

# ST. JOHN'S

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## Committee of the Whole Agenda

September 16, 2020

9:00 a.m.

4th Floor City Hall

### Pages

1. Call to Order
2. Approval of the Agenda
3. Adoption of the Minutes
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4. Presentations/Delegations
  - 4.1 Mr. Daniel Fuller
5. Finance & Administration - Councillor Dave Lane
6. Public Works & Sustainability - Councillor Ian Froude
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  - 6.2 Sidewalk Snow Clearing Service Levels 15
7. Community Services - Councillor Jamie Korab
8. Special Events - Councillor Debbie Hanlon
9. Housing - Deputy Mayor Sheilagh O'Leary
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10. Economic Development - Mayor Danny Breen
11. Tourism and Culture - Councillor Debbie Hanlon
12. Governance & Strategic Priorities - Mayor Danny Breen

<b>13.</b>	<b>Planning &amp; Development - Councillor Maggie Burton</b>	
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<b>14.</b>	<b>Transportation and Regulatory Services - Councillor Sandy Hickman</b>	
<b>15.</b>	<b>Other Business</b>	
<b>16.</b>	<b>Adjournment</b>	

# ST. JOHN'S

## Minutes of Committee of the Whole - City Council

### Council Chambers, 4th Floor, City Hall

September 2, 2020, 9:00 a.m.

Present: Mayor Danny Breen  
Councillor Dave Lane  
Councillor Sandy Hickman  
Councillor Debbie Hanlon  
Councillor Deanne Stapleton  
Councillor Jamie Korab  
Councillor Ian Froude  
Councillor Wally Collins

Regrets: Deputy Mayor Sheilagh O'Leary  
Councillor Maggie Burton

Staff: Derek Coffey, Deputy City Manager of Finance & Administration  
Tanya Haywood, Deputy City Manager of Community Services  
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services  
Lynnann Winsor, Deputy City Manager of Public Works  
Cheryl Mullett, City Solicitor  
Elaine Henley, City Clerk  
Ken O'Brien, Chief Municipal Planner  
Tonya Knopp, Manager – Facility Engineering  
Maureen Harvey, Legislative Assistant

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1. **Call to Order**

2. **Approval of the Agenda**

**Recommendation**

**Moved By** Councillor Hanlon

**Seconded By** Councillor Korab

That the agenda be adopted as presented.

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

**MOTION CARRIED (8 to 0)**

**3. Adoption of the Minutes**

**3.1 Adoption of Minutes - August 19, 2020**

**Recommendation**

**Moved By** Councillor Collins

**Seconded By** Councillor Lane

That the minutes of the Committee of the Whole meeting held on August 19, 2020 be adopted as presented.

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

**MOTION CARRIED (8 to 0)**

**4. Community Services - Councillor Jamie Korab**

**4.1 H.G.R. Mews Community Centre Replacement – Project Update**

Tonya Knopp conducted a presentation giving an update of the replacement of the H.G.R. Mews Community Centre Replacement which included a review of the site plan and building plan, communications plan and project timelines.

**5. Presentations/Delegations**

**6. Finance & Administration - Councillor Dave Lane**

**6.1 Report on Revenue and Expenditure for Fiscal 2019**

Councillor Lane provided the Committee with the report and the following recommendation was put forward:



**Recommendation**

**Moved By** Councillor Lane

**Seconded By** Councillor Froude

1. The 2019 Executive Summary Report on Revenues and Expenditures be adopted by Council.

2. The accumulated surplus be maintained in reserve as the financial impacts of Covid-19 are still being assessed and it is likely some of this money will be needed to mitigate the impact on the City's finances in 2020.

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

**MOTION CARRIED (8 to 0)**

**7. Public Works & Sustainability - Councillor Ian Froude**

**7.1 Rennies River Flood Mitigation - Alternate Project Phasing Sequence**

Greg Sheppard and Jennifer Bursey of CBCL (Engineering Consultants) were in attendance for this matter.

**Recommendation**

**Moved By** Councillor Froude

**Seconded By** Councillor Hickman

That Council approve the alternate project phasing sequence for implementation of the Rennies River flood mitigation measures downstream of Long Pond prior to the construction of the Long Pond Weir.

Further that the matter be referred to the Environmental and Sustainability Experts Panel.

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

**MOTION CARRIED (8 to 0)**

8. **Special Events - Councillor Debbie Hanlon**
9. **Housing - Deputy Mayor Sheilagh O'Leary**
10. **Economic Development - Mayor Danny Breen**
11. **Tourism and Culture - Councillor Debbie Hanlon**
12. **Governance & Strategic Priorities - Mayor Danny Breen**
13. **Planning & Development - Councillor Maggie Burton**

**13.1 Built Heritage Experts Panel Report - August 19, 2020**

1. **331 Water Street - Fascia and Wall Signs - SGN2000051**

**Recommendation**

**Moved By** Councillor Lane

**Seconded By** Councillor Hanlon

That Council approve all four signs numbered as S1, S2, S3 and S4, on the attached renderings and further that the proposed "Major Tenant" signs (S10, S11 and S12), once applications have been submitted, be relocated to the area below the 2nd storey of the building. Should the signs exceed the regulations in the Heritage Area Sign By-law, they must be brought back to the Built Heritage Experts Panel for further consideration.

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

**MOTION CARRIED (8 to 0)**

2. **172 Campbell Avenue - Heritage Designation**

**Recommendation**

**Moved By** Councillor Lane

**Seconded By** Councillor Hanlon

That Council approve the proposed heritage designation of 172 Campbell Avenue as presented and as supported by the NL Historic Trust and the Status of Women's Council.

Further, that Council direct the Legal Department to undertake a Designation By-law for Council's consideration.

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

**MOTION CARRIED (8 to 0)**

### **3. Metal Roofs in Heritage Areas**

#### **Recommendation**

**Moved By** Councillor Lane

**Seconded By** Councillor Hanlon

That Council reject the assertion that a batten-seam roof is the most appropriate material to use on residential buildings in Heritage Areas and stand by its position of 2019 as follows:

That the following apply to the use of modern roof materials in heritage areas:

- Shingle-style metal roofs for residential dwellings will be permitted subject to the material replicating heritage style. Non-residential buildings may be permit other styles of metal roofs if the style replicates the existing roof style.

