

August 16, 2018

Email: [REDACTED]

Dear [REDACTED]

Re: Request for Access to Information - Access to Information and Protection Privacy Act

On August 14, 2018, the City of St. John's received your request for access to the following information:

I would like all complaints regarding 296 Ruby Line (application for a seniors living home) from August 1, 2018 to August 14, 2018. Including emails to staff and Council.

As required by Section 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. Personal information pertaining to third parties has been redacted from the documentation provided as per Section 40 (1) of the ATIPP Act 2015:

Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner:

Office of the Information and Privacy Commissioner
2 Canada Drive; P. O. Box 13004, Stn. A, St. John's, NL. A1B 3V8
Telephone: (709) 729-6309; Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

If you have any further questions, please feel free to contact the undersigned by telephone at 576-8619 or by e-mail: kchafe@stjohns.ca

Yours truly,



Karen Chafe
ATIPP Coordinator

ST. JOHN'S

August 7, 2018

8:30 am

Re: Letter of Objection for development of 296 Ruby Line for Personal Care Home and Six Living Residence

Dear Sir or Madam,

Please accept this letter as objection to the commercial development application for 296 Ruby Line. As a near by neighbour and resident, I have several concerns with this facility.

Firstly, traffic in the area has already increased with the development of Diamond Marsh Subdivision behind the proposed site. As well, adjacent to 296 Ruby line is a pumping station with a Farmers Road entrance for tractors and other farming equipment. There has also been a huge increase in the number of ATV and recreational vehicles that also use this Farmers Road, hence bringing more traffic to the area. Safety concerns need to be factored into the decision to allow such a large personal care home and six living residential units at this location. Also keep in mind, on Heavy Tree Road, just a stone's throw from the proposed entrance to this new development is a bus yard with numerous vehicles accessing Heavy Tree Road and Ruby Line. The infrastructure is just not there, for a facility this large, to handle traffic flow efficiently and safety. Recently there has already been an ATV / vehicle accident in this area and fatal accidents at the intersection of Ruby Line and the Robert Howlett HGW, which is only meters from this proposed site. Why risk any more lives by increasing traffic flow in this country setting? This will also put an environmental strain on this agricultural area.

The information provided publicly about this proposal is very general. More details need to be provided. Blanket statements like "64 One and Two Unit sites" and "Three Residential Buildings with Six Units" are not specific enough to identify the number of beds and number of people who would reside in this home and the number of staff required. As well, what are the "complimentary amenities" mentioned in this proposal? 185 parking spaces is a lot of parking...for what???? Ruby Manor Personal Care Home has under 30 parking spaces for less than 50 residents and staff combined.

This area is in a country setting and needs to be preserved. From the diagrams provided on the City of St. John's website, the style and size of this proposed development does not fit in with the area's landscape. The other personal care home in the area fits in with the landscape and has a true reflection of the farming and agriculture heritage in the area. There are so many families in the area who have to go through so much red tape just to build a residential home on their family land; yet you're

entertaining the idea of 6 living residences along with a gigantic building....just does not seem right and respectful to the generations of farming families in this area.

I'm asking that you help support your local farming community and heritage by rejecting this proposed development. Something this large and commercial looking with excessive parking, indicating a huge increase in traffic will ruin the country feel of this area while endangering the lives of those who enjoy walking and recreational activities in this area.

Kindest Regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, August 2, 2018 3:14 PM
To: CityClerk <cityclerk@stjohns.ca>
Cc: [REDACTED]
Subject: Personal Care Home and 6 senior living residences @ 296 Ruby Line

To Whom It May Concern,

We are sending this email to advise the city and council that we are apposed to the idea of allowing a commercial business in a rural, residential and agricultural area. The entrance for the proposed application is on Heavy Tree Rd., which is a quiet residential street, the entrance is not on Ruby Ln.. The request to have a main building 3 storeys high with total living of 5381 sq meters is dumbfounding. This is a monstrous eye sore. It incorporates 185 parking spaces!!!! Need I say more!!! This is a small community. It will tower over existing homes. It will increase traffic and cause various disruptions. There will be increase noise with early morning traffic and late night traffic with change in workers and staff. Also, there will be a high volume of traffic moving frequently on Heavy Tree Rd; therefore, increasing the level of danger/hazard. Heavy Tree Rd has NO water and sewer, NO side walks and amenities to accommodate the traffic from 64 plus units!!! Let alone allow the traffic to gain access on and off of Ruby Lyn. If you have ever driven on Heavy Tree rd you would see this. Also that will leave residence with 2 high traffic access point to enter a residential area. I ask you, ask yourself this... Would you want this complex commercial building next to your home?

