

**AGENDA
REGULAR MEETING**

**SEPTEMBER 16th, 2013
4:30 p.m.**

ST. JOHN'S

MEMORANDUM

September 12th, 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, September 16, 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 **4:00 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
SEPTEMBER 16th, 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 (September 9th, 2013)**
4. **Business Arising from the Minutes**
 - A. **Included in the Agenda**
5. **Other Matters**
6. **Notices Published**
 - a. **A Discretionary Use Application** has been submitted requesting permission to construct a Single Detached Dwelling at **civic number 14 Henry Street** to create a one unit Single-Detached Infill dwelling. One off-street parking space will be provided. **(Ward 2)**

One (1) submission
 - b. **Discretionary Use Application** has been submitted requesting permission to occupy **civic number 515 Back Line Road** as a Home Occupation for an Esthetics Spa. The proposed business will offer esthetic services such as manicures, pedicures, waxing and massage. It will occupy a floor area of approximately 8.8 m² and will operate Monday to Saturday, 9 a.m. to 7 p.m., one client per session, by appointment only. Each session is approximately one to two hours long, with a maximum of five sessions per day. On-site parking is available for the business. The applicant is the sole employee. **(Ward 5)**

One (1) Submission
 - c. **A Discretionary Use Application** has been submitted requesting permission to occupy a portion of **civic number 300 LeMarchant Road** as a Home Occupation for an Internal Medicine and Kidney Disease Clinic. The proposed business will occupy a floor area of approximately 14.5 m² and will operate Monday to Friday, 9 a.m. to 5 p.m., one patient per appointment, and is by appointment only. Each appointment is approximately one hour or less, with a maximum of 10 patients per day. Two on-site parking spaces are available for the business. The applicant is the sole employee. **(Ward 2)**

7. Public Hearings

8. Committee Reports

- a. Planning Committee Report dated September 11, 2013
- b. Nomenclature Committee Report

9. Resolutions

10. Development Permits List

11. Building Permits List

12. Requisitions, Payrolls and Accounts

13. Tenders

- a. Tender – Water Transmission Main Replacement
Blackmarsh Road to Topsail Road
- b. Tender – Bay Bulls Road Street Upgrading Phase 2
(Royal Oak Drive to Bay Bulls Road)
- c. Tender - Tender Skate Park Equipment 2013079

14. Notices of Motion, Written Questions and Petitions

15. Other Business

- a. Memorandum dated September 12, 2013 from the Deputy City Manager, Public Works
Re: Curbside Leaf Collection Pilot Project
- b. Memorandum dated September 11, 2013 from the City Solicitor
Re: 92 Bay Bulls Road
- c. Memorandum dated September 11, 2013 from the City Solicitor
Re: Kiwanis Street, 59973 Newfoundland & Labrador Limited
- d. **Correspondence from the Mayor's Office**

e. Items Added by Motion

16. Adjournment

September 9th, 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 Duff, Councillors O'Leary, Hickman, Hann, Colbert, Breen, Galgay, Tilley Hanlon and Collins.

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

Call to Order and Adoption of the Agenda

SJMC2013-09-09/392R

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

- a. Memorandum dated September 9, 2013 from Deputy Mayor Duff, Chair Arts Advisory Committee Arts Procurement Recommendations - Revised

Adoption of Minutes

SJMC2013-09-09/393R

It was decided on motion of Councillor Tilley; seconded by Councillor Hann: That the minutes of September 3rd, 2013 be adopted as presented.

Notices Published

1. Proposed Rezoning of Property Situate 200-232 Newfoundland Drive, Virginia Park Plaza, Applicant: Regal Realty Limited (Ward 1) Three (3) Submissions

Council considered a memorandum dated September 5, 2013 from the Chief Municipal Planner concerning the proposed rezoning of property situate 200-232 Newfoundland Drive, Virginia Park Plaza. Verbal and written representations, some expressing concern or opposition to the proposed development were received.

Councillor Danny Breen outlined details of the proposal which includes Phase 1 residential condominium with commercial space; Phase 2, a two-storey commercial building facing onto Newfoundland Drive and Phase 3, 5 storey residential units on the east side of the parking lot. Councillor Breen advised that he attended an informal meeting to discuss the proposed development with area residents and the applicant on September 4, 2013 at the Virginia Park Community Centre. He noted that though he received positive response to the proposal, concern was expressed relative to traffic, insufficient parking spaces and the potential loss of a pathway. He put forward the following motion:

SJMC2013-09-09/394R

It was moved by Councillor Breen; seconded by Councillor Hann: That Phases 1 and 2 of the proposed redevelopment of Virginia Park Plaza for residential and commercial use be approved; and that phase 3 be referred to a public meeting.

Discussion ensued during which members of Council, though supportive of the proposal, were not in favour of supporting the project in “piecemeal fashion” and felt that as a matter of principle, normal process should be followed, and the entire project referred to a public hearing. The following motion was put forward.

SJMC2013-09-09/395R

It was moved by Deputy Mayor Duff; seconded by Councillor O’Leary: That the motion be amended to refer the entire project to a public meeting.

Councillor Breen indicated that he has no objection to a public meeting being held on the entire proposal, however, pointed out that he is merely following the recommendation of the Planning Committee and subsequent approval of Council that a LUAR be prepared by the developer, that the proposed rezoning and assessment report be advertised to the area residents and property owners for public review and comment. Councillor Breen took exception to the inference that he was trying to deviate from the normal process. He suggested that perhaps the rules should be changed to make public hearings mandatory, noting that he intends to bring forward notice of motion to that effect.

Following discussion, the motion as amended being put was unanimously carried.

- 2. A Discretionary Use Application** has been submitted requesting permission to construct a single detached dwelling at **Civic No. 52 Pennywell Road** to create a two-unit infill dwelling. Two off-street parking spaces will be provided. **(Ward 2)**

SJMC2013-09-09/396R

It was moved by Councillor Galgay; seconded by Deputy Mayor Duff; That the application be approved subject to all applicable City requirements.

The motion being put was unanimously carried.

Public Hearing Report

Public Hearing Report dated August 14, 2013
RE: 12-20 Mount Cashel Road
Application for Townhouse Condominium Development
Proposed New R2 Condominium Zone
Applicant: 62554 Newfoundland and Labrador Inc.

Councillor Colbert presented the report of a public meeting held on August 14, 2013 to discuss an application for Townhouse Condominium Development, 12-20 Mount Cashel Road. In this regard, Council also considered a memorandum dated September 4, 2013 from the Chief Municipal Planner as well as written submissions received from area residents which included a request that an Land Use Assessment Report be completed.

SJMC2013-09-09/397R

It was moved by Councillor Colbert; seconded by Councillor Hanlon: That staff be directed to proceed with the rezoning process for 12-20 Mount Cashel Road proposed new R2 Condominium Zone; and further, agreed that the following Resolution for St. John's Development Regulations Amendment Number 584, 2013 be adopted:

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 584, 2013**

WHEREAS the City of St. John's wishes to modify the St. John's Development Regulations to establish a site-specific zone for property located at 12-20 Mount Cashel Road.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendment to the St. John's Development Regulations in accordance with the Urban and Rural Planning Act, 2000:

- Rezone the property at 12-20 Mount Cashel Road from the Residential Medium Density (R2) Zone to the Residential Medium Density – Condominium (R2- Condominium) Zone, as shown on Map Z-1A attached; and
- Amend Section 10 of the Development Regulations by adding the following new zone:

**10.4.(B) RESIDENTIAL MEDIUM DENSITY - CONDOMINIUM (R2
Condominium) ZONE**

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

The purpose of this land-use zone is to allow land development under condominium ownership, where the overall development has frontage on a public road but individual units within the development do not have frontage on a public road.

10.4.(B).1 Permitted Uses

Residential Condominium:

- (a) Accessory Building (subject to Section 8.3.6)
- (b) Home Office (subject to Section 7.9)
- (c) Townhousing

10.4.(B).2 Discretionary Uses (subject to Section 5.8)

- (a) Home Occupation (subject to Section 7.8)
- (b) Parking Lot (subject to Section 7.13)
- (c) Public Utility

10.4.(B).3 Zone Requirements

The following requirements shall apply to all types of residential development:

- (a) Lot Area (minimum) 180 square metres per Dwelling Unit
- (b) Lot Frontage (minimum) 20 metres
- (c) Building Line (minimum) 6 metres
- (d) Side Yard for End-Unit Townhouses (minimum) 1.2 metres
- (e) Side Yard (as oriented from the public street frontage) (minimum) 6 metres
- (f) Rear Yard (as oriented from the public street frontage) (minimum) 1.2 metres
- (g) Building Height (maximum): 3 storeys
- (h) Off-Street Parking Spaces (minimum): 1 space per Dwelling Unit
- (i) Landscaping (minimum): 30% of entire Lot Area

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

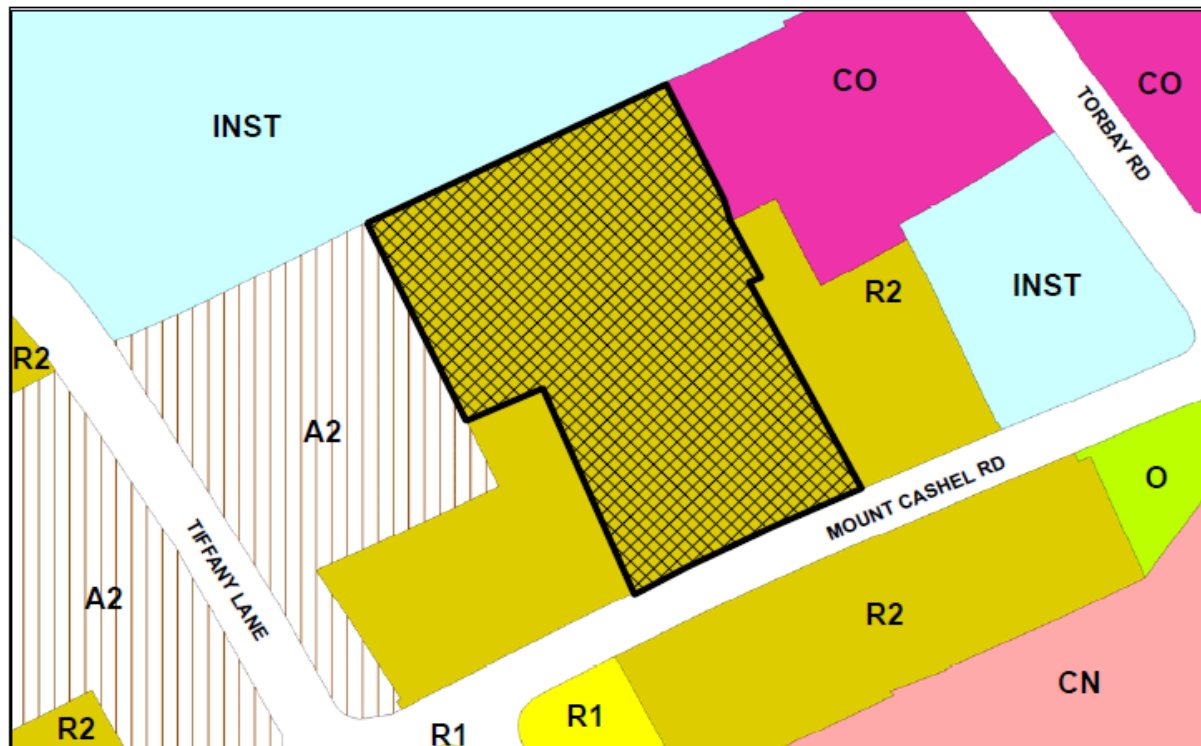
IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this 9th day of **September, 2013**.

Mayor

City Clerk

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

MCIP



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 584, 2013
[Map Z-1A]**

2013 09 05 SCALE: 1:1250
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

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



AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY - CONDOMINIUM ZONE
(R2 CONDOMINIUM) LAND USE ZONE

12-20 Mount Cashel Road

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

Members of Council indicated their support of the proposed development and were satisfied that issues of concern have been satisfactorily addressed.

Following discussion, the motion being put was unanimously carried.

Development Committee Report dated September 3, 2013

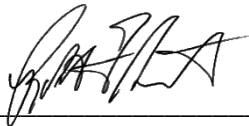
Council considered the following Development Committee Report dated September 3, 2013:

**1. Request for a Variance
Hebron Way**

KMK Capital has requested a variance in the height requirements for a proposed four-storey office building to be located in the new commercial subdivision off Hebron Way.

The proposed building will have a finished roof height of 15.84 meters which is within the 10% variance, which may be permitted by Council as per Section 8.4 of the Development Regulations.

It is recommended that Council approve this request.



Robert F. Smart, City Manager
Chair – Development Committee

SJMC2013-09-09/398R

It was moved by Councillor Hann; seconded by Councillor Hickman: That the Committee's recommendation be approved.

The motion being put was unanimously carried.

Heritage Advisory Committee Report dated July 26th, 2013

Council considered the following Heritage Advisory Committee Report dated July 26th, 2013:

Attendees: Deputy Mayor Shannie Duff, Chairperson
Councillor Sheilagh O’Leary
Dave Lane, NL Historic Trust
Gerard Hayes, Citizen Representative
Dave Blackmore, Deputy City Manager of Planning, Development & Engineering
Ken O’Brien, Manager of Planning & Information
Peter Mercer, Heritage Officer
Margaret Donovan, Tourism Industry Coordinator
Karen Chafe, Recording Secretary

Report:

1. **488 Water St. – Application to Replace Front Door**
The Committee considered the above-noted application. The building known as Apothecary Hall is a heritage designated structure. The Heritage Officer has consulted with the owner who has agreed to replace the door with a fiberglass $\frac{3}{4}$ windowed door which will line up with the existing window sill façade.

