

# ST. JOHN'S

## Regular Meeting - City Council Agenda

September 17, 2024

3:00 p.m.

4th Floor City Hall

### Pages

1. CALL TO ORDER
2. PROCLAMATIONS/PRESENTATIONS
  - 2.1 National Tree Day 2024 3
3. APPROVAL OF THE AGENDA
  - 3.1 Adoption of Agenda
4. ADOPTION OF THE MINUTES
  - 4.1 Adoption of Minutes - September 3, 2024 4
5. BUSINESS ARISING FROM THE MINUTES
6. DEVELOPMENT APPLICATIONS
  - 6.1 Proposed Redevelopment of a Non-Conforming Building – 121-125 Campbell Avenue- DEV2400113 13
  - 6.2 Proposed Deck in the Wetland Buffer – 45 Leonard J. Cowley Street – INT2400074 17
7. RATIFICATION OF EPOLLS
8. COMMITTEE REPORTS
  - 8.1 Committee of the Whole - September 10, 2024 21
    1. 7 Rickett's Road – MPS2400006 24
    2. Youth Engagement Working Group - Membership 33

3.	Pippy Park Commission Board – Appointment of City Council Representative	36
4.	NL Sports Centre Board – Appointment of City Council Representatives	38
<b>9.</b>	<b>DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)</b>	
9.1	Development Permits List August 29 - September 11, 2024	40
<b>10.</b>	<b>BUILDING PERMITS LIST (FOR INFORMATION ONLY)</b>	
10.1	Building Permits List	41
<b>11.</b>	<b>REQUISITIONS, PAYROLLS AND ACCOUNTS</b>	
11.1	Weekly Payment Vouchers for the Weeks Ending September 4 and September 11, 2024	45
<b>12.</b>	<b>TENDERS/RFPS</b>	
<b>13.</b>	<b>NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS</b>	
<b>14.</b>	<b>NEW BUSINESS</b>	
14.1	Easement over Harbour Drive	46
14.2	Team Gushue Highway Extension – Public Works and Infrastructure in Floodplain, Floodplain Buffer, Wetland, and Wetland Buffer	50
14.3	Overnight Construction – Elizabeth Avenue SUP Phase 2	55
14.4	Text Amendment – Heritage Use Definition and Conditions - Adoption	59
14.5	St. John’s Sports & Entertainment – Appointment of New Member to Board of Directors	79
<b>15.</b>	<b>OTHER BUSINESS</b>	
<b>16.</b>	<b>ACTION ITEMS RAISED BY COUNCIL</b>	
<b>17.</b>	<b>ADJOURNMENT</b>	

# Proclamation

**National Tree Day  
September 25, 2024**

WHEREAS: On September 25th, the city of St. John's proposed that a special day be set aside for the planting of trees. The celebration, declared National Tree Day, will be recognized by the planting of trees in St. John's; and

WHEREAS: National Tree Day is now observed throughout the country; and

WHEREAS: Trees can reduce the erosion of our precious topsoil by wind, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS: Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS: Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS: Trees, wherever they are planted, are a source of joy and spiritual renewal.

THEREFORE: I, Mayor Danny Breen, do hereby proclaim September 25, 2024, as National Tree Day in the City of St. John's.

Signed at City Hall, St. John's, NL on this seventeenth day of September, 2024.



---

Danny Breen, Mayor

# **ST. JOHN'S**

---

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

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

**September 3, 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 Tom Davis
- Councillor Carl Ridgeley

**Staff:**

- Derek Coffey, Acting City Manager
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Cheryl Mullett, City Solicitor
- Ken O'Brien, Chief Municipal Planner
- Jackie O'Brien, Manager of Communications
- Theresa Walsh, City Clerk
- Jennifer Squires, Legislative Assistant

**Others:**

- Edmundo Fausto, Manager, Sustainability

### **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-2024-09-03/417

**Moved By** Councillor Ravencroft

**Seconded By** Councillor Bruce

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 Davis, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - August 20, 2024**

SJMC-R-2024-09-03/418

**Moved By** Deputy Mayor O'Leary

**Seconded By** Councillor Davis

That the minutes of August 20, 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 Davis, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

5. **BUSINESS ARISING FROM THE MINUTES**

6. **DEVELOPMENT APPLICATIONS**

6.1 **Proposed Residential Deck in the Wetland Buffer – 45 & 47 Leonard J. Cowley Street – INT2400070 & INT2400071**

SJMC-R-2024-09-03/419

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Hickman

That Council approve a residential Deck in the Wetland Buffer at 45 and 47 Leonard J. Cowley Street.

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

**MOTION CARRIED (10 to 0)**

**6.2 Crown Land Grant - 179 Northern Pond Road - CRW2400012**

SJMC-R-2024-09-03/420

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Ravencroft

That Council approve the Crown Land Grant at 179 Northern Pond.

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

**MOTION CARRIED (10 to 0)**

**6.3 Notices Published – 520 Main Road – DEV2400098**

SJMC-R-2024-09-03/421

**Moved By** Councillor Ridgeley

**Seconded By** Deputy Mayor O'Leary

That Council approve the Discretionary Use and change of Non-Conforming use application at 520 Main Road to allow a Home Occupation for an Electrical Contractor Business that will occupy the same floor area as the previous business (46.5m<sup>2</sup>) which is non-conforming in relation to the permitted size for a home occupation.

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

**MOTION CARRIED (10 to 0)**

**6.4 Notices Published – 7 Duke Street – DEV2400040**

SJMC-R-2024-09-03/422

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Hanlon

That Council approve the Discretionary Use application at 7 Duke Street to allow a Home Occupation for retail sales of prepackaged grocery items.

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

**MOTION CARRIED (10 to 0)**

**6.5 Request to Establish the Building Line Setback – 238 Portugal Cove Road – SUB2400046**

Councillor Bruce asked if Staff had any concerns with snow storage on the property. The Deputy City Manager of Planning, Engineering, & Regulatory Services responded that there were no concerns with the subdivision.

SJMC-R-2024-09-03/423

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Bruce

That Council approve a Building Line setback at 7.7m metre and 8.33 metre to accommodate the subdivide of 238 Portugal Cove Road into 2 Building Lots.

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

**MOTION CARRIED (10 to 0)**

**6.6 Accessory Building in the Watershed (Town of Portugal Cove- St. Phillip's) – 62 Kings Hill Road – INT2400069**

SJMC-R-2024-09-03/424

**Moved By** Councillor Ridgeley

**Seconded By** Councillor Ellsworth

That Council reject the proposed Accessory Building in the Watershed at 62 Kings Hill Road, Town of Portugal Cove-St. Philip's, as the proposed Accessory Building exceeds the allowable 45 square meters.

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

**MOTION CARRIED (10 to 0)**

**7. RATIFICATION OF EPOLLS**

**8. COMMITTEE REPORTS**

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

**9.1 Development Permits List August 15 - 28, 2024**

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

**10.1 Building Permits List**

**11. REQUISITIONS, PAYROLLS AND ACCOUNTS**

**11.1 Weekly Payment Vouchers for the Weeks Ending August 21 and August 28, 2024**

SJMC-R-2024-09-03/425

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Ravencroft

That the weekly payment vouchers for the weeks ending August 21, 2024, and August 28, 2024, in the amount of \$11,077,174.17, 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 Davis, and Councillor Ridgeley

**MOTION CARRIED (10 to 0)**

**12. TENDERS/RFPS**

**12.1 Contract Awards August 6, 2024 – August 28, 2024**

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

**14. NEW BUSINESS**

**14.1 Access to Information and Protection of Privacy Act, 2015 – Designation of “Head of the Public Body” and “Coordinator”**

SJMC-R-2024-09-03/426

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Ravencroft

It is recommended that the position of City Manager be designated as the Head of the Public Body and the position of Access and Privacy Analyst be designated as the Coordinator in accordance with the Act.

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

**MOTION CARRIED (10 to 0)**

**14.2 Demolition of Building – 4 Rowan Street**

Councillor Davis requested that the mature trees along the property be preserved where possible.

SJMC-R-2024-09-03/427

**Moved By** Councillor Hickman

**Seconded By** Councillor Davis

That Council grant the Demolition Order of 4 Rowan Street as requested.

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

**MOTION CARRIED (10 to 0)**

**14.3 188 New Pennywell Road – Adoption – REZ2200005**

Councillor Davis informed Council that due to the recent publication changes at The Telegram, the Public Hearing would now take place on Wednesday October 2, 2024. The change from a daily to a weekly publication has changed the cutoff date for advertising, which has resulted in the delay of the hearing for 188 New Pennywell Road. Members of Council questioned the effectiveness of advertising in The Telegram due to its limited availability. The City Solicitor advised that the advertising is required by the [Urban and Rural Planning Act](#), and Councillor Ravencroft further clarified that The City is required to advertise hearings twice in a newspaper circulated in the affected area and the first advertisement should be published at least 14 days before the date of the hearing. The current Friday publication schedule should not impact or delay future developments but should issues arise due to the limited availability of the paper, Staff will determine how to deal with managing the requirement in the most appropriate way.

Deputy Mayor O'Leary voiced concern that the change to a weekly publication would impact how the City engages with the community. Councillor Ellsworth responded that moving forward the only change would be the day of publication from Saturday to Friday. Councillor Davis suggested that e-polls be utilized where required to ensure that projects are not delayed due to advertising.

SJMC-R-2024-09-03/428

**Moved By** Councillor Davis

**Seconded By** Councillor Hickman

That Council adopt the attached resolutions for Envision St. John's Municipal Plan Amendment Number 14, 2024 and Envision St. John's Development Regulations Amendment Number 40, 2024, and appoint Cliff Johnston, MCIP, as commissioner for a public hearing on Wednesday, October 2, 2024, at 7 p.m. at St. John's City Hall.

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

**MOTION CARRIED (10 to 0)**

**14.4 242 Danny Drive – REZ2400018**

SJMC-R-2024-09-03/429

**Moved By** Councillor Davis

**Seconded By** Deputy Mayor O'Leary

That Council:

- (1) consider amending Section 6.10 of the Development Regulations to remove reference to commercial garage building height;
- (2) consider rezoning properties at 215 Danny Drive, 223 Danny Drive, 242 Danny Drive and 250 Beaumont Hamel Way from the Industrial General (IG) Zone to the Industrial Commercial (IC) Zone, and advertise the amendment for public review and comment; and
- (3) advertise the Retail Use as a discretionary use at 242 Danny Drive.

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

**MOTION CARRIED (10 to 0)**

**14.5 SERC - 2024 Fall Events 1**

SJMC-R-2024-09-03/430

**Moved By** Councillor Bruce

**Seconded By** Councillor Ridgeley

That Council approve road closures associated with the Uniformed Services Run/Provincial Marathon on September 8; Terry Fox Run on September 15; Battle of Britain Parade on September 15; and the Gower Street Churches block party on September 22 (inclement weather date of September 29), as well as a noise by-law extension for the George Street Back to School Bash on September 13.

