

**AGENDA
REGULAR MEETING**

**December 9, 2019
4:30 p.m.**

ST. JOHN'S

MEMORANDUM

December 5, 2019

In accordance with Section 42 of the City of St. John's Act, the Regular Meeting of the St. John's Municipal Council will be held on **Monday, December 9 at 4:30 p.m.**

By Order



Elaine Henley
City Clerk

ST. JOHN'S

CITY MANAGER

ST. JOHN'S

Regular Meeting - City Council Agenda

December 9, 2019

4:30 p.m.

4th Floor City Hall

Pages

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A Discretionary Use application has been submitted by Rogers Communication Inc. requesting to construct a telecommunications tower located at 63 O'Leary Avenue.

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ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

December 2, 2019, 4:30 p.m.

Present:

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Dave Lane
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Deanne Stapleton
- Councillor Hope Jamieson
- Councillor Jamie Korab
- Councillor Ian Froude
- Councillor Wally Collins

Staff:

- Kevin Breen, City Manager
- Derek Coffey, Deputy City Manager of Finance & Administration
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Lynnnann Winsor, Deputy City Manager of Public Works
- Cheryl Mullett, City Solicitor
- Susan Bonnell, Manager - Communications & Office Services
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Shanna Fitzgerald, Legislative Assistant
- Kelly Maguire, Public Relations & Marketing Officer

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**

2.1 **Proclamation - International Day of Persons with Disabilities - December 3, 2019**

2.2 **Presentation - City Scholarships**

2.3 **Presentation - Golden Broom Awards**

3. **APPROVAL OF THE AGENDA**

3.1 **Agenda of December 2, 2019**

SJMC-R-2019-12-02/534

Moved By Councillor Collins

Seconded By Councillor Jamieson

That the Agenda be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Regular Minutes - November 25, 2019**

SJMC-R-2019-12-02/535

Moved By Councillor Hanlon

Seconded By Deputy Mayor O'Leary

That the minutes of November 25, 2019 be adopted as presented.

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)**5. 2020 BUDGET PRESENTATION**

Councillor Lane presented the budget speech. All members of Council spoke in favor of the budget. Full details of the budget speech and budget document can be found here: 2020 Budget

2020 Budget

SJMC-R-2019-12-02/536

Moved By Councillor Lane

Seconded By Councillor Collins

To adopt the 2020 Budget as presented with the attached resolutions:

- 2020 Accommodation Tax Resolution
- 2020 Downtown St. John's Business Improvement Area Levy
- 2020 Interest Rate Tax Resolution
- 2020 Property Tax Rate Resolution - Commercial Properties
- 2020 Property Tax Rate Resolution - Residential Properties
- 2020 25% Property Tax Reduction for Senior Citizens Resolution
- 2020 Business Tax Rate on Utilities Resolution
- 2020 Water By Meter Resolution
- 2020 Water Tax Resolution

For (11): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (11 to 0)**6. BUSINESS ARISING FROM THE MINUTES**

6.1 Decision Note dated November 27, 2019 re: Request for Additional Height for Seniors' Apartment Building - DEV1800217 - 45 East White Hills Road

Councillor Lane retired from the meeting.

SJMC-R-2019-12-02/537**Moved By** Councillor Burton**Seconded By** Councillor Hanlon

That Council approve-in-principle the proposed development at 45 East White Hills Road for a building 8 storeys in height containing 101 residential units, subject to all City requirements.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

6.2 Decision Note dated November 26, 2019 re: Application to Rezone Land to the Commercial Neighbourhood Zone for a Lounge and Eating Establishment (Pub and Eatery) - MPA1800006 - 75 Airport Heights Drive

SJMC-R-2019-12-02/538**Moved By** Councillor Burton**Seconded By** Councillor Stapleton

That Council now adopt the attached resolutions for St. John's Municipal Plan Amendment Number 153, 2019 and St. John's Development Regulations Amendment Number 700, 2019.

Further, that Council appoint Ms. Marie Ryan, a member of the City's Commissioner list, to conduct a Public Hearing on the proposed amendments. The proposed date for the public hearing is Thursday, January 16, 2020, at 7 p.m. at St. John's City Hall.

Further, that Council advertise the Lounge and Eating Establishment as Discretionary Uses on the Public Hearing notice.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)**7. NOTICES PUBLISHED****7.1 556 Topsail Road - Residential Low Density (R1) Zone - Ward 3**

A change of Non-Conforming Use application has been submitted by Dunphy Properties Inc. requesting permission to change the occupancy of 556 Topsail Road to Office Use for Dunphy Molloy & Associates.

The proposed office will have a floor area of 269.9 m², employ 9 employees and the hours of operation will be Monday to Friday 8:30 a.m.- 5 p.m. On-site parking is provided.

SJMC-R-2019-12-02/539

Moved By Councillor Korab

Seconded By Deputy Mayor O'Leary

That the Non-Conforming Use application to change the occupancy of 556 Topsail Road to Office Use be approved subject to all applicable City requirements.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

7.2 556A Topsail Road - Residential Low Density (R1) Zone - Ward 3

A change of Non-Conforming Use application has been submitted by Soft Touch Hair Salon requesting permission to change the occupancy of 556A Topsail Road to a Hair Salon.

The proposed salon will have a floor area of 74.3 m². The salon will employ 3 hairstylists and 1 esthetician and operate Monday to Saturday 9 a.m.- 8 p.m. On-site parking is provided.

1 submission for both 556 and 556A.

SJMC-R-2019-12-02/540

Moved By Councillor Korab

Seconded By Councillor Hickman

That the Non-Conforming Use application to change the occupancy of 556A Topsail Road to a Hair Salon be approved subject to all applicable City requirements.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

8. COMMITTEE REPORTS

8.1 Special Events Advisory Committee Report - November 26, 2019

SJMC-R-2019-12-02/541

Moved By Councillor Jamieson

Seconded By Councillor Korab

That Council approve the Mummers Parade event in accordance with the recommendations of the Special Events Advisory Committee.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

9. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)

9.1 Development Permits List for the period November 21-27, 2019

Council considered for information the Development Permits List for the period November 21-27, 2019.

10. BUILDING PERMITS LIST

10.1 Building Permits List for the period November 21-27, 2019

SJMC-R-2019-12-02/542

Moved By Councillor Stapleton

Seconded By Councillor Jamieson

That the Building Permits List for the period November 21 - November 27, 2019 be approved as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)

11. REQUISITIONS, PAYROLLS AND ACCOUNTS

11.1 Weekly Payment Vouchers for the Week Ending November 27, 2019

SJMC-R-2019-12-02/543**Moved By** Councillor Jamieson**Seconded By** Councillor Stapleton

That the weekly payment vouchers in the amount of \$6,457,189.89 for the week ending November 27, 2019 be approved as presented.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)**12. TENDERS/RFPS****12.1 RFP - Accounts Payable Transaction Automation Solution****SJMC-R-2019-12-02/544****Moved By** Councillor Froude**Seconded By** Councillor Collins

That this RFP be awarded to Metafile Information Systems Inc. in the amount of \$211,975 based on evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.

For (10): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (10 to 0)**13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS****14. OTHER BUSINESS****14.1 Staff Review of Waste Diversion at Robin Hood Bay Landfill for Building Developments**

Councillor Burton proposed the above noted and the following motion was put forth:

SJMC-R-2019-12-02/545**Moved By** Councillor Burton**Seconded By** Councillor Froude

That Council receive direction from staff on appropriate steps to divert waste from Robin Hood Bay landfill specifically in relation to building developments.

For (9): Mayor Breen, Deputy Mayor O'Leary, Councillor Burton, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, and Councillor Froude

Against (1): Councillor Collins

MOTION CARRIED (9 to 1)

15. ADJOURNMENT

There being no further business, the meeting adjourned at 6:12 pm.

MAYOR

CITY CLERK

DECISION/DIRECTION NOTE

Title: Discretionary Use Application
Request for Outdoor Eating/Lounge Area and Parking Relief
DEV1900186
Quidi Vidi Brewery 35 Barrows Road

Date Prepared: December 3, 2019

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Maggie Burton

Ward: 2

Decision/Direction Required:

Seek approval for an outdoor Eating Establishment/Lounge area and Parking Relief at Quidi Vidi Brewery located at 35 Barrows Road.

Discussion – Background and Current Status:

An application has been submitted to the City requesting permission to construct a second level outdoor deck to compliment the Lounge in the Tap Room. The deck will be built on the harbor side of the property and will have the same hours of operation as the Tap Room (until 9p.m. weeknights and 11p.m. on weekends). There will be no outdoor speakers or amplified sound.

Prior to the use as a Brewery, this building operated as a fish processing plant. When converted to the Brewery in 1996 there were eight parking spaces on the property. Eight spaces have been maintained on the site. The parking area is non-compliant for the existing use and the proposed deck while seasonal in nature, requires that parking be provided in accordance with Section 9 of the St. John's Development Regulations. Given the variability in demand for deck space and the additional capacity proposed, it is felt that there will not be a significant increase in traffic or need for parking.

At its Regular Meeting on October 21, 2019 Council voted to schedule a Public Meeting in accordance with Section 5.5.4 of the St. John's Development Regulations. This was in response to nearby residents concerns with respect to traffic, noise and disruption. The meeting was held on November 20, 2019 (minutes attached) and was chaired by facilitator, Glenn Barnes.

As previously noted, the building has operated as a Brewery since 1996. The site is adjacent to a residential dwelling with other homes a short distance from the Brewery. In response to the application being advertised as a Discretionary Use, several of the responses expressed concerns about the existing operation being a Light Industrial Use. The Brewery is situated in the Quidi Vidi Industrial (IQ) Zone as a permitted Industrial Use. The recently adopted regulations for Craft Brewery/Distillery do not apply to this site.

ST. JOHN'S

An outdoor Eating Establishment/Lounge area is a Discretionary Use when located within 150 metres of a residential zone. Council can exercise its discretion to allow or reject this application.

At the public meeting, area residents expressed concern over the following: increased traffic, parking, further expansion of the Brewery as well as additional noise. While the proposed deck could potentially increase the number of customers, the City's Transportation Division does not predict much additional vehicular traffic to the site. Also, as a deck is considered a function of a lounge or restaurant rather than an extension, parking will be maintained at its current level.

Parking in the Village has improved with the development of 30 formal parking spaces on Cadet Road and an additional 30 informal parking spaces on the north side of Cuckhold's Cove Road. In 2020, the City will place signs indicating where public parking is located as well as the no parking zones. This along with the belief that the deck will not bring a significant need for additional parking, the Applicant has requested parking relief.

Over the past year, the Brewery has worked to improve disruption to the neighbourhood. They have reduced the number of delivery truck to the facility this year by opening a product distribution warehouse at another location. Residents at the public meeting spoke of a noticeable improvement of trucks on Barrows Road resulting in less traffic congestion near the Brewery. The shipping containers on the lot have been reduced to improve the overall appearance of the property. As well, the diesel operated reefer (refrigerator container) that supplied power to the outside cooler has been replaced by an electric power supply that reduces the noise in the area. As for other noise which may be generated from outside the Brewery, the City has by-laws in place to deal with noise.

Overall, the Brewery contributes to the visitor experience of the Village. The original concept of the facility was a craft Brewery and while it has expanded its operation it is still zoning compliant and is in keeping with positive tourism growth. While not a factor in this recommendation, the owner's plan is to relocate much of the production to another site which may reduce the future impact in the neighbourhood.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:
Area residents and property owners.
3. Alignment with Strategic Directions/Adopted Plans:
A Sustainable City – plan for land use.
4. Legal or Policy Implications:
Section 5.5.4 of Envision St. John's Municipal Plan: Ensure that St. John's has the infrastructure, amenities and products necessary to enhance the visitor experience and support the continued development of tourism.

5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations:
Public meeting was held.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

It is recommended that Council approve the outdoor Eating Establishment/Lounge area with a clause stating a closing time of 11pm each night.

Based on the recent development of additional public parking located within the village, it is further recommended that Council grant parking relief for 16 parking spaces in accordance with Section 9.2.1.1 of the St. John's Development Regulations.

Prepared by/Signature:

Gerard Doran – Development Supervisor

Signature: _____

Approved by/Date/Signature:

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

Signature: _____

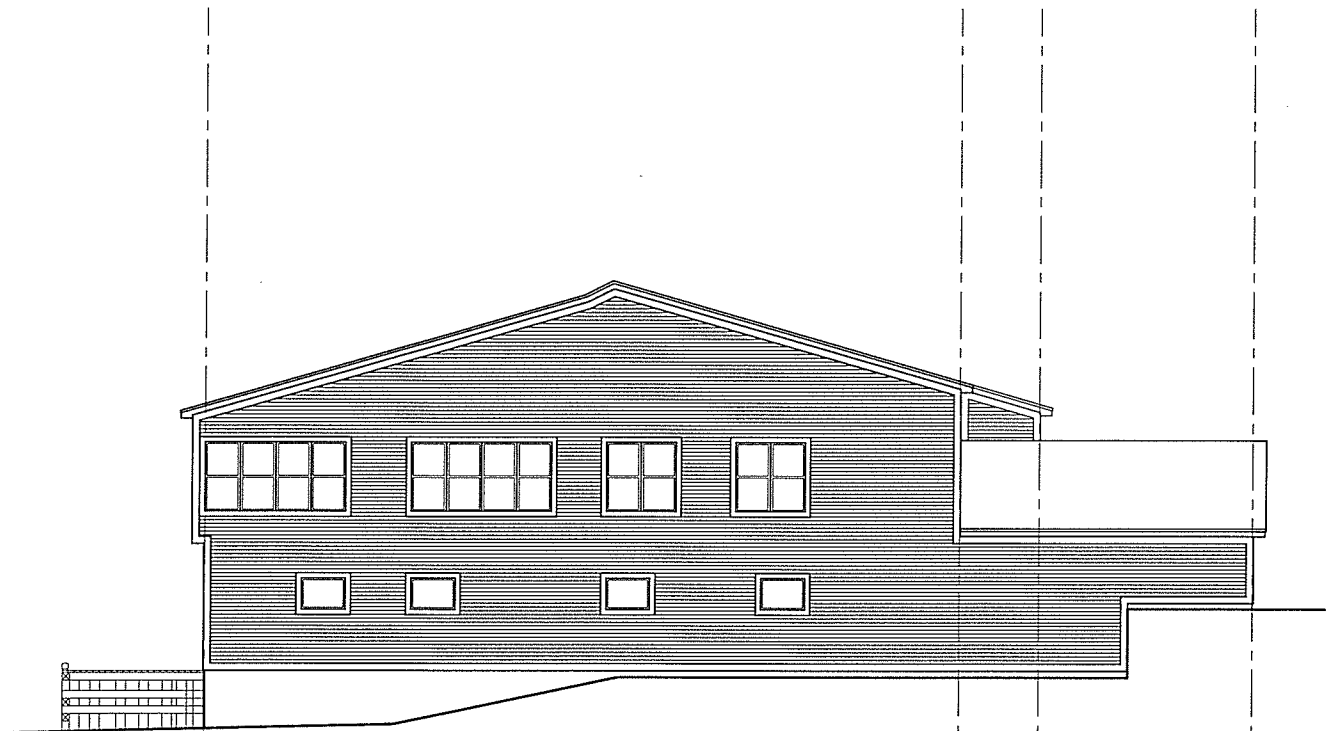
GJD/dlm

Attachments:

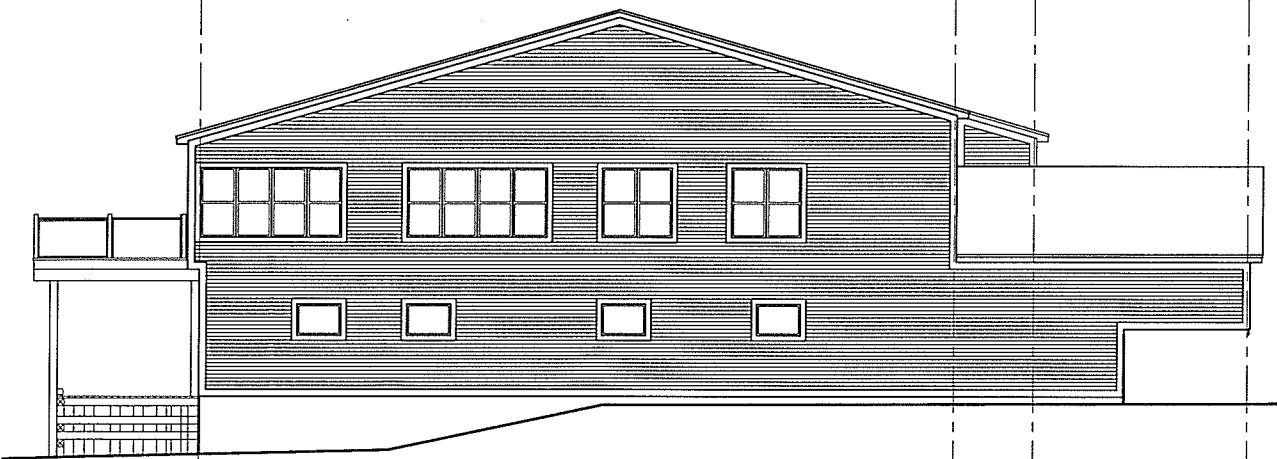
Location Map
Applicant Submissions
Minutes of Public Meeting
Public Submissions



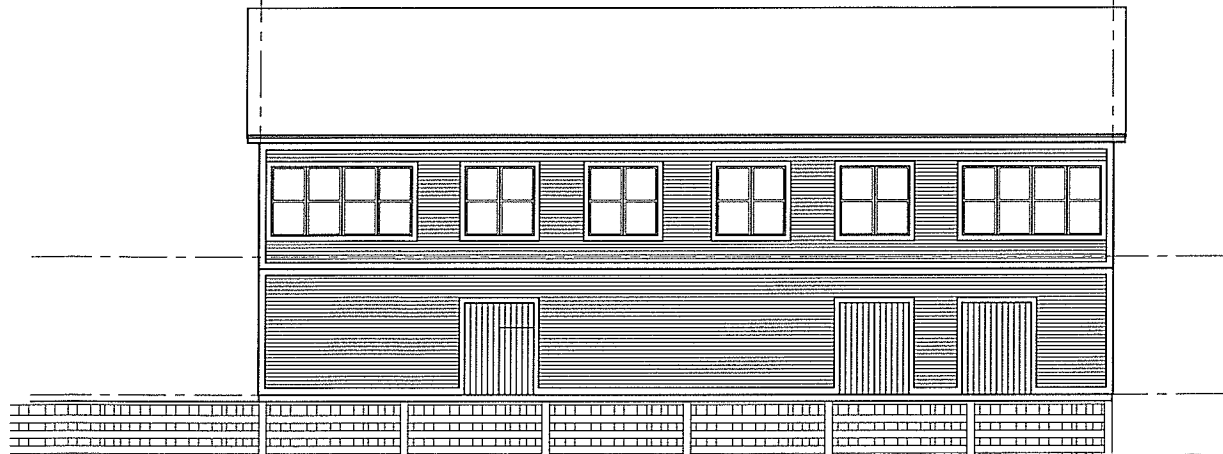




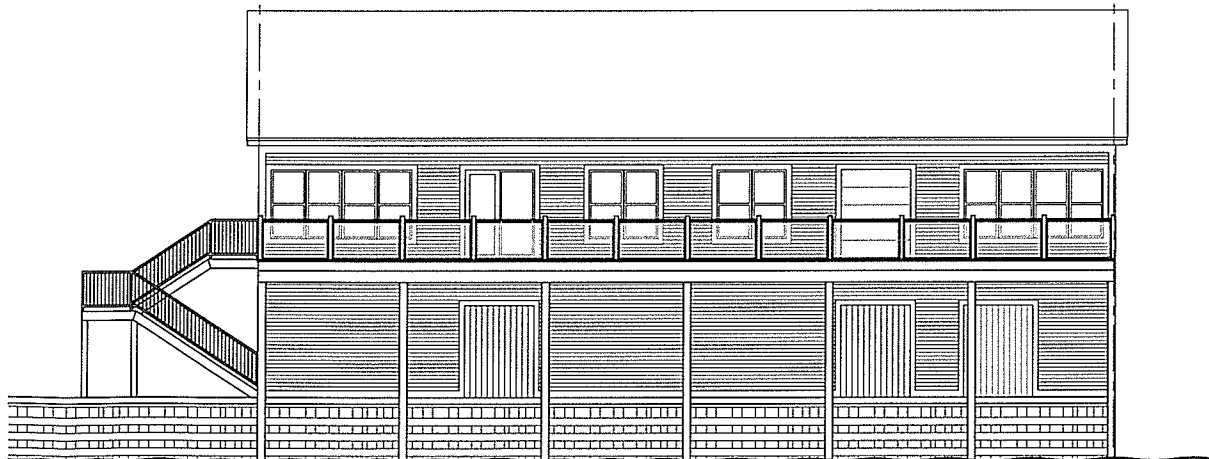
EXISTING WEST ELEVATION



NEW WEST ELEVATION



EXISTING NORTH ELEVATION



NEW NORTH ELEVATION

CLIENT:

QUIDI VIDI BREWERY
COMPANY LIMITED

PROJECT:

NEW DECK
QUIDI VIDI BREWERY
35 Barrows Road
Quidi Vidi
St. John's, NL

NOTES:

1. DO NOT SCALE FROM THIS DRAWING.

2. ALL DIMENSIONS PLUS/MINUS. CONTRACTOR TO VERIFY DIMENSIONS ON SITE BEFORE PROCEEDING WITH THIS WORK.

3. CONTRACTOR TO FOLLOW ALL PARTS OF THE LATEST EDITION OF THE NATIONAL BUILDING CODE OF CANADA AND ALL LOCAL AUTHORITIES HAVING JURISDICTION.

#	DATE (d/m/y)	REVISION
A	23/09/19	ISSUED FOR APPROVAL

DWG:

ELEVATIONS

DATE:

SEPTEMBER 2019

SCALE:

1 : 100

DRAWING #

D101

**Public Meeting – 35 Barrows Road
Wednesday, November 20, 2019
Foran Greene Room – 4th Floor, City Hall**

Present: **Facilitator**
 Glenn Barnes

City of St. John's
 Gerard Doran, Development Supervisor
 Hope Jamieson, Councillor – Ward 2
 Sandy Hickman, Councillor at Large
 Shanna Fitzgerald, Legislative Assistant

Proponents
 Justin Fong, representing the proponent, Quidi Vidi Brewery

There were approximately 30 people in attendance, including Councillor Hickman and Councillor Jamieson.

CALL TO ORDER AND BACKGROUND PRESENTATIONS

Glenn Barnes, Chairperson and Facilitator for tonight's meeting, called the meeting to order at 7:01 pm and outlined the process to ensue.

PURPOSE OF MEETING

Glenn Barnes, Chairperson and Facilitator, outlined the purpose of the meeting which is to consider a discretionary use application submitted by Quidi Vidi Brewery requesting approval for an Outdoor Eating and Lounge Area at 35 Barrows Road. The floor area will be approximately 110 m² and will be located on the second level off the Tap Room. The proposed operating hours for the patio will be in line with the Tap Room.

Discussion – Background and Current Status:

Gerard Doran, Development Supervisor for the City, reiterated the purpose of this meeting and noted that this matter was brought forward at the Regular Council meeting of October 21, 2019 and a motion was made to have a public meeting on this matter. There was an increased radius for public notifications of this meeting to include others within Quidi Vidi.

It was noted that this zone is industrial use and not light industrial use. There was a misconception that this area was zoned as light industrial use. The fish plant and brewery are considered industrial use and the brewery is a permitted use under food

and beverage production. It was noted that the regulations have been adopted since 1994 and rezoning has not occurred.

Mr. Doran outlined the following points:

- Staff is investigating the disturbance caused by the activity of the brewery. The Brewery is located in an industrial zone; and if it was being run as a fish plant, there would be heightened activity in the area. The site and harbor are active.
- Parking is also under review. When the application for the Tap Room was reviewed in 2008 there was no consideration made for parking. In the current application the proponent is requesting parking relief. This year transportation has identified about 60 parking spaces within walking distance of the site (Regiment Road, which had a significant update, and Cuckhold's Cove Road with 30 informal spaces).
- Initially in the application for the site work, there was a large accessory building on site, but has since been removed. Warehouse space off site is being rented by the proponent.

PRESENTATION BY THE DEVELOPER

Mr. Justin Fong was in attendance to speak on behalf of Quidi Vidi Brewery. He referenced the following items of concern to residents:

1. Parking

In the last year Cadet Road has been paved to include more parking and now includes a metrobus turnaround. This allows guests to take the bus. Parking is now available on Regiment Road and Cuckhold's Cove Road.

2. Noise

This area has been an Industrial Zone since 1994. Forklifts and trucks are in operation from 8 am to 5 pm Monday to Friday. The diesel-powered shipping containers on site have been replaced with electric sea containers that are smaller and not as noisy. He noted the view is less obstructed and there is no sound emanating from the containers.

3. Traffic

The brewery has rented warehouse space in Donovans. The brewery has 3 delivery vans which operate 5 days a week and on average they would make 3-4 stops to the brewery daily to reload. By moving distribution to Donovans those delivery vans do not have to come to the brewery. Storage and materials are now delivered to the warehouse. This has caused a big improvement in the traffic previously caused by the brewery.

The following points were also noted:

- The Tap Room operates 7 days a week and most nights are closed by 9 pm. There are a few exceptions: Thursday, Friday and Saturday have live music. It was noted that on Thursday nights the music is finished by 8 pm. Saturday afternoons there is a musician playing from 2-5 pm. The loudest night is Friday night when the brewery has its Kitchen Party event. This event is comprised of guys who have been playing for 15 years. This event is public and the busiest night of the week. On Friday nights the music is finished by 10 pm. Mr. Fong did note that in the summertime the Kitchen Party can get hot and they have the windows open in the summer. This was noted to be an issue in the complaints.
- The wharf was once patio space and is now used as storage. Prior to 2018 it was functioning as a patio. In the current application the new patio is proposed just above this existing wharf.
- The new patio will be closed by 11 pm on weekend nights and there are no speakers outside. The windows will be similar to what they are now with doors that open up to the patio.
- There is no storage facility on site in the new plan due to the current rental of the space in Donovans.

COMMENTS FROM THE FLOOR

Glenn Barnes invited those who wanted to speak to line up at center microphone.

The following is a summary of comments that represent the people who spoke and raised concerns and or objections about the development at the meeting. It is noted that the majority of those who spoke live near the subject property.

- Residents do not want noise 7 nights a week until 12:30 – 1 am.
- The hours of operation could creep to a later time.
- Safety of residents in their homes is an issue with people hanging around late at night.
- People would stick around past closing time which means noise later at night.
- Parking is limited for residents in front of their homes.
- Trucks are using the driveway to turn around which is causing damage to the asphalt.
- No longer safe and peaceful.
- Objected to the expansion as there were indoor brewing tanks and small tap room there previously and now there is an outside brewery and storage yard which is inches from abutting land. Sea cans are against abutting property land.

- Residents were of the understanding that the area was light industrial zone and not industrial.
- Section 10.29 of the St John's Development Regulations state that IQ Zone permitted uses are fish processing, harbor use, handcraft and cottage industries, and food and beverages uses, provided such uses are in appropriate scale. It was felt that the appropriate scale has been exceeded.
- A landscape buffer should be required between the brewery and resident's property as a screen will not stop noise. Noise bounces off cliffs and it's a sound bowl due to the unique geographic location.
- Parking relief was questioned for full industrial village.
- Baby related businesses in Quidi Vidi have no parking left. Brewery employees are parking there and parking all day.
- Esthetic of Quidi Vidi is affected by the brewery tanks and a noisy business that is detrimental to the surrounding fishing village. The appearance of this activity is ugly to tourists and for residents through their windows.
- Tap room over 100 decibels last week when measured. There is concern that the deck will be noisy with food noises and the door opening and closing.
- The Salt Box downtown had their proposal turned down because of potential noise for people who live 3 blocks away, but this industrial brewery is in middle of residential area. Quidi Vidi is a gem within the city. It's a small fishing village that now holds a large industrial brewery.
- Resident provided a picture that was taken from adjoining property that showed activity on the lot with boxes and delivery trucks and a busy parking lot.
- Weddings can be an issue because of the large party buses.
- Concern about the historic value of Quidi Vidi. It was noted that there are guidelines around heritage in Quidi Vidi. The Village should be designated as Historic.
- Water is decreasing in size now because of extension into water.
- Quidi Vidi has the highest pedestrian traffic with no sidewalks.
- Brewery is no longer a microbrewery and is now a major industrial project. It increases everything else in the village and because traffic and parking issues already exist the issues will be magnified.
- Parking is an issue in Quidi Vidi as boaters could not get up and down because people have parked within the launch way.
- Suggestion was made for there to be parking on site where the sea cans are.
- Restaurant will bring more people and more noise and will ruin the good thing they have going now.

In response to these concerns Justin Fong and Gerard Doran noted the following:

- Justin Fong noted the brewery is open weekdays but only until 9 pm. The patio will only be open for 6 weeks approximately based on the weather.
- Gerard Doran noted the discretionary use application can put condition on hours stated on the application.
- Gerard Doran noted the parking relief clause is at the discretion of Council. City staff would develop parking throughout the Village to allow it. It is not an unusual request to require parking relief.
- Gerard Doran noted that there is a requirement for a screen fence between the brewery and the full length of the abutting property. There can be a 3M landscape buffer or a screen fence. This application includes a screen fence.
- Justin Fong noted that they have approximately 30 staff and that staff park at the brewery, on Cadet Road as well as Cuckhold's Cove Road.
- Justin Fong noted that the brewery tanks do not make noise now as they were changed from diesel to electric to mitigate that issue. The brewery changed the storage containers last week.
- Justin Fong noted that the containers shown in the photo of the parking lot that was presented by a resident have now been removed off site.
- Gerard Doran noted that the waterfront area being developed is also industrial Quidi Vidi. The owner of the property applied for a water lot which consists of 10M from shoreline into harbor to extend wharf. Two individual property owners applied to develop land between the large wharfs and the brewery and were successful in their applications. These were Crown land applications with development plans.
- Justin Fong commented that parking on site was maintained because they removed rock face and moved the larger sea can.

The following is a summary of comments that represent the people who spoke and support the development at the meeting.

- It was noted that the accessory building being relocated is a positive change to the application.
- Resident commended the Fongs for what they have done with the property as well as their mitigation of noise levels.
- Visitors' experience is important, and tourism is a large part of Quidi Vidi.
- Brewery is an asset to the Village.
- Brewery is a key attraction in the Village and a very popular tourist attraction.
- Moving distribution off site has made a big difference to the congestion of the site.

- It was noted that the paving of the road has made a significant improvement to parking.
- If deck area is closed at a reasonable hour sound should not be an issue.
- This project is a benefit and a positive contribution to the community. It does not detract from surrounding properties.
- Resident commends concessions that have been made and recommends that more are made.
- This development will not worsen the parking or the traffic. Parking has always been a problem, but overall improvements have been made.
- Building is not any bigger as they are just adding a deck.
- Brewery is a positive contribution to the community.

It is noted that a majority of the people that spoke offered their support of the brewery but had concerns about parking, noise and traffic.

CONCLUDING REMARKS

The Facilitator acknowledged receipt of written submissions which will be appended to this report and proceeded to outline how the comments of the meeting will be captured and forwarded to Council:

- a) All written submissions will be redacted in accordance with Privacy Legislation and will be appended to this report.
- b) Comments made at the meeting will be referenced by the name of the person responsible, ONLY if it is their wish that their name be referenced.
- c) All other comments will be summarized and presented as either being in favor or opposed to the matters raised.

This report highlights the points made without reference to the persons responsible for making them. The Chair, however, did encourage those who wished to have their comments registered to make a written submission which, would be appended to this report.

Mr. Barnes indicated that once the minutes of this meeting are prepared and combined with written redacted submissions, the matter will be included in the published Council Agenda in due course.

ADJOURNMENT

The meeting adjourned at 8:23 pm.

Glenn Barnes
Chairperson/Facilitator

Karen Chafe

From: [REDACTED]
Sent: Thursday, September 26, 2019 6:24 PM
To: CityClerk; Sheilagh O'Leary; Mayor; Hope Jamieson
Subject: 35 Barrows Road

Application for 35 Barrows Road

Outdoor patio - ???

