

# ST. JOHN'S

## Report of Committee of the Whole - City Council Council Chambers, 4th Floor, City Hall

November 21, 2023, 3:00 p.m.

Present: Mayor Danny Breen  
Councillor Sandy Hickman  
Councillor Debbie Hanlon  
Councillor Jill Bruce  
Councillor Ophelia Ravencroft  
Councillor Jamie Korab  
Councillor Ian Froude  
Councillor Carl Ridgeley

Regrets: Deputy Mayor Sheilagh O'Leary  
Councillor Maggie Burton  
Councillor Ron Ellsworth

Staff: Kevin Breen, City Manager  
Derek Coffey, Deputy City Manager of Finance & Administration  
Tanya Haywood, Deputy City Manager of Community Services  
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services  
Lynnann Winsor, Deputy City Manager of Public Works  
Cheryl Mullett, City Solicitor  
Ken O'Brien, Chief Municipal Planner  
Karen Chafe, City Clerk  
Tracy-Lynn Goosney, Manager – Development Engineering  
Jackie O'Brien, Manager of Communications  
Christine Carter, Legislative Assistant

### 1. **Planning - Councillor Ian Froude**

#### **39 Battery Road – DEV2200159 – New Dwelling**

##### **Recommendation**

**Moved By** Councillor Froude

**Seconded By** Councillor Ravencroft

That Council, as per Section 8(3) of the St. John's Heritage By-Law, accept the staff report on 39 Battery Road as the Heritage Report for a proposed Single Detached Dwelling.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

**2. 34 New Cove Road – MPA2300005 – Terms of Reference**

Mayor Breen advised that this is the site of the former YMCA and Max Centre on New Cove Road, and is a great location with its close proximity to amenities, walking trails, etc. Council agreed that additional housing stock is needed in the City. Residents were also cautioned to not be concerned about the possible height of the building as multiple floors, offering multiple units makes the project more affordable to the builder and increases unit availability.

**Recommendation**

**Moved By** Councillor Froude

**Seconded By** Councillor Ravencroft

That Council consider redesignating 34 New Cove Road from the Institutional District to the Residential District, and consider rezoning 34 New Cove Road from the Institutional Zone to the Apartment 3 (A3) Zone.

Further, that Council approve the attached draft terms of reference for a land use report.

Further, upon receiving a satisfactory land use report, that Council refer the application to public notification, as the application will require a commissioner's public hearing later in the amendment process.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

**3. Development - Councillor Carl Ridgeley****Wetland Study Phase 2A**

Councillor Ridgeley presented an overview of the Decision Note to adopt the Wetland Study Phase 2A and recommendations.

In 2021 the City commissioned the Phase 2A Wetland Study to field delineate, classify, and rank a select number of wetlands in areas under development pressure within the next 10-20 years. This is a follow-up to the Phase 1 Wetland Study which used high resolution imagery to remotely identify all the wetlands within the City Limits.

For each of the wetland areas listed below, the results of the Phase 2A study include the field-determined boundaries of each wetland area (as a GIS shape file), the classification based on the Canadian Wetland Classification System (CWCS), and a functional assessment and scoring based on the Wetland Ecosystem Services Protocol for Atlantic Canada (WESP-AC). The areas include:

1. Barrow's Road Area
2. Airport Heights West Area

3. Bay Bulls Road South Area
4. Old Bay Bulls Road Area
5. Outer Ring Road – East White Hills Road Area
6. Torbay Road North – Clovelly Area
7. Southlands Area
8. Synod Wetlands Area
9. Viscount Street Area
10. Kenmount Road Area
11. Yellow Marsh Area
12. Raymond's Brook Area

The CWCS classification system classifies wetlands into 5 separate classes: Bog, Fen, Swamp, Marsh, or Shallow Open Water. The WESP-AC functional assessments considers multiple wetlands functions such as Hydrologic, Water Quality, Aquatic Support, Aquatic Habitat, and Transition Habitat. The Wetland is given a numeric score for each function and it is then weighted to assign a Total Score, essentially determining the wetland's 'importance'; with one being the least 'important', ten being the most 'important'.

One of the main goals of this study is for the City to balance the protection of wetlands with Development, as both are important to the City's Strategic Plan. As such, Council will need to decide the minimum score which will be protected.

The Consultant also presented recommended buffers along each wetland where Development is to be restricted as per the Envision St. John's Development Regulations. A minimum 15m buffer is required along all wetlands, however they've recommended increasing it in sensitive areas (such as water supply watersheds), in undeveloped areas where a greater buffer can be preserved, and in areas where there is high public interest.

Councillor Ridgeley added that City Staff have reviewed the study and recommend that wetlands with a score of 5 or greater to be protected and fall under the development restrictions listed in Section 4.10 of the Envision St. John's Development Regulations. The number of wetlands with a score at or exceeding 5 is 13 out of a total of 68. It should be noted that a further 47 of the wetlands noted above contain or are part of stream systems, meaning that there will be floodplains associated with them. These floodplains will be protected as per the limitations in the Development Regulations. Pertaining to the buffers, City Staff recommend no changes from the Envision St. John's Development Regulations. A consistent 15m buffer will be maintained on all wetlands, with a few exceptions already noted in the regulations (Synod Lands West Wetland, Long Pond Marsh, and George's Pond).