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

**MOTION CARRIED (10 to 0)**

**14.6 Municipal Open House Event**

Councillor Bruce asked for the location of the City Archives. The City Clerk responded that the Archives are located at 15 Terra Nova Road, around the corner from the Farmer's Market.

Councillor Hickman later questioned which organization was responsible for the Doors Open program. The program was organized by NL Historic Trust.

**15. OTHER BUSINESS**

**16. ACTION ITEMS RAISED BY COUNCIL**

**17. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:46 p.m.

---

MAYOR

---

CITY CLERK



# DECISION/DIRECTION NOTE

**Title:** Proposed Redevelopment of a Non-Conforming Building – 121-125 Campbell Avenue- DEV2400113

**Date Prepared:** September 10, 2024

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Carl Ridgeley, Development

**Ward:** Ward 2

---

## **Decision/Direction Required:**

To seek approval to redevelop a Non-Conforming Building at 121-125 Campbell Avenue as an Apartment Building.

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

An application was submitted to redevelop the existing building at 121-125 Campbell Avenue, which was previously a Non-Conforming Retail Use. The proposed use is for 4 new residential units on the main floor, along with the existing 2 residential units on the second floor. The use would be considered an Apartment Building and is a Permitted Use in the R2 Zone. The existing side yard of the building is also non-conforming. Subject to Section 7.5.3(a) a “Non-conforming Building shall not be internally or externally varied without Council approval.” There will be no change to the existing building footprint, only reconfiguration of the interior space, which will not make the building more non-conforming.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Is this a New Plan or Strategy: No
4. 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.

5. Alignment with Adopted Plans: **Envision St. John’s Municipal Plan and Development Regulations.**

# ST. JOHN’S

6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **Envision St. John's Development Regulations Section 7.5. "Non-Conforming" and Section 10 "Residential 2 (R2) Zone"**.
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Not applicable.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

**Recommendation:**

That Council approve the redevelopment of a Non-Conforming Building at 121-125 Campbell Avenue for an Apartment Building.

**Prepared by:**

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

**Approved by:**

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

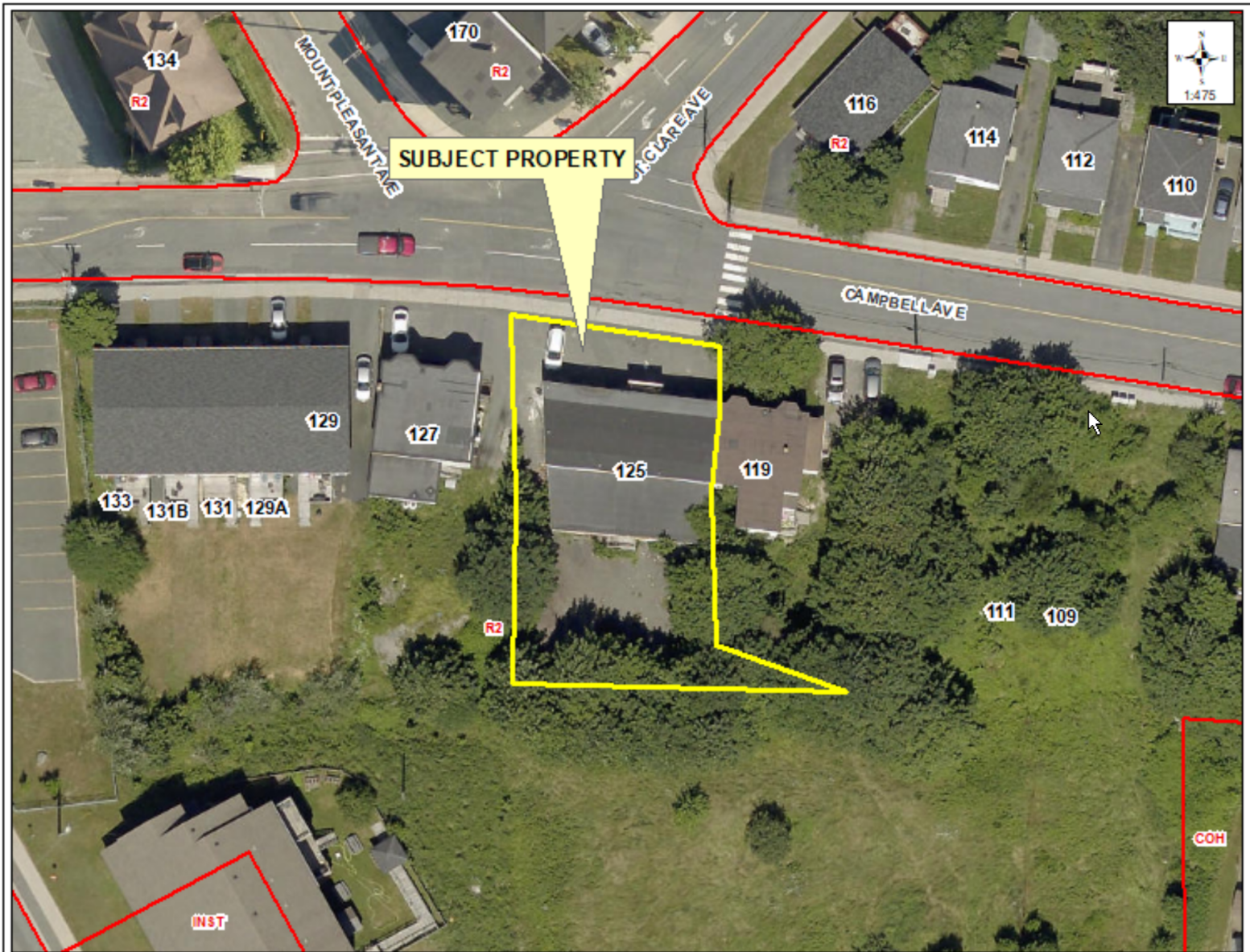
**Report Approval Details**

Document Title:	Change of Non-conforming Use for Apartment Building - 121-125 Campbell Avenue - DEV2400113.docx
Attachments:	- PropertyLocation125Campbell.png
Final Approval Date:	Sep 11, 2024

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

**Lindsay Lyghtle Brushett - Sep 11, 2024 - 1:04 PM**

**Jason Sinyard - Sep 11, 2024 - 3:24 PM**



w:\engwork\k\plane\2024\project\261\horburn\_road.mxd

# DECISION/DIRECTION NOTE

**Title:** Proposed Deck in the Wetland Buffer – 45 Leonard J. Cowley Street – INT2400074

**Date Prepared:** September 10, 2024

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Carl Ridgeley, Development

**Ward:** Ward 4

---

**Decision/Direction Required:**

To seek approval for a Deck in the Wetland Buffer at 45 Leonard J. Cowley Street.

**Discussion – Background and Current Status:**

A 19.8m<sup>2</sup> (4.3m x 4.6m) deck is proposed for the Dwelling at 45 Leonard J. Cowley Street. A portion of the rear yard of the Lot is located within the Wetland Buffer. On September 3, 2024, Council approved a 9.61m<sup>2</sup> deck for this property, but the applicant has since submitted a new application for an increase in size.

As per **Section 4.10(4)(a)** of the **Envision St. John's Development Regulations**, Council may permit the development of a residential Deck within a Wetland Buffer. As per **Section 4.10 (6)**, consultation with the Environmental and Sustainability Experts Panel (ESEP) is not required.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not Applicable.
2. Partners or Other Stakeholders: Not Applicable.
3. Is this a New Plan or Strategy: No
4. 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.

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

# ST. JOHN'S

6. Accessibility and Inclusion: Not Applicable.
7. Legal or Policy Implications: **Envision St. John's Development Regulations Section 4.10 "Waterways, Wetlands, Ponds or Lakes."**
8. Privacy Implications: Not Applicable.
9. Engagement and Communications Considerations: Not Applicable.
10. Human Resource Implications: Not Applicable.
11. Procurement Implications: Not Applicable.
12. Information Technology Implications: Not Applicable.
13. Other Implications: Not Applicable.

**Recommendation:**

That Council approve a 19.8m<sup>2</sup> residential Deck in the Wetland Buffer at 45 Leonard J. Cowley Street.

**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 - Proposed deck in the Wetland Buffer – 45 Leonard J. Cowley Street – INT2400074.docx
Attachments:	- 45 LEONARD J COWLEY.pdf
Final Approval Date:	Sep 11, 2024

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

**Lindsay Lyghtle Brushett - Sep 11, 2024 - 2:47 PM**

**Jason Sinyard - Sep 11, 2024 - 3:16 PM**





LEONARD J. COWLEY ST

SUBJECT PROPERTY



RRL

RRL



# ST. JOHN'S

## Committee of the Whole Report – City Council

Council Chambers, 4th Floor, City Hall

September 10, 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 Tom Davis  
Councillor Carl Ridgeley

Staff: Tanya Haywood, Deputy City Manager of Community Services  
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services  
Cheryl Mullett, City Solicitor  
Ken O'Brien, Chief Municipal Planner  
Jackie O'Brien, Communications & Public Relations Officer  
Stacey Baird, Legislative Assistant  
Theresa Walsh, City Clerk

---

### 1. 7 Rickett's Road – MPS2400006

#### Recommendation

**Moved By** Councillor Burton

**Seconded By** Councillor Ravencroft

That Council consider rezoning 7 Rickett's Road from the Institutional (INST) Zone to the Apartment 1 (A1) Zone for a proposed Cluster Development. Further, upon receiving a satisfactory Land Use Report (LUR), that the application be advertised for public input and feedback.

For (9): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Davis, and Councillor Ridgeley

**MOTION CARRIED (9 to 0)**

## **2. Youth Engagement Working Group - Membership**

**Moved By** Councillor Ravencroft

**Seconded By** Councillor Ellsworth

That Council approve of the appointment of Bradley Greeley and Zeinab Salehiankia to the Youth Engagement Working Group.

For (9): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Davis, and Councillor Ridgeley

**MOTION CARRIED (9 to 0)**

## **3. NL Sports Centre Board – Appointment of City Council Representatives**

Recommendation

**Moved By** Councillor Ravencroft

**Seconded By** Councillor Hickman

That Council appoint Councillor Tom Davis as City Council Representative and reappoint Tanya Haywood, Deputy City Manager of Community Services, as City Staff Representative to the Newfoundland and Labrador Sports Centre Board.

