

**AGENDA  
REGULAR MEETING**

**OCTOBER 21<sup>st</sup>, 2013  
4:30 p.m.**

**ST. JOHN'S**

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# MEMORANDUM

October 11, 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, October 21st, 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  
OCTOBER 21, 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 (October 15<sup>th</sup>, 2013)**
  - 4. Business Arising from the Minutes**
    - A. Included in the Agenda**
    - B. Other Matters**
    - C. Notices Published**
      - a. A Discretionary Use application has been submitted to operate an 'Aquaculture' use on **land adjacent to 90 Pearltown Road** as a Discretionary Use in the Agriculture (AG) Zone. The proposed structures would be greenhouse-style buildings containing closed tanks for raising tilapia fish. The tanks would be built above ground and use natural lighting plus some artificial lights when natural daylight is not sufficient to provide 14 hours per day. The buildings would be metal-frame, poly-covered greenhouses 200 feet long and 15 feet high.  
  
The City of St. John's wishes to allow 'Aquaculture' as a Discretionary Use in the Agriculture (AG) Zone and to define 'Aquaculture' to read as follows:  
"AQUACULTURE' means the breeding, hatching and rearing of fish or other aquatic plants or animals for sale and/or personal use." **(Ward 5)**
- 5. Public Hearings**
  - a. Proposed Rezoning from the RR Zone to the RRI Zone  
Ryan's Place, Goulds – Various Properties **(Ward 5)**
  - b. Proposed Rezoning for Commercial and Residential Development (The Light House Project)  
83 & 90 Duckworth Street **(Ward 2)**  
Applicant – Republic Properties Inc. Republic Properties Inc.

**6. Committee Reports**

- a. Development Committee Report of October 15, 2013

**7. Resolutions**

**8. Development Permits List**

**9. Building Permits List**

**10. Requisitions, Payrolls and Accounts**

**11. Tenders**

- a. Tender – Insurance Renewal - 2013-2014
- b. Tender – Maintenance of City Generators

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

**13. Other Business**

- a. Committee Memberships of Council 2013-2014
- b. **Correspondence from the Mayor's Office**
- c. Items Added by Motion

**14. Adjournment**

October 15<sup>th</sup>, 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.

The City Manager, Deputy City Manager, Corporate Services & City Clerk, Deputy City Manager, Financial Management, Deputy City Manager, Planning, Development & Engineering, Deputy City Manager, Community Services, 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**

#### **SJMC2013-10-15/448R**

**It was decided on motion of Councillor Collins; seconded by Councillor Puddisters: That the Agenda be adopted as presented with the following additional item:**

- a. MNL Convention Reception**

### **Adoption of Minutes**

#### **SJMC2013-10-15/449R**

**It was decided on motion of Councillor Tilley; seconded by Councillor Breen: That the minutes of October 7<sup>th</sup>, 2013 be adopted as presented.**

**Business Arising**

**Proposed Redevelopment of Property at 430-436 Water Street**

Under business arising, Council considered a memorandum dated September 27, 2013 from the Chief Municipal Planner regarding the above noted. It is noted that no written submissions concerning the proposed amendments were received by the stated deadline and in accordance with the Urban and Rural Planning Act, 2000, the Commissioner Hearing was cancelled.

**SJMC2013-10-15/450R**

**It was moved by Councillor Galgay; seconded by Councillor Tilley: That the following Resolutions for St. John's Municipal Plan Amendment Number 114, 2013 and St. John's Development Regulations Amendment Number 575, 2013 be formally approved, which will then be sent in accordance with the provisions of the Urban and Rural Planning Act to the Department of Municipal Affairs with a request for Provincial registration of the amendments.**

**RESOLUTION  
ST. JOHN'S MUNICIPAL PLAN  
AMENDMENT NUMBER 114, 2013**

**WHEREAS** the City of St. John's wishes to accommodate further development of property situated at Civic Number 430 Water Street [Parcel ID #46659] for the purpose of enlarging the existing office building by constructing a 6 storey rear extension.

**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. Amend Part III, Section 3.3.4 ("Commercial Downtown District") of the St. John's Municipal Plan as follows:**

**(1) At end of subsection with the heading "Building Height and Area" add:**

**"Notwithstanding the above, the City of St. John's may permit development of a building with a height not exceeding 6 storeys on property situate at Civic Number 430 Water Street [Parcel ID # 46659]."**

(2) Repeal the subsection with the heading “Building Height in Heritage Area” substituting the following:

**“Building Height in Heritage Areas**

**The additional height bonus as provided in the preceding Section is restricted to a maximum of ten storeys, where the building is located in a Heritage Area (see Part III, Section 7). In addition, any building in excess of four storeys in such areas shall be set back no less than eight metres from the street line; however, this shall not apply to property situated at Civic Number 430 Water Street [Parcel ID # 46659].”**

2. Amend Map III-2 (“Downtown Building Control”) of the St. John’s Municipal Plan by adding the property at at Civic Number 430 Water Street [Parcel ID # 46659] as an “Area allowing a building height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15 m/4 storeys above grade.”

**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 **15<sup>th</sup>** day of **October, 2013**.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

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

\_\_\_\_\_  
MCIP

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 575, 2013**

**WHEREAS** the City of St. John's wishes to accommodate further development of property situate at Civic Number 430 Water Street [Parcel ID #46659].

**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. Amend Section 10.23.3 [Commercial Central Mixed (CCM) Zone – Zone Requirements] by adding the following:

**“(j) Notwithstanding Subsection (b), Council may permit at the property located at Civic Number 430 Water Street [Parcel ID # 46659], a Building with a Building Height not greater than 6 storeys/21.6 metres.”**

2. Amend Section 11.5 [Overlay Districts –Light Planes] by repealing the phrase

“- Springdale Street (from John Street to Water Street)”

and substituting the following:

**“- Springdale Street (from John Street to Water Street), except for property situate at Civic Number 430 Water Street [Parcel ID # 46659].”**

3. Amend Map F (“Downtown Building Control”) of the St. John's Municipal Plan by adding the property at at Civic Number 430 Water Street [Parcel ID # 46659] as an “Area allowing a Building Height not exceeding 6 storeys and not requiring a light angle of 60 degrees at 15 m/4 storeys above grade.”

**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 15<sup>th</sup> day of **October, 2013.**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

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

\_\_\_\_\_  
MCIP

**The motion being put was unanimously carried.**

**Proposed Redevelopment of Property at 24 and 28 Road Deluxe**

Under business arising, Council considered a memorandum dated October 7, 2013 from the Chief Municipal Planner regarding the above noted, along with Commissioner Stan Clinton’s report of a hearing held on the proposed St. John’s Municipal Plan Amendment Number 116, 2013 and proposed St. John’s Development Regulations Amendment Number 577, 2013 was also considered by Council.

**SJMC2013-10-15/451R**

**It was moved by Councillor Tilley; seconded by Councillor Lane: That the following Resolutions for St. John’s Municipal Plan Amendment Number 116, 2013 and proposed St. John’s Development Regulations Amendment Number 577, 2013 be formally approved, which will then be sent in accordance with the provisions of the Urban and Rural Planning Act to the Department of Municipal Affairs with a request for Provincial registration of the amendments.**

**RESOLUTION  
ST. JOHN'S MUNICIPAL PLAN  
AMENDMENT NUMBER 116, 2013**

**WHEREAS** the City of St. John's wishes to accommodate the expansion to St. Luke's Homes located at Civic Number 24 (includes Civic 20 and 26 Road DeLuxe and Civic 243 Topsail Road) and 28 Road DeLuxe.

**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 land at Civic Number 24 and 28 Road DeLuxe from the Residential Low Density Land Use District to the Institutional 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 15<sup>th</sup> day of October, 2013.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Provincial Registration**

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

\_\_\_\_\_  
MCIP



\_\_\_\_\_  
Council

**The motion being put was unanimously carried.**

**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 577, 2013**

**WHEREAS** the City of St. John's wishes to accommodate the expansion to St. Luke's Homes located at Civic Number 24 (includes Civic 20 and 26 Road DeLuxe and Civic 243 Topsail Road) and 28 Road DeLuxe.

**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 land at Civic Number 24 and 28 Road DeLuxe from the Residential Low Density (R1) Zone to the Institutional (INST) 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 15<sup>th</sup> day of October, **2013**.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Provincial Registration**

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

\_\_\_\_\_  
MCIP

Coun

**Proposed Rezoning from CDA Kenmount Zone to Industrial General (IG) and Commercial Highway (CH) Zone, Kenmount Road**

Under business arising, Council considered a memorandum dated October 7, 2013 from the Chief Municipal Planner regarding the above noted.

**SJMC2013-10-15/452R**

**It was moved by Councillor Davis; seconded by Deputy Mayor Ellsworth: That staff be directed to proceed with the rezoning process with respect to the rezoning of property along Kenmount Road from the Comprehensive Development Area – Kenmount Road (CDA Kenmount) Zone to the Industrial General (IG) and Commercial Highway (CH) Zone; and further, that the following Resolution for St. John's Development Regulations Amendment Number 587, 2013, be adopted, which will be referred to the Department of Municipal Affairs with a request for provincial registration:**

**RESOLUTION  
ST. JOHN'S DEVELOPMENT  
REGULATIONS AMENDMENT  
NUMBER 587, 2013**

**WHEREAS** the City of St. John's wishes to accommodate industrial development on Kenmount Road, north side,

**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 land at Kenmount Road, north side, from the Comprehensive Development Area-Kenmount (CDA Kenmount) Zone to the Industrial General (IG) and Commercial Highway (CH) Zones, 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

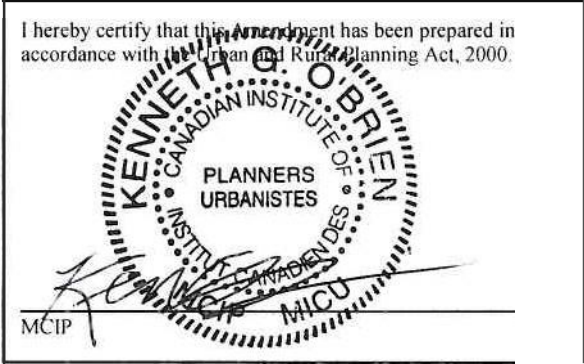
Resolution has been signed by the Mayor and the City Clerk on behalf of

Council this 15<sup>th</sup> day of October, 2013.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Provincial Registration



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City C

\_\_\_\_\_  
Coun

**The motion being put was unanimously carried.**

**Notices Published**

1. **Discretionary Use Application** has been submitted by 10804 NL Ltd. requesting permission to create a four space parking area on a vacant lot at **39 Cabot Avenue** for a proposed sixteen (16) person Bed & Breakfast at Civic Number 36 Cabot Avenue.

**Memorandum dated October 9, 2013 from the Chief Municipal Planner  
Twenty One (21) Submissions  
Three (3) Petitions**

**SJMC2013-10-15/453R**

**It was moved by Councillor Collins; seconded by Councillor Puddister:  
That the Discretionary Use Application submitted by 10804 NL Ltd. requesting  
permission to create a four space parking area on a vacant lot at 39 Cabot Avenue  
for a proposed sixteen (16) person Bed & Breakfast at Civic Number 36 Cabot  
Avenue, be deferred pending further review by staff with the developer.**

**The motion to defer being put was carried with Deputy Mayor Ellsworth,  
Councillors Davis and Galgay dissenting.**

2. **A Change of Non-Conforming Use Application** has been submitted requesting permission to convert the commercial portion of the building located at **Civic No. 466-468 Main Road** to accommodate a Restaurant. The approximate floor area of the restaurant portion would be 259 m<sup>2</sup> which includes the garage portion. Seven (7) tables are proposed. The dwelling unit portion of the building will not be changed. Proposed hours of operation are Monday to Saturday, 11 am to 10 pm. Fifteen (15) on-site parking spaces are provided for the business.  
**(Ward 5)**

**One (1) Submission**

**SJMC2013-10-15/454R**

**It was moved by Councillor Collins; seconded by Councillor Hann:  
That A Change of Non-Conforming Use Application submitted requesting  
permission to convert the commercial portion of the building located at Civic  
No. 466-468 Main Road to accommodate a Restaurant, be approved.**

In response to a question by Councillor Collins relative to parking, it was confirmed by staff that on-site parking spaces are available to meet the necessary parking requirements.

**The motion being put was unanimously carried.**

3. **A Change of Non-Conforming Use Application** has been submitted requesting permission to convert 750 ft<sup>2</sup> of commercial space (Hobo's Pizza) located at Civic No. **227 Empire Avenue** to accommodate a convenience store. On-site parking spaces are provided for the proposed business.

**One (1) Submission**

**SJMC2013-10-15/455R**

**It was moved by Councillor Davis; seconded by Councillor Tilley: That the Change of Non-Conforming Use Application requesting permission to convert 750 ft<sup>2</sup> of commercial space (Hobo's Pizza) located at Civic No. 227 Empire Avenue to accommodate a convenience store be approved subject to all applicable City requirements.**

**The motion being put was unanimously carried.**

**Public Hearings**

Councillor Galgay presented a report of a public meeting held on July 2, 2013 to provide an opportunity for public review and comment on an application submitted by Deer Park Contracting to rezone land at Civic Number 176 Forest Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone for the purpose of developing residential townhouses. Along with the report, written submissions were provided for Council's consideration.

**SJMC2013-10-15/456R**

**It was moved by Councillor Galgay; seconded by Deputy Mayor Ellsworth: That the rezoning application submitted by Deer Park Contracting to rezone land at Civic Number 176 Forest Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone for the purpose of developing residential townhouses, be rejected and the current zoning retained.**

**The motion being put was unanimously carried.**

**Committee Reports**

**Special Events Advisory Committee Report**

Council considered the following Special Events Advisory Committee Report:

The following recommendations of the Committee are forwarded to Council for approval in principle subject to any conditions that may be required by the Special Events Advisory Committee:

- 1) Event: Cape to Cabot Road Race
- Location: Cape Spear to Signal Hill via City Streets
- Date: October 20, 2013
- Time: 8:00 a.m. – 11:00 a.m.

Blackhead Road – closed to residential traffic only  
Southside Road – Leslie Street to 245 Southside Road  
Water Street eastbound curb and from Leslie Street to Harbour Drive  
Harbour Drive eastbound  
Water Street eastbound from Prescott Street/Jobs Cove to Hill O’Chips  
Water Street – both directions – Hill O’Chips to Temperance Street  
Duckworth Street – Plymouth Road to Temperance Street  
Signal Hill Road

- 2) Event: Annual George Street Mardi Gras  
Location: George Street – Prince Edward Plaza  
Date: October 26, 2013

The above noted event requires the closure of George Street at Adelaide to Water Street.

**Recommendation:**

It is the recommendation of the Committee that Council approve the above noted events, subject to the conditions set out by the Special Events Advisory Committee.

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Tanya Haywood Director of Recreation  
Chairperson –Special Events Advisory Committee  
Department of Community Services

**SJMC2013-10-15/457R**

**It was moved by Councillor Tilley; seconded by Councillor Galgay: That the Committee’s recommendations be approved.**

**The motion being put was unanimously carried.**

**Mayor’s Advisory Committee Report on Seniors dated September 19, 201**

Council considered the following Mayor’s Advisory Committee Report on Seniors dated September 19, 2013:

1. **In Attendance:** Allan Miller, Chairperson  
Councillor Tom Hann  
Judy Tobin, Senior Housing Officer, Urban Living  
Derek Duggan, Community Services Coordinator  
Bill MacDonald, Supervisor, Traffic Signals  
Betty Lou Kennedy, Retired Teachers Association of NL  
Kim Pratt-Baker, Canadian Hard of Hearing Association  
Harold Press, Anglican Homes Inc.



Lorraine Best, Seniors Resource Centre  
Nancy Knight, Citizen Representative  
Boyd Smith, Citizen Representative  
Devonne Ryan, Nexter Representative  
Sandy Abbott, Recording Secretary

The following three new Agency representatives were introduced and welcomed:

- Betty Lou Kennedy, Retired Teachers Association of NL
- Kim Pratt-Baker, Canadian Hard of Hearing Association
- Harold Press, Anglican Homes Inc.

## 2. New Members

An electronic vote was held among Committee members.

**Moved by Allan Miller; seconded by Nancy Knight: That we invite Elizabeth Angel to be the new Member-At-Large on this Committee. Motion Carried.**

The Committee recommends Council approve the following At-Large appointment:

- Ms. Elizabeth (Libby) Angel

## 3. Special Busing Service for Seniors

A 3-year Provincial Government grant of \$300,000 was provided by the Provincial Government for a special busing service for seniors. Metrobus staff are looking at where best to provide the service as it will largely depend on the density of the service users. As some of the seniors' buildings are inaccessible by large buses, they are calling a tender to purchase a smaller bus for this purpose.

## 4. Housing

The Committee is meeting with representatives of N.D. Dobbin to provide input into the construction of their seniors' apartment building.

## 5. Pedestrian Traffic Signals

**Moved by Lorraine Best; seconded by Betty Lou Kennedy: That we embark on an education program regarding crosswalks and pedestrian signals using various media. Motion Carried.**

## **6. Grant Application**

MACS in cooperation with MACAH received a grant of \$10,000 to do a housing survey on seniors. A Committee has been struck which is developing a Terms of Reference for the project.

- The list of research questions should be finalized and the RFP issued before the end of this month.
- The contract to commence research should be awarded towards the end of October 2013.
- The draft report and completed research should be ready for presentation to Council in March 2014.

## **7. Seniors' Forum**

The Mayor's Advisory Committee on Seniors has established a Subcommittee to look into the possibility of holding a Seniors' Forum this year.

Allan Miller  
Chairperson

### **SJMC2013-10-15/458R**

**It was moved by Councillor Hann; seconded by Councillor Lane: That the Committee's recommendations be approved.**

**The motion being put was unanimously carried.**

## **Building Permits List – September 30, 2013**

### **SJMC2013-10-15/459R**

**It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the recommendation of the Deputy City Manager, Planning, Development & Engineering with respect to the following building permits, be approved:**

### Building Permits List Council's October 15, 2013 Regular Meeting

Permits Issued: 2013/10/03 To 2013/10/09

**Class: Commercial**

|                     |    |                       |
|---------------------|----|-----------------------|
| 515 Kenmount Rd     | Co | Car Sales Lot         |
| 57 Old Pennywell Rd | Co | Clinic                |
| 40 Aberdeen Ave     | Ms | Retail Store          |
| 40 Aberdeen Ave     | Ms | Retail Store          |
| 50 Aberdeen Ave     | Ms | Retail Store          |
| 1 Anderson Ave      | Ms | Clinic                |
| 37 Anderson Ave     | Ms | Eating Establishment  |
| 260 Blackmarsh Rd   | Ms | Retail Store          |
| 10 Elizabeth Ave    | Ms | Retail Store          |
| 92 Elizabeth Ave    | Ms | Service Shop          |
| 92 Elizabeth Ave    | Ms | Office                |
| 336 Freshwater Rd   | Ms | Communications Use    |
| 336 Freshwater Rd   | Ms | Office                |
| 12 Gleneyre St      | Ms | Service Shop          |
| 179 Hamlyn Rd       | Ms | Club                  |
| 12-20 Highland Dr   | Sn | Retail Store          |
| 12-20 Highland Dr   | Ms | Clinic                |
| 189 Higgins Line    | Ms | Office                |
| 75 Kelsey Dr        | Ms | Eating Establishment  |
| 54 Kenmount Rd      | Sn | Eating Establishment  |
| 33 Kenmount Rd      | Ms | Office                |
| 35 Kenmount Rd      | Ms | Eating Establishment  |
| 85-95 Kenmount Rd   | Ms | Car Sales Lot         |
| 193 Kenmount Rd     | Ms | Retail Store          |
| 275 Kenmount Rd     | Ms | Eating Establishment  |
| 345-349 Main Rd     | Ms | Eating Establishment  |
| 431-435 Main Rd     | Ms | Take-Out Food Service |
| 445 Newfoundland Dr | Ms | Restaurant            |
| 445 Newfoundland Dr | Ms | Restaurant            |
| 57 Old Pennywell Rd | Ms | Office                |
| 22 O'leary Ave      | Ms | Restaurant            |
| 22 O'leary Ave      | Ms | Restaurant            |
| 78 O'leary Ave      | Ms | Retail Store          |
| 37 O'leary Ave      | Ms | Retail Store          |
| 37 O'leary Ave      | Ms | Office                |
| 36 Pearson St       | Ms | Office                |
| 16 Stavanger Dr     | Ms | Retail Store          |
| 386 Stavanger Dr    | Ms | Commercial School     |
| 386 Stavanger Dr    | Ms | Retail Store          |
| 386 Stavanger Dr    | Ms | Service Shop          |
| 3 Stavanger Dr      | Ms | Retail Store          |
| 15 Stavanger Dr     | Ms | Retail Store          |
| 25 Stavanger Dr     | Ms | Retail Store          |
| 15-27 Stavanger Dr  | Ms | Retail Store          |
| 92 Thorburn Rd      | Ms | Eating Establishment  |
| 390 Topsail Rd      | Ms | Retail Store          |
| 390 Topsail Rd      | Ms | Retail Store          |
| 644 Topsail Rd      | Ms | Club                  |
| 644 Topsail Rd      | Ms | Commercial School     |
| 668 Topsail Rd      | Sn | Service Shop          |
| 686 Topsail Rd      | Ms | Restaurant            |

|                            |    |                      |
|----------------------------|----|----------------------|
| 248 Torbay Rd              | Ms | Eating Establishment |
| 286 Torbay Rd              | Ms | Restaurant           |
| 286 Torbay Rd              | Ms | Retail Store         |
| 320 Torbay Rd              | Ms | Tavern               |
| 320 Torbay Rd              | Ms | Restaurant           |
| 320 Torbay Rd              | Ms | Eating Establishment |
| 340 Torbay Rd              | Sn | Service Shop         |
| 436 Torbay Rd              | Ms | Nursery School       |
| 464 Torbay Rd              | Ms | Retail Store         |
| 660 Torbay Rd              | Ms | Service Station      |
| 141 Torbay Rd              | Ms | Restaurant           |
| 141 Torbay Rd              | Ms | Service Shop         |
| Torbay Road-Torbay Rd Mall | Ms | Retail Store         |
| 611 Torbay Rd              | Ms | Retail Store         |
| 668 Topsail Rd             | Cr | Service Shop         |
| 2 Stead Pl                 | Rn | Day Care Centre      |
| 807 Water St               | Cr | Retail Store         |
| 6 Robin Hood Bay Rd        | Rn | Retail Store         |
| 109 Blackmarsh Rd          | Co | School               |
| 465 East White Hills Rd    | Rn | Warehouse            |
| 255 Major's Path           | Rn | Office               |
| 50 White Rose Dr -Carter's | Rn | Retail Store         |
| 57 Rowan St                | Rn | Mixed Use            |
| 271 Duckworth St           | Rn | Mixed Use            |

This Week \$ 1,068,040.00

**Class: Industrial**

This Week \$ .00

**Class: Government/Institutional**

|                                |    |                           |
|--------------------------------|----|---------------------------|
| 100 Mundy Pond Rd              | Nc | Accessory Building        |
| Pleasantville Bldg 531         | Rn | Admin Bldg/Gov/Non-Profit |
| 10 Barter's Hill-Parking Garag | Rn | Admin Bldg/Gov/Non-Profit |

This Week \$ 868,245.00

**Class: Residential**

|                           |    |                           |
|---------------------------|----|---------------------------|
| 14 Allan Sq               | Nc | Patio Deck                |
| 350 Anspach St            | Nc | Single Detached Dwelling  |
| 226 Back Line             | Nc | Accessory Building        |
| 460 Back Line             | Nc | Accessory Building        |
| 367 Bay Bulls Rd, Lushman | Nc | Single Detached Dwelling  |
| 2 Spruce Grove Ave        | Nc | Accessory Building        |
| 1265 Blackhead Rd         | Nc | Single Detached Dwelling  |
| 107 Blue Puttee Dr        | Nc | Fence                     |
| 89 Cape Pine St           | Nc | Accessory Building        |
| 2 Crestview Pl, Lot 11    | Nc | Single Detached Dwelling  |
| 4 Crestview Pl, Lot 10    | Nc | Single Detached Dwelling  |
| 6 Crestview Pl-Lot 9      | Nc | Single Detached Dwelling  |
| 4 Dauntless St            | Nc | Fence                     |
| 4 Douglas St, Lot 248     | Nc | Single Detached Dwelling  |
| 144 Green Acre Dr         | Nc | Accessory Building        |
| 14 Kenai Cres             | Nc | Patio Deck                |
| 50 Kenai Cres, Lot 200    | Nc | Single Detached Dwelling  |
| 84 Kenai Cres             | Nc | Accessory Building        |
| 37 Kenai Cres, Lot 233    | Nc | Single Detached Dwelling  |
| 55 Kenai Cres             | Nc | Swimming Pool             |
| 211 Ladysmith Dr, Lot 601 | Nc | Single Detached & Sub.Apt |
| 9 Laggan Pl               | Nc | Accessory Building        |

|                               |    |                           |
|-------------------------------|----|---------------------------|
| 34 McCrae St                  | Nc | Accessory Building        |
| 5 Marsland Pl                 | Nc | Fence                     |
| 38 Mount Cashel Rd            | Nc | Patio Deck                |
| 30 Musgrave St                | Nc | Accessory Building        |
| 67 Neptune Rd                 | Nc | Accessory Building        |
| 43 Oberon St, Lot 175         | Nc | Single Detached & Sub.Apt |
| 55 Parsonage Dr, Lot 2.19     | Nc | Single Detached Dwelling  |
| 67 Parsonage Dr, Lot 3:11     | Nc | Single Detached Dwelling  |
| 158 Pearltown Rd              | Nc | Fence                     |
| 212-214 Petty Harbour Rd      | Nc | Accessory Building        |
| 39 Pitcher's Path             | Nc | Fence                     |
| 32 Raleigh St                 | Nc | Patio Deck                |
| 44 Rennie's Mill Rd           | Nc | Accessory Building        |
| 3 Rhaye Place, Lot 1          | Nc | Single Detached Dwelling  |
| 5 Rhaye Place, Lot 2          | Nc | Single Detached Dwelling  |
| 27 Rhodora St - Base Building | Nc | Condominium               |
| 20 Ridgemount St              | Nc | Accessory Building        |
| 6 Stanford Pl, Lot 19         | Nc | Single Detached Dwelling  |
| 5 Stanford Pl, Lot 18         | Nc | Single Detached Dwelling  |
| 15 Stanford Pl, Lot 28        | Nc | Single Detached Dwelling  |
| 6 Stephano St, Lot 233        | Nc | Single Detached & Sub.Apt |
| 8 Stephano St, Lot 234        | Nc | Single Detached & Sub.Apt |
| 11 Thistle Pl                 | Nc | Swimming Pool             |
| 84 Winslow St                 | Nc | Fence                     |
| 3 Berry St Eastern Stained    | Co | Single Detached Dwelling  |
| 17 Otter Dr                   | Ex | Single Detached Dwelling  |
| 17 Appledore Pl               | Rn | Single Detached Dwelling  |
| 54 Francis St                 | Rn | Single Detached Dwelling  |
| 9 Laggan Pl                   | Rn | Single Detached Dwelling  |
| 48 O'reilly St                | Rn | Single Detached Dwelling  |
| 61 Parsonage Dr               | Rn | Single Detached Dwelling  |
| 14 Prince Of Wales St         | Rn | Townhousing               |
| 14 Stanford Pl                | Rn | Single Detached Dwelling  |
| 3 Trebble Pl                  | Rn | Single Detached Dwelling  |
| 26 Tigress St                 | Rn | Single Detached & Sub.Apt |
| 20-22 Kenna's Hill-Northridge | Rn | Condominium               |
| 13 Woodwynd St                | Rn | Single Detached Dwelling  |
| 55 Baird Pl                   | Sw | Single Detached Dwelling  |
| 22 Borden St                  | Sw | Single Detached & Sub.Apt |
| 14 Cassino Pl                 | Sw | Single Detached Dwelling  |
| 17 Exeter Ave                 | Sw | Single Detached Dwelling  |
| 15 Kenai Cres                 | Sw | Single Detached Dwelling  |
| 59 Parsonage Dr               | Sw | Single Detached Dwelling  |
| 10 Pynn Pl                    | Sw | Single Detached Dwelling  |
| 12 Gleneyre St                | Ms | Retail Store              |
| 497 Kenmount Rd               | Ms | Car Sales Lot             |

This Week \$ 8,176,996.00

**Class: Demolition**

This Week \$ .00

This Week's Total: \$ 10,113,281.00

Repair Permits Issued: 2013/10/03 To 2013/10/09 \$ 17,650.00

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  |    |                      |

| <b>YEAR TO DATE COMPARISONS</b>        |                         |                         |                         |
|--|-------------------------|-------------------------|-------------------------|
| <b>October 15, 2013</b>                |                         |                         |                         |
| <b>TYPE</b>                            | <b>2012</b>             | <b>2013</b>             | <b>% VARIANCE (+/-)</b> |
| Commercial                             | \$178,600,100.00        | \$78,700,700.00         | -56                     |
| Industrial                             | \$5,000,000.00          | \$131,000.00            | -97                     |
| Government/Institutional               | \$15,700,300.00         | \$78,100,300.00         | 397                     |
| Residential                            | \$150,700,500.00        | \$137,300,200.00        | -9                      |
| Repairs                                | \$4,300,500.00          | \$4,000,000.00          | -7                      |
| Housing Units (1 & 2 Family Dwellings) | 496                     | 387                     |                         |
| <b>TOTAL</b>                           | <b>\$354,301,400.00</b> | <b>\$298,232,200.00</b> | <b>-16</b>              |

Respectfully Submitted,

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

**Payrolls and Accounts**

**SJMC2013-10-15/460R**

**It was decided on motion of Deputy Mayor Ellsworth; seconded by Councillor Tilley: That the following Payrolls and Accounts for the week October 10, 2013 be approved:**

**Weekly Payment Vouchers  
For The  
Week Ending Oct 10, 2013**

**Payroll**

|                                  |                        |
|----------------------------------|------------------------|
| <b>Public Works</b>              | <b>\$ 368,477.81</b>   |
| <b>Bi-Weekly Administration</b>  | <b>\$ 833,428.52</b>   |
| <b>Bi-Weekly Management</b>      | <b>\$ 774,896.65</b>   |
| <b>Bi-Weekly Fire Department</b> | <b>\$ 571,469.51</b>   |
| <b>Accounts Payable</b>          | <b>\$ 2,575,672.82</b> |
| <b>Total:</b>                    | <b>\$ 5,123,945.31</b> |

**Kenmount Terrace Neighbourhood Park**

Council considered a memorandum dated October 10, 2013 from the City Manager regarding the City's involvement in the development of the Kenmount Park residential and commercial neighbourhood.