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

**MOTION CARRIED (8 to 0)**

### **13.2 35 White Rose Drive - REZ2000007**

#### **Recommendation**

**Moved By** Councillor Lane

**Seconded By** Councillor Stapleton

That Council consider a text amendment to the St. John's Development Regulations to add Pharmacy as a permitted use or a discretionary use to the following Zones:

Permitted Use:

- Commercial Highway (CH)
- Commercial Regional (CR)
- Commercial Central Mixed (CCM)
- Commercial Central Office (CCO)
- Commercial Central Retail (CCR)
- Commercial Kenmount (CK).

Discretionary Use:

- Commercial Office (CO)
- Commercial Neighbourhood (CN)
- Commercial Mixed Use (CM)
- Commercial Mixed Use – Pleasantville (CM – Pleasantville)
- Commercial Industrial (CI).

Further, that the proposed amendment be advertised for public review and comment.

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

**MOTION CARRIED (8 to 0)**

14. **Transportation and Regulatory Services - Councillor Sandy Hickman**
15. **Other Business**
16. **Adjournment**

There being no further business the meeting adjourned at 10:02 am

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Mayor

# DECISION/DIRECTION NOTE

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**Title:** Syme's Bridge Closure to Vehicular Traffic

**Date Prepared:** September 8, 2020

**Report To:** Committee of the Whole

**Councillor and Role:** Councillor Ian Froude, Public Works & Sustainability

**Ward:** N/A

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## Decision/Direction Required:

Council Decision is required regarding closure of Syme's Bridge to vehicular traffic. If possible convert the bridge to pedestrian only until such time that it requires removal due to safety concerns.

Vehicular turning areas will need to be created to facilitate the bridge closure. Construction of the vehicular turning areas will require placement of fill in select areas of the floodplain.

Council Decision is also required to allow development in the floodplain for the areas indicated by the enclosed plan.

## Discussion – Background and Current Status:

Historic records indicate Symes Bridge has existed in some form since at least 1909, some structures may even pre-date this timeframe. Symes Bridge as it currently exists was constructed in the 1950's, and received major rehabilitation works in 1980. Over the past 40 years it has received various rehabilitation works to extend its service life. However, it is nearing its service life and will require major works in the coming years if it is to remain in operation.

Annual inspections indicate continued deterioration of Symes Bridge. In 2017 a weight restriction was posted for the bridge, limiting vehicular usage to include only those vehicles weighing less than 5 tonnes.

The bridge has received numerous temporary closures due to flooding in recent history. The most recent temporary closure was May 30, 2018. One of the more notable closures was during Hurricane Igor, when the Waterford River overtopped Symes Bridge. This indicates that any rehabilitation of the existing structure will require review of its hydraulics, and possible complete replacement to improve its flow characteristics. Alternately, a complete removal of the structure can be considered, as this would eliminate flow restrictions in that area.

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Traffic analysis by our Transportation Group indicates traffic volumes using the bridge are low. Other bridges crossing the Waterford River in the area include Blackhead Road and Waterford Lane. These are approximately 900m and 1400m from the Symes Bridge crossing, respectively. The Blackhead Road and Waterford Lane crossings see more traffic volumes, when compared to the Symes Bridge crossing.

The deteriorating condition of the Symes Bridge along with its problematic flow characteristics point to a need to completely replace the bridge, rather than rehabilitate it. However, considering the relatively low traffic volumes using Symes Bridge, this points to a need to completely remove the structure, rather than spend capital funds on its replacement.

A concept plan has been developed to illustrate closure of the bridge to vehicular traffic. A copy of the concept plan is included with this decision/direction note. Turnaround areas are being proposed for each side of the bridge, for vehicular traffic including Public Works, Waste Management, and Emergency Services vehicles. The bridge itself would remain in place as a pedestrian bridge until such time that it requires removal due to further deterioration making it unsafe. Construction of the proposed vehicular turning areas will require placement of fill in select areas of the floodplain. The City's Public Works Department and St. John's Regional Fire Department (SJRFD) have reviewed the concept and are agreeable to the planned closure and proposed vehicle turn around areas.

Anticipated timeline for the proposed bridge closure, would see the necessary vehicular turnaround areas constructed in Spring/Summer of 2021 after gaining necessary municipal, provincial and federal approvals, followed by closure of the bridge.

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

#### **1. Budget/Financial Implications:**

Estimated costs associated with the proposed closure of the bridge, and construction of the vehicular turnaround areas amounts to approximately \$118,000 (plus HST), currently budgeted under the 2019 Bridge Rehabilitation Program. Closing the bridge at this time would avoid costs associated with a complete replacement, which could be in the range of \$1M.

#### **2. Partners or Other Stakeholders:**

Local area residents Symes Bridge Road and Cousens Place  
St. Mary's Elementary School  
Public Works  
SJRFD

#### **3. Alignment with Strategic Directions/Adopted Plans:**

Supports directions to be financially accountable and to improve safety for all users on a well-maintained street network

4. Legal or Policy Implications:

N/A

5. Privacy Implications:

N/A

6. Engagement and Communications Considerations:

Local area residents on Symes Bridge Road and Cousens Place will be notified of the purpose and plans for the closure and changes to the area. St. Mary's Elementary School will receive notification which can be shared with parents and visitors to the school who may currently use the bridge. Public notices will be posted on the City website prior to any planned closure of Symes Bridge. The City's Public Works Department, Transportation Division, and SJRFD have already been consulted regarding the planned closure.

7. Human Resource Implications:

N/A

8. Procurement Implications:

N/A

9. Information Technology Implications:

N/A

10. Other Implications:

While the intention is to leave the bridge in place to act as a pedestrian structure as long it is safe, subsequent review by applicable Provincial and Federal Departments may require additional measures including complete removal of the structure depending on possible flow restrictions created by the fill placed for the turn-a-rounds.

**Recommendation:**

That Council grant approval to close Syme's Bridge to vehicular traffic. If possible convert the bridge to pedestrian only until such time that it requires removal due to safety concerns. That Council also grant approval for development in the floodplain for the required turn-a-round

areas.

