

**AGENDA
REGULAR MEETING
DECEMBER 2nd, 2013
4:30 p.m.**

ST. JOHN'S

MEMORANDUM

November 28, 2013

In accordance with Section 42 of the City of St. John's Act, the Regular Meeting of the St. John's Municipal Council will be held on **Monday, December 2, 2013 at 4:30 p.m.**

This meeting will be preceded by a Special Meeting to be held on the same day in Conference Room A at 3:30 p.m.

By Order

Neil A. Martin
City Clerk

ST. JOHN'S

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

AGENDA
REGULAR MEETING
DECEMBER 2nd, 2013
4:30 p.m.

At appropriate places in this agenda, the names of people have been removed or edited out so as to comply with the Newfoundland and Labrador Access to Information and Protection of Privacy Act.

1. Call to Order

2. Approval of the Agenda

3. Adoption of the Minutes (November 25th, 2013)

4. Business Arising from the Minutes

A. Included in the Agenda

- a. Memorandum dated November 27, 2013 from the Chief Municipal Planner
Re: 12-20 Mount Cashel Road
Application for a Townhouse Condominium Development
Proposed New R2 Condominium One
Applicant: 62554 Newfoundland and Labrador Inc. **(Ward 4)**
- b. Memorandum dated November 20, 2013 from the Chief Municipal Planner
Re: Proposed Text Amendment to the Agriculture (G) Zone
Land adjacent to 90 Pearltown Road – Lester Farms Inc. **(Ward 5)**
- c. Memorandum dated November 28, 2013 from the Chief Municipal Planner
St. John's Municipal Plan Amendment Number 96, 2013
St. John's Development Regulations Amendment Number 514, 2013
Re: 1 Clift's/Baird's Cove, Proposed Site Redevelopment
3-Storey Extension to Parking Garage **(Ward 2)**
- d. Memorandum dated November 27, 2013 from the Chief Municipal Planner
Re: Application to Rezone Property Situate at #1 Bergeron Place
(Bergeron Place & Groves Road) **(Ward 4)**

B. Other Matters

5. Notices Published

- 1. **A Discretionary Use Application** has been submitted by King Lifts Ltd. requesting permission to establish and operate a fork lift sales and service business from an Accessory Building located at the rear of Bidgood's Plaza, **355-357 Main Road**. The proposed business will occupy 195 m² and employ a staff of two (2). **(Ward 5)**

2. **A Discretionary Use Application** has been submitted requesting permission to occupy a portion of civic number **472 Newfoundland Drive** as a Home Occupation for an Esthetics Salon. The proposed business will occupy a floor area of approximately 23 m² and will operate Tuesday to Saturday, 11:00 a.m. to 6:00 p.m. There will be two clients per day by appointment only. One on-site parking space is available for the business. The applicant is the sole employee. **(Ward 1)**

(Two (2) Submissions)

6. **Public Hearings**

- a. Public Hearing Report
Re: Proposed Rezoning from O Zone to RRI Zone
288 Back Line **(Ward 5)**
- b. Public Hearing Report
Re: Proposed Text Amendment to allow additional height in the Commercial Central Mixed (CCM) Zone, Civic No. 21-47 LeMarchant Road **(Ward 2)**

7. **Committee Reports**

- a. Development Committee Report dated November 26, 2013
- b. Planning and Development Standing Committee Report dated November 20, 2013
- c. Economic Development, Tourism and Public Engagement Report dated November 19, 2013
- d. Regional Fire Services Committee Report dated November 21, 2013

8. **Resolutions**

9. **Development Permits List**

10. **Building Permits List**

11. **Requisitions, Payrolls and Accounts**

12. **Tenders**

- a. Tender – Bay Bulls Big Pond Water Treatment Plant
Main Plant – Roof Replacement

13. **Notices of Motion, Written Questions and Petitions**

14. **Other Business**

- a. Bill 20 (Act to Amend the City of Corner Brook Act, the City of Mount Pearl Act, the City of St. John's Act and the Municipalities Act, 1999)
- b. Economic Update December 2013
- c. **Correspondence from the Mayor's Office**
- d. **Items Added by Motion**

15. **Adjournment**

November 25th, 2013

The Regular Meeting of the St. John's Municipal Council was held in the Council Chamber, City Hall at 4:30 p.m. today.

His Worship the Mayor presided.

There were present also: Deputy Mayor Ellsworth; Councillors Hann; Hickman, Lane, Puddister, Breen, Galgay, Tilley, Davis and Collins

City Manager; Deputy City Manager, Corporate Services & City Clerk, Deputy City Manager, Financial Management, Deputy City Manager, Planning, Development & Engineering, Deputy City Manager, Public Works, Director of Engineering; Chief Municipal Planner, City Solicitor and Manager, Corporate Secretariat, were also in attendance.

Call to Order and Adoption of the Agenda

SJMC2013-11-25/513R

**It was decided on motion of Councillor Galgay; seconded by Councillor Davis:
That the Agenda be adopted as presented.**

Adoption of Minutes

SJMC2013-11-25/514R

**It was decided on motion of Councillor Tilley; seconded by Councillor Collins:
That the minutes of November 18th, 2013 be adopted as presented.**

Notices Published

- 1. A Discretionary Use Application** has been submitted requesting permission to occupy the Accessory Building at **Civic No. 24 Howlett's Line as a Home Occupation** for a Woodworking Shop (Ward 5)

SJMC2013-11-25/515R

**It was moved by Councillor Collins; seconded by Councillor Hickman:
That the application be approved**

The motion being put was unanimously carried.

Public Hearing

Public Hearing Report dated November 5, 2013

**Re: Proposed Rezoning to Accommodate Development of
Seniors Apartment Buildings, N.D. Dobbin Properties Ltd.**

640-642-644 – Empire Avenue (Ward 3)

(Memorandum dated November 19, 2013 from the Chief Municipal Planner)

Councillor Puddister presented a report of a public meeting held on November 5, 2013 to provide an opportunity for public review and comment on the application submitted by N.D. Dobbin Properties Limited to rezone land located at Civic Number 640-642-644 Empire Avenue to the Apartment Medium Density (A2) Zone, and a proposal by the property owner to include property located at Civic Number 646 Empire Avenue in this proposed rezoning.

Councillor Puddister noted concern raised at the public meeting regarding traffic congestion in the area which is exacerbated by the bus stop, the narrow street and on-street parking, and asked that the matter be referred to the Police and Traffic Committee and subsequent referral to the capital budget.

SJMC2013-11-25/516R

**It was moved by Councillor Puddister; seconded by Councillor Tilley:
That staff be directed to proceed with the rezoning process, and that the
following Resolutions for St. John's Municipal Plan Amendment
Number 121, 2013 and St. John's Development Regulations Amendment
Number 591, 2013, be adopted in principle, subject to the issuance of a
Provincial release from the Department of Municipal Affairs.**

RESOLUTION

**ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 121, 2013**

WHEREAS the City of St. John's wishes to allow the construction of Seniors Apartment Buildings and/or Multiple Dwellings at Civic Number 640-642-644-646 Empire Avenue [Parcel ID # 36337-38135-13363-22398].

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

Redesignate properties situate at Civic Number 640-642-644-646 Empire Avenue [Parcel ID # 36337-38135-13363-22398] from the Residential Low Density (RLD) Land Use District and the Open Space (OS) Land Use District to the Residential Medium (RMD) Density Land Use District as shown on Map III-IA attached.

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 25th day of November, 2013.

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

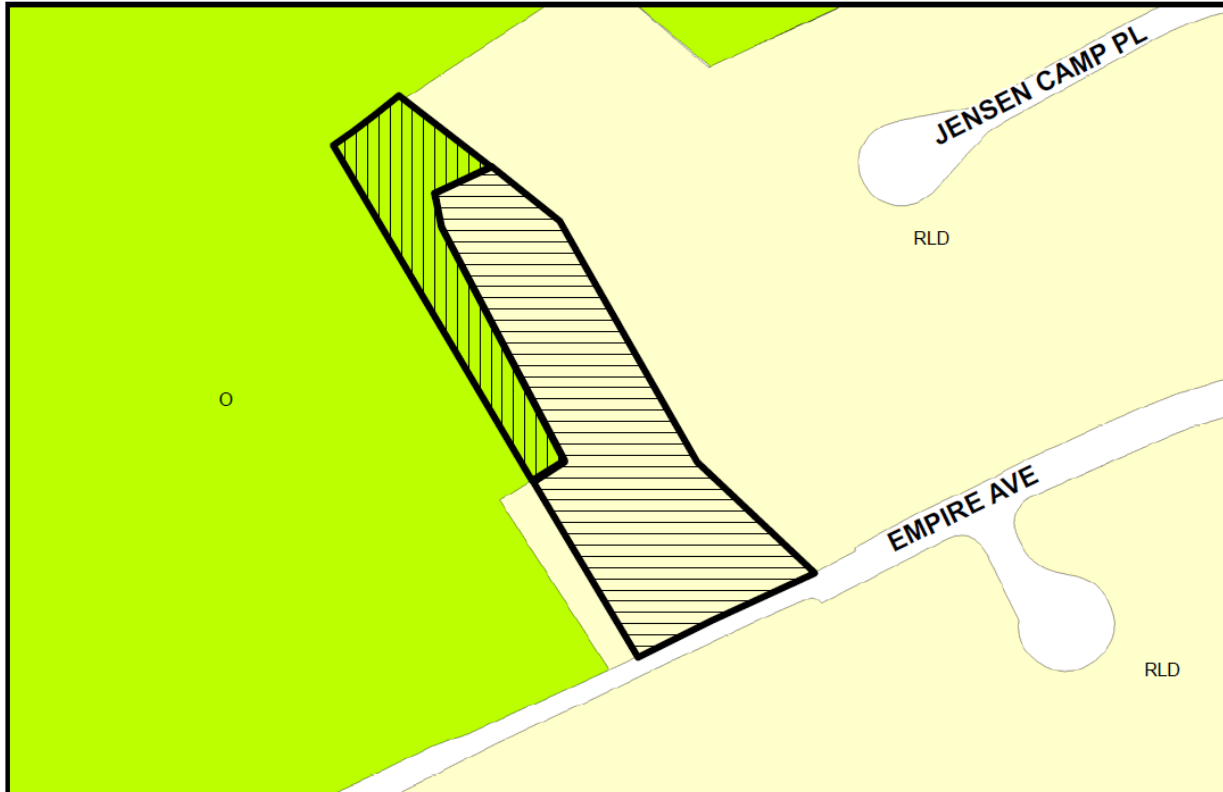
Mayor

City Clerk

MCIP

Council Adoption



Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 121, 2013
[Map III-1A]**

2013 11 18 SCALE: 1:2000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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

-  AREA PROPOSED TO BE REDESIGNATED FROM
OPEN SPACE (O) LAND USE DISTRICT TO
RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT
-  AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT TO
RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT

640-646 Empire Avenue

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

RESOLUTION

**ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 591, 2013**

WHEREAS the City of St. John's wishes to allow the construction Seniors Apartment Buildings and/or Multiple Dwellings at Civic Number 640-642-644-646 Empire Avenue [Parcel ID # 36337-38135-13363-22398].

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

**Rezone properties situate at Civic Number Civic Number 640-642-64
646 Empire Avenue [Parcel ID # 36337-38135-13363-22398] from the
Residential Low Density (R1) Zone, the Apartment Low Density (A1)
Zone and the Open Space (O) Zone to the Apartment Medium Density
(A2) Zone as shown on Map Z-1A attached.**

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 25th day of November , 2013.

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

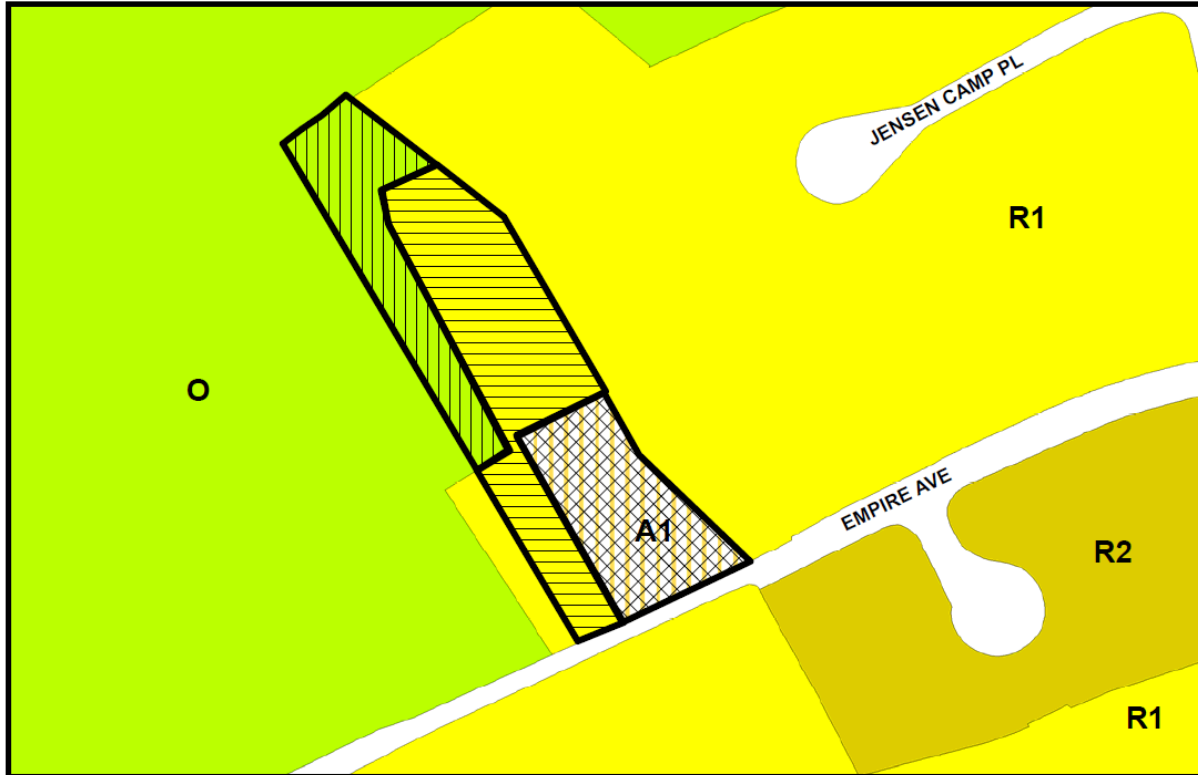
Mayor

City Clerk

MCIP

Council Adoption




Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 591, 2013
[Map Z-1A]**

2013 11 18 SCALE: 1:2000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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

-  AREA PROPOSED TO BE REZONED FROM APARTMENT LOW DENSITY (A1) LAND USE ZONE TO APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE
-  AREA PROPOSED TO BE REZONED FROM OPEN SPACE (O) LAND USE ZONE TO APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE
-  AREA PROPOSED TO BE REZONED FROM RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE TO APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE

640-646 Empire Avenue

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

The motion being put was unanimously carried.

Committee Reports

Finance & Administration Standing Committee Report dated November 15, 2013

Council considered the following Finance & Administration Standing Committee Report dated November 15, 2013

IN ATTENDANCE:

Councillor Danny Breen, Chairperson

Deputy Mayor Ron Ellsworth

Councillor Bruce Tilley

Councillor Art Puddister

Councillor Tom Hann

Councillor Dave Lane

Councillor Wally Collins

Councillor Sandy Hickman

Councillor Jonathan Galgay

Mr. Robert Smart, City Manager

Mr. Neil Martin, Deputy City Manager

Mr. Robert Bishop, Deputy City Manager, Financial Management

Mr. Paul Mackey, Deputy City Manager, Public Works

Mr. Dave Blackmore, Deputy City Manager, Planning, Development and Engineering

Derek Coffey, Manager, Budget and Treasury

Mr. Sean Janes, City Internal Auditor

Ms. Maureen Harvey, Recording Secretary

1. Presentation by St. John's Sports and Entertainment re: Budget 2014

The Committee met with a delegation of St. John's Sports and Entertainment regarding the proposed budget for 2014.

Recommendation

The Committee recommends approval of the 2014 Operating Budget for St. John's Sports and Entertainment and committal of a \$1m subsidy.

2. Presentation by St. John's Transportation Commission re: Budget 2014

A delegation from St. John's Transportation Commission met with the Committee regarding the 2014 operating budget for the Commission.

Recommendation

The Committee recommends approval of the 2014 operating budget for the St. John's Transportation Commission which commits a subsidy in the amount of \$13.4 m.

3. Request from Bannerman Park Foundation – to host reception

The Committee considered a request from the Bannerman Park Foundation to host a reception following a Hard Hat Tour and Naming Announcement for the refrigerated ice skating trail in the park being held on Thursday, December 12th at 10:30 am.

Recommendation

The Committee recommends approval to host a reception on December 12th for the Bannerman Park Foundation as requested.

4. Request from Red Cross – Humanitarian Dinner

The Committee has received a request for sponsorship of a table in the amount of \$1,200 for their Humanitarian Dinner scheduled for November 21st.

Recommendation

As the City is an avid sponsor and supporter of the Canadian Red Cross and while this request is outside the scope of the existing policy for donations, it is recommended that the request for sponsorship of a table at the Humanitarian Dinner be denied.

5. Downtown Christmas Parade – Santa Shuttle

6.

The Committee reviewed a request from Downtown St. John's for funding to host a park and ride (Santa Shuttle). This is a 10 shuttle bus service from the Confederation Building to the Circular Road area as well as a 10 shuttle bus service from Bowring Park to Mile One Stadium. Cost of the shuttle is \$6,864 plus HST and this service has been provided for the past few years on behalf of the City. The request is supported by the Recreation Division of the Department of Community Services.

Recommendation

The Committee recommends approval of a cash contribution to Downtown St. John's in the amount of \$6,864 to allow the organization to host a Santa Shuttle for the 2013 Downtown Christmas Parade.

7. ADJOURNMENT

As there was no further business, the meeting adjourned at 2:10 pm.

Danny Breen,
Chairperson

SJMC2013-11-25/517R

It was moved by Councillor Breen; seconded by Councillor Tilley: That the Committee's recommendations be approved.

The motion being put was unanimously carried.

Community Services & Housing Standing Committee Report dated November 13, 2013

Council considered the following Community Services & Housing Standing Committee Report dated November 13, 2013:

Attendees: Councillor Bernard Davis, Chairperson
Councillor Tom Hann
Councillor Art Puddister
Councillor Sandy Hickman
Councillor Wally Collins
Councillor Bruce Tilley
Jill Brewer, Deputy City Manager of Community Services
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering
Tanya Haywood, Director of Recreation
Heather Hickman, Manager of Community Development
Janine Halliday, Manager of Citizen Services
Cindy McGrath, Supervisor of Humane Services
Judy Tobin, Senior Housing Officer
Karen Chafe, Recording Secretary

1. **National Housing Campaign**

The Committee considered a memo from the Deputy City Manager of Community Services dated November 4, 2013 regarding FCM's launching of "Fixing Canada's Housing Crunch". This is a national housing initiative for all levels of government to work together to develop long-term solutions to the housing crunch affecting all communities across the country.

The Committee on motion of Councillor Hickman; seconded by Councillor Tilley: recommends that the City of St. John's endorse and support the recommendations of the FCM's Fixing Canada's Housing Crunch Campaign.

2. **St. John's Youth Soccer Program**

The Committee considered a memo from the Director of Recreation dated November 5, 2013 regarding the City's operation of the St. John's Youth Soccer Program and a draft call for Expressions of Interest for the operation of this Program.

The Committee recommends an Expression of Interest be called for the operation of the St. John's Youth Soccer Program

3. **Community Grants to Sports Groups**

The Committee considered a memo from the Director of Recreation dated November 6, 2013 regarding the above noted.

The Committee on motion of Councillor Hann; seconded by Councillor Hickman: recommends Council's approval of the attached guidelines and application.

4. **Shea Heights Community Centre – Terms of Reference and Board Members**

The Committee considered a memo from the Director of Recreation dated November 6, 2013 regarding proposed changes to the structure of the Shea Heights Board of Directors and changes to the Terms of Reference.

The Committee on motion of Councillor Hickman; seconded by Councillor Collins: recommends the appointment of the following individuals to the Shea Heights Board of Directors as well as approval of the revised Terms of Reference attached:

- **Elaine Kane**
- **Tina Hennessey**
- **Dana Hennessey**
- **Nicole Strickland**

Councillor Bernard Davis
Chairperson

SJMC2013-11-25/518R

It was moved by Councillor Davis; seconded by Councillor Collins: That the Committee's recommendations be approved

The motion being put was unanimously carried.

Police and Traffic Committee Report dated November 6, 2013

Council considered the following Police and Traffic Committee Report dated November 6, 2013:

In Attendance: Councillor Art Puddister Chairperson
Mayor Dennis O’Keefe
Deputy Mayor Ron Ellsworth
Councillor Dave Lane
Councillor Jonathan Galgay
Councillor Sandy Hickman (12:20 pm)
Councillor Danny Breen
Councillor Tom Hann
Councillor Bruce Tilley
Councillor Bernard Davis
Don Brennan, Director of Roads and Traffic
Phil Hiscock, Manager of Road
Dawn Corner, Manager, Traffic and Parking
Bill MacDonald, Supervisor – Traffic Signals
Chris Pitcher, Supervisor, Parking Services
Chris Whalen, St. John’s Transportation Commission
Scott Cluney, Downtown St. John’s
Bob LeDrew, Carrier’s Association Representative
Maureen Harvey, Recording Secretary

1. Crosswalk needed on Blackhead Road across from Whitty Place.

The Committee reviewed a request for a crosswalk on Blackhead Road across from Whitty Place.

Recommendation

The Committee concurred with the recommendation of staff that a crosswalk is not warranted in this area.

2. Four-way stop at intersection of Sunset Street and Della Drive.

The Committee considered a request for a four-way stop at the intersection of Sunset Street and Della Drive

Recommendation

The Committee concurred with the recommendation of staff that the traffic volume in this area does not warrant a four-way stop.

3. Parking on Allandale Road at Pine Bud Avenue.

A resident of Allandale Road has requested installation of “no parking” signs on the lower end of Allandale Road. The resident suggests that the houses on Allandale that are closest to Pine Bud are rentals meaning there are 3-4 vehicles (trucks) constantly parked on both sides of Allandale and the first house on Pine Bud (immediately east of the intersection) regularly has three vehicles parked on the Avenue.

Recommendation

The Committee recommends that staff expand the parking restriction on one side of Allandale Road.

4. Audible Pedestrian Signals Update

The Manager of Traffic Services advised that investigation has begun on the installation of audible pedestrian signals at Prince Philip Drive at Westerland Road and Topsail Road at Columbus Drive. Given representation made by MUN re: pedestrian traffic at Westerland Road, it was noted the matter will require further review. It is anticipated that the proposed signal at Columbus/Topsail will likely be addressed in the new year.

5. Ennis Avenue @ Hutton Road

The Committee has received a request from Vanier Elementary for a right turn only at the intersection of Ennis Avenue at Hutton Road. As this restriction would have an impact on area residents, it was agreed that the restriction would only be in effect during school arrival and dismissal times.

Recommendation

The Committee recommends that a right turn only restriction be put in place at the intersection of Ennis Avenue at Hutton Road during school arrival and dismissal times.

6. Leslie Street @ Hamilton Ave – Traffic issues

The Committee considered a document that outlined limited sight distance at Leslie Street and Hamilton Avenue creating a safety concern for turning traffic.

Recommendation

The Committee recommends installation of parking restrictions at Leslie Street and Hamilton Avenue as proposed.

7. Hamel Street – Parking issues

A petition was tabled from a number of residents of Hamel Street requesting a “no parking anytime” restriction be put in place on a section of Hamel Street. Evidently a number of taxis are parking in the area which aggravates the situation.

Recommendation

The Committee concurred with the installation of “no parking anytime” signage on Hamel Street and further that the use of this area of a taxi stand be referred to the Taxi Committee to address.

8. Halliday Place Parking

The Committee considered a request from new residents of Halliday Place noting that this new development is directly across the street from MUN. Evidently the surrounding streets, which are close, although not as close to MUN have a Resident Parking designation.

Recommendation

The Committee recommends approval of a “No Parking 9 am to 5pm Monday – Friday” restriction on Halliday Place.

9. Torbay Rd @ Harbour View Avenue – request for crosswalk

The Committee considered a request for a walk light or crosswalk at Harbour View Avenue and Torbay Road. The Committee was advised that pedestrians crossing the street are accessing the Metrobus stop on the other side of the street and that the volume of pedestrians is too low to warrant a crosswalk.

Recommendation

The Committee recommends rejection of a request for a crosswalk at this location.

10. Patrick Street – request for no parking restriction

The Committee considered a request for “no parking” restriction on Patrick Street in close proximity to St. Clare’s Mercy Hospital. Evidently the street is being used for hospital parking.

Recommendation

The Committee recommends implementation of the “no parking” restriction on Patrick Street in the area close to St. Clare’s Mercy Hospital

11. Westerland Road – Pedestrian protection survey

The Committee reviewed a report from Dillon Consulting regarding options to improve pedestrian safety at the intersection of Westerland Road and Pedagogues Close.

Discussion took place with agreement that the Traffic Services Division determine and take appropriate interim action to improve pedestrian safety and come back to the Committee on what action further action requires consideration. The Director of Roads and Traffic will provide Council with a full plan of action.

(Subsequent to the meeting, a report with recommendations was provided to Council, a copy of which is attached to this report)

Recommendation

That Council endorse the actions of the Traffic Services Division with respect to the pedestrian traffic on Westerland Road and Pedagogues Close.

12. Margaret's Place Parking

The Committee was informed of an issue on Margaret's Place whereby the installation of sidewalks on one side has reduced the street width and made it too narrow to accommodate vehicles parking on both sides. There was also mention that because sidewalks were installed, there is limited off-street parking and vehicles are overhanging onto the sidewalk.

Recommendation

That a parking restriction be installed on one side of the street, and that the Traffic Division would determine which side and proceed with the installation.

13. McKay Street – parking issue

A request has been received from the President of Labatt Local 7004 requesting permission to park a bus at the end of McKay Street during the ongoing labour dispute. It is the Local's hope that this will alleviate the cold for members as winter approaches.

Recommendation

The Committee recommends status quo remain in effect with respect to parking on McKay Street.

14. Complaint of parked vehicle – intersection of Hamilton @ Patrick Street

The Committee reviewed a complaint of trucks parked at the intersection of Hamilton Avenue and Patrick Street.

Recommendation

Staff was instructed to address the parking of a trucks within 10 m of the intersection of Hamilton and Patrick.

Councillor Art Puddister,
Chairperson

Regarding Item #11 – Westerland Road – Pedestrian Protection Survey – the Deputy City Manager, Public Works provided an update on the action taken to date to improve pedestrian safety at the Westerland Road and Pedagogues Close intersection. He noted that a further update will be provided as the work proceeds.

Regarding Item #1 - Crosswalk needed on Blackhead Road across from Whitty Place - Councillor Collins asked that the matter be deferred pending review of additional information.

Regarding Item #12 – Margaret’s Place Parking – Councillor Galgay expressed concern with respect to the parking situation and the implications on snow clearing operations, and suggested an evaluation of the snow clearing equipment. The matter was referred to the Committee for consideration. Councillor Galgay also questioned whether the residents would be subject to ticketing given the fact that vehicles are overhanging onto the sidewalk. The matter was referred to staff for opinion.

Councillor Puddister suggested Margaret’s Place be exempt from the on street parking ban. The matter was referred to staff for consideration.

SJMC2013-11-25/519R

Following discussion, it was moved by Councillor Puddister; seconded by Councillor Galgay: That Items #1 and #12 be deferred and that the remaining recommendations be approved.

The motion being put was unanimously carried.

