

ST. JOHN'S

Regular Meeting - City Council Agenda

January 14, 2025

3:00 p.m.

4th Floor City Hall

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ST. JOHN'S

Minutes of Regular Meeting - City Council

Council Chamber, 4th Floor, City Hall

December 10, 2024, 3:00 p.m.

Present:

- Mayor Danny Breen
- Deputy Mayor Sheilagh O'Leary
- Councillor Maggie Burton
- Councillor Ron Ellsworth
- Councillor Sandy Hickman
- Councillor Jill Bruce
- Councillor Ophelia Ravencroft
- Councillor Tom Davis
- Councillor Carl Ridgeley
- Councillor Greg Noseworthy

Regrets:

- Councillor Debbie Hanlon

Staff:

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

Land Acknowledgement

The following statement was read into the record:

"We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John's is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of indigenous and

other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi'kmaq, Innu, Inuit, and Southern Inuit of this Province.”

1. **CALL TO ORDER**

2. **PROCLAMATIONS/PRESENTATIONS**

2.1 **2024 COSJ Scholarship Presentation**

3. **APPROVAL OF THE AGENDA**

3.1 **Adoption of Agenda**

SJMC-R-2024-12-10/520

Moved By Councillor Ravencroft

Seconded By Deputy Mayor O'Leary

That the Agenda be adopted as presented.

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

MOTION CARRIED (10 to 0)

4. **ADOPTION OF THE MINUTES**

4.1 **Adoption of Minutes - November 26, 2024**

SJMC-R-2024-12-10/521

Moved By Councillor Bruce

Seconded By Councillor Ridgeley

That the minutes of November 26, 2024, be adopted as presented.

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

MOTION CARRIED (10 to 0)**5. BUDGET 2025 PRESENTATION**

Councillor Ellsworth presented the 2025 budget, which received strong support from the rest of Council.

Councillor Ravencroft raised concerns about the tax framework, advocating for changes to charge wealthier individuals more and reduce the taxes of those who are struggling. However, she noted that any changes must occur at either a provincial or federal level, as the City does not have the authority to make these changes.

Mayor Breen advised that there was a need for a new funding model to address the new-age demands on municipalities and to alleviate the financial burden on taxpayers.

SJMC-R-2024-12-10/522

Moved By Councillor Ellsworth

Seconded By Councillor Davis

That Council adopt the 2025 Budget in the balanced position of \$349,151,881.00, as presented, along with the following resolutions:

- 2025 Accommodation Tax Resolution
- 2025 Downtown Business Improvement Area Levy Resolution
- 2025 Interest Rate Resolution
- 2025 Property Tax Rate Resolution - Commercial Properties
- 2025 Property Tax Rate Resolution - Residential Properties
- 2025 25% Property Reduction for Senior Citizens Resolution
- 2025 Business Tax Rate on Utilities Resolution
- 2025 Water by Meter Resolution
- 2025 Water Tax Resolution

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

MOTION CARRIED (10 to 0)

6. BUSINESS ARISING FROM THE MINUTES

7. DEVELOPMENT APPLICATIONS

7.1 Notices Published – 5&7 Little Street – DEV2300074

SJMC-R-2024-12-10/523

Moved By Councillor Ridgeley

Seconded By Councillor Davis

That Council defer accepting the revised Land Use Report (LUR), approval-in-principle, and parking relief for a proposed Apartment Building at 5&7 Little Street.

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

MOTION CARRIED (10 to 0)

7.2 Approval in Principle for Child Care Centre – 47 Claddagh Road – DEV2400160

Discussion took place and it was agreed that this would be a great location for the proposed Child Care Centre. However, the application cannot proceed further at this time, as it is contingent on the completion of the Southlands Boulevard connection.

SJMC-R-2024-12-10/524

Moved By Councillor Ridgeley

Seconded By Deputy Mayor O'Leary

That Council grant Approval in Principle for the proposed Child Care Centre Use at 47 Claddagh Road, which is subject to the following conditions prior to Final Approval:

1. Meet all requirements of the St. John's Municipal Plan and Development Regulations;
2. Meet all requirements of the Development Design Manual;
3. The PMD-1 Zone requirements are to be demonstrated on a detailed

site plan;

4. Detailed site and servicing plans submitted and approved;

5. Complete a Traffic Impact Study;

6. Parking requirements are to be met or a request for parking relief provided to be considered

by Council; and

7. Until such time as the Southland Boulevard connection moves ahead, no development application can be accepted for this site.

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

MOTION CARRIED (10 to 0)

7.3 Crown Land Lease Referral - Fowler's Road - CRW2400019

SJMC-R-2024-12-10/525

Moved By Councillor Ridgeley

Seconded By Councillor Ellsworth

That Council approve the Crown Land Lease off Fowler's Road for an Agriculture Use, which will be subject to a Development Application should the lease be issued. There shall be no development within any wetland, floodplain, or associated buffer.

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

MOTION CARRIED (10 to 0)

7.4 Notices Published – 187 Water Street – DEV2400152

Councillor Davis declared a conflict of interest and abstained from voting due to competing business ownership.

SJMC-R-2024-12-10/526

Moved By Councillor Ridgeley

Seconded By Councillor Ravencroft

That Council approve the Discretionary Use application at 187 Water Street for a Place of Amusement.

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

Abstain (1): Councillor Davis

MOTION CARRIED (9 to 0)

7.5 Variance on Accessory Building Height – 23 Chafe's Lane – INT2400096

SJMC-R-2024-12-10/527

Moved By Councillor Ridgeley

Seconded By Councillor Bruce

That Council approve a Variance of 10% at 23 Chafe's Lane to accommodate an Accessory Building with a height of 5.5 meters.

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

MOTION CARRIED (10 to 0)

8. RATIFICATION OF EPOLLS

9. COMMITTEE REPORTS

9.1 Committee of the Whole Report - September 24, 2024

Residual Item

1. 18 Mount Cashel Road – REZ2400021

SJMC-R-2024-12-10/528

Moved By Councillor Burton

Seconded By Deputy Mayor O'Leary

That Council consider rezoning 18 Mount Cashel Road from the Residential 2 Cluster (R2C) Zone to the Apartment 1 (A1) Zone and approve the attached draft terms of reference for a Land Use Report (LUR).

Further, upon receiving a satisfactory Land Use Report, that Council refer the application to a public meeting chaired by an independent facilitator.

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

MOTION CARRIED (9 to 0)

9.2 Committee of the Whole Report - December 3, 2024

1. Employment Equity Policy Approval

SJMC-R-2024-12-10/529

Moved By Councillor Ellsworth

Seconded By Councillor Davis

That Council approve the revised Employment Equity policy

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

MOTION CARRIED (9 to 0)

2. Attendance Management and Support Policy approval

SJMC-R-2024-12-10/530

Moved By Councillor Ellsworth

Seconded By Councillor Bruce

That Council approve the Attendance Management and Support Policy

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

MOTION CARRIED (10 to 0)

3. Seniors Advisory Committee – Member Replacement

SJMC-R-2024-12-10/531

Moved By Councillor Bruce

Seconded By Deputy Mayor O'Leary

That Council approve the nomination of Maureen McCarthy as NLPSPA representative on the Seniors Advisory Committee.

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

MOTION CARRIED (10 to 0)

4. 746 Blackmarsh Road – MPA2400011

SJMC-R-2024-12-10/532

Moved By Councillor Burton

Seconded By Councillor Noseworthy

That Council consider rezoning 746 Blackmarsh Road from the Rural Residential (RR) Zone to the Apartment 1 (A1) Zone for a proposed Cluster Development. This will also require a Municipal Plan amendment. Further, upon receiving a satisfactory Land Use

Report (LUR), that the application be advertised for public input and feedback.

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

MOTION CARRIED (10 to 0)

5. Sustainable and Active Mobility Advisory Committee – Member Recommendation

SJMC-R-2024-12-10/533

Moved By Councillor Burton

Seconded By Councillor Bruce

That Council approve the recommended candidate, Trevor Smith, to represent individuals who cycle on the Sustainable and Active Mobility Advisory Committee.

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

MOTION CARRIED (10 to 0)

9.3 Audit & Accountability Standing Committee Report - November 27, 2024

1. SJRFD Mechanical Division Internal Audit

SJMC-R-2024-12-10/534

Moved By Councillor Davis

Seconded By Councillor Ridgeley

That Council approve the SJRFD Mechanical Division audit report and the associated action plans put forth by management.

MOTION CARRIED**10. DEVELOPMENT PERMITS LIST (FOR INFORMATION ONLY)****10.1 Development Permits List November 21 - December 4, 2024****11. BUILDING PERMITS LIST (FOR INFORMATION ONLY)****11.1 Building Permits List****12. REQUISITIONS, PAYROLLS AND ACCOUNTS****12.1 Weekly Payment Vouchers for the Weeks Ending November 27 and December 4, 2024**

SJMC-R-2024-12-10/535

Moved By Councillor Ellsworth

Seconded By Deputy Mayor O'Leary

That the weekly payment vouchers for the weeks ending November 27 and December 4, 2024, be approved as presented.

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

MOTION CARRIED (10 to 0)

13. TENDERS/RFPS**13.1 Contract Awards November 6, 2024 – December 6, 2024****14. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS****15. NEW BUSINESS****15.1 Naming of Lions Club Chalet and Softball Field Driveway**

SJMC-R-2024-12-10/536

Moved By Councillor Davis

Seconded By Councillor Hickman

That Council approve naming the driveway leading to the St. John's Lions Club Chalet and Softball Field "Lions Club Way."

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

MOTION CARRIED (10 to 0)

15.2 Residential Energy Efficiency Coach and Financing Program

SJMC-R-2024-12-10/537

Moved By Deputy Mayor O'Leary

Seconded By Councillor Davis

That Council approve the implementation of the St. John's Residential Energy Efficiency Coach and Financing Program, and its in-kind contribution of up to \$60,000 over the implementation and administration of the loan loss reserve, which would include support communication, awareness, and program review and feedback.

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

MOTION CARRIED (10 to 0)

15.3 54 Circular Road – SGN2400125

Councillor Hickman asked staff if traffic engineers reviewed the sign as signs can be a distraction to drivers.

The Deputy City Manager of Planning, Engineering and Regulatory Services advised that this particular sign is not of concern.

SJMC-R-2024-12-10/538

Moved By Councillor Burton

Seconded By Councillor Ravencroft

That Council approve the Wall Sign at 54 Circular Road, which exceeds the maximum size of 3 square metres.

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

MOTION CARRIED (10 to 0)

15.4 26 Alexander Street – REZ2400002 - Adoption

Council expressed strong support for the proposed development.

It was advised that Connections for Seniors indicated that they are interested in purchasing a property behind 26 Alexander Street. It was determined that a parking lot would not fit as the property is too narrow.

Councillor Ellsworth requested that staff investigate implementing residential parking permits to reduce parking concerns in the area.

Councillor Ravencroft requested staff investigate to see if a crosswalk that crosses Water Street at Patrick or Alexander Street could be installed.

SJMC-R-2024-12-10/539

Moved By Councillor Burton

Seconded By Councillor Ravencroft

That Council:

1. Adopt the Envision St. John's Development Regulations Amendment 47, 2024, regarding an Apartment Building at 26 Alexander Street;
2. As per Section 4.9.3 of the Development Regulations, accept this staff report in lieu of a land use report (LUR);
3. As per Section 8.12.5 of the Development Regulations, accept this staff report in lieu of a parking report; and
4. Approve parking relief of 50 parking spaces.

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

MOTION CARRIED (10 to 0)

16. OTHER BUSINESS

16.1 SERC – New Year’s Eve Events 2024

SJMC-R-2024-12-10/540

Moved By Councillor Bruce

Seconded By Councillor Ravencroft

That Council approve the road closures associated with the City of St. John’s New Year’s Eve Fireworks, and road closure and noise by-law extension associated with the George Street Association New Year’s Eve Event.

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

MOTION CARRIED (10 to 0)

17. ACTION ITEMS RAISED BY COUNCIL

18. ADJOURNMENT

There being no further business, the meeting adjourned at 4:53 p.m.

MAYOR

CITY CLERK

DECISION/DIRECTION NOTE

Title: 51 Hazelwood Crescent – MPA2400012

Date Prepared: December 6, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 3

Decision/Direction Required:

To consider rezoning 51 Hazelwood Crescent from the Institutional (INST) Zone to the Apartment 1 (A1) Zone to enable the development of an Apartment Building.

Discussion – Background and Current Status:

The City has received an application from RTO Capital Inc to rezone 51 Hazelwood Crescent from the Institutional (INST) Zone to the Apartment 1 (A1) Zone to allow an Apartment Building. The applicant is proposing a three storey building with 30 dwelling units. To enable this rezoning, a Municipal Plan amendment is required, to redesignate the land from the Institutional District to the Residential District.

The subject property is vacant land abutting Hazelwood Elementary School and houses on Blue River Place. The site is across from the former O'Dwyer Apartments (priests' residence) and was formerly owned by the Roman Catholic Episcopal Corporation of St. John's. There was a previous application to rezone this site for semi-detached dwellings. That application went before Committee of the Whole in November 2023 but was withdrawn by the applicant before it reached public consultation. The current application is from a different developer.

Alignment with Envision St. John's Municipal Plan

The proposed development aligns with a number of Municipal Plan policies, including Policy 4.1.2 which encourages a range of housing to create diverse neighbourhoods with a mix of housing forms and tenures, including single, semi-detached, townhousing and medium and higher density developments. The existing residential uses in the neighbourhood are mostly single detached dwellings, and there is a 1-storey apartment building (non-conforming use) across from the site. Policy 4.1.1 speaks to implementing the City's Affordable Housing Strategy. The proposed development aligns with the Affordable Housing Strategy 2019-2028 as it adds to the housing options in the neighbourhood and contributes to a more diverse and inclusive housing stock.

Policy 8.4.9 encourages increased density in residential areas where appropriate and Policy 8.4.11 promotes the development of infill projects that better utilize infrastructure. The Municipal Plan encourages higher density development in and around key transportation corridors. The site's proximity to Topsail Road and Metrobus routes, as well as bring close to

ST. JOHN'S

amenities and services such as schools and the Village Shopping Centre, make this an appropriate location for the A1 Zone.

Land Use Report

Under Section 4.9(2)(a) of the Envision Development Regulations, a land use report (LUR) is required for rezoning applications. The applicant has submitted an initial site plan—revisions are required, and additional information is needed for staff to fully evaluate the proposal. Draft terms of reference for an LUR are attached for Council's review.

Public Consultation

Should Council decide to consider this amendment and approve the terms of reference for the LUR, the applicant will have to consult with the neighborhood prior to submitting the report. The City will do public notification once an acceptable LUR is received, and a commissioner's public hearing will be required later in the process.

Key Considerations/Implications:

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

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

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

5. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations; St. John's Affordable Housing Strategy 2019-2028.
6. Accessibility and Inclusion: Any accessibility requirements from the National Building Code or Service NL will be applied at the building permit stage.
7. Legal or Policy Implications: Map amendments to the Envision St. John's Municipal Plan and Development Regulations are required.
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Public consultation will be carried out in accordance with the Envision St. John's Development Regulations. Staff recommend public notification. A Commissioner's public hearing would come later.

10. Human Resource Implications: Not applicable.

11. Procurement Implications: Not applicable.

12. Information Technology Implications: Not applicable.

13. Other Implications: Not applicable.

Recommendation:

That Council consider rezoning 51 Hazelwood Crescent from the Institutional (INST) Zone to the Apartment 1 (A1) Zone.

Further, upon receiving a satisfactory LUR, that the application be advertised for public input and feedback.

Prepared by: Faith Ford, MCIP, Planner III

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

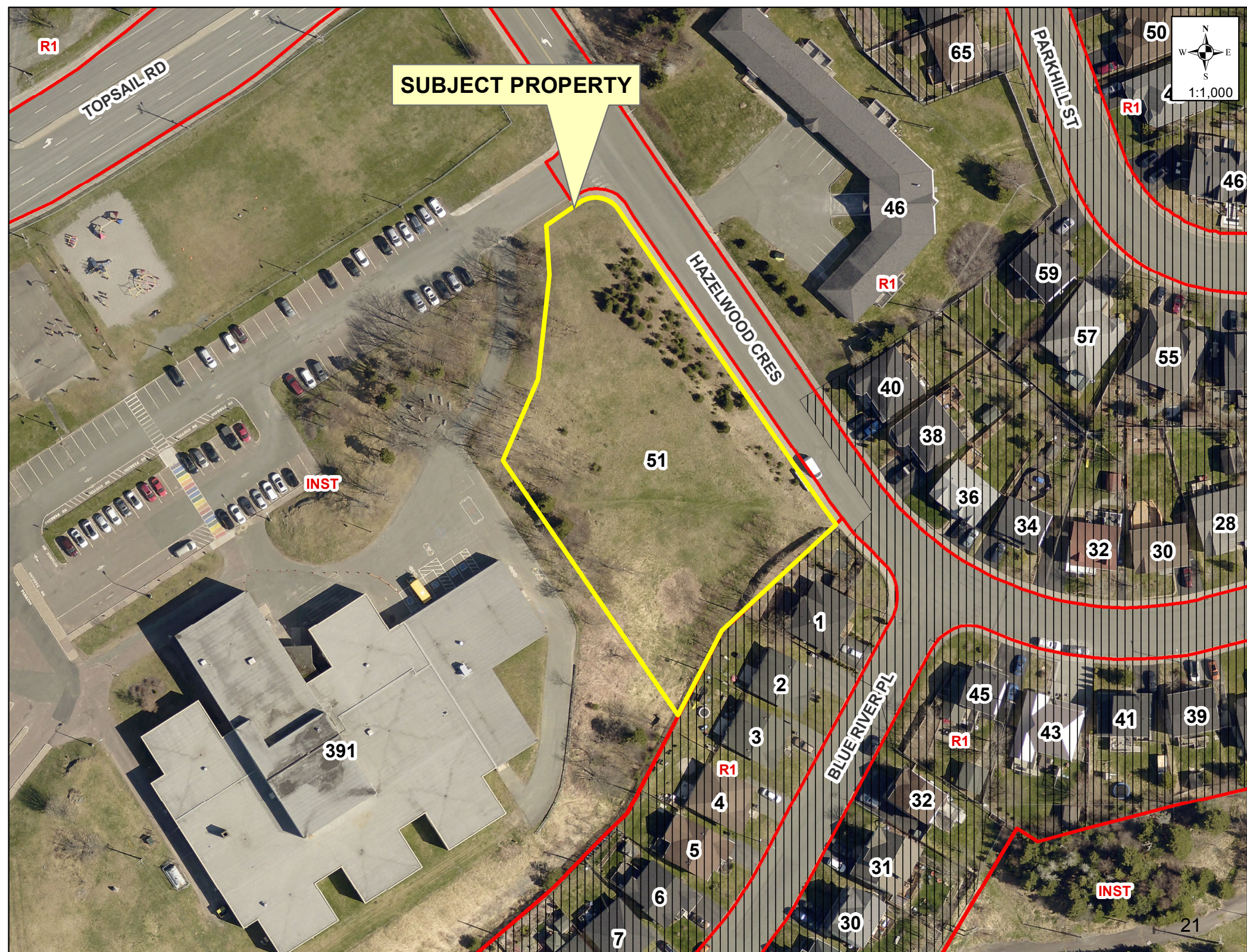
Report Approval Details

Document Title:	51 Hazelwood Crescent - MPA2400012.docx
Attachments:	<ul style="list-style-type: none">- 51 Hazelwood Crescent - Aerial.pdf- 51-HazelwoodSitePlan.pdf- TOR - 51 Hazelwood Crescent - December 6, 2024.pdf- A1-Zone-Development Regulations.pdf
Final Approval Date:	Dec 10, 2024

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

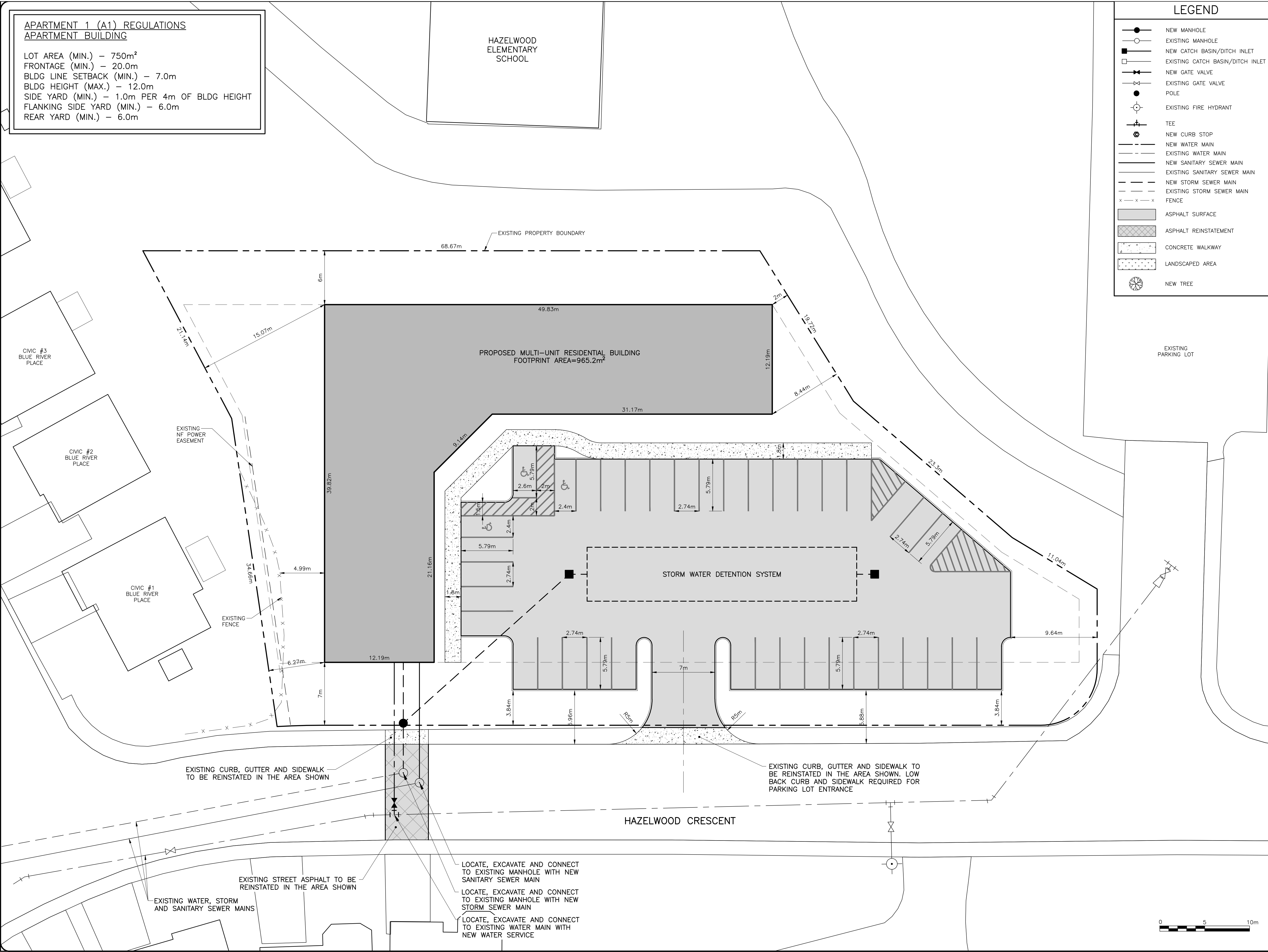
Ken O'Brien - Dec 6, 2024 - 4:20 PM

Jason Sinyard - Dec 10, 2024 - 2:39 PM



SUBJECT PROPERTY





LEGEND	
	NEW MANHOLE
	EXISTING MANHOLE
	NEW CATCH BASIN/DITCH INLET
	EXISTING CATCH BASIN/DITCH INLET
	NEW GATE VALVE
	EXISTING GATE VALVE
	POLE
	EXISTING FIRE HYDRANT
	TEE
	NEW CURB STOP
	NEW WATER MAIN
	EXISTING WATER MAIN
	NEW SANITARY SEWER MAIN
	EXISTING SANITARY SEWER MAIN
	NEW STORM SEWER MAIN
	EXISTING STORM SEWER MAIN
	FENCE
	ASPHALT SURFACE
	ASPHALT REINSTATEMENT
	CONCRETE WALKWAY
	LANDSCAPED AREA
	NEW TREE

- NOTES:
- DO NOT SCALE FROM DRAWINGS. ALL ELEVATIONS AND DIMENSIONS ARE IN METRES UNLESS OTHERWISE NOTED.
 - ALL WORK MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPLICABLE SECTIONS OF THE CITY OF ST. JOHN'S SPECIFICATIONS BOOK, LATEST EDITION.
 - CONTRACTOR SHALL CONFIRM LOCATION, ALIGNMENT, INVERTS AND TYPE OF MATERIAL OF ALL UNDERGROUND INFRASTRUCTURE AND SHALL NOTIFY THE ENGINEER/OWNER PRIOR TO COMMENCING ANY WORK.
 - THE MINIMUM WIDTH OF ASPHALT REINSTATEMENT FOR TRENCHING SHALL BE 3.0m. ASPHALT REINSTATEMENT MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF ITEMS NO. 352 (FULL DEPTH ASPHALT PATCH) AND NO. 358 (RE-PROFILING AND ASPHALT PATCHING) OF THE CITY OF ST. JOHN'S SPEC. BOOK
 - STREET EXCAVATION PERMIT MUST BE OBTAINED PRIOR TO STARTING ANY WORK WITHIN THE PUBLIC STREET RIGHT-OF-WAY.
 - A PERMIT TO CONNECT MUST BE OBTAINED PRIOR TO PERFORMING ANY SERVICING WORK.
 - ALL WORK ON EXISTING WATER MAINS SHALL BE DONE BY CITY FORCES.

A	ISSUED FOR CLIENT REVIEW	D.J.M.	10/07/24
No.	REVISIONS	BY	DATE

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

REFERENCE:	STAMP:

PERMIT STAMP:

DYNAMIC
ENGINEERING LTD.

Civil • Management • Consulting

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

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

PRELIMINARY ONLY
NOT FOR CONSTRUCTION

CLIENT:

RTO CAPITAL, INC.

PROJECT TITLE:

PROPOSED
MULTI-UNIT BUILDING
51 HAZELWOOD CRESCENT

DRAWING TITLE:

PRELIMINARY
SITE DEVELOPMENT PLAN

DRAWN/DESIGNED BY:	D.J.M.	DATE:	OCTOBER 2024
APPROVED BY:	D.J.M.	SCALE:	AS SHOWN
PROJECT No.:	24225	DRAWING No.:	PR1
		REV.:	A



**TERMS OF REFERENCE
LAND USE REPORT
APPLICATION FOR RESIDENTIAL DEVELOPMENT AT
51 HAZELWOOD CRESCENT
PROPONENT: RTO CAPITAL INC.
DECEMBER 6, 2024**

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

A. Public Consultation

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

B. Building Use

- Identify the size of the proposed building by:
 - Number of units in the building;
 - Dwelling size (number of bedrooms) of each dwelling unit; and
 - Lot Coverage
- If Micro Units are proposed (unit with floor area less than 42m²), indicate the floor area of each unit.
- If there are any proposed commercial uses within the Apartment Building, the days and hours of operation of each proposed use, number of employees on site at one time, and a description of the activities in the space (if applicable).

C. Building Height and Location

- Identify graphically the exact location with a dimensioned civil site plan:
 - Lot area, lot coverage, and frontage;
 - Location of the proposed building in relation to neighbouring buildings;
 - Proximity of the building to property lines and identify setbacks;
 - Identify any setbacks of higher storeys from lower storeys (if applicable);
 - Identify any encroachment over property lines (if applicable);
 - Identify the height of the building in metres;
 - Information on proposed patios/balconies (if applicable); and
 - Identify any rooftop structures.
- Provide a Legal Survey of the property.
- Provide elevations of the proposed building.
- Provide streetscape views/renderings of the proposed building from Hazelwood Crescent. Include immediately adjacent buildings to inform scale/massing/context.

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 and Snow Clearing/Snow Storage

- Identify with a landscaping plan where hard and soft landscaping is proposed.
- Identify the location and proposed methods of screening of any electrical transformers and refuse containers to be used at the site.
- Provide information on any snow clearing/snow removal operations. Onsite snow storage areas must be indicated.
- Show the required Parking Lot buffer/screening as per Section 8.8 of the Development Regulations

F. Off-street Parking and Site Access

- Provide a dimensioned parking plan, including circulation details and drive aisle dimensions. Identify the number and location of off-street parking spaces to be provided, including accessible parking spaces.
 - The St. John's Development Regulations sets out the number of required parking spaces. If the number of parking spaces is deficient, then a detailed rationale for parking relief is required.
- Identify the number and location of bicycle parking spaces to be provided.
- Identify the location of all access and egress points, including pedestrian access.
- A direct pedestrian connection must be provided between the sidewalk and building entrances.
- Indicate how garbage will be handled onsite. The location of any exterior bins must be indicated and access to the bins must be provided.

G. Municipal Services

- Provide a preliminary site servicing plan.
- Identify points of connection to existing sanitary sewer, storm sewer and water system. The location of all existing sewers must be shown along with any existing or proposed easements.
- Identify if the building will be sprinklered or not, and location of the nearest hydrant and siamese connections.
- Stormwater detention is required for this development. The proposed development must comply with the City's stormwater detention policy.

H. Public Transit

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

I. 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.

APARTMENT 1 (A1) ZONE**A1****(1) PERMITTED USES**

Accessory Building	Home Office
Apartment Building	Park
Backyard Suite (2024-07-19)	Personal Care Home
Child Care Centre (2024-03-15)	Semi-Detached Dwelling (2024-07-19)
Cluster Development (2024-07-19)	Townhouse
Community Garden	Townhouse Cluster (2024-07-19)
Family Child Care Service (2024-03-15)	Triplex (2024-07-19)
Four-Plex (2024-07-19)	

(2) DISCRETIONARY USES

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

(3) ZONE STANDARDS FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	750 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres (2024-07-19)
(d)	Building Height (maximum)	14 metres (2024-07-19)
(e)	Side Yards (minimum)	Two, each equal to 1 metre for every 4 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres
(g)	Lot Coverage (maximum)	35%
(h)	Landscaping (minimum)	35%

(4) ZONE STANDARDS FOR CLUSTER DEVELOPMENT (2024-07-19)

(a)	Lot Area	Council discretion
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	14 metres
(e)	Side Yards (minimum)	Two, each equal to 1 metre for every 4 metres of Building Height, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres
(g)	Lot Coverage (maximum)	35%
(h)	Landscaping (minimum)	35%

(5) ZONE STANDARDS FOR TOWNHOUSE

(a)	Lot Area (minimum)	180 metres square
(b)	Lot Frontage (minimum)	6 metres
(c)	Building Line (minimum)	0 metres (2024-07-19)
(d)	Building Height (maximum)	10 metres
(e)	Side Yards (minimum)	0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for the end unit where the Side Yard on the unattached side shall be 1.2 metres
(f)	Rear Yard (minimum)	6 metres

(6) ZONE STANDARDS FOR TRIPLEX (2024-07-19)

(a)	Lot Area (minimum)	252 metres square
(b)	Lot Frontage (minimum)	14 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yard (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres
(g)	Landscaping (minimum)	30% of Front Yard

(7) STANDARDS FOR TOWNHOUSE CLUSTER (2024-07-19)

(a) Lot Area (minimum)	180 metres square per Dwelling Unit
(b) Lot Frontage (minimum)	20 metres
(c) Building Line (minimum)	6 metres
(d) Minimum Distance Between Townhouse Clusters	1.2 metres
(e) Side Yard (minimum)	6 metres
(f) Rear Yard (minimum)	6 metres
(g) Building Height (maximum)	10 metres
(h) Landscaping (minimum)	35%

(8) ZONE STANDARDS FOR PERSONAL CARE HOME

(a) Lot Area (minimum)	750 metres square
(b) Lot Frontage (minimum)	20 metres
(c) Building Line (minimum)	6 metres (2024-07-19)
(d) Building Height (maximum)	14 metres (2024-07-19)
(e) Side Yards (minimum)	1 metre per storey, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f) Rear Yard (minimum)	6 metres
(g) Lot Coverage (maximum)	35%
(h) Landscaping (minimum)	35%

(9) ZONE STANDARDS FOR FOUR-PLEX (2024-07-19)

(a) Lot Area (minimum)	324 metres square
(b) Lot Frontage (minimum)	18 metres
(c) Building Line (minimum)	6 metres
(d) Building Height (maximum)	10 metres
(e) Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f) Rear Yard (minimum)	6 metres
(g) Landscaping (minimum)	30% of Front Yard

(10) ZONE STANDARDS FOR A SEMI-DETACHED DWELLING

(a) Lot Area (minimum)	270 metres square per Dwelling Unit
(b) Lot Frontage (minimum)	18 metres; 9 metres per Dwelling Unit
(c) Building Line (minimum)	0 metres
(d) Building Height (maximum)	10 metres (2024-07-19)
(e) Side Yards (minimum)	Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f) Rear Yard (minimum)	6 metres

(11) ZONE STANDARDS FOR ACCESSORY BUILDING SHALL BE IN ACCORDANCE WITH SECTION 6.2. (2024-07-19)

- (12) **ZONE STANDARDS FOR BACKYARD SUITES SHALL BE IN ACCORDANCE WITH SECTION 6.7 (2024-07-19)**
- (13) **ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.**

DECISION/DIRECTION NOTE

Title: 45-53 Blackmarsh Road – REZ2400022

Date Prepared: December 9, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 3

Decision/Direction Required:

To consider rezoning 45-53 Blackmarsh Road from the Industrial Commercial (IC) Zone to the Commercial Mixed (CM) Zone to enable residential and commercial mixed-use development.