**Prepared by:**

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Mark White, P. Eng.  
Manager, Construction Engineering

**Approved by:**

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Scott Winsor, P. Eng.  
Director of Engineering

**Approved by:**

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Jason Sinyard, P. Eng., MBA  
Deputy City Manager



**Report Approval Details**

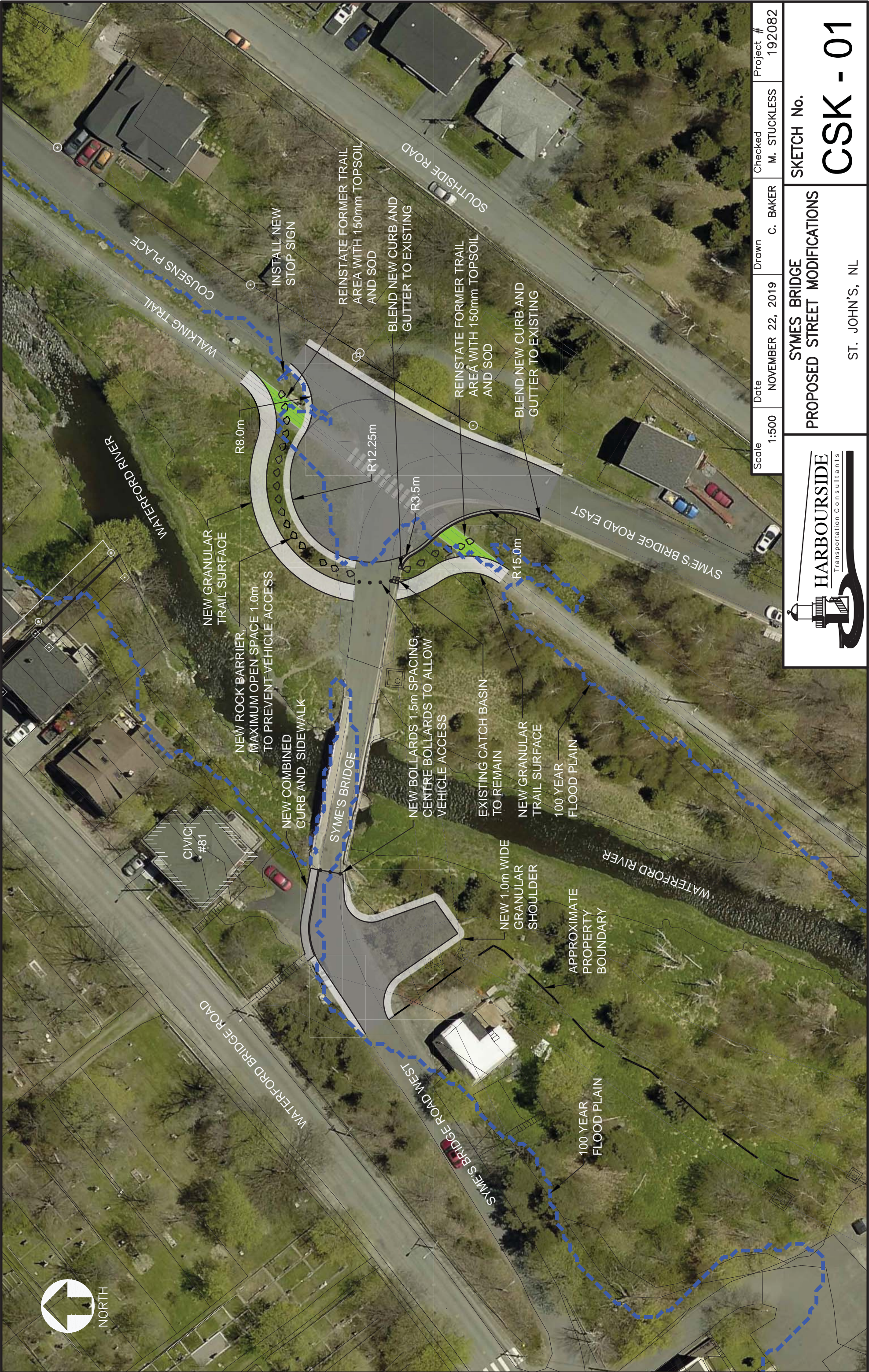
Document Title:	Syme's Bridge Closure to Vehicular Traffic.docx
Attachments:	- Syme's Bridge at Waterford River - Turn-a-round Drawing.pdf
Final Approval Date:	Sep 9, 2020

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

**Scott Winsor - Sep 8, 2020 - 2:58 PM**

**Jason Sinyard - Sep 9, 2020 - 10:58 AM**





Scale	Date	Drawn	Checked	Project #
1:500	NOVEMBER 22, 2019	C. BAKER	M. STUCKLESS	192082

SKETCH No.

PROPOSED STREET MODIFICATIONS

SYMES BRIDGE

ST. JOHN'S, NL

CSK - 01



# DECISION/DIRECTION NOTE

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**Title:** Sidewalk Snow Clearing Service Levels

**Date Prepared:** September 3, 2020

**Report To:** **Committee of the Whole**

**Councillor and Role:** **Councillor Ian Froude, Public Works & Sustainability**

**Ward:** N/A

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## **Decision/Direction Required:**

To seek direction on increasing the level of service provided by the current sidewalk snow clearing program.

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

Winter sidewalk maintenance activities are an important component of an active transportation network and help to improve the commuter experience. The City of St. John's snow clearing program is intended to assist vehicles that are properly equipped for winter driving and operated using good winter driving practices as well as pedestrians using proper winter footwear.

The local climate is one of the biggest challenges we face for snow clearing sidewalks. St. John's is one of the snowiest cities in Canada, but also has a very temperate climate which results in a lot of rain and/or snowmelt immediately after a snowfall. That rain and melt causes our snow to get wet and heavy very quickly. The snow subsequently freezes, turning into ice. This hard, heavy snow creates an incredibly difficult challenge for our equipment.

It is important to recognize that the level of service for snow clearing and ice control will not be the same on sidewalks as it is in the roadway for the following reasons:

1. The physical characteristics of sidewalks such as limited width, obstructions (utility poles, guy wires, and fire hydrants), and lack of drainage.
2. The effect of pedestrian traffic compared to vehicular traffic (vehicles help move salt around once adjacent ice is melted).
3. Limitations of sidewalk equipment such as size, power, and speed. To match the same level of service would require double or triple the operator/equipment resources.
4. Smaller equipment tends to become damaged more easily than larger equipment when used in the hard packed and icy snow that is common in St. John's.