Weekly Permits List

Council considered the following Development Permits List for the period November 14 to 20, 2013:

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF November 14, 2013 TO November 20, 2013

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Better Contracting Limited	Proposed Construction of Accessory Building in the Watershed	581 Thorburn Road	5	Rejected - Located in the Watershed	13-11-14
COM	EXP Services	Drive-Thru Alterations	694 Water Street	4	Approved	13-11-15
COM	Empire Theatres Ltd.	Eight (8) Screen Theatre	20 Hebron Way	1	Approved	13-11-18
AG		Proposed Back Filling of Land for Agricultural Use	163 Doyle's Road	5	Approved	13-11-19
AG		Proposed Back Filling of Land for Agricultural Use	2-94 Cochrane Pond Road	5	Approved	13-11-20

* Code Classification:
 RES - Residential
 COM - Commercial
 AG - Agriculture
 OT - Other

INST - Institutional
 IND - Industrial

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

Gerard Doran
 Development Officer
 Department of Planning

Building Permits List – November 25, 2013

SJMC2013-11-25/520R

It was decided on motion of Councillor Collins; seconded by Councillor Galgay: That the recommendation of the Director of Planning and Development with respect to the following building permits, be approved:

**Building Permits List
 Council's November 25, 2013 Regular Meeting**

Permits Issued: 2013/11/14 To 2013/11/20

CLASS: COMMERCIAL

40 ABERDEEN AVE	MS	SERVICE SHOP
40 ABERDEEN AVE	MS	RETAIL STORE
40 ABERDEEN AVE	MS	SERVICE SHOP
40 ABERDEEN AVE	MS	CLINIC

46 ABERDEEN AVE	MS	RESTAURANT
77 BLACKMARSH RD	MS	RETAIL STORE
245 BLACKMARSH RD	MS	CONVENIENCE STORE
CARPASIAN RD	MS	CLUB
206 DUCKWORTH ST	SN	RETAIL STORE
395 EAST WHITE HILLS RD	MS	COMMERCIAL GARAGE
44 ELIZABETH AVE	MS	EATING ESTABLISHMENT
94 ELIZABETH AVE	MS	RETAIL STORE
385 EMPIRE AVE	MS	OFFICE
2 FOGWILL PL	MS	RESTAURANT
324 FRECKER DR	MS	CONVENIENCE STORE
336 FRESHWATER RD	MS	SERVICE SHOP
336 FRESHWATER RD	MS	OFFICE
15 GOLDSTONE ST	MS	SERVICE SHOP
169 HAMLYN RD	MS	SERVICE SHOP
12-20 HIGHLAND DR	MS	RETAIL STORE
102 KENMOUNT DR	MS	HOTEL
102 KENMOUNT DR	MS	OFFICE
150 KENMOUNT RD	MS	CAR SALES LOT
394 KENMOUNT RD	MS	CONVENIENCE STORE
460 KENMOUNT RD	MS	EATING ESTABLISHMENT
161 KENMOUNT RD	MS	RETAIL STORE
193 KENMOUNT RD	MS	RESTAURANT
195 KENMOUNT RD	MS	SERVICE SHOP
147 LEMARCHANT RD	MS	SERVICE SHOP
204-206 MAIN RD	MS	CLINIC
484-490 MAIN RD	MS	RESTAURANT
53-59 MAIN RD RONA	MS	RETAIL STORE
355-367 MAIN RD	MS	OFFICE
239 MAJOR'S PATH	MS	OFFICE
24A MEWS PL	SN	OFFICE
136 MILITARY RD	SN	DRYCLEANING ESTABLISHMENT
370 NEWFOUNDLAND DR	SN	MIXED USE
36 PEARSON ST	MS	RETAIL STORE
154 PENNYWELL RD	MS	SERVICE STATION
34 PIPPY PL	MS	OFFICE
180 PORTUGAL COVE RD	MS	RETAIL STORE
260 PORTUGAL COVE RD	MS	CONVENIENCE STORE
279 PORTUGAL COVE RD	MS	RETAIL STORE
283 PORTUGAL COVE RD	MS	EATING ESTABLISHMENT
150 CLINCH CRES	MS	LODGING HOUSE
38 ROPEWALK LANE	MS	TAVERN
38-42 ROPEWALK LANE SIGN #2	MS	TAVERN
38-40 ROPEWALK LANE	MS	OFFICE
ST. CLARE AVE	MS	PLACE OF ASSEMBLY
10 STAVANGER DR	MS	RETAIL STORE
386 STAVANGER DR	MS	BANK
86 THORBURN RD	MS	RETAIL STORE
644 TOPSAIL RD	MS	SERVICE SHOP
644 TOPSAIL RD	MS	DAY CARE CENTRE
656 TOPSAIL RD	MS	TAVERN
393 TOPSAIL RD	MS	OTHER
681 TOPSAIL RD	MS	RETAIL STORE
681 TOPSAIL RD	MS	PLACE OF AMUSEMENT
26-34 TORBAY RD	MS	TAVERN
10 ELIZABETH AVE	MS	OFFICE
350 TORBAY RD	MS	SERVICE SHOP
370 TORBAY RD	MS	OFFICE
50 WHITE ROSE DR-CARTER'S	SN	RETAIL STORE
16 STAVANGER DR	RN	RESTAURANT
ADJACENT TO 381 BAY BULLS RD	SW	AGRICULTURE
520 TOPSAIL RD BURGER KING	RN	EATING ESTABLISHMENT
321 DUCKWORTH ST	RN	OFFICE
15 ROPEWALK LANE	RN	INDUSTRIAL USE

35 HEBRON WAY

NC SCHOOL

THIS WEEK \$ 2,210,895.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

116 CAMPBELL AVE	NC	PATIO DECK
36 CASTLE BRIDGE DR	NC	ACCESSORY BUILDING
26 DUNKERRY CRES., LOT 277	NC	SINGLE DETACHED DWELLING
256 FRESHWATER RD	NC	ACCESSORY BUILDING
57 GILLIES RD, LOT 3	NC	SINGLE DETACHED DWELLING
57 GILLIES RD	NC	ACCESSORY BUILDING
35 HENRY ST	NC	PATIO DECK
35 HENRY ST	NC	PATIO DECK
35 HENRY ST	NC	PATIO DECK
199 LADYSMITH DR, LOT 607	NC	SINGLE DETACHED & SUB.APT
56 PARSONAGE DR, LOT 2.13	NC	SINGLE DETACHED DWELLING
26 PETTY HARBOUR RD	NC	ACCESSORY BUILDING
60 PINE BUD AVE	NC	ACCESSORY BUILDING
SHAW ST	NC	FENCE
73 SPRINGDALE ST	NC	PATIO DECK
230 STAVANGER DR, LOT 60	NC	SINGLE DETACHED DWELLING
342 THORBURN RD	NC	ACCESSORY BUILDING
10 WESTVIEW AVE, LOT 5, UNIT 1	NC	CONDOMINIUM
10 WESTVIEW AVE, LOT 5, UNIT 2	NC	CONDOMINIUM
10 WESTVIEW AVE, LOT 5, UNIT 3	NC	CONDOMINIUM
10 WESTVIEW AVE, LOT 5, UNIT 4	NC	CONDOMINIUM
2 FIRST AVE	CO	HOME OFFICE
63 STIRLING CRES	CO	DAY CARE CENTRE
42 ENNIS AVE	CR	SUBSIDIARY APARTMENT
72 HIGHLAND DR	CR	SINGLE DETACHED & SUB.APT
72 ICELAND PL	CR	SUBSIDIARY APARTMENT
30 SPRUCE GROVE AVE	EX	SINGLE DETACHED DWELLING
48 GROVES RD	EX	ACCESSORY BUILDING
8 ASPEN PL	RN	SINGLE DETACHED DWELLING
7 ATLANTIC AVE	RN	SEMI-DETACHED DWELLING
20 CONVENT SQ	RN	TOWNHOUSING
19 DUNDAS ST	RN	SINGLE DETACHED DWELLING
35 HENRY ST	RN	SEMI-DETACHED DWELLING
24 KENAI CRES	RN	SINGLE DETACHED DWELLING
8 ORDNANCE ST	RN	SINGLE DETACHED DWELLING
104 PEARLTOWN RD	RN	SINGLE DETACHED DWELLING
73 SPRINGDALE ST	RN	SINGLE DETACHED & SUB.APT
66 VISCOUNT ST	RN	SINGLE DETACHED DWELLING
10 BONAVENTURE AVE	SW	SINGLE DETACHED DWELLING
148 CASTLE BRIDGE DR	SW	SINGLE DETACHED DWELLING
14 DUNKERRY CRES	SW	SINGLE DETACHED DWELLING
32 DUNKERRY CRES	SW	SINGLE DETACHED DWELLING

THIS WEEK \$ 2,072,000.00

CLASS: DEMOLITION

THIS WEEK \$.00

THIS WEEK'S TOTAL: \$ 4,282,895.00

REPAIR PERMITS ISSUED: 2013/11/14 TO 2013/11/20 \$ 11,450.00

LEGEND

CO CHANGE OF OCCUPANCY	SN SIGN
CR CHNG OF OCC/RENOVTNS	MS MOBILE SIGN
EX EXTENSION	CC CHIMNEY CONSTRUCTION
NC NEW CONSTRUCTION	CD CHIMNEY DEMOLITION
OC OCCUPANT CHANGE	DV DEVELOPMENT FILE
RN RENOVATIONS	WS WOODSTOVE
SW SITE WORK	DM DEMOLITION
TI TENANT IMPROVEMENTS	

YEAR TO DATE COMPARISONS			
November 25, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$205,100,300.00	\$93,800,100.00	-54
Industrial	\$5,000,000.00	\$2,100,000.00	-58
Government/Institutional	\$16,200,900.00	\$79,800,000.00	393
Residential	\$166,500,200.00	\$152,700,300.00	-8
Repairs	\$4,900,300.00	\$4,600,500.00	-6
Housing Units (1 & 2 Family Dwellings)	552	423	
TOTAL	\$397,701,700.00	\$333,000,900.00	-16

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
Director of Planning & Development

Payrolls and Accounts

SJMC2013-11-25/521R

It was decided on motion of Councillor Collins; seconded by Councillor Galgay: That the following Payrolls and Accounts for the week November 20th, 2013 be approved:

**Weekly Payment Vouchers
For The
Week Ending November 20, 2013**

Payroll

Public Works	\$ 367,707.72
Bi-Weekly Administration	\$ 753,814.63
Bi-Weekly Management	\$ 700,972.61
Bi-Weekly Fire Department	\$ 568,204.47
Accounts Payable	\$ 5,960,964.99
Total:	\$ 8,351,664.42

Tenders

- a. Tender - Two (2) New Small Utility Tractors
- b. Tender – One (1) New Compact Excavator

SJMC2013-11-25/522R

It was moved by Councillor Collins; seconded by Councillor Galgay: That the recommendations of the Deputy City Manager Corporate Services & City Clerk be approved and the tenders awarded as follows:

- a. Atlantic Trailer and Equipment @ \$105,600.00 for two units plus HST
- b. Madsen Construction Equipment @ \$44,850.00, taxes extra

RFP – Memorial University Area Traffic Study

SJMC2013-11-25/523R

It was moved by Councillor Hickman; seconded by Councillor Lane: That the recommendation of the Director of Engineering be approved and the RFP be awarded as follows:

Hatch Mott MacDonald @ \$220,775.00 plus HST

(This study will be jointly funded by the City of St. John's (50%), MUN (25%) and Health and Community Service (25%).

Petitions

Councillor Davis tabled a petition the prayer of which reads as follows:

Petition to the Public Works – City of St. John's

We, the citizens of the section of Wishingwell Road from Stamps Lane to Terra Nova Road, petition the City of St. John's to replace the main water line in the area. Over the past 7 years there have been a number of breaks in the line on this section of the street with the most recent being March, 2012 , July 7, 2013; and July 12, 2013. These breaks have resulted in extensive damage to various properties on the street. This costs residents a great deal of property loss and emotional stress through no fault of our own or through it being an Act Of God.

Besides the stress of dealing with flooding from the breaks there is the extra worry that our insurance companies may refuse to cover us. Already we are aware of households on the street where the deductible have been set at exorbitant limits or insurances have been cancelled altogether. There is also the real possibility that property values will be affected downward.

We, the undersigned, demand that the Public Works Committee address our concern and prioritize Wishingwell Road as an area in immediate and expedient need of water main replacement.

The matter was referred to the Public Works Committee for consideration.

Councillor Tilley

Councillor Tilley advised residents in the Cowan Heights area that the matter of bike lanes and parking will be reviewed with the Chair of the Police and Traffic Committee in the New Year.

Councillor Galgay

Councillor Galgay noted that he has discussions with staff with respect to the revitalization of Victoria Park, and as a start he asked that consideration be given to enhancing the lighting within the park by turning on the lights at the softball field starting New Years Eve 7 pm to 9 pm , 3 nights per week on trial basis. The matter was referred to staff for followup.

Councillor Breen

Councillor Breen noted that he has had enquiries regarding the temporary speed bumps on Carrick Drive which have been taken up in advance of winter. He noted that staff have been collecting information on the speeds and looking at the location of the speed cushions and in the spring will begin permanent installation of the speed cushions based on the information collected.

Councillor Puddister

Councillor Puddister advised that he received a call concerning individuals improperly parking in handicap zones and fire lanes at the various malls throughout the City. He noted that in discussions with the Deputy City Manager, Public Works, the City has an agreement in place with the malls, although private property, wherein the City has the authority to ticket those improperly parked vehicles. Councillor Puddister suggested that the RNC be asked to increase their patrols in these areas and asked that staff advise on whether this is an option that can be considered.

Councillor Lane

Councillor Lane advised of a public meeting to be held to discuss the proposed Siting Protocol for Wireless Facilities in the City of St. John's. The purpose of the Siting Protocol is to establish procedural standards that will allow the City of St.

John's to effectively participate in and influence the placement of broadcasting antenna system structures, cellular towers and all wireless communications facilities.

Deputy Mayor Ellsworth

Deputy Mayor Ellsworth reminded residents of a Public Housing Forum to be held at the Holiday Inn on November 28, 2013.

His Worship the Mayor

His Worship the Mayor advised that he met with senior officials of The Telegram on the future of the paper, as part of the information system, culture and history of the City and Province of Newfoundland and Labrador, and was assured that the intent of the restructuring of The Telegram, while still reporting on national events, is in fact to enhance the role of The Telegram in the City and Province, to focus on local issues, community affairs and the whole sense of community that City is endeavoring to build.

Adjournment

There being no further business the meeting adjourned at 5:45 p.m.

MAYOR

CITY CLERK

MEMORANDUM

Date: November 27, 2013

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File No. B-17-M.5 (2013) / 12-00243**
12-20 Mount Cashel Road (Ward 4)
Application for a Townhouse Condominium Development
Proposed New R2 Condominium Zone
Applicant: 62554 Newfoundland and Labrador Inc.

At its Regular Meeting on September 9, 2013, Council considered a proposed new land-use zone called the Residential Medium Density Condominium Zone (or R2 Condo Zone). The zone standards are based on the R2 Zone but can accommodate a planned-unit development with a condominium corporation.

The applicant proposes to construct 27 townhouses, each three (3) storeys high and fronting on a private parking lot; each unit will have an indoor parking space. In addition, 36 outdoor spaces are proposed, for a total of 63 off-street parking spaces. The subject property is zoned Residential Medium Density (R2) and designated by the St. John's Municipal Plan in the Residential Low Density District. The R2 Zone allows townhouses as a permitted use. The applicant proposed the development as a private planned-unit development (PUD). Staff felt that the PUD provisions of the St. John's Development Regulations need to be updated and that Council should consider a site-specific zone instead.

The application and the proposed new zone were referred to a public meeting on August 14, 2013.

Since that time, staff have reviewed the policies of the Municipal Plan that have a bearing on the application. In the Residential Low Density District (page III-21), the following policy is applicable:

Subject to a Land Use Assessment Report, the City may permit zones to allow such Medium Density Residential uses as may be deemed by Council to be compatible with single detached dwellings.

Past practice has not required an LUAR when introducing a zone such as proposed here. However, we have determined that the best approach is to require the LUAR so as to satisfy the policy.

ST. JOHN'S

Recommendation

It is recommended that the applicant be directed to prepare a Land Use Assessment Report (LUAR) regarding the proposed development. Draft terms of reference are attached for Council's review. Upon completion of the LUAR and its review by City staff, it is recommended that the proposed rezoning and LUAR be advertised publicly for review.

This is provided for Council's consideration.

A handwritten signature in black ink, appearing to read "Ken O'Brien", is written over a horizontal line.

Ken O'Brien, MCIP
Chief Municipal Planner

KO'B/dlm

Attachments

**TERMS OF REFERENCE
FOR LAND-USE ASSESSMENT REPORT (LUAR)
APPLICATION TO REZONE PROPERTY @ 12-20 MOUNT CASHEL ROAD
TO THE RESIDENTIAL MEDIUM DENSITY (R2) CONDOMINIUM ZONE
AND TO ALLOW
DEVELOPMENT OF 27 ROWHOUSE DWELLING UNITS
PROPONENT: 62554 Newfoundland and Labrador Inc. / KMK Properties Inc.**

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

A. Building Use

- Identify the size of the proposed houses by floor area (Gross Floor Area) and by Floor-Area Ratio (FAR).
- Identify the proposed uses or occupancies within the buildings by their respective floor area.

B. Building Materials

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

C. Building Height & Location

Identify graphically the exact location and height of the proposed houses. Additionally, identify using cross-section drawings the effect of the proposed building height on properties in the vicinity of the development site in terms of the following criteria:

- Identify the proximity of the proposed houses to property lines.
- Possible loss of sunlight / potential shadowing / other potential impacts on adjacent properties.
- Information on the proposed construction of patios/balconies.

D. Exterior Equipment and Lighting

- Identify the location and type of exterior lighting to be utilized. Identify possible impacts on adjoining residential properties and measures to be instituted to minimize these impacts.
- Identify the location and type of any exterior HVAC equipment to be used to service the proposed buildings. Identify possible impacts on adjoining residential properties and measures to be instituted to minimize these impacts.

E. Landscaping & Buffering

- Identify, with a landscaping plan, the details of site landscaping and measures to be undertaken to buffer the proposed houses from nearby properties, including but not limited to possible traffic noise and lights from vehicles, site/building lighting, and HVAC equipment.
- Identify the location and proposed methods of screening any electrical transformers and refuse containers to be used at the site.

F. Snowclearing/Snow Storage

Identify proposed method of snowclearing and the location of snow storage area(s).

G. Off-street Parking

Identify the number and location of off-street parking spaces to be provided, and means by which parking area storm water runoff is to be managed.

H. Municipal Water and Sewer Services

Provide information as may be required by the City's Department of Engineering on the proposed installation of municipal water and sewer services to the site.

I. Public Transit

Consult with Metrobus (the St. John's Transportation Commission) regarding any required public transit infrastructure (e.g. such as a bus lay-by or shelter) and their provision as part of this proposed development.

MEMORANDUM

Date: November 20, 2013

To: His Worship the Mayor and Members of Council

Re: **Council Directive R2013-10-21/4**
Department of Planning File Number B-17-P.10
Proposed Text Amendment to the Agriculture (AG) Zone
Land adjacent to 90 Pearltown Road – Lester Farms Inc.

At its Regular Meeting on October 21, 2013, Council deferred its decision on the application proposing “Aquaculture” use on land adjacent to 90 Pearltown Road as a Discretionary Use in the Agriculture (AG) Zone and instructed staff to investigate the artificial lighting to be used as part of the operation.

The proposed aquaponics facility consists of greenhouse-style buildings. The buildings would be metal-frame, poly-covered greenhouses that are 200 feet long and 15 feet high. These greenhouses will contain closed tanks for raising tilapia fish. The nutrients produced from the fish waste are a natural fertilizer and would be used to grow vegetables in the same facility. The vegetables could be considered 'aquatic' because they will be grown with the fish water with no substrate (the plant will be floating on water in separate tanks). The system at Lester Farms Inc. will produce fresh vegetables and herbs year round for sale to the general public. Fish will be sold whole so there will be no foul odors associated with fish processing.

Artificial Light fixtures and restricted lighting times

These greenhouse-style buildings and closed tanks will use natural lighting with additional artificial lights when natural daylight is not sufficient to provide 14 hours per day. The artificial lighting will not be used for fish production but only for plant production. Fish do not need additional lighting to grow but plants in a greenhouse do, especially during winter months. At this time, the proponent does not yet know the exact light requirements which may vary from 400W to 1000W per light fixture; there will be 50 fixtures. City staff recommends that the artificial lighting be limited to use between the hours of 7 a.m. to 9 p.m., giving 14 hours of light year-round.

Separation distance and grade differential

In speaking with greenhouse operators in Oklahoma and Quebec, staff believe that the lighting to be provided should not unduly impact the adjacent residential homes along Pearltown Road.

ST. JOHN'S

The light fixtures proposed for this operation will have minimum “light pollution” (misdirected or obtrusive artificial light). These fixtures have adjustable reflectors to direct the light down on the plants. The lights will be placed 4 to 6 feet up from the plants. The positioning of the proposed greenhouses is also relevant. These structures will be placed over 70 metres (228 feet) from the rear property line of the Pearltown Road houses and over 120 metres (390 feet) from the houses. It is also important to note that the grade of the land drops off approximately 5 metres behind the rear property lines into the field. This drop-off would help to reduce any negative impacts of the artificial lighting.

Background

In August 2013, Council accepted the recommendation from the July 29, 2013 meeting of its Planning and Housing Committee to advertise the proposed text amendment to the Agriculture (AG) Zone as it pertains to the application to operate an “Aquaculture” use on land adjacent to 90 Pearltown Road as a Discretionary Use in the Agriculture (AG) Zone.

The application was been advertised in *The Telegram* newspaper and on the City’s website, and notices were mailed to fifty-nine (59) property owners/residents within a radius of 150 metres from the application site. The application is scheduled to be referred to the agenda for Council’s regular meeting on Monday, December 2, 2013. Any written submissions received by the City Clerk’s Department will be attached.

Recommendation

The Department of Planning, Development and Engineering recommends the proposed text amendment to permit aquaculture in the AG Zone.

Council should also determine if it wishes to approve-in principle the proposed “Aquaculture” use on land adjacent to 90 Pearltown Road as a Discretionary Use in the Agriculture (AG) Zone subject to the following conditions:

- No artificial lighting will be used as part of a greenhouse structure between the hours of 9:00 p.m. and 7:00 a.m.;
- A closed-containment system is used in accordance with the regulations outlined in the *Fisheries Act* provided by Fisheries and Oceans Canada; and
- Meeting all requirements of the City’s Department of Planning, Development and Engineering.

If Council decides to proceed, then Council should adopt the attached resolution to the St. John’s Development Regulations Amendment Number 579, 2013. Upon Council’s adoption, the text amendment will be forwarded to the Department of Municipal Affairs with the request for Provincial registration.



Ken O’Brien, MCIP
Chief Municipal Planner

KO’B/dlm

Attachments



Approximate Location of Aquaponics Facility

AG

OR

AG

PITTS MEMORIAL DR

R

PEARLTOWN RD

RRI

RRI

AG

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 579, 2013

WHEREAS the City of St. John's wishes to allow "Aquaculture" as a Discretionary Use in the Agriculture (AG) Zone.

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

Amend Section 2 of the St. John's Development Regulations by adding the following:

"AQUACULTURE" Means the breeding, hatching and rearing of fish or other aquatic plants or animals for sale and/or personal use"

Amend Section 10.34.2 of the St. John's Development Regulations by adding "Aquaculture" as a Discretionary Use to the Agriculture (AG) Zone.

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this day of _____, 2013.

Mayor

MCIP

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

City Clerk

Council Adoption

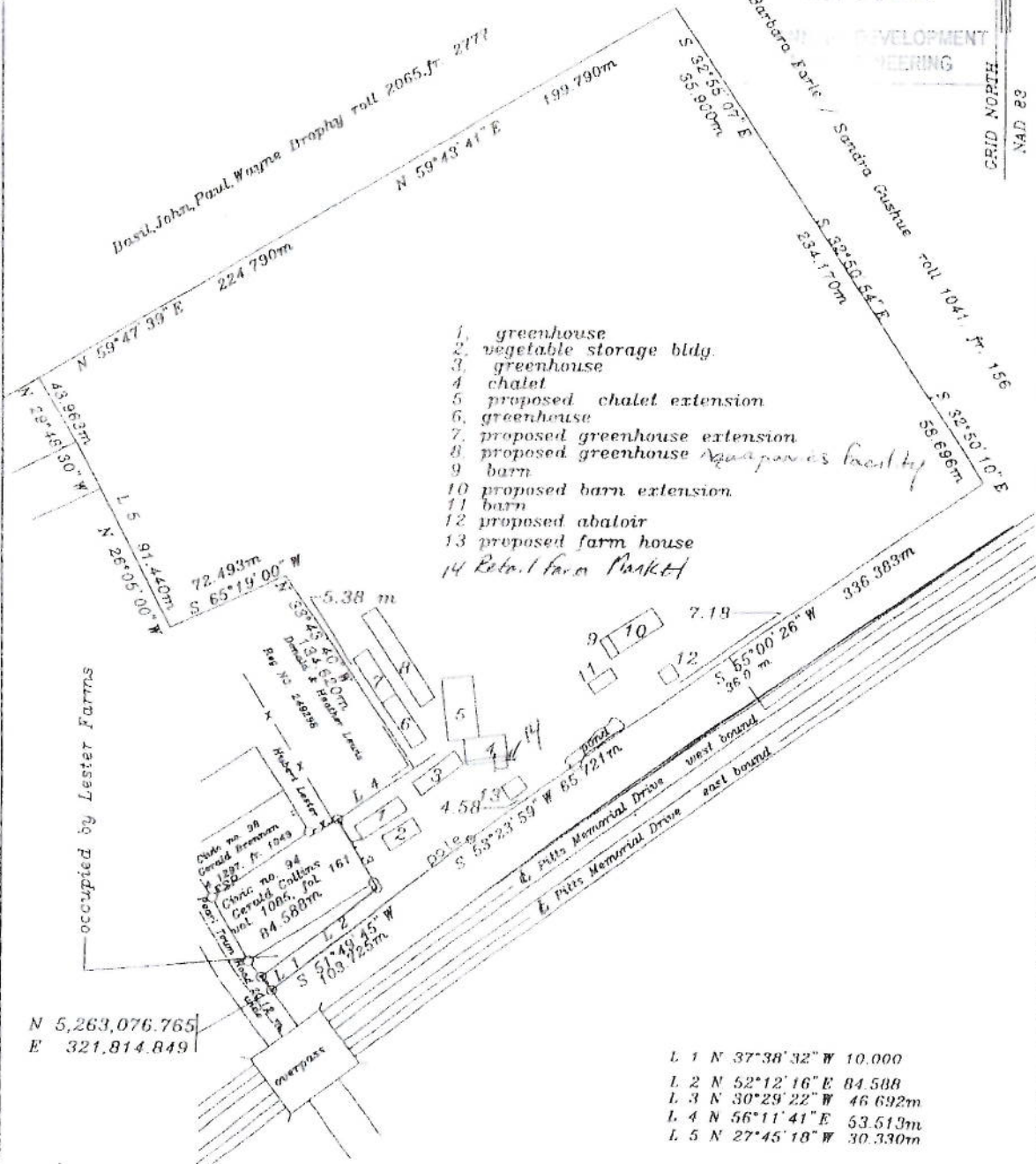
Provincial Registration

RECEIVED

AUG 22 2013

Barbara Forle / Sandra Gushue
 DEVELOPMENT
 ENGINEERING

GRID NORTH
 NAD 83



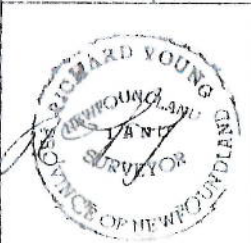
ALL MEASUREMENTS ARE HORIZONTAL GROUND DISTANCES AND ARE IN METRES (NAD83 DATUM).

THIS PLAN AND THE ACCOMPANYING REPORT OF RICHARD YOUNG & ASSOC. CO. LTD. FORM AN INTEGRAL PART OF THE WHOLE AND ARE NOT SEPARABLE.

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Description		
Northing		
Easting		

PROPERTY SURVEYED
 FENCE LINES — x — x —
 PLACED IRON PIN O
 FOUND IRON PIN O F.S.P



RICHARD YOUNG & ASSOC. CO. LTD.
 NEWFOUNDLAND LAND SURVEYORS
 St. John's

plan showing buildings and combined parcels of lands of
 Lesters Farms Inc.
 Pearl Town Road, St. John's

Scale: 1 : 3000
 Surveyed by: RY

Date: June 2013
 Job No: 1318

MEMORANDUM

Date: November 28, 2013

To: His Worship the Mayor and Members of Council

From: Ken O'Brien, MCIP
Chief Municipal Planner

Re: **Council Directive # R2013-11-12/3**
St. John's Municipal Plan Amendment Number 96, 2013
St. John's Development Regulations Amendment Number 514, 2013; and,
1 CLIFT'S/BAIRD'S COVE (Ward 2)
Proposed Site Redevelopment: 3-Storey Extension to Parking Garage
Philip Pratt Architect, for SONCO Group Inc.
Planning File #: B.17-C.5 (12-00387)

At its Regular Meeting of November 12, 2013, Council directed staff to prepare amendments and forward them to the Provincial Department of Municipal Affairs with a request for a review against Provincial interests and a Release from further review. Upon receipt of a positive response, Council would appoint an independent Commissioner and schedule a public hearing on the amendments in accordance with the Urban and Rural Planning Act, 2000.

The Provincial Release for the amendments has been received, and it is now in order for Council to determine if it wishes to move ahead with the amendment process. The Department of Planning, Development and Engineering recommends that Council proceed to adopt the amendments.

Recommendation

It is recommended that Council now adopt the attached resolutions for the St. John's Municipal Plan Amendment Number 96, 2013, and the St. John's Development Regulations Amendment Number 514, 2013.

If Council agrees to adopt the amendments, then it is further recommended that Council appoint Dr. Christopher Sharpe, a member of the City's Commissioner List, as the commissioner to conduct a public hearing on these amendments. The proposed date for the public hearing is Wednesday, January 15, 2014 at 7:00 pm in the Foran-Greene Room at St. John's City Hall.



Ken O'Brien, MCIP
Chief Municipal Planner

KO/sba

Attachment

g:\planning and development\planning\pbound\2013\apparagememotomayor&council20131126pdb, nov. 28 2013.docx

ST. JOHN'S

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 96, 2013**

WHEREAS the City of St. John's wishes to ensure the future use of the A.P. Parking Garage at Civic Number 1 Clift's-Baird's Cove [Parcel ID #34257] is maintained to its historic and current principal use as a parking garage and to allow development of a 3 storey hotel or a residential development atop the existing 8 storey structure.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Municipal Plan under the provisions of the Urban and Rural Planning Act, 2000:

- 1. Create a new Land Use District in Part III, Section 3 ("Commercial") of the St. John's Municipal Plan to read as follows:**

"3.3.6 A.P. Parking Garage District

- 1. Permitted Zones**

In this District, which applies only to the existing A.P. Parking Garage site located at Civic Number 1 Clift's-Baird's Cove, the City may allow a zone in which a parking garage for public use is the only permitted use. The City may also allow other uses it deems appropriate as discretionary uses.

- 2. Building Height and Bulk**

In this District, the maximum building height is limited to 11 Storeys and the maximum Floor Area Ratio is limited to 2.25."

- 2. Amend Map III-1 ("General Land Use Map") of the St. John's Municipal Plan by redesignating the property at Civic Number 1 Clift's-Baird's Cove from the "Commercial Downtown District" to the A.P. Parking Garage District" as shown on Map III-1B attached.**
- 3. Amend Map III-2 ("Downtown Building Control Map") of the St. John's Municipal Plan by adding the property at Civic Number 1 Clift's-Baird's Cove as an "Area allowing a building height not exceeding 11 Storeys and a Floor Area Ratio not exceeding 2.25" as shown on Map III-2 attached.**

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this day of , **2013**.