**SJMC2013-10-15/461R**

**It was moved by Councillor Davis; seconded by Councillor Hann : That approval be granted for the execution of the Purchase and Sale Agreement for acquisition of parks land for the Kenmount Terrace Neighbourhood Park.**

Members of Council commended the proposed development noting that the City has decided to embark on a major consultation process which is anticipated to commence within the next few months and will be linked to the results of the Open Space Master Plan.

**The motion being put was unanimously carried.**

**Parks and Open Spaces Master Plan – Request for Proposal**

Council considered a memorandum dated October 10, 2013 from the City Manager regarding the above noted.

**SJMC2013-10-15/462R**

**It was moved by Councillor Lane; seconded by Deputy Mayor Ellsworth: That the Parks and Open Space Master Plan preparation be awarded to Trace Planning and Design/MQO Research at a cost of \$98,163.00 plus HST.**

**The motion being put was carried, with His Worship the Mayor abstaining declaring a conflict of interest.**

**Development Fee and Subdivision Application Fee  
St. John’s Development Regulations Amendment No. 556, 2013**

Council considered a memorandum dated October 7, 2013 from the Chief Municipal Planner, along with a letter dated May 13, 2013 from the Canadian Home Builders’ Association.

**SJMC2013-10-15/463R**

**It was moved by Councillor Breen; seconded by Councillor Collins: That the following Resolution for St. John’s Development Regulations Amendment No. 556, 2013 which will restructure the Development Fee and the Subdivision Application Fee, be adopted, which will be referred to the Department of Municipal Affairs for registration:**

**RESOLUTION  
ST. JOHN’S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 556, 2013**

**WHEREAS** the City of St. John’s wishes to modify the current provision of the St. John’s Development Regulations dealing with the Subdivision Application Fee and the Development Fee.

**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, 2000:

Repeal section 6.4.2 (“Subdivision Application Fee”) and repeal Section 6.4.3 (“Development Fee”) and replace with the following new sections:



“6.4.2 Subdivision Application Fee

For any Subdivision, a Subdivision Application Fee shall be paid prior to the issue of any permits, and the amount of this Fee shall be established by Council from time to time. This Fee shall apply to every Lot created by the Subdivision, excluding the Homestead Lot. This Fee shall be in addition to any other fee or requirement.”

“6.4.3 Development Fee

- (1) A Residential Development Fee shall be paid for each new Dwelling Unit to be constructed on a Lot. The Fee shall be paid prior to the issuance of any permit for the new Dwelling Unit. The amount of the Fee shall be established by Council from time to time and shall be in addition to any other fee or requirement.
- (2) A Non-Residential Development Fee shall be paid for each new structure, or expansion of an existing structure, for anon-residential use to be constructed on a Lot. The Fee shall be paid prior to the issuance of any permit for the new structure or expansion. The amount of the Fee shall be established by Council from time to timer and shall be in addition to any other fee or requirement.
- (3) A Mixed Use Development Fee shall be paid for each new structure, expansion of an existing structure or each new Dwelling Unit in a mixed use to be constructed on a Lot. The Fee shall be paid prior to the issuance of any permit for the new structure, expansion or Dwelling Unit. The amount of the Fee shall be established by Council from time to time and shall be in addition to any other fee or requirement.”

**BE IF 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 15th day of October , 2013.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

and further, that the following fee schedule with new fees to be effective November 1, 2013 be adopted:

**Subdivision Application Fee: Increase from \$100 to \$200 per lot.**

**Development Fee:**

- **For residential development, increase from \$1,000 per lot to \$2,000 per residential unit.**
- **For non-residential development, introduce a fee of \$20 per square metre (gross floor area)**
- **For mixed-use development, introduce \$2,000 per residential unit plus \$20 per square metre (gross floor area) for all non-residential areas of a building.**

Deputy Mayor Ellsworth noted his concerns relative to the impact the fees will have on multi-unit developments, affordable housing etc. and urged Council and staff to work with the community and developers in an effort to mitigate the impact of fee increases in such instances.

**The motion being put was unanimously carried.**

**Briefing Note – Town of Paradise becoming a full Member of the Regional Fire Services Committee**

Council considered a briefing note to Council on the events leading to the signing of the MOU between the RFSC and the Town of Paradise as it relates to Paradise becoming a full member of the RFSC and to seek approval of City Council to proceed with the initiative.

**SJMC2013-10-15/464R**

**It was moved by Councillor Breen; seconded by Councillor Lane:**

**That Council approve the design and construction of a 3 bay/2 deep Fire Station in Paradise, the purchase of the necessary equipment for that Station and the staffing of four (4) full-time Firefighters on a 24-hour basis, as per the recommendation of the Regional Fire Services Committee.**

**The motion being put was unanimously carried.**

**Chairing Public Meetings**

Council considered a memorandum dated October 11<sup>th</sup>, 2013 from the Deputy City Manager Corporate Services & City Clerk regarding the above noted.

**SJMC2013-10-15/465R**

**It was moved by Councillor Galgay; seconded by Councillor Hann : That the following rotation for chairing Public Meetings for 2013 (October, November & December) 2014 (January to December) be approved:**

**2013**

|                 |                               |
|-----------------|-------------------------------|
| <b>October</b>  | <b>Deputy Mayor Ellsworth</b> |
| <b>November</b> | <b>Councillor Puddister</b>   |
| <b>December</b> | <b>Councillor Lane</b>        |

**2014**

|                  |                               |
|------------------|-------------------------------|
| <b>January</b>   | <b>Councillor Davis</b>       |
| <b>February</b>  | <b>Councillor Galgay</b>      |
| <b>March</b>     | <b>Councillor Breen</b>       |
| <b>April</b>     | <b>Councillor Hann</b>        |
| <b>May</b>       | <b>Councillor Collins</b>     |
| <b>June</b>      | <b>Councillor Hickman</b>     |
| <b>July</b>      | <b>Councillor Tilley</b>      |
| <b>August</b>    | <b>Councillor Lane</b>        |
| <b>September</b> | <b>Deputy Mayor Ellsworth</b> |
| <b>October</b>   | <b>Councillor Hann</b>        |
| <b>November</b>  | <b>Councillor Puddister</b>   |
| <b>December</b>  | <b>Councillor Hickman</b>     |

**The motion being put was unanimously carried**

**Attendance by Councillor Galgay at 2013 MNL Annual Convention & Trade Show**

Council considered a memorandum dated October 10<sup>th</sup>, 2013 from the Deputy City Manager Corporate Services & City Clerk regarding the above noted.

**SJMC2013-10-15/466R**

**It was moved by Deputy Mayor Ellsworth; seconded by Councillor Lane: That Councillor Galgay's attendance at the 2013 MNL Annual Convention & Trade Show be approved.**

**The motion being put was unanimously carried.**

**Economic Update, October 2013**

Councilor Tilley presented the highlights of the October 2013 Economic Update.

**Petitions**

**Councillor Collins presented a petition, the prayer of which reads as follows:**

**Proposed Rezoning and Municipal Plan Amendment Objection**

“We, the undersigned, object to the City of St. John’s proposed rezoning of property within the City of St. John’s and a discretionary height consideration within the City of Mt. Pearl to allow a six (6) story residential condominium building with 96 units on the eastern portion of the development within the City of St. John’s and allow a six (6) story commercial and residential condominium building on the western portion of the development within the City of Mt. Pearl on the grounds that if the development went ahead it would result in a significant increase in the levels of traffic, litter and shadowing in the primarily residential neighbourhood.”

**Councillor Galgay presented a petition, the prayer of which reads as follows:**

“We, the undersigned residents of the City of St. John’s (the “Petitioners”), in the Province of Newfoundland and Labrador (the City), draw the attention of the City Mayor, Councillors and Staff to an application to the City, submitted by 10804 NL Ltd. regarding permission to create a four space parking area on a vacant lot at 39 Cabot Avenue for a proposed sixteen person bed and breakfast at civic number 36 Cabot Avenue.

WHEREAS 39 Cabot Avenue appears to be located on Battery Road;

AND WHEREAS Cabot Avenue and Battery Road are protected by the Battery Development Guidelines Study;

AND WHEREAS this area infrastructure is insufficient to support current pedestrian and vehicle traffic in a safe manner.

Therefore, the undersigned Petitioners, respectfully request the City not proceed with the approval of this application.”

**MNL Convention**

**SJMC2013-10-15/467R**

**It was moved by Councillor Breen; seconded by Councillor Galgay: That the City sponsor a luncheon for delegates attending the 2013 MNL Convention at a cost of \$15,000.00**

**(Councillor Hickman left the meeting).**

**Councillor Tilley**

Councillor Tilley referenced the new school proposed for the West End of the City, the number of other schools in the vicinity of the new school, and concerns raised by the residents in relation to traffic safety. He asked that staff arrange to meet with Provincial Government officials to discuss the overall traffic plan for the area.

**Councillor Breen**

Councillor Breen provided an update on the traffic calming process noting that speed cushions were installed last week on Carrick Drive which will be removed by the end of November and a more permanent solution looked in the spring. Councillor Breen noted that feedback from the residents has been very positive and pointed out traffic calming will be installed next on Southside Road in accordance with the ranking system involved.

**Adjournment**

There being no further business the meeting adjourned at 5:50 p.m.

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**MAYOR**

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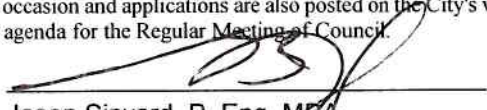
**CITY CLERK**

**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, October 21, 2013**

| Ref # | Property Location/<br>Zone Designation                                     | Ward | Application Details  | Floor Area<br>(square metres) | # of Employees<br>(includes the applicant) | # of On-Site Parking Spaces | Written Representations Received | Planning and Development Division Notes  |
|-------|--|------|--|-------------------------------|--|-----------------------------|----------------------------------|--|
| 1     | Pearltown Road<br>(adjacent to 90 Pearltown Rd.)<br>Agricultural (AG) Zone | 5    | <p>A Discretionary Use application has been submitted to operate an "Aquaculture" use on land adjacent to 90 Pearltown Road as a Discretionary Use in the Agriculture (AG) Zone. The proposed structures would be greenhouse-style buildings containing closed tanks for raising tilapia fish. The tanks would be built above ground and use natural lighting plus some artificial lights when natural daylight is not sufficient to provide 14 hours per day. The buildings would be metal-frame, poly-covered greenhouses 200 feet long and 15 feet high.</p> <p>The City of St. John's wishes to allow "Aquaculture" as a Discretionary Use in the Agriculture (AG) Zone and to define "Aquaculture" to read as follows:</p> <p><i>"AQUACULTURE" means the breeding, hatching and rearing of fish or other aquatic plants or animals for sale and/or personal use."</i></p> |                               |  |                             | 1 submission received            | <b>The Planning and Development Division recommends approval of the application subject to all applicable City requirements.</b> |

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



October 16, 2013

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

---

**RE: 90 Pearltown Road – Lester's Farm  
Discretionary Use Application for Aquaculture**

---

Mayor, Deputy Mayor, and Councillors;

I wish to express my concerns with the recent application for Aquaponics Facility to be located on lands directly behind my dwelling on Pearltown Road.

- The proposed location of the Greenhouses and Aquaponics Facility is shown 5.38 meters (17.6') from the property boundary. This would only be approximately 58.0 meters (190') from my residential property. The St. John's Development Regulations in section 7.14.2 state "*No structure designed to contain more than five (5) Animal Units shall be erected or used for the purpose within 600 meters of an existing residence (except for a farm residence), or from an area designated for Residential Use in an approved plan, or from a Provincial Park or Federal Park*". There are currently more than 5 animal units already present on this farm in barns that have been constructed in the past 15 years, that are within 600 meters of my property. Additional animal units should not be permitted unless they are contained in structures further away from the residential properties as per the requirements of the Development Regulations. The definition of Animal Unit needs to be revised to include fish if they are going to be permitted as a discretionary use.
- The application states that artificial light will be used when natural daylight is not sufficient to provide 14 hours per day. There are 8 months when there is not 14 hours between sunrise and sunset (August 20<sup>th</sup> to April 20<sup>th</sup>). Given the weather conditions of Newfoundland, it is safe to say that if they require 14 hours of lighting, artificial lighting will be required most days. If they are to provide artificial lighting, this facility should be relocated so it is not visible from any residential dwelling.
- The proposed structure is a greenhouse style metal frame with poly covering. This type of structure has been used on this farm over the past several years. One structure has collapsed twice and the other two have had their poly coverings damaged and/or blown off during winter storms on numerous occasions. This is a major safety concern for the workers, general public that visits the farm, the animals, and the surrounding residents. Large pieces of the acrylic panels have blown around the area and can cause severe injuries to the public and significant damage to personal property. This type of structure should not be used. There should be a purpose built structure designed for such a use and designed for the weather conditions of



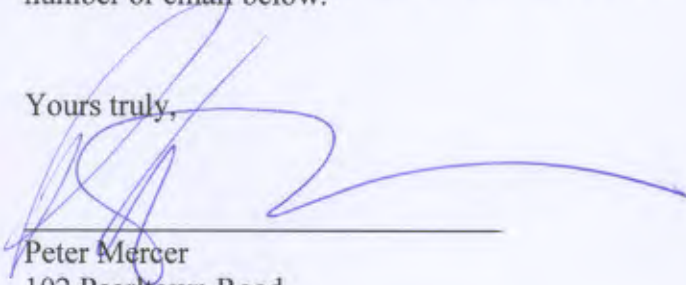
Newfoundland. Most of these greenhouse type structures are not engineered or certified for use in our province.

- Will there be any odour from this facility? Where and how will the contaminants be disposed of? This farmer already has a large compost pile of coffee grounds and coffee filters located at 87 Pearltown Road which is currently causing problems. Additional material in this area will only compound the problems. The coffee filters are blowing around the area, I frequently pick them up on my front lawn, and the compost pile has been attracting rats. This compost pile needs to be relocated further away from the surrounding residential area. It too must be maintained to prevent the rotting stench. During warm days there is a distinct smell coming from the compost pile. Unmaintained compost piles can self-combust due to the heat of the decomposing materials. Please note that there are no fire hydrants in the area, as this area of St. John's is not serviced with water and sewer. If the City is allowing this compost pile to stay in its present location, the owner should be required to maintain it as per industry standards. This pile is not turned, no water is added and there are no ways to contain or fight a fire if one should start.
- The overall proposed development also raises concerns as it shows an extension to the chalet, a large extension to the barn, and an abattoir. This property is becoming a large commercial operation and all structures are confined to the area in close proximity to the adjacent residential properties. Any future developments to this farm should be required to be constructed as far as possible from the residential properties. During events at the farm music can be heard within our dwelling and is disrupting our peaceful enjoyment of our home. Often the small parking lot is overflowing and cars park on the side of the access driveway and on Pearltown Road. This causes traffic congestion getting into the property and in turn causes traffic to back up on Pearltown Road. The access to the farm is currently located on a turn on Pearltown Road and there have been many close calls and screeching of tires to avoid collisions.

This application in its present configuration should be rejected. The applicant should be required to revise his application so that all structures containing animal units or requiring artificial lighting are moved further away from the existing residential dwellings as your Development Regulations state.

If you wish to meet with me to discuss any of the above, or to visit my property, please contact me at the number or email below.

Yours truly,



---

Peter Mercer  
102 Pearltown Road  
St. John's, NL  
A1G 1P3  
747-1301  
peterandmichelle@me.com



# MEMORANDUM

Date: October 16, 2013

To: His Worship the Mayor and Members of Council

Re: **Council Directive R2013-08-05/20**  
**Department of Planning File Number B-17-P.10**  
**Proposed Text Amendment to the Agriculture (AG) Zone**

At its Regular Meeting on August 5, 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 Pearl Town Road as a Discretionary Use in the Agriculture (AG) Zone.

The purpose of the proposed text amendment is to allow the construction of greenhouse-style buildings containing closed tanks for raising tilapia fish. The tanks would be built above ground and use natural lighting plus some artificial lights when natural daylight is not sufficient to provide 14 hours per day. The buildings would be metal-frame, poly-covered greenhouses 200 feet long and 15 feet high.

The application has been advertised in *The Telegram* newspaper and on the City's website, and notices have been 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, October 21, 2013. Any written submissions received by the City Clerk's Department will be referred to that agenda.

## **Recommendation**

The Department of Planning, Development and Engineering recommends the proposed text amendment subject to the following conditions:

- No overnight artificial lighting will be used as part of the greenhouse structure, and
- A closed-containment system is used in accordance with the regulations outlined in the *Fisheries Act* provided by Fisheries and Oceans Canada.

Council should now determine if it wishes to allow the text amendment to the Agriculture (AG) Zone. It would permit the proposed "Aquaculture" use on land adjacent to 90 Pearltown Road as a Discretionary Use in the Agriculture (AG) Zone and could allow similar operations that may be proposed by other applicants in the future.

# ST. JOHN'S

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

Attachments

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

**WHEREAS** the City of St. John's wishes to allow "Aquaculture" uses 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 pursuant to the provisions of the Urban and Rural Planning Act.

- 1. Amend Section 10.34.2 of the St. John's Development Regulations by adding "Aquaculture" as a Discretionary Use to the Agriculture (AG) Zone.**
- 2. Amend Section 2 of the St. John's Development Regulations to add a definition for "Aquaculture" to read as follows:**

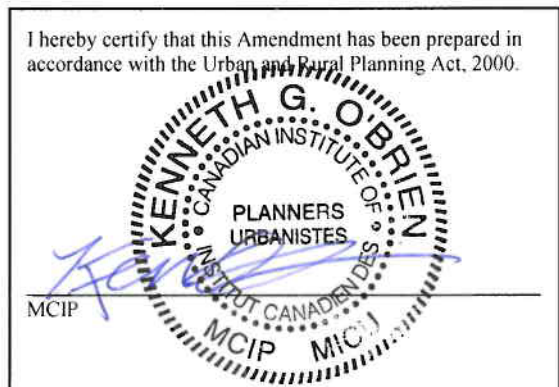
*"AQUACULTURE" means the breeding, hatching and rearing of fish or other aquatic plants or animals for sale and/or personal use"*

**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.

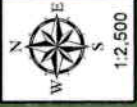
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this \_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Director of Corporate Services/  
City Clerk**







Approximate Location of Aquaponics Facility

PEARLTOWN RD

PITTS MEMORIAL DR

AG

RRI

RRI

AG

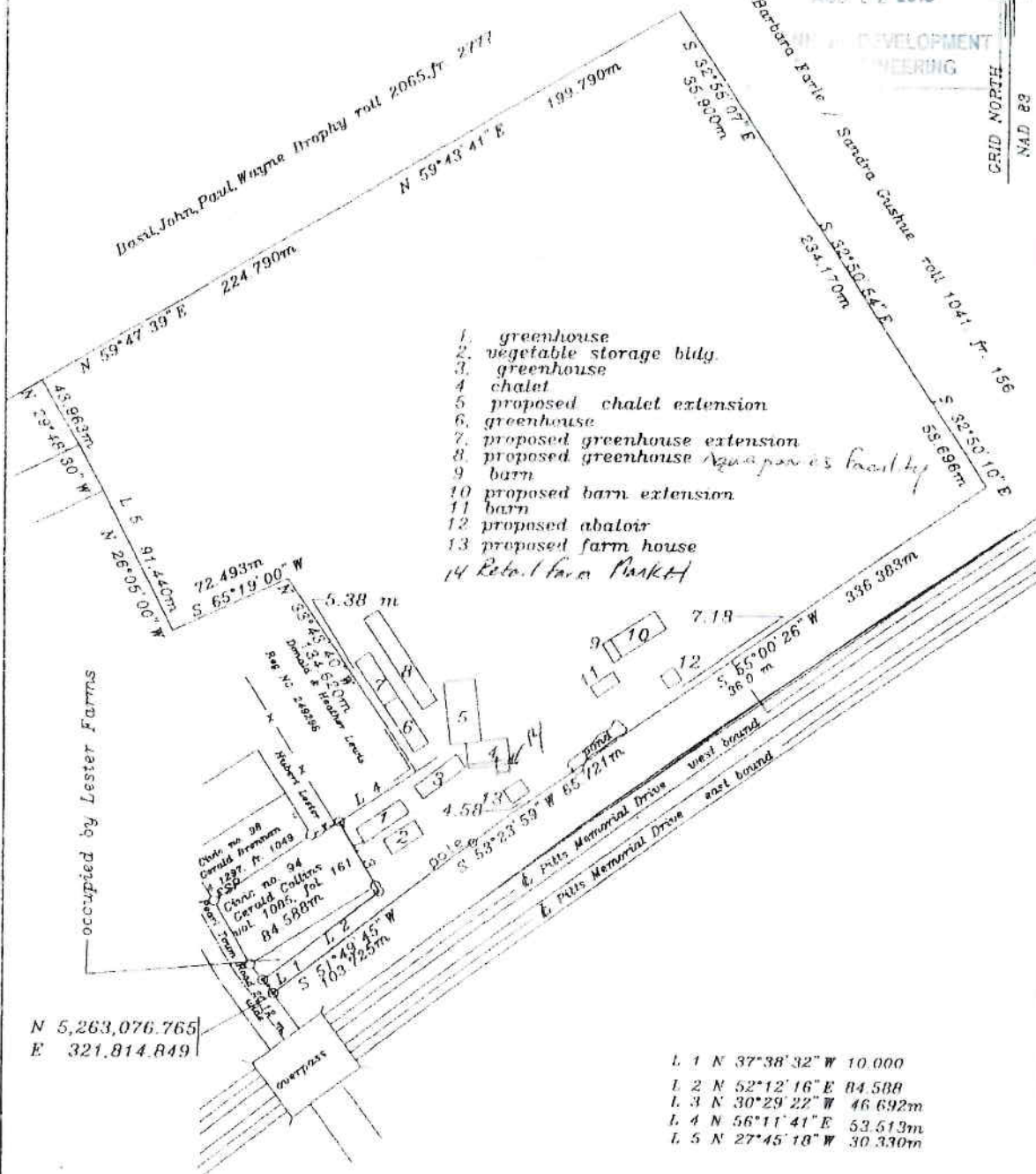


RECEIVED

AUG 22 2013

BARBARA ERLE / SARAH GUSHUE ENGINEERING

GRID NORTH  
NAD 83



1. greenhouse
2. vegetable storage bldg.
3. greenhouse
4. chalet
5. proposed chalet extension
6. greenhouse
7. proposed greenhouse extension
8. proposed greenhouse Aquaponics facility
9. barn
10. proposed barn extension
11. barn
12. proposed abaloir
13. proposed farm house
14. Retail farm market

N 5,263,076.765  
E 321,814.849

- L 1 N 37°38'32" W 10.000
- L 2 N 52°12'16" E 84.588
- L 3 N 30°29'22" W 46.692m
- L 4 N 56°11'41" E 53.513m
- L 5 N 27°45'18" W 30.330m

ALL MEASUREMENTS ARE HORIZONTAL GROUND DISTANCES AND ARE IN METRES ON 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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**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 | Date:    | June 2013 |
| Surveyed by: | R.Y.     | Job No.: | 1318      |

# MEMORANDUM

Date: October 16, 2013

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File No. S-25-R.2**  
**Proposed Rezoning from the RR Zone to the RRI Zone**  
**Ryan's Place, Goulds – Various Properties (Ward 5)**

---

Following various private severances of land along Ryan's Place, several property owners and residents applied to the City in 2012 to have properties along Ryan's Place rezoned from the Rural Residential (RR) Zone to the Rural Residential Infill (RRI) Zone. This rezoning application warrants consideration. The purpose of the rezoning is two-fold:

- to reduce the required lot-size standard for residential development along the western end of Ryan's Place from 4,000 square metres (approximately 1 acre) to 1,860 square metres (approximately ½ acre) and the minimum lot frontage from 45 metres (approx. 150 feet) to 30 metres (approx. 100 feet); and
- to permit the subdivision of land and the development of several new unserviced residential building lots (using wells and septic systems).

Following a recent change in the status of Ryan's Place from a private to a public road, Council referred the proposed rezoning to a public meeting on August 22, 2013, chaired by Councillor Gerry Colbert. The minutes of the public meeting are attached.

## BACKGROUND

The subject property is in the Urban Expansion (UEX) Land-Use District and in the Goulds Planning Area of the St. John's Municipal Plan. It is outside the Goulds Ultimate Service Area. There are ten (10) houses along Ryan's Place, including four (4) on large lots in the RR Zone toward the western end of the road. The houses at the eastern end, close to Main Road, are in the RRI Zone; some have municipal water and sewage. The subject area for rezoning is wooded and fairly level. The subject area is bounded to the north by Cochrane Pond Brook, a designated waterway; beyond the brook is the boundary of the Goulds Ultimate Service Area.

Prior to the January 1, 1992, annexation of the former Town of Goulds to the City of St. John's, the Goulds Town Council had approved the development of several unserviced building lots on what was then called Ryan's Lane, a private gravel road approximately 500 metres (1,640 feet) long. In the fall of 2012, after the owner of the road completed a quit-claim deed, Ryan's Place was conveyed to the City

# 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



and became a public road. Following this change, the City was able to consider rezoning and development applications. Our recognition that Ryan’s Place is a public road is in keeping with a 1991 deed (attached) that granted Ryan’s Place to the Town of Goulds.

**PLANNING APPROACH**

|                 | <b>St. John’s Municipal Plan</b> | <b>St. John’s Development Regulations</b> |
|-----------------|----------------------------------|---|
| <b>Existing</b> | Urban Expansion District         | Rural Residential (RR) Zone               |
| <b>Proposed</b> | Same                             | Rural Residential Infill (RRI) Zone       |

1. The Urban Expansion District is applied to unserviced lands “*which are intended to be provided with urban services in the future.*” The Municipal Plan (page III-15) states:

***Section 1.2.14 Municipal Services in Unserved Areas***

*Residential Development shall not be permitted unless adequately serviced with municipal roads, water distribution, sewage disposal, and electrical distribution systems. Where such development is contemplated in unserved areas, it shall only be permitted after evaluation of the level of municipal services required, and the adequacy of private water and sewage disposal systems provided. Development in unserved areas that are intended to be serviced with municipal water and sewer systems shall be controlled in accordance with a comprehensive development plan for future urban development of the area, to ensure that future urban development shall not be compromised by interim rural development of the area.*

2. In the interim period before municipal water and sewage services are extended, an area like Ryan’s Place could be developed with rural services (wells and septic systems), subject to a comprehensive development plan. This would ensure that new houses are located on their lots so that the lot could be subdivided in future, should municipal water and sewer services be extended. As well, if the septic system on a lot were to fail, the intent is to allow enough room that another tile field could be laid out.

The requirement for a comprehensive development plan along Ryan’s Place can be accomplished by staff review of any development plans.

3. There are Interim Development Control Guidelines for the Goulds, adopted by Council in 1994 and amended in 2003. The proposed rezoning would not conflict with them.
4. The amount of development that could take place with rezoning would be limited to a small number of houses and would not place undue traffic on the road. Allowing some new lots to be developed would increase the tax base. As per the City’s policy on Municipal Services – Private Roads (08-05-01), Ryan’s Place would be added to the list of roads for upgrading. Roads are done on a priority basis depending on the amount of money budgeted each year for such work.

Council would have to decide whether it wishes to allow more development along Ryan's Place before the road is upgraded, or whether development should wait until upgrades to the road are done. In a somewhat similar situation last year, Council rezoned part of Scouts Place to allow a small subdivision and development of land, and Scouts Place is a substandard public road.

### **CONCLUSION and RECOMMENDATION**

If Council wishes to proceed with the rezoning, it is recommended that Council adopt the attached resolution for St. John's Development Regulations Amendment Number 551, 2013, pertaining to the property at Ryan's Place.

If the rezoning amendment is adopted by Council, it will be referred to the Department of Municipal Affairs with a request for Provincial registration of the amendment.

The Municipal Plan requires a comprehensive development plan to ensure that new houses are located correctly on their lots along Ryan's Place. This can be accomplished by staff review of any development plans.

This is provided for the consideration of Council.



---

Ken O'Brien, MCIP  
Chief Municipal Planner

KO"B/dlm

Attachments



**RESOLUTION  
ST. JOHN'S DEVELOPMENT REGULATIONS  
AMENDMENT NUMBER 551, 2013**

**WHEREAS** the City of St. John's wishes to accommodate unserved residential development along the western end of Ryan's Place,

**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 land on the western end of Ryan's Place from the Rural Residential (RR) Zone to the Rural Residential Infill (RRI) 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.