Also, We are somewhat confused from the application. As you can see from the picture provided with the application, if you were to do a sight visit, that there is already work in progress. The application sent out to be responded to by August 7, 2018 does not reflect the aerial view of the proposed building plan to n line. When comparing the shape of the lot is different on both proposals, the mailed letter and the online link. Also it does not reflect the approved single family home just approved to be built, that appears to be where the septic field encroaches. Once again , The application states that they are requesting permission to occupy 296 Ruby Line; however, if you were to visit the sight you would see that major work is being done as if approval was already given. Upon building our home we had to make several applications to the Department of Agriculture to apply to build before the zoning was changed, after which we had to obtain permits from the City of St. John's before any building could take place. It took our family approximately 2 years to get approval to build a single family home, not a commercial Personal Care Home that will tower over existing residential homes!!! How is this fair?

Another concern that we have is the decrease in property value that having such an establishment next to our home will cause. It will be a commercial building. It will not "BLEND IN" with existing residential single family homes. In addition, we feel like you are turning our quiet rural home into a commercial area with high traffic flow and increased hazards. If you allow this application to go through do you intend on fixing or accommodating the residence of heavy tree Road with adequate exit and entrance, on and off of heavy tree Road, for their safety???

Finally I would like to ask what is area is zoned for?!? Is it zoned commercial???. The area in which this proposed development is encompasses over an acre of all of tree and marshy land. Will this increase flooding in the area and affect my home, As well as other residential owners, in an area which already has significant flooding at times of heavy storms and rain falls?

After reviewing the application we have many concerns. Ask yourself, would you want a 3 storey

commercial building next to your home in your residential neighbourhood? We thank you for your time in advance and await the response decision of this application.

Thank you,

[REDACTED]

Sent from my iPhone



DISCLAIMER: This map is based on current information at the date of production.
© 2015 Esri. All rights reserved. ArcGIS Online. 20150401 10:00 AM PST

East
West
South
North



August 6, 2018

Subject: Letter of concern

Re: [REDACTED] application for Personal Care Home on corner of Heavy Tree Rd and Ruby Line

To whom it may concern:

I am writing this letter to express my opposition and concerns for the proposed development at the corner of Heavy Tree Rd and Ruby Line.

First, I'd like to remind you that an application for a care home on this property was already denied less than one year ago. My concerns have only increased with the newest details of an application for a 3 story, 17,000' sq ft complex, with 185 parking spaces. I am perplexed as to why all residents of Heavy Tree road were not formally informed of such a large change to a once quiet road. This massive facility would represent a drastic change for the area. There are no 3 story buildings within a few kilometers of the proposed location. It would be an eyesore today the least? Who would want to live next to that, especially when it is in an agricultural area, not downtown! There are currently 9 single family homes on Heavy Tree Rd and this would represent an increase of over 10x the current population. It is important to consider the impact on the area's residents of such a major development.

As a current resident of Heavy Tree Rd, I see many ways this development will negatively impact the area and no positives. The most immediate and noticeable effect will be increased vehicle traffic on Heavy Tree Rd. Over the last few years, there has been a steady increase in traffic flow due to development. There's currently a school bus depot at the top of Heavy Tree Rd (Fred Francis of 274 Ruby Line) which has 35 plus busses traveling down our road morning, noon (kindergarten runs) and 2-4 pm. No applications were ever truly granted for such a large scope commercial development rather this was grandfathered in after the abuse of land by the previous owner [REDACTED]. [REDACTED] had permission to store heavy equipment for PERSONAL use, however, little by little he broke this condition and cut trees to rent his land to third parties one of which was Bishops Paving. This led to further destruction and disregard for a once beautiful 3 acre plot of land that slowly morphed into a junk yard. In 2017 [REDACTED] passed and the land was left to his daughter [REDACTED]. Following in her father's footsteps, she looked to formalize the rental operation by applying for city permit. This finally brought the destruction and abuse of the land to the cities attention and her application was rejected and she was also given a period of time to clean up what mess was already there. Not being able to reap the benefits of rent, [REDACTED] was quick to sell and the new owner managed to find the cracks in the system once again. He is a business owner of both taxis and school busses and was grandfathered into the "storage of heavy equipment for Personal use" clause that was clearly within the agricultural act for farmers to store tractors and other farming equipment. Surely common sense would suggest that 35 plus school busses and new garage are not being used for farming.