Hours open til midnight- not acceptable. There's are Tap Hours after Thursday. Quidi Vidi is also a residential area. I do no know the small details of regulations BUT surely there must be protection of noise levels, and traffic concerns (people and vehicles).

This is not George St. It is a place where there are families, seniors etc living in Quidi Vidi.

[REDACTED]
[REDACTED]

Sent from my iPhone

Elaine Henley

From: [REDACTED]
Sent: Tuesday, October 15, 2019 12:24 PM
To: CityClerk
Subject: Re: Submission re Quidi Vidi's application to add an outdoor eating and lounge area

See attached
My revised version is below, with the right dots and commas.
Trusting these changes will make all the difference!
Happy Thanksgiving!
[REDACTED]

City submission

Sent from my iPad

To: Office of the City Clerk
Submitted by: [REDACTED]
Original is on record, minor typos corrected
[REDACTED]

Re: QVB, 35 Barrows Road, proposed Outdoor Eating and Lounge Area

We are [REDACTED]
[REDACTED], Barrows Road, immediately [REDACTED] to, and East of Quidi Vidi
Brewery. Both of these lots [REDACTED] with the east side
of Quidi Vidi Brewery.

Herein, we are voicing our strong opposition to approval of the above-mentioned, proposed expansion.

Our opposition to this proposed expansion is justified on the following grounds:

1. Zoning Issues:

The Quidi Vidi Brewery (QVB), is zoned 'Light Industrial' to accommodate the fish plant operation which originally existed on this site. However, in recent years, QVB has significantly expanded its operations from a small craft brewery with a very limited beer service license, to become a large brewing operation with a fully licensed bar, that includes regular entertainment and off-license beer sales.

This proposed expansion potentially introduces zoning-related issues, because the outdoor eating deck is just one small part of a comprehensive expansion plan that has been progressing on a piece-meal basis for several years. **There has been no public review or consultation relating to the QVB's overall development plan, and, this plan is still not available to members of the public, except via freedom of information application.**

It is also a serious issue that no permits were issued by the city for significant portions of QVB's past expansion, and no reviews or public consultations have been undertaken to determine whether QVB may already have exceeded the development limits that apply to a 'light-industrial' zoned business operation.

Prior to further QVB expansion, a zoning review needs to be undertaken, as well as a future development review, fire and safety reviews, and, most importantly, a well-advertised public consultation with the residents of Quidi Vidi Village, who have already been adversely affected by the Brewery's expanded operations.

QV residents need to know, for example, whether installations on the QVC waterfront already constitute a zoning infraction. Currently, there are outside brewing tanks, sea-cans, storage trailers, beer pallets, metal water containers, hop refuse bins, piles of beer kegs, and a plethora of unattractive beer production equipment, that collectively constitute an eyesore on our beautiful Quidi Vidi waterfront. Are these installations consistent with a 'light' industrial business?

Questions:

1a. Given that Quidi Vidi Village is primarily zoned as a residential area, with substantial open parkland space, scenic walking trails, seasonal fishing and boating operations, how can the City justify expansion of what is already an over-industrialized, commercial operation? This is not George Street, nor Donovan's Industrial Park, but a traditional, historically important community, that also happens to be our home.

1b. Are there zoning laws and development guidelines that apply to the establishment of a large, busy, and noisy, brewing operation? How do these guidelines compare with those of the initial QV craft brewery, which had just a few brewing tanks, inside the building?

1c. Are there precedents elsewhere in the city, or elsewhere in the province, where a major brewery operation has been permitted in a residential area?

1d. Has the City referenced the zoning regulations that apply to large scale brewery operations with regard to vehicular access, parking, noise protection, ocean and wildlife protection, and fire regulations?

2. Public/Neighbourhood Consultation Issues:

QVB's previous expansions (e.g. several noisy brewing tanks), were completed with no public consultation, and no communication with adjacent neighbours, and no input from the many residents of the village who are indirectly affected by the traffic, noise and aesthetic issues resulting from this expansion.

Questions:

2a. Why did the City fail to consult with previously established community groups such as the Quidi Vidi Development Foundation, or the Quidi Vidi Property Owners Association, prior to permitting QVB's entrance expansion, brewing tank installations, removal of parking stalls, and installation of sea extensive beer storage sea cans and trailers?

2b. Why do QV village residents still not have access to the brewery's detailed renovation plans, so they might then have the opportunity to identify potential issues, **prior to the City's approval?**

2c. In the absence of a public hearing or other public consultation, (other than the recent soliciting of 'comments' by residents within 150 metres), how can City Council members hope to render a fair decision on this expansion application, by October 21st? Many residents, who stand to be adversely affected by this expansion, do not even know this extensive expansion has been proposed.

2d. Why is the proposed deck area larger on the detailed drawings (obtained via Freedom of Information application), compared with the artist's sketch shown seen on the city's mail-out?

3. Noise Bylaw Issues:

In addition to the noise generated by its extended beer production operations, the QVB has now become a 'George Street' type, 7 days a week, year round entertainment center, with brewery tours, tastings, and expanded entertainment functions. It is open to the public 10A.M - 12 P.M, Sunday to Monday, and 12P.M -12A.M. Thursday to Saturday, with live music. The QVB Hop Shop outlet keeps similar hours, selling beer and merchandise on a daily basis. Each of these activities generates considerable noise, inappropriate for a residential area.

Quidi Vidi has unique geological features, producing a 'sound-bowl' effect, which amplifies ambient sounds, when they bounce off the steep cliffs directly across from the QVC waterfront. Ironically, this is the exact area where the brewery is seeking to extend their outdoor eating and lounge area. Undoubtedly, music will also be playing in this expanded entertainment area, further increasing noise levels throughout much of the village's residential area.

Questions:

3a. Whereas current noise bylaws are strictly enforced in downtown areas of the city, why are these same bylaws routinely ignored in Quidi Vidi Village?

3b. Why did the city recently reject a proposal for a similar deck expansion at the Salt House, on the St John's waterfront, which is not a residential area, but are now considering approval of a noisy outside deck extension, **located right in the middle of the residential community of Quidi Vidi Village?**

3c. Why do residents' noise complaints and requests for decibel level testing of generators repeatedly go unanswered?

3d. Can decibel tests be conducted, within the next 2 weeks, prior to approval of this proposed QVB expansion, as this outdoor deck would most assuredly add to the noise currently deflecting off the rocks surrounding Quidi Vidi Harbour?

4. Aesthetic issues:

Whereas a few Quidi Vidi residents recently voiced complaints about a single trailer which they viewed as an 'eyesore,' Quidi Vidi Brewery has now filled up its entire parking lot with unsightly beer brewing equipment, ugly sea cans, and unsightly metal storage units. What used to be a pleasant area for locals, tourists, and fishing buddies to gather near the water, now appears to be an industrial ship-loading dock, or even a junk yard. This is hardly the view that Quidi Vidi residents paid for, or ever expected to see on their Quidi Vidi waterfront..

Questions

4a. Given that local residents are permitted to build only small, traditional, shed like buildings, how does the city justify allowing the QVB to fill up their property with ugly metal containers, and, how can the city also approve the oversized 2-storey beer storage buildings that are clearly indicated on the brewery's detailed building plans?

4b. When is the City planning to release the QVB's detailed plans of the entire expansion, including, stairs, entrances, parking stalls, and permanent storage buildings? (Most residents, with properties near the brewery, have yet to view these extensive building plans, to determine the

degree to which these two storied storage buildings may impact their sight lines, water views, and access to sunlight).

5. QV Residents' Rights to the Peaceful Enjoyment of their Properties:

All citizens and taxpayers of St John's have the right to enjoy living on the properties they purchased as their primary residences. However, persistent noises are produced by the QVB, as follows:

- outside brewing tank generators and fans,
- refrigerated sea can storage units,
- a 24/7 diesel powered reefer generator
- noisy outside smokers,
- late-night drunken revellers, swearing loudly as they wait for taxis,
- back- up alarms on delivery trucks, from 7 A.M onwards,
- perpetual rattling of beer bottles, reverberating off the cliffs,
- frequent idling of large delivery vehicles,
- and, traffic congestion created by brewery patrons, idling, illegally, along the narrow street, because the brewery has no place for them to park.

Many QV Village residents wonder why our city by-laws, are perpetually being ignored by both the Brewery, and City officials. Some wonder why we still live here, because the noise, unpleasant smells and congestion are destroying the village's aesthetic appeal, and are fast eliminating the reasons why we paid a premium to purchase our properties, and continue to pay amongst the highest residential property taxes in the city.

Our 'peaceful enjoyment' rights have been seriously eroded, as large and noisy commercial interests have been allowed to proliferate throughout the Village.

Questions:

5a Why are city planners choosing to ignore the Quidi Vidi Village Development Plan which outlined building standards and placed limits on non-traditional architecture, over- development, and construction of inappropriate, oversized buildings? Wasn't the QV Development Plan

commissioned by City Council, and later adopted in principal by a majority of Council Members?

5b. Why is there such inconsistent application of building and development guidelines and city bylaws? Fair application of existing regulations would greatly improve the peaceful enjoyment and quality of life of all Village residents.

6. Traffic and Safety issues:

Increased brewing capacity and extended bar hours has increased all traffic in and out of Quidi Vidi Village, but there is now a steady stream of large delivery vehicles squeezing into and out of the Brewery's small parking lot.

There is insufficient room on Quidi Vidi's narrow streets for these large vehicles, and local residents are often blocked from entering or exiting their own driveways. Large delivery trucks must back up into, or turn around in private driveways.

Since there are no sidewalks, tourists and pedestrians are often in peril as they attempt to walk around those trucks. It is only a matter of time before an emergency occurs, and ambulance services can also be blocked from entering the Gut.

With many brewery deliveries arriving at the same time, there is frequently situations where these large, noisy, diesel powered vehicles, are forced to idle, thereby polluting the atmosphere throughout the residential areas surrounding the brewery.

Questions:

6a. Before entertaining a proposal to further expand the QVB operation, why doesn't the city take appropriate action to address existing traffic and safety issues?

6b. Why would city officials or Village residents choose to make a bad situation even worse by further permitting the addition of a food service business which would add food delivery trucks, more patrons in vehicles, and increased traffic congestion?

6c. Why is there not a collaborative initiative in place for city officials and QV residents to investigate traffic and safety issues, to come up with a viable solution that would be acceptable to the QVB, while also considering the rights and needs of Village residents?

7. Parking Issues:

The lack of public parking spaces has long been an issue in Quidi Vidi. As the brewery's operations and number of patrons has expanded, so too has the need for more parking. At present, the Brewery does not have enough parking for their own staff, let alone for their many patrons. Former parking stalls on the brewery's wharf area are now all eliminated to accommodate freezer container parking.

By extending the Brewery's operations to include food services, parking issues will be compounded.

Despite NO PARKING signs in our driveways, residents near QVB are inundated by vehicles illegally parking on our properties

Violations of our private property spaces increases in conjunction with the Brewery's daily tours, special functions and weekly kitchen parties.

Expanded restaurant services will require additional parking, which is not available. Therefore, approval of this application will result in increased illegal parking on Barrows Road, and in private driveways.

Questions:

7a. Why is the Brewery not in compliance with the requirement that one parking space be allocated for every 5 square meters of space?

7b. Where are the parking stalls to support this application for further expansion?

7c. Why are city officials not actively working with QVB to help this rapidly expanding business move the industrial side of their operation away from this small residential area and into a larger, more appropriate location? Relocation of the brewing operation to an approved, industrial area would address most of the current traffic, safety, parking and noise-related issues.

Conclusions and Recommendations:

As neighbours, [REDACTED]

[REDACTED] we strongly reject the QVC proposal to expand the Tap Room, which already has loud, amplified music, crowded events, late operating hours, and no taxi waiting area. This unwarranted expansion would be an unacceptable addition to our community, and also detrimental to the quality of life of Village residents.

Quidi Vidi Brewery's Discretionary Use application requesting approval for an Outdoor Eating and Lounge must be denied, and existing brewery issues with Noise, Traffic and Parking must be immediately resolved.

[REDACTED]

On Tue, Oct 8, 2019 at 2:01 PM CityClerk <cityclerk@stjohns.ca> wrote:

[REDACTED]

We thank you for your feedback and advise that your comments will be forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions will be presented to Council for consideration prior to reaching a final decision on this application.

Elaine Henley

Elaine Henley

City Clerk

Elaine Henley

From: [REDACTED]
Sent: Tuesday, October 8, 2019 9:22 AM
To: CityClerk
Subject: Fw: 35 Barrows Road Micro Brewry

From: [REDACTED]
Sent: October 8, 2019 8:06 AM

Subject: 35 Barrows Road Micro Brewery

Micro Brewery started out as a manufacturing / production facility for Beer , at the present time I wouldn't, call it micro with over 50 employees. From what i read on the Development regulations it appears to require" **one parking space for every 50 square meters of net manufacturing area** . The working production crew from Micro Brewery and the Mallard Cottage staff have grown to devour any parking space in the village without respect for the residents.

The Mallard Cottage Restaurant was permitted to open without the nine parking spaces required under the development regulations and reduced to one as a special favor to the owners . This should have never happen again! Now here we go again.

Now it appears from the application the Micro Brewery is expanding for a Restaurant / Tavern / Takeout is obviously proposed with a floor area of 110 square meters !

- **Restaurant** : requires one parking space per 5 square meters of seating space
- **Tavern** : requires one parking space per 5 square meters of seating space

Using 110 Square meters as the area of seating space compliment, dividing by the factor of one parking space per 5 square meters of seating space. Under Section 9 of the development Regulations the required of **22 Parking Spaces** would be required. No mention in mail out?

No mention of the new extensions and proposed accessory offices and building on the property? **Its time for Council and our Councillor to be Honest with us and to work with the Community as was proposed in the Quidi Vidi Village overlay Plan. Our launch-way is being soo**

soo sold to the highest bidder while Council was offered it for a \$1 which could not work our community on traffic solutions in the are of the Maple View Place area. Its criminal that there is a backing up nightmare around the Plantation and launch way which is being totally ignored by the Development and Traffic Committee to accommodate deep pockets.

The Quidi Vidi Village Overlay Plan at the present time has not addressed this Traffic and parking in our committee . What Happened? A Public hearing is required to get full disclosure on this proposal !

Thanks,

[REDACTED]

Elaine Henley

From: Hugh McDermott <hugh@quidividibrewery.ca>
Sent: Friday, October 18, 2019 4:18 PM
To: CityClerk
Subject: FW: 35 Barrows Road application

From: Hugh McDermott <hugh@quidividibrewery.ca>
Sent: Friday, October 18, 2019 4:12 PM
To: 'Gerard Doran' <gdoran@stjohns.ca>
Subject: 35 Barrows Road application

In response to submissions relating to the application:

A number of changes have been made that have reduced traffic, noise and parking issues and several further changes are in process. The brewery is making every effort to be good neighbours and minimize impacts.

1. With the completion of the Cadet Road parking area by the City we have noticed a significant reduction in traffic levels in the village. This development has had a major, positive impact on the whole area. As a suggestion for further improvement, the City could post signs in the village advising that parking is available on Cadet Road.
2. This past winter we opened a warehousing and distribution facility in Donovan's Industrial Park. The purpose was to reduce traffic and noise at the 35 Barrows Road facility. The result has been a significant reduction in traffic and an increase in safety.
3. Most sea containers and temporary storage units will be removed. Any that do remain will be painted to blend with the surrounding landscape and buildings. This will improve the visual appearance of the site and significantly reduce noise.
4. On-site staff parking will be restored due to the removal of the storage units.
5. The number of brewery employees has increased over time but only a small fraction of those are located at the brewery or are there at any one time. Many of our staff work out of our warehousing and distribution facility in Donovan's Industrial Park or in Corner Brook. While our overall staffing levels have grown the number of employees at the 35 Barrows Road location has actually decreased.

Submitted respectfully,

Hugh McDermott
General Manager

Elaine Henley

From: [REDACTED]
Sent: Monday, November 11, 2019 4:22 PM
To: CityClerk
Subject: Comments for Public Meeting November 20, 2019
Attachments: QV Brewery Zoning, QVV Development Plan 2014.pdf; Brewery Expansion.pptx

Please ignore incomplete email sent in error earlier today...

We are [REDACTED]. We are strongly against the application to expand the QV Brewery at 35 Barrows Road. I am resending the presentation made to the City Council meeting of Oct 21, 2019 for the sake of good order.

I also am enclosing the excerpt regarding Area E from the 2014 QVV Overlay & Design Guidelines Study that clearly shows that there is no possible lateral expansion permitted, only renovations within the existing footprint as shown in the attached picture. The picture shows the parking area for 12 or so vehicles and no storage tanks added to the existing footprint.

Please confirm your receipt and acceptance of these exhibits.

Thank you,

AREA E



AREA E

Area E Consists of the Quidi Vidi Brewery and the adjacent lots to the east.

Properties in Area E	Possible Development		Maximum Size			Character			Comments "E"
	New	Renovation	Total Height (Storeys)	Possible Lateral Expansion	Total Foot Print	Form	Appearance	Site	
E1 (#15)		YES	2	NO	E	Sch.B	Sch. B	Sch.B	
E2 (#53)	YES	YES	1	YES	600SF	Sch.B	Sch. B	Sch.B	
E3 (#55)		YES	E	NO	E	Sch.B	Sch.B	Sch.B	
E3 A	YES		1 ½		400SF	Sch.B	Sch.B	Sch.B	
E3 B	YES		1 ½		900SF	Sch.B			Should be developed in conjunction with E3 A
E4		YES	2	BACK(North)	25%	Sch.B	Sch.B	Sch.B	

Key
LHS – Left Hand Side
RHS – Right Hand Side
E - Existing



APPEAL TO QUIDI VIDI BREWERY EXPANSION, [REDACTED]

SEPTEMBER 29, 2019

1. QVB APPLICATION – 35 BARROWS ROAD

- To Look at this Application as a Modest Expansion to an Existing Business is WRONG.... We Need to Look at the BIG Picture [REDACTED]
- Far Too Often, Council Receives Applications Piecemeal. Far Too Often, Approvals are Granted Again and Again and Again for the same location
- The QV Brewery has Outgrown the Neighbourhood; it Needs to Stop
- Council may not see the Overall Changes and Negative Impact the Brewery has had on Quality of Life to Residents, but WE do... We Live it Everyday
- If this Application were Made in Full 7 Years ago, here is What would it Look like...
 - Application to Quadruple Production
 - Remove Existing Customer Parking and Replace with Unsightly Sea Cans [REDACTED]
 - No Plan or Care for Increased Truck Traffic and Patron Parking
 - No Consideration of Noise and Disruptions to Neighbours
 - 100 person Beverage Room/Restaurant with Restricted Access

2. QUALITY OF LIFE IN QUIDI VIDI GUT

- We are proud Home Owners in Quidi Vidi Gut at [REDACTED]
- Quidi Vidi is a Natural Treasure that the City must Respect and Protect
- City has wrongly allowed the Gut to be over-developed and exploited
- We are NOT against the QV Brewery; we support the Brewery
- We ARE against the City not following its own Rules - There have been several QV Development plans but they are Not Adhered To or Enforced
- City Officials Come and Go. One cannot be accountable for the Actions of his or her Predecessor, but We need to look at the Whole Picture
- To illustrate the point of the Negative Impact to the Quality of Life in the Gut, here are some “Before” and “Now” slides for Council’s consideration

3.1 BEFORE: PARKING & NOISE

Limited parking by water and No Noise except when construction at 40 Barrows Road began where QVB Parking could have been...



3.2 NOW: PARKING AND NOISE

There is No QVB Customer PARKING. Patrons continue to Park illegally in ■ Barrows Road parking. Designated QVB Parking is taken up for storage of materials in unsightly sea cans. NOISE comes from 3 sources: 1) Refrigerated Container running 24/7; 2) Inebriated Patrons waiting for rides or cabs; 3) Big trucks and fork lift starting at daylight



4.1 BEFORE : TRAFFIC

Traffic Control (*or lack of it*) has been an ongoing problem for residents for years. The City has been non-responsive to resident's concerns and suggestions to control/restrict traffic. Buses were finally stopped after several years of lobbying, for which we are thankful. Foot traffic has grown 10-fold in the last few years and pedestrians are at risk and accidents are frequent. While we readily share our beautiful community with the world, traffic and safety must improve...



4.2 NOW: TRAFFIC

- Traffic can be held up for 30 minutes or more by oversized vehicles making deliveries or pickup at the QVB
- Emergency vehicles can not get to or from Barrows Road with the backup of vehicles
- Barrows Road is restricted to one lane at several spots. Trucks (*several per day during weekdays*) block passage
- Big trucks can only access the brewery by using our driveway or parking space
- It is a dire situation now; additional traffic for food services will make it worse



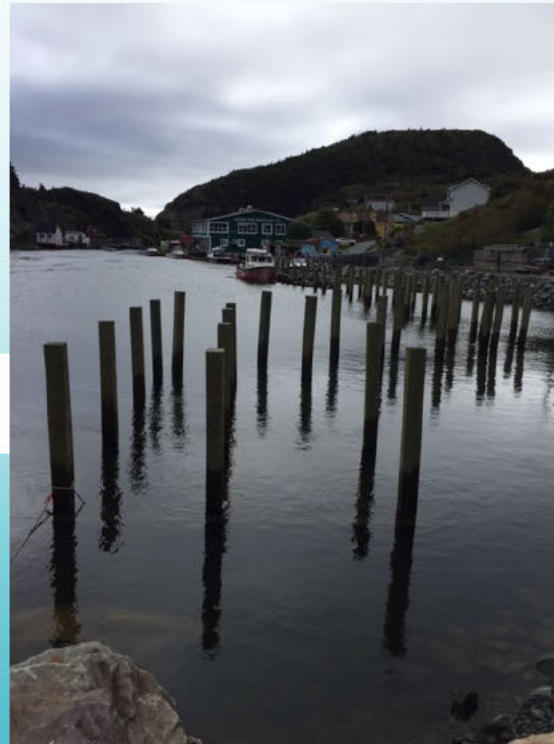
5.1 BEFORE: ENVIRONMENT AND WILDLIFE

- The single biggest issue is what we have allowed to be done to our community – development has to STOP
- When we moved to Quidi Vidi we enjoyed the natural beauty, tranquility and space we share with Nature
- We enjoyed song birds singing, ospreys and eagles soaring, sea otters playing and trout and salmon jumping



5.2 NOW: ENVIRONMENT AND WILDLIFE

- This year, there were no song birds singing, no ospreys or eagles hunting, no otter families playing and no trout or salmon jumping
- They left; we took their green space and ocean from them... we let greed and poor governance guide us
- We likely can not change the past but we can stop causing further damage... no expansion at QVB
- Let them take their production offsite, address parking and traffic and have a proper long range business plan in place... not simply make applications to City one project at a time, because that's what works



Karen Chafe

From: [REDACTED]
Sent: Thursday, October 31, 2019 8:35 PM
To: CityClerk
Subject: Support for 35 Barrows Rd however a need for neighbourhood specific engagement

I support Quidi Vidi having a eating space & lounge area at their establishment. I understand that tap room hours are noon until 10pm Sunday to Wednesday & noon until midnight Thursday to Saturday. I support the outdoor establishment as long as these hours allow respectful interaction with the neighbourhood & the neighbourhood is consulted on their wants & needs. Is midnight too late for an outdoor space in such a small space? I'd rely heavily on folks living in that neighbourhood to help make the decision. Please keep in mind that Quidi Vidi is a unique space, there may be unique acoustics in an area sounded by hills & water, and of course neighbours are close by. I trust all councillors to inform their vote by speaking with people in that neighbourhood.

Quidi Vidi is a very unique area of St. John's & I would like to see us continue to make the area a great place to visit for everybody while respecting the environment & neighbourhood itself.

Thank you!

Karen Chafe

From: [REDACTED]
Sent: Wednesday, November 20, 2019 11:54 AM
To: CityClerk
Subject: 35 Barrows Road - Public Meeting

To Whom It May Concern,

My name is [REDACTED] in St. John's. I am unable to attend the meeting tonight. However, I want to share my support for this project. I support the application by Quidi Vidi Brewery to add to their facility. I think it'd be great for residents in the area like myself. Additionally, it'd be nice for tourists and make the area a more attractive destination.

Thanks again,

[REDACTED]

Sent from my iPhone

Elaine Henley

From: [REDACTED]
Sent: Monday, November 11, 2019 2:44 PM
To: CityClerk; Danny Breen; Hope Jamieson
Subject: 35 Barrows Rd Quidi Vidi St John's Outdoor Eating and lounge Area

To Whom it May Concern,

As a resident and property owner in Quidi Vidi, I would like to extend my approval for the above noted application. This development seeks to enhance the visitor experience of the community in a positive way.

Sincerely Yours

[REDACTED]

Elaine Henley

From: [REDACTED]
Sent: Tuesday, November 19, 2019 4:07 PM
To: CityClerk
Cc: [REDACTED]
Subject: Discretionary Use Application - Outdoor Eating and Lounge Area, Quidi Vidi Brewery, 35 Barrows Road

To: Office of the City Clerk

Together with my wife [REDACTED] of Quidi Vidi Brewery. As the Brewery's [REDACTED] neighbours, we are/have been one of the most impacted by Brewery operations. For reasons outlined below, we are strongly opposed to this Discretionary Use Application. We are also very concerned about other existing/proposed developments at the Quidi Vidi Brewery (including a proposed Accessory Building, which available drawings show to be of unspecified height and located at our property line). A public consultation program is required to address Quidi Vidi Brewery's overall development plan and to mitigate our concerns about the piecemeal, non-consultation development process currently underway. Unfortunately and due to prior business commitments, I am unable to attend the meeting on November 20, 2019. However, I would like you to bring the following concerns to Council's attention.

An overview of our issues is as follows:

- In the recent past, Quidi Vidi Brewery has significantly expanded its operations beside our property. This has involved installing unsightly beer brewing tanks beside the building together with even more unsightly sea cans (refrigerated, noise generating beer storage units) and brewing refuse scattered beside our property line. This outside operational/storage yard has the appearance of a poorly run, waste transfer facility rather than a well managed, light industrial operation adjacent to a residential area. At the same time, the Brewery has also evolved into a "George Street" type, seven day per week, year round, entertainment centre/tap room/tavern, which is open 12 – 10 pm Sunday to Wednesday and 12 – 12 pm, with live music, Thursday to Saturday. This is not just a craft brewery with a tasting room open to the public.
- These developments have already seriously impacted our quality of life:
 - **Appearance.** The visible shipping and storage area is a mess and in contravention of related Development Regulations. Of particular concern is the installation of the unsightly storage containers and transport trailer on the property without the required permits and approvals.
 - **Noise.** We are bombarded with noise from the 24/7 refrigerated sea cans / generator units, from drunks getting sick and swearing as they leave the bar around midnight and from back-up alarms on equipment beginning in the early hours of the morning. Amplified music from Thursday to Saturday events is audible and already a disturbance inside our residence and especially on our attached deck.
 - **Traffic.** Increased brewing capacity has also increased all, but in particular, large vehicle traffic into/out of the Brewery. There is insufficient room for these large vehicles and traffic is being blocked as they use Barrow's Road and/or they try to manoeuvre down the hill to the Brewery. It is only a matter of time before a blocked emergency vehicle incident occurs.
 - **Parking.** The lack of public parking spaces has been a long term issue in Quidi Vidi. Increased traffic associated with Brewery operations/clientele, however, is now compounding this problem. In fact, the

Brewery is in contravention of parking space requirements for its operations. Despite NO PARKING signs in our driveway, we are increasingly being inundated by vehicles illegally parked on our property. Violations of our parking space increase in conjunction with Brewery events.

Our concerns and opposition are also based on:

- Our residence is situated about 35 m from the proposed Outdoor Eating and Lounge Area. Other “Points of Reception” on our property are even closer. In this case and in regards to the City of St. John’s Development Regulations (Last Revised November 2019) and Noise By-Law (No. 1405, Amendment No. 1460 and 1508), I would like to point out that:
 - The existing Brewery development and the proposed Outdoor Eating and Lounge Area are already and/or will be, respectively, in contravention of Noise By-Law Clause 3, which states that “*No person shall emit or cause or permit the emission of sound resulting from an act listed herein (like production, reproduction or amplification of sound), and which sound is clearly audible at a Point of Reception*”. As defined in the Noise By-Law (see 2. c), “Point of Reception” means any exterior point on the property of a person where sound, originating from other property, is received.
 - The Brewery is situated in a “light industrial use” zone. As defined in the Development Regulations, this use is intended to be carried out without detriment to the amenity of the surrounding area by reason of, among other things, noise and appearance. Clearly this is not the case with the Quidi Vidi Brewery.
 - In order to comply with Clause 7.4 Commercial Development Adjacent Residential Areas (b), the Brewery has to screen outdoor parking, shipping and storage areas directly visible from adjacent Dwellings. This has not been done.
 - The existing Brewery development significantly exceeds and is in contravention of Development Regulation, Clause 7.34 Craft Brewery / Distillery (b), which requires that “*The area dedicated to production and storage shall not exceed 500 m²*”. There is no space to expand these operations on this site.
 - The existing Brewery Tap Room / Restaurant is clearly in contravention of Development Regulation, Section 9 – Off-Street Parking Requirements, Clause 9.1.1, which requires “*one parking space per 5 m² of seating area*”. The proposed Outdoor Eating and Lounge floor area of 110 m² would require additional parking spaces and, due to existing space limitations, the existing contravention would be compounded if this Application is approved. It is very concerning to us that the Quidi Vidi Brewery is allowed to operate its Tap Room/Restaurant without the required parking spaces.
 - We are also concerned about a proposed Accessory Building, which available drawings show to be of unspecified height and located, without set-back, at our property line. If this Building is part of an application to the City, it appears that it may exceed the height requirement for non-residential use (i.e. 5 metres) in Clause 8.3.6 Accessory Buildings (3) (ii) together with the location requirement (i.e. a minimum of 1.2 metres from the nearest lot lines) in Clause 8.3.6 Accessory Buildings (4) (i) (b).

Provision of a second floor deck off the Tap Room, which has no provisions for parking, would have live, amplified music, and operating hours up to 12 pm is an unacceptable addition adjacent to our property. Quidi Vidi Brewery’s Discretionary Use application requesting approval for an Outdoor Eating and Lounge Area should be denied.

Respectfully submitted,

Karen Chafe

From: [REDACTED]
Sent: Friday, November 22, 2019 8:43 AM
To: CityClerk; Hope Jamieson; Mayor; Sheilagh O'Leary
Subject: 35 Barrows Road and eating area

Hi

I missed the deadline for in person meeting. However I would like to submit my thoughts. I live here. Already there is noise from delivery vehicles, late night patrons / visitors with music blaring from party buses, regular vehicle visitors noise, already established commercial businesses activities here with related noise etc and now more noise potential with outdoor patio ????? This is also a residential area and seniors , children as well as working class need sleep and the benefit of residential living.

Quidi Vidi is sought after by tourists, photographers, hikers etc because it is so close to nature and the ocean. But the traffic here is still not looked after enough by the city. Noise level is another thing that the city must act responsibly with. Outdoor patio and drinking , people partying etc. The residential living down here is incrementally being made uncomfortable. The reason tourists and visitors come here so much is also incrementally being eroded.

[REDACTED]

Sent from my iPhone

Karen Chafe

From: [REDACTED]
Sent: Thursday, November 21, 2019 10:27 AM
To: CityClerk
Subject: 35 Barrows Road

Hi, I am very concerned with the addition of a deck at the Quid Vidi Brewery!. I am 6th generation Quidi Vidi Village, i own [REDACTED] We have seen so many changes in the last few years, we don't even recognize where we are from anymore!...with the Mallard Cottage, the brewery and tourists, Its like living in an amusement park!!!!...it is dangerous for young kids! Also the Brewery has made the look of the village HORRIBLE with an abundance of shipping containers, delivery trucks, storage everywhere!!! It's a ZOO!. It was once a beautiful fishing village, now its all about the MONEY!!!! I am now retired and will spend my days protesting this extension plan!. Our community has had enough! I haven't served in the Army and spent the last 15 years in Law enforcement to be Pushed out of MY community by people with money! Because money has always won!. Not this time, our community has had enough. I will be making flyers myself and trying my best to put a stop to this....enough is enough! Every year its a new project. It stops now!

Your truly

[REDACTED]
6th Generation Quidi Vidi Village

Sent from my Bell Samsung device over Canada's largest network.