For (9): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Davis, and Councillor Ridgeley

**MOTION CARRIED (9 to 0)**

**4. Pippy Park Commission Board – Appointment of City Council Representative**

Recommendation

**Moved By** Councillor Ellsworth

**Seconded By** Councillor Bruce

That Council appoint Councillor Sandy Hickman as City Council Representative to the Pippy Park Commission Board.

For (9): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Davis, and Councillor Ridgeley

**MOTION CARRIED (9 to 0)**

# DECISION/DIRECTION NOTE

---

**Title:** 7 Rickett's Road – MPS2400006

**Date Prepared:** September 3, 2024

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 2

---

## **Decision/Direction Required:**

To consider rezoning 7 Rickett's Road from the Institutional (INST) Zone to the Apartment 1 (A1) Zone for a Cluster Development with multiple Apartment Buildings.

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

The City has received an application from Emerald Atlantic Group Inc. to rezone land at 7 Rickett's Road from the Institutional (INST) Zone to the Apartment 1 (A1) Zone for a Cluster Development. The applicant is proposing a development with multiple Apartment Buildings. The total number of units will range from approximately 150 to 200 units (to be confirmed). A Municipal Plan amendment is required to re-designate the property to the Residential District.

At its August 7, 2024 regular meeting, Council granted an Approval in Principle for a Child Care Centre in the existing building on this site, the former Holy Cross Junior High School. The applicant will determine later whether the Child Care Centre will remain on the parcel or be subdivided into a separate property.

## Alignment with Envision St. John's Municipal Plan

The Municipal Plan recognizes that adequate and affordable housing is fundamental to quality of life; it enables a range of housing to create diverse neighbourhoods. Section 4.1.3 supports the development of housing that is appropriate, accessible, and affordable for low- and moderate-income households. The proposed development meets these policies. Further, Section 8.4.11 promotes the development of infill, rehabilitation, and redevelopment projects, thereby better utilizing existing infrastructure.

The Municipal Plan sets out policies to increase density in existing neighbourhoods and encourage a variety of housing forms. Section 4.1 of the Plan has the following policies:

1. Support the City's Affordable Housing Strategy, 2019- 2028.
2. Enable a range of housing to create diverse neighbourhoods that include a mix of housing forms and tenures.
3. Promote housing choice by supporting residential development that is appropriate, accessible and affordable for low-income and moderate-income households.

# ST. JOHN'S

Further, within the Residential Land Use District, Policy 8.4.1 states that Council shall establish low, medium and high-density residential land use zones. The policy also states:

2. Recognize and protect established residential areas. Support the retention of existing housing stock, with provision for moderate intensification, in a form that respects the scale and character of the neighbourhood.
3. Support neighbourhood revitalization, redevelopment and residential infill that contributes to the livability and adaptability of established neighbourhoods, is sensitive to existing development and is economically viable for a range of socio-economic groups.
5. New development should be complementary to existing adjacent neighbourhoods in scale, form, massing, style and materials, and will incorporate design elements that create a transition between the new and existing development.

The neighbourhood has a mix of Single Detached Dwellings, Semi-detached Dwellings, Townhouses and small Apartment Buildings. The former school property is an underutilized site and the proposed infill development will increase density while making good use of existing infrastructure. The proposed development is three (3) storeys in building height (exact height in metres to be confirmed). The proposed buildings will be a similar height to surrounding buildings, which will help blend them into the neighbourhood.

#### Land Use Report

Section 4.9(2)(a) of the Envision Development Regulations requires a Land Use Report (LUR) for rezonings. The applicant has provided an initial site plan, but additional information is required before staff can fully evaluate the proposal. Draft terms of reference for an LUR are attached for Council's consideration.

The City's planned shared use path (SUP) in this area needs to be shown on the site plan to connect St. Clare Avenue and Rickett's Road. Cluster Developments with more than 20 units require resident green space, and stormwater detention will likely be required. Given these factors, the attached site plan may change. The site plan will need to be updated for the LUR.

#### Public Consultation

Should Council consider this amendment and approve the terms of reference for the LUR, the applicant will have to consult with the neighbourhood before submitting the report. Upon receiving an acceptable LUR, the City will do public notification.



7 Rickett's Road

### Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. Is this a New Plan or Strategy: No
4. 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.

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

6. Accessibility and Inclusion: The site plan is required to provide accessibility.

4. Legal or Policy Implications: Map amendments to the Municipal Plan and Development Regulations are required to consider the development.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Public engagement will be carried out in accordance with Section 4.8 of the Development Regulations.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council consider rezoning 7 Rickett's Road from the Institutional (INST) Zone to the Apartment 1 (A1) Zone for a proposed Cluster Development. Further, upon receiving a satisfactory Land Use Report (LUR), that the application be advertised for public input and feedback.

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

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

**Report Approval Details**

Document Title:	7 Rickett's Road - MPA2400006.docx
Attachments:	- 22228-PR4-RevA-Mar1-24.pdf - TOR - 7 Rickett's Road - September 4, 2024.pdf
Final Approval Date:	Sep 5, 2024

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

**Ken O'Brien - Sep 4, 2024 - 5:11 PM**

**Jason Sinyard - Sep 5, 2024 - 8:44 AM**





NOTES:

A	ISSUED FOR CLIENT REVIEW	D.J.M.	03/01/24
No.	REVISIONS	BY	DATE

A	A - PLAN, SECTION, ELEVATION, OR DETAIL No.
B	B - No. OF DRAWING WHERE ABOVE IS DRAWN

REFERENCE:

STAMP:

PERMIT STAMP:

**DYNAMIC**  
ENGINEERING LTD.

Civil • Management • Consulting

62 CAMPBELL AVENUE  
ST. JOHN'S, NL  
A1E 2Z6

TEL: (709) 368-1669  
FAX: (709) 368-0318  
info@DynamicEngineering.ca

**PRELIMINARY ONLY  
NOT FOR CONSTRUCTION**

CLIENT:

**EMERALD ATLANTIC  
GROUP INC.**

PROJECT TITLE:

**PROPOSED MULTI-UNIT  
RESIDENTIAL DEVELOPMENT  
RICKETTS ROAD**

DRAWING TITLE:

**PRELIMINARY  
CONCEPT PLAN**

DRAWN/DESIGNED BY:	D.J.M.	DATE:	JULY 2022
APPROVED BY:	D.J.M.	SCALE:	AS SHOWN
PROJECT No.:	22228	DRAWING No.:	PR4
		REV.:	A

**TERMS OF REFERENCE  
LAND USE REPORT (LUR)  
APPLICATION FOR CLUSTER DEVELOPMENT AT  
7 RICKETT'S ROAD  
SEPTEMBER 4, 2024**

---

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

**A. Public Consultation**

- Prior to submitting a first draft of the Land Use Report to the City for review, the applicant must consult with neighbouring property owners. The Land Use Report must include a section which discusses feedback and/or concerns from the neighbourhood and how the proposal addresses the concerns.
- Should the site plan change following this consultation, additional neighbourhood consultation may be required.

**B. Building Use**

- Identify the size of the proposed building by Gross Floor Area and identify all proposed uses/occupancies within the building by their respective Gross and (if applicable for parking calculations) Net Floor Area.
- For Cluster Development, indicate the number of bedrooms in each unit.
- If there are any proposed commercial uses within the Apartment Building or on the property, indicate the days and hours of operation of each proposed use, number of employees on site at one time, and a description of the activities in the space (if applicable).

**C. Site Location and Lot Layout**

- Identify graphically the exact location with a dimensioned civil site plan:
  - Lot area, lot coverage and frontage;
  - Location of the proposed building in relation to neighbouring buildings;
  - Proximity of the building to property lines and identify setbacks;
  - Illustrate any building stepback of higher storeys from lower storeys or building overhangs (if applicable);
  - Identify any encroachment over property lines (if applicable);
  - Identify building entrances and if applicable, door swing over pedestrian connections;
  - Information on the proposed construction of patios/balconies (if applicable); and
  - Identify any rooftop structures.
- Provide a Legal Survey of all properties.
- Identify any existing or proposed easements.
- Provide streetscape views/renderings of the proposed building from Rickett's Road. Include immediately adjacent building and spaces to inform scale/massing/context.

**D. Elevation and Building Height**

- Provide elevations of the proposed building.
- Identify the height of the building in metres, as per the definition of Building Height from the Development Regulations.

**E. Exterior Equipment and Lighting**

- Identify the location and type of exterior lighting to be utilized. Identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.
- Identify the location and type of any exterior HVAC equipment to be used to service the proposed building and identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.

**F. Municipal Services**

- Provide a preliminary site servicing plan.
- Identify points of connection to the City's sanitary sewer, storm sewer and water system. The location of all existing sewers must be shown along with any existing or proposed easements.
- The proposed development will be required to comply with the City's Stormwater Detention Policy. Stormwater detention will likely be required for this development. Provide information on how stormwater detention will be managed.
- Provide the sanitary rate generated by the proposed development.
- Identify if the buildings will be sprinklered or not. Indicate the location of all existing and proposed hydrants and the location of siamese connections (if sprinklered).

**G. Landscaping, Buffering & Snow Clearing/Snow Storage**

- Identify with a landscaping plan, details of site landscaping (hard and soft) that illustrates:
  - Proposed placement of trees or other plant material;
  - Show areas of hard and soft landscaping;
  - A calculation of the total landscaped area;
  - Proposed snow storage;
  - Buffering and screening.
- Indicate through a tree plan/inventory which trees will be preserved.
- Indicate the required resident green space for the Cluster Development.
- Show required parking lot buffering/screening as per Section 8.8 of the Development Regulations on the site plan.
- Identify the location and proposed methods of screening of any electrical transformers and refuse containers to be used at the site.
- Provide information on any snow clearing/snow removal operations. Onsite snow storage areas must be indicated.

#### **H. Transportation. Off-Street Parking and Site Access**

- A Transportation Impact Memo that meets the City's standard terms of reference and is prepared by a qualified engineer is required.
- Provide a dimensioned parking plan, including circulation details and parking lot buffers.
- Identify the number, location, and dimensions in metres of off-street parking spaces to be provided, including accessible parking spaces.
  - Where an applicant wishes to provide a different number of parking spaces then required in the Development Regulations, a Parking Report is required as per Section 8.12 of the Development Regulations.
  - If parking relief is being requested, then a detailed rationale, as acceptable by staff, must be included. Additional information may be requested upon review of the parking proposal.
- Identify the number and location of bicycle parking to be provided.
- Provide a dimensioned and scaled plan of parking lot, including both vehicle and bicycle parking, and circulation details.
  - Provide design vehicle turning movements for garbage truck and firetrucks demonstrating feasibility of site circulation. Design vehicle profiles must be shown for each design vehicle.
- Identify the location of all access and egress points, including pedestrian access.
- Indicate how garbage will be handled onsite. The location of any exterior bins must be indicated and access to the bins must be demonstrated. Outside waste containers shall be located a minimum of 7.6 meters from structures.
- Identify location of shared-use path route through the site, including connectivity to the SUP for residents and visitors.