Mayor



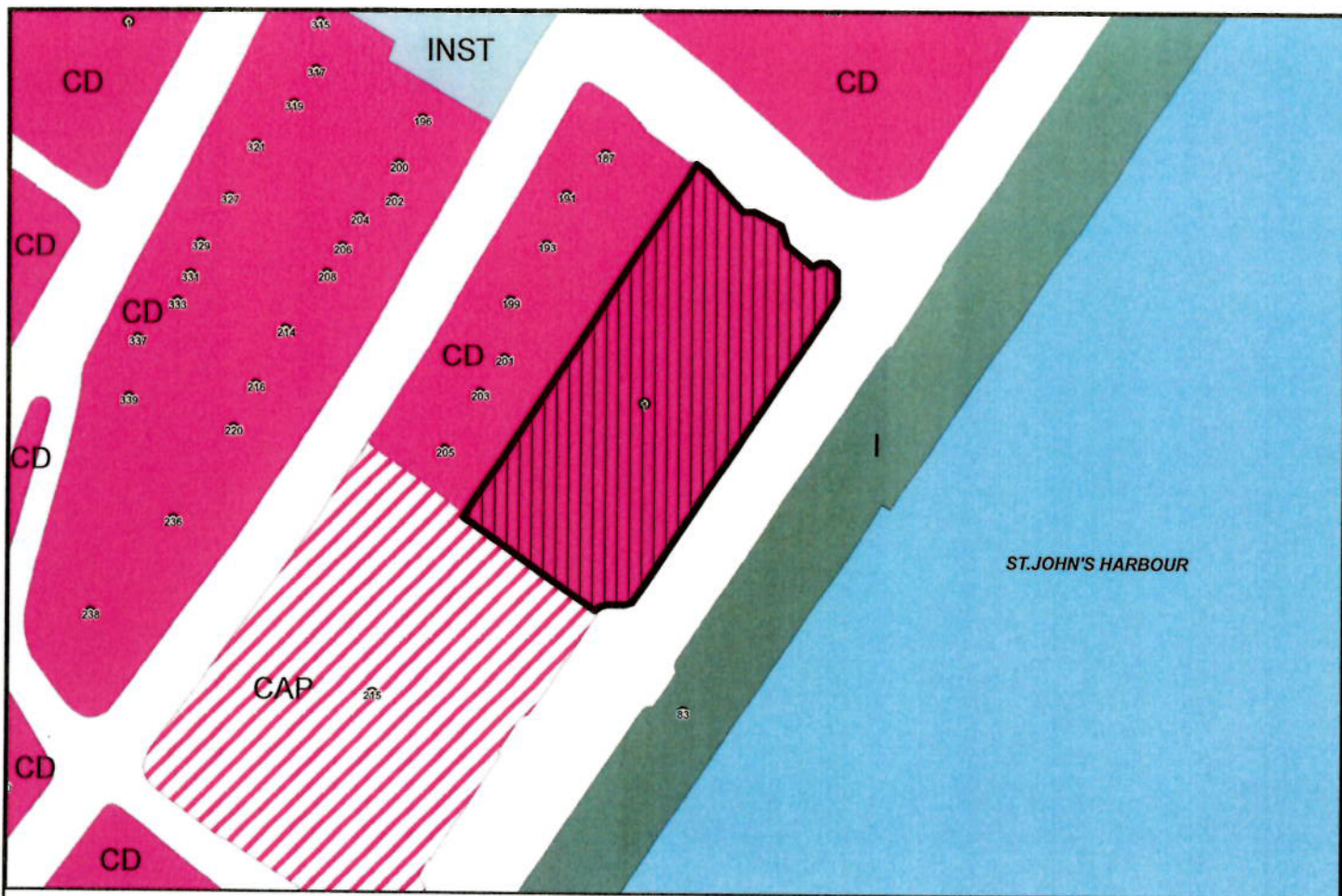
MCIP

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

City Clerk

Council Adoption

Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 96, 2013
[Map III-1B]**

2013 10 03 SCALE: 1:1500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REDESIGNATED FROM
COMMERCIAL DOWNTOWN (CD) LAND USE DISTRICT TO
A.P. PARKING GARAGE LAND USE DISTRICT

1 CLIFT'S BAIRD'S COVE (A.P. Parking Garage)

Paul Boundridge

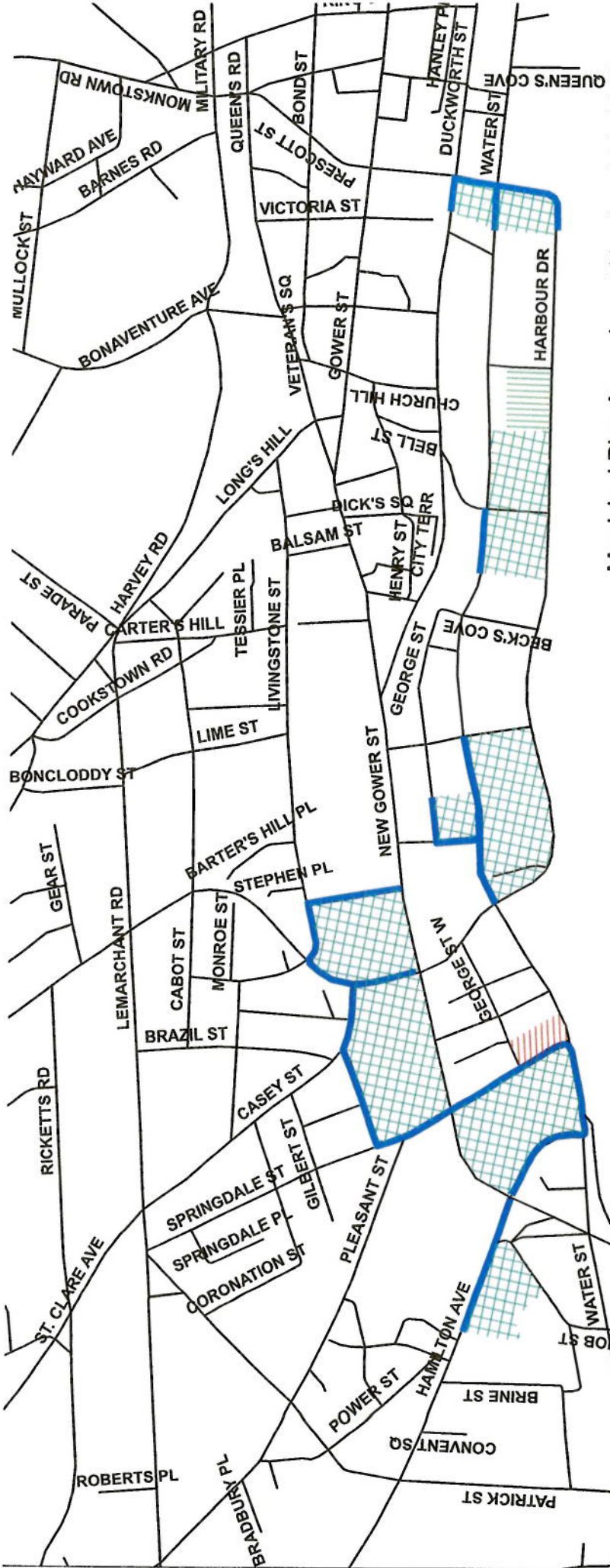
 M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption





Provincial Registration



Municipal Plan Amendment Number 114, 2013

MAP III-2

**CITY OF ST. JOHN'S
MUNICIPAL PLAN
DOWNTOWN
BUILDING CONTROL**

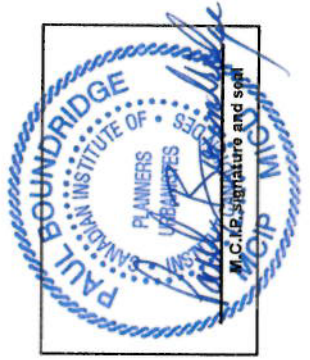
-  Streets requiring a light angle of 60 degrees at 15m /4 storeys above grade.
-  Areas allowing a floor area ratio in excess of 3.0 and a building height exceeding 4 storeys.
-  Areas allowing a building height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15m/4 storeys above grade
-  Areas allowing a building height not exceeding 11 storeys and a floor area ratio not exceeding 2.25



ST. JOHN'S
DEPARTMENT OF PLANNING

Gazetted June 03, 1994

Updated October 03, 2013



Mayor

City Clerk

Date

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 514, 2013**

WHEREAS the City of St. John's seeks to ensure that the future use of the A.P. Parking Garage at Civic Number 1 Clift's-Baird's Cove [Parcel ID #34257] is maintained as its historic and current principal use as a parking garage and to have the power to allow development of a 3 storey hotel or residential development atop the existing 8 storey parking garage.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text and map amendments to the St. John's Development Regulations under the provisions of the Urban and Rural Planning Act, 2000:

- 1. Create a new Zone in Section 10 of the St. John's Development Regulations to read as follows:**

"10.49 A.P. Parking Garage Zone

This Zone only applies to the existing A.P. Parking Garage site located at Civic Number 1 Clift's-Baird's Cove.

10.49.1 Permitted Uses

- (a) Parking Garage**

10.49.2 Discretionary Uses

- (a) Hotel located on the 9th and/or higher Storeys of a Building**
- (b) Dwelling Units located on the 9th and/or higher Storeys of a Building**
- (c) Office/Reception uses accessory to or normally associated with a Hotel on any Storey (subject to a Hotel being developed on the 9th and/or higher Storeys of a Building)**

10.49.3 Zone Requirements

- (a) Building Height (maximum): 11 storeys**
- (b) Publicly Available Rental Parking Spaces (minimum): 670:**
 - (i) Discretionary Uses that may be approved in the Zone are subject to the proviso that any such approved Discretionary Use shall be developed, undertaken, maintained, and used in such a manner that Publicly Available Rental Parking Spaces on the 1st through 8th Storeys of the Building shall not number less than 670;**

(ii) For the purpose of the A.P. Parking Garage Zone, Publicly Available Rental Parking Spaces shall mean parking spaces that are available to the general public for rental on an hourly, daily, or monthly basis. The foregoing shall not include any parking spaces that are otherwise required by the Regulations in relation to any other Discretionary Uses that may be approved in the Zone

(c) Floor Area Ratio (maximum) 2.25

2. Rezone the existing A.P. Parking site at Civic Number 1 Clift's-Baird's Cove from the Commercial Central Retail (CCR) Zone to the A.P. Parking Garage Zone as shown on Map Z-1B attached.
3. Amend Map F ("Downtown Building Control Map") of the St. John's Development Regulations by adding the property at Civic Number 1 Clift's-Baird's Cove as an "Area allowing a building height not exceeding 11 Storeys and a Floor Area Ratio not exceeding 2.25."

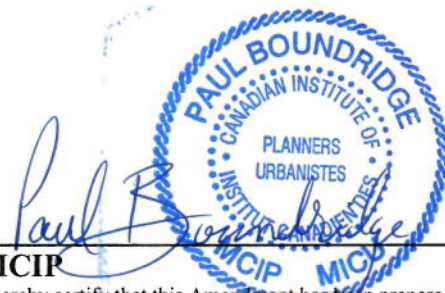
BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this _____ day of _____, 2013.

Mayor

City Clerk

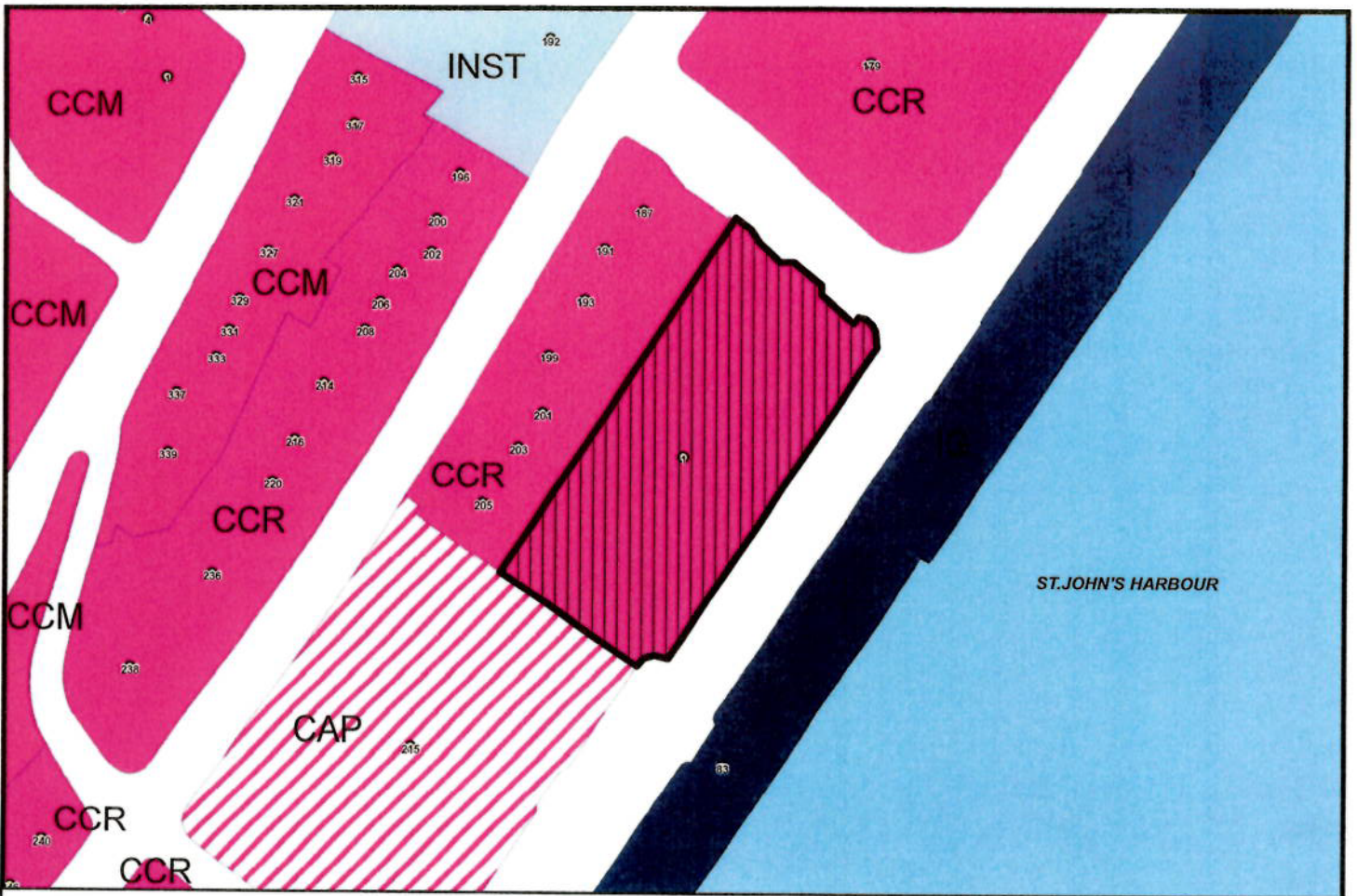
Council Adoption



MCIP

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

Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 514, 2013
[Map Z-1B]**

2013 10 03 SCALE: 1:1500
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING

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



AREA PROPOSED TO BE REZONED FROM
COMMERCIAL CENTRAL RETAIL (CCR) LAND USE ZONE
TO A. P. PARKING GARAGE LAND USE ZONE

1 CLIFT'S BAIRD'S COVE (A.P. Parking Garage)



M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

MEMORANDUM

Date: November 27, 2013

To: His Worship the Mayor and Members of Council

Re: **Council Directive R2013-10-28/4**
Application to Rezone Property Situate at "1 Bergeron Place"
(Bergeron Place & Groves Road), Ward 4
Planning File: B.17-B.33 (13-00211)

At the Regular Meeting of Council held on October 28, 2013, Council agreed to accept the October 16, 2013 recommendation of the Planning and Development Committee to consider the map amendments to the St. John's Municipal Plan and the St. John's Development Regulations for a parcel of undeveloped, vacant land situated at the corner of Groves Road and Bergeron Place.

The proposed map amendments to both the St. John's Municipal Plan and the St. John's Development Regulations would have the effect of rezoning the subject property from the Rural Residential Infill (RRI) Zone to the Residential Medium Density (R2) Zone for the purpose of allowing development of a building lot for a single-detached house. This is pursuant to an application by the owner of the subject property.

The application has been advertised in The Telegram Newspaper and posted on the City website. In addition, notices have mailed to property owners located within a minimum radius of 150 metres from the application site advising that the application is to be referred for a decision by Council at the Regular Meeting of Council scheduled for December 2, 2013. Any written public submissions received by the City Clerk's Department will be referred to the agenda for the Regular Meeting of Council to be held on December 2, 2013.

RECOMMENDATION

Council should now determine if it wishes to move ahead with the amendment process for the land situated at the corner of Groves Road and Bergeron Place. The Department of Planning, Development and Engineering recommends that Council proceed with the amendment process.

If Council determines that it wishes to move ahead with the amendments, then City staff will proceed to prepare the necessary amendments to the Municipal Plan and Development

ST. JOHN'S

Regulations and forward these to the Department of Municipal Affairs with the request for the issuance of a Provincial release for the amendments. Upon the issuance of the Provincial release, the amendments will then be referred to a Regular Meeting of Council for consideration of adoption and the appointment of an independent commissioner to conduct a public hearing on the amendments.



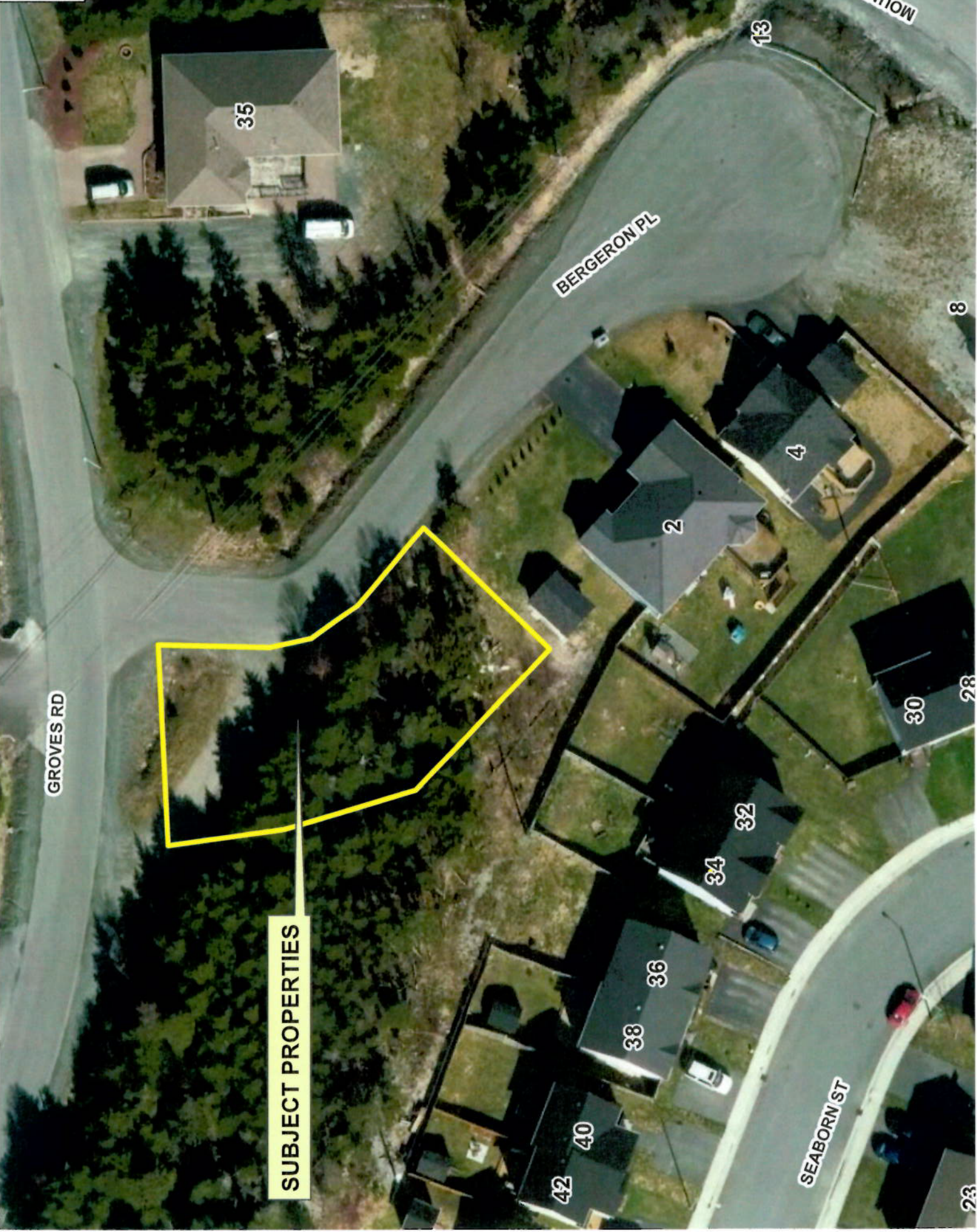
Ken O'Brien, MCIP
Chief Municipal Planner

KO'B/dlm

Attachments



1:500



GROVES RD

BERGERON PL

SEABORN ST

MOUNT SCIO RD

SUBJECT PROPERTIES

35

2

4

8

13

28

30

32

34

36

38

40

42

23

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council at the **Regular Meeting of Council on Monday, December 2, 2013**

Ref #	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Planning and Development Division Notes
1	355 Back Line Rural Residential Infill (RRI) Zone	5	A Discretionary Use Application has been submitted by King Lifts Ltd. requesting permission to establish and operate a fork lift sales and service business from an Accessory Building located at the rear of Bidgood's Plaza, 355-357 Main Road . The proposed business will occupy 195 m ² and employ a staff of two (2).	195 m ²	2		No submission received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.
2	472 Newfoundland Drive Residential Low Density (R1) Zone	1	A Discretionary Use Application has been submitted requesting permission to occupy a portion of Civic No. 472 Newfoundland Drive as a Home Occupation for an Esthetics Salon. The proposed business will occupy a floor area of approximately 23 m ² and will operate Tuesday to Saturday, 11:00 a.m.-6:00 p.m. There will be two (2) clients per day by appointment only. One (1) on-site parking space is available for the business. The applicant is the sole employee.	23 m ²	1	1	2 submissions received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.

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


 Jason Sinyard, P. Eng, MBA
 Director of Planning and Development

November 26, 2013

To: The City of St. John's

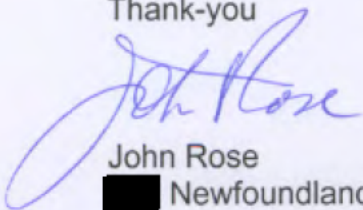
From: The Resident of 476 Newfoundland Drive
St. John's

Re: **472 Newfoundland Drive, operation of a Home Occupation**

I have read the details provided by the City regarding this proposed Home Occupation at 472 Newfoundland Drive. I strongly oppose the approval of this application for the following reasons:

- During the past 4 to 6 months prior to this application the business appeared to be in operation. This caused extra vehicle traffic in the area. They had a sign with the name and phone number of the business placed in full view in front of their residence, the sign seemed to draw people walking in the neighborhood to their front door and it also made you feel we lived in a commercial area and not a residential area.
- This already apparent non compliance with City regulations makes me wonder if similar problems will develop in the future.
- The business will create additional traffic and parking. The Southside of Newfoundland Drive already has a parking band in place, due to congestion, Monday to Friday 8AM to 4PM.
- The placement of any type of sign indicating a business operation will have a negative effect on property values.
- The provision of one parking space for clients is questionable. If the family acquires a 2nd vehicle it would eliminate the extra space. Some neighbors indicate that the residents of 472 appear to be developing a basement apartment. If this is correct then additional parking would be required.
- If the number of clients, or the hours of operation, or the number of employees increase how would the City know? Is there an annual review or monitoring system in place to ensure they are in compliance?

Thank-you



John Rose

■ Newfoundland Drive

Doc 2
November 19, 2013

Office of the City Clerk
City of St. John's Council
P.O. Box 908
St. John's, NL A1C 5M2

Sharon Halfyard & Tony White
[REDACTED] Newfoundland Drive
St. John's, NL, A1A 4E3

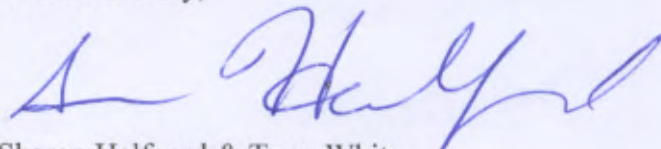
Re: 472 Newfoundland Drive Application to be referred to Council for Home Occupation for an Esthetics Salon.

Dear Sir or Madam:

I would like to express our concerns with two aspects of the application by the residents of 472 Newfoundland Drive's application for a Home Occupation for an Esthetics Salon. First, this area of Newfoundland Drive is a residential area and we are not keen on the idea of having a business sign on display in such a residential area. The second concern is with parking. We are in a very busy location, right on the crosswalk that goes down to Jasper Street. There is often a backup of traffic in the area because people use the route to take children to school at MacDonald Drive Elementary and Junior High. Thus, we always have to back into our driveway because otherwise we would have difficulty getting out of our driveway. If clients for 472 start park in-front of our house we will have difficulty getting into our parking lot.

We fully appreciate that many people have businesses in their homes and have no problem with our neighbors having a home-based businesses. However, we would not want business signage next door which could possibly devalue the re-sale value of our property.

Yours sincerely,



Sharon Halfyard & Tony White
Residents

[REDACTED] Newfoundland Drive

MEMORANDUM

Date: November 27, 2013

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File Number: B-17-B.29 / 13-00165**
Proposed Rezoning from O Zone to RRI Zone
288 Back Line (Ward 5)

A public meeting chaired by Councillor Art Puddister was held at City Hall on November 26, 2013. The purpose of the meeting was to provide an opportunity for public review of the proposed rezoning of land for one (1) residential lot. No one from the general public attended and the meeting was adjourned.

The subject property is zoned Open Space (O) Zone and Agriculture (AG) under the St. John's Development Regulations. It is the intent of the applicant to develop the front (eastern) portion of the property for an unserviced building lot; the rear (western) portion would remain in the AG Zone.

There was past backfilling of land along the bank of the watercourse that flows through the property, and an associated legal file. City staff could recommend a rezoning only if two conditions were met:

- 1) If the NL Department of Environment and Conservation determined that the watercourse running through the subject property was not a significant river; and
- 2) If the applicant reinstated the floodplain and buffer area of the watercourse to its original condition, to the satisfaction of City staff.

These two conditions have been met. Environment staff advise that only a 5-metre buffer is required.

The subject property is designated in the Open Space District and the Agricultural District of the St. John's Municipal Plan. If Council wishes to allow the proposed development, this will require a Municipal Plan amendment from the Open Space District to the Rural District. The Agricultural District that the City uses is the same boundary as the Agricultural Development Area (ADA) of the Province and could not be amended without the agreement of the Province.

ST. JOHN'S

Recommendation

The Department of Planning, Development and Engineering is recommending that the proposed rezoning be considered. If Council wishes to move ahead with rezoning, then Council should adopt the attached resolutions. This rezoning will require a Municipal Plan amendment.

After adoption, the amendments would be forwarded to the NL Department of Municipal Affairs with a request for provincial release so that Council could set up a commissioner's public hearing.



Ken O'Brien, MCIP
Chief Municipal Planner

KO'B/dlm

Attachments

A public meeting was held on Tuesday, November 26, 2013 at 7:00 p.m. in the fourth floor conference room A, City Hall.

In Attendance: Councillor Art Puddister, Chairperson
 Councillor Wally Collins, Ward 5
 Mark Hefferton, Planner
 Karen Chafe, Recording Secretary

Representing the Proponent was Mr. Trevor Earle.

The purpose of the meeting was to:

Provide an opportunity for public review and comment on the application submitted by Trevor and Charlotte Earle to rezone land located at 288 Back Line from the Open Space (O) Zone and Agricultural (AG) Zone to the Rural Residential Infill (RRI) Zone and Agricultural (AG) Zone. The property owner intends to develop a single-family dwelling.

The subject property is situated in Ward 5.

There being no written submissions or representations from the general public, the meeting adjourned at 7:20 p.m.

Councillor Art Puddister
Chairperson

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 120, 2013**

WHEREAS the City of St. John's wishes to allow a residential development at Civic Number 288 Back Line [Parcel ID #21041].

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act.

**Redesignate the land at 288 Back Line from the Open
Space (O) Land Use District to the Rural (R) Land Use
District as shown on Map III-1A attached.**

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this _____ day of **NOVEMBER, 2013**.