The Committee recommends approval as per the recommendation of the Heritage Officer.

Deputy Mayor Shannie Duff
Chairperson

SJMC2013-09-09/399R

**It was moved by Deputy Mayor Duff; seconded by Councillor O’Leary:
That the Committee’s recommendation be approved.**

The motion being put was unanimously carried.

Memorandum dated September 9, 2013 from Deputy Mayor Duff, Chair Arts Advisory Committee Arts Procurement Recommendations - Revised

Council considered the following Report from Deputy Mayor Duff, Chair Arts Advisory Committee:

Date: September 9, 2013

To: Mayor Dennis O’Keefe

and Members of Council

From: Deputy Mayor Shannie Duff, Chair Arts Advisory Committee

Re: 2013 Arts Procurement Recommendations - Revised

Council at their Regular meeting of September 3, 2013 accepted the Art Procurement Jury's recommendation to purchase art totalling \$20,390.

Unfortunately two pieces originally chosen having a value of \$4,700 have since been sold so it was necessary for the Jury to make alternate selections having a value of \$4,120.

SJMC2013-09-09/400R

It was moved by Deputy Mayor Duff; seconded by Councillor Tilley: That the recommendations of the Arts Advisory Committee for art procurement as outlined in the following revised table totalling \$19,810.00, be approved.

Art Procurement 2013 - Recommendations		
Artist's Name	Title of Artwork	Price
Cory Collins	Free University of Iqaluit	\$ 1,325.00
Boyd Chubbs	Scat at the Peter Easton	\$ 1,950.00
Erika Stephens-Moore	Point Pleasant	\$ 2,450.00
Laurie Leehane	Bond Street	\$ 2,300.00
John Goodyear	The Ring	\$ 1,750.00
Michael Young	The Fox	\$ 2,200.00
Kathleen Knowling	Lonely House, McDougal Street	\$ 700.00
John McDonald	Lately	\$ 2,700.00 *
Jonathan Green	Even Here it Was Impossible to Escape	\$ 525.00
Audrey Hurd	Ghost Shoes	\$ 180.00
Philippa Jones	Universal Equation Solver	\$ 1,200.00
John MacCallum	The Discussion	\$ 800.00
Jonathan O'Dea	Jellybeans	\$ 2,000.00 *
Jennifer Morgan	Postcards: Cathedral	\$ 310.00
Annette Manning	Layering Green	\$ 750.00 **
Margaret Walsh Best	Winter Hike to Fort Amherst	\$ 600.00 **
Ellie Yonova	Opus 6056	\$ 2,450.00 **
Kelly Burton	Tea Towel Kitchen	\$ 320.00 **

TOTAL		\$ 19,810.00
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Notes: * Art work sold as per memo and excluded from the total reflected above.

**Recommended alternate selections

The motion being put was unanimously carried.

Development Permits

Council considered as information the following Weekly Development Permits for the period August 30, 2013 to September 5, 2013:

**DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF August 30, 2013 TO September 5, 2013**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Demolition & Rebuild of Dwelling	4 Empire Avenue	2	Approved	13-09-03
RES	ALLNORTH Consultants Ltd	Nineteen (19) residential building lots	Parsonage Drive	1	Approved	13-09-04
RES	APM Construction	Two (2)-Four(4) Story Residential Buildings, 64 + 39 Units	St. John's Place – Block #6	1	Approved	13-09-05
COM		Home Office for Event Planning	2 First Avenue	4	Approved	13-09-05

<p>* Code Classification: RES- Residential COM- Commercial AG - Agriculture OT - Other</p>	<p>INST - Institutional IND - Industrial</p>	
<p>** 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.</p>		

**Gerard Doran
Development Officer
Department of Planning**

Building Permits List – September 9, 2013

SJMC2013-09-09/401R

It was decided on motion of Councillor Tilley; seconded by Councillor Breen: 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 September 9, 2013 Regular Meeting**

Permits Issued: 2013/08/29 To 2013/09/04

Class: Commercial

16-72 Hamlyn Rd-Halloween Ally	Co	Place Of Amusement
3-11 Rowan St	Rn	Mixed Use
16-72 Hamlyn Rd Halloween Ally	Sn	Retail Store
38-42 Ropewalk Lane Sign #2	Ms	Tavern
655 Topsail Rd, Discovery Ctr.	Cr	Commercial School
27 Elizabeth Ave	Co	Eating Establishment
454 Water St	Rn	Mixed Use
75 Aberdeen Ave	Rn	Retail Store

This Week \$ 1,780,700.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

Clancey Dr (Quidi Vidi Lake)	Nc	Recreational Use
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This Week \$.00

Class: Residential

346 Anspach St	Nc	Fence
5 Ariel Pl	Nc	Accessory Building
57 Beothuck St	Nc	Patio Deck
72 Blue Puttee Dr	Nc	Fence
17 Caribou Pl	Nc	Accessory Building
19 Chafe Ave	Nc	Patio Deck
356 Duckworth St	Nc	Patio Deck
13 Dunford St	Nc	Semi-Detached Dwelling
44 Dunkerry Cres Lot 268	Nc	Single Detached Dwelling
501 Foxtrap Access Rd	Nc	Fence
20 Georgina St	Nc	Fence
8 Hamel St	Nc	Patio Deck
16 Huntingdale Dr	Nc	Fence
3 Kenai Cres, Lot 245	Nc	Single Detached Dwelling
11 Kenai Cres, Lot 241	Nc	Fence
15 Kerr St	Nc	Fence
69 Ladysmith Dr	Nc	Accessory Building

83 Newtown Rd	Nc	Fence
4 Nonia St	Nc	Fence
35 Old Bay Bulls Rd	Nc	Fence
3 Organ Pl	Nc	Accessory Building
82 Pitcher's Path	Nc	Accessory Building
16 Rose Abbey St	Nc	Accessory Building
6 Sequoia Dr, Lot 297	Nc	Single Detached & Sub.Apt
206 Stavanger Dr, Lot 4	Nc	Single Detached Dwelling
29 Sitka St	Nc	Fence
51 William St	Nc	Accessory Building
30 Winthrop Pl	Nc	Fence
46 Cypress St	Cr	Subsidiary Apartment
13 Dorset St	Cr	Single Detached & Sub.Apt
9 Long Beach St	Ex	Single Detached Dwelling
43 Parade St	Ex	Single Detached Dwelling
20 Blackwood Pl	Rn	Single Detached Dwelling
20 Blackwood Pl	Rn	Single Detached Dwelling
2 Capulet St	Rn	Subsidiary Apartment
16 Circular Rd	Rn	Single Detached Dwelling
32 Cookstown Rd	Rn	Single Detached Dwelling
20 Fleming St	Rn	Single Detached Dwelling
17 Country Grove Pl	Sw	Single Detached & Sub.Apt
11 Elm Pl	Sw	Single Detached Dwelling
16 Griffin's Lane	Sw	Single Detached Dwelling
16 Rose Abbey St	Sw	Single Detached Dwelling
24 Whiteford Pl	Sw	Single Detached Dwelling

This Week \$ 1,244,815.00

Class: Demolition

81 Thorburn Rd	Dm	Mixed Use
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This Week \$ 45,000.00

This Week's Total: \$ 3,070,515.00

Repair Permits Issued: 2013/08/29 To 2013/09/04 \$ 43,000.00

30 Gullage Street New Driveway Rejected As Per Section 10.3.3(1) (G)Of The City Of St. John's Development Regulations As At Least 50% Of The Front Yard Shall Be Landscaped.

34 Glenlonan Street Driveway Extension Rejected As Per Section 10.3.3(1) (G)Of The City Of St. John's Development Regulations As At Least 50% Of The Front Yard Shall Be Landscaped.

Legend

Co	Change Of Occupancy	Sn	Sign
Cr	Chng Of Occ/Renovtns	Ms	Mobile Sign
Ex	Extension	Cc	Chimney Construction
Nc	New Construction	Cd	Chimney Demolition
Oc	Occupant Change	Dv	Development File

Rn	Renovations	Ws	Woodstove
Sw	Site Work	Dm	Demolition
Ti	Tenant Improvements		

YEAR TO DATE COMPARISONS			
September 9, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$156,700,000.00	\$70,200,800.00	-55
Industrial	\$3,600,100.00	\$131,000.00	-96
Government/Institutional	\$15,500,500.00	\$71,800,700.00	363
Residential	\$134,200,100.00	\$114,300,100.00	-15
Repairs	\$3,700,600.00	\$3,500,400.00	-5
Housing Units (1 & 2 Family Dwellings)	445	322	
TOTAL	\$313,701,300.00	\$259,933,000.00	-17

Respectfully Submitted,

David Blackmore, R.P.A.
Deputy City Manager - Planning, Development & Engineering

Payrolls and Accounts

SJMC2013-09-09/402R

**It was decided on motion of Councillor Tilley; seconded by Councillor Breen:
That the following Payrolls and Accounts for the week ending August
September 5th, 2013 be approved:**

**Weekly Payment Vouchers
For The
Week Ending September 5, 2013**

Payroll

Public Works

\$ 459,536.41

Bi-Weekly Casual	\$ 111,357.14
Accounts Payable	\$4,471,043.17
Total:	\$ 5,041,936.72

238 Portugal Cove Road

Council considered a memorandum dated September 4, 2013 from the City Solicitor regarding the above noted.

SJMC2013-09-09/403R

It was decided on motion of Councillor Colbert; seconded by Councillor Hickman: That compensation in the amount of \$750.00, plus legal fees, be approved for expropriation by the City of an easement over land at 238 Portugal Cove Road, for replacement of the water transmission line.

The motion being put was unanimously carried.

Grace Hospital Site

Council considered a memorandum dated August 29, 2013 from the City Solicitor regarding the above noted.

SJMC2013-09-09/404R

It was decided on motion of Councillor Hann; seconded by Councillor Galgay: That authority be granted to execute the lease between the City and Coady Construction Ltd. for a six month period at no cost, for the storage of materials on the Grace Hospital Site for the Craigmillar Avenue infrastructure replacement project.

The motion being put was unanimously carried.

Councillor Collins

Councillor Collins advised that he intends to investigate with staff the possibility of installing a turning lane on Doyles Road in the vicinity of Goulds Elementary School due to heavy traffic congestion in that area.

Councillor Hanlon

Councillor Hanlon asked that a letter of congratulations and support be forwarded by His Worship the Mayor on behalf of Council to Stephen Dunn , local film maker on winning a national competition which will see him further his career in the film development area.

Councillor Tilley

Councillor Tilley asked that the Police and Traffic (1) consider installing a left turning lane on Mundy Pond Road at the Cross Town Arterial and (2) installing a left turning lane at Mercer's Lane and Backmarsh Road.

Councillor Galgay

Councillor Galgay asked for a status report on the proposed Condominium Development - Roosevelt Properties Ltd. - Civic No. 181 Hamilton Avenue, former CEI Club.

Councillor Hann

Councillor Hann asked that staff look at the possibility of establishing a St. John's Walk of Fame in front of the Convention Centre as a tribute to the community of actors and musicians of the province of NL who succeeded both nationally and internationally.

Councillor Hickman

Councillor Hickman noted he has received complaints about problems associated the Military Road/Garrison Hill/Bonaventure Avenue intersection and asked that the matter be referred to the Police and Traffic Committee.

Councillor O'Leary

Councillor O'Leary advised that she received a complaint on the issue of "bed bugs" and asked on behalf of the resident, if the City, from a health and safety perspective, would post information on the matter on its web site.

Councillor O’Leary noted problems due to increased transport traffic in the King’s Bridge Road/Forest Road area and asked that the matter be referred to the Police and Traffic Committee to discuss options on how to heighten patrols in that area.

Adjournment

There being no further business the meeting adjourned at 5:35 p.m.

MAYOR

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, September 16, 2013**

Ref #	Property Location/ Zone Designation	Ward	Application Details	Floor Area (square metres)	# of Employees (includes the applicant)	# of On-Site Parking Spaces	Written Representations Received	Planning and Development Division Notes
1	Civic Number 300 LeMarchant Road Residential Mixed (RM) Zone	2	A Discretionary Use Application has been submitted requesting permission to occupy a portion of Civic No. 300 LeMarchant Road as a Home Occupation for an Internal Medicine and Kidney Disease Clinic. The proposed business will occupy a floor area of approximately 14.5 m ² and will operate Monday to Friday, 9 a.m. – 5 p.m., one (1) patient per appointment, and is by appointment only. Each appointment is approximately 1 hour or less, with a maximum of 10 patients per day. Two (2) on-site parking spaces are available for the business. The applicant is the sole employee.	14.5 m ²	1	2	No submissions received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.
2	Civic Number 14 Henry Street Residential Downtown (RD) Zone	2	A Discretionary Use Application has been submitted requesting permission to construct a Single Detached Dwelling at Civic No.14 Henry Street to create a one (1) unit Single-Detached Infill dwelling. One (1) off-street parking space will be provided.		1	1	1 submission received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.
3	Civic Number 515 Back Line Road Residential Low Density (R1) Zone	5	A Discretionary Use Application has been submitted requesting permission to occupy Civic No. 515 Back Line Road as a Home Occupation for an Esthetics Spa. The proposed business will offer esthetic services such as manicures, pedicures, waxing, and massage. It will occupy a floor area of approximately 8.8 m ² and will operate Monday to Saturday, 9 a.m. – 7 p.m., one (1) client per session, by appointment only. Each session is approximately 1-2 hours long, with a maximum of 5 sessions per day. On-site parking is available for the business. The applicant is the sole employee.	8.8 m ²	1		1 submission received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements.

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

Subject: Application for development at 14 Henry Street

Our condominium corporation for 21 Church Hill owns the lot at #16 Henry Street.