DECISION/DIRECTION NOTE

Title: Application to Rezone Land to the Residential Medium Density (R2) Zone for development of 4 Townhouses
REZ1900012
98 Cornwall Avenue (corner of Glenview Terrace)

Date Prepared: December 2, 2019

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 3

Decision/Direction Required:

That Council adopt the attached resolution for St. John's Development Regulations Amendment Number 704, 2019.

Discussion – Background and Current Status:

The City has received an application to develop 4 Townhouses at 98 Cornwall Avenue (corner of Glenview Terrace). To consider this application, the property would need to be rezoned from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone. The property is vacant but was previously a gas station (Esso), which is a non-conforming use under the R1 Zone. The properties surrounding 98 Cornwall Avenue are zoned Residential Low Density (R1) and are mainly single detached dwellings. An amendment to the St. John's Municipal Plan is not required.

The proposed amendment was advertised on two occasions in The Telegram newspaper and was posted on the City's website. Property owners within 150 metres of the application site were also notified, and written submissions were received. A public meeting chaired by Cliff Johnston, MCIP, was held on November 13, 2019. Minutes from the meeting are included for Council's consideration.

While the current development is proposed to be 1 storey in height, concerns were raised about the overall height allowed in the R2 Zone (3 storeys) and the impact it would have on the neighbourhood. Corner lots are an appropriate location to encourage higher density development and greater height as they act as a transition area between busier streets and residential neighbourhoods. The permitted uses within the R2 Zone are residential and provide variety in housing form, while increasing density in a manner that is appropriate and compatible with surrounding homes.

ST. JOHN'S

If the rezoning application is considered, a subdivision application would be required, as the property at 100 Cornwall Avenue will remain in the R1 Zone. The proposed lot configuration will need to be finalized to meet the City's Development Regulations. Also, as the site was a former gas station, the applicant will be required to provide certification prior to the development stage that appropriate remediation was completed in compliance with Government Services standards.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring municipalities and property owners.
3. Alignment with Strategic Directions/Adopted Plans:
City's Strategic Plan 2019-2029: A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: An amendment to the St. John's Development Regulations is required to rezone the property.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

It is recommended that Council adopt St. John's Development Regulations Amendment Number 704, 2019, which will rezone land at 98 Cornwall Avenue from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone to allow the development of 4 Townhouses.

If the attached amendment is adopted by Council, it will then be referred to the Department of Municipal Affairs and Environment with a request for Provincial Registration in accordance with the provisions of the *Urban and Rural Planning Act*.

Prepared by/Signature:

Lindsay Lyghtle Brushett, MCIP, Planner

Signature: _____

Approved by - Date/Signature:

Ken O'Brien, MCIP, Chief Municipal Planner

Signature: _____

LLB/dlm

Attachments:

Zoning Map

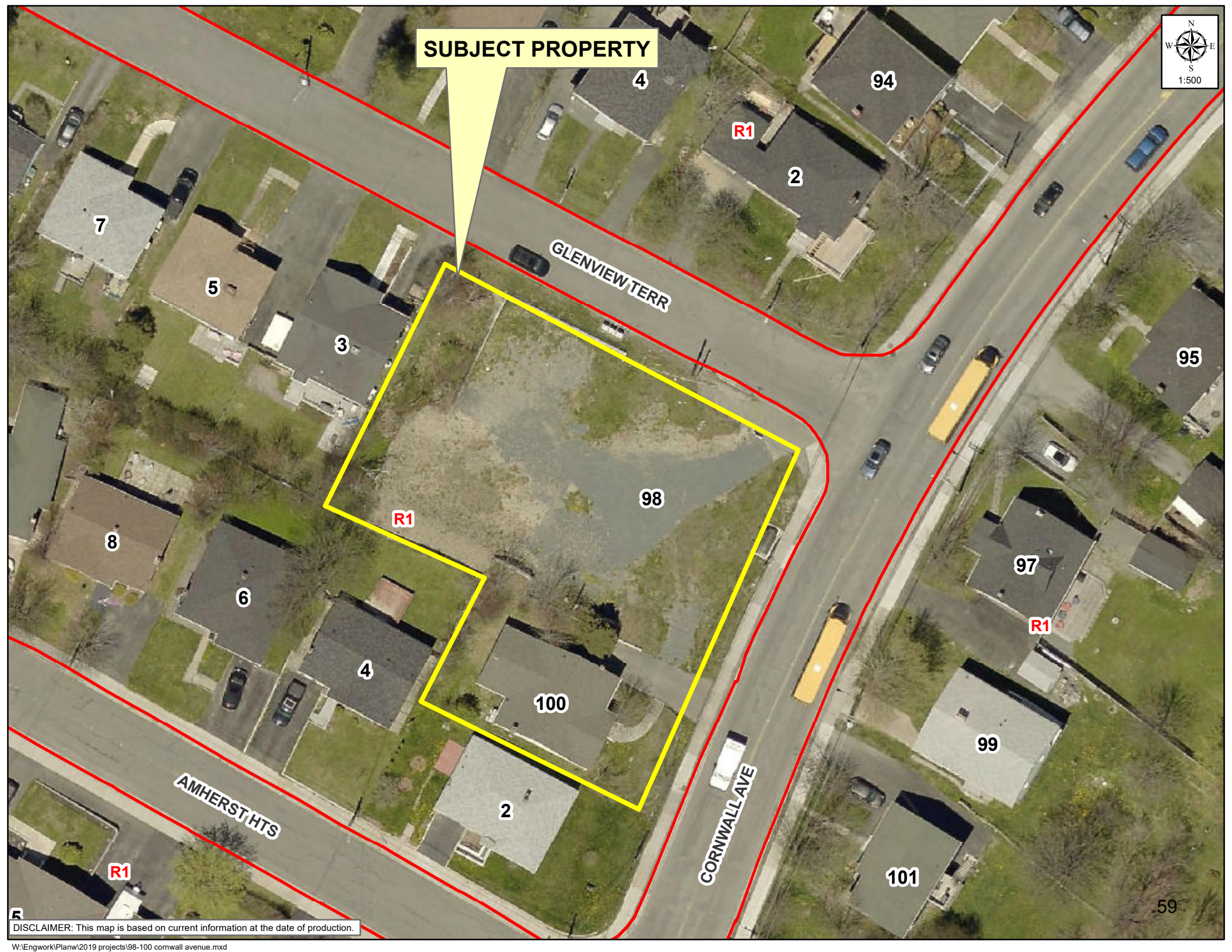
Resolution

Meeting minutes

G:\Planning and Development\Planning\2019\Mayor & Council\Mayor - 98 Cornwall Avenue Adoption December 4 2019(llb).docx



SUBJECT PROPERTY



5
DISCLAIMER: This map is based on current information at the date of production.

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 704, 2019

WHEREAS the City of St. John's wishes to allow the development of 4 Townhouses at 98 Cornwall Avenue.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations in accordance with the provisions of the Urban and Rural Planning Act:

Rezone land at 98 Cornwall Avenue (PID 6561) from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal and Intergovernmental Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed, and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this ____ day of _____, 2019.

Mayor

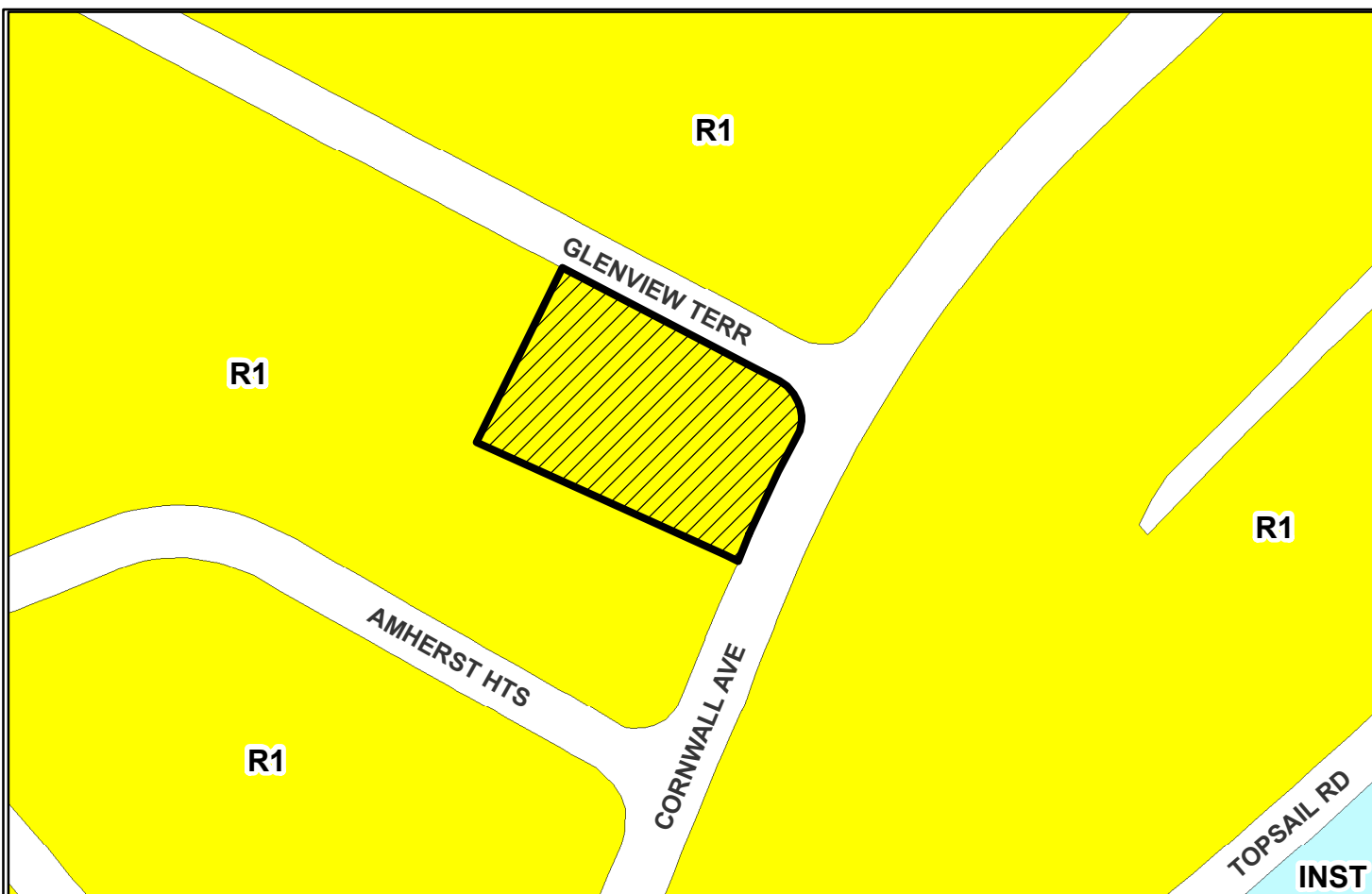
MCIP

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

City Clerk

Council Adoption

Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 704, 2019
[Map Z-1A]**

2019 11 28 Scale: 1:1250
City of St. John's
Department of Planning, Development
& Regulatory Services

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE

**98 CORNWALL AVENUE
Parcel ID 6561**

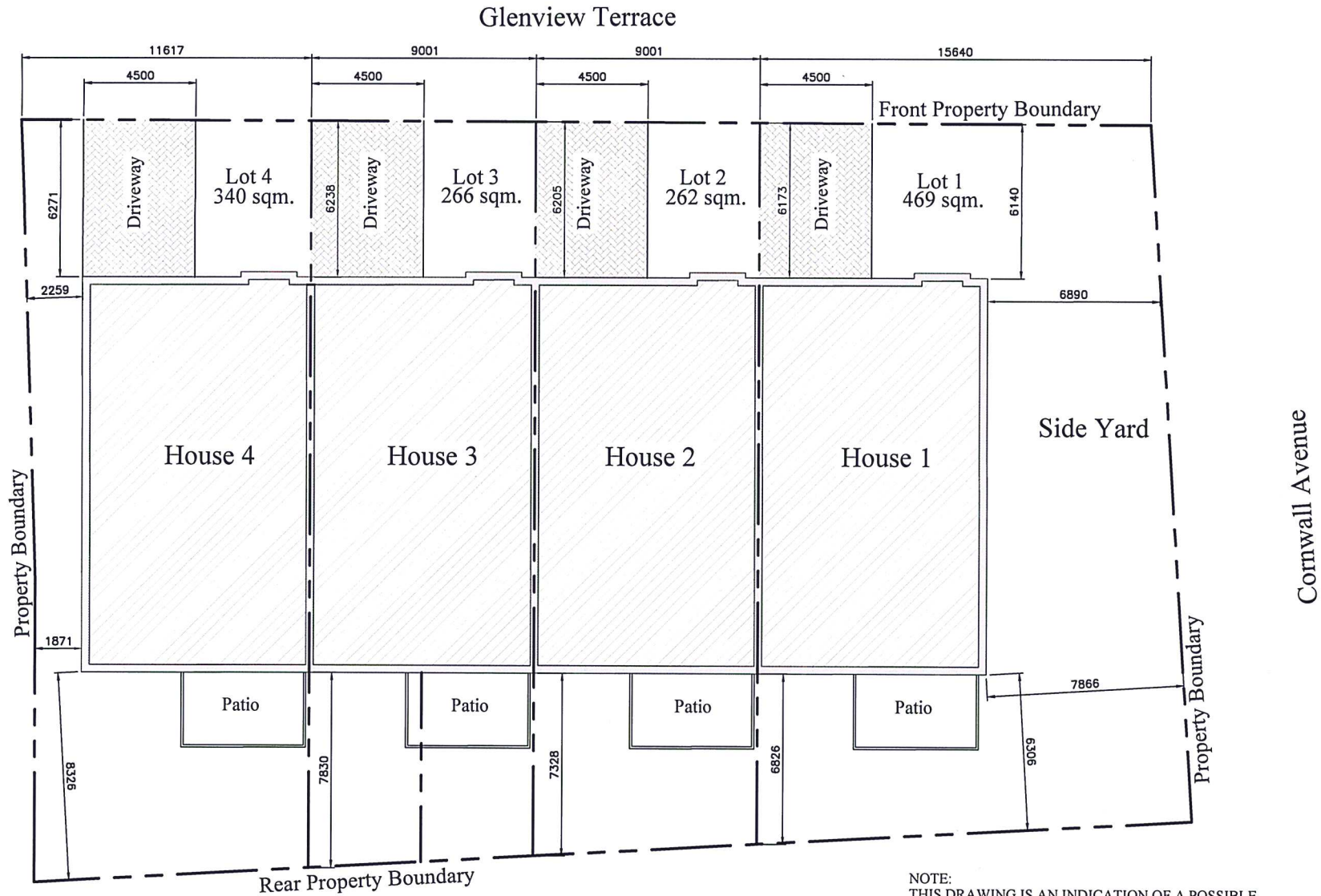
M.C.I.P. signature and seal

Mayor

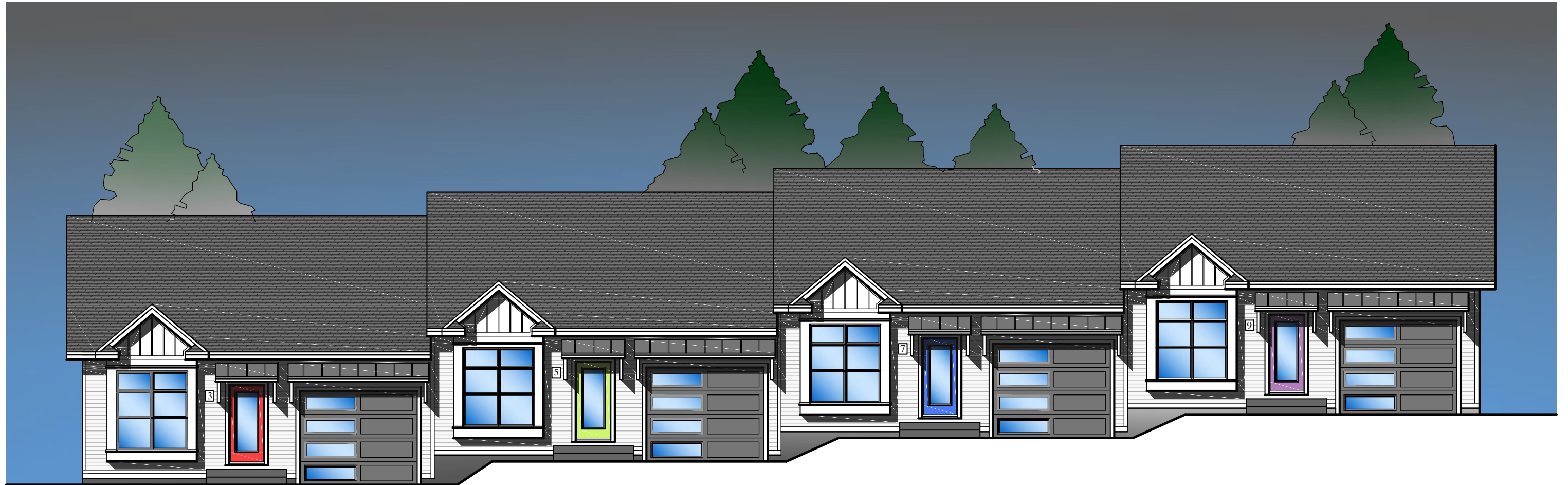
City Clerk

Council Adoption

Provincial Registration



NOTE:
THIS DRAWING IS AN INDICATION OF A POSSIBLE
SITE LAYOUT AND IS TO BE USED FOR DISCUSSION
PURPOSES ONLY.



Cornwall Avenue Townhouse Development
Front Elevation

**Public Meeting – 98 Cornwall Avenue
Wednesday, November 13, 2019
Foran Greene Room, City Hall**

Present: **Facilitator**
 Cliff Johnston

City of St. John's
 Lindsay Lyghtle-Brushett, Planner
 Maureen Harvey, Legislative Assistant

Proponents
 Rod Jackson and Vicki Hapgood

There were approximately twelve people in attendance in addition to Councillor Jamie Korab.

Residents in attendance included:

- | | |
|--------------------------------|----------------------|
| 1. R. Walsh | ████████████████████ |
| 2. Joel Adams | ████████████████████ |
| 3. Amy Adams | ████████████████████ |
| 4. Leah Wroblewski | ████████████████████ |
| 5. Beth Price | ████████████████████ |
| 6. Desiree Newhook | ████████████████████ |
| 7. Janet Fitzgerald | ████████████████████ |
| 8. Andrew Garland | ████████████████████ |
| 9. Valerie Spencer (Nee) Davis | ████████████████████ |
| 10. Dave Perchard | ████████████████████ |
| 11. April Tucker | ██████████████████ |
| 12. Richard Pardy | ████████████████████ |

This report highlights the points made without reference to the person responsible for making them.

CALL TO ORDER AND BACKGROUND PRESENTATIONS

Facilitator Cliff Johnston introduced himself and the head table. He advised he was present to facilitate the meeting, and to keep the process efficient, effective and respectful. The Facilitator acknowledged the four written submissions which will be included in this report.

He then invited the City's Planning Officials to speak about the proposed development which was followed by comments from the developer and feedback from the residents in attendance.

PURPOSE OF MEETING

Lindsay Lyghtle-Brushett, City Planner presented the following information.

Decision/Direction Required:

To consider a rezoning application for 98 Cornwall Avenue from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone to allow 4 Townhouses. An amendment to the St. John's Municipal Plan would not be required.

Discussion – Background and Current Status:

The City has received an application to develop 4 Townhouses at 98 Cornwall Avenue (corner of Glenview Terrace). The property is currently zoned Residential Low Density (R1) which does not allow the proposed use. The applicant has requested to rezone the property to the Residential Medium Density (R2) Zone in which Townhouses are a permitted use. The property is vacant but was previously a gas station (Esso), which is a non-conforming use under the R1 Zone. The properties surrounding 98 Cornwall Avenue are zoned Residential Low Density (R1) and mainly are single detached dwellings.

The property is designated Residential Low Density under the St. John's Municipal Plan. This District applies to those areas with a predominance of single detached dwellings and as per Section 2.3.1 of the Municipal Plan, subject to a Land Use Assessment Report (LUAR), the City may permit zones to allow medium density residential uses that Council may deem to be compatible. Therefore, the property could be rezoned to R2 without an amendment to the Municipal Plan. Given the small scale of the proposed development, it is recommended that this staff report be accepted as the LUAR.

The St. John's Municipal Plan (Section 2.2.2) states that the City shall promote more intensive use of existing services through infill, rehabilitation and redevelopment projects, while working toward enhancing neighbourhoods by encouraging the development/redevelopment of quality housing, as well as capitalizing on any opportunities to diversify such housing (Section 2.2.5(2)). Envision St. John's also encourages a range of housing to create more diverse neighbourhoods for all ages, income groups and family types. The proposed townhouses would provide variety in the local housing form and help to increase density in an appropriate manner. The proposed design is complementary to existing single-family homes in the neighbourhood. Corner lots are an appropriate place to encourage higher density development, as they are considered transition areas: built form (building height) tends to be slightly higher along busier, main streets (in this case Cornwall Avenue) and then transitions to a lower building height as development moves toward more predominately residential streets.

The permitted height different between the R2 and R1 Zones is 3 storeys as opposed to 2 storeys (maximum), although the current proposal is designed as only one storey. There are no engineering concerns with the proposed amendment. The property survey shows 98 & 100 Cornwall Avenue as one property. If the rezoning application is considered, a subdivision application would be required. The proposed lot configuration will be finalized to meet the City's Development Regulations.

As the site was a former gas station, the applicant will be required to provide certification prior to the development stage that appropriate remediation was completed in compliance with Government Services standards.

Questions with respect to the zoning requirements were put forward and addressed by the City Planner.

PRESENTATION BY THE DEVELOPER

The developer confirmed the information given by City Staff and noted that he is undertaking this single-storey townhouse development of four units with the objective of keeping them affordable. He mentioned that they are designed such that the roofline blends in with the grade on Glenview Terrace.

DISCUSSION FROM THE FLOOR

The following is a summary of the positions put forward by those who spoke at the meeting:

- The proposed development looks good and should enhance the area.
- Confirmed that the units will not be rental properties and will be sold on the open market.
- Upon question it was noted that it is hope that construction will commence within the next year and will likely continue for 12 months.
- The market for the sale of homes in this area is not favorable at present noting that the proposed price for these smaller units is equal to or more than a detached single-family dwelling that recently sold.
- While the proposed design is appealing, there is no guarantee if the property is rezoned, that the proposed design will be the final product and it may not blend with the mature neighbourhood that residents currently enjoy.
- Consideration ought to be given to the City purchasing the property for the purpose of retaining it as a green space or community garden or as part of a climate initiative. *(It was noted the City could not interfere with an existing sales transaction as is the case here)*
- Questions whether the City believes there is a need for more housing given the poor economic climate and listings that are not selling.

- The traffic problem on Cornwall Avenue will be amplified, particularly during construction. The City ought to be addressing traffic and speed on Cornwall Avenue.
- It was confirmed that the structure at 100 Cornwall Avenue will not be demolished.
- This type of infill development is in keeping with the Municipal Plan and is good for the City from a servicing perspective.
- The design will mitigate any risk to neighbouring properties of it becoming an unfavorable addition to the neighborhood.
- Very good proposal with a lot of foresight and respectful of the surrounding area.
- Upon question as to statistics on the demand for townhouses, the City Planner noted she will be happy to research.
- Upon question of whether the City considers this proposal to be a good fit, it was noted by the City Planner that in keeping with the Municipal Plan to encouraged mixed use within the zone and the proposed development is a favorable transition to that initiative.
- When questioned on whether the developer would consider single family dwellings – it was noting that that type of unit would not be feasible for the sale price being sought.

CONCLUDING REMARKS

It was noted that once the report of this meeting is prepared and combined with written submissions, the matter will be referred to Council at a regular meeting to be determined. Agendas for the Council meetings are available for viewing on the Friday preceding the Monday meeting.

The Chair encouraged those who wished to have their comments registered and accountable to a respective person or persons, to make a written submission no later than November 22, 2019 to ensure they are appended to this report.

ADJOURNMENT

The meeting adjourned 7:45 pm.

Cliff Johnson
Chairperson/Facilitator

Maureen Harvey

From: CityClerk
Sent: Monday, November 18, 2019 11:51 AM
To: Maureen Harvey
Subject: FW: Rezoning

Please include in submissions

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, November 13, 2019 3:54 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: RE: Rezoning

Sorry....forgot to include the address. The rezoning application is for 98 Cornwall Avenue.
Thanks

Sent from [Mail](#) for Windows 10

From: CityClerk <cityclerk@stjohns.ca>
Sent: Wednesday, November 13, 2019 11:38:45 AM
To: [REDACTED]; CityClerk <cityclerk@stjohns.ca>
Subject: RE: Rezoning

Good Morning [REDACTED]

To which rezoning/application are you referencing?

I want to ensure that it is properly directed to Council.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, November 12, 2019 8:26 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: Rezoning

As it is now; the neighborhood is a well established area, made up of mostly single-dwelling units. There is a sense of cohesivnous and community in the area. In my opinion, adding four townhouses would destroy the overall appeal of the area, as well as the landscape.

It would stick out like the proverbial "sore thumb", and bring other property values down. This would be sad to those of us who have spent many years improving our properties. (I've lived here for almost 20 years)

As well, there already is a Bus Stop (and Bus Shelter), directly in front of the property.

I don't believe that profit for some, should come at a high cost to others, especially when the cost is our neighborhood.
Therefore, I do not think this application should be approved.

[REDACTED]

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

Elaine Henley

From: [REDACTED]
Sent: Tuesday, October 29, 2019 5:31 PM
To: CityClerk
Subject: 98 Cornwall Ave.

I live on Glenview Terrace and my only concern is exiting onto Cornwall or entering Glenview Terrace. If there are driveways at the bottom on Glenview Terrace this will add to the now very busy intersection as Glenview Terrace is a very busy street. The application should of had a proper layout for this development for us to view. Thank-you

[REDACTED]

To Whom it may concern

I am totally against putting up
Four Town House at 98 CORNWALL AVE.
The neighbors & myself worked hard to
get the zoning changed to Res. I
from what it was.

I honestly do not know how they
could consider it. With 4 Town
Houses. There will be at least 8 cars
parking there plus there is well used
Bus stop in the front of the property.
Facing Cornwall Ave. which cannot
be moved. Also Glenview Terrace is
a very busy street.

A single Family home would be
ideal for the size of the lot.

If you have any questions about
what I have written please call me
at my address above

Thank you for letting me know
about the plan

I will definitely be at City Hall
Nov. 13 at 9:00 PM.

Yours Truly

Elaine Henley

From:



Saturday, October 26, 2019 1:50 PM

To:

CityClerk

Subject:

98 Cornwall Crescent

To the City Clerk:

Although I expect you there may be some resistance from the neighbourhood, (see Whiteway and Rodney St.) I would just like to send this quick email in voice of my support.

Low-density development is a parasite on city finances and service while upzoning is a clear and proven mode of betterment. Want lower taxes? Want well-run and effective city services? Then support rezonings like these, whatever the individual profit-driven particulars may be; for the greater good.

Best regards,



Elaine Henley

From: [REDACTED]
Sent: Thursday, October 24, 2019 11:57 AM
To: CityClerk
Subject: Fwd: Public Meeting - 98 Cornwall Avenue

Hi there,

I wanted to write in support of rezoning land at Cornwall Avenue to R2.

Cornwall Avenue features three different bus routes - the 1, 2, and 3. These are some of the higher-frequency and most useful routes in the Metrobus system. In order for St. John's to reduce its greenhouse gas emissions from the transportation sector, residents must be empowered to travel by modes other than private car. Currently, only 3% of commuters in St. John's get to work by public transit, while the Canadian average is 12%.

City Council can make lifestyles with fewer cars per household convenient and pleasant by exercising their discretion in favour of allowing people to live in close proximity to already-effective transit routes. Rezoning this land to r2 would do just that.

Thank you,
[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Thu, Oct 24, 2019 at 11:36 AM
Subject: Fwd: Public Meeting - 98 Cornwall Avenue
To: [REDACTED]

This location is on THREE bus routes - the 1, 2, and 3.

----- Forwarded message -----

From: St. John's e-Updates <eupdates@stjohns.ca>
Date: Thu, Oct 24, 2019 at 10:56 AM
Subject: Public Meeting - 98 Cornwall Avenue
To: <PUBLCNOTICE@listserv.stjohns.ca>

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

=====

Public Notice

Wed, 2019/11/13 - 7:00pm

Public Meeting - 98 Cornwall Avenue

Application

A Public Meeting will take place regarding a rezoning application at 98 Cornwall Avenue (corner of Glenveiw Terrace).

Description

An application is being considered to rezone land to the Residential Medium Density (R2) Zone to allow the construction of four Townhouses.

Time, Date & Location

7 p.m., Wednesday, November 13, 2019
Foran/Greene Room, fourth floor, City Hall

Comments

Provide your comments to the Office of the City Clerk including your name and address to: cityclerk@stjohns.ca or P.O. Box 908, St. John's, NL, A1C 5M2.

Comments received become a matter of public record and are included in the Council agenda for the date a decision on the application will be made. Any identifying information (including your name) will be removed prior to your comment being released publicly.

Collection of personal information is authorized under the Access to Information and Protection of Privacy Act, 2015 and is needed to consider your comments on this application. Questions about the collection and use of your information may be directed to the City Clerk at 709-576-8229 or cityclerk@stjohns.ca.

Additional Information

Notices are sent to property owners within 150 metres of the application site. For more information call 709-576-6192 or email planning@stjohns.ca.

[Background Information](#)

DISCLAIMER

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

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

Karen Chafe

From: [REDACTED]
Sent: Tuesday, November 19, 2019 9:32 PM
To: CityClerk
Subject: 98 Cornwall Avenue - Comments for re-zoning

Good evening,

I was in attendance at the public meeting last week and would like to provide some final thoughts before the Council makes their decision.

My spouse and I recently moved to this neighborhood. Things that drew us to the area included the trees and green spaces, the view of Southside hill and the lack of traffic on Glenview Terrace.

With regards to the re-zoning of 98 Cornwall, I think that the building of four one-storey townhouses would benefit the neighborhood, though I do worry that three stories is a possibility for future development which would change the look of the neighborhood significantly. I am also concerned about increased traffic in the area and hope that the city would be willing to put a solution in place if it becomes an issue.

With that said, I was happy to hear that 100 Cornwall will no longer be vacant during the construction of the townhouses and to hear that the townhouses will be one storey, affordable dwellings which meet current market demand. But, I do want to note as well that there are other areas in the neighbourhood that act as nice green spaces and hope that these do not quickly become possible areas of development due to this particular rezoning.

Thank you for your time and attention

--

[REDACTED]

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on December 6, 2019.**

Ref #	Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
1	63 O'Leary Avenue Commercial Industrial (CI) Zone Ward 4	<p>A Discretionary Use application has been submitted by Rogers Communication Inc. requesting to construct a telecommunications tower located at 63 O'Leary Avenue.</p> <p>Description In accordance with the obligations under the Radio Communication Act and Industry Canada's Tower Siting Procedure CPC-2-0-03, the City of St. John's hereby notifies property owners in the vicinity of 63 O'Leary Avenue of Rogers intention to construct a telecommunications tower system consisting of:</p> <ul style="list-style-type: none"> • A 40-meter self-supporting telecommunication tower (including antennas and a lightning rod. • A tower base measuring 6 meters on either side. • An equipment shelter located at the base of the proposed tower surrounded by a security fence with a locked gate access point. • Installation of 6 LTE (4G) antennas measuring approximately 2.09 m x 50 cm x 20.6 cm and 18 radio units measuring approximately 35 cm x 42 cm x 20 cm as close as possible to the top of the proposed tower. 	No Submission Received	It is recommended to approve the application subject to all applicable City requirements

The Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

ST. JOHN'S

Report of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

November 27, 2019, 9:00 a.m.

Present:

- Mayor Danny Breen
- Councillor Dave Lane
- Councillor Sandy Hickman
- Councillor Debbie Hanlon
- Councillor Deanne Stapleton
- Councillor Hope Jamieson
- Councillor Jamie Korab
- Councillor Wally Collins

Regrets:

- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Ian Froude

Staff:

- Kevin Breen, City Manager
- Derek Coffey, Deputy City Manager of Finance & Administration
- Tanya Haywood, Deputy City Manager of Community Services
- Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
- Lynnann Winsor, Deputy City Manager of Public Works
- Cheryl Mullett, City Solicitor
- Susan Bonnell, Manager - Communications & Office Services
- Elaine Henley, City Clerk
- Ken O'Brien, Chief Municipal Planner
- Shanna Fitzgerald, Legislative Assistant
- Garrett Donaher, Manager of Transportation Engineering

Finance & Administration - Councillor Dave Lane

Decision Note dated November 20, 2019 re: Executive Summary Report on Revenue and Expenditure

Recommendation

Moved By Councillor Lane

Seconded By Councillor Jamieson

That Council adopt the 2018 Executive Summary Report on Revenues and Expenditures and further, approve the recommendation to use \$5 million in surplus funds to pay down a portion of the pension debt as outlined and maintain the remaining balance on hand for unforeseen circumstances.