Mayor

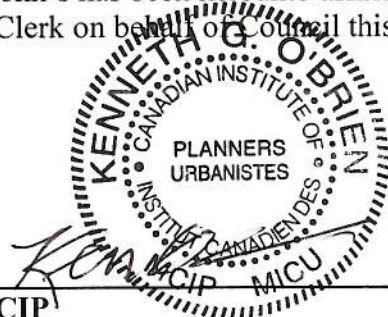
City Clerk

Council Adoption

MCIP

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

Provincial Registration





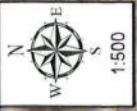
BACKLINE

284-286

288

297-299

301



SUBJECT PROPERTY

BACK LINE

286

288

AG

RRI

RRI

RRI





**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 120, 2013
[Map III-1A]**

2013 11 04 SCALE: 1:1000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REDESIGNATED FROM
OPEN SPACE (O) LAND USE DISTRICT TO
RURAL (R) LAND USE DISTRICT

288 MAIN ROAD

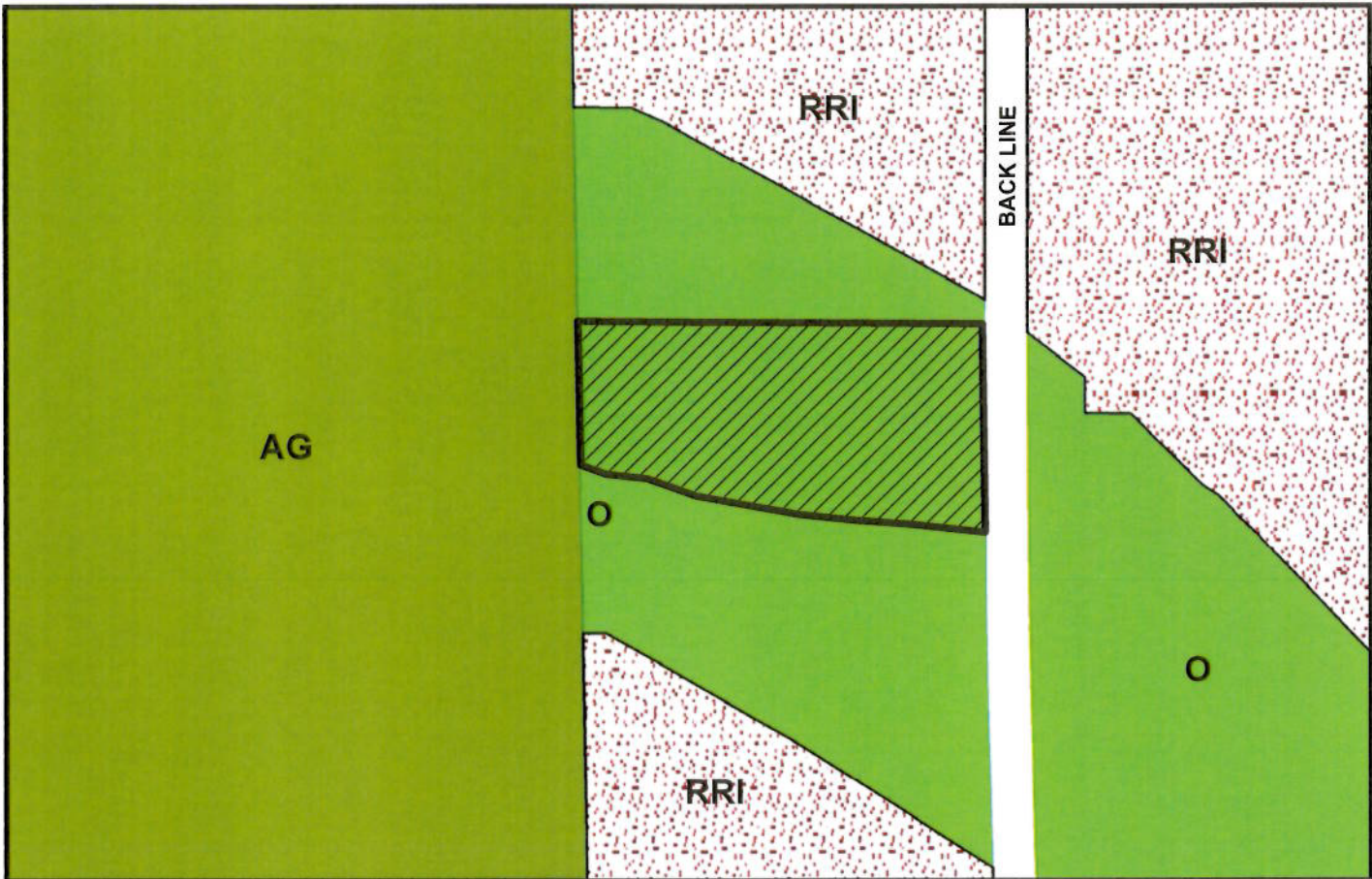
M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 590, 2013
[Map Z-1A]**

2013 11 04 SCALE: 1:1000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REZONED FROM
OPEN SPACE (O) LAND USE ZONE TO
RURAL RESIDENTIAL INFILL (RRI) LAND USE ZONE

288 BACK LINE

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

MEMORANDUM

Date: November 27, 2013

To: His Worship the Mayor and Members of Council

Re: **Council Directive #R2012-09-04/7**
Department of Planning File Number B-17-L.2
Proposed text amendment to allow additional height in the Commercial Central Mixed (CCM) Zone
Civic No. 21-47 LeMarchant Road, Ward 2
Applicant: Pinnacle Developments Inc.

A public meeting chaired by Councillor Frank Galgay was held on September 5, 2013. The purpose of the public meeting was to provide an opportunity for public review and comment on an application submitted by Pinnacle Developments Inc. at Civic Number 21-47 LeMarchant Road. The application is for the development of a 5-storey, 55-unit residential condominium development on the site of the now demolished Tulk's Glass and Key shop. Parking access to the development would be from Lime Street and Cookstown Road and will provide 68 parking spaces.

The property is zoned Commercial Central Mixed (CCM) under the St. John's Development Regulations. This zone allows residential dwelling units on the second and higher storeys of a building as a Permitted Use, and residential dwelling units on the ground floor (1st storey) of a building as a Discretionary Use. The proposed residential development exceeds the maximum building height of 15 metres under the CCM Zone. The project would also exceed the allowed maximum Floor Area Ratio of 3.0 and the residential density standard of no more than one (1) residential dwelling unit per 50 square metres.

The applicants prepared a land use assessment report regarding the project under terms of reference approved by Council. The LUAR was made available for public review and is posted on the City website. The minutes of the public meeting and written public representations received by the City Clerk's Department on the application are attached to this memorandum and will be referred to the agenda for the Regular Meeting of Council to be held on December 2, 2013.

ST. JOHN'S

Recommendation

Upon reviewing the minutes of the September 5, 2013, public meeting, Council should determine if it wishes to proceed with the text amendment to allow the development of the proposed 5-storey, 55-unit residential condominium development at Civic Number 21-47 LeMarchant Road.

If adopted by Council, the proposed amendment would make a site-specific text amendment to the CCM Zone. The text amendment would allow a building on the property with a building height no greater than 18 metres as measured from LeMarchant Road, and it would allow a building at this location with a Floor Area Ratio of 4.0 and a residential density of 1.5 dwelling units per 50 square metres of lot area. This site-specific amendment would apply only to Civic Number 21-47 LeMarchant Road. A Municipal Plan amendment is not required.

If Council decides to proceed with the proposed text amendment, then Council should adopt the attached resolution for St. John's Development Regulations Amendment Number 592, 2013. If the amendment is adopted by Council, it will then be referred to the Department of Municipal Affairs with the request for Provincial registration of the amendment.



Ken O'Brien, MCIP
Chief Municipal Planner

LLB/dlm

Attachment

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 592, 2013**

WHEREAS the City of St. John's wishes to allow the construction of a residential condominium building at Civic Number 21-47 LeMarchant Road [**Parcel ID # 23408 & 46868**] (former Tulks Glass and Key Shop).

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

Add the following new subsection to Section 10.23.3 ("Zone Requirements for the Commercial Central Mixed (CCM) Zone").

"(k) Notwithstanding Subsections (a), (b) and (c), Council may permit at its discretion, at the property situated at Civic Numbers 21-47 LeMarchant Road (the former Tulks Glass and Key Shop), a Building with a Building Height not greater than 18 metres as measured from LeMarchant Road, with a Floor Area Ratio not greater than 4.0, and a Residential Density not greater than 1.5 dwelling units per 50m² of Lot Area."


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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this day of **November, 2013**.

Mayor

City Clerk

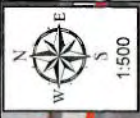
Council Adoption



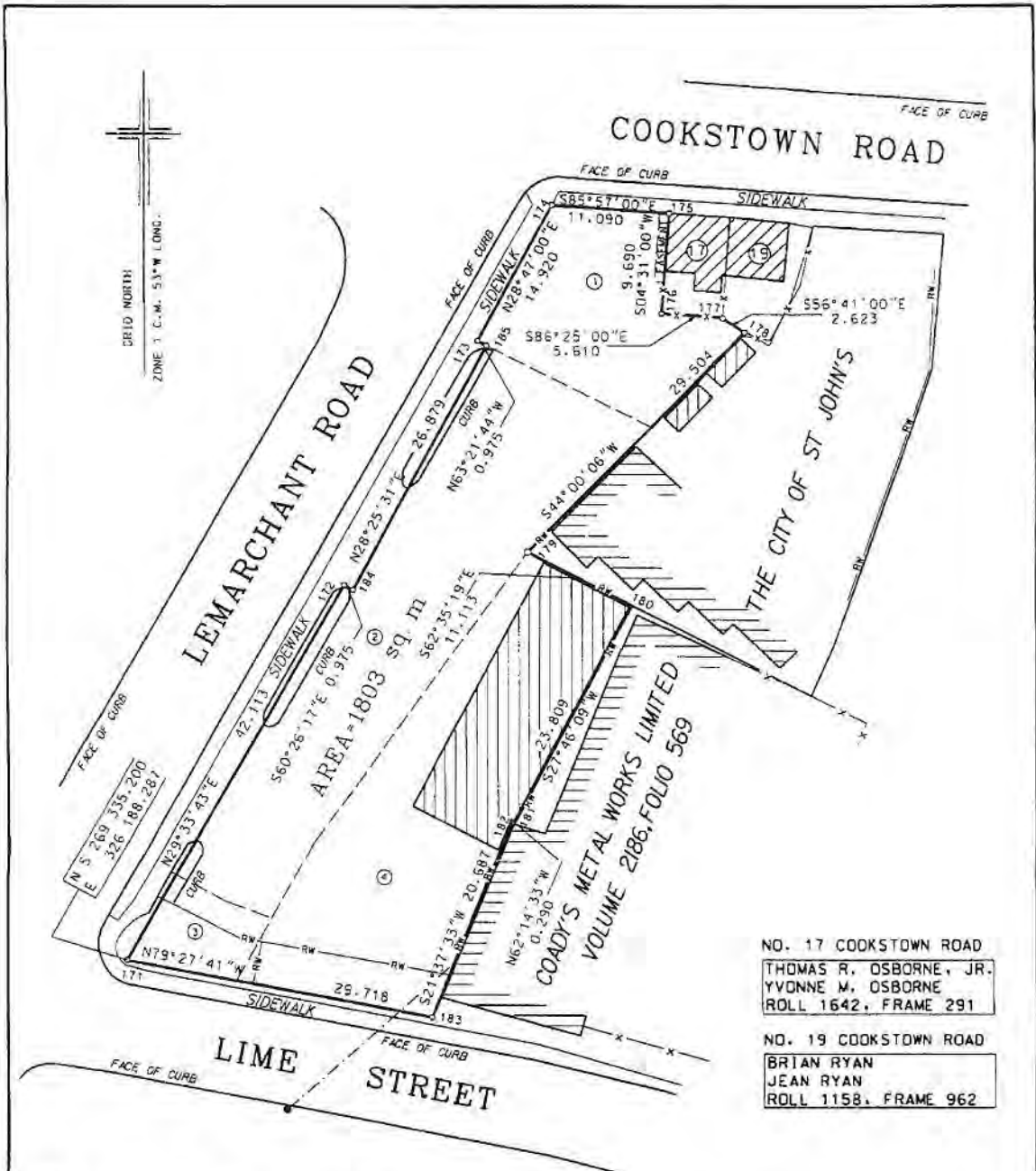
MCIP

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

Provincial Registration



SUBJECT PROPERTY



NO. 17 COOKSTOWN ROAD
 THOMAS R. OSBORNE, JR.
 YVONNE M. OSBORNE
 ROLL 1642, FRAME 291

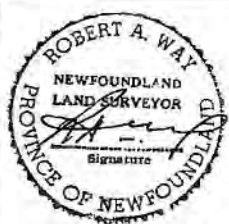
NO. 19 COOKSTOWN ROAD
 BRIAN RYAN
 JEAN RYAN
 ROLL 1158, FRAME 962

© COPYRIGHT: ROBERT A. WAY, N.I.S.

- CONTROL MONUMENT △
- FOUND IRON BAR □ (F.I.B.)
- SET IRON BAR ○ (S.I.B.)
- POLE OR LIGHT STANDARD ●
- PROPERTY DEALT WITH —————
- FENCE LINES -X-X-
- POWER - TELEPHONE LINE - - - - -
- EASEMENT - - - - -
- RETAINING WALL -RW-RW-

PERTINENT DEEDS	
1.	ROLL 487, FRAME 1292
2.	VOLUME 509, FOLIO 316-326
3.	VOLUME 505, FOLIO 11-25
4.	VOLUME 507, FOLIO 258-261

Monuments used for tie-in, Zone 1: 026187 N 5 269 221.824
 E 326 107.303
 NAD - 83
 026188 N 5 269 369.559
 E 326 207.643



BROWN & WAY SURVEYS
 Professional Surveying Services
 Telephone: (709) 726-1040 FAX: (709) 726-1041
 email: brownsur@firstcity.net

LEGAL SURVEY
CIVIC NOS. 21-47 LEMARCHANT ROAD
 ST. JOHN'S NEWFOUNDLAND

SCALE: 1:500	DATE: JUNE 11, 1999
JOB NO: 6246	SURVEY:

Pinnacle Condominiums

47 LeMarchant Road
St. John's, NL

Lemarchant Road



Site Plan



PUBLIC MEETING

21-47 Lemarchant Road - Proposed Residential Condominium Building
September 5, 2013 at 7:00 pm - Foran/Greene Room, 4th Floor, City Hall

1. WELCOME AND INTRODUCTIONS

In Attendance: City: Councillor Frank Galgay, Chairperson
Councillor Sheilagh O'Leary
Ken O'Brien, Chief Municipal Planner
Mark Hefferton, Planner
Sandy Abbott, Recording Secretary

Other Attendees: Robert Abrahams, Open Architects Inc.
Neal De Florio, Pinnacle Development
Gary Reardon, Republic Properties
Jeff Reardon, Republic Properties
26 residents from the area

Councillor Galgay welcomed the attendees. He introduced Ken O'Brien, Chief Municipal Planner, and Mark Hefferton, Planner, as well as Mr. Robert Abrahams of Open Architects Inc. representing Pinnacle Development.

Councillor Galgay explained the process of the meeting in that presentations by Mark Hefferton and Robert Abrahams will be first with ample opportunity provided for comments and questions afterwards. Residents were asked to provide their names and civic address before commenting.

The information from this meeting will be compiled into a detailed report which will be analyzed by City staff and eventually go to Council with staff recommendations. Council will then vote whether to accept or reject the application.

2. PRESENTATION: Mr. Mark Hefferton, Planner:

- Proposal is for a 55-unit condominium development on the site of the now demolished Tulk's Glass and Key building.
- The property is zoned CCM (Commercial Central Mixed) zone which allows for commercial and industrial services. Within the Municipal Plan, the heights are typically 2-3 storeys, but can be permitted up to 10 storeys.
- The Downtown Development Plan recommends having varied housing types.
- The CCM zone allows for residential units on second storey or higher and commercial units on ground floor; however, at the discretion of Council, residential units may be permitted on the ground floor.

- Proposal is for a 5-storey building, 18 metres high. Staff is recommending that Council consider the additional height be permitted in this area.
- For this zoning, the maximum floor area ratio (FAR) is 3.0; staff recommended that Council consider allowing a FAR of 4.0 for this project.
- This project is located in Heritage 3 area; therefore, any new buildings or major renovations would require a comprehensive design package to be approved by Council.
- The staff report to the Planning and Housing Committee in July 2012 requested a LUAR from the proponent. The LUAR has been reviewed by staff.
- The next step was to arrange this public meeting.
- We want your comments, emails or letters regarding the impact of this proposed development on residents.

3. PRESENTATION: Mr. Robert Abrahams, Open Architects Inc. (representing Pinnacle Development):

- Provided an artist's rendering of proposed development in context of view along Lemarchant Road, Cookstown Road and Lime Street.
- Proposing a 55-unit condominium building with two levels of underground parking; there will be 68 parking spaces for 55 units.
- Windows are of residential style single hung windows. Façade of long building has been broken into pieces to give the impression that it was built over time on separate lots with varying setbacks and heights. Modulated materials have been used so there are reddish brown bricks up to first two storeys and taupe colour stucco face for remaining portions.
- Building will be about 17,000 sq. ft. Each unit will have an inside air conditioner; may be some small rooftop areas with air conditioners also.
- Mixed housing: smallest unit is one bedroom plus den under 1,000 sq. ft. and largest units around 1,800 sq. ft. Costs will be about \$400,000 per unit.
- Setback at rear of building will screen a loading area.
- Entrances are on Lime Street to lower level parking and Cookstown Road on upper level. A traffic report showed no significant consequence in traffic usage.
- One unit will be totally handicapped fitted.
- There will be private snow removal and garbage removal.
- A small area of the roof will be dedicated to a rooftop terrace.
- Shadow effects were analyzed and because of the set back from neighbours, there is no significant shadowing.

4. DISCUSSION AND QUESTIONS:

Joy Hecht, Lime Street:

- Does Council have to approve the LUAR, increased height, and FAR?
- Is this a condominium or rental building?
- Will people in this project be entitled to receive street and visitor parking permits.

Ken O'Brien - Response:

- *If it were a four-storey building, then Council would have to approve the FAR.*
- *The units are condominiums which will be privately owned.*
- *Will check with traffic staff as to whether parking permits will be permitted.*

Brad DeYoung, Lime Street:

- The City has said the height from 15 metres to 18 metres and the FAR were recommended.

Ken O'Brien - Response:

- *When the application came forward, staff looked at municipal plan policies and regulations.*
- *Depending on the circumstances, it could have been recommended for rejection because it doesn't fit our policies.*
- *Staff recommended it when they looked at the merits of the project, the whole picture.*
- *The final decision rests with Council.*

Brad DeYoung, Lime Street

- Does the project require a heritage review?

Ken O'Brien - Response:

- *Because it's in Heritage Area 3, the applicants had earlier drawings of what they thought the facades would look like; the Heritage Committee was OK with those drawings.*
- *Heritage Area 3 is the most permissive of the heritage zones.*

Mr. Clark, New Gower Street:

- Not only will the views be taken from neighbours, but the neighbours will have to hike up the sidewalk to get to their vehicles.

Robert Abrahams - Response:

- *We are not making changes to existing properties.*
- *There will be no issues with parking on Lemarchant Road.*

Kelly Bruton, Saunders Place:

- Has lived for the past 15 years in a heritage home which was built in 1902 and was encouraged to see heritage status for this area.

- Lots of people are buying older homes which were previously owned by slum landlords and renovating them.
- When McKinley was renovated, had the same discussion re density, height of building, etc.
- This is not an appropriate density for our area. Where are their visitors going to park? There are accidents on Cookstown Road between Young Street and Cabot Street at least 3-4 times per week, and we have never recovered from the impact of parking from Mile One.
- This whole area will be in shadow at 7:00 am.
- What about privacy for adjacent properties?
- What about security in your underground parking?
- You need to present us with a better solution. This is not a respectful solution!

Demetri Olenka, ■ Lemarchant Road:

- These condos start from about \$400,000 and up.
- People making that much money will be families and couples, each of whom will have a car. You are allowing only one spot per condo so where is the other person going to park? Where are visitors going to park?

Robert Abrahams – Response:

- *The City requirement is one space per apartment; we have 1.5 spaces per apartment.*
- *This will be a management problem for the condo association and for the occupants of the condos.*

Janice Udell, corner of Barter’s Hill and Lemarchant Road:

- This looks like something out of the worst gulag in Germany.
- Can’t believe the City would allow this.
- It’s an insult to the people in the community who worked so hard to get heritage status.
- It does not mirror the other side of the street in any way.
- The design looks like Art Deco and has nothing to do with heritage or downtown.
- Has a study of noise control been done? A building so densely populated is going to increase noise from fans and electrical services, etc.
- What about lighting in front of the building? Street lights and lights on soffits on eave of building?
- The ramps looks like you are in the back alley of the emergency ward at St. Clare’s.
- This building is just plain ugly!

Robert Abrahams – Response:

- *The exact lighting fixtures haven’t yet been chosen, but they do have something that provides lighting to the sidewalk (he showed a picture to illustrate this).*
- *These are residential condos and the HVAC equipment for them is inside the condos themselves.*
- *The ramp gives access to people with wheelchairs, strollers, etc.; perhaps the design of the ramp could be improved.*
- *We have tried to adapt a very large building and imbibe it with some of the qualities for the heritage area, i.e., breaking it up into smaller areas, window sizes and placements, etc.*

James Hogan, ■ Lemarchant Road:

- Lives directly across the street from this site.
- There are no trees.
- McKinley development stayed at the same scale so as to fit in with the area.
- This is disheartening; it is increased density that reminds me of a block in Harlem.
- You will have 55 families trying to get onto Lemarchant Road in the morning for work.
- Nuances of trees and heights similar to McKinley Place would make this project more agreeable.
- There is plenty of room all over town to grab parcels of land for such a high density building as this.
- If this could be tailored to be more like McKinley, it would be more acceptable.
- You have the opportunity to do this right or do it wrong. Keep the trees, lower the building height, and we will be fine.

Robert Abrahams – Response:

- *There are no trees on the site at present, and the site is acceptable with the Municipal Plan.*
- *There will be more city residents (those living in the condos) with incredible public views.*
- *Your view across Lemarchant Road will be improved by looking at a new upscale building rather than an empty lot.*

Valerie Worthman, McKinley Place:

- This building is too large for that small space. It is not conducive to the area.
- We are not against development.
- I take pride in my condo and clean up the areas around it.
- The Reardons have done some lovely work around St. John's; I lived in the Imperial Building, and it is lovely.

Daniel Smith, ■ Lemarchant Road:

- Takes great exception saying that the north side of Lemarchant Road does not have a view.
- What you propose means you won't see anything else but that building.
- It's fine to look at a new building; McKinley is beautiful, and we have no problem with that.
- We need high-density apartments but not in the downtown area.
- This building is way too big.
- Has there been an analysis of what impact this development will have on low income rental residents in this area.

Ken O'Brien – Response:

- *No such analysis has been done.*
- *It's difficult to say how much impact this would have on adjoining properties.*
- *We have also seen increases in municipal taxation.*

Daniel Smith. ■ Lemarchant Road:

- Do you have a picture of what the building would look like at 15 metres?

Robert Abrahams – Response:

- *The view that some people enjoy from across Lemarchant Road was already taken away when the City allowed buildings of 15 metres height.*

Sean Moakler:

- Owns two fully-furnished, executive rental properties at 40 and 42 Lemarchant Road which is directly in line with this proposed project.
- Not opposed to development because it's better than looking at a vacant building or lot.
- Concerned about migratory aspect of building; if sold outright, there would be stable occupancy.
- Appreciates the concerns and comments made by residents regarding overall neighbourhood esthetics, snow clearing, and other city services. If some of that snow ends up on the street, it will impede people's ability to walk on the street. If it ends up on my side of the street, I will have to hire someone to clear the driveways of my rentals.

Neal De Florio – Response:

- *The condos will be sold outright. However, individuals could buy a condo and then rent it out.*

Brad DeYoung:

- There is no realistic setback; if you change the setback and the height, it will make a huge difference.
- Changing the FAR is also not a minor change.
- The main point is that the aspect ratio is really wrong for this; there are no 5 storey buildings in this area.
- Staff are wrong when they say these are simple changes.
- This whole project needs a serious re-thinking. Not opposed to a building which has a significant setback and lower height.

Mike. ■ Lemarchant Road:

- Every unit has a balcony which overhangs the sidewalk. What about safety issues if things fall over the balconies onto the sidewalk.
- This will not improve traffic in the area.
- Heritage zoning is part of old St. John's. Do you really want people coming here and looking down from Signal Hill to see this huge beige building?
- This is not appropriate development of the downtown.
- Do you really want this next to the Rooms and the Basilica, landmarks of St. John's?

Lori Ennis, ■ Lemarchant Road:

- You say it's not economical to remove a floor.
- I think putting such a large structure in this zone is being driven purely by profit.
- The subtlety of the exterior is not glitzy but the stucco is just a cheaper option.
- Should have something that would be more fitting in the neighbourhood.
- This is too big and too quick and is only for profit for the client.
- If there were suggestions to go with something that would fit into this area, it would be more acceptable.
- Will this be precedent setting for the heritage areas if we allow this in such an area?

Kim Myrick, ■ Lemarchant Road:

- Ditto to everything Lori said.
- If it's not economically feasible to reduce the footage of the building or the height, my question is what are the options?
- Have other options been considered in terms of what the building would be?

Olivia Oaken, ■ Lemarchant Road:

- On the news, they were talking about affordable housing.
- Building a condo of 55 units ranging from \$400,000 is not helping the City with affordable housing.
- This does not fit in with the heritage of Lemarchant Road.
- Affordable housing should be considered over something like this.
- As for views, you are giving the views to people who can afford to buy the views.
- Lemarchant Road is very congested at 5 pm. Having Lime Street and Cookstown Road as entries and exits is going to increase traffic for people on those streets.
- What are the merits of this project for this heritage area?

Ken O'Brien – Response:

- *Merits were that a vacant site was being redeveloped into a new residential development.*
- *This would get more people living in the downtown area and taking advantage of existing services.*
- *Proponent said they could not afford to lower the height from 18 metres.*

Robert Abrahams – Response:

- *The traffic study showed there would be a total of 76 car trips. We think this would reduce the amount of traffic on Lemarchant Road.*

Alison Smith, ■ Pennywell Road:

- Better public transit and getting the bike lane together is a better project for the City.
- The scale of this project is the problem.
- The main problem is that it's too big; it's not balanced.

- McKinley Place has sloping rooftops.
- Only a tiny little space of your huge rooftop is going to be used.
- It's big and flat and ugly.

David Dunn, [REDACTED] Lemarchant Road:

- Will this expensive building here shut down the blacksmith?
- I came here 40 years ago and the area is getting really gentrified.
- I would challenge Mr. Reardon to make this building look better because it looks ugly.

Robert Abrahams – Response:

- *The proponent cannot shut down the blacksmith shop as it's not his property.*
- *The proponent has offered to remediate any deleterious effects of the blacksmith shop.*
- *This is a technical problem; we can offer to improve the blacksmith's environmental effects.*

Mary Dodd, [REDACTED] Long's Hill:

- St. John's has very high winds.
- No diverter is going to divert the fumes from the blacksmith shop in these high winds.

Janice Udell:

- She is a visual artist who grew up downtown.
- We have some very fine old architecture in this City.
- The City is not giving any thought to our intangible heritage.
- This is just a square block.

Roman Halinsky, [REDACTED] Lemarchant Road:

- Architect in St. John's for over thirty years.
- Feels this is the most colossal blunder ever imposed on the face of this beautiful City.
- Mr. Halinsky presented a detailed personal analysis of this project, which is attached to these Minutes.

Joy Hecht:

- Is the 18 metres being measured from the highest point on the site?
- What happens when the people in this new development complain about Coady's Blacksmith Shop?
- Will there be anything to prevent Coady's from doing what Tulk's did?

Ken O'Brien – Response:

- *The City has rules as to how grades are set; he will consult with building staff using the building code in our regulations to determine this issue.*

- *In terms of nearby uses such as Coady's Blacksmith Shop, Council will have to be satisfied that there will be no ongoing detriment to the metal shop and that the residents would not be breathing in toxic fumes from the shop.*

5. ADJOURNMENT

Councillor Galgay thanked those present for attending the meeting.

He suggested that if there were further concerns and/or questions, residents should mail letters or email their comments the City Clerk's office at cityclerk@stjohns.ca.

A report will be submitted at a future meeting of Council for review and decision, at which time Council will vote on this project.

There being no further business, the meeting adjourned at 9:35 pm.

Councillor Frank Galgay, Chairperson
Ward 2 Councillor



COADY'S METAL WORKS LTD.

110 Lime Street, P.O. Box 971, St. John's, NL A1C 5M3
Telephone: 709-753-0121

The LUAR shows the proposed building situated extremely close the property line.
Is the snow cleared from the driveway to be deposited in the street or pushed up against the
August 29, 2013

Will the snow pushed off balconies damage my roof or block access to my oil tank?

Office of the City Clerk

P O Box 908

St. John's NL A1C 5M2

Re: LUAR for civic number 21 – 47 LeMarchant Road

I have several concerns with regard to the proposed development of this site. While an increase in available housing is usually a welcome improvement, the placement, size and density of this proposal is somewhat alarming. The following are my major concerns:

ITEM E: The plan to attach a cap to the chimney flue to direct smoke towards the harbour.

I have not been approached concerning this plan and have not had a chance to have the following questions answered:

How will this cap affect the draft of my chimney and the effective operation of my forge?

What effect will the additional building height have on the updraft of my chimney?

Who is responsible for any smoke blowing towards the apartment balconies when the wind changes direction?

Who is responsible for maintenance of this attachment?

Who is liable for any damages to my property that may be caused by this cap?

ITEM F: Snow clearing.

The LUAR shows the proposed building situated extremely near the property line.

Is the snow plowed from the driveway to be deposited in the street or pushed up against the neighbouring properties?

Will the snow pushed off balconies damage my roof or block access to my oil tank?

ITEM I: Traffic

I feel that the traffic flow survey does not give a realistic picture of the additional traffic to and from LeMarchant Road that will be generated by the development. While it might look good on paper to say that half the vehicles will enter and exit from Lime Street and half from Cookstown Road, in reality Cookstown Road is a one-way street that directs traffic south and therefore vehicles exiting the building will be required to circle around via Cabot Street and Lime Street to gain access to LeMarchant Road resulting in all 65 potential vehicles possibly using Lime Street at some time. There is also the matter of traffic generated and parking spaces needed for any visitors to the building.

ITEMS J and K: Construction worker parking. Construction lay-down area(s).

There is NO information given as to plans for accommodation of equipment and workers during the 16 month construction phase. The demolition phase was a nightmare of noise and dust for 4 weeks. Material was removed from the footings of my building and the pounding caused the building to shake. The removal of retaining walls has obliterated the property line between my building and the excavation next door.

I have grave concerns for the safety of my building and also for my workers and customers with construction taking place in such a tight area.

Is the developer responsible for any future problems I may have with the structure of my property?

Is the developer insuring the surrounding properties for any damages that may result from the construction activity?

Will the construction workers be using the remaining available street parking?

Will the heavy equipment cause damage to the recently paved street?

Will my customers be able to access my premises during the construction phase?

Will construction have a detrimental effect on my business?

Additionally, with reference to the developer seeking to extend the height restriction of the building:

Will this additional height further negatively impact the operation of my chimney?

How will this development affect any future improvements and/or additions to my building that I may wish to pursue?

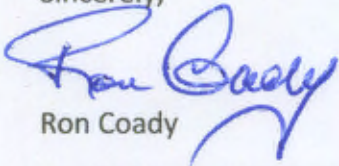
Who controls the airspace above my building? If approved, will I have the same opportunity to develop my site in the future?