Members of Council discussed the Staff recommendation with suggestions from several members that the rating be increased from 5 to 5.5 or 6.. It was also expressed that though the recommendation and the flood plain buffers protect large wetland areas, t there is still lots of opportunity to develop significant portions of land.

**Recommendation****Moved By** Councillor Korab**Seconded By** Councillor Hanlon

That Council approve the recommendation as follows: Adopt the Phase 2A Wetland Study; Protect Lundrigan's Marsh and all Wetlands within this study and future studies with a WESP-AC score of 5 or greater in accordance with Envision St. John's Development Regulations Section 4.10; and Maintain the existing Wetland Buffers as outlined in Envision St. John's Development Regulations Section 4.10(1) as 15m, with the exception of Synod Lands West Wetland, Long Pond Marsh, and George's Pond.

**Recommendation****Moved By** Councillor Korab**Seconded By** Councillor Hanlon

That Council amend the motion above to increase the WESP-AC score from 5 to 6.

Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Korab, and Councillor Ridgeley

it (3): Councillor Bruce, Councillor Ravencroft, and Councillor Froude

**MOTION CARRIED (5 to 3)**

**Recommendation****Moved By** Councillor Korab**Seconded By** Councillor Hanlon

That the motion as amended be approved as follows Adopt the Phase 2A Wetland Study; Protect Lundrigan's Marsh and all Wetlands within this study and future studies with a WESP-AC score of 6 or greater in accordance with Envision St. John's Development Regulations Section 4.10; and Maintain the existing Wetland Buffers as outlined in Envision St. John's Development Regulations Section 4.10(1) as 15m, with the exception of Synod Lands West Wetland, Long Pond Marsh, and George's Pond.

For (5): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Korab, and Councillor Ridgeley

Against (3): Councillor Bruce, Councillor Ravencroft, and Councillor Froude

**4. Downtown and Churchill Square Parking Reserves**

The Deputy City Manager of Planning, Engineering and Regulatory Services reviewed with Council the current transfer process for the Downtown and Churchill Square Parking Reserves.

The City has two long-standing reserves, the Churchill Square and Downtown Parking Reserves, which have paid parking and enforcement revenue transferred

each year. The Churchill Square Parking Reserve was created to help fund the parking operations of the square. This has been used to pay for parking hardware for the square, parking lot lighting, and general beautification. The Downtown Parking Reserve was created to fund parking-related initiatives in the downtown core. Currently, the reserve primarily funds debt servicing on a loan used to subsidize the construction of two private garages in the Downtown, which was required to increase parking options for the public. The reserve was also approved to cover capital costs related to the implementation of the Paid Parking Management Strategy.

The reserves have had lower than anticipated revenue transfers in previous years, as paid parking revenue was impacted by meter vandalism, there was a delayed rollout of new paid parking hardware, and the COVID-19 pandemic. While the reserves have been able to meet the financial requirements thus far, there needs to be increased funding to meet future debt servicing and the remaining components of the Paid Parking Management Strategy. Therefore, Planning, Engineering and Regulatory Services (PERS) and Finance and Corporate Services are recommending adjustments to the reserve transfer process to ensure future fund obligations can be met, and the basis of the transfers align with current program operations.

#### **Churchill Square – Balance of \$586,338 as of December 31, 2022**

The City transfers all paid parking revenue for the three zones in the square, while no enforcement revenue is transferred. Staff do not recommend changing this process, as the rollout of the paid parking program in the square will see additional funds transferred to the account.

#### **Downtown Parking Reserve – Balance of \$1,822,012 as of December 31, 2022**

The Downtown reserve currently receives all revenue for the *No Valid Parking Record* fine (meter ticket), in addition to 20 percent of all paid parking. However, these amounts do not reflect the revenue the downtown core generates compared to other areas in the City, including Ricketts Road, Churchill Square, etc. The downtown core's spaces comprise 60 percent of the paid parking space total. Therefore, staff recommend transferring 60 percent of all enforcement and paid parking revenue to the reserve each year. Based on budget estimates, this value may exceed the total required to meet future debt servicing requirements. However, to ensure these are met, the downtown reserve will receive a minimum transfer amount of \$642,000 each year if the 60 percent calculation doesn't already meet or exceed this value.

After three years, the value of both reserves will be reviewed to determine if the yearly transfer is sufficient to meet planned parking-related initiatives (i.e., pay station upgrades) and if the debt balance can be reduced sooner. The Downtown reserve must have a balance of \$1.8M before parking-related programs can be approved from the fund, to ensure the highest two years of debt servicing can be met. The transfer amount to the downtown reserve will be reviewed when all debt servicing has been completed.

**Recommendation**

**Moved By** Councillor Hickman

**Seconded By** Councillor Bruce

That Council approve the change in the funding transfer process to the Downtown parking reserve, which will be implemented effective the 2024 fiscal year.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Bruce, Councillor Ravencroft, Councillor Korab, Councillor Froude, and Councillor Ridgeley

**MOTION CARRIED (8 to 0)**

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Mayor