For (7): Mayor Breen, Councillor Lane, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, and Councillor Collins

Against (1): Councillor Hickman

MOTION CARRIED (7 to 1)

Planning & Development - Councillor Maggie Burton

Decision Note dated November 20, 2019 re: Amendment to Rezone Land to the Commercial Downtown Mixed 2 Zone (CDM2) for a Mixed-Use Building - REZ1900009

96 and 100 Water Street, 205 and 209 Duckworth Street

Designated Heritage Building (former Breakwater Books/S.O. Steele Building)

The recommendation of the Built Heritage Experts Panel was modified slightly to include b. Any revised drawings be brought back to the Built Heritage Experts Panel for recommendation prior to referral to a Public Meeting.

Recommendation

Moved By Councillor Jamieson

Seconded By Councillor Hanlon

As per the November 13th meeting of the Built Heritage Experts Panel

1. It is recommended that the design of the building be modified as follows:

- a. Increase the amount of brick and reduce the amount of glass façade, in particular along Water Street and along the façade facing the War Memorial;
- b. Increase the height of the gables facing the War Memorial to reflect the original architecture; and
- c. Use brick instead of glass for the turret.

2. The Built Heritage Experts Panel further recommends:

- a. Requirement of a comprehensive engineering study to ensure the protection of the facade on Water Street during construction; and
- b. Any revised drawings be brought back to the Built Heritage Experts Panel for recommendation prior to referral to a Public Meeting.

Staff agrees with these BHEP recommendations and further recommend the following:

3. It is recommended that the application to rezone 96, 100 Water Street and 205 and 209 Duckworth Street from the Commercial Central Mixed Use (CCM) Zone to the new Commercial Downtown Mixed 2 (CDM2) Zone be considered and the attached draft Terms of Reference for the Land Use Assessment Report be approved. The Terms of Reference have been updated to include:

- a. Requirement for an engineering study regarding how the Water Street façade will be maintained.
- b. Requirement for consultation with Heritage NL, the NL Historic Trust and the Royal Canadian Legion.

4. Refer the application to Parks Canada to determine if the proposed development will impact the designation of the NL National War Memorial National Historic Site.

5. It is recommended that the proposed development be redesigned to meet the standards set out in the Envision St. John's Development Regulations Commercial Downtown Mixed 2 Zone and incorporate the BHEP's recommendations.

6. Upon submission of a satisfactory LUAR that meets the requirements of the CDM2 Zone, it is recommended that the application be referred to a

Public Meeting chaired by an independent facilitator. Following the public meeting, the application would be referred to a regular meeting of Council for consideration of adoption.

For (8): Mayor Breen, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, and Councillor Collins

MOTION CARRIED (8 to 0)

Transportation - Councillor Sandy Hickman

Decision Note dated November 19, 2019 re: Temporary Parking Restrictions in Airport Heights

Council has asked for increased traffic enforcement on site until construction is complete.

Recommendation

Moved By Councillor Hickman

Seconded By Councillor Stapleton

That Council maintain status quo and not impose a temporary parking restriction in the area of Airport Heights.

For (8): Mayor Breen, Councillor Lane, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, and Councillor Collins

MOTION CARRIED (8 to 0)

Mayor

DECISION/DIRECTION NOTE

Title: Executive Summary Report on Revenue and Expenditure

Date Prepared: November 20, 2019

Report To: His Worship, The Mayor, & Members of Council

Councilor and Role: Dave Lane, Finance and Administration

Ward: All

Decision/Direction Required: Adoption of the Executive Summary Report on Revenues and Expenditures for the year ended December 31, 2018 and provide direction on the appropriation of the cumulative surplus.

Discussion – Background and Current Status:

The City of St. John's 2018 Executive Summary Report on Revenue and Expenditure is presented and discussed herein. It is important to distinguish between the Executive Summary Report presented in this note and the 2018 Audited Financial Statements that were approved by Council on November 12, 2019. The Audited Financial Statements are prepared using **Accrual** based accounting, whereas the Executive Summary report, while still based on audited information, is presented using **Cash** based accounting.

The primary difference between the two methods of accounting is the timing of when revenues and expenses are recorded. Accrual based accounting applies complex principles around revenue and expense recognition, which are often difficult for financial statement users that are not well versed in these concepts to interpret. Cash based statements are far less complex as they are based on when money is received or paid out. The City's budget is also prepared using cash-based accounting, which allows for direct comparison of budget versus actual results thereby strengthening the commitment to openness and transparency.

It is also worth noting, the budget presented in the Executive Summary Report is the City's adjusted budget. The adjusted budget is based on the original approved budget, adjusted to reflect transfers and changes that occur throughout the year. While these adjustments may increase the gross revenue and expenditure totals, they do not impact the overall bottom line since each expenditure adjustment is offset by a corresponding revenue adjustment, such that the two adjustments balance to \$0. These adjustments are made to prevent skewed expenditure or revenue variances that would materialize if a program budget were to incur expenses that are funded from an external source (i.e. a Federal or Provincial grant, or a reserve). A summary of adjustments that occurred during 2018 is presented in the table below;



	Revenue	Expenditure	Net
2018 Budget - As Approved by Council on December 11, 2017	294,591,088	294,591,088	-
Working Budget Adjustments:			
Transfer from Prior Years' Surplus for Early Pension Payment	5,589,034	5,589,034	-
Accommodation Tax Transfers	2,878,988	2,878,988	-
Federal Homlessness Partnership Program Funding	1,864,591	1,864,591	-
Transfer of Development Fees Collected to Parks and Open Spaces Reserve	1,299,783	1,299,783	-
Miscellaneous Transfers and Departmental Adjustments	(74,240)	(74,240)	-
2018 - Adjusted Budget, December 31, 2018	306,149,244	306,149,244	-

The report for 2018 shows a cash surplus of \$8,511,991. This surplus equates to 2.78% of the City's total gross adjusted budget of \$306,149,244. The major revenue and expenditure variances are summarized below.

Revenue Variances

Overall, revenues exceeded the budget by \$5.11M, or 1.7% of the gross adjusted revenue budget of \$306,149,244.

Within the revenue category, notable variances included;

1. **Commercial Realty:** Favourable variance of \$2.31M (3.3%) due primarily to differences between actual and estimated vacancy allowance claims and anticipated growth in the assessment roll.
2. **Utility Tax:** Unfavourable variance of \$757K (11.1%), due to a decline in what utility companies are deeming to be eligible revenues in the calculation of utility tax owing.
3. **Transportation Services:** Unfavourable variance of \$1.03M (46.9%) due primarily to less than budgeted revenue from parking meter receipts and sales of parking permits and parking meter smart cards.
4. **Tipping fees:** Unfavourable variance of \$1.16M (8.3%) due to lower than expected tipping fees based on waste received at the Robin Hood Bay waste facility.
5. **Construction permits:** Favourable variance of \$592K (14.0%) due to greater than budgeted revenue from building & repair permits.
6. **Rents & Concessions:** Unfavourable variance of \$490K (13.7%) due to less than anticipated Non-Profit Housing rental income.
7. **Investment Interest:** Favourable variance of \$1.03M (317.5%) due to higher than anticipated interest earned on City bank accounts. The City had excess cash on hand for a

period of time due to several capital works projects not advancing as fast as had been anticipated.

8. **Interest on tax arrears:** Favourable variance of \$1.13M (80.8%) due to conservative budget estimates for interest earned on tax arrears.
9. **Other Grants:** Favourable variance of \$485K (22.2%) due primarily to transfers from replacement reserves related to Non-Profit Housing Rental Units. These favourable revenue variances are offset by unfavourable expenditure variances in 6360 – Non-Profit Housing Units.
10. **Transfers from Reserves:** Favourable variance of \$2.26M (19.2%) due to primarily to \$3.02M transfer from the Robin Hood Bay operating reserve to fund the 2018 operating deficit for that facility.

For further detail regarding 2018 revenue variances, including a breakdown by revenue category, please see the Revenue section of attached 2018 Executive Summary Report.

Expenditure Variances

For 2018, actual expenditures were less than budget by \$3.40M or 1.1% of the gross adjusted expenditure budget of \$306,149,244. By expenditure category, notable variances included;

1. **General Government:** Favourable variance of \$1.23M (3.1%) due primarily to salary savings resulting from several temporarily vacant positions as well as savings in various materials and supplies and contractual services budgets.
2. **Protective Services:** Unfavourable variance of \$1.00M (3.1%) due primarily to labor and overtime (\$1.43M), and the one-time purchase of protective equipment (\$510K) in the St. John's Regional Fire Department. These overages were mitigated partially by savings in Parking Enforcement (\$272K) which were primarily due to less tickets being issued and hence less ticket processing costs paid to the provincial government.
3. **Transportation Services:** Favourable variance of \$627K (1.2%) due primarily to savings in maintenance of roads and sidewalks relating to repairs to concrete (\$500K), road gravel (\$43K), guide rails (\$54K), and pre-mixed asphalt (\$103K). Within snow clearing operations personnel services and salt were over budget by \$580K and \$485K respectively, while rental of trucks and lease of heavy equipment were under budget by \$170K and \$70K respectively.
4. **Environmental Health Services:** Favourable variance of \$2.13M (2.9%). Drinking water treatment reported a \$2.65M (6.5%) favourable variance due to lower than anticipated chemical use and electricity consumption. Waste water treatment reported a favourable variance of \$329K (3.9%) due to favourable variances in light & power, repairs to electrical,



engineering consultants, and various chemicals. Sanitary services reported an unfavourable variance of \$847K (3.7%) due to greater than anticipated use of pit run fill at the Robin Hood Bay facility.

5. **Environmental Development Services:** Favourable variance of \$74K (0.5%). Planning reported a favourable variance of \$175K (28.3%) due to less than anticipated expenditures under planning consultants (\$144K), and heritage grants (\$24K). Tourism Marketing Levy Expenditures reported an unfavourable variance of \$372K (8.2%) due to transfers to reserves related to accommodation tax revenue and capital grants to St. John's Sports and Entertainment. These variances are offset by favourable revenue variances in accommodation tax (\$72K) and transfers from reserves (\$300K). Tourism Development reported a favourable variance of \$114K (32.3%) resulting from favourable variances in personnel services (\$21K), professional & special services (\$29K), and grants to other groups (\$47K).
6. **Parks, Recreation & Cultural Services:** Favourable variance of \$247K (1.0%). Maintenance of Municipal Parks reported favourable variances of \$148K in personnel services, most of which are offset in snow clearing and the result of timing of staff transferring between snow clearing and parks maintenance, and \$280K under contractual services. St. John's Sports and Entertainment reported an unfavourable variance of \$747K (28.0%) due to a 2018 operating loss at the Mile One Centre. Railway Coastal Museum reported a \$96K (20.3%) favourable variance due to less than anticipated expenditures related to professional & special services and brochures & souvenirs.
7. **Fiscal Services:** Favourable variance of \$87K (0.3%) due to less than anticipated expenditures under Short-Term Debt Charges and trustee fees related to pension and sinking fund investments.
8. **Transfers to Reserves & Funds:** \$1.38M (6.0%) unfavourable due primarily to a reduction to commercial realty taxes receivable resulting from reassessment of the St. John's International Airport.
9. **Payroll Costs:** Favourable variance of \$508K (6.5%) resulting from less than budgeted expenditures related to employer share of CPP, EI, workers compensation, group insurance and pension costs.
10. **Fleet – Mechanical:** Favourable variance of \$875K (37.5%) due primarily to savings in gasoline (\$142K) and diesel fuel (\$492K).

Further detail regarding 2018 variances, including a breakdown by functional area and program, can be found in the Expenditure section of the attached 2018 Executive Summary Report.



Summary

The net result of the above, as mentioned, is a cash surplus for 2018 of \$8,511,991, which equates to 2.78% of the City's gross adjusted budget. Cumulatively, the City's unallocated surplus is \$13,561,927. It is recommended that the most prudent use of these funds is for the City to use \$5M to pay down a portion of the City's pension debt. Doing so, will reduce future years' special pension payments by approximately \$1,500,000 (net of regional recoveries) over each of the next four years. The balance should be held for unforeseen expenditures, namely emergencies that may arise.

Key Considerations/Implications:

1. Budget/Financial Implications

Information from the 2018 review of revenue and expenditures informs budget development in future years. Where significant variances exist, they are investigated and discussed with the relevant departments, and where necessary, budgets are adjusted in subsequent years.

In addition, using one-time surplus funds to pay down existing debt has the effect of reducing future years debt service costs. Residents and businesses in the City benefit from this approach as budget savings contribute towards minimizing mill rates and water taxes.

2. Partners or Other Stakeholders

All residents and business living and operating within the City of St. John's, as well as neighboring municipalities availing of regional water, waste water, fire protection, and waste management services.

3. Alignment with Strategic Directions/Adopted Plans

A Sustainable City - Be financially responsible and accountable.

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

4. Legal or Policy Implications

5. Engagement and Communications Considerations

6. Human Resource Implications

7. Procurement Implications

8. Information Technology Implications



9. Other Implications

Recommendation:

1. The 2018 Executive Summary Report on Revenues and Expenditures be adopted by Council.
2. Council approve the recommendation to use \$5 million in surplus funds to paydown a portion of the pension debt as outlined in this memo and maintain the remaining balance on hand for unforeseen circumstances.

Prepared by/Signature:

Kris Connors - Manager, Budget & Treasury

Approved by/Date/Signature:

Attachments: 2018 Executive Summary Report on Revenue and Expenditure

City of St. John's
Executive Summary Report on Revenue and Expenditure
For the year ended December 31, 2018

	Annual Budget 2018¹	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
Revenue				
Taxation	202,457,347	204,510,849	2,053,502	1.0%
Grants in lieu of taxes	8,800,000	8,775,803	(24,197)	(0.3%)
Sale of goods & services	41,982,079	40,017,638	(1,964,441)	(4.7%)
Other revenue own sources	11,643,694	13,844,001	2,200,307	18.9%
Grants other governments	29,511,156	29,995,975	484,819	1.6%
Other transfers	11,754,967	14,113,979	2,359,012	20.1%
Total Revenue	306,149,244	311,258,246	5,109,002	1.7%
Expenditure				
General government services	39,791,551	38,558,216	1,233,335	3.1%
Protective services	32,632,431	33,634,154	(1,001,723)	(3.1%)
Transportation services	52,970,453	52,343,807	626,646	1.2%
Environmental health services	72,405,649	70,273,863	2,131,786	2.9%
Environmental development services	16,466,571	16,392,221	74,350	0.5%
Parks recreation & cultural services	24,311,410	24,063,955	247,455	1.0%
Fiscal services	34,500,261	34,413,745	86,516	0.3%
Transfers to reserves & other funds	22,897,003	24,274,720	(1,377,717)	(6.0%)
Total Expenditure before transfers	295,975,329	293,954,682	2,020,647	0.7%
Transfers to other departments				
Payroll costs	7,838,616	7,330,960	507,656	6.5%
Fleet - mechanical	2,335,299	1,460,613	874,686	37.5%
Total transfers to other departments	10,173,915	8,791,573	1,382,342	13.6%
Total Expenditure	306,149,244	302,746,255	3,402,989	1.1%
Net Surplus	-	8,511,991		

Note:

1. The adjusted budget is based on the original approved budget, adjusted to reflect transfers and changes that occur throughout the year. While these adjustments may increase the gross revenue and expenditure totals, they do not impact the overall bottom line since each expenditure adjustment is offset by a corresponding revenue adjustment, such that the two adjustments balance to \$0 on the bottom line. These adjustments are made to prevent skewed expenditure or revenue variances that would materialize if a program budget were to incur expenses that are funded from an external source (i.e. a Federal or Provincial grant, or a reserve). A summary of adjustments that occurred during 2018 is presented in the table below;

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Working Budget Adjustments:			
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Accommodation Tax Transfers	2,878,988	2,878,988	-
Federal Homlessness Partnership Program Funding	1,864,591	1,864,591	-
Transfer of Development Fees Collected to Parks and Open Spaces Reserve	1,299,783	1,299,783	-
Miscellaneous Transfers and Departmental Adjustments	(74,240)	(74,240)	-
2018 - Adjusted Budget, December 31, 2018	306,149,244	306,149,244	-

City of St. John's
Revenue Report
For the year ended December 31, 2018

	Annual Budget 2018	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
Taxation:				
41112 Residential Realty	91,300,000	91,577,665	277,665	0.3%
41118 Commercial Realty	70,600,000	72,908,272	2,308,272	3.3%
41940 Accommodation Tax	3,196,847	3,268,588	71,741	2.2%
41991 Utility Tax	6,800,000	6,042,916	(757,084)	(11.1%)
44410 Water Tax	30,560,500	30,713,408	152,908	0.5%
Taxation: Total	202,457,347	204,510,849	2,053,502	1.0%
Grants In Lieu of Taxes:				
42100 Govt. Of Canada	5,000,000	4,977,085	(22,915)	(0.5%)
42200 Govt. Canada Agencies	950,000	945,958	(4,042)	(0.4%)
42300 Water Tax Grant	2,850,000	2,852,760	2,760	0.1%
Grants In Lieu of Taxes: Total	8,800,000	8,775,803	(24,197)	(0.3%)
Sales of Goods & Services:				
44100 General Government	3,604,992	3,648,617	43,625	1.2%
44300 Transportation	2,197,654	1,166,180	(1,031,474)	(46.9%)
44400 Environmental Health	19,348,149	19,477,226	129,077	0.7%
44435 Tipping Fees	13,891,604	12,732,158	(1,159,446)	(8.3%)
44700 Recreation	2,325,304	2,227,642	(97,662)	(4.2%)
44900 Other General	614,376	765,816	151,440	24.6%
Sales of Goods & Services: Total	41,982,079	40,017,638	(1,964,441)	(4.7%)
Other Revenue Own Sources:				
45120 Business Licenses	144,674	139,536	(5,138)	(3.6%)
45170 Construction Permits	4,230,878	4,822,831	591,953	14.0%
45200 Fines	1,954,150	1,892,691	(61,459)	(3.1%)
45300 Rents & Concessions	3,588,276	3,098,374	(489,902)	(13.7%)
45500 Investment Interest	325,716	1,359,845	1,034,129	317.5%
45600 Interest Tax Arrears	1,400,000	2,530,724	1,130,724	80.8%
Other Revenue Own Sources: Total	11,643,694	13,844,001	2,200,307	18.9%
Grants Other Governments:				
47100 Other Grants	2,180,600	2,665,571	484,971	22.2%
47107 CMHC Mortgage Subsidy	227,061	196,020	(31,041)	(13.7%)
47530 Recovery Debt Charges	20,645,505	20,653,672	8,167	0.0%
47550 Real Program Grants	61,500	67,778	6,278	10.2%
47555 NPH Subsidy	967,343	983,787	16,444	1.7%
47110 Gas Tax Rebate	5,429,147	5,429,147	-	0.0%
Grants Other Governments: Total	29,511,156	29,995,975	484,819	1.6%
Other Transfers:				
49200 Assessments	-	103,440	103,440	N/A
49300 Transfers From Reserves	11,754,967	14,010,539	2,255,572	19.2%
Other Transfers: Total	11,754,967	14,113,979	2,359,012	20.1%
REVENUE: TOTAL	306,149,244	311,258,246	5,109,002	1.7%

City of St. John's
Expenditure Report
For the year ended December 31, 2018

	Annual Budget 2018	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
GENERAL GOVERNMENT:				
General Administrative:				
1111 Mayor & Councillors	810,511	858,748	(48,237)	(6.0%)
1115 Civic Events & Receptions	86,620	70,695	15,925	18.4%
1212 Admin. Administrative Services	1,045,589	987,818	57,771	5.5%
1213 Human Resources	1,035,177	995,843	39,334	3.8%
1214 Benefits Administration	266,863	263,051	3,812	1.4%
1215 City Manager's Office	413,270	405,923	7,347	1.8%
1216 Employee Wellness	572,714	593,581	(20,867)	(3.6%)
1217 Organizational Development	307,843	220,510	87,333	28.4%
1218 HR Advisory Services	1,060,292	995,678	64,614	6.1%
1220 Legal Services	1,562,994	1,561,338	1,656	0.1%
1221 Mgmt. & Admin. Finance & Administration	626,708	575,816	50,892	8.1%
1222 Financial Services	1,007,849	885,688	122,161	12.1%
1223 Budgetary Services	368,021	334,892	33,129	9.0%
1225 Performance & Strategy	421,422	414,388	7,034	1.7%
1231 Assessment	2,309,007	2,790,270	(481,263)	(20.8%)
1241 Revenue Accounting	1,230,904	1,134,573	96,331	7.8%
1250 Property Management	2,086,804	2,160,621	(73,817)	(3.5%)
1251 Office Services	518,617	401,727	116,890	22.5%
1252 Maint. City Hall	849,143	837,702	11,441	1.3%
1254 Maint. City Hall Annex	167,383	161,860	5,523	3.3%
1257 Maint. Railway Coastal Museum	14,490	13,797	693	4.8%
1258 Maint. 245 Freshwater Road	224,749	230,006	(5,257)	(2.3%)
1259 Maint. Conway Building	47,663	43,464	4,199	8.8%
1260 Maint. Archives Building	45,554	45,039	515	1.1%
1261 Purchasing	744,499	781,417	(36,918)	(5.0%)
1262 Materials Management	854,206	833,603	20,603	2.4%
1269 Internal Audit	324,073	318,617	5,456	1.7%
1270 Corporate Communications	967,102	850,344	116,758	12.1%
1272 Information Services	5,035,812	4,584,737	451,075	9.0%
1274 Service Center	1,788,698	1,423,330	365,368	20.4%
1318 Land Information Systems	1,307,864	1,135,117	172,747	13.2%
2498 Maint. East End Storage Facility	1,620	-	1,620	100.0%
2531 Emergency Preparedness	130,816	130,383	433	0.3%
General Administrative: Total	28,234,877	27,040,576	1,194,301	4.2%
Pensions & Benefits:				
1290 Pensions & Employee Benefits	1,922,836	1,953,906	(31,070)	(1.6%)
1297 Sick & Severance Liabilities	1,250,000	1,623,676	(373,676)	(29.9%)
Pensions & Benefits: Total	3,172,836	3,577,582	(404,746)	(12.8%)

City of St. John's
Expenditure Report
For the year ended December 31, 2018

	Annual Budget 2018	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
Engineering:				
1311 Mgmt. Planning, Engineering	512,997	492,284	20,713	4.0%
1313 Development Control	2,754,359	2,728,877	25,482	0.9%
1314 Surveying	554,272	552,483	1,789	0.3%
1315 Transportation Engineering	1,784,427	1,660,620	123,807	6.9%
1316 Admin. Planning, Engineering & Regulatory Services	984,174	983,120	1,054	0.1%
1319 Construction Engineering	779,615	651,839	127,776	16.4%
1320 Facility Engineering	492,803	458,868	33,935	6.9%
Engineering: Total	7,862,647	7,528,091	334,556	4.3%
Other General Government:				
1931 Risk Management & Insurance	521,191	411,967	109,224	21.0%
Other General Government: Total	521,191	411,967	109,224	21.0%
GENERAL GOVERNMENT: TOTAL	39,791,551	38,558,216	1,233,335	3.1%
PROTECTIVE SERVICES:				
Fire Protection:				
1256 Maint. Fire Department	359,803	307,289	52,514	14.6%
2491 Fire Protection	(9,103,338)	(9,227,286)	123,948	(1.4%)
2492 Communication Center	(94,214)	153,473	(247,687)	262.9%
2493 Goulds Volunteer Fire Department	239,129	227,965	11,164	4.7%
2494 Central Fire Station	182,748	194,019	(11,271)	(6.2%)
2495 Kenmount Road Fire Station	47,043	35,898	11,145	23.7%
2496 Mt. Pearl Fire Station	125,410	46,234	79,176	63.1%
2497 Brookfield Road Fire Station	39,709	46,518	(6,809)	(17.1%)
2499 West End Fire Station	64,039	89,354	(25,315)	(39.5%)
2500 St. John's Fire Protection	26,002,969	27,288,938	(1,285,969)	(4.9%)
2501 Kent's Pond Fire Station	55,823	72,095	(16,272)	(29.1%)
2502 Fire Prevention	771,287	897,911	(126,624)	(16.4%)
2503 Regional Fire Administration	6,590,833	6,461,320	129,513	2.0%
2504 Mechanical Division	526,830	537,053	(10,223)	(1.9%)
2505 Paradise Fire Station	64,082	63,399	683	1.1%
Fire Protection: Total	25,872,153	27,194,180	(1,322,027)	(5.1%)
Protective Inspections:				
2921 Mgmt. Regulatory Services	413,172	421,017	(7,845)	(1.9%)
2922 Building Inspection	1,767,248	1,694,090	73,158	4.1%
2923 Electrical Inspection	570,539	559,495	11,044	1.9%
2924 Plumbing Inspection	252,270	244,754	7,516	3.0%
2929 Taxi & By-law Inspections	173,613	175,274	(1,661)	(1.0%)
Protective Inspections: Total	3,176,842	3,094,630	82,212	2.6%

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	Annual Budget 2018	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
Traffic:				
2141 Traffic Enforcement	2,188,589	1,916,747	271,842	12.4%
2142 Crossing Guard Program	101,330	100,796	534	0.5%
Traffic: Total	2,289,919	2,017,543	272,376	11.9%
Humaine Services:				
2931 Humane Services	1,209,315	1,235,383	(26,068)	(2.2%)
2932 Maint. Animal Control Shelter	84,202	92,418	(8,216)	(9.8%)
Humane Services: Total	1,293,517	1,327,801	(34,284)	(2.7%)
PROTECTIVE SERVICES: TOTAL	32,632,431	33,634,154	(1,001,723)	(3.1%)
TRANSPORTATION SERVICES:				
Roads:				
3011 Mgmt. & Admin. Public Works	890,940	965,248	(74,308)	(8.3%)
3211 Mgmt. & Admin. Streets & Parks	1,590,411	1,484,950	105,461	6.6%
3221 Maint. of Roads & Sidewalks	7,173,229	6,194,248	978,981	13.6%
3231 Snow Clearing	15,841,176	16,555,032	(713,856)	(4.5%)
3241 Maint. Public Works Depot	1,100,623	1,244,360	(143,737)	(13.1%)
3242 Maint. Asphalt Recycling Facility	9,260	8,334	926	10.0%
3252 Maint. Traffic Signs & Lights	1,890,033	1,776,074	113,959	6.0%
3262 Street Cleaning By Hand	351,145	234,341	116,804	33.3%
Roads: Total	28,846,817	28,462,587	384,230	1.3%
Other Transportation Services:				
3521 Parking Meters	1,137,879	1,174,448	(36,569)	(3.2%)
3561 Street Lighting	4,582,500	4,298,410	284,090	6.2%
3591 Metrobus & Para-Transit System	18,403,257	18,408,362	(5,105)	(0.0%)
Other Transportation Services: Total	24,123,636	23,881,220	242,416	1.0%
TRANSPORTATION SERVICES: TOTAL	52,970,453	52,343,807	626,646	1.2%
ENVIRONMENTAL HEALTH:				
Water:				
4111 Admin. Environmental Services	2,376,249	2,086,684	289,565	12.2%
4120 City Share of Regional Water System	4,555,659	4,486,338	69,321	1.5%
4121 Petty Harbor Long Pond Water Treatment Facility	1,167,842	1,026,398	141,444	12.1%
4122 Winsor Lake Water Treatment Facility	10,330,845	9,841,108	489,737	4.7%
4123 Regional Water System	12,091,268	11,357,206	734,062	6.1%
4131 Water & Waste Water Distribution	10,514,678	9,588,685	925,993	8.8%
Water: Total	41,036,541	38,386,419	2,650,122	6.5%
Waste Water:				
4225 Riverhead Waste Water Treatment Facility	8,463,419	8,134,886	328,533	3.9%
Waste Water: Total	8,463,419	8,134,886	328,533	3.9%

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	Annual Budget 2018	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
Sanitary:				
4321 Garbage Collection	7,291,493	6,818,375	473,118	6.5%
4322 Waste Diversion Public Awareness	203,085	205,341	(2,256)	(1.1%)
4331 Garbage Disposal	9,284,441	10,691,209	(1,406,768)	(15.2%)
4332 Maint. Robin Hood Bay Facility	314,584	292,547	22,037	7.0%
4333 Materials Recovery Facility	1,539,897	1,649,476	(109,579)	(7.1%)
4334 Residential Drop Off Facility	924,794	748,215	176,579	19.1%
4335 Eastern Waste Management	3,347,395	3,347,395	-	0%
Sanitary: Total	22,905,689	23,752,558	(846,869)	(3.7%)
ENVIRONMENTAL HEALTH: TOTAL	72,405,649	70,273,863	2,131,786	2.9%
ENVIRONMENTAL DEVELOPMENT:				
Planning:				
6113 Planning & Development	617,368	442,667	174,701	28.3%
Planning: Total	617,368	442,667	174,701	28.3%
Community Development:				
6211 Admin. Community Services	448,706	431,297	17,409	3.9%
6212 Events & Services	606,815	610,413	(3,598)	(0.6%)
Community Development: Total	1,055,521	1,041,710	13,811	1.3%
Housing & Real Estate:				
6341 Real Estate	16,732	3,122	13,610	81.3%
6342 Rental Housing Projects	299,000	274,175	24,825	8.3%
6343 Tourism Marketing Levy Expenditures	4,526,804	4,898,544	(371,740)	(8.2%)
6360 Non-Profit Housing Units	5,299,731	5,331,517	(31,786)	(0.6%)
6391 Admin. Non-Profit Housing	674,943	671,413	3,530	0.5%
6392 Maint. Non-Profit Housing	635,230	600,475	34,755	5.5%
6395 Homelessness Partnership Funding	1,964,591	1,964,592	(1)	(0.0%)
Housing & Real Estate: Total	13,417,031	13,743,838	(326,807)	(2.4%)
Tourism & Economic Development:				
6612 Tourism Development	353,881	239,520	114,361	32.3%
6613 Visitor's Services	181,343	131,106	50,237	27.7%
6616 Economic Development	513,532	503,803	9,729	1.9%
6624 Maint. Gentara Building	302,840	267,438	35,402	11.7%
6625 Quidi Vidi Visitor's Center	25,055	22,139	2,916	11.6%
Tourism & Economic Development: Total	1,376,651	1,164,006	212,645	15.4%
ENVIRONMENTAL DEVELOPMENT: TOTAL	16,466,571	16,392,221	74,350	0.5%