Discussion – Background and Current Status:

The City has received an application to rezone three (3) properties – 45 Blackmarsh Road (at the corner of Symonds Avenue), 47, and 53 Blackmarsh Road - from the Industrial Commercial (IC) Zone to the Commercial Mixed (CM) Zone to develop Dwelling Units within the existing commercial buildings at 45 and 47 Blackmarsh Road. The three properties each have an existing commercial building, with uses that include St. Pat's Bowling Lanes, Beagle Paws Thrift Store, Campbell's Party Rentals, and other commercial uses. The applicant proposes to rezone the three properties and intends to consolidate them into one lot. The properties are within the Commercial District, so a Municipal Plan amendment is not required.

The property owner sought to develop residential uses within the building at 45 Blackmarsh Road several times over the years, most recently in 2016 when Council approved an amendment to the St. John's Development Regulations, 1994, to allow Dwelling Units on the second floor or higher in the IC Zone. At that time, Council approved four (4) Dwelling Units as a discretionary use at 45 Blackmarsh Road; however, that development did not proceed. The property owner has now submitted the current application to develop Dwelling Units at 45 and 47 Blackmarsh Road. Under the Envision St. John's Development Regulations, 2021, Dwelling Units are not permitted or discretionary in the IC Zone and therefore a rezoning is required to consider the request.

The building at 45 Blackmarsh Road contains commercial uses on the first floor, accessed from Symonds Avenue. There is an Accessory Dwelling Unit (a caretaker's apartment) on the third floor. The second and third floors of the building are accessed from Blackmarsh Road. The applicant is proposing to add Dwelling Units, for a total of twelve (12) units within the building (including the caretaker's apartment). Dwelling Units on the second storey or higher are permitted in the CM Zone.

The applicant is also proposing to convert the one-storey commercial building at 47 Blackmarsh Road into four (4) Dwelling Units. In the CM Zone, Dwelling Units on the first floor

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of a building are a discretionary use. There is an existing cellphone tower on the property at 47 Blackmarsh Road. This existing tower will eventually be removed from the property, to be replaced by a new cell tower proposed further west along Blackmarsh Road.

The applicant is not proposing to redevelop the property at 53 Blackmarsh Road at this time but is asking that Council rezone it in case they wish to redevelop it in the future. Should the site be rezoned to CM, any uses within the CM Zone could be developed on the site.

Alignment with the Envision St. John's Municipal Plan

Section 4.1 of the Municipal Plan promotes higher-density development in and around key transportation corridors and encourages development in areas that take advantage of existing infrastructure and services. Policy 4.1.2 enables diverse neighbourhoods that include a mix of housing forms and tenures, such as single, semi-detached, townhouses, medium and higher density and mixed-use developments.

The existing neighbourhood contains a mix of low density residential, commercial, and industrial uses. The subject site is serviced by public transit and bike lanes that run along Symonds Avenue and Cashin Avenue Extension. Plan policies 8.5.20 and 8.5.22 encourage buildings that contain a mix of uses, including residential and commercial. The proposed rezoning to the Commercial Mixed (CM) Zone aligns with these policies and would allow the applicant to make better use of the existing buildings by converting underutilized or vacant commercial space to residential and enabling mixed-use development.

Alignment with the Envision St. John's Development Regulations

Under section 4.9(2)(a) of the Development Regulations, Council requires a land use report (LUR) for rezoning applications. However, as per section 4.9(3), where the scale or circumstances of the proposed development do not merit a land use report, Council may accept a staff report instead. Given that this application is to convert existing space within buildings to develop Dwelling Units, staff recommend accepting a staff report in lieu of an LUR.

Public Engagement

Staff have reviewed the application and provided initial comments to the applicant; additional information and a revised site plan is required. Should Council decide to consider the application, staff recommend public notification (not a public meeting) once all required information is received. The proposed discretionary use of first floor Dwelling Units at 47 Blackmarsh Road would be advertised along with the proposed rezoning, in accordance with Section 4.8(3) of the Development Regulations.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. Alignment with Strategic Directions:

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

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Any accessibility requirements from the National Building Code or Service NL will be applied at the building permit stage.
6. Legal or Policy Implications: A map amendment to the Envision St. John's Development Regulations is required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Public consultation will be carried out in accordance with the Envision St. John's Development Regulations. Staff recommend public notification (not a public meeting).
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

That Council consider rezoning 45, 47, and 53 Blackmarsh Road from the Industrial Commercial (IC) Zone to the Commercial Mixed (CM) Zone.

Further, upon receiving a satisfactory site plan, that the application be advertised for public review and input.

Prepared by: Faith Ford, MCIP, Planner III

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

Report Approval Details

Document Title:	45-53 Blackmarsh Road - REZ2400022.docx
Attachments:	- 45-53 BLACKMARSH ROAD.pdf - CMZone-Development Regulations.pdf
Final Approval Date:	Dec 10, 2024

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

Ken O'Brien - Dec 9, 2024 - 5:05 PM

Jason Sinyard - Dec 10, 2024 - 2:34 PM

Report Approval Details

Document Title:	45-53 Blackmarsh Road - REZ2400022.docx
Attachments:	- 45-53 BLACKMARSH ROAD.pdf - CMZone-Development Regulations.pdf
Final Approval Date:	Dec 12, 2024

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

Ken O'Brien - Dec 11, 2024 - 2:51 PM

Jason Sinyard - Dec 12, 2024 - 9:56 AM



SUBJECT PROPERTIES



COMMERCIAL MIXED USE (CM) ZONE**CM****(1) PERMITTED USES, except 615 Empire Avenue (PID #46166)**

Accessory Building	Health and Wellness Centre (2023-06-02)
Accessory Dwelling Unit	Hotel
Adult Day Centre	Library
Adult Massage Parlour	Office
Bakery	Park
Bank	Place of Worship
Bed and Breakfast	Public Use
Child Care Centre (2024-03-15)	Public Utility
Clinic	Restaurant
Community Garden	Retail Use
Convenience Store	Service Shop
Drive Through	Service Station
Dry Cleaning Establishment	Taxi Stand
Dwelling Unit – 2 nd storey or higher	Training School
Gas Station	

2) DISCRETIONARY USES, except 615 Empire Avenue (PID #46166)

Aquaculture	Lounge
Aquaponics	Parking Garage
Car Wash	Parking Lot
Craft Brewery/Distillery	Pedway (2022-10-14)
Dwelling Unit – 1 st storey	Pharmacy
Heritage Use (2022-05-27)	Place of Amusement (except Churchill Square (Map 3))
Horticulture	Place of Assembly
Hydroponics	Recycling Depot
Light Industrial Use	

(3) PERMITTED USE – 615 EMPIRE AVENUE (PID #46166)

Light Industrial Use

(4) ZONE STANDARDS EXCEPT GAS STATION, PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT (2022-05-27)

- | | | |
|-----|--|-------------|
| (a) | Building Height (maximum), except 615 Empire Avenue (PID#46166) and 43-53 Rowan Street (PID#18955) | 18 metres |
| (b) | Building Height (maximum) 615 Empire Avenue (PID#46166) except 43-53 Rowan Street (PID#18955) 8 metres | 8 metres |
| (c) | Building Height (maximum) 43-53 Rowan Street (PID#18955), except 615 Empire Avenue (PID#46166) | 21.5 metres |
| (d) | All other zone Standards shall be in the discretion of Council | |

- (5) **ZONE STANDARDS FOR GAS STATION SHALL BE IN ACCORDANCE WITH SECTION 6.16.**
(2022-05-27) (2024-03-15)
- (6) **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: Proposed Accessory Building and Landscaping in the Floodplain Buffer – 16 Kensington Drive – INT2400091

Date Prepared: January 6, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 1

Decision/Direction Required: To seek approval for an Accessory Building and Landscaping in the Floodplain Buffer at 16 Kensington Drive.

Discussion – Background and Current Status: An application was received to construct an Accessory Building with an approximate area of 137.83 m² and various Landscaping including a sports court (381 m²) and armour stone retaining wall(s)/planters at 16 Kensington Drive, which will be located at the rear of the property in the Floodplain Buffer. Under **Section 4.10(4)(a) and (f)** of the **St. John's Development Regulations**, Council may permit the development of a residential Accessory Building and Landscaping within the Floodplain Buffer.

Section 4.10(6) requires that uses such as Landscaping be referred to the City's Environmental and Sustainability Experts Panel (ESEP) prior to Council's consideration. The Panel reviewed the application and had concerns about the loss of trees related to the proposed works. They requested that the City ask the applicant to conserve the trees in the floodplain and relocate the sports court and retaining wall if necessary. Note that it is the opinion of staff that there will be little disturbance to trees with the current location of the sports court and landscaping.

Key Considerations/Implications:

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

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4. Alignment with Strategic Directions:

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

Choose an item.

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

6. Accessibility and Inclusion: Not applicable.

7. Legal or Policy Implications: **St. John's Development Regulations Section 4.10 "Waterways, Wetlands, Ponds or Lakes" and Section 6.2 "Accessory Buildings."**

8. Privacy Implications: Not applicable.

9. Engagement and Communications Considerations: Not applicable.

10. Human Resource Implications: Not applicable.

11. Procurement Implications: Not applicable.

12. Information Technology Implications: Not applicable.

13. Other Implications: Not applicable.

Recommendation:

That Council approve the residential Accessory Building and Landscaping in the Floodplain Buffer at 16 Kensington Drive, subject to meeting other applicable conditions of the St. John's Development Regulations.

Prepared by:

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

Approved by:

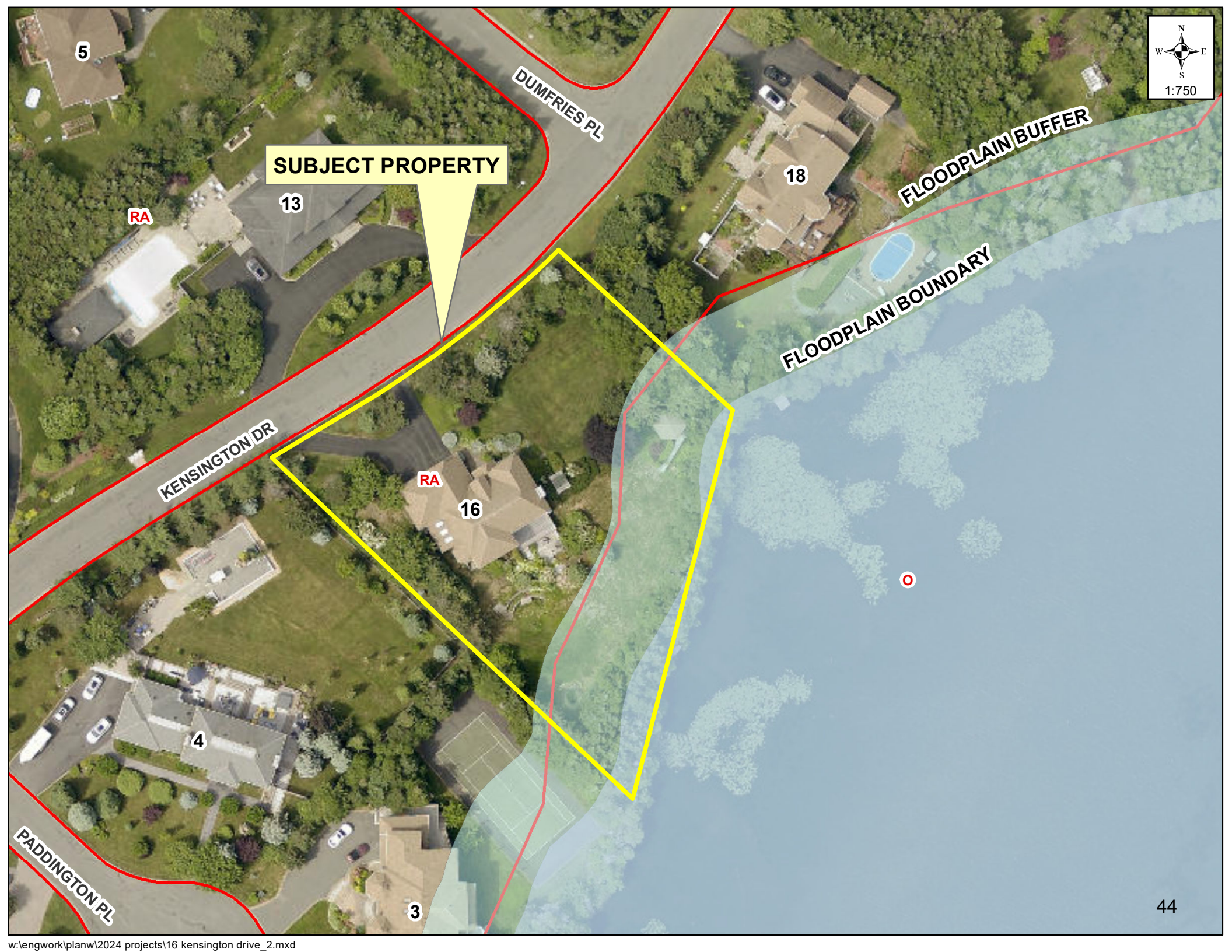
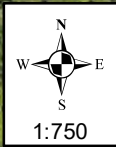
Jason Sinyard, P. Eng., MBA, Deputy City Manager
Planning, Engineering & Regulatory Services

Report Approval Details

Document Title:	Development Committee - Accessory Building and Landscaping in the Floodplain Buffer - 16 Kensington Drive - INT2400091.docx
Attachments:	- 16 KENSINGTON DRIVE_2.pdf - Revised site plan.png
Final Approval Date:	Jan 8, 2025

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

Jason Sinyard - Jan 8, 2025 - 10:53 AM





DECISION/DIRECTION NOTE

Title: Notices Published - 330 Lemarchant Road – DEV2400140

Date Prepared: January 8, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 2

Decision/Direction Required:

A Discretionary Use application has been submitted by Urban Market 1919 Inc. at 330 Lemarchant Road.

Discussion – Background and Current Status:

The proposed application is for a Drive Through for a pickup window. Hours of operations will be seven (7) days per week, between the hours 7 a.m. to 10 p.m. On-site parking is provided. The proposed application site is zoned Industrial Commercial (IC) and Commercial Neighbourhood (CN). A Drive Through is a Discretionary Use when located within 150 metres of certain uses, which in this case include both the Residential Zone and a Child Care Centre.

Where a Drive Through will abut a Residential Zone, a noise attenuation barrier/acoustic barrier/noise wall shall be installed. Notwithstanding this requirement, where a noise study shows noise levels will not increase beyond existing levels, a noise attenuation barrier may not be required at Council's discretion. In this particular case a noise study was not requested as no external speaker/intercom system is proposed as cars will drive up to the building and order at a window and there is limited stacking space based on the projected use; therefore it is recommended that an noise attenuation barrier not be required.

35 submissions were received; 34 submissions were in favour, while one submission noted concerns about the drive through discouraging walking and cycling, creation of traffic congestion and that parking lots and drive-throughs use space that would be better suited to other land uses.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable
2. Partners or Other Stakeholders: Property owner and neighbouring property owners.

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3. Is this a New Plan or Strategy: No

4. Alignment with Strategic Directions:

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

Choose an item.

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

6. Accessibility and Inclusion: Not applicable.

7. Legal or Policy Implications: **St. John's Development Regulations Section 6.15 "Drive Through," Section 10.5 "Discretionary Uses," Section 10 "Industrial Commercial (IC) Zone" and Section 10 "Commercial Neighbourhood (CN) Zone".**

8. Privacy Implications: Not applicable.

9. Engagement and Communications Considerations: Public advertisement in accordance with **Section 4.8 Public Consultation of the St. John's Envision Development Regulations.** The City has sent written notices to property owners within a minimum 150-metre radius of the application site. The application has been advertised in The Telegram newspaper at least twice and is posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.

10. Human Resource Implications: Not applicable.

11. Procurement Implications: Not applicable.

12. Information Technology Implications: Not applicable.

13. Other Implications: Not applicable.

Recommendation:

That Council approve the Discretionary Use for a drive through at 330 Lemarchant Road and not require the applicant to provide a noise attenuation barrier as no outdoor speaker(s) are proposed.

Prepared by:

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

Approved by:

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

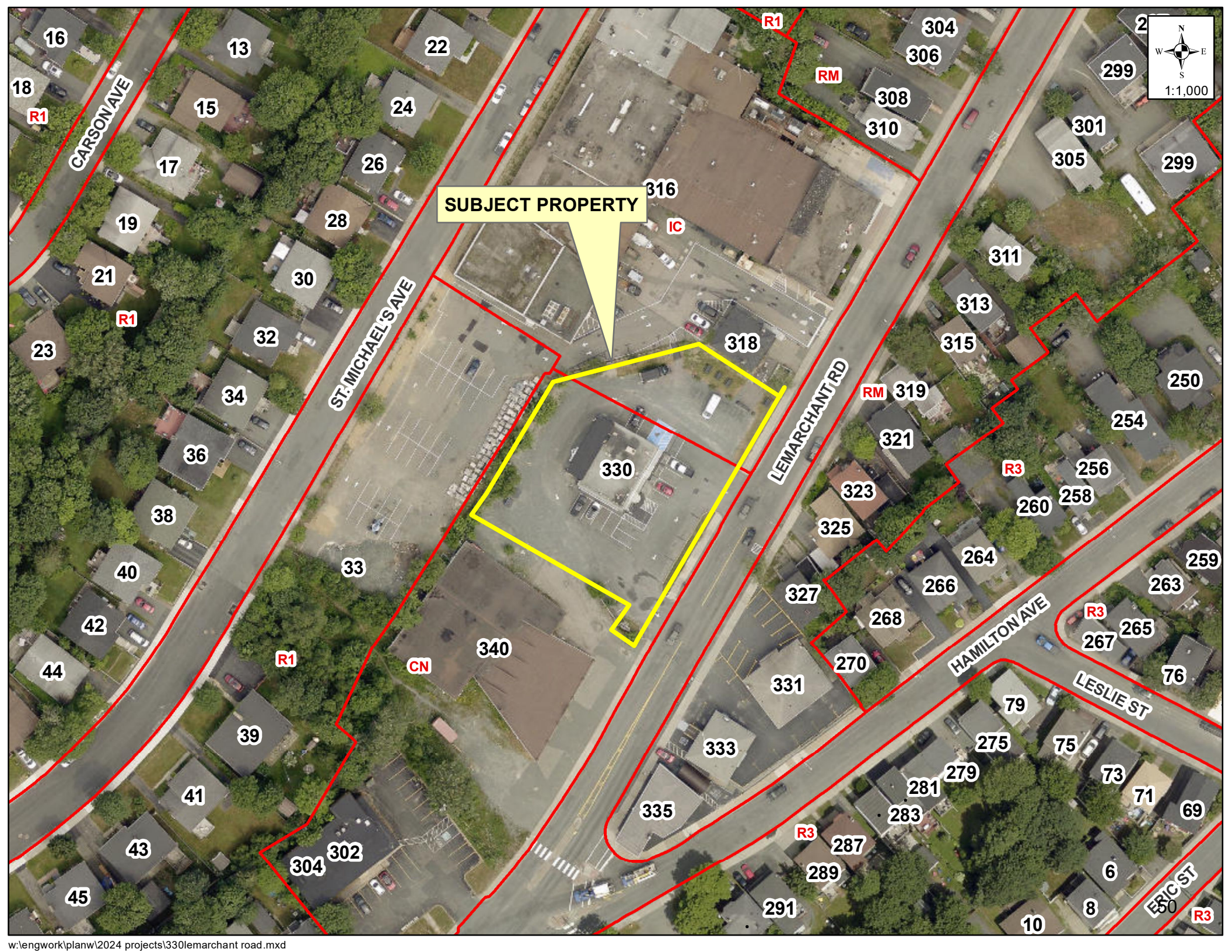
Report Approval Details

Document Title:	Notices Published - 330 LeMarchant Road.docx
Attachments:	- 330 LEMARCHANT ROAD.pdf
Final Approval Date:	Jan 8, 2025

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

Lindsay Lyghtle Brushett - Jan 8, 2025 - 9:57 AM

Jason Sinyard - Jan 8, 2025 - 10:55 AM



Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 5:17 PM
To: CityClerk
Subject: Urban Market Drive Through

[REDACTED]

[REDACTED]

Hi there!

Just writing to provide my and my family's full support to the application for Urban Market to reopen their drive through. It is a wonderful way to promote accessibility and shopping local!

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 7:20 PM
To: CityClerk
Subject: Application - 330 LeMarchant Road

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

I totally support this application. My experience has been that Urban Market (a local business) works hard to promote other local businesses and artisans. Shopping there is a unique experience and I would urge Councillors to also support this application.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 4:31 PM
To: CityClerk
Subject: 330 Lemarchant Road: application for pick up window

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

Good afternoon, I am writing to provide my support for Urban Market 1919's pick up window. The window is a sufficient distance from Lemarchant Road as to not cause any traffic congestion. I support this local business in offering multiple ways to access and purchase locally made products.

Thank you,

[REDACTED]

Theresa K. Walsh

From: Access St. John's
Sent: Thursday, December 5, 2024 10:27 PM
To: CityClerk
Subject: Fw: Urban 1919 Drive In Window.

from Access email

Thanks,
John

**Access St. John's
Web Service**

Call: 311 or 709-754-2489
Fax: 709-576-7688

From: noreply@stjohns.ca <noreply@stjohns.ca>
Sent: Thursday, December 5, 2024 6:21 PM
To: Access St. John's <access@stjohns.ca>
Subject: Urban 1919 Drive In Window.

Every chain coffee shop has a drive up window and it never seems to be an issue. When a local business wants to do the same the city puts all these road blocks and red tape out in front of them. They are doing wonderful things to revitalize that area and employing people. Let them have their window.

Theresa K. Walsh

From: Access St. John's
Sent: Friday, December 6, 2024 1:54 PM
To: CityClerk
Subject: Fw: Application 330 LeMarchant Road

**Access St. John's
Web Service**

Call: 311 or 709-754-2489
Fax: 709-576-7688

From: noreply@stjohns.ca <noreply@stjohns.ca> on behalf of [REDACTED]

Sent: Thursday, December 5, 2024 5:33 PM

To: Access St. John's <access@stjohns.ca>

Subject: Application 330 LeMarchant Road

[REDACTED]

Please allow drive through window to be open as I [REDACTED] could avail of the service for the essentials ie milk, bread. It's in my neighborhood and this service would greatly assist me.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, December 6, 2024 8:59 PM
To: CityClerk
Subject: 330 Lemarchant Rd

[REDACTED]

Hi there,

I am in full support of the proposed drive through and pickup window at 330 Lemarchant Rd.

Thank you,

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Saturday, December 7, 2024 6:50 AM
To: CityClerk
Subject: Urban Market Drive-Up Window Application

[REDACTED]

Hello,

I am writing to express my strong support for Urban Market's application to reopen their drive-up window. This feature is an essential resource that prioritizes accessibility, providing a convenient option for individuals with mobility challenges, busy families, and others who benefit from quick and efficient access to local goods.

Urban Market has been a cornerstone of revitalization in our neighborhood, which has long needed renewed energy and investment. Their commitment to serving the community through supporting local farmers, restaurants, artists, and small businesses, and their welcoming service has significantly enhanced the area's economic and social vibrancy. Since the opening of Urban Market, other small businesses have moved into the neighbourhood and I think we are all better off for it. The reopening of the drive-up window complements Urban Market's commitment to our centre city neighbourhood by ensuring the market is accessible to everyone, including those who might otherwise find it difficult to shop in person.

As someone who lives in the neighbourhood, I hope the city will approve Urban Market's application and support their continued efforts to make our neighborhood a more inclusive and thriving place.

Thank you for your consideration.


[REDACTED]

Theresa K. Walsh


From: Access St. John's
Sent: Friday, December 6, 2024 1:52 PM
To: CityClerk
Subject: Fw: Application for Urban Market Drive Through

**Access St. John's
Web Service**

Call: 311 or 709-754-2489
Fax: 709-576-7688



Subject: Application for Urban Market Drive Through



Dear City Hall Development Department,

I enthusiastically support the Drive Through application for Urban Market.

It would offer such convenience especially due to our climate. Would be great for seniors and those with mobility issues in our neighbourhood.

There appears to be ample space in their parking lot to contain vehicles who would be in the lineup- without blocking LeMarchant Road.

The owners have taken abandoned buildings in that area and have transformed it into a gem of a vibrant area that any city would be proud to have.

They support the families of some 350 local producers, artists, authors, and employees.

I would suggest that City officials also consult with the owners and developers of the Brookfield District for advice in redevelopment of other parts of the city. Maybe ask for their opinion and suggestions on the area immediately behind City Hall on Livingstone and Central Streets.

Thank you for the opportunity to offer opinions on this application.

Regards

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, December 6, 2024 8:57 AM
To: CityClerk
Subject: Urban Market Drive Through

[REDACTED]

Hello
I would like to lend my support to Urban Market's application for a drive through.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, December 6, 2024 2:49 PM
To: CityClerk
Subject: Urban Market 1919 drive through

[REDACTED]

Hello,

I frequent Urban Market 1919 and I fully support the opening of their drive through window.

Thank you,

[REDACTED]

Theresa K. Walsh

From: Access St. John's
Sent: Thursday, December 5, 2024 10:27 PM
To: CityClerk
Subject: Fw: Urban market drive through

from Access email

Thanks,
John

**Access St. John's
Web Service**

Call: 311 or 709-754-2489

Fax: 709-576-7688

From: noreply@stjohns.ca <noreply@stjohns.ca> [REDACTED]

Sent: Thursday, December 5, 2024 9:55 PM

To: Access St. John's <access@stjohns.ca>

Subject: Urban market drive through

[REDACTED]

I encourage you to support urban markets drive through. This would be incredibly convenient for me [REDACTED]
[REDACTED]. Please allow their proposal. Thank you, [REDACTED]
[REDACTED]

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, December 6, 2024 8:53 AM
To: CityClerk
Subject: Submission re: 330 LeMarchant Road

[REDACTED]

To whom it may concern,

Please see my submission regarding application for a drive-through at 330 Lemarchent Road.

-

I understand that there is a large demand for a drive-through at this business and that it would be beneficial to the business to have a drive-through window.

I am supportive of Urban Market and their plans for the Brookfield District. However, this application is in opposition to their stated goals of neighbourhood-building.

Drive-throughs are known to discourage walking and cycling to local businesses. This area, which is a mix of residential and commercial, is ripe for densification and as such walking, cycling, and public transit modes should be encouraged. Parking lots and drive-throughs take up a lot of space and would be better suited to other land uses.

In addition, drive-throughs create traffic congestion and persistent noise and exhaust from idling vehicles which is actively harmful to the neighbourhood.

I encourage council to avoid compounding on existing problems of car dependency and vote against discretionary use of drive-throughs especially in centre city neighbourhoods.

Best regards,

[REDACTED]

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 9:55 PM
To: CityClerk
Subject: Support for Urban Market drive thru pick up

[REDACTED]

Hi,

I am emailing to express my support for the small business Urban Market on Lemarchant Rd to have a drive thru pick up available on site in addition to their regular parking lot.

They are an awesome small business for our area and should be supported.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 6:58 PM
To: CityClerk
Subject: Urban Market 1919

[REDACTED]

This drive-up window would be great for many in the community. Urban Market has been a great addition to community and a drive up window for orders would only add to it and make it more accessible. Please approve.

Get [Outlook for Android](#)

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 7:48 PM
To: CityClerk
Subject: 330 lemarchant rd - window

Hi there

I am commenting on the pickup window at urban market. This service is very much needed for those with accessibility issues especially in winter months. I used this service many times before it was closed when I was [REDACTED] - it was perfect for when I didn't want [REDACTED] [REDACTED] to go inside and have no hands to carry out my items... so much easier using the window in an effort to remain sustainable and continue supporting local. This is also another opportunity to encourage healthy eating where this location has a ton of healthy quick food options and most people go to fast food simply because of the convenience of not having to get out of their car. This would bridge that gap and allow for alternative quick healthy food options and encourage better eating habits. Additionally those with physical limitations would certainly benefit from this service - this is a one stop shop for many and would literally solve so many accessible issues for that population, especially during our long winter months that create further barriers for wheelchair & gait aid users.

Thank you

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 7:21 PM
To: CityClerk
Subject: Application 330

[REDACTED]

Re: Urban Market 1919

I want the drive-thru reopened at Urban Market 1919 as I have [REDACTED] and this would help me.

[REDACTED]

Get [Outlook for iOS](#)

Theresa K. Walsh

From: [REDACTED]
Sent: Wednesday, December 11, 2024 9:04 PM
To: CityClerk
Subject: 330 LeMarchant Rd.

To whom it may concern,

I am writing to express my wholehearted support of the reopening of Urban Market's drive through window. I am happy and proud to see this local small business supporting local artisans and encouraging people to shop local. As a community we are all too quick to support major multi-national corporations in their innovative practices, but rarely do we support homegrown innovation. As a [REDACTED] [REDACTED] a local drive through service is a life saver. I look forward to the reopening of this local service.

Sincerely,

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, December 6, 2024 7:59 AM
To: CityClerk
Subject: Urban Market 1919 Drive Thru

[REDACTED]

This email is to express my **support** of a drive thru window at Urban Market 1919 during the hours specified in the proposed application.

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 10:28 PM
To: CityClerk
Subject: Urban market

[REDACTED]

Please please please accept the drive thru application for urban market! That would be so beneficial to the community and people like myself with [REDACTED] kids.
Thanks!

Theresa K. Walsh

From:

Sent:

To:

Subject:

CityClerk

Application - 330 LeMarchant Road

I support the Drive Through pickup window at URBAN MARKET

Theresa K. Walsh

From: Access St. John's
Sent: Friday, December 6, 2024 1:54 PM
To: CityClerk
Subject: Fw: Drive through window for Urban Market

**Access St. John's
Web Service**

Call: 311 or 709-754-2489
Fax: 709-576-7688

From: noreply@stjohns.ca <noreply@stjohns.ca> on behalf of [REDACTED]

Sent: Thursday, December 5, 2024 5:31 PM

To: Access St. John's <access@stjohns.ca>

Subject: Drive through window for Urban Market

[REDACTED]

When Urban Market first opened they had a drive through window and it was great. If I headed over there and knew exactly what I wanted it was so easy to just drive up and place my order. Amazingly convenient. Please let them bring it back. Thanks, [REDACTED]

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 7:25 PM
To: CityClerk
Subject: Drive through at urban market

[REDACTED]

Hi there,

Would love to see the drive through window reopened at Urban Market on Lemarchant road.

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 5:33 PM
To: CityClerk
Subject: Urban Market Drive Through Window

[REDACTED]

My name is [REDACTED] and I live at [REDACTED] and I frequent Urban Market on a regular basis. It has lots of products and is much more convenient than a large supermarket which doesn't carry a lot of the products from local businesses that I prefer to support. I remember when Urban Market initially opened that there was a pickup window. It was convenient on occasion especially for anyone with mobility issues, small children/babies, dog walkers etc. I look forward to nice days when I'll be able to walk there with my dog and pick up anything I need from the window. I definitely support Urban Market in their application to the City of St. John's to have a drive through window. Thank you for the opportunity to provide feedback on the application,

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, December 9, 2024 8:59 AM
To: CityClerk
Subject: Application 330 Lemarchant road

[REDACTED]

Hello I am writing to support this application. As a mom with [REDACTED] the convenience of being able to get essentials such as groceries or treats via a drive through window, particularly in the winter would be amazing. Not having to get the kids out of the car to grab some milk or the last few ingredients for supper sounds like a fantastic solution.

Additionally the business seems to have a large enough space that it should not have any effect in traffic.