It provides three parking spaces for unit owners in our building.

While construction takes place at #14 Henry, we will be using the parking lot.

We want to be assured that builders will not encroach or block our property with scaffolds, machinery, or vehicles or in any other way.

I think this will be tricky, as the diagram shows their plan to occupy the entire lot at #14.

Our parking lot is in use all the time, and is not to be considered spill-over space for the developer to use when needed.

Thank you,

Regarding the application by the owners of 515 Backline Road Goulds to open a spa, please be advised that for the following reasons I have to object to it. This property is situated directly behind and above my back boundary. From the time I built this house there was trouble with flooding on my property and in my basement.

For a period of time this 515 Backline Road had their basement appt. occupied and both upstairs and downstairs were using the same septic system located in their backyard. This would saturate the land, theirs and mine and create problems. Problems so bad that my sump pumps could not keep my basement from flooding at peak times.

There was so much water on the go that even people living at 15 Hannaford pl. had water running through their back yard as well.

The problem got so great th at I had to get a 270 foot ditch dug across the back of my land to cut off some of their water that was flowing down. The people of 515 Backline rd also dug a ditch across the back of their land too take away the pool of water [sewer] that would accumulate in their backyard. Why someone would want to add more water to an already saturated area and create flooding of my home and land I find difficult to understand, keeping in mind this is the same owner that was there when this flooding started.

At this point in time I have this water issue barely under control and should you pass this application while they are still on septic the result would be that my property /home is in for flooding again. Should this occur the city of St. Johns would only be adding themselves to the list of those liable.

I strongly urge you to deny this application.
Yours Truly

MEMORANDUM

REPORT / RECOMMENDATIONS TO COUNCIL Planning and Housing Standing Committee Wednesday, September 11, 2013

In Attendance: Councillor Tom Hann, Chairperson
Deputy Mayor Shannie Duff
Councillor Sheilagh O’Leary
Councillor Sandy Hickman
Councillor Bruce Tilley
Councillor Danny Breen
Robert Smart, City Manager
Dave Blackmore, Deputy City Manager, PDE
Jason Sinyard, Director, Planning and Development
Brendan O’Connell, Director, Engineering
Lynnann Winsor, Director, Water & Wastewater
Lindsay Lyghtle-Brushett, Planner
Judy Powell, Metrobus
Sandy Abbott, Recording Secretary

The following matters were considered by the Planning and Housing Committee at its meeting held on September 11, 2013. A staff report is attached for Council’s information.

- 1. Department of Planning File Number: B-17-L.7 / 13-00131
Proposed Rezoning from the Institutional (INST) Zone to the Residential Kenmount (RK) Zone
Ladysmith Drive, East Side
Applicant: 11368 NL Ltd. (Ward 4)**

The applicant has submitted an application to rezone part of a property situated on the east side of Ladysmith Drive. The subject property is zoned Institutional (INST). The purpose is to rezone the subject property to the Residential Kenmount (RK) Zone. A Municipal Plan amendment would be required for this application.

The Committee recommends rejection as it is premature, and any change in the zoning in that area is deferred until the Municipal Plan Review is completed.

ST. JOHN'S

**2. Siting of Wireless Facilities (Telecommunication or Cellphone Towers)
Draft Siting Protocol**

The matter of a siting protocol has been discussed at the Development Committee and the Planning and Housing Committee. This latest draft (attached) is referred for consideration.

The Committee recommends that the Draft Siting Protocol be recommended to Council for approval at its next regular meeting.

**3. Department of Planning File Number: B-17-M.19 / 13-00109
Proposed Text Amendment to allow residential uses on the ground floor within the Commercial Office (CO) Zone, on a discretionary basis
53 and 67 Margaret's Place
Applicant: 66459 Newfoundland and Labrador Ltd.**

Newfoundland and Labrador Ltd. Has submitted an application to redevelop the property located on 53 and 67 Margaret's Place in St. John's. The application is to allow residential uses on the ground floor within the Commercial Office (CO) Zone, on a discretionary basis.

The Committee recommends approval of the application by Council.

Jason Sinyard
Director, Planning and Development

JS/sba

attachments

MEMORANDUM

Date: September 10, 2013

To: Chairperson and Members
Planning and Housing Committee

Re: Department of Planning File Number: B-17-L.7 / 13-00131
Proposed Rezoning from the Institutional (INST) Zone to the Residential Kenmount (RK) Zone
Ladysmith Drive, East Side
Applicant: 11368 NL LTD Ward 4

The applicant has submitted an application to rezone part of a property situated on the east side of Ladysmith Drive. The subject property is zoned Institutional (INST). The purpose is to rezone the subject property to the Residential Kenmount (RK) Zone. A Municipal Plan amendment would be required for this application.

This application warrants further review.

BACKGROUND

The subject property is located towards the northern edge of the Kenmount Terrace subdivision, surrounded by single-family detached homes. The subject property is a greenfield site which has been scrubbed of some of its original vegetation.

The INST Zone was put in place when the Southwest Area Development Plan was prepared almost a decade ago. It was intended for a future school or other institutional use. Since then, the Eastern School District advised that they do not require this land.

The current proposal is to rezone most of the property frontage along Ladysmith Drive for residential lots, leaving some frontage and all of the back-land in the INST Zone for future development.

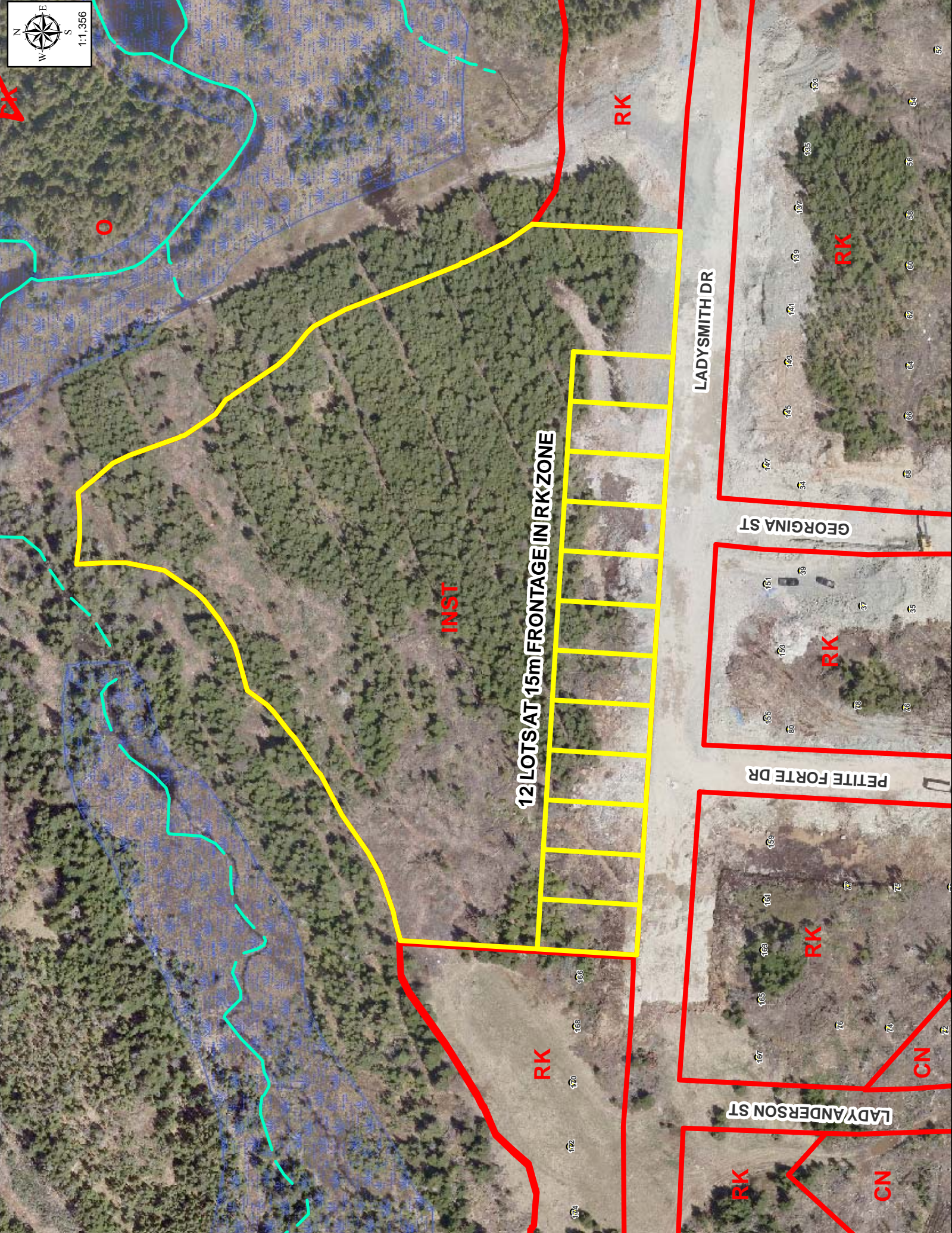
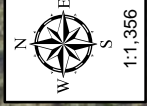
DISCUSSION

Planning Considerations

	St John's Municipal Plan	St. John's Development Regulations
Existing	Institutional District	Institutional (INST) Zone
Proposed	Residential Low Density District	Residential Kenmount (RK) Zone

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O

RK

INST

12 LOTS AT 15m FRONTAGE IN RK ZONE

LADYSMITH DR

GEORGINA ST

PETITE FORTE DR

LADY ANDERSON ST

RK

RK

RK

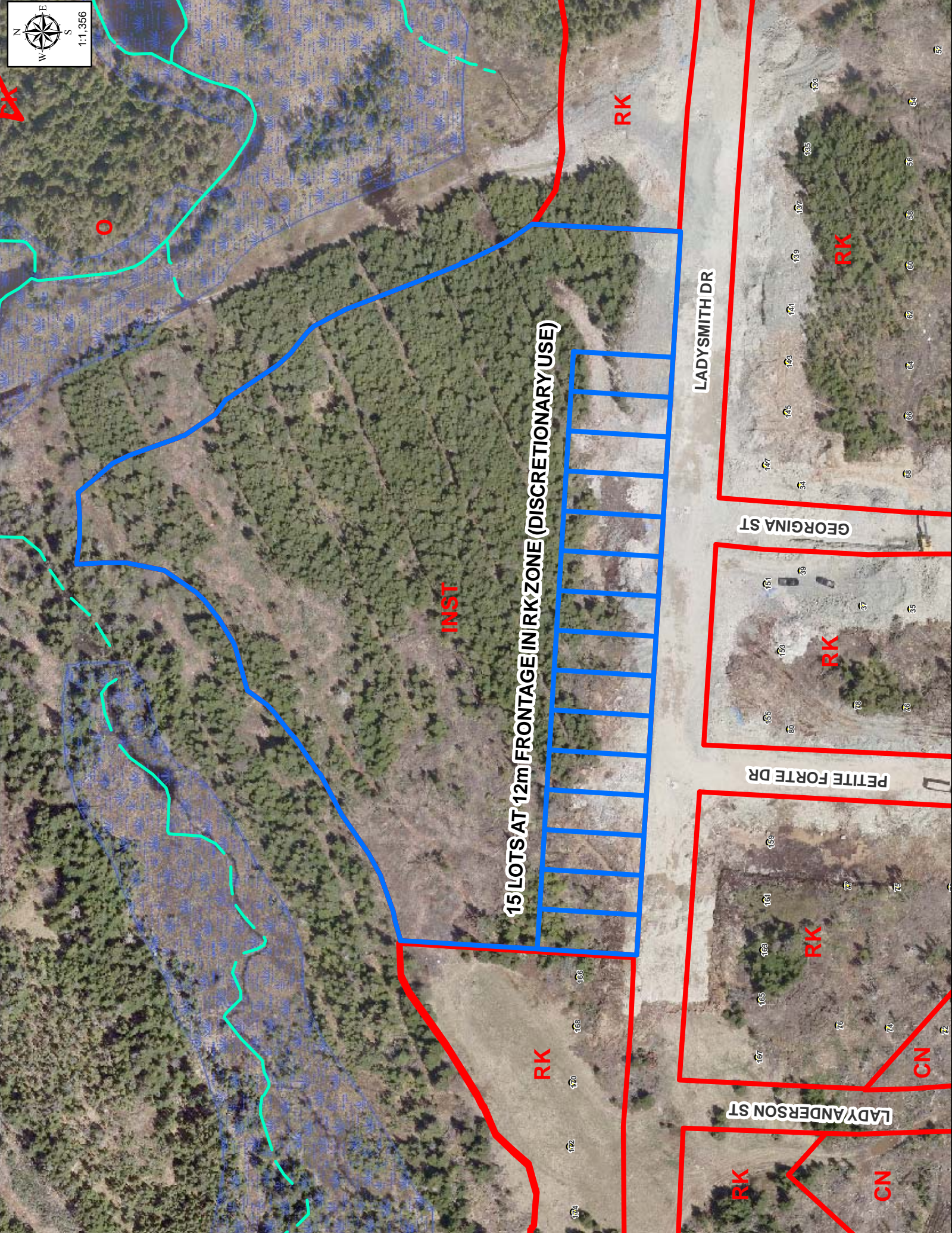
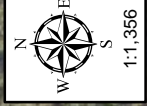
RK

RK

CN

CN

174 172 170 168 166 164 162 160 158 156 154 152 150 148 146 144 142 140 138 136 134 132 130 128 126 124 122 120 118 116 114 112 110 108 106 104 102 100 98 96 94 92 90 88 86 84 82 80 78 76 74 72 70 68 66 64 62 60 58 56 54 52 50 48 46 44 42 40 38 36 34 32 30 28 26 24 22 20 18 16 14 12 10 8 6 4 2 0



15 LOTS AT 12m FRONTAGE IN RK ZONE (DISCRETIONARY USE)

INST

RK

RK

RK

RK

RK

RK

CN

CN

LADYSMITH DR

GEORGINA ST

PETITE FORTE DR

LADYANDERSON ST

St. John's Municipal Plan

Under the Municipal Plan, the subject property is located in the Institutional (INST) District, where single detached dwellings are not permitted. The lands in the Institutional District are to be used for the administration and delivery of public services, primarily by government, public, social, religious, recreation or educational institutions. Consequently, a Municipal Plan amendment would be required should Council deem the development as appropriate for the area.