Unfortunately, #274 Ruby line (school bus depot which is actually accessed from Heavy Tree Rd) is NOT the only commercial development this area has had to adjust to in just a short year. A mental health care home now exists at a once single family home at 35 Heavy Tree Rd which has workers coming and going, visitors and numerous daily cab pick ups which makes for further increased traffic and congestion on Heavy Tree Rd.

Heavy Tree Rd used to be a quiet street and is now hazardous to walk on. School buses, heavy equipment, cabs and other non residents (unfamiliar with this winding road) rounding sharp turns at high speeds with no sidewalks make this a dangerous road to walk on for residents as well as the seniors of Ruby Manor. When it is not heavy equipment, busses or taxis, it is snowmobiles and quads using our road as an access to the dirt road adjacent to Ruby Line pumping station. Just last week a police car went down in the ditch as it rounded a sharp turn it was clearly not familiar with. The 9 or 10 family homes on this once quiet road now account for the minority of traffic that travels this busy, ill equipped road.

We fought for two years with the city and LDAA to build a single family home on a two acre property (which minimally impacted the existing area) and now it seems that the area is in steady decline. Is this the intent of the agricultural board and the city to turn this land into a commercial development area without providing any of the necessary infrastructure to handle such development (traffic lights, water and sewer, storm drains, Fire protection)?

Another point of concern is the effect on water drainage this development would have. In the last 10 years or so, the landscape has changed dramatically in the area. Since the development of Southlands, and Diamond Marsh being built behind Heavy Tree Rd, flooding has been an issue with residents. This street was built before all this development with only ditches for drainage. Now, almost every spring, there's flooding. The clearing out of trees and soil in that area would only put further strain on already inadequate infrastructure. Without storm drains, this problem will get worse with development. This is a concern I addressed one year ago. Since then it seems that the land in question has received approval for a single family home (which is conveniently omitted from the most recent letter and application) and is continuing to push the seniors home application. Again, a site visit, as well as a carefully analysis for the attached land surveys provided by the city, would suggest that the single family home was applied for as a way to fast track or begin landscaping and excavation work for the larger plan.

According to the drawings attached to the notification letter provided by the city, the proposed single family home (civic lot 13) appears to be located in the land allocated for sewage in the newly proposed development . (Please see also attached below). Does this seem a little strange? Doesn't look like much intention to actually build a house. Seems like they are proceeding with the complex in anticipation of getting approval...

I am confused how there is enough space to install a septic field to accommodate the number of tenants at a whopping 64 units plus visitors and staff!!! (bathrooms and kitchen facilities) The septic field for my single family home occupies approximately 50x100 ft of my land. The math just don't add up.

Furthermore, the fact that this area has no fire hydrants calls into question the safety of a massive complex. What measures are in place to ensure the safety of ALL residents of Heavy Tree Rd in the event this facility has a fire?

I am seeing a concerning trend to the development and abuse of the land in this area. It negatively impacts my lifestyle and the enjoyment my family has of this area. It also impacts me financially. Will the city take this into consideration when accessing my property taxes? What was once a sought after piece of land is now surrounded by NEW commercial development in a zone that is not commercial nor is it equipped to be. I fear that our once quiet street is in a state of decline and that this development contradicts the agricultural zoning that is meant to control this type of development.

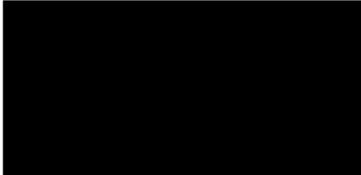
The addition of a second large commercial operation supposedly housed on Ruby Line but using Heavy Tree Road for access cannot go overlooked any longer. Landscaping (alteration and removal of natural vegetation) and drainage work is well underway on this site. The work done this far is way beyond that necessary for a single family home. Please see attached photos. As stated above, this road is not equipped to handle an extreme increase in traffic.

In conclusion, I feel that that this development would have significant impact on this area, and it is strongly opposed and unwanted. High volumes of traffic, increased risk of flooding, safety concerns, and building that does not fit in our neighborhood are all all reasons why I object to this development. It represents a significant shift in the landscape of Heavy Tree Rd and I ask to consider these factors when making your decision.