I fully support this application.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 6:18 PM
To: CityClerk
Subject: Urban market drive thru

[REDACTED]

Please allow this drive thru at Urban Market on Lemarchant Rd making it accessible for people that can't get in the market and convenient [REDACTED] in winter . Thank you

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 6:18 PM
To: CityClerk
Subject: 330 LeMarchant Road

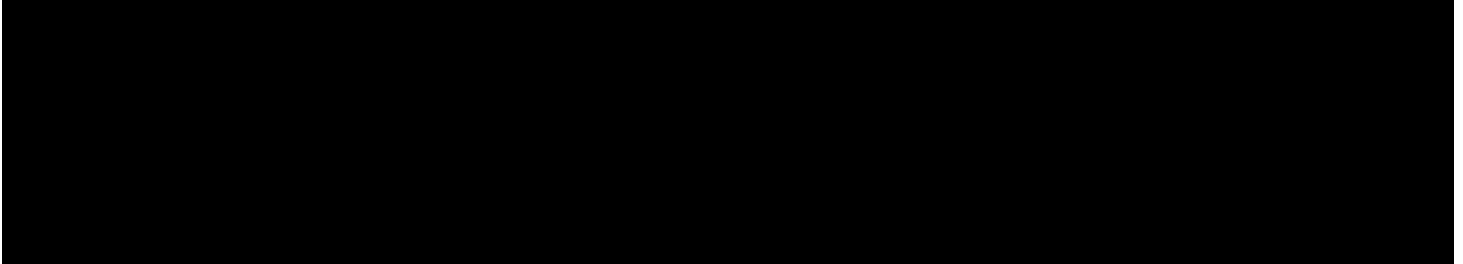
[REDACTED]

Hi there,
I would like to say I am in favor of the proposed application .
The business is a valuable member of our neighborhood and if they think the reopening of the drive through window will enhance their business I think it should be approved.
When it was available previously I would use it when I wasn't able to enter the building.
Very convenient.
Thanks,

[REDACTED]

Theresa K. Walsh

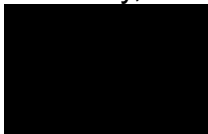
From: [REDACTED]
Sent: Thursday, December 5, 2024 5:39 PM
To: CityClerk
Subject: Urban Market drive-thru



Hello,

I support the addition of a drive-through coffee shop at Urban Market on 330 Lemarchant Rd. It's lovely to see that a local business can offer an alternative to big chain drive-throughs. Urban market also sells many other local products and a drive-through could encourage more shopping at their storefront. In a world where there are so many big corporate chain coffee shops polluting and profiting on every street corner, it only seems fair to give a local company the opportunity to offer their product in this way.

Sincerely,



Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 8:47 PM
To: CityClerk
Subject: Urban market drive thru

[REDACTED]

Hello,
Sending this email in support of the opening of the drive thru at urban market 1919. As a [REDACTED], this would be so helpful for picking up small needed items (like milk/eggs/bread) when [REDACTED] in the car, or when the weather is not great for getting [REDACTED] in and out! I think it is a wonderful idea for the community.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Saturday, December 7, 2024 10:51 AM
To: CityClerk
Subject: Drive through 330 lemarchant

[REDACTED]

I would like to voice my complete agreement with this business having a drive through service ..it would be tremendously beneficial ! [REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 10:10 AM
To: CityClerk
Subject: Application for discretionary use Urban Market Drive Through

Dear Clerk

I want to add my support of the use of a drive through window at Urban Market 1919 330 Lemarchant Rd This window was in operation a few years ago and worked well with no apparent issues for the neighborhood with line ups etc.

thank you

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 9:01 PM
To: CityClerk
Subject: Urban Market Drive Through

[REDACTED]

I'm writing to express my support for the proposed Urban Market drive through pick-up window. I live in this neighbourhood and pass by this location regularly.

I'm a [REDACTED] mom [REDACTED]. Sometimes I need to pick up something but I don't have the time or energy to park, [REDACTED], get what I need, and [REDACTED]. What could take less than 5 minutes can easily take 15 or 20. It is even more challenging in winter.

We're not a fast food family, but if wanted to jam my family's faces with burgers or fried chicken, I could take my pick of drive-throughs. I would like one option for healthy prepared food and grocery items without having to get all hands out of the car. And maybe even a nice craft beer for mom when the [REDACTED] go to sleep.

Thank you,

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 6:27 PM
To: CityClerk
Subject: Application - 330 LeMarchant Road

Hi there,

I support this

Application - 330 LeMarchant Road

(Drive through for urban market)! Shop local!

Kindest regards,

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, December 6, 2024 11:05 AM
To: CityClerk
Subject: Support of Application for 330 LeMarchant Rd

Good day,

This email is to send my support for the application via Urban Market at 330 LeMarchant Road to have a drive-through service for customers.

I don't feel that there is any issue to the neighbouring businesses or residence, of which I am one.

I fully support the further development of Urban Market and feel that if you can approve a drive-through on Harvey Road for a national chain such as Tim Hortons, there really is no valid reason to not support a small, locally owned business who's trying to provide quality service and product to the community.

Thank you,

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 5:26 PM
To: CityClerk
Subject: Application - 330 LeMarchant Road

[REDACTED]

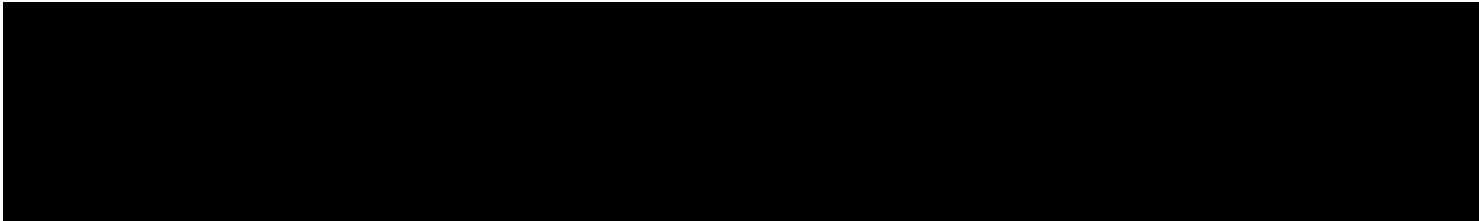
Hi
I believe the drive up window would be a great asset to the Urban Market.
The window would be a very convenient source for ordering and picking up orders.
Love supporting local.

[REDACTED]

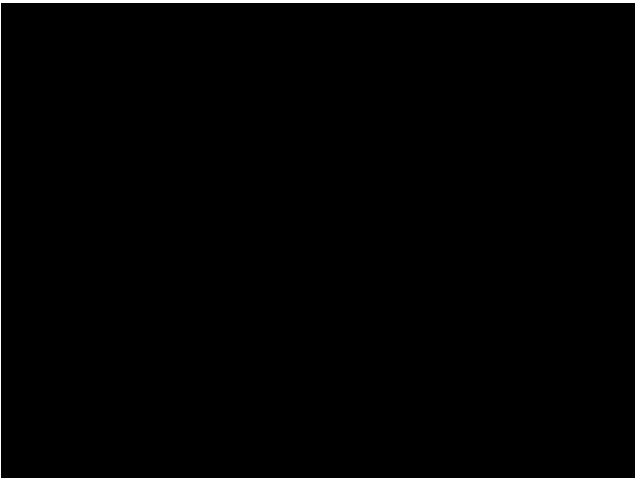
Theresa K. Walsh

From: [REDACTED]
Sent: Friday, December 6, 2024 1:07 PM
To: CityClerk
Subject: Approval of drive thru window for Urban Market 1919

Follow Up Flag: Follow up
Flag Status: Flagged



Hi there I just wanted to send this to express my approval for the Urban Market 1919 drive thru window. What that group of businesses is doing for that area of town is phenomenal and should not be impeded on!



DECISION/DIRECTION NOTE

Title: Notices Published – 710 Torbay Road – DEV2400132

Date Prepared: January 7, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 1

Decision/Direction Required:

A Discretionary Use application has been submitted by techNL Innovation Inc. at 710 Torbay Road.

Discussion – Background and Current Status:

The proposed application is for a Place of Assembly for a rental event space in the existing greenhouse. The floor area will be 302m². Hours of operation will be seven (7) days per week, between the hours of 8 a.m. and 11 p.m. On-site parking is provided. The proposed application site is zoned Commercial Regional (CR).

Two submissions were received. Concerns were raised pertaining to the Use and what could be allowed in the space, the amount of parking provided and access to the site. A Place of Assembly means a gathering place for substantial numbers of people. Where the space is proposed to be used for rentals, anyone who wishes to rent the space could do so. Parking requirements are provided on-site for the Use, which is in addition to the parking required for the existing building/light industrial use. Should the discretionary use be approved and the applicant wishes to expand or make any future changes to the operations, a new application would be required, followed by advertisement and consideration by Council.

Key Considerations/Implications:

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

4. Alignment with Strategic Directions:

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

Choose an item.

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

6. Accessibility and Inclusion: Not applicable.

7. Legal or Policy Implications: St. John's Development Regulations **Section 10.5 "Discretionary Uses" and Section 10 "Commercial Regional (CR) Zone".**

8. Privacy Implications: Not applicable.

9. Engagement and Communications Considerations: Public advertisement in accordance with **Section 4.8 Public Consultation of the St. John's Envision Development Regulations.** The City has sent written notices to property owners within a minimum 150-metre radius of the application site. The application has been advertised in The Telegram newspaper at least twice and is posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.

10. Human Resource Implications: Not applicable.

11. Procurement Implications: Not applicable.

12. Information Technology Implications: Not applicable.

13. Other Implications: Not applicable.

Recommendation:

That Council approve the Discretionary Use for a Place of Assembly at 710 Torbay Road which will allow the existing greenhouse to be used for a rental event space.

Prepared by:

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

Approved by:

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

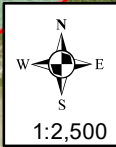
Report Approval Details

Document Title:	Notices Published - 710 Torbay Road - DEV2400132.docx
Attachments:	- 710 TORBAY ROAD.pdf
Final Approval Date:	Jan 8, 2025

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

Lindsay Lyghtle Brushett - Jan 8, 2025 - 10:33 AM

Jason Sinyard - Jan 8, 2025 - 10:50 AM



SUBJECT PROPERTY

TORBAY RD

ABERDEEN AVE

WHITE ROSE DR

AIR

R3

A2

CR

CR

CR

CR

90

Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, January 7, 2025 11:34 AM
To: Lindsay Lyghtle Brushett
Cc: Ken O'Brien; Ashley Murray; [REDACTED] CityClerk
Subject: Re: 710 Torbay Road Application

[REDACTED]

Thank you for the explanation, Lindsay. We are fine with the proposed application and support it.
Regards, [REDACTED]

From: Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>
Sent: Tuesday, January 7, 2025 9:27 AM
To: [REDACTED]
Cc: Ken O'Brien <kobrien@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; [REDACTED]
[REDACTED]; CityClerk <cityclerk@stjohns.ca>
Subject: RE: 710 Torbay Road Application

Good morning [REDACTED]

A Place of Assembly means land or Building used as a gathering place for substantial numbers of people, and without limiting the generality of the foregoing, includes auditoriums, convention centres, public and private halls, movie theatres and similar gathering places.

As the ad outlines, the existing greenhouse is proposed to be used for a rental event space. The floor area will be 302m². Hours of operation will be seven (7) days per week, between the hours of 8 a.m. – 11 p.m.

Where the space is used for rentals it falls within the definition of place of assembly. Anyone who wishes to rent the space could technically do so. We have parking requirements for this use (1 parking space for every 15 m2 of Gross Floor Area) which the application meets. The parking for this space would be in addition to the parking required for the existing building and uses within it.

Where it is a discretionary use in the zone, it needs to be advertised and referred to Council for their consideration. If considered by Council, a development agreement is required between the city and the applicant, which outlines the size, hours of operation, use etc. Should the applicant wish to expand or change any of these requirements, a new application would be required and that would need to be advertised and again considered by Council.

Please let me know if you have any questions.

Lindsay Lyghtle Brushett, MCIP
Supervisor – Planning & Development
Department of Planning, Engineering & Regulatory Services, City of St. John's

John Murphy Building (City Hall Annex), 4th floor
Phone: 709-576-8285 Fax: 709-576-2340
E-mail: llyghtlebrushett@stjohns.ca
Mail: PO Box 908, St. John's, NL, Canada A1C 5M2

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Any correspondence with employees, agents, or elected officials of the City of St. John's may be subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, SNL 2015, cA-1.2.

From: [REDACTED]
Sent: Monday, January 6, 2025 6:27 PM
To: CityClerk <cityclerk@stjohns.ca>
Cc: [REDACTED] >
Subject: 710 Torbay Road Application

[REDACTED]

To Whom It May Concern:

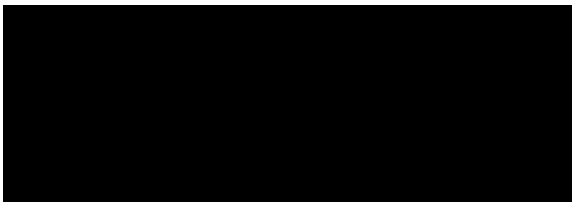
We represent the owner of [REDACTED] and [REDACTED] White Rose Drive. This Centre is [REDACTED] and [REDACTED] from the Applicant.

We are concerned regarding the seemingly conflicting use description provided in the Notice received at our office. The description provided: "Place of Assembly for a rental event space" is vague, confusing and may be in conflict. The first thought that comes to mind is that this space is being considered for use as a church, house of worship or mosque. Is this space then to be used as a house of worship that will rent the space during the days when religious services are not scheduled? Is this primarily a space to be used for rental events? Does a circus constitute a "rental event"? How about a wedding, funeral or convention? Is sufficient on-site parking provided for these potential wide variety of uses?

The owner of [REDACTED] White Rose has insufficient information to support or object to this Notice. Accordingly, at this time and pending further information, we are obliged to object to the proposed use.

Please consider providing a list of permitted uses that are being considered for this application.

Finally, do you have a zoning definition for "Place of Assembly"?



Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, December 5, 2024 3:26 PM
To: CityClerk
Subject: Application - 710 Torbay Road

[REDACTED]

Good afternoon,

In considering the subject application access road from White Rose St should be considered to be a secondary access road and be paved to the areas for parking off White Rose and Torbay Road to assist in traffic abatement for Torbay Road so near a busy intersection.

[REDACTED]

DECISION/DIRECTION NOTE

Title: Set Zone Standards for Proposed Single Detached Dwelling – 661 Thorburn Road – DEV2200102

Date Prepared: January 8, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 4

Decision/Direction Required:

Request for Council to set the Zone Standards for a Single Detached Dwelling in the Watershed Zone at 661 Thorburn Road.

Discussion – Background and Current Status:

An application was approved by Council in 2022 to rebuild an existing non-conforming, Single Detached Dwelling at 661 Thorburn Road. The house location has now been confirmed and subject to **Section 10 Watershed (W) Zone**, the Zone Standards shall be in the discretion of Council.

The proposed Zone Standards area:

- Building Line – 38.95m
- Side Yard – West: 3.18m
- Side Yard - East: 4.23m

Key Considerations/Implications:

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

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

Choose an item.

ST. JOHN'S

5. Alignment with Adopted Plans: **St. John's Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **St. John's Development Regulations Section 10 "Watershed (W) Zone".**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Not applicable.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council approve the proposed Zone Standards in the Watershed Zone to allow the rebuild of a Single Detached Dwelling at 661 Thorburn Road as follows:

- Building Line – 38.95m;
- Side Yard – West: 3.18m; and
- Side Yard - East: 4.23m.

Prepared by:

Andrea Roberts, P.Tech, Senior Development Officer
Planning, Engineering and Regulatory Services

Approved by:

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

Report Approval Details

Document Title:	Development Committee - Request to Set Zone Requirements for Proposed Dwelling – 661 Thorburn Road – DEV2200102.docx
Attachments:	- Aerial Map Zoom.pdf - Aerial Map.pdf - House Location.pdf
Final Approval Date:	Jan 8, 2025

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

Lindsay Lyghtle Brushett - Jan 8, 2025 - 3:01 PM

Jason Sinyard - Jan 8, 2025 - 4:02 PM

661 – 665 Thorburn Road



SUBJECT PROPERTY



THORBURN RD

TRANS CANADA HWY

W

W

W

W

W

W

RR

W

CD99

CITY OF ST. JOHN'S

DECISION/DIRECTION NOTE

Title: Request for Parking Relief – 35 Gilbert Street – SUB2400064

Date Prepared: January 8, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 2

Decision/Direction Required:

Request to relieve five (5) parking spaces for the proposed development of seven (7) Townhouse lots at 35 Gilbert Street.

Discussion – Background and Current Status:

An application was submitted for 35 Gilbert Street to subdivide and create seven (7) Townhouse lots. As per **Section 8.3** of the **Development Regulations**, one parking space is required for each residential Dwelling Unit. The applicant is proposing two parking spaces, one off Dunford Place and a second off Springdale Place, therefore parking relief for five (5) parking spaces is requested.

Rationale for relieving parking is based on the historical use for the site and its use of on-street parking permit availability. The proposed Townhouses will have a zero (0) meter building line which is permitted in the Residential Downtown (RD) Zone and parking permits are available along Gilbert Street. The property's street frontage is also potential long enough to accommodate 5 cars. There are also several bus routes within walking distance, located on Lemarchant Road, New Gower Street and Barter's Hill. As per **Section 8.12** of the **Development Regulations**, where an applicant wishes to provide a different number of parking spaces other than those required, Council shall require a Parking Report. Where in the opinion of Council that the change requested does not merit a Parking Report, Council may accept a staff report, which is presented as this Decision Note.

Key Considerations/Implications:

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

ST. JOHN'S

4. Alignment with Strategic Directions:
A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.

5. Alignment with Adopted Plans: **St. John's Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable
7. Legal or Policy Implications: **St. John's Development Regulations Sections 8.3 "Parking Standards," Section 8.12 "Parking Report" and Section 10 "Residential Downtown (RD) Zone."**
8. Privacy Implications: Not applicable
9. Engagement and Communications Considerations: Not applicable
10. Human Resource Implications: Not applicable
11. Procurement Implications: Not applicable
12. Information Technology Implications: Not applicable
13. Other Implications: Not applicable

Recommendation:

That Council approve parking relief for five (5) parking spaces at 35 Gilbert Street to accommodate the proposed seven (7) Townhouse Lots.

Prepared by:

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

Approved by:

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

Report Approval Details

Document Title:	Development Committee- Request for Parking Relief - 35 Gilbert Street- SUB2400064.docx
Attachments:	- 35 Gilbert Street.png
Final Approval Date:	Jan 8, 2025

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

Lindsay Lyghtle Brushett - Jan 8, 2025 - 3:18 PM

Jason Sinyard - Jan 8, 2025 - 4:01 PM



DECISION/DIRECTION NOTE

Title: Notices Published - Pasture Land Road – DEV2400150, CRW2400002 and CRW2400009

Date Prepared: January 7, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 4

Decision/Direction Required:

To approve a Discretionary Use application submitted by Clarke's Trucking and Excavating Limited for the expansion and remediation of a Mineral Working Use and approve the related referrals from Mineral Lands for a quarry permit and Crown Lands for a License to Occupy, located on Pasture Land Road.

Discussion – Background and Current Status:

The proposed Discretionary Use application is for an extension to an existing quarry (Mineral Working Use), which is a discretionary use in the Forestry Zone. The existing quarry is 3.14 hectares and is located off Pasture Land Road, near the Foxtrap Access Road interchange for the Trans-Canada Highway. The proposed quarry extension covers an area of approximately 2.7 hectares and is for the removal and processing of material on-site and no buildings are proposed. A referral from the Mineral Lands Division, Department of Industry, Energy and Technology, was also received for this area in relation to a new quarry permit. No development is permitted within the nearby wetlands or wetland buffers as outlined on the proposed plan.

Remediation work has been proposed for the land within the Watershed, as the existing quarry exceeded its approved boundary and clearing occurred. Uses within the Watershed Zone are at the discretion of Council. The reclamation will include the spreading of preserved topsoil/mineral soil and organic layer/grubbing over the cleared area to allow natural revegetation/tree growth to occur. The application was reviewed by Regional Water who have no concerns.

The Provincial Department of Fisheries, Forestry and Agriculture also referred an application for a Crown Land License to Occupy for an area of land approximately 2,400m². The area is for the realignment of the existing quarry access road, which extends from Pasture Land Road to the quarry site.

No submissions were received.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighbouring property owners.
3. Is this a New Plan or Strategy: No
4. Alignment with Strategic Directions:

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

Choose an item.

5. Alignment with Adopted Plans: **St. John's Envision Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: St. John's Development Regulations **Section 10.5 "Discretionary Uses", Section 10 "Watershed (W)" and Section 10 "Forestry (F) Zone".**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Public advertisement in accordance with **Section 4.8 Public Consultation of the St. John's Envision Development Regulations.** The City has sent written notices to property owners within a minimum 150-metre radius of the application site. The application has been advertised in The Telegram newspaper at least twice and is posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council approve the Discretionary Use application for the expansion of a Mineral Working Use (quarry) in the Forestry Zone and remediation of land in the Watershed Zone, and approve the related Mineral Lands Division referral for a 2.7 hectare new quarry permit (expansion), and Crown Lands License to Occupy an area of land approximately 2,400 square metres for the realignment of the existing quarry access, which is located on Pasture Land Road.

Prepared by:

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

Approved by:

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

Report Approval Details

Document Title:	Notices Published - Pasture Land Road - DEV2400150.docx
Attachments:	- PASTURELAND ROAD.pdf - Map 2 Reinstatement Plan Map_medium.pdf - E-162348_Crown_Lands_Map_2500.pdf
Final Approval Date:	Jan 8, 2025

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

Lindsay Lyghtle Brushett - Jan 8, 2025 - 2:22 PM

Jason Sinyard - Jan 8, 2025 - 4:04 PM

SUBJECT PROPERTY

RUR

MW

RUR

RUR

RUR

F

F

F

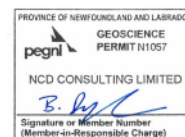
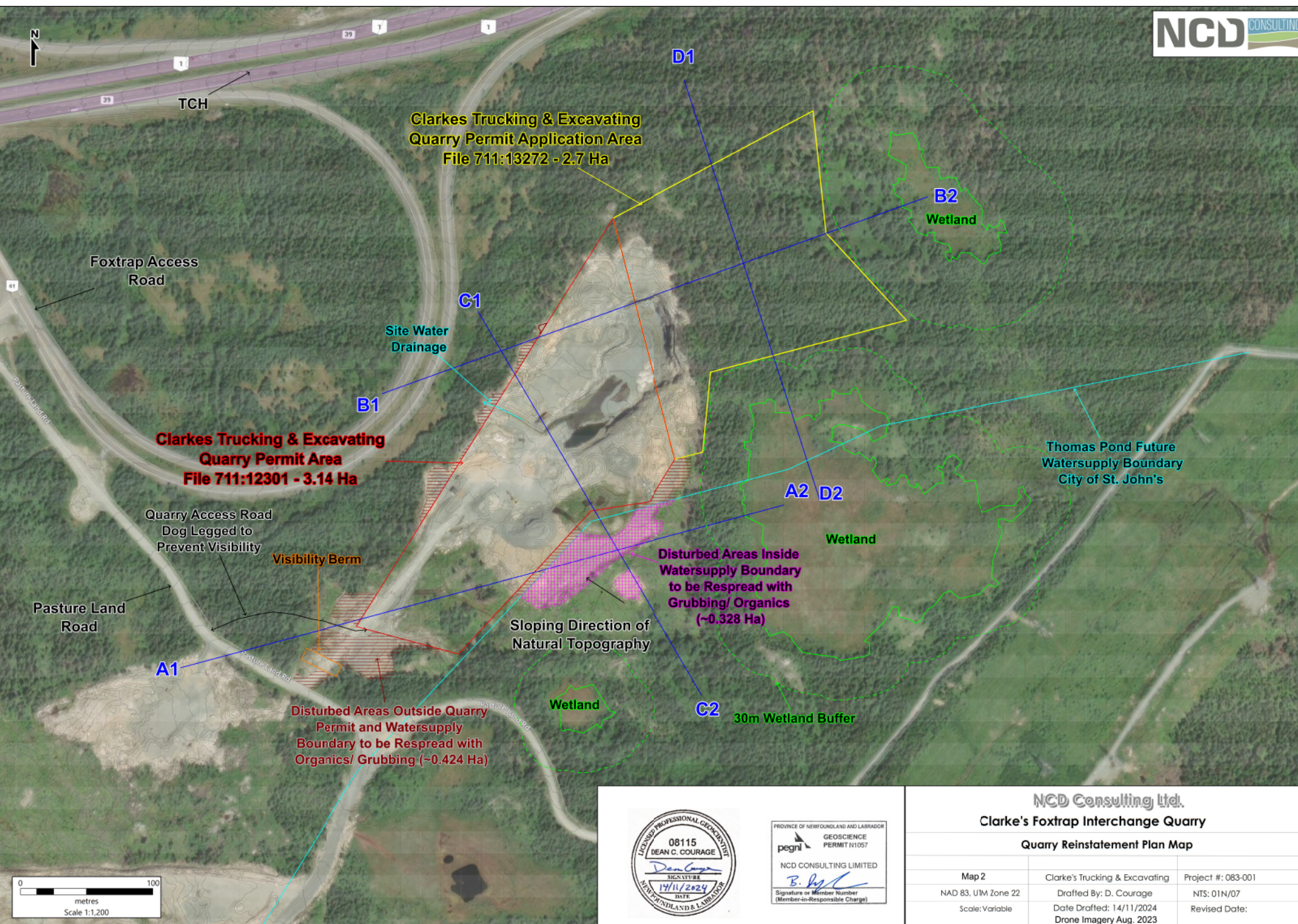
F

F

PASTURE LAND RD

W

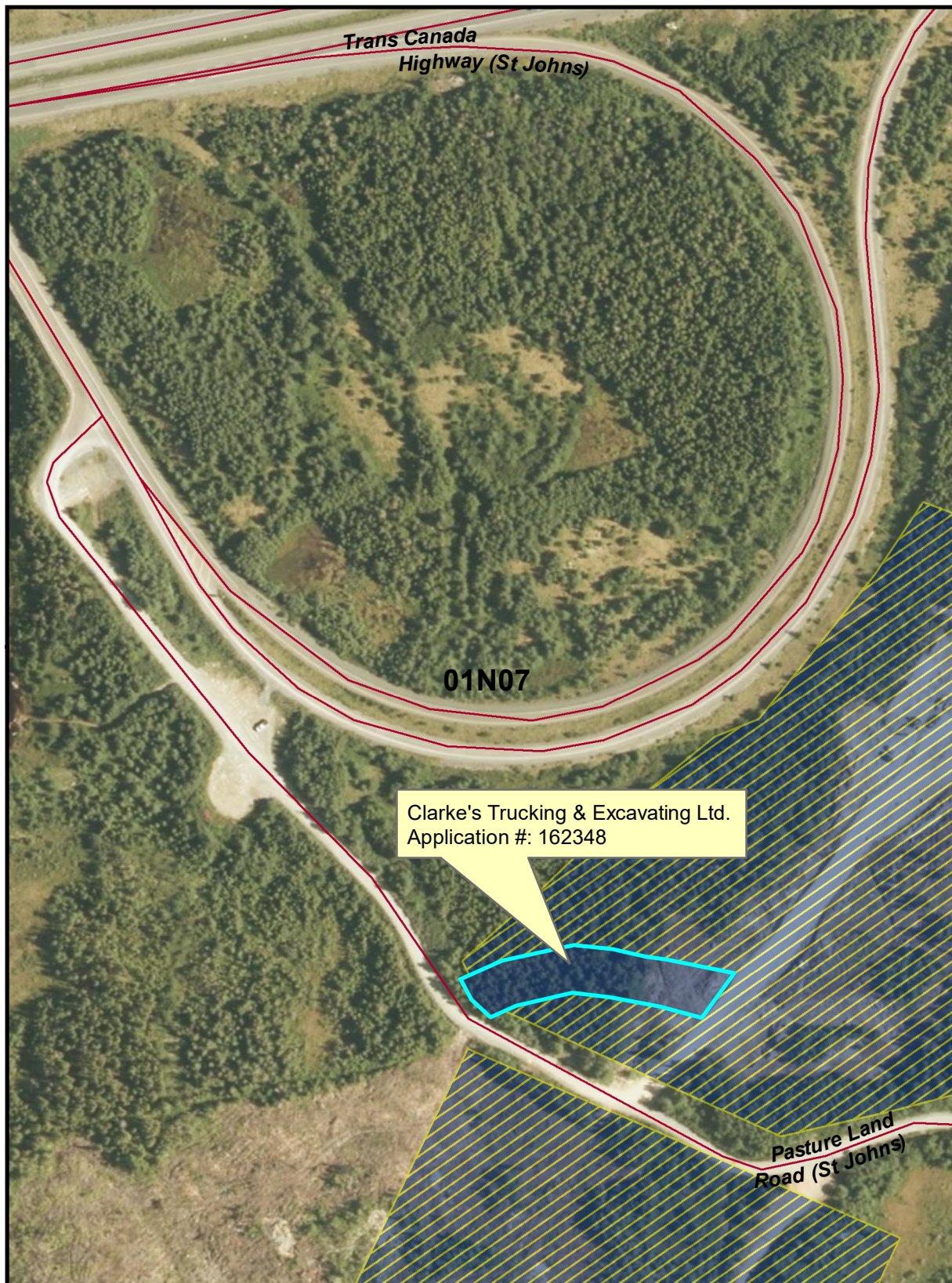
RUR



NCD Consulting Ltd.
Clarke's Foxtrap Interchange Quarry
Quarry Reinstatement Plan Map

Map 2	Clarke's Trucking & Excavating	Project #: 083-001
NAD 83, UTM Zone 22	Drafted By: D. Courage	NTS: 01N/07
Scale: Variable	Date Drafted: 14/11/2024	Revised Date:
	Drone Imagery Aug. 2023	

Department of Fisheries, Forestry and Agriculture Crown Lands Division



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

0 20 40 80 120 160 Meters



Scale 1:2,500

Compiled on February 21, 2024

DECISION/DIRECTION NOTE

Title: Request for Variance on Lot Frontage – 79 Old Petty Harbour Road – SUB2400070

Date Prepared: January 6, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 5

Decision/Direction Required:

To seek approval for a 7.33% Variance on Lot Frontage to accommodate the subdivision of a new Lot and Single Detached Dwelling at 79 Old Petty Harbour Road.

Discussion – Background and Current Status:

An application was submitted at 79 Old Petty Harbour Road to subdivide the existing property into three Lots. The property is zoned Residential 1 (R1), and the minimum Lot Frontage requirement is 15 meters. Two of the Lots meet the minimum standard, while the third Lot only has a Lot Frontage of 13.9 meters; the applicant has requested a variance of 7.33%. **Section 7.4 of the St. John's Development Regulations** allows up to a 10% Variance from any applicable requirement to be considered. The reduction in frontage will not impact snow storage or sight lines.

Notices were issued to all adjacent properties regarding the request for a Variance. Three (3) submissions were received; two submissions noted they had not received the notification, but it was explained that they were not abutting property owners. The third submission was in opposition to the application, and they have indicated that the proposed Single Detached Dwelling would affect the housing prices of adjacent properties.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Written notices were sent to property owners whose land abuts the Development that is subject to the Variance.
3. Is this a New Plan or Strategy: No

ST. JOHN'S

4. Alignment with Strategic Directions:
A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.

5. Alignment with Adopted Plans: **St. John's Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **St. John's Development Regulations Section 7.4 "Variance" and Section 10 "Residential 1 (R1) Zone".**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Not applicable.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council approve a 7.33% Variance on Lot Frontage at 79 Old Petty Harbour Road to allow the subdivision and development of a Single Detached Dwelling.

Prepared by:

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

Approved by:

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

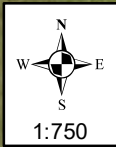
Report Approval Details

Document Title:	Development Committee - Request for Frontage Variance - 79 Old Petty Harbour Road - SUB2400070.docx
Attachments:	- 79 OLD PETTY HARBOUR ROAD.pdf
Final Approval Date:	Jan 8, 2025

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

Lindsay Lyghtle Brushett - Jan 8, 2025 - 4:08 PM

Jason Sinyard - Jan 8, 2025 - 4:13 PM



SUBJECT PROPERTY



OLD PETTY HARBOUR RD

PARKRIDGE DR

CEMETERY LANE

A1

R2

R1

R1

R1

R1

CDA5

75C

76

75

75A

75B

80

77

82

79

7

9

6

84

81

11

86

83

5

10

92

3

8

1

6

115

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, January 6, 2025 12:02 PM
To: Ashley Murray; Carl Ridgeley
Cc: Lindsay Lyghtle Brushett
Subject: Re: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

[REDACTED]

Thank you again Ashley. A plan very similar to this was rejected several years ago, and the public were invited to a discussion of the proposal and the implications prior to a council meeting. Several residents of near properties (including me) attended this meeting to voice our concerns.