#### **I. Public Transit**

- Consult with St. John's Metrobus (St. John's Transportation Commission) regarding public transit infrastructure requirements.
- Identify nearby transit stops and routes.

#### **J. Construction Timeframe**

- Indicate any phasing of the project and approximate timelines for beginning and completion of each phase or overall project.
- Indicate on a site plan any designated areas for equipment and materials during the construction period.

# DECISION/DIRECTION NOTE

**Title:** Youth Engagement Working Group - Membership

**Date Prepared:** August 27, 2024

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Ophelia Ravencroft, Youth Engagement Working Group

**Ward:** N/A

---

## Decision/Direction Required:

Seeking Council's approval of the recommended candidates to fill the current vacancies on the Youth Engagement Working Group (YEWG).

## Discussion – Background and Current Status:

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

In August of 2024, there were two vacancies on the YEWG. As a Call for Members had been publicly circulated in April of this year, it was decided to return to the pool of applicants to find suitable candidates to fill the positions. Previous applicants were reviewed and ranked via a rubric of qualities: diversity, passion, and value, all of which were based on the responses to the following questions:

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

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

## Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Youth Engagement Working Group
3. Is this a New Plan or Strategy: No

# ST. JOHN'S

4. Alignment with Strategic Directions:

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

5. Alignment with Adopted Plans: Youth Engagement Strategy

6. Accessibility and Inclusion: Applicants were given an opportunity to identify as 2SLGBTQIA+, Indigenous, a person with a disability, or a visible minority, to ensure the working group is representative of the youth community. The application was also available in a variety of formats by request.

7. Legal or Policy Implications: N/A

8. Privacy Implications: N/A

9. Engagement and Communications Considerations: The original Call for Members was advertised and promoted by Communications Staff.

10. Human Resource Implications: N/A

11. Procurement Implications: N/A

12. Information Technology Implications: N/A

13. Other Implications: N/A

**Recommendation:**

That Council approve of the appointment of Bradley Greeley and Zeinab Salehiankia to the Youth Engagement Working Group.

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

**Approved by: Theresa Walsh, City Clerk**

**Report Approval Details**

Document Title:	Youth Engagement Working Group - Membership September 2024.docx
Attachments:	
Final Approval Date:	Aug 29, 2024

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

**Theresa Walsh - Aug 29, 2024 - 12:54 PM**



# DECISION/DIRECTION NOTE

---

**Title:** Pippy Park Commission Board – Appointment of City Council Representatives

**Date Prepared:** September 10, 2024

**Report To:** Committee of the Whole

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

**Ward:** N/A

---

## **Decision/Direction Required:**

Seeking approval to appoint Councillor Sandy Hickman as City Council Representative to the Pippy Park Commission Board.

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

Councillor Jamie Korab resigned on August 28th, 2024, leaving his seat on the Pippy Park Commission Board vacant. Councillor Sandy Hickman was reassigned as the Council Representative.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Pippy Park Commission Board
3. Is this a New Plan or Strategy: No

If yes, are there recommendations or actions that require progress reporting?

If yes, how will progress be reported? (e.g.: through the strategic plan, through Cascade, annual update to Council, etc.)

4. Alignment with Strategic Directions:

N/A

Choose an item.

# ST. JOHN'S



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

**Recommendation:**

That Council appoint Councillor Sandy Hickman as City Council Representative to the Pippy Park Commission Board.

**Prepared by: Theresa Walsh, City Clerk**

**Approved by: Theresa Walsh, City Clerk**

# DECISION/DIRECTION NOTE

---

**Title:** NL Sports Centre Board – Appointment of City Council Representatives

**Date Prepared:** September 5, 2024

**Report To:** Committee of the Whole

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

**Ward:** N/A

---

## **Decision/Direction Required:**

Seeking approval to appoint Councillor Sandy Hickman as City Council Representative and reappoint Tanya Haywood, Deputy City Manager of Community Services, as City Staff Representative to the Newfoundland and Labrador Sports Centre Board.

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

Councillor Jamie Korab resigned on August 28<sup>th</sup>, 2024, leaving his seat on the Newfoundland and Labrador Sports Centre Board vacant. Councillor Tom Davis was reassigned as the Council Representative. The Government of Newfoundland and Labrador requires official notification of the reassignment and appointment.

Tanya Haywood is a current member of the board. Her term is set to expire November 16, 2024.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Newfoundland and Labrador Sports Centre Board
3. Is this a New Plan or Strategy: No

If yes, are there recommendations or actions that require progress reporting?

If yes, how will progress be reported? (e.g.: through the strategic plan, through Cascade, annual update to Council, etc.)

4. Alignment with Strategic Directions:

# ST. JOHN'S

N/A

Choose an item.

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

**Recommendation:**

That Council appoint Councillor Tom Davis as City Council Representative and reappoint Tanya Haywood, Deputy City Manager of Community Services, as City Staff Representative to the Newfoundland and Labrador Sports Centre Board.

**Prepared by: Theresa Walsh, City Clerk**

**Approved by: Theresa Walsh, City Clerk**

## Development Permits List For August 29 to September 11, 2024

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES	Fairview Investments Limited	Residential Subdivision Westgate Stage 5D (27 Lots)	44-70, 49-55 & 59-75 Sir Wilfred Grenfell Place	4	Approved	2024-08-29
IND	Newco Metal & Auto Recycling Ltd.	Floodplain Remediation	200 Incinerator Road	5	Approved	2024-08-29
RES	Cooper Custom Homes Ltd.	Single Detached Dwelling	53 Parsonage Drive	1	Approved	2024-09-03
RES		Backyard Suite	66 Stamps Lane	4	Rejected – Section 6.7 exceeds maximum Area and Location	2024-09-04
RES		Demo/Rebuild Single Detached Dwelling	36 Halifax Street	1	Approved	2024-09-09
COM	Atlantic Property Management Limited	Relocation of fire hydrant	19 Crosbie Road	4	Approved	2024-09-10
RES		Subdivide for Lot Only	571 Empire Avenue	3	Approved	2024-09-11

**\* 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, MCIP**  
**Supervisor – Planning & Development**

# Permits List

## Council's September 17, 2024 Regular Meeting

Permits Issued: 2024/08/29 to 2024/09/11

### **BUILDING PERMITS ISSUED**

<b>Residential</b>		
<b>Location</b>	<b>Permit Type</b>	<b>Structure Type</b>
1 1/2 Cormack St	Renovations	Single Detached Dwelling
1 1/2 Cormack St	Fence	Fence
10 Cheyne Dr	Site Work	Landscaping
10 Shriners Rd	Accessory Building	Accessory Building
10 Shriners Rd	Fence	Fence
103 New Cove Rd	Renovations	Single Detached Dwelling
11 Exeter Ave	Site Work	Single Detached Dwelling
11 Livingstone St	Renovations	Townhousing
11 Willenhall Pl	Change of Occupancy/Renovations	Single Detached Dwelling
114 Shoal Bay Rd	New Construction	Single Detached Dwelling
141 Higgins Line	Renovations	Single Detached w/ apt.
149 Forest Rd	Deck	Patio Deck
149 Forest Rd	Fence	Fence
15 Cabot St	Renovations	Townhousing
153 Lemarchant Rd	Renovations	Single Detached w/ apt.
154 University Ave	Change of Occupancy/Renovations	Townhousing
164 New Pennywell Rd	Accessory Building	Accessory Building
17 Thomas St	Renovations	Single Detached Dwelling
17 Thomas St	Site Work	Driveway
19 Roberts Rd	Accessory Building	Accessory Building
19 Roberts Rd	Extension	Single Detached Dwelling
21 Dragonfly Pl	New Construction	Single Detached Dwelling
21 Penney Cres	Accessory Building	Accessory Building
22 Kerry St	Fence	Fence
22 Kerry St	Deck	Patio Deck
24 Balnafad Pl	Renovations	Single Detached Dwelling
24 Balnafad Pl	Deck	Patio Deck

25 Belfast St	Renovations	Single Detached Dwelling
26 Brad Gushue Cres	Site Work	Single Detached Dwelling
276-278 Main Rd	Renovations	Other
28 Hawker Cres	Accessory Building	Accessory Building
3 Oakridge Dr	Accessory Building	Accessory Building
30 London Rd	Fence	Fence
31 Malka Dr	Fence	Fence
33 Dragonfly Pl	New Construction	Single Detached Dwelling
33 Otter Dr	Fence	Fence
34 Aldershot St	Change of Occupancy/Renovations	Single Detached Dwelling
35 Country Grove Pl	Renovations	Single Detached Dwelling
38 Smith Ave	Renovations	Single Detached w/ apt.
45 Bennett Ave	Deck	Patio Deck
47 Leonard J. Cowley St	Deck	Patio Deck
5 Brad Gushue Cres	Accessory Building	Accessory Building
5 Eastmeadows Ave	Change of Occupancy	Single Detached Dwelling
5 Exeter Ave	Deck	Patio Deck
53 Franklyn Ave	Deck	Patio Deck
53 Parsonage Dr	New Construction	Single Detached Dwelling
533 Empire Ave	Deck	Patio Deck
54 Jensen Camp Rd	Deck	Patio Deck
54 Jensen Camp Rd	Deck	Patio Deck
59 Dillon Cres	Change of Occupancy	Single Detached w/ apt.
6 Reeves Pl	Extension	Single Detached Dwelling
60 Fox Ave	Deck	Patio Deck
608 Topsail Rd	Deck	Patio Deck
61 Durdle Dr	Change of Occupancy	Single Detached w/ apt.
61 Gower St	Site Work	Other
61 Julieann Pl	Deck	Patio Deck
62 Major's Path	Renovations	Semi Detached Dwelling
63 Montague St	Change of Occupancy	Single Detached w/ apt.
64 Beaumont St	Fence	Fence
66 Beaumont St	Fence	Fence
7 Edison Pl	Fence	Fence
72 Aldershot St	Site Work	Driveway
77 Patrick St	Renovations	Semi Detached Dwelling

78 Pepperwood Dr	Fence	Fence	
78 Pepperwood Dr	Accessory Building	Accessory Building	
7A Chapman Cres	Deck	Patio Deck	
8 Adventure Ave	Change of Occupancy/Renovations	Single Detached Dwelling	
81 Edison Pl	Site Work	Duplex Dwelling	
84 Battery Rd	Renovations	Townhousing	
9 Green St	Site Work	Driveway	
90 O'leary Ave	Change of Occupancy/Renovations	Office	
91 Diamond Marsh Dr	Fence	Fence	
93 Della Dr	Renovations	Single Detached Dwelling	
93 Water St Unit 303	Renovations	Apartments Or Mixed Use	
			This Week: \$3,715,115.85