Thank you

[REDACTED]

[REDACTED]



Office Of The City Clerk
P.O. Box 908, St. John's, NL
A1C 5M2

Re: Application for Personal Care Home & Six (6) Senior Living Residences at 296 Ruby Line

To Whom It May Concern,

We received notice of the application to construct a personal care home and six (6) senior living residences at 296 Ruby Line. We are opposed to the proposed plan for a number of reasons as summarized below;

- i.) The planned height of the building, as well as the parking lot size, is invasive and will not suit the neighbourhood.
- ii.) We are concerned that the proposed development will negatively affect our water supply. There is currently no city water/sewer in the neighbourhood.
- iii.) The amount of buffer between our property and the proposed build is unclear. We are concerned with increased noise, and car/foot traffic. The proposed plan does not indicate any fences, or barriers that would separate our property and the proposed development. Any required fencing would have to be erected and maintained by the developers/owners of 296 Ruby Line.
- iv.) We are concerned that the proposed development will negatively impact our property value.
- v.) We are concerned with the definition of "personal care home" as outlined in this proposal. The lack of greenspace, need for 24-hour security/staffing/operations, and sheer size of the structure appears to indicate a hospital/level III nursing home.

We would also like to note that the area of Heavy Tree Road and Ruby Line is a low density, residential agricultural area and is not suited for such a large, and invasive corporate structure.

We look forward to receiving a revised application for a personal care home that will better compliment the neighbourhood. If there are any further questions, please do not hesitate to contact us at  or 

Sincerely,



August 6, 2018



Dear Sir or Madame,

I am writing to discuss the matter of Garret Mahoney's application to develop a Personal Care Home at the corner of Heavy Tree Road and Ruby Line (296 Ruby Line). I'm responding as a 50 year resident in the area, a business owner, a land owner, and a lifetime member of the farming community in the Kilbride and Goulds areas of St. John's.

My initial concerns would be around safety issues for the residents of the other Personal Care Home currently in operation on Heavy Tree Road, such as the increase in traffic flow that would likely be incurred from the construction of another business in the area. This area, which to my knowledge is all currently zoned as agricultural, experiences large traffic volumes at times due to the operation of a school bus company. I also fear for the safety of Mr. Mahoney's potential clients should they be forced to live so close to busy traffic from the bus operation, as well as the general high traffic volume on Ruby Line.

I also have great concerns as a lifetime resident and member of the farming community. To my knowledge, the Provincial Government of Newfoundland and Labrador has a mandate to protect and preserve this agricultural property wherever possible, and in conjunction I understand that this area of the city is zoned accordingly by the city council. I currently, with my family, own more than 100 acres of land that is presently involved in farming operations. We have been bound by the agricultural land freeze and city zoning. We have thereby been limited in our potential use and disposal of our own property, subject to the terms of the land freeze and municipal zoning. If Mr. Mahoney is allowed to utilize the property for uses other than agriculture, I feel you are setting a precedent whereby my family should be able to sell or develop our current land holdings for purposes other than agriculture.

While there are other businesses operating in the area, they are on land which had already been developed and was no longer viable for farming operations. This is not the case with the land in question, as it is currently undeveloped. Furthermore the nature of a 3 story structure in the middle of a rural area is grossly out of context and fit with the surroundings in a residential/agricultural zone. St. John's has a history of attempting to preserve the historical integrity in its' development of the downtown area. I feel the same consideration should be given to the preservation of the aesthetic value of our rural areas, particularly when they have been zoned for that purpose. I also have grave doubts as to whether the existing municipal infrastructure is in place to support such a large construction.

In closing I would like to comment that I will be monitoring closely for the outcome of this application, and sharing the result with my family and other resident land owners. We feel that should this land be allowed to be developed for purposes other than what the city has zoned it for, we would all be owed the same opportunity. Is the City of St. John's not bound to follow it's own zoning laws?

Thank You





To whom it may concern,

We are writing you today regarding our **concerns** towards the proposed development of 296 Ruby Line. My husband and I bought our home on Heavy Tree Road 41 years ago in 1977. A few years later, we started a family, raised two children and were extremely fortunate and happy to raise our boys in such a safe, small and quiet neighbourhood and we want to build these same memories with our four grandchildren. Today we are writing in hopes the city reconsiders the application for the large development on Ruby line.