Issues including snow clearing, parking and infrastructure were all discussed in detail at the public meeting. It is most unfortunate that the plan has now been subdivided into areas which require council decision (variance), and those that can be approved outright at a staff level (three single dwellings). In my opinion, it appears that there were learnings from the last rejection of the development of this property on how to avoid a second rejection for development.

I have included my representative, Carl Ridgeley, back on this email trail.

I appreciate your email responses to me.

[REDACTED]

On Mon, Jan 6, 2025 at 11:46 AM Ashley Murray <amurray@stjohns.ca> wrote:

[REDACTED]

Typically to view or review a file you would need to make an application via the ATTIP coordinator and pay the appropriate fee. However, below is an explanation of the current application.

Below you will find a plot plan of the project in question. Council is **only considering** the variance on the lot I have indicated in red as the applicant has requested a variance on lot frontage for the proposed Single Detached Dwelling (a permitted Use in the R1 Zone), all other lot requirements have been met for this lot.

Council will not be considering the other two lots as the meet all requirements and are proposed Single Detached Dwelling Permitted Use of the Residential 1 (R1) Zone and can be approved outright at a staff level.

All abutting property owners have been notified of the request as per Section 7.4 of the Envision Development Regulations, all submission regarding the application **(specifically the variance request)** will be considered by Council at the Regular Council meeting. No further public consultation is required from the Envision Development Regulations.



Regards,

Ashley Murray, P.Tech (She/Her)
Senior Development Officer
Planning, Engineering & Regulatory Services
City of St. John's | P.O. Box 908 | St. John's, NL A1C 5M2
(709) 576-8452 | email: amurray@stjohns.ca



From: [REDACTED]
Sent: Monday, January 6, 2025 10:23 AM
To: Ashley Murray <amurray@stjohns.ca>
Cc: Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Carl Ridgeley <cridgeley@stjohns.ca>
Subject: Re: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

[REDACTED]

Thank you Ashley for your prompt reply. This is most unfortunate, as development of this property could affect many households in the near vicinity.

Are the details of the proposal posted publicly for viewing and review, prior to the Council meeting on the 14th?

[REDACTED]

On Mon, Jan 6, 2025 at 10:17 AM Ashley Murray <amurray@stjohns.ca> wrote:

Good day [REDACTED]

As outlined in Section 7.4 of the Envision Development Regulations "Written notice of any proposed Variance shall be provided to all persons whose land abuts the Development that is the subject of the Variance". All properties which abut 79 Old Petty Harbour Road have been notified, any properties [REDACTED] the City Street are not considered.

There is no public hearing or meeting regarding this application as it is not required. However, the request will be heard at the Regular Council Meeting of January 14th, 2025. Public are able to attend the meeting but are not given the option to speak. All submission we receive are noted in the memo to Council for their decision.

If you have any further questions, please let me know.

Regards,

Ashley Murray, P.Tech (She/Her)
Senior Development Officer
Planning, Engineering & Regulatory Services
City of St. John's | P.O. Box 908 | St. John's, NL A1C 5M2
(709) 576-8452 | email: amurray@stjohns.ca

From: [REDACTED]
Sent: Sunday, January 5, 2025 9:07 PM
To: Ashley Murray <amurray@stjohns.ca>
Subject: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

[REDACTED]

Good evening Ms. Murray,

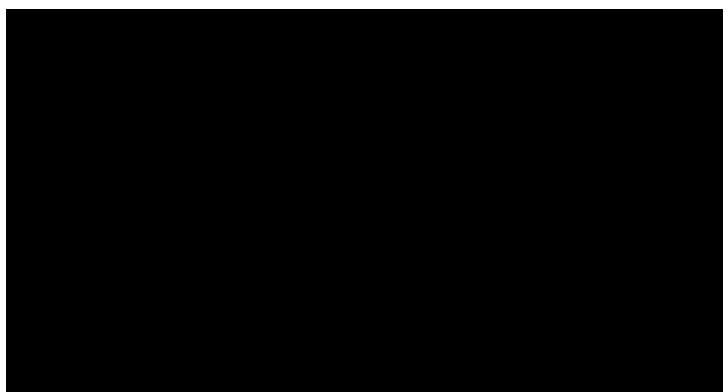
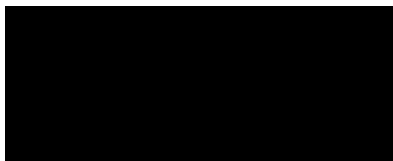
I am respectfully requesting an explanation as to why the home owners of [REDACTED] Old Petty Harbour Road, namely [REDACTED], did not receive notification of the application of variance for 79 Old Petty Harbour Road.

I understand that the occupants of [REDACTED] Old Petty Harbour Road received a letter from you on Dec. 11, 2024 with a requested response of any concerns by Jan. 7, 2024. (I am assuming the intended date was Jan. 7, 2025).

I am respectfully requesting a response before the Jan. 7th deadline, as I have many concerns with this application.

I attended a public meeting the last time there was an application to develop this property, and I am requesting the same opportunity for this application.

Thank you for your anticipated attention to this matter,



To: Amurray@stjohns.ca

Ref: 11 Dec 2024 Letter of Notification (attached)

Re: PER File No. SUB2400070 (Req for Variance on Lot Frontage - 79 Old Petty Harbour Road)



Theresa K. Walsh

From: [REDACTED]
Sent: Monday, January 6, 2025 12:01 PM
To: [REDACTED]
Cc: [REDACTED]; Lindsay Lyghtle Brushett; Ashley Murray
Subject: Fwd: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

Ashley,

This is ridiculous! This type of development on that property was turned down just a couple of years ago through public protest. Not sure what has changed, but this will have a devastating effect on the housing prices of all adjacent properties, including those across the street.

To whom do I contact to have this development postponed until full assessment and consultation can be done?

There was a similar case in Petty Harbour (I know it's a different jurisdiction and council), but the principle is the same in that the council allowed development of a property which adversely affect the properties adjacent to it. It was fought in provincial court and the house had to be torn down, and the council was liable for the bill. I'd like to avoid this catastrophe before it gets to that point. Because make no mistake, this will go to litigation should this go forward. I've already cc'd our lawyer on this correspondence.

Please advise.

Regards,

[REDACTED]

Begin forwarded message:

From: Ashley Murray <amurray@stjohns.ca>
Date: January 6, 2025 at 11:48:38 NST
To: [REDACTED]
Cc: Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>
Subject: RE: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

That is correct, yes. The proposed additional lots for Single Detached dwellings are Permitted Use in the Residential (R1) Zone and as previously mentioned can be approved at a staff level.

Council will only be considering the variance request.

Regards,

Ashley Murray, P.Tech (She/Her)
Senior Development Officer
Planning, Engineering & Regulatory Services
City of St. John's | P.O. Box 908 | St. John's, NL A1C 5M2
(709) 576-8452 | email: amurray@stjohns.ca

ST. JOHN'S

From: [REDACTED]
Sent: Monday, January 6, 2025 11:07 AM
To: Ashley Murray <amurray@stjohns.ca>
Cc: Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; [REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

Miss Murray,

Do you mean to tell me that they are putting TWO new houses on this existing lot?

Two years ago there was a successful petition to NOT allow a demo and triplex to be put on this lot, yet here council is now allowing two additional full single dwelling homes on this property?

[REDACTED]

On Jan 6, 2025, at 10:50, Ashley Murray <amurray@stjohns.ca> wrote:

Regards,

Ashley Murray, P.Tech (She/Her)
Senior Development Officer
Planning, Engineering & Regulatory Services
City of St. John's | P.O. Box 908 | St. John's, NL A1C 5M2
(709) 576-8452 | email: amurray@stjohns.ca

<image001.png>

From: [REDACTED]
Sent: Sunday, January 5, 2025 8:23 PM
To: Ashley Murray <amurray@stjohns.ca>; [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Fwd: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

To: Amurray@stjohns.ca

Ref: 11 Dec 2024 Letter of Notification (attached)
Re: PER File No. SUB2400070 (Req for Variance on Lot Frontage
- 79 Old Petty Hr Rd)

Dear Miss Murray,

With respect to the above notification, I am deeply concerned with the lack of information provided to us [REDACTED] regarding this application to subdivide subj property at 79 Old Petty Hr Rd. The notification, as it stands, indicates neither HOW this property will be divided, nor for what reason the property is being subdivided. As it currently stands, I am not in support of this application as it will likely have a detrimental adverse affect on my properties functionality, as well as our property value. At this time, I petition St. John's Council to NOT approve the variance as requested, and NOT authorize the subdivision of subj lot until the full intentions and scope of the

“proposed development” is disclosed to the adjacent homeowners for review and public discussion. Please advise.

Regards,



Theresa K. Walsh

From: [REDACTED]
Sent: Sunday, January 5, 2025 9:45 PM
To: Ashley Murray
Subject: Fwd: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.
Attachments: Notice of Lot Variance 79 Old Petty Hr Rd.pdf

[REDACTED]

Hello Ms. Murray,
Please advise why we, the homeowners of [REDACTED] Old Petty Hr Rd, namely [REDACTED] were not notified of the application of variance for 79 Old Petty Hr Rd.
We also have concerns with this application and request a response by the deadline of Jan 7th.
Thank you

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Date: January 5, 2025 at 9:12:59 PM NST
To: cridgeley@stjohns.ca
Subject: Fwd: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

Hi Carl,
Please see an email sent to Ms. Murray regarding: 79 Old Petty Harbour Road.
Thank you,

[REDACTED]

[REDACTED]

[REDACTED]

Date: Sun, Jan 5, 2025 at 9:07 PM

Subject: Notice of Petition to not allow variance for development at 79 Old Petty Hr Rd.

To: <amurray@stjohns.ca>

Good evening Ms. Murray,

I am respectfully requesting an explanation as to why the home owners of [REDACTED] Old Petty Harbour Road, namely [REDACTED] did not receive notification of the application of variance for 79 Old Petty Harbour Road.

I understand that the occupants of [REDACTED] Old Petty Harbour Road received a letter from you on Dec. 11, 2024 with a requested response of any concerns by Jan. 7, 2024. (I am assuming the intended date was Jan. 7, 2025).

I am respectfully requesting a response before the Jan. 7th deadline, as I have many concerns with this application.

I attended a public meeting the last time there was an application to develop this property, and I am requesting the same opportunity for this application.

Thank you for your anticipated attention to this matter,

[REDACTED]

[REDACTED]

To: Amurray@stjohns.ca

Ref: 11 Dec 2024 Letter of Notification (attached)

Re: PER File No. SUB2400070 (Req for Variance on Lot Frontage - 79 Old Petty Harbour Road)

ST. JOHN'S

Report of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

December 17, 2024, 3:00 p.m.

Present: Mayor Danny Breen
Councillor Maggie Burton
Councillor Ron Ellsworth
Councillor Sandy Hickman
Councillor Jill Bruce
Councillor Greg Noseworthy
Councillor Tom Davis
Councillor Carl Ridgeley

Regrets: Deputy Mayor Sheilagh O'Leary
Councillor Debbie Hanlon
Councillor Ophelia Ravencroft

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

1. Funding for Fleet Renewal – Waste Collection

Members of Council voiced their support of the reallocation of funds for the fleet asset management strategy. Councillor Ellsworth advised that new vehicles would reduce downtime and allow the City to provide optimal service to the community.

Recommendation

Moved By Councillor Ellsworth

Seconded By Councillor Ridgeley

That Council approve the use of \$2.5M of surplus previously allocated to lower future borrowing for the 2025 waste collection vehicle funding deficit. In addition, as the next regular public Council meeting is not until January 14th, 2025, and this tender must be awarded in a timely fashion, that this funding approval be ratified through an e-poll.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Davis, Councillor Ridgeley, and Councillor Noseworthy

MOTION CARRIED (8 to 0)

2. SJTC – Appointment Recommendation

Recommendation

Moved By Councillor Ellsworth

Seconded By Councillor Bruce

That Council approve the recommendation of the Selection Committee to appoint Paul Canning to the St. John's Transportation Commission.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Davis, Councillor Ridgeley, and Councillor Noseworthy

MOTION CARRIED (8 to 0)

3. 19 King's Bridge Road - REZ2400024

Recommendation

Moved By Councillor Burton

Seconded By Councillor Davis

That Council consider rezoning 19 King's Bridge Road from the Commercial Neighbourhood (CN) Zone to the Residential Mixed (RM Zone) and consider adding Health and Wellness Centre as a permitted use to the Residential Mixed (RM) Zone.

Further, that the application be publicly advertised in accordance with the Envision St. John's Development Regulations.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Davis, Councillor Ridgeley, and Councillor Noseworthy

MOTION CARRIED (8 to 0)

4. 51 Hazelwood Crescent – MPA2400012

Councillor Noseworthy raised concerns about speeding in the area and cautioned that the added density could intensify speeding along Topsail Road.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Hickman

That Council consider rezoning 51 Hazelwood Crescent from the Institutional (INST) Zone to the Apartment 1 (A1) Zone.

Further, upon receiving a satisfactory LUR, that the application be advertised for public input and feedback.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Davis, Councillor Ridgeley, and Councillor Noseworthy

MOTION CARRIED (8 to 0)

5 364 Groves Road – REZ2400025

Councillor Davis requested clarification on well and septic use above the 190m contour. The Deputy City Manager of Planning, Engineering, and Regulatory Services responded that the area in question is not currently zoned to allow well and septic systems and City policy states that land cannot be rezoned for unserviced development. Previous issues with well

and septic systems in unserved areas have been expensive to fix and should additional issues arise above the 190m contour, the City would not have the ability to ameliorate the issue without a significant financial investment.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Ellsworth

That Council reject the application to rezone land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone as it is beyond the limits of servicing and conflicts with Municipal Plan policies for unserved development.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Davis, Councillor Ridgeley, and Councillor Noseworthy

MOTION CARRIED (8 to 0)

6. 45-53 Blackmarsh Road – REZ2400022

Councillor Hickman asked for additional information on the commercial operations of the building. Staff responded that along with the bowling alley, there are a number of stores on the premises. The residential units would be built on top of the shops and bowling alley. Councillor Hickman noted that noise may be a concern with such developments, but at this time sound from the businesses should not be too intrusive. Councillor Noseworthy advised that disruption, garbage, and waste were of concern to residents, and that it was important to ensure that residents of mixed-use neighbourhoods have a peaceful, livable place to call home.

Recommendation

Moved By Councillor Burton

Seconded By Councillor Davis

That Council consider rezoning 45, 47, and 53 Blackmarsh Road from the Industrial Commercial (IC) Zone to the Commercial Mixed (CM) Zone.

Further, upon receiving a satisfactory site plan, that the application be advertised for public review and input.

For (8): Mayor Breen, Councillor Burton, Councillor Ellsworth, Councillor Hickman, Councillor Bruce, Councillor Davis, Councillor Ridgeley, and Councillor Noseworthy

MOTION CARRIED (8 to 0)

DECISION/DIRECTION NOTE

Title: Funding for Fleet Renewal – Waste Collection

Date Prepared: December 12, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Ron Ellsworth, Finance & Administration

Ward: N/A

Decision/Direction Required:

Review and acceptance of additional funding for the fleet asset management strategy for waste collection vehicles for 2025.

Discussion – Background and Current Status:

A comprehensive asset management strategy for Phase 1 Fleet Assets – Waste Collection and Sanders was approved in summer 2023. The transitional phase of the plan has already seen positive impacts on equipment downtime and reliability, as well as decreased maintenance.

The implementation of the plan is underway, and RFP for the acquisition of new units was recently issued which came in \$2.5M over expected pricing for 17 units. The following reasons have been identified for the shortfall:

1. At the time the plan was developed, estimates were obtained from current vendors and the cost of a truck ranged from \$400-420k. The plan included a contingency and built in anticipated inflation which still fell short of the bid results which are now estimated to be in the \$500-510k range, an increase of approximately 19%. With an estimated increase of \$95k per truck, and the requirement to purchase 17 units this year, the estimated incremental impact on cost is approximately \$1.6M.
2. A contract with which the City had 6 trucks on order prior to the development of the plan is cancelled. This means the City has to re-order with the new RFP at a significantly higher cost. While staff were able to mitigate some of the cost increases by purchasing off lease vehicles with the same model year as were expected, the closure will still impact purchasing by \$880k.

As most of the current waste collection fleet is on lease while awaiting delivery, the timely award of the RFP is critical to maintaining residential collection in 2025. The entire asset management strategy will be reevaluated in 2025 to reflect the industry change and price adjustment, and the impact will be reported back to Council as part of the final phase of the fleet strategy.

At a previous meeting, Council approved the use of \$10M from surplus be directed to reduce future debt. It is proposed that a portion of these funds be repurposed to allow for the additional \$2.5M in funding required to award the purchase of waste collection vehicles.

To provide some timing information in relation to the RFP process for the waste collection vehicles, the RFP closed on November 26th. Evaluation of bidders' spec and pricing information was completed on December 2nd. In the following days Public Works and Finance staff met to evaluate budget impact and identify possible mitigation measures and sources of funding. Senior staff met on December 6th to discuss options and a way forward.

Key Considerations/Implications:

1. Budget/Financial Implications:

As discussed above

2. Partners or Other Stakeholders:

Citizens of St. John's are key stakeholders. The City provides waste collection and snow clearing/ice control which are critical services to citizens; these services would not be provided without waste collection vehicles.

3. Is this a New Plan or Strategy: No

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

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

4. Alignment with Strategic Directions:

A Sustainable City: Be financially responsible and accountable.

Choose an item.

5. Alignment with Adopted Plans:

- 6. Accessibility and Inclusion:
- 7. Legal or Policy Implications:
- 8. Privacy Implications:
- 9. Engagement and Communications Considerations:
- 10. Human Resource Implications:
- 11. Procurement Implications:

Timeliness of approval of the funding to award waste collection vehicle RFP.

- 12. Information Technology Implications:
- 13. Other Implications:

Recommendation:

That Council approve the use of \$2.5M of surplus previously allocated to lower future borrowing for the 2025 waste collection vehicle funding deficit.

Prepared by: Melanie Shea

Approved by: Kris Connors/Derek Coffey

Report Approval Details

Document Title:	Funding for Fleet Renewal - Waste Collection.docx
Attachments:	
Final Approval Date:	Dec 12, 2024

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

Kris Connors - Dec 12, 2024 - 12:36 PM

Derek Coffey - Dec 12, 2024 - 12:41 PM

DECISION/DIRECTION NOTE

Title: SJTC – Appointment Recommendation

Date Prepared: December 11, 2024

Report To: Committee of the Whole

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

Ward: Choose an item.

Decision/Direction Required:

Council approval is being sought on the appointment recommendation from the Selection Committee of the St. John's Transportation Commission (SJTC), to fill a current vacancy.

Discussion – Background and Current Status:

A Call for Expressions of Interest was issued on October 16, 2024, to fill a vacancy on the SJTC. The Call was advertised on November 2nd, 9th, and 16th, with a deadline for applications on Friday, November 22nd.

Four applications were received for the vacant position.

After reviewing the applications, the Selection Committee for SJTC are recommending Paul Canning for appointment. Mr. Canning's qualifications best complement the current skill set on the Commission. He has significant experience as a senior administrator of an organization with a community and strategic focus, including the oversight and monitoring of financial programs. He also has varied and extensive board experience in service to the community, including organizations with a focus on accessibility and inclusion.

Key Considerations/Implications:

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

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

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

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4. Alignment with Strategic Directions:

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

N/A

5. Alignment with Adopted Plans: N/A

6. Accessibility and Inclusion: N/A

7. Legal or Policy Implications: N/A

8. Privacy Implications: N/A

9. Engagement and Communications Considerations: N/A

10. Human Resource Implications: N/A

11. Procurement Implications: N/A

12. Information Technology Implications: N/A

13. Other Implications: N/A

Recommendation:

That Council approve the recommendation of the Selection Committee to appoint Paul Canning to the St. John's Transportation Commission.

Prepared by: Theresa Walsh, City Clerk

Approved by: Theresa Walsh, City Clerk

DECISION/DIRECTION NOTE

Title: 19 King's Bridge Road - REZ2400024

Date Prepared: December 6, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 2

Decision/Direction Required:

To consider rezoning 19 King's Bridge Road from the Commercial Neighbourhood (CN) Zone to the Residential Mixed (RM) Zone to allow a Lodging House use, and to consider a text amendment to the Envision St. John's Development Regulations to add Health and Wellness Centre as a permitted use to the RM Zone.

Discussion – Background and Current Status:

The City has received an application to rezone property at 19 King's Bridge Road from the Commercial Neighbourhood (CN) to the Residential Mixed (RM) Zone. The applicant is proposing to develop a Lodging House use containing five bedrooms in the existing building. Lodging House is not permitted or discretionary in the CN Zone and therefore a rezoning is required to enable the proposal.

The existing building contains a Clinic use and Health and Wellness Centre use (a yoga studio). The applicant wishes to keep these uses, which are in a separate part of the building. A Health and Wellness Centre is not permitted within the RM Zone, so to consider the rezoning, a text amendment is required to add Health and Wellness Centre to the RM Zone.

The building was previously owned by the Anglican Church of Canada and was within the Institutional District and Institutional (INST) Zone. In 2021, the current owners applied to rezone it to enable office, clinic, and similar uses. The property was redesignated to Commercial and rezoned to Commercial Neighbourhood (CN). The applicant is now seeking a rezoning to allow residential use in the form of a Lodging House.

The Residential Mixed (RM) Zone enables a mix of residential and commercial uses. Should the rezoning be approved, any uses listed in the RM Zone could be developed on the site. As mixed-use zones can be considered within the Commercial District, a Municipal Plan amendment is not required.

Alignment with Municipal Plan Policies

The Municipal Plan encourages mixed-use development with various housing options, amenities and employment opportunities in the same neighbourhood. Policy 4.1.2 enables a range of housing to create diverse neighbourhoods that include a mix of housing forms and

ST. JOHN'S

tenures, including single, semi-detached, townhousing, medium and higher density and mixed-use residential developments. The proposed Lodging House use will add to the mix of housing types in the neighborhood.

Policy 8.5.20 encourages a mixture of uses, built forms and public spaces. Policy 8.5.21 of the Municipal Plan allows mixed-use zones in appropriate areas within Residential and Commercial Districts, along transportation nodes and within areas identified for intensification. The proposed development will introduce a residential use into the existing building, which is commercial. The subject property is an appropriate site for mixed-use development, being close to recreation facilities, commercial amenities, trails, and public transit routes.

Alignment with the Envision St. John's Development Regulations

Section 4.9(2)(a) of the Development Regulations requires a land use report (LUR) for all applications to amend the Regulations. Under Section 4.9(3), where the scale or circumstances of a proposed development do not merit an LUR, Council may accept a staff report instead. As the present proposal is to enable a new use within an existing building, staff recommend a staff report in lieu of an LUR.

Public Consultation

Staff have reviewed the application and provided initial comments to the applicant; additional information is required. Should Council consider the rezoning, staff recommend public notification (not a public meeting) once all required information is received.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. Alignment with Strategic Directions:

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

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Applicable at the building-permit stage.
6. Legal or Policy Implications: Not applicable.
7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations: Public notification will be carried out in accordance with Section 4.8 of the Development Regulations. The application will also have a project page on the Engage St. John's website.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

That Council consider rezoning 19 King's Bridge Road from the Commercial Neighbourhood (CN) Zone to the Residential Mixed (RM Zone) and consider adding Health and Wellness Centre as a permitted use to the Residential Mixed (RM) Zone.

Further, that the application be publicly advertised in accordance with the Envision St. John's Development Regulations.

Prepared by: Faith Ford, MCIP, Planner III

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

Report Approval Details

Document Title:	19 King's Bridge Road - REZ2400024.docx
Attachments:	- Location Map-19 KING'S BRIDGE ROAD.pdf - RMZone_DevelopmentRegulations.pdf
Final Approval Date:	Dec 10, 2024

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

Ken O'Brien - Dec 6, 2024 - 4:09 PM

Jason Sinyard - Dec 10, 2024 - 2:41 PM



SUBJECT PROPERTY



RESIDENTIAL MIXED (RM) ZONE**RM****(1) PERMITTED USES**

Accessory Building	Home Office
Apartment Building, maximum of 6 dwelling units (2024-07-19)	Lodging House
Backyard Suite (2024-07-19)	Office
Cluster Development, maximum of 6 Dwelling Units (2024-07-19)	Park
Lodging House	Semi-Detached Dwelling
Bed and Breakfast	Single Detached Dwelling
Child Care Centre (2024-03-15)	Subsidiary Dwelling Unit
Clinic	Tiny Home Dwelling (2024-07-19)
Community Garden	Townhouse
Duplex (2024-07-19)	Townhouse Cluster, maximum of 6 Dwelling Units (2024-07-19)
Family Child Care Service (2024-03-15)	Training School
Four-Plex (2024-07-19)	Triplex (2024-07-19)

(2) DISCRETIONARY USES

Adult Day Centre	Place of Assembly
Convenience Store	Place of Worship
Heritage Use	Pocket Neighbourhood (2024-07-19)
Home Occupation	Public Utility
Parking Garage	Residential Care Facility
Parking Lot	Retail Use
Pedway (2022-10-14)	School
Personal Care Home	Service Shop

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	300 metres square
(b)	Lot Frontage (minimum)	10 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	9 metres (2024-07-19)
(e)	Side Yards (minimum)	Two of 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	4.5 metres
(g)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS DUPLEX (2024-07-19)

(a)	Lot Area (minimum)	350 metres square
(b)	Lot Frontage (minimum)	14 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	10 metres (2024-07-19)
(e)	Side Yards (minimum)	Two of 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	4.5 metres
(g)	Rear Yard (minimum)	6 metres

(5) ZONE STANDARDS SEMI-DETACHED DWELLING

(a)	Lot Area (minimum)	188 metres square
(b)	Lot Frontage (minimum)	9 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	10 metres (2024-07-19)
(e)	Side Yards (minimum)	One of 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	4.5 metres
(g)	Rear Yard (minimum)	6 metres

(6) ZONE STANDARDS TOWNHOUSE

(a)	Lot Area (minimum)	140 metres square
(b)	Lot Frontage (minimum)	5.5 metres
(c)	Building Line (minimum)	0 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yards (minimum)	0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for the end unit where the Side Yard on the unattached side shall be 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	2.4 metres
(g)	Rear Yard (minimum)	6 metres

(7) ZONE STANDARDS FOR TRIPLEX (2024-07-19)

(a) Lot Area (minimum)	224 metres square
(b) Lot Frontage (minimum)	14 metres
(c) Building Line (minimum)	4.5 metres
(d) Building Height (maximum)	10 metres
(e) Side Yard (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f) Rear Yard (minimum)	6 metres
(g) Landscaping (minimum)	30% of Front Yard

(8) ZONE STANDARDS APARTMENT BUILDING AND PERSONAL CARE HOME

(a) Lot Area (minimum)	90 metres square per Dwelling Unit
(b) Lot Frontage (minimum)	14 metres
(c) Building Line (minimum)	4.5 metres (2024-07-19)
(d) Building Height (maximum)	10 metres
(e) Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f) Rear Yard (minimum)	6 metres
(g) Landscaping (minimum)	30% (2024-07-19)

(9) ZONE STANDARDS FOR TINY HOME DWELLING (2024-07-19)

(a)	Lot Area (minimum)	124 metres square
(b)	Lot Frontage (minimum)	5.5 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 4.5 metres
(f)	Rear Yard (minimum)	4.5 metres

(10) ZONE STANDARDS FOR FOUR-PLEX (2024-07-19)

(a)	Lot Area (minimum)	288 metres square
(b)	Lot Frontage (minimum)	18 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yard (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 4.5 meters
(f)	Rear Yard (minimum)	6 meters
(g)	Landscaping (minimum)	30% of Front Yard

(11) STANDARDS FOR TOWNHOUSE CLUSTER (2024-07-19)

(a) Lot Area (minimum)	140 metres square per Dwelling Unit
(b) Lot Frontage (minimum)	14 metres
(c) Building Line (minimum)	4.5 metres
(d) Minimum Distance Between Townhouse Clusters	1.2 metres
(e) Side Yard (minimum)	6 metres
(f) Rear Yard (minimum)	6 metres
(g) Building Height (maximum)	10 metres
(h) Landscaping (minimum)	30%

(12) ZONE STANDARDS FOR CLUSTER DEVELOPMENT (2024-07-19)

(a) Lot Area	Council discretion
(b) Lot Frontage (minimum)	14 metres
(c) Building Line (minimum)	4.5 metres
(d) Building Height (maximum)	10 metres
(e) Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f) Rear Yard (minimum)	6 metres

(13) ZONE STANDARDS FOR POCKET NEIGHBOURHOOD (2024-07-19)

(a) Lot Area (minimum)	246 metres square per Dwelling Unit
(b) Lot Frontage (minimum)	20 metres
(c) Building Line (minimum)	4.5 metres
(d) Building Height (maximum)	8 metres
(e) Side Yards (minimum)	3 metres
(f) Rear Yard (minimum)	3 metres
(g) Landscaping (minimum)	70%
(h) Walkway Width (minimum)	1 metre

(14) ZONE STANDARDS FOR ACCESSORY BUILDING SHALL BE IN ACCORDANCE WITH SECTION 6.2. (2024-07-19)

(15) ZONE STANDARDS FOR BACKYARD SUITES SHALL BE IN ACCORDANCE WITH SECTION 6.7 (2024-07-19)

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

DECISION/DIRECTION NOTE

Title: 364 Groves Road – REZ2400025

Date Prepared: December 10, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 4

Decision/Direction Required:

To consider rezoning land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone to accommodate unserviced residential development.

Discussion – Background and Current Status:

The City has received an application to rezone land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone to enable residential development. The applicant is proposing to subdivide the land into four (4) unserviced lots and develop a Single Detached Dwelling on each lot. The subject property is primarily zoned Rural (RUR) and within the Rural District of the Envision St. John's Municipal Plan. A small portion at the back of the property is zoned C.A. Pippy Park (CAPP) and within the C.A Pippy Park District of the Municipal Plan.

Policy 7.6 of the Municipal Plan establishes the limits of servicing and restricts development above the 190-metre contour. This servicing limit is based on the capacity of the City's water and wastewater infrastructure, including stormwater systems, which were originally designed to accommodate development up to the 190-metre contour elevation. The subject property is located above the 190-metre elevation contour, shown on the attached map.

Municipal Plan policy 7.7 sets restrictions on unserviced development, acknowledging the significant financial costs incurred when well and septic systems failed and the City had to extend municipal water services to address health and safety concerns. Policy 7.7.1 states that unserviced residential development shall be allowed only on existing properties already zoned as Rural Residential Infill (RRI) or Rural Residential (RR), and no additional lands will be rezoned for residential infill development. Rezoning the subject property to the RRI Zone to accommodate unserviced residential development would contradict this policy.

Policy 9.5 of the Municipal Plan states that lands shall not be considered for rezoning where the development is premature by virtue of being beyond the limits of servicing. Staff acknowledge the applicant's wish to develop the land for residential use; however, the subject property is beyond the 190-metre limit of servicing and the proposed rezoning does not comply

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with the policies of the Municipal Plan. If there was a failure of on-site systems, the municipal systems are not designed to extend that high.

The proposed rezoning from the CAPP Zone would normally be referred to the Pippy Park Commission for review, but since staff are recommending against rezoning, this referral may not be needed.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner; neighbouring residents and owners.
3. Alignment with Strategic Directions:
A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.
An Effective City: Ensure accountability and good governance through transparent and open decision making.
4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and the St. John's Urban Region's Regional Plan.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: Envision St. John's Municipal Plan policies for unserviced development and limits of servicing.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

That Council reject the application to rezone land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone as it is beyond the limits of servicing and conflicts with Municipal Plan policies for unserviced development.