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	Annual Budget 2018	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
PARKS, RECREATION & CULTURAL SERVICES:				
Parks:				
7111 Admin. Parks	944,753	921,791	22,962	2.4%
7121 Maint. Municipal Parks	6,125,874	5,593,906	531,968	8.7%
7123 Maint. Sports Parks & Fields	664,425	701,702	(37,277)	(5.6%)
7125 Maint. Buckmasters Community Center	81,899	64,711	17,188	21.0%
7130 Maint. H.G.R. Mews Center	197,988	190,193	7,795	3.9%
7131 Maint. Aquatic Parks	231,308	286,083	(54,775)	(23.7%)
7133 Maint. Rotary Park Chalet	45,785	40,216	5,569	12.2%
7134 Maint. Sports Buildings	275,885	263,628	12,257	4.4%
7135 Snow Clearing Steps and Right Of Way	669,392	727,177	(57,785)	(8.6%)
7136 Maint. Shea Heights Community Center	59,442	51,755	7,687	12.9%
7138 Maint. Kilbride Community Center	53,817	47,204	6,613	12.3%
7139 Maint. Southlands Community Center	57,164	60,363	(3,199)	(5.6%)
7140 Maint. Paul Reynolds Community Center	710,671	750,286	(39,615)	(5.6%)
7141 Maint. Anna Templeton Center	38,200	10,537	27,663	72.4%
7225 Maint. Bowring Park Buildings	71,398	92,848	(21,450)	(30.0%)
Parks: Total	10,228,001	9,802,400	425,601	4.2%
Recreation:				
7305 Healthy Communities & Inclusion	952,239	955,042	(2,803)	(0.3%)
7311 Community Development	1,012,761	986,729	26,032	2.6%
7321 Family, Children & Youth	953,707	907,561	46,146	4.8%
7322 Bowring Park Pool Operations	118,053	102,064	15,989	13.5%
7324 Admin. Recreation Facilities	1,138,808	1,149,659	(10,851)	(1.0%)
7325 H.G.R. Mews Center Operations	756,761	715,374	41,387	5.5%
7329 H.G.R. Mews Center Aquatics & Fitness Programs	575,039	522,856	52,183	9.1%
7330 Goulds Recreation Association	166,250	166,250	-	0.0%
7333 Seniors Programs & Services	204,620	185,507	19,113	9.3%
7334 Bannerman Park Pool Operations	68,245	59,467	8,778	12.9%
7336 Shea Heights Community Center Operations	259,350	211,847	47,503	18.3%
7337 Southlands Community Center Operations	322,078	320,182	1,896	0.6%
7338 Kilbride Community Center Operations	259,388	255,916	3,472	1.3%
7339 Kenmount Terrace Community Center Operations	14,100	12,776	1,324	9.4%
7340 Paul Reynolds Community Center Operations	875,055	878,726	(3,671)	(0.4%)
7342 Paul Reynolds Community Center Aquatics and Fitness Programs	1,360,977	1,265,687	95,290	7.0%
Recreation: Total	9,037,431	8,695,643	341,788	3.8%

City of St. John's
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	Annual Budget 2018	Actual Cash Basis 2018	Variance Favourable (Unfavourable)	% Variance
Cultural:				
7445 St. John's Sports & Entertainment	2,670,000	3,417,185	(747,185)	(28.0%)
7551 Grants & Subsidies	1,343,049	1,293,586	49,463	3.7%
7553 Local Immigration Partnership Strategy	73,469	62,665	10,804	14.7%
7910 Cultural Development	182,812	151,045	31,767	17.4%
7911 Municipal Archives	301,030	262,237	38,793	12.9%
7912 Railway Coastal Museum Operations	475,618	379,194	96,424	20.3%
Cultural: Total	5,045,978	5,565,912	(519,934)	(10.3%)
PARKS, RECREATION & CULTURAL SERVICES: TOTAL	24,311,410	24,063,955	247,455	1.0%
FISCAL SERVICES:				
8111 Short-Term Debt Charges	80,000	5,001	74,999	93.7%
8131 Debenture Debt Charges	34,320,261	34,345,261	(25,000)	(0.1%)
8191 Other Debt Charges	100,000	63,483	36,517	36.5%
FISCAL SERVICES: TOTAL	34,500,261	34,413,745	86,516	0.3%
TRANSFERS TO RESERVES AND OTHER FUNDS:				
8211 Allowance For Doubtful Accounts	1,350,000	2,631,418	(1,281,418)	(94.9%)
8990 Capital Expenditures	21,547,003	21,643,302	(96,299)	(0.4%)
TRANSFERS TO RESERVES AND OTHER FUNDS: TOTAL	22,897,003	24,274,720	(1,377,717)	(6.0%)
EXPENDITURE BEFORE TRANSFERS TO OTHER DEPARTMENTS: TOTAL	295,975,329	293,954,682	2,020,647	0.7%
TRANSFERS TO OTHER DEPARTMENTS:				
Payroll Costs:				
1295 EMPLOYER PAYROLL COSTS	7,838,616	7,330,960	507,656	6.5%
Payroll Costs: Total	7,838,616	7,330,960	507,656	6.5%
Mechanical:				
3111 ADMINISTRATION - MECHANICAL DEPT.	1,554,696	1,461,492	93,204	6.0%
3121 VEHICLE & EQUIPMENT MAINTENANCE	9,160,660	8,389,770	770,890	8.4%
3123 ROBIN HOOD BAY HEAVY EQUIPMENT	685,611	659,678	25,933	3.8%
3129 VEHICLE FLEET RENTAL	(9,065,668)	(9,050,327)	(15,341)	0.2%
Mechanical: Total	2,335,299	1,460,613	874,686	37.5%
TRANSFERS TO OTHER DEPARTMENTS: TOTAL	10,173,915	8,791,573	1,382,342	13.6%
EXPENDITURE: TOTAL	306,149,244	302,746,255	3,402,989	1.1%

DECISION/DIRECTION NOTE

Title:	Amendment to Rezone Land to the Commercial Downtown Mixed 2 Zone (CDM2) for a Mixed-Use Building REZ1900009 96 and 100 Water Street, 205 and 209 Duckworth Street Designated Heritage Building (former Breakwater Books/S.O. Steele Building)
Date Prepared:	November 20, 2019
Report To:	Committee of the Whole
Councillor & Role:	Councillor Maggie Burton, Planning and Development Lead
Ward:	2

Decision/Direction Required:

To consider a rezoning application for 96 and 100 Water Street, 205 and 209 Duckworth Street to the Commercial Downtown Mixed 2 (CDM2) Zone for the purpose of a mixed-use building. The uses include retail, office, residential and museum. An amendment to the St. John's Municipal Plan would not be required.

Discussion – Background and Current Status:

Roebathan McKay Marshall Accident and Injury Law has applied for a text amendment to the Commercial Central Mixed Use (CCM) Zone to accommodate a proposed 6-storey mixed-use building with law offices, residential apartments, a museum and indoor parking. The property is currently zoned CCM and is within the Commercial Downtown District of the St. John's Municipal Plan. The CCM Zone allows for a maximum building height of 15 metres and, therefore, an amendment is required. Further, the property is located within Heritage Area 1 and the former Breakwater Books/S. O. Steele Building at 100 Water Street is designated by Council as a Heritage Building and the Province as a Registered Heritage Structure.

The buildings at 205 and 211 Duckworth Street housed the Roebathan McKay Marshall law offices until a fire several years ago. This also included 96 Water Street, an empty lot that was the site of the Mechanics Institute, a designated heritage building which was demolished in the 1980's. The site also borders the Newfoundland National War Memorial, which has recently been designated a National Historic Site.

At its October 16, 2019 meeting, the Committee of the Whole recommended: "That the Decision Note regarding the Amendment to Rezone Land to the Commercial Downtown Mixed 2 Zone (CDM2) for a Mixed-Use Building be referred to the Built Heritage Experts Panel (BEHP) for review, prior to being considered by Council."

ST. JOHN'S

The BHEP reviewed the application, met with the applicants during the November 13, 2019 BHEP meeting and recommended the following:

It is recommended that the design of the building be modified as follows:

- a. Increase the amount of brick and reduce the amount of glass façade, in particular along Water Street and along the façade facing the War Memorial;
- b. Increase the height of the gables facing the War Memorial to reflect the original architecture; and
- c. Use brick instead of glass for the turret.

The Built Heritage Experts Panel further recommends:

- d. Requirement of a comprehensive engineering study to ensure the protection of the facade on Water Street during construction; and
- e. Any revised drawings be brought back to the Built Heritage Experts Panel for recommendation.

Application in Relation to Envision St. John's Municipal Plan and Development Regulations

During public consultation for Envision St. John's, the interest and need for additional building height in appropriate locations downtown was identified. Envision has an objective for the east end of downtown (east of Adelaide Street) to retain the existing urban form and scale along the commercial corridors of Duckworth and Water Streets, while allowing some additional height. Higher buildings may be considered subject to building orientation, setbacks, public space and parking standards. The existing scale of buildings, along with the downtown's cultural and architectural significance and heritage requirements, will guide building design and will help determine the appropriate scale and scope of new buildings and redevelopment.

Mixed-use, pedestrian-friendly commercial centres are also a key goal throughout Envision. Although the new Municipal Plan has yet to come into legal effect, it has been adopted-in principle by Council, and its policies endorsed by the public.

In response to the request for additional height, the Envision St. John's Development Regulations look at new zones and zone requirements for considering additional height, to facilitate commercial and mixed-use development while maintaining appropriate heritage standards.

Although the applicants have requested a text amendment to the CCM Zone, based on the work completed for Envision, it is proposed that a new Commercial Downtown Mixed 2 (CDM2) Zone be used for this application. The intent of Envision's CDM2 Zone is to allow the same uses as the Commercial Downtown Mixed (CDM) Zone with a higher maximum building height and Floor Area Ratio (FAR). The permitted and discretionary uses in both the CDM and CDM2 Zones are a combination of those from the current downtown zones.

The applicant is proposing a 6-storey building with a height of 27 metres and a Floor Area Ratio (FAR) of 5.64. The development would include the exterior façade of the former Breakwater Books store, if feasible. It is proposed that this portion of the designated building will be used as a War Memorial Museum. The remainder of the building would have three levels of parking, retail on the first level of Duckworth Street, with two levels of office and the

top three levels for residential units. Given the slope of the property, the development would be 6-storeys on Duckworth Street and 8-storeys on Water Street.

Heritage Designations

The Breakwater Books Building at 100 Water Street is designated as a Heritage Building by Council and the designation is confined to the footprint of the building. Architecturally, this building is significant because it is an excellent example of Victorian Second Empire style commercial architecture. Since the original occupants both worked and lived in this building it was designed to serve this dual purpose, having the shop on the ground level and residential space on the upper levels. Therefore, historically this site has always been a mixed-use site and the CDM2 would be an appropriate zone to continue these uses.

The building has been virtually unaltered since its erection in 1894. From the Statement of Significance, the character defining elements of this building include all the original features which relate to the age and construction of the building in a commercial Second Empire style, such as original storefront layout, mansard roof with bonneted dormers, brick exterior, original windows and door openings, size and appearance of transoms above doorways, base panels, pilasters along storefront, all decorative brickwork, all other decorative features including mouldings and trim, belt course (horizontal band separating the levels), and the overall dimensions, height and location of structure.

If this proposal proceeds, the applicant is requesting to demolish the majority of the building and maintain the exterior façade along Water Street, if feasible. The City recognizes the importance of creating ways in which historic buildings can be maintained while allowing development nearby. However, there should be no question to whether the façade will be maintained. It must be kept intact. The BHEP agreed with this approach and recommended that a comprehensive engineering study be included in the Land Use Assessment Report (LUAR) Terms of Reference to ensure the applicants show how the façade on Water Street will be protected should the development proceed. At this stage, not enough information is provided.

The BHEP acknowledge that this application is a case where facadism of Heritage Buildings could be permitted (when only the façade of a building is preserved, with new buildings erected behind or around it). The BHEP discussed that the proposed use of the site would be better than a vacant lot. This would be the first St. John's Heritage Building redeveloped to only include the front façade.

100 Water Street is a Provincially designated building. Heritage NL have raised concerns about the proposed development. Therefore, it is recommended to include conditions in the LUAR Terms of Reference that require the applicant to meet with Heritage NL, the NL Historic Trust and the Royal Canadian Legion and provide a summary of their concerns. Additionally, Parks Canada governs National Historic Sites, and development adjacent to these sites may affect these designations. Therefore, it is recommended that the City refer the application to Parks Canada for comment.

Floor Area Ratio (FAR)

In the Envision St. John's Development Regulations adopted-in-principal by Council, the maximum building height in the CDM2 Zone is 27 metres and the FAR is 3.5. There is also a building façade setback requirement of 4 metres at the 18-metre level. If the façade faces more than one street, such as in the case of the subject property, the setback shall be applied to a minimum of 2 streets and the streets are determined by the Chief Municipal Planner.

Since the draft Development Regulations were made public, staff have met with design professionals and recognize that for a height of 27 metres, the FAR could be increased to 4.0. It was noted that to avoid large bulky buildings such as Atlantic Place, the FAR should not be any more than 4.0. The proposed design has a FAR of 5.64, which is too large for this site. **It is important to recognize that maximum height and FAR should not be treated as mutually exclusive standards.** Both standards need to be met to create a building appropriate in size and scale for the site. By comparison, recent developments in the Downtown have the following height and FAR:

- Salvation Army Centre for Hope, 18 Springdale Street – 25m in height measured from Springdale Street (5-storeys), FAR 1.988
- 351 Water Street – 36.9m in height measured from Water Street (11-storeys), FAR 3.5
- 40 Henry Street – ranging from 20.5m to 26.5m along Henry Street (7-storeys), FAR 4.4. This development was permitted through a site-specific amendment within the Commercial Central Mixed Use (CCM) Zone to allow a height greater than 15m and FAR greater than 3.0 at 40 Henry Street. The City is no longer permitted to add site-specific exceptions within a Zone.

The BHEP discussed the FAR but did not have any particular concerns. Should the development proceed, it is recommended that the building be redesigned to meet the standards set out in the CDM2 Zone of the Envision St. John's Development Regulations. Staff have concerns that increasing the FAR above 4.0 would negatively impact the historic downtown east of Adelaide Street and allow development of buildings that are too bulky.

Design of the Building

As the proposed development is one of the first in the City that proposes a new building surrounding a historic building, it is important that the design is reviewed from a heritage perspective. Staff have met with the architect and have raised some concerns. Given that the overall dimensions, and height of the building are character defining elements, and that the storey levels are displayed with the belt course, it is recommended that the additions along Water Street should compliment the historic façade with respect to rhythm and orientation of façade openings along the same elevation. BHEP have recommended that the overall development should use more brick, in particular along Water Street, along the façade facing the War Memorial, increase the height of the gables to reflect the original architecture and use brick, not glass, for the turret. Staff further recommend that the building should be set back from the roof of the Heritage Building to maintain the historic street façade and highlight it. This would also assist in lowering the FAR.

Requirement for a Land Use Assessment Report (LUAR)

The property is within the Commercial Downtown District of the Municipal Plan and therefore does not require a Municipal Plan amendment to rezone the property to CDM2. However, from

Section 5.6.2 of the St. John's Development Regulations, a LUAR shall consider the concept of "Downtown Balance" as described in the Municipal Plan where it is required for the allowance of additional bulk and height for Buildings in the Downtown area outlined on Map F. Therefore, it is recommended that a LUAR be prepared prior for the proposed development.

Development and Engineering staff have conducted an initial review of the application. There are requirements prior to consideration of the amendment, such as: submission of a civil site plan, sanitary sewage generation rates and stormwater rates. This will be included in the LUAR Terms of Reference.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:
3. Property owner and neighbouring property owners; Heritage NL (as it is provincially designated) heritage groups.
4. Alignment with Strategic Directions/Adopted Plans:
A Sustainable City - Plan for land use and preserve and enhance the natural and built environment where we live.
5. Legal or Policy Implications:
St. John's Development Regulation text and map amendments are required. Creation of a Designated Heritage Building Bylaw for 100 Water Street may also be required.
6. Privacy Policy Implications: Not applicable.
7. Engagement and Communications Considerations:
Public notice of the proposed amendment and a Public Meeting chaired by an independent facilitator.
8. Human Resource Implications: Not applicable.
9. Procurement Implications: Not applicable.
10. Information Technology Implications: Not applicable.
11. Other Implications: Not applicable.

Recommendation:

As per the November 13th meeting of the Built Heritage Experts Panel

1. It is recommended that the design of the building be modified as follows:
 - a. Increase the amount of brick and reduce the amount of glass façade, in particular along Water Street and along the façade facing the War Memorial;
 - b. Increase the height of the gables facing the War Memorial to reflect the original architecture; and
 - c. Use brick instead of glass for the turret.
2. The Built Heritage Experts Panel further recommends:
 - a. Requirement of a comprehensive engineering study to ensure the protection of the facade on Water Street during construction; and
 - b. Any revised drawings be brought back to the Built Heritage Experts Panel for recommendation.

Staff agrees with these BHEP recommendations and further recommend the following:

3. It is recommended that the application to rezone 96, 100 Water Street and 205 and 209 Duckworth Street from the Commercial Central Mixed Use (CCM) Zone to the new Commercial Downtown Mixed 2 (CDM2) Zone be considered and the attached draft Terms of Reference for the Land Use Assessment Report be approved. The Terms of Reference have been updated to include:
 - a. Requirement for an engineering study regarding how the Water Street façade will be maintained.
 - b. Requirement for consultation with Heritage NL, the NL Historic Trust and the Royal Canadian Legion.
4. Refer the application to Parks Canada to determine if the proposed development will impact the designation of the NL National War Memorial National Historic Site.
5. It is recommended that the proposed development be redesigned to meet the standards set out in the Envision St. John's Development Regulations Commercial Downtown Mixed 2 Zone and incorporate the BHEP's recommendations.
6. Upon submission of a satisfactory LUAR that meets the requirements of the CDM2 Zone, it is recommended that the application be referred to a Public Meeting chaired by an independent facilitator. Following the public meeting, the application would be referred to a regular meeting of Council for consideration of adoption.

Prepared by/Signature:

Ann-Marie Cashin, MCIP – Planner III, Urban Design and Heritage

Signature: _____

Approved by/Date/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

AMC/dlm

Attachments:

Zoning Map

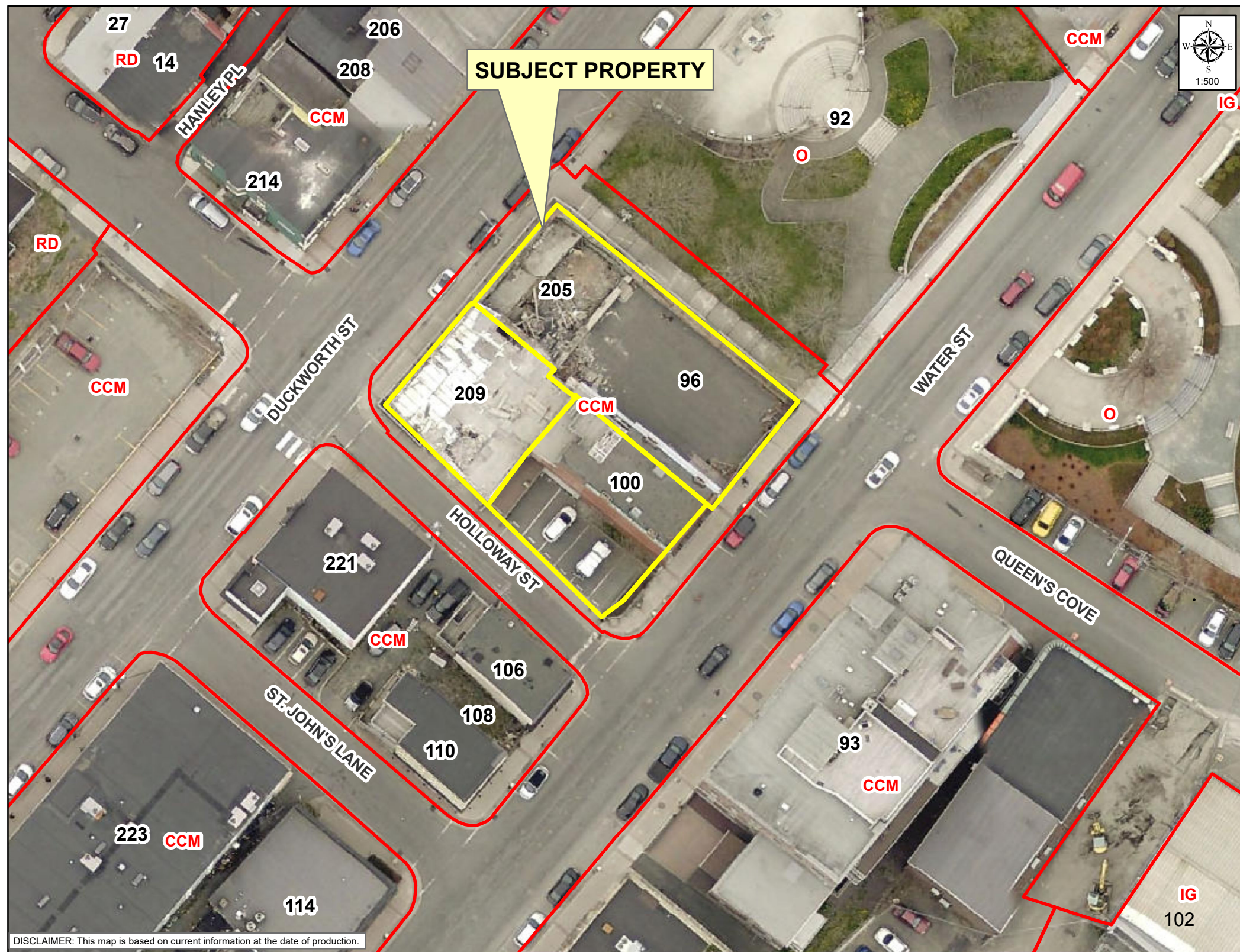
LUAR Terms of Reference

Applicant's Submission

100 Water Street Statement of Significance

Section of the CDM2 Zone from Draft Envision St. John's Development Regulations

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

**TERMS OF REFERENCE
LAND USE ASSESSMENT REPORT (LUAR)
APPLICATION FOR A MIXED-USE DEVELOPMENT AT
96 AND 100 WATER STREET, 205 AND 209 DUCKWORTH STREET
(BREAKWATER BOOKS BUILDING)
PROPONENT: ROEBOTHAN MCKAY MARSHALL ACCIDENT AND INJURY LAW**

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 Assessment Report shall be provided as part of the report. The following items shall be addressed by the proponent at its expense:

A. Building Use

- Identify the size of the proposed building by:
 - Gross Floor Area, and
 - Floor Area Ratio (FAR).
- Identify all proposed uses/occupancies within the building by their respective floor area.
- Identify which portions of the Designated Heritage Building are proposed to be demolished.
- Identify how the remaining Designated Heritage Buildings will be stabilized and protected during renovations and incorporated into the new design.
 - Include an engineering study as an appendix to the LUAR explaining how the Water Street façade will be maintained/secured during construction.

B. Elevation & Building Materials

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

C. Building Height & Location

- Identify graphically the exact location with a dimensioned civil site plan:
 - Location of the proposed building in relation to neighbouring buildings;
 - Proximity of the building to property lines and identify setbacks;
 - Identify any setbacks of higher storeys from lower storeys;
 - Identify any encroachment over property lines;
 - Identify the height of the building;
 - Information on the proposed construction of patios/balconies (if applicable);
 - Potential shadowing/loss of sunlight on adjacent public and private properties, including sidewalks;
 - Identify any rooftop structures; and
 - Identify if the building will be sprinklered or not, and location of the nearest hydrant.
- Provide street scape views/renderings of the proposed building from the following locations:
 - The intersection of Gill's Cove and Water Street;
 - The intersection of Queen's Cove and Water Street;

- Along Holloway Street at street level;
- The intersection of Holloway Street and the north side of Duckworth Street;
- Duckworth Street near the centre of the War Memorial.
- Provide a Legal Survey of the property showing the consolidated lots.

D. 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.

E. Landscaping & Buffering

- Identify with a landscaping plan, details of site landscaping (hard and soft).
- Identify the location and proposed methods of screening of any electrical transformers and refuse containers to be used at the site.
- Identify any additional street-level elements, such as weather protection measures at entrances, street furniture, etc.

F. Building Wind Generation

- Identify if the development will alter the wind conditions on adjacent streets, sidewalks and entrances to the building, and identify measures to minimize impacts at the pedestrian level.

G. Snow Clearing/Snow Storage

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

H. Off-street Parking and Site Access

- Identify the number and location of off-street parking spaces to be provided, including accessible parking spaces.
- Identify the number and location of bicycle parking to be provided.
- Provide a dimensioned and scaled plan of all parking structure and lot layouts, including circulation details.
- Identify the location of all access and egress points, including pedestrian access.
- Please provide information on the parking spaces along Holloway Street: it this is private or public parking, if there are any parking agreements related to these spaces and if there is any impact to the parking calculations based on this removal.

I. Municipal Services

- Provide a preliminary site servicing plan.
- Identify points of connection to the City's sanitary sewer, storm sewer and water system.
- Provide the sanitary rate generated by the proposed development.
- The proposed development will be required to comply with the City's stormwater detention policy. Provide stormwater rate generated by the proposed development for the maximum 10-year climate change rainfall and information on how onsite stormwater detention will be managed.

J. Public Transit

- Consult with St. John's Metrobus (St. John's Transportation Commission) regarding public transit infrastructure requirements.

K. 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.

L. Consultation

- Meet with Heritage NL, the Historic Trust and the Royal Canadian Legion and provide a summary of their concerns

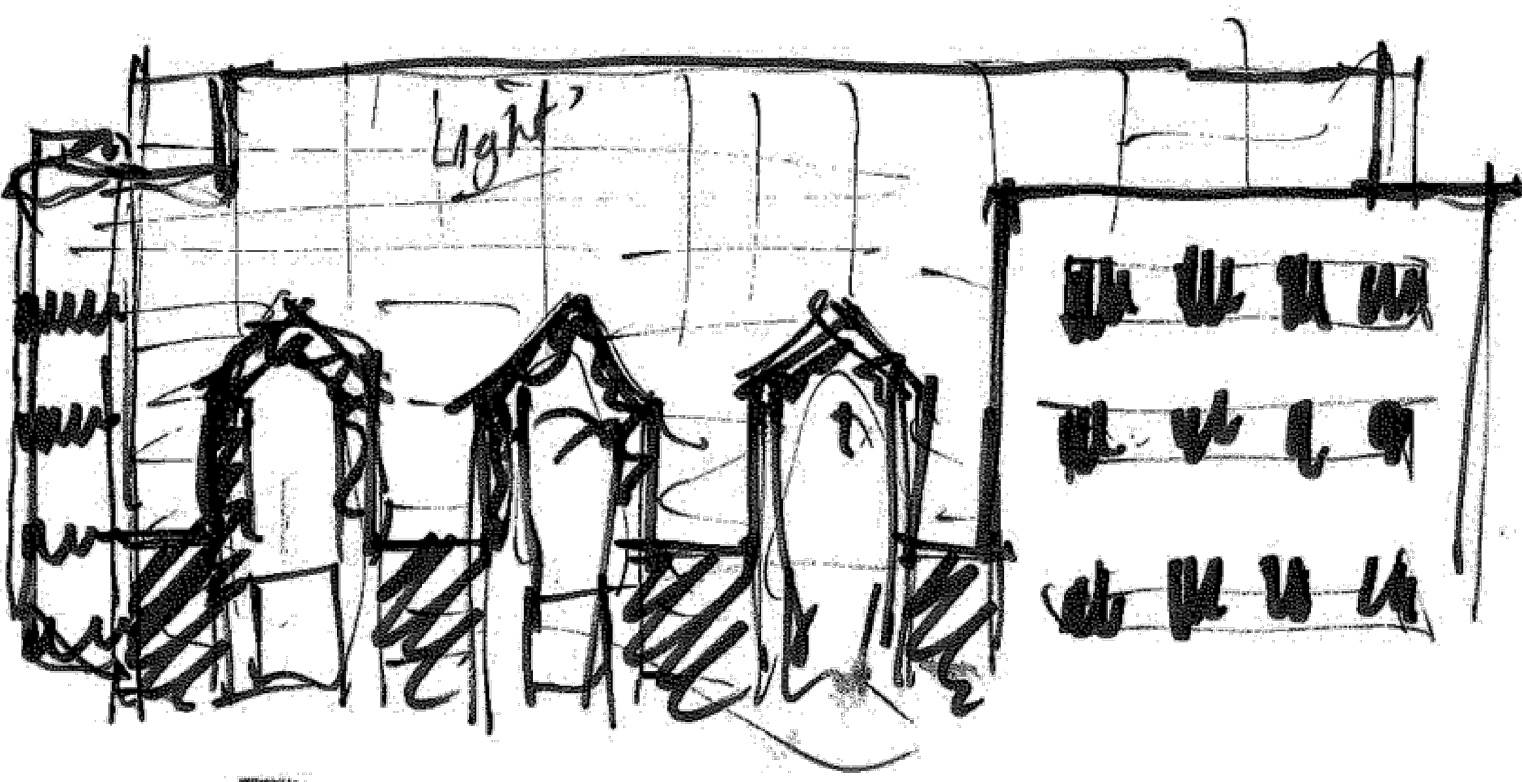


209 Duckworth

209 Duckworth St., St. John's, NL
 FMA Proj. No: 3790-05

**FOUGERE
 MENCHENTON
 ARCHITECTURE**

172 Logy Bay Road | P.O. Box 21039 | St. John's, NL, Canada | A1A 5B2
 T: (709) 739-8202 | F: (709) 722-8202 | E: info@fougeremenchenton.ca





209 DUCKWORTH ST.
PROPOSED BUILDING RENDERING

FM **FOUGERE
MENCHENTON
ARCHITECTURE**

PAGE 1



BUILDING CIRCA 1894

The design concept at its lower floors is a modern translation of the historic forms that once bordered the War Memorial site at its west edge. The Water St. and Duckworth St. corners of the building forms, that once flanked this Significant Historic site are also reflected in this design concept. The “turret” which once turned the corner of the War Memorial site at Water St. is shown in a modern form in the same location. The elevations of Water St. and Duckworth St. are as well, reflective of typical St. John's Street front architecture offering inviting glass shop-type windows at the sidewalk level and stylized brick and punch window fenestration patterns above. These features are typical to the Water St. and the Duckworth St. existing and historical fabric.

This somewhat modern approach to a traditional texture and scale of the lower floors, at present, considers the inclusion of the former Breakwater Book Store, Water Street building Facade. The feasibility of this building's exterior facade is under consideration, at present, to be retained if feasible.

- At the Water Street main level, there is an entry through the former Breakwater Book Store front facade. We envision, at this location, a War Memorial Museum as proposed in the plans.
- The design facilitates direct access to both levels of the War Memorial Museum directly from 2 street levels (Duckworth and Water Streets) with interior elevator access connecting the lower and upper levels, thus offering accessible connection of the upper and lower levels of the War Memorial Park itself, through the building.
- Level one off Duckworth Street offers retail / shop space directly off the street. This space could also be used as part of the War Memorial Museum. The back of this floor facing the harbour is planned for the War Memorial Museum. At this level it would be possible to have over 30 consecutive linear metres of whether protected views of the War Memorial beyond and below, at the East wall.

- Level two, and the floor above, are planned for Roebethan McKay Marshall (RMM) who have historically operated a law firm at this site and is planning a return.
- Level four to six are stepped back from the street as shown on the attached plans, and are planned for condominium / apartments.

The area break downs envisioned for this total complex are summarized as follows:

- Museum space - 871 m² (9,375ft²)
- Museum / Retail Space - 212 m² (2,282 ft²)
- Office space - 1,918 m² (20,645ft²)
- Condominiums - 18 Condos ranging in area (total condo area 2,017 m² (21,711ft²)
- Average condo size +/- 1200ft²

To achieve the above, we envision a six storey building from Water St. with a total height of 27.0 m. The FAR proposed is 5.64.

The building area is:

- Parking - 2209 m² (23,781ft²)
- Total Building Area less Parking - 5,823 m² (62,679ft²)
- Total Developed Area - 8,388 m² (89,900ft²)

The above and enclosed concept reflects the goals of the Envision St. John's Municipal Plan in that it offers, and will enable, a true downtown integrated experience of commercial, retail, office and living functions, all in one complex.



