

**AGENDA
REGULAR MEETING**

**April 16, 2018
4:30 p.m.**

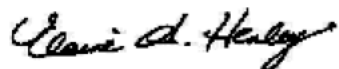
ST. JOHN'S

MEMORANDUM

April 12, 2018

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, April 16, 2018 at 4:30 p.m.**

By Order



Elaine Henley
City Clerk

ST. JOHN'S

CITY MANAGER

AGENDA

REGULAR MEETING - CITY COUNCIL

April 16, 2018 – 4:30 p.m. – Council Chambers, 4th Floor, City Hall

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. ADOPTION OF THE MINUTES

- Minutes of April 9, 2018

4. BUSINESS ARISING FROM THE MINUTES

a. Included in the Agenda:

- St. John's Development Regulations Amendment # 676, 2018
Application to Rezone Land to the Apartment Low Density (A1) Zone
REZ1600018 - 280 Blackmarsh Road
- Committee of the Whole Report - March 28, 2018 – Item #3. i. Decision Noted
dated March 8, 2018 re: 8 Military Road – St. Thomas' Parish Hall – LED Wall
Signs

b. Other Matters

5. NOTICES PUBLISHED

- A Discretionary Use application has been submitted by Gower Pub Limited
requesting permission to change the occupancy of 79-81 New Gower Street from
a Restaurant to a Lounge for a Pub.
- A Discretionary Use application has been submitted by New Hut requesting
approval to operate a national brand coffee shop drive-thru at 464 Topsail Road.

6. PUBLIC HEARINGS

7. COMMITTEE REPORTS

- a. Development Committee Report – April 10, 2018
- b. Committee of the Whole Report – April 11, 2018

8. RESOLUTIONS

9. DEVELOPMENT PERMITS LIST

- Development Permits List – April 5, 2018 to April 11, 2018

10. BUILDING PERMITS LIST

- Building Permits List – April 5, 2018 to April 11, 2018

11. REQUISITIONS, PAYROLLS AND ACCOUNTS

- Payroll and Accounts – Week ending April 11, 2018

12. TENDERS/RFPS

- a. Tender for the Supply of one Fairbanks Morse Model 5824 (5814) Vertical Mounted Split Case Pump at the Ruby Line Pump Station

13. NOTICES OF MOTION, RESOLUTIONS QUESTIONS AND PETITIONS

14. NEW BUSINESS

15. OTHER BUSINESS

- a. Decision Note dated April 2, 2018 re: Vacancies and New Applicants for Built Heritage Experts Panel
- b. Decision Note dated April 3, 2018 re: St. John's Local Board of Appeal
- c. Decision Note dated April 11, 2018 re: Travel – Councillor Ian Froude – MNL – Municipal Symposium – May 3 to 5, 2018 – Gander, NL
- d. Decision Note dated April 11, 2018 re: Property to the right and rear of 280 Blackmarsh Road
- e. Decision Note dated April 11, 2018 re: 69 Linegar Avenue
- f. Decision Note dated April 12, 2018 re: 1 Duckworth Street – Battery Café
- g. Decision Note dated April 12, 2018 re: Expropriation – Storm Sewer Easement
- h. Decision Note dated April 12, 2018 re: Land Acknowledgment Statement – Revision

16. ADJOURNMENT

MINUTES

REGULAR MEETING - CITY COUNCIL

April 9, 2018 – 4:30 p.m. - Council Chambers, 4th Floor, City Hall

Present	Deputy Mayor Sheilagh O'Leary Councillor Maggie Burton Councillor Sandy Hickman Councillor Debbie Hanlon Councillor Deanne Stapleton Councillor Hope Jamieson Councillor Jamie Korab Councillor Ian Froude Councillor Wally Collins Councillor Dave Lane
Regrets	Mayor Danny Breen Councillor Debbie Hanlon
Others	Kevin Breen, City Manager Lynnann Winsor, Deputy City Manager of Public Works Jason Sinyard, Deputy City Manager of Planning, Engineering and Regulatory Services Derek Coffey, Deputy City Manager, Finance and Administration Tanya Haywood, Deputy City Manager, Community Services Cheryl Mullett, City Solicitor Ken O'Brien, Chief Municipal Planner Elaine Henley, City Clerk Maureen Harvey, Legislative Assistant

Deputy Mayor O'Leary opened the meeting with the following land acknowledgement:

"We respectfully acknowledge the lands on which the City of St. John's is situated as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of Indigenous and other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi'kmaq, Innu, Inuit, and South Inuit of this province."

CALL TO ORDER/ADOPTION OF AGENDA

SJMC2018-04-09/182R

Moved – Councillor Froude; Seconded – Councillor Jamieson

That the agenda be adopted as presented.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

SJMC2018-04-09/183R

Moved – Councillor Collins; Seconded – Councillor Stapleton

That the minutes of April 2, 2018 be adopted as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

St. John's Municipal Plan Amendment Number 145, 2018 and
St. John's Development Regulations Amendment Number 675, 2018
Text Amendment to the Rural (R) Zone for Development of a Pipe Storage Yard
File No. MPA 1800002, 650 Fowler's Road, Applicant: 75579 Newfoundland and
Labrador Inc.

SJMC2018-04-09/184R

Moved – Councillor Burton; Seconded – Councillor Collins

**That Council adopt resolutions for the St. John's Municipal Plan
Amendment Number 145, 2018 and St. John's Development
Regulations Amendment Number 675, 2018. Further that Council
appoint Mr. Cliff Johnston, MCIP, a member of the City's
commissioner list, to conduct a public hearing on the proposed
amendments. The proposed date for the public hearing is Thursday,
May 10, 2018 at 7 pm at St. John's City Hall.**

CARRIED UNANIMOUSLY

NOTICES PUBLISHED

- a. A Discretionary Use (Restoration of Non-Conforming Use) application has been submitted to rebuild the townhouse dwelling at 160 Patrick Street. The proposed dwelling will be rebuilt 50% larger than the previous dwelling for a total floor area of 450m², and will again contain two dwelling units. (3 submissions received)

SJMC2018-04-09/185R

Moved – Councillor Burton; Seconded – Councillor Lane

**That Council approve the above application subject to all applicable
City requirements.**

CARRIED UNANIMOUSLY

DEVELOPMENT COMMITTEE REPORT

Development Committee Report – April 3, 2018

Council considered the above noted report and the recommendation therein:

**Renewal of Development Agreement for 1 Year Extension of Building
Containing Non-Conforming Use
PER – DEV 1600116
1 Logy Bay Road**

SJMC2018-04-09/186R

Moved – Councillor Burton; Seconded – Councillor Hickman

That Council renew the Development Agreement for the proposed building extension located at 1 Logy Bay Road for one (1) year to expire on August 23, 2019, subject to the conditions presented in the original approval.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE REPORT

Committee of the Whole Report – March 28, 2018

Council considered the above noted report and the recommendations therein:

- 1. Decision Note dated February 19, 2018 re: Mandatory Curbside Yard Waste Collection**
-

SJMC2018-04-09/187R

Moved – Councillor Froude; Seconded – Councillor Jamieson

That Council approve proceeding with the mandatory requirement of yard wastes to be placed in paper yard waste bags for curbside collection (same as leaf program).

That Council approve the regular collection of yard wastes every two weeks. Yard waste collection is to coincide with recycling collection. Program is to be offered 7 months a year (May – November).

CARRIED UNANIMOUSLY

Councillor Hickman requested an interim report on this program following the summer months.

2. Decision Note dated March 21, 2018 re: 2018 Capital Grants to Community Groups

Based on discussion at Committee of the Whole on March 28, 2018, the above noted decision note was modified and is now presented under New Business for consideration.

3. Built Heritage Experts Panel Report – March 13, 2018

The Committee considered the recommendations of the Built Heritage Experts Panel from its meeting on March 13, 2018:

Decision Noted dated March 8, 2018 re: 8 Military Road – St. Thomas' Parish Hall – LED Wall Signs

SJMC2018-04-09/188R

Moved - Councillor Burton; Seconded – Councillor Hickman

That Council approve the recommended LED wall sign at 8 Military Road at location preferred by the applicant. It is also recommended that the sign not include rolling messages or animation or the permission of third party advertising.

SJMC2018-04-09/189R

Moved - Councillor Jamieson; Seconded – Councillor Froude

That the application for a LED sign at 8 Military Road be deferred and Council be provided with more information, particularly as it relates to the level of illumination, location of the sign, and variability of the messaging proposed on the sign.,

**MOTION CARRIED WITH COUNCILLORS
COLLINS, KORAB, HICKMAN, AND BURTON
DISSENTING**

Council was informed, however, that staff is undertaking a review of the Heritage Area Sign Bylaw with the intent of addressing conditions specific to available LED sign technology.

Discussion on Urban Planning

SJMC2018-04-09/190R

Moved - Councillor Burton; Seconded – Councillor Jamieson

To reject the recommendation that Council and staff should seek the Panel's input on such matters when roads and intersections may be realigned permanently, and to instead consult with the Panel on such matters as needed.

CARRIED UNANIMOUSLY

4. Decision Note dated March 16, 2018 re: Heritage Policy Working Group

SJMC2018-04-09/191R

Moved – Councillor Burton; Seconded – Councillor Stapleton

That Council approve the formation of the Heritage Policy Working Group with the terms of reference and membership as proposed.

CARRIED UNANIMOUSLY

5. Decision Note dated March 15, 2018 re: Metrobus Transit Priority Signals

The Committee considered the above noted.

SJMC2018-04-09/192R

Moved – Councillor Collins; Seconded – Councillor Lane

That Council approve the implementation of transit priority features within the City of St. John's to improve Metrobus service.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMITS LIST

Council considered as information, the above noted for the period of March 29, 2018 to April 4, 2018.

BUILDING PERMITS LIST

Council considered, for approval, the above noted for the period of March 29, 2018 to April 4, 2018.

SJMC2018-04-09/193R

Moved – Councillor Stapleton; Seconded – Councillor Jamieson

That the building permits list dated March 29, 2018 to April 4, 2018 be adopted as presented.

CARRIED UNANIMOUSLY

REQUISITIONS, PAYROLLS AND ACCOUNTS

Council considered the requisitions, payrolls and accounts for the week ending April 4, 2018.

SJMC2018-04-09/194R

Moved – Councillor Stapleton; Seconded – Councillor Jamieson

That the requisitions, payrolls and accounts for the week ending April 4, 2018 in the amount of \$3,830,729.42 be approved as presented.

CARRIED UNANIMOUSLY

TENDERS/RFPS

Tender – Construction of DAF Sludge Drying Bed at BBBP Water Treatment Plant – Contract 1

Council considered the above noted.

SJMC2018-04-09/195R

Moved – Councillor Froude; Seconded – Councillor Jamieson

That Council award this tender to the lower bidder meeting specifications, Rock Construction Company Limited, as per the Public Procurement Act in the amount \$306,012.87

CARRIED UNANIMOUSLY

Tender 2018061 – RHB Special Waste Area C Site Development – Phase 5

Council considered the above noted.

SJMC2018-04-09/196R

Moved – Councillor Froude; Seconded – Councillor Korab

That Council award this tender to the lower bidder meeting specifications, Capital Ready Mix, a division of Newcrete Investments Limited Partnership, in the amount of \$960,574.30 as per the Public Procurement Act.

CARRIED UNANIMOUSLY

Tender 2018043 – Christmas Lights Install and Remove at Bowring Park

Council considered the above noted.

SJMC2018-04-09/197R

Moved – Councillor Froude; Seconded – Councillor Burton

That Council award this tender to the lower bidder meeting specifications, Nutri Lawn, as per the Public Procurement Act in the amount \$37,050.70

CARRIED UNANIMOUSLY

Tender 2018014– Armored Courier Services

Council considered the above noted.

SJMC2018-04-09/198R

Moved – Councillor Froude; Seconded – Councillor Collins

That Council award this tender to the lowest bidders that meet specifications as follows:

- **Independent Armored Transport Atlantic Inc for the City of St. John's locations in the amount of \$24,300**
- **Brinks Canada Ltd. for St. John's Transportation Commission (Metrobus) in the amount of \$21,287.47**

all as per the Public Procurement Act.

CARRIED UNANIMOUSLY

Tender 2018063– Supply & Delivery of Temporary Traffic Islands

Council considered the above noted.

SJMC2018-04-09/199R

Moved – Councillor Froude; Seconded – Councillor Hickman

That Council award this tender to the lowest bidder meeting specifications, Capital Precast, A Division of Newcrete Investments Limited Partnership, as per the Public Procurement Act in the amount \$27,571.25.

CARRIED UNANIMOUSLY

NEW BUSINESS

Decision Note dated April 2, 2018 re: 2018 Capital Grants to Community Groups

Council considered the above noted.

SJMC2018-04-09/200R

Moved – Councillor Korab; Seconded – Councillor Hickman

That Council approve the 2018 Capital Grants to Community Groups in the amount of \$473,232 as outlined in the decision note with the remaining available funds being held in capital for future project considerations.

CARRIED UNANIMOUSLY

Decision Note dated April 5, 2018 re: Travel – Councillor Hickman – CCCO Annual Conference, Halifax, NS – May 29-31, 2018

Consideration was given to the above cited decision note.

SJMC2018-04-09/201R

Moved – Councillor Stapleton; Seconded – Councillor Froude

That Council approve the costs associated with Councillor Hickman's travel to attend the CCCO Annual Conference in Halifax, Nova Scotia from May 29-31, 2018.

CARRIED UNANIMOUSLY

Economic Update – April 2018

Deputy Mayor O'Leary provided highlights of the April 2018 economic update

Councillor Burton

Requested that the Mayor write the Department of Education requesting the Province's intent with respect to Bishop Field Elementary School.

Deputy Mayor O'Leary

Questioned the status of the Tree Planting Regulations which is included in the draft Development Regulations. The City Solicitor advised that a decision note will be brought forward to Council at its April 16th meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:00 p.m.

2018-04-09

MAYOR

CITY CLERK

DECISION/DIRECTION NOTE

Title: St. John's Development Regulations Amendment # 676, 2018
Application to Rezone Land to the Apartment Low Density (A1) Zone
REZ1600018
280 Blackmarsh Road

Date Prepared: April 10, 2018

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 3

Decision/Direction Required:

That Council adopt the attached resolution for St. John's Development Regulations Amendment 676, 2018.

Discussion – Background and Current Status:

The City received an application to rezone 280 Blackmarsh Road from the Residential Low Density (R1) and Open Space (O) Zones to the Apartment Low Density (A1) Zone, for the development of a 12 unit, 2-storey apartment building. The area proposed for development is comprised of two parcels of land; land owned by the developer with an area of 938m², and City owned land with an area of 986m². Council originally approved the sale of a parcel of land with an area of 722m². The developer has since requested an additional 264m² of land.

Prior to the adoption of the amendment, Council must consider approval of the Purchase and Sale Agreement addressed in a memo from the Legal Division. The sale of City land must be considered, otherwise the application could not be considered as proposed, as the two parcels would need to be consolidated in order for the developer to have sufficient land. An amendment to the Municipal Plan is not required.

A Land Use Report was prepared by the applicant and advertised for review. A public meeting chaired by Councillor Hickman was held on April 3, 2018. There were no attendees at the public meeting. Written public submissions were received by the City Clerk and will be referred to the agenda for the Regular Meeting of Council.

Concern was raised regarding the property boundary and proximity to a neighbouring dwelling. The required setback from the Side Yard property line and landscaping was originally provided on the site plan. Prior to the application being considered by Council, the developer was asked to construct a fence (screen) at least 1.8 metres in height along the western boundary of the property, providing an additional buffer between the proposed development and the adjacent residential development along Murphy's Avenue, which they have agreed to provide.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans:
Neighbourhoods Build our City - Increase access to range/type of housing.

ST. JOHN'S

4. Legal or Policy Implications:
St. John's Municipal Plan encourages a compatible mix of residential buildings of varying densities in all zones. Subject to a Land Use Assessment Report, the City may permit zones to allow Medium Density Residential uses such as walk-up apartments, which are deemed to be compatible with single detached dwellings.
5. Engagement and Communications Considerations: Not applicable.
6. Human Resource Implications: Not applicable.
7. Procurement Implications: Not applicable.
8. Information Technology Implications: Not applicable.
9. Other Implications:
The proposed development will include a fence (screen) at least 1.8 metres in height to buffer the western side of the property and parking area from the adjacent residential development along Murphy's Avenue.