Prepared by: Faith Ford, MCIP, Planner III

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

Report Approval Details

Document Title:	364 Groves Road - REZ2400025.docx
Attachments:	- 364 GROVES ROAD.pdf - 364 GROVES ROAD-Contours.pdf
Final Approval Date:	Dec 11, 2024

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

Ken O'Brien - Dec 10, 2024 - 2:41 PM

Jason Sinyard - Dec 11, 2024 - 4:51 PM

SUBJECT PROPERTY

RUR

CAPP

O

RUR

GROVES RD

RRI

RRI

CEM



SUBJECT PROPERTY

421

RUR

CAPP

RUR

364

358

GROVES RD

354

350

RRI

RRI

CEM

371

342

340

157

**Development Permits List
For December 5, 2024 to January 8, 2025**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Discretionary Use – Home Occupation	87 Codroy Place	3	Approved	05-12-24
RES		Four- Plex - Corner Lot	9 Anderson Avenue	4	Approved	13-12-24
IND	10718 NFLD Inc.	Subdivision/ Consolidation of Land Only	223 Danny Drive & 250 Beaumont Hamel Way	5	Approved	13-12-24
RES	Reardon Construction & Development Ltd.	Heritage Use - 20 Dwelling Units	265 Lemarchant Road	2	Approved	17-12-24
RES		Subdivision/ Consolidation Only of Land	37 & 41 Maxwell Place	2	Approved	19-12-24

*** Code Classification:**

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

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

**Lindsay Lyghtle Brushett, MCIP
Supervisor – Planning & Development**

Permits List
Council's January 14, 2025 Regular Meeting

Permits Issued: 2024/12/05 to 2024/12/31

BUILDING PERMITS ISSUED

Residential		
Location	Permit Type	Structure Type
1 Mcneily St	Deck	Patio Deck
103 Pleasant St	Change of Occupancy/Renovations	Single Detached w/ apt.
104 Casey St	Extension	Semi Detached Dwelling
105 Ennis Ave	Renovations	Single Detached Dwelling
11 Cape Norman St	New Construction	Single Detached w/ apt.
12 Ridge Rd	Change of Occupancy/Renovations	Single Detached w/ apt.
139 Higgins Line	Renovations	Single Detached w/ apt.
14 Outer Battery Rd	Renovations	Single Detached Dwelling
147 Campbell Ave	Deck	Patio Deck
15 Smithville Cres	Renovations	Single Detached Dwelling
16 Dundas St	Change of Occupancy/Renovations	Single Detached w/ apt.
18 Bay Bulls Rd	Accessory Building	Accessory Building
19 Pine Bud Ave	Renovations	Single Detached Dwelling
2 18th St	Accessory Building	Accessory Building
21 Kelland Cres	Deck	Patio Deck
216 Major's Path	Site Work	Driveway
22 Belfast St	New Construction	Single Detached Dwelling
23 Dundas St	Change of Occupancy/Renovations	Single Detached Dwelling
24 Gallipoli St	Renovations	Single Detached Dwelling
248 Pennywell Rd	Renovations	Single Detached Dwelling
25 Forde Dr	Change of Occupancy/Renovations	Subsidiary Apartment
26 Waterford Bridge Rd	Site Work	Culvert/Septic
28 Ennis Ave	Change of Occupancy/Renovations	Single Detached w/ apt.
28 Pennywell Rd	Change of	Single Detached Dwelling

	Occupancy/Renovations	
28 Sir Wilfred Grenfell Pl	New Construction	Single Detached w/ apt.
28 Wedgeport Rd	Change of Occupancy/Renovations	Single Detached Dwelling
29 Leonard J. Cowley St	Renovations	Single Detached Dwelling
29 Myrick Pl	Accessory Building	Accessory Building
3 Ballylee Cres	Renovations	Single Detached Dwelling
30 Harbour View Ave	Deck	Patio Deck
33 Angel Pl	Renovations	Single Detached Dwelling
33c Shaw St	Deck	Patio Deck
37 Topsail Rd	Site Work	Culvert/Septic
38 Mackenzie St	Accessory Building	Accessory Building
39 Topsail Rd	Site Work	Driveway
39 Waterford Bridge Rd	Site Work	Culvert/Septic
4 Tunis Crt	Fence	Fence
44 Sir Wilfred Grenfell Pl	New Construction	Single Detached w/ apt.
46 Sir Wilfred Grenfell Pl	New Construction	Single Detached w/ apt.
47 Birmingham St	Accessory Building	Accessory Building
49 Sir Wilfred Grenfell Pl	New Construction	Single Detached w/ apt.
5 Middle Battery Rd	Renovations	Semi Detached Dwelling
51 Prescott St	Renovations	Semi Detached Dwelling
52 Portugal Cove Rd	Renovations	Single Detached Dwelling
53 Dillon Cres	Accessory Building	Accessory Building
53 Sir Wilfred Grenfell Pl	New Construction	Single Detached w/ apt.
54 Circular Rd	Sign	Fence
54 Heffernan's Line	Accessory Building	Accessory Building
56 Belvedere St	Change of Occupancy	Home Office
6 Courtney St	Accessory Building	Accessory Building
60 Pitcher's Path	New Construction	Single Detached Dwelling
7 Chafe's Lane	Accessory Building	Accessory Building
7 Duke St	Change of Occupancy/Renovations	Home Occupation
7 Renouf Pl	Renovations	Single Detached Dwelling
73 Sir Wilfred Grenfell Pl	New Construction	Single Detached w/ apt.
75 Sir Wilfred Grenfell Pl	New Construction	Single Detached w/ apt.
84 Hussey Dr	Accessory Building	Accessory Building
96 Barnes Rd	Renovations	Single Detached Dwelling

This Week: \$5,892,446.00

Commercial

Location	Permit Type	Structure Type
10 Factory Lane	Renovations	Office
11 Major's Path	Change of Occupancy	Accessory Building
117 Ropewalk Lane	Change of Occupancy/Renovations	Retail Store
15 Aberdeen Ave	Sign	Car Washing Establishment
15 Bay Bulls Rd	Change of Occupancy	Retail Store
166 Duckworth St	Change of Occupancy	Service Shop
180 Portugal Cove Rd	Sign	Hotel
286 Torbay Rd	Change of Occupancy/Renovations	Tavern
410 East White Hills Rd	Change of Occupancy	Industrial Use
42 Danny Dr	Sign	Retail Store
561 Torbay Rd	Sign	Retail Store
67 Major's Path	Sign	Office
67 Major's Path	Change of Occupancy	Office
7 Ricketts Rd	Change of Occupancy/Renovations	School
96-98 Aberdeen Ave	Renovations	Service Shop

This Week: \$352,500.00

Government/Institutional

Location	Permit Type	Structure Type
19 Ferryland St E	Renovations	Church
83 Froude Ave	Deck	Patio Deck

This Week: \$372,000.00

Industrial

Location	Permit Type	Structure Type
315 Incinerator Rd	Site Work	Industrial Use

This Week: \$200,000.00

Demolition

Location	Permit Type	Structure Type
151 Freshwater Rd	Demolition	School
4 Rowan St	Demolition	Single Detached Dwelling

This Week: \$190,000.00

This Week's Total: \$7,006,946.00

REPAIR PERMITS ISSUED:

\$4,000.00

NO REJECTIONS

YEAR TO DATE COMPARISONS			
January 14, 2025			
TYPE	2023	2024	% Variance (+/-)
Residential	\$96,188,893.41	\$121,238,147.31	26
Commercial	\$107,892,521.32	\$118,849,991.07	10
Government/Institutional	\$7,565,686.46	\$44,586,071.00	489
Industrial	\$190,000.00	\$5,314,500.00	2697
Repairs	\$1,694,010.98	\$1,044,819.11	-38
TOTAL	\$213,531,112.17	\$291,033,528.49	36
Housing Units (1 & 2 Family Dwelling)	230	222	

Respectfully Submitted,

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

MEMORANDUM

Weekly Payment Vouchers For The Weeks Ending December 11 and December 18, 2024

Payroll

Public Works (Week 1)	\$ 633,141.11
Bi-Weekly Casual (Week 1)	\$ 38,888.57
Public Works (Week 2)	\$ 619,970.09
Bi-Weekly Administration (Week 2)	\$ 919,023.72
Bi-Weekly Management	\$ 1,021,226.91
Bi-Weekly Fire Department	\$ 967,269.19
Accounts Payable	\$14,509,517.60

(A detailed breakdown [here](#))

Total: **\$18,709,037.19**

ST. JOHN'S

DEPARTMENT OF FINANCE

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

MEMORANDUM

Weekly Payment Vouchers For The Weeks Ending December 25, 2024 to January 8, 2025

Payroll

Public Works (Week 1)	\$ 605,374.65
Bi-Weekly Casual (Week 1)	\$ 37,972.54
Public Works (Week 2)	\$ 636,755.26
Bi-Weekly Administration (Week 2)	\$ 881,426.56
Bi-Weekly Management	\$ 1,018,657.53
Bi-Weekly Fire Department	\$ 978,055.19
Public Works (Week 3)	\$ 682,019.95
Bi-Weekly Casual (Week 3)	\$ 1,889.78
Accounts Payable	\$20,654,540.65

(A detailed breakdown [here](#))

Total: \$25,496,692.11

ST. JOHN'S

DEPARTMENT OF FINANCE

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

INFORMATION NOTE

Title: Contracts Awarded - December 4, 2024 - January 8, 2025

Date Prepared: January 8, 2025

Report To: Regular Council Meeting

Councillor and Role: Councillor Ron Ellsworth, Finance

Ward: N/A

Issue: Contracts awarded between December 4, 2024 and January 8, 2025.

Discussion – Background and Current Status: All contracts awarded with a total value of \$100,000.00 will be reported to Council on a monthly basis as per SJMC-R-2024-08-06/392.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: N/A
3. Alignment with Strategic Directions:

A Sustainable City: Be financially responsible and accountable.

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

4. Alignment with Adopted Plans: N/A
5. Accessibility and Inclusion: N/A
6. Legal or Policy Implications: N/A
7. Privacy Implications: N/A
8. Engagement and Communications Considerations: N/A
9. Human Resource Implications: N/A
10. Procurement Implications: Provide monthly report to Council.

ST. JOHN'S

11. Information Technology Implications: N/A

12. Other Implications: N/A

Conclusion/Next Steps:

Report Approval Details

Document Title:	Contracts Awarded December 4, 2024 - January 8, 2025.docx
Attachments:	- Contracts Awarded - December 4, 2024 to January 8, 2025.pdf
Final Approval Date:	Jan 8, 2025

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

Derek Coffey - Jan 8, 2025 - 3:53 PM

Project Name	Project Number	Award Total Project Value	Source Awarded	Awarded Supplier(s)	Completed Submissions List	Contract Term	Department	Procurement Type
Supply and Delivery of Janitorial Products	2024047	\$ 295,900.00	December 11, 2024	WAC Enterprises Limited K&D Pratt Big Erics Inc Peter Pan Sales Ltd.	Best Dispensers Ltd Rockwater Professional Products Peter Pan Sales Ltd. Chandler Sales iggy's cleaning services WAC Enterprises Limited K&D Pratt Big Erics Inc	1 Year + 1	FINANCE AND CORPORATE SERVICES	RFP
Overhead Door Inspections, Maintenance & Repairs	2024173	\$ 565,719.50	December 15, 2024	Overhead Door (Nfld.) Limited	Overhead Door (Nfld.) Limited COASTLINE SPECIALTIES LIMITED	3 Year + 2	PUBLIC WORKS	RFP
Roll-off Truck Services - Robin Hood Bay Waste Management Facility	2024200	\$ 2,720,190.00	December 31, 2024	Provincial Ready Mix	KJH Dirtwork's Ltd gfl environmental Farrell's Excavating Limited Provincial Ready Mix Bursey Excavating & Development Inc.	2 Year 1+ 1	PUBLIC WORKS	RFP
Southlands Boulevard Sidewalk Snow Clearing	2024202	\$ 156,563.24	December 16, 2024	Alltask Excavating Inc.	Excavating Inc.	2 Year 1+ 1	PUBLIC WORKS	RFQ
Harris Govern (MS Govern) Annual Software Maintenance and Support Renewal	N/A	\$203,266.89	December 12, 2024	Harris Govern	Harris Govern	1 Year	FINANCE AND CORPORATE SERVICES	RFQ
Supply and Delivery of Personal Protective Equipment	2024183	\$ 192,499.20	January 02, 2025	Brogan Fire & Safety	Brogan Fire & Safety / K&D Pratt / Micmac Fire & Safety Source Ltd.	2 Year + 1 + 1	SJRFD	RFP
Replacement of Existing MEMCOR® S10N Membrane Modules for Primary Cell #1 at the Windsor Lake Water Treatment Plant (WL WTP)	PUR00165183	\$684,187.35	January 03, 2025	FilmTec Corporation	N/A	N/A	PUBLIC WORKS	Exception - Sole Source

NEVIDA MUST REDUCE THE SIZE OF ITS BUILDING TO ACCOMMODATE PARKING FOR ITS TENANTS!

Our reasons:

- Increased traffic
- congestion & en route to hospitals
- hazards for pedestrians, runners, bicycles, e-bikes, scooters, and children
- parking problems
- inconvenience for residents with mobility issues needing access to on-street parking
- problems with snow clearing, street cleaning and garbage collection.

	Name
1	Regina Hawco
2	Mason White
3	A. Capellan
4	Shantel Cahill
5	Cherie Cahill
6	Gina Layte
7	Wong Evans
8	Christy Young
9	Melissa Keen
10	Kelly Cartwell
11	C. Clyward
12	R. Crane
13	V. Dineen
14	Christie Quinn
15	Barbara Baker
16	Kerry Lynn Kirby
17	Chris Steppard
18	Emerit Beemul
19	Felix Vinesha
20	Marie Hall

150 names

NEVIDA MUST REDUCE THE SIZE OF ITS BUILDING TO ACCOMMODATE PARKING FOR ITS TENANTS!

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	Name	Address	Signature
1	Hubert Hall		
2	David Hillier		
3	Ricky Kennedy		
4	Alayia Osmak		
5	Debbie Fourn		
6	Steve Fourn		
7	Joy Pallard		
8	Pam Angel		
9	Hannah St		
10	Karen Spr		
11	Benjamin Smith		
12	Christina Hall		
13	Paul Lee		
14	Elizabeth Crosby		
15	Patricia Osborne		
16	GERALD PARSON		
17	Natalie Jones		
18	Asad Mehmood		
19	Sarah Rogers		
20	Keith Rogers		

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	Name	Address	Signature
1	GREG & MARY WHITE		
2	" "		
3	Mike Beed		
4	Caroline Beed		
5	John Durant		
6	Kati Szego		
7	Geo Strey, W		
8	Diane Smith		
9	Judy Casey		
10	K. Pulchan		
11	D. Mackay		
12	Scott J. De		
13	Yeroslav A. Gerasimov		
14	Kaylen Kline		
15	Sandra Butler		
16	Dana Butler		
17	Caroline Houlton		
18	Margaret Drake		
19	Marylagina		
20	Kyle Ryan		

5 + 7 Little St.

4/6

NEVIDA MUST REDUCE THE SIZE OF ITS BUILDING TO ACCOMMODATE PARKING FOR ITS TENANTS!

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100 units- 49 parking spaces

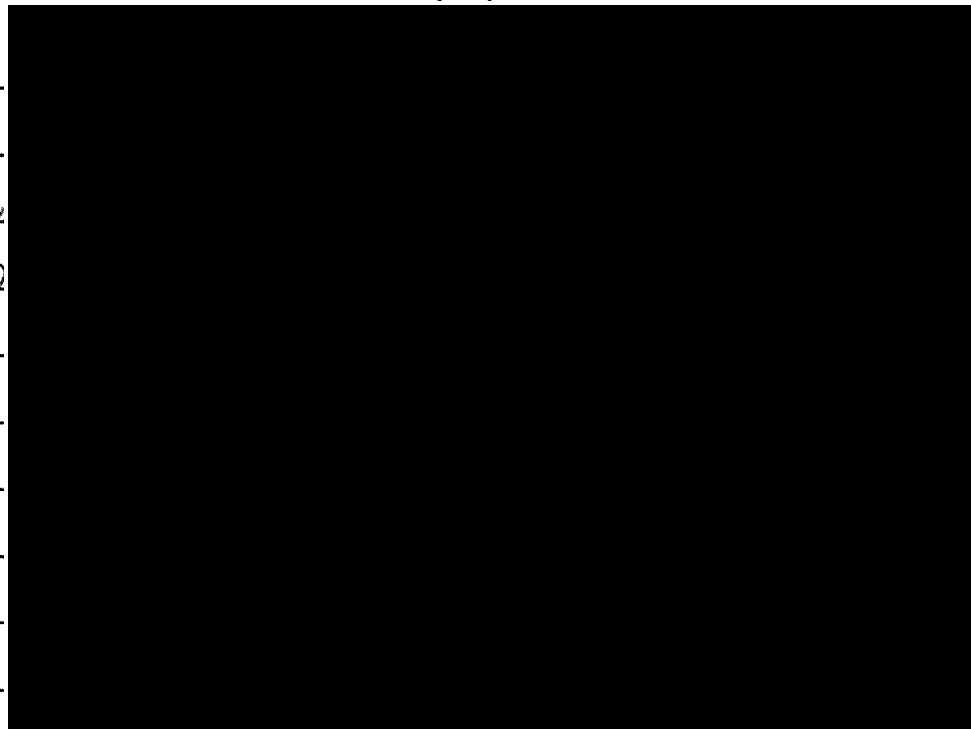
	Name	Address	Signature
1	Philomena Walsh		
2	Merie Wall		
3	Patty Fowler		
4	Kim Kelly		
5	Rose Barnett		
6	Arlene Transue		
7	DAVID HUGHES		
8	Tom Fowler		
9	Jacinta Graham		
10	Heelin O'Leary		
11	Syed Anas Minhaj Kazmi		
12	Russell Brewer		
13	JoAnne Cooley		
14	Ellen Herditch		
15	Ngamul Bijen		
16	Wuice Padden		
17	Melissa Cornall		
18	Marlene Pann		
19	Charlene Murphy		
20	PARULA Clark		

We the undersign request that the city councilors denies Nevada Properties Inc. the parking relief required in the proposal of the 6 story, 100-1 bedroom unit at 5-7 Little Street. We also urge the necessary revision in the size that aligns with all residents in our community.

Our Reasons Being

- * Increased traffic, being you already approved parking relief for the 205 unit currently being built in our neighborhood.
- * Congestion in and out to our main roadways en route to hospital.
- * Hazards for pedestrians, runners, bicycles and children.
- * Overflow parking from visitors, family and friends from tenants of building. Causing inconvenience for residents with mobility issues.
- * Problems with snow clearing, street cleaning and garbage collection.



NAME	ADDRESS	SIGNATURE
1. Paula Coughlan		
2. Rita Union		
3. Dorothy Fitzgerald		
4. Arthur Harold		
5. Deanna Cronin		
6. J. Postiver		
7. B. Larkin		
8. B. FITZGERALD		
9. Wayne King		
10. Sean McCann		



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	NAME	ADDRESS	SIGNATURE
1.	<i>Paul [Signature]</i>		
2.	<i>Bob O'DONNELL</i>		
3.	<i>Gay Skanes</i>		
4.			
5.			
6.			
7.			
8.			
9.			
10.			

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	Name	Address	Signature
1	Kelly Fitzgerald		
2	Wanda Davis		
3	Mark Faldut		
4	DAVE Power		
5	STEWART Costello		
6	Jeff Tilley		
7	Theresa Foster		
8	Theresa Foster		
9	MAX Beaton		
10	Chris LeDrew		
11	T. MURRAY		
12	Scott EVANS		
13	Diamond Fleming		
14	Ann K...		
15	Joshua Ellis		
16	Remy M...		
17	Blair Pittman		
18	Leni Corbett		
19	Alicia Glover		
20	Lauree Saunders		

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NAME	ADDRESS	SIGNATURE
1. Elaine Jones		
2. Doug Burt		
3. [Signature]		
4. Terry O'Leary		
5. Forth Warren		
6. Lindsay Tompkins		
7. Robert Smith		
8. Dorcy Griffin		
9. Dorothy Jones		
10. Elizabeth De		

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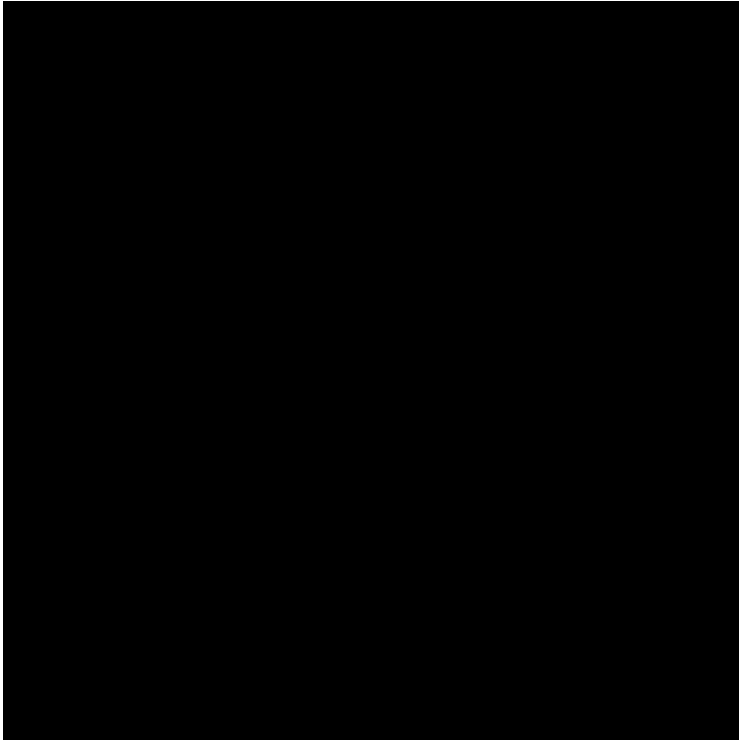
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	NAME	ADDRESS	SIGNATURE
1.	Benedikt Sawatzki		
2.	Backman D		
3.	Pete Huntz		
4.	Katherine Crumme		
5.	Cody Say		
6.	Sadie Mees		
7.	Charlotte Rice		
8.	Ben Lambert		
9.	Ed Kavanagh		
10.	Suzanne Ritz		

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NAME	ADDRESS	SIGNATURE
1. <u>Tamara Keiter</u>		
2. <u>Anne Walsh</u>		
3. <u>Johanna Anderson</u>		
4. <u>Phil Miller</u>		
5. <u>Wayne Rockwood</u>		
6. <u>Mark Gray</u>		
7. <u>Mary O'Keefe</u>		
8. <u>Crystal Snow</u>		
9. <u>Cady Newquest</u>		
10. <u>Peter Whitte</u>		
11. _____		
12. _____		
13. _____		
14. _____		

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NAME	ADDRESS	SIGNATURE
1. <u>R Ann Fairbank</u>		
2. <u>Ann Boland</u>		
3. <u>Emma Boland</u>		
4. <u>HAROLD</u>		
5. <u>Cam Jones</u>		
6. <u>Dana Smith</u>		
7. <u>Morgan Jones</u>		
8. _____		
9. _____		
10. _____		

DECISION/DIRECTION NOTE

Title: The Shea Heights Community Centre Board of Directors – Terms of Reference

Date Prepared: January 7, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley

Ward: Ward 5

Decision/Direction Required:

Staff are seeking approval of various proposed updates to the Shea Heights Community Centre Board of Directors Terms of Reference.

Discussion – Background and Current Status:

The Shea Heights Community Centre Board has been in operation for over 30 years. The City of St. John's entered into an agreement with the Board approximately 20 years ago and have been working closely with them in delivering programs and events to residents in Shea Heights.

Both staff and Shea Heights Board members have worked together to update the dated Terms of Reference.

Key Considerations/Implications:

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders: Newfoundland & Labrador Housing, Shea Heights Medical Centre, and St. John Bosco School.
3. Is this a New Plan or Strategy: No

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

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

4. Alignment with Strategic Directions:

ST. JOHN'S

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

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

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

Recommendation:

That Council review and approve the Terms of Reference as presented.

Prepared by:

Approved by:

Report Approval Details

Document Title:	The Shea Heights Community Centre Board of Directors - Terms of Reference.docx
Attachments:	- Shea Heights - Terms of Reference 12 24.doc
Final Approval Date:	Jan 8, 2025

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

Tanya Haywood - Jan 8, 2025 - 9:04 AM

1. GENERAL INFORMATION

Committee name:	The Shea Heights Community Centre Board of Directors
Reporting to:	Committee of the Whole
Date of formation:	February 2, 2004
Meeting frequency:	Monthly Subcommittee Meetings as required
Staff lead:	Community Services Coordinator (Shea Heights)
Other staff liaison:	As determined by staff lead as per Section 4.2.1
Council Member:	Ward 5 Councillor

2. PURPOSE

Under the direction of the City of St. John's (herein referred to as the City) the Shea Heights Community Centre Board (herein referred to as the Board) is appointed by the City to facilitate the development and implementation of social, recreational, and educational benefits and services for the residents of Shea Heights.

Considering recommendations from the Board chairperson and council member, the staff lead will review the Boards Terms of Reference documents every two years. The purpose of this review will be to ensure that the operations and function of the Board are still aligned with its defined purpose.

- To co-operate with the City to achieve foresaid purpose.
- To act as a liaison for the members of the community with the City.
- To encourage the involvement of residents through participation in programs and services offered through the Shea Heights Community Centre and the City of St. John's.
- To create a positive atmosphere and stimulate community spirit and participation.
- To foster a healthy social environment by assisting the City in the delivery of programs and services.
- To foster and promote goodwill and cooperation with organizations or groups concerned with the well being of the community.
- To encourage and welcome persons and / or individuals who require support to participate in programs and services.

The Board may cooperate with or engage in joint action with other persons or organizations to achieve

the Board's objectives, subject to the approval of the City.

3. MEMBERSHIP

3.1 COMPOSITION

The Board shall consist of a minimum of six (6) and a maximum of (21) twenty members, as follows:

- Twelve (12) At Large residents from the community to be known as "At Large"
- One (1) NLHC Tenant representative
- One (1) NLHC Staff representative
- One (1) Member from St. John Bosco School
- One (1) member from Shea Heights Medical Centre
- Two (2) members from City of St. John's Community Service Divisions
 - City of St. John's Staff Lead
 - City of St. John's Community Services Division Manager
- One (1) City of St. John's Council Representative
- Two (2) Members from the broader community with specialized skills to be known as "Resource."

Executive

The Board executive will be comprised of the following, selected from the "At Large" members:

- Chairperson
- Vice Chairperson
- Past Chairperson
- Secretary
- Treasurer
- City of St. John's Staff Lead

3.1.1 Voting

Each at-large and stakeholder member present at the regular Board meetings (other than the chairperson) shall be entitled to one vote upon every motion and in the case of an equality of votes; the chairperson shall cast the deciding vote.

Ex-officio and community resource members will not have voting privileges.

Chairperson	Voting
Vice Chairperson	Voting
Secretary	Voting
Treasurer	Voting
Past Chairperson	Non-Voting (Ex-Officio)
NLHC Tennant Representative	Voting
NLHC Staff Representative	Voting
Resource Members	Non-Voting
St. John Bosco Representative	Non-Voting (Ex-Officio)
Medical Centre Representative	Non-Voting (Ex-Officio)

City of St. John's Council Member	Non-Voting (Ex-Officio)
City of St. John's Staff Liaison	Non-Voting (Ex-Officio)
City of St. John's Staff Lead	Non-Voting (Ex-Officio)

3.1.2 Members

Board Chairperson

One (1) at large member will be elected as chairperson by the Board every three years.

The chairperson is responsible responsibility for ensuring the Board carries out its work as per the Terms of Reference.

Subcommittees

When deemed necessary, the Board may strike a working committee or subcommittee to deal with specific issues or deliverables.

Subcommittees must have at least one Board member. Composition may also include other members of the Board, public and organizational representatives.

Subcommittees are required to keep minutes of each meeting and submit to the Board secretary for record keeping and review by the Board.

3.2 LENGTH OF TERM

All members of the Board shall be appointed by the City of St. John's.

On completion of their term of office, all members shall turn over all books, documents, records, funds, and other property of the Board to the new Board.

The term of office shall be a maximum of three (3) years maximum with the exception of the Council Member which is generally held by the Ward Councillor.

The term of office of the chairperson and past chairperson shall be three years, with no one position occupied for more than two consecutive terms by the same person. Notwithstanding the foregoing, the City may allow a position to be occupied for more than two (2) consecutive terms where appropriate.

Re-offering

Upon the expiry of the term of office for any Board member, the member may re-offer for another term of their position.

The Board member is to make their re-offering notice aware at a regular Board meeting and a majority vote is required for the member to accept another term of office.

All re-offerings must be approved by Council.

Members

Recognizing the value of experience and the need for continuity, incumbents who are willing to seek reappointment may signify their intent to serve an additional term, for a total of two three-year terms.

In some cases, members may be encouraged to provide guidance, expertise and attend in a bridging capacity following the end of their term.

Lead Staff

A review of lead staff role will occur every four years as part of the Board review.

Cooling-off Period (Former City Staff and Council)

There will be a cooling-off period of two years for council and staff once they are no longer associated with the City. Setting term lengths with a cooling-off period will promote gradual turnover, ensuring a constant balance between new members and former staff or council.

Additional Considerations:

Members may not serve on more than one City Board/committee at a given time.

Midterm appointments: When an appointment is made which does not coincide with the beginning of a term (i.e., to fill vacancy) the partial term (i.e., less than three years) shall not count towards the maximum length of service or number of terms on the Board for the appointee.

Unless otherwise expressed in this Terms of Reference, the limit on length of Board membership for any member is two three-year terms, in consecutive years.

Exceptions to the above terms are as follows:

- When an insufficient number of applications have been received.
- If a particular area of expertise is indispensable and there are no other suitable replacements.
- If the Board would suffer from a lack of continuity (i.e., more than half of all members are replaced at once).
- If directly related to the Board's purpose as defined in its Terms of Reference.

Vacation of Membership

Membership shall be vacated by a motion and majority vote if the member:

- Fails to attend three consecutive meetings without a reason acceptable to the Board.
- Acts in contravention of the direction of the Board.
- Is negligent in carrying out their duties as a member.
- Is found to be in an undeclared conflict of interest.

- Engages in conduct unbecoming a member; or
- Is elected to municipal, provincial, or federal government.

The office of a member shall be vacated if a member resigns their office by notice in writing, which notice shall be delivered to the Board and then forwarded to the City. This notice is effective when it is received by the Board or at the time specified in the resignation, whichever is later.

If a vacancy occurs on the Board, it shall be filled through appointment by the City.

The Board shall have the authority to recommend a resource person to the City in order to fill a vacant resource position on the Board.

A member approved to fill a vacancy holds office for the unexpired term of their predecessor.

A member shall maintain the right to submit, via written submission to the chairperson, an intent of notice for a leave of absence from the Board for the following reasons:

- Parental/ Adoption Leave
- Illness
- Family / Personal Issue
- Employment
- Extenuating Circumstances

Upon completion of their term of office, all members shall turn over all books, documents, records, funds and other property to the Chair or City Liaison. If the appropriate documents are not submitted in the established timeframe, the City reserves the right to take legal action if they deem it necessary

4 ROLES, RESPONSIBILITIES AND REPORTING

4.1 ROLES AND RESPONSIBILITIES

Member Responsibilities

Conduct

Members shall strive to serve the public interest by upholding federal, provincial, and municipal laws and policies.

- Members are to abide by the Municipal Official Code of Conduct.
- Members are to be transparent in their duties to promote public confidence.
- Members are to respect the rights and opinions of other Board members.

Preparation

Meeting agenda and accompanying materials will be circulated electronically one week prior to all meetings; members are expected to review all distributed materials prior to meetings. Alternate material distribution methods to be made available upon request.

Agendas

Agendas to require focus with clear parameters for content and alignment with Terms of Reference/purpose.

Agendas will be finalized one week before Board meetings.

Items and accompanying material that are received after the agenda has been prepared and distributed (but prior to the meeting) will be moved to the following meeting's agenda at the discretion of the secretary.

All members are to submit potential agenda items and related material to the Board chairperson and lead staff person for consideration.

Attendance and Participation

Active participation in Board meetings is expected of all members. "Active participation" may refer to both meeting attendance and/or engagement. An effort should be made to attend meetings in person or remotely. If a member declines three consecutive attempts to schedule a meeting or is unable to attend three consecutive scheduled meetings without justified absence, that member may be retired from the Board at the discretion of the City and Board Executive recommendation.

Board members who wish to request a leave of absence for an extended period of time (3+ months) may submit such a request to the Chair of the Board and approved by the Board. Previously submitted applications may be used to fill temporary vacancies created by approved leaves of absence.

Social Media

All social media involvement shall be pre-approved by the Board.

Any events that are a Board initiative shall be posted on the Board social media page by the Board.

Acceptable Methods of Communication

Official communication from the Board to the public, on Board related activities and events, shall be communicated through the Chairperson

Dissolution

Upon dissolution of the Board, all assets of the Board shall be transferred to the City.

4.2 MEMBER ROLES AND RESPONSIBILITIES

4.2.1 City Staff

Lead Staff & City Staff Liaison

To act as a liaison between the Board and the City; linking across departments on issues relevant to Board work.