A significant challenge to achieving the level of service is the ability to recover completely from an event before the next event begins. It is important that expectations are managed during the winter season with resource constraints.

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The sidewalk snow clearing program is designed to provide the highest level of service during the daytime hours and it provides minimal overnight coverage. This document outlines the existing structure and supplies options to consider that will enhance the level of service.

Outline of the current sidewalk snow clearing program:

- 161 kilometers of sidewalk including 36 schools (primary to post-secondary)
- 12 routes (9 using internal forces and 3 contracted), averaging 13.4km per route
- 18 operators and 2 supervisors are assigned to the sidewalk snow clearing program from December 1 to March 21
- The current resources allocated to sidewalk snow clearing result in a four to seven-day completion timeline, for a **typical** St. John’s winter. This time varies with snowfall amounts, time between snow events, and ice accumulation.

The following options are provided for Council’s consideration. Neither option removes any portion of the 161km of sidewalks that are currently serviced.

Option 1

- Increased attention to priority 1 sidewalks. Staff will not begin working on lower priority sidewalks until all priority 1 segments are passable and have adequate traction.
- Increase the rate and frequency of salt applications.

Operating Cost	\$50,000
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Option 2

- Clear all pedestrian activated signals within 48 hours of the snow stopping.

Operating Cost	\$700,000
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Option 3

- Create three new routes, the average route length is shortened to 11km (18% decrease), the overall network remains at 161km.
- 4 additional pieces of sidewalk equipment
- 6 additional staff, 3 per shift

Capital Cost	\$900,000
Operating Cost	\$300,000

Option 4

- Add an evening shift (50% increased time working on network), route lengths are unchanged, and the overall network remains at 161km.
- 4 additional pieces of sidewalk equipment
- 9 additional staff + 1 additional supervisor

Capital Cost	\$900,000
Operating Cost	\$450,000

#### Option 5

- Create five new routes, the average route length is shortened to 9.5km (30% decrease), the overall network remains at 161km.
- 7 additional pieces of sidewalk equipment
- 10 additional staff, 5 per shift

Capital Cost	\$1,500,000
Operating Cost	\$500,000

#### Option 6

- Create 9 new routes, the average route length is shortened to 8 km (40% reduction), the overall network remains at 161km.
- 12 additional pieces of sidewalk equipment
- 4 loader/blower units to move large snow accumulations
- 18 additional staff, 9 per shift + 2 additional supervisors, 1 per shift

Capital Cost	\$3,300,000
Operating Cost	\$1,200,000

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

1. Budget/Financial Implications:
  - Various options and associated costs are outlined above.
2. Partners or Other Stakeholders:
  - All commuters in the City of St. John's including pedestrians and motorists
3. Alignment with Strategic Directions/Adopted Plans:
  - A City that Moves
4. Legal or Policy Implications: N/A

- 5. Privacy Implications: N/A
- 6. Engagement and Communications Considerations: N/A
- 7. Human Resource Implications: N/A
- 8. Procurement Implications: N/A
- 9. Information Technology Implications: N/A
- 10. Other Implications: N/A

**Recommendation:**

That Council maintain the status quo. Given future anticipated budget challenges, enhancing the level of service for sidewalks is not recommended. The minimal cost option to produce a noticeable difference to residents is 700k per year which is not budgeted.

**Prepared by: Lynnann Winsor**

**Approved by: Kevin Breen**

**Report Approval Details**

Document Title:	Sidewalk Snow Clearing Service Levels.docx
Attachments:	
Final Approval Date:	Sep 10, 2020

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

**No Signature - Task assigned to David Crowe was completed by workflow administrator Karen Chafe**

**David Crowe - Sep 10, 2020 - 12:20 PM**

**Lynnann Winsor - Sep 10, 2020 - 12:41 PM**

# DECISION/DIRECTION NOTE

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**Title:** Division Name and Mandate Review

**Date Prepared:** September 3, 2020

**Report To:** Committee of the Whole

**Councillor and Role:** Deputy Mayor Sheilagh O'Leary, Housing

**Ward:** N/A

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**Decision/Direction Required: Adopt proposed division name and mandate change**

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

Affordable, adequate and accessible housing is essential to the health of individuals, our communities and in preventing homelessness. The City of St. John's is committed to working together with the other levels of government, as well as community and private sector partners, to take the actions required to produce, protect and promote housing solutions for the people of St. John's.

Since the non-profit housing division was established, the City's areas of focus and scope of interest in the housing sector have evolved.

To clarify the City's role in the housing and homelessness sector, the following changes are proposed for the lead division on housing related matters.

1. That the division name be changed from 'Non-Profit Housing' to the 'Housing Division'.
2. That the mandate of the division be changed

## **From**

'To provide adequate and affordable housing to residents of St. John's and surrounding areas'.

## **To**

'To provide affordable housing to residents of St. John's and lead the City's commitments in the housing and homelessness sectors'

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# ST. JOHN'S



3. That the division's work be defined as

Key areas of housing and homelessness work:

- To provide safe, adequate and affordable housing
- To lead the implementation of the City's 10-year affordable housing strategy
- To address emerging needs across the full housing and homelessness spectrum

**Key Considerations/Implications:**

1. Budget/Financial Implications: Funding is already allocated for 2020 Affordable Housing objectives.
2. Partners or Other Stakeholders: The City's Affordable Housing Strategy was built upon public and strategic stakeholder engagement, and the implementation continues to be guided and shaped by multi-stakeholder partnerships and processes.
3. Alignment with Strategic Directions/Adopted Plans: The Affordable Housing Strategy aligns with the Strategic Plan's vision and directions. Affordable Housing implementations actions work in tandem with the Municipal Plan and Development Regulations.
4. Legal or Policy Implications: No legal implications.
5. Privacy Implications: None anticipated at this time.
6. Engagement and Communications Considerations: The City's Communications and OPS departments are aware, involved and very supportive of the work being completed by the Non-Profit Housing Division. Should the above recommendations be approved, they will be reflected on a housing division link on the City of St. John's webpage
7. Human Resource Implications: None anticipated at this time.
8. Procurement Implications: None anticipated at this time.
9. Information Technology Implications: None anticipated at this time.
10. Other Implications: None anticipated at this time.