The sale of City land must be considered, subject to the Legal Division's memo, otherwise the application could not be considered as proposed.

Recommendation:

It is recommended that Council adopt St. John's Development Regulations Amendment Number 676, 2018, which will rezone land at 280 Blackmarsh Road from the Residential Low Density (R1) and Open Space (O) Zones to the Apartment Low Density (A1) Zone to allow a 12 unit, 2-storey apartment building. If the attached amendment is adopted by Council, it will then be referred to the Department of Municipal Affairs and Environment with a request for Provincial Registration in accordance with the provisions of the *Urban and Rural Planning Act*.

Prepared by - Date/Signature:

Lindsay Lyghtle Brushett, MCIP – Planner III

Signature: _____

Approved by - Date/Signature:

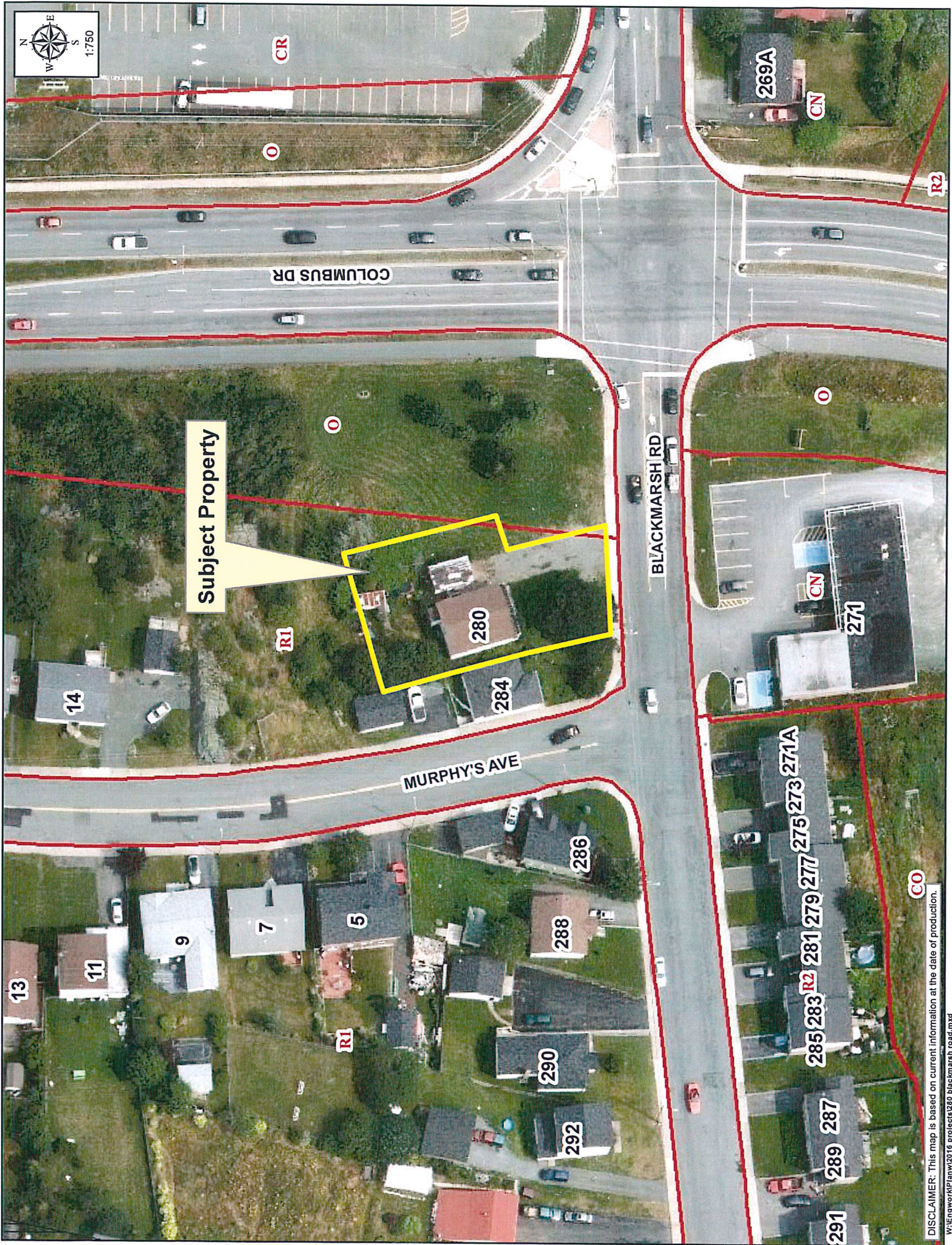
Ken O'Brien, MCIP – Chief Municipal Planner
Planning, Engineering and Regulatory Services

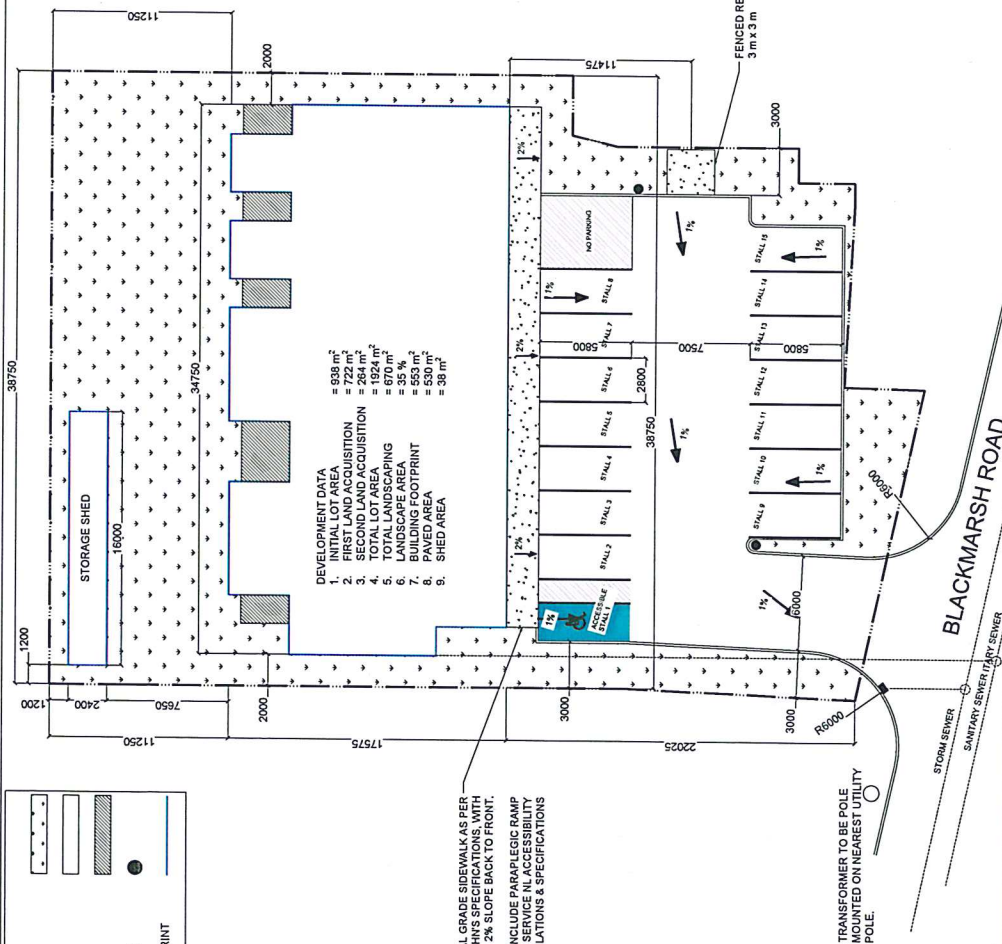
Signature: _____

LLB/kab

Attachments:

Resolution
Zoning Map
Site Plan
Public Correspondence





GENERAL NOTES

1. DRAW FOR REVIEW PURPOSES ONLY.
2. DO NOT SCALE FROM PRINT.
3. ALL WORK SHALL BE CARRIED IN ACCORDANCE WITH THE LATEST PROVINCIAL OCCUPATIONAL HEALTH & SAFETY ACT
4. CONTRACTOR TO VERIFY ALL DIMENSIONS AND SITE CONDITIONS BEFORE PROCEEDING WITH THE WORK. REPORT DISCREPANCIES TO ENGINEER.
5. ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CANADIAN STANDARDS ASSOCIATION'S (C.S.A.) SPECIFICATIONS AND THE NATIONAL BUILDING CODE OF CANADA.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS.
7. ALL WORKS WITHIN MUNICIPAL RIGHTS-OF-WAY AND EASEMENTS TO BE INSPECTED BY THE MUNICIPALITY PRIOR TO BACKFILLING.

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RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 676, 2018

WHEREAS the City of St. John's wishes to allow the development of a 12 unit, 2-storey apartment building at 280 Blackmarsh Road.

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

Rezone land at 280 Blackmarsh Road [Parcel ID# 14126 & 14370] from the Residential Low Density (R1) and Open Space (O) Zones to the Apartment Low Density (A1) Zone as shown on Map Z-1A attached.

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

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this ____ day of _____, 2018.

Mayor

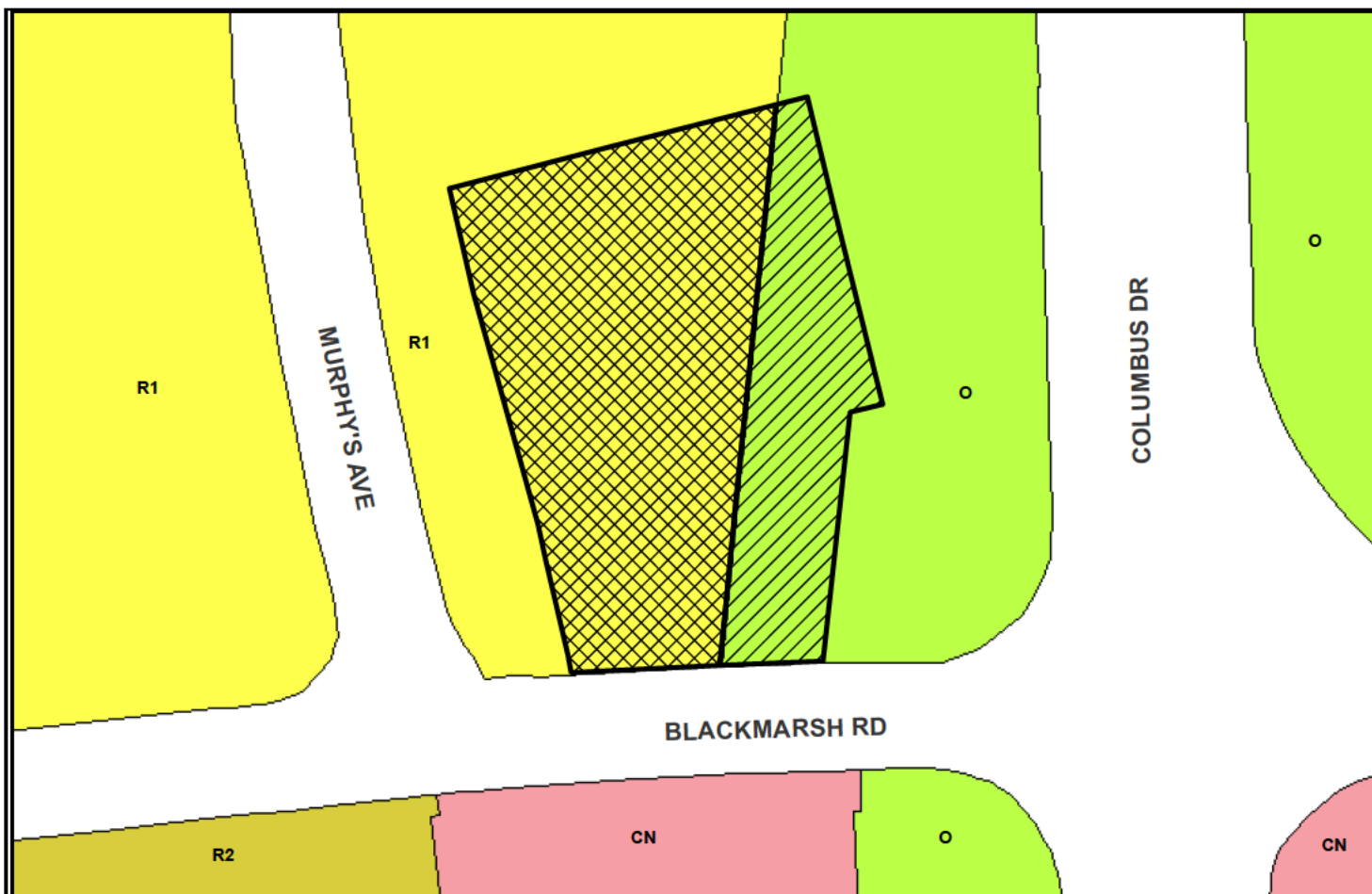
City Clerk

Council Adoption

MCIP

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

Provincial Registration



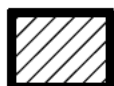
**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 676, 2018
[Map Z-1A]**

2018 04 11 Scale: 1:750
City of St. John's
Department of Planning, Development
& Regulatory Services

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 LOW DENSITY (R1) LAND USE ZONE TO
APARTMENT LOW DENSITY (A1) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM
OPEN SPACE (O) LAND USE ZONE TO
APARTMENT LOW DENSITY (A1) LAND USE ZONE

**280 BLACKMARSH ROAD
Parcel ID 14126 & 14370**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration



Fw: 280 Blackmarsh Road
Planning to: Kenessa Cutler
Sent by: **Donna L Mullett**

2018/04/12 10:50 AM

----- Forwarded by Donna L Mullett/CSJ on 2018/04/12 10:50 AM -----

From: City Clerk and Council/CSJ
To: [REDACTED]
Cc: cityclerk@stjohns.ca, Jason Sinyard/CSJ@CSJ, Ken O'Brien/CSJ@CSJ, Lindsay Lyghtle Brushett/CSJ@CSJ, Dave Wadden/CSJ@CSJ, Gerard Doran/CSJ@CSJ, Andrea Roberts/CSJ@CSJ, Karen Chafe/CSJ@CSJ, Planning/CSJ@CSJ, Kathy Driscoll/CSJ@CSJ, Ashley Murray/CSJ@CSJ
Date: 2018/03/16 04:00 PM
Subject: Re: 280 Blackmarsh Road
Sent by: Elaine Henley

Good Afternoon Mr. Evans:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley
City Clerk

Piers	Hello, I would like to offer a submission for the d...	2018/03/16 12:02:39 PM
From:	Piers [REDACTED]	
To:	cityclerk@stjohns.ca	
Date:	2018/03/16 12:02 PM	
Subject:	280 Blackmarsh Road	

Hello,

I would like to offer a submission for the development of a 12 unit, 2-storey apartment building at this address. I encourage dense urban development anywhere in St. John's, and this is no exception, however the pedestrian infrastructure at Columbus Dr and Blackmarsh Rd is horrible, and this is a very dangerous intersection for pedestrians. If densification is to occur on the opposite side of Columbus Dr from amenities such as a grocery store, the pedestrian infrastructure at this intersection should be improved, which could mean the expansion of dividing islands and improvements to the lighting of the intersection.

Thank you,
Piers Evans



Fw: 280 Blackmarsh Road Public Meeting

Planning to: Kenessa Cutler

Sent by: **Donna L Mullett**

2018/04/12 10:50 AM

----- Forwarded by Donna L Mullett/CSJ on 2018/04/12 10:50 AM -----

From: City Clerk and Council/CSJ
To: Anne Joy [REDACTED]
Cc: cityclerk@stjohns.ca, Jason Sinyard/CSJ@CSJ, Ken O'Brien/CSJ@CSJ, Lindsay Lyghtle Brushett/CSJ@CSJ, Dave Wadden/CSJ@CSJ, Gerard Doran/CSJ@CSJ, Andrea Roberts/CSJ@CSJ, Karen Chafe/CSJ@CSJ, Planning/CSJ@CSJ, Kathy Driscoll/CSJ@CSJ, Ashley Murray/CSJ@CSJ
Date: 2018/03/29 03:39 PM
Subject: Re: 280 Blackmarsh Road Public Meeting
Sent by: Elaine Henley

Good Afternoon Ms. Joy:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for review and for a response to the questions posed.