- Ensure the Board is informed about City policy, procedure, and available resources in reference to specific agenda items and provide procedural and/or technical advice to assist Board where appropriate.
- Request additional staff support/attendance as needed.
- City of St. John's management reserves the right to attend meetings.
- To assist in the development of agendas in cooperation with the chairperson for distribution.
- Incorporate input from the Board into ongoing City work where appropriate (e.g., projects, staff updates, publications).
- The work of other staff liaisons which intersect the purpose of the Board and therefore they may be required to participate.
- City Staff will attend meetings as required by request of the City member on the Board.
- Facilitate and support the recruitment and appointment process through assisting in the development of "Notice of Vacancy" contents while ensuring all relevant forms and supporting documentation are completed and received.
- Work to ensure new members receive orientation.

4.2.2 Members

The duties of the members of the Board and executive shall be as follows:

- To co-operate with the City to achieve the Board's purpose and objectives as forth herein.
- To represent the needs and interests of the community and /or stakeholder group in Board decision-making.
- To uphold and support the objectives of the Board.

Board Executive

The presiding officer of the Board will be referred to as "chairperson." The Board shall elect, from among their voting members, a chairperson at the end of the prior chairperson's term. A Board member shall not serve as a chairperson for more than three consecutive years except as noted in section 3.2 Length of Term.

Chairperson

- Will uphold Board processes and functions in accordance with all terms presented, maintaining productivity and focus. This includes ensuring Board members' conduct themselves in a professional manner.
- If appropriate, with support from the staff lead, the chairperson will help build and coordinate a work plan for the Board.
- Prepare and submit agenda items and accompanying materials to the secretary (i.e. act as a conduit for all communications between members and the City).

- Where appropriate, support the lead staff in fulfilling Board requirements related to reporting processes (annual presentations, written reports, FAQ's etc.).
- Assist in the development of content for Notice of Vacancy documents.
- Review Board Terms of Reference with the staff lead at the end of each term and be prepared to propose amendments as needed.
- Preside over meetings of the Board and the executive.
- Submit an annual report to the City at fiscal year end.
- Make a full report to the Board of all actions or decisions taken since the previous Board meeting.
- Represent the Board at various functions.
- Act as spokesperson for events and activities related to the Board.

Vice Chairperson

- In the absence of the chairperson, to perform the duties of the chairperson, including chairing of Board and executive meetings.
- To represent the Board, as required, at various functions.
- In order to prepare a potential new chairperson, the vice-chairperson is to chair a meeting quarterly under the eye of the current chairperson.

Past Chairperson

- To advise and assist the chairperson and executive as required.
- To represent the Board, as required, at various functions.

Secretary

- Ensure that minutes of the Board and the executive meetings are documented and maintained.
- Maintain a complete and accurate record of all appointments.
- Maintain a file of Board minutes and submitted sub-committee minutes.
- Be responsible for circulating notices concerning meetings of the Board and executive.
- Secure and update any Board related documents.

Treasurer

- Administration of the finances of the Board in a manner as directed and approved by the City.
- Be responsible for the adoption of approved methods of accounting as directed and approved by the City.
- Receive all monies of the Board and keep all funds of the Board in depositories as designated by the Board and approved by the City.
- Pay all bills and other expenses of the Board as approved by the Board and by the City.
- Report on the financial standing of the Board at each Board meeting.
- Present the audited financial statements of the Board to the City at fiscal year end.
- All cheques and expenses are to be approved by the Board in advance, such cheque shall be valid only if signed by two members of the Board, one of which must be the chairperson / vice-chairperson.

Staff Lead

- To act as a liaison between the Board and the City; linking across departments on issues relevant to Board work as outlined in 4.2.1

At Large & Resource Members

Members are expected to advise the Board, applying personal skills, knowledge, and experience in carrying out functions commensurate with the defined purpose of the Board. Roles to include:

- Active participation in Board meetings.
- Electing a chairperson.
- Representing select Board interests in the community and engaging with residents and experts when appropriate.

Organizations

In addition to the responsibilities held by all members, organizational members will also be conduits to/from their respective organizations. As such they will be expected to provide insight on behalf of organizational stakeholders and update their members on the work of the Board.

4.2.3 Council

Council members have a focused role. One council representative will sit on the Board as the Council Member. In accordance with the role of City committees (i.e. to advise council through Committee of the Whole meetings), and to promote and enhance the Board's function, council representatives will be encouraged to attend meetings as observers, and to act as a liaison between the Board and council.

In cases where an item of Board business (as detailed in a given meeting agenda) would benefit from having more than one council representative attend, it will be the responsibility of the chairperson and/or lead staff to inform council.

4.3 REPORTING

The Board shall report through the Committee of the Whole to City Council; however, depending on the issue, reports may be directed to another committee where appropriate.

Standardized Reporting Process

The Board lead staff and Board chairperson will work to complete a report for consideration of the Committee of the Whole.

Notes

Council to be kept informed of Board activities through formal reporting and through the appointed council member.

Organizational representatives will be required to report to (i.e. maintain open communication) with their respective organizations regarding Board work.

5 BOARD RECRUITMENT AND SELECTION

5.1 RECRUITMENT, VACANCIES, AND APPLICATIONS

When new members are required a "Notice of Vacancy" will be prepared by the City and distributed through City communication channels. Additional communications opportunities may be identified by relevant departments/Board members. This document will include general information regarding Board purpose, the Terms of Reference, and a link to the Board application form.

A vacancy occurs when a member resigns, vacates a position or when their resignation is requested by the Board chairperson. Vacancies may occur at:

- The date of resignation.
- The date the member ceases to be qualified.
- The date the Board chairperson declares the position vacant due to lack of attendance or incapacitation.

All applicants must complete a Board application form which may be requested at the Shea Heights Community Centre, or via the Board. Applications may be submitted electronically, via mail, by phone, or in person to the attention of the Shea Heights Community Centre Board.

Appointments of the executive positions will be open to any member at large. To be considered for an executive position a member at large must be nominated by another voting member of the Board or by self-nomination. If the member at large accepts the nomination and is unopposed, then that person wins by acclamation. If there are multiple people nominated for the position, then a private ballot or open vote must occur. The person with the majority of the vote will occupy the position.

The Newfoundland and Labrador Housing Corporation tenant representative must apply through the 'Notice of Vacancy.' The Board shall provide recommendation to Council for selection, with Council providing approval via majority vote.

If a resource member or at large position is vacated, the Board may recommend potential candidates for the vacancy(s) to the City for consideration. Resource representatives shall be appointed by the City, upon review and consideration of recommendations from the Board.

5.2 ELIGIBILITY AND SELECTION

Eligibility

Appointments to the Board will be made providing adherence with the following eligibility requirements:

- Appointments for positions will be open all residents of St. John's and preference will be given to the immediate residents of Shea Heights and past residents of Shea Heights with family roots in the community.
- Organizational representatives are not required to be residents of St. John's.
- The City will endeavour to ensure a broad perspective of ages will be included on the Board

during the membership selection process.

Commitment to Equity and Inclusiveness

The City of St. John's is strongly committed to equity and inclusiveness. In selecting Board members, the City will aim to design processes that are transparent, accessible, and free of discrimination and to seek to remove barriers.

Selection Criteria

In addition to eligibility requirements, an applicant's specific skills and experience will be important factors in selection. While all who meet the eligibility requirements outlined above are encouraged to apply, applicants with demonstrated participation in groups or initiatives with goals relevant to the Board's purpose will be preferred. Some other considerations pertaining to general selection criteria include past professional and volunteer experience, ability to perform required tasks, and complementary skills, or competencies possessed. Those who are selected to serve on the Board will be notified by email.

6 PUBLIC ENGAGEMENT

The City of St. John's recognizes that engagement between the City and its citizens is an essential component of an effective municipal government. The City views public engagement as a process – one that facilitates dialogue with the right people, using the right tools, at the right time on subject areas of mutual interest.

Where applicable the City will consider the use of other tools to gather perspectives and input. For more information on public engagement in the City of St. John's or to find out how to get involved or learn about what is coming up, check out the engagement page on the City's website. You can also check out the City's [Engage! St.John's](#) online engagement platform and connect with us on [X](#) and [Facebook](#).

7 OTHER GOVERNANCE

7.1 REVIEW OF TERMS

Considering recommendations from the Board chairperson and council member, the lead staff will review Board Terms of Reference documents every two years. The purpose of this review will be to ensure that the operations and function of the Board are still aligned with its defined purpose.

7.2 MEETING AND SCHEDULES

The Board will formally meet no less than once per month. The exact frequency of Board meetings will be determined by the chairperson with support of the lead staff.

To meet, the Board must ensure a quorum is present, 50% + 1 voting members. A majority vote will decide (50% + 1). In the case of a tie, the chairperson will break the tie.

No official business shall be transacted at any regular Board meetings unless a quorum is present at the commencement of that regular meeting.

In the case where quorum is not met, and voting is required, the executive clause allows for three executive members to vote. The result of the vote shall be communicated to the rest of the Board, and they will have 48 hours to object to the decision.

The executive may vote on and approve of an expenditure up to \$500 per calendar year. The result of the vote shall be communicated to the rest of the Board, and they will have 48 hours to object to the decision.

At least 7 days' notice, specifying the place, day, and hour of the regular Board meeting, shall be given to all members.

Regular Board meetings shall be held at least monthly at the call of the chairperson or in their absence by the vice-chairperson.

Unless otherwise specified (generally one week prior to a meeting) Board meetings shall be held at the Shea Heights Community Centre or other acceptable venue, or via accessible video/virtual meeting platforms and shall be closed to the public. Invitations to delegation may occur as required.

Meetings may be recorded.

7.3 CONFLICTS OF INTEREST AND CONFIDENTIALITY

Conflicts of Interest

A conflict of interest refers to situations in which personal, occupational, or financial considerations may affect or appear to affect the objectivity or fairness of decisions related to the Board activities. A conflict of interest may be real, potential, or perceived in nature. Conflict of interest may occur when the Board member participates in discussion or decision-making about a matter which may financially benefit that member or a member of his/her family, or someone with whom the Board member has a close personal relationship, directly or indirectly, regardless of the size of the benefit.

In cases where the Board agenda or Board discussions present a conflict of interest for a member, that member is required to declare such conflict; to abstain from discussion; and remove himself/herself from the meeting room until the agenda item has been dealt with by the Board.

Confidentiality

All Board members are required to refrain from the use or transmission of any confidential or privileged information while serving with the Board.

Staff Liaison Name:

Signature: _____

Date: _____

Chairperson Name:

Signature: _____

Date: _____

City Clerk Name:

Signature: _____

Date: _____

DECISION/DIRECTION NOTE

Title: Travel Authorization – Mayor Danny Breen – Big City Mayor’s Caucus Meeting (BCMC) – Ottawa – February 2025

Date Prepared: January 6, 2025

Report To: Regular Meeting of Council

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

Ward: N/A

Decision/Direction Required:

Seeking Council Approval for travel costs associated with Mayor Danny Breen to attend the in person Big City Mayor’s Caucus Meetings in Ottawa, February 2025.

Discussion – Background and Current Status:

Key Considerations/Implications:

1. Budget/Financial Implications: This travel is budgeted for as a part of Mayor Breen being a member of the BCMC and needing to attend meetings. Estimated cost is \$2,000. Available budget is \$29,000.
2. Partners or Other Stakeholders: FCM and BCMC Membership.
3. Is this a New Plan or Strategy: No

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

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

An Effective City: Achieve service excellence through collaboration, innovation and modernization grounded in client needs.

A Sustainable City: Be financially responsible and accountable.
5. Alignment with Adopted Plans: N/A

- 6. Accessibility and Inclusion: N/A
- 7. Legal or Policy Implications: N/A
- 8. Privacy Implications: N/A
- 9. Engagement and Communications Considerations: N/A
- 10. Human Resource Implications: N/A
- 11. Procurement Implications: N/A
- 12. Information Technology Implications: N/A
- 13. Other Implications: N/A

Recommendation:

That Council approve the travel costs associated with Mayor Danny Breen attending BCMC in Ottawa in February 2025.

Prepared by: Stacey Fallon, Executive Assistant to the Mayor and City Manager

Approved by: Theresa Walsh, City Clerk

Report Approval Details

Document Title:	Travel Authorization - Mayor Danny Breen - Big City Mayor's Caucus Meeting (BCMC).docx
Attachments:	
Final Approval Date:	Jan 8, 2025

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

Theresa Walsh - Jan 8, 2025 - 1:33 PM

DECISION/DIRECTION NOTE

Title: Travel Authorization – Mayor Danny Breen – CERAWeek– March 10-14, 2025 – Houston Texas

Date Prepared: January 6, 2025

Report To: Regular Meeting of Council

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

Ward: N/A

Decision/Direction Required:

Seeking Council approval for costs associated with travel for Mayor Danny Breen to attend the CERAWeek Conference in Houston Texas in March of 2025.

Discussion – Background and Current Status:

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

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

Key Considerations/Implications:

1. Budget/Financial Implications: The estimated cost for this travel is \$5,200. Available budget is \$29,000.
2. Partners or Other Stakeholders: The World Energy Cities Partnership

ST. JOHN'S

3. Is this a New Plan or Strategy: No

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

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

4. Alignment with Strategic Directions:

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

A City that Moves: Create a sustainable and accessible, low-carbon public transportation system.

5. Alignment with Adopted Plans: N/A

6. Accessibility and Inclusion: N/A

7. Legal or Policy Implications: N/A

8. Privacy Implications: N/A

9. Engagement and Communications Considerations: N/A

10. Human Resource Implications: N/A

11. Procurement Implications: N/A

12. Information Technology Implications: N/A

13. Other Implications: N/A

Recommendation:

That Council approve the travel cost for Mayor Danny Breen to attend the CERA Week Conference in Houston Texas in March of 2025.

Prepared by: Stacey Fallon, Executive Assistant - Mayor/ City Manager

Approved by: Theresa Walsh, City Clerk

Report Approval Details

Document Title:	Travel Authorization - Mayor Danny Breen - CERAWeek.docx
Attachments:	
Final Approval Date:	Jan 8, 2025

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

Theresa Walsh - Jan 8, 2025 - 1:46 PM

DECISION/DIRECTION NOTE

Title: 34 New Cove Road – MPA2300005 - Adoption

Date Prepared: January 6, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 4

Decision/Direction Required:

Following provincial release of the proposed amendments for 34 New Cove Road, Council may now adopt Envision St. John's Municipal Plan Amendment Number 16, 2024 and Envision St. John's Development Regulations Amendment Number 48, 2024, and proceed to a Commissioner's Public Hearing.

Discussion – Background and Current Status:

The City has received an application from KMK Capital Inc. to rezone 34 New Cove Road from the Institutional (INST) Zone to the Apartment 3 (A3) Zone to enable the development of a 10-storey Apartment Building. An Apartment Building is a permitted use in the A3 Zone. A Municipal Plan amendment is required to redesignate the property to the Residential District.

The applicant has also asked to amend the Development Regulations so that the proposed Apartment Building can proceed without a building setback. Text amendment to sections 4.9 and 7.1.4 of the Development Regulations are required to enable the proposed development.

Additional information on the proposed development is contained in the attached amendment. The applicant is also seeking parking relief. The development requires 117 parking spaces, and the applicant has asked to provide 111 spaces and be relieved of the remaining 6 spaces.

At its regular meeting on November 28, 2023, Council voted to proceed with the proposed amendments and set the terms of reference for a Land Use Report (LUR). The proposed amendment was advertised on three occasions in *The Telegram*, published on the City's website, and on a project page on the Planning Engage page. All submissions received are included for Council's review.

The NL Department of Municipal and Provincial Affairs has reviewed and released the amendments. The next step is to adopt them. Should Council decide to adopt the amendments, a public hearing is required - tentative date Wednesday, February 12, 2025, at 7 p.m. at City Hall. This will be a hybrid public hearing, so attendees can attend on person or remotely via Zoom. If no submissions are received by two days prior to the hearing, Council may cancel it. It is recommended that Council appoint Cliff Johnston, a member of the City's commissioner list, to conduct the public hearing.

ST. JOHN'S

Following the hearing, the amendments will be brought back to Council with the commissioner's report and recommendations, for consideration of approval. The Land Use Report and request for parking relief will also be brought forward at that time.

Key Considerations/Implications:

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

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

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.
5. Alignment with Adopted Plans: In line with the rezoning process of Envision St. John's.
6. Accessibility and Inclusion: Not applicable at this stage. Accessibility will be further reviewed at the development approval and building permit stages.
7. Legal or Policy Implications: Amendments to the Envision St. John's Municipal Plan and Development Regulations are required to consider the proposed development.
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Consultation was carried out in accordance with the Development Regulations.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council adopt the attached resolutions for Envision St. John's Municipal Plan Amendment Number 16, 2024 and Envision St. John's Development Regulations Amendment Number 48, 2024, related to a proposed Apartment Building at 34 New Cove Road, and appoint Cliff Johnston as commissioner for a public hearing on the amendments. The proposed hearing date is Wednesday, February 12, at 7 p.m. at St. John's City Hall.

Prepared by: Lindsay Church, MCIP, Planner III – Urban Design and Heritage

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

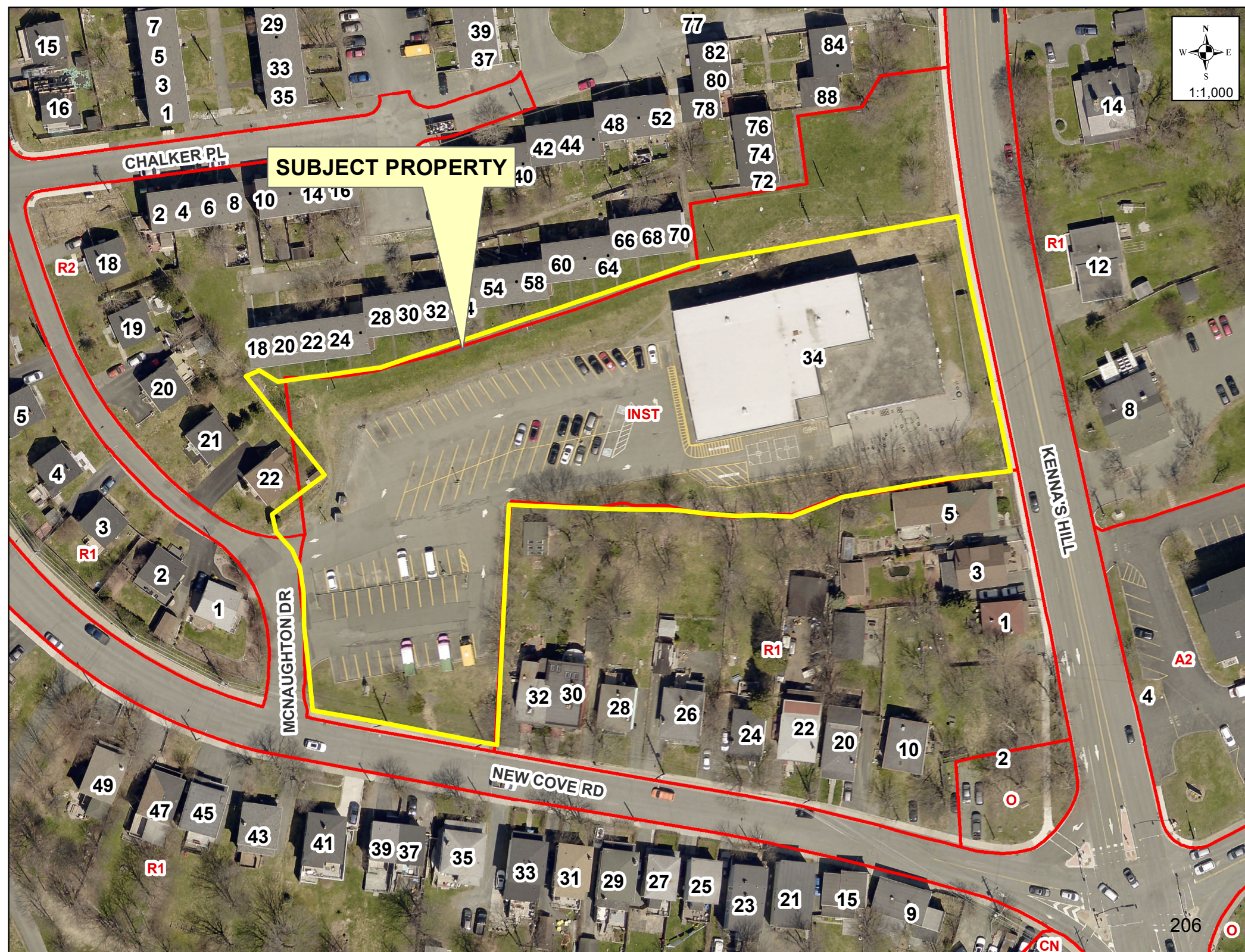
Report Approval Details

Document Title:	34 New Cove Road - MPA2300005 - Adoption.docx
Attachments:	- 34 New Cove Road - Aerial1.pdf - MPA 16, 2024 and DRA 48, 2024.pdf - Engage Report - 34 New Cove Road.pdf
Final Approval Date:	Jan 9, 2025

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

Ken O'Brien - Jan 9, 2025 - 3:22 PM

Jason Sinyard - Jan 9, 2025 - 4:29 PM



SUBJECT PROPERTY

CHALKER PL

MCNAUGHTON DR

NEW COVE RD

KENNA'S HILL

INST

206

City of St. John's Municipal Plan, 2021

St. John's Municipal Plan Amendment Number 16, 2024

**Institutional Land Use District to
Residential Land Use District
34 New Cove Road**

December 2024



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

ST. JOHN'S Municipal Plan, 2021

Amendment Number 16, 2024

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

Adopted by the City Council of St. John's on the ____ day of _____, 2025.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____

Town Seal

Canadian Institute of Planners Certification

I certify that the attached St. John's Municipal Plan Amendment Number 16, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____

MCIP/FCIP Stamp

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

St. John's Municipal Plan, 2021

Amendment Number 16, 2024

Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's:

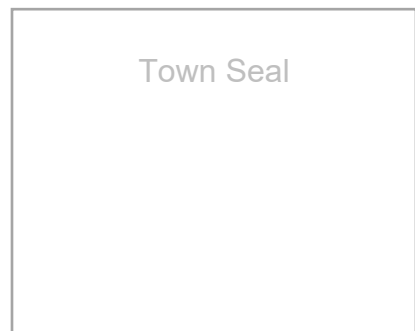
1. Adopted the St. John's Municipal Plan Amendment Number 16, 2024 on the ____ day of _____, 2025;
2. Gave notice of the adoption of the St. John's Municipal Plan Amendment Number 16, 2024 by way of an advertisement inserted in the Telegram newspaper on the ____ day of _____, 2025, on the ____ day of _____, 2025, the ____ day of _____, 2025, and on the ____ day of _____, 2025; and
3. Set the ____ day of _____ at 7:00 p.m. at the St. John's City Hall in the City of St. John's for the holding of a public hearing to consider objections and submissions.

Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's approves the St. John's Municipal Plan Amendment Number 16, 2024 on the ____ day of _____, 2025 as was originally adopted.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____



Canadian Institute of Planners Certification

I certify that the attached City of St. John's Municipal Plan Amendment Number 16, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____

MCIP/FCIP Stamp

Municipal Plan/Amendment
REGISTERED

Number _____

Date _____

Signature _____

CITY OF ST. JOHN'S

Municipal Plan Amendment Number 16, 2024

BACKGROUND AND ANALYSIS

Background

The City has received an application from KMK Capital Inc. to rezone 34 New Cove Road to develop a 10 storey Apartment Building. The subject property is currently within the Institutional District and Zone. A Municipal Plan amendment is required to redesignate the property to the Residential District and rezone to the Apartment 3 (A3) Zone. Apartment Building is a Permitted Use within the A3 Zone.



Land Use Report

As per Section 4.9 of the St. John's Development Regulations, a Land Use Report (LUR) is required for the rezoning. The applicant has prepared a LUR as per Council's terms of reference. A copy of the report is available at engagestjohns.ca.

Analysis

The Envision St. John's Municipal Plan maintains a number of policies that recommend developments that increase density within existing neighbourhoods. Such policies include:

Policy 4.1.2 - Enable a range of housing to create diverse neighbourhoods that include a mix of housing forms and tenures, including single, semi-detached, townhousing, medium and higher density and mixed-use residential developments.

Policy 4.4.1 - 1. Ensure that the review of development proposals considers how new development may affect abutting properties and uses.

Policy 4.6.8 - Require, where appropriate, that sidewalks, paths and lanes provide access to and from bus stops, schools, places of worship, shopping areas, and places of employment.

Policy 8.4.2 - Recognize and protect established residential areas. Support the retention of existing housing stock, with provision for moderate intensification, in a form that

respects the scale and character of the neighbourhood.

The subject property is surrounded by low to medium density residential uses. The Proposed location of the Apartment Building is within proximity to amenities, places of employment, commercial areas and public transit routes. The site is the location of the former Max building, and before that, the YM/YWCA. The existing building will be demolished and replaced with the proposed Apartment Building. The proposed development is in line with the St. John's Municipal Plan.

PUBLIC CONSULTATION

The proposed Municipal Plan and Development Regulations amendment was advertised on three occasions in The Telegram newspaper on October 25, November 1, and November 8, 2024. A notice of the amendment was also mailed to property owners within 150 metres of the application site and posted on the City's website. Background information on the amendment is available at the Engage St. John's project page.

Feedback on the proposal has been mixed. Some are supportive of the project, and feel housing is needed and the project should be expedited. Others have concerns that the proposal is too large and dense for the area and will create too much traffic and congestion along McNaughton Drive and New Cove Road. During the application review process, the proposal was reviewed by the City's Transportation Engineers and no concerns were raised based on the Transportation Impact Memo.

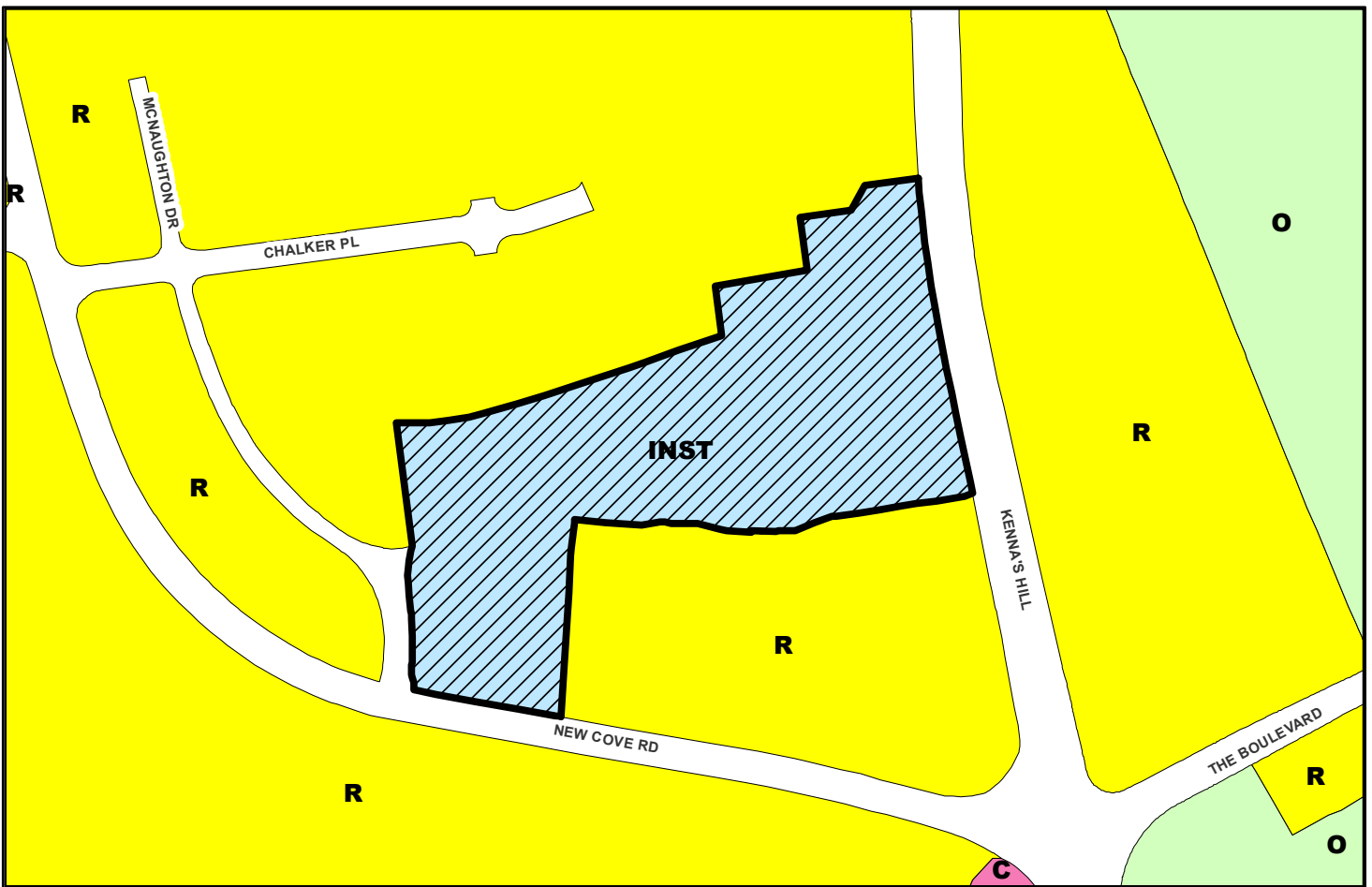
ST. JOHN'S URBAN REGION REGIONAL PLAN

The proposed amendment is in line with the St. John's Urban Region Regional Plan. The subject property is within the Urban Development designation of the Regional Plan. An amendment to the St. John's Urban Region Regional Plan is not required.

ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 16, 2024

The St. John's Municipal Plan, 2021 is amended by:

- 1. Redesignating land at 34 New Cove Road [Parcel ID# 40638] from the Institutional Land Use District to the Residential Land Use District as shown on Future Land Use Map P-1 attached.**



CITY OF ST. JOHN'S MUNICIPAL PLAN Amendment No. 16, 2024

Future Land Use Map P-1

2024 12 09 Scale: 1:2000
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 REDESIGNATED FROM
INSTITUTIONAL (INST) LAND USE DISTRICT TO
RESIDENTIAL (R) LAND USE DISTRICT

**34 NEW COVE ROAD
Parcel ID 40638**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Municipal Plan/Amendment
REGISTERED

Number _____

Date _____

Signature _____

Provincial Registration

City of St. John's Development Regulations, 2021

St. John's Development Regulations Amendment Number 48, 2024

**Institutional (INST) Zone to Apartment 3 (A3) Zone
34 New Cove Road**

December 2024



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

ST. JOHN'S Development Regulations, 2021

Amendment Number 48, 2024

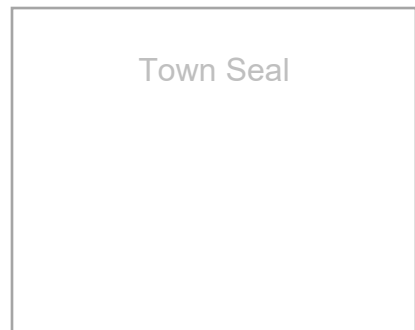
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the St. John's Development Regulations Amendment Number 48, 2024.

Adopted by the City Council of St. John's on the ____ day of _____, 2024.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____



Canadian Institute of Planners Certification

I certify that the attached St. John's Development Regulations Amendment Number 48, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

St. John's Development Regulations, 2021

Amendment Number 48, 2024

Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's:

1. Adopted the St. John's Development Regulations Amendment Number 48, 2024 on the ____ day of _____, 2024;
2. Gave notice of the adoption of the St. John's Development Regulations Amendment Number 48, 2024 by way of an advertisement inserted in the Telegram newspaper on the ____ day of _____, 2024, on the ____ day of _____, 2024, the ____ day of _____, 2024, and on the ____ day of _____, 2024; and
3. Set the ____ day of _____, 2024 at 7:00 p.m. at the St. John's City Hall in the City of St. John's for the holding of a public hearing to consider objections and submissions.

Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's approves the St. John's Development Regulations Amendment Number 48, 2024 on the ____ day of [Click or tap to enter a date.](#) as was originally adopted.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____

Town Seal

Canadian Institute of Planners Certification

I certify that the attached City of St. John's Development Regulations Amendment Number 48, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____

MCIP/FCIP Stamp

Development Regulations/Amendment

REGISTERED

Number _____

Date _____

Signature _____

CITY OF ST. JOHN'S

Development Regulations Amendment Number 48, 2024

BACKGROUND

The City of St. John's wishes to allow an Apartment Building at 34 New Cove Road. The subject property is currently within the Institutional District and Zone and therefore an amendment is required to rezone the property to the Apartment 3 (A3) Zone. Within the A3 Zone, Apartment Building is a Permitted Use.

This amendment implements St. John's Municipal Plan Amendment 16, 2024, which is being processed concurrently.