Under Section 1.2.4 of the Municipal Plan, it is stated that *"The City shall encourage the mixture of land uses in all areas"*.

The Eastern School District previously advised the City that they do not need the land reserved for a new school. Since then, they have built and opened the Elizabeth Park School in the Town of Paradise. It remains unknown at present whether any institution would require this property.

St. John's Development Regulations

The property is zoned Institutional (INST) Zone. As part of the idea of having a complete neighbourhood with different land uses within easy walking distance (and idea which has been central in the public feedback for Envision St. John's, our Municipal Plan review), the City would be wise to explore other possible institutional uses on this land before rezoning it.

Technical Considerations

1. The Department of Engineering has confirmed that the area can be serviced by adequate water pressure with the existing infrastructure;
2. Engineering has no objections to residential lots with driveways along this section of Ladysmith Drive.

CONCLUSION/RECOMMENDATION

In considering this proposed rezoning, staff recommend that it be advertised publicly and that the City contact various institutional organizations (such as local churches or service organizations) to see if there is any need for the Institutionally zoned land.

If rezoning is considered, it would require a Municipal Plan amendment, including at a later date a public hearing chaired by an independent commissioner.

This is provided for the consideration of the Planning and Housing Committee.

Ken O'Brien, MCIP
Chief Municipal Planner

MH/dlm

MEMORANDUM

Date: September 10, 2013

To: Chair and Members
Planning and Housing Committee

Re: **Siting of Wireless Facilities (Telecommunication or Cellphone Towers)
Draft Siting Protocol**

The matter of a siting protocol has been discussed at the Development Committee and the Planning and Housing Committee. This latest draft (attached) is referred for consideration.

APPROACH

The approach presented differs from previous discussions in the following ways:

- Any type of proposed wireless facility in the City of St. John's would require that the proponent submit a development application to the City. This includes towers, antennas, and rooftop structures, and would apply no matter the height (whether 15 metres, or higher, or lower).
- Instead of classing these as a Public Utility (this land use is either permitted or discretionary in all land-use zones), we suggest reclassifying Wireless Facilities as a separate land use and making them discretionary in all zones (instead of being permitted in some zones).
- Council would favour locations which are not in a Residential zone or an Apartment zone, and at least 150 metres from a Residential zone, an Apartment zone, a school property, or a recreational facility. At its discretion, Council could modify the separation distance on a site-by-site basis, considering factors such as topography, environmental features, heritage areas, and visual impact.
- No matter what the land-use zone, if a proposed wireless facility is to be sited so that it is not at least 150 metres from a Residential zone, an Apartment zone, a school property, or a recreational facility, then Council would consider issuing a letter of non-compliance to the proponent and to Industry Canada.
- The City prefers that wireless facilities be located near industrial or commercial areas or close to major transportation and utility corridors.
- If a proposed wireless facility is in a Heritage Area, then the City could require a design to screen or camouflage the structure (as an architectural element, flagpole, lamppost, or natural feature such as a tree) to suit its location and minimize its visual impact.

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

- The City would require any proposed wireless facility to be co-located on existing tower infrastructure, or on rooftops or other private structures. Only if this is not possible would the City consider a new ground-based wireless facility.
- Any application for a wireless facility would be subject to the public notification requirements of the City. At its discretion, Council might require a public meeting. An independent process such as a newspaper notice, open house, public meeting, or other public process not done in close conjunction with the City would not be acceptable to the City.
- Public notification would be done by the City, using wording supplied by the proponent, supplemented by additional wording provided by the City. The City would do the mail-out, arrange the newspaper ads, and post the notice on the City website. The proponent could supplement this by its own means, but should not circulate information publicly without the City's knowledge.
- A public meeting, if required, would be organized and advertised by the City and chaired by a member of Council as per regular practice. The proponent would be expected to attend and present relevant information at the public meeting, then listen to the general discussion and participate in questions and answers.

This would form the basis of a protocol to be adopted by Council to deal with wireless facilities in St. John's.

REGULATION OF WIRELESS FACILITIES

Wireless facilities, including antenna systems, are governed by Federal legislation and regulations under Industry Canada. Radio communication is exclusively within the legislative competence of the federal government. However, Industry Canada requires that proponents of a wireless facility contact the local municipality for input. The City of St. John's does not "approve" an installation, but responds as to whether the City concurs or not. Industry Canada does work with land-use authorities to accommodate local requirements.

RECOMMENDATION

If this draft protocol for siting wireless facilities is acceptable, then staff recommend that it be referred to Council for consideration of setting up a public meeting, and that staff meet with Industry Canada and representatives of the telecom industry.

It is also recommended that Council instruct staff to begin reviewing applications using this protocol, until such time as the amendments dealing with the classification of wireless facilities, and in which zones they are discretionary, have been made. These would be brought forward to Council at a future date for consideration.

Ken O'Brien, MCIP
Chief Municipal Planner

KOB/dlm
Attachment

DEVELOPMENT INFORMATION BULLETIN:

**SITING PROTOCOL FOR WIRELESS FACILITIES
IN THE CITY OF ST. JOHN'S**

This is one in a series of Development Information Bulletins prepared to assist Property Owners and Developers to undertake specific types of development in the City of St. John's. Please contact the Department of Planning, Development and Engineering for further information on other Bulletins available in the series.

INTRODUCTION

Demand for wireless telecommunication services is increasing rapidly. The quality of wireless service is important to St. John's residents and visitors. Locating broadcasting antenna system structures, cellular towers and all wireless communications facilities (hereinafter referred to simply as "wireless facilities") is not a new challenge, but one that has been ongoing for several years. To meet increasing demand, telecommunications companies can no longer locate infrastructure along the edge of the city in more rural settings. Radio waves are limited in how far they can travel while still being reliable. Consequently, proposed wireless facilities are required closer to users, often in more urban areas. Telecommunications infrastructure provide significant public benefits, better wireless coverage, faster connections and improved emergency service response in the area. However, concerns from residents over the location of wireless facilities in close proximity to homes, schools, playgrounds, etc. must also be considered

REGULATION OF WIRELESS FACILITIES

Radio communication is a field exclusively within the legislative competence of the federal government. All wireless communications facilities in Canada are governed by Federal legislation and regulated by Industry Canada. Communication companies must apply to Industry Canada for a license to operate an installation at each specific location across the country. As set out in the Radio communication Act, Industry Canada is responsible for the licensing, development and operation of wireless facilities.

CITY BYLAWS AND POLICIES AND WIRELESS FACILITIES

The City of St. John's is not the approving authority for wireless communications infrastructure. Wireless facilities are regulated under federal jurisdiction by Industry Canada. Local regulations such as municipal zoning bylaws cannot override the federal regulations and jurisdiction. However, the City does review applications for wireless facilities using the Development Regulations and the zoning codes to help identify the City's preferred area for these wireless facilities. While Industry Canada does have jurisdictional authority, the City of St. John's does expect service providers to also respect the provisions of this siting protocol.

PURPOSE AND OBJECTIVES

The purpose of the Siting Protocol is to establish procedural standards that will allow the City of St. John's to effectively participate in and influence the placement of wireless facilities proposed within the city limits. The Siting Protocol is intended to assist City Council, City Staff, Industry Canada, the telecommunication industry and members of the public in understanding the roles, the review procedures, the preferred locations and the implementation process for the installation of wireless facilities.

The objectives of this Protocol are:

1. To establish a process and criteria for consistently reviewing and evaluating each proposal for placing a wireless facility within the City of St. John's and ensuring that the concerns of residents are understood and considered;
2. To provide clear and reasonable requirements for effective participation and cooperation with the proponents and their consultants with Council and City staff;
3. To minimize the number of cell towers required for telecommunication service within St. John's;
4. To ensure that co-location opportunities for telecommunication antenna structures are explored and acted upon;
5. To encourage and promote opportunities for improved telecommunication antenna structure design in order to minimize their visual impacts on the surrounding area; and
6. To assist the proponent in finding a suitable location that meets its needs while addressing the concerns of the City. This includes making the proponent aware of residents' concerns and providing recommendations regarding the placement and/or appearance of the structure.

ST. JOHN'S

THE ROLE OF THE CITY OF ST. JOHN'S

The main role of the City of St. John's is to review each proposal submitted by cellular communication companies (hereinafter referred to as the "proponents") and to send a response to the proponent indicating whether or not the proposed installation is supported (concurrence) or not supported (non-concurrence). Note that in cases where the City does not support a proposal, it cannot prevent a proponent from ultimately gaining permission from Industry Canada to install wireless facilities. However, the City would expect the proponent to abandon the installation if the City does not concur.

An additional role of the City of St. John's is to help facilitate communication between other proponents regarding co-location arrangements. Optimal use of tower co-location can improve wireless service, improve structure design and minimize any negative visual impacts that the towers may cause to adjacent residents and property owners. Co-location means the sharing of wireless towers by multiple service providers. Both the Federal regulations and the City's protocols require co-location wherever possible.

THE PROPONENTS PUBLIC NOTIFICATION AND CONSULTATION PROCESS

Industry Canada guidelines require that the proponent undertake a Public Notification and Consultation process for new antenna systems (including masts, towers or other antenna-supporting structure) over 15.0 metres in height. The proponent is responsible to mail out notices to all property owners identified within a radius of three times the (proposed) tower height. The proponent's Public Notification is a similar and parallel process to the City's public notification and advertising process. City Staff would typically attend any Public Information Sessions and may participate in consultation in the same fashion that the area residents and business owners would attend. Public information sessions are recommended by Industry Canada, but are not required of the proponents.

THE CITY'S PUBLIC NOTIFICATION PROCESS

In accordance with the St. John's Development Regulations, wireless facilities of any height throughout the City are a Discretionary Use. A Discretionary Use is a use which may be permitted by the St. John's Municipal Council to be established subject to special conditions or controls. Discretionary uses are those which may be approved or refused at the discretion of Council.

For Discretionary Use applications, staff is required to advertise the application in accordance with the City of St. John's Development Regulations. The public notification process will involve the advertisement of the application in the newspaper and the distribution by mail of written notices to all property owners within a minimum 150 metre radius of the application site. Notices are intended to advise the public of the receipt of the application and the name of the Applicant. The notices will also include a date for the receipt of written representations by the City Clerk for anyone wishing to express an interest in the application. Any written representations received are forwarded to Council for the same Regular Meeting of Council at which the application is to be considered for approval. Council may decide that a public meeting is required before approving or rejecting the application.

The City requires the proponent to participate in the City notification process and encourages the proponent to meet its Industry Canada requirements through the City process rather than through its own stand-alone process.

THE CITY OF ST. JOHN'S REVIEW PROCESS

1. **Pre-Consultation** – Proponents are required to conduct a pre-submission consultation with Planning Staff to identify preliminary issues of concern prior to the submission of an application. From this meeting, Planning Staff will advise the proponent of preferred locations for wireless facilities. City staff will also inform the proponent of the information required to be submitted with any future application. Typically they would provide the following items:
 - i. Access St. John's Application Form (with the signature of the Property Owner where the applicant and property owner are not the same, or a letter of authorization allowing the applicant to submit on the owners behalf)
 - ii. the type and height of the proposed wireless facility;
 - iii. the proposed facility location; and
 - iv. the documentation regarding the investigation of co-location potentials on existing structures in adjacent areas.

At this point in the process, the proponent has not yet made any submission to the City, so things are still flexible and opportunities may exist to find a location or design (or both) that will be appropriate for all parties.

2. **Review submission** – After the application is officially accepted for processing, it will be reviewed by the Development Officer and other City staff where necessary. Staff will evaluate each submission and decide to support or not support a submission based on the following criteria:
 1. Conformity with the City's Municipal Plan policies regarding historic sites, heritage areas, environmentally sensitive areas, etc.;
 2. The proposed location of the Facility;

- It should be noted that the City's preferred location is to have wireless facilities located at least 150 metres from a residential zone, apartment zone, school property or recreational facility;
3. Co-location potential on the proposed site and with nearby sites;
 4. The due diligence made by the proponent to provide alternate sites;
 5. The degree to which the design/type of structure integrates with the surrounding land uses and public realm;
 6. Design elements of the proposal including height, colour, diameter (if a monopole or tri-pole); and
 7. The visual impact of the proposed structure on the surrounding area (and potential for disguising or camouflaging/screening of the pole or the equipment shelter, etc.); Colour photographs or a mock-up graphic depicting the proposed design within the context of the proposed site would be required for review purposes.
3. **Public Notification Process** – For wireless facilities, the City will implement its public notification process. This includes public advertisement in the newspaper and distribution by mail to all property owners within a minimum 150 metre radius of the application site. To avoid duplication and to ensure clear communication to residents, the City of St. John's requires the proponent to provide City Planning Staff with information for a singular, coordinated mail-out of notices to all property owners within a minimum 150 metre radius of the application site.
 4. **Public Meeting** – Depending on the feedback received from the public notification process, Council will decide whether a Public Meeting should be held regarding the wireless facility proposal. If a public Meeting is deemed appropriate by Council, the City and proponent should host a joint public meeting on the application in accordance with City public meeting protocol.
 5. **Concurrence or Non-concurrence** – Following the public consultation process, the Development Officer will advise the proponent and it's representatives (consultants) of Council's concurrence (support) or non-concurrence (non-support). The City of St. John's will strive to render a decision of either concurrence or non-concurrence within 30 days of receiving a complete submission.