CIRCA 1924 PHOTO



CIRCA 1924 PHOTO

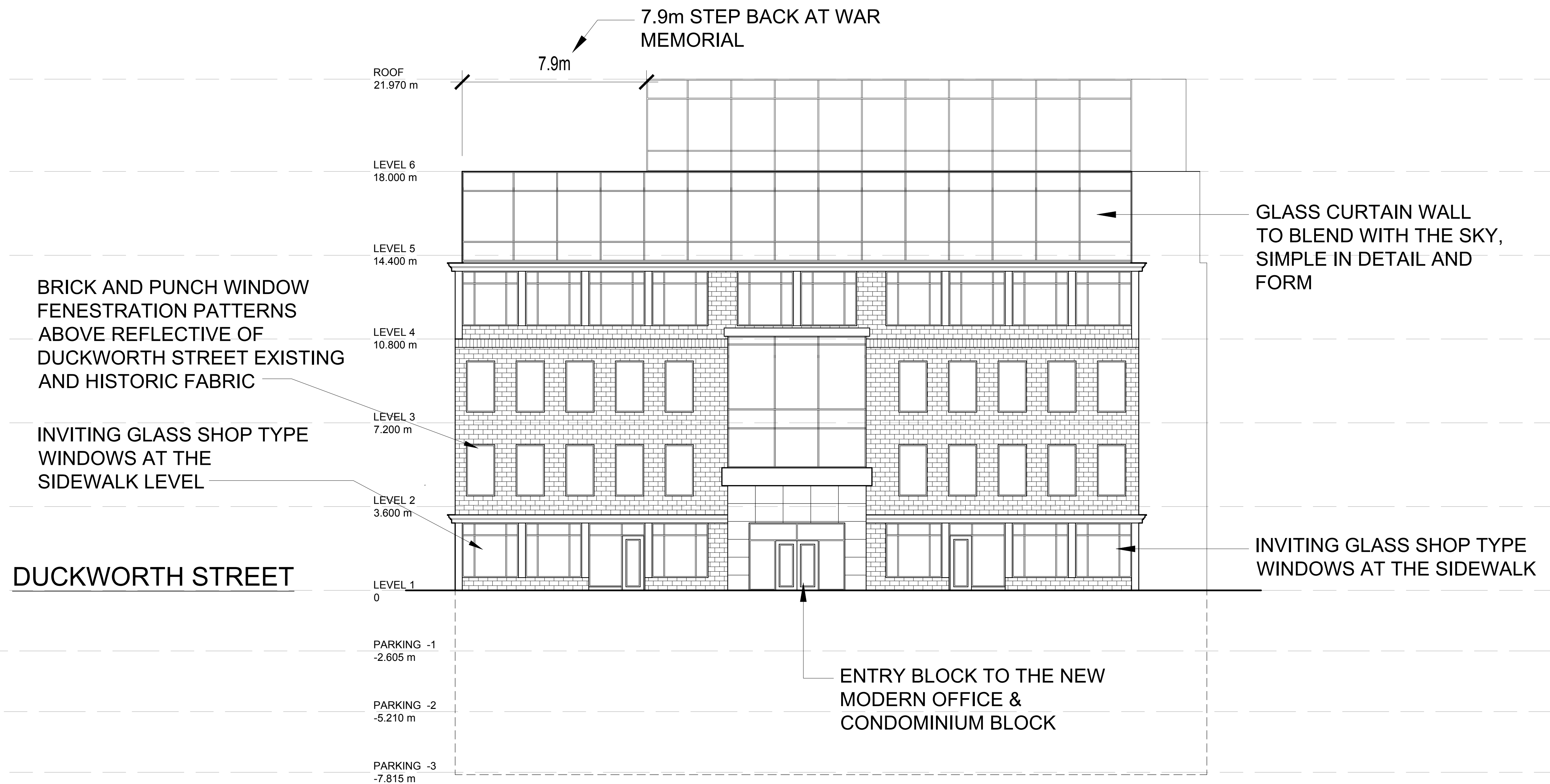


NEW PROPOSED RENDERING

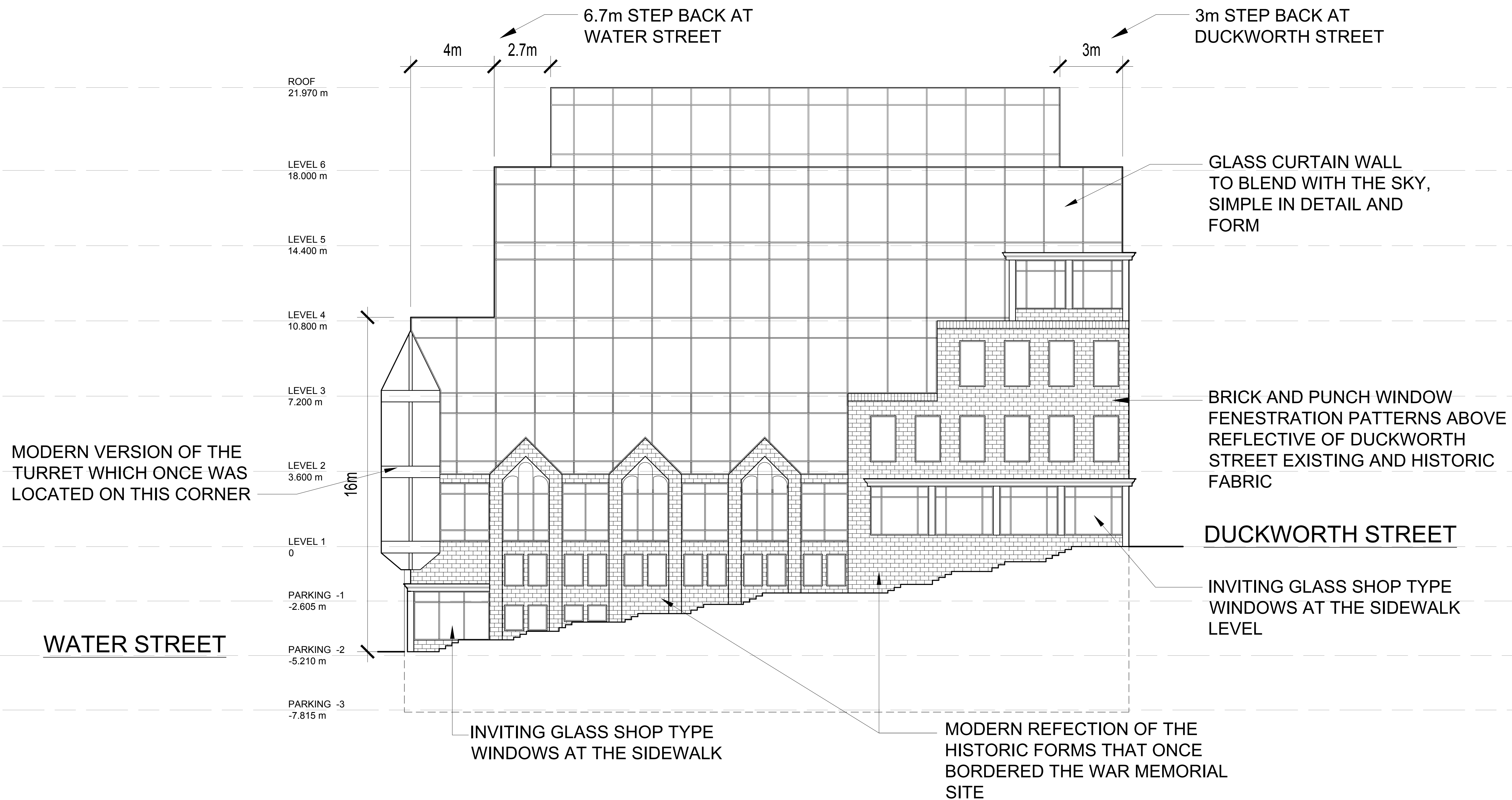
209 DUCKWORTH ST.
CONCEPT GENERATING IDEAS

FM **FOUGERE
MENCHENTON
ARCHITECTURE**

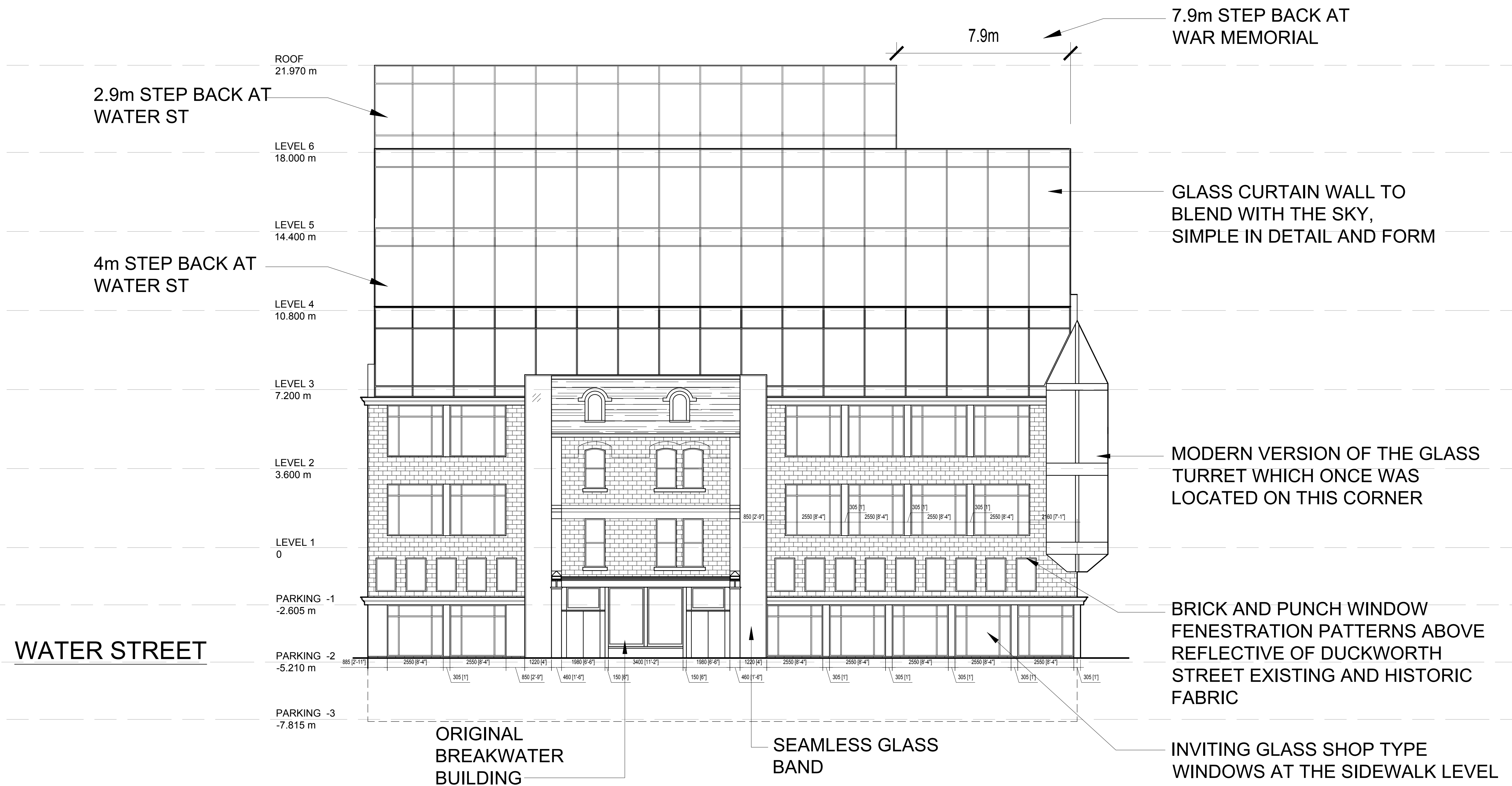
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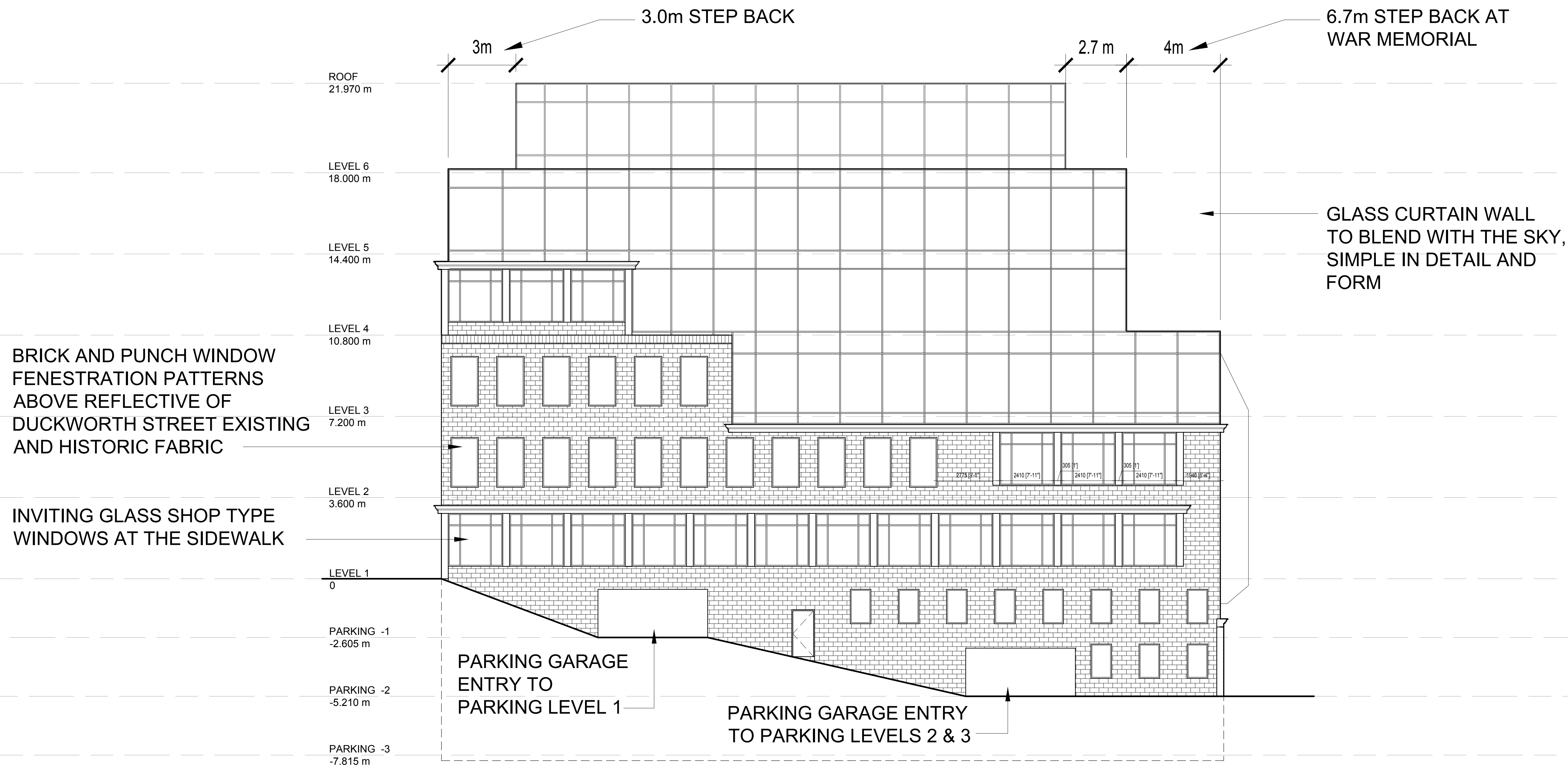


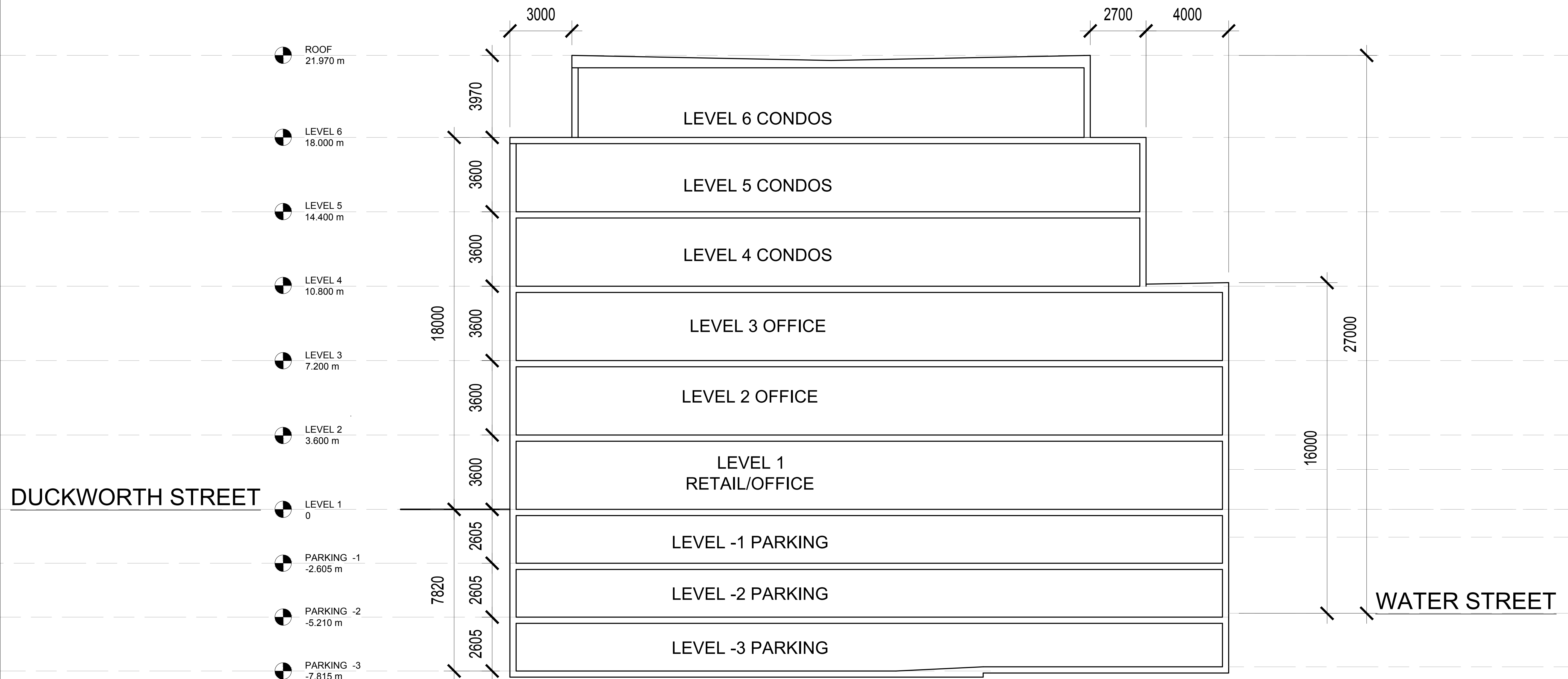
209 DUCKWORTH ST.
PROPOSED FRONT ELEVATION - DUCKWORTH ST.



209 DUCKWORTH ST.
PROPOSED LEFT ELEVATION - WAR MEMORIAL







Statement of Significance



100 Water Street - Breakwater Books Building, (former S.O. Steele Building)

Formal Recognition Type

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

Description of Historic Place

Breakwater Books (former S.O. Steele Building) is a three-and-a-half storey brick building located at 100 Water Street, St. John's. The designation is confined to the footprint of the building.

Heritage Value

Architecturally, Breakwater Books (former S.O. Steele Building) is significant because it is an excellent example of Victorian Second Empire style commercial architecture. Virtually unaltered since its erection in 1894, this building features the original picture windows, recessed entranceways and transom lights, all typical of this type of architecture. Since the original occupants both worked and lived in this building it was designed to serve this dual purpose, having the shop located on the ground level and residential space on the upper levels. The structure's fourth storey concave mansard roof with hooded dormers is characteristic of the Second Empire style made popular by builders J. and J. T. Southcott in the years after the 1892 fire. The exterior decoration on this building is typical of early 20th century commercial buildings, having a rather ornate store front and a number of less decorative upper levels. Though there is a belt course separating each of the upper levels and arched brickwork surrounding the third storey windows, these features are rather simplistic, resulting in the storefront receiving increased attention.

Historically, Breakwater Books (former S.O. Steele Building) is significant because of the persons associated with it. Samuel Owen Steele, who inherited this house from Hannah Martin, was well known within the region for being both a dry goods merchant and an importer of china. It was in this building that he established the china shop, importing in dinnerware from as far away as Japan. Samuel's two sons, Owen and James, were also well known for their involvement in the First World War. Owen, who was killed at the Somme on July 8, 1916, by a German shell,

kept a detailed diary of his service during the war, providing an excellent account of the exploits of Newfoundlanders who fought in the First World War. James survived the war, including the attack at Beaumont Hamel that killed or wounded 710 of his fellow Newfoundland soldiers.

Source: City of St. John's, Meeting held 1989/07/21

Character Defining Elements

All original features which relate to the age and construction of the building in a commercial Second Empire style, including:

- original storefront layout, mansard roof with bonneted dormers, brick exterior;
- original window and door openings;
- all original windows including the storefront picture windows;
- original doors;
- size and appearance of transoms above doorways;
- base panels;
- signage typical of early 20th century storefronts;
- pilasters along storefront;
- all decorative brickwork;
- all other decorative features including mouldings and trim;
- belt course;
- overall dimensions, height and location of structure; and,
- all interior features of house reflective of age, design and usage of original building.

Location and History

Community	St. John's
Municipality	City of St. John's
Civic Address	100 Water Street
Construction	1894 - 1894
Style	Second Empire
Building Plan	Rectangular Short Façade
Website Link	http://www.breakwater.nf.net/index.php

Additional Photos



COMMERCIAL DOWNTOWN MIXED 2 (CDM2) ZONE

CDM2

(1) PERMITTED USES, except 40 Henry Street (PID #45762)

Bakery	Massage Parlour
Bank	Office
Clinic	Park
Communications Use	Place of Worship
Convenience Store	Public Use
Dwelling Unit – 2 nd storey or higher	Public Utility
Health and Wellness Centre	Restaurant
Hotel	Retail Use
Laundromat	Service Shop
Library	Training School
Lounge	Transportation Terminal

(2) DISCRETIONARY USES, except 40 Henry Street (PID #45672)

Adult Day Centre	Parking Garage
Bed and Breakfast	Parking Lot
Craft Brewery/Distillery	Place of Amusement
Daycare Centre	Place of Assembly
Dwelling Unit - 1 st storey (except Water Street & Duckworth Street)	Taxi Stand
Lodging House	

(3) PERMITTED USES – 40 Henry Street (PID #45762)

Apartment Building

(4) ZONE STANDARDS EXCEPT PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY AND PARKING LOT

- (a)

Building Height (maximum)

27 metres, except for 132 Duckworth Street (PID #12371), where the maximum height shall be 20 metres
- (b)

Building Line

0 metres
- (c)

Floor Area Ratio (maximum)

3.5
- (d)

Building Façade Setback on Street (minimum)

0 metres for first 18 metres of Building Height, 4 metres for greater than 18 metres in Building Height. Where Building Façade abuts more than one Street, setback shall be applied to a minimum of 2 Streets, such Streets being determined by the Chief Municipal Planner
- (e)

All other Zone Standards are in the discretion of Council

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

DECISION/DIRECTION NOTE

Title: Temporary Parking Restrictions in Airport Heights

Date Prepared: 2019.11.19

Report To: Committee of the Whole

Councillor and Role: Councillor Sandy Hickman

Ward: 1

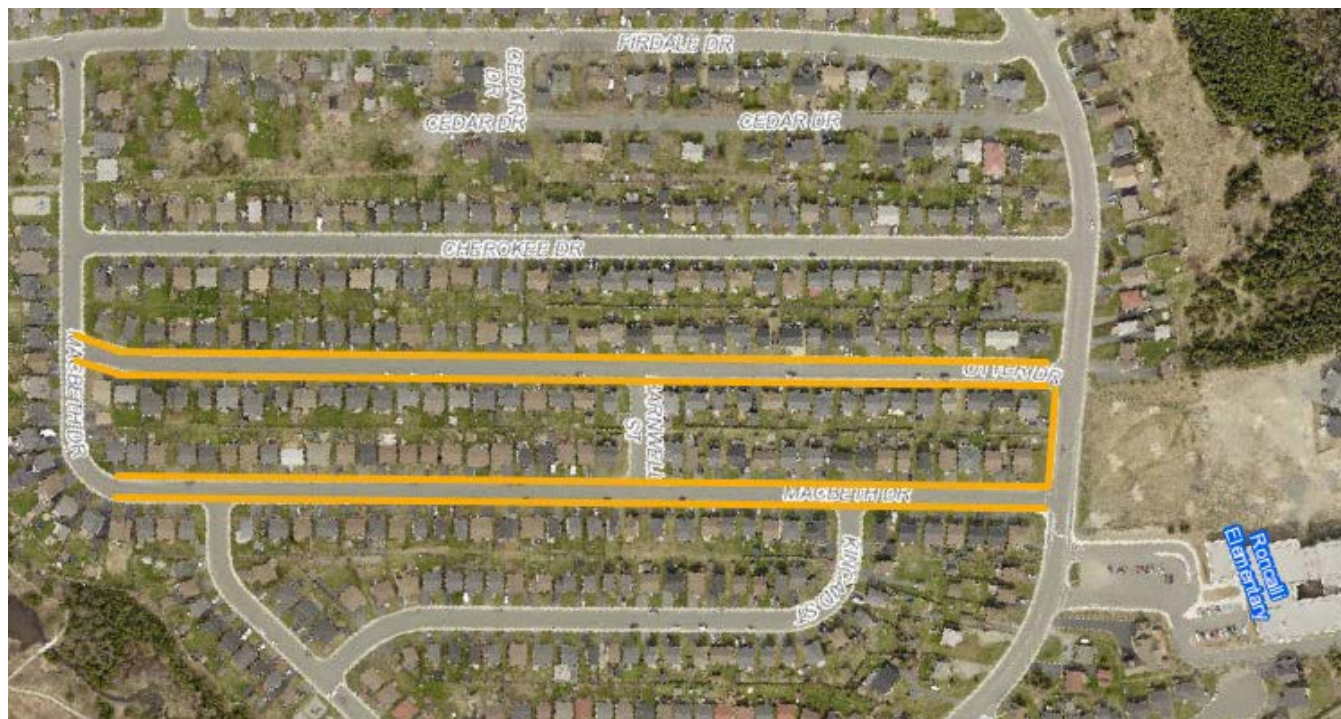
Decision/Direction Required:

Whether or not to proceed with a temporary parking restriction in this area.

Discussion – Background and Current Status:

Some residents in the vicinity of Macbeth Drive at Airport Heights Drive have expressed concerns regarding on street parking related to the construction of the Lane Retirement Home. Topics raised include safety of pedestrians (particularly students at Roncalli Elementary School), placement of bins for automated waste collection, and constraints on the road following a snowfall.

Staff have investigated the merits of placing a temporary parking restriction on Macbeth Drive, Otter Drive, and Airport Heights Drive between these two side streets. From 2019.12.24 to 2020.01.01 the restriction contemplated would be lifted. The area considered is shown below.



ST. JOHN'S

Staff have discussed this issue with the construction contractor for the Lane Retirement Home. The builder has indicated that current staff will be on site until Christmas. In the new year it is expected that staff numbers will be drastically reduced.

Our normal process for a new parking restriction would follow the following steps:

- 1) Determine if this is a long term concern
 - a) If the concern is long term:
 - i) determine a restriction that would address the concerns raised
 - ii) conduct a survey of affected residents to see if they want a restriction
 - iii) if a 60% majority of residents want a restriction then it proceeds to implementation
 - b) If the concern is not long term:
 - i) identify the temporary influence and work with them to mitigate the concern
 - ii) monitor until the temporary conditions are no longer present

Making the temporary change as discussed would circumvent this process. If the restriction were referred to this process the underlying temporary condition would likely have passed before anything was implemented.

If this temporary restriction were put in place approximately 52 parking signs will be required with the use of 29 existing light standards and 23 temporary U-Channel posts. Each U-Channel post would require a base be poured. This would require Newfoundland Power locates, a process which can take several weeks.

It is estimated that ordering and installing the signs would take approximately one week plus the time mentioned above to coordinate NL Power locates. The material cost is estimated at \$5,000. Snowfall or other adverse weather could delay installation further.

Removing/covering and reinstalling the signs for the Christmas break is not considered practical but would be required to ensure there are no confusion with enforcement and general public. The RNC could also issue tickets on these signs so if they are covered up then there is no concern about confusion with enforcement.

These residential side streets are built to our former specification that includes 11.5m between the curbs. 2.4m for parking lanes on either side and 3.35m for a driving lane in each direction. These lanes are reasonably sized to provide 2 sided parking on a two-way residential street. Not at the minimum and not too wide. If we eliminate parking we effectively add the 2.4m parking lanes to the available driving space making the street function as two very wide travel lanes. With this much space open to drivers the result would be higher speeds. This is not something that improves safety on the road.

Temporary conditions, such as development projects are present all across the City at various times. The restriction contemplated would set a precedent for similar action in other areas where concerns are raised about parking by builder employees. Continued actions such as this

would represent a significant strain on City resources to address what is intrinsically a temporary condition.

In situations such as this it is often found that the impact to the neighbours is greater than the original concern raised by a smaller group of residents. The people who live adjacent to this restriction would no longer be able to park in front of their homes, nor would visitors or service providers.

Where there is a demand for parking the drivers, who need parking will find a spot for their vehicle. In some scenarios this can mean a shift away from single occupant vehicles which is a positive change to the transportation system. However, transient work sites are not conducive to this benefit and the more typical response is that the parking behavior is shifted to another nearby location. This might mean a location where parking is not appropriate or a location that sees the perceived burden of this parking shifted to another resident in the immediate vicinity.

Key Considerations/Implications:

1. Budget/Financial Implications:
Material cost is estimated at \$5,000. This would normally come from the sign budget. However, this budget is nearly expended for the year and may not support this work.
2. Partners or Other Stakeholders:
Roncalli Elementary School
Lane Retirement Home
3. Alignment with Strategic Directions/Adopted Plans:
N/A
4. Legal or Policy Implications:
Tickets for violating this restriction would be issued under the Ticketing Amendment By-Law and not the Snow Clearing By-Law. To prosecute these tickets successfully, adequate signage is required. The restriction can only be lifted by removal/covering of the signs.
5. Privacy Implications:
N/A
6. Engagement and Communications Considerations:
Prior to a parking restriction being implemented, proper signage in the area and a direct notice delivered to area residents would be needed to explain the details and reason for the restriction. This could also be supported with a PSA and social media promo (a Councilor could post in Airport Heights Facebook page for example).

7. Human Resource Implications:

N/A

8. Procurement Implications:

N/A

9. Information Technology Implications:

N/A

10. Other Implications:

N/A

Recommendation:

Do not implement a temporary parking restriction in Airport Heights.

Prepared by/Date:

Garrett Donaher, Manger – Transportation Engineering

Approved by/Date:

Jason Sinyard, Deputy City Manager – Planning Engineering & Regulatory Services

Attachments: N/A

REPORTS/RECOMMENDATION
Special Events Advisory Committee Report
December 4, 2019

Event: City of St. John's New Year's Eve Celebration & Fireworks
Dates: December 31, 2019.
Detail: Quidi Vidi Fireworks and Celebration

An all ages, free event that will feature DJ entertainment on Carnell Drive as well as fireworks at 8pm.

DJ Entertainment – 7pm to 8pm

Road Closure

Carnell Drive

December 31, 2pm to 10pm

Local access only.

Fireworks – 8pm

Temporary Road Closure for the duration of the fireworks.

The Boulevard – East White Hills Road to Legion Road

If weather is not favourable, fireworks will be held on January 1, 8pm, with road closures being extended.

Recommendation

That the requested event, and the associated road be approved.

Event: George Street New Year's Eve Celebrations & Pyrotechnics Show
Dates: December 31, 2019.
Detail: Pyrotechnics Show

An all ages, free event that will feature DJ entertainment from 11:15pm to 12am on George Street as well as a pyrotechnics show at 12am.

Pyrotechnics have been reviewed and approved by St. John's Regional Fire Department.

Recommendation

That the requested event and noise by-law extension to 12:30pm be approved.

Event: CBC Broadcast – NYE countdown hosted by Rick Mercer
Dates: December 27 – December 31, 2019.
Detail: Film Shoot

Location 1 – Outer Battery

December 27, 28, or 29, 2019 (one day shoot, weather dependent)

Battery Road at the intersection with Outer Battery Road

6pm – 9pm

- Organizer to hire a traffic control company to implement stop and go traffic.
- Organizer has reached out to area homeowners affected.

Location 2 – Quidi Vidi Village

December 28 – 31, 2019

- Event based out of Mallard Collage.
- Filming will incorporate projection light show onto the rockface of Quidi Vidi Village. Light show will occur on December 30 and 31, intermittently between 6pm – 9pm.
- Organizer has been advised that access to residences and businesses, must be maintained at all times.
- Parking for all vehicles associated with the shoot, must be in approved parking spaces. Local parking regulations will be in effect.

Recommendation

That the requested event be approved.

The above noted events are subject to the conditions set out by the Special Events Advisory Committee.

Tanya Haywood

Deputy City Manager – Community Services

DECISION/DIRECTION NOTE

Title: Crown Land License to Occupy for Mineral Workings Related Use
CRW1900022
2700 - 2710 Trans-Canada Highway
Farrell's Excavating Ltd.

Date Prepared: December 4, 2019

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Maggie Burton, Planning and Development Lead

Ward: 5

Decision/Direction Required:

To seek approval for a Crown Land License to Occupy for 8200m² of land for uses related to Mineral Working.