These are only a few of my most pressing concerns on this proposed development. I feel that there are many questions that need answers before council approves these plans.

In closing, I would like to say that my business is one of the oldest in St. John's. There has been a Coady blacksmith in this city for the past 132 years and 37 of those in the present location. For five generations, we have been a part of the heritage of this city and hope to continue for many more.

I ask that the council give serious consideration to my concerns.

Sincerely,



Ron Coady

Coady's Metal Works Limited

To: City Clerk, St. John's, Newfoundland

Date: 5 September, 2013

From: Dr. Joy E. Hecht [REDACTED] Street, St. John's

Re: Department of Planning File Number B-17-L.2, 21-47 LeMarchant Road (Ward 2)

I have carefully read the Department of Planning Memorandum, the LUAR, and the traffic report for the proposed development at 21-47 LeMarchant Road. On the whole, I think this project is a good one, and I do not object to the proposed increase in height or density. This is exactly the kind of site that should have high-density housing, so I am glad to see this project being proposed.

I do have a few questions and comments, however:

1. Will this development be rental or condominium? The Department of Planning memorandum does not specify, but is "supportive of the initiative this application shows towards providing rental housing." This suggests that Pinnacle Development plans to build 55 rental units. However, the first paragraph of the LUAR indicates that the project will be called the "Pinnacle Condominiums." Which is it?

This is not a purely academic question. The city suffers from significant shortages of rental housing, especially moderately priced rental housing. If the developer is to be granted the waivers sought, the company should be expected to be doing something for the city in return – such as contributing to the pool of moderately priced rental housing in the city. If they are building condominiums, we might expect them to be offering at least some of them for sale at below-market prices, in order to give something back in return for the right to add the fifth floor to the structure.

I also find it rather startling – if not to say unprofessional - that the documents do not make it clear whether this project will be rental or condo.

2. What is the expected sale or rental price for these units? Is the developer targeting a very high-priced real estate bracket or a more moderate one? If the developer will be meeting the substantial need for moderately priced housing, then the waivers are totally appropriate. If the company intends to target only the highest end (and presumably most profitable) share of the market, then there does not seem to be much reason for the city to grant the waivers (unless, of course, the city believes that the current regulations do not make sense under any circumstances, in which case they should be changed, not waived on an individual basis).

I strongly recommend that the city condition granting of the waivers on the developer ensuring that a significant share (perhaps a minimum of 25%) of the units be rental, and that they be rented at rates below the midpoint of market prices for apartments of similar size in downtown St. John's.

3. The staff memo says that "the substantial grade difference across the site and the fact that the site has two street corners should be grounds for some relaxation of the FAR restriction." Why? What do the corners and the hills have to do with the FAR restriction?

4. The staff memo says that there will be 40 units in this development, whereas the LUAR says there will be 55. Should we assume that the LUAR is correct and the memo outdated?

5. The staff memo says that there will be 64 parking spaces, 12 more than the number of units. Where did the figure of 12 extras come from, given that the same memo says there will be 40 units in the project? The LUAR says that there will be 65 parking spaces, but the plans only show 64. Where is the last parking space?

6. The LUAR indicates that parking will not be a problem because 65 (or 64?) spaces will be provided within the building. Will the remaining 9 or 10 spaces be for visitors, or will they be made available to residents with more than one car? If the latter, where will visitors park?

More importantly, will residents of the project be entitled to obtain city resident or visitor parking permits, and if so for which parking zone? If residents are allowed to have resident or visitor parking permits, this will create serious pressure on Lime Street and Cookstown Road, as the overflow parking from the project (visitors and residents with more than one car) will compete with the other residents of those two streets for curbside parking.

I cannot speak for Cookstown Road, but on Lime Street parking is not usually a problem *only* because there are still a few derelict properties with no residents, and therefore no cars. Those households with more than one car (including one recently-developed fairly expensive rooming house whose five residents are well-off, typically all have cars, and all have parking permits) can now find spaces in front of the derelict properties. If 55 additional households are given resident and visitor parking permits, this is likely to become a serious problem even with 64/65 spaces in the project.

7. Regarding the Coady's chimney, how high is it? What floor does it come up to on the building? Which apartment will be directly opposite (or closest to) the chimney? How often does it discharge smoke, and how unpleasant is that smoke? What are the wind patterns at the top of the chimney? Is there reason to think that angling the chimney away from the building will suffice to prevent the smoke from being a visual or olfactory nuisance, or worse a danger to health? How does the developer anticipate that the chimney will affect the sale price (if this project will be condo) of the units closest to it? This issue does not seem to have been given sufficient attention in the documents. Does Coady's feel that this modification to their chimney is reasonable and will not affect its functionality?

8. Regarding snow clearing, will the developer (or the property manager) clear snow from the entire sidewalk on LeMarchant Street from Lime Street to Cookstown Road and their portion of the sidewalks on the side streets? Will they be required to keep the corners clear of snow so that pedestrians are not blocked from accessing the sidewalk when they cross either the side streets or LeMarchant Road?

Where do they expect to put the snow? The plans do not suggest that there is any storage area for snow piles in front of the building.

9. The letter to the traffic engineer says that the developer is proposing to build two buildings. What does that refer to? The plans only seem to show one building.

10. The construction time frame refers to 40 units, not 55. Is that also out of date? Will the change in project design have an impact on the construction schedule?

I look forward to receiving your responses to these questions – and, I hope, to seeing this project completed in the near future.



Sandy - you can include this with your report to council, I will respond accordingly.

Phyllis Bartlett
Manager, Corporate Secretariat
City of St. John's
709 576-8616

----- Forwarded by Phyllis Bartlett/CSJ on 2013/09/06 09:10 AM -----

From: Anand Yethiraj [REDACTED]
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>,
Cc: "soleary@stjohns.ca" <soleary@stjohns.ca>
Date: 2013/09/06 08:39 AM
Subject: 21-27 Lemarchant Road

Dear sir or madam,

I attended the public meeting relating to the application for property located at civic number 21-47 LeMarchant Road.

I am resident at 97 Pennywell Road and have the following thoughts:

1. The proposed building is far too long. This affects aesthetics, as well is likely to create a wind tunnel along that block; as a walker and bicyclist an entire block that is a wind tunnel means a block that I do not want to walk.
2. There is a plus for having both height and FAR restrictions: it allows us to consider compromises where one builds a tall building with open space around it instead of a short building with no open space. This development does not compromise! It builds both high and wide! I would like to note that an FAR of 4 is 33% greater than an FAR of 3. This is not a minor increase. The builder is quite literally asking for a 33% monetary raise.
3. While I support high density housing, an FAR of 3 is already high density. I would support a height that was higher than the code, provided that the FAR was close to 3. This would mean breaking up that long block into two buildings with open space in between.
4. The lot is only a funny shape for one single building. It is not really an odd shaped lot if you think about it housing two buildings.
5. The study provided by the company person which said there would be no impact on traffic is flawed, because they only counted total number of trips to/from the spot. A business, however, gets visits spread out throughout the day. The traffic concern is between 8.30 and 9.30 am and a similar hour in the evening. During this time period, it is clear that the number of vehicle trips out of this spot will be increased by approximately 2 x (# dwellings).

And a somewhat flippant comment: the building as currently designed reminded me of a cruise ship, as long as a city block, with those individual balconies sticking out. The only thing missing is a deck (so even a cruise ship has a lower FAR perhaps?). Perhaps the architects could redesign it to look like a cruise ship. That would at least be original.

Anand Yethiraj

Cc: Sheilagh O'leary, councillor at large.

----- Original Message -----

From: Kelly Bruton [REDACTED]

Sent: 2013/09/06 09:15 AM NDT

To: Frank Galgay

Subject: Proposed LeMarchant Road development

I am writing you this morning after attending a public consultation last night about the above proposed 5 storey condos for LeMarchant Road.

I am very concerned about the development as I feel it will negatively impact our community.

But also I am very concerned that city staff have recommended the increased density and height restrictions for the building. And that there is no concern for the privacy and impact on people living in adjacent city housing. What really boils my blood is that this building has passed Heritage standards for Zone 3. I am aware that this zone is more relaxed than Zone 1 however I felt that the city was trying to preserve the historic nature of downtown neighbourhoods in the new zone. I have seen considerable positive change in my neighborhood over the past five years, many houses being restored, new young families moving in. Please can you tell me how the Heritage Committee arrived at such a conclusion? What is the criteria that they are using?

This is a terrible mistake about to be made.

Kelly Bruton

Saunders Place, St. John's

----- Forwarded by Phyllis Bartlett/CSJ on 2013/09/09 09:57 AM -----

From: Brad deYoung <[REDACTED]>
To: cityclerk@stjohns.ca,
Cc: soleary@stjohns.ca
Date: 2013/09/08 10:47 AM
Subject: 21-27 Lemarchant Road

City Clerk

I am writing to note my concerns regarding the proposed development at 21-27 LeMarchant Road. I have read the material provided by the applicant and attended the public consultation at City Hall on 5 September. I believe that there remain several serious concerns with this proposal:

(1) There is no justification in the proposal for waiving the city regulations regarding the height (raising it by 20% from 15m to 18 m).

(2) There is no justification in the proposal for waiving the city regulation regarding the floor area ratio (increasing it by 30% from 3 to 4).

(3) The proposed building cannot possibly pass heritage review. I strongly urge that the proponent work with the Heritage Committee to develop a design that will better fit with the city landscape.

(4) The proponent discounts traffic concerns but greatly underestimates the traffic that this building will generate, ignores the fact that Cookstown Road is one-way, and neglects to consider that most of the traffic will be timed with the periods of peak traffic on LeMarchant Road, already the busiest road in the city.

(5) There has been no thought given to how the lack of setback will influence snow clearing on LeMarchant Road.

I question whether this building really is only five stories because the two levels of parking do significantly add to the scale of the building. But even if we do accept that the building is ONLY five stories it would still be a unique building in this area where there are no other buildings of this height and scale. The proximity to the road makes the scale of the five stories even more imposing. There is no setback at all, in contrast to all of the other buildings to the west along LeMarchant.

Drawings by the proponent make it quite clear the inappropriateness of this design. It is not a terrible apartment building, if it were

somewhere else, but it is clearly the wrong building for this location. And the proponent proposes to finish the outside with stucco. So neither the design nor the finishing tie to the surrounding city architecture.

It would appear that the reason that the proponent wants to exceed the height and floor-area-ratio regulations is because the lot is so narrow that he believes that he needs to build up to sell more units. In the end he has far too many units - 55 - than is reasonable for one line of a short city block. The economic needs of a proponent should not force bad city planning. I believe that city staff made a serious error in recommending this proposal without really thinking of the impact of this building. I also believe that many other designs would be economically feasible and that the proponent is not forced to build this particular structure.

I do not oppose a building on this site; I do not even oppose a condominium building, but I do strongly oppose this building as I believe that it goes against the letter and intent of city guidelines. It clearly is not in keeping with the spirit or intent of the heritage guidelines for this part of the city.

I think that the building should not be more than three stories and yes I know that the present regulation says 15m but I believe that with the 2 garage levels count more than is indicated by the proponent. I also believe that there should be more setback. The setback should be at least ten feet to better match that of the other buildings on LeMarchant. Council should once again ask the Heritage Committee to review the design and work with the proponent to come up with a design that is suitable for this heritage district.

Brad deYoung
█ Parade Street
St. John's
A1C 4C8

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To: City Clerk, St. John's, Newfoundland

Date: 5 September, 2013

From: Dr. Joy E. Hecht, [REDACTED] ime Street, St. John's

Re: Department of Planning File Number B-17-L.2, 21-47 LeMarchant Road (Ward 2)

I have carefully read the Department of Planning Memorandum, the LUAR, and the traffic report for the proposed development at 21-47 LeMarchant Road. On the whole, I think this project is a good one, and I do not object to the proposed increase in height or density. This is exactly the kind of site that should have high-density housing, so I am glad to see this project being proposed.

I do have a few questions and comments, however:

1. Will this development be rental or condominium? The Department of Planning memorandum does not specify, but is "supportive of the initiative this application shows towards providing rental housing." This suggests that Pinnacle Development plans to build 55 rental units. However, the first paragraph of the LUAR indicates that the project will be called the "Pinnacle Condominiums." Which is it?

This is not a purely academic question. The city suffers from significant shortages of rental housing, especially moderately priced rental housing. If the developer is to be granted the waivers sought, the company should be expected to be doing something for the city in return – such as contributing to the pool of moderately priced rental housing in the city. If they are building condominiums, we might expect them to be offering at least some of them for sale at below-market prices, in order to give something back in return for the right to add the fifth floor to the structure.

I also find it rather startling – if not to say unprofessional - that the documents do not make it clear whether this project will be rental or condo.

2. What is the expected sale or rental price for these units? Is the developer targeting a very high-priced real estate bracket or a more moderate one? If the developer will be meeting the substantial need for moderately priced housing, then the waivers are totally appropriate. If the company intends to target only the highest end (and presumably most profitable) share of the market, then there does not seem to be much reason for the city to grant the waivers (unless, of course, the city believes that the current regulations do not make sense under any circumstances, in which case they should be changed, not waived on an individual basis).

I strongly recommend that the city condition granting of the waivers on the developer ensuring that a significant share (perhaps a minimum of 25%) of the units be rental, and that they be rented at rates below the midpoint of market prices for apartments of similar size in downtown St. John's.

3. The staff memo says that "the substantial grade difference across the site and the fact that the site has two street corners should be grounds for some relaxation of the FAR restriction." Why? What do the corners and the hills have to do with the FAR restriction?

4. The staff memo says that there will be 40 units in this development, whereas the LUAR says there will be 55. Should we assume that the LUAR is correct and the memo outdated?

5. The staff memo says that there will be 64 parking spaces, 12 more than the number of units. Where did the figure of 12 extras come from, given that the same memo says there will be 40 units in the project? The LUAR says that there will be 65 parking spaces, but the plans only show 64. Where is the last parking space?

6. The LUAR indicates that parking will not be a problem because 65 (or 64?) spaces will be provided within the building. Will the remaining 9 or 10 spaces be for visitors, or will they be made available to residents with more than one car? If the latter, where will visitors park?

More importantly, will residents of the project be entitled to obtain city resident or visitor parking permits, and if so for which parking zone? If residents are allowed to have resident or visitor parking permits, this will create serious pressure on Lime Street and Cookstown Road, as the overflow parking from the project (visitors and residents with more than one car) will compete with the other residents of those two streets for curbside parking.

I cannot speak for Cookstown Road, but on Lime Street parking is not usually a problem **only** because there are still a few derelict properties with no residents, and therefore no cars. Those households with more than one car (including one recently-developed fairly expensive rooming house whose five residents are well-off, typically all have cars, and all have parking permits) can now find spaces in front of the derelict properties. If 55 additional households are given resident and visitor parking permits, this is likely to become a serious problem even with 64/65 spaces in the project.

7. Regarding the Coady's chimney, how high is it? What floor does it come up to on the building? Which apartment will be directly opposite (or closest to) the chimney? How often does it discharge smoke, and how unpleasant is that smoke? What are the wind patterns at the top of the chimney? Is there reason to think that angling the chimney away from the building will suffice to prevent the smoke from being a visual or olfactory nuisance, or worse a danger to health? How does the developer anticipate that the chimney will affect the sale price (if this project will be condo) of the units closest to it? This issue does not seem to have been given sufficient attention in the documents. Does Coady's feel that this modification to their chimney is reasonable and will not affect its functionality?

8. Regarding snow clearing, will the developer (or the property manager) clear snow from the entire sidewalk on LeMarchant Street from Lime Street to Cookstown Road and their portion of the sidewalks on the side streets? Will they be required to keep the corners clear of snow so that pedestrians are not blocked from accessing the sidewalk when they cross either the side streets or LeMarchant Road?

Where do they expect to put the snow? The plans do not suggest that there is any storage area for snow piles in front of the building.

9. The letter to the traffic engineer says that the developer is proposing to build two buildings. What does that refer to? The plans only seem to show one building.

10. The construction time frame refers to 40 units, not 55. Is that also out of date? Will the change in project design have an impact on the construction schedule?

I look forward to receiving your responses to these questions – and, I hope, to seeing this project completed in the near future.





21-47 LeMarchant Road Development Proposal

St. John's AAD

to:

sabbott

2013/09/10 11:59 AM

Hide Details

From: "St. John's AAD" <stjaad@gmail.com>

To: sabbott@stjohns.ca,

4 Attachments



FACTS AND ANALYSIS.pdf



site section.pdf



Addendum.pdf



Opposition Statements.PDF

Dear Ms. Abbott:

Further to your request, please find attached a summary of our evaluation of the Proposal, generally as presented at the Public Meeting of September 5, 2013. Also attached, please find the illustrative Site Section sketch which was displayed, and an Addendum arising out of the proponent's presentation.

You indicated that all submissions would be compiled for review by Council, and we would appreciate your inclusion of this one and the attachments.

After reviews and discussions of this development proposal, our group of interested and concerned citizens asked Mr. Halitzki, a practicing architect in the city for over 30 years, to volunteer his assistance, by contributing his knowledge and experience to a preliminary evaluation thereof. While the analysis is open to additional information and inputs, it raises key issues which need to be taken into serious consideration.

As well, to better understand the opinions of area residents, several dozen people were interviewed in person with regard to the proposal. Of those who were available, the overwhelming majority were opposed, and signed the opposition statements. Of the small minority that did not sign, some indicated intent to find out more detail or to attend the meeting, while some others were simply apathetic or discouraged.

Copies of the signed opposition statements are also attached.

At the meeting, we think it was clear that all the public opinions expressed, took issue with the proposal, including a broad range of aspects and impacts.

We believe that City officials need to fulfill their fiduciary obligations to their constituents, and safeguard the appropriate development of the City for present and future generations.

Our inputs are offered in a constructive spirit, based on our love of St. John's and its special character, and desire to see healthy and appropriate development. This type of development needs to promote quality of life and lasting economic growth, with due respect for the City's important history and heritage, including scale, style and pattern of development, as well as the precious and mutually-respectful amphitheatre-like setting of old St. John's all around the harbour.

Respectfully submitted,

St. John's Association for Appropriate Development

ST. JOHN'S ASSOCIATION FOR APPROPRIATE DEVELOPMENT

FACTS AND ANALYSIS - Development Proposal for 21-47 LeMarchant Road St. John's, September 2013

1. Area History

LeMarchant Road was developed as one of the earliest suburban extensions of the City, in the second half of the 19th century (~1870), on former farmland. It was intended to be a **stately tree-lined boulevard with quality houses set back from the street**.

Throughout its history, it has had a **low-density, low rise pattern of development**, with 1 to 3 storey buildings, mostly detached or semi-detached, with some row units, on freehold lots ranging from around 20 to 50 feet of frontage (6-15m), and around 100 to 150 feet of depth (30-45m). This development pattern is clearly evident on the area mapping.

The area includes some **important heritage properties that survived the Great Fire of 1892**. After a period of decline, the area has seen restoration and improvement.

To preserve its character, development pattern, and important historic value to the City it was named part of the **Heritage Area of St. John's**.

2. The Proposal Site

The site is **part-way on a hillside** that starts at the harbour and peaks between Freshwater and Merrymeeting Roads, sloping at around 10-12% toward the waterfront.

It was originally developed with various types of houses on independent plots of land, some of which were demolished some decades ago to establish an Irving gas station. This operation was abandoned, reportedly due to **traffic and access issues**, and was converted to a retail store operation. The last Victorian house on the property in question was demolished in the mid- eighties, and two derelict houses formerly on the site, fronting on Cookstown Road, were demolished recently.

The site and its city block has always had a low density, low-rise character, with much less than 50% land coverage, and buildings of one-and-a-half, 2 or two-and-a-half storey height, except for a questionable 3-storey **public row housing** project back-lot development of 1980's vintage, **attached the the proposal lot**. There is also an **industrial welding shop** on Lime Street bordering the site, and a commercial-industrial property next to that. Some of the block may also include some building remnants of the difficult conditions prevailing after the Great Fire.

Survey information shows the property as being 84 metres or 275 feet along LeMarchant, plus the oblique orthogonal distance along Cookstown Rd., some 10 metres or 33 feet, for a **total rectilinear length of 94 metres or 308 feet**. The **lot width** varies somewhat, with an extremely shallow average of around **20 metres or 65 feet**. At the narrowest point near the middle it is **only 13 metres, 43 feet**. The average and minimum lot depths would normally make the site of questionable utility for any contemporary building development.

The **National Building Code and City Regulations strictly define Grade level for the site**. This Grade level is used to precisely determine building height and number of storeys. Established Grade level for the site, based on topographic and survey information is **62.1 metres**, the average of the 63.5 and 60.7 corner elevations on the Lime Street boundary. The **first storey** is defined as the lowest storey which is not more

than 2 metres above the established grade level, i.e. **no higher than 64.1 metres**.

The LeMarchant Road street frontage had **provisions for landscaping and tree planting**, however these were **mowed down and paved over**.

3. Existing Zoning and Development Regulations

The site encompasses two zoning types in the City's Development Regulations:

- **Commercial Central Mixed (CCM)**, which was devised to permit and require public or commercial uses as seen in the older parts of Water Street, and was modified to allow residential units on upper floors, and subsequently to allow a discretionary use for up to one dwelling on the first storey, with maximum height of 4 storeys and 15m/49'. The fourth storey generally accommodates the level changes on many sites in St. John's, with 3 storeys above the sidewalk on the higher side, with another above ground level on the lower side.

- **Residential Downtown (RD)**, which permits the typical low density, low-rise housing forms found in the area, with requisite minimum side (1.2m/4') and rear (6m/20') yard requirements.

Neither of these zonings permit apartment buildings, for which several zonings are actually provided, such as Apartments Downtown (AD) which permits a maximum of 24 units per building, FAR 2.5, minimum lot area 50 sq. m per unit, and requires 6 metre side yards on flanking roads.

Article 11.4 (11-4), Heritage Areas, requires that "for residential zones in Heritage Areas , the height of buildings shall not exceed three (3) storeys."

4. Existing Municipal Plan Guidelines

Noteworthy applicable requirements include:

- 1.2.3 (III-4) ...encourage a **compatible** mix of residential buildings...

- 2.1 (III-10) ...**maintain and improve neighbourhood character and quality of life in residential neighbourhoods...through...appropriate infill**.

- 2.2.1 (III-10) **Maintain and Improve Neighbourhood Character and Quality**

- 2.2.5 (III-11) ...**protecting residential neighbourhoods from undesirable impacts of traffic and incompatible uses...**

- 2.3.4 (III-14) Residential Downtown

... **apartments not exceeding 4 per building**... subject to LUAR City may permit apartments not to exceed 24 per building...

...**Maximum permitted density is 100 units per net hectare** [for 1924sq. metres = 19 units]

- 3 (III-15) In the **Commercial Districts, the predominant use is commerce...**

- 3.3.4 (III-19) Commercial - Downtown

Building height and Area... district allows **buildings not exceeding 15 metres** in height with a Floor Area Ratio not exceeding 3.0 ...where owing to substantial grade difference on a lot with frontage on more than one

street would have a **storey higher than 6 metres [does not apply]**, Council may increase the maximum floor area ratio to 4.0, provided that the **maximum Building Height in metres is maintained...**[no justification for either concession]

(additional bulk and height is only permitted in a few locations in the harbour-side business district, under strict conditions, such as a lot depth minimum of 40 m, and in heritage areas, a building setback of no less than 8 m from the street line)

- 7.2.2 (III-29) Historic Character and Compatibility

...the City shall ensure that renovations and new development are compatible with adjoining buildings in terms of style, scale, height and architectural detail.

- 2.1.1 (IV-4) Preserve Residential Neighbourhoods ...

- 2.1.6 (IV-5) Protect the Architectural Scale of Downtown...ensuring harmonious integration of new development.

- 2.2.6 (IV-8) Provide Adequate Transportation Facilities...[ensure effective traffic flow and car parking]

- 2.2.4 (IV-7) Preserve Existing Residential Neighbourhoods

The City shall encourage: ...residential zones that are **compatible with the existing architectural scale...promotion of infilling and the renewal of housing ... in a manner sensitive to the historic and architectural environment.**

- 2.2.5 (IV-8) Protect the Architectural Scale of Downtown

The City shall maintain and develop the St. John's Heritage Area... as the **historic architectural focus of the City** and ensure harmonious development of the Downtown by adopting regulations to ...protect significant public views...control blockage of sunlight... **control the density, height and siting of buildings... control the relationship of buildings to streets and open spaces...**

5. Proposed Development

The proposed development appears to be in clear violation of the above-identified Zoning and Development Regulations, and Municipal Plan requirements.

Some of the major discrepancies, misrepresentations and violations apparent are described in more detail below.

The proposed development claims to be 5 storeys and 18 metres of building height. This in itself clearly and unacceptably exceeds the maximum permissible standards of 4 storeys and 15 m, which itself seriously exceeds the historic pattern and Heritage requirements.

However, a fact-based review of the proposal indicates **violations of much greater magnitude and severity.**

Project design drawings show the lowest parking level at 61.817 metres, and the second at 64.560 metres, which is more than 2 metres above the Established Grade level for the site.

Thus the lowest parking level, whose doorway is well above the natural ground and street, is the First Storey, and the proposal is for a **seven storey building, plus** access penthouses and parapet walls for a roof patio occupancy, making it an **eight storey building**, based on **National Building Code and City Regulations.**

The **Building Height**, claimed to be 18 metres to the main roof, must in fact be calculated as follows:

- Design roof elevation shown at 85.032 metres,
- Plus stair and elevator and associated penthouse structures for access to another occupancy, the roof patio (which clearly do not fall under the waiver for "mechanical structures, smokestacks, steeples, and purely ornamental structures above a roof"), typically at least 3 metres high,
- Actual elevation of upper roof is thus at least **88 metres**,
- Less the **Established Grade Level of 62.1 metres**, equals
- An actual proposed **Building Height of 25.9 metres or 85 feet**
- This must be compared to the **defined maximum of 15 metres or 49.2 feet**, which in itself appears quite excessive, given the history of the site and the applicable heritage guidelines.

The proposed **building length** includes 84 metres or 275 feet along LeMarchant, plus the oblique orthogonal distance along Cookstown Rd., ~10 metres or 33 feet, for a **total rectilinear length of 94 metres or 308 feet**.

The **lot width** varies somewhat, averaging around **20 metres or 65 feet**. At the narrowest point near the middle it is **only 13 metres, 43 feet**. This would normally be considered substandard for any kind of development; in this case it measures **to a zero-lot line subsidized public housing project**.

Thus the proposal shows an extremely long and massive building, built quite tight to the street lines on an extremely narrow lot, and without any meaningful side or rear yards, landscaping or buffer zones.

The proposed 55 dwelling units on 1924 sq. metres site area calculates to a development density of some 284 units per net hectare, compared to the maximum permissible of 100 units per net hectare, and a normal for the area of around 30 units per net hectare.

The numerous downhill facing doors and windows constitute **excessive unprotected openings** in violation of **NBC requirements for spatial separation and limiting distance to property lines**.

Adjacent buildings are built **tight on the property lines**, including the **backside of a subsidized public row housing project**, and an **industrial metal-working and welding operation**. These will **dominate the views and "enjoyment"** of the residents of the proposed development. And there is nothing to prevent future developers of the adjacent properties from requiring similar concessions, with disastrous consequences for this proposed building. And, if the industrial operation is deemed medium hazard due to the presence of combustibles such as welding gases, aluminum etc., or the generation of noxious fumes, the proposed downhill-facing elevation cannot have any openings, regardless of separating distance.

Regarding requirements for **compatibility of the design**, whether condos or rentals, it would need to tend toward the appearance of **stately freehold houses** of individual design. On the contrary, the proposal shares essential characteristics of **slum tenement flats**, in a modernized version, or some type of detention facility, and **towers over the neighbourhood**. While perhaps appropriate for an urban renewal public housing scheme in a derelict part of a flat urban metropolitan area, it **breaks all the essential rules and guidelines in this case**. Its **insensitivity** to the history and character of the area, and to area residents and St. John's citizens as a whole, is nothing less than **shocking**.

6. Scale Comparisons

To better explain the extreme scale of this proposal for this long and narrow site in the Heritage area, a statistical comparison of some well-known St. John's buildings is summarized below, based on estimates from available mapping and aerial surveys.

Comparisons include large apartment buildings "The Tiffany" and "Elizabeth Towers", as well as Atlantic

Place, one of the most notorious commercial buildings in the city for massive bulk and unattractiveness.

Project	Building Height, Storeys	Building Ht., Metres/Feet	Building Length Metres/Feet	Approx. Site Area Sq.Metres/Sq.Feet
This Proposal	8 storeys	25.9M/85 ft	94M/308 ft	1924M2/20,710sf
The Tiffany	7 storeys	~21M/70 ft	~55M/180 ft	~7000M2/75,000sf
Elizabeth Towers	7 storeys	~24M/80 ft	~75M/240 ft*	~20,000M2/200,000sf
Atlantic Place	8 storeys	varies	~80M/260 ft	~5200M2/56,000sf

(* Elizabeth Towers length includes oblique views of 2 wing-end elevations; ~53M/175 ft for typically-visible front elevation only)

Thus the **extreme scale, bulk and density of this proposal becomes evident**, while its **lot depth and site area are miniscule fractions of what would be considered reasonable minimums**.

The normal **separating distances and landscape buffers** required for the proposed project type and scale are completely **absent** here.

Nor is there a somewhat mitigating buffer of significant adjacent **public and private open space** that is generally present in the comparative examples. This additional buffer is almost completely missing here, leaving only the non-existent, or nearly-negligible distances to the property lines and adjacent buildings, and the narrow streets.

7. Traffic and Parking

The massive proposed building **can only worsen traffic already over-congested at key times of day** on the LeMarchant Road artery, as is clear to anyone familiar with the area, regardless of statistical gimmicks to the contrary. It would be **normal to comprehensively address traffic improvements prior to any type of significant development** in the area.

The proposal claims to have adequate underground parking. It fails to address the steadily increasing incidence of multi-vehicle households, and number of vehicles per person.