APPEALING A DECISION TO ALLOW WIRELESS FACILITIES

There is no appeal procedure to prevent the development of wireless facilities. In cases where members of the public are in opposition, it is important for those residents not in favour to take advantage of opportunities where public consultation is required by the federal and/or municipal regulations. Concerned residents can do this in one of two ways: One is to attend the public information sessions hosted by the proponent or the proponents' representatives (consultant) specifically designed to hear comments from the public. The second opportunity is to send your comments to the City's Development Officer who is tasked with processing wireless facility submissions.

The Department of Planning Development and Engineering maintains written communication with the proponent or the proponents' representatives (consultant) throughout the siting process for wireless facilities.

FURTHER INFORMATION

For further information, please contact:

DEVELOPMENT OFFICER
Department of Planning Development and Engineering
City of St. John's,
3rd Floor, St. John's City Hall
P.O. Box 908,
St. John's, NL A1C 5M2
Telephone: (709) 576-8220 or FAX: (709) 576-8625
E-mail: planning@stjohns.ca

MEMORANDUM

Date: September 9, 2013

To: Chair and Members
Planning and Housing Committee

**Re: Department of Planning File Number: B-17-M.19 / 13-00109
Proposed Text Amendment to allow residential uses on the ground floor within the
Commercial Office (CO) Zone, on a discretionary basis
53 & 67 Margaret's Place
Applicant: 66459 Newfoundland and Labrador Ltd.**

66459 Newfoundland and Labrador Ltd. has submitted an application to redevelop the property located on 53 and 67 Margaret's Place in St. John's. The application is to allow residential uses on the ground floor within the Commercial Office (CO) Zone, on a discretionary basis.

The rezoning application warrants further review.

BACKGROUND

The subject property is a complete redevelopment of the former Bevedere orphanage building (currently being used by Newfoundland Medical Care Plan (MCP)). The scope of work includes the removal of two non-heritage additions and the refurbishment of former St. Michael's convent. The project would be providing 49 new residential units: 35 in new wing/addition, 8 in former Bevedere orphanage building and 7 in the St. Michael's building. The former St. Michael's convent is one of the oldest structures in the City and is currently vacant and in a poor state of disrepair. Another design component of this redevelopment project is the development of two new landscaped gardens on the grounds. The first garden would be private for the residents of the condominiums and the second would provide public green space for all residents in the area.

DISCUSSION

Planning Considerations

	St. John's Municipal Plan	St. John's Development Regulations
Current	Commercial General (CG) District	Commercial Office (CO) Zone and Institutional (INST) Zone
Proposed	Same, but with a change on height limit	Commercial Office (CO) Zone; allowing residential uses on the groundfloor; and a change to height limit

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St. John's Municipal Plan

Under the Municipal Plan, the property is located in the Commercial General (CG) District; a small portion extends into the Institutional District.

Under Section 3.3.2 – General - Commercial, the Municipal Plan states that:

“in this District, the City shall permit zones providing for the following uses: 1) Neighbourhood Shopping Facilities 2) Offices 3) Transient accommodation; and 4) Residential”.

There is also a reference to building height:

“For the Belvedere property, located between Bonaventure Avenue and Newtown Road, building heights are limited to three storeys”

The proposed design is four storeys in height which aligns with the height of the existing Belvedere orphanage building. Therefore, to accommodate the proposed rezoning and development, Council would have to consider amending this restriction.

St. John's Development Regulations

The subject lands are zoned Commercial Office (CO) Zone. According to Section 10.18.1, this zone can accommodate dwelling units located in the second and/or higher Storeys of a building”. The zone presently does not allow residential use on the ground floor. Consequently, a text Amendment to the zone would be required to allow for this residential development with units on the ground floor.

As well, Section 10.18.3, the following section makes reference to building height:

“For the Belvedere property, located between Bonaventure Avenue and Newtown Road, building Height shall not exceed three (3) storeys”

Appropriate Zoning

City staff did discuss a rezoning to an apartment zone for this proposed development. However, the applicant has asked to keep the commercial zone in place, in case things change in the future.

Technical Considerations

1. A Traffic Impact Statement was submitted with the application and it was determined by the consultant that the residential development will generate far less than the 100 peak vehicle trips per hour which would typically require a full traffic impact study. The City's Department of Engineering reviewed this Traffic Impact Statement and has no concerns with the findings.

CONCLUSION/RECOMMENDATION

The Municipal Plan encourages an appropriate and compatible mix of residential forms and densities to achieve a compact urban form, create better quality neighbourhood environments and reduce the cost of municipal services. In light of these points, this application for a text amendment warrants further review.

It is recommended that the Planning and Housing Committee consider recommending to Council to amend the Commercial Office (CO) Zone to introduce “ground floor residential uses” as a Discretionary Use into the Commercial Office (CO) Zone.

Staff recommend that this application be referred to a public meeting to be chaired by a member of Council at a future date, a commissioner’s public hearing will be required for the Municipal Plan amendment.

This is provided for the consideration of the Planning and Housing Committee.

Ken O’Brien, MCIP
Chief Municipal Planner

Mark Hefferton
Planner

MH/dlm



60

INST

50

INST

SUBJECT PROPERTY

67

CO

53

MARGARET'S PL

R3

40

38

36

34

32

R3

43

41

39

37

35

33

31

29

A2

47

47

CEM

Sub-Consultants:

Revisions:

No.	Description	Date

Client: _____
Project: _____
Location: _____

Client: _____
Project: _____
Location: _____

Perspective

A1.11



Please Note: The proposed addition is shown in the context of the existing site and buildings. Please refer to the proposed site plan for the location and extent of new landscaping.

CO - Zone Requirements	Required	Existing	Proposed
Lot Area	900	11,795 m ²	11,795 m ²
Lot Frontage	20 m	109 m	109 m
Lot Coverage	50%	6.8%	15.5%
FAR	2.0	.24	.67
Side Yard	1 m/storey	4 m	6 m
Building Line	6m	4 m	4 m
Building Height	3 storeys	4 storeys	4 storeys
Rear Yard	6m	32 m	22 m
Landscaping	20%	-	30%
Parking	49	-	63
Dwelling Units	-	-	49



1 Site Plan
1 : 250

SHEPPARD CASE
 A R C H I T E C T S I N C
 PO Box 6023
 7 Park Road, St. John's, N. Canada A1C-3S8
 1707521732 info@sheppardcase.ca

Do not scale from this drawing. The Contractor is to verify all dimensions on site before proceeding with this work.

Sub Consultants:

Revisions:

No.	Description	Date

Client: -

Project: **Belvedere Redevelopment**

Location: Margaret's Place
St. John's, NL

Site Plan

A1.01

MEMORANDUM

Date: September 13th, 2013
To: His Worship the Mayor and Members of Council
From: Nomenclature Committee
Re: Committee Recommendations

Council approval is requested for the following Street name:

**Southlands Development Areas 3 & 4 – Stage 5 (44 lots)
Fairview Investments Limited (Ward 5)**

1. Cherrybark Crescent

Phyllis Bartlett

Phyllis Bartlett
Manager, Corporate Secretariat

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: September 9, 2013

To: Phyllis Bartlett
Manager of Corporate Secretariat

From: Gregory Keating
Manager of Geographic Information Systems

Re: **New Street Name**
Southlands Development Areas 3 & 4 – Stage 5 (44 Lots)
Fairview Investments Limited (Ward 5)

Attached is our street name plan no. 2013-183-SP dated September 3, 2013 showing the location of a proposed new street located off Cypress Street in the Southlands Development.

The Nomenclature Committee recommends that the street be named in keeping with the current “tree” theme for this residential development. The new recommended street name is as follows:

- 1) **CHERRYBARK CRESCENT** – Cherrybark is a species of red oak found in the Atlantic & Gulf Coastal Plain from Maryland to Florida. It’s known as a strong, straight growing wood which make it excellent for timber. It can grow to 100 – 130 ft. in height and 3-5 ft in diameter. The name “cherrybark” comes from its similarity to the bark of a black cherry tree. The bark is grey in colour and has scaly, narrow ridges.

This name has been approved by the St. John’s Regional Fire Department. Would you please bring this matter to the next Regular Meeting of Council for their comments and approval.


Greg Keating
Manager of GIS

Enclosure

p. c. Mayor Dennis O’Keefe
Robert Butt, Manager of Land Information Services

ST. JOHN’S

GRID NORTH
(ZONE 1) 53° W. LONG.



PROPOSED FUTURE DEVELOPMENT

SOUTHLANDS DEVELOPMENT
AREAS 3 & 4 - PHASE 2

CHERRYBARK
CRESCENT

SOUTHLANDS DEVELOPMENT
AREAS 3 & 4 - PHASE 2

CYPRESS STREET

STREAM

WALKING TRAIL

BAYBERRY
PLACE

SOUTHLANDS BOULEVARD

DR. BY: M.S.
CHD. BY: G.K.
DATE: SEPT.03,2013
SCALE: 1:1250
DWG. 2013-183 SP
No.:

ST. JOHN'S
DEPARTMENT OF CORPORATE SERVICES

STREET NAME
CHERRYBARK CRESCENT
SOUTHLANDS DEVELOPMENT
AREAS 3 & 4 - STAGE 5
FAIRVIEW INVESTMENTS LIMITED

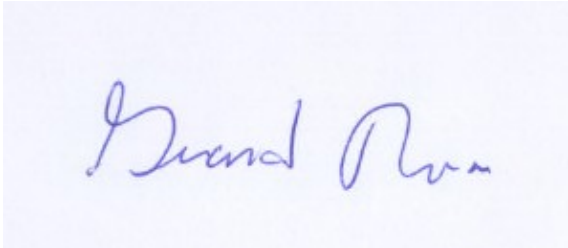
DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, DEVELOPMENT AND ENGINEERING
FOR THE PERIOD OF September 6, 2013 TO September 12, 2013

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
COM	Avalon Mall	Waste Enclosure	48 Kenmount Road	4	Approved	13-09-06
RES		Demolition & Rebuild of Single Detached Dwelling	9 Morris Avenue	2	Approved	13-09-11
COM	Murphy's Service Centre	Parking Lot Improvements	155 Empire Avenue	4	Approved	13-09-12

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

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

Gerard Doran
Development Officer
Department of Planning



Building Permits List

Council's September 16, 2013 Regular Meeting

Permits Issued: 2013/09/05 To 2013/09/11

CLASS: COMMERCIAL

175 Hamlyn Rd., Royal Lepage	Co	Office	
181 Hamilton Ave	Nc	Accessory Building	
22 Austin St	Sn	Communications Use	
48 Kenmount Rd - Intersport	Sn	Retail Store	
223 Duckworth St, Suite 223	Sn	Office	
Elizabeth Ave	Ms	Commercial School	
50 Mews Pl Cabot Tire & Auto R	Sn	Commercial Garage	
199 Water St Smoothie Factory	Sn	Eating Establishment	
Freshwater Rd - Apt 112	Co	Office	
181 Mundy Pond Rd, 2nd Floor	Rn	Mixed Use	
187 Kenmount Rd, Cbcl	Rn	Office	
260 Duckworth St	Sw	Parking Lot	
15 Prescott St.	Sw	Parking Lot	
33 Pippy Pl	Rn	Office	
117 Ropewalk Lane	Cr	Commercial School	
		This Week \$	237,100.00

Class: Industrial

This Week \$.00

Class: Government/Institutional

101 Torbay Road	Ms	Church	
Harbour Dr.-Pier 9	Nc	Accessory Building	
		This Week \$	160,500.00

Class: Residential

37 Baird Pl	Nc	Patio Deck	
301 Bay Bulls Rd	Nc	Accessory Building	
16 Blackall Pl	Nc	Accessory Building	
3 Chester Pl	Nc	Accessory Building	
52 Cypress St	Nc	Accessory Building	
14 Douglas St Lot 253	Nc	Single Detached & Sub.Apt	
101 Doyle's Rd	Nc	Accessory Building	
34 Dunkerry Cres	Nc	Accessory Building	
38 Dunkerry Cres, Lot 271	Nc	Single Detached Dwelling	
56 Dunkerry Cres Lot 262	Nc	Accessory Building	
63 Durdle Dr	Nc	Accessory Building	
24 Exmouth St	Nc	Patio Deck	
8 Fallowtree Pl	Nc	Fence	
61 Feild St	Nc	Single Detached & Sub.Apt	
12 Gerard Pl	Nc	Accessory Building	
16 Gibbon Pl, Lot 15	Nc	Single Detached Dwelling	
20 Gibbon Pl, Lot 13	Nc	Single Detached Dwelling	
18 Glenlonan St(Retaining Wall	Nc	Fence	
35-37 Hennessey's Line	Nc	Single Detached Dwelling	