Our peaceful, quiet and **agricultural zoned neighbourhood** has become more commercial year over year and we feel strongly that if this development is approved the neighbourhood as we and our extended families have grown to love and enjoy will completely disappear. Existing business's already include - Shady Brook Farms, Lester's U-Pick, Bishop Excavating, Decker's Excavating, Ruby Manor Seniors Home, Equine Meadows Horseback Stables, Eastern Residential Support Board (35 Heavy Tree Rd - A Division of Thrive) and most recently Fred Francis Bus Services. While we are huge supporters of new business and are happy to see our neighbours succeed, we feel the location and size (57,000 square feet) of the proposed development will negatively impact the surrounding area with increases in traffic, noise and of course a large decrease in agricultural zoned space.

- 1. Traffic** – This development is proposing 185 parking spaces for residents, guests and employees. The magnitude of such a facility along with multiple shift changes, daily commercial deliveries and/or maintenance calls that come with larger properties will clearly disrupt the neighbourhood from a traffic perspective. If you just consider the traffic from existing businesses.....at peak operating hours, it can be classified as a major route in the city. Can this area with narrow and winding roads sustain such a large establishment?
- 2. Water/Wetlands and Drainage** - Over the years we have witnessed an abundance of commercial and residential development from Southlands and Southbrook. Much of this area was wetlands and the current infrastructure cannot support the developing areas. The ditches/trenches along both sides of Heavy Tree Road would typically only rise during rainfalls but most recently they are becoming a constant river causing damages to our and other neighbours properties. In the winter of 2016, due to heavy snowfalls, rain and melting, the drainage system in front of our house failed horribly and we had a

major flood in our basement. Not only did this bring financial and emotional stress to us, but the city (via tax payer dollars) is sinking significant amounts of money for city workers to constantly monitor, clear and maintain those trenches and drains to avoid other disasters. What is the City's plan to deal with this issue?

- 3. Agricultural Land** – This area and street are agriculturally zone and have been since initial development in the 1970s. The rolling farm fields provide local produce and jobs for the residents of St. John's, and the wooded areas support our environmental cycles and its these surroundings that makes our home so tranquil. By erecting a three-story building at 57,000 square feet will completely change the landscape and of the neighbourhood both visually and economically.

We believe it is in the best interest for this development to be declined. We would welcome the chance to share our concerns with a member(s) of council in hopes we encourage everyone involved in the decision making process take the time to visit and take due diligence before casting a vote on this application.

Thank you for taking the time to hear our concerns

Sincerely,



From: [Ken O'Brien](#)
To: [Jason Sinyard](#)
Cc: [Gerard Doran](#)
Subject: RE: Planning concerns - 296 Ruby Line - DEV1800120
Date: Tuesday, August 14, 2018 4:26:50 PM

Jason, in response to my earlier email, Gerard has told me that the development is proposed to be serviced by extending water and sewage pipes from the nearby Diamond Marsh neighbourhood. That would have been useful to include in the public notice, and I admit that I missed that fact in the site plan.

That would address my concerns below about fire safety for frail elderly residents. However, it still means the permanent removal of a large area of land from agricultural production or activities associated with agriculture in the AG Zone. Therefore, my concerns about allowing this in the AG Zone remain. I would still recommend against such a development in the AG Zone.

Ken

Ken O'Brien, MCIP
Chief Municipal Planner
City of St. John's, NL, Canada
Phone 709-576-6121

From: Ken O'Brien
Sent: Tuesday, August 14, 2018 11:48 AM
To: Jason Sinyard <jsinyard@stjohns.ca>
Cc: Gerard Doran <gdoran@stjohns.ca>
Subject: Planning concerns - 296 Ruby Line - DEV1800120

Jason, I mentioned recently to Gerard that I am concerned about this application. It proposes a large personal care home in the Agricultural (AG) Zone and in an area that is not serviced by municipal water and sewage. I am wondering if staff will give a recommendation to Council in a memo for Council's regular meeting on Aug. 20.

The Fire Department can set out the minimum size of water storage that must be made available on site for the purpose of fire-fighting, but former Chief Peach mentioned to me a year or two ago that he was concerned about large residential uses being developed in unserviced areas. The fire in a rural area of Quebec that led to a number of elderly residents dying in a care home was on his mind. He agreed with me that such large residential uses, accommodating the frail elderly (many of whom would need help to exit the building) would be better located in serviced areas of St. John's where firefighting is better able to function.