The proposed development eliminates an area normally available for overflow surface parking and public vehicles, and for the logistics of snow clearing operations.

It also imposes considerable strain of resident and visitor **parking on already overcrowded narrow streets**.

8. Solar Shading

This extremely bulky proposal would impose **severe shading and loss of views** on the public thoroughfares and a large part of the area.

It would cast a **massive shadow** on downhill properties in the afternoon and early evening, extending to New Gower Street, George Street, and even Duckworth and Water Streets for much of the year.

It would **deprive uphill properties of essential rights to visual contact with the cityscape and morning sunlight**, including passive solar heating and the important health effects.

9. Wind Effects

High winds and storms are a fact of life in St. John's, and one of the key reasons for the traditional avoidance of mid-rise and high rise buildings, as well as traditional avoidance and extreme limitations on the use of balconies. Balconies overhanging pedestrian sidewalks also raise concerns of falling objects and icicles.

Due to its form and the site characteristics, the proposal will result in extremely unpleasant and disruptive **wind tunnel effects and turbulences**, which will be harshly felt by both pedestrians, and nearby buildings and residents.

10. Comments on Attempted Justifications, and Rebuttals

Justifications offered for this unacceptable proposal, which is actually considered horrific by many, consist of addition to the housing supply, reduction of urban sprawl, and revenue generation.

The market for overpriced properties and condos already seems to be super-saturated, not to mention product with major inherent defects, and there will be likely be considerable disruption and dislocation when the present bubble bursts, typically with innocents left with the losses. The units proposed will generally be characterized by very close exposure to a busy thoroughfare on the uphill side, and windows with negligible separation to the backside of a subsidized public housing project, and to an industrial welding shop (chimney fumes, welding gases) on the downhill side, in conflict with National Building Code basic requirements.

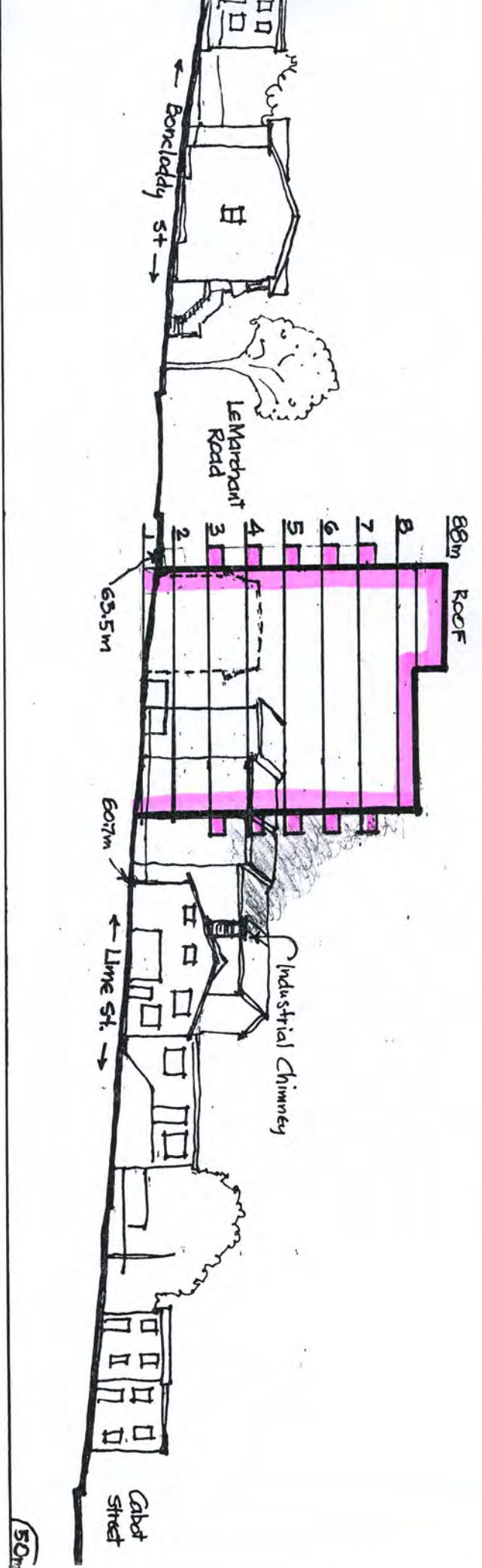
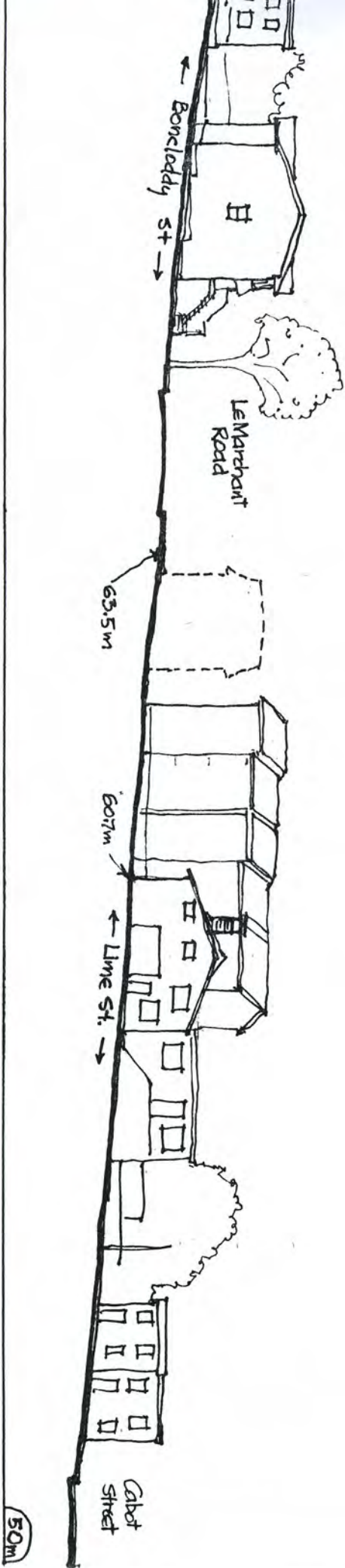
This type of project, while attempting to exploit a temporary speculative demand surge, is the type to suffer premature deterioration when cyclical market conditions turn, and could likely be a contributor to a “boom-town-turns-ghost-town” syndrome. Many of the victims, as well as liveryers and retirees in the area, may not be able to avoid the disruptions involved. And, if similar concessions are given to adjacent downhill properties, the claimed "views" will be of others' nearby windows.

While there are likely a variety of sites outside the Heritage Area that can tolerate this type of development, given adequate site areas and buffers, this location clearly can not. Ongoing **urban sprawl problems must be addressed by ensuring appropriate development densities in expansion areas, not by massively overbuilding infills to disrupt or ruin heritage neighbourhoods.**

The proposal has involved what appears to be a very questionable and improper process, with elements of lack of transparency, lack of proper evaluation, misleading or incomplete documentation, and premature start of sales promotion and construction. While average citizens, designers, and builders, trying to do the right thing, often endure a very troubling process, this proposal appears to have been given highly-favoured treatment, overlooking the non-compliance with applicable rules, and disregarding the legitimate rights and needs of the area residents and the City as a whole.

The City has already seen massive revenue growth due to the development boom and valuation increases, and can not tolerate this severely inappropriate and disruptive proposal that harms the area and the City. There are much better solutions for this site to address the real needs at play.

SITE SECTION



ST. JOHN'S ASSOCIATION FOR APPROPRIATE DEVELOPMENT

ADDENDUM - Development Proposal for 21-47 LeMarchant Road

St. John's, September 2013

At the Public Meeting of September 5, 2013 to review the above proposal, a number of additional concerns became apparent further to our Facts and Analysis statement.

The developer's architect presented a number of illustrations and perspective views of the proposal, and provided some responses which were quite relevant and needed to be noted.

1. While there has been ongoing tinkering with the cladding materials and colour schemes proposed, the extreme size, scale, height, density and aggressive imposition on the streets and neighbourhood were always clearly evident. The photo-montages also showed the already-existing traffic congestion. Building elevations appeared to continue to be contrived to disguise the extreme shallowness of the lot, and the proposal's overwhelming relationship to surrounding properties.
2. When questioned about the possibility of meaningful adjustments to the problem elements, the architect appeared adamant that only this building size was acceptable.
3. When questioned on the Heritage compliance aspects, the architect appeared to indicate only one aspect that he considered significant to St. John's Heritage: buildings built to the sidewalk line. He also indicated that the main design intent was a "radical departure".
4. As a concession, he drew attention to a horizontal band above the second residential storey with different stucco colouring which he appeared to indicate was added to tie in to the normal building height in the area. The addition of 3 floors plus roof occupancy towering above this normal height was not explained or justified, other than the viability/profitability for the proponents.
5. Unconvincing rationalizations concerning general deleterious impacts on numerous aspects such as traffic, parking, pedestrians' rights, shading of large swaths, etc., were reiterated. When questioned concerning the losses to be suffered by uphill properties, (which include severe deterioration of life quality, enjoyment, functionality, morning sun, visual connection with the St. John's natural amphitheatre, etc.), his response indicated that while a number of households and residents would be on the losing end, many of the new apartments would offer these benefits. He failed to address the legitimacy and legality of withdrawing the protection of existing regulations, and the effective appropriation without compensation, of benefits and acquired rights, which were then to be sold, at great profit, to others.

While we wholeheartedly support appropriate development and the healthy long-term evolution of St. John's, this proposal, and the fact that it has gotten this far, make no sense to us.

We are certain that there are comprehensive, balanced solutions that properly address the various needs and constraints applicable, to achieve highly viable, respectful and constructive improvement of the built heritage and urban fabric of our beloved City.

Development Proposal for 21-47 LeMarchant Road

St. John's, August 2013

This is to express my strong opposition to the above development proposal.

It must not be allowed under any circumstances.

Name	Address	Date	Signature
Harvey Weir	Long's Hill	3 Sept 2013	[Signature]
Louise Moyes	Long's Hill	3 Sept 2013	Louise Moyes
Myra Spurrell	Long's Hill	3 Sept 2013	[Signature]
Mary Dentremont		3 Sept 2013	MARY DENTREMONT
Andrew Planchat	7/11/13 Lemarchant Rd.		Andrew Planchat
Joe - LeMarchant Rd		Sept. 3/13	[Signature]
Trish Knight	LeMarchant Rd	Sept 3/13	Trish Knight
Dawn Pearce	LeMarchant Rd.	Sept 3/13	Dawn Pearce
Diane Eustace	Marchant Rd		Diane Eustace
Juice Odell	EMARchant Rd.		Juice Odell
Valerie Worthman	LeMarchant Rd.		Valerie Worthman
[Redacted]	LeMarchant		[Redacted]
Supawadee Pinthong	LeMarchant Rd.		Supawadee
Lucy Ta	LeMarchant Rd		[Signature]
Melissa Penney	LeMarchant rd.	Sept. 4, 2013	Melissa Penney
Katlyn Nolan	LeMarchant Rd.	Sept. 4, 2013	Katlyn Nolan
Brenda Hill	Freshwater Rd	Sept. 4, 2013	Brenda Hill
Natalie [Redacted]	Freshwater Rd.	Sept 4/13	[Redacted]
[Redacted]	Freshwater	Sept 4/13	[Redacted]
Betty Cleary	Freshwater	Sept 4/2013	Betty Cleary

Development Proposal for 21-47 LeMarchant Road

St. John's, August 2013

This is to express my strong opposition to the above development proposal.

It is not acceptable and should not be allowed.

Name	Address	Date	Signature
Ride Blagdon	[Redacted] Fahey's Rd	Sept 3 rd	[Signature]
Neil Hardon	[Redacted] Fahey's Row	Sept 3 rd	Neil Hardon
Melissa Sexton	" " "	" " "	Melissa Sexton
Albert Barnes	[Redacted] Cookstown		AP Barnes
James Wannamaker	[Redacted] Cookstown Road		James Wannamaker
Sarah Reynolds	[Redacted] Cabot St.		S Reynolds
Devon Bartlett	[Redacted] Cabot St		[Signature]
[Redacted]	[Redacted] Cabot St		[Redacted]
Phyllis Ryan	[Redacted] Cabot		[Redacted]
Todd Maclean	[Redacted] CABOT		TODD MACLEAN
Deborah Martin	[Redacted] Cabot (100 times)		Deborah Martin
Todd Podley	[Redacted] Cabot		[Signature]
Maria Castells	[Redacted] Lime St.		Maria Castells
C Haskins	[Redacted] Boncloddy		C Haskins
Norma Rotchford	[Redacted] Boncloddy		Norma Rotchford
Ashley Rotchford	[Redacted] Boncloddy		Ashley Rotchford
Brendan Mullins	[Redacted] Boncloddy St		Brendan Mullins
Jamanda Pove	[Redacted] Meloddy St.		St. John's AIC 4H9

Development Proposal for 21-47 LeMarchant Road

St. John's, August 2013

This is to express my strong opposition to the above development proposal.

It is not acceptable and should not be allowed.

Name	Address	Date	Signature
Ray Dilln	[Redacted]	Sept. 3/13	Ray Dilln
W. Adams	Summit St.		W. Adams
Carey Mehegan	[Redacted]		Youngst C. Mehegan
Bob Hutchings	[Redacted]		
Margit Hutchings	Tessier Place		
Jane A. [Redacted]	Tessier P.D.		
DANA SPARKS BRECKON	[Redacted]		Dancyland.com Call 579-7692
P. Breckon	[Redacted]		Carter's Hill
ELSPETH DRINKEN	[Redacted]		Esperan A. Drinken
Noah Hansen	[Redacted]	Sept 4/13	[Redacted]
Oliver Bennett	[Redacted]	Sept 4/13	Oliver Bennett
Mike Royle	[Redacted]	04/09/13	Michael Royle
Chad Holt	[Redacted]	04/09/13	Chad Holt
Eric Keane	[Redacted]	04/09/13	Eric Keane
JOHN BROTHERS	[Redacted]		John Brothers
Yong Rose	[Redacted]		Yong Rose
Amanda Cahill	[Redacted]	Sept 5/13	Amanda Cahill
MICHAEL HALITZKI	[Redacted]	SEPT 5/13	Michael Halitzki

ETER
BRECKON

Development Proposal for 21-47 LeMarchant Road

St. John's, August 2013

This is to express my strong opposition to the above development proposal.

It is not acceptable and should not be allowed.

Name	Address	Date	Signature
Judy Kay	[Redacted]	Freshwater Sept 4/13	Judy J. Kay
Jason House	[Redacted]	Freshwater Sept 4/13	Jason House
Samantha Earle	[Redacted]	Freshwater Sept. 4th	S. Earle
Diana Hye	[Redacted]	Freshwater Sept 4	
Krista Poppi	[Redacted]	Freshwater Sept 4	
Michelle White	[Redacted]	Freshwater Rd Sept 4	
A. J. Tolbin	[Redacted]	Pennywell Sept 4	
Shawn Neal	[Redacted]	Pennywell Sept 4	
Ron Myrick	[Redacted]	Marchant Rd.	"
Kathy Myrick	[Redacted]	"	"
Levin	[Redacted]	"	Sept 5
Anton	[Redacted]	Saunders Pl	[Signature]
Lily Chan	[Redacted]	LeMarchant Rd. Sept. 5	[Signature]

ROMAN HALITZKI ARCHITECTURE AND DESIGN

DIPL. ENG. B. SC. (ARCH.) B. ARCH. NLAA MRAIC

12 September 2013

Mayor and Council
City of St. John's City Hall
St. John's, NL A1C 5M2

Ladies and Gentlemen:

RE: Proposed Development, 21-47 Lemarchant Road

Much has been said on the topic of this non-compliant and inappropriate proposal, which will have a damaging effect on quality of life, business and investments in the area, including those of the undersigned.

However, the issue appears to open up a tremendous opportunity to achieve a comprehensive solution of architectural and urban design excellence, and lasting growth of value, as opposed to depreciation. We would be very glad to explain our ideas, and to provide services toward a project that best meets the needs and objectives of all participants and interested parties, including the commercial needs of the developers, eventual owners and users, the neighbourhood, and the City as a whole, in other words a win-win partnership for all concerned.

Ideal for the site and block would be a comprehensive development, including a much-needed mix of dwelling types and market segments, associated services, ample parking, and traffic improvement, without negative consequences for the neighbourhood and City a whole. Its visual impact would be firmly and positively linked to the historic past, vibrant present and bright future of our beloved City.

We have expressed our interest in working with developer team, and believe that broadening of the scope with City involvement could lead to not only the appropriate re-development of the site, but also to a really outstanding and successful project, an excellent candidate for awards in architecture, urban design, sustainability and energy conservation. A CV with credentials is attached for your reference, and we look forward to the opportunity to work with the City on this and other endeavours.

Yours truly,

Roman Halitzki Architecture and Design



Roman Halitzki, NLAA, MRAIC

MEMORANDUM

REPORT / RECOMMENDATIONS TO COUNCIL

Development Committee
Tuesday, November 26, 2013

The following matter was considered by the Development Committee at its meeting held on November 26, 2013. A staff reports is attached for Council's information.

- 1. Planning, Development and Engineering File No. 11-00341
Proposed Extension to Building and Lounge
369 Duckworth St. (backing onto George Street) Ward 2
Commercial Central Mixed (CCM) Zone**
-

Recommendation

The Development Committee recommends Council permit the 0.5 increase in the FAR of the Development in accordance with Section 10.23.3(a) of the St. John's Development Regulations and allow the development to proceed subject to compliance with:

1. The project meeting all the conditions as determined by the Department of Planning, Development and Engineering.
 2. The building is constructed in accordance with the Heritage Area 2 guidelines.
 - 2. Department of Planning, Development and Engineering File No. 13-00023
Proposed 5-Townhouse Development
Applicant: RDG Holdings Limited
Nunnery Hill/Holloway Street
Residential Downtown (RD) Zone (Ward 2)**
-

Summary

The City has been advised by the abutting property owner that there may be a portion of land (3 metres x 7 metres) within the proposed development area which may not belong to RDG Holdings Limited. The abutting property owner, Republic Properties, has made adverse claim to this small portion of land.

ST. JOHN'S

DEPARTMENT OF PLANNING

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

The Development Committee is of the opinion that if Republic Properties is successful in obtaining ownership of the aforementioned disputed property, the non-inclusion of this disputed property will not affect this development regardless of the outcome of the adverse claim.

There are no apparent reasons to prevent this development from proceeding to permitting stage.



Robert F. Smart, City Manager
Chair – Development Committee

RFS/mah

attachment

MEMORANDUM

Date: November 28, 2013

To: His Worship the Mayor and Members of Council

From: Robert Smart, City Manager
Chair-Development Committee

**Re: Planning, Development and Engineering File No. 11-00341
Proposed Extension to Building and Lounge
369 Duckworth St. (backing onto George Street) Ward 2
Commercial Central Mixed (CCM) Zone**

An application has been submitted to expand the above-noted property. The property has frontage on two Public Streets, Duckworth Street and George Street. The Duckworth Street portion of this three (3) storey building has a commercial business on the first floor (The Fish Depot) and two residential apartments above the commercial space. The George Street side of the property, which is the basement of the building, has a Lounge. The Lounge, Trinity Pub, has a floor area of 70 square metres and is located in the CCM zone and is also located inside of the Downtown Business Improvement Area (B.I.A.). Lounges located in the B.I.A. and located on George Street are Permitted Uses. The applicant proposes an extension to the Lounge in the basement area of the building of 140 square metres and also the construction of a deck of 30 square metres off the expanded lounge which will front George Street.

The Duckworth Street side of the extension will be three (3) storeys in height and will match the existing height of the building. This extension will be attached to the building which shares its common side yard boundary, Civic No. 367 Duckworth Street. Commercial use will be created on the first floor of the extension with two (2) two-bedroom apartments on each of the second and third floors. All residential units will be wheelchair accessible. No parking spaces are required for new residential Developments or renovations on Lots on Water Street or Duckworth Street containing up to five (5) Dwelling Units. No parking is required for Non Residential Development under the Downtown Parking Standard in Section 9 of the St.John's Development Regulations where the Lot Area is less than 350 square metres. The subject lot has a Lot Area of 219.5 square metres.

The maximum Floor Area Ratio (FAR) for development in CCM is 3.0, except when a building fronts two streets when the FAR can be increased to 4.0 with Councils permission. In the case of this application, the building fronts both Duckworth and George Streets. When fully developed, the total floor area of the building will be 771 square metres and have a FAR of 3.5. Section 10.23.3 (a) does give Council the authority to allow an increase in the FAR of building in the CCM zone.

ST. JOHN'S

Recommendation

The Development Committee recommends Council permit the 0.5 increase in the FAR of the Development in accordance with Section 10.23.3(a) of the St. John's Development Regulations and allow the development to proceed subject to compliance with:

1. The project meeting all the conditions as determined by the Department of Planning, Development and Engineering.
2. The building is constructed in accordance with the Heritage Area 2 guidelines.

Robert Smart
Chair, Development Committee

RS/sba

MEMORANDUM

Date: November 28, 2013

To: His Worship the Mayor & Members of Council

Re: **Department of Planning, Development and Engineering File No. 13-00023**
Proposed 5-Townhouse Development
Applicant: RDG Holdings Limited
Nunnery Hill/Holloway Street
Residential Downtown (RD) Zone (Ward 2)

An application has been submitted to the City for the development of the above-referenced property for five (5) Townhouse Dwellings.

The proposal meets the minimum requirements for development in the (RD) zone and has been reviewed by the Department of Planning, Development and Engineering.

The proposal could be approved subject to complying with various technical requirements; the submission of an access agreement between each property owner in order for the units located on the West side of the parking lot to gain access to the proposed in-house garage parking; and payment of applicable development fees.

Summary

The City has been advised by the abutting property owner that there may be a portion of land (3 metres x 7 metres) within the proposed development area which may not belong to RDG Holdings Limited. The abutting property owner, Republic Properties, has made adverse claim to this small portion of land.

The Development Committee is of the opinion that if Republic Properties is successful in obtaining ownership of the aforementioned disputed property, the non-inclusion of this disputed property will not affect this development regardless of the outcome of the adverse claim.

There are no apparent reasons to prevent this development from proceeding to permitting stage.

Robert Smart, City Manager
Chair, Development Committee

RM/sba

ST. JOHN'S

REPORT / RECOMMENDATIONS TO COUNCIL
Planning and Development Standing Committee
Wednesday, November 20, 2013

In Attendance: Councillor Tom Hann, Chairperson
Mayor Dennis O’Keefe (1:15 pm)
Deputy Mayor Ron Ellsworth
Councillor Wally Collins
Councillor Bruce Tilley
Councillor Danny Breen
Councillor Art Puddister
Councillor Dave Lane
Councillor Sandy Hickman
Robert Smart, City Manager
Dave Blackmore, Deputy City Manager, PDE
Brendan O’Connell, Director, Engineering
Jason Sinyard, Director, Planning and Development
Ken O’Brien, Chief Municipal Planner
Judy Powell, General Manager - Metrobus
Maureen Harvey, Recording Secretary

The following matters were considered by the Planning and Housing Committee at its meeting held on November 20, 2013.

1. Keg Propane Tanks – Leo Power

The Committee met with Mr. Leo Power on behalf of The Keg and Mr. Corey Locke of North Atlantic Propane who made a presentation in support of an application to remove 12 existing propane tanks located immediately west of the Keg and replace it with one 5,000 gallon tank. The applicants state that the 5,000 gallon tank, which is 33 feet high, is required to efficiently operate three major restaurants on the harbour front – The Keg (which is currently operating) and two newly proposed restaurants (Legros & Motti and Jack Astors).

There are similar propane structures in the city – one at McDonalds on Torbay Road and the other located in the parking lot to the north of the Avalon Mall.

Recommendation:

The Committee recommends, on a motion put forth by Councillor Tilley; seconded by Councillor Puddister that approval be given for the erection of a 33 ft propane tank adjacent to The Keg Restaurant, as proposed, subject to the painting of an aesthetically pleasing mural on the structure and the planting of a tree screen in close proximity to the structure. Given the limited amount of soil in the proposed location, it was agreed the City’s Parks Division determine the appropriate species for planting.

2. Maddox Cove Road - Rezoning

At a regular meeting of Council held on April 23, 2013 Council adopted resolutions for a municipal plan amendment and development regulations amendment in reference to an application to rezone land from the Open Space Reserve Zone to the Rural Residential Infill Zone for future residential building lots, with private on-site well and septic systems.

In order to undertake the proposed amendments it was identified that an amendment was also required to the St. John's Urban Region Regional Plan.

A public hearing was held in May and the Commissioner recommended rejection of the amendments.

Discussion took place and it was recommended based on a motion by Councillor Collins; seconded by Councillor Breen; that any further consideration to rezone this property be deferred until new municipal plan is completed in 2014.

3. Letter from Minister of the Department of Municipal Affairs re: St. John's Urban Region Regional Plan

The Committee reviewed a letter from the Minister requesting a meeting with regional Mayors on Monday, December 2, 2013 to discuss the above noted plan.

Recommendation

On a motion put forth by Councillor Hickman; seconded by Councillor Tilley that a letter be sent to the Minister of Municipal Affairs advising that given the work ongoing to complete the revised St. John's Municipal Plan (anticipated for the Spring of 2014), it would be premature to address the St. John's Urban Region Regional Plan at this time.

Councillor Tom Hann
Chairperson

**Report/Recommendations
Economic Development, Tourism and Public Engagement
Standing Committee
November 19, 2013**

Attendees: Councillor Tilley, Co-Chairperson
Councillor Dave Lane, Co-Chairperson
Deputy Mayor Ron Ellsworth
Councillor Danny Breen
Councillor Sandy Hickman
Bob Smart, City Manager
Dave Blackmore, Deputy City Manager of Planning, Development and Engineering
Jill Brewer, Deputy City Manager of Community Services
Elizabeth Lawrence, Director of Strategy & Engagement
Heather Hickman, Manager of Community Development
Deborah Cook, Manager of Tourism and Culture
Victoria Etchegary, Manager of Strategic Development
Karen Chafe, Recording Secretary

Report:

1. Business Registration System Update

The Committee considered the attached information related to the Business Registration System:

- Pamphlet: Business Registration Information Guide
- Business Registration Form

The development of the Business Registration System came about as the result of a council directive from the Regular Meeting of January 7, 2013. All commercial enterprises operating within the City of St. John's (with the exception of mobile and transient vendors) will be required to submit a business registration form at no cost. This will enable the City to maintain data on individual businesses operating in St. John's and to develop an on-line business directory available on the City's website. It will also serve as an outreach and engagement tool.

The City has also consulted with Downtown St. John's and the Board of Trade and both organizations understand the value of the business registration tool. The City's ACCESS St. John's will have staff trained to collect and process the data. The business registration system will soon be unveiled and Co-chair Councillor Tilley will be the spokesperson.

The Committee recommends approval of the implementation process for the Business Registration System and attached documents.

ST. JOHN'S

2. Scoping Document for Public Engagement

The Committee considered the attached scoping document regarding the framework for public engagement in the City of St. John's. Ms. Victoria Etchegary was also introduced to the Committee as the new Manager of Strategic Development.

**The Committee on motion of Councillor Lane; seconded by Councillor Hickman:
recommends approval of the attached scoping document: *A Framework for Public
Engagement in the City of St. John's.***

Councillor Bruce Tilley
Co-Chairperson

Councillor Dave Lane
Co-Chairperson

Dear Business Owner:

All commercial businesses operating in the City of St. John's (with the exception of mobile and transient vendors) must now be registered with the City. This business registration process has been established to enable the City to collect and maintain contact and location information for individual businesses. There is no fee associated with registering your business.

To register your business go to www.stjohns.ca and complete and submit the form online. If you do not have internet access, please contact us by telephone at 311 or (709) 754-CITY(2489).

Please note that if you operate multiple businesses or your business has multiple locations, you must submit a business registration form for each business and each location.

For further information refer to the enclosed brochure, visit www.stjohns.ca, or email us at service@stjohns.ca.

Thank you

WHO MUST REGISTER

All commercial businesses operating in the City of St. John's, with the exception of mobile and transient vendors, are required to complete and submit a City of St. John's Business Registration Form.

Home-based businesses are also required to register.

WHY YOU NEED TO REGISTER

Effective January 2013, the City of St. John's blended the Business Occupancy Tax with the Business Realty Tax to form one realty tax for commercial properties.

With the move to this one tax, the City no longer conducts assessments on individual business occupancies and, as a result, no longer records or maintains information specific to the businesses operating in St. John's (i.e., business names, the location of businesses, number of businesses, etc.).

A Business Registration process will enable the City to collect this information.

HOW TO REGISTER

1. Access the Business Registration Form on the City of St. John's website at www.stjohns.ca. If you do not have internet access, please call Access St. John's at 311 or (709) 754-CITY (2489) and we will mail or fax a form to you.
2. Complete the form and click on the submit button to return it by e-mail.
3. Alternatively you may print the form and return it:
 - **In person** – You may drop the completed form off to Access St. John's on the ground floor of City Hall, 10 New Gower Street.
 - **By mail** – To the address indicated on the form: Access St. John's, P.O. Box 908, St. John's, NL, A1C 5M2
 - **By fax** to (709) 576-7688
4. For further information on the Business Registration process, read the Frequently Asked Questions document online at www.stjohns.ca or call Access St. John's at 311 or (709) 754-CITY (2489) to speak with a citizen service representative.

WHEN TO REGISTER

You can register your business immediately. Registration is valid for a one-year period. You will be notified to renew your registration annually.

COST OF REGISTERING

There is no fee associated with registering your business.

Questions?

Our citizen service representatives at Access St. John's are available to answer your questions 24 hours a day, 7 days a week.

**Phone: 311 or (709) 754-CITY (2489)
E-mail: service@stjohns.ca**



BENEFITS OF REGISTERING

Registering your business...

- Enhances your credibility by assuring your customers and clients that you are a registered business operation in the City of St. John's.

As a registered business, you will also receive*...