6 Ironwood Pl	Nc	Accessory Building
76 Lady Anderson St	Nc	Fence
83 Main Rd	Nc	Fence
83 Main Rd	Nc	Accessory Building
66 Newfoundland Dr	Nc	Patio Deck
108 Old Pennywell Rd	Nc	Single Detached & Sub.Apt
56 Orlando Pl Lot 193	Nc	Single Detached & Sub.Apt
42 Parsonage Dr	Nc	Accessory Building
42 Parsonage Dr	Nc	Fence
72 Airport Heights Dr	Nc	Patio Deck
52 Rosalind St	Nc	Fence
12 Sequoia Dr , Lot 300	Nc	Single Detached Dwelling
326 Stavanger Dr	Nc	Fence
18 Tigress St, Lot 617	Nc	Single Detached & Sub.Apt
193 Waterford Bridge Rd	Nc	Accessory Building
207 Brookfield Rd	Ex	Single Detached Dwelling
10 Conway Cres	Ex	Single Detached Dwelling
36 Melville Pl	Ex	Patio Deck
37 Parsonage Dr	Ex	Single Detached Dwelling
67 Wabush Pl	Ex	Single Detached & Sub.Apt
10 Central St	Rn	Single Detached Dwelling
12 Colonial St	Rn	Townhousing
65 Faulkner St	Rn	Single Detached Dwelling
15 Flavin St	Rn	Single Detached Dwelling
10 Kenai Cres	Rn	Single Detached Dwelling
18 Kenai Cres	Rn	Single Detached & Sub.Apt
99 Maunder's Lane	Rn	Single Detached Dwelling
36 Melville Pl	Rn	Single Detached Dwelling
112 Newtown Rd	Rn	Single Detached Dwelling
48 O'reilly St	Rn	Single Detached Dwelling
63 Quidi Vidi Rd	Rn	Single Detached Dwelling
65 Rennie's Mill Rd	Rn	Single Detached & Sub.Apt
182 Waterford Bridge Rd	Rn	Single Detached Dwelling
26 Winter Ave	Rn	Single Detached Dwelling
119 Blue Puttee Dr	Sw	Single Detached Dwelling
35 Country Grove Pl	Sw	Single Detached Dwelling
59 Duckworth St	Sw	Single Detached Dwelling
31 Exmouth St	Sw	Single Detached Dwelling
5 Glenlonan St	Sw	Single Detached Dwelling
112 Old Petty Harbour Rd	Sw	Single Detached & Sub.Apt

This Week \$ 3,245,250.00

Class: Demolition

9 Morris Ave	Dm	Single Detached Dwelling
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This Week \$.00

This Week's Total: \$ 3,642,850.00

Repair Permits Issued: 2013/09/05 To 2013/09/11 \$ 153,750.00

2 Beaumont Street - application for billboard was rejected due to Section 23(6) of the St. John's Sign By - Law.

Legend

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

YEAR TO DATE COMPARISONS			
September 16, 2013			
TYPE	2012	2013	% VARIANCE (+/-)
Commercial	\$156,900,000.00	\$70,500,900.00	-55
Industrial	\$3,600,100.00	\$131,000.00	-96
Government/Institutional	\$15,500,500.00	\$72,000,000.00	365
Residential	\$137,000,100.00	\$117,500,300.00	-14
Repairs	\$3,800,500.00	\$3,700,200.00	-3
Housing Units (1 & 2 Family Dwellings)	456	332	
TOTAL	\$316,801,656.00	\$263,832,732.00	-17

Respectfully Submitted,

David Blackmore, R.P.A.
Deputy City Manager - Planning, Development & Engineering

MEMORANDUM

Weekly Payment Vouchers For The Week Ending September 12, 2013

Payroll

Public Works	\$ 412,323.91
Bi-Weekly Administration	\$ 806,917.32
Bi-Weekly Management	\$ 748,071.29
Bi-Weekly Fire Department	\$ 600,443.14
Accounts Payable	\$6,147,319.18

Total: \$ 8,715,074.84

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
SPARTAN CHASSIS	661	REPAIR PARTS	\$701.60
NEWFOUNDLAND POWER	00057531	ELECTRICAL SERVICES	\$42,670.97
DICKS & COMPANY LIMITED	00057532	OFFICE SUPPLIES	\$134.72
VOKEY'S JANITORIAL SERVICE	00057533	JANITORIAL SERVICES	\$1,223.14
THYSSENKRUPP ELEVATOR	00057534	ELEVATOR MAINTENANCE	\$354.51
BELL ALIANT	00057535	TELEPHONE SERVICES	\$788.48
JOHNSON INVESTMENTS INC.	00057536	PROFESSIONAL SERVICES	\$171.85
TRIDENT CONSTRUCTION	00057537	PROGRESS PAYMENT	\$257,007.89
BELL MOBILITY	00057538	CELLULAR PHONE USAGE	\$133.39
BRAD JEFFORD	00057539	PERFORMANCE FEE	\$500.00
CANADIAN URBAN TRANSIT ASSOCIATION	00057540	CUTA CONFERENCE FEE	\$798.00
ROBERT COWAN	00057541	REFUND MAINTENANCE SECURITY DEPOSIT	\$1,500.00
HICKMAN, SANDY	00057542	TRAVEL REIMBURSEMENT	\$319.89
KAY FILLIER	00057543	CPA BREAKFAST SEMINAR	\$28.25
NEWFOUNDLAND POWER	00057544	ELECTRICAL SERVICES	\$9,362.34
BELL MOBILITY	00057545	CELLULAR PHONE USAGE	\$20.55
INFINITY CONSTRUCTION	00057546	PROGRESS PAYMENT	\$31,514.80
BELL MOBILITY	00057547	CELLULAR PHONE USAGE	\$21,827.33
BELL ALIANT	00057548	TELEPHONE SERVICES	\$982.28
RECEIVER GENERAL FOR CANADA	00057549	PAYROLL DEDUCTIONS	\$132,067.08
RECEIVER GENERAL FOR CANADA	00057550	PAYROLL DEDUCTIONS	\$23,678.50
MILLS, DANNY	00057551	PERFORMANCE FEE	\$80.00
BROWN-O'BYRNE, FERGUS	00057552	PERFORMANCE FEE	\$330.00
DUANE ANDREWS	00057553	PERFORMANCE FEE	\$904.00
MSS LAND DEVELOPMENTS	00057554	REFUND OVERPAYMENT OF TAXES	\$60,602.07
ANTHONY CHAFE	00057555	PERFORMANCE FEE	\$80.00
MARIA PEDDLE	00057556	PERFORMANCE FEE	\$80.00
ANDREW FITZGERALD	00057557	PERFORMANCE FEE	\$80.00
COOK, CAROLYN	00057558	LUNCHEON & TOUR - DANIEL SCOTT	\$170.10
LINDA PENNEY	00057559	SMOKING CESSATION PROGRAM	\$27.00
NEWFOUNDLAND POWER	00057560	ELECTRICAL SERVICES	\$380,187.34
ROGERS BUSINESS SOLUTIONS	00057561	DATA & USAGE CHARGES	\$16,446.02
FACTORY FOOTWEAR OUTLET LTD.	00057562	PROTECTIVE FOOTWEAR	\$1,581.93
BELL MOBILITY	00057563	CELLULAR PHONE USAGE	\$319.90
PUBLIC SERVICE CREDIT UNION	00057564	PAYROLL DEDUCTIONS	\$6,722.31
EASTERN HEALTH	00057565	1st & 2nd QUARTER ADJUSTMENTS GOBUS	\$29,592.31
SCMA	00057566	REGISTRATION FEES	\$559.35
PARTS FOR TRUCKS INC.	00057567	REPAIR PARTS	\$1,879.47
INNOVYZE	0000000662	MAINTENANCE SUBSCRIPTION PROGRAM	\$23,699.25
OFFICE OF WATER PROGRAMS	0000000663	MANUALS	\$52.67
INTERNATIONAL ASSOCIATION OF ADMINISTRATIVE PROF	0000000664	MEMBERSHIP RENEWAL	\$119.02
ACKLANDS-GRAINER	00057568	INDUSTRIAL SUPPLIES	\$576.87

NAME	CHEQUE #	DESCRIPTION	AMOUNT
ACTION TRUCK CAP & ACCESSORIES	00057569	REPAIR PARTS	\$565.00
PARDY'S WASTE MANAGEMENT	00057570	WASTE DISPOSAL	\$364.70
APEX CONSTRUCTION SPECIALTIES INC.	00057571	CONSTRUCTION MATERIAL	\$1,135.65
COMFORT AIR LTD.	00057572	PROFESSIONAL SERVICES	\$107.35
AUDIO SYSTEMS LTD.	00057573	AUDIO EQUIPMENT	\$106.50
E TUCKER AND SONS LTD.	00057574	PROFESSIONAL SERVICES	\$336.74
MUNICIPAL CONSTRUCTION LIMITED	00057575	ASPHALT	\$8,568.21
COSTCO WHOLESALE	00057576	MISCELLANEOUS SUPPLIES	\$192.47
KELLOWAY CONSTRUCTION LIMITED	00057577	CLEANING SERVICES	\$1,261.46
RDM INDUSTRIAL LTD.	00057578	INDUSTRIAL SUPPLIES	\$395.53
ROBERT BAIRD EQUIPMENT LTD.	00057579	RENTAL OF EQUIPMENT	\$6,799.49
DISCOUNT CAR & TRUCK RENTALS	00057580	VEHICLE RENTAL	\$7,328.05
STAPLES THE BUSINESS DEPOT - OLD PLACENTIA RD	00057581	STATIONERY & OFFICE SUPPLIES	\$101.67
CANADIAN TECHNICAL ASPHALT ASSOCIATION	00057582	REGISTRATION FEE	\$649.75
CABOT PEST CONTROL	00057583	PEST CONTROL	\$1,502.90
INTEGRATED OCCUPATIONAL HEALTH SERVICES	00057584	JOBSITE ANALYSIS	\$997.50
CHARLES R. BELL LTD.	00057585	APPLIANCES	\$513.02
BEST DISPENSERS LTD.	00057586	SANITARY SUPPLIES	\$1,671.08
PIK-FAST EXPRESS INC.	00057587	BOTTLED WATER	\$77.00
ROCKWATER PROFESSIONAL PRODUCT	00057588	CHEMICALS	\$9,201.70
BLACK & MCDONALD LIMITED	00057589	PROFESSIONAL SERVICES	\$1,446.08
BLAZER CONCRETE SAWING & DRILL	00057590	PROFESSIONAL SERVICES	\$2,542.50
GRAPHIC ARTS & SIGN SHOP LIMITED	00057591	SIGNAGE	\$904.00
RBC DEXIA INVESTOR SERVICES	00057592	SINKING FUND	\$706.25
BARNES/BOWMAN DISTRIBUTION	00057593	REPAIR PARTS	\$4,725.38
CAMPBELL SCIENTIFIC CANADA CORP.	00057594	REPAIR PARTS	\$3,340.98
BRENKIR INDUSTRIAL SUPPLIES	00057595	PROTECTIVE CLOTHING	\$34,995.92
FARRELL'S EXCAVATING LTD.	00057596	ROAD GRAVEL	\$103.51
COMPUTERSHARE INVESTOR SERVICE ACCOUNTS RECEI	00057597	AGENCY SERVICE FEE	\$1,678.05
SPECTRUM INVESTIGATION & SECURITY 1998 LTD.	00057598	SECURITY SERVICES	\$5,030.31
CO-OP FEEDS/COUNTRY RIBBON INC FEEDS DIVISION	00057599	DUCK FEED	\$289.30
ATLANTIC TRAILER & EQUIPMENT	00057600	REPAIR PARTS	\$3,021.35
STAPLES THE BUSINESS DEPOT - STAVANGER DR	00057601	STATIONERY & OFFICE SUPPLIES	\$730.31
C & W INDUSTRIAL FABRICATION & MARINE EQUIPMENT L	00057602	PROFESSIONAL SERVICES	\$5,424.00
TRIWARE TECHNOLOGIES INC.	00057603	COMPUTER EQUIPMENT	\$1,192.15
CHESTER DAWE CANADA - O'LEARY AVE	00057604	BUILDING SUPPLIES	\$1,663.99
CANADIAN CORPS COMMISSIONAIRES	00057605	SECURITY SERVICES	\$13,622.12
AIR LIQUIDE CANADA INC.	00057606	CHEMICALS AND WELDING PRODUCTS	\$16,304.30
CARL THIBAUT INC.	00057607	CHASSIS	\$175,530.78
CANAVAN'S AUTO APPRAISERS LTD.	00057608	LEGAL CLAIM	\$214.70
INTEREX	00057609	METAL/STEEL	\$27.30
COASTAL DOOR & FRAME LTD	00057610	DOORS/FRAMES	\$254.25