**Recommendation:**

That Council rename the 'Non Profit Housing Division' as the 'Housing Division' and that Council adopt the Division's mandate to 'provide affordable housing to residents of St. John's and lead the City's commitments in the housing and homelessness sectors'.

**Prepared by:** Simone Lilly, Affordable Housing and Development Facilitator  
**Approved by:** Judy Tobin, Manager, Non Profit Housing  
Tanya Haywood, Deputy City Manager, Community Services

**Report Approval Details**

Document Title:	Housing Mandate .docx
Attachments:	
Final Approval Date:	Sep 4, 2020

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

**Judy Tobin - Sep 3, 2020 - 9:39 AM**

**Tanya Haywood - Sep 4, 2020 - 3:33 PM**

# DECISION/DIRECTION NOTE

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**Title:** 138 Ladysmith Drive. MPA200000

**Date Prepared:** September 8, 2020

**Report To:** Committee of the Whole

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

**Ward:** Ward 4

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## **Decision/Direction Required:**

To consider a rezoning application for land at 138 Ladysmith Drive from the Residential Narrow Lot (RNL) Zone to the Apartment Medium Density (A2) Zone to allow three (3) Townhouses.

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

The City has received an application from RTO Capital Inc. for three (3) Townhouses at 138 Ladysmith Drive. The properties are currently zoned Residential Narrow Lot (RNL) where the only housing form permitted is a Single Detached Dwelling containing only 1 Dwelling Unit. The applicant has requested to rezone the property to the Apartment Medium Density (A2) Zone which allows Townhousing as a Permitted Use. A Municipal Plan amendment is also required.

There is a variety of zoning in this section of Ladysmith Drive. Immediately adjacent to 138 Ladysmith Drive is zoned RNL, however slightly further east and west of the property, and across the street, properties are zoned Residential Kenmount (RK). Additionally, the property at the rear of 138 Ladysmith Drive is zoned A2 and there is a section of land zoned Commercial Neighbourhood (CN) further west of the subject property. Rezoning this parcel to the A2 Zone for the purpose of Townhousing would increase the housing forms available in this neighbourhood and be complementary to the surrounding uses.

The property is designated Residential Low Density under the St. John's Municipal Plan. An amendment is required to re-designate this property to Residential Medium Density in order to consider the A2 Zone. From Sections 1.2.2 and 1.2.3 of the Municipal Plan, the City shall encourage increased density in all areas where appropriate and encourage a compatible mix of residential buildings of varying densities in all zones. The three Townhouses would slightly increase the density of this area while maintaining compatibility with the adjacent A2 and RNL Zones. The applicant is proposing two storey Townhouses. From Section 2.3.2 of the Municipal Plan, the Residential Medium Density District can allow up to three storeys, and therefore a Land Use Assessment Report is not required.

The applicant has submitted a plot plan (attached) which meets the standards of the A2 Zone, however the City will require a survey to confirm the dimensions of the lot prior to advertising

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the amendment, should Council decide to proceed with the next steps of the rezoning request. There were no development or engineering concerns with the proposed development.

**Key Considerations/Implications:**

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

**Recommendation:**

That Council consider rezoning the property at 138 Ladysmith Drive from the Residential Narrow Lot (RNL) Zone to the Apartment Medium Density (A2) Zone; and advertise the application for public review and comment.

**Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage**

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

**Report Approval Details**

Document Title:	138 Ladysmith Drive, MPA2000007.docx
Attachments:	- 138 Ladysmith Drive - Attachments.pdf
Final Approval Date:	Sep 10, 2020