PUBLIC CONSULTATION

The proposed Municipal Plan and Development Regulations amendment was advertised on three occasions in The Telegram newspaper on October 25, November 1, and November 8, 2024. A notice of the amendment was also mailed to property owners within 150 metres of the application site and posted on the City's website. Background information on the amendment is available at the Engage St. John's project page.

Feedback on the proposal has been mixed. Some are supportive of the project, and feel housing is needed and the project should be expediated. Others have concerns that the proposal is too large and dense for the area and will create too much traffic and congestion along McNaughton Drive. During the application review process, the proposal was reviewed by the City's Transportation Engineers and no concerns were raised based on the Transportation Impact Memo.

ST. JOHN'S URBAN REGION REGIONAL PLAN

The proposed amendment is in line with the St. John's Urban Region Regional Plan. The subject property is within the Urban Development designation of the Regional Plan. An amendment to the St. John's Urban Region Regional Plan is not required.

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 47, 2024

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

1. **Rezoning land at 34 New Cove Road [Parcel ID# 40638] from the Institutional (INST) Zone to the Apartment 3 (A3) Zone as shown on City of St. John's Zoning Map attached.**

2. Adding the following to Section 4.9(2) Land Use Report:

"4.9(2)(i) buildings with an alternative Building Stepback in accordance with Subsection 7.1.4(b), which Land Use Report shall address wind, shadowing, precipitation, and privacy impacts on adjacent residential properties and pedestrians."

3. Repealing Section 7.1.4 Building Stepback, which states:

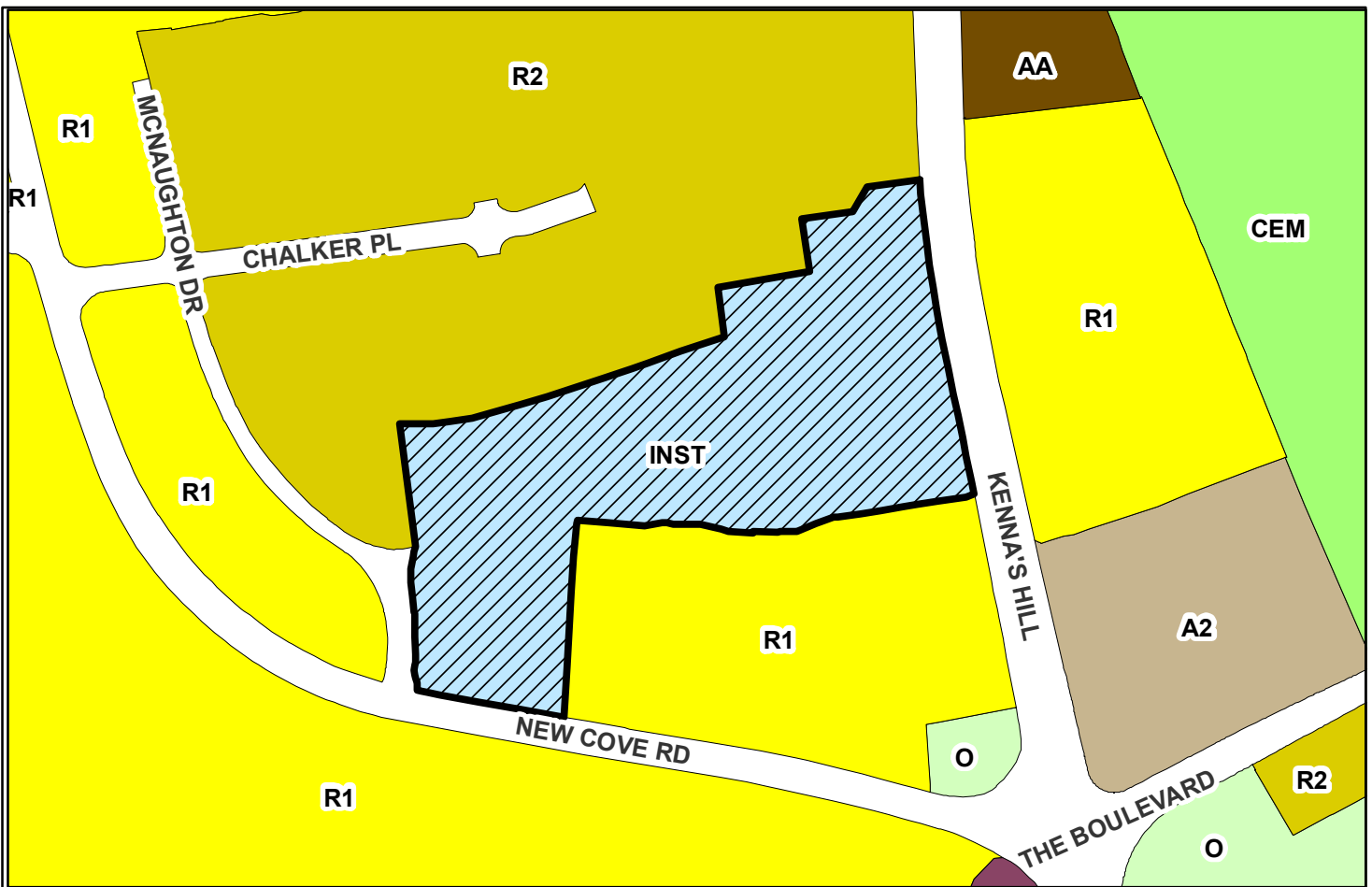
“7.1.4 Building Stepback

All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45 degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres.”

And substituting the following:

“7.1.4 Building Stepback

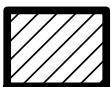
- (a) All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45 degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres.**
- (b) Where an applicant wishes to propose a Building Stepback that differs from that required in Subsection 7.1.4(a), Council shall require a Land Use Report in accordance with Section 4.9.”**



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 48, 2024**
[City of St. John's Zoning Map]

2024 12 09 Scale: 1:2000
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
INSTITUTIONAL (INST) LAND USE ZONE TO
APARTMENT 3 (A3) LAND USE ZONE

34 NEW COVE ROAD
Parcel ID 40638

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Development Regulations/Amendment
REGISTERED

Number _____

Date _____

Signature _____

Provincial Registration

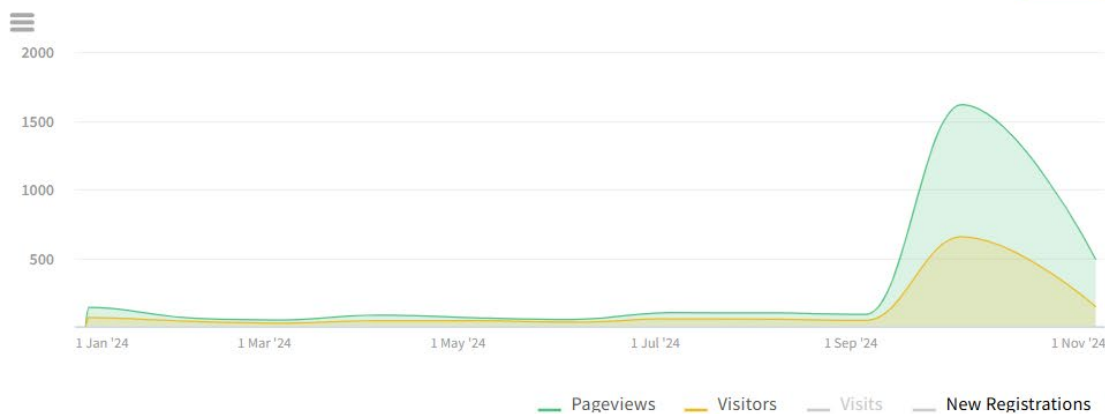


Planning St. John's
EngageStJohns.ca Report
34 New Cove Road

Visitors Summary

City Of St John's from 01 Jan'24 to 13 Nov'24

DAILY MONTHLY



Highlights

TOTAL VISITS	MAX VISITORS PER DAY	NEW REGISTRATIONS
1.3 k	252	3
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
15	323	1 k

Types of visitors:

- Total visits: unique sessions (may be the same person visiting multiple times)
- Aware: visited at least one page
- Informed: has taken the "next step" from being aware and clicked on something
- Engaged: has contributed to a tool (comment or question)

Comments (verbatim)	What is your overall feedback of this application?
This development is a step in the right direction for the city in addressing the housing crunch, and reversing the trend of urban sprawl. As somebody who splits their time between St. John's and Halifax, we are definitely falling behind in these departments. The city needs to be much more adaptable, and be less restrictive, especially in areas of minimal historic significance and allow increased density. The restrictions being brought up with regards to building setback and shadowing are an unnecessary hinderance to sustainable development and jeopardize the viability of this project.	Support
Good to see this kind of density being proposed - especially with the variety of services close to this location. My only concerns would be to ensure good bus services are close by, and that there should be cycling infrastructure close at hand when considering density like this.	Support

Housing and increase density is sorely needed in St. John's.	Support
Fully support - we need more high density residential units in St. John's!	Support
This is a great idea, and should be moved along as quickly as possible. I think they should put more units in, and ensure that some of those units are reserved for low income people	Support
We need more developments like this. We're should remove setback requirements for all apartment buildings	Support
Great use of space to increase density within the city and infill for residential living, as opposed to increasing sprawl. We need more projects like this in St. John's. As a city, we cannot keep succumbing to NIMBYism and killing projects like this. Every other large city in Canada has development like this, and despite what people think, St. John's is not that unique in that "it just wouldn't work here." I'm very tired of that antiquated way of thinking.	Support
I note that many other buildings in St. John's are not subject to the "step back" rule. There is a need for additional rental spaces in the city at this time, this project appears to be working to ward that goal.	Support

<p>I live relatively close to the proposed site. I think it's a great use of a property that's not being used to its full potential and will go a long way towards addressing the housing shortage in the city!</p> <p>Additionally, when I read the Land Use Report, it seemed to me that many of the concerns regarding the development are at least partially under the purview of the City (ex. sidewalks, snowclearing) or things that can be ameliorated by the City (ex., responsible street design to maximize the safety of pedestrians.) I'd be interested to hear if there are measures being considered to address these concerns that fall outside the parameters of this planning application.</p>	<p>Support</p>
<p>I understand the need for housing. It is imperative we have a city that is diverse. My concern as a neighbour is two fold. Initially during construction it is imperative that my peaceful enjoyment of my property not be disturbed during non working hours as this is a long project. My concern is with noise, garbage, and traffic. COstruction debris and dust can be controlled with some type of site maintenance specification. If the bottom of McNaughton has closed off access, the site is fully hoarded (including access from the houses on Chaulker Place) and there is a mandate to maintain a clean site then this could be a successful build. Secondly, it is important that some sort of traffic study be conducted and another road access be provided to mitigate people cruising down McNaughton at a high rate of speed. It already experiences people pulling out the max centre thinking they are Mario Andretti in</p>	<p>Mixed</p>

Formula One and the road is already thinner than a normal road. Increase that traffic by at least 107 cars per day and you are going to get a kid run over (lots of kids use that road to learn to bike or skateboard). Speed bumps at the transition perhaps? If these items are prioritized during design and construction, it can be a very successful project. Thanks for the opportunity to provide feedback.	
The city needs more housing, and this project will help address demand. More housing results in less pressure on rents, creating conditions for greater affordability. So I do not believe it is necessary to include a requirement for affordable residential units. However, I feel that one should consider a certain amount of Building Stepback. The Land Use Report states: Compared to the existing building, shade from the new building will have the greatest impact on three structures - two dwellings and an office building across Kenna's Hill with shadowing in the late afternoon throughout the year. ... The new structure will not significantly increase shadowing on these building during the winter months." Questions should be posed to the developer to determined how true this statement is. And surely the summer months and other times should also be considered.	Mixed
Will the building definitely be for apartments? I would not support a condo building development.	Mixed

<p>First I think that the city staff were correct in their recommendation to council to uphold the setback requirements. These development requirements are in place for an important reason and that is to protect the interests and property integrity of existing residents. As a homeowner you count on the city and particularly the council to protect your interests. The council shouldn't be so easily influenced any time a developer complains about costs. They are a business with the sole purpose of maximizing profits.</p> <p>For 34 New Cove Road the setbacks should be maintained. In particular the houses on the west side of Kenna's Hill are vulnerable to adverse effects if the south side setback requirement is removed.</p>	Mixed
--	-------

Public Q&A Questions (verbatim)	Public Response
<p>As mentioned in another application, this type of zoning change seems very common. Could the institutional zone be changed to allow apartment buildings as permitted or discretionary uses? Perhaps permitted for type A1 and A2 and discretionary for A3. Would this speed up the process for developers and reduce the amount of zoning changes being requested?</p>	<p>Thank you for your comment and questions. In order to permit apartment buildings in an Institutional Zone, the intent of the Institutional Land Use District would have to change. At this time, the City is not looking to change the overall intent of the Institutional District. That sort of</p>

	change would follow a similar process.
<p>When will the construction start?</p> <p>There is severe housing crunch in St John's any addition in housing will be greatly appreciated. Also, I hope this isn't a luxury building and is rather a relatively affordable practical housing building for common folks.</p>	<p>The amendment process will have to conclude before construction can begin.</p> <p>Therefore, the exact start date is unknown at this time.</p>

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 10:33 PM
To: CityClerk
Subject: RE: 34 New Cove Road Development
Attachments: 34 New Cove Road Development Comments.pdf

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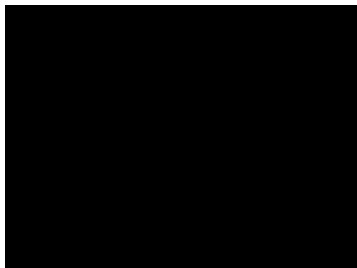
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Hello,

My name is [REDACTED]

[REDACTED] Please see
attached our comments regarding the proposal.

Thank you,

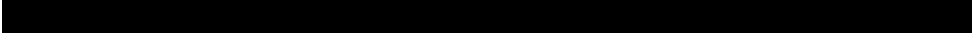





November 11, 2024

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

Re: 34 New Cove Road Development

 impacted by this development, I am compelled to speak out against the scale of the proposal and the developers request for a relaxation of Section 7.1.4 Building Stepback regulation. As a 

Building Mass & Stepback Relaxation

It is in my experience that when a relaxation in guidelines is requested, it is because of some constraint or issue with the building site that would otherwise make the project unfeasible. However in this case, the developers bid for relaxation is for the sole purpose of including additional rental units to improve their own profit margin at the expense of the neighbourhood in which they are inserting themselves. It would also be typical for a developer to offer, or the authority having jurisdiction to require, something in exchange for the granting of a guideline relaxation in the form of a community amenity, public green space, or a guarantee that a certain number of the rental units will be provided at below market rate. The developer in this case has offered nothing in return for their request to a relaxation of the building stepback and claims that the relaxation should be granted since the effect on neighbouring properties would be negligible. However the stepback guidelines are in place for this exact scenario, with a large scale building abutting directly onto residential properties. Its purpose is to reduce the scale and looming effect a tall building can have on the neighbouring properties and ensure a suitable transition in intensity, use and form.

Stepback guidelines are not enforced solely to mitigate the shadows cast by a building, but the visual mass of the building itself when taken in context with its surroundings. A building of this size would dominate the area and have considerable negative impacts on the value and character of the neighbourhood. At 10 storeys this development would be on par with some of the tallest buildings in the province, and is simply not to scale with a residential neighbourhood of 2 and 3 storey homes in such close proximity.

An earlier application for this proposal had also included a parking structure on site, which is no longer present in the current rendition. If the site is larger enough for a second structure, has the developer explored the possibility of two smaller 6 storey buildings to distribute the building mass over a larger area of the site? If one level of parking and 5-storeys of residential suites was included, it would be possible to achieve the same number of rental units and parking spaces, while avoiding the stepback issue altogether. It could be argued that two smaller buildings would fit the neighbouring area better than the 10-storey single building currently being put forward.

The developer has claimed that if the stepback guidelines were to be enforced that the project would not be financially viable, tying the relaxation of the guideline to the project moving forward. In using the housing crisis, the developer is attempting to apply political pressure on council to achieve its own goal of maximized profit.

Affordability

The developer notes the housing crisis and need for purpose built apartment buildings throughout their application as the justification for additional building height and relaxation to stepback guidelines. However as noted in the media and their most recent development at One Churchill Park, these rental units will not meet the most basic need of the housing crisis which is affordability. The developer has not committed to capping rents at market rate and given the precedent set by One Churchill Park, the rental units in this new development will not be attainable by the majority of renters in the city, regardless of relaxation of the stepback guideline.

Community Loss

Although I am not opposed to an apartment building of an appropriate size on this site, it should be noted that this development would in fact be a net loss to the community; in the purchase and demolition of the Max Fitness facility, the neighbourhood and community at large are losing a valuable recreation and multipurpose space as well as much needed and well attended after-school and childcare programming. The development does include a fitness facility within the building, however it is solely for the use of the building occupants. No community amenities are being provided by the proposed development to alleviate the loss of the existing facility.

Public Consultation

There has also been a lack of public consultation in regards to this development application. In distributing their initial notice on December 22nd, 2023 with a deadline for comments on January 8th, 2024, many residents of the effected community would have missed their opportunity to express their concerns over the busy holiday season. The distribution was also limited and did not reach all effected parties, [REDACTED] did not receive a notice. Given the implications of the rezoning and the scale of the proposed development, an open public consultation should take place so that the effected residents can voice their concerns directly to the developer and city staff.

Parking & Traffic

The developer has noted in their application that they cannot achieve the minimum required parking spaces for the number of rental units they are proposing. Their justification in that many residents may not own a vehicle given the close proximity to public transit and walking trails is ill-informed and not based on the realities of renters whom they will be marketing the project, given the expected above-market rental rates.

Given more than half of the rental units are two-bedroom suites, it is more likely that many units will have more than one vehicle per household, resulting in significantly higher parking requirements than proposed and shifting the burden of overflow parking on all the neighbouring streets, which are already at their maximum capacity for parking. Parking on McNaughton Drive is not possible given it's own constraints, New Cove Road is limited given parking is prohibited on the North side of the road and Metrobus stops and existing resident

parking on the South, and parking on Kenna's Hill is not possible. The expectations of the developer that parking will not be an issue for the building occupants and the existing neighbouring residents is wholly unrealistic and should be of immediate concern to city staff when reviewing this application.

Were the stepback guidelines to be enforced and the number of rental units reduced, the proposal could in fact meet the minimum required parking on its own site, alleviating at least some concern of nearby residents.

Beyond parking, increased vehicle traffic caused by the proposed development will have significant negative impact on the existing residents of McNaughton Drive and New Cove Road. With the sole entrance to the new development off of McNaughton Drive, which is narrower than a typical residential street and does not have sidewalks, it is impossible to imagine a steady flow of traffic would be possible to the development site. If to address the concerns on McNaughton access is limited and all vehicle traffic is directed south on New Cove Road, a significant bottleneck will occur given the limited visibility on the blind curve and Metrobus stop immediately adjacent to the vehicle entrance. It also impossible to imagine the intersection at New Cove Road, Kenna's Hill, The Boulevard, and King's Bridge, can handle the increased traffic at peak hours that this development would cause.

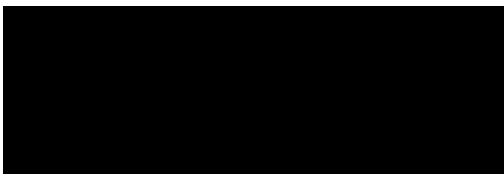
The LUA report indicates that the proposed development will somehow reduce traffic in comparison to the existing Max Fitness facility, however those numbers seem unrealistic and detached from the realities of this specific site and circumstance.

Conclusion

The need for purpose built apartment buildings to help alleviate the housing crisis is clear, however there are several significant issues with this proposed development that council and city staff need to consider when reviewing this application. Increased density is required in the city, however it must be done in a respectful manner to the existing neighbourhood in which these projects are proposed. This project in its current form would have detrimental impacts on the neighbouring properties and as such should not be approved as submitted.

I would implore council to heed the advice of city staff, standby the well researched and considered guidelines that are in place to protect residential properties from new large scale developments, and not set the precedent of allowing a developer to set their own rules, by rejecting this proposal and denying a relaxation of Section 7.1.4.

Sincerely,



Theresa K. Walsh

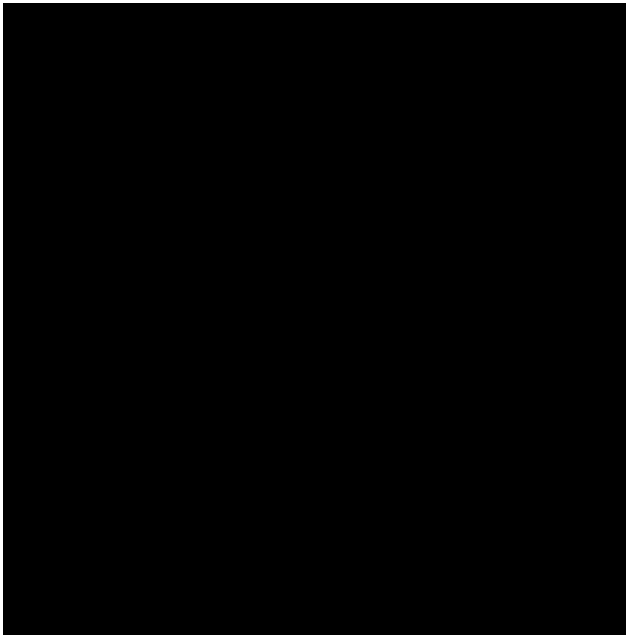
From: [REDACTED]
Sent: Saturday, November 9, 2024 10:20 AM
To: CityClerk
Cc: Lindsay Church
Subject: 34 New Cove Road
Attachments: 34 New Cove Road.pdf

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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Hello,

Please find attached my comments further to your invitation for comments on this development.



While I am not opposed to a development on that site, I do believe that a development of the scale proposed in the Land Use Report will present significant traffic flow and parking issues that will adversely affect both building residents and neighbours, particularly [REDACTED] on McNaughton Drive and New Cove Road. [REDACTED]

[REDACTED]

[REDACTED]

Before anything, I urge city planners and councillors to hop in their vehicles and take a drive up McNaughton Drive and around the immediate area. You will see that McNaughton Drive is not a regular city street. There are no sidewalks and the road is just wide enough for two vehicles to pass with caution. McNaughton Drive was an extension of the US military base at Fort Pepperrell. It was not designed for steady two-way traffic, it still isn't, nor is it perceived as such by residents. Kids from Chalker Place routinely play on the street without anyone being fussed about it.

A picture is worth a thousand words. The pics in Figure 1 were taken last winter. The first pic looks southeast from the perspective of #4 McNaughton Drive. The second looks northwest on McNaughton Drive taken from the entrance to 34 New Cove Road. In winter, McNaughton Drive for all intents and purposes is a one-way street. How can this street deal with the addition of more than 117 new vehicles, coming and going at all hours, not to mention service vehicles, taxis, etc?

Figure 1



Sure, the street can be made one-way, but I doubt that will deter the vehicles that have to deal with the bottleneck that will be created at the bottom of the street as morning and evening traffic squeeze on to that small hill that separates the building access on McNaughton to New Cove Road. Many vehicles will avoid the inevitable bottleneck by turning up McNaughton Drive to exit onto New Cove Road via Chalker Place adding to traffic flow on a street not designed for two-way traffic.

Appendix 9 of the Land Use Report, suggests that the peak AM traffic anticipated by the new building will be less than that at Max Fitness. I am not at all familiar with the Institute of Transportation Engineers "Trip Generation Manual" 11th Edition, but the am statistics seem counter intuitive. Max

Fitness traffic flow is spread over a long period of time, even in the morning. My guess is that there will be major congestion at the bottom of the street between 7:30 to 9:00 am and 4:30 to 6:00 pm, exceeding that of Max Fitness, as building residents and the residents of McNaughton Drive go to and from work.

No information about rental rates have been made public to date, but my guess is that a two-bedroom in such a lovely building with air conditioning, a gym, nicely landscaped grounds in an ideal location close to all amenities will cost in the neighbourhood of \$2,000 per month. I see typical tenants not as ones who work minimum wage jobs and take the metrobus to and from work, but as younger professionals and other people with good-paying jobs, the kind of tenants who are far more likely to use their own vehicles versus city transit.

Parking is equally, if not more, problematic. In Section H of the Land Use Report, the developer “is confident that given that the site is well served by public transit and is within easy walking distance....it is not anticipated that all units will require a parking stall”. I hope that confidence is not mere wishful thinking, the kind that saves the developer the expense of providing adequate parking to building residents. Great if KMK Capital gets it right. Bad if they don’t – bad for building residents and their visitors, and bad for residents of McNaughton Drive and New Cove Road who will be saddled with illegally parked overflow potentially blocking access by emergencies vehicles, and impeding access by residents, particularly on McNaughton Drive, and particularly in winter.

In Section H of the Land Use Report the developer suggests that that the development as described is contingent on the City accepting its proposal the 111 parking stalls, not the 117 required by the formula in Section 8.3 of the Development Regulations, be permitted. In my view, 117 parking spaces is inadequate. In an area where there is absolutely no other place near for overflow to park legally, and on a street that for all intents and purposes is a one-way street, the city should be insisting that the developer design a layout that considers maximum parking spaces, not minimum, and certainly not 94% of the minimum as proposed in Section H of the Land Use Report. At least the original proposal had a parking garage, albeit in my view still with insufficient parking. Now the grounds are designed to cram 111 parking stalls on the property.

Figure 2 below shows some pics of the Max Fitness parking lot a few days after a dump of snow last winter.

Figure 2



Figure 2 cont'd



- The top left looks east from the upper entrance to Max Fitness parking lot on McNaughton Drive. The gym is in the back and the units on Chalker Place to the left. That snow pile covers 2-3 parking space as seen on the Site Concept Plan.
- The top right is the same snow pile looking west. 1 McNaughton Drive is in the background.
- The bottom left looks southwest from the Max parking lot [REDACTED] [REDACTED] That particular snowbank occupies two parking spaces and a part of the roadway as seen on the Site Concept Plan.
- The bottom right faces south along the fence at 32 New Cove Road to the left. That particular snowbank takes out three parking spaces as seen on the Site Concept Plan.

I look at the proposed site plan, filled with access routes and parking spaces and surrounded by fences and retaining walls, and wonder where the snow will get ploughed up. On the New Cove Road border there is a designated city snow storage area, but that appears to be on a steep embankment down to the sidewalk. I try to imagine the pandemonium on the property when there is any kind of snow at all. I wonder where the city will now plough up the snow on McNaughton Drive. A parking garage would eliminate all of these issues.

A far as city regulations go, the developer is already requesting exemption from Section 7.1.4. Building Step Back as it will affect residents of the north side of New Cove Road. In Section H of the Land Use Report, the developer suggests that it will be seeking a further exemption from parking regulations in Section 8.3 of the Development Regulations. By granting exemptions such as these, what kind of precedent is being set for the citizens of St. John's? I hear talk in media to the effect "...the city has to get out of its own way to deal with the housing crisis...", etc. To those I would say development regulations exist for a very good reason, for the good of all citizens of this city. Despite the external pressures on the city to approve developments to deal with the affordable housing crisis, the city cannot buckle to developers who claim their profit margin will not be sufficient unless certain regulations are relaxed. There are other places in this city more suitable to a development of this scale.

Again, I am really not a 'not in my backyard' kind of person. This development, if approved, will add new housing units to the city. It will certainly beautify the area. It may even increase the value of my own property. It's hard to imagine an uglier property in the city than what 34 New Cove Road presently is. But a building of this size, in a locale unsuited to a building of this size, and requiring exemptions from city development regulations, has potential to cause long-lasting troubles.

From: [REDACTED]
To: [CityClerk](#)
Subject: 34 New Cove Rd.
Date: Sunday, November 3, 2024 7:47:18 PM

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This email is in response to the letter my household received re 34 New Cove Road for exemption from section 7.1.4. I object to the building completely as it will impact my view and likely the property value of my home. It will drastically alter the neighborhood and not necessarily for the better. 10 stories is way too high for that piece of land and would impact everyone around for the worse. There is no need to put something so high there. I object to anything the developer wants to do on the grounds of that property that will impact the neighbors to such a degree.

Theresa K. Walsh

From: Engage
Sent: Wednesday, November 13, 2024 9:15 AM
To: City Clerk
Subject: FW: Application re development for 34 New Cove Rd., St.John's

Follow Up Flag: Follow up
Flag Status: Flagged

Please confirm receipt.

Thanks

From: [REDACTED]
Sent: Tuesday, November 12, 2024 8:59 PM
To: Engage <engage@stjohns.ca>
Subject: Application re development for 34 New Cove Rd., St.John's

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Thank you for opportunity to respond to application.

[REDACTED] have 2 concerns re this proposed development.

1st. At present the amount of traffic on New Cove and Kenna' s Hill is already at level that if this building is developed...the increase caused by 107 units would be of a definat concern for safety. We have a low income housing area...known as Chalker Place...with a high number of children living there. They use New Cove for getting to and from Tunis Park [REDACTED]

2nd. It has not been designated yet as to whether this development of 107 units will be designated as low income or not. If, so...that is going to be a danger zone for the increase of children in an already very busy area.

Thank you for your consideration.

[REDACTED]

Theresa K. Walsh

From: [REDACTED] >
Sent: Monday, November 11, 2024 12:04 PM
To: CityClerk
Subject: Re: 34 New Cove Road
Attachments: 34 New Cove Rd [REDACTED]

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Good Morning,

Please see attached comment letter and [link](#) to related photos concerning the proposed rezoning of 34 New Cove Road.

Please acknowledge receipt of all documents.

Regards,

Office of the City Clerk
City of St. John's

November 6, 2024

Re : 34 New Cove Road

[REDACTED] to the proposed ten-story apartment building at 34 New Cove. [REDACTED]
[REDACTED]

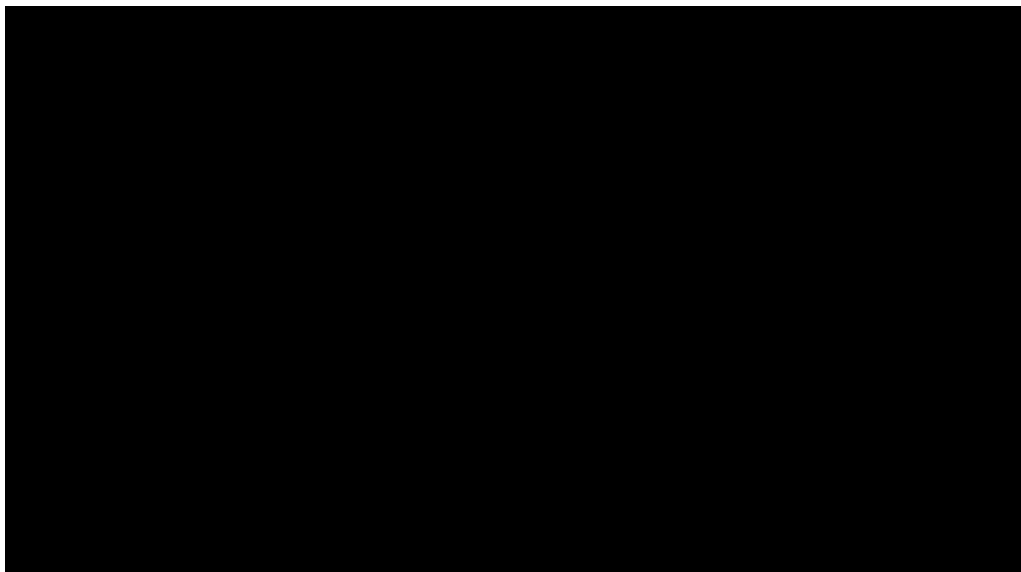
[REDACTED]
[REDACTED]
[REDACTED] After the
[REDACTED]
[REDACTED] trees were allowed to grow wildly on the embankment, and the fence, knocked down by a storm, was removed by the MAX but never replaced.

As it stands now (please see attached photos,) a chain link fence at the top of the embankment prevents people from sliding down [REDACTED]
[REDACTED], and the low retaining wall at the bottom, supposedly keeping the man-made "hill" stable, is crumbling.

We have grave concerns about how this proposed apartment building (ten-story high and much bigger and taller than the current structure,) will affect the embankment and the small, damaged retaining wall [REDACTED] Now, as this proposed apartment building is being considered, we feel that our issue must be addressed before rezoning takes place.

We are also concerned by the amount of additional traffic that a building with 107 rental units will have on our neighborhood. The New Cove Road access was certainly not built for such additional traffic!

Please contact us if you need more information.





Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, November 7, 2024 3:40 PM
To: [REDACTED]
Subject: 34 New Cove Road

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

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Dear City of St. John's,

I am writing you today to express concern over the application received from KNK Capital to rezone 34 New Cove Road.