All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley
City Clerk

Anne Joy

Good Day I will be unable to attend the public m...

2018/03/29 02:02:52 PM

From: Anne Joy [REDACTED]
To: cityclerk@stjohns.ca
Date: 2018/03/29 02:02 PM
Subject: 280 Blackmarsh Road Public Meeting

Good Day

I will be unable to attend the public meeting on Tuesday, April 3rd regarding the application to rezone 280 Blackmarsh Road.

These are my concerns:

Will the developer mark out the boundary between my residence and the proposed development. I would like the screen of at least 1.8 metres in height to be erected all along the boundary as the proposed development is so near to my property.

People already walk through my garden to get to the proposed development and I do not want to have man-made paths leading from Murphy Avenue/Blackmarsh Road to that land through my front and back gardens. I saw three men walk through my front garden when the billboard was being erected which showed a lack of consideration for my property.

I am concerned about possible damage to my house and garage, e.g., from high winds blowing away construction materials, construction vibration damage. I have already picked up building material that has blown into my garden from the house being demolished. Was a building permit for the demolition

applied for? There is a wire leading from the pole on the adjacent sidewalk that fell off the house being demolished. I would like the contractor to ensure the wire is removed. Will there be hazardous materials from the house that is being demolished or with the new construction? I have never had flood damage with heavy rains and I have the expectation this will continue.


What about construction messes blowing onto Columbus Drive and Blackmarsh Road? Will there be blocked streets and the sidewalk by my house? There will be the increased traffic congestion. There is a business across the road which has stopped the flow of traffic coming from the east when a car is turning left to the business.

Will the residents within the radius of 150 metres be told about the planned duration of the construction and how we can contact the contractor?

Is there a city law that limits excessive noise from construction? What will the business hours of construction be?

Thank you

Anne Joy



REPORT (Excerpt)

COMMITTEE OF THE WHOLE

March 28, 2018 – 9:00 am – Council Chambers, 4th Floor, City Hall

Present: Mayor Danny Breen, Chair
Deputy Mayor Sheilagh O'Leary
Councillor Hope Jamieson
Councillor Jamie Korab
Councillor Deanne Stapleton
Councillor Wally Collins
Councillor Maggie Burton
Councillor Ian Froude
Councillor Sandy Hickman

Regrets: Councillor Debbie Hanlon
Councillor Dave Lane

Staff: Kevin Breen, City Manager
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Tanya Haywood, Deputy City Manager of Community Services
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Ken O'Brien, Chief Municipal Planner
Susan Bonnell, Manager of Communications and Office Services
Carla Squires, Manager of Facilities Division
Garrett Donaher, Manager of Transportation Engineering
Elaine Henley, City Clerk
Kenessa Cutler, Legislative Assistant

Others: Jerry Dick, Heritage Association of NL

REPORT

3. Built Heritage Experts Panel Report – February 13, 2018

The Committee considered the recommendations of the Built Heritage Experts Panel from its meeting on March 13, 2018:

i. Decision Noted dated March 8, 2018 re: 8 Military Road – St. Thomas' Parish Hall – LED Wall Signs

Deputy Mayor O'Leary expressed concern regarding the sign's use, proposed brightness, and its appropriateness in a heritage area.

Mayor Breen stated the City regulates the luminosity of signs under the Heritage Area Sign By-Law and this sign was vetted by the Built Heritage Experts Panel.

Moved – Deputy Mayor O'Leary; Seconded – Councillor Froude

To defer the above listed to gather more information as to the sign's use,

proposed brightness and its appropriateness in a heritage area.

**MOTION TO DEFER WAS LOST
WITH MAYOR BREEN, AND COUNCILLORS COLLINS,
KORAB, JAMIESON, STAPLETON,
HICKMAN, AND BURTON DISSENTING**

Moved - Councillor Burton; Seconded – Councillor Stapleton

That Council approve the recommended LED wall sign at 8 Military Road at location preferred by the applicant. It is also recommended that the sign not include rolling messages or animation or the permission of third party advertising.

Further that staff undertake a review of the Heritage Area Sign Bylaw such that it includes conditions specific to available LED sign technology.

**CARRIED WITH
COUNCILLOR FROUDE AND
DEPUTY MAYOR O'LEARY DISSENTING**

Mayor Danny Breen
Chairperson

DECISION/DIRECTION NOTE

Title: 8 Military Road, St. Thomas' Parish Hall
LED Wall Signs

Date Prepared: March 8, 2018

Report To: Chair and Members, Built Heritage Experts Panel

Councillor & Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 2

Decision/Direction Required: To seek approval for three digital LED wall signs located on St. Thomas' Parish Hall, 8 Military Road.

Discussion – Background and Current Status:

The City has received an application to install three LED wall signs on St. Thomas' Parish Hall, located at 8 Military Road. The applicant has applied for three signs, however would be satisfied with one sign facing Military Road. The digital sign will be used for St. Thomas' Anglican Church messages only.

The subject property is located in Heritage Area 1, the St. John's Municipal Plan's Institutional (INST) Districts and is zoned Institutional (INST). St. Thomas' Parish Hall is not designated by Council as a Heritage Building, however it is adjacent to St. Thomas' Anglican Church which is a City of St. John's Designated Building.

The Heritage Area Sign By-Law does not speak to digital signs directly. The sign type most similar to a digital sign is an animated sign which may be permitted upon the recommendation of the Heritage Advisory Committee and at the discretion of Council as per Section 15 of the Heritage Area Sign By-Law. As per Section 18, third party signs are prohibited, therefore the Church would not be permitted to advertise for other organizations or companies. As per the attached letter, they have indicated that the sign will only display church messages.

The location of the three wall signs are attached, however the size will be reduced from 50 ft² to 32 ft² (3 m²). The approximate locations are also marked on the map below.

There have been a number of digital signs of various sizes and sign types approved in Heritage Areas over the past few years. Therefore it is recommended to approve one LED wall sign at 8 Military Road. It is further recommended to update the Heritage Area Sign By-Law to include conditions for digital signs.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

ST. JOHN'S

2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans:
Neighbourhoods Build our City – Maintain and position downtown as a distinct neighbourhood.
4. Legal or Policy Implications:
It is recommended to update the Heritage Area Sign By-Law to include conditions for digital signs.
5. Engagement and Communications Considerations: Not applicable.
6. Human Resource Implications: Not applicable.
7. Procurement Implications: Not applicable.
8. Information Technology Implications: Not applicable.
9. Other Implications: Not applicable.

Recommendation:

It is recommended to approve one LED wall sign at 8 Military Road. It is further recommended to update the Heritage Area Sign By-Law to include conditions for digital signs.

Prepared by/Signature:

Ann-Marie Cashin, MCIP – Planner III, Urban Design and Heritage

Signature: _____

Approved by/Date/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

AMC/dlm

Attachments:

Location of Subject Property and Proposed Signs

Applicant's Submission

Letter from Revd Canon Gregory Mercer, St. Thomas' Anglican Church

Location of Subject Property
8 Military Road



Approximate Location of Proposed Signs

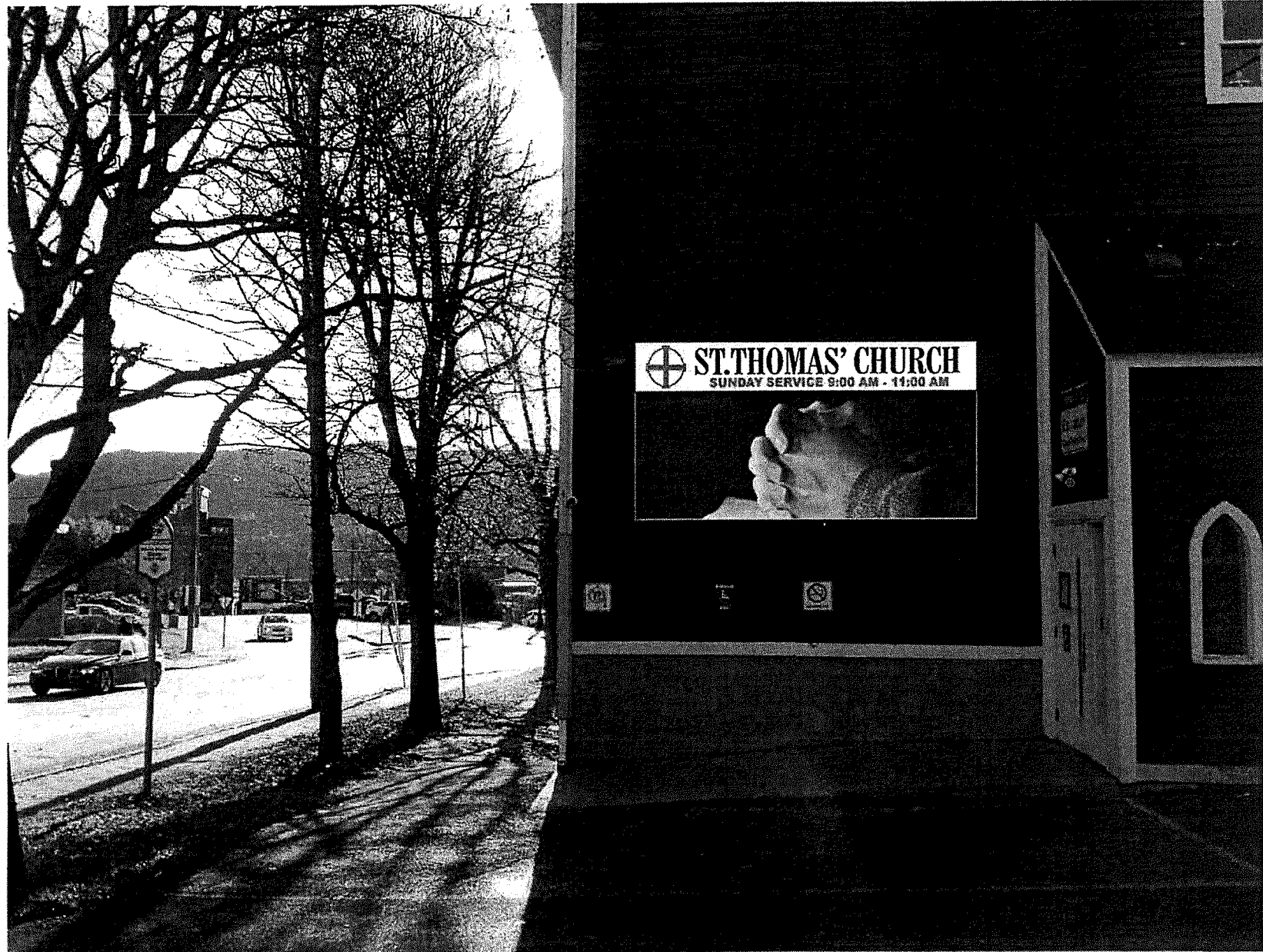


Facing the Parking Lot



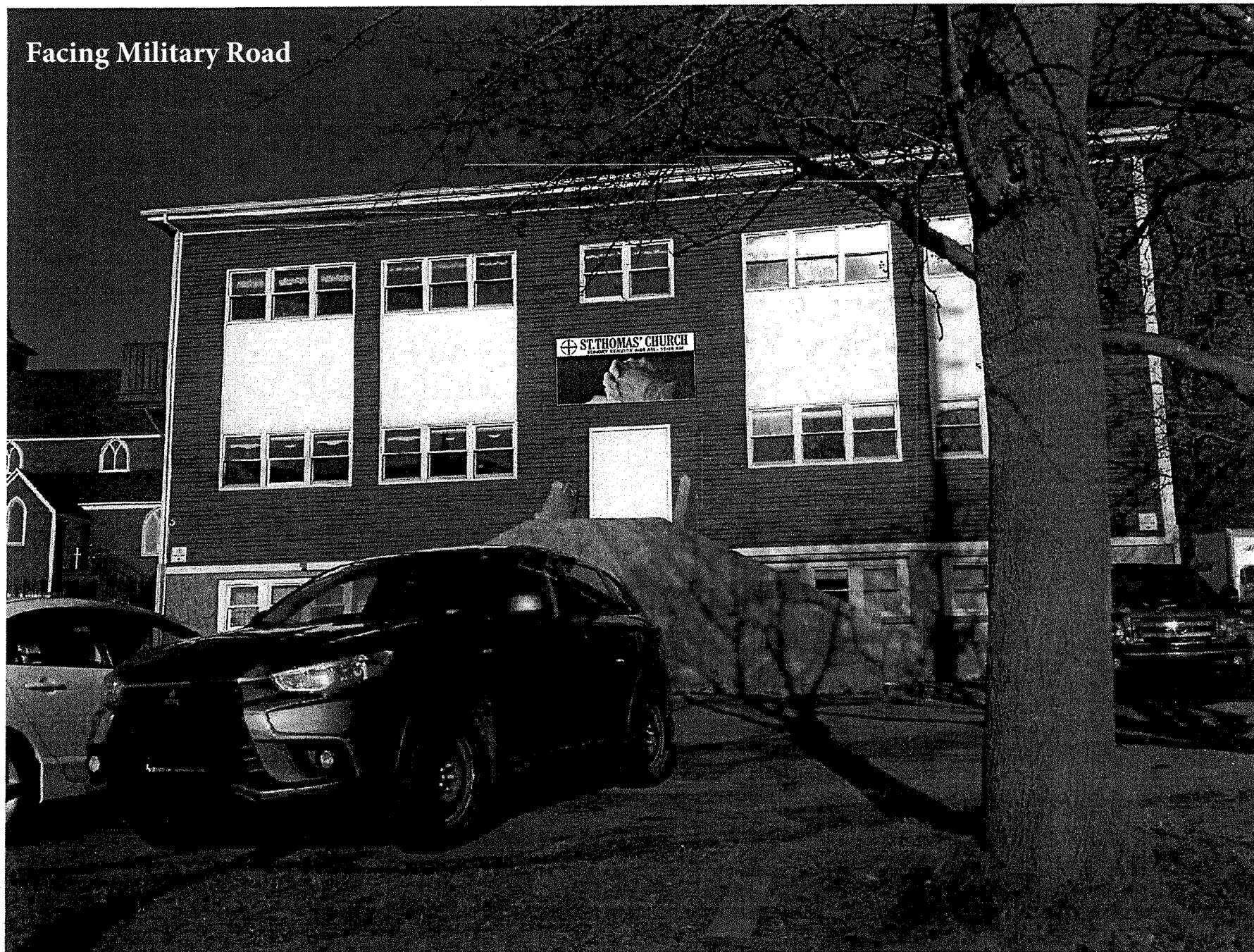
5' H x 10' W Full color LED Board

Facing King's Bridge Road



5' H x 10' W Full color LED Board

Facing Military Road



5' H x 10' W Full color LED Board



ST. THOMAS'

ANGLICAN CHURCH

8 Military Rd., St. John's, NL A1C 2C4
Ph: (709) 576-6632 Fax: (709) 737-0472
Email: office@st-thomaschurch.com
Web: www.st-thomaschurch.com

March 6, 2018

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

Re: Permission to Install LED Board

To whom it may concern;

I write on behalf of the Anglican Parish of St. Thomas' seeking permission for Bugden Signs Ltd to install an LED sign on St. Thomas' **Parish Hall**. We understand that because St. Thomas' is situated in a Heritage area the largest board we can install is thirty-two square feet. Please be assured that the sign will be used for Church messages only. There will be **NO** third-party advertising.

Thanking you in advance,

The Revd Canon Gregory Mercer
(Priest and Rector)

cc.