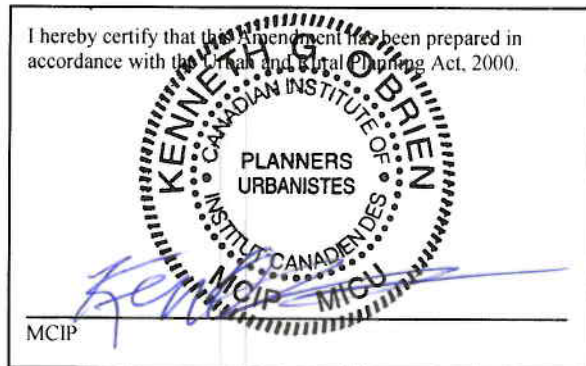
**IN WITNESS THEREOF** the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this

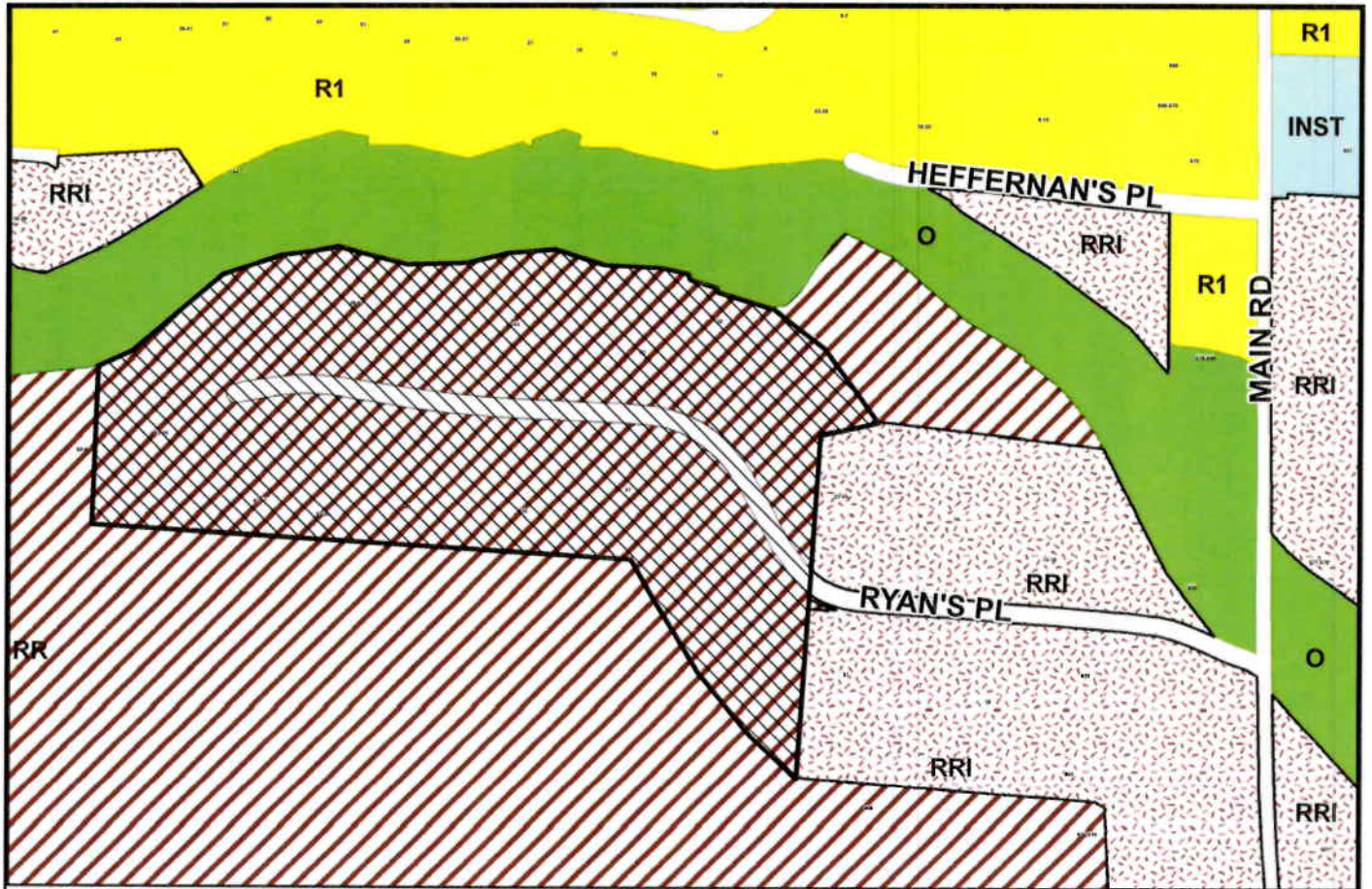
day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Provincial Registration**





**CITY OF ST. JOHN'S  
DEVELOPMENT REGULATIONS  
Amendment No. 551, 2012  
[Map Z-1A]**

2012 10 18 SCALE: 1:3000  
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  
RURAL RESIDENTIAL (RR) LAND USE ZONE  
RURAL RESIDENTIAL INFILL (RRI) LAND USE ZONE

RYAN'S PLACE (GOULDS)



M.C.I.P. signature and seal

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Council Adoption

Provincial Registration



TO THE TOWN COUNCIL OF GOULDS:

I, E. Beverly (Ryan) Tynion, hereby give to the Council all my right, title and interest in and to the road at Ryan's Place beginning at the Main Road and Ryan's Place and proceeding in a westerly direction approximately 1700 Ft. to the property of Jane (Ryan) Woods.

This road reserve being 50 feet wide constructed on 25 foot centers, as per plan on file.

Dated at Goulds, Newfoundland  
this 5th day of August, 1991.

*E. Beverly (Ryan) Tynion*  
E. Beverly (Ryan) Tynion

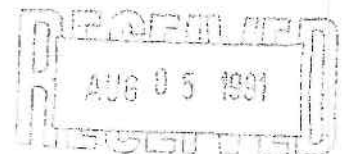
CERTIFIED  
TRUE COPY

*Helen Miller*

HELEN MILLER  
City of St. John's Architect

Coastal Development  
Application # 4066

91-08-19  
TO BE LOOKED AT  
WHEN AMENDMENTS  
DONE.



**PUBLIC MEETING**  
**RYAN'S PLACE, GOULDS**  
**PROPOSED REZONING AND ROAD UPGRADING**  
**August 22, 2013 at 7:00 pm - Foran/Greene Room, 4th Floor, City Hall**

---

**1. WELCOME AND INTRODUCTIONS**

**In Attendance:** Councillor Gerry Colbert, Chairperson  
Councillor Wally Collins, Ward 5  
Ken O'Brien, Chief Municipal Planner  
Ryan Crewe, Development Engineer  
Sandy Abbott, Recording Secretary  
20 Residents Attended

Councillor Colbert welcomed the attendees and explained the process of the meeting. The sole purpose of this meeting is to look exclusively at Ryan's Place.

He noted that there have been a number of applications from people wanting to build on Ryan's Place so this is an opportunity for people to express their opinions and concerns.

**2. PRESENTATION: MR. KEN O'BRIEN, CHIEF MUNICIPAL PLANNER:**

The purpose of this meeting is to provide an opportunity for comments/opinions on the proposed rezoning of Ryan's Place from Rural Residential (RR) zone which requires at least one acre to a Rural Residential Infill (RR1) zone which requires only half acre lots on well and septic.

The only way to consider rezoning is if it's a public road; Ryan's Place was originally a private road but became a public road last year. The City has been maintaining the road since 1992 when Goulds became a part of the City.

Mr. O'Brien explained the zoning lines and property lines on a large diagram. At present, the City is only going as far as 56 Ryan's Place with the road, and a proper turnaround at the end of the road is also needed.

Any discussion about other areas must take place at a later date in a separate meeting.

**3. DISCUSSION AND QUESTIONS:**

**Susan Whitten:**

- All property has not been deeded to the City.
- Owner of a portion along Main Road which has not been deeded.

**Ryan Crewe - Response:**

- *If the City has an appropriate right-of-way without taking the property from the owners, it would not be necessary to deed the property to the City.*

**Margaret Whitten:**

- Her family owns the property that is adjacent to Ryan's Place.
- If rezoning goes ahead, it will landlock her property and remove any access to her property.

**Councillor Colbert – Response:**

- *Would never present anything to Council which would cause any person's property to be landlocked.*

**Mike Dinn:**

- Owns property at [REDACTED] and previously presented a letter of objection to City.
- Has called City to have upgrades to the road, but has always been told it's a private road.
- If the City took possession of the water and sewer, then it should be a public road.
- Only one side of road is ditched and water collects inappropriately.
- Objects to any further development without major improvements to the road.
- Expressed concern about previous public meeting being called with little notice and then being cancelled.

**Ken O'Brien – Response:**

- *Upon return from vacation, he was presented with a notice that was mailed to residents only a few days previous.*
- *He cancelled that meeting because proper process was not followed.*

**Virginia Whitten:**

- Presented copy of letter which was sent in January 2013.
- Feels that City misled her when she enquired about purchasing property.
- Has lived on Ryan's Place for 15 years.
- Was never informed that the road is now a public road.
- If rezoning is permitted, then land owned by her parents will become landlocked.
- Met with Phyllis Bartlett to get information through ATIPA and was upset at subsequently being charged \$81.25 for the information, so she rescinded her request.
- She only needed to know who requested the rezoning and who applied for building permits.

**Councillor Colbert – Response:**

- *This is a substantial issue with respect to the large parcel of land parallel to Ryan's Place. Does anyone have any other issues?*

**Susan Whitten:**

- Lives at [REDACTED]
- Property on the right hand side of Ryan's Place was originally Ryan's family land which will also be landlocked if this development goes ahead.
- Has tried unsuccessfully since 1997 to get building permits from the City.
- Proposed several suggestions to City to address the situation.
- Road is substandard gravel road with issues around potholes, water, ditching, etc.
- Also number of safety issues with line of sight.

- Feels municipal services should be extended to all residents and wants to know what this would cost.
- Not against development but objects to development which will cost residents a lot of money and will landlock property.

**Elizabeth Whitten:**

- Major contention is that her property is split down the middle re zoning; this goes back to 1991 when her aunt wrote a letter to the Town of Goulds to ask them to take over the road.
- She and her family were in discussion with the City five years ago to try and settle this.
- Acquired property through inheritance.
- Was never advised by the City and never asked for opinion.
- Water and sewer was installed at bottom of road.
- City needs to make future plans for the existing houses on the road before any new development.
- Wants to ensure property values remain high.
- Supports rezoning and feels the issues can be resolved.

**Martin Howlett:**

- His daughter and her husband want to purchase property on Ryan's Place.
- Has been dealing with the City on this issue for some time.
- City required three points to be addressed:
  - (1) Private vs. public road
  - (2) Land required for widening and turnaround
  - (3) Rezoning
- According to City, the road is now a public road.
- Property has been deeded to the City for road widening and turnaround.
- Issues around rezoning need to be resolved re access to parallel or landlocked property.
- Unfair for Elizabeth and Pat Ryan to have to sell their property so property won't be landlocked.

**Jim Ryan:**

- Spoke on behalf of his son who just purchased two parcels of land and wants to build.
- They are in favour of rezoning.

**Mike Dinn:**

- His was second last building lot to be put there about seven years ago.
- Noted that Jim Ryan and Elizabeth were asked if they wanted to go in on the cost of putting in water and sewer but they refused.

**Margaret Whitten:**

- When she applied for permit in 2007, she was told road was public at the bottom and private at the top.
- Wants clarification as to whether the road is public or private.

***Councillor Colbert – Response:***

- *City staff are of the understanding from our Real Estate manager that Ryan's Place is a public road.*
- *Will consult with Real Estate manager in the morning for clarification on this.*

**Margaret Whitten:**

- Was informed in 2008 that the road was to be made public only to where her property is located.

***Councillor Collins – Response:***

- *It appears development in this area was done piecemeal.*
- *Believes this is a public road.*

***Councillor Colbert – Response:***

- *Would never approve to have someone's property landlocked.*
- *Would like for residents and staff to come together with a sensible comprehensive building plan.*
- *Vast majority will have to agree with this.*

***Councillor Collins – Response:***

- *Before he was on Council, Art Cheeseman and Ron Penney refused to allow any development on Ryan's Place.*
- *The new City Manager is more pro-development.*

***Ken O'Brien – Response:***

- *Hates to hear that people are not getting full information.*
- *It's an odd layout of road and property boundaries.*
- *Under City's policies since 1992, new public roads are not permitted in unserved areas.*
- *The only reason the City is considering this is that the road existed prior to 1992.*
- *To get access to get a new road, it would have to be on water and sewer with the City.*
- *If the road is upgraded, every person with frontage along the road will be assessed to a certain number of dollars per metre.*

***Councillor Colbert – Response:***

- *The assessment is done per year. If you lot is wide, you could incur substantial cost.*
- *Similar to situation in Airport Heights; in that case, residents only paid for the 50 foot frontage they were using for their house. If they subdivided or sold the balance of the land, then the City gets the extra money, and that policy still exists. If there is no house on the property, then you may be charged a basic fee.*

***Ken O'Brien – Response:***

- *Will re-educate himself on the historical nature of this area.*
- *May want to meet with residents again and look at a more comprehensive approach.*
- *May be to everyone's benefit to put in water and sewer for everyone and open up the land for future development.*
- *Staff needs to do more work before this matter can be brought to Council.*
- *We want this to be for the benefit of the residents and the City.*

**Ron Whitten:**

- He was asked to supervise the construction of this road.
- He does not want to be shut out from his land.

**Virginia Whitten:**

- Had three lots approved and was told at the time that the City owned or retained three feet in front of each property for future road widening.
- Could not resolve if this is the case.

**Elizabeth Whitten:**

- The ideal goal for everyone in this room is to have the best development for extension of the public road, rezoning, and extension of water and sewer.

**Mike Dinn:**

- When residents put in the water and sewer, there was a capacity for about 200 houses.

#### **4. ADJOURNMENT**

Councillor Colbert thanked those present for attending the meeting.

A number of letters were tabled by residents at the meeting, and these will be added to the Minutes. Councillor Colbert suggested that if there were further concerns and/or questions, residents should email the City Clerk's office at [cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca).

He noted there will be no recommendations to Council at this time. Another meeting will most likely be scheduled in the future when staff has had a chance to review these issues.

There being no further business, the meeting adjourned at 8:30 pm.

Councillor Gerry Colbert  
Chairperson



August 8, 2013

City of St. John's  
P.O Box 908  
St. John's, NL A1C5M2

RE: Rezoning Ryan's Place Meeting August 22

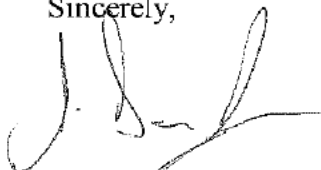
St. John's Municipal Council:

As the property owner at [REDACTED] in the Goulds, please accept this letter in support of the proposed rezoning amendment. The recent approval to make Ryan's Place a public road, shows the residents are in support of this project. This is one step in the process that will make this a safer road to travel on for pedestrians and vehicles. The proposed rezoning will benefit all of the property owners of Ryan's Place and the City of St. John's as a whole.

I, James Darrin Ryan, give permission to James Joesph Ryan to act on my behalf for the meeting schedule for Thursday August 22, 2013 to discuss the rezoning of the land on Ryan's Place, Goulds. The property is located at [REDACTED] Place in the Goulds.

If there are any concerns, please contact me directly at [REDACTED]

Sincerely,



James Darrin Ryan

August 8, 2013

City of St. John's  
P.O Box 908  
St. John's, NL A1C5M2

RE: Rezoning Ryan's Place Meeting August 22

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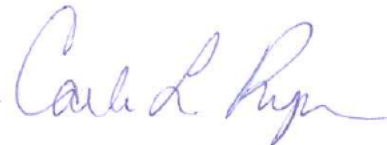
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Sincerely,



James Darrin Ryan



Carla Leanne Ryan

August 8, 2013

City of St. John's  
P.O Box 908  
St. John's, NL A1C5M2

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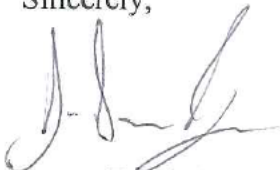
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Sincerely,



James Darrin Ryan



Carla Leanne Ryan

TO THE TOWN COUNCIL OF GOULDS:

I, E. Beverly (Ryan) Tynion, hereby give to the Council all my right, title and interest in and to the road at Ryan's Place beginning at the Main Road and Ryan's Place and proceeding in a westerly direction approximately 1700 Ft. to the property of Jane (Ryan) Woods.

This road reserve being 50 feet wide constructed on 25 foot centers, *as per Plan on File.*

Dated at Goulds, Newfoundland  
this 5th day of August, 1991.

*E. Beverly (Ryan) Tynion*  
E. Beverly (Ryan) Tynion

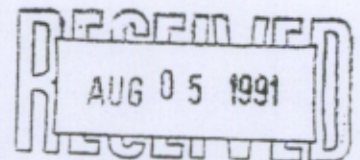
**CERTIFIED  
TRUE COPY**

*Helen Miller*  
HELEN MILLER

City of St. John's Archives

Goulds Development  
Application # 4066

91-08-19  
TO BE LOOKED AT  
WHEN AMENDMENTS  
DONE.





August 22, 2013

Clerk, City of St. John's

St. John's, NL

A1C 5M2

Dear Sir/Madam

I would like to register my objections to the proposed rezoning of Ryan's Place, Goulds, as per the attached letter.

Thank you,

*Beverly Shelley*

Beverly Shelley



January 20, 2013

Clerk, City of St. John's

St. John's, NL

A1C 5M2

Dear Sir/Madam:

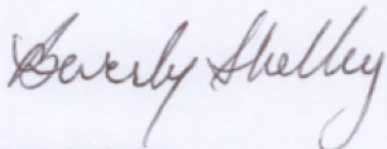
Re: Proposed rezoning from RR to RRI Zone of Ryan's Place, Goulds

I have serious concerns regarding the proposed rezoning amendment for Ryan's Place, Goulds. I am a homeowner in Goulds at 43 Cleary Drive, and my family owns property adjacent to Ryan's Place which is currently inaccessible. Various family members would like to build on this property however inquiries into this possibility have determined that there are numerous reasons why this is not possible at this time.

My family was advised that there would not be any rezoning until the infrastructure in Goulds was improved. One reason was that the existing water and sewer system was too small and incapable of handling any extra load. Another concern was that one-way roads should not be longer than 200m due to fire regulations, but this was already being overlooked. Public roads are supposed to be 15m wide, which I'm not sure is the case. Snow clearing in this area is still a concern.

This rezoning could block future access to the adjacent ground and the ground beyond the last home on Ryan's Place. More discussion needs to take place to address these issues. A meeting should occur so that all property owners and family are properly informed and have the opportunity to formulate a plan and reach a mutual agreement.

Sincerely,



Beverly Shelley

██████████

██████████



August 22, 2013

Clerk, City of St. John's

St. John's, NL

A1C 5M2

Dear Sir/Madam

I would like to register my objections to the proposed rezoning of Ryan's Place, Goulds. This proposal will land-lock the owners of the adjacent property so that they will not have access to their property. They would not have any usable access to their land. I believe a reserved right-away should be put in place before such a proposal is approved.

It will also result in an increased cost to present homeowners for road and building upgrades.

Thank you,

*Laura Shelley*

Laura Shelley





August 22, 2013

Mr. Chairman, children and Family,

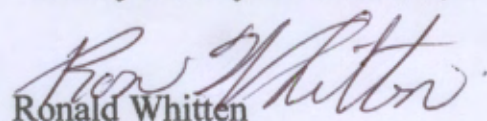
It is indeed a pleasure and I would like to thank the City Council for inviting us here tonight to discuss the topic at hand. It seems that I am suddenly the biggest outlaw to travel Ryan's Place and there is a reason for that. The city council bought it on us, or that is the way I feel it has occurred. However, I will overcome that part. I still have a few hairs on my chest and my shoulders are starting to bend but they are still broad when I try to stand straight.

A number of years ago a real gentleman asked me to try to keep things in order with the Family and the surroundings. I made a promise that I will do my best. I tried and am still trying and I am not going to break that promise because he did a lot for me and that man is the guy who made this land which we are going to discuss tonight, so popular today.

When this property came on the market, I delivered a bid for it on the premises that I could not build on it and that I would have liked to keep it in the Family. I know that the bid was not as high as a previous bid, but it was money in hand with no real estate fees and no wondering if it would ever be approved for building on. I did not go to people asking them to sign a protest, for or against rezoning. I did not tell people that they will have municipal services or anything else. I put a note with my bid stating that I could not at present or in the immediate future get permission to build on this ground. I got my information from the St. John's City Council, through my daughter, who checked with Council only to be told what was written previously in a letter that both myself, my wife, my daughter and her husband signed and sent to Council on Jan 7, 2013. That letter is again being submitted tonight. In case I don't get to speak again tonight, I will say this now, I am wondering if this council has a 2 tier system, one for who you know and another for someone you don't, or don't want to know. If so, I suggest its a very poor system.

A number of years ago, my wife and I made up a plan that we thought would help us out when we grew older and now we are getting there. That Plan consisted of putting some money together to educate our children and grandchildren in the hope that our land which runs adjacent to the property in question would be of benefit to them in their future.

Thank you for your attention,

  
Ronald Whitten



January 21, 2013

To: City Clerk's Department

I am responding to a letter I received on the rezoning amendment for Ryan's Place in Goulds. This proposal is to be considered for approval by the St. John's Municipal Council at the regular meeting of council to be held on Monday, January 28, 2013.

It is my understanding that there are 3 applications for proposed building lots on properties that are being considered for rezoning on Ryan's Place in Goulds. In the summer of 2007, I submitted an application for a proposed building lot on Ryan's Place. I received notice on February 19, 2008 that this application was rejected. I appealed this rejection and received notice on June 18, 2008 that the application was being recommended for approval, subject to numerous conditions.

One of the conditions was that, according to your staff, Ryan's Place had to be converted to a public road. For this to occur, James Darrin Ryan, James Ryan, Darryl Ryan, Beverly Tynion, Elizabeth Whitten and Susan Whitten had to convey a certain amount of their property over to the city. At the time only Beverly Tynion and Elizabeth Whitten conveyed said property to the city by signing documents provided by your legal department. I am aware that as of today's date, my sister, Susan Whitten has not signed any legal documents to convey any of her property over to the city. I do not know whether or not the other people mentioned above have conveyed any of the said property to the city.

In 2007 and 2008 I was informed that if any one of the landowners mentioned above did not convey the necessary land to the city, then Ryan's Lane would not be converted to a public road. I was also told that building was not permitted on private lanes. On April 5, 2012 my sister, Virginia Whitten, made enquiries to Joe Sampson regarding Ryan's Place and was told that in order for rezoning to occur on Ryan's Place Road (which is presently seen by the city to be a private road), property would have to be conveyed over to the city to become public and that everyone residing on the existing road would have to agree for the conveyance to go ahead. (Again, Susan Whitten has not agreed for the conveyance to go ahead.)

Another condition of my proposed building permit (in 2008) being recommended for approval was that I would be required to hook up to city water and sewer services by extending the existing water and sewer mains on Ryan's Place up to the position where the proposed public part of Ryan's place ended. City staff would have had to perform the work but I would have had to personally cover the cost. In other words, I had to extend and install water and sewer laterals to the end of my frontage, at my own cost, on Ryan's Place. (Again, this was a required condition of my building by the city).

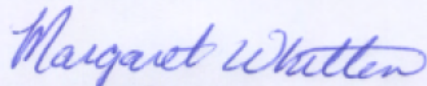


As it stands now, there is an ongoing problem with houses currently on Ryan's Place that are not hooked up to city water. There are two homes that have continuous problems with their well running dry during the summer season. One of these homes has had city personnel delivering water to them, during the summer, for many years. This water has to be pumped into a holding tank that was provided and maintained by the city. The other home owner mentioned also has had water delivered quite frequently because their surface well dried up during the summer months.

As per city requirements (as told to me by numerous city staff members), any new homes to be built in this area would have to be on city water and sewer services. I would be opposed to the City of St. John's approving the building of new homes in an area where there is already an established problem with low water levels in private wells. This would mean that the city would also likely have to deliver water to the proposed new homes when their wells run dry. This surely cannot be an efficient use of taxpayer dollars!

To summarize, I absolutely do not approve of the city rezoning said land on Ryan's Place from RR to RRI, in order for homes to be built. My objection is because Ryan's Lane is still a Private Road and there are also many concerns regarding houses being built in this area with private wells and septic systems. It appears that there are two different sets of criteria regarding building in this particular area. If I personally had to follow all of the city's rules in my attempts to build, at a significant cost I might add, then why do they not apply for these proposed future developments?

Thank You,



Margaret Whitten

[Redacted]

[Redacted]

[Redacted]

[Redacted]

August 21, 2013

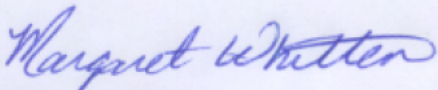
To: City Clerk's Department

I am responding to a letter I received on the rezoning amendment for Ryan's Place in Goulds. This proposal is to be reviewed at a public meeting to be held by the City of St. John's on Thursday, August ~~11~~, 2013.

This proposed area of rezoning, on Ryan's Place in Goulds, will effectively land-lock a piece of land that is owned by my family. If this rezoning is approved it will allow no usable access to our property, thereby, land-locking our property.

It is for this, above, reason that I am objecting to the city rezoning said land on Ryan's Place from RR to RRI.

Thank You,



Margaret Whitten

[Redacted contact information]



August 22, 2013

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

Dear Sir,

I would like to register my objection to the proposed rezoning amendment of Ryan's Place scheduled to be discussed at a public meeting on Thursday, August 22, 2013. I do not support this rezoning application.

I am very concerned that further development on Ryan's Place could complicate existing substandard, unsafe and dangerous conditions that currently exist on the road. I am also concerned that the current proposed plan for rezoning cuts off access to future development of the adjacent property that runs parallel to Ryan's Place.

I would like to emphasize that if the proposed area of rezoning was expanded to include the adjacent property and if the other concerns noted below were addressed I would reconsider my objection to this rezoning amendment.

I request that you review my letter of objection dated January 28, 2013 which I have attached. It outlines my objections in detail. In summary, the following concerns/questions need to be addressed:

1. Is Ryan's Place a private road or public road?
2. Does Ryan's Place meet the City's requirements for a public road? Ryan's Place is a narrow, gravel road with only limited ditching on the road. Lack of proper infrastructure has resulted in water and ice build up; road wash out; pot holes; etc. City crews are often called on to address these matters at a cost to the City and to taxpayers.
3. The entrance/exit to Ryan's Place is not safe. The road is below the level of the Main Road. On exiting Ryan's Place, the line of sight to the left is compromised. Driver's can not see oncoming traffic and an accident is pending.
4. There are no street lights on Ryan's Place.
5. The first turn on Ryan's Place is a very sharp, blind turn that needs to be corrected.
6. Ryan's Place is not a cul-de-sac. There is no bulb or proper turn-a round. If a bulb is put in it should extend to the end of the existing road at the boarder of both the Ryan and Whitten properties. The City should not be permitted to arbitrarily end the road wherever it chooses.
7. In the past, the City required that property owners put municipal services in place as a condition for obtaining a building permit. If other property owners seek a permit to build I would anticipate that they would also be required to put in municipal services at their own expense. This would avoid the current problem of



having to deliver water to the property owners when their wells go dry at the City's expense.

8. Approval of this rezoning as proposed will land lock access to the adjacent property for the Whitten family. How does the City intend to correct this?
9. What will the infrastructure improvements cost? Who will be responsible for paying for the improvements? How much will it cost current property owners on Ryan's Place?

I respectfully request that Council reject the amendment for rezoning or defer their decision until they have an opportunity to investigate all of the concerns highlighted by all of the property owners who have objected to this amendment. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed. Again, I stress that this rezoning application should not be approved given the substandard conditions that exist on Ryan's Place.

Thank you. I look forward to hearing from you further on this matter.

Sincerely,

*Susan Whitten*

*Susan Whitten*

[REDACTED]



Jan. 24, 2013

Mr. Neil Martin  
City Clerk  
City of St. John's  
P. O. Box 908,  
St. John's, NL A1C 5M2

Dear Mr. Martin,

We are owners of the property located at [REDACTED] borders on Ryan's Place. We would like to register our objection to the rezoning amendment of Ryan's Place scheduled to be considered by St. John's Municipal Council on Monday, January 28, 2013. We, like many of our neighbours, who have also registered objections, are very concerned that further development on Ryan's Place could complicate existing substandard, unsafe and dangerous conditions that currently exist on the road. We are also concerned that the current proposed plan for rezoning cuts off access to future development of the Whitten family property that runs parallel to Ryan's Place. In fact, the proposed area of rezoning includes some of the Whitten family property but not enough of it that would enable them to obtain a development permit.

We would like to emphasize that if the proposed area of rezoning was expanded and if the other concerns noted below were addressed members of the Whitten family would view the rezoning amendment in a more favorable manner.

In a memorandum dated Oct. 22, 2012 to the Planning and Housing Committee from the Dept. of Planning re: File S-25-R.8 signed by Ken O'Brien, Manager and Cliff Johnston, Director of Planning it was recommended that the rezoning application be considered for approval. After reviewing that memo we concluded that the signatories to it had incomplete or incorrect information when they recommended approval. As a result, we are recommending that the amendment not be approved at this time. We also suggest that a meeting should be held with all current property owners to discuss concerns related to the rezoning and to further development of property off Ryan's Place.

As noted above, we believe that there are a number of statements made in the memorandum that are incorrect. We have listed some of our concerns with various statements made in the memo below:

1. The memo indicated that several property owners have applied to rezone parcels of land along Ryan's Place from RR to RRI. In a recent discussion with Ken O'Brien, it became apparent that only one current property owner has made an application for rezoning. The other individuals named are not current property owners. They are potential buyers of property from the property owner who is interested in subdividing his property to sell building lots.