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

**Ken O'Brien - Sep 10, 2020 - 9:57 AM**

**Jason Sinyard - Sep 10, 2020 - 12:45 PM**





**SUBJECT PROPERTY**

**A2**

**O**

**146A**

**146**

**144**

**RNL**

**142**

**138**

**136**

**134**

**132**

**RK**

**LADYSMITH DR**

**147**

**RK**

**143**

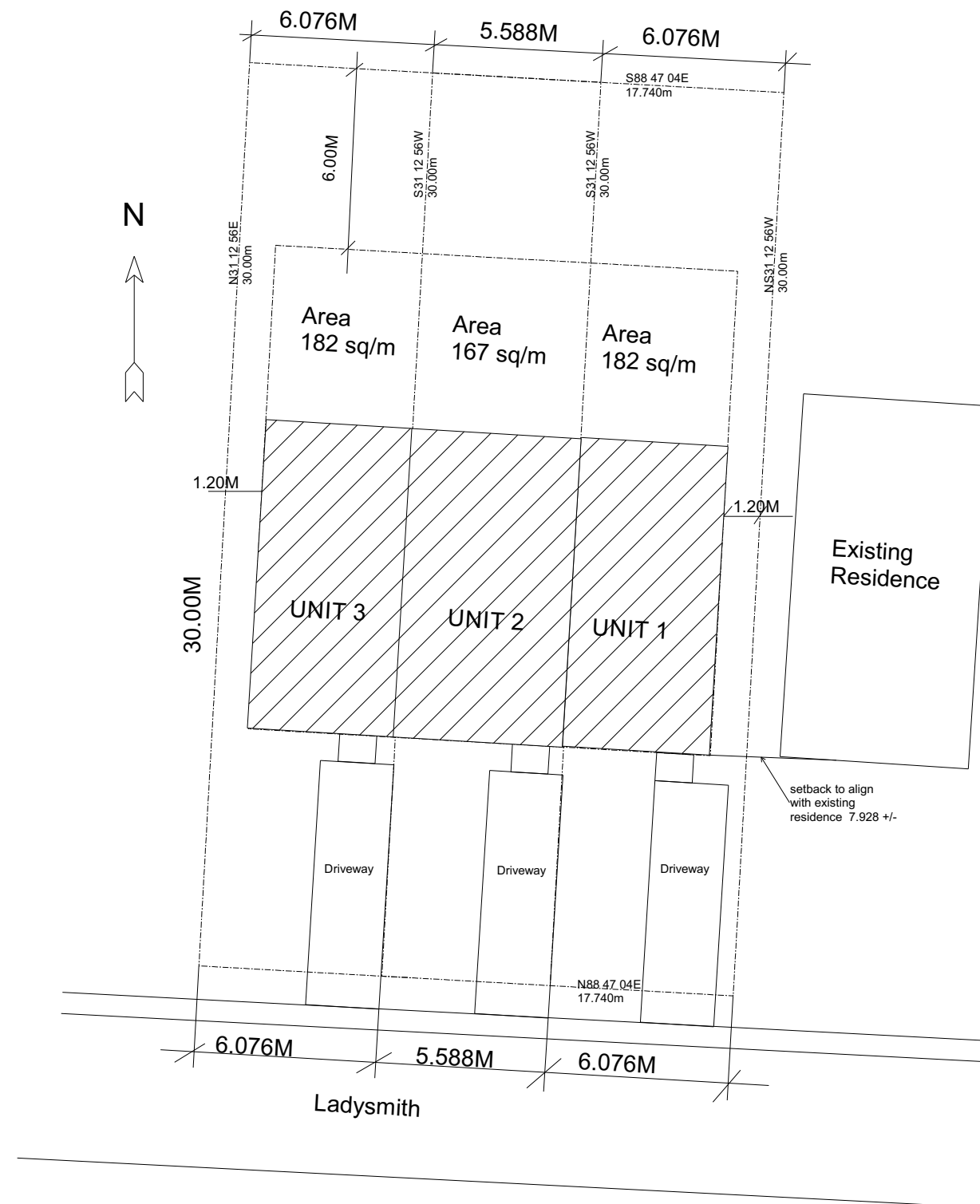
**141**





138 Ladysmith Drive and surrounding area





www.rjrobere  
designplanning.ca

709- 753 8169

Proposed Plot Plan  
138 Ladysmith Drive

date July 2 2020	drawn by rjr	S- 1
project		



Proposed Townhomes Elevation 138 Ladysmith Drive

www.rjrobere  
designplanning.ca  
709- 753 8169

Proposed Plot Plan  
138 Ladysmith Drive

date July 2 2020	drawn by rjr	S- 2
project		

## Existing Zone

### 10.10 (A) RESIDENTIAL NARROW LOT (RNL) ZONE

(2016-02-12)

#### 10.10 (A).1 Permitted Uses

- (a) Single Detached Dwelling containing only 1 Dwelling Unit (subject to Section 8.7)
- (b) Home Office
- (c) Accessory Building

#### 10.10 (A).2 Zone Requirements

- (a) Lot Area (minimum): 300m<sup>2</sup>
- (b) Lot Frontage (minimum) 10m
- (c) Building Line (minimum) 8m
- (d) Side Yard (minimum) 1.2m
- (e) Side Yard on Flanking Road (minimum) 6m
- (f) Rear Yard (minimum) 6m
- (g) Landscaping (minimum)  
No building except a driveway is permitted within the first 6.6m of depth as measured from the Front Lot Line
- (h) Parking (minimum)  
Driveway shall not have a width exceeding 3.6m

**RNL**

## Proposed Zone

### 10.13 APARTMENT MEDIUM DENSITY (A2) ZONE

(See Section 5.1.4 - Development Above the 190 Metre Contour Elevation)

#### 10.13.1 Permitted Uses

Residential:

- (a) Accessory Building (subject to Section 8.3.6) **(1995-06-09)**
- (b) Apartment Building
- (c) Home Office (subject to Section 7.9) **(1997-08-08)**
- (d) Seniors' Apartment Building (subject to Section 7.18) **(1995-06-09)**
- (e) Townhousing

Recreational:

- (f) Park

Other:

- (g) Day Care Centre (subject to Section 7.7)
- (h) Personal Care Home **(2018-04-20)**

#### 10.13.2 Discretionary Uses (subject to Section 5.8)

- (a) Adult Day Care Facility (subject to Section 7.3)
- (b) Convenience Store in Apartment Building (subject to Section 7.5)
- (c) Hairdressing Establishment
- (d) Home Occupation (subject to Section 7.8)
- (e) Parking Lot (subject to Section 7.13)
- (f) Planned Unit Development (subject to Section 5.10.3)
- (g) Private Park **(2007-10-05)**
- (h) Public Utility
- (i) Service Shop (subject to Section 7.19) **(1995-06-09)**
- (j) Uses Complementary to an Apartment Building **(2003-08-22)**
- (k) Uses Complementary to a Seniors' Apartment Building (subject to Section 7.18) **(2007-02-09)**
- (l) Uses Complementary to a Personal Care Home **(2018-04-20)**

#### 10.13.3 Zone Requirements

The following requirements shall apply to:

- (1) Apartment Building:
  - (a) Lot Area (minimum) 650 m<sup>2</sup>
  - (b) Lot Frontage (minimum) 20 m
  - (c) Lot Coverage (maximum) 50%
  - (d) Floor Area Ratio (maximum) 1.5
  - (e) Density (maximum) Not more than 1 dwelling unit per 90 m<sup>2</sup> of lot area

**A2**

(f)	Building Height (maximum)	Six (6) Storeys (not exceeding 24 metres) except for the property at Margaret's Place, off Newtown Road, and the property at Civic Number 455-461 Logy Bay Road and Civic Number 560 Topsail Road and the immediate area near Civic Number 560 Topsail Road where the maximum height of an Apartment Building is limited to four (4) Storeys; and accept for the property at Civic Number 25 Rhodora Street where the maximum Building Height of an Apartment Building to be constructed adjacent to Civic Number 15 Airport Heights Drive will be limited to a maximum Building Height of 15.8 metres as measured from finished grade on that side of the Apartment Building to be located adjacent to Civic Number 15 Airport Heights Drive. <b>(2006-09-04) (2009-09-11) (2012-01-20) (2012-08-17)</b>
(g)	Building Line (minimum)	6 m
(h)	Rear Yard (minimum)	6 m
(i)	Number of Parking Spaces per Dwelling Unit (minimum)	1.25
(j)	Side Yards (minimum)	One (1) metre per Storey except for the property at Civic Number 25 Rhodora Street where the minimum Side Yard requirements for a four (4) Storey Apartment Building to be constructed adjacent to Civic Number 15 Airport Heights Drive must be at least 12 metres on the side of the Apartment Building that will be adjacent to Civic Number 15 Airport Heights Drive <b>(2012-08-17)</b>
(k)	Side Yard on Flanking Road (minimum)	6 m
(l)	Landscaping on Lot (minimum)	30%
(2) Townhousing:		
(a)	Lot Area (minimum)	140 m <sup>2</sup> per Dwelling Unit
(b)	Lot Frontage (minimum)	5.5 m
(c)	Building Height (maximum)	3 Storeys, (not exceeding 12 m)
(d)	Building Line (minimum)	0 m
(e)	Side Yard for End Unit Townhouses (min)	1.2 metres <b>(2002-07-05)</b>
(f)	Side Yard on Flanking Road (minimum)	6 m
(g)	Rear Yard (minimum)	6 m