- A free listing in the City of St. John's business directory - an easy way to increase your visibility.
- A monthly Economic Update newsletter with the latest business news and statistics including a listing of new business approvals, city building permit values and upcoming events. Access to semi-annual economic forecast reports for the metro area.
- Access to annual tourism reports with data on visitation, spending, hotel occupancies and cruise ship activity.
- Access to other special reports and information products as they become available.

* Businesses may opt out of these services.

FREQUENTLY ASKED QUESTIONS (FAQ)

1. Do I need to register my business?

Yes, all commercial enterprises operating within the City of St. John's (with the exception of mobile and transient vendors) are required to complete and file a Business Registration form.

2. My business is based in a home, do I need to register?

Yes, if your business is home-based you must complete and file a Business Registration form.

3. Does my business registration expire?

Yes, a business registration is valid for a one-year period. You will be notified by e-mail to renew your registration. Annual registration is necessary to ensure information is kept up-to-date.

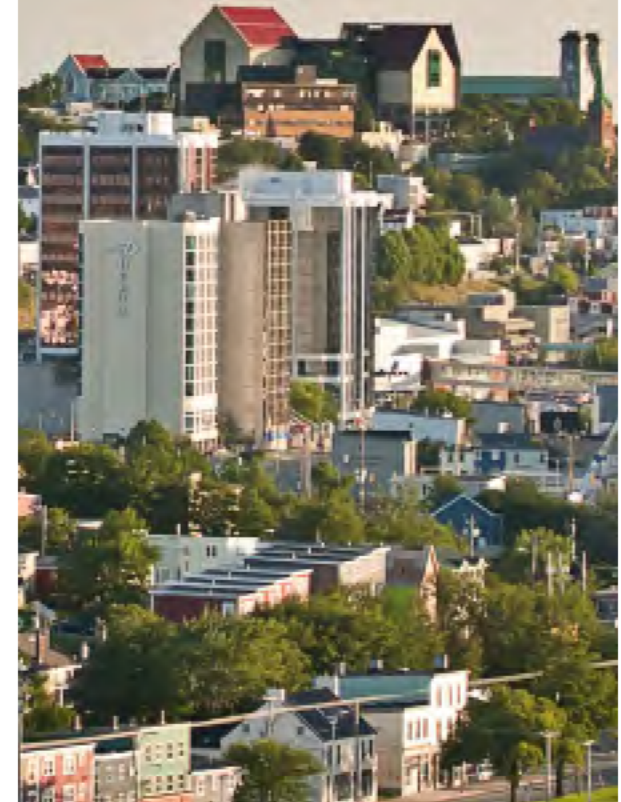
4. What if I have multiple businesses or multiple locations of the same business?

If you have multiple businesses or your business has multiple locations, you are required to complete and file a business registration form for each business and each location.

5. What happens if I move, close, sell or change the name of my business after I have registered?

If any of the above referenced changes occur, you must update the business registration information that you have filed with the City.

BUSINESS REGISTRATION INFORMATION GUIDE



ST. JOHN'S



PLEASE PRINT

SE-1000

OFFICE OF STRATEGY & ENGAGEMENT

BUSINESS REGISTRATION FORM

BUSINESS INFORMATION

SECTION 1

Is this registration: The first time registering my business Renewal
 Change of information – business name Change of information – business address
 Change of information – other _____

Name of Business (trade name): _____ (legal name): _____

Business Address

Street address: _____ Unit/suite/apt #: _____

Additional address information: _____ City: _____ Province: _____ Postal code: _____

Mailing Address Same as address provided above

Street address: _____ Unit/suite/apt #: _____ Postal box: _____

Additional address information: _____

City: _____ Province: _____ Postal code: _____ Country: _____

Telephone/Fax/Email/Web

Telephone: _____ Email: _____

Fax: _____ Website: _____

Is this business based in a home? Yes No

CONTACT INFORMATION

SECTION 2

Main contact

First name: _____ Initial: _____ Last name: _____

Telephone:* _____ Cell phone: _____ Email: _____

Position/title: _____

Would this contact like to receive updates and reports from the City of St. John's via the email address you have supplied? Yes No

Alternate contact

First name: _____ Initial: _____ Last name: _____

Telephone: _____ Cell phone: _____ Email: _____

Position/title: _____

Would this contact like to receive updates and reports from the City of St. John's via the email address you have supplied? Yes No

Please complete page two on other side

EMAIL NOTIFICATIONS

SECTION 3

You will receive an annual email notification when your business registration is due to expire. Please indicate which of the email addresses that you provided above should receive the notification? (Select as many email addresses as you prefer)

Business email Main contact's email Alternate contact's email I do not have an email address

BUSINESS DIRECTORY

SECTION 4

The City of St. John's plans to produce an on-line business directory that will be made available to the public via the City of St. John's website. The directory would list the following information for each business:

1. Name of Business 2. Street Address 3. Telephone 4. Website 5. Industry Classification

Do you wish to have this information included in this business directory? Yes No

FOR DOWNTOWN ST. JOHN'S BUSINESSES ONLY

SECTION 5

Total square area of your business? _____ Feet Metres

THIS DATA IS MANDATORY FOR BUSINESSES LOCATED IN THE BUSINESS IMPROVEMENT AREA (BIA). IT IS REQUIRED BY DOWNTOWN ST. JOHN'S TO DETERMINE ASSESSMENT OF THE BIA LEVY. IF YOU HAVE ANY QUESTIONS REGARDING THIS LEVY, THE SQUARE AREA OF YOUR BUSINESS OR DOWNTOWN ST. JOHN'S, PLEASE GO TO: www.downtownstjohns.com or call (709) 579-4139.

DESCRIPTION OF BUSINESS

SECTION 6

Please describe the type of products and services you provide (ie: retail - women's clothing, restaurants - fine dining, consultant - engineering, contracting – electrical etc.). Be as specific as possible.

DECLARATION

SECTION 6

Submission of this form is an acknowledgement that the information provided is true to the best of my knowledge.

SUBMIT FORM

Form may be submitted online or by mail, fax, email, or in person at Access St. John's
Access St. John's,
First Floor City Hall
P.O. Box 908,
10 New Gower Street
St. John's, NL
A1C 5M2
E-mail: businessregistry@stjohns.ca
Fax: 709-576-7688
Call: 311
Where 311 is unavailable, call 709-754-CITY (2489)

Business registrations must be renewed annually

3.1 Scoping Document -- A Framework for Public Engagement in the City of St. John's

The City of St. John's is interested in building a new approach to public engagement – *one that facilitates dialogue with the right people, using the right tools, at the right time* on subject areas of mutual interest.

“One size fits all” does not apply to public engagement. Instead, public engagement is a systemic process, guided by agreed upon principles, and a continuum of decision making. To achieve success, the City must apply an agreed upon engagement framework consistently and employees using the framework must have a shared understanding of how it is applied. Engagement impacts the whole of the organization and the entire organization must be involved in establishing and using the framework. As well, it must have built in to its application, a means by which to measure success and learn from mistakes. There is a role for everyone in public engagement, from front-line service to Mayor.

The ultimate **goals** of any effective public engagement program include:

- Improving/informing decision making and programming;
- Creating space for ALL citizens to feel involved and listened to;
- Sharing information and welcoming different points of view;
- Generating new ideas and solutions that can be owned by the City and/or stakeholders;
- Building trust;
- Understanding the needs and priorities of the community.

Achieving these goals through public engagement can help the City:

- save time and effort on the back end of projects;
- avoid delays;
- manage expectations;
- inform spending in program areas.

Continuum of Engagement

Sharing Information	Consultation Involve - Collaborate		Active Participation Empower	
<i>Public engagement Building Blocks</i>				
Sharing information to build awareness	Testing ideas or concepts to build knowledge	Collaborating to build commitment	Sharing decision making to build ownership	Delegating decision making to build responsibility
<i>The purpose of this level of involvement is</i>				
To present information to the public about issues that may affect them.	To provide information and receive feedback or comment	To involve stakeholders in the development of solutions	To partner with stakeholders in the development of recommendations	To give stakeholders the responsibility for making the decision.

The Office of Strategy and Engagement is proposing that the City of St. John's develop a toolbox to guide the engagement process based on the continuum above. There are many best practices to draw from which will be explored.

Next Steps

First three months

Create a public forum and “buzz”

- Determine how to engage the public right from the start. Create a Public Engagement Facebook Forum and create a Public Engagement Task Force comprised of elected officials, city officials, members of the public and key stakeholder groups to help inform the framework. This starts the dialogue in a positive and relevant manner and creates ownership.

Conduct an Internal inventory

- Complete an internal inventory of what the City currently does around public engagement – public meetings/hearings, consultations, surveys, and others. How do we measure success? What does success look like? What’s missing?
- Identify key stakeholder groups – by department -Who are we engaging with and why? Are these the right groups? Subgroups/ Who’s missing?
- Determine corporate-wide engagement strategy and determine fit with the Public Engagement Framework, i.e. internal engagement, intranet, service excellence, etc..

Develop Framework

- Develop the framework based on input and best practices; develop policy and guiding principles to be approved by appropriate City committees/officials.
- Develop a theme/tagline

Winter 2014

- Develop appropriate Public Engagement Tools and Guidelines for use –online and paper-based in partnership with other departments
- Train internal resources in the use of these tools
- Keep the dialogue going with the Task Force and the Facebook Forum
 - Keep them informed of the progress
 - Ask for feedback
- Develop communications strategy for launch and roll out.

Spring 2014

- Launch ‘St. John’s speaks...’ Framework to the public based on communication strategy
- Continued communication with Task Force and Facebook Forum – continue to build the momentum and determine how we are doing...
- Ongoing evaluations and regular check ins
 - Adjustments where required
 - Updates to Council
 - Celebrate successes

The City of St. John’s, like many other municipalities throughout the world, is interested in applying public engagement as an effective tool for dialogue and strategic direction. The key to success is doing it right. Many of the City’s strategies, including Roadmap 2021, the Municipal Plan, Parks and Open Spaces Master Plan, among others, are utilizing engagement tools and making note of the City’s intentions to do more in this area.

**Report/Recommendations
Regional Fire Services Committee
November 21, 2013**

REGULAR

Attendees: Councillor Danny Breen, Co-Chairperson, City of St. John's
Councillor Bruce Tilley, City of St. John's
Councillor Dave Aker, City of Mount Pearl
Councillor Stirling Willis, Town of Paradise
Bob Bishop, Deputy City Manager of Financial Management
Michael J. Dwyer, Director of Regional Fire Services (Fire Chief)
Kevin Breen, Director of Human Resources
Brendan O'Connell, Director of Engineering
Derek Coffey, Manager of Budget & Treasury
Norman Snelgrove, City of Mount Pearl
Gord Tucker, Manager of Property Management
Dallis Hamlyn, Manager of Administrative Services
Terry Lynn Smith, Town of Paradise
Karen Chafe, Recording Secretary

Report:

1. **Goulds Volunteer Fire Department Honorarium**

The Committee considered a briefing note from the Director of Regional Fire Services (Fire Chief) seeking approval of the Policy and Operation Guideline (POG) #01-03-12 which outlines how the yearly GVFD Honorariums are established during the budget process and how they are allocated to members.

**The Committee on motion of Councillor Aker; seconded by Councillor Tilley:
recommends that the POG # 01-03-12 be approved as attached for determining the
yearly honorariums budget for the GVFD and distribution of such to its members.**

2. **Review of SJRFD Emergency Service Protection Agreements**

The Committee considered the report related to the above noted matter, a copy of which is included in the Committee's agenda.

**The Committee on motion of Councillor Tilley; seconded by Councillor Aker
recommends approval of the recommendations outlined in the report.**

3. **2014 SJRFD Budget Review**

The Committee considered the above noted, a copy of which was included with the Committee agenda, including a detailed breakdown for all the programs associated with the Regional Fire Department.

**The Committee on motion of Councillor Tilley; seconded by Councillor Aker
recommends approval of the 2014 SJRFD Budget Projections.**

**Councillor Danny Breen
Co-Chairperson**

**Councillor Dave Aker
Co-Chairperson**

ST. JOHN'S

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF November 21, 2013 TO November 27, 2013

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Proposed Construction of Wharf	62-92 King's Hill Road – Portugal Cove-St. Philips		Rejected – Located in the Watershed	13-11-21
RES		Demolition and Rebuild of Dwelling	94 Linegar Avenue	5	Approved	13-11-22
RES		Proposed Building Lot	38-40 Ryan's River Road	5	Rejected- Lot area insufficient in accordance with Section 10.41.3(1)(a)	13-11-25
RES	New East Development Corp	Duplex Dwelling	57 Carter's Hill	2	Approved	13-11-22
RES	NL Housing	Four (4) Unit Multiple Dwelling	1 Prospero Place	4	Approved	13-11-22
COM	Ron Fougere Associates	Proposed Renovations to Current Space	16 Rowan Place	4	Approved	13-11-27
RES		Proposed Building Lot	136 Old Petty Harbour Road	5	Approved	13-11-27
RES		Proposed Home Office	2-215 L'Anse Aux Meadows Cres.	3	Approved	13-11-27
RES		Proposed Home Office	24 Portugal Cove Road	4	Approved	13-11-27

* Code Classification:
RES - Residential INST - Institutional
COM - Commercial IND - Industrial
AG - Agriculture
OT - Other

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

Gerard Doran
Development Officer
Department of Planning

Building Permits List

Council's December 02, 2013 Regular Meeting

Permits Issued: 2013/11/21 To 2013/11/27

Class: Commercial

162 Duckworth St	Co	Retail Store	
82 O'leary Ave	Co	Warehouse	
162 Duckworth St Crafted Treas	Sn	Office	
57 Old Pennywell Rd	Sn	Office	
350 Torbay Rd-Pet Zone	Sn	Retail Store	
50 White Rose Dr-Party City	Sn	Retail Store	
430 Topsail Rd Mobile Snap	Co	Retail Store	
390 Topsail Rd-O'lever Oil/Vin	Cr	Retail Store	
1 Austin St	Rn	Office	
61 James Lane	Rn	Warehouse	
4 East White Hills Rd/T-954	Ex	Light Industrial Use	
696 Water St	Sw	Eating Establishment	
364 Kenmount Rd	Ex	Commercial Garage	
130 Water St	Rn	Office	
82 Harvey Rd	Rn	Place Of Assembly	
386 Stavanger Dr	Rn	Clinic	
275 East White Hills Rd	Nc	Accessory Building	
456 Logy Bay Rd	Nc	Warehouse	
5-7 Pippy Pl	Rn	Office	
		This Week \$	4,237,830.00

Class: Industrial

267 Incinerator Rd	Sw	Industrial Use	
		This Week \$	194,000.00

Class: Government/Institutional

This Week \$.00

Class: Residential

19 Antelope St	Nc	Accessory Building	
44 Cherrybark Crescent, Lot 228	Nc	Single Detached & Sub.Apt	
14 Colonial St	Nc	Patio Deck	
10 Douglas St, Lot 251	Nc	Single Detached & Sub.Apt	
16 Duke St, Lot 215	Nc	Single Detached Dwelling	
22 Gorman Ave	Nc	Patio Deck	
36 Curling Pl	Nc	Patio Deck	
68 Julieann Pl	Nc	Swimming Pool	
2 Ophelia Pl	Nc	Patio Deck	
113 Ladysmith Dr, Lot 188	Nc	Single Detached Dwelling	
513-515 Back Line	Co	Service Shop	
106 Barnes Rd	Cr	Subsidiary Apartment	
415 Elizabeth Ave	Cr	Subsidiary Apartment	
2 Ophelia Pl	Cr	Single Detached & Sub.Apt	
14 Colonial St	Rn	Townhousing	
5 Cypress St	Rn	Subsidiary Apartment	
105 Elizabeth Ave	Rn	Single Detached Dwelling	
44-46 Cookstown Rd	Rn	Single Detached & Sub.Apt	
47 Gairlock St	Rn	Single Detached Dwelling	

1 Gooseberry Pl	Rn	Single Detached Dwelling
39 Prescott St	Rn	Townhousing
55 Stamp's Lane	Rn	Subsidiary Apartment
48 Groves Rd	Sw	Single Detached Dwelling
318 Newfoundland Dr	Sw	Single Detached Dwelling
2 Primrose Pl	Sw	Single Detached Dwelling

This Week \$ 978,100.00

Class: Demolition

This Week \$.00

This Week's Total: \$ 5,409,930.00

Repair Permits Issued: 2013/11/21 To 2013/11/27 \$ 43,200.00

Legend

Co	Change Of Occupancy	Sn	Sign
Cr	Chng Of Occ/Renovtns	Ms	Mobile Sign
Ex	Extension	Cc	Chimney Construction
Nc	New Construction	Cd	Chimney Demolition
Oc	Occupant Change	Dv	Development File
Rn	Renovations	Ws	Woodstove
Sw	Site Work	Dm	Demolition
Ti	Tenant Improvements		

Year To Date Comparisons			
December 2, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$212,800,100.00	\$100,000,000.00	-53
Industrial	\$5,000,000.00	\$2,300,000.00	-54
Government/Institutional	\$16,200,900.00	\$79,800,000.00	393
Residential	\$171,100,400.00	\$153,700,400.00	-10
Repairs	\$5,000,700.00	\$4,600,700.00	-8
Housing Units (1 & 2 Family Dwellings)	571	427	
TOTAL	\$410,102,100.00	\$340,401,100.00	-17

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA
 Director of Planning & Development

MEMORANDUM

Weekly Payment Vouchers For The Week Ending November 27, 2013

Payroll

Public Works	\$ 368,076.60
Bi-Weekly Casual	\$ 24,228.53
Accounts Payable	\$3,811,657.87
Total:	\$ 4,203,963.00

ST. JOHN'S

NAME	CHEQUE #	DESCRIPTION	AMOUNT
BALNAFAD CO. LTD.	00061380	REFUND MAINTENANCE SECURITY DEPOSIT	\$1,270.54
BALNAFAD CO. LTD.	00061381	REFUND MAINTENANCE SECURITY DEPOSIT	\$4,229.46
CRUISE INDUSTRY NEWS NISSEN-LIE COMM. INC	000000696	SUBSCRIPTION ADS	\$6,140.66
IPS GROUP INC.	000000697	REFUND TENDER DEPOSIT - PARKING METERS	\$82,923.26
THE TELEGRAM	00061382	ADVERTISING	\$187.94
FLANKER PRESS LIMITED	00061383	PROMOTIONAL ITEMS	\$631.27
MCAP LEASING	00061384	LEASING OF OFFICE EQUIPMENT	\$510.78
PIK-FAST EXPRESS INC.	00061385	BOTTLED WATER	\$28.00
RCAP	00061386	LEASING OF OFFICE EQUIPMENT	\$192.71
EVEREST	00061387	PROMOTIONAL ITEMS	\$444.33
TYCO INTEGRATED SECURITY CANADA, INC.	00061388	SECURITY ALARM	\$449.46
JOSH LEE	00061389	REFUND MAINTENANCE SECURITY DEPOSIT	\$231.20
JOSH LEE	00061390	REFUND MAINTENANCE SECURITY DEPOSIT	\$1,268.80
NEWFOUNDLAND EXCHEQUER ACCOUNT	00061391	FILING FEE SMALL CLAIMS COURT	\$100.00
TERRY RIELLY	00061392	PERFORMANCE FEE	\$350.00
JOAN LUSH	00061393	REFUND SCTR DISCOUNT 2008-2012	\$1,493.18
CROSBIE INDUSTRIAL SERVICE LTD	00061394	EQUIPMENT RENTAL	\$29,187.85
NEWFOUNDLAND POWER	00061395	ELECTRICAL SERVICES	\$3,361.63
PARTS FOR TRUCKS INC.	00061396	REPAIR PARTS	\$4,544.19
INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION (IMSA)	000000698	MEMBERSHIP RENEWAL	\$72.45
NEWFOUNDLAND EXCHEQUER ACCOUNT	00061397	REGISTRATION OF EASEMENT	\$110.00
OFFICEMAX GRAND & TOY	00061398	OFFICE SUPPLIES	\$405.67
PF COLLINS CUSTOMS BROKER LTD	00061399	DUTY AND TAXES	\$152.40
RECEIVER GENERAL FOR CANADA	00061400	PAYROLL DEDUCTIONS	\$454,210.64
RECEIVER GENERAL FOR CANADA	00061401	PAYROLL DEDUCTIONS	\$129,813.37
RECEIVER GENERAL FOR CANADA	00061402	PAYROLL DEDUCTIONS	\$9,255.11
BISHOP, ROBERT	00061403	TRAVEL REIMBURSEMENT	\$892.84
BREWER, JILL	00061404	TRAVEL REIMBURSEMENT	\$267.50
CLARKE, ELIZABETH	00061405	TRAVEL REIMBURSEMENT	\$1,755.10
DR. KIRIT PATEL	00061406	MEDICAL EXAMINATION	\$20.00
NEWFOUNDLAND POWER	00061407	ELECTRICAL SERVICES	\$16,299.45
PYRAMID CONSTRUCTION LIMITED	00061408	PROGRESS PAYMENTS	\$602,309.96
THE DANCE ACADEMY INC.	00061409	REAL PROGRAM	\$887.97
WASTE MANAGEMENT	00061410	PROFESSIONAL SERVICES	\$350.62
FORTIS PROPERTIES	00061411	COURT OF APPEAL REFUND	\$800.00
ROBERT A. & BARBARA A. PIGEAU	00061412	COURT OF APPEAL REFUND	\$200.00
ALTUS GROUP	00061413	COURT OF APPEAL REFUND	\$200.00
TURNER DRAKE & PARTNERS LIMITED	00061414	COURT OF APPEAL REFUND	\$200.00
REGAL REALTY LIMITED	00061415	COURT OF APPEAL REFUND	\$200.00
PINE BUD INVESTMENTS INC.	00061416	COURT OF APPEAL REFUND	\$200.00
PODIATRY ASSOCIATES	00061417	COURT OF APPEAL REFUND	\$200.00
LOGY BAY MANOR	00061418	COURT OF APPEAL REFUND	\$200.00
SAUNDER'S BATH AND KITCHEN GALLERY	00061419	COURT OF APPEAL REFUND	\$200.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
CHERYL SAVOURY	00061420	COURT OF APPEAL REFUND	\$60.00
CLARENCE & M. ROXANNE O'NEILL	00061421	COURT OF APPEAL REFUND	\$60.00
KATHERINE GALLAGHER & JEFFREY PARSONS	00061422	COURT OF APPEAL REFUND	\$60.00
BRADLEY & HEIDI COURTENAY	00061423	COURT OF APPEAL REFUND	\$60.00
SANDRA MICHELLE COLLINS	00061424	COURT OF APPEAL REFUND	\$60.00
ROY & OLIVE SANSOM	00061425	COURT OF APPEAL REFUND	\$60.00
ROSS & TRACEY SQUIRES	00061426	COURT OF APPEAL REFUND	\$120.00
LAURA CROSBIE & COLIN POWER	00061427	COURT OF APPEAL REFUND	\$120.00
MS SHOU LI	00061428	COURT OF APPEAL REFUND	\$60.00
WILLIAM & TINA GRIFFIN	00061429	COURT OF APPEAL REFUND	\$60.00
BERNICE KEOUGH	00061430	COURT OF APPEAL REFUND	\$60.00
JOHN FURLONG & GERRY MARSHALL	00061431	COURT OF APPEAL REFUND	\$60.00
GARLAND, KEITH	00061432	COURT OF APPEAL REFUND	\$60.00
REGENCY MANAGEMENT LTD.	00061433	COURT OF APPEAL REFUND	\$60.00
COLIN & CAROL TIBBO	00061434	COURT OF APPEAL REFUND	\$60.00
WLODZIMIERZ & MALGORZATA ZUBEREK	00061435	COURT OF APPEAL REFUND	\$60.00
ROBERT JAMES MILLER	00061436	COURT OF APPEAL REFUND	\$60.00
MARK & ANNE CONDON	00061437	COURT OF APPEAL REFUND	\$60.00
MICHAEL WOODS	00061438	COURT OF APPEAL REFUND	\$60.00
COADY DEVELOPMENTS INC.	00061439	COURT OF APPEAL REFUND	\$60.00
GENTARA REAL ESTATE LP	00061440	LEASE OF OFFICE SPACE	\$27,129.44
ROYAL BANK VISA	00061441	VISA PAYMENT	\$718.42
NEWFOUNDLAND EXCHEQUER ACCOUNT	00061442	PAYROLL TAX (HAPSET)	\$48,604.68
HARRIS, BRYANT	00061443	REIMBURSEMENT PARTS FOR SCALE	\$819.15
ALERT-ALL CORP.	0000000699	FIRE DEPARTMENT SUPPLIES	\$4,412.37
PTV AMERICA	0000000700	SOFTWARE RENEWAL	\$1,052.60
DESERT DIAMOND INDUSTRIES	0000000701	REPAIR PARTS	\$3,598.24
ACKLANDS-GRAINGER	00061444	INDUSTRIAL SUPPLIES	\$1,169.14
PROFESSIONAL ENGINEERS AND GEOSCIENTISTS NFLD	00061445	MEMBERSHIP RENEWAL	\$2,007.55
ATLANTIC OFFSHORE MEDICAL SERV	00061446	MEDICAL SERVICES	\$15,974.05
CABOT AUTO GLASS & UPHOLSTERY	00061447	CLEANING SERVICES	\$638.45
ATLANTIC PURIFICATION SYSTEM LTD	00061448	WATER PURIFICATION SUPPLIES	\$5,474.85
BABB LOCK & SAFE CO. LTD	00061449	PROFESSIONAL SERVICES	\$180.80
COSTCO WHOLESALE	00061450	MISCELLANEOUS SUPPLIES	\$934.68
KELLOWAY CONSTRUCTION LIMITED	00061451	REFUND MAINTENANCE SECURITY DEPOSIT	\$20,424.45
DISCOUNT CAR & TRUCK RENTALS	00061452	VEHICLE RENTAL	\$1,524.37
NEWFOUNDLAND EXCHEQUER ACCOUNT	00061453	REGISTRATION OF EASEMENT	\$237.30
HERCULES SLR INC.	00061454	REPAIR PARTS	\$16.95
BELBIN'S GROCERY	00061455	CATERING SERVICES	\$75.85
CABOT PEST CONTROL	00061456	PEST CONTROL	\$7,942.14
TIM HORTON'S STORE - TOPSAIL RD	00061457	REFRESHMENTS	\$67.17
WASTE MANAGEMENT	00061458	PROFESSIONAL SERVICES	\$350.61
EASTERN FARMERS CO-OP SOCIETY	00061459	TWINE POLY	\$45.19

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ASPENS & OAKS	00061460	PROFESSIONAL SERVICES	\$320.00
CREDIT INFORMATION SERVICES NFLD LTD.	00061461	CREDIT INFORMATION	\$289.62
ROCKWATER PROFESSIONAL PRODUCT	00061462	CHEMICALS	\$660.60
NEWCAP BROADCASTING LTD.	00061463	PUBLIC ANNOUNCEMENTS	\$10,398.26
HI-LITE FRAMING LTD.	00061464	FRAMING SERVICES	\$571.89
BLACK & MCDONALD LIMITED	00061465	PROFESSIONAL SERVICES	\$567.11
GRAPHIC ARTS & SIGN SHOP LIMITED	00061466	SIGNAGE	\$671.67
EC BOONE LTD.	00061467	PROTECTIVE CLOTHING	\$385.76
PIZZA DELIGHT	00061468	REFRESHMENTS	\$214.27
COX & PALMER	00061469	REFUND OVERPAYMENT OF TAXES	\$2,013.46
BARNES/BOWMAN DISTRIBUTION	00061470	REPAIR PARTS	\$2,844.35
OVERHEAD DOORS NFLD LTD	00061471	PROFESSIONAL SERVICES	\$125.43
TRACT CONSULTING INC	00061472	PROFESSIONAL SERVICES	\$11,848.55
BRENKIR INDUSTRIAL SUPPLIES	00061473	PROTECTIVE CLOTHING	\$655.93
CANSEL SURVEY EQUIPMENT INC.	00061474	PROFESSIONAL SERVICES	\$1,011.35
ATLANTIC METAL COATINGS LTD	00061475	PROFESSIONAL SERVICES	\$2,635.16
SOBEY'S #604	00061476	GROCERY ITEMS	\$150.63
OFFICEMAX GRAND & TOY	00061477	OFFICE SUPPLIES	\$862.08
PINNACLE OFFICE SOLUTIONS LTD	00061478	PHOTOCOPIES	\$1,922.33
SPECTRUM INVESTIGATION & SECURITY 1998 LTD.	00061479	SECURITY SERVICES	\$5,030.31
CO-OP FEEDS/COUNTRY RIBBON INC FEEDS DIVISION	00061480	DUCK FEED	\$217.20
STAPLES THE BUSINESS DEPOT - STAVANGER DR	00061481	STATIONERY & OFFICE SUPPLIES	\$174.70
TRIWARE TECHNOLOGIES INC.	00061482	COMPUTER EQUIPMENT	\$1,614.77
NEW WORLD FITNESS	00061483	MEMBERSHIP DUES FOR FIREFIGHTERS	\$203.29
CHESTER DAWE CANADA - O'LEARY AVE	00061484	BUILDING SUPPLIES	\$1,403.85
BURSEY EXCAVATING & DEVELOPMENT LTD.	00061485	REFUND MAINTENANCE SECURITY DEPOSIT	\$4,000.00
JOHN F POWER CONSTRUCTION	00061486	REFUND MAINTENANCE SECURITY DEPOSIT	\$5,215.52
CANADA POST CORPORATION	00061487	POSTAGE	\$12.65
CANADIAN CORPS COMMISSIONAIRES	00061488	SECURITY SERVICES	\$7,331.23
AIR LIQUIDE CANADA INC.	00061489	CHEMICALS AND WELDING PRODUCTS	\$3,570.16
CARSWELL DIV. OF THOMSON CANADA LTD	00061490	PUBLICATIONS	\$328.05
THE PRINTING PLACE	00061491	OFFICE FORMS	\$281.37
WAL-MART 3196-ABERDEEN AVE.	00061492	MISCELLANEOUS SUPPLIES	\$96.56
ROGERS CABLE	00061493	INTERNET SERVICES	\$239.52
NORTRAX CANADA INC.,	00061494	REPAIR PARTS	\$646.46
CALA	00061495	REGISTRATION FEES	\$169.50
NEWFOUND CONSTRUCTION LTD.	00061496	RENTAL OF EQUIPMENT	\$9,324.99
COASTAL MOUNT PEARL	00061497	LIFELINE THROW BAGS	\$27.11
KENT	00061498	BUILDING MATERIALS	\$43.25
KENT BUILDING SUPPLIES-PLACENTIA RD	00061499	BUILDING MATERIALS	\$300.42
HAZMASTERS INC.	00061500	REPAIR PARTS	\$799.98
PF COLLINS CUSTOMS BROKER LTD	00061501	DUTY AND TAXES	\$342.17
COLONIAL GARAGE & DIST. LTD.	00061502	AUTO PARTS	\$516.96