2. The memo indicated that several properties along Ryan's Place do not meet the minimum lot size for RR and are therefore non-conforming lots. It is my understanding that the original lots did meet the RR requirements. At some point the property owners choose to subdivide their lots with full knowledge of the current zoning. Is it now the City's responsibility to fix a problem that the owners brought on themselves? Surely this would not be a justification for the rezoning application to be approved.
3. Has Ryan's Place actually been converted from a private road to a public road? It is my understanding that for Ryan's Place to become a public road some property owners needed to convey a piece or parcel of their property to the City of St. John's. In 2008, the City's legal department prepared an indenture requesting that I convey part of my property to the City based on a Schedule "A" prepared by the City's Engineering and Planning department dated Sept. 4, 1997. To date, I have not conveyed that property to the city. The indenture was never signed. As a result, in the absence of the City receiving the conveyance, the road should still be considered a private road. How could Ryan's Place be converted to a public road under these conditions? In addition, Mr. O'Brien informed me that when they prepared the memo the City's legal dept. indicated that all property owners had transferred their legal rights to the City. That was incorrect. I have not transferred my legal rights to the City. I wonder if the Planning Dept. would have recommended approval of the application for rezoning if they had all the correct facts.
4. Ryan's Place does not meet the City's own requirements for a public road. Despite what was said in the memo, Ryan's Place has not recently been widened. In fact, there has been no road widening on Ryan's Place since the existing road was originally constructed in the 1970's. I began living on Ryan's Place in 1986 and the road has not been widened since I lived there. The road is narrow and not up to City standards.
5. Ryan's Place is a gravel road. Again, it is not up to City standards.
6. Furthermore, even as a gravel road, the road is deficient. There is only limited ditching on the road. Approximately 1/3 of the lower left hand side of the road is ditched. There is not even any ditching or culverts in place adjacent to the most recent property built on the road about 5 years ago. This has caused problems with water build up; road wash out; ice build up; pot holes; etc. There are several natural springs that run below Ryan's Place and lack of proper infrastructure has resulted in them creating problems. City crews are often called on to address these matters at a cost to the City and to taxpayers.
7. The first turn on Ryan's Place is a very sharp blind turn. This is very dangerous especially on such a narrow road. Allowing additional development beyond the turn will intensify this problem. It is dangerous for all pedestrians, drivers, and for city employees who are currently required to back up large trucks, garbage trucks, and snow ploughs which is an unsafe practice. This rezoning application should not be approved given this unsafe situation. Potential solutions exist to this problem and a few of them are listed below. Either of these potential solutions would be advantageous to all users of the road and correct an unsafe situation for City crews. In addition, either of the solutions would effectively provide the



Whitten family with access off Ryan's Place to some of their property in anticipation of some future development. The Whitten family would be agreeable to discuss these and other potential solutions.

- a. One potential solution is for the City and the property owners to agree to widen the road at the first turn on the left/south side of Ryan's Place (perhaps like a partial or open-ended cul-de-sac).
  - b. Another potential solution is for the City and the property owners to agree to extend the road by approximately 200 feet straight up from the first turn and put in a cul-de-sac at that location. The upper/west end of Ryan's Place would then become a road off the lower/east end and one of the roads would need to be renamed. This solution would have the added benefit of ensuring that the length of the cul-de-sac road is in compliance with City regulations. Under the current rezoning proposal the road is much longer than the City would normally allow.
  - c. A third potential solution is for the City and the property owners to agree to loop Ryan's Road at the top and then extend and return the road back down toward the Main Road along the boarder of the original Ryan family and Whitten family properties creating a crescent.
8. Ryan's Place is not a cul-de-sac. It is currently a dead end. There is no bulb or proper turn-a round. It was originally designed to extend to the end of the Ryan family property. Only part of the road was completed in the 1970's. The aerial map mailed to property owners by the City on Jan. 8, 2013 with the notice of the rezoning amendment, does not extend the road to its current existing end point. The existing road actually takes a left turn at the top west end and extends along the front of William Ryan's property and borders on Ron Whitten's property. The map should reflect this actual reality. The City currently grades and snow ploughs the existing road to the edge of the property boarders indicated. The City should not be permitted to arbitrarily end the road wherever it chooses.
  9. If the city is contemplating putting in a cul-de-sac at the end of Ryan's Place it should be placed at the end of the existing road at the boarder of both the Ryan and Whitten properties. The placement of a cul-de-sac at the actual correct end point of the road would effectively provide the Whitten family with some access off Ryan's Place to some of their property in anticipation of some future development. The Whitten family is agreeable to discuss this further.
  10. The memo also anticipated that municipal water and sewer services may be extended in the future but not for a number of years. In a recent discussion with Ken O'Brien, he indicated that he was not aware that the property owners on the lower end of Ryan's Place (current RRI zone) who built since 1997 currently have municipal services. Those services were put in place by the property owners and at their expense. Furthermore, the City required that they put the services in place as a condition for obtaining a building permit. If other property owners seek a permit to build we would anticipate that they would also be required to put in municipal services at their own expense. The City should also be aware that property owners who built prior to 1997 (current RR zone) are on well and septic. They have had problems with their wells going dry in the summer and the City has been required to deliver water to some of those properties for a number of



years. It would be odd for the City to approve development in a low water table area without municipal services in place. Approving well and septic may cause future problems and expense to the City.

As indicated above, we have a number of concerns with respect to rezoning Ryan's Place in anticipation of future development. We wonder if the Planning Dept. would have recommended approval of the application for rezoning if they had all the correct facts. We believe that if the amendment was approved by Council at this time it would present significant future challenges to the City and its taxpayers. We therefore respectfully request that Council reject the amendment for rezoning or defer their decision until they have an opportunity to investigate all of the concerns highlighted by all of the property owners who have objected to this amendment.

Thank you. We look forward to hearing from you further on this matter.

Sincerely,

*Susan Whitten*      *Keith Connors*  
**Susan Whitten & Keith Connors**

[REDACTED]



August 22, 2013

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

Dear Sir,

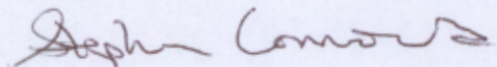
I would like to register my objection to the proposed rezoning amendment of Ryan's Place scheduled to be discussed at a public meeting on Thursday, August 22, 2013. I do not support this rezoning application.

I am very concerned that further development on Ryan's Place could complicate existing substandard conditions that currently exist on the road. I am also concerned that the current proposed plan for rezoning cuts off access to future development of the adjacent Whitten property that runs parallel to Ryan's Place.

I would like to emphasize that if the proposed area of rezoning was expanded to include the adjacent property and if the other deficiencies in the proposed rezoning amendment were corrected I would reconsider my objection to this rezoning amendment.

I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely,





August 22, 2013

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

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Sincerely,

[REDACTED]



August 22, 2013

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

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I would like to emphasize that if the proposed area of rezoning was expanded to include the adjacent property and if the other concerns noted below were addressed I would reconsider my objection to this rezoning amendment.

Some other concerns:

1. Ryan's Place is a narrow, gravel road with no street lights and only limited ditching on the road which leads to unsafe road conditions.
2. The entrance/exit to Ryan's Place is not safe because it sits below the level of the Main Road and driver's can not see oncoming traffic.
3. The first turn on Ryan's Place is a very sharp, blind turn that needs to be corrected.
4. If a bulb is put in on Ryan's Place it should extend to the end of the existing road at the boarder of both the Ryan and Whitten properties and not placed arbitrarily at another location.
5. Approval of this rezoning as proposed will land lock access to the adjacent property for the Whitten family. How does the City intend to correct this?
6. What will the infrastructure improvements cost? Who will be responsible for paying for the improvements? How much will it cost current property owners on Ryan's Place?

I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely,

[Redacted Signature]



August 22, 2013

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

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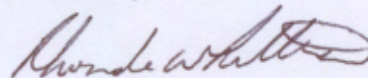
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6. What will the infrastructure improvements cost? Who will be responsible for paying for the improvements? How much will it cost current property owners on Ryan's Place?

I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely,





August 22, 2013

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

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I would like to emphasize that if the proposed area of rezoning was expanded to include the adjacent property and if the other deficiencies in the proposed rezoning amendment were corrected I would reconsider my objection to this rezoning amendment.

I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely, *Katie Chafe*



August 22, 2013

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

Dear Sir,

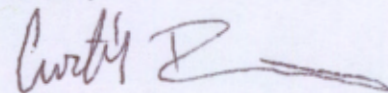
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I would like to emphasize that if the proposed area of rezoning was expanded to include the adjacent property and if the other deficiencies in the proposed rezoning amendment were corrected I would reconsider my objection to this rezoning amendment.

I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely,





August 22, 2013

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

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I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely,

*Jaimo Chafe*



August 22, 2013

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

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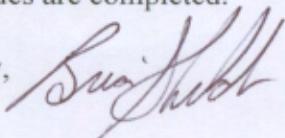
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I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely,





August 22, 2013

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

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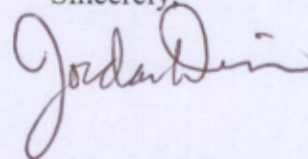
I would like to register my objection to the proposed rezoning amendment of Ryan's Place scheduled to be discussed at a public meeting on Thursday, August 22, 2013. I do not support this rezoning application.

I am very concerned that further development on Ryan's Place could complicate existing substandard conditions that currently exist on the road. I am also concerned that the current proposed plan for rezoning cuts off access to future development of the adjacent Whitten property that runs parallel to Ryan's Place.

I would like to emphasize that if the proposed area of rezoning was expanded to include the adjacent property and if the other deficiencies in the proposed rezoning amendment were corrected I would reconsider my objection to this rezoning amendment.

I respectfully request that Council reject the proposed amendment for rezoning as it is currently written. I also request that if this rezoning application is approved that no building permits be issued until all road and municipal service upgrades are completed.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jordan DeWitt". The signature is written in a cursive style with a large initial "J".



August 22, 2013

To: The City Clerk's Department

In reference to the public meeting being held today I am including the letter which I sent on January 7, 2013. First and foremost I would like to say that I am not here to stop anyone from selling property, I am here due to my deep concerns of the city misleading me on several occasions when I called to inquire about the property that was for sale and the possibility of being able to build on that property. These conversations are addressed in my letter dated January 7, 2013. It seems to me that some people are treated very differently than others when it comes to the rules that the city goes by. I am very concerned that many of my calls were not returned and that I was ignored by various persons who work in Development and Engineering at the City of St. John's. I do not understand why I was told by the Development Department that no further development would be allowed in this area, that no rezoning would occur until the infrastructure of the water and sewer system was updated and brought in from the city. I was informed that it would not be advisable to buy this land if my intent was to build on it as there would be no building permits approved. Somewhere along the way, the rules have obviously changed and this has caused great dispute within this extended family and I can only blame the City of St. John's for this. The various people I spoke to regarding all of this knew how to reach us to let us know that rules have changed but no one bothered.

There were so many reasons given to me for the City not allowing rezoning or building permits on the ground in question but now it seems that these concerns do not exist any longer. I was told that the existing road, Ryan's Place is longer than 200 meters and due to fire regulations would need to have another exit. I was told that everyone on the existing road would have to agree to have anything changed however, I at no time was approached on anything and I reside on Ryan's Place Road 15 years now. The road apparently is now a public road and at no time was I asked my opinion although the city did inform me that everyone residing on the road would have to agree to this for it to happen. I was told the road is not up to city standards and would need to be widened, upgraded and paved and that each home owner on the road would be assessed for the cost of this according to their frontage. I asked what the approximate cost of that would be and no one got back to me. It again appears the City favors some people with answers but not others.

If the rules that the city goes by have changed then, why would this not be public knowledge? Why are some people able to get things while others are not? If this rezoning and road changes plus turn around go in then the land on my side owned by Ron and Gert Whitten becomes landlocked. I feel this is very unjust and needs to be addressed again. There are various other family members that would like to build on this property in the future and if this plan goes ahead then there will be no access for this to occur.



Another thing that occurred with the city was on Feb.5, 2013 I went out to City Hall to inquire about the request for rezoning and building permit requests that had went in. I met with Mrs. Phyllis Bartlett who said we had to pay a \$5.00 fee for MCR (Freedom of Information) which was paid. She then proceeded to tell me what I had to write on the request which I did as she told me. I then recieved a letter from the City dated Feb 25, 2013 which was charging me \$81.25 for the information. All we wanted to know was who requested the rezoning and who applied for the building permits. Again, the City is blocking us from getting the information for some unknown reason. It again appears that some people are favored in getting information they request and others are not. I certainly did not need 265 sheets of paper to find out who requested rezoning and who requested building permits in the last two years. I had no choice but to recind my request for this information.

I am requesting that my family be included in these plans and that the road in question be looked at again so that our Family Land will not be landlocked.

Virginia Whitten

2100 1st St  
[REDACTED]

11-0211



January 7, 2013

To: The City Clerk's Department

In reference to the Notices and Announcements on rezoning amendments advertized on December 22/12 in The Telegram we submit these concerns. We are home owners on Ryan's Place in the Goulds and have made many inquiries with the city concerning the ground in the area since May 2011. It concerns me that we as home owners were misled by various persons working in Development at the Engineering Department of the City. Our family has land adjacent to this property that is presently not accessible. When it came to our attention that some parcels of land on Ryan's Place was possibly For Sale I inquired with the Development Department about the possibility of building on this land. I was told back in 2011 that no further development would be allowed in the area due to such things as the well and septic in the area of the Goulds being in such a mess, also the existing water and sewer system being too small to handle further development, as well I was informed that no further rezoning of property was going to be allowed until the infrastructure of the system was improved and that this would take a long time to accomplish if at all. In other words, I was told that there was no way that this ground would be approved to build on and therefore it would not be advisable to buy it if that was my intent.

On April 5, 2012 I again was in contact with the city and I spoke with Mr. Joe Sampson. I inquired about the possibility of further development in our area. I was told that the land is zoned Rural Residential and that the city had been approached by Mr. Martin Howlett who wanted to know how other lots such as ours at 21 Ryan's Place had been approved in the past. He was told that our ground was rezoned to RRI which helped us in terms of building. In order for rezoning to occur Ryan's Place Road which is presently seen by the city to be "private" would have to be conveyed over to become "public" and everyone residing on the existing road would have to agree for the conveyance to go ahead. I was also advised that one way roads are not supposed to be beyond 200 metres in length due to fire regulations but because there are existing homes beyond 200 metres on the existing road they are "stretching the limits". He told me that the people now residing on Ryan's Place Road would be informed in writing and an agreement would have to be reached. He felt this would take a long time to accomplish. He also stated a turn around would have to go in at the end of the existing road and then a request would have to be made to have the RR ground rezoned to RRI. Ryan's Place Road would then go on the Capital Works List for future road upgrading and paving. Once the upgrading and paving is done then each person on the existing road would be assessed for payment according to their frontage. I also inquired about the land that is owned by my family in the area and how we would be able to access this land in the future. Mr. Sampson at the time indicated that if there was a turn around at the end of Ryan's Place it could be converted back to a single road and be extended but there would have to be another exit due to fire regulations. Mr.



Sampson was going to check on a few other answers to questions I had but he never contacted me.

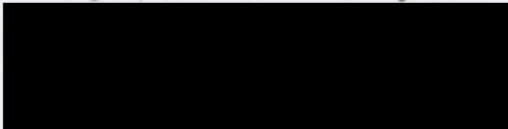
On May 30, 2012 I again called the City to inquire about the survey pegs and orange survey lines on Ryan's Place Road that week. No one called me back. On June 1, 2012 I called and spoke to an engineer who said he would see who was looking after this and have them call me. No one called so on June 4, 2012 I called again and spoke to Lynn Ann Winsor. She said the road would have to be 15 metres wide to make it a public road. She also said an inquiry had been made to the city about putting in a turn around so the city sent in a survey team to see if it was a possibility. She went on to say that the pegs really did not mean anything. Ms. Winsor told me she is the Manager of Development at the Engineering Department.

It appears to me that the ground in question is now being considered for rezoning which I know is the first step in being able to obtain building permits. From what I was told by various persons in The Development Department it appears that a number of the steps outlined above were not followed thus far. I have three sisters residing on Ryan's Place and at no time has any of us been informed in writing or by any other communication of anything that was being considered. In terms of any agreement, none of us has been approached. There are concerns about this rezoning happening as this would block access to the adjacent ground which is owned by my parents along with another parcel of land beyond the last home on the Ryan property which we would want to see included in this rezoning. I have concerns about the fire regulations in question and what that means. If this ground is rezoned then what is it being rezoned for. If this is for a subdivision in the area then that would bring down the value of my property and I would not be in agreement with that. Therefore, I feel that a meeting should occur with all the home owners on Ryan's Place Road to ensure we all are informed of what is happening and be able to all come to a mutual agreement.

I look forward to your response to our letter and I trust that all things will be considered in terms of this application and that everyone residing on Ryan's Place Road will be notified as to what is happening and have ample time to respond and possibly agree with a plan. It is very upsetting to read about this in the local newspaper without receiving any correspondence prior to the notification.

Thank-you

*Virginia Whitten & Garry Chafe*  
Virginia Whitten & Garry Chafe



*Ron Whitten*  
*Gert Whitten*



Jan.10, 2013

To whom it may Concern,

Regarding the proposed re-zoning of the properties at Ryan's Place, I have some issues / concerns with this application.

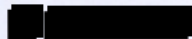
1. Is the road now a public road? It seems that whenever there is an issue with development on this road the council seems to interpret the ownership of the road to suit their favor.
2. The road is not up to a standard to accommodate any more development. The side of the road which is across from my residence( 15 Ryan's Place) is not even ditched to allow for run off from any heavy rain. This was to be completed a while ago when the residence across from me was constructed....Hasn't happened yet.
3. There are no street lights on this road. I have requested this on a number of occasions only to be told that the city does not provide street lighting on "Private" Roads. There is a 200m section of the road that contains Water and sewer that is controlled by the city. Surely this would constitute a "Public" road.
4. I also have concerns with the turn-a-round at the end of the road. Apparently it does not meet the proper specifications to allow for a designated turn-a-round.

As a resident of this road, I feel that there should be no re-zoning allowed until these important issues are addressed completely as it (re-zoning) will only increase the difficulties associated with the road as a whole.

Thank-you,

*Michael Dinn*  
Michael & Diane Dinn

*Diane Dinn*



# MEMORANDUM

Date: October 16, 2013

To: His Worship the Mayor and Members of Council

Re: **Department of Planning File Number B-17-D. 3  
Proposed Rezoning for Commercial and Residential Development (The Light House Project)  
83 & 90 Duckworth Street (Ward 2)  
Applicant: Republic Properties Inc.**

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A public meeting chaired by Councillor Frank Galgay was held on May 22, 2013, to provide an opportunity for public review and comment on the application submitted by Republic Properties Inc. to redevelop properties at 83 and 90 Duckworth Street for a joint development - a boutique hotel with ground-floor commercial space, and a residential building atop two levels of parking (one of which would be partly underground). To accommodate the proposed development, amendments to the St. John's Development Regulations would be required.

The City's Heritage Advisory Committee reviewed the exterior design and expressed support; the design compliments the Heritage Area.

The minutes of the public meeting are attached to this memorandum, along with copies of all written public representations received, and will be referred to the agenda for the regular meeting of Council on October 21, 2013.

The following is an overview of the proposed development and the zone requirements for both sites:

**Civic Number 83 Duckworth Street (commercial property):** The proposal is to demolish the existing one (1)-storey building as viewed from Duckworth Street and replace it with a new one. Initially the proposal was for a five (5)-storey building, but was altered to include an additional storey making it six (6) storeys. The ground floor of the development would have commercial/retail use, while the upper storeys would be a boutique hotel with 25 sleeping units. Parking would be provided across the street at 90 Duckworth Street.

- Current zoning for the site is Commercial Central Mixed-Use (CCM). That zone allows commercial/retail and hotel uses.
- A maximum building height of 15 metres is permitted in the CCM Zone, while the applicant is proposing a building height of 21 metres.
- Floor-area ratio proposed is 4.55; the CCM Zone permits 3.0 (FAR is calculated based on a lot area of 507.57 square metres and a gross floor area of 2,310 square metres; when calculating FAR, we exclude parking and amenity space (storage), which the basement would be used for.

# ST. JOHN'S



- Parking requirements based on the new Downtown Parking Standards require one (1) parking space for every 100 square metres of net floor area, and for new hotels one (1) space for every four (4) guest sleeping rooms. There is no banquet room in this development. Therefore four (4) spaces are required for the retail/commercial space (based on 355 square metres net floor area) and seven (7) spaces for the hotel, for a total of 11 spaces. These would be provided in the proposed new building across the street.

**Civic Number 90 Duckworth Street (former East End Fire Station):** The proposal is to demolish the existing two (2)-storey building and replace it with a new building consisting of three (3) storeys of residential units and two (2) levels of parking (one level is partly underground).

- Current zoning for the site is mostly Residential Downtown (RD), while a small portion of the property is within the Commercial Central Mixed-Use (CCM) Zone. For the proposed use to be considered, the property would need to be rezoned to Apartment Downtown (AD), which allows apartment buildings containing not more than 24 dwelling units. The proposed development has 17 units. The area zoned CCM (bordering the art gallery at 94 Duckworth Street) could retain its current zoning, because residential dwelling units on the second or higher floors are a permitted use.
- Floor-area ratio proposed is 2.48; the AD Zone permits 2.5 (FAR is calculated based on a lot area of 845 square metres and a gross floor area of 2,096 square metres). Parking is not included in FAR calculations.
- Density proposed is under the limit of not more than 1 dwelling unit per 50 square metres.
- Proposed building height is four (4) storeys as measured from established grade along Ordnance Street (established grade is the average elevation of the ground where it meets the exterior or the front of a building). The proposed height meets the maximum height of the AD Zone. Please note that the building would be five (5) storeys high on Duckworth Street.
- The new Downtown Parking Standard requires 1 parking space per dwelling unit. Therefore 17 parking spaces are required.
- Parking is provided on-site for both 83 and 90 Duckworth. Total required parking for both buildings is 28 parking spaces; the 37 spaces proposed exceed the minimum required.

The proposed development design has been reviewed by the City's Heritage Advisory Committee and, if considered by Council, would still require final development approval of the plans.

## PLANNING APPROACH

To consider the proposed development at 83 and 90 Duckworth Street, amendments to the St. John's Development Regulations would be required. The proposal for 83 Duckworth Street does not meet the requirements of the CCM Zone, which sets a maximum building height of 15 metres and restricts the building floor-area ratio (FAR) to 3.0. The proposed development has a height of 21 metres and an FAR of 4.55. To consider the proposed development without a reduction in height and FAR, a new zone would need to be created.

90 Duckworth Street does not meet the zone requirements for the Residential Downtown (RD) Zone, therefore to consider the proposed development, the site would need to be rezoned to the Apartment Downtown (AD) Zone.



There has been discussion regarding the size of the proposed buildings and whether they fit their surroundings. Buildings going west along Duckworth Street are generally two (2) or three (3) storeys high, while to the east there are five(5)- and eight (8)-storey buildings nearby.

The Red Ochre Art Gallery at 94 Duckworth Street has a fire exit which opens into the City-owned property of the former fire station. The owner is concerned that the new building at 90 Duckworth Street would block her fire exit and jeopardize her business. This matter could be addressed at the development stage to ensure that this does not occur. The owner uses City-owned land for off-street parking and this space would be lost should the development as proposed be approved.

## RECOMMENDATIONS

Upon reviewing the minutes of the May 22, 2013, public meeting as well as the written submissions, Council should determine if it wishes to proceed with proposed zone amendments for Civic 83 and 90 Duckworth Street.

If Council agrees to move ahead with the amendment process for this application, then it is recommended that Council direct City staff to draft the appropriate amendments to the St. John's Development Regulations. Once these amendments are drafted, they would be sent to a future Regular Meeting of Council for consideration of adoption. An amendment to the St. John's Municipal Plan would not be required to allow the potential amendments to the Development Regulations, but this would be determined definitively once the amendments were drafted.



Ken O'Brien, MCIP  
Chief Municipal Planner

KO'B/dlm

Attachments

A public meeting was held on Wednesday, May 22, 2013 @ 7:00 p.m in the Foran/Greene Room, 4<sup>th</sup> Floor, City Hall, St. John's.

In Attendance:           Councillor Frank Galgay, Chair  
                                  Deputy Mayor Shannie Duff  
                                  Councillor Bruce Tilley  
                                  Councillor Sandy Hickman  
                                  Councillor Sheilagh O'Leary  
                                  Joe Sampson, Acting Director of Planning  
                                  Mark Hefferton, Planner  
                                  Karen Chafe, Recording Secretary

Also present representing Republic Properties were Mr. Jeff Reardon and Mr. Neil Deflorio and Mr. Keith Benjamin, Consultant.

There were also approximately 35 people in attendance from the general public.

The purpose of the meeting was the following:

**To provide an opportunity for public review and comment on an application submitted by Republic Properties regarding the redevelopment of civic numbers 83 and 90 Duckworth Street (former East Fire Station). A six-storey building consisting of ground floor commercial and five floors of boutique hotel are proposed for civic number 83 Duckworth Street. The site is currently zoned Commercial Central Mixed Use under the St. John's Development Regulations. This zone allows the proposed development with a maximum building height of 15 metres. The applicants have requested a height of 21 metres with an increase in the floor area ratio. A four-storey building, with two levels of parking (one underground) and three floors of residential units is proposed for civic number 90 Duckworth Street, which requires a rezoning from Residential Downtown to the Apartment Downtown Zone. Existing buildings on both sites will be demolished. Parking for both buildings will be provided at civic number 90 Duckworth Street. The application property is located in Ward 2.**

The following submissions of concern/objection are included with this report:

- TA Loeffler, Wood St.
- N.V. Bruce Parady, Project Management & Design Ltd.
- Garfield Brown for Red Ochre Gallery, Duckworth St.
- Garry and Janet Stenson, Gower St.
- Roy Hoogstraten on behalf of Rhonda Hayward
- Marian Wissink, Wood Street
- Fred Reardon & David Heffernan (Classic Café East)
- Aileen Ann MacDonald and Robert E. Adamec, Military Road
- Wayne Hickey, Owner of Property on Gower St.
- Jackie White, employee of Quality Hotel Harbourview

- Jackie Lundrigan, employee of Quality Hotel Harbourview
- Ramona Sturge
- Gary Squires, employee of Quality Hotel Harbourview
- Fung Chu Chang, employee of Quality Hotel Harbourview
- Jeff Marshall, Wood St.
- Paul Matthews
- Tammy Grenning, employee of Quality Hotel Harbourview
- Judy Portes, employee of Quality Hotel Harbourview
- Gary and Sandy Adams, Gower Street
- Penelope Rowe, Forest Road
- Jean Burnell
- Gary F. Browne, Royal Newfoundland Constabulary Historical Society
- Letter dated June 7, 2013 from Kenneth J. Byrne of Benson Buffett Law Office representing Red Ochre Gallery Inc.
- Letter dated June 7, 2013 from Brenda McClellan, Owner of Red Ochre Gallery

The following submissions of support are included with this report:

- Jordan Power
- Luke Stewart, Charlottetown, PEI
- Brandon Copeland
- Katie Power
- Ryan Crocker, Prince of Wales Street
- Lucas Langdon
- Jon Murphy
- Adam Coffey
- Dan Kenny
- Peter Brophy, area resident
- Stephen Brophy, Montreal
- Matthew R.
- David Sturge
- Joshua Groves
- Josh Eddy, downtown livyer

Councillor Galgay called the meeting to order and outlined the process to ensue for the meeting.

### **Planning Review by City**

Mr. Mark Hefferton, Planner with the City's Planning Department, conducted a power point presentation outlining the sites in question, their Municipal Plan designations and the Development Regulations zones that pertain to each. The following is noteworthy:

- Civic No. 83 Duckworth Street is within the Commercial Downtown (CD) Land Use District under the St. John's Municipal Plan and has an approximate site area of 1, 962 square metres. The site would be accessed by entrances along Duckworth St. It is in Heritage Area 3. The current zoning is the Commercial Central Mixed Use (CCM)



Zone. This permits a range of uses including residential and commercial. The zoning allows for the development proposed, except for the height which is limited to 15 metres (generally 4 storeys). A text amendment would be required to accommodate the additional building height.

- Civic No. 90 Duckworth St. is within the Residential Downtown (RD) Land Use District under the Municipal Plan and has an approximate total site area of 2,153 square metres. It is in Heritage Area 1. The current zoning does not allow for the development proposed, so rezoning would be required. The Planning Department recommends that should the property be rezoned, Apartment Downtown (AD) Zone could accommodate the development with a height up to 4 storeys with a possible text amendment for the additional height.
- The Heritage Advisory Committee during its meeting of January 10, 2012 reviewed the renderings for the proposed development and was in general agreement with the designs submitted subject to other planning processes taking place.
- The Planning Department also submits that the proposed development is in line with the St. John's Municipal Plan and that it would enhance the area by removing two buildings which have little architectural merit and creating an entrance feature to the downtown through quality design.

### **Presentation by Proponent**

Mr. Keith Benjamin, Architect for the proponent conducted a power point presentation outlining the findings of the Land Use Assessment Report which was produced as per Council's direction, a copy of which is on file with the City Clerk's Department. The development is named the Light House Project and the developers propose that it will be significant enough to become the east end gateway to the downtown area.

Mr. Benjamin notes that the properties are currently under-utilized, unattractive and neither makes a positive contribution to the character or vibrancy of the street. The building at civic no. 83 has had a long standing use as an adult establishment and it does not have architectural appeal. The building at civic no. 90 has had a long standing use as a service building which can be accommodated elsewhere to allow a more vibrant use of this location. The proposed Lighthouse Project provides for parking at both locations so should not impact existing parking availability.