(3) Personal Care Home:

(2018-04-20)

(a)	Lot Area (minimum)	650m <sup>2</sup>
(b)	Lot Frontage (minimum)	20m
(c)	Lot Coverage (maximum)	50%
(d)	Building Height (maximum)	6 Storeys (not exceeding 24m)
(e)	Building Line (minimum)	6m
(f)	Side Yard (minimum)	1m per Storey
(g)	Side Yard on Flanking Road (minimum)	6m
(h)	Rear Yard (minimum)	6m
(i)	Landscaping on Lot (minimum)	30%

# DECISION/DIRECTION NOTE

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**Title:** 42-52 Diamond Marsh Drive, MPA2000002

**Date Prepared:** September 8, 2020

**Report To:** Committee of the Whole

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

**Ward:** Ward 5

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## **Decision/Direction Required:**

To consider a rezoning for land at 42-52 Diamond Marsh Drive from the Open Space (O) Zone to the Residential Low Density (R1) Zone to allow six (6) Single-detached Dwellings.

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

City staff are proposing a rezoning from the Open Space (O) Zone to the Residential Low Density (R1) Zone at 42-52 Diamond Marsh Drive to accommodate development of six (6) Single-detached Dwellings. As the Open Space Zone does not include Single-detached Dwellings as a use, a rezoning is required. A Municipal Plan amendment is also required.

During the original rezoning for the Diamond Marsh subdivision, land at 42-52 Diamond Marsh Drive was zoned Open Space to retain it for a proposed playground. During the development approval stage, the land at 42-52 Diamond Marsh Drive was proposed as building lots and the subdivision was approved as such, inadvertently overlooking the zoning. Water and sewage services have been installed to the lots. This rezoning is proposed to accommodate the lots.

In return, the developer, Fairview Investments Inc., will enter into an agreement with the City to use land west of 15 Bulrush Avenue (see attached map) for open space requirements for the Diamond Marsh subdivision. Details of the agreement, including a survey of the property and any other requirements, are to be determined. The land is already zoned Open Space (O). The parcel of land is wet in some areas but has room for a playground. Initial site preparation may be part of the agreement.

There are no development or engineering concerns with the six building lots at 42-52 Diamond Marsh Drive. The building lots at 42 and 44 Diamond Marsh Drive have back yards much deeper than the neighbouring properties to prevent leaving a land-locked parcel there.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.

# ST. JOHN'S

3. Alignment with Strategic Directions/Adopted Plans:  
*St. John's Strategic Plan 2019-2029 - A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: Map amendments to the St. John's Municipal Plan and Development Regulations are required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Public notice of the proposed amendment.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council consider rezoning land at 42-52 Diamond Marsh Drive from the Open Space (O) Zone to the Residential Low Density (R1) Zone and advertise the application for public review and comment.

**Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage**

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



**Report Approval Details**

Document Title:	42-52 Diamond Marsh Drive, MPA2000002.docx
Attachments:	- 42-52 Diamond Marsh Drive Attachments.pdf
Final Approval Date:	Sep 10, 2020