Discussion – Background and Current Status:

The Provincial Department of Fisheries and Land Resources has referred an application requesting approval for a License for a parcel of land comprising of an area of 8200m² which is in the Mineral Working (MW) Zone. The proposed use of the land is for an exit and entrance to the existing scales house and weight scales, as well as laydown for heavy equipment and trucks, related to the existing Mineral Working Use of the area.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: Not applicable.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.

9. Information Technology Implications: Not applicable.

10. Other Implications: Not applicable

Recommendation:

It is recommended that the Crown Land License be approved, with the condition that final approval is subject to the submission of a Development application and subject to all Planning, Engineering & Regulatory Services requirements.

Prepared by - Date/Signature:

Andrea Roberts- Development Officer

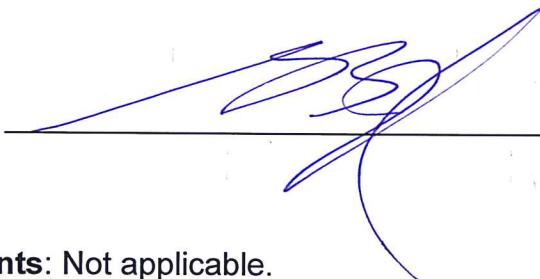
Signature: _____



Approved by - Date/Signature:

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

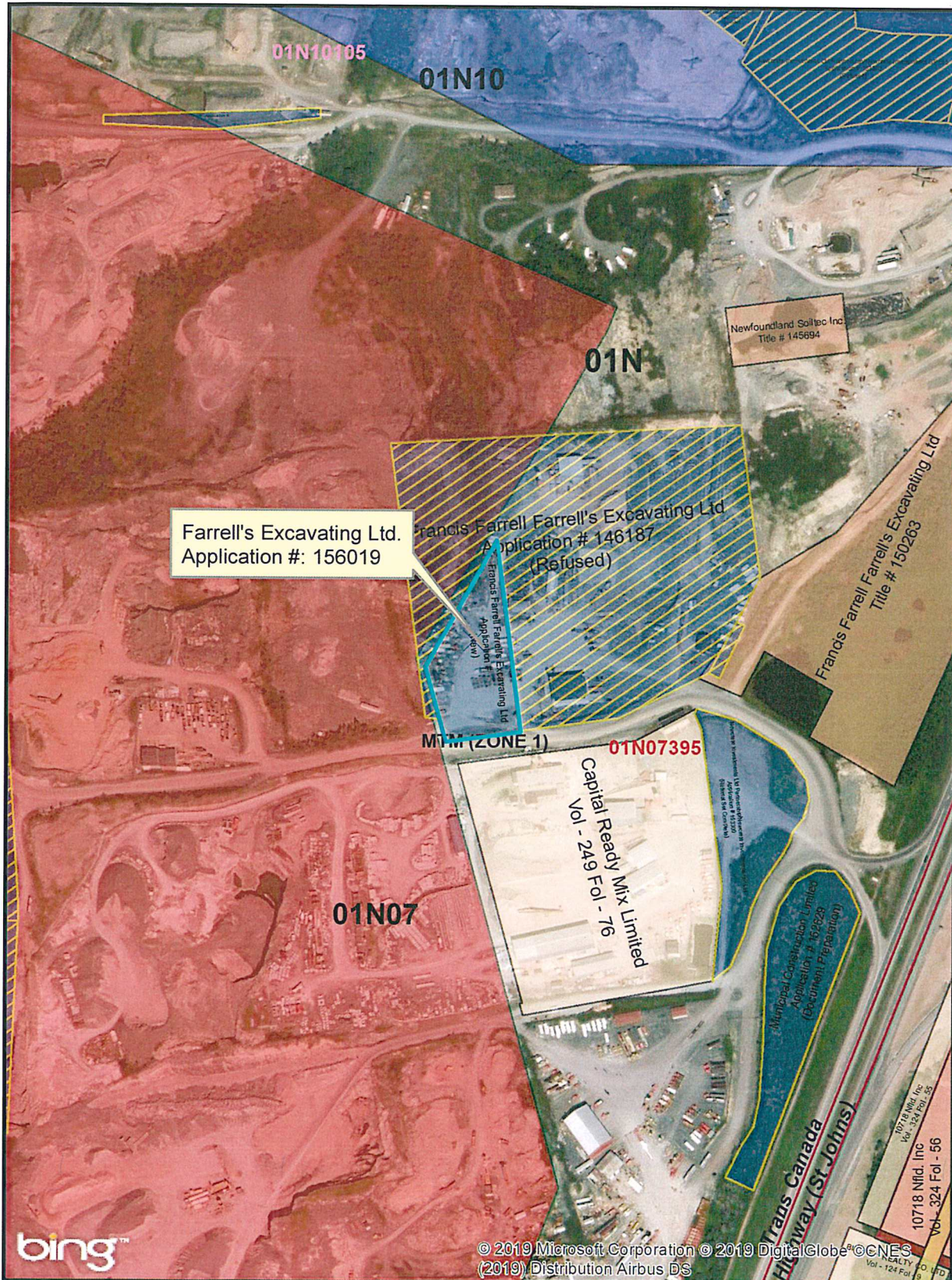
Signature: _____



AAR/dlm

Attachments: Not applicable.

Government of Newfoundland & Labrador Department of Fisheries & Land Resources



NOTE TO USERS

The information on this map was compiled from land surveys registered in the Crown Lands Registry.

Since the Registry does not contain information on all land ownership within the Province, the information depicted cannot be considered complete.

The boundary lines shown are intended to be used as an index to land titles issued by the Crown. The accuracy of the plot is not sufficient for measurement purposes and does not guarantee title.

Users finding any errors or omissions on this map sheet are asked to contact the Crown Lands Inquiries Line by telephone at 1-833-891-3249 or by email at CrownLandsInfo@gov.nl.ca.

Some titles may not be plotted due to Crown Lands volumes missing from the Crown Lands registry or not plotted due to insufficient survey information.

The User hereby indemnifies and saves harmless the Minister, his officers, employees and agents from and against all claims, demands, liabilities, actions or cause of actions alleging any loss, injury, damages and matter (including claims or demands for any violation of copyright or intellectual property) arising out of any missing or incomplete Crown Land titles, and the Minister, his or her officers, employees and agents shall not be liable for any loss of profits or contracts or any other loss of any kind as a result.

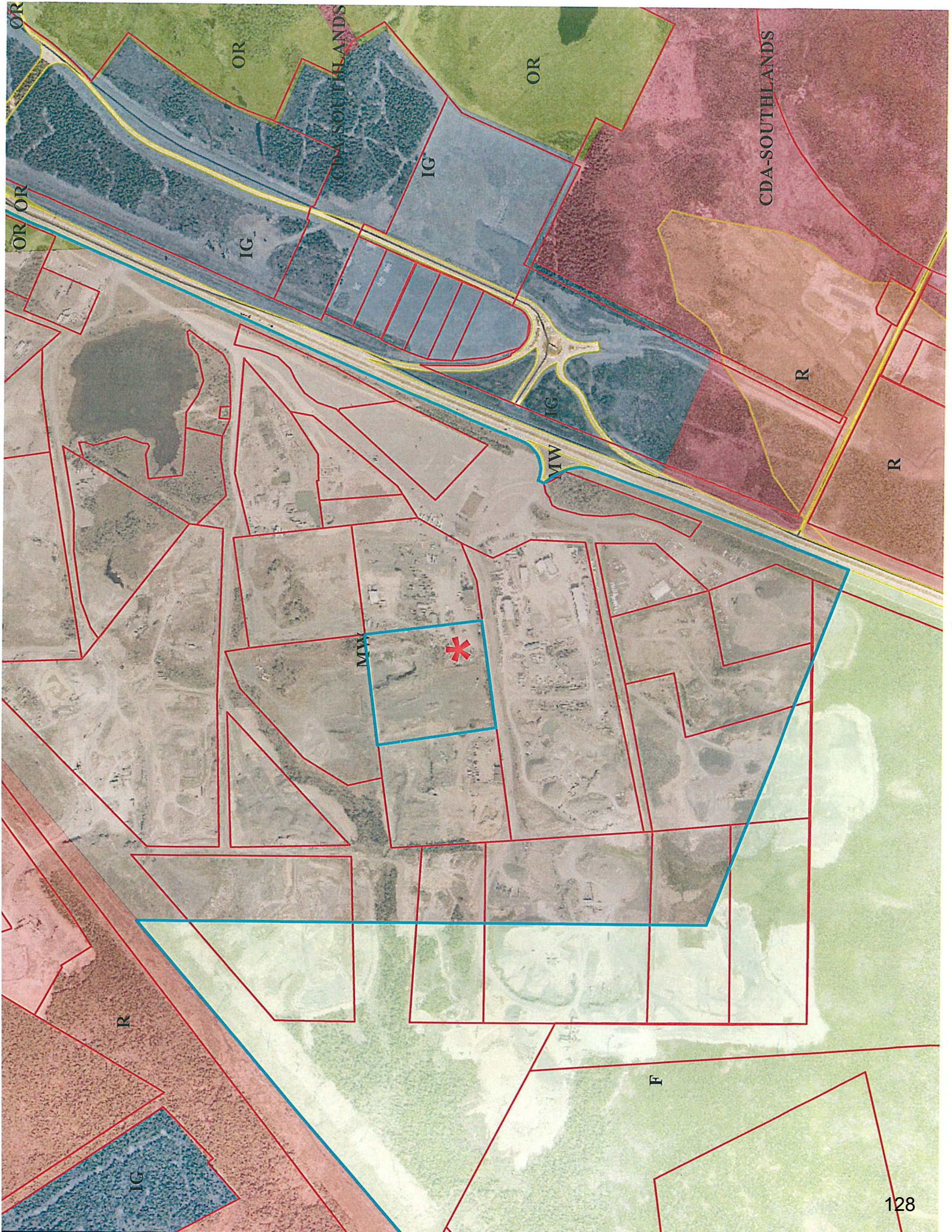
For inquiries please contact the Crown Lands Inquiries Line by telephone at 1-833-891-3249 or by email at CrownLandsInfo@gov.nl.ca. Or visit the nearest Regional Lands Office; http://www.flr.gov.nl.ca/departement/contact_land.html



Crown Lands Administration Division



Scale 1:5,000
Compiled on August 23, 2019



DECISION/DIRECTION NOTE

Title: Temporary Cul-de-sac bulb above 190-meter contour
Comprehensive Development Area (CDA) Kenmount Zone
INT1900128
Duke Street

Date Prepared: December 4, 2019

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 4

Decision/Direction Required:

To approve relocation of temporary Cul-de-sac bulb for Duke Street to above 190-meter contour.

Discussion – Background and Current Status:

As a part of the Westgate Stage 4 development a temporary Cul-de-sac bulb was built within the boundaries of 18, 20 & 22 Duke Street. The developer is currently being taxed for these three residential building lots and is requesting to relocating the temporary bulb so that the building lots can now be developed.

The proposal is to extend the bulb above the 190-meter contour.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: Not applicable.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.

9. Information Technology Implications: Not applicable.

10. Other Implications: Not applicable.

Recommendation:

It is recommended that Council allow the relocation of the Cul-de-sac bulb to above 190-meter contour subject to no extension of water & sanitary services, no buildings to be constructed on the temporary cul-de-sac and any other conditions following the technical review.

Prepared by - Date/Signature:

Ashley Murray, Development Officer II

Signature: Ashley Murray

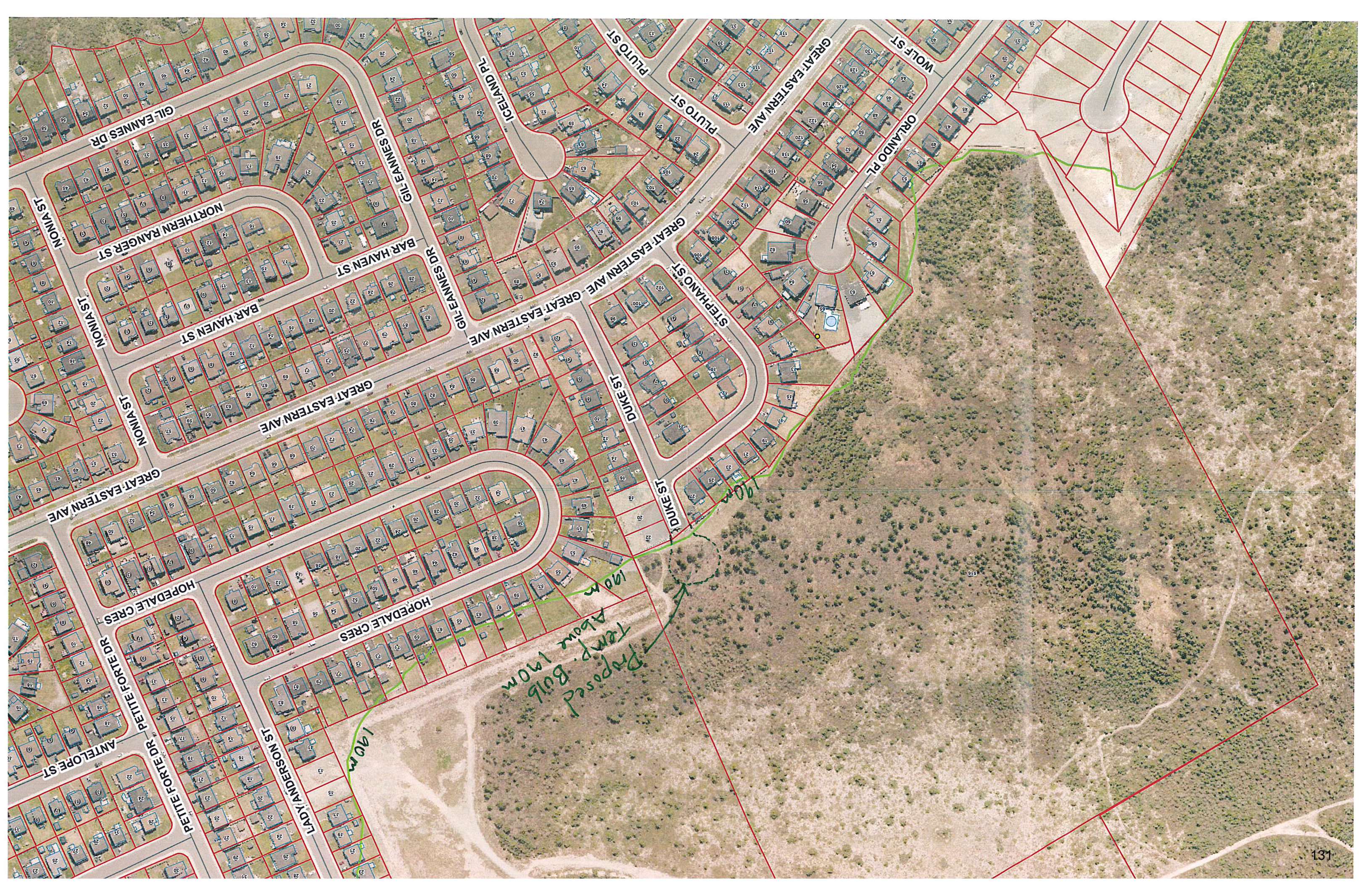
Approved by - Date/Signature:

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

Signature: [Signature]

AAM/dlm

Attachments: Location Map



Permits List
Council's December 9, 2019 Regular Meeting

Permits Issued: 2019/11/28 to 2019/12/04

BUILDING PERMITS ISSUED

Residential

Location	Permit Type	Structure Type
10 Cedar Hill Pl	New Construction	Townhousing
10 Maple St	New Construction	Single Detached Dwelling
118 Brookfield Rd	New Construction	Single Detached w/ apt.
12 Cedar Hill Pl	New Construction	Single Detached Dwelling
127 Airport Heights Dr	Renovations	Single Detached Dwelling
13 Shea St	Renovations	Single Detached Dwelling
142 Ladysmith Dr	New Construction	Single Detached Dwelling
15 Cedar Hill Pl	New Construction	Townhousing
17 Cedar Hill Pl	New Construction	Townhousing
19 Cedar Hill Pl	New Construction	Townhousing
2 Claddagh Rd	New Construction	Single Detached Dwelling
230 Pennywell Rd	Renovations	Single Detached Dwelling
239 Bay Bulls Rd	Renovations	Single Detached Dwelling
24 Monkstown Rd	Renovations	Single Detached w/ apt.
3 Forest Rd	Renovations	Single Detached Dwelling
38 Julieann Pl	Change of Occupancy	Home Office
6 Stoneyhouse St	Renovations	Single Detached Dwelling
61 Maurice Putt Cres	New Construction	Single Detached Dwelling
66 Mark Nichols Pl	Change of Occupancy	Home Office
67 Jordan Pl	Renovations	Single Detached Dwelling
75 Moss Heather Dr	Fence	Fence
8 Cedar Hill Pl	New Construction	Townhousing
8 Tobin Cres	Change of Occupancy/Renovations	Subsidiary Apartment
80 Portugal Cove Rd	Renovations	Single Detached Dwelling
85 Dillon Cres	Site Work	Single Detached Dwelling

This Week: \$1,683,395.97

Commercial

Location	Permit Type	Structure Type
160 Southlands Blvd	New Construction	Home For The Aged

2 Hill O'chips	Renovations	Hotel
201 Water St	Renovations	Tavern
2-4 Hallett Cres	Renovations	Mixed Use
27 Airport Heights Dr	Change of Occupancy/Renovations	Restaurant
342 Freshwater Rd	Sign	Retail Store
430 Torbay Rd	Sign	Eating Establishment
460 Kenmount Rd	Renovations	Eating Establishment
470 Topsail Rd	Renovations	Retail Store
49 Robin Hood Bay Rd	Change of Occupancy	Vacant Land

This Week: \$12,120,803.53

Government/Institutional

Location	Permit Type	Structure Type
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This Week: \$0.00

Industrial

Location	Permit Type	Structure Type
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This Week: \$0.00

Demolition

Location	Permit Type	Structure Type
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260 Lemarchant Rd	Demolition	Warehouse
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This Week: \$20,000.00

This Week's Total: \$13,824,199.50

REPAIR PERMITS ISSUED:

\$22,500.00

NO REJECTIONS

YEAR TO DATE COMPARISONS			
December 9, 2019			
TYPE	2018	2019	% Variance (+/-)
Residential	\$72,582,224.00	\$48,706,985.73	-33
Commercial	\$263,614,608.00	\$173,140,172.69	-34
Government/Institutional	\$12,713,470.00	\$2,826,650.00	-78
Industrial	\$5,000.00	\$1,812,266.07	36145

Repairs	\$2,582,805.00	\$2,302,433.50	-22
TOTAL	\$351,498,107.00	\$228,788,507.99	-35
Housing Units (1 & 2 Family Dwelling)	143	132	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Week Ending December 4, 2019

Payroll

Public Works	\$ 736,176.21
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Bi-Weekly Casual	\$ 43,169.27
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Accounts Payable	\$ 3,478,798.59
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Total:	\$ 4,258,144.07
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ST. JOHN'S

DEPARTMENT OF FINANCE

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

NAME	DESCRIPTION	AMOUNT
RIMS	MEMBERSHIP RENEWALS	942.41
W LES THISTLE LAW OFFICE	LEGAL CLAIM	13,394.55
GEORGE STREET ASSOCIATION	GEORGE STREET NEW YEARS EVE	2,750.00
RED OAK CATERING	CATERING SERVICES	2,645.91
CRAFT COUNCIL OF NEWFOUNDLAND AND LABRADOR	GRANT FOR LANEWAY PROJECT	15,000.00
CANADA GAMES COUNCIL	2025 CANADA GAMES BID FEE	60,000.00
FOLEY, DAWN	LEGAL CLAIM	950.00
BELL ALIANT	TELEPHONE SERVICES	20,189.23
BRISTOL DEVELOPMENT	COURT OF APPEAL REFUND	1,260.00
JENNTINA INVESTMENTS INC.	COURT OF APPEAL REFUND	200.00
CITY OF ST. JOHN'S	REPLENISH PETTY CASH	278.56
PROFESSIONAL ENGINEERS AND GEOSCIENTISTS NFLD & LABRADOR (PEGL)	MEMBERSHIP FEES	1,017.75
NEWFOUNDLAND EXCHEQUER ACCOUNT	CADO RENEWAL	350.00
NORTRAX CANADA INC.,	REPAIR PARTS	33,186.55
WHITES POOL & SPAS LTD o/a Clearwater Pools	POOL SUPPLIES	3,984.28
HETEK SOLUTIONS INC.	REPAIR PARTS	142.20
NEWLAB OXYGEN LIMITED	REPAIR PARTS	131.50
THE WORKS	MEMBERSHIP FEES	466.40
IDEXX LABORATORIES	VETERINARY SUPPLIES	1,564.91
STAPLES ADVANTAGE	OFFICE SUPPLIES	123.97
ROCK SAFETY INDUSTRIAL LTD.	REPAIR PARTS	34.33
PLANK ROAD HOLDINGS	ASSESSMENT APPEAL REFUND	9,362.73
PETRO PLUS INC.	REPAIR PARTS	6,665.11
PRAXAIR PRODUCTS INC.	CARBON DIOXIDE	1,185.53
LARO ENTERPRISES LIMITED	LEGAL CLAIM	990.00
ANDREW THOMAS	REFUND OVERPAYMENT OF TAXES	102.13
COSTCO WHOLESALE CANADA LTD.	REFUND OVERPAYMENT OF TAXES	83,696.85
FELICIA POWER	REFUND OVERPAYMENT OF TAXES	820.14
CONST. W.E. DAWE	REFUND OVERPAYMENT OF TAXES	172.46
11454 NEWFOUNDLAND AND LABRADOR INC.	REFUND OVERPAYMENT OF TAXES	21,582.49
JUDY FREEMAN	REFUND OVERPAYMENT OF TAXES	151.25
LINDA JEWELL	REFUND OVERPAYMENT OF TAXES	151.24
CHRISTINA & DAWN OSMOND	REFUND OVERPAYMENT OF TAXES	100.28
KENNETH & MARION TRAHEY	REFUND OVERPAYMENT OF TAXES	100.28
BRIAN & CHERYL PHILPOTT	REFUND OVERPAYMENT OF TAXES	142.89
DAVID PHILLIPS & EMILY FOLLETT	REFUND OVERPAYMENT OF TAXES	19.16
DENNIS MAHER	REFUND SECURITY DEPOSIT	911.57
HAO WANG	REFUND SECURITY DEPOSIT	100.00
SHAWN MENCHENTON	REFUND SECURITY DEPOSIT	100.00
FULL SPECTRUM CONTRACTING INC.	REFUND SECURITY DEPOSIT	1,500.00
TRAVERSE, SHAMUS	REFUND SECURITY DEPOSIT	100.00
DBH ENTERPRISES LTD.	REFUND SECURITY DEPOSIT	1,000.00
ALICIA HANLON	REFUND SECURITY DEPOSIT	2,000.00
DR. L.W. ADAMS	MEDICAL EXAMINATION FEE	20.00
DAWE'S CONSTRUCTION	REFUND SECURITY DEPOSIT	1,500.00

NAME	DESCRIPTION	AMOUNT
ST. JOHN BOSCO	IWALK PROGRAM	500.00
SHANE DWYER	LEGAL CLAIM	282.90
DEACON INVESTMENTS LTD.	REFUND OVERPAYMENT OF TAXES	75,562.50
PREMIERE EXECUTIVE SUITES/ATLANTIC LTD.	REFUND OVERPAYMENT OF TAXES	6,810.52
TONY PIKE	REFUND SECURITY DEPOSIT	200.00
GEORGE & LINDA RIDEOUT	REFUND OVERPAYMENT OF TAXES	133.20
KATHRYN FLYNN	REFUND SECURITY DEPOSIT	2,500.00
CANADA DAMAGE RECOVERY	DAMAGE CLAIM	712.26
BLUE PRINT HOMES	REFUND SECURITY DEPOSIT	1,000.00
ERNIE COISH	PROFESSIONAL SERVICES	200.00
QUINLAN HOME CONSTRUCTION	REFUND SECURITY DEPOSIT	100.00
PHILROBBEN JANITORIAL LIMITED	JANITORIAL SERVICES	287.50
SHRED-IT INTERNATIONAL	PROFESSIONAL SERVICES	9.20
BRANDT TRACTOR LTD	REPAIR PARTS	1,531.01
SGNL PLACES INC.	BASE RENT	3,162.55
ENVIROSYSTEMS INC.	PROFESSIONAL SERVICES	443.46
PUBLIC SERVICE CREDIT UNION	PAYROLL DEDUCTIONS	4,610.80
CIBC MELLON GLOBAL SECURITIES	EMPLOYEE DEDUCTIONS	6,028.81
CANADIAN TIRE CORP.-KELSEY DR.	MISCELLANEOUS SUPPLIES	252.98
FIRST RESPONSE SUPPLY INC.,	FIRE DEPARTMENT SUPPLIES	870.09
NEWFOUNDLAND POWER	ELECTRICAL SERVICES	24,555.23
ARIVA	PAPER PRODUCTS	685.76
PAJ CANADA COMPANY	PROMOTIONAL ITEMS	692.66
PARTS FOR TRUCKS INC.	REPAIR PARTS	13,939.55
NEWFOUNDLAND POWER	ELECTRICAL SERVICES	63,860.60
HEALTH CARE FOUNDATION	PAYROLL DEDUCTIONS	10.00
THE WORKS	MEMBERSHIP FEES	436.53
CITY HALL SOCIAL CLUB	PAYROLL DEDUCTIONS	6,099.10
SUPPORT ENFORCEMENT AGENCY	WAGE GARNISHMENTS	3,257.30
NAPE	PAYROLL DEDUCTIONS	925.06
CUPE LOCAL 1289	PAYROLL DEDUCTIONS	27,397.02
CUPE LOCAL 569	PAYROLL DEDUCTIONS	30,073.11
IAFF, LOCAL 1075	PAYROLL DEDUCTIONS	23,957.97
WINSOR, LYNNANN	TRAVEL REIMBURSEMENT	3,997.69
ACKLANDS-GRAINGER	INDUSTRIAL SUPPLIES	186.20
AFONSO GROUP LIMITED	SEWER INSPECTIONS	2,331.97
RBC INVESTOR & TREASURY SERVICES	CUSTODY FEES	753.25
ACTION CAR AND TRUCK ACCESSORIES	AUTO PARTS	1,031.66
ATLANTIC OFFSHORE MEDICAL SERV	MEDICAL SERVICES	3,341.50
ATLANTIC PURIFICATION SYSTEM LTD	WATER PURIFICATION SUPPLIES	2,089.78
AQUAM	SUPPLIES RECREATION	5,435.13
KELLOWAY CONSTRUCTION LIMITED	CLEANING SERVICES	26,027.23
RDM INDUSTRIAL LTD.	INDUSTRIAL SUPPLIES	180.33
NEWFOUNDLAND EXCHEQUER ACCOUNT	MRD - DRIVER/VEHICLE INQUIRES	349.60
HERCULES SLR INC.	REPAIR PARTS	254.00

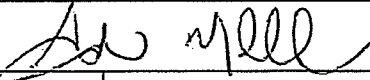

NAME	DESCRIPTION	AMOUNT
BATTLEFIELD EQUIPMENT RENTALS	RENTAL OF EQUIPMENT	118.91
STAPLES THE BUSINESS DEPOT - MP	OFFICE SUPPLIES	288.05
PREMA NEWFOUNDLAND	REPAIR PARTS	242.25
BELBIN'S GROCERY	CATERING SERVICES	123.33
SMS EQUIPMENT	REPAIR PARTS	654.60
HAROLD SNOW & SONS	HARDWARE SUPPLIES	354.94
CABOT PEST CONTROL	PEST CONTROL	46.00
BEST DISPENSERS LTD.	SANITARY SUPPLIES	463.70
ROCKWATER PROFESSIONAL PRODUCT	CHEMICALS	15,489.87
BLACK & MCDONALD LIMITED	PROFESSIONAL SERVICES	19,879.06
EC BOONE LTD.	PROTECTIVE CLOTHING	1,092.50
PROTEK INDUSTRIES LTD	COLD PATCH PROTEKS 50LB BAGS	834.90
MSC INDUSTRIAL SUPPLY ULC	REPAIR PARTS	1,738.56
TRACT CONSULTING INC	PROFESSIONAL SERVICES	4,006.37
FARRELL'S EXCAVATING LTD.	ROAD GRAVEL	10,576.80
WESTERN HYDRAULIC 2000 LTD	REPAIR PARTS	1,092.50
CITY OF MOUNT PEARL	GYM MEMBERSHIP RENEWALS	1,929.00
ATLANTIC TRAILER & EQUIPMENT	REPAIR PARTS	503.64
CABOT BUSINESS FORMS AND PROMOTIONS	BUSINESS FORMS	503.13
CANADA POST CORPORATION	POSTAGE SERVICES	728.89
AIR LIQUIDE CANADA INC.	CHEMICALS AND WELDING PRODUCTS	16,770.97
HISCOCK'S SPRING SERVICE	HARDWARE SUPPLIES	4,253.62
THOMSON REUTERS CANADA	PUBLICATIONS	453.02
SOBEY'S INC	PET SUPPLIES	1,551.35
BLUE WATER MARINE & EQUIPMENT	REPAIR PARTS	63.48
LAT49 ARCHITECTURE INC.	PROFESSIONAL SERVICES	8,193.75
CALA	PROFESSIONAL SERVICES	2,535.72
BEATTIE INDUSTRIAL	REPAIR PARTS	257.16
MAC TOOLS	TOOLS	708.95
NORTH ATLANTIC SUPPLIES INC.	REPAIR PARTS	171.93
KENT	BUILDING SUPPLIES	570.50
CLARKE'S TRUCKING & EXCAVATING	GRAVEL	1,344.67
COLONIAL GARAGE & DIST. LTD.	AUTO PARTS	2,788.38
EASTERN VALVE & CONTROL SPEC.	REPAIR PARTS	309.06
CONSTRUCTION SIGNS LTD.	SIGNAGE	13,311.55
COUNTRY TRAILER SALES 1999 LTD	REPAIR PARTS	39.68
SCARLET EAST COAST SECURITY LTD	TRAFFIC CONTROL	23,903.04
BUREAU VERITAS CANADA (2019) INC	WATER PURIFICATION SUPPLIES	1,449.58
CRANE SUPPLY LTD.	PLUMBING SUPPLIES	4,968.40
JAMES G CRAWFORD LTD.	PLUMBING SUPPLIES	590.94
ENVIROSYSTEMS INC.	PROFESSIONAL SERVICES	70,881.28
NEWFOUND CABS	TRANSPORTATION SERVICES	19.25
CUMMINS CANADA ULC	REPAIR PARTS	316.48
CRAWFORD & COMPANY CANADA INC	ADJUSTING FEES	1,056.00
DICKS & COMPANY LIMITED	OFFICE SUPPLIES	10,394.98