Civic no. 83 Duckworth will accommodate 25 suites with retail on the first floor and entrance to the hotel. Civic no. 90 Duckworth will also accommodate retail on the first floor with residential units as the major use.

### **Feedback from General Public**

#### **Peg Norman**

Ms. Norman questioned the status of ownership for 90 Duckworth St. The Acting Director of Planning advised that the property is not yet sold and there is no active option to purchase the property as of today's date.

Ms. Norman then questioned what is the policy or process when public property is no longer used for its purpose or decommissioned, as in the case of the former fire station at 90 Duckworth. She also questioned how one company gets an option to purchase that is not open to other prospective buyers. The Acting Director of Planning advised that there is a provision in the City of St. John's Act to allow such options.

Ms. Norman questioned how the proposal is even allowed to progress to the point of holding a public meeting when the proponents do not even own the property. Staff advised that the City often considers applications from developers who do not necessarily own the properties they wish to develop, but because they have consent from the owners of such property to proceed, it is often within their best interest to determine what is permitted to be developed before they make a significant financial investment to do so.

**Geoff Chaulk** - [REDACTED]

Mr. Chaulk stated that in terms of architecture, he felt it was one of the most aesthetically pleasing developments he has seen. He questioned whether or not both buildings have to proceed as one package or can one building be developed without the other. The Acting Director of Planning advised that the proposed development at civic no. 83 is not possible without the provision of parking as per the City's Downtown parking guidelines, and this can only be made possible with the development of the property at civic no. 90 Duckworth St.

**Garfield Brown – Red Ochre Gallery**

Mr. Brown, representing the Red Ochre Gallery advised that the proposed development will be right next door to the gallery and as a result, it will be majorly impacted. He questioned why each property could not stand on their own as two separate developments. Mr. Sampson advised that civic no. 83 Duckworth could not be developed on its own because it would not be able to accommodate the off street parking requirements imposed by Council. If Council eventually approves the proposed development, a development agreement would have to be put in place outlining among other things, the off-street parking requirement.

Mr. Brown referenced the wonderfully preserved buildings that exist in this area which have been subjected to the City's heritage requirements; and he stated that whatever is built must be in conformance with the area's vernacular and not be exempt from it, particularly when other property owners have to abide by the City's regulations.

Mr. Brown also contended that the proposed heights will be quite a bit higher than the 21 meters proposed. The Architect did confirm that the elevation at the Hill of Chips would drop off to become a total of 24 meters at the bottom of the hill but would be 21 meters at the Duckworth St. elevation. Staff advised that the height is determined by the highest street level.

**Bill Kelly** - [REDACTED]

Mr. Kelly stated that he was sick and tired of coming to these meetings which appear to be a charade, in that the deal is done and this meeting is simply "window dressing." It has been decided that June 10<sup>th</sup> is the final date for a decision by Council, yet the property's ownership has not changed hands. He asserted that this meeting is illegitimate.

With regard to the proposal itself, Mr. Kelly questioned if there is a provision for an underground tunnel or an invisible pedway so that people can move back and forth without crossing the street. Council was willing to approve a pedway for the Marriott Hotel so why should this development be any different and what's to stop the developer from submitting a future application. The developers assured that no pedway is planned.

**T.A. Loeffler -** [REDACTED]

Ms. Loeffler advised that she has a view of Signal Hill and the Narrows at present which will be totally lost with the development at 83 Duckworth St. The developer purports that this development will result in greater lighting of the area; however, her property as well as her neighbors' will become much darker as a result of the shadowing from these taller buildings.

She also referenced the traffic problems at the intersection of Wood St. and Duckworth St. and has often witnessed pedestrians coming and going from the Marriott with their suitcases and trying to cross the busy intersection.

To allow this development will result in the breaking of several of the City's regulations. It would be different if the proposed development complied with these regulations, but it does not. This development will create a tunnel that will feel more like living in Toronto than downtown St. John's. The development will be totally out of scale to where she lives. Civic no. 83 should instead be converted to much needed open space for the downtown area.

**Jane Kingston – General Manager of the Quality Hotel**

Ms. Kingston was concerned that the Quality Hotel will be totally obliterated from the public eye once this development is constructed. This will have a major impact on her business and its visibility to attract more business, particularly as it is a tourism establishment. If this project goes ahead, views from the hotel will be obstructed and many visitors come to the Quality Hotel specifically to see the views they offer.

In addition, the construction time estimated to be a minimum of 20 months or two years will seriously and negatively impact the Quality Hotel's business. The shadowing impacts of 83 Duckworth St. will be most severe on the Quality Hotel, specifically its courtyard area and north facing hotel rooms. Privacy from those rooms will also be impacted by the new building's close proximity.

Concern was also expressed about the parking that will be required for the retail as well as residential component which may spill over into the underground parking that the Quality Inn provides to its own clients. It was questioned how the City would enforce parking restrictions.

During the construction phase, who would be responsible for noise mitigation and clean-up of debris from the construction area. This will be a huge interruption to guests staying at the Quality Hotel, and it was questioned how or if the developer intends to reimburse for loss of business as a result of the disruption.



**Gary Brown -** [REDACTED]

Mr. Brown, member of the Royal Newfoundland Constabulary Historical Society spoke about the historic integrity of the site upon which the former fire station was situated, noting that the east end fire/police station opened in 1895. He asserted that the building site is integral to the preservation of RNC history and that it should be commemorated so that its rich history is not forgotten. He tabled a letter in this regard and which is attached to this report.

**Jill Knoechel -** [REDACTED]

Ms. Knoechel's property is situated directly behind the proposed development and she expressed major concerns about the height of the building which will overpower the block of historic townhouses on Ordnance St. The parking situation that will also be created is very disturbing, not to mention the traffic congestion that will result from cars exiting and entering the parking garage via Ordnance St. She also questioned the possibility of providing the developer with a cash-in-lieu-of-parking option to offset the need to develop both sites. Staff advised that it is more beneficial to the overall good to provide immediate parking space as opposed to the cash-in-lieu option where the funds are reserved for long-term parking options, i.e. construction of parking garages.

Ms. Knoechel advised that at least 3-4 parking spaces will be lost on Ordnance St. if this development is permitted to take place. Staff agreed to investigate this.

**Roy Knoeckle -** [REDACTED]

Mr. Knoeckle advised that his property has the only driveway on Ordnance St. and that will be problematic if the development occurs and the three on-street spaces are lost as a result. The other concern is height and the service for elevators which will necessitate an additional structure on top of the roof, further increasing the building's height, thereby obstructing further the building's roof line.

**Geoff Chaulk**

Mr. Chaulk referenced Ms. Norman's previous question about land ownership which he felt did not receive a satisfactory response. Staff advised that the City's Manager of Real Estate Services will be asked to provide a response to this matter.

Mr. Chaulk also questioned why the developer needs to build at the height requested and suggested that the south tower be built at a lesser height so as not to obstruct the views of the surrounding neighborhood. Mr. Reardon stated that they wanted to achieve the added height to take advantage of the views from the Narrows, noting that such views are more marketable. Mr. Chaulk asked the developer to think about the people who live in the area and who have invested heavily and whose views will be lost. To obstruct these views, he felt, was not in the name of fair play.

Mr. Chaulk also questioned if the tenants who would be eligible for these units would be low income or the working poor. Mr. Reardon advised that this particular development is not geared to that demographic, however, he is working on other affordable housing projects throughout the City.

Mr. Chaulk questioned what the developer would eventually be paying for the land. Mr. Reardon advised that the cost is subject to a third party appraisal that would not be chosen by the developer.

Mr. Chaulk suggested that the owners of the Quality Hotel should spend some money making their building look more attractive.

**Ryan Crocker** - [REDACTED]

Mr. Crocker spoke in favour of the proposed development and its great location which will further enhance the character and vibrancy of the area. He noted that there is not much life in the area at present, and these two buildings will invigorate the street while complementing, rather than mimicking the heritage vernacular.

**David Summers** - [REDACTED]

Mr. Summers questioned how the purchase is going to happen, reiterating the concerns outlined by others who already spoke. He felt that more public information should be forthcoming. The City is responsible for making sure its citizens get fair market value for this property which belongs to the citizens of St. John's and that the process should be open to the general public.

He also noted the problem with parking that already exists and echoed the previous concerns expressed about traffic congestion. He questioned if the people living in the new condos will be permitted to apply for area parking permits. Staff advised that they would not be eligible and such would be incorporated into the development agreement.

**Bill Kelly**

Mr. Kelly asserted that the more he listens to the goings on at this meeting, the more unimpressed he becomes. It seems to him that the City's elected officials think more about the needs of developers than they do about the needs of residents. He could not understand why these two areas could not be reviewed in isolation of each other and as two separate projects. Why couldn't both be sold separately and why does the City have to bend all the rules for this developer. He suggested that a decision be deferred and referred to the new council following the September election.

**Mrs. Penny Alderdice** [REDACTED]

Mrs. Alderdice reiterated the comments of concern expressed by others and found it hard to believe that the developer is putting all this energy and investment into a property without knowing how much they will or intend to pay for it. Citizens should at least be informed of the ball park figure. Staff advised that the property is currently being reassessed and the developer would have to pay the full market value whatever that is determined to be. She requested that the matter be deferred beyond the June 10<sup>th</sup> deadline so as to have more opportunity for public disclosure.

**Roy Hoogstraten -**

Mr. Hoogstraten also challenged Council to put civic 90 Duckworth St. on the market for sale to determine if there are other interested buyers who would be willing to pay full or above market value. He believed that there is much interest out there.

**Erin Keough -**

Ms. Keough expressed major concern about tampering with the heritage area. She also reiterated previous concerns about traffic congestion which is getting worse rather than better, particularly in the east end of downtown where this development is proposed.

**Krista Marshall -**

Ms. Marshall agreed with the concerns outlined with respect to the height which goes beyond what is permitted in the area, as well as concerns about parking and traffic congestion. She was also concerned about the change in traffic flow on Ordnance St. once this development is built, and how this will further exacerbate the already congested traffic conditions in the area. She felt that Wood St. would likely be used as an alternate access as a result. She also questioned where exactly the building will start and how far away from her foundation this will be and whether or not it will negatively impact the structural foundation. The architect advised that the foundation has to be on the property of 90 Duckworth St. and cannot impose on surrounding land. A geo-technical analysis will also be conducted to ensure that any issues are addressed.

Ms. Marshall also questioned whether or not access from the rear of her property will be maintained with the new development.

**Fred Burton Classic Cafe**

Mr. Burton expressed concern about 83 Duckworth St. and the debris that will result from the construction phase as well as parking congestion. There is also a 6ft gap between that property and his café which is his building's fire access and also serves as a loading bay to the basement and access to the upper deck. The architect assured that during construction, measures will be taken to ensure that the access is not interfered with. Mr. Burton advised that one whole side of the access will have to be removed and redesigned. He also noted that he has 2 licensed decks on the front and back of his property which are in use during the summer months and these will be negatively impacted during the construction phase and will likely be rendered unusable because of the dust and noise, etc. This is lost revenue which cannot be compensated.

**Darren O'Keefe**

Mr. O'Keefe is married to the general manager of the Quality Hotel and expressed a number of concerns on her behalf. Though the building is aesthetically attractive, he had a few questions about the January 16, 2012 memo in the meeting's agenda package which talks about a standing offer to purchase. All the discussion tonight is premised on the fact that this building will be purchased. Mr. O'Keefe was surprised to hear the City state that there is actually no current offer to purchase. All the assurances outlined about parking accommodation are, therefore, not guaranteed at this stage. Staff advised that a development agreement would be put in place for both 83 and 90 Duckworth St. and that (for the purposes of this application) Council approval for one parcel would be linked to an approval for the other parcel. The plans for parking are also



calculated within the land use assessment report. The proponent stated that all parking for both 83 and 90 Duckworth St. will be accommodated within the garage to be built at no. 90.

Mr. O'Keefe asserted that the general public has not been given the right information and are being told that a decision will be made on June 10<sup>th</sup> which does not make sense given the lack of secured ownership by the developer. He also questioned if the calculations for parking would change if the intended use of the site changes from hotel to condo. He further contended that the land use assessment report presupposes that the lot will be sold for a use that is also presupposed but which could change at any time. The City, therefore, does not have enough information to make a decision at this time as all the details are not fully and publically disclosed to the general public.

**Peg Norman:**

Ms. Norman felt that this whole meeting was nonsensical, given the numerous objections expressed tonight and the lack of information forthcoming. It is a proposal outside the scale and scope of what is permitted and to entertain such a proposal on city-owned property that does not even belong to the developer is absurd and unfair.

**Carlson Emberley - [REDACTED]**

Mr. Emberley supported the development, noting that it is one of the best development proposals he has seen so far for the City. His only concern, however, was with regard to parking availability in the downtown. His restaurant business has experienced more and more challenges with accommodating customers' parking. In the past twenty years he has had access to 3-4 parking spaces for his customers but now that has been taken away. He suggested that parking meters be installed along Plymouth Road so that his customers could have access as well as other businesses.

**Jeff Marshall [REDACTED]**

Mr. Marshall questioned how far away the development will be from his property line to which the architect answered: a minimum of 6" from the property. He also noted that there is an old oak tree in the yard which will inevitably die as its root system becomes exposed by the excavation for development. He questioned the cost of the tree's removal and who should pay for that. Mr. Reardon advised that if the oak tree is damaged as a result of the development, then Republic Properties will cover the cost of its removal. Staff advised that this is a condition which could be included within the development agreement as a security to ensure that such takes place.

**Jane Kingston – Manager of Quality Hotel**

The Manager of the Quality Hotel questioned how the developer will mitigate the disturbances to their hotel resulting from the approximate two year construction phase. Mr. Reardon advised that they will certainly work toward offsetting such through the installation of cladded scaffolding and imposing specified hours of work. He also suggested that clients who have to sleep during the day should be transferred to rooms on the other side of the building to lessen the noise impact.

Hearing no other comments, Councillor Galgay thanked everyone for attending the meeting which then adjourned at 9:06 p.m.

Councillor Frank Galgay  
Chairperson

# Submissions of Objection/Concern



To Whom it May Concern,

I have lived at [REDACTED] for 18 years and I am infinitely familiar with the joys and challenges of downtown St. John's living. As you can see from my longevity downtown, thus far the joys are outweighing the challenges. I read with very much dismay of the plans for both 83 and 90 Duckworth. I am in support of neither for different reasons.

#### 83 Duckworth

The notice I received said that the developers for this site have requested an increased building height of 21 metres. I do not support this request. One of my greatest joys in living at 7 Wood Street is that every morning when I awake, I look out my front second story window at Signal Hill and Cabot Tower while drinking my morning coffee. I have been enjoying this view for 18 years and this view was one of the major reasons I took the risk to buy a (at the time) round- down house on Wood Street. With the proposed building height increase for the "boutique hotel", it strikes me as ironic that people visiting the city for one or two nights who pay no municipal taxes will enjoy the view my house once had for the past 100 years. I also wonder if, indeed, we need another hotel in our neighbourhood with the Sheraton, the Courtyard, the Quality, Hometel, and many many B & B's already there. In fact, the Knock on Wood B & B has been for sale across the street for at least 2 years now. The neighbourhood is already crowded and overflowing with tourists in season. I do not support the development plan for this property at all and especially oppose the specially requested increase in height.

#### 90 Duckworth

Fire halls are special places. In the best of neighbourhood plans, this former fire hall would be repurposed to a community arts or recreation centre or library or other use in the public good. Given the rapid expansion, as of yet unfilled, condo developments in the east end of downtown, I don't think it is time for yet another-especially one on a site that was former used for the good of the entire community. I do not support the change in zoning from Downtown Residential to Apartment Residential for this property. As someone who has been exiting Wood Street onto Duckworth for 18 years, add a parking garage entrance on Duckworth for this property will make an already complex intersection even more complex for drivers and pedestrians alike.

The scale of the development for both properties threatens to create a concrete "jungle" tunnel, dark and cold reminiscent of so many other downtown scapes, and the beginning of one of our most important streets. I find it once again ironic that the development is called "lighthouse" as there is nothing light about it-it will both cast shadows were there is currently shadow and take the view from so many to benefit the few.

In summary, I do not support the development plan for either 83 or 90 Duckworth especially the change in height limit for 83 Duckworth.

Best regards,

TA Loeffler  
Wood Street

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May 17, 2013

Mr. Robert Smart  
City Manager  
City of St. John's  
P. O. Box 908  
St. John's, NL A1C 5M2

Dear Mr. Smart:

Reference: 90 Duckworth Street, St. John's, NL

As a follow-up to our letter of July 13, 2012 relating to the option by a Developer to purchase civic #90 Duckworth Street, we understand that there will be a hearing to consider a rezoning of this property.

This property is either within, or adjacent to, the Downtown Historic Area; and it appears as if it has become commonplace for Developers to apply for, and for the City to agree with, developments in the Historic Section of the City which are contrary to the objectives of the zoning regulations.

It is noted in your letter of July 30, 2012 that the City is not accepting other offers for the property, notwithstanding the fact that there is no formal agreement to sell this property to the Developer. This gives the appearance of preferential treatment for this particular Developer.

In the absence of the existing proposal for rezoning being approved, it is requested that this property be sold to our group for the sum of \$556,000.00, which is the same price that had been accepted by the City from the proponent.

Yours truly,

**PROJECT MANAGEMENT & DESIGN LIMITED**

N. V. Bruce Pardy,

President

cc Mayor Dennis O'Keefe  
Mr. Mark Hefferton, Planner

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Dear City Clerk,

As an attendee of last night's public meeting on the re-zoning applications of 83 and 90 Duckworth Street, I was confused by the lack of transparency regarding the transfer of ownership of 90 Duckworth St.

As 90 Duckworth is currently owned by the city of St. John's and many unanswered questions about the "option pending" to the developer remain outstanding **I request that the matter be differed until adequate information can be publicly discussed.**

"The person with that information was supposed to be here but is not. I can't answer that question," was heard several times from city staff last night.

Many complying uses for this site are possible. Before we re-zone and bend/break existing rules, we need to discuss all the options with all the stakeholders in a frank and transparent way. That did not happen last night.

Respectfully  
Garfield Brown for Red Ochre Gallery  
94 Duckworth St.

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From: <reservations@atwitsinn.ca>  
To: sduff@stjohns.ca, cityclerk@stjohns.ca,  
Cc: "Janet Stenson" <janet.stenson@gmail.com>  
Date: 2013/05/22 04:28 PM  
Subject: Zoning of hotel on Duckworth Street

Unfortunately, we are not able to attend the public meeting this evening that will discuss the developments proposed for 83 and 90 Duckworth Street. However, we would like to express our serious concerns with this development and particularly the proposals to exempt 83 from the height restrictions and to rezone 90.

The first issue of concern is that the plans for this development are not clear. In the memo from Mr Johnston to the planning committee the development at 83 Duckworth is described as being 5 stories (1 office/shops, 4 hotel) and the building at 90 Duckworth as also being 5 stories (2 parking, 3 residential). In the notice for this meeting however, the development at 83 is described as being 6 stories (including the need for exemption from the height restriction) while the building at 90 is described as 4 stories with a 5th underground. It appears as if the plans for the development at 83 was not the same as that reviewed by the planning committee and therefore should be sent back for further discussion on this issue alone.

Being owners of a Bed and Breakfast, we are well aware of the need for more accommodations in St. John's. Even with this caveat, however, as owners of a house nearby (it is literally in our back yard) we are very familiar with this area of the city. Already, the corner where this development is proposed is extremely busy most of the day. The corner of Duckworth and Ordinance is the main funnel of traffic from the east end and outlying areas into the downtown area. Adding a large hotel/condominium complex on both sides of the street, would increase the congestion tremendously, blocking traffic as far back as Kings Bridge Road. Having all of the parking for the guests on one side and requiring them to cross the road would simply add to the congestion. The increase use and traffic will also increase the noise level for those of us living in the area.

Much of the area surrounding this proposed development is residential which already has severe parking problems. The people living and trying to use the existing business in the



area have problems finding suitable parking spots, particularly during the winter and busy summer tourist season. The presence of additional shops, condominiums and a hotel will add to the parking problems residents already face. The proposal for 90 Duckworth calls for two stories of parking, but this parking is intended for the residents of these two buildings and would not alleviate the problem of the additional parking required by friends, visitors or people shopping in the area.

The memo from the director of planning concludes that these developments would "enhance the area by removing two buildings which have little architectural merit and creating an entrance feature to the downtown through quality design". Although we do not dispute the current buildings have little merit, we do dispute the notion that putting up large condominium/hotel complexes on either side of the street has any element of 'quality design'. The lot at 90 Duckworth is currently designated as Residential. This block is a heritage area that is filled with older (many Victorian or Edwardian) homes that define the downtown area. One of the unique features of St. John's that brings people to visit and live here is the vibrant downtown where people can live in older homes rather than in 'tall boxes'. Since taking over our B&B we have hosted hundreds of people; a consistent comment is that they enjoy St. John's because of the nature of the downtown and that it maintains the traditional downtown architecture.

A six (or five) story building across from a 4 story parking/condominium does not create a 'gateway'. It creates a wind tunnel that will increase the already severe winds we encounter living in St. John's. These buildings will be almost as tall as the Sheraton and together they will form a narrow chute that will feel like a tunnel coming into the downtown area. A true gateway would provide an alluring entrance to the downtown that is keeping with the historical architecture and buildings (including height) that are already there.

We strongly urge you to turn down this rezoning application.

Garry and Janet Stenson

*At Wit's Inn Bed and Breakfast*  
3 Gower Street, St. John's NL

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From: Roy Hoogstraten  
To: mhefferton@stjohns.ca  
Cc: rhonda.hayward  
Date: 2013/05/22 01:16 PM  
Subject:

Good morning Mark,

I'm addressing this letter with areas of concern for tonight's public meeting.

This pertains to the proposed rezoning and project for 90 Duckworth Street.

This is the entrance to the historic downtown core and it has to be done as professional as possible.

Having a building up as high as that for this area is unexceptable.

The rules and by-laws are in place for a reason and should be upheld.

Areas of concern

- the proposed applicants wish to increase the height from 15 metres to 21 metres
- what does the city have in writing with regards to this issue?
- the lack and or lose of privacy needs to be addressed
- the concern with noise and time line of this project
- what will this do to the tax base for the area?
- there also is a concern for safety with regards to motorists and pedestrians having the view blocked coming off Ordinance Street to Duckworth Street
- we would also like to see the deed to the property (90 Duckworth) which seems to still be in the hands of the city
- who owns the property and why was it not put into Republics name?
- why was the sale of the property not made public, in the event that the abutting residents would have have been able to make an offer to purchase?

This is a list of concerns that property owner Rhonda Hayward (10 Wood Street) has with the above project.

Please review and note that this letter was recieved on or before the public meeting with regards to the 83 & 90 Duckworth Street Proposal taking place on the 22nd of May 2013 at St.John's City Hall.

Regards  
Roy Hoogstraten

On behalf of Rhonda Hayward

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To whom it may concern,

I would like to express my dismay about the proposed Lighthouse Development for 83 & 90 Duckworth St. I believe the scale of the buildings proposed, in particular the 6 stories proposed for 83 Duckworth St. is disproportional to the existing building currently occupying the site and those neighbouring it. I have looked through the documentation provided by the City. The proposed structure at 83 Duckworth would dwarf the Quality Inn, extending at least 4 stories above it according to the drawings. In doing so it would also take away the view corridor of Signal Hill that I currently enjoy from my residence. One of the joys of living down town is being able to look and catch glimpses of the harbour and its surrounding hills. I find no such joy

looking at mere brick and concrete, and feel that the loss of our view of Signal Hill would negatively affect our property value.

The other building proposed, 90 Duckworth makes my heart sink as well. First of all it would end up smack dab abutting my neighbours' back yard, with all the loss of privacy and view that would entail. It too would tower above their houses, and the suites on the top floors would have a clear view onto my residence and into my windows, impinging on my privacy and taking away a significant part of the skyline I see out my street facing windows. Actually most of what I would see out my front windows would be dominated by the two proposed buildings .....

Secondly the building would occupy the corner of Ordnance and Duckworth, a corner which already feels fairly complex and crowded with the large amount of pedestrian and vehicular traffic. Adding entrances and exits to a parking garage to this busy corner doesn't seem very prudent.

Thirdly ... why has a city building been turned over to a developer? Could it not be turned over for use as a community space?

It also appears that the proposed 83 & 90 Duckworth buildings will be built right to the property line, taking away the spaciousness that currently exist in that part of the neighbourhood. Has a wind study been done to see what the effect will be of adding two tall buildings to this currently fairly open location? What we don't need is to create a wind tunnel, kicking up dust and making walking difficult in our already windy city.

Please register my objections to this proposal.

Thank you  
Marian Wissink





73 Duckworth St.

St. John's, NL

A1C 1E6

May 21, 2013

The City Council of St. John's

Dear Members of Council:

We, the owners of Classic Café East, would like to submit our concerns regarding the recently received Notice of Public Meeting regarding the *Light House Project* for 83 & 90 Duckworth Street on Wednesday May 22, 2013 at 7:00pm at City Hall.

As business owners, we own and operate the adjacent premises at 73 Duckworth St. and have a number of questions and concerns, which we wish to have addressed before any final commitments are made by council in this matter.

Our concerns are noted as follows:

- 1) What impacts will this construction project have on local parking in front of the existing premises? There are several street-side parking spaces in front of the existing building which provide parking for patrons of our establishment. If these spaces are going to be blocked during demolition and/or construction of the project, it could have potential foot traffic impacts (and subsequent revenue implications) to our operations.
- 2) What will happen to the existing walkway which adjoins our premise with the existing premise next door? There is an alleyway between both our premises which, once demolition and/or construction of a new premise next door, will have impacts to our alleyway. This alleyway is presently used as an Emergency Exit and a loading area for supplies for our business. Impacts to this alleyway must be addressed prior to initiation of any demolition or construction.
- 3) Does this hotel project propose to have any competing interests for our operation – i.e. is there any planned restaurants to be included within the hotel design. If there are, this is of greater concern to us as business owners of a restaurant immediately next door. While we favor competition, inserting another restaurant in the immediate vicinity where there are already three restaurants within two blocks, will impact not just our operation, but the operation of similar restaurants in our area. This type of information should be made public and open to discussion before approval of this project is granted.
- 4) How will the construction zone interfere with the ongoing daily operations of neighboring businesses?

Our restaurant provides a stable income to our employees who have been loyal to us for many years. During peak periods we employ upwards of 20 people. So as you can imagine, we have a considerable interest in ensuring that our operations are not impacted by this proposed construction project. It is not only a monetary investment on the part of us as business owners but we must also consider the impact to the lives of our employees.

Residents and business owners in our City have a right to the normal and usual enjoyment of their residential and business property, and also the right to preserve and enhance the value of their financial investment in this property, both to the greatest extent possible. City Council has clearly expressed its interest in protecting citizen rights in a document entitled “City of St. John’s: Downtown Strategy for Economic Development and Heritage Preservation”. As quoted on page 26, sites on Water Street East and Duckworth Street East “could be developed in a manner that would respect the views of surrounding property owners and ensure that these valuable views are maintained”.

In summary, we respectfully request that City Council ensure all questions and concerns are satisfactorily addressed before committing to the proposed LIGHT HOUSE PROJECT development at 83 & 90 Duckworth Street.

Fred Reardon & David Heffernan (Business Owners)

Classic Café East



From: [REDACTED]  
To: cityclerk@stjohns.ca,  
Date: 2013/05/21 07:17 PM  
Subject: Light House Project

I, Aileen Macdonald and my husband, Robert Adamec , own [REDACTED]  
While  
we look forward to development of the downtown, we do not support the raising  
of the development of Civic 83 Duckworth to 21 metres. We feel that the  
stunning view of the St John's harbour is for all citizens wherever they  
reside  
and that the harbourside is not the place for highrise buildings.

Signed: Aileen Ann Macdonald and Robert E. Adamec

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Hi Karen, I didn't realize the meeting related to the Duckworth construction was tonight. I am totally  
opposed to raising the height restriction for the following reasons:

- 1) I purchased my house at [REDACTED] in the `1980's it was because it was in the heritage area and I  
knew I would have a view of the harbor and that the area was height restricted.
- 2) When I renovated the front of my house three years ago I had to have special permission to  
change the windows from stained glass blocks to plain glass only because you cannot buy the  
glass anymore. But I had to keep the exact same shape to the windows.
- 3) Parking is next to impossible on the street and can city hall guarantee there is parking for all  
tenants employees and customers in the two proposed buildings
- 4) Why do heritage district bylaws allow some people to break the rules. Why are bed and  
breakfasts restricted in some areas but these other commercial buildings are tolerated and the  
height restriction lifted.
- 5) I will be so disappointed if Shannie Duff, the champion of heritage in the city is in favor of this.

Thanks  
Wayne Hickey

[REDACTED]

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Please accept this letter as a petition against the Building project for 83-90 Duckworth Street. I am currently employed with Quality Hotel Harbourview. If the project goes ahead it could have the following consequences for us:

- The building on 83 Duckworth (site of Crazy Horse) will be at least 4 stories higher than our building. We will completely lose our views of the city
- Our hotel will no longer be seen from Duckworth Street and our signage will also be covered
- The courtyard area will be in virtual darkness as a result of the large building
- The construction noise will no doubt ensure that we lose some or part of our business. Construction is likely to last 2-3 years
- We will not be able to bid for crew contracts etc as the construction noise will be too loud to facilitate
- Debris and dust from the construction will be unbearable
- Our guest rooms will face into the other guest room property which will have balconies and bright lighting
- Once construction starts and the foundations are dug, the excavation process etc will likely cause irreparable damage to our building and foundation
- During construction we will likely at times lose water and power as they hook up the new development
- Continuous complaints from our remaining customers due to noise, debris etc
- Difficult work environment for staff members
- It is likely that a 500 tonne crane will be positioned on Water Street and have to reach over our building to service the new development causing huge safety concerns
- If there are no guests-quite simply-there may be no jobs
- Traffic in the area will be gridlock and pedestrians and guests and staff from this hotel will have their lives put at risk every time they leave the building due to the construction on Duckworth.