Wayne Squires
Bugden Signs Ltd.
(709) 754-3355
Fax: (709) 754-7295
8 Hallett Crescent, St. John's, NL.
A1B 4G7
P.O Box 13921
wsquires@bugdensigns.com

Jesus said, "Blessed are those who have not seen and yet have believed." (John 20:20)

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 April 16, 2018.**

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	79-81 New Gower Street Commercial Central Mixed (CCM) Zone	2	A Discretionary Use application has been submitted by Gower Pub Limited requesting permission to change the occupancy of 79-81 New Gower Street from a Restaurant to a Lounge for a Pub. The business will occupy a total floor area of 198.6m ² and will operate Sunday- Wednesday 11 a.m.-1 a.m., and Thursday- Saturday 11 a.m.-2 a.m. No on-site parking is provided	198.6m ²			No submissions received	The Planning and Development Division recommends approval of the application subject to all applicable City requirements
2	464 Topsail Road Commercial Regional (CR) Zone	3	A Discretionary Use application has been submitted by New Hut requesting approval to operate a national brand coffee shop drive-thru at 464 Topsail Road . The application is advertised in accordance with Section 7.30 "Drive-Thru Facilities" of the St. John's Development Regulations.				2 submissions received (attached)	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.



Fw: Application - 464 Topsail Road

Planning to: Kenessa Cutler

Sent by: **Donna L Mullett**

2018/04/12 10:50 AM

----- Forwarded by Donna L Mullett/CSJ on 2018/04/12 10:50 AM -----

From: Geoffrey Scott Gillis [REDACTED]
To: "planning@stjohns.ca" <planning@stjohns.ca>
Date: 2018/04/03 01:38 PM
Subject: Application - 464 Topsail Road

**City of St. John's,
Planning and Development Division:**

I live very near to this proposed development and use the retail outlets in this area constantly. I would be interested in knowing more detail of the plans / proposal. I don't object to the idea but am concerned about traffic flow as the Tim Horton's at the nearby Esso station has issues already. The access to the main parking lot in the area in front of Sobeys and Walmart can be challenging. And onto Hamlyn Road I do not know why two exits from the same parking lot straddle the exit on the opposite side from the Village Mall and are only metres apart. Why aren't these exits staggered further apart? I hope they can find a creative way to manage the traffic flow but as anyone in the area knows, making a left turn out of either of the exits onto Topsail Road is next to impossible now during any period of moderate to heavy traffic. Also, the traffic out of the Liquor Store parking lot can be quite busy and this is immediately next to the proposed coffee shop.

I am attaching the map included on your web site with some notes on it. As I indicated, I am not in principle opposed to the idea and would likely make use of it but I think traffic flow is the biggest concern.

Kind regards,



Scott Gillis464 TOPSAIL ROAD.pdf



464 Topsail Road

464

CR

HAMLIN RD

TOPSAIL RD

INST

A3

A2

DISCLAIMER: This map is based on current information at the date of production.

W:\Engwork\Planw\2018 projects\464 topsail road.mxd



Fw: 464 Topsail Road Proposed Drive Through

Planning to: Kenessa Cutler

Sent by: **Donna L Mullett**

2018/04/12 10:51 AM

----- Forwarded by Donna L Mullett/CSJ on 2018/04/12 10:50 AM -----

From: City Clerk and Council/CSJ
To: Geraldine Maloney [REDACTED]
Cc: cityclerk@stjohns.ca, Jason Sinyard/CSJ@CSJ, Ken O'Brien/CSJ@CSJ, Lindsay Lyghtle Brushett/CSJ@CSJ, Dave Wadden/CSJ@CSJ, Gerard Doran/CSJ@CSJ, Andrea Roberts/CSJ@CSJ, Karen Chafe/CSJ@CSJ, Planning/CSJ@CSJ, Kathy Driscoll/CSJ@CSJ, Ashley Murray/CSJ@CSJ
Date: 2018/04/03 04:38 PM
Subject: Re: 464 Topsail Road Proposed Drive Through
Sent by: Elaine Henley

Good Afternoon:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council for consideration prior to reaching a final decision.

Elaine Henley
City Clerk

Geraldine Maloney

[Note: Please attach overhead picture as given t...](#)

2018/04/02 09:42:47 PM

From: Geraldine Maloney [REDACTED]
To: cityclerk@stjohns.ca
Date: 2018/04/02 09:42 PM
Subject: 464 Topsail Road Proposed Drive Through

Note: Please attach overhead picture as given to area residents when this letter is up for reading.



Thank you for this!

Robins' Donut Proposal Submission.odt

March 30, 2018

To Whom It May Concern:

We are writing concerning the above development as submitted by New Hut specifically Robins Donuts for the opening of a Drive -Thru on this premises. As it stands now, this specific location has become increasingly busy with the number of business properties that are entering and exiting within a very small defined area. We are not in opposition to a stationary coffee shop but have serious concerns in relation to traffic both vehicular and pedestrian that could ensue as a result of its opening. Please refer to the overhead map as provided to vicinity residents.

Existing Conditions:

1. Wal Mart and Sobeys are the two large stores at the rear end of the parking lot.
2. There are two strip malls containing 8 businesses and a bank, with the NLC on the other side of the access road.
3. The small street that conveys traffic in and out of Topsail Road in between the NLC and the proposed drive through is already an area of concern.
4. There are two other drive throughs for Coffee easily within a 10 **Second** drive namely Esso Tims and McDonalds.
5. There are a lot of concerns in this area currently due to all the businesses on Topsail Road and those within the confines of the bigger parking lot. Traffic has also increased with the addition of the two schools and any other tenants at the old NSD.
6. Metrobus already has new equipment installed on their buses to keep them on time due to delays coming out of the Village.
7. Proximity to Hamlyn Road, the Village with all its exits and entrances has compounded the situation because of existing traffic problems.

Concerns:

1. There is traffic coming from the north, south, east and west and **compounding** of some of these due to the strip malls thus causing a concern for the **fluid movement** of traffic needed for a drive through.
2. Traffic coming from the west would find it dangerous in the mornings, lunch break and evenings to make a left hand turning in and out of the locale. You also have traffic turning right and left coming out of these premises at the same limited exit simultaneously.
3. This locale is also across from the High School with pedestrian and vehicular traffic.
4. You also have a back up of traffic from the 4 way stop in the middle of the bigger parking lot with vehicles trying to get onto Hamlyn Road in either direction across from the Village Mall.
5. There is a lot of pedestrian traffic from the largely seniors condominiums in the area which further complicates the whole issue.

We ask you to take all of the above into serious consideration before you come to a final decision regarding this proposal. If it were to continue, there would have to be a total reconfiguration of the parking lot with increased signage for traffic and pedestrians. Our main concern is singularly for the safety of all the people who would be involved in this situation: Students, Drivers, Walkers and Patrons of the businesses. It has limited impact on us as individuals only to the extent that we go there as any one of the aforementioned citizens. We look forward to hearing from you.

Yours truly,

Geraldine Maloney
48-104 Pasadena Crescent
St. John's , NL

Joan Mitchell
48-203 Pasadena Crescent
St. John's , NL

Jennie Roberts
48-102 Pasadena Crescent
St. John's , NL

David Curry
48-105 Pasadena Crescent
St. John's, NL

Robert Piercey
48-109 Pasadena Crescent
St. John's, NL

Madonna McGrath
48-110 Pasadena Crescent
St. John's, NL

Barbara Ring
48-205 Pasadena Crescent
St. John's, NL

REPORTS/RECOMMENDATION

Development Committee

April 10, 2018 – 10:00 a.m. – Conference Room A, 4th Floor, City Hall

55 Kiwanis Street – DEV1700181 – 10% Rear Yard Variance

It is recommended that Council approve the 10% rear yard variance.

256A Back Line – CRW1800010 – Crown Land Lease for Agricultural Use

It is recommended that the Crown Land Lease be approved

Jason Sinyard

Deputy City Manager – Planning, Engineering & Regulatory Services

Chairperson

DECISION/DIRECTION NOTE

Title: Request for Rear Yard Variance
DEV1700181 – 55 Kiwanis Street
Applicant: Atlantic Homes Ltd.

Date Prepared: April 10, 2018 (Date of Next Meeting: April 16, 2018)

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Maggie Burton, Planning and Development Lead

Ward: 4

Decision/Direction Required:

To seek approval for a 10% variance on rear yard requirement.

Discussion – Background and Current Status:

An application has been submitted for the construction of a new Commercial Building. The property is situated in the Commercial Neighbourhood (CN) Zone where the minimum rear yard is 6 metres, the proposed will have a rear yard of 5.4 metres and will require a 10% variance to meet the minimum requirement.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Abutting property owners of 55 Kiwanis Street.
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: Section 8.4 of the St. John's Development Regulations.
5. Engagement and Communications Considerations: Letters have been distributed to abutting property owners for notification of the variance request as per Section 8.4(3) of the Development Regulations.
6. Human Resource Implications: Not applicable.
7. Procurement Implications: Not applicable.
8. Information Technology Implications: Not applicable.
9. Other Implications: Not applicable.

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Recommendation:

It is recommended that Council approve the 10% rear yard variance.


Prepared by/Date/Signature:

Ashley Murray, Assistant Development Officer

Signature: Ashley Murray

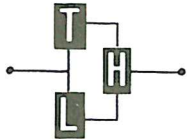
Approved by/Date/Signature:

Jason Sinyard, P. Eng., MBA, Deputy City Manager, Planning, Engineering & Regulatory Services

Signature: 

AAM/

Attachments:



TWIN HOLDINGS LIMITED

April 10, 2018

P. O. BOX 8293
ST. JOHN'S, NEWFOUNDLAND
A1C 3N4
PHONE (709) 576-1100
FAX. (709) 576-7515

City of St. John's

P.O. Box 908

St. John's, NL, Canada A1C 5M2

Attn: Ms. Ashley Murray

Assistant Development Officer

Planning, Engineering & Regulatory Services.

Re: PER FILE No. DEV1700181

Proposed 10% Rear Yard Variance & Project Development

Commercial Neighbourhood (CN) Zone

Location: 55 Kiwanis Street

Dear Ms. Murray,

We herewith confirm our phone conversation wherein we stated that we have grave concerns regarding our building and parking lot flooding as a result of the captioned development which bounds on our Northern Boundary. If appropriate catch basins and grade lines are not properly installed, we will experience similar flooding and safety issues to that of the Development of The Talwan (St. John's) Inc. Property, 394 Kenmount Road, St. John's which bounds on our West Boundary.

All heavy equipment such as concrete and dump trucks and excavators etc. should not access the proposed construction site via Twin Holding Limited property

We trust that we will be notified that the aforementioned concerns will be adopted in the approval of the captioned project

Yours Truly,

Neil M. Chaplin

DECISION/DIRECTION NOTE

Title: Crown land Lease for Agriculture Use
CRW1800010
256A Back Line

Date Prepared: April 10, 2018 (Date of next meeting: April 16, 2018)

Report To: His Worship the Mayor and Members of Council

Councillor & Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 5

Decision/Direction Required:

To seek approval for a Crown Land Lease for 0.402 hectares of land.

Discussion – Background and Current Status:

The Provincial Department of Municipal Affairs and Environment has referred an application requesting a Lease for a parcel of land comprising of an area of 0.402 hectares which is located in the Agriculture (AG) Zone. The proposed use of the land is for forage production and pasture land.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: Not applicable.
5. Engagement and Communications Considerations: Not applicable.
6. Human Resource Implications: Not applicable.
7. Procurement Implications: Not applicable.
8. Information Technology Implications: Not applicable.
9. Other Implications: Not applicable.

ST. JOHN'S

Recommendation:

It is recommended that the Crown Land Lease be approved.

Prepared by - Date/Signature:

Ashley Murray- Assistant Development Officer

Signature: Ashley Murray

Approved by - Date/Signature:

Jason Sinyard, Deputy City Manager, Planning, Engineering & Regulatory Services

Signature: [Signature]

AAM/kab

REPORT

COMMITTEE OF THE WHOLE

April 11, 2018 – 9:00 am – Council Chambers, 4th Floor, City Hall

Present: Mayor Danny Breen, Chair
Deputy Mayor Sheilagh O'Leary
Councillor Dave Lane
Councillor Hope Jamieson
Councillor Deanne Stapleton
Councillor Maggie Burton
Councillor Debbie Hanlon
Councillor Ian Froude
Councillor Sandy Hickman (left at 11:02 am)

Regrets: Councillor Jamie Korab
Councillor Wally Collins

Staff: Kevin Breen, City Manager
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Derek Coffey, Deputy City Manager – Finance & Administration
Tanya Haywood, Deputy City Manager of Community Services
Lynnann Winsor, Deputy City Manager of Public Works
Cheryl Mullett, City Solicitor
Ken O'Brien, Chief Municipal Planner
Victoria Etchegary, Manager of Organizational Performance & Strategy (left at 9:50 am)
Garrett Donaher, Manager of Transportation Engineering (arrived at 10:30 am)
Susan Bonnell, Manager of Communications and Office Services
Elaine Henley, City Clerk
Kathy Driscoll, Legislative Assistant

Others: Meghan Lafferty, Acting Director of Nature Conservancy of Canada
Kevin Schulz, Nature Conservancy of Canada
Callie Woodward, Leading Edge Group

REPORT

1. Decision Note dated April 3, 2018 re: Host- Urban Accord Meeting – Municipalities Newfoundland and Labrador (MNL)

The Committee discussed the above noted Decision Note.

Recommendation:

Moved – Councillor Lane; Seconded – Deputy Mayor O’Leary

That Council approve the costs associated with hosting the Urban Accord meetings held at the Paul Reynolds Community Centre on March 14 and 15, 2018.

CARRIED UNANIMOUSLY

2. Decision note dated April 3, 2018 re: The Royal St. John’s Regatta Committee – Hall of Fame Induction Luncheon

The Committee discussed the above noted Decision Note.

Recommendation

Moved – Deputy Mayor O’Leary; Seconded – Councillor Hickman

That Council grant approval to host the annual Hall of Fame Induction Luncheon for the Royal St. John’s Regatta Committee on July 25, 2018.

CARRIED UNANIMOUSLY

3. Decision Note dated March 28, 2018 re: Application to Rezone Land to Commercial Local Zone for an Office Use, REZ1800001, 75 Airport Heights Drive

The Committee discussed the above noted.

Recommendation

Moved by Councillor Burton; Seconded - Councillor Lane

That Council consider a proposed rezoning at 75 Airport Heights Drive from Residential Low Density (R1) to Commercial Local (CL), and the application be advertised for public review and comment. Staff further recommend that the application be referred to a Public Meeting chaired by a member of Council. Following the public meeting, the application would be referred to a Regular meeting of Council for consideration of adoption.

CARRIED UNANIMOUSLY

4. Decision Note dated April 5, 2018 re: 390 Duckworth Street, Exterior Repairs, The Majestic Theatre

The Committee discussed the above noted.

Recommendation

Moved - Councillor Burton; Seconded - Councillor Jamieson

That Council approve the exterior renovations to the Majestic Theatre, located at 390 Duckworth Street, as submitted.

CARRIED UNANIMOUSLY

5. Decision Note dated March 14, 2018 re: George Street Association Taxi Layby Request

The Committee considered the above-noted Decision Note.

Recommendation

Moved - Councillor Hanlon; Seconded - Councillor Jamieson

That Council, on a trial basis, approve a new after-hours taxi layby area on the south side of New Gower Street stretching from the City Hall Annex westward to the existing mobile vendor parking stall. Implement this trial layby area from 8PM to 6AM daily and adjust the existing George Street layby to match these times.

CARRIED UNANIMOUSLY

6. Bike St. John's Advisory Committee Report – March 21, 2018

Consideration was given to the above noted Committee Report. Councillor Lane advised two meetings had already taken place this year.

Recommendation

Moved by Councillor Lane; Seconded by Councillor Hanlon

That Council give final approval to the Bike St. John's Advisory Committee Terms of Reference and further to remove the term Nexter and replace it with a representative between the ages of 19 and 35.

CARRIED UNANIMOUSLY

7. Decision Note dated April 4, 2018 re: 2017 Traffic Pilot Projects

The Committee discussed the above noted Decision Note.

a. Duckworth Street-Plymouth Road Loop

Recommendation

Moved - Councillor Hanlon; Seconded - Councillor Hickman

That Council give approval to the following:

Council proceed with permanent implementation of the Duckworth Street -Plymouth Road Loop, as soon as funding can be assigned.

CARRIED UNANIMOUSLY

b. Veteran's Square Reconfiguration

Recommendation

Moved - Councillor Hanlon; Seconded - Councillor Jamieson

That Council approve the following:

Council proceed with permanent implementation of the Veteran's Square Reconfiguration, as soon as funding can be assigned.