NAME	CHEQUE #	DESCRIPTION	AMOUNT
PETER'S AUTO WORKS INC.	00061503	TOWING OF VEHICLES	\$1,610.25
CONSTRUCTION SIGNS LTD.	00061504	SIGNAGE	\$6,795.26
THE IDEA FACTORY	00061505	PRINTER SERVICES	\$4,570.85
SCOTT WINSOR ENTERPRISES INC.,	00061506	REMOVAL OF GARBAGE & DEBRIS	\$56.50
BALNAFAD CO. LTD.	00061507	REFUND MAINTENANCE SECURITY DEPOSIT	\$28,900.00
COUNTRY TRAILER SALES 1999 LTD	00061508	REPAIR PARTS	\$1,598.39
IMAGE FUSION INC.	00061509	REGULAR FOAM	\$484.21
CRANE SUPPLY LTD.	00061510	PLUMBING SUPPLIES	\$1,065.27
JAMES G CRAWFORD LTD.	00061511	PLUMBING SUPPLIES	\$222.43
CROSBIE INDUSTRIAL SERVICE LTD	00061512	PROFESSIONAL SERVICES	\$45,420.12
FASTENAL CANADA	00061513	REPAIR PARTS	\$375.16
LONG & MCQUADE	00061514	REAL PROGRAM	\$661.50
KENDALL ENGINEERING LIMITED	00061515	PROFESSIONAL SERVICES	\$56,156.38
AUTO TRIM DESIGN	00061516	PROFESSIONAL SERVICES	\$107.35
CREDIT RECOVERY 2003 LIMITED	00061517	CREDIT COLLECTIONS	\$4,723.10
CRAWFORD & COMPANY CANADA INC	00061518	ADJUSTING FEES	\$896.80
DICKS & COMPANY LIMITED	00061519	OFFICE SUPPLIES	\$2,230.24
H. KHALILI PH.D. & ASSOCIATES	00061520	PROFESSIONAL SERVICES	\$225.00
ISLAND WIDE IRRIGATION	00061521	PROFESSIONAL SERVICES	\$655.40
REEFER REPAIR SERVICES LTD.	00061522	REPAIR PARTS	\$986.60
ATLANTIC HOSE & FITTINGS	00061523	RUBBER HOSE	\$248.89
THYSSENKRUPP ELEVATOR	00061524	ELEVATOR MAINTENANCE	\$1,901.23
CAHILL INSTRUMENTATION LTD.	00061525	PROFESSIONAL SERVICES	\$867.28
CANADIAN TIRE CORP.-ELIZABETH AVE.	00061526	MISCELLANEOUS SUPPLIES	\$237.27
CANADIAN TIRE CORP.-MERCHANT DR.	00061527	MISCELLANEOUS SUPPLIES	\$364.67
CANADIAN TIRE CORP.-KELSEY DR.	00061528	MISCELLANEOUS SUPPLIES	\$1,407.72
EAST CHEM INC.	00061529	CHEMICALS	\$1,891.16
ELECTROMEGA LTD.	00061530	REPAIR PARTS	\$387.35
ELECTRIC MOTOR & PUMP DIV.	00061531	REPAIR PARTS	\$42.94
ENVIROMED ANALYTICAL INC.	00061532	REPAIR PARTS AND LABOUR	\$477.99
ESRI CANADA	00061533	MEMBERSHIP FEES	\$141.25
EXECUTIVE COFFEE SERVICES LTD.	00061534	COFFEE SUPPLIES	\$67.80
HOME DEPOT OF CANADA INC.	00061535	BUILDING SUPPLIES	\$486.26
DOMINION STORE 935	00061536	MISCELLANEOUS SUPPLIES	\$770.29
BASIL FEARN 93 LTD.	00061537	REPAIR PARTS	\$141.25
REDWOOD CONSTRUCTION LIMITED	00061538	REFUND MAINTENANCE SECURITY DEPOSIT	\$2,000.00
TIM HORTONS STORE - MOUNT PEARL	00061539	REFRESHMENTS	\$30.58
MAYNARD-REECE ENGINEERING EQUIPMENT LIMITED	00061540	REPAIR PARTS	\$5,305.35
PRINCESS AUTO	00061541	MISCELLANEOUS ITEMS	\$162.07
CITY WIDE TAXI	00061542	TRANSPORTATION SERVICES	\$29.25
GREENWOOD SERVICES INC.	00061543	OPEN SPACE MAINTENANCE	\$293.80
STELLAR INDUSTRIAL SALES LTD.	00061544	INDUSTRIAL SUPPLIES	\$1,022.97
NEWALTA INDUSTRIAL SERVICES	00061545	INDUSTRIAL SUPPLIES	\$39,656.47

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ATLANTIC OILFIELD & INDUSTRIAL SUPPLY	00061546	INDUSTRIAL SUPPLIES	\$3,317.06
PROVINCIAL FENCE PRODUCTS	00061547	FENCING MATERIALS	\$7,458.00
DOMINION STORES 934	00061548	MISCELLANEOUS SUPPLIES	\$71.36
PIZZA HUT	00061549	MEAL ALLOWANCES	\$34.38
SERVICE PLUS INC.	00061550	RENTAL OF EQUIPMENT	\$3,851.04
HARRIS & ROOME SUPPLY LIMITED	00061551	ELECTRICAL SUPPLIES	\$625.85
HARVEY & COMPANY LIMITED	00061552	REPAIR PARTS	\$440.80
HARVEY'S OIL LTD.	00061553	PETROLEUM PRODUCTS	\$23,509.72
SPORTCHEK-VILLAGE MALL	00061554	CLOTHING ALLOWANCES	\$255.00
BRENNTAG CANADA INC	00061555	CHLORINE	\$50,368.17
PRACTICAR CAR & TRUCK RENTALS	00061556	VEHICLE RENTAL	\$19,878.96
HISCOCK RENTALS & SALES INC.	00061557	HARDWARE SUPPLIES	\$5,175.04
HOLDEN'S TRANSPORT LTD.	00061558	RENTAL OF EQUIPMENT	\$2,243.05
FLEET READY LTD.	00061559	REPAIR PARTS	\$727.36
ARIANNA CONSTRUCTION INC	00061560	RENTAL OF EQUIPMENT	\$1,672.26
NL NEWS NOW INC.	00061561	ADVERTISING	\$446.99
INFINITY CONSTRUCTION	00061562	TOPSOIL	\$395.50
PATTISON OUTDOOR ADVERTISING	00061563	ADVERTISING	\$1,695.00
HENRY'S	00061564	INK CARTRIDGES	\$110.61
CSSE	00061565	MEMBERSHIP FEES	\$220.35
IMPRINT SPECIALTY PROMOTIONS LTD	00061566	PROMOTIONAL ITEMS	\$107.26
ONX ENTERPRISE SOLUTIONS LIMITED	00061567	OFFICE SUPPLIES	\$110.18
JOHNSON CONTROLS LTD.	00061568	REPAIR PARTS	\$436.35
E3 OFFICE FURNITURE	00061569	OFFICE FURNITURE	\$536.75
BOSCH REXROTH CANADA CORP.	00061570	OFFICE SUPPLIES	\$369.74
KAVANAGH & ASSOCIATES	00061571	PROFESSIONAL SERVICES	\$89.04
STANTEC ARCHITECTURE LTD.	00061572	PROFESSIONAL SERVICES	\$155,317.71
KENT BUILDING SUPPLIES-STAVANGER DR	00061573	BUILDING MATERIALS	\$584.38
JRV DISTRIBUTORS	00061574	REPAIR PARTS	\$33.90
MITCHELL'S FARMS INC.,	00061575	SCOUPS OF MULCH	\$339.00
DR. PEGGY TUTTLE	00061576	MEDICAL EXAMINATION	\$20.00
BRING MANAGEMENT SOLUTIONS INC.,	00061577	CONSULTING SERVICES	\$11,158.75
MARY ANNE MURPHY MSW, RSW	00061578	PROFESSIONAL SERVICES	\$4,000.00
DATARITE.COM	00061579	STATIONERY & OFFICE SUPPLIES	\$125.66
LIFTOW LIMITED C/O T8092	00061580	REPAIR PARTS	\$48.74
MANNA EUROPEAN BAKERY AND DELI LTD	00061581	REFRESHMENTS	\$94.36
MARK'S WORK WEARHOUSE	00061582	PROTECTIVE CLOTHING	\$146.89
JT MARTIN & SONS LTD.	00061583	HARDWARE SUPPLIES	\$231.65
MCDONALD'S HOME HARDWARE	00061584	HARDWARE SUPPLIES	\$29.36
JJ MACKAY CANADA LTD.	00061585	PARKING METER KEYS	\$13,040.20
MCLOUGHLAN SUPPLIES LTD.	00061586	ELECTRICAL SUPPLIES	\$14,755.16
MEMORIAL UNIVERSITY OF NFLD.	00061587	EMPLOYEE TRAINING	\$881.40
MIKAN INC.	00061588	LABORATORY SUPPLIES	\$1,498.27

NAME	CHEQUE #	DESCRIPTION	AMOUNT
WAJAX INDUSTRIAL COMPONENTS	00061589	REPAIR PARTS	\$73.66
NU-WAY EQUIPMENT RENTALS	00061590	RENTAL OF EQUIPMENT	\$1,423.80
NEWFOUND DISPOSAL SYSTEMS LTD.	00061591	DISPOSAL SERVICES	\$14,160.32
BELL ALIANT	00061592	TELEPHONE SERVICES	\$194.12
TOROMONT CAT	00061593	AUTO PARTS	\$2,318.47
R NICHOLLS DISTRIBUTORS INC.	00061594	PROTECTIVE CLOTHING	\$27,096.84
PBA INDUSTRIAL SUPPLIES LTD.	00061595	INDUSTRIAL SUPPLIES	\$582.36
ORKIN CANADA	00061596	PEST CONTROL	\$254.26
PERIDOT SALES LTD.	00061597	REPAIR PARTS	\$688.14
PETRO PLUS INC.	00061598	REPAIR PARTS	\$452.00
J & J SEARCHING SERVICES	00061599	MECHANIC LIEN SEARCH	\$28.25
K & D PRATT LTD.	00061600	REPAIR PARTS AND CHEMICALS	\$964.25
PROFESSIONAL UNIFORMS & MATS INC.	00061601	PROTECTIVE CLOTHING	\$36.72
PUROLATOR COURIER	00061602	COURIER SERVICES	\$108.75
REPROGRAPHICS LTD.	00061603	TONER CARTRIDGES	\$126.39
RIDEOUT TOOL & MACHINE INC.	00061604	TOOLS	\$929.75
NAPA ST. JOHN'S 371	00061605	AUTO PARTS	\$372.87
S & S SUPPLY LTD. CROSSTOWN RENTALS	00061606	REPAIR PARTS	\$2,733.17
ST. JOHN'S TRANSPORTATION COMMISSION	00061607	PUBLIC TRANSIT CAPITAL TRUST FUND	\$279,165.84
BIG ERICS INC	00061608	SANITARY SUPPLIES	\$444.54
SAUNDERS EQUIPMENT LIMITED	00061609	REPAIR PARTS	\$13,094.14
STRONGCO	00061610	REPAIR PARTS	\$64.30
CHANDLER	00061611	UNIFORMS	\$371.00
SPEEDY AUTOMOTIVE LTD.	00061612	AUTOMOTIVE SUPPLIES	\$610.15
SPEEDY GLASS	00061613	WINDSHIELD REPAIRS	\$67.79
AETTNL	00061614	MEMBERSHIP FEES	\$250.00
TRACTION DIV OF UAP	00061615	REPAIR PARTS	\$926.59
UNITED SAIL WORKS LTD.	00061616	VINYL COVER	\$282.50
URBAN CONTRACTING JJ WALSH LTD	00061617	PROPERTY REPAIRS	\$565.00
WEIRS CONSTRUCTION LTD.	00061618	ROAD GRAVEL	\$2,519.34
WAL-MART 3092-KELSEY DRIVE	00061619	MISCELLANEOUS SUPPLIES	\$709.48
DR. WADE MERCER	00061620	MEDICAL EXAMINATION	\$20.00
DR. PETER ROBBINS	00061621	MEDICAL EXAMINATION	\$20.00
ASSOCIATION OF CANADIAN ASSESSORS' COUNSEL	00061622	MEMBERSHIP FEES	\$35.00
DR. KARL MISIK	00061623	MEDICAL EXAMINATION	\$20.00
INDEPENDENT LIVING RESOURCE CENTRE	00061624	ADVERTISING	\$300.00
GORDON NAGLE	00061625	APPEAL BOARD REMUNERATION	\$150.00
GEORGE TRAINOR	00061626	APPEAL BOARD REMUNERATION	\$75.00
GRANT CHALKER	00061627	APPEAL BOARD REMUNERATION	\$200.00
ATLANTIC PROVINCES ECONOMIC COUNCIL	00061628	REGISTRATION FEES	\$355.00
DR. ELIZABETH CALLAHAN	00061629	MEDICAL EXAMINATION	\$20.00
ALIANT PIONEERS (CLOWE/PURCELL GOLF CLASSIC)	00061630	REAL PROGRAM	\$76,097.00
THE ARTIST'S WORKSHOP INC.	00061631	FRAMING SERVICES	\$145.37

NAME	CHEQUE #	DESCRIPTION	AMOUNT
THE BANK OF NOVA SCOTIA	00061632	REFUND OVERPAYMENT OF TAXES	\$1,786.26
ST. JAMES UNITED CHURCH	00061633	RENTAL OF BUILDING	\$220.00
HUNGRY HEART CAFE	00061634	MEAL ALLOWANCES	\$104.25
CECILY STRICKLAND	00061635	REFUND OVERPAYMENT OF TAXES	\$684.90
DR. D. W. J. GOUGH	00061636	MEDICAL EXAMINATION	\$20.00
CLUETT, DR. JOY	00061637	MEDICAL EXAMINATION	\$20.00
THE CEI GROUP INC.	00061638	LEGAL CLAIM	\$3,831.94
ICEBERG QUEST OCEAN TOURS INC.	00061639	BOAT TOUR (TRAVEL WRITER)	\$67.80
RESTAURANT ASSOCIATION OF NEWFOUNDLAND & LABR	00061640	FAM FOOD BLOGGERS/WRITERS	\$282.50
THE PEOPLE CENTRE	00061641	COUNSELING SERVICES	\$255.00
PIERCEY, KELLY	00061642	REFUND OVERPAYMENT OF TAXES	\$472.40
KOKORO DOJO	00061643	REAL PROGRAM	\$540.00
COMVIVIO COMMUNICATIONS INC.	00061644	SUBSCRIPTION RENEWAL	\$316.40
MAURICE SHEPPARD	00061645	INSTRUCTOR FEE	\$100.00
DR. CHRISTOPHER COX	00061646	MEDICAL EXAMINATION	\$20.00
JOHN ROWE	00061647	REFUND OVERPAYMENT OF TAXES	\$251.10
10475 NFLD LTD.	00061648	REFUND OVERPAYMENT OF BUILDING PERMIT	\$85.50
MS. GILLIAN STOKES	00061649	REFUND WATER DEFERRAL PERMIT	\$7,500.00
BERNADETTE LEONARD	00061650	REFUND WATER DEFERRAL PERMIT	\$7,500.00
AMY JOHNSON	00061651	RECREATION PROGRAM REFUND	\$135.00
SOUTHERN SHORE MINOR HOCKEY ASSOCIATION	00061652	CTJS FALL 2013	\$300.00
DARRYL & MARLENE FRY	00061653	REFUND OVERPAYMENT OF TAXES	\$529.10
EAST COAST CUSTOMS LTD. & HAROLD MOORE	00061654	LEGAL CLAIM	\$1,604.31
RANDY NOSEWORTHY	00061655	REFUND TEMPORARY OCCUPANCY	\$1,500.00
SUSAN COSTELLO	00061656	REFUND SEPTIC DEPOSIT	\$500.00
50808 NEWFOUNDLAND & LABRADOR LTD.	00061657	REFUND MAINTENANCE SECURITY DEPOSIT	\$129,200.00
OAKLEY, KIMBERLEY	00061658	FOOTWEAR ALLOWANCE	\$125.00
WALSH, MARY	00061659	REIMBURSEMENT GIFT CARDS	\$3,045.00
TUCKER, WALLY	00061660	CLOTHING ALLOWANCES	\$215.39
ROCHE, WAYNE	00061661	CLOTHING ALLOWANCES	\$125.00
FORBES STREET HOLDINGS LTD	00061662	REFURBISH VACANT UNIT	\$10,141.75
WATERWORKS SUPPLIES DIV OF EMCO LTD	00061663	REPAIR PARTS	\$10,229.18
NEWFOUNDLAND EXCHEQUER ACCOUNT	00061664	CADO SUBSCRIPTION RENEWAL	\$350.00
BARACO-ATLANTIC CORPORATION	00061665	PROGRESS PAYMENTS	\$141,331.13
PLANNED PARENTHOOD-NL SEXUAL HEALTH CENTRE	00061666	GUEST SPEAKER	\$50.00
PYRAMID CONSTRUCTION LIMITED	00061667	PROGRESS PAYMENTS	\$294,156.58
ANCHORAGE CONTRACTING SERVICES	00061668	PROGRESS PAYMENTS	\$641,379.06
Total:			<u>\$3,811,657.87</u>

MEMORANDUM

Date: November 22, 2013
To: His Worship the Mayor and Members of Council
From: Brendan O'Connell, P.Eng.
Director of Engineering
Re: **Tender – Bay Bulls Big Pond Water Treatment Plant
Main Plant – Roof Replacement**

The following tenders have been received for the project “**Bay Bulls Big Pond Water Treatment Plant, Main Plant – Roof Replacement**”:

1. Newfound Roofing \$917,560.00 (Bid Bond included)
2. North Shore Roofing Ltd. \$1,122,852.75 (Bid Bond included)
3. McCarthy's Roofing Ltd. \$901,062.00 (Bid Bond included)

RECOMMENDATION

It is recommended that the tender be awarded to the lowest bidder, McCarthy's Roofing Ltd., in the amount of nine hundred one thousand sixty-two dollars (\$901,062.00), including H.S.T.

(Original signed)

Brendan O'Connell, P.Eng
Director of Engineering

BO/sba

ST. JOHN'S

Second Session, 47th General Assembly
62 Elizabeth II, 2013

BILL 20

AN ACT TO AMEND THE CITY OF CORNER BROOK ACT, THE CITY
OF MOUNT PEARL ACT, THE CITY OF ST. JOHN'S ACT AND THE
MUNICIPALITIES ACT, 1999

Received and Read the First

Time.....

Second

Reading.....

Committee.....

Third

Reading.....

Royal

Assent.....

HONOURABLE STEVE KENT
Minister of Municipal and Intergovernmental Affairs

Ordered to be printed by the Honourable House of Assembly

EXPLANATORY NOTES

This Bill would amend the *City of Corner Brook Act*, the *City of Mount Pearl Act*, the *City of St. John's Act* and the *Municipalities Act, 1999* to allow a

- council to appoint a youth representative; and
- councillor to participate in a meeting by electronic means.

A BILL

AN ACT TO AMEND THE CITY OF CORNER BROOK ACT, THE
CITY OF MOUNT PEARL ACT, THE CITY OF ST. JOHN'S ACT
AND THE MUNICIPALITIES ACT, 1999

Analysis

CITY OF CORNER BROOK ACT

1. S.13.1 Added
Youth representative
 2. S.20 Amdt.
Vacancies
 3. S.31 Amdt.
Frequency of meetings
- CITY OF MOUNT PEARL ACT
4. S.13.1 Added
Youth representative
 5. S.20 Amdt.
Vacancies
 6. S.31 Amdt.
Frequency of meetings

CITY OF ST. JOHN'S ACT

7. S.5.01 Added
Youth representative
8. S.9 R&S
Eligibility re council membership
9. S.39 Amdt.
Weekly meetings

MUNICIPALITIES ACT, 1999

10. S.13.1 Added
Youth representative
11. S.24 Amdt.
Meetings
12. S.51 Amdt.
Frequency of meetings
13. S.206 Amdt.
Vacancies

Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows:

CITY OF CORNER BROOK ACT

RSNL1990 eC-15
as amended

1. The *City of Corner Brook Act* is amended by adding immediately after section 13 the following:

Youth representative

13.1 (1) The council may appoint a person with the title "youth representative" to sit with the council and participate in its deliberations for a term and on conditions that the council may decide.

(2) A person appointed as a youth representative shall be less than 18 years of age at the time of appointment.

(3) A person appointed as a youth representative is not a member of council and shall not be counted for the purpose of determining a quorum or deciding a vote of the council.

2. Paragraph 20(2)(c) of the Act is repealed and the following substituted:

(c) has been absent from the city for a continuous period of more than 6 months;

3. Section 31 of the Act is amended by adding immediately after subsection (2) the following:

(3) The council may allow a councillor to participate in a meeting by electronic means where the electronic means enables the councillor to listen to the proceedings and to be heard.

(4) A councillor participating in a meeting by electronic means is considered to be in attendance at the meeting.

(5) Subsections (3) and (4) also apply to meetings held under section 41.

CITY OF MOUNT PEARL ACT

RSNL1990 cC-16
as amended

4. The *City of Mount Pearl Act* is amended by adding immediately after section 13 the following:

Youth representative

13.1 (1) The council may appoint a person with the title "youth representative" to sit with the council and participate in its deliberations for a term and on conditions that the council may decide.

(2) A person appointed as a youth representative shall be less than 18 years of age at the time of appointment.

(3) A person appointed as a youth representative is not a member of council and shall not be counted for the purpose of determining a quorum or deciding a vote of the council.

5. Paragraph 20(2)(c) of the Act is repealed and the following substituted:

(c) has been absent from the city for a continuous period of more than 6 months;

6. Section 31 of the Act is amended by adding immediately after subsection (4) the following:

(5) The council may allow a councillor to participate in a meeting by electronic means where the electronic means enables the councillor to listen to the proceedings and to be heard.

(6) A councillor participating in a meeting by electronic means is considered to be in attendance at the meeting.

(7) Subsections (5) and (6) also apply to meetings held under section 41.

CITY OF ST. JOHN'S ACT

RSNL1990 cC-17
as amended

7. The *City of St. John's Act* is amended by adding immediately after section 5 the following:

Youth representative

5.01 (1) The council may appoint a person with the title "youth representative" to sit with the council and participate in its deliberations for a term and on conditions that the council may decide.

(2) A person appointed as a youth representative shall be less than 18 years of age at the time of appointment.

(3) A person appointed as a youth representative is not a member of council and shall not be counted for the purpose of determining a quorum or deciding a vote of the council.

8. Section 9 of the Act is repealed and the following substituted:

Eligibility re council membership

9. A member of the council who during the term of office

(a) is absent from the city for a continuous period of more than 6 months; or

(b) is convicted for an indictable offence

shall stop being a member of the council.

9. Section 39 of the Act is amended by adding immediately after subsection (2) the following:

(3) The council may allow a councillor to participate in a meeting by electronic means where the electronic means enables the councillor to listen to the proceedings and to be heard.

(4) A councillor participating in a meeting by electronic means is considered to be in attendance at the meeting.

(5) Subsections (3) and (4) also apply to meetings held under section 38.

MUNICIPALITIES ACT, 1999

SNL1999 cM-24
as amended

10. The *Municipalities Act, 1999* is amended by adding immediately after section 13 the following:

Youth representative

13.1 (1) A town council may appoint a person with the title "youth representative" to sit with the council and participate in its deliberations for a term and on conditions that the council may decide.

(2) A person appointed as a youth representative shall be less than 18 years of age at the time of appointment.

(3) A person appointed as a youth representative is not a member of the town council and shall not be counted for the purpose of determining a quorum or deciding a vote of the council.

11. Section 24 of the Act is amended by adding immediately after subsection (2) the following:

(2.1) A town council may allow a councillor to participate in a meeting by electronic means where the electronic means enables the councillor to listen to the proceedings and to be heard.

(2.2) A councillor participating in a meeting by electronic means is considered to be in attendance at the meeting.

(2.3) Subsections (2.1) and (2.2) also apply to meetings held under sections 23 and 213.

12. Section 51 of the Act is amended by adding immediately after subsection (2) the following:

(2.1) A regional council may allow a councillor to participate in a meeting by electronic means where the electronic means enables the councillor to listen to the proceedings and to be heard.

(2.2) A councillor participating in a meeting by electronic means is considered to be in attendance at the meeting.

13. Paragraph 206(1)(d) of the Act is repealed and the following substituted:

(d) he or she has been absent from the municipality for a continuous period of more than 6 months;

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ECONOMIC UPDATE

DECEMBER 2013

Contact us at
business@stjohns.ca
to be added to our
monthly distribution list

ECONOMIC INDICATORS

The New Housing Price Index for St. John's Metro was 150.9 in September 2013 up 2.2%*

The Consumer Price Index for St. John's Metro was 126.5 in October 2013 up 1.5%*

Retail sales for Newfoundland and Labrador (seasonally adjusted) were \$716.0 million in September 2013 up 3.1%*

* same month in the previous year.

LABOUR FORCE CHARACTERISTICS

St. John's Metro, (seasonally adjusted, three-month moving average)

	Oct. 2013	Chg.*
Labour Force	115,900	-1.7%
Unemployment Rate	5.7%	-1.3pt
Employment Rate	65.4%	-1.7pt
Participation Rate	69.4%	-2.8pt

* same month in the previous year.

BUSINESS BRIEFS

St. John's economic growth leads in 2013

Increased offshore oil production will make St. John's the fastest growing economy among 15 Canadian cities in 2013, according to The Conference Board of Canada's Metropolitan Outlook. Economic growth is forecast to reach five per cent in 2013 in St. John's and is expected to more than recover from a 3.2 per cent decline in 2012. As the hub for the provincial offshore petroleum industry, the St. John's economy will get a lift from higher offshore

oil and gas production. Growth in the construction sector will continue to be positive this year, though more modest than in recent years.

Westjet is crossing the pond

Westjet recently announced that it has added Dublin, Ireland, as the airline's first transatlantic destination with seasonal daily service from June 15, 2014, to October 5, 2014. There will be non-stop flights to Dublin from St. John's and new daily non-stop flights between Ottawa and St. John's connecting

to Dublin. Westjet hopes to learn about the European market and its regulations next summer and use St. John's as a launching pad for other European cities.

Oceans Conference coming to capital city

For the first time ever, the OCEANS'14 MTS/ IEEE Conference and Exhibition is coming to St. John's. OCEANS'14 is a major international forum for scientists, engineers, and responsible ocean users to present the latest research results, ideas, developments,

and technologies in oceanic engineering and marine technology. From September 14-19, 2014 OCEANS will bring 1,200 delegates and 150 exhibitors to St. John's. Don't miss this event and the tremendous opportunities it offers to network and collaborate with ocean technology leaders from around the world. Be an exhibitor (book your booth now, they are selling fast), become a patron, or present a technical paper. To learn more about OCEANS '14 visit the conference website: www.oceans14mtsieestjohns.org

ST. JOHN'S

Business Approvals

Barber
29 Howley Ave. Ext

Munchin Music
17-19 Pippy Pl.

Big Al's Auto
3-7 Cashin Ave.

Today's Jewellers
206 Duckworth St.

Zen Den Day Spa
100 Elizabeth Ave.

Victoria's Secret
Avalon Mall

Hiliti Canada
18-28 Mews Pl.

Smart Style
470 Topsail Rd.

Woodworking shop
24 Howlett's Line

New Home Based Business

Electrical Contractor
80 Heffernan's Line

Family home child care
95 Jasper St.

Home Office
2 Beaumont St.

Travel Agent Office
38 Browne Cres.

City Building Permits (Year-to-date as of Nov. 25, 2013)

Type	2012	2013	% Variance
Commercial	\$205,100,300	\$93,800,100	-54
Industrial	\$5,000,000	\$2,100,000	-58
Government/Institutional*	\$16,200,900	\$79,800,000	393
Residential	\$166,500,200	\$152,700,300	-8
Repairs	\$4,900,300	\$4,600,500	-6
Total	\$397,701,700	\$333,000,900	-16

* Government/institutional data does not include the full range of permit activity undertaken by the provincial government and its agencies

Upcoming Events

NL Federation of Labour Conference	Dec. 2 to 4	www.nlfl.nf.ca
Responsible Canadian Energy with speaker Paul Barnes, CAPP	Dec. 3	www.neia.org
St. John's Board of Trade Business Excellence Awards	Dec. 4	www.bot.nf.ca
NLOWE Holiday Market & Mixer	Dec. 5	www.nlowe.org
Pitch 101 St. John's entrepreneurial contest	Dec. 6	www.pitch101.ca
Festival of Music and Lights	Dec. 7	www.stjohns.ca
Mummers Parade	Dec.14	www.mummersfestival.ca

CITY INITIATIVES

New Business Registration Process in the City of St. John's

The City of St. John's has implemented a business registration process requiring all commercial businesses operating in the City (with the exception of mobile and transient vendors) to complete and submit a business registration form. Businesses can access and submit the business registration form directly on the City of St. John's website. There is no fee associated with registering a business. Registered businesses can receive a listing in the City of St. John's online business directory as well as a subscription to a monthly newsletter and other updates. To access the business registration form or to obtain more information, go to www.stjohns.ca or contact Access St. John's at 311 or (709) 754-2489.