### Commercial

Location	Permit Type	Structure Type	
10 Escasoni Pl	Site Work	Other	
10-12 Bay Bulls Rd	Renovations	Take Out Food Service	
20 Crosbie Pl	Renovations	Office	
20 Crosbie Pl	Renovations	Office	
200 Incinerator Rd	Site Work	Clearing/Grubbing	
215 Water St	Renovations	Office	
27 Duffy Pl	Renovations	Office	
31 Airport Rd	Sign	Retail Store	
395 East White Hills Rd	Renovations	Warehouse	
430 Topsail Rd	Change of Occupancy	Other	
655 Topsail Rd	Renovations	Mixed Use	
829 Main Rd	New Construction	Agriculture	
90 Pearltown Rd	Renovations	Agriculture	
			This Week: \$2,463,690.00

### Government/Institutional

Location	Permit Type	Structure Type	
			This Week: \$0.00

### Industrial

Location	Permit Type	Structure Type
----------	-------------	----------------

This Week: \$0.00

### Demolition

<b>Location</b>	<b>Permit Type</b>	<b>Structure Type</b>	
193 Thorburn Rd	Demolition	Single Detached Dwelling	
		This Week:	\$5,000.00
		<b>This Week's Total:</b>	<b>\$6,183,805.85</b>

**REPAIR PERMITS ISSUED:** **\$45,490.00**

### NO REJECTIONS

YEAR TO DATE COMPARISONS			
September 17, 2024			
TYPE	2023	2024	% Variance (+/-)
Residential	\$60,390,220.70	\$89,349,823.02	48
Commercial	\$65,572,651.95	\$92,624,674.95	41
Government/Institutional	\$6,138,759.99	\$40,095,071.00	553
Industrial	\$190,000.00	\$5,000,000.00	2532
Repairs	\$1,208,410.98	\$887,906.11	-27
<b>TOTAL</b>	<b>\$133,500,043.62</b>	<b>\$227,957,475.08</b>	<b>71</b>
Housing Units (1 & 2 Family Dwelling)	139	160	

Respectfully Submitted,

---

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



# MEMORANDUM

## **Weekly Payment Vouchers For The Weeks Ending September 4 and September 11, 2024**

### **Payroll**

<b>Public Works (Week 1)</b>	<b>\$ 501,609.90</b>
<b>Bi-Weekly Casual (Week 1)</b>	<b>\$ 130,126.04</b>
<b>Public Works (Week 2)</b>	<b>\$ 503,438.14</b>
<b>Bi-Weekly Administration (Week 2)</b>	<b>\$ 950,082.30</b>
<b>Bi-Weekly Management</b>	<b>\$ 996,179.89</b>
<b>Bi-Weekly Fire Department</b>	<b>\$ 1,083,434.96</b>
<b>Accounts Payable</b>	<b>\$10,558,685.14</b>

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

**Total: \$ 14,723,556.37**

# ST. JOHN'S

DEPARTMENT OF FINANCE

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

# DECISION/DIRECTION NOTE

---

**Title:** Easement over Harbour Drive

**Date Prepared:** September 5, 2024

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Ophelia Ravencroft

**Ward:** Ward 2

---

## Decision/Direction Required:

Recommendation that Council approve an easement over Harbour Drive, as shown on the attached diagram.

## Discussion – Background and Current Status:

A contractor hired by the Port Authority has reached out to the City to get permission to install a communication wire over Harbour Drive, from the light pole to Atlantic Place, as shown on the attached diagram. This request has been reviewed by Roads with no concerns identified.

This easement would be for \$1.00 plus the administration fee of \$300.00 + HST.

## Key Considerations/Implications:

1. Budget/Financial Implications: City to receive \$300.00 for the administrative fee.
2. Partners or Other Stakeholders: St. John's Port Authority
3. Is this a New Plan or Strategy: No

If yes, are there recommendations or actions that require progress reporting?

If yes, how will progress be reported? (e.g.: through the strategic plan, through Cascade, annual update to Council, etc.)

4. Alignment with Strategic Directions:

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

Choose an item.

# ST. JOHN'S

- 5. Alignment with Adopted Plans: N/A
- 6. Accessibility and Inclusion: N/A
- 4. Legal or Policy Implications: An Easement Agreement will be prepared.
- 5. Privacy Implications: N/A
- 6. Engagement and Communications Considerations: N/A
- 7. Human Resource Implications: N/A
- 8. Procurement Implications: N/A
- 9. Information Technology Implications: N/A
- 10. Other Implications: N/A

**Recommendation:**

That Council approve an Easement over Harbour Drive, as shown on the attached diagram.

**Prepared by:** Linda S. Bishop, K.C. – Senior Legal Counsel  
**Approved by:** Cheryl Mullet – City Solicitor



**Report Approval Details**

Document Title:	Easement over Harbour Drive.docx
Attachments:	
Final Approval Date:	Sep 5, 2024

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

**Cheryl Mullett - Sep 5, 2024 - 10:21 AM**

# DECISION/DIRECTION NOTE

**Title:** Team Gushue Highway Extension – Public Works and Infrastructure in Floodplain, Floodplain Buffer, Wetland, and Wetland Buffer

**Date Prepared:** September 11, 2024

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Carl Ridgeley, Development

**Ward:** N/A

---

## **Decision/Direction Required:**

Consideration of approval of Public Works and Infrastructure in Floodplain, Floodplain Buffer, Wetland, and Wetland Buffer for Team Gushue Highway Extension.

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

The Province has issued the tender for the final phase of Team Gushue Highway and has submitted the tender package to the City for review. The project includes the extension of the Team Gushue Highway from Topsail Road to Pitts Memorial Drive, new roundabouts at the Pitts Memorial Drive Interchange and the intersection of TGH/Brookfield Road, new alignment of Brookfield Road and Tobin's Road, and construction of a new street to ensure frontage of existing properties on Heavy Tree Road. The highway and associated work crosses and encroaches on the Floodplain, Floodplain Buffer, Wetland, and Wetland Buffer in several areas as per the images below. The first image shows two proposed crossings at Fling's Brook.



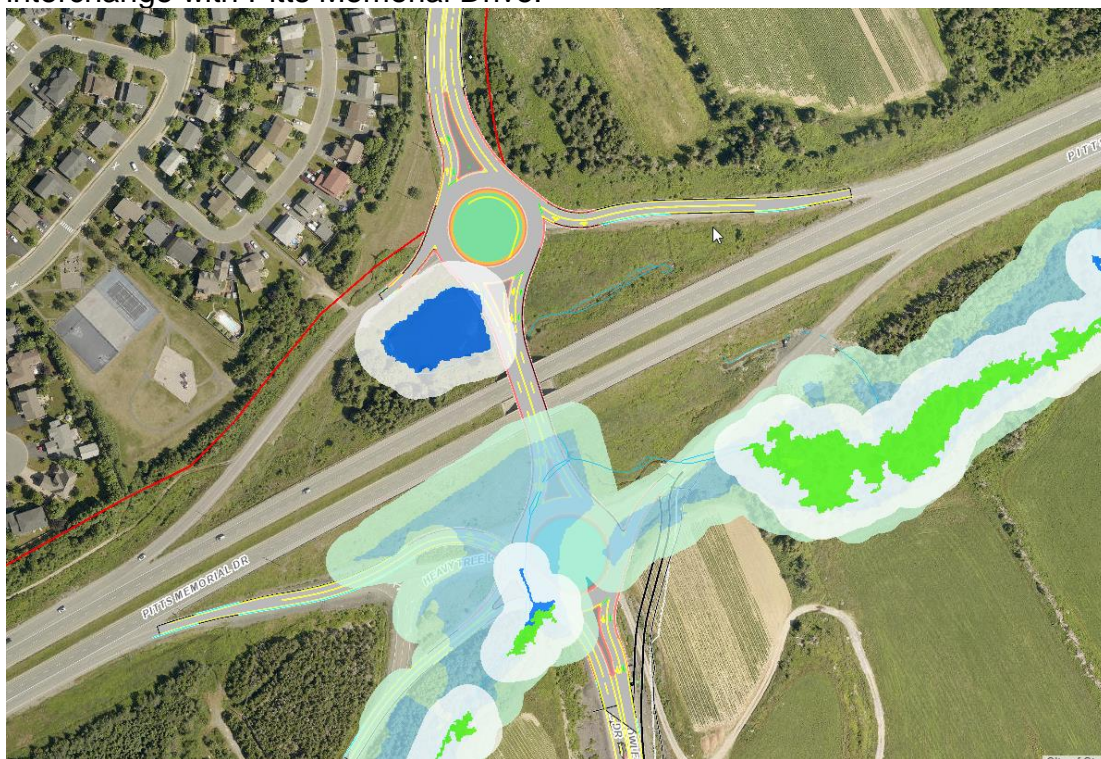
# ST. JOHN'S



The second image shows the proposed stormwater detention pond constructed at the head of a small tributary (the floodplain is not delineated for this stream).



The third image shows the two roundabouts proposed in the Floodplain and Wetland at the interchange with Pitts Memorial Drive.



Subject to the Development Regulations Sections 4.10(4) and (5), this work can be permitted by Council as Public Works and Infrastructure in Bodies of Water and Buffers. Section 4.10(6) of the Development Regulations requires review and recommendation from the Environmental and Sustainability Experts Panel. The Panel reviewed the Development, and while they made several recommendations including minimizing vegetation clearing, potential compensation for tree clearance and canopy loss, and providing crossings for pedestrians, there were no comments on the Development within the Floodplain, Floodplain Buffer, Wetland, or Wetland Buffer.

**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Is this a New Plan or Strategy: No
4. 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.

5. Alignment with Adopted Plans:  
Envision St. John's Development Regulations, Envision St. John's Municipal Plan
6. Accessibility and Inclusion: N/A
7. Legal or Policy Implications: N/A
8. Privacy Implications: N/A
9. Engagement and Communications Considerations: N/A
10. Human Resource Implications: N/A
11. Procurement Implications: N/A
12. Information Technology Implications: N/A
13. Other Implications: N/A



**Recommendation:**

That Council approve Public Works and Infrastructure in the Floodplain, Floodplain Buffer, Wetland, and Wetland Buffer for Team Gushue Highway Extension as per Sections 4.10(4) and (5) of the Development Regulations.