CARRIED UNANIMOUSLY

c. Great Eastern Drive-Petite Forte Drive Mini-Roundabout

Recommendation

Moved - Councillor Hanlon; Seconded - Councillor Froude

That Council defer the recommendation to reject installing the Great Eastern Drive-Petite Forte Drive Mini-Roundabout on a permanent basis until discussions could be held by the Chief of Police with the Ward Councillor to inform area residents properly of safety options.

CARRIED UNANIMOUSLY

Mayor Danny Breen
Chairperson

DEVELOPMENT PERMITS LIST
DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES
FOR THE PERIOD OF April 5, 2018 TO April 11, 2018

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
IND	Powers Brown Architecture	Concrete Pad for Brew Tanks	35 Barrows Rd	2	Approved	18-04-05
RES		Building Lot for Single Family Dwelling	171B Doyle's Road	5	Approved	18-04-06
IND	Newfoundland Labrador Hydro	Transmission Line Upgrades	Trans-Canada Highway (near Thomas Pond)	5	Approved	18-04-06
COM		Family Home Child Care Service for 6 Children	61 Beothuck Street	4	Approved	18-04-09
COM	Lindsay Construction	Clearing & Grubbing	312 Kenmount Road	4	Approved	18-04-09
OT	RJC Services	Redevelopment of Feildian Grounds	8 Portugal Cove Road	4	Rejected- Located in Floodplain Section 11.2.4	18-04-10
RES		Home Office for Leasing Company	128 Great Eastern Avenue	4	Approved	18-04-10
COM		Home Office for Cleaning Business	5 Doyle's Road	5	Approved	18-04-10

* 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 Supervisor
Planning, Engineering and
Regulatory Services

Building Permits List

Council's April 16, 2018 Regular Meeting

Permits Issued: 2018/04/05 to 2018/04/16

CLASS: COMMERCIAL

415 KENMOUNT RD,MODEL SHOP	CR	RETAIL STORE
73 KENMOUNT RD	SN	CAR SALES LOT
245 MAJOR'S PATH	SN	OFFICE
235-237 PENNYWELL RD	SN	MIXED USE
370 TORBAY RD, MCT INSURANCE	SN	OFFICE
2675 TRANS CANADA, DANNY DRIVE	SN	OTHER
431-435 MAIN RD	RN	WAREHOUSE
40 ABERDEEN AVE	RN	OFFICE
152 WATER STREET, 4TH FLOOR	CR	PLACE OF AMUSEMENT
415 KENMOUNT RD,MODEL SHOP	CR	RETAIL STORE
40-70 HAMLYN RD, UNIT 107	CR	RETAIL STORE
312 KENMOUNT RD	SW	SERVICE STATION

THIS WEEK \$ 700,720.00

CLASS: INDUSTRIAL

THIS WEEK \$.00

CLASS: GOVERNMENT/INSTITUTIONAL

THIS WEEK \$.00

CLASS: RESIDENTIAL

133 DIAMOND MARSH DR, LOT 122	NC	SINGLE DETACHED & SUB.APT
120 DOOLING'S LINE	NC	SWIMMING POOL
2 KINGFISHER PL	NC	ACCESSORY BUILDING
825-829 MAIN ROAD	NC	SINGLE DETACHED DWELLING
471 NEWFOUNDLAND DR	NC	ACCESSORY BUILDING
27 OTTER DR	NC	ACCESSORY BUILDING
61 PADDY DOBBIN DR	NC	ACCESSORY BUILDING
156 AIRPORT HEIGHTS DR	NC	PATIO DECK
5 DOYLE'S RD	CO	HOME OFFICE
39 NAUTILUS ST	CR	SUBSIDIARY APARTMENT
42 BATTERY RD	RN	SEMI-DETACHED DWELLING
26 CASHIN AVE	RN	SINGLE DETACHED DWELLING
48 COLONIAL ST	RN	TOWNHOUSING
76 COLONIAL ST	RN	SEMI-DETACHED DWELLING
146 DIAMOND MARSH DR	RN	SUBSIDIARY APARTMENT
23 MARCONI PL	RN	SINGLE DETACHED DWELLING

THIS WEEK \$ 1,229,050.00

CLASS: DEMOLITION

35 BARROWS RD

DM ACCESSORY BUILDING

THIS WEEK \$ 2,000.00

THIS WEEK'S TOTAL: \$ 1,931,770.00

REPAIR PERMITS ISSUED: 2018/04/05 TO 2018/04/11 \$ 35,408.00

LEGEND

CO	CHANGE OF OCCUPANCY	SW	SITE WORK
CR	CHNG OF OCC/RENOVTNS	MS	MOBILE SIGN
EX	EXTENSION	SN	SIGN
NC	NEW CONSTRUCTION	CC	CHIMNEY CONSTRUCTION
OC	OCCUPANT CHANGE	DM	DEMOLITION
RN	RENOVATIONS		

YEAR TO DATE COMPARISONS			
April 16, 2018			
TYPE	2017	2018	% VARIANCE (+/-)
Commercial	\$21,541,233.00	\$45,482,721.00	111
Industrial	\$0.00	\$5,000.00	n/a
Government/Institutional	\$306,000.00	\$2,000,000.00	n/a
Residential	\$9,486,798.00	\$25,803,717.00	172
Repairs	\$423,042.00	\$362,958.00	-14
Housing Units (1 & 2 Family Dwelling)	12	28	
TOTAL	\$31,757,073.00	\$73,654,396.00	132

Jason Sinyard, P. Eng., MBA
Deputy City Manager
Planning, Engineering & Regulatory Services

MEMORANDUM

Weekly Payment Vouchers For The Week Ending April 11, 2018

Payroll

Public Works	\$ 396,651.93
Bi-Weekly Casual	\$ 32,536.59
Accounts Payable	\$ 1,046,669.35

Total: \$ 1,475,857.87

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
NEWFOUNDLAND EXCHEQUER ACCOUNT	116201	FILING FEE	100.00
CITY OF ST. JOHN'S	116202	REPLENISH PETTY CASH	360.00
SMITH STOCKLEY LTD.	116203	PLUMBING SUPPLIES	38.72
WALLNUTS JUNIOR CLIMBING TEAM	116204	2018 YOUTH TRAVEL SPORT GRANT	250.00
DC DESIGN HOUSE	116205	REFUND SECURITY DEPOSIT	2,587.50
AUTOMOTIVE SUPPLIES 1985 LTD.	116206	AUTO SUPPLIES	317.40
NEWFOUNDLAND EXCHEQUER ACCOUNT	116207	POLICE REPORT	15.00
LANDSCAPE NFLD. & LABRADOR	116208	MEMBERSHIP FEES	173.60
NOIA	116209	CONFERENCE FEE	1,446.70
NEW WORLD FITNESS	116210	MEMBERSHIP DUES FOR FIREFIGHTERS	165.51
HISCOCK'S SPRING SERVICE	116211	HARDWARE SUPPLIES	2,685.28
DAVE CARROLL	116212	BAILIFF SERVICES	98.00
INTEREX	116213	METAL/STEEL	2,240.66
NORTRAX CANADA INC.,	116214	REPAIR PARTS	2,383.64
CLEARWATER POOLS LTD.	116215	POOL SUPPLIES	536.98
EXECUTIVE BUS LTD	116216	TRANSPORTATION SERVICES	13,182.66
SCMA NEWFOUNDLAND AND LABRADOR	116217	MEMBERSHIP RENEWAL	454.25
PETER'S AUTO WORKS INC.	116218	TOWING OF VEHICLES	2,238.94
TIM HORTON'S STORE - HARVEY RD	116219	REFRESHMENT	169.88
COUNTRY TRAILER SALES 1999 LTD	116220	REPAIR PARTS	431.25
GOODLIFE FITNESS	116221	FITNESS MEMBERSHIP	779.80
CANADIAN TIRE CORP.-HEBRON WAY	116222	MISCELLANEOUS SUPPLIES	606.16
OMB PARTS & INDUSTRIAL INC.	116223	REPAIR PARTS	464.71
UNITED WAY OF NEWFOUNDLAND & LABRADOR	116224	SOCIAL MEDIA SERVICES	184.34
STARGARDEN CORPORATION	116225	SOFTWARE RENEWAL	115,000.00
THE DANCE SPECTRUM INC.	116226	REAL PROGRAM	15.18
RODCO MECHANICAL	116227	PROFESSIONAL SERVICES	21,579.75
GUILLEVIN INTERNATIONAL CO.	116228	ELECTRICAL SUPPLIES	526.51
HEATING PRODUCT 1978 LTD.	116229	STEAM COILS	705.76
ECO CANADA	116230	CERTIFICATION RENEWAL FEES	264.50
COMCOR ENVIRONMENTAL LTD	116231	PROFESSIONAL SERVICES	6,210.03
CENTSIBLE CAR & TRUCK RENTALS	116232	RENTAL OF VEHICLES	230.00
GRAYMONT (NB) INC.,	116233	HYDRATED LIME	39,550.34
SPORTCHEK-ABERDEEN DRIVE	116234	CLOTHING ALLOWANCES	161.00
CDMV	116235	VETERINARY SUPPLIES	1,473.32
KANSTOR INC.	116236	REPAIR PARTS	60.90
KING PROCESS TECHNOLOGY	116237	REPAIR PARTS	747.50
CARMICHAEL ENGINEERING LTD.	116238	PROFESSIONAL SERVICES	3,198.68
UNIFORM WORKS LIMITED	116239	CLOTHING ALLOWANCES	416.65
STAPLES ADVANTAGE	116240	OFFICE SUPPLIES	3,806.85
TTL SUPPLY LTD.	116241	REPAIR PARTS	115.00
GROENEVELD LUBRICATION SOLUTIONS INC	116242	PROFESSIONAL SERVICES	1,035.00

NAME	CHEQUE #	DESCRIPTION	AMOUNT
BACALAO NOUVELLE CUISINE NEWFOUNDLAND INC.,	116243	CATERING SERVICES	76.30
BELL MOBILITY PAGING	116244	PAGING SERVICES	135.85
SMITH STOCKLEY LTD.	116245	PLUMBING SUPPLIES	420.75
TERRA NOVA MOTORS LTD.	116246	AUTO SUPPLIES	1,590.28
GLENN BARNES, MRAIC	116247	PROFESSIONAL SERVICES	19,241.80
DR. JOHN JANES	116248	MEDICAL EXAMINATION FEE	20.00
STAPLES THE BUSINESS DEPOT - KELSEY DR	116249	OFFICE SUPPLIES	161.98
ST. JOHN'S NATIVE FRIENDSHIP CENTRE	116250	CATERING SERVICES	1,055.70
SHERWIN FLIGHT	116251	HONORARIUM	1,000.00
MEMORIAL UNIVERSITY OF NEWFOUNDLAND	116252	US AND THEM SCREENING IT SUPPORT	224.25
HIGH FIVE	116253	REPAIR PARTS	256.69
HOME AGAIN FURNITURE BANK	116254	EHSJ CAF GRANT	2,000.00
INDEPENDENT AUTO APPRAISAL LTD.	116255	LEGAL CLAIM	230.00
SIMALAM MEDIA INC.	116256	EHSJ WEBSITE DEVELOPMENT	27,120.00
AVALON ANALYTICS	116257	PROFESSIONAL SERVICES	153.45
SMILING SISTERS LTD.	116258	CATERING SERVICES	690.00
KRISTA LOUGHTON	116259	PROFESSIONAL SERVICES	1,554.31
JILL PECKFORD	116260	HPS FUNDS - SCHOLARSHIP	3,000.00
PETER'S AUTO WORKS INC.	116261	TOWING OF VEHICLES	203.54
CONTROLS & EQUIPMENT LTD.	116262	REPAIR PARTS	13,610.37
PUBLIC SERVICE CREDIT UNION	EFT000000006445	PAYROLL DEDUCTIONS	6,442.03
BREEN, DANNY	EFT000000006446	TRAVEL REIMBURSEMENT	3,303.16
NADINE MARTIN	EFT000000006447	EMPLOYMENT RELATED EXPENSES	162.58
HARRIS & ROOME SUPPLY LIMITED	EFT000000006448	ELECTRICAL SUPPLIES	362.71
PIK-FAST EXPRESS INC.	EFT000000006449	BOTTLED WATER	183.45
PINNACLE OFFICE SOLUTIONS LTD	EFT000000006450	PHOTOCOPIES	168.03
DICKS & COMPANY LIMITED	EFT000000006451	OFFICE SUPPLIES	566.10
NEWFOUNDLAND POWER	EFT000000006452	ELECTRICAL SERVICES	129,669.72
HARRIS & ROOME SUPPLY LIMITED	EFT000000006453	ELECTRICAL SUPPLIES	1,977.01
ACKLANDS-GRAINGER	EFT000000006454	INDUSTRIAL SUPPLIES	420.05
ACTION CAR AND TRUCK ACCESSORIES	EFT000000006455	AUTO PARTS	897.56
SERVICEMASTER CONTRACT SERVICE	EFT000000006456	CLEANING SERVICES	655.50
ASHFORD SALES LTD.	EFT000000006457	REPAIR PARTS	537.97
BABB SECURITY SYSTEMS	EFT000000006458	SECURITY SERVICES	662.00
RDM INDUSTRIAL LTD.	EFT000000006459	INDUSTRIAL SUPPLIES	330.22
ROBERT BAIRD EQUIPMENT LTD.	EFT000000006460	RENTAL OF EQUIPMENT	789.92
PREMA NEWFOUNDLAND	EFT000000006461	REPAIR PARTS	32.99
BELBIN'S GROCERY	EFT000000006462	CATERING SERVICES	158.30
CABOT PEST CONTROL	EFT000000006463	PEST CONTROL	536.43
PATHIX ASP INC.	EFT000000006464	NETWORK SUPPORT/COMPUTER EQUIPMENT	4,262.48
ROCKWATER PROFESSIONAL PRODUCT	EFT000000006465	CHEMICALS	1,253.85
BLACK & MCDONALD LIMITED	EFT000000006466	PROFESSIONAL SERVICES	17,942.78