NAME	CHEQUE #	DESCRIPTION	AMOUNT
NORTRAX CANADA INC.,	00057611	REPAIR PARTS	\$1,979.04
CALA	00057612	PROFICIENCY TESTING PROGRAM	\$926.60
NEWFOUNDLAND GLASS & SERVICE	00057613	GLASS INSTALLATION	\$1,287.07
COASTAL MOUNT PEARL	00057614	REPAIR PARTS	\$316.31
JOE JOHNSON EQUIPMENT INC.	00057615	REPAIR PARTS	\$1,041.76
ELECTRO MECHANICAL SERVICES	00057616	REPAIR PARTS	\$584.21
KENT	00057617	BUILDING SUPPLIES	\$817.74
EXP	00057618	PROFESSIONAL SERVICES	\$999.46
CLARKE'S TRUCKING & EXCAVATING	00057619	GRAVEL	\$6,459.16
BRAEMAR PEST CONTROL SERVICES	00057620	PEST CONTROL	\$981.97
MEC CONCRETE CUTTING LTD	00057621	DRILLING SERVICES	\$395.50
COLONIAL GARAGE & DIST. LTD.	00057622	AUTO PARTS	\$18,561.47
PETER'S AUTO WORKS INC.	00057623	TOWING OF VEHICLES	\$423.75
CONCRETE PRODUCTS 2001 LTD.	00057624	CONCRETE	\$96.11
CONSTRUCTION SIGNS LTD.	00057625	SIGNAGE	\$9,359.04
MASK SECURITY INC.	00057626	TRAFFIC CONTROL	\$11,238.74
MAXXAM ANALYTICS INC.,	00057627	WATER PURIFICATION SUPPLIES	\$2,254.92
CRANE SUPPLY LTD.	00057628	PLUMBING SUPPLIES	\$1,943.49
JAMES G CRAWFORD LTD.	00057629	PLUMBING SUPPLIES	\$253.99
CROSBIE INDUSTRIAL SERVICE LTD	00057630	RENTAL OF EQUIPMENT	\$58,499.20
FASTENAL CANADA	00057631	REPAIR PARTS	\$843.75
LONG & MCQUADE	00057632	REAL PROGRAM	\$92.64
CUMMINS EASTERN CANADA LP	00057633	REPAIR PARTS	\$15,076.72
CRAWFORD & COMPANY CANADA INC	00057634	ADJUSTING FEES	\$1,223.20
CABOT READY MIX LIMITED	00057635	DISPOSAL OF OLD CONCRETE	\$1,068.05
DICKS & COMPANY LIMITED	00057636	OFFICE SUPPLIES	\$1,782.37
WAJAX POWER SYSTEMS	00057637	REPAIR PARTS	\$7,671.50
EAST COAST HYDRAULICS	00057638	REPAIR PARTS	\$45.20
HITECH COMMUNICATIONS LIMITED	00057639	REPAIRS TO EQUIPMENT	\$1,052.03
REEFER REPAIR SERVICES LTD.	00057640	REPAIR PARTS	\$135.60
DOMINION RECYCLING LTD.	00057641	PIPE	\$242.95
CANADIAN TIRE CORP.-KELSEY DR.	00057642	MISCELLANEOUS SUPPLIES	\$20.95
EAST COAST MARINE & INDUSTRIAL	00057643	MARINE & INDUSTRIAL SUPPLIES	\$180.80
EAST CHEM INC.	00057644	CHEMICALS	\$1,991.42
EASTERN TURF PRODUCTS	00057645	REPAIR PARTS	\$478.83
ELECTRONIC CENTER LIMITED	00057646	ELECTRONIC SUPPLIES	\$26.78
NATIONAL ENERGY EQUIPMENT INC.	00057647	REPAIR PARTS	\$15,732.20
EMCO SUPPLY	00057648	REPAIR PARTS	\$5,797.27
THE TELEGRAM	00057649	SUBSCRIPTION RENEWAL	\$461.04
EATON INDUSTRIES (CANADA) COMPANY	00057650	PROFESSIONAL SERVICES	\$7,073.24
BASIL FEARN 93 LTD.	00057651	REPAIR PARTS	\$4,401.35
CHBA- NEWFOUNDLAND LABRADOR	00057652	MEMBERSHIP RENEWAL	\$904.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
EXECUTIVE TAXI LIMITED	00057653	TRANSPORTATION SERVICES	\$955.98
MAYNARD-REECE ENGINEERING EQUIPMENT LIMITED	00057654	REPAIR PARTS	\$463.30
ABSTRACT & AUXILIARY SERVICES	00057655	TITLE SEARCH	\$723.00
FUN "N" FAST 1986 LTD.	00057656	REPAIR PARTS	\$142.19
C.B.J. ENTERPRISES INC. (STOGGERS PIZZA)	00057657	MEAL ALLOWANCES	\$245.41
MILLENNIUM EXPRESS	00057658	COURIER SERVICES	\$390.98
COASTLINE SPECIALTIES	00057659	RECREATION SUPPLIES	\$12,167.84
GREENWOOD SERVICES INC.	00057660	OPEN SPACE MAINTENANCE	\$10,776.16
MEDICAL WEST SUPPLIES INC.	00057661	VETERINARY SUPPLIES	\$2,909.98
ATLANTIC OILFIELD & INDUSTRIAL SUPPLY	00057662	INDUSTRIAL SUPPLIES	\$214.25
PROVINCIAL FENCE PRODUCTS	00057663	FENCING MATERIALS	\$1,299.50
PENNEY'S HOLDINGS LIMITED	00057664	PROFESSIONAL SERVICES	\$8,333.75
H & R MECHANICAL SUPPLIES LTD.	00057665	MECHANICAL SUPPLIES	\$297.02
STARGARDEN GROUP	00057666	PROFESSIONAL SERVICES	\$1,412.50
EASTERN PROPANE	00057667	PROPANE	\$615.88
HARRIS & ROOME SUPPLY LIMITED	00057668	ELECTRICAL SUPPLIES	\$3,465.09
HARVEY & COMPANY LIMITED	00057669	REPAIR PARTS	\$6,404.17
HARVEY'S OIL LTD.	00057670	PETROLEUM PRODUCTS	\$81,188.41
POWER BROTHERS INC. POWER'S SALVAGE	00057671	REPAIR PARTS	\$508.24
G4S CASH SERVICES (CANADA) LTD	00057672	SAFE RENTAL	\$47.97
GUILLEVIN INTERNATIONAL CO.	00057673	ELECTRICAL SUPPLIES	\$546.47
CANADIAN LINEN & UNIFORM	00057674	MAT RENTALS	\$1,934.00
BRENTAG CANADA INC	00057675	CHLORINE	\$71,716.35
PRACTICAR CAR & TRUCK RENTALS	00057676	VEHICLE RENTAL	\$4,683.85
GRAYMONT (NB) INC.,	00057677	HYDRATED LIME	\$18,934.23
ECONOLITE CANADA INC.,	00057678	COMPUTER EQUIPMENT	\$5,650.00
RED ROCKET AMUSEMENTS	00057679	ENTERTAINMENT	\$763.88
SAFETYMED PLUS LTD	00057680	FIRST AID SUPPLIES	\$1,070.62
BELL DISTRIBUTION INC.,	00057681	CELL PHONES & ACCESSORIES	\$1,513.44
HISCOCK RENTALS & SALES INC.	00057682	HARDWARE SUPPLIES	\$451.53
HOLDEN'S TRANSPORT LTD.	00057683	RENTAL OF EQUIPMENT	\$565.00
UCP PAINTS INC.,	00057684	PAINT	\$4,199.02
DISTRIBUTION BRUNET INC.,	00057685	REPAIR PARTS	\$3,928.42
METICULOUS SERVICES INC.,	00057686	PROFESSIONAL SERVICES	\$4,463.50
HICKMAN DODGE JEEP CHRYSLER	00057687	PURCHASE OF VEHICLE	\$28,276.22
ISLAND FURNITURE ASSOC.	00057688	OFFICE FURNITURE	\$6,682.82
WORK AUTHORITY	00057689	PROTECTIVE CLOTHING	\$379.65
KENT BUILDING SUPPLIES-STAVANGER DR	00057690	BUILDING MATERIALS	\$427.65
IEAS LTD.	00057691	PROFESSIONAL SERVICES	\$629.00
JRV DISTRIBUTORS	00057692	PROTECTIVE CLOTHING	\$1,081.21
KERR CONTROLS LTD.	00057693	INDUSTRIAL SUPPLIES	\$119.84
MARK'S WORK WEARHOUSE	00057694	PROTECTIVE CLOTHING	\$943.49

NAME	CHEQUE #	DESCRIPTION	AMOUNT
JT MARTIN & SONS LTD.	00057695	HARDWARE SUPPLIES	\$907.62
MARTIN'S FIRE SAFETY LTD.	00057696	SAFETY SUPPLIES	\$84.97
MCCLOUGHLAN SUPPLIES LTD.	00057697	ELECTRICAL SUPPLIES	\$564.25
MEMORIAL UNIVERSITY OF NFLD.	00057698	EMPLOYEE TRAINING	\$8,079.50
METALFAB LTD.	00057699	REPAIR PARTS	\$125,543.00
NU-WAY EQUIPMENT RENTALS	00057700	RENTAL OF EQUIPMENT	\$11,350.85
NEWFOUNDLAND DISTRIBUTORS LTD.	00057701	INDUSTRIAL SUPPLIES	\$33.29
NEWFOUNDLAND DESIGN ASSOCIATES	00057702	PROFESSIONAL SERVICES	\$26,132.24
TRC HYDRAULICS INC.	00057703	REPAIR PARTS	\$389.80
TOROMONT CAT	00057704	AUTO PARTS	\$2,548.01
ORKIN CANADA	00057705	PEST CONTROL	\$135.26
ARIVA	00057706	PAPER PRODUCTS	\$940.80
GCR TIRE CENTRE	00057707	TIRES	\$27,581.37
PERIDOT SALES LTD.	00057708	REPAIR PARTS	\$325.48
PITNEY BOWES OF CANADA LIMITED	00057709	INK CARTRIDGE	\$386.34
CA PIPPY PARK COMMISSION	00057710	GROUNDS MAINTENANCE	\$9,266.00
K & D PRATT LTD.	00057711	REPAIR PARTS AND CHEMICALS	\$13,888.20
PROFESSIONAL UNIFORMS & MATS INC.	00057712	PROTECTIVE CLOTHING	\$2,894.92
PUROLATOR COURIER	00057713	COURIER SERVICES	\$52.49
RIDEOUT TOOL & MACHINE INC.	00057714	TOOLS	\$292.68
ROYAL FREIGHTLINER LTD	00057715	REPAIR PARTS	\$2,682.85
S & S SUPPLY LTD. CROSSTOWN RENTALS	00057716	REPAIR PARTS	\$4,280.81
ST. JOHN'S PORT AUTHORITY	00057717	3rd PAYMENT SAFETY /SECURITY FENCE	\$68,367.01
ST. JOHN'S TRANSPORTATION COMMISSION	00057718	CHARTER SERVICES	\$8,066.59
BIG ERICS INC	00057719	SANITARY SUPPLIES	\$333.31
SAUNDERS EQUIPMENT LIMITED	00057720	REPAIR PARTS	\$1,492.47
SANSOM EQUIPMENT LTD.	00057721	REPAIR PARTS	\$7,593.60
STANLEY FLOWERS LTD.	00057722	FLOWERS	\$13,360.47
SUPERIOR OFFICE INTERIORS LTD.	00057723	OFFICE SUPPLIES	\$970.67
SUPERIOR PROPANE INC.	00057724	PROPANE	\$22.61
THRIFTY CAR RENTALS	00057725	VEHICLE RENTAL	\$5,341.51
TRACTION DIV OF UAP	00057726	REPAIR PARTS	\$9,746.10
TULKS GLASS & KEY SHOP LTD.	00057727	PROFESSIONAL SERVICES	\$156.33
WATERWORKS SUPPLIES DIV OF EMCO LTD	00057728	REPAIR PARTS	\$7,866.37
WEIRS CONSTRUCTION LTD.	00057729	ROAD GRAVEL	\$3,368.71
WESCO DISTRIBUTION CANADA INC.	00057730	REPAIR PARTS	\$76.16
O'DEA, EARLE	00057731	REFUND COMPLIANCE LETTER	\$150.00
WHITTEN, CECIL	00057732	REIMBURSEMENT TAXI FEE	\$22.00
HAMMOND. WALLACE	00057733	PERFORMANCE FEE	\$9,661.50
NLOWE	00057734	REGISTRATION FEE	\$33.90
SMITH, GERALD	00057735	HONORARIUM	\$100.00
NORTHEAST AVALON REGIONAL ECONOMIC DEVELOPME	00057736	MEMBERSHIP RENEWAL	\$565.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
QUALITY NDE LTD.	00057737	PROFESSIONAL SERVICES	\$113.00
LEONA REID-HALL	00057738	REFUND RECREATION PROGRAM	\$50.00
BIEGER, METTE	00057739	HONORARIUM	\$75.00
FEKETE, ANTOINETTE	00057740	HONORARIUM	\$75.00
DR. CARL D. MOORES PROFESSTIONAL MEDICAL CORP.	00057741	MEDICAL EXAMINATION	\$20.00
BEST KIND PRODUCTIONS	00057742	REFUND KEY DEPOSIT	\$50.00
MADELINE FLORENT	00057743	HONORARIUM	\$100.00
MELITA POWER	00057744	REFUND RECREATION PROGRAM	\$20.00
MICHELLE SMITH	00057745	REFUND RECREATION PROGRAM	\$20.00
CRAIG LESTER	00057746	REFUND PERMIT	\$153.75
ADAM GILBERT & CAPITAL FLEET REPAIR AND COLLISION	00057747	LEGAL CLAIM	\$1,646.40
ELIS BAKER	00057748	REFUND BULK PICKUP	\$45.00
STEPHEN PENNEY	00057749	REFUND PERMIT	\$168.75
PREMIERE EXECUTIVE SUITES/ATLANTIC LTD.	00057750	LEGAL CLAIM	\$2,245.00
KENNETH MORRISSEY & LESLEY KEAN	00057751	REFUND OVERPAYMENT OF TAXES	\$1,118.72
STEVEN WALL	00057752	REFUND OVERPAYMENT OF TAXES	\$1,044.20
MIRANDA PRYOR	00057753	REFUND APPLICATION FEE	\$150.00
ILARIA PIVI	00057754	HONORARIUM	\$50.00
LINA MARIE STOLZE	00057755	HONORARIUM	\$50.00
COLLISION CLINIC AND GEORGE EFFORD	00057756	LEGAL CLAIM	\$880.93
GREG WOOLGAR	00057757	SHIRTS FOR CANADIAN MUNICIPALITIES CONF.	\$90.00
JOHN BIDGOOD	00057758	LEGAL CLAIM	\$150.00
BREWER, JILL	00057759	REIMBURSEMENT TRAVEL EXPENSE	\$732.38
BUTLER, KELLY	00057760	REIMBURSEMENT OFFICE SUPPLIES	\$46.38
RYAN, LEANN	00057761	MILEAGE	\$74.04
MCGRATH, CINDY	00057762	MILEAGE	\$43.30
JORDAN, CRYSTAL	00057763	MILEAGE	\$67.67
SHAKARA ABBOTT	00057764	MILEAGE	\$48.68
TOBIN, JUDY	00057765	REIMBURSEMENT CONFERENCE FEE	\$1,070.39
DAVID ROYLE	00057766	VEHICLE BUSINESS INSURANCE	\$89.00
ALYSSA FEENER	00057767	MILEAGE	\$34.24
JOHN MALLARD	00057768	MILEAGE	\$58.36
FAIRVIEW INVESTMENTS LTD	00057769	REFUND MAINTENANCE SECURITY DEPOSIT	\$2,000.00
GORDON BARNES	00057770	PROFESSIONAL SERVICES	\$2,400.00
INFINITY CONSTRUCTION	00057771	PROGRESS PAYMENT	\$175,300.50
GARDA	00057772	SECURITY SERVICES	\$4,256.64
NEWFOUNDLAND POWER	00057773	ELECTRICAL SERVICES	\$78,614.31
NEWFOUNDLAND EXCHEQUER ACCOUNT	00057774	PAYROLL TAX	\$171,704.62
DONOVAN HOMES LIMITED	00057775	REFUND MAINTENANCE SECURITY DEPOSIT	\$2,000.00
FORT MANAGEMENT	00057776	REFUND MAINTENANCE SECURITY DEPOSIT	\$6,600.00
SIGNATURE HOMES INC.	00057777	REFUND MAINTENANCE SECURITY DEPOSIT	\$1,500.00
MIKE DWYER	00057778	REFUND MAINTENANCE SECURITY DEPOSIT	\$2,000.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
DERRICK FOOTE	00057779	REFUND OVERPAYMENT ON ACCOUNT	\$100.00
DENESE MURPHY	00057780	REFUND FEES FOR STOP PAYMENT ON CHEQU	\$12.50
KIRKLAND BALSOM & ASSOC.	00057781	COURT OF APPEAL REFUND	\$200.00
O'REGAN AGENCIES LTD.	00057782	COURT OF APPEAL REFUND	\$200.00
CROMBIE REIT	00057783	COURT OF APPEAL REFUND	\$400.00
WM JAMES HANNAH MOSS-MCKAY	00057784	COURT OF APPEAL REFUND	\$60.00
JOHN KINSELLA	00057785	COURT OF APPEAL REFUND	\$60.00
JOHN ROWE	00057786	COURT OF APPEAL REFUND	\$60.00
DONNA NOFTALL	00057787	COURT OF APPEAL REFUND	\$60.00
ELLEN FOULKES	00057788	COURT OF APPEAL REFUND	\$60.00
GEORGE & JENNIE STANFORD	00057789	COURT OF APPEAL REFUND	\$60.00
PAUL & CAROLYN MOORE	00057790	COURT OF APPEAL REFUND	\$60.00
TURNER DRAKE & PARTNERS LIMITED	00057791	COURT OF APPEAL REFUND	\$1,800.00
GEORGE STANFORD	00057792	COURT OF APPEAL REFUND	\$60.00
ALLIED CONSTRUCTORS INC.	00057793	PROGRESS PAYMENT	\$61,332.57
SAFWAY SERVICES CANADA INC.	00057794	PROGRESS PAYMENT	\$164,236.89
CADILLAC SERVICES LTD.	00057795	REFUND STREET EXCAVATION DEPOSIT	\$2,000.00
THE TELEGRAM	00057796	SUBSCRIPTION RENEWAL	\$235.04
REDWOOD CONSTRUCTION LIMITED	00057797	PROGRESS PAYMENT	\$348,965.56
SPORTCHEK-VILLAGE MALL	00057798	CLOTHING ALLOWANCE	\$680.00
SPORTCHEK-ABERDEEN DRIVE	00057799	CLOTHING ALLOWANCE	\$510.00
PARTS FOR TRUCKS INC.	00057800	REPAIR PARTS	\$1,905.45
PYRAMID CONSTRUCTION LIMITED	00057801	PROGRESS PAYMENTS	\$1,906,425.62
AETTNL	00057802	MEMBERSHIP RENEWAL	\$186.45
ALTUS GROUP LIMITED	00057803	PROFESSIONAL SERVICES	\$31,956.40
TRANT, ANDREW	00057804	REFUND OVERPAYMENT OF TAXES	\$18.75
ROEBOTHAN MCKAY MARSHALL IN TRUST	00057805	LEGAL CLAIM	\$30,000.00
PRINCIPAL HOLDINGS LIMITED	00057806	REFUND WATER DEFERRAL PERMIT	\$15,000.00
PATRICK YETMAN	00057807	REFUND STREET EXCAVATION DEPOSIT	\$2,000.00
ST. JOHN'S CAPS MOSQUITO AAATEAM	00057808	TRAVEL ASSISTANCE GRANT	\$400.00
CHRISTOPHER ROWSELL	00057809	REFUND STREET EXCAVATION DEPOSIT	\$1,500.00
EASTERN SIDING	00057810	REFUND WATER DEFERRAL PERMIT	\$7,500.00
PITCHER, CHRIS	00057811	TRAVEL ADVANCE	\$2,615.80
BUTTON, VICKI	00057812	TRAVEL ADVANCE	\$1,806.00
FOWLER, ROBERT	00057813	TRAVEL ADVANCE	\$1,964.50
DWYER, MIKE	00057814	TRAVEL ADVANCE	\$2,729.32
WHALEN, VANESSA	00057815	HONORARIUM	\$100.00
COADY CONSTRUCTION & EXCAVATION LTD.	00057816	PROGRESS PAYMENT	\$885,705.32