Please do not let this project go ahead.

Sincerely

Jackie white

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From: Jackie Lundrigan  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>,  
Date: 2013/05/24 02:55 PM  
Subject: 83-90 Duckworth Street

Good Afternoon:

Please accept this letter as my objection to the construction proposed for 83-90 Duckworth Street. Some of my objections are listed below.

- The building on 83 Duckworth (site of Crazy Horse) will be at least 4 stories higher than our building. We will completely lose our views of the city
- Our hotel will no longer be seen from Duckworth Street and our signage will also be covered
- The courtyard area will be in virtual darkness as a result of the large building
- The construction noise will no doubt ensure that we lose some or part of our business. Construction is likely to last 2-3 years
- We will not be able to bid for crew contracts etc as the construction noise will be too loud to facilitate

- Debris and dust from the construction will be unbearable
- Our guest rooms will face into the other guest room property which will have balconies and bright lighting
- Once construction starts and the foundations are dug, the excavation process etc will likely cause irreparable damage to our building and foundation
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- Continuous complaints from our remaining customers due to noise, debris etc
- Difficult work environment for staff members
- It is likely that a 500 tonne crane will be positioned on Water Street and have to reach over our building to service the new development causing huge safety concerns
- If there are no guests-quite simply-there may be no jobs
- Traffic in the area will be gridlock and pedestrians and guests and staff from this hotel will have their lives put at risk every time they leave the building due to the construction on Duckworth

Sincerely  
Jackie Lundrigan

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----- Forwarded by Phyllis Bartlett/CSJ on 2013/05/27 09:09 AM -----

From: ramona sturge >  
To: cityclerk@stjohns.ca,  
Date: 2013/05/24 09:09 PM  
Subject: 83\_90 duck worth St

83\_90 duck worth street... I oppose the building plans on this site by city..blocking view from hotel and restaurant next store

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From: Gary Squires  
To: cityclerk@stjohns.ca,  
Date: 2013/05/25 11:17 AM  
Subject: 83 & 90 Duckworth Street

I work at The Quality Hotel if this project on 83-90 Duckworth St. goes ahead you are looking at shutting down a business that has been in the downtown area for over 20 years. The noise from the construction for over 2 years, who would want to stay in a hotel with that noise going on all day & when the project is over 1/2 the half of the hotel would be in the shade, So this project will put 40-50 people out of work.

**I AM STRONGLY AGAINST THIS PROJECT ON 83-90 DUCKWORTH ST GOING AHEAD**

Gary Squires

----- Forwarded by Phyllis Bartlett/CSJ on 2013/05/27 02:15 PM -----

From: FUNG CHU CHANG  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>,  
Date: 2013/05/27 01:46 PM  
Subject: 83 & 90 duckworth street

I am writing to oppose the development of the above address . This development will pose a huge problem for us if the city grants the development. The construction noise will be too loud and debris and dust from the construction will be unbearable. Traffic in the area will be bad for pedestrians and guests of our hotel. will have our lives put at risk every time we leave the building due to the construction on Duckworth. And my job will be at risk as our hotel business will be badly effected.

Thank you for your attention  
Fung Chu Chang

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-----Forwarded by Frank Galgay/CSJ on 05/27/2013 08:57PM -----

To: citycouncil@stjohns.ca  
From: Jeff Marshall < >  
Date: 05/27/2013 04:46PM  
Subject: 90 Duckworth

Dear Members of Council,

My name is Jeff Marshall, and I live at [REDACTED]. I share a property boundary with the proposed development of the former Fire Station at 90 Duckworth. I have several concerns with regards to this project. But, for the sake of brevity, I will focus on one.

At the public meeting last week I asked the developers how close the foundation of the building will be to my property line. They replied that this structure will be built a minimum of 6 inches from my property line. I urge you to take a second to think about how little space 6 inches actually is, especially given they have requested to build 15 metres high. Given the proposed dimensions of this building, it will completely surround 8, 6, and wrap around to the Red Ochre Gallery on Duckworth. From my backyard, there will be nothing besides a 15 meter building to be seen in all directions. It will be like living at the base of a cliff.

I ask you to reject the project as proposed based on this alone. If I wanted to build a 3 metre shed it would not be allowed that close to a property line. Why should a 15 metre building be any different? I request that the same rules apply to this development as would for any residential build.



Thank you for your time. Dr. Jeff Marshall, BScKin, DC, CSCS

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----- Forwarded by Phyllis Bartlett/CSJ on 2013/05/28 08:33 AM -----

From: Paul Matthews  
To: cityclerk@stjohns.ca,  
Date: 2013/05/27 07:47 PM  
Subject: Proposed development @ 83 & 90 Duckworth Street

I am writing to oppose the development of the above address in the strongest terms! .

As a frequent pedestrian of the area who enjoys walking and shopping in the area I cannot conceive approval of this type project given the already congested area. In spite of the present congestion there is still an attractive ambience afforded in part by the small sized structures and the resultant "nearness" to the harbour. There already exists three hotels in this space and this alone should be sufficient cause for pause. Traffic in the area will increase exponentially at the cost to be pedestrians, traffic and the total enjoyment parameters of our down town.

I urge common sense to prevail in the council's deliberations.

Paul Matthews

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----- Forwarded by Phyllis Bartlett/CSJ on 2013/05/30 10:59 AM -----

From: CN246hkp  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>,  
Date: 2013/05/30 09:30 AM  
Subject: 83&90 Duckworth Street

Hi,

I was reviewing the development for Duckworth Street. I have been working at the Quality Hotel for 20 years.

If this project goes ahead it will have a great impact on my live. I am a single mom trying to raise two kids on my own .

I need this income.

The construction of this building is going to greatly affect the Hotel. The construction will not be done in a few days,

We have airline crews that sleep during the day. The noise generated from the construction will cause us to lose a lot of business.

People have a hard time finding the Hill O' Chip's now, I can only imagine what it will be like once this construction gets underway.

I grew up in downtown St. John's. I do realize that there is much growth in the city, but do we really need to add another tall building to the area. Is the city really that money hungry that you need this type of construction.

I don't believe this new building will have any positive impact on the city.

It is only going to cause a loss in jobs for many of my co-workers.

The streets in this part are too narrow for this type of construction.

There will be many accidents downtown. Everybody loves to drive downtown,

To see the cruise ships when they are in the harbor. This causing crazy traffic, will cause more accidents.

Either that or the people who are running through the traffic will be hit by the cars driving.

I hope that you people would consider the people who are living and working in the downtown area before you let this project happen.

I do realize that you really don't care if I lose my job. I do care about the downtown area.

I love Downtown and don't think we need all these changes.

Tammy Grenning

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From: Judy Portes  
To: cityclerk@stjohns.ca,  
Date: 2013/06/02 04:50 PM  
Subject: 83&90 DUCKWORTH STREET

I am contacting you in regards to this proposed development mentioned above. I am very much opposed to this as it effects my livelihood and job.

I work at the Quality Hotel Harbourview and have been for the past 17 years.

I am a single mother and totally depended on my income not only in order to buy food but pay rent, heat/lights, clothes,gas ect. My son has a learning disabilities so needs more care I will lose my medical /dental benefits if I lose my job. My job is my lifeline to the outside world.

If this development goes through it may mean that either I lose my job or have my hours cut drastically ,neither can I affort to happen.

At the Quality Hotel we will have to deal with loud noise,dirt, debris not to mention maybe the lose of water and power at times. Would you stay at a hotel that is right in the middle of all this not to mention our guests, I don't think so. Simply put if we have no guests we have no work which means we have no jobs.

One of our main drawing features is the fact that we are in the downtown area and have the best view of the harbour, Signal Hill and the Southside Hills as well as the city. If this development is allowed to go ahead we will lose all the view of the city facing up Wood Street, part of Duckworth Street, Ordinance Street and up to Sheraton Hotel onto Military Road and surrounding areas.

Please consider all the other people and business in this area which is one of the best and most beautiful cities in Canada. Money isn't everything when people's livelihoods are on the line. Please consider that when you make this decision.

Thank you

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*Judy*

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May 20, 2013

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

To the city council members,

We would like to submit this letter of representation to be entered into public record in lieu of our ability to attend the council meeting on May 22<sup>nd</sup>. We would also request that it be read at said meeting.

As residents of [REDACTED] we would like to express our opposition to the proposed developments at civic 83 and 90 Duckworth Street by Republic Properties. While we do not object to the development of these two properties, our concern arises from the proportions of the proposed buildings and their appearance.

The buildings are described as a gateway to the downtown core entering from the East end. At 4 and 6 stories respectively, we feel that they will dwarf other historic buildings, both commercial and residential, in the vicinity. They also appear to have very limited set-back from Duckworth street, making their height even more oppressive.

If the artist's rendering of the proposed buildings is at all accurate, they, in our opinion, clearly do not "fit" with the historic architecture of the area. We understand the building at 83 Duckworth was inspired by the Delgado building, but we submit that

there is no comparison between the proposed architecture and the classic structure on Water Street.

Of additional concern is the fact that the wedge shaped lot at civic 83 appears far too small to accommodate such a large, imposing building. Indeed, the plan proposes parking across the street at 90 Duckworth because of this.

This raises yet another issue, the increased traffic flow in an already busy and often congested intersection.

We believe that the council's decision to change the zoning to accommodate the additional 2 floors on the new Marriot building has set a dangerous precedent. This will forever change the landscape of the downtown core in a negative way. Suddenly, older historic buildings are now ripe for demolition, since they are 'too short' to be of any value (in the developer's view).

It is unclear to us why residents of the historic district are restricted in their renovations and building endeavours but commercial development within historic areas doesn't seem bound by any limitations whatsoever. Residential and commercial areas, after all, are part of the same historic district and have co-existed for many years.

This council has an opportunity, and a responsibility, to ensure that this wonderful, historically rich city is preserved for future generations. Development needs to be "smart" development that builds on its character rather than destroying or changing it permanently. This means carefully evaluating potential projects and their impact. Buildings are easy to put up, but they take years to come down.

To that end, the city should consider setting aside a core historic area with its own specific and more stringent commercial zoning bylaws. Perhaps the city and council can look at and learn from cities in other countries around the world. There are many examples in Europe that have set aside historic districts and have learned to exploit rather than destroy what they have. We also feel there needs to be a committee or custodial body that has final say over such matters to ensure responsible development (i.e. heritage committee should have more say over development in the historic core). Thank you for considering our opinion. We truly hope that council recognizes what a fabulous city this could be with the appropriate development plans in place.

Gary and Sandy Adams  
Residents of Gower Street

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Dear Sir

I am in receipt of the notice for the hearing scheduled for May 22 as I will be unable to attend in person. I am opposed to this development on the following grounds:

1. The increased height will create an unpleasant towering over/closing in/shadowing of this street area - which is bordering many residential units.
2. The increased size will likely cause more traffic congestion in an already high traffic area. While the number of cars cited in the city's report may not be great, the additional traffic entering a very busy and awkward traffic flow area will be a problem.
3. Among the still lovely things about St. John's are the vistas. This 22 foot increase to height beyond the current City plan is excessive - why have a plan which was developed for good reason, if it is to be varied at request?
4. I object to rezoning of a residential area as would be required for one of the buildings - yet one more step to infringing on downtown residential areas.
5. I wonder if the already old and deteriorating water systems in the area really will be able to accommodate additional hotel space?
6. Please let's stick with the City's plan and not allow such variances. Thanks for considering my views.

Penelope

Rowe Forest

Road

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First of all, I would like to express my delight that 83 and 90 Duckworth St. are being re-developed. However, I am not in favour of a development there, which is going to exceed the fifteen metres. Why make regulations which end up being ignored on regular bases. Twenty-one metres is an extra one-third of the regulation.

The only accessible view of the harbour at sea level is from the two small parks, namely; The Harbourside Park and The Terry Fox Monument. The monstrous new restaurant, which is nearly in the harbour, offers a view to those who can afford to eat there.

We do, however, because of the hilly terrain of our city, have wonderful view plains of our downtown, harbour and Narrows. These view plains will be destroyed if we keep building architecture beyond fifteen metres. It seems to me that very few people at City Hall or on Council appreciate the uniqueness of our wonderful City. Ordinary cities are ubiquitous, ours is special, but I suspect not for long.

Hopefully

, Jean

Burnell

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Historic Integrity of general site

## East-End Fire/Police Station (Wood Street – St. John's)

East-end Fire/Police Station opened in 1895 when the then volunteer Fire Dept. became part of the Newfoundland Constabulary and its members were called Fire Constables.

Three Fire/Police Stations in St. John's: East-End at Wood Street; West-End at Gower St, and Central at Fort Townshend.

Each Station housed fire apparatus and the living barracks for the firemen and policemen-(12).

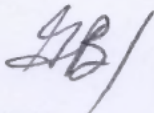
Dates when police lived in Stations: 1895-1917; 1923; 1935-1939. My father Constable Bernard Browne lived in Barracks at the East-end Station

I contend that these stations are an integral part of the illustrious history of the oldest police Force in the British Colonies, and of the renowned St. John's Regional Fire Services.

As a local author and historian, I ask that somehow, through discussions with the City Council, developers and respective historic societies of the RNC and Fire Department that the proud history of this site and the people who served from within it be recognized and celebrated.

CATED?

Prepared by: Gary F. Browne, M.O.M.



For City of St. John's Public Forum 2013-05-22





Suite 900 Atlantic Place  
Water Street, P.O. Box 1538  
St. John's, NL  
Canada A1C 5N8

Kenneth J. Byrne  
Lawyer  
T 709.570.7254  
E [kjbyrne@bensonbuffett.com](mailto:kjbyrne@bensonbuffett.com)

## WITHOUT PREJUDICE

June 7, 2013

### By Email and Facsimile

St. John's City Council,  
c/o Office of the City Clerk  
10 New Gower St.  
St. John's, NL

Dear St. John's City Council:

**RE: RED OCHRE GALLERY AND 'THE LIGHT HOUSE PROJECT' DEVELOPMENT ON #83 & 90 DUCKWORTH ST., CITY OF ST. JOHN'S**

I represent the Red Ochre Gallery Inc., located on 94/96 Duckworth St. it sells works from over 20 local visual artists (hereinafter the "Gallery"); these artists depend on the Gallery for their livelihood. The building housing the Gallery has won a Heritage Southcott Award and the area is widely recognized as of significant impact for the tourism industry.

Brenda McClellan is the director of the Gallery; her property and this business is immediately next door to the proposed Light House Project (hereinafter the "Project") and will be most affected by the development of the buildings at the #83 & #90 Duckworth St. sites. Brenda McClellan has considerable concerns to the proposed Light House Project development and with good reason, as will be outlined below.

Yesterday, June 6, 2013, Brenda McClellan and I met with Ken O'Brien, Manager of Planning and Information, Department of Planning for the City of St. John's; as Brenda McClellan was unable to attend the May 22, 2013, public meeting due to being out of the province, yesterday's meeting was understood to be an extension of the public consultation process connected to the Project. It was a very positive meeting, and certainly both Brenda McClellan and I felt that her concerns were taken seriously.

Despite the fact that Brenda McClellan has just returned from her holidays, and has not had sufficient time to gather information and document her concerns for an appropriate submission to council, the Red Ochre Gallery is opposed to the Project because, in brief summary:


- i). the Project will negatively impact the business of the Gallery:
- ii). the Project will infringe on the prescriptive rights the Gallery has acquired through the use of the adjacent land:
- iii). the Project is a violation of the zoning restrictions and heritage guidelines, and the buildings are unsuitable for the area:

The above is merely an outline and Brenda McClellan requires more time to develop and prepare an informed submission to the Council Members. Therefore, the public consultation process is not complete and further consideration has to be given to the very serious impacts of the Light House Project now coming into view.

Respectfully, Red Ochre Gallery therefore requests a reasonable deferral by St. John's City Council of its consideration of Light House Project, scheduled to come before the council on Monday June 10<sup>th</sup> 2013.

Yours truly,

Benson Buffett PLC Inc.

  
KENNETH J. BYRNE  
KJB/kb  
Encl.





Red Ochre Gallery  
96 Duckworth St.  
St. John's, NL  
June 7<sup>th</sup> 2013

St. John's City Council,  
Office of the City Clerk  
10 New Gower St.  
St. John's, NL

Dear Mayor O'Keefe, Deputy Mayor Ms Duff and Council members  
Dear Mr. Martin

I should like to ask for a deferral of the issues for consideration by council regarding the Light House Project, scheduled to come before the council on Monday June 10<sup>th</sup> 2013.

There are a number of issues regarding the proposal, which involves two new buildings at # 83 & #90 Duckworth St . These are of some considerable concern for me as I own the property and business most affected by the development, particularly at #90..

I have only just returned from my holidays out of the province and have not had time to gather information and document all of my concerns for an appropriate submission to council.

There are several serious issues involved and you will be receiving information and a request for deferral from my lawyer Ken Byrne of Benson/Buffett later this morning.

Yours sincerely,

Brenda McClellan  
Owner of the Red Ochre Gallery  
94/96 Duckworth St.  
726 6422

# Submissions of Support

From: Jordan Power  
To: cityclerk@stjohns.ca,  
Cc: citycouncil@stjohns.ca  
Date: 2013/05/22 10:31 PM  
Subject: Notice of Public Meeting - 83 & 90 Duckworth Street

Hello,

I was not able to attend the public meeting but from reading the Land Use Assessment Report I am very pleased with this project. Currently the area is unattractive and under-utilized, but it's a fantastic location. I think the design that Republic Properties has come up with is excellent, and will fit in perfectly in this area. From the renderings it appears they have designed a development that respects our city's heritage while still adding a few modern touches. As you are well aware the city needs more hotel space, which this development provides. The residential units will also mean more people living and revitalizing our downtown.

I think it will be an absolute shame if this development is not approved. Developers are going to be turned off from building in the downtown if the city is going to enforce the new downtown parking guidelines without compromising on the height of new developments. Height limits are important to keep the character of certain areas of our downtown but I feel this is an area where council should make an exemption and allow the developer to go a bit over.

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Dear city council,

I write to you from afar in support of the developments proposed for 83 and 90 Duckworth Street. My letter of support may be too late to be seen before the public meeting, however I feel it is important that my opinion be known.

After viewing the LUAR and other details about the project, I believe this would be a positive addition to the neighborhood. It is quite apparent that the developer has made an attempt to integrate these properties appropriately into its surroundings, with a mix of residential development to bring people into the downtown core, as well as commercial space to keep the neighborhood both alive and walkable. The hotel portion of the development will help to alleviate the need increasing need for hotel space within the city, and especially the desire for such space in the historic downtown core, where the majority of tourists desire to stay during their travels. The design of the buildings is nothing short of magnificent. It is both bold and eye-catching, all the while being mindful of its location in the most historically sensitive area of our city. The designs have a certain European charm to them; while at the same time both being "modern" and something we could look back on in the future as a "continually attractive". The height, while slightly higher than the restrictions allow, would still be within reason in that area of town, and would still blend in nicely with its surroundings. All the while this development would be replacing two unsightly buildings. One which is destined to forever be an empty parking lot if not developed now, and the other which is an unsightly ex-strip club which does nothing for the neighborhood it is in.

I normally do not feel the need to write written support for developments; however I'm beginning to feel that a vocal minority may have more impact on a decision than a silent majority. For every letter of opposition there will be many people like myself, who do not typically speak up. I hope that our city can

keep moving forward in such a way that I will eventually be able to return back to the place that stole my heart.

Luke Stewart, Charlottetown, PE (Formally of Oxen Pond)

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To: citycouncil@stjohns.ca  
From: Brandon Copeland  
Date: 05/22/2013 08:05PM  
Subject: 83 and 90 Duckworth Street

It was with great disappointment that I was unable to attend tonight's meeting on 83 and 90 Duckworth Street.

However, it is with even greater disappointment that I listen to live updates and hear how negative the mood is at the meeting in regards to this project.

It is becoming a tired story here in the city, where any time a proposal is brought forward in our downtown, regardless of its merits, we have a small community up in arms trying to derail it.

This project does everything we may want. It adds density to our core; in particular, it adds density to an area that is less dense than the rest. Moreover, it replaces two unused buildings that exist now. One, a former strip club, does nothing to add to the neighbourhood. In fact, it detracts from it, and it not an enjoyable location to walk past. On the topic of aesthetics, the architecture of this building is not the least bit offensive, and blends in with our style more than some proposals which have been accepted. The added benefit of street-level retail results in a building that interacts with the sidewalk, and draws in pedestrians. As I'm sure many of you know, a building that interacts directly with the sidewalk and those using the sidewalk is a necessary component to any thriving urban environment. From a smart urban-planning perspective, this building shines.

As Councillors, your job is to lead the city in the direction it needs to go. While catering to the vocal, misguided few may be the easy way to vote, I do not believe that it is the right way to vote. As far as I am concerned, any councilor who truly believes in smart growth, in a strong urban core and in our cities positive development would be foolish to allow this project to pass us by. Such a decision would be a major disservice to St. John's.

I will be petitioning my friends (young people like myself with a vision for this city) to write and express this support in an attempt to make up for our absence tonight. I urge you to vote in favor of this project, and lead the city in a direction that will result in me not needing to write such passionate letters every time a good proposal is put forward.

Thank you for your time,  
Brandon J



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To: citycouncil@stjohns.ca  
From: "Power, Kathryn Margaret"  
Date: 05/22/2013 08:45PM  
Subject: 83 and 90 Duckworth Project

Hello, Just voicing my support, as a young person from St. John's, for the hotel/condo development project at 83 and 90 Duckworth street. I am a young professional working in the oil and gas field and I think these sorts of smart developments are exactly the type of progress our city needs to embrace on a go-forward basis.

Thank you

Katie

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To: citycouncil@stjohns.ca  
From: Ryan Crocker  
Date: 05/22/2013 08:49PM  
Subject: Regarding 83 and 90 Duckworth Street

Good day, City Council,

I just wanted to follow up regarding my comments at tonight's public meeting. I'm much more eloquent in writing and prefer to express my opinion that way.

This proposal is a fantastic one for St. John's. It makes me so proud to think such a drab and shameful corner of our city could be transformed into such a showpiece.

This is smart urban development - these are the types of proposals proven to breathe life, vitality, youth, and sustainability into a neighbourhood. It's just a brilliant project.

It's shorter than the currently-allowed height directly beside the Ordnance Street houses.

It's on the backside of the Quality Inn - so I've no idea what she meant by her guests losing their views. They couldn't see anything but the backside of the Crazy Horse anyway.

As for the loss of private views... we cannot hold back a city of 200,000 to save the views of two. It's irresponsible.

We all know the vast majority of the population could not possibly care less whether this project is approved or denied. Those who oppose proposals are the ones motivated to speak out about them. Please keep that in mind when you balance your consideration of views for and against.

We need a proper downtown, and it needs to expand. This is a growing city - and one that it is, in many ways, losing to its suburbs. Proposals like this are what will set us up for the future.

I'd love to buy one of these residences. It's ideal. And, currently, there are basically no finished downtown condos to choose from so we really have a lot of catching up to do in that regard.

I strongly support your approval of this proposal. I can't say enough good about it. Often times I have to compromise and support a development despite having some concerns (like the hideous Hilton, or the tacky Marriott). But this project is a proper 10/10, no question.

Thank you for your time and consideration,

- Ryan Crocker  
Prince of Wales Street  
St. John's

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To: citycouncil@stjohns.ca  
From: Lucas Langdon  
Date: 05/22/2013 09:17PM  
Subject: Comment on 83 & 90 Duckworth Project

Hello.

I would like to express my support for the proposed 83 & 90 Duckworth Street development. It would make sense to replace an eyesore with something nice that will make the downtown core more appealing. Considering the space is right in plain view of the Sheraton Hotel and other high rises in the surrounding area, it's the perfect spot for this kind of development.

Thank you for your time.

Lucas Langdon

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To: "citycouncil@stjohns.ca" <citycouncil@stjohns.ca>  
From: Jon Murphy

Date: 05/22/2013 10:09PM  
Subject: 83-90 Duckworth Street

Hello St. John's City Council,

I would just like to write to voice my support for the proposed development at 83-90 Duckworth Street. I think this is a beautiful proposal for these lots and would be a wonderful upgrade to the current old and abandoned buildings. Not only are they aesthetically pleasing, the addition of residential, retail and commercial space to the downtown during a time of such growth in our city is certainly welcomed.

Thank you

Ward 2 Resident  
Jon Murphy

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To: "citycouncil@stjohns.ca" <citycouncil@stjohns.ca>  
From: Adam Coffey  
Date: 05/22/2013 11:23PM  
Subject: Support for new

Hi,

I am writing as a concerned citizen concerning the new development proposed for the old crazy horse and old east end fire hall. I think this is a great and forward thinking project that will greatly enhance that area of the downtown. Right now it is a real dead area and is an eye sore. Its time to move forward on these kinds of projects and not be held back by a few who may loose a view of the narrows. I sympathize but its a fact of life now in St. Johns that we are a growing city. We cannot have a city of building only a few stories tall and expect to be able to continue to grow and attract people and businesses to the downtown. Projects like these have a trickle down effect. People like my self, plumber, get more opportunities to work locally. People and businesses move into the area. Property taxes are paid. People shop downtown. More businesses open as a result. Its a big effect for the whole city not just one little area. Please support this great project and others like it. Thanks for your time.

Adam Coffey

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To: citycouncil@stjohns.ca  
From: Dan Kenny  
Date: 05/22/2013 11:09PM  
Subject: 83 and 90 Duckworth Street

City Council,

The proposed development of 83 and 90 Duckworth Street was recently brought to my attention by a friend who attended a public meeting hearing such matters. He was shocked and dismayed to hear such negative opinions on the project from those in attendance and sought to get a consensus among peers in a younger demographic not necessarily as well represented at such meetings. I am a mid-20's MUN graduate who has lived in St John's since starting my degree there in 2007 and have been very impressed with the city's progress in responsibly developing its downtown core in a quick yet cautious manner. I can't imagine what so many residents found wrong with the proposed development on Duckworth street as I think it would be a beautiful addition and add much a needed supply of quality retail/residential/hotel property in the downtown core. I hope to see this development go through and wish you all continued success in developing the city.

Regards,

Dan

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To: citycouncil@stjohns.ca  
From: PETER BROPHY  
Date: 05/23/2013 12:42AM  
Subject: 83 & 90 Duckworth Street development

Hello,

I live in the area and wanted to let city council know how great I think this proposal is. It is exactly the kind of development which needs to take place in this city in order for it to continue to grow. I very much hope this proposal is approved.

I trust that you will do the best thing for the city and ensure developments like this continue in downtown St. John's. Know, that just because you hear from a small minority of people opposed to something like this, the VAST MAJORITY of the residents are in support of these developments, but most of them are unaware they need to show this support for them to happen. It's a no-brainer.

Thanks!!

Peter Brophy

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To: "citycouncil@stjohns.ca" <citycouncil@stjohns.ca>  
From: Stephen Brophy  
Date: 05/23/2013 10:12AM  
Subject: Letter of support re Light House Project

Hello,

I am e-mailing council today to underscore my support for the Light House Project at civic 83 & 90 Duckworth Street.

Being away for school, I was unable to attend the public meeting.

To be clear, I support both proposals but I am particularly in favour of the contemporary version.

This project will help revitalize a defunct part of our downtown which is, at present, unfriendly and unwelcoming for pedestrians. We must begin to build the 'bridge' between the CBD and commercial hub in downtown and the many new developments to the east of downtown (new condos on east Water, east Duckworth and in Pleasantville). We need to ease the urban transition between these developments to promote walkability, foot traffic and convivial public and green spaces. This project will be great in doing so. It will replace abandoned/run-down buildings with little heritage value, it will be low-mid rise to respect height limits, sun paths and views planes. Generally, it will bring more people to the downtown area. The design is tasteful and contemporary (respecting historical styles while modernizing).

It will bring new business to the nearby Duckworth shopping district and will promote further development nearby. It will also help to anchor down the east end of Duckworth Street with more dense development.

As far as I'm concerned, there is no rationale, justifiable reason to turn this project down.

I hope the right decision is made,

Thanks,

Stephen Brophy  
U2, B.Sc (Arch)  
School of Architecture  
McGill University

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To: "FGalgay@stjohns.ca" <fgalgay@stjohns.ca>  
From: Matthew R  
Date: 05/22/2013 11:07PM  
Subject: Support for proposal

I am writing to you to express my support for the proposal on Duckworth east on the site of the old "Crazy Horse" club and the derelict fire station. This proposal would be a great addition to that area. Right now, we have two ugly, unusable buildings sitting on these sites in the middle of the downtown core. This proposal utilizes this land in, what I believe to be, the best way possible. It adds retail space, and modestly increases density in the area. It has been designed with care so as to blend with it's historical surroundings. It's height is very reasonable for the area it is in.

I don't agree with a very small vocal minority of anti-development people having so much power in this city. over 90% of residents would no doubt agree that this is a great looking, functional and unique proposal that blends with the surrounding heritage atmosphere. A very small minority should not have the power to halt development and prosperity for a city of 200,000.

This is likely the best proposal the city will ever see for this location. It is a very practical, well designed proposal crafted with the height and heritage restrictions of the downtown east in mind. It is quite logical to come to the realization that this project will greatly benefit that stretch of Duckworth much more than a strip club and an abandoned fire hall ever could .To reject this proposal due to the complaints of a minuscule minority goes against logic. Rejecting this great proposal will send the wrong message to developers and to the community in general. That is why I feel I needed to share my support for this project; because it makes sense. And as Councillors and planners within the city, you know better than I do that it is important to do what makes the most sense and benefits the area. Accepting this proposal will greatly benefit the area while not sacrificing any of the heritage atmosphere. It truly is a win-win situation.