NAME	CHEQUE #	DESCRIPTION	AMOUNT
MSC INDUSTRIAL SUPPLY ULC	EFT000000006467	REPAIR PARTS	1,671.52
CANCELLED	EFT000000006468	CANCELLED	0.00
FARRELL'S EXCAVATING LTD.	EFT000000006469	ROAD GRAVEL	341.68
JLG TRANSPORTATION LTD.	EFT000000006470	TAXI SERVICES	129.50
WESTERN HYDRAULIC 2000 LTD	EFT000000006471	REPAIR PARTS	3,627.10
AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE	EFT000000006472	PROFESSIONAL SERVICES	23,053.94
LEVITT SAFETY	EFT000000006473	SAFETY SUPPLIES	1,933.00
RONA - O'LEARY AVENUE	EFT000000006474	BUILDING SUPPLIES	1,086.30
CAMPBELL'S SHIPS SUPPLIES	EFT000000006475	RUBBER BOOTS	213.81
AIR LIQUIDE CANADA INC.	EFT000000006476	CHEMICALS AND WELDING PRODUCTS	53,141.53
COASTAL DOOR & FRAME LTD	EFT000000006477	DOORS/FRAMES	522.10
ROGERS COMMUNICATIONS CANADA INC.	EFT000000006478	DATA & USAGE CHARGES	227.70
NORTH ATLANTIC SYSTEMS	EFT000000006479	REPAIR PARTS	1,337.45
LAT49 ARCHITECTURE INC.	EFT000000006480	PROFESSIONAL SERVICES	8,193.75
BEATTIE INDUSTRIAL	EFT000000006481	REPAIR PARTS	84.93
NORTH ATLANTIC SUPPLIES INC.	EFT000000006482	REPAIR PARTS	1,060.53
KENT	EFT000000006483	BUILDING SUPPLIES	1,428.58
CBCL LIMITED	EFT000000006484	PROFESSIONAL SERVICES	11,042.59
COADY'S METAL WORKS LTD.	EFT000000006485	PROFESSIONAL SERVICES	667.00
DULUX PAINTS	EFT000000006486	PAINT SUPPLIES	778.18
COLONIAL GARAGE & DIST. LTD.	EFT000000006487	AUTO PARTS	771.57
EASTERN VALVE & CONTROL SPEC.	EFT000000006488	REPAIR PARTS	672.75
CONSTRUCTION SIGNS LTD.	EFT000000006489	SIGNAGE	89.13
SCARLET EAST COAST SECURITY LTD	EFT000000006490	TRAFFIC CONTROL	4,809.88
MAXXAM ANALYTICS INC.,	EFT000000006491	WATER PURIFICATION SUPPLIES	980.95
CRANE SUPPLY LTD.	EFT000000006492	PLUMBING SUPPLIES	347.10
JAMES G CRAWFORD LTD.	EFT000000006493	PLUMBING SUPPLIES	590.06
SHU-PAK EQUIPMENT INC.	EFT000000006494	REPAIR PARTS	127.47
CUMMINS CANADA ULC	EFT000000006495	REPAIR PARTS	779.18
DICKS & COMPANY LIMITED	EFT000000006496	OFFICE SUPPLIES	1,270.57
EAST COAST HYDRAULICS	EFT000000006497	REPAIR PARTS	278.30
VOKEY'S JANITORIAL SERVICE	EFT000000006498	JANITORIAL SERVICES	145.26
HITECH COMMUNICATIONS LIMITED	EFT000000006499	REPAIRS TO EQUIPMENT	86.25
REEFER REPAIR SERVICES (2015) LIMITED	EFT000000006500	REPAIR PARTS	895.74
DOMINION RECYCLING LTD.	EFT000000006501	PIPE	377.20
CAHILL TECHNICAL SERVICES	EFT000000006502	PROFESSIONAL SERVICES	15,038.75
CANADIAN TIRE CORP.-KELSEY DR.	EFT000000006503	MISCELLANEOUS SUPPLIES	119.63
ELECTROMEGA LTD.	EFT000000006504	REPAIR PARTS	18,066.50
ELECTRIC MOTOR & PUMP DIV.	EFT000000006505	REPAIR PARTS	281.75
ELECTRONIC CENTER LIMITED	EFT000000006506	ELECTRONIC SUPPLIES	299.00
ENVIROMED ANALYTICAL INC.	EFT000000006507	REPAIR PARTS AND LABOUR	661.25
DOMINION STORE 935	EFT000000006508	MISCELLANEOUS SUPPLIES	863.67

NAME	CHEQUE #	DESCRIPTION	AMOUNT
FRESHWATER AUTO CENTRE LTD.	EFT000000006509	AUTO PARTS/MAINTENANCE	3,692.70
PRINCESS AUTO	EFT000000006510	MISCELLANEOUS ITEMS	57.49
IMPACT SIGNS AND GRAPHICS	EFT000000006511	SIGNAGE	3,121.10
D.W. MECHANICAL	EFT000000006512	REPAIR PARTS	3,337.56
ISLAND OFFICE FURNITURE	EFT000000006513	OFFICE SUPPLIES	1,307.55
TROY LIFE & FIRE SAFETY LTD.	EFT000000006514	SAFETY SUPPLIES	281.75
XYLEM CANADA COMPANY	EFT000000006515	REPAIR PARTS	1,730.23
HARVEY & COMPANY LIMITED	EFT000000006516	REPAIR PARTS	6,024.61
A HARVEY & CO. LTD.	EFT000000006517	ROAD SALT	972.27
HARVEY'S OIL LTD.	EFT000000006518	PETROLEUM PRODUCTS	732.78
HVAC SPECIALITIES INC.	EFT000000006519	CHEMICALS	763.60
BRENNTAG CANADA INC	EFT000000006520	CHLORINE	44,638.18
RONA	EFT000000006521	BUILDING SUPPLIES	759.39
HOLDEN'S TRANSPORT LTD.	EFT000000006522	RENTAL OF EQUIPMENT	586.50
SOURCE ATLANTIC INDUSTRIAL DISTRIBUTION	EFT000000006523	REPAIR PARTS	4,597.63
UNIVAR CANADA	EFT000000006524	CHEMICALS	4,792.74
SCOTIA RECYCLING (NL) LIMITED	EFT000000006525	REPAIR PARTS	129,729.02
CH2M HILL	EFT000000006526	PROFESSIONAL SERVICES	17,443.20
BOSCH REXROTH CANADA CORP.	EFT000000006527	REPAIR PARTS	624.35
KAVANAGH & ASSOCIATES	EFT000000006528	PROFESSIONAL SERVICES	3,405.39
ETHREE CONSULTING INC.	EFT000000006529	PROFESSIONAL SERVICES	1,725.00
KERR CONTROLS LTD.	EFT000000006530	INDUSTRIAL SUPPLIES	1,023.30
YORK UNIVERSITY	EFT000000006531	PIT COUNT AGREEMENTS	12,437.97
ALYSSA'S PROPERTY SERVICES PRO INC.	EFT000000006532	PROFESSIONAL SERVICES	17,079.12
REXEL CANADA ELECTRICAL INC.,	EFT000000006533	REPAIR PARTS	418.93
MCLOUGHLAN SUPPLIES LTD.	EFT000000006534	ELECTRICAL SUPPLIES	689.70
FOUGERE MENCHENTON ARCHITECTURE	EFT000000006535	PROFESSIONAL SERVICES	32,047.63
GEORGE TRAINOR	EFT000000006536	PROFESSIONAL SERVICES	2,495.00
SHORELINE LUBRICANTS & INDUSTRIAL SUPPLY	EFT000000006537	CHEMICALS	177.50
ORKIN CANADA	EFT000000006538	PEST CONTROL	458.30
K & D PRATT LTD.	EFT000000006539	REPAIR PARTS AND CHEMICALS	4,732.17
RIDEOUT TOOL & MACHINE INC.	EFT000000006540	TOOLS	188.49
THE ROYAL GARAGE LIMITED	EFT000000006541	AUTO PARTS	109.48
S & S SUPPLY LTD. CROSSTOWN RENTALS	EFT000000006542	REPAIR PARTS	2,048.13
ST. JOHN'S PORT AUTHORITY	EFT000000006543	RESTRICTED AREA PASSES	115.00
ST. JOHN'S TRANSPORTATION COMMISSION	EFT000000006544	CHARTER SERVICES	4,292.00
BIG ERICS INC	EFT000000006545	SANITARY SUPPLIES	804.69
SAUNDERS EQUIPMENT LIMITED	EFT000000006546	REPAIR PARTS	2,050.66
STEELE INDUSTRIES LTD.	EFT000000006547	STEEL	171.45
TRACTION DIV OF UAP	EFT000000006548	REPAIR PARTS	2,914.52
TULKS GLASS & KEY SHOP LTD.	EFT000000006549	PROFESSIONAL SERVICES	336.55
FJ WADDEN & SONS LTD.	EFT000000006550	SANITARY SUPPLIES	205.10

NAME	CHEQUE #	DESCRIPTION	AMOUNT
WATERWORKS SUPPLIES DIV OF EMCO LTD	EFT000000006551	REPAIR PARTS	1,904.98
DAVID FRENCH	EFT000000006552	INSTRUCTOR FEE	766.42
TYCO INTEGRATED SECURITY CANADA, INC.	EFT000000006553	PROFESSIONAL SERVICES	1,260.31
GFL ENVIRONMENTAL INC.	EFT000000006554	PROFESSIONAL SERVICES	15,372.40
LESLEY JANES	EFT000000006555	INSTRUCTOR FEE	834.44
CRITCH, ROBERT	EFT000000006556	MILEAGE	300.95
HAYWARD, ELIZABETH	EFT000000006557	MILEAGE	79.27
SMITH, DEBBIE	EFT000000006558	EMPLOYMENT RELATED EXPENSES	205.00
JAMES MOORE	EFT000000006559	MILEAGE	80.00
DEREK DUGGAN	EFT000000006560	MILEAGE	84.45
HANCOCK, JEFF	EFT000000006561	EMPLOYMENT RELATED EXPENSES	50.00
WILLIAMSON, HELEN	EFT000000006562	MILEAGE	38.01
DAPHNE SULLIVAN	EFT000000006563	EMPLOYMENT RELATED EXPENSES	180.00
ROCHE, WAYNE	EFT000000006564	VEHICLE BUSINESS INSURANCE	37.00
DOYLE, ROBERT	EFT000000006565	EMPLOYMENT RELATED EXPENSES	397.80
MCGRATH, JENNIFER	EFT000000006566	MILEAGE	62.30
PIKE, JASON	EFT000000006567	EMPLOYMENT RELATED EXPENSES	50.00
SHERRY MERCER	EFT000000006568	VEHICLE BUSINESS INSURANCE	169.05
BRUCE PEARCE	EFT000000006569	EMPLOYMENT RELATED EXPENSES	261.22
KRISTA GLADNEY	EFT000000006570	EMPLOYMENT RELATED EXPENSES	241.94
LEON ORGAN	EFT000000006571	MILEAGE	698.70
MIKE ADAM	EFT000000006572	EMPLOYMENT RELATED EXPENSES	130.00
SHIFT PEOPLE DEVELOPMENT	EFT000000006573	TRAINING PROGRAM	3,565.00
VALLEN	EFT000000006574	CLOTHING ALLOWANCES	127.41
LEADING EDGE GROUP	EFT000000006575	PROFESSIONAL SERVICES	6,215.00
ROGERS COMMUNICATIONS CANADA INC.	EFT000000006576	DATA & USAGE CHARGES	24,597.04
INFINITY CONSTRUCTION	EFT000000006577	PROGRESS PAYMENT	15,000.41
MULLETT, CHERYL	EFT000000006578	TRAVEL REIMBURSEMENT	1,409.54
IRVING OIL MARKETING GP	EFT000000006579	GASOLINE & DIESEL PURCHASES	2,525.46
TRACT CONSULTING INC	EFT000000006580	PROFESSIONAL SERVICES	25,745.31
Total: \$			<u>1,046,669.35</u>

COUNCIL APPROVAL REQUEST		
Bid #:	N/A	
Bid Name:	N/A	
Department:	Public Works	
Budget Code:	4123-56160	
Source of Funding:	<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Multiyear Capital	
Purpose:	Supply one Fairbanks Morse Model 5824 (5814) Vertical Mounted Split Case Pump at the Ruby Line Pump Station. We utilized our spare pump at the Ruby Line Pump Station and a replacement spare pump is required.	
Results:	Vendor Name	Bid Amount
	Natpro, a DXP Company	\$73,940.00
Expected Value:	<input checked="" type="checkbox"/> As Above <input type="checkbox"/> Value shown is an estimate only for a _____ year period. The City does not guarantee to buy any specific quantities or dollar value.	
Contract Duration:		
Bid Exception:	<input type="checkbox"/> None <input checked="" type="checkbox"/> Contract Award Without Tender Attached <input type="checkbox"/> Profess Serv.	
Recommendation:	It is recommended by Lynnnann Winsor, Deputy City Manager – Public Works, to award the contract for the supply of a Fairbanks Morse Pump, so we have a spare pump for the Ruby Line Pump Station, to Natpro for the amount of \$73,940.00. Taxes are not included in the quoted price.	
Supply Chain Buyer	Sherri Higgins	
Supply Chain Manager or Designate	Signature: Rick Squires <small>Digitally signed by Rick Squires Date: 2018.04.11 11:52:28 -02'30'</small>	Date: 04/11/2018
*Deputy City Manager or Designate	Signature: <i>hwm</i>	Date: <i>April 11/18</i>

*Only required for a bid exception (Contract award without tender or Professional Services)

TO: Government of Newfoundland and Labrador, Public Procurement Agency

Report to Chief Procurement Officer, Public Procurement Agency
(Pursuant to Section 32 or *The Public Procurement Regulations*)
Version 1 – 2018-03-24

FROM: Government Funded Body
City of St. John's, P.O. Box 908, St. John's, NL A1C5M2

Contract Description:

Supply one (1) Fairbanks Morse Model 5824 (5814) Vertical Mounted Split Case Pump at the Ruby Line Pump Station. We utilized our spare Southlands pump at the Ruby Line Pump Station and a replacement spare pump is required.

Contractor, Supplier or Lessor:

Name: Natpro (National Process Equipment), a DXP company

Address: P.O. Box 9696, Station M, Calgary, Alberta Country: Canada

Contract Price
(exclusive of HST): \$ 73,940.00

Contract # or PO #: Date of Award: 03/28/2018


Relevant Exception Clause (select only one):

6(a)(v) Only Available Source

Reason(s) Why an Open Call for Bids Was Not Invited:

Please see attached letter from Pentair (who previously acquired Fairbanks Morse) stating that Natpro is the sole distributor of Fairbanks Morse pumps in Canada. The five (5) Southlands pumps currently in operation at this location are Fairbanks Morse pumps.

Prepared by:



Date: 03/28/2018

Head of Public Body:
(City Manager)



Date: 04/05/18

Contract Award Without an Open Call for Bids

Relevant Exemption Clauses:

- 6(a)(ii): The commodity is of the nature that an open call for bids could reasonably be expected to compromise security
- 6(a)(iii): The commodity is available from a public body
- 6(a)(iv): An emergency or a situation or urgency exists and the acquisition of the commodity cannot reasonably be made in time by an open call for bids
- 6(a)(v): There is only one source reasonably available for the commodity
- 6(a)(vi): A list of pre-qualified suppliers has been established using a request for qualifications and the public body is requesting quotations from all pre-qualified suppliers on the list
- 6(a)(vii): An acquisition of a commodity is for the purpose of resale or for incorporation into a product or resale
- 6(b): Set rates have been established by the Public Utilities Boards acting under the *Public Utilities Act* or another Act
- 19:
 - (1) The acquisition of a commodity is exempt from the requirements of the framework where the following requirements are satisfied:
 - (a) the minister responsible for economic development has recommended the exemption on the basis that the acquisition of the commodity is for the purpose of economic development;
 - (b) the exemption has been approved by the Lieutenant-Governor in Council; and
 - (c) the exemption is not precluded by an intergovernmental trade agreement.
 - (2) Where a public body acquires a commodity that is exempted under subsection (1), the public body shall report the acquisition to the chief procurement officer.

DECISION/DIRECTION NOTE

Title: Vacancies and New Applicants for Built Heritage Experts Panel

Date Prepared: April 2, 2018

Report To: His Worship the Mayor and Members of Council

Councillor and Lead: Councillor Burton, Planning & Development

Ward: Not ward specific

Decision/Direction Required: Approval of new members for the Built Heritage Experts Panel based on the recommendations by lead staff and the Office of the City Clerk.

Discussion – Background and Current Status:

Three of the seven members of the Built Heritage Experts Panel have chosen not to renew membership on the Panel. They included representatives from the following categories.

- Planner (Lydia Lewczky)
- Landscape Architect (Matthew Mills)
- Historian/Archival Expert (Michael Philpott)

Vacancies were advertised and a review has been undertaken by lead staff and the Office of the City Clerk. The following people are recommended for appointment.

- Dawn Boutilier – Planner
- Rachel Fitkowski – Landscape Architect
- Robert Sweeny – Historian

Key Considerations/Implications:

1. Budget/Financial Implications
 - a. n/a
2. Partners or Other Stakeholders
3. Alignment with Strategic Directions/Adopted Plans
 - a. A Culture of Cooperation – Create effective City – community collaborations
 - b. Responsive and Progressive – Create a culture of engagement
 - c. Effective Organization – Develop a knowledgeable and engaged committee
4. Legal or Policy Implications
 - a. n/a

ST. JOHN'S

5. Engagement and Communications Considerations
 - a. Call for new members was sent out by Communications division
6. Human Resource Implications
 - a. n/a
7. Procurement Implications
 - a. n/a
8. Information Technology Implications
 - a. n/a
9. Other Implications

Recommendation:

Subsequent to the appointment of Built Heritage Experts Panel by Council on February 21, 2016 and in order to maximize participation on the Panel, based on recent resignations, the following people be appointed/reaffirmed in accordance with Section 3.1.1 of the Terms of Reference:

1. Glenn Barnes (Chair) – extend until February 21, 2019
2. Bruce Blackwood – extend until February 21, 2019
3. Garnet Kindervater – extend until February 21, 2019
4. Mark Whelan – extend until February 21, 2019
5. Dawn Boutilier – April 24, 2018 – April 23, 2020
6. Rachel Fitkowski – April 24, 2018 – April 23, 2020
7. Robert Sweeny – April 24, 2018 – April 23, 2020

Prepared by: Maureen Harvey, Legislative Assistant

Approved by: Elaine Henley, City Clerk

ST. JOHN'S

DECISION/DIRECTION NOTE

Title: St. John's Local Board of Appeal

Date Prepared: April 3, 2018

Report To: Council – Regular Meeting

Councilor and Role: N/A

Ward: All Wards

Decision/Direction Required:

To appoint one new member to the City of St. John's Local Board of Appeal.

