamie Korab, Public Works

Ward: N/A

Department: PERS Transportation Engineering

Quotes Obtained By: Sherri Lee Higgins

Budget Code: ENG-2023-183

Source of Funding: Capital

Purpose:

The City of St. John's is seeking design, contract administration and construction inspection services for detailed design of a shared-use path (SUP) from Portugal Cove Road to Logy Bay Road via Kennys Pond and Tupper-Laurier Park.

Proposals Submitted By:

Vendor Name
Pinnacle Engineering ULC
Dillon Consulting Limited
9028161 Canada Ltd. (Harbourside Transportation Consultants)

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

Contract Duration: The detailed design for the project should be completed by August 15, 2024, so that a construction tender could be called in September 2024.

Recommendation:

THAT Council approve for award this open call to the top ranked proponent Dillon Consulting Limited for \$349,844.95 (HST included) as per the Public Procurement Act.

Attachments:

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Report Approval Details

Document Title:	2023213 Shared-Use Path from Portugal Cove Road to Logy Bay Road via Kenny's Pond and Tupper Laurier Park.docx
Attachments:	
Final Approval Date:	Feb 1, 2024

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

Amer Afridi - Feb 1, 2024 - 3:42 PM

Scott Winsor - Feb 1, 2024 - 3:51 PM

Jason Sinyard - Feb 1, 2024 - 4:14 PM

DECISION/DIRECTION NOTE

Title: CERAWEEK 2024 – Houston, Texas

Date Prepared: January 24, 2024

Report To: Regular Meeting of Council

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

Ward: N/A

Decision/Direction Required:

That Council approve travel for Mayor Breen to attend CERAWEEK in Houston, Texas, from March 18-21, 2024.

Discussion – Background and Current Status:

CERAWeek is the preeminent annual energy conference for thought leaders, energy executives, and government officials. The conference provides a platform for discussion on a range of energy-related topics, including the world economic outlook, geopolitics, energy policy and regulation, climate change and technological innovation, hydrogen and other renewables, among other topics. With strong global demand for green energy projects, there is a window of opportunity, and the provincial strategic location to key markets presents an opportunity for investment.

The World Energy Cities Partnership (WECP), of which St. John's is a member, will be holding their working meeting during the week also. It is anticipated that each energy city mayor, including Mayor Breen, will have speaking opportunities on panels or networking events at CERAWEEK. The Government of Canada will have a program that affords the opportunity for St. John's to meet with a variety of energy related businesses and delegates for the purposes of identifying future potential business development opportunities.

Key Considerations/Implications:

1. Budget/Financial Implications: Budgeted Travel
2. Partners or Other Stakeholders: Government of Canada and World Energy Cities
3. Alignment with Strategic Directions:

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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.

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

4. Alignment with Adopted Plans: N/A
5. Accessibility and Inclusion: N/A
6. Legal or Policy Implications: N/A
7. Privacy Implications: N/A
8. Engagement and Communications Considerations: N/A
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 travel costs associated for Mayor Breen to attend the 2024 CERA WEEK in Houston, Texas.

Prepared by:

Stacey Baird
Legislative Assistant

Approved by:

Karen Chafe
City Clerk

Report Approval Details

Document Title:	CERAWEEK 2024 - Houston, Texas.docx
Attachments:	
Final Approval Date:	Jan 26, 2024

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

Karen Chafe - Jan 26, 2024 - 10:58 AM

DECISION/DIRECTION NOTE

Title: Travel Authorization – Big City Mayor’s Caucus

Date Prepared: January 31, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Ron Ellsworth, Finance & Administration

Ward: N/A

Decision/Direction Required:

Council approval is requested for travel by Mayor Breen to attend the next in-person Big City Mayors Caucus meeting in Ottawa on February 26th, 2024.

Discussion – Background and Current Status:

FCM’s caucus of big city mayors brings together representatives from 23 of Canada’s biggest cities, offering a forum for policy development on a range of issues affecting our largest centres. Through FCM, the mayors’ caucus partners with the federal government in nation-building through city-building.

Key Considerations/Implications:

1. Budget/Financial Implications: Budgeted Travel
2. Partners or Other Stakeholders: Federation of Canadian Municipalities – Big City Mayor’s Caucus
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: N/A
7. Privacy Implications: N/A
8. Engagement and Communications Considerations: N/A
9. Human Resource Implications: N/A
10. Procurement Implications: N/A

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11. Information Technology Implications: N/A

12. Other Implications: N/A

Recommendation:

That Council approve the travel costs associated for Mayor Danny Breen to attend the 2024 BCMC meeting in Ottawa on February 26th, 2024.

Prepared by:

Stacey Baird

Legislative Assistant

Approved by:

Karen Chafe

City Clerk

Report Approval Details

Document Title:	Travel Authorization - Big City Mayors Caucus.docx
Attachments:	
Final Approval Date:	Jan 31, 2024

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

Karen Chafe - Jan 31, 2024 - 3:09 PM