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

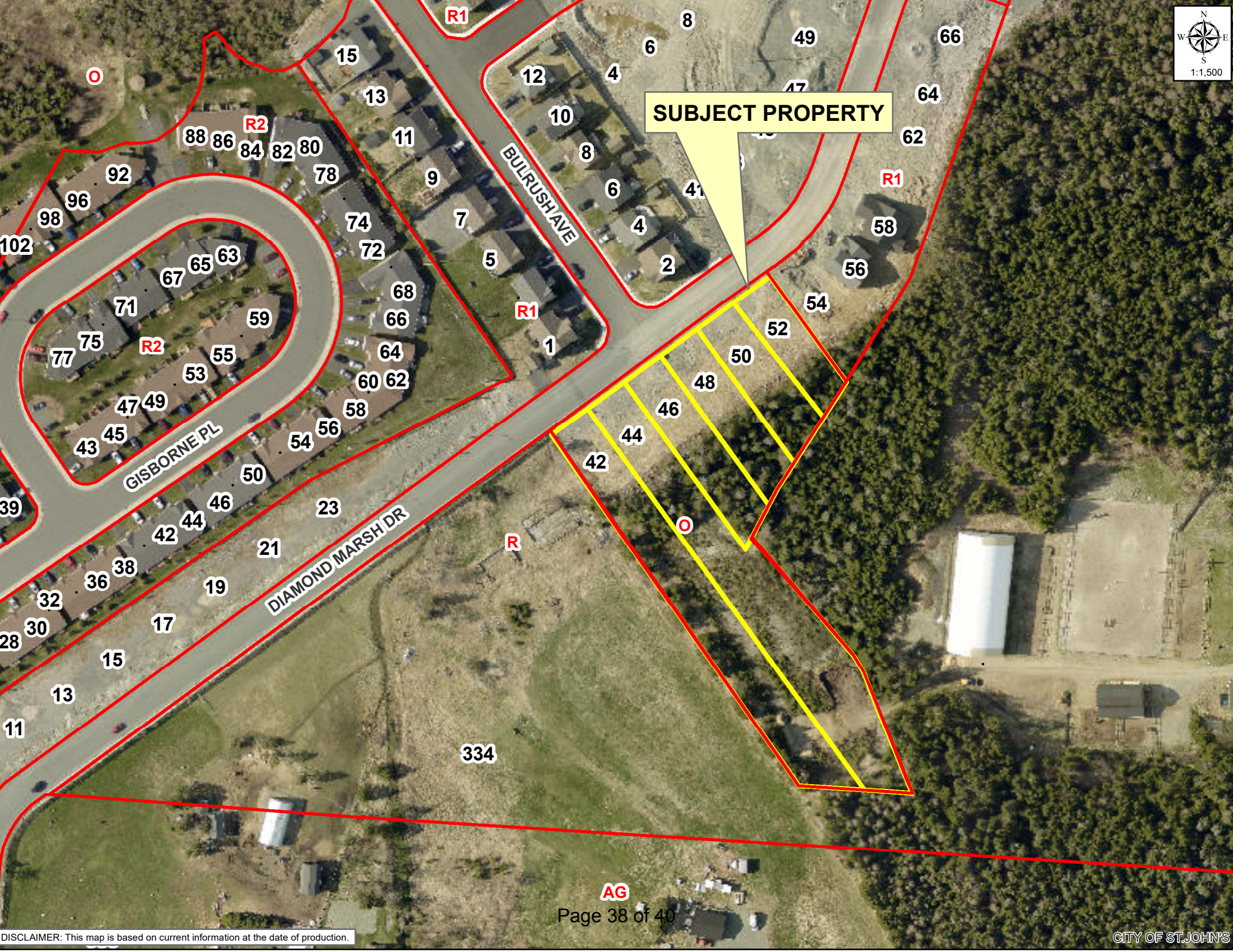
**Ken O'Brien - Sep 9, 2020 - 3:15 PM**

**Jason Sinyard - Sep 10, 2020 - 12:52 PM**





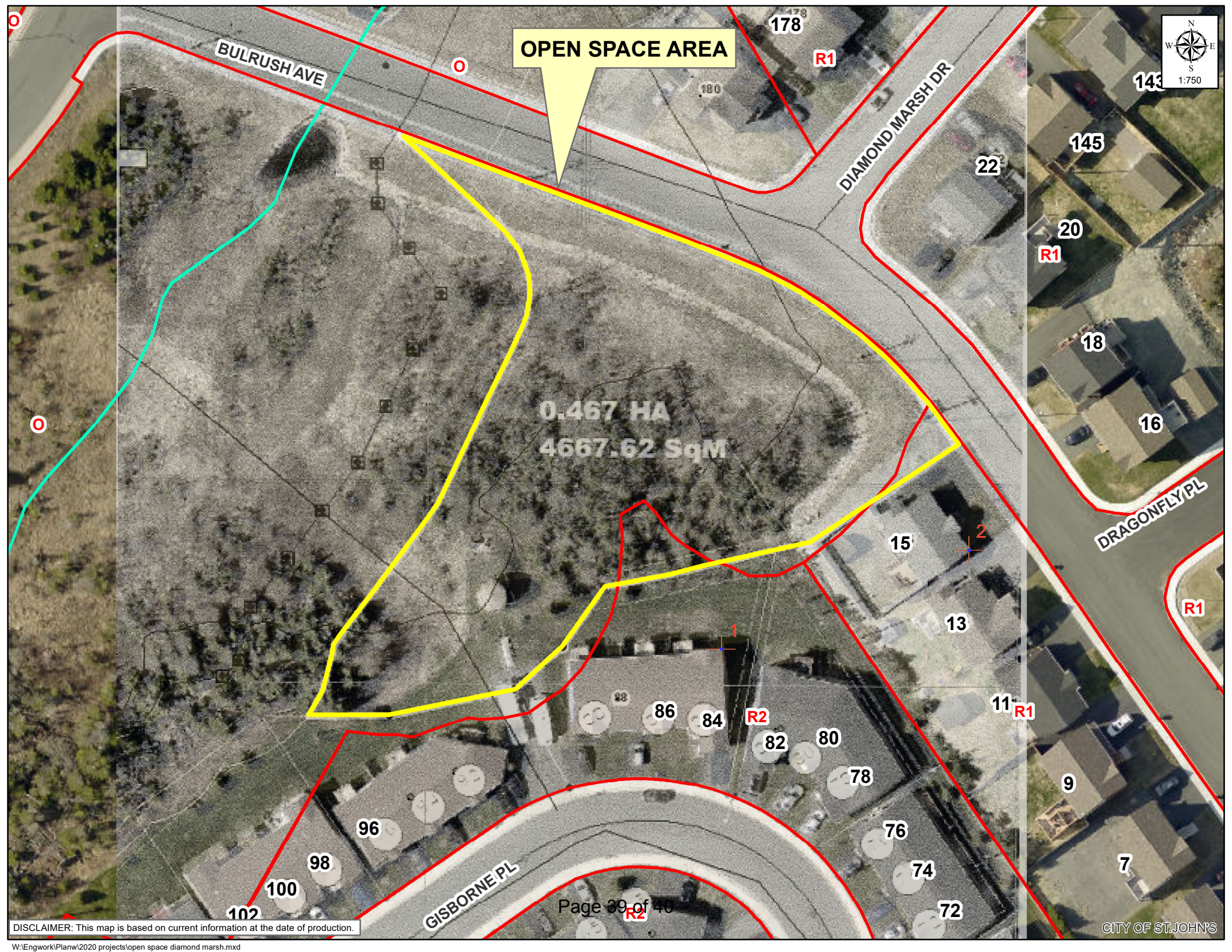
SUBJECT PROPERTY



AG

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





OPEN SPACE AREA

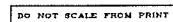
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DISCLAIMER: This map is based on current information at the date of production.



PITTS MEMORIAL DRIVE



NOTES:  
ALL UTILITY EASEMENTS SHOWN ARE MORE  
PARTICULARLY DESCRIBED ON M. POWER PLAN NO.  
1-1101-JN-902A\_REV\_A @ 1-1501-JN-922A\_REV\_A

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REVISIONS:

- REVISED PLAN AS PER PINNACLE DESIGN: JUNE 10, 2019
- LOT NO. 18 & 50 CHANGED: AUGUST 14, 2018
- LOT NO. 148 & 147 CHANGED: AUGUST 31, 2018

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PINNACLE ENGINEERING  
LIMITED

201  
FAIRVIEW INVESTMENTS LTD

**SURVEYING**  
**WILLIAM DOYLE AND ASSOCIATES LIMITED**


285 LEMARCHANT ROAD, ST. JOHNS, NL

PROJECT:

DIAMOND MARSH

SUBDIVISION  
STAGE 1 & 2  
ST. JOHN'S, NEWFOUNDLAND

SHEET TITLE:  
**SUBDIVISION PLAN**



CITY OF ST. JOHN'S

SCALE : 1 : 500	DATE : AUGUST 2013
DRAWN : W.D.	SHEET 1 OF 2

CHECKED :	DRAWING NO :
APPROVED :	PROJECT NO: 13-492