Discussion – Background and Current Status:

The St. John's Local Board of Appeal is established under Section 4.3 of the City of St. John's Development Regulations.

The Chair of the Board, Raelene Thomas tendered her resignation in January, thereby leaving one vacant position which was advertised and for which there were eighteen applicants.

At the Regular Meeting of January 8, 2017 Council reappointed the following members for the period January 7, 2017 to January 6, 2020.

- a. Raelene Thomas
- b. William Earle

At the Regular Meeting of July 11, 2017 Council appointed the following members whose term will expire in June 2020.

- a. Joseph Green
- b. Erin Stapleton
- c. Wayne Purchase

Section 4.3.1. of the Development Regulations state:

(5) Any vacancies which may occur in the membership of the Appeal Board shall be filled for the rest of the vacating member's term by a person appointed. By Council.

(6) The Appeal Board shall be presided over by a chairperson appointed from among its members by Council, or, in the absence of a chairperson, such member as the members present shall among themselves appoint.

ST. JOHN'S

Therefore, Council must consider the following:

- a. The appointment of a new member to the Board whose term will expire on January 6, 2020; and
- b. Whether Council wishes to select the position of Chair from Board. (In the past, this position has been chosen by the Board)

Council is advised that the applications have been reviewed by the City Manager, the Deputy City Manager of Planning, Engineering and Regulatory Services.

This review resulted in Janet Bradshaw being the preferred candidate by the majority of staff involved. (The submissions/resumes for all applicants is available electronically under the Special Council Portal.)

Ms. Bradshaw has over 30 years' experience in municipal management, organizational leadership, consensus building and project management. She is a professional engineer with a proven track record of accomplishments in municipal services delivery.

Key Considerations/Implications:

1. Budget/Financial Implications

There is an annual provision for the Local Board of Appeal in the City's operating budget.

2. Partners or Other Stakeholders

Residents of the City of St. John's

3. Alignment with Strategic Directions/Adopted Plans

Responsive and Progressive, Effective Organization.

4. Legal or Policy Implications

Board is established under the City of St. John's Development Regulations.

5. Engagement and Communications Considerations

N/A

6. Human Resource Implications

N/A



7. Procurement Implications

N/A

8. Information Technology Implications

N/A

9. Other Implications

N/A.

Recommendation:

That in accordance with Section 4 of the City of St. John's Development Regulations, Council appoint Ms. Janet Bradshaw as a member of the Local Board of Appeal with a term effective immediately until January 6, 2020; and further

That Council continue with past practice in allowing the Board of Appeal to make the selection for the position of Chair from among its members, with Council confirming this appointment at a subsequent Regular Meeting

Prepared and approved by:

Elaine Henley
City Clerk

ST. JOHN'S

DECISION/DIRECTION

Title: Travel – Councillor Ian Froude
MNL – Municipal Symposium – May 3 to 5, 2018 – Gander NL

Date Prepared: April 11, 2018

Report To: Regular Meeting of Council – April 16, 2018

Ward: N/A

Decision/Direction Required: Seeking approval for Councillor Froude to attend the Municipal Symposium in Gander from May 3 to 5, 2018.

Discussion – Background and Current Status:

- The Municipal Symposium provides local leaders from around the province a unique opportunity to come together and discuss relevant issues and seek out solutions to grow the municipal sector in Newfoundland and Labrador.
- The City is a member of Municipalities Newfoundland and Labrador.

Key Considerations/Implications:

1. Budget/Financial Implications

- The cost to attend this meeting has been budgeted under the travel budget for Mayor and Council.

2. Partners or Other Stakeholders

- Municipalities Newfoundland and Labrador
- Council and Staff
- Residents of the City of St. John's

3. Alignment with Strategic Directions/Adopted Plans

- A Culture of Cooperation
- Responsive and Progressive

4. Legal or Policy Implications

N/A

5. Engagement and Communications Considerations

N/

6. Human Resource Implications

N/A

7. Procurement Implications

N/A

ST. JOHN'S

8. Information Technology Implications

N/A

9. Other Implications

N/A

Recommendations:

It is recommended that Council approve the costs for Councillor Froude to attend the Municipal Symposium in Gander from May 3 to 5, 2018.

Prepared and Approved by: Elaine Henley, City Clerk

Attachments: None

ST. JOHN'S

DECISION/DIRECTION NOTE – Regular Meeting

Date Prepared: April 11, 2018
Report to: Mayor and Council
Councillor and Role: Jamie Korab – Ward Councilor
Title: Property to the right and rear of 280 Blackmarsh Road
Ward: 3

Decision/Direction Required:

Approval of sale of City land to the right and rear of 280 Blackmarsh Road.

Discussion – Background and Current Status:

Legal Department has been in discussions with a Developer who is in the process of acquiring 280 Blackmarsh Road. This Developer has expressed interest in purchasing City owned land located to the right and rear of this property. We have attached a diagram of the approximate area for your review. We have valued this land at \$8.00 per square foot and estimate the area to be 15,150 square feet. The owner would be responsible for obtaining surveys and any legal costs they may incur. The owner has agreed to the terms and have requested that we seek Council approval for the sale of this land.

The subject property is being combined with 280 Blackmarsh Road to create a larger lot to allow for construction of apartments. The sale is conditional on the land being rezoned and combined with the land purchase of 280 Blackmarsh Road.

Key Considerations/Implications:

1. Budget/Financial Implications:
 - Sale of a surplus of City land at the amount of \$8.00 per square foot plus HST.
2. Partners or Other Stakeholders:

N/A
3. Alignment with Strategic Directions/Adopted Plans:

N/A
4. Legal or Policy Implications:

N/A
5. Engagement and Communications Considerations:

N/A

ST. JOHN'S

6. Human Resource Implications:

N/A

7. Procurement Implications:

N/A

8. Information Technology Implications:

N/A

9. Other Implications:

N/A

Recommendation:

Council approval is requested for the sale of City property for the amount of \$8.00 per square foot plus. The Purchase and Sale Agreement for this land is also attached and we ask that Council execute same.

Prepared by/Signature:

Andrew Woodland

Approved by/Date/Signature:

Linda L. Bishop, a.c.

for Cheryl Mullett, City Solicitor

Attachments: Purchase and Sale Agreement
Diagram of approximate area of land

ST. JOHN'S

THIS AGREEMENT made at the City of St. John's, Province of Newfoundland and Labrador this _____ day of _____, 2018.

BETWEEN:

CITY OF ST. JOHN'S, a body corporate pursuant to the City of St. John's Act, RSNL 1990, c.C-17, as amended

(hereinafter called the "Vendor")

OF THE ONE PART

AND:

GARY WHITE, of the City of St. John's, in the Province of Newfoundland and Labrador

(hereinafter called the "Purchaser")

OF THE OTHER PART

The Purchaser, hereby offers to purchase from the Vendor a parcel of vacant land situated at the corner of Blackmarsh Road and Columbus Drive, St. John's, NL (as estimated and outlined in red on the attached plan and adjacent to 280 Blackmarsh Road, herein after called the "Subject Property") at the price of **\$8.00** per square foot (the area in question to be determined by a survey, which said survey is to be approved by the City) of lawful money of Canada plus HST (if applicable) upon the following terms and conditions, payable as follows: One Hundred Dollars (\$100.00) by cash/cheque to the Vendor as a deposit to be held in trust pending completion or other termination of this Agreement and to be credited on account of purchase money on closing and the balance in cash on closing

This transaction of purchase and sale is to be completed on or before August 1st, 2018, to be extended as necessary with the consent of both parties;

Vacant possession is to be given by the Vendor on the same date as aforesaid;

Provided title is good and free from all encumbrances.

This offer, when accepted, shall constitute a binding contract of purchase and sale, and time shall be in all respects, be of the essence hereof;

The Vendor hereby agrees to release the Purchaser's deposit should it be unable to complete the transaction because of a failure to satisfy a condition of this agreement, but otherwise Purchaser is to forfeit the deposit unless it completes as agreed above;

This offer and its acceptance to be read with all changes of gender or number required by the context;

This Agreement shall enure to the benefit of and be binding upon the parties hereto and their

respective heirs, executors, administrators, successors and assigns.

The Purchaser will be allowed five (5) calendar days before the closing date to examine the Vendor's title, and if within that time any valid objection to the title is made in writing the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the agreement herein shall be null and void notwithstanding any intermediate acts or negotiations in respect of such objection the deposit shall be repaid to the Purchaser without deduction.

The Purchaser agrees to by on the above terms and understands that this offer shall not constitute a binding Agreement of Purchase and Sale until signed by the Vendor;

The offer is made subject to the following additional terms and conditions:

1. Property: The exact area of the land shall be determined by a Newfoundland Land Surveyor in the preparation of a legal survey to be prepared by the Purchaser, to the satisfaction of the Vendor. The survey shall be materially the same as the land shown in the attached Schedule "A";
2. Price: The total price shall be determined once the area identified in a proper survey has been approved by the Vendor. The price shall be at \$8.00 per square foot.
3. Upon Closing, the Purchaser shall become liable for any municipal assessments outstanding on the land.
4. The purchase is subject to the Purchaser successfully rezoning the Subject Property. Should the Purchaser be unsuccessful in their rezoning, then this agreement shall be null and void.
5. The Purchaser has a valid Purchase and Sale Agreement in place for 280 Blackmarsh Road. The Deed of Conveyance from the City to the Purchaser is to be held in trust by Counsel for the Purchase until such time as the acquisition of 280 Blackmarsh Road is completed.
6. The Vendor makes no warranties or guarantees with respect to title or environmental condition.
7. The Purchaser shall adhere to all normal application processes for development with the City, and this agreement shall in no way be interpreted as an approval of development.

8. The purchase is subject to a Phase 1 environmental assessment satisfactory to the Purchaser, to be arranged by and at the cost of the Purchaser. Should the assessment be unsatisfactory, this agreement shall be null and void.

DATED at the City of St. John's, NL, this _____ day of _____, 2018.

Vendor Representatives - City of St. John's

MAYOR – City of St. John's

WITNESS

CITY CLERK – City of St. John's

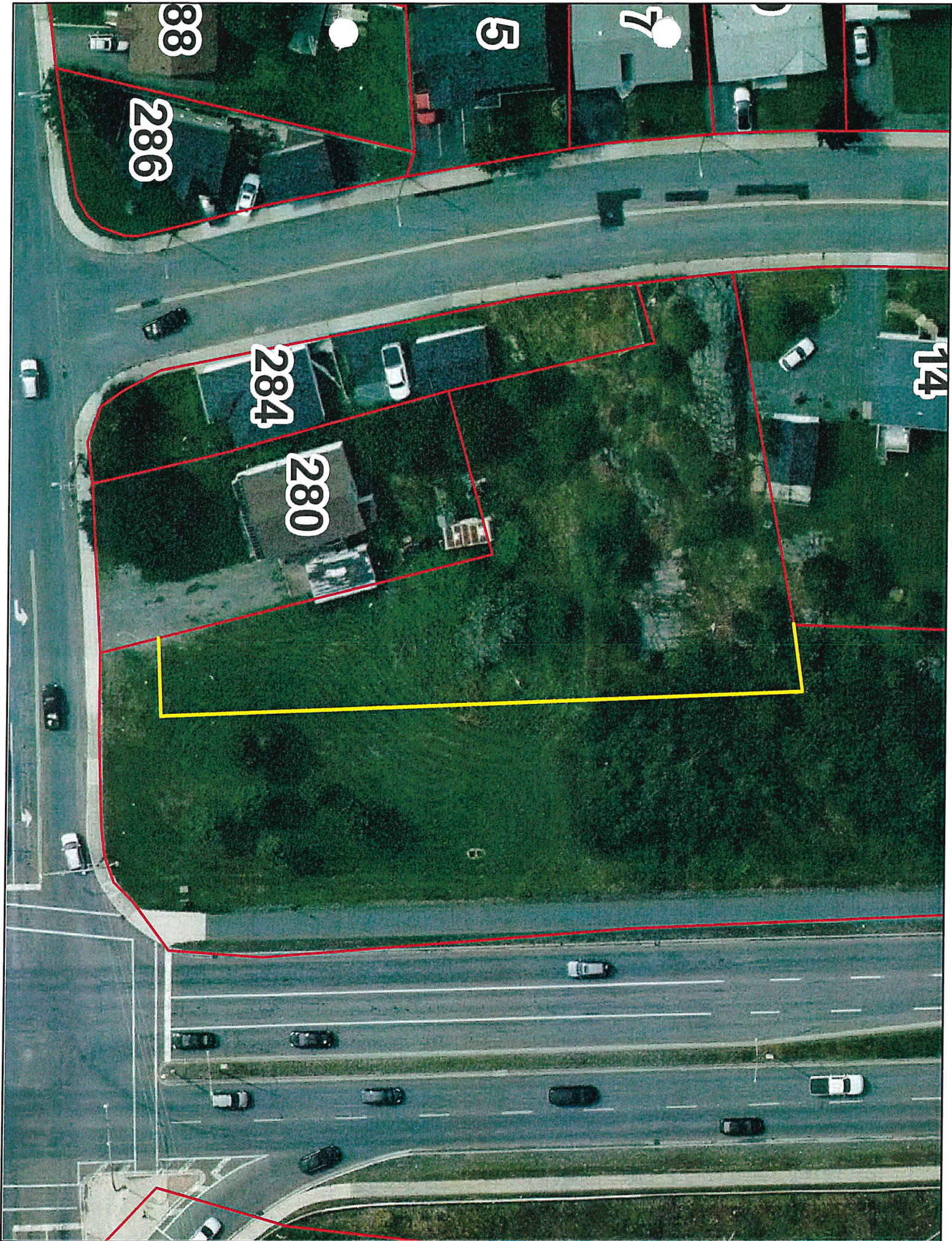
We hereby accept the above offer and agree to sell on the above terms.

DATED at the City of St. John's, NL, this _____ day of _____, 2018.

WITNESS

GARY WHITE

I hereby accept the above offer and agree to purchase on the above terms.



DECISION/DIRECTION NOTE – Regular Meeting

Date Prepared: April 11, 2018
Report to: Mayor and Council
Councillor and Role: Wally Collins, Ward Councillor
Title: 69 Linegar Avenue
Ward: Ward 5

Decision/Direction Required:

Planning, Engineering and Regulatory Services ("PERS") has an upcoming project in the spring of 2018 for the installation of a Storm Sewer system. A small portion of this system will encroach upon 69 Linegar Avenue. We have attempted to reach the property owner to acquire the land, however our attempts to contact the owners have been unsuccessful. This matter is time sensitive so it is recommended that the City expropriate the easement required.

Discussion – Background and Current Status:

The City is hoping to go to tender the above mentioned project in mid to late April. Staff are requesting that Council approve the attached Notice of Expropriation.

This project requires a total of 4 easements, one of which has been completed and two are in progress.

Key Considerations/Implications:

1. Budget/Financial Implications:

City will compensate the property owners for the easement and pay reasonable legal fees to a lawyer of their choice.

2. Partners or Other Stakeholders:

N/A

3. Alignment with Strategic Directions/Adopted Plans:

N/A

4. Legal or Policy Implications:

N/A

ST. JOHN'S

5. Engagement and Communications Considerations:

N/A

6. Human Resource Implications:

N/A

7. Procurement Implications:

N/A

8. Information Technology Implications:

N/A

9. Other Implications:


N/A

Recommendation:

It is recommended that Council approve the expropriation of this easement with compensation to be determined.