Placing such a use in the AG Zone is a discretionary decision of Council. It stems from a decision years ago by the Minister of Agriculture at the time to overrule a decision of the Province's Land Development Advisory Authority (who recommended rejection) and allow Ruby Manor to be built in the St. John's Agricultural Development Area (ADA). The City's AG Zone flows the boundary of the ADA, and at the time our Development Regulations did not include a personal care home in that zone. In response to the

Minister's decision, Council decided not to go against that decision, and thus added personal care home to our AG Zone.

In the Envision St. John's draft Development Regulations, Planning staff have proposed deleting personal care home from the AG Zone as a way to protect our agricultural land base. Ruby Manor is built and will be in the AG Zone permanently. This proposed change would make Ruby Manor a non-conforming use that can always stay in place, but no new care homes would be permitted. That proposal has not yet been voted on by Council.

My recommendation is that the proposed care home at 296 Ruby Line is not a desirable use in the AG Zone. I would recommend that Council reject the application.

The question is what will be brought to Council next week.

Ken

Ken O'Brien, MCIP
Chief Municipal Planner
City of St. John's, NL, Canada
Phone 709-576-6121

From: Public Notices <PUBLICNOTICE@LISTSERV.STJOHNS.CA> **On Behalf Of** St. John's e-Updates
Sent: Thursday, August 2, 2018 12:30 PM
To: PUBLICNOTICE@LISTSERV.STJOHNS.CA
Subject: Public Notice Update - Application - 296 Ruby Line

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

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Public Notice

Tue, 2018/08/07 - 9:30am

Application - 296 Ruby Line

A Discretionary Use Application has been submitted requesting permission to construct a Personal Care Home and six (6) senior living residences at **296 Ruby Line**.

The main building will be 3 storeys high, consisting of 64 one and two unit suites along with complimentary amenities, having a total floor area of 5381m². Staffing will be on site 24-hours and will include nursing staff, security and other in-house staff. On-site parking is provided (approximately 185 spaces).

The separate senior living residences will consist of three buildings each having two units for a total of six units. The floor area for each unit is 104m² with a 26m² attached garage as well as a one car driveway. Please see location plan on the back of this notice.

Information regarding this application may be viewed at the Department of Planning, Engineering, and Regulatory Services, John Murphy Building (City Hall Annex), 4th Floor. For further information, please phone 709-576-8220 or email planning@stjohns.ca.

Any person wishing to make a submission on these applications prior to the meeting must provide a signed written statement, including your name and street address, to the Office of the City Clerk by 9:30 a.m., **Tuesday, August 7, 2018**, either by mail: P.O. Box 908, St. John's, NL, A1C 5M2; fax: 709-576-8474 or email: cityclerk@stjohns.ca. Written submissions received will become a matter of public record and will be included in the agenda for the regular meeting of Council on **Monday, August 20, 2018**, at which time Council is scheduled to make a decision on this application. Any identifying information beyond your name (civic address, email and/or other contact information) will be redacted (removed) prior to the information being released publicly.

[Location Map](#)

[Site Map](#)

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From: [Ken O'Brien](#)
To: [REDACTED]
Cc: [Wally Collins](#); [Gerard Doran](#); [Govern PDE Multi Media Mail](#)
Subject: Opposition - Application for 296 Ruby Line - DEV1800120
Date: Tuesday, August 14, 2018 9:13:04 AM

[REDACTED], Council's decision on Aug. 20 at its regular meeting will likely be a Yes or No decision. Having advertised the application and received public comment, Council will decide on the land use. The only thing that would change that is if Council decides to ask for more information.

Regarding traffic, a traffic report is typically triggered if there are more than 100 trips generated in the peak traffic hour. I have not been closely involved in this application, as it is not a rezoning, but I understand that a traffic report is not required automatically in this case.

I have copied the ward councillor, Councillor Collins, and Gerard Doran, our Development Supervisor, for their information.

Regards,

Ken O'Brien

Ken O'Brien, MCIP
Chief Municipal Planner
City of St. John's, NL, Canada
Phone 709-576-6121

From: [REDACTED]
Sent: Monday, August 13, 2018 9:32 PM
To: Ken O'Brien <kobrien@stjohns.ca>
Subject: Application for 296 Ruby Line

Hi Ken,

I am writing on behalf of my parents who have been living on Heavy Tree Road for 41 years. Please see the attached letter they wrote to Elaine Henley and all councillors. They are obviously against this proposed application and are wondering how the procedure for such an application works out. In the "Application to be Referred to Council" it states a date for August 20th council would make a decision. We are planning on have a signed petition in place against this development and believe there would be serious implications on traffic in this area.