Total: \$6,147,319.18

MEMORANDUM

Date: September 6, 2013

To: His Worship the Mayor and Members of Council

From: Brendan O'Connell, P.Eng.
Director of Engineering

**Re: Water Transmission Main Replacement
Blackmarsh Road to Topsail Road**

The following tenders have been received for the project "**Water Transmission Main Replacement Blackmarsh Road to Topsail Road**":

1.	Pyramid Construction Ltd.	\$ 1,800,501.32
2.	Cougar Engineering & Construction Ltd.	\$ 1,835,843.20
3.	Weir's Construction Ltd.	\$ 1,987,689.21
4.	Newfound Construction Limited	\$ 2,163,577.10
5.	Bursey Excavating & Development Inc.	\$ 2,362,219.80
6.	Coady Construction & Excavating Ltd.	\$ 2,367,426.84
7.	Modern Paving Limited	\$ 2,529,448.50
8.	RJG Construction Ltd.	\$ 2,743,086.30

RECOMMENDATION

It is recommended that the tender be awarded to the lowest bidder, in compliance with tender documents, Pyramid Construction Limited in the amount of One Million, Eight Hundred Thousand, Five Hundred One Dollar and Thirty-Two Cents.

Brendan O'Connell, P.Eng.
Director of Engineering

/amh

ST. JOHN'S

MEMORANDUM

Date: September 9, 2013

To: His Worship the Mayor and Members of Council

From: Brendan O'Connell, P.Eng.
Director of Engineering

**Re: Tender – Bay Bulls Road Street Upgrading Phase 2
(Royal Oak Drive to Bay Bulls Road)**

The following tenders have been received for the project “**Bay Bulls Road Street Upgrading Phase 2 (Royal Oak Drive to Old Bay Bulls Road)**”:

- | | | |
|----|------------------------------|-----------------|
| 1. | Weir's Construction Limited. | \$ 1,930,506.41 |
| 2. | Modern Paving Limited. | \$ 2,341,183.95 |
| 3. | Newfound Construction Ltd. | \$ 2,388,791.19 |

RECOMMENDATION

It is recommended that the tender be awarded to the lowest bidder, Weir's Construction Limited in the amount of One Million, Nine Hundred Thirty Thousand, Five Hundred Six Dollars and Forty-One Cents.

Brendan O'Connell, P.Eng
Director of Engineering

BO'C/sf

ST. JOHN'S

MEMORANDUM

Date: September 12, 2013
Mr. Neil Martin , Ms. Margaret Bennett, Ms. Phyllis Bartlett

From: John Hamilton – Senior Buyer

Re: Tender Skate Park Equipment 2013079

The result of Tender 2013079 Skate Park Equipment is as follows:

Bid was received from:

Canadian Ramp Company \$51,221.81

It is recommended to award this tender to the only bidder meeting specifications,
Canadian Ramp Company \$ 51,221.81. Taxes are extra to quoted price as per the Public Tendering Act.

Pricing is before HST

John Hamilton
Senior Buyer

ST. JOHN'S

DEPARTMENT OF FINANCE

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

MEMORANDUM

Date: September 12, 2013

To: His Worship the Mayor & Members of Council

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

Re: **Curbside Leaf Collection Pilot Project**

Attached for your consideration is a background report from Steve Colford on a proposed curbside leaf collection pilot project.

Recommendation:

I recommend that we proceed with a pilot curbside leaf collection program this fall in accordance with the requirements outlined in the attached report.

Information will be provided to residents encouraging them to handle their own leaves by mulching them on their lawns or by backyard composting. Other options for residents include using the proposed curbside collection program (for which paper (Kraft) bags are mandatory to eliminate double handling of the material collected), or dropping their leaves off at the Robin Hood Bay Residential Drop-off facility at no charge.

Leaves collected in the curbside program will be used for horticultural and/or landscaping purposes.

The cost of the proposed pilot curbside collection program will come from the existing Waste Management Division budget.

Paul Mackey

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

Attach.

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

Date: September 11, 2013

To: Paul Mackey, Deputy City Manager – Public Works

From: Stephen Colford, P. Eng., MBA, Manager-Waste and Recycling

Re: Pilot Project- Curbside Leaf Collection Program

Background

In the fall of 2012, due to Tropical Storm Leslie, the City did not create any public drop off sites for leaf collection in Bowring Park or Quidi Vidi Lake. These sites have been operating for 20 years and normally were open from the end of October to the end of November. On March 11, 2013, council approved a recommendation from the Deputy City Manager/ Director of Public Works and Parks and directed that staff seek an alternate site for the collection and storage of organic debris in Bowring Park. Once a suitable site was found, the collection of organic debris at the Bowring Park West Parking Lot should cease.

Subsequent to this, the Parks Services Division identified a site for the west end of St. John's. It required funding in order for it to be developed, however, there was no funding available.

Options

- 1) Continue with the status quo and open up these two drop off sites.
- 2) Obtain funding for the identified site for the west end
- 3) Eliminate both these drop off sites and come up with a two phase approach of:
 - a) encouraging the public to mulch leaves on their own lawns
 - b) developing a pilot project for curbside collection of leaves

Discussion of Alternatives

Continuing with the status quo is not addressing the complaints from residents in the Bowring Park area, the reduction in use of the Bowring Park parking lot and the problem that occurs at these sites with residents and commercial haulers dropping off other garbage.

The funding for the replacement west end site was not obtained from an external funding agency this year and there is no guarantee that it will be approved next year. As well, there are still the concerns of setting up drop off sites in residential areas.

The education of the public to mulch leaves on their lawns should be an on-going program. However, there are circumstances where leaves can't be mulched and will be put out for collection. If the City can make use of the leaves by separating them at the curb rather than having them go in the regular garbage than it should create a new program to do that.

Recommendation

It is recommended that the City eliminate the leave drop off sites at Bowring Park and Quidi Vidi and follow the two phase approach of:

- 1) Encouraging the public to mulch the leaves on their lawn
- 2) Implement a pilot curbside leaf collection program for this year. The program will be reviewed upon completion and a report brought back to Council with what was achieved and what would be the recommendation for the future in terms of resource and funding requirements if the program was to continue. Funding for this year's pilot program will come from the existing Waste and Recycling Division budget.

Information for the mulching of leaves and the collection program will be placed on both the City's and Curbit website.

The curbside leaf collection pilot program will:

- Operate for the month of November
- The public will be required to put out their leaves for collection on their regular collection day:
 - By 8 a.m.
 - In paper yard waste bags
 - There will be no limit to the number of paper yard waste bags collected but they each have to be under 50 lbs.
 - The contents should not include garbage, litter, branches, animal feces, garden plants, soil, sods and grass clippings.

Leaves that are not in paper yard waste bags will be picked up by the regular garbage truck and will be counted in the regular garbage 10 bag limit.

Signs will be installed at the Bowring Park West Gravel lot and the Quidi Vidi Large Gravel Lot indicating the program has been discontinued and these areas are no longer drop off sites.

The collected leaves will be used at the Robin Hood Bay Waste Regional Management Facility for horticultural and/or landscaping purposes.

Stephen Colford, P. Eng., MBA

MEMORANDUM

Date: September 11, 2013
To: Mayor O'Keefe and Members of Council
From: Robert J. Bursey, City Solicitor
Re: **92 Bay Bulls Road**

The City requires land from 92 Bay Bulls Road for street upgrading.

All other lands for this project have been acquired and the project is ready to proceed.

As negotiations have not been successful for the acquisition of this land, I recommend that it be expropriated and attach a Notice of Expropriation for execution.

I request that this matter be brought before Council at the next regular meeting.

Robert J. Bursey,
City Solicitor

GG/jcd

Enclosure

ST. JOHN'S

LEGAL DEPARTMENT

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

MEMORANDUM

Date: September 11, 2013
To: Mayor O'Keefe and Members of Council
From: Robert J. Bursey, City Solicitor
Re: **Kiwanis Street**
59973 Newfoundland & Labrador Limited

The City requires land from 59973 Newfoundland & Labrador Limited for the construction of Kiwanis Street.

Negotiations have not been successful for the purchase of this land and the construction is scheduled to commence in the very near future.

I recommend that the land be expropriated and enclose for execution a Notice of Expropriation.

I request that this matter be brought before Council at the next regular meeting.

Robert J. Bursey,
City Solicitor

GG/jcd

Enclosure

ST. JOHN'S

LEGAL DEPARTMENT

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