**Prepared by: Tracy-Lynn Goosney, P.Eng., Manager of Development Engineering**

**Approved by: Jason Sinyard, P.Eng., Deputy City Manager, PERS**

**Report Approval Details**

Document Title:	Team Gushue Highway Extension - Public Infrastructure in Floodplain and Buffer.docx
Attachments:	
Final Approval Date:	Sep 11, 2024

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

**Jason Sinyard - Sep 11, 2024 - 3:22 PM**

# DECISION/DIRECTION NOTE

---

**Title:** Overnight Construction – Elizabeth Avenue SUP Phase 2

**Date Prepared:** September 11, 2024

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Sandy Hickman

**Ward:** Ward 4

---

## **Decision/Direction Required:**

To allow temporary intermittent overnight construction along Elizabeth Avenue between Anderson Avenue and Freshwater Road during the hours of 11:00 pm and 7:00 am.

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

It has typically been the opinion of City Council and staff that overnight construction activities are not desirable in the City due to the noise caused by construction activities and the effect this would have on nearby residents as well as increased costs typically associated with overnight work.

For the current project we are seeking approval for the Contractor to conduct intermittent overnight work during the overnight hours, from 11:00 pm to 7:00 am. The work to be completed generally include water shut offs to facilitate work on the watermain and its associated infrastructure (valves, fire hydrants, etc.). This area of Elizabeth Avenue is a mix of residential and commercial and water outages during normal working hours will have negative impacts to businesses in the area.

The overnight work is not anticipated to take place every night but only to facilitate certain construction activities. City Staff are seeking permission from Council to grant an exemption to the City's noise bylaw for the work on Elizabeth Avenue between September 17, 2024 and November 15, 2024. Specific dates for the overnight work are not known at this time and will rely on weather conditions and the Contractor's schedule.

## **Key Considerations/Implications:**

### 1. Budget/Financial Implications:

There are no budget implications associated with this decision

### 2. Partners or Other Stakeholders:

# ST. JOHN'S

Area businesses and residents.

3. Is this a New Plan or Strategy: No

If yes, are there recommendations or actions that require progress reporting?

If yes, how will progress be reported? (e.g.: through the strategic plan, through Cascade, annual update to Council, etc.)

4. Alignment with Strategic Directions:

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

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

5. Alignment with Adopted Plans:

6. Accessibility and Inclusion:

4. Legal or Policy Implications:

There are no Legal or Policy Implications associated with this decision.

5. Privacy Implications:

There are no privacy implications associated with this decision.

6. Engagement and Communications Considerations:

Public notices will be posted on the City website prior to any planned overnight work. Impacted residents and businesses will be given written notice of the work and water shut off at least 7 days prior to the scheduled work.

7. Human Resource Implications:

Not applicable

8. Procurement Implications:

Not applicable

9. Information Technology Implications:

Not applicable

## 10. Other Implications:

**Recommendation:**

That Council grant the Contractor permission to work outside the City's noise bylaw hours, allowing the Contractor to work between 11:00 pm and 7:00 am for the Elizabeth Avenue work intermittently. This work is anticipated to take place sporadically and notifications will be provided to impacted businesses and residents and a public notification will be posted to the City's website prior to any overnight work taking place.

**Prepared by: Melissa Gale, P. Eng., Project Engineer**

**Approved by:**

**Report Approval Details**

Document Title:	Elizabeth Avenue Overnight Work.docx
Attachments:	
Final Approval Date:	Sep 12, 2024

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

**No Signature found**

**Mark White - Sep 12, 2024 - 8:55 AM**

**Scott Winsor - Sep 12, 2024 - 9:13 AM**

**Jason Sinyard - Sep 12, 2024 - 1:30 PM**

# DECISION/DIRECTION NOTE

**Title:** Text Amendment – Heritage Use Definition and Conditions - Adoption

**Date Prepared:** August 26, 2024

**Report To:** Regular Meeting of Council

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

**Ward:** N/A

---

## Decision/Direction Required:

That Council adopt Envision St. John's Development Regulations Amendment No. 41, 2024, which makes changes to Section 2 Definitions and adds to Section 6 Specific Developments.

## Discussion – Background and Current Status:

We have many designated Heritage Buildings in St. John's, in which an owner may apply for a Heritage Use. From the Envision St. John's Development Regulations, a Heritage Use is defined as the use of a designated Heritage Building which Council considers compatible with the adjoining uses. In practice, the City has allowed an approved Heritage Use to also exist in any new extension to the original Heritage Building. For example, if a Heritage Building is used as a restaurant, the restaurant would also be permitted in an extension to the Heritage Building, even if a restaurant is not permitted in that particular land-use zone. Heritage Use is a discretionary use in most zones, and generally the standards (such as setbacks, building height, and so on) are in the discretion of Council. Concerns have been raised that there is no guidance on an appropriate size of a building extension and that an addition could be significantly larger than the original Heritage Building, overshadowing it.

## Public Consultation

At its May 8, 2023, regular meeting, Council voted to consider a text amendment to the Envision St. John's Development Regulations to update the definition of Heritage Use and add conditions for extensions to designated Heritage Buildings that have an existing Heritage Use. The amendment was advertised in *The Telegram* three times, on the City's website, and on the Planning Engage web page, and was mailed to all owners of designated Heritage Buildings.

The City received four (4) written submissions, which are attached for Council's consideration. The concerns are outlined below in italics and staff commentary is provided for Council.

- *The amendment is contrary to section 355 "Heritage preservation" of the City of St. John's Act.*

Council has authority under the Envision St. John's Development Regulations to control the size of any building, including designated Heritage Buildings, and control the use of

# ST. JOHN'S

designated Heritage Buildings. This amendment clarifies whether a Heritage Use can be considered in an extension to a designated Heritage Building and provides direction on the size of the extension. This is not contrary to section 355 of the City of St. John's Act.

- Concerns were raised by two owners of designated Heritage Buildings about how the proposed amendment will affect their properties.*  
One person was confused about the amendment and how it might affect their property. A letter clarifying the proposed amendment was sent out. Another person questioned the requirement to step back a vertical extension if the owner decided to extend the building vertically. The size of the setback would be at Council's discretion, which will allow flexibility in design.
- Parks Canada recommends the City use the "Standards and Guidelines for the Conservation of Historic Places in Canada" to maintain heritage buildings and when making any changes to regulations and by-laws affecting heritage buildings.*  
The proposed changes are intended to ensure the visual prominence of the designated Heritage Building. The City's Heritage Design Standards require that a new addition be subordinate to, distinguishable from, and compatible with the designated Heritage Building. This is in line with the "Standards and Guidelines" document.

#### Built Heritage Experts Panel

The amendment was presented to the City's Built Heritage Experts Panel before and after public consultation. The Panel expressed concerns about limiting a property owner's ability to expand a designated Heritage Building. Additionally, the Panel noted that requiring a setback on a vertical extension could make the building less stable. Staff advised that a setback is required in most Atlantic provinces and serves to highlight the designated Heritage Building. In general, the Panel supports the proposed amendment.

Should Council adopt the amendment, it will be sent to the NL Department of Municipal and Provincial Affairs for registration, in line with the Urban and Rural Planning Act. No public hearing is needed..

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

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Heritage NL; property owners of designated Heritage Buildings; neighbouring residents and owners; heritage organizations.
3. Is this a New Plan or Strategy: No
4. 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.

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

6. Accessibility and Inclusion: Not applicable.

4. Legal or Policy Implications: A text amendment to the Development Regulations is required.

5. Privacy Implications: Not applicable.

6. Engagement and Communications Considerations: Consultation was carried out as per Section 4.8 of the Development Regulations. A project page was also created on the Engage St. John's website.

7. Human Resource Implications: Not applicable.

8. Procurement Implications: Not applicable.

9. Information Technology Implications: Not applicable.

10. Other Implications: Not applicable.

**Recommendation:**

That Council adopt Envision St. John's Development Regulations Amendment Number 41, 2024, regarding Heritage Use, that will make changes to Section 2 "Definitions" and add to Section 6 "Specific Developments"..

**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 - Heritage Use Definition and Conditions - Adoption.docx
Attachments:	- DR Amend No. 41, 2024 - Heritage Use - TEXT (LJR).pdf - Letter of Response.pdf
Final Approval Date:	Sep 12, 2024

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

**Ken O'Brien - Sep 11, 2024 - 4:23 PM**

**Jason Sinyard - Sep 12, 2024 - 1:55 PM**

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

## **St. John's Development Regulations Amendment Number 41, 2024**

### **Heritage Use Definition and Conditions**

**June 2024**



**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

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

**Amendment Number 41, 2024**

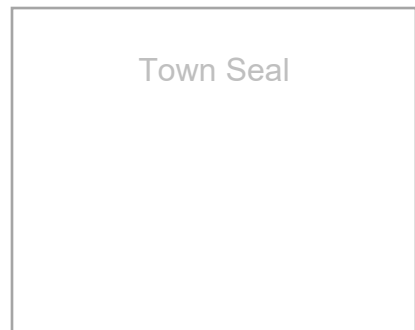
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the City of St. John's Development Regulations Amendment Number 41, 2024.

Adopted by the City Council of St. John's on the 17th day of September, 2024.

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

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

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



**Canadian Institute of Planners Certification**

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

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



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

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

### **Development Regulations Amendment Number 41, 2024**

#### **BACKGROUND**

At its May 8, 2023 regular meeting, Council decided to consider an amendment to the Envision St. John's Development Regulations that would clarify the definition of a Heritage Use and add conditions for extensions to a building that has a Heritage Use.

From the Envision St. John's Development Regulations, Heritage Use is defined as the use of a designated Heritage Building which is, in Council's opinion, compatible with the adjoining uses. In practice, the City has allowed an approved Heritage Use to also exist in any extension to the original Heritage Building. For example, if a Heritage Building is used as a restaurant, the restaurant would also be permitted in an extension to the Heritage Building. It is worth clarifying this matter. Heritage Use is listed as a discretionary use in most zones, and generally the development standards (such as setbacks, building height, and so on) are in the discretion of Council.

#### **ANALYSIS**

The amendment proposes to change the definition of Heritage Use and add Heritage Use conditions to Section 6, as follows:

- The definition of Heritage Use will reference extensions, so that the definition now reads "Heritage Use means any Use of a designated heritage building or extension thereof, which is, in Council's opinion, compatible with the adjoining uses."
- Heritage Use will be added to Section 6 Specific Developments, which will state:

#### **Heritage Use**

- (1) (a) A horizontal extension to a Building containing a Heritage Use on a façade facing a Street shall not exceed 75% of the width of that Building façade; and
  - (b) a vertical extension to a Building containing a Heritage Use shall be horizontally recessed from the original Building. The distance of the Stepback shall be in the discretion of Council.
- (2) Applications for an extension to a Building containing a Heritage Use shall require public consultation in accordance with Section 4.8.