[REDACTED]

New Cove is already a busy street with heavy traffic volume that travels too quickly for the posted speed limit. The stretch of New Cove Road where McMaughton intersects it is on a turn and it is already dangerous [REDACTED]

Further development of 34 New Cove Road with a large residential building of the scope proposed would bring additional unwanted traffic that would further lessen safety and also, in my opinion, affect my quiet enjoyment of my property.

The development would not enhance or increase my property or its value in any way.

A ten storey building on that property would also be out of place compared to the top of current residential and multiplex housing that exists. Our city has very few tall or 10 storey buildings and they are mostly concentrated in the downtown.

I am not anti-development but I fail to see why KMK Capital should be allowed to have this parcel of land rezoned to place a building that is too large, and will interfere with current traffic issues. The proposal also calls for allowance of variances to the current step back regulations and I also think that this should not be granted.

Respectfully,

[REDACTED]

From: [Engage](#)
To: [CityClerk](#)
Subject: FW: New Planning Application Open for Feedback; Other Feedback Reminder
Date: Monday, October 28, 2024 2:26:27 PM

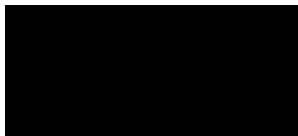
Re: 34 Portugal Cove rd.

From: [REDACTED]
Sent: Monday, October 28, 2024 1:31 PM
To: Engage <engage@stjohns.ca>
Subject: Re: New Planning Application Open for Feedback; Other Feedback Reminder

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

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Thanks for this opportunity to support the proposed development at 34 Portugal cove road.
We need apartments in our city I am in full support.
Thank you



On Oct 28, 2024, at 12:45 PM, Engage St John's <notifications@engagementhq.com> wrote:



[REDACTED]

New Planning Application Open for Comments

34 New Cove Road

The City received an application from KMK Capital Inc. to rezone 34 New Cove Road from the Institutional (INST) Zone to the Apartment 3 (A3) Zone to enable the development of a new 10-storey Apartment Building, with a total of 107 residential units. Apartment Building is a Permitted Use in the A3 Zone. A Municipal Plan Amendment is also required to redesignate the property from the Institutional District to the Residential District. Check out the [project page](#) for additional details including the Land Use Report. Deadline to provide feedback is Tuesday, November 12.

Planning Application Reminder:

Main Road and Shoal Bay Road, Goulds

The City is considering extending the Residential 1 (R1) Zone along Main Road and

Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, November 12, 2024 7:17 AM
To: CityClerk; Tom Davis
Subject: resident comment regarding development proposal at 34 New Cove Road
Attachments: letter to city.pdf

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08/11/2024

To whom it may concern,

I am writing to share my concerns regarding the proposed apartment building being planned for the MAX fitness site at 34 New Cove Road.

I am a local resident and have [REDACTED]
[REDACTED] lived in the broader neighbourhood on and off for most of my life and am very familiar with the area. I have a few issues with the development as planned which I have summarized below:

1. Parking

The development is seeking to build 107 new housing units yet only providing 111 spaces which includes parking for visitors. This is not only below what the proposal itself states is the city's minimum requirement but also I believe woefully unrealistic for what will be needed.

It is wishful thinking to assume that most dwellings will not own at least one car and considering the new residents will likely include affluent students, adult children of owners, and young professional couples, more often than not they will have two or more. And this is even before you consider visitors which along with family and friends also includes visiting professionals such as personal care workers, community nurses, child minders, and tradespeople.

[REDACTED] that used the same logic allowing for around 1 to 1.5 spaces per household (1 and 2 bedroom homes/apartments) and it was a nightmare for the surrounding community. Some were either awash in cars blocking smaller roads from emergency vehicles and blocking sidewalks from pedestrians with mobility issues, or in the more heavily regulated ones, full of traffic officers handing out tickets, clamping wheels, and towing cars. And this was in cities, unlike St. John's, with no snow, mild weather, and more robust public transport options such as multiple buses and street cars.

The fact is residents will for the most part have cars and use them daily to either shop or travel to and from work. It is unlikely, as suggested by the proposal, that they will walk to the closest grocery store which is 650m door to door across a busy 4-lane road that is often unwalkable in wintertime due to slush and snow and traverses everything from uneven sidewalks to a gravel part of the Rennie's Trail and carry home their groceries, or walk to the nearest restaurant, which is at least 1km away, also on sidewalks that can be dangerous in wintertime and across another busy 4-lane road. Furthermore, much of the city's retail businesses are in areas like Stavanger, Kelsey, and Galway thus ensuring most residents will need a car to obtain anything beyond the most basic necessities. The most walkable planned development in the city was Churchill Park and even there most, if not all, households have at least one car.

As for roadside parking, there is already a shortage on New Cove Road. You cannot park on the northside of the street and for the houses like mine on the southside, for the whole time the snow ban isn't in place, there is typically a car parked outside making it already a challenge to safely pull in and out of my driveway.

2. Traffic

The proposal's traffic estimates I believe are not accurate. I doubt the MAX fitness centre ever approached near the traffic figures estimated (and if it did then why did it close?). Likewise, the old YMCA which I attended frequently was never that busy and it moved to a new site I believe partially because the New Cove site couldn't accommodate its traffic.

New Cove Road is already a small residential street that is trying to accommodate traffic better suited to a larger thoroughfare being as its one of the few access points to downtown east of Bonaventure that is being used by the ever expanding communities and neighbourhoods in the Northeast trying to get to downtown or to Pitts Memorial. I do not think adding another 107 households directly onto it is fair to the people already living here nor to the new residents. Furthermore, as the new building's entrance onto New Cove

Road is on a curve, anyone of the 107 households looking to make a left to go downtown (or to the grocery store) will be doing so with a chance of being hit by a car speeding, and many do speed, as they use the road to commute. Traffic at this turn from McNaughton is minimal at present but I would imagine 107 new households using it would make it dangerous without some serious traffic calming measures added up the hill from it. Mind you, seeing as I believe we are on a route used by emergency vehicles (ambulances and fire trucks) I doubt measures like speed bumps would even be possible.

3. Building height/stepback

I do not understand why the city would bother having a stepback regulation and then even consider a development seeking an exemption. If such regulations can be excused then why bother making them. The city needs more housing and more density will be a part of that but things like the stepback regulation exist so that development will lead to a more liveable city for both new and current residents. No one wants to live in the shadow of a tower. This is especially true in our city where being in the shade can make even a summer day feel cold. Think of your own home. I bet the snow lasts a lot longer on the northside in the spring than on the southside. I do not understand why I even need to list this issue. I respect that the developer needs to make a profit and the city needs housing but surely this can be done without breaking the rules already set such as with this regulation. And if it cannot then perhaps it is not the right development for this property.

[REDACTED] if my solution to a problem included the caveat that I break one of the pre-set rules then I have not solved it and should just start over.

In summary, I understand the desire to increase density within the city but this proposal is not suitable for this property. It is too large for the property and does not realistically address the challenges of parking or traffic that it will create. This is not progress nor will it lead to a better St. John's.

Sincerely,

[REDACTED]

Theresa K. Walsh

From: Engage
Sent: Wednesday, November 13, 2024 9:14 AM
To: City Clerk
Subject: FW: Re 34 New Cove Road.

Please confirm receipt.

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, November 12, 2024 9:15 PM
To: Engage <engage@stjohns.ca>
Subject: Re 34 New Cove Road.

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

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I would like to respond to the proposal for the development of a 10 story apartment building at 34 New Cove Road.

First of all, I would like to know if any of this housing will be low income. I absolutely understand the need for low Income Housing but we already have a large number of Low Income Housing located there at Chaulker Place. More low Income Housing in that area would definitely be too much concentrated in the same area.

Also, a 10 story building is way too high for this area. The highest that should be considered is 5 stories.

Traffic on New Cove Road is also a big consideration. We walk on this street very often and traffic is already a big concern.

[REDACTED] and surrounding area come over and use the park here. Our park is small and cannot handle any more people using it. If there is going to be a public meeting on this, I would very much like to attend.

[REDACTED]

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Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 8:42 PM
To: CityClerk
Cc: Tom Davis
Subject: 34 New Cove Road - Resident Comment re. Developer Application
Attachments: [REDACTED]

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[REDACTED]

November 8, 2024

To whom it may concern:

We are writing to express our concerns regarding the proposed construction of the 10-story building proposed for 34 New Cove Road.

[REDACTED] believe this development as currently proposed would have a significant negative impact on our community.

1) Height of Building

The proposed height of the building is incompatible with the character of our neighborhood, which consists predominantly of single-family homes and low-rise buildings. A structure of this size would not only disrupt the aesthetic appeal of the area but also overshadow surrounding properties, diminishing privacy and natural light.

No recent developments in this area, including one currently underway, rise as high as 10 stories.

2) New Cove Road Traffic and Congestion

There are great concerns about increased traffic and congestion along New Cove Road, which is already an extremely busy street. The addition of a larger residential structure is sure to exacerbate these issues, making it more difficult for residents to navigate and also creating potential safety risks for pedestrians, cyclists and Metrobus commuters.

3) New Cove Road Speed

This is a major issue which threatens public safety; as such it deserves its own category.

The steep incline of New Cove Road heading south/southeast around the blind curve makes the current posted speed limit of 50 km profoundly dangerous. Vehicles are blazing down the hill ever faster, and vehicles are also speeding up the hill in the other direction.

As such, we request the City of St. John's enact a street speed reduction from 50 km to 35 km with the addition of flashing speed indicators to warn drivers of the blind curve and impending downhill danger (a good location for south/southeast-bound flashing speed indicators would, in our opinion, be located at approximately 59 New Cove Road).

An alternative to flashing speed indicators would be a new stoplight, located at New Cove Road and McNaughton Drive. Given the dangers of 3) and 4) plus the developer's proposed number of 107 unit-associated vehicles, a stoplight is almost certainly required as a result of any development taking place—either as proposed or in a reduced capacity.

However, said stoplight would no doubt cause all kinds of problems at the bottom of New Cove Road, at the four-way intersection of Kenna's Hill, Kings Bridge Road, The Blvd. and New Cove Road.

Please note that the business located at the bottom of New Cove Road, Kings Bridge Auto (69 Kings Bridge Road), fell victim to a south/southeast-bound speeding driver just last week, and a customer's vehicle was damaged upon violent impact.

New Cove Road needs to be made safe, regardless of development at 34 New Cove Road, and such steps to make it safe are immediately requested of the City.

4) New Cove Road Parking

While parking along New Cove Road is banned during winter months, the road features many parked vehicles in spring, summer and fall, to the point that guest parking becomes unavailable to residents.

The developer's own documents seem to reveal insufficient parking spaces would be available at 34 New Cove Road, which would lead to intolerable parking pressures elsewhere on New Cove Road.

In addition, two-way New Cove traffic—when combined with parked vehicles—causes difficulty for residents attempting to both leave and enter their driveways, and only increases the dangers listed in 3) above.

5) Developer Shenanigans

KMK Capital Inc. has apparently stated that their Developer Proposal issued on Dec. 22, 2023 did not elicit many responses. This may be due to the fact that only “immediately adjacent” homes received the Proposal, and none of them from the south side of New Cove Road, where the current street parking problems occur.

Even if KMK Capital Inc. adhered to City of St. John's requirements re. distribution of the Proposal, such distribution to a small, select group of specifically targeted households is unethical, and the City should consider this moving forward.

In addition, KMK's Traffic Impact assertion showing “that fewer vehicle trips will be generated by the proposed apartment during peak morning and afternoon hours than... the existing MAX fitness

building” is utterly ridiculous. It’s not fooling anyone in the neighborhood, nor should it fool the City of St. John’s.

6) Conclusion

For the many reasons outlined above, our household protests the applicant’s requested exemption to Section 7.1.4 and we ask the City of St. John’s to reject said exemption.

We urge that the City consider our concerns and advocate for a development that better aligns with our neighborhood’s existing structure and character.

We support growth and progress—and the need for affordable housing—but believe it must be in harmony with the community’s needs and values.

Thank you for your attention to this matter. We look forward to your support in addressing our concerns in attempting to find a more suitable approach to development on New Cove Road.

Sincerely,

Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, November 12, 2024 9:06 AM
To: CityClerk
Subject: 34 New Cove Road Application

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There cannot be development of that scale in that area without an adequate traffic plan. [REDACTED]
[REDACTED]. Adding that many units to that area without a traffic plan will be insane.

Also, these units should be mixed use, as in a mix of all income levels, not just low income. I have a concern about the city getting provincial kick backs to put 10 floors of drug addicts and prostitutes [REDACTED] to avoid another "tent city". I would not welcome that and will fight it with all of my might.

Someone said it is the same developer as the Churchill Square condos. This is a positive in that there won't be ten stories of riff raff [REDACTED] but it still doesn't address the traffic issue.

[REDACTED]

From: [REDACTED]
Sent: Tuesday, November 12, 2024 8:38 AM
To: CityClerk
Subject: Fwd: Send to City

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To the Office of the City Clerk:

Re: 34 New Cove Road - Comments

Concern 1: Access to 34 New Cove Road via McNaughton Drive

- McNaughton Drive is a narrow road with no sidewalks.
- Road often narrows to one lane in winter with snow, requiring vehicles to wait for oncoming vehicles to exit the road completely before entering.
- Popular walking route for locals residing in Chalker Place, however, there are no sidewalks so people walk in the street.
- Developers claim that the traffic impact during and after construction will be less than when the site operated as a gym. This is difficult to believe. Where is the traffic study?
- Reconfigure entrance so people are not inclined to use far end of McNaughton Drive as an alternate entrance to apartment.

Concern 2: Applicant Request for Exemption from Section 7.1.4, Building Stepback, of the Development Regulations

The developer's concerns of losing 6 apartment due to this regulation must be weighed against the reason for the existing regulation.

The City of St. John's (CoSJ) employs land use planners to assess applications from developers and make recommendations to council. The CoSJ planners do not recommend council approval of the applicant's request. As the CoSJ's planners are educated, experienced, professionals with expertise on these concerns, I urge you follow your planners' advice and recommendations on this matter not to allow an exemption.

Theresa K. Walsh

From: Engage
Sent: Tuesday, November 12, 2024 9:17 AM
To: CityClerk
Subject: FW: 34 New Cove Rd

FYI for your feedback. Please confirm receipt.

From: Access St. John's <access@stjohns.ca>
Sent: Tuesday, November 12, 2024 9:09 AM
To: Engage <engage@stjohns.ca>
Subject: Fw: 34 New Cove Rd

Regards
Mona

Access St. John's

Web Service

Call: 311 or 709-754-2489

Fax: 709-576-7688

From: noreply@stjohns.ca <noreply@stjohns.ca> on behalf of [REDACTED]

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

[REDACTED]
<https://aka.ms/LearnAboutSenderIdentification>]

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[REDACTED] I would like to offer our comments on the proposed construction of the 10-storey apartment building at 34 New Cove Road. Although we fully support the need for good housing options in St. John's, we have a couple of concerns with this proposal and the impact of traffic, parking, and snow clearing that comes with it. To begin with, the proposal does not seem to account for enough parking spaces. The suggestion that overflow parking could go onto New Cove Rd is not practical, and is, in fact, unfair to the current residents of the street.

There are very few actual legal spots, and the ones that exist currently serve visitors, deliveries, etc to the residents. Also, New Cove is already a very busy street. The addition of so much traffic coming in and out of the parking lot will impact heavily on our ability to get in and out of our driveways. At the very least there needs to be a traffic light installed at the corner of New Cove and McNaughton Dr to manage it all. We also want to make sure that snow clearing in the parking lot [REDACTED] The density increase of 107 units is significant in this residential area. Perhaps an 8-storey option is more practical? In any case, traffic flow will be significantly increased. The statistics comparing traffic flow to the Maxx traffic situation do not seem accurate based on our lived experience here.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Monday, November 11, 2024 10:35 PM
To: CityClerk; Maggie Burton; Ken O'Brien
Cc: [REDACTED]
Subject: 34 NEW COVE ROAD: KMK PROPOSAL

[Some people who received this message don't often get email from [REDACTED]
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> We have reviewed documents regarding KMK's proposal to build a 10 story building on the property at 34 New Cove Road now occupied by MAX and submit the following questions and comments:

>
> 1. Two applications from KMK have been submitted to Council for consideration:

>
> (i) to have the property at 34 New Cove Road rezoned from institutional to residential Apartment 3 to permit construction of the proposed 10 story building
> (ii) to be granted an exemption from Section 7.1.4 ,Building Stepback, of Development Regulations.

>
> With respect to the rezoning application, we are fully aware of the pressing need for additional housing in the City and have no objection to having apartments built on the 34 New Cove Road site but we strongly object to the construction of a ten-story building that is totally out of scale with existing buildings.

>
> With respect to the application for exemption from the stepback requirements, we see no reason for granting this exemption. As the City itself has noted, the pupose of setback regulations is to reduce the visual scale of the building and to reduce the looming effect on adjacent properties. Not only is KMK asking to construct a building totally out of scale in the area, they are asking for an exemption from regulations put in place to mitigate the negative impact of such a huge building. KMK argues that compliance with stepback will result in loss of units. Such a loss KMK contends, will make the project financially unfeasible. Within this frequent financial feasibility complaint by developers rests a veiled threat that a project won't go ahead unless the City allows them to proceed unimpeded by existing regulations.

>
> . What does KMK mean by "financial feasibility"? Do they mean loss of profit? Does the developer's cited loss of profit outweigh the negative impact on current residents in the area resulting from the intrusion of this enormous building?

>
> .Has the City asked the developer to go back to the drawing board and come up with a proposal for apartment housing in scale with the existing neighborhood? 34 New Cove Road is a big property. Could two buildings of smaller scale comprising as many units as originally proposed address the housing needs without threatening this neighborhood?

>

> . Has Council considered that allowing rezoning and granting exemptions from stepback regulations in this case would set a dangerous precedent, particularly when KMK is already associated with many significant properties in the City?

>

> .Is the City intending to hold public hearings on the rezoning application and on the stepback exemption?



Theresa K. Walsh

From: [REDACTED]
To: CityClerk
Cc: [REDACTED]
Subject: Comments on Proposed Development - 34 New Cove Road
Attachments: Proposed Development - 34 New Cove Road.pdf

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

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Good Morning,

Our comments on the proposed development at 34 New Cove are attached.

In response the notice we received from the City of St. John's on **the proposed development of 34 New Cove Road.** A proposal submitted by KMK Capital Limited to develop a 10-story building with 107 units: 38 one bedroom units and 69 two bedroom units.

We feel this proposed development is far too big for the location/area. Our specific concerns relate to the height/size of the building, the traffic flow, the availability of parking, and the entrance in and out of the property.

[REDACTED]
[REDACTED]
[REDACTED] we would hope that the city will fully investigate how such a large development would impact this residential area and ensure any development that is approved does not adversely affect the residents currently living on New Cove Road.

Height/Size of the Development:

The building is too tall for the surrounding residential area. It will tower over the existing residences. It is incompatible with the character of our neighborhood, which consists predominantly of single-family homes and low-rise buildings. Other rental buildings in this area are not as large as the one proposed by KMK. For example, the rental property on the corner of King's Bridge/ Boulevard/Kenna's Hill is only '4' stories.

Traffic Flow:

New Cove Road from Elizabeth Avenue to King's Bridge Road currently has approximately 55 homes and a couple of small businesses (as viewed from a google map search). The developer is proposing adding over double the number of 'residences' to the street/area in the form of a 107 unit apartment building. New Cove Road is already a very highly trafficked street. It seems to be used as a connector street for people coming in from the outer ring road and getting to the downtown area as well as from residents in this part of the city finding their way to downtown or down the boulevard to meet up with White Hills Road to Stavanger Drive. Traffic is often backed up at the intersecting lights at New Cove/the Boulevard/Kings Bridge Road at peak traffic periods. This will only get worse with 107 new 'residences' added to the lower part of New Cove Road.

In their land use report, the developer did compare peak time anticipated traffic flow from the development with the Max operation. They report suggested the Max operation generated more traffic during peak times. [REDACTED] when Max and the YMCA were in business and we have not witnessed that. Max users came and went at varying times during the day. As we witnessed while [REDACTED] certain patrons came quite early morning to get their work out in prior to going to work; some patrons came during the later morning or afternoon, [REDACTED] some used the facilities after work; some used the facilities at night. The parking lot was never full to our recollection and there are only we believe 65-70 parking spots on the upper parking lot of the property (the lower section was used for hop on/hop off and other buses). I

can't see how this type of sporadic traffic flow can be compared to the potential traffic flow that would be created if 107 residents' cars were coming in and out of the property during peak 'to work' and 'from work' periods. Add to that increased traffic that would be generated with family and friends visiting the 107 residences.

Availability of Parking:

The current proposed development does not provide enough parking spaces for the number of units proposed. The developer is 6 short on the number of parking spaces for the proposed units and have only assigned 14 spaces for visitors. There is also the possibility of certain units having renters with more than one vehicle.

_____ street parking on New Cove Road is already a major issue. New Cove Road has parking on one side of the street. From the entrance to the former Max property to King's Bridge Road there are only 7 street parking spaces. There are 4 multi-unit rental properties on the lower half of New Cove Road near King's Bridge Road. At least two of these rentals have 4 apartment units. Many of the renters have cars. There is already high demand for the limited street parking spaces. Over the years we have encountered issues where there was no street parking available for visitors to our home.

New Cove Road cannot accommodate overflow parking from the development. Any proposed development should be required to provide adequate parking for residents and visitors.

The land use report states " KMK is confident that given that the site is well served by public transit and is within easy walking distance of a major supermarket, trail system, restaurants and other amenities it is not anticipated that all units will require a parking stall." The developer cannot guarantee this to be accurate. Most of the current homes owners and renters on New Cove Road have one or more vehicles despite living near public transit and other amenities.

Entrance/Exit to 34 New Cove Road:

New Cove Road is a busy street. The road curves as it approaches the entrance to the former Max property creating a blind spot. Cars travel at a high rate of speed down this road and increasing traffic in and out of this property is a concern. Increasing traffic by 100+ vehicles moving in and out of this parking lot at peak working time will potentially cause many safety issues. This should be addressed.

Summary:

We do not support the developer's request for exemptions.

We urge that the City of St. John's to consider our concerns. We feel strongly that any development should align with our neighborhood's existing structure and character and should not adversely affect current residents.

Comment on the Developer's Consultation

In developing the land use report, the developer said they contacted the residents who properties bordered their development. [REDACTED]

[REDACTED] We were not contacted and, from our understanding, most of our neighbors were also not contacted. Surely a development of this size and with the potential impacts in terms of traffic, etc. would warrant that all residents living in this general area be consulted versus just the few that physically border the developer's property. The developer said in the land use report that they "received several inquiries in response to their notice. Two written submissions...and one requesting additional information about the project, and one which indicated concerns about the development from residents of McNaughton Drive." I suspect they would have receive many more comments/concerns had they contacted more residents [REDACTED] We certainly would have responded at that stage had we been approached.

[REDACTED]

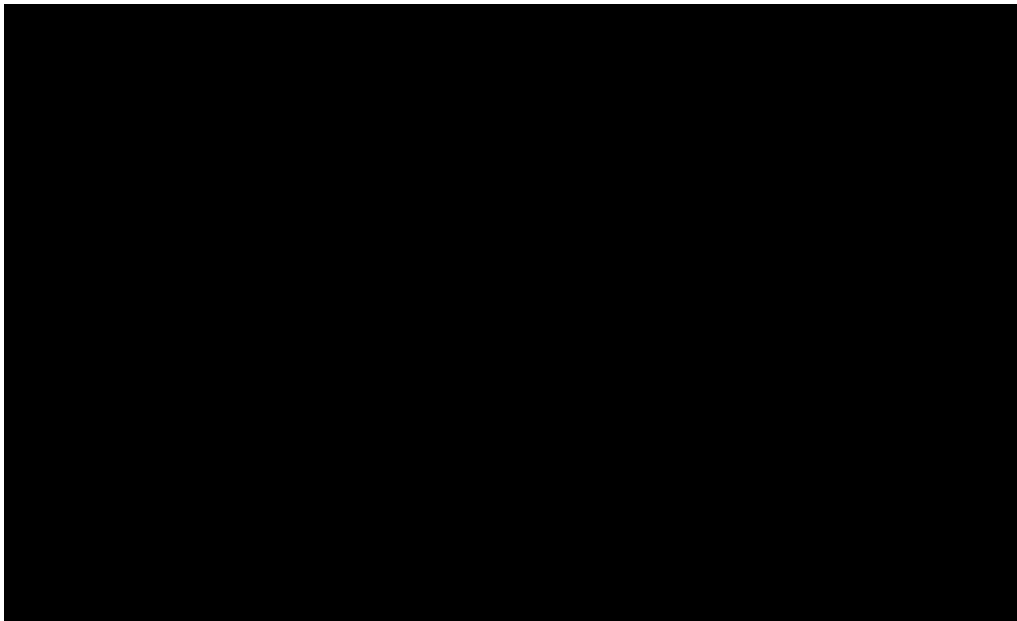
From: [REDACTED]
To: [CityClerk](#)
Subject: Application – 34 New Cove Road
Date: Monday, November 4, 2024 10:49:48 AM
Attachments: [image001.png](#)
[image002.png](#)

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Application – 34 New Cove Road

This is a great idea. I'm fully in support of more dense housing like this being built, especially in the downtown core. Being so near downtown, and immediately adjacent to a grocery store, and two core bus routes makes this particular proposal/location especially fitting for the city's housing needs. The more people who can live in the heart of the city and access the things they need within a short walk, the better off we all are.



From: [REDACTED]
To: [CityClerk](#)
Subject: Comments - 34 New Cove Road Proposed Zoning Change and Development
Date: Saturday, November 2, 2024 1:27:42 PM

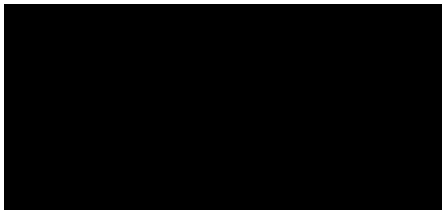
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Dear City Clerk

The following brief comments are offered in response to this proposal:

1. I support the rezoning from INST to A3. Higher density housing is a principle the city should employ AS A GENERAL RULE, with exceptions associated with the continuity of particular neighborhoods that express clear, majority objection to same.
2. The height of the proposed apartment block is quite excessive and ought to be halved. A ten story building on that site (particularly with an exemption from Section 7.1.4, an exemption that absolutely should not be granted) would cause significant harm to residents of the southeast side of the Chalker Place neighborhood. They will be entirely shaded from sunlight for half the year, and would feel under seige from this massive apartment block.
3. One hundred and seven residential units on this site is far too many. There may well be adequate land for parking, though it will be very tight. Of greater concern will be traffic access and egress on New Cove. A second access/egress point on Kenna's Hill would be a significant safety hazard, for reasons apparent to anyone who drives on Kenna's Hill regularly.
4. I wonder if water and sewer infrastructure can handle delivery of services to seceral dozen bew housing units.
4. The applicant ought to be ordered to resubmit an application for (approximately) a maximum 5 story block, with a maximum 50 units. This is assuming munifical infrastructure may handle the increased load.



Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 1:47 PM
To: CityClerk
Subject: 34 New Cove Road.

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As a long-term resident of east end St. John's, I wish to register my strong opposition to the proposed building at 34 New Cove Road.

I am opposed for several reasons: the proposed building is completely disproportionate to the size and scale of all neighbouring buildings; it will overshadow a significant number of residences — to their detriment; it will be a visual blot on an otherwise pleasant urban landscape, and it will exacerbate the traffic problem on New Cove Road, which is already too narrow for the artery it has become.

Thank you,

[REDACTED]

Sent from my iPhone

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 7:33 PM
To: CityClerk
Subject: Proposed Development 34 New Cove Road St. John's
Importance: High

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[REDACTED]

In response to the development proposal for 34 New cove Road on the former Max Athletics site by KMK Capital Inc.

Although we are pro development and housing is a current hot topic we do have concerns for the proposed development for this site.

Building Height/population density: We feel that overall the proposed 107 apartment complex is too much for this site and this area. 10 storeys is too tall and too imposing for the current streetscape of the area. In the area Rutledge Manor is 4 storeys, and further down the Boulevard Regency Tower is 7 storeys, same side of the street ie north and on a higher elevation than the surrounding dwelling units. This proposal would be much more imposing.

Traffic: The traffic from this development will create havoc on New Cove Road which is already a busy street, which intersects with two other busy streets, Elizabeth and Kings Bridge Road. The proposed location of the access to this development is in a precarious location. There is limited visibility for a left turn. Especially challenging with drivers that speed.
McNaughton Drive will be inundated with apartment residents wishing to skip the line up at high traffic times. Partial access from Kenna's hill would help alleviate this with access on and off the site from north to south traffic. However Kenna's hill is already a busy street.

Parking: The proposal does not provide enough parking for this development. The suggestion that the balance of the parking could be made up by street parking on New Cove is unacceptable.
There is only street parking allowed on the south side of New Cove Road. From Bristol Street to Kings Bridge Road there are approximately 18 parking spaces and 2 bus stops. This street parking serves 38+ Dwelling units (apartments not included) on New Cove either as visitor or service vehicle parking. And from experience when there is a lot of street parked cars traffic is affected because the street is not really wide enough.

This is of course in the ideal months and not during the snow months. During those months everything is worse. Street parking is less during the day and no overnight parking due to the winter parking ban. There also doesn't appear to have any area allocated for snow storage on the site, even with a management plan to remove snow from the site (creating extra traffic for NCR), there will be times when present proposed parking on the site will be insufficient. Current property fencing borders a lot of the parking areas could be impacted by snow clearing, also the hill facing NCR could be impacted with falling snow from the parking lot above during and after clearing. The City plows the north sidewalk, it is a designated route for the CNIB (located further down The Boulevard), the closest fire hydrant is located just below the hill, and also a bus stop.

We do not support this proposal!



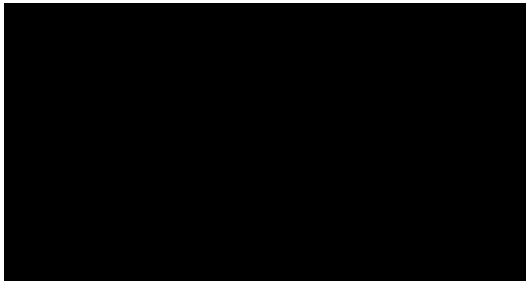
From: [REDACTED]
To: [CityClerk](#)
Subject: Ref; Proposed 10 story apt. bldg at 34 New Cove Rd.
Date: Friday, October 25, 2024 1:28:49 PM

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To Whom it may concern;

We, as registered voters of St. John's, are concerned regarding this proposal. Not enough information is given, especially as to access. Currently, all traffic must enter or leave this address via McNaughton Dr or Chalker Pl and neither of these intersections is suitable to take another hundred or so vehicles on a regular basis. Unless direct egress to Kenna's hill is provided, as was the case in the 1940's, 50's and 60's, then we will remain firmly opposed to this project.



Theresa K. Walsh

From: [REDACTED]
Sent: Sunday, November 10, 2024 7:18 PM
To: [REDACTED]
Subject: 34 New Cove Comments 10 story building Rezone

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Hi;

[REDACTED]
[REDACTED]

I understand there is a rezone request for 34 New Cove Road.

This area is a very residential background. [REDACTED] and the change over to the current YMCA (2-3 Stories) was a bit of a shock, but something that we felt still fit in with the nature of the area. Traffic changed but was still acceptable.

Having a new 10 story building put in its place would seem to be a very significant change to the environmental nature and the traffic flow. Our enjoyment of the area will be seriously impacted. I could see an increase to perhaps 5-6 stories might be acceptable but higher than that is very troublesome. Traffic, police support, buses, fire support would be quite pressed to properly deal with a 10 story building.

[REDACTED] our enjoyment of the area will be drastically reduced. If you were to consider this anyway, please consider as well that the entrance and exit only be via Kenna's hill, not New Cove Road, so as to control traffic in the New Cove area.

[REDACTED]

From: [REDACTED]
To: [CityClerk](#)
Subject: Application - 34 New Cove Road
Date: Friday, October 25, 2024 7:18:04 AM

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Hi there,

I want to support the application for the 10 story apartment building proposal at 34 New Cove Road. This is a step in the right direction for much needed housing in the city assuming these apartments won't be incredibly expensive like the ones they built in Churchill Square. However, I do think that having surface parking which takes up the majority of this plot of land especially in this area is a big mistake. Building garage/underground parking could enable another building or two to be built on this site creating even more density and housing which is sorely needed here. Not to mention in our climate covered parking is a fantastic amenity on rainy days and in the winter. For this reason, I hesitate to support this project. Should the developer decide to construct garage/underground parking and free up more space on the lot for another building or two then I'll fully support this development. Thank you.