The main question we have at this point is will this be a "yes or no" decision by council on August 20th? Would they do a study on traffic before they make a decision? As you can see from the attached concerns there are a number of business that operate daily and seasonally that bring heavy traffic to this area. The addition of the Team Gushue Highway and this development will only increase traffic beyond what it could handle.

Thank you for your time and please advise of receipt of this email.

Regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [Ken O'Brien](#)
To: [Dave Wadden](#); [Gerard Doran](#)
Subject: 296 Ruby Line, proposed personal care home and 6 seniors' residences in the AG Zone - DEV1800120
Date: Monday, August 6, 2018 6:00:41 PM

<http://www.stjohns.ca/public-notice/application-296-ruby-line>

This type of application, for a concentration of seniors in an area that is not serviced by municipal water and sewage systems, is a problem from the perspective of public safety. We have turned down similar applications where rezoning would be needed.

The Agricultural (AG) Zone includes personal care home as a discretionary use. This goes back to 2005 when Ruby Manor was approved by the Minister of Agriculture (the formal title may have been different at the time) after an appeal from a decision of the Province's Land Development Advisory Authority to reject the application. The Minister heard the appeal and approved the application. Council decided that, if the Minister would allow a care home to be built in the AG Zone, the City would not oppose it.

From a safety perspective, the St. John's Regional Fire Department can calculate the size of water tank that is required for firefighting, but after that amount of water has been used, the firefighters must rely on whatever their tanker trucks can provide, unless there is some other source of water nearby such as a stream or pond. There was a fire last year in a seniors' care home in a rural area of Quebec, unserved by municipal water and sewage, that led to a tragic loss of life (see <https://www.cbc.ca/news/canada/montreal/isle-verte-three-year-anniversary-fire-seniors-residence-1.3947538>). One recommendation that has come out of the Quebec fire is an automated sprinkler system for all such homes.

In the draft Envision St. John's Municipal Plan and Development Regulations, staff have proposed removing personal care home as a use in the AG Zone. These homes are needed as our population ages, but we believe that they are best located in areas serviced by municipal water and sewage.

I believe that, when this application is brought back to Council, it should have a memo that sets out these concerns and any others that are raised.

Ken

Ken O'Brien, MCIP
Chief Municipal Planner
City of St. John's, NL, Canada
Phone 709-576-6121

From: [REDACTED]
To: [Andrea Roberts](mailto:Andrea.Roberts@stjohns.ca)
Subject: Re: Personal Care Home and 6 senior living residences @ 296 Ruby Line
Date: Thursday, August 2, 2018 5:32:09 PM

Andrea

Thanks for the quick response, it clears up my confusion.

Thanks
[REDACTED]

On Aug 2, 2018, at 4:12 PM, Andrea Roberts <aroberts@stjohns.ca> wrote:

Hi [REDACTED]

The plan does not show the house as it is only a preliminary concept, but the detailed future plans will. However this is not relevant at this point, the house is located at 13 Heavy tree road, in the upper right corner of the site, which is demonstrated in the aerial map included with the advertisement. We do have surveys and approvals to confirm that the house is a separate lot at 13 Heavy Tree Road.

The personal care home does not have any approvals at this time. If when the detailed drawings are submitted, and the septic field encroaches upon another property, it will not be approved, and they will have to relocate the septic field before we will review the plans. The advertisement is for the use of a personal care home only, and Council's approval of the use does not imply any development approvals. Detailed civil plans are to be submitted and reviewed and approved by all departments before Development approval is issued.

I hope this helps, please let me know if you have any further questions.

Regards,

Andrea Roberts
Development Officer
City of St. John's
Planning, Engineering & Regulatory Services
(709) 576-8430
(709) 576-2340 fax

From: [REDACTED]
Sent: Thursday, August 2, 2018 4:06 PM
To: Andrea Roberts <aroberts@stjohns.ca>
Subject: Personal Care Home and 6 senior living residences @ 296 Ruby Line

Andrea Roberts

Upon viewing the site plan I can see no possible area for residential occupancy. The entire lot is occupied by commercial buildings and a large septic field. The location map and site plan appear to be different. How can construction be ongoing at this site before the necessary permits are obtained? Am I missing something?

<image001.jpg>

<image002.jpg>

Thank You





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