These conditions would apply to building extensions where the approved use is a Heritage Use. From the above restaurant example, if a restaurant is a permitted use in the zone, then staff would apply the setbacks and building height required for restaurants, not these proposed standards for a Heritage Use. If a restaurant is not a

permitted or discretionary use in the zone and was approved as a Heritage Use, then these new standards would apply. The value of 75% was chosen for horizontal expansions along a streetscape so that the extension does not exceed the width of the original Heritage Building. The amendment would not restrict the horizontal extension on a façade that does not face a street (for example, an extension to the rear of a building). The vertical extension (building higher) does not set a maximum building height because there is quite a variation of heights for Heritage Buildings. The building height should be similar to the maximum building height in the zone but will be left in the discretion of Council.

It is proposed that a building extension should be stepped back from the original Heritage Building to ensure that the Heritage Building is distinct and not overshadowed. An appropriate Stepback may vary from building to building so is in the discretion of Council, allowing flexibility in design. Applications for building extensions to a Heritage Building may require a Heritage Report in which the design could be set out and evaluated in detail.

### **CONSULTATION**

The Built Heritage Experts Panel (BHEP) was consulted for review and comment. Additionally, the proposed amendment was advertised on the City's website and in The Telegram newspaper on May 13, 2023, May 20, 2023, and May 27, 2023. A notice was also issued to all designated Heritage Building owners. The deadline for comments was May 30, 2023 at 9:30 am.

The City received four (4) written submissions. One submission agreed with the horizontal extension but opposed the building Stepback requirement for vertical extensions. Two submissions were concerned with how the amendment may affect their designated Heritage Buildings, one opposed extensions to designated Heritage Buildings in general, and the fourth submission outlined concerns as they relate to the Standards and Guidelines for the Conservation of Historic Places in Canada.

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

The proposed amendment is in line with the St. John's Urban Region Regional Plan and an amendment to the Regional Plan is not required.

## **ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 41, 2024**

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

- 1) Repealing Heritage Use in Section 2 – Definitions, which states:  
“HERITAGE USE means any Use of a designated heritage building which is, in Council's opinion, compatible with the adjoining uses.”**

**And replacing it with the following:**

**“HERITAGE USE means any Use of a designated heritage building or extension thereof, which is, in Council's opinion, compatible with the adjoining uses.”**

- 2) Adding the following to Section 6 Specific Developments:**

**“Heritage Use**

- (1) (a) A horizontal extension to a Building containing a Heritage Use on a façade facing a Street shall not exceed 75% of the width of that Building façade; and**  
**(b) a vertical extension to a Building containing a Heritage Use shall be horizontally recessed from the original Building. The distance of the Stepback shall be in the discretion of Council.**
- (2) Applications for an extension to a Building containing a Heritage Use shall require public consultation in accordance with Section 4.8.”**

June 15, 2023

Dear [REDACTED]

RE: Proposed Development Regulations Amendment - Heritage Use

Thank you for your submission, [REDACTED]. It will be brought forward to Council when the amendment is considered. I would like to clarify parts of the proposed amendment. If you have any questions about this, I'd be happy to give you a call.

[REDACTED] is a designated Heritage Building, but it is also within the Commercial Downtown Mixed (CDM) Zone. [REDACTED] any permitted or discretionary use listed in the zone, [REDACTED] required to meet the standards in that zone; the proposed amendment for "Heritage Use" would not be applicable [REDACTED]. Any extensions would just need to meet the CDM zone standards.

Should [REDACTED] propose something that is not listed in the CDM Zone, it may be considered a "Heritage Use" in a Heritage Building and the proposed amendment would apply.

Given that [REDACTED] build an extension to the edge of your property boundary (at Council's discretion) but this would be far less than the maximum 75% allowance proposed in the amendment. By my rough estimations, [REDACTED] so the amendment would allow [REDACTED] expand by up to  $75\% \times 55 =$  another 41 metres along the street, but there is only about 8 metres of space available [REDACTED]. In that sense, the amendment would not affect you.

The amendment also doesn't set a maximum building height for a "Heritage Use", so that would be at Council's discretion.

The proposed amendment will mostly apply in residential zones where a Heritage Building has been approved as a commercial Heritage Use.

I hope that helps. If you have any further questions, please feel free to contact me to [acashin@stjohns.ca](mailto:acashin@stjohns.ca) or 709-570-2041.

Thank you,

Ann-Marie Cashin, MCIP, Planner III  
Department of Planning, Engineering and Regulatory Services

ST. JOHN'S



[REDACTED]

To - The Office of the City Clerk

[REDACTED]

[REDACTED]

[REDACTED]

May 29, 2023

We are concerned about the proposed changes to the Heritage Regulations and in particular to section 6 item 1(a).

We do not agree with the proposed change to item 1(a) replacing the width of any proposed extension to 75% of the building facade facing a street. If approved, this change will have a major impact on any potential extensions as most will not be feasible, due to the decrease in the maximum size to 75%, and the increased cost, per square foot, due to the smaller size.

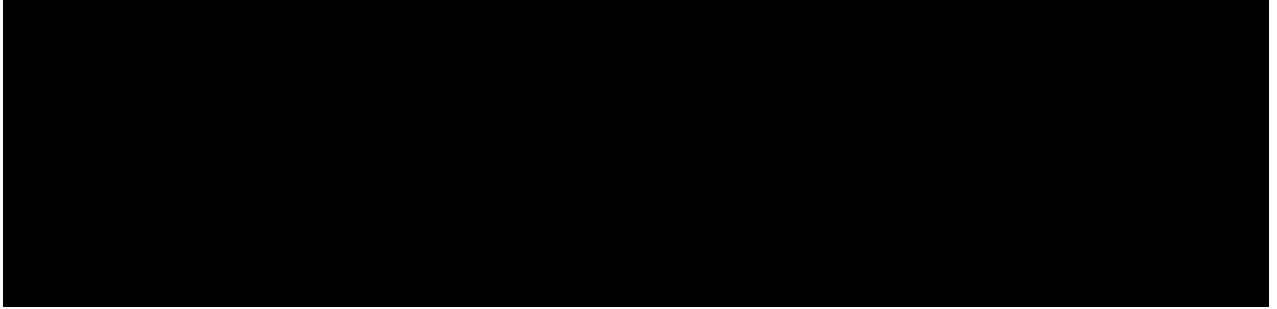
We assume that if a building has a main entrance on more than one street, the proposed ~~her~~ Regulations will apply to only one of the streets, [REDACTED]

[REDACTED]

This should be clarified in the regulations.

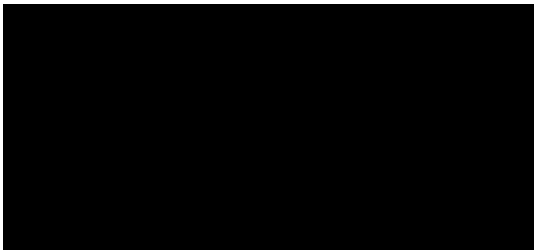
[REDACTED]

As the regulations are being amended, we suggest that consideration be given to include a small buffer zone next to a heritage zone to allow for a phase in of the size of buildings from one zone to another. As an example,



In summary, we do not agree with the proposal, in a heritage area, to reduce a horizontal extension to 75% of the width of an existing building. During the last [redacted] which limits the maximum height of the building and this amendment will limit the width. This could eliminate the potential to redevelop any portion of our property.

Yours Sincerely,





File number: PK2023-00841

June 28, 2023

Mr. Danny Breen  
Mayor  
St. John's, NL  
[mayor@stjohns.ca](mailto:mayor@stjohns.ca)

Dear Mayor Breen:

I am writing with regard to proposed plans to make amendments to allow additional height to existing designated historic structures (i.e., the “Set Back Policy”), which was brought to our attention by the St. John's Ecclesiastical District National Historic Site of Canada Working Group in recent correspondence.

As you may be aware, the City of St. John's is home to twenty-two national historic sites, from waterfront commercial structures to military forts and ecclesiastical districts, to residential streetscapes. These sites are valued for their ability to reveal unique, complex, and diverse aspects of Canadian history.

The Parks Canada Agency takes a strong interest in the heritage value and conservation status of all national historic sites, recognizing the wider cultural, social, economic, and environmental benefits they provide to their communities. Although Parks Canada does not have legislative or regulatory authority over designated properties that are administered by others, it encourages all owners of historic places, as well as jurisdictional authorities, to make use of the *Standards & Guidelines for the Conservation of Historic Places in Canada* ([www.historicplaces.ca/en/pages/standards-normes.aspx](http://www.historicplaces.ca/en/pages/standards-normes.aspx)) to ensure sound decision-making when considering the potential impacts of interventions, alterations, demolitions or additions to historic places, as well as the regulations governing these actions. Proposed changes should be compatible with and respectful of the heritage value of national historic sites. We also encourage owners and administrators of historic places to secure professional heritage conservation advice when assessing the potential impacts of changes on historic places.



Moreover, historic districts of national significance such as St. John's Ecclesiastical District National Historic Site of Canada must have a "sense of place": intrusive elements must be minimal, and the district's historic characteristics must predominate and set it apart from the area that immediately surrounds it. The St. John's Ecclesiastical District currently meets these criteria and I remain hopeful that proposed amendments to development regulations will support the conservation of heritage values identified for the District.