Thank you for your time. Please forward my message of support along to wherever you feel it should be sent. (I apologize if I was not supposed to send this to you personally)

Thanks you so much!

-Matt

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From: david sturge  
To: planning@stjohns.ca  
Date: 2013/05/22 10:26 PM  
Subject: Notice of public Meeting - 83 &90 Duckworth Street

Just saw the photo of the proposed development at 83 and 90 Duckworth Street and wanted to give you my support for this beautiful development which will totally enhance the Duckworth Street area that is currently home to a run down strip club and former fire hall/warehouse. This development needs to happen and not have the (NIMBY's) succeed in halting it as they try to do with every development that gets proposed for downtown area. I support it 100%.

Thank you,  
Dave Sturge

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**From:** Joshua Groves  
**Date:** 24 May, 2013 4:25:26 AM NDT  
**To:** [citycouncil@stjohns.ca](mailto:citycouncil@stjohns.ca)  
**Subject:** Regarding Light House Project (83 and 90 Duckworth St.)

Dear Council Representative:

I recently reviewed the Land Use Assessment Report for the development (Light House Project) that has been proposed for 83 and 90 Duckworth Street. I am very familiar with the area discussed and the existing structures. With consideration to the LUAR and understanding the project's potential impact on the area, I am proud to voice my support for this proposed development.

I believe that this project would provide significant benefits for the region. These benefits appear to far outweigh the minor negative criticisms brought forward at a public meeting. This project would undoubtedly strengthen business development in Ward 2 and therefore would be a great asset to the region.

As a recent engineering graduate of MUN, it is this type of forward-thinking project proposal that excites many young adults who consider beginning their lives and settling in St. John's. Thank you for your time and allowing me to voice my support for the Light House Project.

Regards,  
Josh

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**From:** "Josh Eddy"  
**Date:** 27 May, 2013 12:26:08 PM NDT  
**To:** [citycouncil@stjohns.ca](mailto:citycouncil@stjohns.ca)  
**Subject:** Republic Properties Duckworth Street Proposal

Hello,

My name is Josh Eddy, I live in the downtown area and I was unable to attend the public meeting for the Duckworth Street proposal by Republic Properties. I want to voice my very strong support for this proposal and I commend the developers for putting forth such a great proposal when it comes to smart growth in mind. This proposal is taking up space where a former strip club was and the old fire station was.. there is absolutely no reason why this should not be approved. I can sympathize with some residents that are upset about part of their views being lost, however this is only a 6 story building .. we are not talking about another Atlantic place here. People need to realize that when you live in a Downtown of a city .. especially a booming capital city, that view planes change and things are brought downtown, it's all a part of a vibrant economy which we should be embracing in a smart way (and this proposal is a VERY smart infill development). The proposal will bring more tourists into the downtown, more retail on street level, and the increased pedestrian activity can only be positive for near by local shops and restaurants.

I hope that this council does what's best for not only downtown as a whole but the city as whole, by approving smart developments such as this.

Thank you for your time

Josh Eddy

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# MEMORANDUM

## REPORT / RECOMMENDATIONS TO COUNCIL

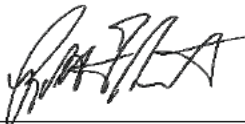
Development Committee  
Tuesday, October 15, 2013

The following matter was considered by the Development Committee at its meeting held on October 15, 2013. A staff report is attached for Council's information.

**1. Approval-in-Principle for Proposed Recreational Supply Building**  
**Coastal Outdoors**  
**Applicant: Ron Fougere**  
**800 Kenmount Road**  
**Commercial Industrial (CI) Zone (Ward 2)**

The Development Committee recommends that Council grant an Approval-in-Principle for the development, subject to the following conditions:

- a) Compliance with the requirements of the Planning and Development Division;
- b) The required Building Permits must be obtained from the City, prior to the commencement of any development;
- c) This Development must meet the minimum parking requirements for the CI Zone for this type of occupancy;
- d) There is a concept plan currently under development for this area for a possible signalized roadway network, through which individual properties would access Kenmount Road, and would prohibit individual direct connections onto Kenmount Road. Therefore, the property access location will need to be modified at a later date in time to fall in line with the proposed development guidelines for the area; and
- e) If the proponent wishes to connect to the Town of Paradise services, any limitations, upgrades or permissions must be obtained from that municipality.



Robert F. Smart, City Manager  
Chair – Development Committee

RFS/kc  
attachment

# 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

# MEMORANDUM

Date: October 15, 2013

To: His Worship the Mayor and Members of Council

Re: **Planning & Development File No. DEV1300039**  
**Approval-in-Principle for Proposed Recreational Supply Building,**  
**Coastal Outdoors**  
**Applicant: Ron Fougere**  
**800 Kenmount Road**  
**Commercial Industrial (CI) Zone (Ward 2)**

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An application has been submitted to the Department of Planning, Development & Engineering requesting Approval-in-Principle for the development of the above referenced property to develop a Recreational Supply Building.

This development meets the minimum requirements for development in the (CI) Zone. This application has been reviewed by the Planning & Development Division. The proposal could be approved subject to complying with various technical requirements.

## **Recommendation**

Council grant an Approval-in-Principle for the development, subject to the following conditions:

- 1) Compliance with the requirements of the Planning and Development Division;
- 2) The required Building Permits must be obtained from the City, prior to the commencement of any development;
- 3) This Development must meet the minimum parking requirements for the CI Zone for this type of occupancy;
- 4) There is a concept plan currently under development for this area for a possible signalized roadway network, through which individual properties would access Kenmount Road, and would prohibit individual direct connections onto Kenmount Road. Therefore, the property access location will need to be modified at a later date in time to fall in line with the proposed development guidelines for the area; and
- 5) If the proponent wishes to connect to the Town of Paradise services, any limitations, upgrades or permissions must be obtained from that municipality.

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Robert Smart, City Manager  
Chair-Development Committee

AAR/dlm

# ST. JOHN'S

**DEVELOPMENT PERMITS LIST**  
**DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING**  
**FOR THE PERIOD OF October 4, 2013 TO October 10, 2013**

| Code | Applicant           | Application                                 | Location            | Ward | Development Officer's Decision | Date             |
|------|---------------------|---|---------------------|------|--------------------------------|------------------|
| RES  |                     | Home Occupation-Electrical Company          | 19 Silverton Street | 5    | Approved                       | October 9, 2013  |
| COM  | City of Mount Pearl | Stormwater Detention for Middle Parking Lot | 621 Kenmount Road   |      | Approved                       | October 10, 2013 |
|      |                     |   |                     |      |                                |                  |
|      |                     |   |                     |      |                                |                  |
|      |                     |   |                     |      |                                |                  |
|      |                     |   |                     |      |                                |                  |
|      |                     |   |                     |      |                                |                  |
|      |                     |   |                     |      |                                |                  |
|      |                     |   |                     |      |                                |                  |

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

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\*\* 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**

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# Building Permits List

## Council's October 21, 2013 Regular Meeting

Permits Issued: 2013/ To 2013/

**CLASS: COMMERCIAL**

|                                |    |                           |              |            |
|--------------------------------|----|---------------------------|--------------|------------|
| 24A MEWS PL                    | CO | OFFICE                    |              |            |
| 83 ELIZABETH AVE               | MS | COMMERCIAL GARAGE         |              |            |
| 35 KELSEY DR- BOSTON PIZZA     | SN | RESTAURANT                |              |            |
| 31 PEET ST                     | MS | RETAIL STORE              |              |            |
| 180 PORTUGAL COVE RD           | MS | PLACE OF ASSEMBLY         |              |            |
| 46-50 ROBIN HOOD BAY RD        | MS | INDUSTRIAL USE            |              |            |
| ST. CLARE AVE                  | MS | PLACE OF ASSEMBLY         |              |            |
| 397 STAVANGER DR               | MS | RETAIL STORE              |              |            |
| 415 STAVANGER DR-BOSTON PIZZA  | SN | RESTAURANT                |              |            |
| 430 TOPSAIL RD-BRIAN HEAD ASSC | SN | OFFICE                    |              |            |
| 26-34 TORBAY RD                | MS | TAVERN                    |              |            |
| 430 TORBAY RD                  | MS | TAVERN                    |              |            |
| 140 WATER ST                   | SN | BANK                      |              |            |
| 13 LEMARCHANT RD               | RN | MIXED USE                 |              |            |
| 49-51 KENMOUNT RD, SALVATION   | SW | RETAIL STORE              |              |            |
| 61 TORBAY RD                   | NC | FENCE                     |              |            |
| 644 TOPSAIL RD                 | RN | SHOPPING CENTRE           |              |            |
| 50 WHITE ROSE, NORTHERN REFLEC | RN | RETAIL STORE              |              |            |
| 50 WHITE ROSE DR               | RN | RETAIL STORE              |              |            |
| 290 EMPIRE AVE                 | RN | ADMIN BLDG/GOV/NON-PROFIT |              |            |
|                                |    |                           | THIS WEEK \$ | 663,800.00 |

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THIS WEEK \$ .00

**CLASS: RESIDENTIAL**

|                               |    |                          |
|-------------------------------|----|--------------------------|
| 15 ALDERGROVE PL, LOT 244     | NC | SINGLE DETACHED DWELLING |
| 40 CAPE PINE ST               | NC | FENCE                    |
| 20 CAPPAYDEN ST               | NC | ACCESSORY BUILDING       |
| 150 CASTLE BRIDGE DR LOT 197  | NC | SINGLE DETACHED DWELLING |
| 107 CASTLE BRIDGE DR, LOT 221 | NC | SINGLE DETACHED DWELLING |
| 2 COLLINS PL                  | NC | PATIO DECK               |
| 202 HAMILTON AVE              | NC | PATIO DECK               |
| 31 HARRIS RD                  | NC | ACCESSORY BUILDING       |
| 20 HUSSEY DR                  | NC | PATIO DECK               |
| 202 HUSSEY DR                 | NC | ACCESSORY BUILDING       |
| 8 EASTMEADOWS PL              | NC | FENCE                    |
| 88 MOSS HEATHER DR            | NC | ACCESSORY BUILDING       |
| 3 NEW PENNYWELL RD            | NC | ACCESSORY BUILDING       |
| 10 OPHELIA PL, LOT 207        | NC | SINGLE DETACHED DWELLING |
| 147 PLEASANT ST               | NC | FENCE                    |
| 8 PROSPERO PL                 | NC | PATIO DECK               |



|                           |    |                           |
|---------------------------|----|---------------------------|
| 92 QUEEN'S RD             | NC | PATIO DECK                |
| 22 ROSE ABBEY ST, LOT 160 | NC | SINGLE DETACHED DWELLING  |
| 76 ROTARY DR, LOT 91      | NC | SINGLE DETACHED DWELLING  |
| 78 ROTARY DR, LOT 92      | NC | SINGLE DETACHED DWELLING  |
| 57 ROTARY DR, LOT 114     | NC | SINGLE DETACHED DWELLING  |
| 24 SEQUOIA DR, LOT 306    | NC | SINGLE DETACHED DWELLING  |
| 22 SINNOTT PL             | NC | PATIO DECK                |
| 9 SUMAC ST                | NC | ACCESSORY BUILDING        |
| 120 UNIVERSITY AVE        | NC | PATIO DECK                |
| 31 GREAT EASTERN AVE      | CO | HOME OFFICE               |
| 9 THOMAS ST               | CR | SUBSIDIARY APARTMENT      |
| 16 CONNEMARA PL           | EX | SINGLE DETACHED DWELLING  |
| 9 REGIMENT RD             | EX | SINGLE DETACHED DWELLING  |
| 235 TOPSAIL RD            | EX | SINGLE DETACHED DWELLING  |
| 63 BATTERY RD             | RN | SINGLE DETACHED DWELLING  |
| 26 BLUE RIVER PL          | RN | SINGLE DETACHED DWELLING  |
| 9 BRIGHTON PL             | RN | SINGLE DETACHED DWELLING  |
| 48 CHEROKEE DR            | RN | SINGLE DETACHED DWELLING  |
| 33 COCHRANE ST            | RN | TOWNHOUSING               |
| 3 EASTMEADOWS CRES        | RN | SINGLE DETACHED & SUB.APT |
| 42 KENAI CRES             | RN | SINGLE DETACHED DWELLING  |
| 17 LOGY BAY RD            | RN | SINGLE DETACHED DWELLING  |
| 8 EASTMEADOWS PL          | RN | SINGLE DETACHED DWELLING  |
| 104 PEARLTOWN RD          | RN | SINGLE DETACHED DWELLING  |
| 61 PENNYWELL RD           | RN | SINGLE DETACHED DWELLING  |
| 60 PRESCOTT ST            | RN | SINGLE DETACHED DWELLING  |
| 134 QUEEN'S RD            | RN | SEMI-DETACHED DWELLING    |
| 50 ROCHE ST               | RN | SINGLE DETACHED DWELLING  |
| 15 STANFORD PL            | RN | SINGLE DETACHED DWELLING  |
| 57 STIRLING CRES          | RN | SINGLE DETACHED DWELLING  |
| 9 THOMAS ST               | RN | SINGLE DETACHED DWELLING  |
| 12 VIMY AVE               | RN | TOWNHOUSING               |
| 70 HEAVY TREE RD          | SW | OTHER                     |
| 8 EASTMEADOWS PL          | SW | FENCE                     |

THIS WEEK \$ 2,292,450.00

**CLASS: DEMOLITION**

THIS WEEK \$ .00

THIS WEEK'S TOTAL: \$ 2,956,250.00

REPAIR PERMITS ISSUED: 2013/10/10 TO 2013/10/16 \$ 90,820.00

105 Castle Bridge Drive - your application to widen the driveway is rejected as contrary to Section 10.3.3(g) of St. John's Development Regulations.

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  |    |                      |

| <b>YEAR TO DATE COMPARISONS</b>        |                         |                         |                         |
|--|-------------------------|-------------------------|-------------------------|
| <b>October 21, 2013</b>                |                         |                         |                         |
| <b>TYPE</b>                            | <b>2012</b>             | <b>2013</b>             | <b>% VARIANCE (+/-)</b> |
| Commercial                             | \$179,200,300.00        | \$79,400,500.00         | -56                     |
| Industrial                             | \$5,000,000.00          | \$131,000.00            | -97                     |
| Government/Institutional               | \$15,800,700.00         | \$78,100,300.00         | 394                     |
| Residential                            | \$152,100,500.00        | \$139,600,600.00        | -8                      |
| Repairs                                | \$4,400,400.00          | \$4,100,900.00          | -7                      |
| Housing Units (1 & 2 Family Dwellings) | 501                     | 396                     |                         |
| <b>TOTAL</b>                           | <b>\$356,501,900.00</b> | <b>\$301,333,300.00</b> | <b>-15</b>              |

Respectfully Submitted,

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

# MEMORANDUM

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**Weekly Payment Vouchers  
For The  
Week Ending October 17, 2013**

## **Payroll**

|                         |                        |
|-------------------------|------------------------|
| <b>Public Works</b>     | <b>\$ 368,278.92</b>   |
| <b>Bi-Weekly Casual</b> | <b>\$ 25,097.31</b>    |
| <b>Accounts Payable</b> | <b>\$4,460,536.83</b>  |
| <b>Total:</b>           | <b>\$ 4,853,913.06</b> |

**ST. JOHN'S**

DEPARTMENT OF FINANCE

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

| NAME  | CHEQUE #   | DESCRIPTION                     | AMOUNT       |
|---|------------|---------------------------------|--------------|
| ROGERS BUSINESS SOLUTIONS                       | 00059091   | DATA & USAGE CHARGES            | \$13,734.02  |
| HISCOCK RENTALS & SALES INC.                    | 00059092   | HARDWARE SUPPLIES               | \$151.91     |
| SPARTAN CHASSIS                                 | 0000000674 | REPAIR PARTS                    | \$409.79     |
| MAXI-SWEEP INC (POOL & FOUNTAIN VACUUM SYSTEMS) | 0000000675 | REPAIR PARTS                    | \$212.80     |
| FIBERLINK COMMUNICATIONS CORP.                  | 0000000676 | MOBILE DEVICES RENEWAL          | \$10,246.50  |
| NEWFOUNDLAND EXCHEQUER ACCOUNT                  | 00059093   | REGISTRATION OF EASEMENT        | \$50.00      |
| INFINITY CONSTRUCTION                           | 00059094   | PROGRESS PAYMENT                | \$287,226.74 |
| ONX ENTERPRISE SOLUTIONS LIMITED                | 00059095   | OFFICE EQUIPMENT                | \$449.61     |
| NEWFOUNDLAND LIQUOR CORP.                       | 00059096   | REFRESHMENTS                    | \$240.36     |
| CITY OF ST. JOHN'S                              | 00059097   | REPLENISH PETTY CASH            | \$161.32     |
| MANULIFE FINANCIAL                              | 00059098   | LTD PREMIUMS                    | \$416.06     |
| LINDSEY HYNES                                   | 00059099   | INSTRUCTOR FEE                  | \$100.00     |
| SARAH ANTHONY                                   | 00059100   | REFUND BUILDING PERMIT          | \$1,107.00   |
| EXPLOSIVE MEDIA INC.                            | 00059101   | ADVERTISING                     | \$452.00     |
| WALSH, BERNADETTE                               | 00059102   | TRAVEL ADVANCE                  | \$1,862.50   |
| THOMAS, RHONDA                                  | 00059103   | TRAVEL ADVANCE                  | \$1,187.70   |
| DAWE, BARBARA                                   | 00059104   | TRAVEL REIMBURSEMENT            | \$2,723.96   |
| HAMLIN, DALLIS                                  | 00059105   | TRAVEL ADVANCE                  | \$1,308.05   |
| JASON PHILLIPS                                  | 00059106   | TRAVEL REIMBURSEMENT            | \$586.61     |
| BLAIR MCDONALD                                  | 00059107   | LUNCHEON                        | \$49.71      |
| B & B SALES LTD.                                | 00059108   | SANITARY SUPPLIES               | \$350.30     |
| DICKS & COMPANY LIMITED                         | 00059109   | OFFICE SUPPLIES                 | \$36.53      |
| BALTIC AMBER LIMITED                            | 00059110   | PROMOTIONAL ITEMS               | \$950.99     |
| HEATHER SMITH                                   | 00059111   | NOVEL                           | \$112.08     |
| ROGERS CABLE                                    | 00059112   | INTERNET SERVICES               | \$278.33     |
| ROGERS BUSINESS SOLUTIONS                       | 00059113   | DATA & USAGE CHARGES            | \$251.42     |
| ST. JOHN'S TRANSPORTATION COMMISSION            | 00059114   | M. CARD SALES SUMMARY SEPT 2013 | \$3,740.00   |
| ST. CROIX, ADRIAN J.                            | 00059115   | TRAVEL ADVANCE                  | \$581.99     |
| KENNEDY, CRAIG                                  | 00059116   | TRAVEL ADVANCE                  | \$581.99     |
| CABOT AUTO GLASS & UPHOLSTERY                   | 00059117   | CLEANING SERVICES               | \$90.40      |
| ATLANTIC PURIFICATION SYSTEM LTD                | 00059118   | WATER PURIFICATION SUPPLIES     | \$1,269.44   |
| AVALON FORD SALES LTD.                          | 00059119   | PURCHASE OF VEHICLE             | \$69,565.55  |
| BABB LOCK & SAFE CO. LTD                        | 00059120   | PROFESSIONAL SERVICES           | \$339.00     |
| MIGHTY WHITES LAUNDROMAT                        | 00059121   | LAUNDRY SERVICES                | \$152.09     |
| COSTCO WHOLESALE                                | 00059122   | MISCELLANEOUS SUPPLIES          | \$400.25     |
| KELLOWAY CONSTRUCTION LIMITED                   | 00059123   | CLEANING SERVICES               | \$36,216.50  |
| RDM INDUSTRIAL LTD.                             | 00059124   | INDUSTRIAL SUPPLIES             | \$377.17     |
| ROBERT BAIRD EQUIPMENT LTD.                     | 00059125   | RENTAL OF EQUIPMENT             | \$2,256.47   |
| QUEEN'S PRINTER                                 | 00059126   | ADVERTISING                     | \$206.79     |
| NEWFOUNDLAND EXCHEQUER ACCOUNT                  | 00059127   | CERTIFICATION EXAM FEE          | \$179.10     |
| PREMA NEWFOUNDLAND                              | 00059128   | REPAIR PARTS                    | \$476.71     |
| GRAND CONCOURSE AUTHORITY                       | 00059129   | MAINTENANCE CONTRACTS           | \$79,256.31  |



| NAME                                    | CHEQUE # | DESCRIPTION                    | AMOUNT      |
|---|----------|--------------------------------|-------------|
| BELBIN'S GROCERY                        | 00059130 | CATERING SERVICES              | \$226.23    |
| SMS EQUIPMENT                           | 00059131 | REPAIR PARTS                   | \$260.80    |
| INTEGRATED OCCUPATIONAL HEALTH SERVICES | 00059132 | JOBSITE ANALYSIS               | \$866.25    |
| BEST DISPENSERS LTD.                    | 00059133 | SANITARY SUPPLIES              | \$2,356.73  |
| PIK-FAST EXPRESS INC.                   | 00059134 | BOTTLED WATER                  | \$71.83     |
| CREDIT INFORMATION SERVICES NFLD LTD.   | 00059135 | CREDIT INFORMATION             | \$64.53     |
| ROCKWATER PROFESSIONAL PRODUCT          | 00059136 | CHEMICALS                      | \$374.93    |
| NEWCAP BROADCASTING LTD.                | 00059137 | PUBLIC ANNOUNCEMENTS           | \$308.49    |
| HITS 99.1                               | 00059138 | PUBLIC ANNOUNCEMENTS           | \$1,827.21  |
| BLACK & MCDONALD LIMITED                | 00059139 | PROFESSIONAL SERVICES          | \$22,540.58 |
| BLAZER CONCRETE SAWING & DRILL          | 00059140 | PROFESSIONAL SERVICES          | \$7,119.00  |
| GRAPHIC ARTS & SIGN SHOP LIMITED        | 00059141 | SIGNAGE                        | \$183.06    |
| PIZZA DELIGHT                           | 00059142 | REFRESHMENTS                   | \$325.16    |
| PARKINSON SOCIETY NL.                   | 00059143 | FUNDRAISER (TULIPS)            | \$500.00    |
| DOWNHOME INCORPORATED                   | 00059144 | PROMOTIONAL ITEMS              | \$56.82     |
| BRENKIR INDUSTRIAL SUPPLIES             | 00059145 | PROTECTIVE CLOTHING            | \$540.51    |
| BROWNE'S AUTO SUPPLIES LTD.             | 00059146 | AUTOMOTIVE REPAIR PARTS        | \$595.17    |
| OFFICEMAX GRAND & TOY                   | 00059147 | OFFICE SUPPLIES                | \$126.50    |
| WESTERN HYDRAULIC 2000 LTD              | 00059148 | REPAIR PARTS                   | \$508.50    |
| AMEC EARTH & ENVIRONMENTAL              | 00059149 | WEATHER REPORTS                | \$11,728.27 |
| TRIWARE TECHNOLOGIES INC.               | 00059150 | COMPUTER EQUIPMENT             | \$303.97    |
| CHESTER DAWE CANADA - O'LEARY AVE       | 00059151 | BUILDING SUPPLIES              | \$586.63    |
| CABOT FORD LINCOLN SALES LTD.           | 00059152 | REPAIR PARTS                   | \$434.13    |
| CANADA POST CORPORATION                 | 00059153 | POSTAGE                        | \$46,725.74 |
| AIR LIQUIDE CANADA INC.                 | 00059154 | CHEMICALS AND WELDING PRODUCTS | \$16,104.46 |
| HISCOCK'S SPRING SERVICE                | 00059155 | REPAIR PARTS                   | \$1,666.18  |
| CARSWELL DIV. OF THOMSON CANADA LTD     | 00059156 | PUBLICATIONS                   | \$352.42    |
| WAL-MART 3196-ABERDEEN AVE.             | 00059157 | MISCELLANEOUS SUPPLIES         | \$281.99    |
| COASTAL DOOR & FRAME LTD                | 00059158 | DOORS/FRAMES                   | \$207.92    |
| MILA FOODS INC.                         | 00059159 | MEAL ALLOWANCES                | \$605.08    |
| SOBEY'S INC                             | 00059160 | PET SUPPLIES                   | \$3,701.31  |
| BLUE WATER MARINE & EQUIPMENT           | 00059161 | REPAIR PARTS                   | \$55.75     |
| NORTRAX CANADA INC.,                    | 00059162 | REPAIR PARTS                   | \$4,728.74  |
| BEATTIE INDUSTRIAL                      | 00059163 | REPAIR PARTS                   | \$38.82     |
| NEWFOUNDLAND GLASS & SERVICE            | 00059164 | GLASS INSTALLATION             | \$446.35    |
| ROLEY CONSTRUCTION LTD.                 | 00059165 | RENTAL OF EQUIPMENT            | \$1,084.80  |
| CBCL LIMITED                            | 00059166 | PROFESSIONAL SERVICES          | \$33,092.33 |
| CLEARWATER POOLS LTD.                   | 00059167 | POOL SUPPLIES                  | \$271.13    |
| WAL-MART 3093-MERCHANT DRIVE            | 00059168 | MISCELLANEOUS SUPPLIES         | \$679.51    |
| FORTIS PROPERTIES                       | 00059169 | REFUND MUNICIPAL TAX           | \$7,467.00  |
| PF COLLINS CUSTOMS BROKER LTD           | 00059170 | DUTY AND TAXES                 | \$219.07    |
| COLONIAL GARAGE & DIST. LTD.            | 00059171 | AUTO PARTS                     | \$897.78    |

| NAME                               | CHEQUE # | DESCRIPTION                 | AMOUNT      |
|------------------------------------|----------|-----------------------------|-------------|
| SCMA                               | 00059172 | MEMBERSHIP FEES             | \$389.85    |
| PETER'S AUTO WORKS INC.            | 00059173 | TOWING OF VEHICLES          | \$1,259.95  |
| MASK SECURITY INC.                 | 00059174 | TRAFFIC CONTROL             | \$17,593.44 |
| MAXXAM ANALYTICS INC.,             | 00059175 | WATER PURIFICATION SUPPLIES | \$4,654.21  |
| CRANE SUPPLY LTD.                  | 00059176 | PLUMBING SUPPLIES           | \$61.48     |
| JAMES G CRAWFORD LTD.              | 00059177 | PLUMBING SUPPLIES           | \$2,753.83  |
| NEWFOUND CABS                      | 00059178 | TRANSPORTATION SERVICES     | \$198.25    |
| CUMMINS EASTERN CANADA LP          | 00059179 | REPAIR PARTS                | \$390.94    |
| CURTIS DAWE                        | 00059180 | PROFESSIONAL SERVICES       | \$45,878.23 |
| HANLONS TAEWONDO                   | 00059181 | REAL PROGRAM                | \$870.00    |
| KENDALL ENGINEERING LIMITED        | 00059182 | PROFESSIONAL SERVICES       | \$276.85    |
| AUTO TRIM DESIGN                   | 00059183 | REPAIR PARTS                | \$2,994.50  |
| MCINNES COOPER                     | 00059184 | PROFESSIONAL SERVICES       | \$3,873.73  |
| CABOT READY MIX LIMITED            | 00059185 | CONCRETE                    | \$446.35    |
| DICKS & COMPANY LIMITED            | 00059186 | OFFICE SUPPLIES             | \$2,593.32  |
| MADSEN DIESEL & TURBINE INC.       | 00059187 | MOTOR STATOR                | \$10,010.67 |
| H. KHALILI PH.D. & ASSOCIATES      | 00059188 | PROFESSIONAL SERVICES       | \$300.00    |
| MIC MAC FIRE & SAFETY SOURCE       | 00059189 | REPAIR PARTS                | \$4,248.12  |
| HITECH COMMUNICATIONS LIMITED      | 00059190 | REPAIRS TO EQUIPMENT        | \$2,069.89  |
| REEFER REPAIR SERVICES LTD.        | 00059191 | REPAIR PARTS                | \$350.30    |
| DOMINION RECYCLING LTD.            | 00059192 | PIPE                        | \$480.14    |
| G & M PROJECT MANAGEMENT           | 00059193 | PROFESSIONAL SERVICES       | \$28,882.80 |
| GOODLIFE FITNESS                   | 00059194 | FITNESS MEMBERSHIP          | \$188.32    |
| CANADIAN TIRE CORP.-ELIZABETH AVE. | 00059195 | MISCELLANEOUS SUPPLIES      | \$293.79    |
| CANADIAN TIRE CORP.-MERCHANT DR.   | 00059196 | MISCELLANEOUS SUPPLIES      | \$291.60    |
| CANADIAN TIRE CORP.-KELSEY DR.     | 00059197 | MISCELLANEOUS SUPPLIES      | \$363.22    |
| JAMES R EALES EQUIP RENTAL LTD     | 00059198 | RENTAL OF EQUIPMENT         | \$813.60    |
| EASTERN AUDIO LTD.                 | 00059199 | AUDIO EQUIPMENT             | \$727.72    |
| EASTERN TURF PRODUCTS              | 00059200 | REPAIR PARTS                | \$785.89    |
| ECONOMY DRYWALL SUPPLIES           | 00059201 | BUILDING SUPPLIES           | \$153.51    |
| ELECTRIC MOTOR & PUMP DIV.         | 00059202 | REPAIR PARTS                | \$393.24    |
| MSE RESTAURANT LIMITED             | 00059203 | MEAL ALLOWANCES             | \$1,112.26  |
| ELECTRONIC CENTER LIMITED          | 00059204 | ELECTRONIC SUPPLIES         | \$13.00     |
| EMCO SUPPLY                        | 00059205 | REPAIR PARTS                | \$1,350.87  |
| THE TELEGRAM                       | 00059206 | ADVERTISING                 | \$7,093.57  |
| HOME DEPOT OF CANADA INC.          | 00059207 | BUILDING SUPPLIES           | \$1,709.22  |
| DOMINION STORE 935                 | 00059208 | MISCELLANEOUS SUPPLIES      | \$403.05    |
| EATON INDUSTRIES (CANADA) COMPANY  | 00059209 | PROFESSIONAL SERVICES       | \$4,560.68  |
| BASIL FEARN 93 LTD.                | 00059210 | REPAIR PARTS                | \$594.38    |
| DOMINION VOTING SYSTEMS CORP.      | 00059211 | SCAN BALLOT TABULATOR       | \$35,188.20 |
| OMB PARTS & INDUSTRIAL INC.        | 00059212 | REPAIR PARTS                | \$780.87    |
| FRESHWATER AUTO CENTRE LTD.        | 00059213 | AUTO PARTS/MAINTENANCE      | \$728.01    |