NAME	DESCRIPTION	AMOUNT
WAJAX POWER SYSTEMS	REPAIR PARTS	1,804.81
EAST COAST HYDRAULICS	REPAIR PARTS	1,427.33
REEFER REPAIR SERVICES (2015) LIMITED	REPAIR PARTS	272.55
THYSSENKRUPP ELEVATOR	ELEVATOR MAINTENANCE	1,742.26
CAHILL TECHNICAL SERVICES	PROFESSIONAL SERVICES	24,855.43
CANADIAN TIRE CORP.-HEBRON WAY	MISCELLANEOUS SUPPLIES	155.17
CANADIAN TIRE CORP.-MERCHANT DR.	MISCELLANEOUS SUPPLIES	616.99
CANADIAN TIRE CORP.-KELSEY DR.	MISCELLANEOUS SUPPLIES	1,160.64
ELECTRIC MOTOR & PUMP DIV.	REPAIR PARTS	8,156.95
NATIONAL ENERGY EQUIPMENT INC.	REPAIR PARTS	225.88
ESRI CANADA	PROFESSIONAL SERVICES	58,966.25
DOMINION STORE 935	MISCELLANEOUS SUPPLIES	42.60
BASIL FEARN 93 LTD.	REPAIR PARTS	431.25
EMERGENCY REPAIR LIMITED	AUTO PARTS AND LABOUR	13,389.51
FORTTRAN TRAFFIC SYSTEMS LTD	TRAFFIC SUPPLIES	34,695.34
OMB PARTS & INDUSTRIAL INC.	REPAIR PARTS	297.22
FRESHWATER AUTO CENTRE LTD.	AUTO PARTS/MAINTENANCE	2,102.74
DOWNTOWN ST. JOHN'S	REFUND OVERPAYMENT OF MB ACCOUNT	200.00
BRUCE SUTHERLAND ASSOCIATES LTD	REPAIR PARTS	1,308.38
PRINCESS AUTO	MISCELLANEOUS ITEMS	1,096.43
GREENWOOD SERVICES INC.	REFUND SECURITY DEPOSIT	1,500.00
STELLAR INDUSTRIAL SALES LTD.	INDUSTRIAL SUPPLIES	36.69
PROVINCIAL FENCE PRODUCTS	FENCING MATERIALS	5,846.03
WOLSELEY CANADA INC.	REPAIR PARTS	457.03
STARGARDEN CORPORATION	PROFESSIONAL SERVICES	474.38
EASTERN PROPANE	PROPANE	87.34
HARVEY & COMPANY LIMITED	REPAIR PARTS	16,417.63
GUILLEVIN INTERNATIONAL CO.	ELECTRICAL SUPPLIES	384.97
BRENNTAG CANADA INC	CHLORINE	16,575.62
GRAYMONT (NB) INC.,	HYDRATED LIME	22,330.67
HI-TECH SCALES LTD.	PROFESSIONAL SERVICES	920.00
HOLDEN'S TRANSPORT LTD.	RENTAL OF EQUIPMENT	2,849.13
FLEET READY LTD.	REPAIR PARTS	3,953.77
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	REPAIR PARTS	292.81
PENNECON TECHNICAL SERVICES LTD	PROFESSIONAL SERVICES	15,727.15
SCOTIA RECYCLING (NL) LIMITED	TIP FLOOR FEES	146,030.19
ULINE	SAND BAGS	4,739.35
CH2M HILL	PROFESSIONAL SERVICES	66,257.47
SPARTAN INDUSTRIAL MARINE	SAFETY SUPPLIES	253.00
HICKMAN DODGE JEEP CHRYSLER	AUTO PARTS	8,068.97
ONX ENTERPRISE SOLUTIONS LIMITED	PROFESSIONAL SERVICES	17,192.10
PINNACLE ENGINEERING (2018) LIMITED	PROFESSIONAL SERVICES	41,175.49
CHRIS SQUIRES ENTERPRISES INC.,	REFUND SECURITY DEPOSIT	445.00
PRINTER TECH SOLUTIONS INC.,	REPAIRS TO EQUIPMENT	343.67
JOHNSON CONTROLS LTD.	REPAIR PARTS	2,397.75

NAME	DESCRIPTION	AMOUNT
BOSCH REXROTH CANADA CORP.	REPAIR PARTS	24,168.14
KAVANAGH & ASSOCIATES	PROFESSIONAL SERVICES	56,042.05
WORK AUTHORITY	CLOTHING ALLOWANCE	193.20
XYLEM WATER SOLUTIONS CANADA	REPAIR PARTS	3,422.52
KERR CONTROLS LTD.	INDUSTRIAL SUPPLIES	1,475.74
VOHL INC.,	REPAIR PARTS	140.19
MACKAY COMMUNICATIONS - CANADA, INC.	PROFESSIONAL SERVICES	6,373.02
CARMICHAEL ENGINEERING LTD.	PROFESSIONAL SERVICES	3,308.80
BELFOR PROPERTY RESTORATION	PROFESSIONAL SERVICES	2,185.00
JT MARTIN & SONS LTD.	HARDWARE SUPPLIES	396.47
FOCUS FIELD SOLUTIONS INC.,	SOFTWARE RENEWAL	3,146.40
GRAYBAR CANADA AUTOMATION CONTROLS	REPAIR PARTS	690.00
BANG THE TABLE	SOFTWARE RENEWAL	22,770.00
DISTRIBUTION NOW	REPAIR PARTS	79.07
REXEL CANADA ELECTRICAL INC.,	REPAIR PARTS	460.32
MCLOUGHLAN SUPPLIES LTD.	ELECTRICAL SUPPLIES	2,743.06
MIKAN SCIENTIFIC INC.	REPAIR PARTS	44.68
SUMMIT PLUMBING & HEATING LTD.	PROFESSIONAL SERVICES	706.26
SHORELINE LUBRICANTS & INDUSTRIAL SUPPLY	CHEMICALS	3,708.47
WAJAX INDUSTRIAL COMPONENTS	REPAIR PARTS	2,110.10
NEWFOUNDLAND DISTRIBUTORS LTD.	INDUSTRIAL SUPPLIES	1,079.83
TRC HYDRAULICS INC.	REPAIR PARTS	2,953.26
NL KUBOTA LIMITED	REPAIR PARTS	942.54
RECREATION NL	MEMBERSHIP RENEWALS	425.00
TOROMONT CAT	AUTO PARTS	97.90
NORTH ATLANTIC PETROLEUM	PETROLEUM PRODUCTS	67,359.51
PENNECON HYDRAULIC SYSTEMS LTD	PROFESSIONAL SERVICES	7,189.61
PBA INDUSTRIAL SUPPLIES LTD.	INDUSTRIAL SUPPLIES	35.65
POWERLITE ELECTRIC LTD.	ELECTRICAL PARTS	335.23
PROFESSIONAL UNIFORMS & MATS INC.	PROTECTIVE CLOTHING	1,759.31
PUROLATOR INC.	COURIER SERVICES	225.16
RIDEOUT TOOL & MACHINE INC.	TOOLS	3,101.41
NAPA ST. JOHN'S 371	AUTO PARTS	2,184.96
ROYAL FREIGHTLINER LTD	REPAIR PARTS	723.48
S & S SUPPLY LTD. CROSSTOWN RENTALS	REPAIR PARTS	2,485.25
ST. JOHN'S VETERINARY HOSPITAL	PROFESSIONAL SERVICES	119.14
ST. JOHN'S TRANSPORTATION COMMISSION	CHARTER SERVICES	2,231.86
BIG ERICS INC	SANITARY SUPPLIES	941.77
SAUNDERS EQUIPMENT LIMITED	REPAIR PARTS	7,251.82
SANSOM EQUIPMENT LTD.	REPAIR PARTS	4,156.48
SMITH STOCKLEY LTD.	PLUMBING SUPPLIES	287.02
CHANDLER	CLOTHING ALLOWANCE	12,216.45
SUPERIOR OFFICE INTERIORS LTD.	OFFICE SUPPLIES	918.85
AETTNL	MEMBERSHIP RENEWALS	276.00
TRACTION DIV OF UAP	REPAIR PARTS	7,021.27

NAME	DESCRIPTION	AMOUNT
WEIRS CONSTRUCTION LTD.	STONE/ROAD GRAVEL	4,850.11
DR. WADE MERCER	MEDICAL EXAMINATION FEE	20.00
THE GATHERING PLACE	SUPPORTIVE REFERRAL CLAIM	1,869.01
STAPLES THE BUSINESS DEPOT - KELSEY DR	OFFICE SUPPLIES	160.98
THRIVE	SUPPORTIVE REFERRAL CLAIM	3,136.60
MARK WEBBER MAGIC	ENTERTAINMENT	175.00
GFL ENVIRONMENTAL INC.	PROFESSIONAL SERVICES	3,253.68
BEST BUY CANADA LIMITED	ELECTRONICS	459.99
CHAFE, KAREN	EMPLOYMENT RELATED EXPENSES	382.18
MEANEY, GORDON	EMPLOYMENT RELATED EXPENSES	127.60
ANNETTE OLDFORD	EMPLOYMENT RELATED EXPENSES	464.87
COFFEY, DEREK	EMPLOYMENT RELATED EXPENSES	83.73
SCHAMPER, ROB	EMPLOYMENT RELATED EXPENSES	19.97
TRAVERSE, SHELLEY	EMPLOYMENT RELATED EXPENSES	162.66
BLAIR MCDONALD	PEG MEMBERSHIP RENEWAL	339.25
STACEY ROBERTS	EMPLOYMENT RELATED EXPENSES	21.99
TOBIN, JUDY	EMPLOYMENT RELATED EXPENSES	227.01
BAMBRICK, VANESSA	EMPLOYMENT RELATED EXPENSES	195.58
VICTORIA ETCHEGARY	EMPLOYMENT RELATED EXPENSES	117.01
SIMONE LILLY	EMPLOYMENT RELATED EXPENSES	27.64
ANN-MARIE CASHIN	EMPLOYMENT RELATED EXPENSES	75.00
TARA CUMBY	EMPLOYMENT RELATED EXPENSES	61.97
JUSTIN RUSSELL	EMPLOYMENT RELATED EXPENSES	163.67
CISCO SYSTEMS CAPITAL CANADA CO.	SOFTWARE RENEWAL	9,004.05
VALLEN	REPAIR PARTS	551.20
PARSONS PAVING LTD.	PROFESSIONAL SERVICES	45,833.25
PICTOMETRY CANADA CORP	PROFESSIONAL SERVICES	108,240.30
WITLESS BAY HOME HARDWARELTD	HARDWARE SUPPLIES	2,461.00
PERRY MATTHEWS TOWING INC.	PROFESSIONAL SERVICES	3,162.50
C&E GROUP	PROFESSIONAL SERVICES	1,641.86
VIVAX CANADA INC	PROFESSIONAL SERVICES	723.51
WATERWORKS SUPPLIES DIV OF EMCO LTD	REPAIR PARTS	12,425.03
GRANVIEW FARMS LTD	PROGRESS PAYMENTS	11,385.01
PYRAMID CONSTRUCTION LIMITED	PROGRESS PAYMENTS	1,542,127.54
MODERN PAVING LTD.	PROGRESS PAYMENTS	53,603.86
PARTS FOR TRUCKS INC.	REPAIR PARTS	6,984.38
CANADIAN INTERNET REGISTRATION AUTHORITY	PROFESSIONAL SERVICES	10,350.00
TOTAL: \$		<u>3,478,798.59</u>

DEPARTMENTAL APPROVAL REQUEST – REQUEST FOR PROPOSALS (RFP)

Bid #	2019228		
Commodity	Traffic Control Services - Robin Hood Bay		
Department	Public Works - Waste & Recycling		
Budget Code	4331-52100 and 4334-52100		
Source of Funding	<input checked="" type="checkbox"/> Operating	<input type="checkbox"/> Capital	<input type="checkbox"/> Multiyear Capital
Purpose	To provide full-time services traffic control at the landfill commercial tipping area and the residential drop-off (RDO) at Robin Hood Bay.		
Proposals Submitted by	Vendor Name		
	Neptune Security Services Inc.		
	Scarlet East Coast Security		
	Safety First Contracting Ltd.		
	See Page 2 for additional bidders		
Expected Value	<input type="checkbox"/> As above	<input checked="" type="checkbox"/> Value shown is an estimate only for a 2 year period. The City does not guarantee to buy any specific quantities or dollar value.	
Contract Duration	Two years - Option to new for one extra		
Recommendation	It is recommended to award this RFP to <u>Safety First</u> in the amount of <u>\$679,462.60</u> based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.		
Proposals Obtained by	High Score RFQ		
Manager or Designate		Date	Nov 21, 2019
Deputy City Manager or Designate		Date	Dec 2, 2019

- In cases where the procurement value is \$100,000 or above Council approval is required. The entire procurement value must be calculated to determine this threshold including any possible contract extensions.
- Where departments have used an RFP to purchase commodities, they are responsible to send the information to Council for approval by using this form.
- A purchase order will not be created until all documentation, including Council approval, has been provided with an approved requisition.

ST. JOHN'S

DEPARTMENTAL APPROVAL REQUEST – REQUEST FOR PROPOSALS (RFP)

Bid #	2019228		
Commodity	Traffic Control Services - Robin Hood Bay		
Department	Public Works - Waste & Recycling		
Budget Code	4331-52100 and 4334-52100		
Source of Funding	<input checked="" type="checkbox"/> Operating	<input type="checkbox"/> Capital	<input type="checkbox"/> Multiyear Capital
Purpose	See page 1		
Proposals Submitted by	Vendor Name		
	Spectrum Security		
	Garda Canada Security Corp		
	Hi-Vis Traffic Control Inc.		
Expected Value	<input type="checkbox"/> As above <input type="checkbox"/> Value shown is an estimate only for a ___ year period. The City does not guarantee to buy any specific quantities or dollar value.		
Contract Duration			
Recommendation	It is recommended to award this RFP to _____ in the amount of \$_____ based on an evaluation of the proposals by the City's evaluation team as per the Public Procurement Act.		
Proposals Obtained by			
Manager or Designate		Date	
Deputy City Manager or Designate		Date	

- In cases where the procurement value is \$100,000 or above Council approval is required. The entire procurement value must be calculated to determine this threshold including any possible contract extensions.
- Where departments have used an RFP to purchase commodities, they are responsible to send the information to Council for approval by using this form.
- A purchase order will not be created until all documentation, including Council approval, has been provided with an approved requisition.

ST. JOHN'S

NOTICE OF MOTION

TAKE NOTICE that I will, at a future Regular Meeting of the St. John's Municipal Council, move the repeal of the St. John's Whistleblower Protection By-Law. This motion will be debated after the adoption by Council of the new Fraud Policy.

DATED at St. John's, NL this _____ day of December, 2019.

COUNCILLOR

ST. JOHN'S

DECISION/DIRECTION NOTE

Title: Councillor Hickman – Travel – Canadian Capital Cities Organization

Date Prepared: December 4, 2019

Report To: Mayor and Members of Council

Councillor and Role:

Ward:

Decision/Direction Required:

Seeking approval for Councillor Sandy Hickman to attend the 2019 Canadian Capital Cities semi-annual meeting in Ottawa, January 29 – February 1, 2020.

Discussion – Background and Current Status:

Councillor Hickman is the City's representative on the Canadian Capital Cities Organization (CCCO). Its semi-annual meeting is being held in Ottawa from January 29 – February 1, 2020 and approval is sought for Councillor Hickman to attend this meeting.

Key Considerations/Implications:

1. Budget/Financial Implications:
Travel is budgeted under Council Travel
2. Partners or Other Stakeholders:
 - a. Mayor and Council
 - b. Canadian Capital Cities Organization (CCCO)
3. Alignment with Strategic Directions/Adopted Plans: 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

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Recommendation:

That Council approve the travel costs for Councillor Hickman to attend the semi-annual meeting of the Canadian Capital Cities Organization in Ottawa from January 29, 2019 – February 1, 2020.

Attachments:

Report Approval Details

Document Title:	Travel - Councillor Hickman - Canadian Capital Cities Organization.docx
Attachments:	
Final Approval Date:	Dec 4, 2019

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

Karen Chafe - Dec 4, 2019 - 2:17 PM

Elaine Henley - Dec 4, 2019 - 2:27 PM

DEPARTMENT/EMPLOYEE	LOCATION	PURPOSE OF TRAVEL	DATES	TOTAL COST	REGISTRATION	AIRFARE	HOTEL	PER DIEM	TRANSPORTATION	OTHER	REIMBURSEABLE BY THIRD PARTY
<u>Office of the City Manager</u>											
Elizabeth Clarke	Toronto & Edmonton	Underwriter/Broker Meetings and Conference	Sept. 4-11, 2019	4,656.90	787.50	1,292.28	2,024.12	428.00	125.00	-	-
				4,656.90	787.50	1,292.28	2,024.12	428.00	125.00	-	-
<u>Finance & Administration</u>											
Derek Coffey	Montreal, PQ	CPA Conference	Sept. 22-25, 2019	3,366.59	1,713.13	525.75	746.16	214.00	167.55	-	-
				3,366.59	1,713.13	525.75	746.16	214.00	167.55	-	-
<u>Community Services</u>											
Tanya Haywood	Truro, NS	Event Atlantic Board Meeting	Aug. 21-22, 2019	879.52	-	498.24	147.60	107.00	126.68	-	-
Elizabeth Lawrence	Aberdeen, Scotland	Energy Cities AGM and Offshore Europe 2019	Sept. 2-8, 2019	3,590.07	-	1,700.72	1,554.11	281.32	53.92	-	-
Mary Walsh	Regina, SK	Municipal Service Delivery Conference	Sept. 15-19, 2019	3,211.79	892.50	1,531.03	500.76	267.50	20.00	-	-
				7,681.38	892.50	3,729.99	2,202.47	655.82	200.60	-	-
<u>Mayor & Council</u>											
Danny Breen	Aberdeen, Scotland	Offshore Europe 2019	Aug. 31-Sept. 8, 2019	4,230.47	-	1,745.54	1,550.19	746.82	187.92	-	-
Sandy Hickman	Regina, SK	CCCO Conference	Sept. 15-17, 2019	2,284.78	300.00	1,418.53	359.00	160.50	46.75	-	-
Ian Froude	Gander, NL	Stewardship Municipalities Conference	Sept. 20-21, 2019	348.68	-	-	-	107.00	241.68	-	-
				6,863.93	300.00	3,164.07	1,909.19	1,014.32	476.35	-	-
<u>Regional Fire Department</u>											
Sherry Colford	Calgary, AB	Fire Chief's Conference	Sept. 12-17, 2019	4,041.89	939.75	826.44	1,622.30	321.00	332.40	-	-
Sherry Colford	Gander, NL	NL Assoc. of Fire Services Conference	Sept. 27-30, 2019	419.75	419.75	-	-	-	-	-	-
Greg Moore	Lansing, MI	Spartan Training Conference	Sept. 28-Oct. 5, 2019	3,848.41	951.89	1,222.22	1,177.19	497.11	-	-	-
				8,310.05	2,311.39	2,048.66	2,799.49	818.11	332.40	-	-
<u>Planning, Engineering & Regulatory Services</u>											
Bill MacDonald	Halifax, NS	TAC Conference	Sept. 19-25, 2019	3,208.79	1,435.20	473.44	805.86	454.75	20.00	19.54	-
				3,208.79	1,435.20	473.44	805.86	454.75	20.00	19.54	-
<u>Public Works</u>											
Daniel LeBlanc	Moncton, NB	ISA Atlantic Chapter	Sept. 3-8, 2019	1,527.86	250.00	355.79	-	321.00	601.07	-	-
David Crowe	Halifax, NS	Int'l Municipal Signal Assoc.	Sept. 24-28, 2019	1,510.62	350.00	351.90	594.72	214.00	-	-	-
Ryan Crewe	Halifax, NS	Int'l Municipal Signal Assoc.	Sept. 24-28, 2019	1,737.98	350.00	409.69	700.29	214.00	64.00	-	-
				4,776.46	950.00	1,117.38	1,295.01	749.00	665.07	-	-
TOTAL FOR ALL DEPARTMENTS											
				38,864.10	8,389.72	12,351.57	11,782.30	4,334.00	1,986.97	19.54	-

Please note travel amounts above may not match totals on attached report due to timing differences between travel dates and recording of expenses as well as calculation of HST rebates.

CITY OF ST. JOHN'S
City of St. John's Consolidated
For the Nine Months Ending Monday, September 30, 2019

	YEARLY BUDGET	Y.T.D. ACTUAL	BUDGET REMAINING
TRAVELLING EXPENSES:			
City Administration, Mayor and Councillors - TRAVELLING EXPENSES	40,000	38,079	1,921
City Administration, Office of the City Manager - TRAVELLING EXPENSES	13,700	18,768	(5,068)
Community Services, Administration - Community Services - TRAVELLING EXPENSES	38,300	21,364	16,936
Community Services, City Homelessness Initiatives - TRAVELLING EXPENSES	0	5,948	(5,948)
Finance & Administration, Administration - Finance - TRAVELLING EXPENSES	33,890	9,827	24,063
Planning, Engineering, & Regulatory Services, Management and Administration, PERS - TRAVELLING EXPENSES	40,900	12,564	28,336
Public Works, Public Works Administration - TRAVELLING EXPENSES	15,657	8,880	6,777
Public Works, Waste and Recycling - TRAVELLING EXPENSES	11,700	0	11,700
Public Works, Water and Waste Water - TRAVELLING EXPENSES	23,200	4,146	19,054
St. John's Regional Fire Department, Regional Fire Administration - TRAVELLING EXPENSES	6,800	5,558	1,242
Total TRAVELLING EXPENSES	224,147	125,134	99,013

DECISION/DIRECTION NOTE – Regular Meeting

Title: 250 Southside Road

Date Prepared: December 5, 2019

Report To: His Worship the Mayor and City Council

Councillor and Role: Wally Collins, Ward Councillor

Ward: Ward 5

Decision/Direction Required:

To approve a land swap with the Canadian Coast Guard. The proposal is for the City to convey a strip of City owned land, which the existing Coast Guard building has been situated on for many years, in exchange for an Easement over Coast Guard land on which the City currently has underground infrastructure.

Discussion – Background and Current Status:

At the time the Coast Guard built their former building, they built a section of the building on City owned land (formerly part of Southside Road). On the same site, the City has underground infrastructure installed on the property of the Coast Guard for which we have requested an easement, as shown in Schedule “A”. The Coast Guard has agreed to the Easement, on the condition that the City convey the small parcel/strip of land upon which the Coast Guard encroaches.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Canadian Coast Guard.
3. Alignment with Strategic Directions/Adopted Plans:
 - a. A Sustainable City
 - b. A City that Moves
 - c. A Connected City
 - d. An Effective City
4. Legal or Policy Implications:
 - a. Easement to be prepared.
 - b. Deed of Conveyance to 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:

It is recommended that Council approve the conveyance of the parcel of land from the City to the Coast Guard and approve the acceptance of the Easement from the Coast Guard to the City, for the mutual benefit of both parties.

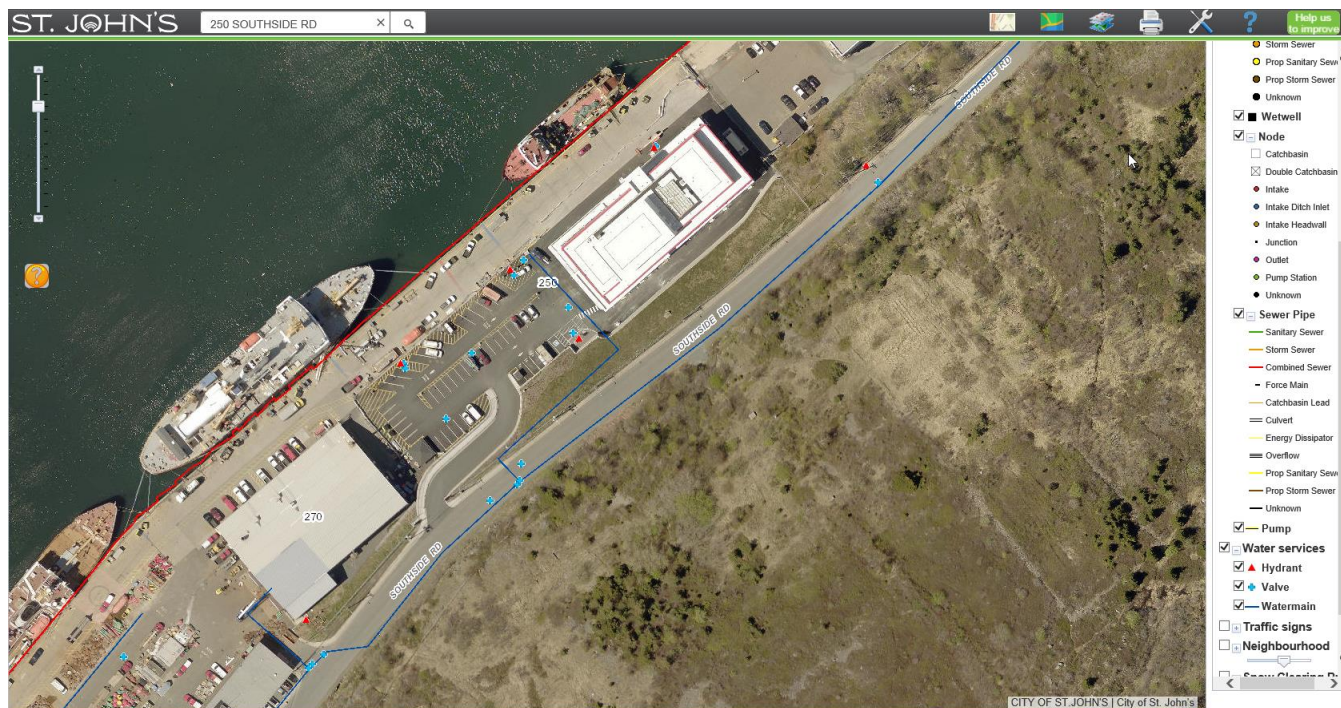
Prepared by/Date: Andrew Woodland, December 5, 2019

Reviewed by/Date: Cheryl Mullett,

Approved by/Date: Cheryl Mullett

Attachments:

Schedule "A"



Schedule "B"

DECISION/DIRECTION NOTE – Regular Meeting

Title: 204 Empire Avenue

Date Prepared: December 5, 2019

Report To: His Worship the Mayor and City Council

Councillor and Role: Hope Jamieson, Ward 2 Councillor
Ian Froude, Ward 4 Councillor

Ward: Ward 2 & 4

Decision/Direction Required:

To approve a quit claim for a strip of land claimed by Shoppers Realty Inc. (“Shoppers”) at the front of their property fronting on Empire Avenue, which they have been utilizing for over 50 years. In return, Shoppers Realty Inc. will quit claim a parcel of land at the corner of Empire Avenue and Freshwater Road to the City for future infrastructure requirements.

Discussion – Background and Current Status:

Shoppers Realty Inc. has been in possession of the property at the front of 204 Empire Avenue for over 50 years. Recently, when conducting a title search, it was discovered that they were unable to determine the ownership of a small strip of land, as shown on the attached Schedule “A”. The lawyer for Shoppers has requested that the City provide them with a Quit Claim deed for this parcel of land.

Upon review of the request, it was suggested that if the City Quit claimed Parcel “A” to Shoppers, that Shoppers would, in turn, Quit Claim a parcel at the corner of Empire Avenue and Freshwater Road, as shown in Schedule “B”, for future infrastructure. This was proposed to Shoppers and they have agreed to same. Shoppers has completed the surveys of both parcels of land, and their lawyer has drafted the Quit Claim Deeds which are acceptable to the City.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Shoppers Realty Inc.



3. Alignment with Strategic Directions/Adopted Plans:
 - a. A Sustainable City
 - b. A City that Moves
 - c. A Connected City
 - d. An Effective City
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:

It is recommended that Council approve the acceptance of the Quit Claim Deed from Shoppers and the issuance of the Quit Claim Deed to Shoppers.

Prepared by/Date: Andrew Woodland, December 5, 2019

Reviewed by/Date: Cheryl Mullett,

Approved by/Date: Cheryl Mullett

Attachments:

Schedule "A"

Schedule "B"

Schedule

"A"

Parcel A

Parcel B

Parcel C

Parcel D

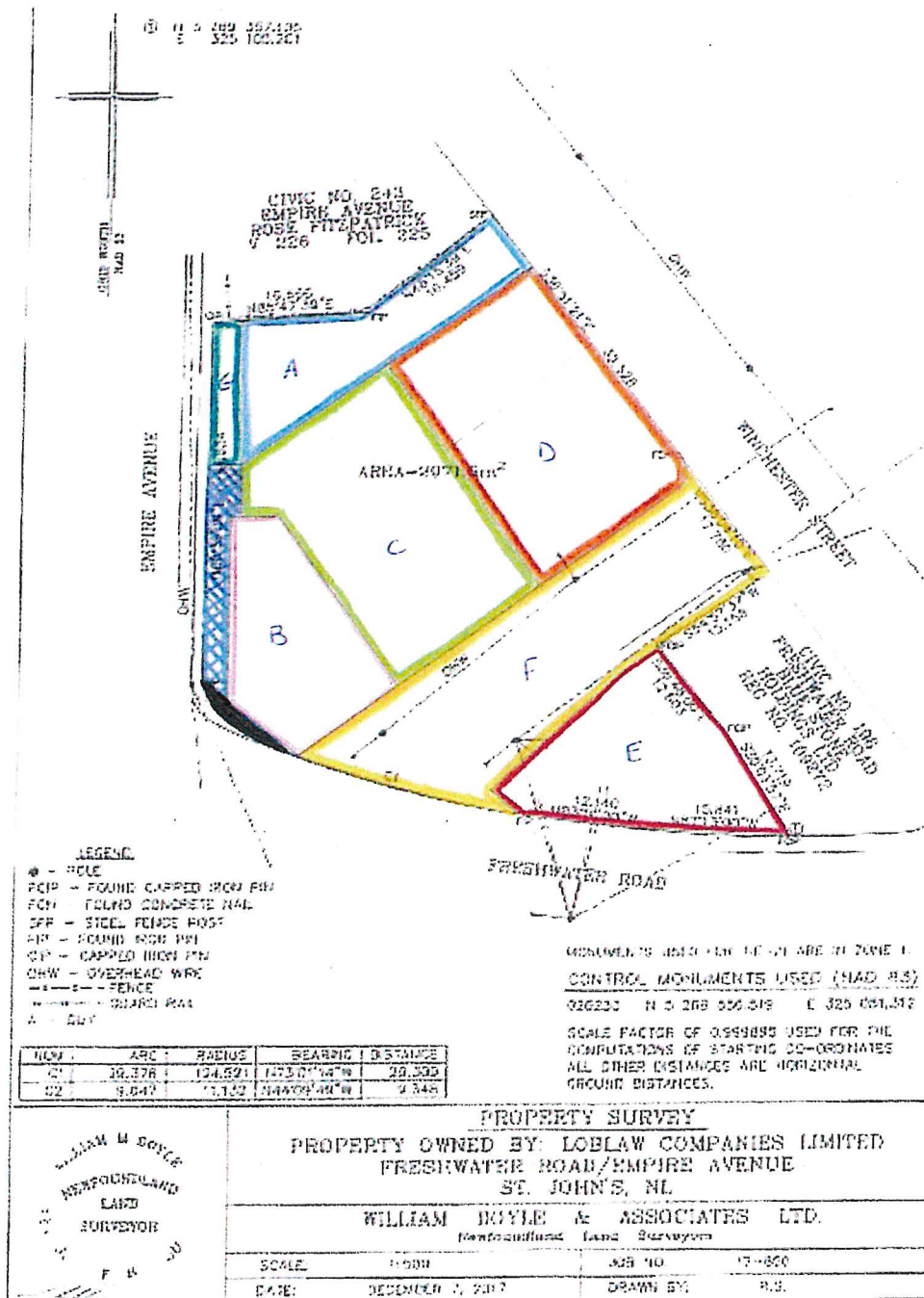
Parcel E

Parcel F

Parcel G



Likely a result
of road re-
alignment. First
appears in 1958
in V419/320
(mortgage)



DECISION/DIRECTION NOTE

Title: Collective Agreement between the City of St. John's and CUPE Local 1289

Date Prepared: December 6, 2019

Report To: His Worship the Mayor and Members of Council

Councillor and Role:

Ward:

Decision/Direction Required:

Ratification of the CUPE 1289 Collective Agreement.

Discussion – Background and Current Status:

The City and CUPE Local 1289 have reached a tentative Collective Agreement for the period of July 1, 2018 – June 30, 2022. The union ratified the agreement on December 4, 2019. It is now being brought to Council for a ratification vote. The key terms of the tentative agreement are as follows:

Tentative Agreement between the City of St. John's and CUPE Local 1289	
Duration	4 years
General Increase	0%; 0%; 0%; 0%
Severance	<ul style="list-style-type: none">• No further accrual for employees hired after December 4, 2019• One time payout option for severance accrued up to December 31, 2018
Signing Bonus	\$1,000

Key Considerations/Implications:

1. Budget/Financial Implications

The estimated cost of paying out the signing bonus to CUPE 1289 employees is approximately \$200,000.

ST. JOHN'S

With respect to the severance deal, while there will be savings, it is extremely difficult to quantify this amount. It depends on the number of employees who take a payout, how much of the payout they take, and future salary growth rates for the remaining service life of these employees. This deal does, however, cap the pool of employees eligible to accrue severance pay which in the long term eliminates the severance expense for the City.

2. Partners or Other Stakeholders
3. Alignment with Strategic Directions/Adopted Plans
This aligns with being an Effective Organization and Fiscally Responsible.
4. Legal or Policy Implications
5. Engagement and Communications Considerations
6. Human Resource Implications
7. Procurement Implications
8. Information Technology Implications
9. Other Implications

Recommendation: To ratify the Collective Agreement

Prepared by/Signature: Sarah Hayward, Director of Human Resources

Approved by/Date/Signature: Kevin Breen, City Manager