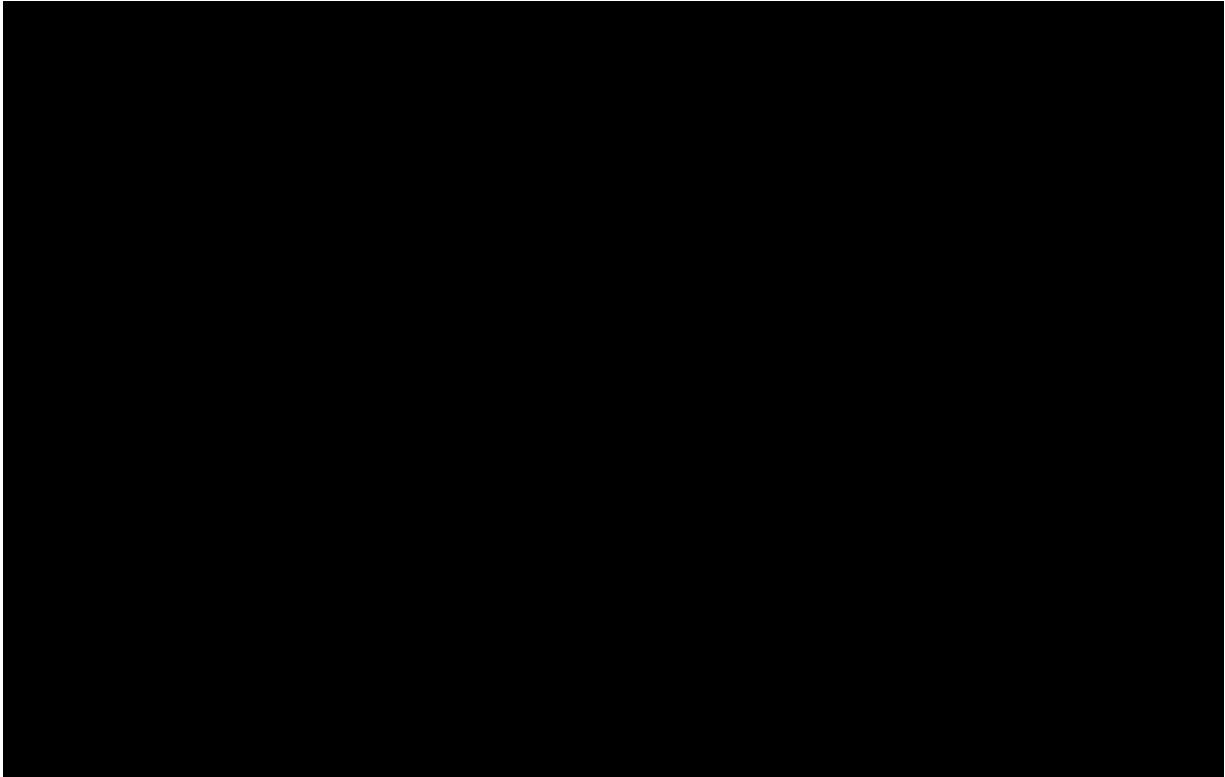
It is further recommended that the *Standards & Guidelines* be used in conjunction with Statements of Commemorative Intent for national historic sites. These statements document the reasons for designation by the Minister of Environment and Climate Change and Minister Responsible for Parks Canada. Additionally, Parks Canada has set forth the character-defining elements for each national historic site, describing the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of these historic places. Any proposed interventions or additions to a national historic site should respect these character-defining elements. Statements of Commemorative Intent and character-defining elements for every national historic site in St. John's can be found in the Directory of Federal Heritage Designations ([parks.canada.ca/culture/designation/lieu-site](https://parks.canada.ca/culture/designation/lieu-site)).

Finally, Parks Canada strongly recommends the use of the *Standards & Guidelines for the Conservation of Historic Places in Canada* when it comes to maintaining heritage buildings and making any changes to Laws and By-laws that would affect those buildings.

Should you require further information with regard to the above, please feel free to contact Dr. Patricia Kell, Executive Director, Cultural Heritage, at [patricia.kell@pc.gc.ca](mailto:patricia.kell@pc.gc.ca).

Sincerely,

Nadine Spence  
Vice-President  
Indigenous Affairs and Cultural Heritage  
Parks Canada



**Karen Chafe**

---

**From:** [REDACTED]  
**Sent:** Tuesday, May 16, 2023 12:13 PM  
**To:** CityClerk  
**Cc:** [REDACTED] Andrew Woodland; Ken O'Brien  
**Subject:** (EXT) Text Amendment - Heritage Use Definitions & Conditions

I am writing to comment on the proposed text amendments.

I am in agreement with the suggested (up to) 75% horizontal width restrictions for side extensions.

I am not in agreement with the requirement that vertical extensions have a discretionary setback.

[REDACTED]

[REDACTED].

Vertical extension setbacks can be very problematic from many perspectives including the financial cost, structural issues and loads transfer and waterproofing requirements.

In the case of our involvement with the [REDACTED] project, a vertical setback of the front façade is a deal breaker.

While I commend Council for considering this amendment, I suggest the vertical setback component be removed and treated on a case by case basis.

Thank you for consideration of our comments.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Ms. Cheryl Mullet  
City Solicitor  
City of St. John's  
10 New Gower Street  
P.O. Box 908  
St. John's, NL  
A1C 4 M2

May 30th, 2023

Dear Ms. Mullet:

The City of St. John's Planning Department has asked for Public Input by May 31st, for a proposed Text Amendment by the City to allow for "Set Backs and Vertical Height considerations" on designated heritage buildings.

The City of St. John's Act, Section 355, outlines the roles and responsibilities of Council on matters of designating "*heritage buildings, structures, lands and areas for the purpose of preserving evidence of the City's history, culture and heritage for the education and enjoyment of present and future generations*".

While the same Act gives Council the right to alter the exterior of a building or demolish heritage buildings, my interpretation of the Act does not give Council the right to "so significantly alter heritage buildings, as proposed by adding new modern height to the historic structures, that they can no longer function or be defined as a historic building, land or area". The discretion afforded City Council is not unfettered.

Historically heritage buildings and places are designated and provided protection in order that current and future generations can understand the time, history and place of their heritage.

The proposal would result in the modernizing of both buildings and places to the extent that the City will not *“have the regard to preserve heritage buildings, lands or areas that collectively representative a cross section of all periods and styles in the City’s history and cultural evolution”*, Section 355, Heritage Provision, City of St. John’s Act, resulting in an egregious loss of heritage and an important part of the history of St. John’s.

It may be argued that there is a need to “Change” the Act to allow Planning to implement this proposed amendment. Would the same need be true for future Planning Departments and Councils **who might not agree with these proposed precedented changes.**

There is no need to change the Act, the Act is sound on matters of heritage conservation and reflects the mandate of other levels of governments’ historic buildings and places legislation and intent. The Act could be effective except the Planning Department is determined to give Council unfettered discretion on all heritage matters, for which they have no expertise! They are also permitted to ignore the advice of their appointed Built Heritage Committee. This would be like the Minister of Tourism, Culture, Arts and Recreation ignoring the advice of Heritage NL on matters of the designation and protection of the Province’s built heritage.

Another significant problem with the City proposal is that historic structures built in St. John’s, after the Great Fire and before, were never painstakingly designed and constructed with modern materials to accommodate additional height. Therefore in achieving vertical height you are not only going to destroy the historic character of the building, and it’s time and place, but the building will have to be rebuilt, hence destroying its historic integrity. You would also be aware that the historic buildings on the harbour front are built on the original beach front and many historic buildings in the downtown areas are built with stone foundations. Structural integrity will be lost, and with it, the very definition of heritage in St. John’s.

Attempting to redefine “heritage use” to include vertical height, is inappropriate and a disgrace to the term heritage and beyond the City’s discretionary power. More importantly the proposed amendment is deviating so significantly from the intent of the Act you will no longer be protecting the citizen’s earned heritage. The proposed amendment is arguably significantly outside Council discretion and the appertaining rights of citizens to have you recognize and work within the existing legislation.

It is important to note it was the Citizens of the City that saved our heritage buildings and districts, and not City Hall . After the fires of 1892, and in the 1970s, through 5 Federal Funding programs the 5 historic districts in downtown St. John’s were rebuilt,



“from their deplorable state”. After the initial Federal investments, citizens, cultural industries, and tourism have benefited. These benefits are also important for future generations, as your Act directs.

The Act, Section 3(b) also calls for a cost and benefit analysis in Council’s exercising of its power on heritage preservation matters. Has this step been undertaken to inform Council, before they make a decision on this proposed Amendment?

The historic downtown is already the most dense area of St. John’s. There is enough existing empty buildings downtown and in St. John’s, as well as empty land outside the historic downtown, to accommodate density without proceeding with this very detrimental policy to our heritage. Those needing housing Downtown do not need high rise views of the harbour with a 7 figure price tag .

The Amendment therefore appears to benefit the private sector and real estate agents. One cannot discount the perception of potential conflict of interests when Council members may be involved in these industries. I trust the new Provincial Conflict of Interest process should ensure such interests are mitigated in any Council decision taken on this matter.

In other jurisdictions in Canada, such a “proposed amendment” would have been first informed by a “**historic building and places impact assessment**” undertaken by a “**fully qualified historic building engineer**” like Dr. Tom Morrison, P.Eng. Has such an important and necessary assessment been completed?

Also why is this detrimental heritage policy being raised for public comment when you have under development a Heritage Plan that made no mention to the public of this proposed provision. You also have a recently announced new Downtown Plan, that is suppose to be building on the culture and heritage of the City! During the Heritage By-Law consultation process the public was told that new height would happen West of Adelaide Street. What has happened to this public commitment?

Finally it must be noted that many of these buildings and places are also of Provincial and National Historic importance designated by other levels of government and important to the people of the Province and Canada, including 3 National Historic Site Districts. In the recent public Heritage Planning process the City presented an objective to work closer with both levels of Government on heritage matters and has this been done?

This existing proposal, and any other iteration plainly offends the provisions of the Act, and as importantly it’s intent.

Respectively yours.



The Honourable John Hogan, K.C, MHA, Minister of Justice  
Councillor Maggie Burton, Council Lead on Heritage, City of St. John's  
Councillor Ian Froude, Council Lead on Planning, City of St. John's  
Mr. Kevin Breen, City Manager

# DECISION/DIRECTION NOTE

**Title:** St. John's Sports & Entertainment – Appointment of New Member to Board of Directors

**Date Prepared:** September 16, 2024

**Report To:** Regular Meeting of Council

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

**Ward:** Choose an item.

---

## Decision/Direction Required:

That Council approve the appointment of Michael Duah to the St. John's Sports and Entertainment Board of Directors.

## Discussion – Background and Current Status:

The City Clerk facilitated the call for members to fill the pending vacancy of Jason Silver on the Board of SJSEL in June 2024 (deadline of June 28th) and again in July 2024 (deadline of August 2nd). The first call yielded 7 applicants and the second call yielded 5 applicants, for a total of 12 applicants. The second call was requested as the Chair of the SJSEL Board and the Chair of the HR Governance Committee felt that the applicant pool should be larger and more diverse.

The HR Governance Committee of SJSEL reviewed the 12 applicants and made a recommendation to the full Board that Mr. Michael Duah be recommended to the City of St. John's for the Board position.

## Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: St. John's Sports & Entertainment
3. Is this a New Plan or Strategy: No

If yes, are there recommendations or actions that require progress reporting?

If yes, how will progress be reported? (e.g.: through the strategic plan, through Cascade, annual update to Council, etc.)

# ST. JOHN'S

4. Alignment with Strategic Directions:

N/A

Choose an item.

5. Alignment with Adopted Plans: N/A

6. Accessibility and Inclusion: N/A

4. Legal or Policy Implications: St. John's Sports & Entertainment Ltd. General Operating By-Law

5. Privacy Implications: N/A

6. Engagement and Communications Considerations: N/A

7. Human Resource Implications: N/A

8. Procurement Implications: N/A

9. Information Technology Implications: N/A

10. Other Implications: N/A

**Recommendation:**

That Council approve the appointment of Michael Duah to the St. John's Sports and Entertainment Board of Directors.

**Prepared by:** Theresa Walsh, City Clerk

**Approved by:** Theresa Walsh, City Clerk