| NAME                                      | CHEQUE # | DESCRIPTION                       | AMOUNT      |
|---|----------|-----------------------------------|-------------|
| ITSPORTSNET-A PRODUCT OF ITOLOGY.COM LTD. | 00059214 | CLUB PRO PACKAGE 2013             | \$103.95    |
| COASTLINE SPECIALTIES                     | 00059215 | PROFESSIONAL SERVICES             | \$96,248.88 |
| ORPHAN INDUSTRIES LIMITED                 | 00059216 | REFUND MUNICIPAL TAX              | \$23,907.50 |
| STELLAR INDUSTRIAL SALES LTD.             | 00059217 | INDUSTRIAL SUPPLIES               | \$128.82    |
| ATLANTIC OILFIELD & INDUSTRIAL SUPPLY     | 00059218 | INDUSTRIAL SUPPLIES               | \$2,696.75  |
| SIMPLEX GRINNELL                          | 00059219 | PROFESSIONAL SERVICES             | \$328.54    |
| OMNITECH INC.                             | 00059220 | REPAIR PARTS                      | \$3,097.33  |
| PROVINCIAL FENCE PRODUCTS                 | 00059221 | FENCING MATERIALS                 | \$5,220.60  |
| DOMINION STORES 934                       | 00059222 | MISCELLANEOUS SUPPLIES            | \$198.03    |
| THE WORKS                                 | 00059223 | REAL PROGRAM                      | \$812.49    |
| COAST 101.1 FM                            | 00059224 | ADVERTISING                       | \$1,233.96  |
| HARRIS & ROOME SUPPLY LIMITED             | 00059225 | ELECTRICAL SUPPLIES               | \$895.69    |
| HARVEY & COMPANY LIMITED                  | 00059226 | REPAIR PARTS                      | \$1,416.74  |
| HARVEY'S OIL LTD.                         | 00059227 | PETROLEUM PRODUCTS                | \$4,550.93  |
| BRENNTAG CANADA INC                       | 00059228 | CHLORINE                          | \$3,898.50  |
| PRACTICAR CAR & TRUCK RENTALS             | 00059229 | VEHICLE RENTAL                    | \$5,551.69  |
| HISCOCK RENTALS & SALES INC.              | 00059230 | HARDWARE SUPPLIES                 | \$99.33     |
| HOLDEN'S TRANSPORT LTD.                   | 00059231 | RENTAL OF EQUIPMENT               | \$1,440.75  |
| CANADIAN PLAYGROUND SAFETY                | 00059232 | CPSI ONLINE RE-CERTIFICATION EXAM | \$472.50    |
| FLEET READY LTD.                          | 00059233 | REPAIR PARTS                      | \$4,011.08  |
| HOLLAND NURSERIES LTD.                    | 00059234 | FLORAL ARRANGEMENT                | \$226.00    |
| HONDA ONE                                 | 00059235 | REPAIR PARTS                      | \$230.83    |
| UCP PAINTS INC.,                          | 00059236 | PAINT                             | \$12,837.25 |
| DISTRIBUTION BRUNET INC.,                 | 00059237 | REPAIR PARTS                      | \$1,216.60  |
| PENNECON ENERGY TECHNICAL SERVICE         | 00059238 | PROFESSIONAL SERVICES             | \$498.28    |
| SCOTIA INSULATIONS                        | 00059239 | REPAIR PARTS                      | \$143.74    |
| SPARTAN INDUSTRIAL MARINE                 | 00059240 | SAFETY SUPPLIES                   | \$173.46    |
| IMPRINT SPECIALTY PROMOTIONS LTD          | 00059241 | PROMOTIONAL ITEMS                 | \$2,933.48  |
| ONX ENTERPRISE SOLUTIONS LIMITED          | 00059242 | COMPUTER EQUIPMENT                | \$58,152.60 |
| ISLAND HOSE & FITTINGS LTD                | 00059243 | INDUSTRIAL SUPPLIES               | \$226.66    |
| PRINTER TECH SOLUTIONS INC.,              | 00059244 | REPAIRS TO EQUIPMENT              | \$174.59    |
| JENKINS & PUDDICOMBE SHEET METAL LTD.     | 00059245 | PROFESSIONAL SERVICES             | \$238.43    |
| IDEXX LABORATORIES                        | 00059246 | VETERINARY SUPPLIES               | \$447.48    |
| CHRISTOPHER'S CAFE & CATERING             | 00059247 | CATERING SERVICES                 | \$99.42     |
| PFIZER ANIMAL HEALTH                      | 00059248 | VETERINARY SUPPLIES               | \$1,112.04  |
| KANSTOR INC.                              | 00059249 | REPAIR PARTS                      | \$230.88    |
| KAVANAGH & ASSOCIATES                     | 00059250 | PROFESSIONAL SERVICES             | \$8,678.44  |
| ATLANTICA MECHANICAL SERVICES             | 00059251 | PROFESSIONAL SERVICES             | \$308.49    |
| JRV DISTRIBUTORS                          | 00059252 | PROTECTIVE CLOTHING               | \$950.76    |
| THE TOY BOX                               | 00059253 | REPAIR PARTS                      | \$1,129.99  |
| MEDICAL MART ATLANTIC                     | 00059254 | MEDICAL SUPPLIES                  | \$81.32     |
| KING'S PLUMBING & HEATING LTD.            | 00059255 | PLUMBING SUPPLIES                 | \$9,949.12  |

| NAME   | CHEQUE # | DESCRIPTION                         | AMOUNT      |
|--|----------|-------------------------------------|-------------|
| MANNA EUROPEAN BAKERY AND DELI LTD           | 00059256 | REFRESHMENTS                        | \$80.35     |
| MARK'S WORK WEARHOUSE                        | 00059257 | PROTECTIVE CLOTHING                 | \$79.08     |
| MARTIN'S FIRE SAFETY LTD.                    | 00059258 | SAFETY SUPPLIES                     | \$7.91      |
| MCLOUGHLAN SUPPLIES LTD.                     | 00059259 | ELECTRICAL SUPPLIES                 | \$850.83    |
| MIKAN INC.                                   | 00059260 | LABORATORY SUPPLIES                 | \$1,409.68  |
| WAJAX INDUSTRIAL COMPONENTS                  | 00059261 | REPAIR PARTS                        | \$189.72    |
| NU-WAY EQUIPMENT RENTALS                     | 00059262 | RENTAL OF EQUIPMENT                 | \$6,513.32  |
| NEWFOUNDLAND DISTRIBUTORS LTD.               | 00059263 | INDUSTRIAL SUPPLIES                 | \$525.36    |
| NFLD KUBOTA LTD.                             | 00059264 | REPAIR PARTS                        | \$890.59    |
| NEWFOUNDLAND & LABRADOR HOUSING CORP. (NLCH) | 00059265 | REFUND MUNICIPAL TAX                | \$3,471.51  |
| TOROMONT CAT                                 | 00059266 | AUTO PARTS                          | \$541.22    |
| NORTH ATLANTIC PETROLEUM                     | 00059267 | PETROLEUM PRODUCTS                  | \$17,816.63 |
| R NICHOLLS DISTRIBUTORS INC.                 | 00059268 | PROTECTIVE CLOTHING                 | \$49.72     |
| PENNECON ENERGY HYDRAULIC SYSTEMS            | 00059269 | PROFESSIONAL SERVICES               | \$1,781.30  |
| PBA INDUSTRIAL SUPPLIES LTD.                 | 00059270 | INDUSTRIAL SUPPLIES                 | \$298.02    |
| PERIDOT SALES LTD.                           | 00059271 | REPAIR PARTS                        | \$305.63    |
| POLAR FARMS LIMITED                          | 00059272 | KENTUCKY BLUEGRASS SOD              | \$87.24     |
| POWERLITE ELECTRIC LTD.                      | 00059273 | ELECTRICAL PARTS                    | \$242.95    |
| PROFESSIONAL UNIFORMS & MATS INC.            | 00059274 | PROTECTIVE CLOTHING                 | \$737.79    |
| RIDEOUT TOOL & MACHINE INC.                  | 00059275 | TOOLS                               | \$1,025.19  |
| NAPA ST. JOHN'S 371                          | 00059276 | AUTO PARTS                          | \$36.86     |
| ROYAL FREIGHTLINER LTD                       | 00059277 | REPAIR PARTS                        | \$3,742.34  |
| S & S SUPPLY LTD. CROSSTOWN RENTALS          | 00059278 | REPAIR PARTS                        | \$4,194.87  |
| BIG ERICS INC                                | 00059279 | SANITARY SUPPLIES                   | \$561.05    |
| SAUNDERS EQUIPMENT LIMITED                   | 00059280 | REPAIR PARTS                        | \$1,107.94  |
| SMITH STOCKLEY LTD.                          | 00059281 | PLUMBING SUPPLIES                   | \$129.95    |
| STEELFAB INDUSTRIES LTD.                     | 00059282 | STEEL                               | \$300.20    |
| SUPERIOR PROPANE INC.                        | 00059283 | PROPANE                             | \$104.92    |
| AETTNL                                       | 00059284 | MEMBERSHIP FEES                     | \$186.45    |
| URBAN CONTRACTING JJ WALSH LTD               | 00059285 | PROPERTY REPAIRS                    | \$84.75     |
| CANSEL WADE                                  | 00059286 | OFFICE SUPPLIES                     | \$292.67    |
| WATERWORKS SUPPLIES DIV OF EMCO LTD          | 00059287 | REPAIR PARTS                        | \$4,666.52  |
| WEIRS CONSTRUCTION LTD.                      | 00059288 | ROAD GRAVEL                         | \$4,067.04  |
| WAL-MART 3092-KELSEY DRIVE                   | 00059289 | MISCELLANEOUS SUPPLIES              | \$272.53    |
| BELL ISLAND FIGURE SKATING CLUB              | 00059290 | CTJS FALL 2013                      | \$600.00    |
| MCDONALD, IMELDA                             | 00059291 | HONORARIUM                          | \$100.00    |
| THE HERITAGE SHOP                            | 00059292 | PROMOTIONAL ITEMS                   | \$48.75     |
| SORENSEN SCHOOL OF DANCE                     | 00059293 | REAL PROGRAM                        | \$580.00    |
| CENTSIBLE LTD. AND CARSTAR COLLISION CENTRE  | 00059294 | LEGAL CLAIM                         | \$9,634.11  |
| BROWN-O'BYRNE, FERGUS                        | 00059295 | PERFORMANCE FEE                     | \$150.00    |
| SKYMARK CONTRACTING LTD.                     | 00059296 | REFUND MAINTENANCE SECURITY DEPOSIT | \$6,000.00  |
| BELL MOBILITY INC. RADIO DIVISION            | 00059297 | MAINTENANCE CHARGES & REPAIRS       | \$4,046.57  |



| NAME                                 | CHEQUE # | DESCRIPTION                         | AMOUNT      |
|--------------------------------------|----------|-------------------------------------|-------------|
| THE BANK OF NOVA SCOTIA              | 00059298 | REFUND OVERPAYMENT OF TAX           | \$10,230.93 |
| STANLEY N. CLINTON, MCIP             | 00059299 | PROFESSIONAL SERVICES               | \$420.00    |
| SMITH, GERALD                        | 00059300 | HONORARIUM                          | \$100.00    |
| MUNICIPAL HUMAN RESOURCES INC.       | 00059301 | CANADIAN MUNICIPAL SALARIES REPORT  | \$371.77    |
| TWIN CITIES LANDSCAPING LTD.         | 00059302 | REFUND MAINTENANCE SECURITY DEPOSIT | \$30,170.41 |
| CADIGAN, SEAN                        | 00059303 | INSTRUCTOR FEE                      | \$300.00    |
| MC-PIX: MELANIE COURAGE PHOTOGRAPHER | 00059304 | INSTRUCTOR FEE                      | \$300.00    |
| CANCELLED                            | 00059305 | CANCELLED                           | \$0.00      |
| BARRY ROSS                           | 00059306 | POSTERS DISTRIBUTION                | \$85.80     |
| GIBRALTAR DEVELOPMENT LIMITED        | 00059307 | REFUND MUNICIPAL TAX                | \$1,624.40  |
| GIRL GUIDES OF CANADA                | 00059308 | REAL PROGRAM                        | \$1,761.27  |
| 55732 N & L INC.                     | 00059309 | REFUND MAINTENANCE SECURITY DEPOSIT | \$11,000.00 |
| SCOTT SHARPE TRUCKING                | 00059310 | REFUND MAINTENANCE SECURITY DEPOSIT | \$1,855.49  |
| WALLNUTS CLIMBING CENTRE             | 00059311 | REAL PROGRAM                        | \$2,228.36  |
| LOWELL & PAMELA BONNELL              | 00059312 | REFUND OVERPAYMENT OF TAX           | \$1,846.10  |
| MADELINE FLORENT                     | 00059313 | HONORARIUM                          | \$100.00    |
| THERESA NICOLE LONG                  | 00059314 | HONORARIUM                          | \$50.00     |
| KENDRA HODDER                        | 00059315 | HONORARIUM                          | \$50.00     |
| CONTOUR ATLANTIC                     | 00059316 | REFUND MAINTENANCE SECURITY DEPOSIT | \$5,000.00  |
| W.H. PARSONS                         | 00059317 | REFUND OVERPAYMENT OF TAX           | \$16,038.32 |
| SHELLEY BRYANT                       | 00059318 | REFUND ON BIA LEVY                  | \$19.24     |
| RUMPLESTILTSKIN INC.                 | 00059319 | REFUND OVERPAYMENT OF TAX           | \$2,264.36  |
| TROPICAL AND MARINE PETS INC.        | 00059320 | REFUND OVERPAYMENT OF TAX           | \$37.81     |
| WEDGEWOOD PHYSIOTHERAPY CLINIC INC.  | 00059321 | REFUND OVERPAYMENT OF TAX           | \$8.61      |
| SPARK MARKITING INC.                 | 00059322 | REFUND OVERPAYMENT OF TAX           | \$13.50     |
| CENTURY 21 EASTERN REALTY INC.       | 00059323 | REFUND OVERPAYMENT OF TAX           | \$5.33      |
| GUOMIN ZHENG & YONG WANG             | 00059324 | REFUND OVERPAYMENT OF TAX           | \$1,710.53  |
| DAVE & SHEILA MASTERS                | 00059325 | REFUND OVERPAYMENT OF TAX           | \$200.00    |
| ROCKWOOD, STUART                     | 00059326 | HONORARIUM                          | \$50.00     |
| MICHAEL MULLALY                      | 00059327 | REFUND MAINTENANCE SECURITY DEPOSIT | \$1,500.00  |
| PETER FIFIELD                        | 00059328 | REFUND MAINTENANCE SECURITY DEPOSIT | \$2,000.00  |
| AIDEN WADMAN                         | 00059329 | REFUND OVERPAYMENT OF TAX           | \$1,893.99  |
| BRISTOL DEVELOPMENT INC.             | 00059330 | REFUND OVERPAYMENT OF TAX           | \$159.72    |
| NELSON STOKES                        | 00059331 | REFUND MAINTENANCE SECURITY DEPOSIT | \$2,000.00  |
| MICHELLE HEALEY                      | 00059332 | RECREATION PROGRAM REFUND           | \$430.00    |
| COURTNEY LOVELESS                    | 00059333 | RECREATION PROGRAM REFUND           | \$64.50     |
| TARA KEAN                            | 00059334 | RECREATION PROGRAM REFUND           | \$70.00     |
| ERIC BUSSEY                          | 00059335 | RECREATION PROGRAM REFUND           | \$70.00     |
| THE ESTATE OF ANNA MURPHY            | 00059336 | REFUND SECURITY DEPOSIT             | \$235.08    |
| PATRICK RING                         | 00059337 | REFUND SECURITY DEPOSIT             | \$254.60    |
| MARJORIE CAMPBELL                    | 00059338 | REFUND MAINTENANCE SECURITY DEPOSIT | \$1,500.00  |
| MRS. FRANCES PIKE                    | 00059339 | COURT OF APPEAL REFUND              | \$60.00     |

| NAME                         | CHEQUE # | DESCRIPTION                           | AMOUNT                       |
|------------------------------|----------|---------------------------------------|------------------------------|
| JANET MARTIN                 | 00059340 | REFUND TEA BAGS                       | \$19.18                      |
| LAHEY, ANITA                 | 00059341 | CLOTHING ALLOWANCE                    | \$67.24                      |
| HALL, EDWARD                 | 00059342 | VEHICLE BUSINESS INSURANCE            | \$306.00                     |
| PINSENT, JEFF                | 00059343 | REFUND TUITION FEE                    | \$226.00                     |
| SQUIRES, GARY                | 00059344 | VEHICLE BUSINESS INSURANCE            | \$232.00                     |
| HARRIS, BRYANT               | 00059345 | MILEAGE                               | \$103.38                     |
| SHEPPARD, TAMMY              | 00059346 | REFUND OVERPAYMENT OF TAX             | \$1,481.78                   |
| DUGGAN, DEREK                | 00059347 | MILEAGE                               | \$25.11                      |
| WILLIAMSON, HELEN            | 00059348 | MILEAGE                               | \$19.79                      |
| LETTO, LORI                  | 00059349 | MILEAGE                               | \$9.60                       |
| STRAIT, MARIE                | 00059350 | MILEAGE - CROSSING GUARD PROGRAM      | \$61.59                      |
| RYAN, LEANN                  | 00059351 | VEHICLE BUSINESS INSURANCE            | \$122.00                     |
| MURPHY, ROBYN                | 00059352 | MILEAGE                               | \$48.90                      |
| JORDAN, CRYSTAL              | 00059353 | MILEAGE                               | \$39.04                      |
| COURAGE, SCOTT               | 00059354 | MILEAGE                               | \$89.85                      |
| HILLIER, HEATHER             | 00059355 | MILEAGE                               | \$87.98                      |
| KINSELLA, PAULA              | 00059356 | MILEAGE - CROSSING GUARD PROGRAM      | \$75.30                      |
| KRISTA GLADNEY               | 00059357 | VEHICLE BUSINESS INSURANCE            | \$50.00                      |
| NEWFOUNDLAND POWER           | 00059358 | ELECTRICAL SERVICES                   | \$15,369.44                  |
| PARTS FOR TRUCKS INC.        | 00059359 | REPAIR PARTS                          | \$589.72                     |
| STANLEY CANADA CORPORATION   | 00059360 | REPAIR PARTS                          | \$1,489.34                   |
| FIRST CANADIAN GROUP LTD.    | 00059361 | PROGRESS PAYMENT                      | \$431,989.44                 |
| INFINITY CONSTRUCTION        | 00059362 | PROGRESS PAYMENT                      | \$76,814.01                  |
| FILTRUM INC.,                | 00059363 | PROGRESS PAYMENT                      | \$428,905.51                 |
| POMERLEAU INC.,              | 00059364 | PROGRESS PAYMENT                      | \$1,897,187.61               |
| BELL MOBILITY                | 00059365 | CELLULAR PHONE USAGE                  | \$22,356.17                  |
| CITY OF ST. JOHN'S           | 00059366 | REPLENISH PETTY CASH                  | \$152.33                     |
| PYRAMID CONSTRUCTION LIMITED | 00059367 | PROGRESS PAYMENTS                     | \$141,686.44                 |
| REGISTRAR OF SUPREME COURT   | 00059368 | FILING FEE                            | \$76.00                      |
| DAVE & SHEILA MASTERS        | 00059369 | REIMBURSEMENT OF NSF FEE              | \$23.55                      |
| BREWER, JILL                 | 00059370 | REIMBURSEMENT - CELLULAR PHONE CHARGE | \$1,006.02                   |
| RJG CONSTRUCTION LIMITED     | 00059371 | PROGRESS PAYMENT                      | \$128,581.33                 |
| <b>Total:</b>                |          |                                       | <b><u>\$4,460,536.83</u></b> |

# MEMORANDUM

Date: October 17, 2013

To: His Worship the Mayor and Council

From: Neil A. Martin  
Deputy City Manager, Corporate Services

**Re: Insurance Renewal, 2013-2014**

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The City's Risk Manager, in conjunction with our insurance brokers AON, has completed negotiations for the renewal our insurance portfolio for the period 2013-2014. As a result of these negotiations, it is recommended that the City's insurance for the period November 1, 2013 through October 31, 2014 be placed with Zurich Insurance in the amount of \$1,324,713.

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Neil A. Martin  
Deputy City Manager,  
Corporate Services  
and 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



# MEMORANDUM

Date: October 16, 2013

To: Mayor Dennis O'Keefe  
and Members of Council

From: Paul Mackey, P. Eng.,  
Deputy City Manager - Public Works

Re: **Tenders for Maintenance of City Generators**

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## Scope of Work:

This recent tender call includes all work required for the inspection, testing and maintenance of City generators serving City of St. John's' facilities. There are a total of six (6) generators included in this tender, which are located at City Hall, City Depot, Central Fire Station, Goulds Pump Station, Kilbride Pump Station and Autumn Drive Pump Station.

## Bids Received:

|                                |               |
|--------------------------------|---------------|
| Sansom Equipment Limited       | \$ 56,205.00  |
| Air Cooled Engine Service Ltd. | \$ 73,472.60  |
| Toromont Cat                   | \$ 81,586.00  |
| Madsen Power Systems           | \$ 100,344.00 |
| Cummins Eastern Canada LP      | \$ 103,927.77 |
| Wajax Power Systems            | \$ 160,895.87 |

## Recommendation:

I recommend that this tender be awarded to the low bidder, Sansom Equipment Limited, for the amount of \$56,205.00, which includes HST.

*Paul Mackey*

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Paul Mackey, P. Eng.,  
Deputy City Manager - Public Works

# ST. JOHN'S

DEPARTMENT OF PUBLIC WORKS & PARKS  
CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA



## Committee Memberships of Council (2013-2014)

| <b>Standing Committees</b>                          |   |  |
|---|---|--|
| Committee   | Chairperson   | Membership   |
| Audit and Accountability                            | Deputy Mayor Ron Ellsworth  | Councillor Dave Lane<br>Councillor Danny Breen<br>Councillor Bruce Tilley<br>Councillor Jonathan Galgay  |
| Economic Development, Tourism and Public Engagement | Co-Chaired by:<br>Councillor Bruce Tilley<br>Councillor Dave Lane | Mayor Dennis O'Keefe<br>Deputy Mayor Ron Ellsworth<br>Councillor Art Puddister<br>Councillor Sandy Hickman<br>Councillor Danny Breen<br>Councillor Jonathan Galgay<br>Councillor Bernard Davis |
| Finance and Administration                          | Councillor Danny Breen  | Deputy Mayor Ron Ellsworth<br>Councillor Sandy Hickman<br>Councillor Dave Lane<br>Councillor Art Puddister<br>Councillor Bruce Tilley<br>Councillor Wally Collins                              |
| Community Services and Housing                      | Councillor Bernard Davis  | Deputy Mayor Ron Ellsworth<br>Councillor Sandy Hickman<br>Councillor Art Puddister<br>Councillor Danny Breen<br>Councillor Wally Collins   |
| Planning & Development                              | Councillor Tom Hann   | Deputy Mayor Ron Ellsworth<br>Councillor Sandy Hickman<br>Councillor Dave Lane<br>Councillor Art Puddister<br>Councillor Danny Breen<br>Councillor Bruce Tilley<br>Councillor Wally Collins    |
| Public Works  | Councillor Jonathan Galgay  | Deputy Mayor Ron Ellsworth<br>Councillor Sandy Hickman<br>Councillor Dave Lane<br>Councillor Art Puddister<br>Councillor Danny Breen<br>Councillor Bruce Tilley<br>Councillor Wally Collins    |

## Committee Memberships of Council (2013-2014)

| <b>Regional Committees</b>                           |                            |  |
|--|----------------------------|--|
| Committee  | Chairperson                | Membership   |
| Regional Fire Services                               | Councillor Danny Breen     | Councillor Tom Hann<br>Councillor Bruce Tilley   |
| Regional Water Services                              | Deputy Mayor Ron Ellsworth | Councillor Tom Hann<br>Councillor Jonathan Galgay<br>Councillor Bernard Davis  |
| Regional Waste Water Services                        | Deputy Mayor Ron Ellsworth | Councillor Tom Hann<br>Councillor Bernard Davis  |
| Eastern Waste Management                             |                            | Mayor Dennis O'Keefe<br>Councillor Tom Hann<br>Councillor Sandy Hickman<br>Councillor Dave Lane<br>Councillor Art Puddister<br>Councillor Danny Breen<br>Councillor Jonathan Galgay<br>Councillor Bruce Tilley<br>Councillor Bernard Davis<br>Councillor Wally Collins |
| <b>Boards/Committees with Council Representation</b> |                            |  |
| Committee  | Chairperson                | Membership   |
| St. John's Transportation Commission                 | Councillor Wally Collins   | Deputy Mayor Ron Ellsworth<br>Councillor Bernard Davis   |
| St. John's Sports & Entertainment                    |                            | Councillor Danny Breen   |
| C.A. Pippy Park Commission                           |                            | Councillor Sandy Hickman   |
| Grand Concourse Authority                            |                            | Councillor Jonathan Galgay   |
| Bowring Park Foundation                              |                            | Deputy Mayor Ron Ellsworth   |
| Quidi Vidi Rennie's River Foundation                 |                            | Councillor Sandy Hickman   |
| St. John's Clean & Beautiful                         |                            | Councillor Dave Lane   |
| Aquarena Committee                                   |                            | Councillor Sandy Hickman   |
| Municipalities Newfoundland and Labrador             |                            | Councillor Jonathan Galgay   |

## Committee Memberships of Council (2013-2014)

| <b>Other Committees of Council</b>                                    |  |  |
|---|--|--|
| Committee   | Chairperson  | Membership   |
| Animal Care & Control   | Deputy Mayor Ron Ellsworth                                     | Councillor Art Puddister   |
| Cruise Ship   | Mayor Dennis O'Keefe   | Councillor Art Puddister   |
| Arts Advisory   | Councillor Sandy Hickman                                       | Councillor Dave Lane<br>Councillor Jonathan Galgay   |
| Environmental Advisory  | Councillor Dave Lane   | Deputy Mayor Ron Ellsworth   |
| Heritage Advisory   | Co-Chairs:<br>Councillor Sandy Hickman<br>Councillor Dave Lane | Deputy Mayor Ron Ellsworth   |
| Nomenclature  | Councillor Bruce Tilley  | Mayor Dennis O'Keefe   |
| Police & Traffic  | Councillor Art Puddister                                       | Councillor Tom Hann<br>Councillor Sandy Hickman<br>Councillor Danny Breen<br>Councillor Bruce Tilley<br>Councillor Jonathan Galgay<br>Councillor Bernard Davis<br>Councillor Wally Collins |
| Public Arts Advisory  |  | Councillor Sandy Hickman   |
| St. John's Para-Transit   |  | Councillor Ron Ellsworth<br>Councillor Tom Hann  |
| Special Events  |  | Councillor Jonathan Galgay<br>Councillor Bernard Davis   |
| Taxi  |  | Deputy Mayor Ron Ellsworth   |
| <b>Others</b>   |  |  |
| Committee   | Chairperson  | Membership   |
| Urban Forest Advisory   |  | Councillor Sandy Hickman<br>Councillor Dave Lane   |
| Mayor's Advisory Committee on the Status of Persons with Disabilities |  | Deputy Mayor Ron Ellsworth<br>Councillor Tom Hann  |
| Mayor's Advisory Committee on Youth                                   |  | Deputy Mayor Ron Ellsworth<br>Councillor Bernard Davis   |
| Mayor's Advisory Committee on Seniors                                 |  | Councillor Tom Hann<br>Councillor Bruce Tilley   |
| Mayor's Advisory Committee on Crime Prevention                        |  | Councillor Art Puddister<br>Councillor Jonathan Galgay   |
| Committee to Review Condominium Services                              |  | Councillor Danny Breen<br>Councillor Bruce Tilley  |

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| <b>Committee Memberships of Council (2013-2014)</b> |
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|--|------------------------|--|
| Joint Committee of Council and the Downtown Development Commission |                        | Councillor Dave Lane                                   |
| Rotary Sunshine Park   | Mayor Dennis O'Keefe   |  |
| Bannerman Park Foundation  |                        | Councillor Sandy Hickman<br>Councillor Jonathan Galgay |
|  |                        |  |
| <b>Staff Committees with Council Representation</b>                |                        |  |
| Committee  | Council Representative | Membership   |
| Development Committee  | Councillor Tom Hann    | Deputy Mayor Ron Ellsworth                             |
|  |                        |  |