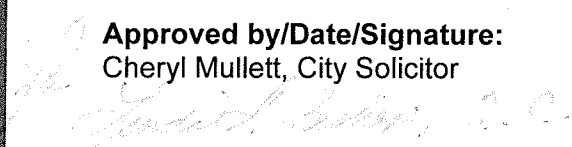
Prepared by/Signature:

Andrew Woodland, Legal Counsel



Approved by/Date/Signature:

Cheryl Mullett, City Solicitor



ST. JOHN'S

TO: SEAN VINNICOMBE and LORETTA VINNICOMBE
AND: TO WHOM IT MAY CONCERN

In this matter of Sections 96 and 101 of the City of St. John's Act as amended and Sections 5 to 55 of the Expropriation Act.

NOTICE

Notice is hereby given that an easement on the land described in Schedule “A” hereto annexed and on the plan attached is expropriated by the City of St. John’s.

The said easement is required for the purpose of a storm sewer easement and is expropriated for such purposes pursuant to the powers vested in the Council under Sections 96 and 101 of the *City of St. John's Act*.

The said easement is expropriated on behalf of the City of St. John's and will vest in the City of St. John's.

Dated this ____ day of April, 2018.

MAYOR

CITY CLERK

RESOLUTION

RESOLVED that under and by virtue of the powers vested in it under Sections 96 and 101 of the *City of St. John's Act* as amended and all other powers it enabling the St. John's Municipal Council in session convened on this ____ day of _____, 2018.

HEREBY RESOLVES that an easement on the land described in Schedule “A” to this resolution and on the plan annexed thereto be expropriated by Council for the purpose of a storm sewer easement.

NEWFOUNDLAND AND LABRADOR

ST. JOHN'S

TO WIT:

AFFIDAVIT

I, _____, of St. John's aforesaid, make oath and say that I did on the _____ day of _____, 2018, personally serve _____ with a true copy of the foregoing Notice of Expropriation, at __.m., and that I did on the ____ day of _____, 2018, personally post a true and correct copy of the foregoing Notice of Expropriation in a conspicuous place on the land described in Schedule "A" attached to the foregoing Notice of Expropriation.

SWORN TO at St. John's
in the Province of Newfoundland
and Labrador, this _____
day of _____, 2018
before me:



M. R. DUFFETT & ASSOCIATES LTD.

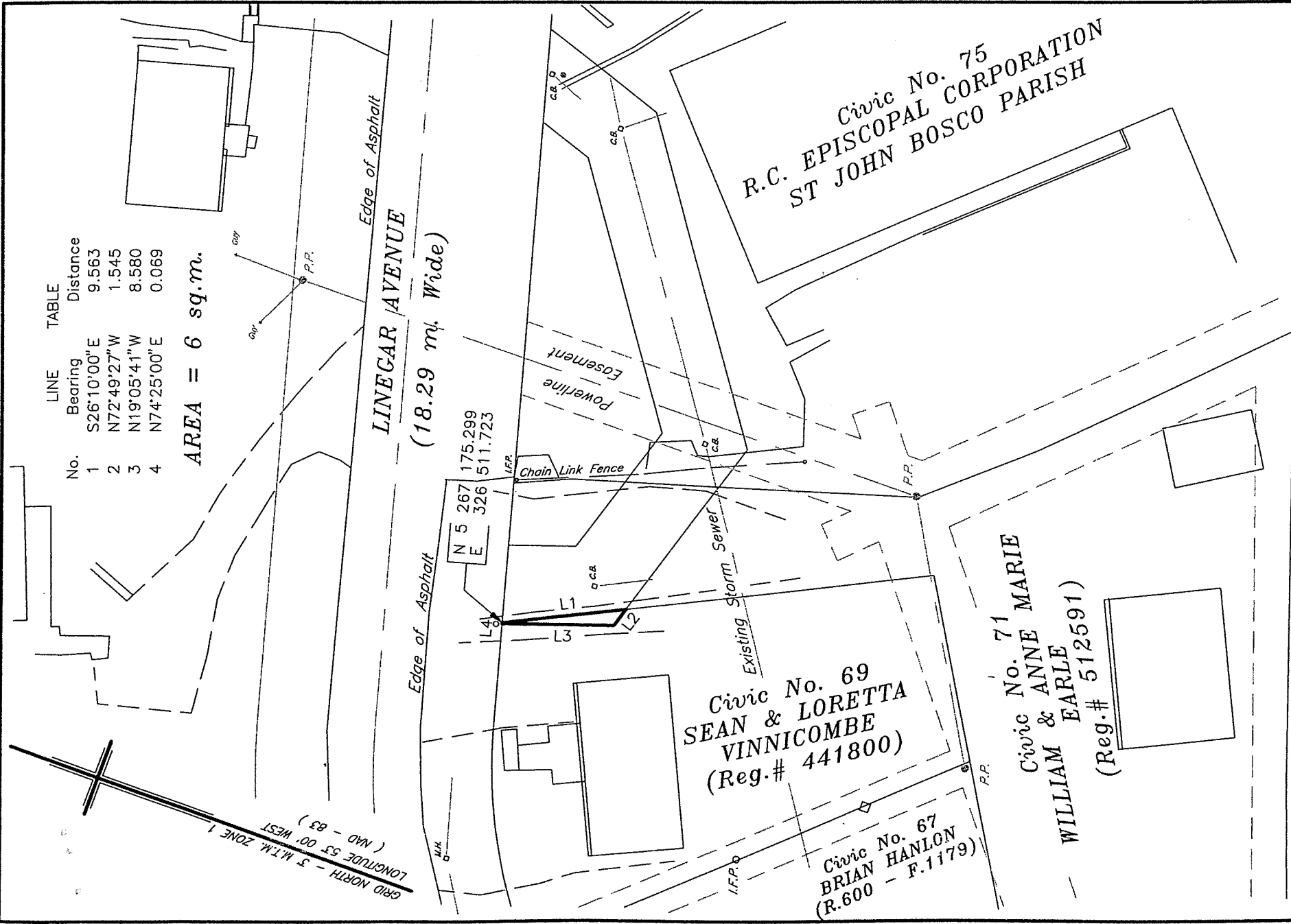
NEWFOUNDLAND LAND SURVEYORS

2 Aspen Place
St. John's, NF., Canada
A1A 4S1
Bus : (709) 739-5555
Fax : (709) 739-5575



DESCRIPTION
STORM SEWER EASEMENT TO BE ACQUIRED FROM
SEAN & LORETTA VINNICOMBE
CIVIC NO. 69 LINEGAR AVENUE - ST. JOHN'S

All that piece or parcel of land situate and being on the south side of Linegar Avenue (18.29 metres wide), in the City of St. John's, in the Province of Newfoundland & Labrador, Canada, and being bounded and abutted as follows: that is to say; beginning at a point on the said south side of Linegar Avenue (18.29 metres wide), said point having co-ordinates of N 5 267 175.299 metres and E 326 511.723 metres of the Modified Three Degree Transverse Mercator Projection (NAD83) for the Province of Newfoundland & Labrador, Canada, thence running by land of William & Anne Marie Earle (Reg.# 512591) south twenty-six degrees ten minutes zero zero seconds east nine decimal five six three (9.563) metres; thence turning and running by land of Sean & Loretta Vinnicombe (Reg.# 441800) north seventy-two degrees forty-nine minutes twenty-seven seconds west one decimal five four five (1.545) metres; thence north nineteen degrees zero five minutes forty-one seconds west eight decimal five eight zero (8.580) metres to the aforementioned south side of Linegar Avenue (18.29 metres wide); thence turning and running along the said south side of Linegar Avenue (18.29 metres wide) north seventy-four degrees twenty-five minutes zero zero seconds east zero decimal zero six nine (0.069) metres, more or less to the point of beginning and containing an area of six (6) Square Metres. Which land is more particularly shown on Plan No. 8874-5, Dated March 6, 2017, hereto attached. All bearings being referred to the above projection.



LINE TABLE		
No.	Bearing	Distance
1	S26°10'00"E	9.563
2	N72°49'27"W	1.545
3	N19°05'41"W	8.580
4	N74°25'00"E	0.069

AREA = 6 sq.m.

NOTE :

- P.I.P. - Planted Iron Pin
- Fd.I.P. - Found Iron Pin
- I.F.P. - Iron Fence Post
- W.F.P. - Wood Fence Post
- All Distances are Horizontal Ground Distances.
- Coordinates by GPS from Reference Monument : 93G1002 - N 5 267 674.133 E 326 671.072
- Scale factor at starting point - 0.999888
- © MICHAEL R. DUFFETT, Newfoundland Land Surveyor, 2017. Unauthorized use, alteration or reproduction of this Survey Plan is prohibited by law as outlined in "THE COPYRIGHT ACT". However, use and reproduction thereof by or on behalf of the person for whom this Survey Plan was prepared is permitted, provided that NO alterations whatsoever are made thereto.

M. R. DUFFETT & ASSOCIATES LIMITED
Newfoundland Land Surveyors
St. John's , Newfoundland

Bus : (709) 739-5555 Fax : (709) 739-5575

Storm Sewer Easement to be Acquired From
SEAN & LORETTA VINNICOMBE
Civic No. 69 LINECAR AVENUE ST. JOHN'S, NL.

SCALE : 1 : 400 JOB No. : 8874-5

DATE : March 6, 2017 SURVEY : M.D. & B.S.

DECISION/DIRECTION NOTE – Regular Meeting

Date Prepared: April 12, 2018
Report to: Mayor and Council
Councillor and Role: Hope Jamieson, Ward Councillor
Title: 1 Duckworth Street – Battery Café
Ward: Ward 2

Decision/Direction Required:

Request for alteration to a patio lease to include an outdoor fireplace and allow consumption of alcohol.

Discussion – Background and Current Status:

The City currently has a lease with the Battery Café for their outdoor patio space. This is a lease that is renewed yearly from May to October as this area is utilized in the winter months by Public Works for snow storage.

The property owner is seeking permission to install a temporary outdoor heater/fireplace as well as extend their liquor license to include the City property. The City has a policy that liquor is not to be served or consumed on City property without permission. We have allowed similar leases on George Street with acceptable insurance in place.

Key Considerations/Implications:

1. Budget/Financial Implications:

City collects \$40 per month in rents for this parcel of land

2. Partners or Other Stakeholders:

N/A

3. Alignment with Strategic Directions/Adopted Plans:

N/A

4. Legal or Policy Implications:

N/A

ST. JOHN'S

5. Engagement and Communications Considerations:

N/A

6. Human Resource Implications:

N/A

7. Procurement Implications:

N/A

8. Information Technology Implications:

N/A

9. Other Implications:

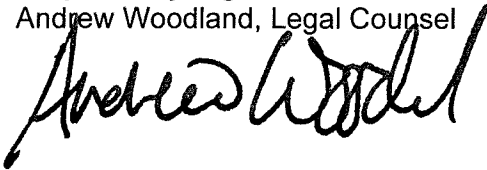
N/A

Recommendation:

It is recommended that Council allow the operator of Battery Café the ability to extend his liquor license to include the patio space. It is also recommended that Council approve the installation of a temporary heater/fireplace, in accordance with City By-laws. This is conditional on the Tenant providing staff with acceptable proof of insurance with City named as additional insured.

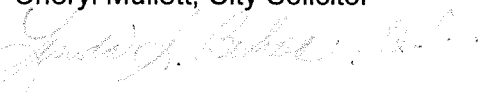
Prepared by/Signature:

Andrew Woodland, Legal Counsel



Approved by/Date/Signature:

Cheryl Mullett, City Solicitor



Attachment

- Lease, Survey

ST. JOHN'S

THIS INDENTURE made at St. John's, in the Province of Newfoundland and Labrador, Canada, this day of , Anno Domini, Two Thousand and Eighteen.

BETWEEN:

CITY OF ST. JOHN'S, a statutory corporation pursuant to the provisions of the City of St. John's Act, RSNL 1990, c.C-17, as amended

(hereinafter called the "Lessor")

OF THE ONE PART

AND:

TYRONE POWER, of the City of ST. John's in the Province of Newfoundland and Labrador

(hereinafter called the "Lessee")

OF THE OTHER PART

WHEREAS the Lessor is the owner of **ALL THAT** piece or parcel of land as delineated in red in Schedule "A" attached hereto; **AND WHEREAS** the Lessor has agreed to lease to the Lessees the said piece or parcel of land more particularly delineated in red in Schedule "A" attached hereto upon the terms and conditions hereinafter contained;

NOW THEREFORE THIS INDENTURE WITNESSETH as follows:

1. The Lessor leases to the Lessees **ALL THAT** piece or parcel of land more particularly delineated in red in Schedule "A" hereto attached, (which Schedule forms part and parcel of these presents) **EXCEPTING AND RESERVING** unto the Lessor or any person, body, firm or corporation authorized by the Lessor the right to passage and running of water and sewer in and under any part of the lands hereby demised and for that purpose the right to enter upon the said lands (with or without workmen, machinery and equipment) dig, break, excavate and trench any part of the said lands hereby demised and construct, place, lay, inspect, repair, maintain, cleanse, renew and enlarge such water and/or sewer pipes and mains, manhole valves and surface boxes as may be necessary for that purpose, and the right of passage and running of electricity and telephone communication across, over or under any part of the said lands and for that purpose the right to enter upon the said lands (with or without workmen, vehicles, machinery and equipment) and dig, break, excavate and trench any part of the said land hereby demised and erect, place, lay, inspect, repair, maintain and renew such poles, cables and other equipment as may be necessary for

the purpose AND it is hereby expressly declared and agreed that neither the Lessor nor any person, body, firm or corporation authorized as aforesaid shall at any time be under any obligation to pay compensation to the Lessees, their executors, administrators or assigns for any of the said easements and rights or in respect of any damage caused by said works negligently caused or otherwise to anyone or anything.

SUBJECT to the following terms and conditions, that is to say:

1. This agreement shall remain in force on a 6 month period commencing on the 1st day of May, 2018 and ending on October 31, 2018. This property is required during the winter months for the purposes of snow storage. The Lessee shall retain the option to renew for a 6 month period yearly. This option may be cancelled upon 30 days' notice to the Lessees by the City;
2. The Lessees may use the said land for an outside seating area containing removable picnic tables, removable outdoor heater/fireplace as well as a walk up service window which would allow the sale and distribution of alcohol, and for no other purpose;
3. The Lessees will pay the Lessor a monthly rental of Fourty Dollars (\$40.00) for the use as aforesaid of said land during the continuance of this agreement payable in advance. The first monthly rental shall be paid at or before the execution of these presents and all subsequent payments shall be made on the 1st day of May, each year of the tenancy. The rental rate for any renewal period shall be set by the City at the time the Lessor indicates its exercise of the option.;
4. The Lessees will provide a Certificate of Insurance acceptable to the Manager of Corporate Risk and Recovery. This insurance shall include Host Liquor Liability Insurance;
5. The Lessees shall maintain and keep the said land in a good state of repair to the satisfaction and requirements of any applicable federal, provincial or municipal legislation;
6. The Tenancy created by this agreement may be terminated at any time upon agreement between the parties or by either party upon Thirty (30) days' notice in writing;

7. At the termination of the tenancy the Lessees is to leave the said land in as good a condition as it was before the tenancy began, normal wear and tear excepted, and is to repair any damage done to the said land by the Lessees or their servants, licensees, invitees, agents or by its heirs and assigns;
8. At the termination of the tenancy, the Lessees will peaceably and quietly yield and deliver up possession of the said land to the Lessor;
9. At the termination of the tenancy, the Lessees will not leave upon the said land any rubbish or waste material, but will remove them at its own expense;
10. This Indenture of Lease may be assigned by the Lessees only upon the written consent of the Lessor. Upon such assignment, all provisions of this Lease shall extend to, bind and enure to the benefit of such assignees.

IN WITNESS WHEREOF the parties to these presents have hereunto their hands and seals subscribed and set the day and year first before written.

THE SEAL of the City of
St. John's was hereunto
affixed in the presence of:

)
)
)
)
)
)
)
)
)
)

CITY OF ST. JOHN'S

MAYOR

WITNESS

CITY CLERK

SIGNED, SEALED AND DELIVERED
in the presence of:

))))))

WITNESS

Tyrone Power

April 29, 2016

Job No. 10956

PROPERTY TO BE LEASED FROM

THE CITY OF ST. JOHN'S

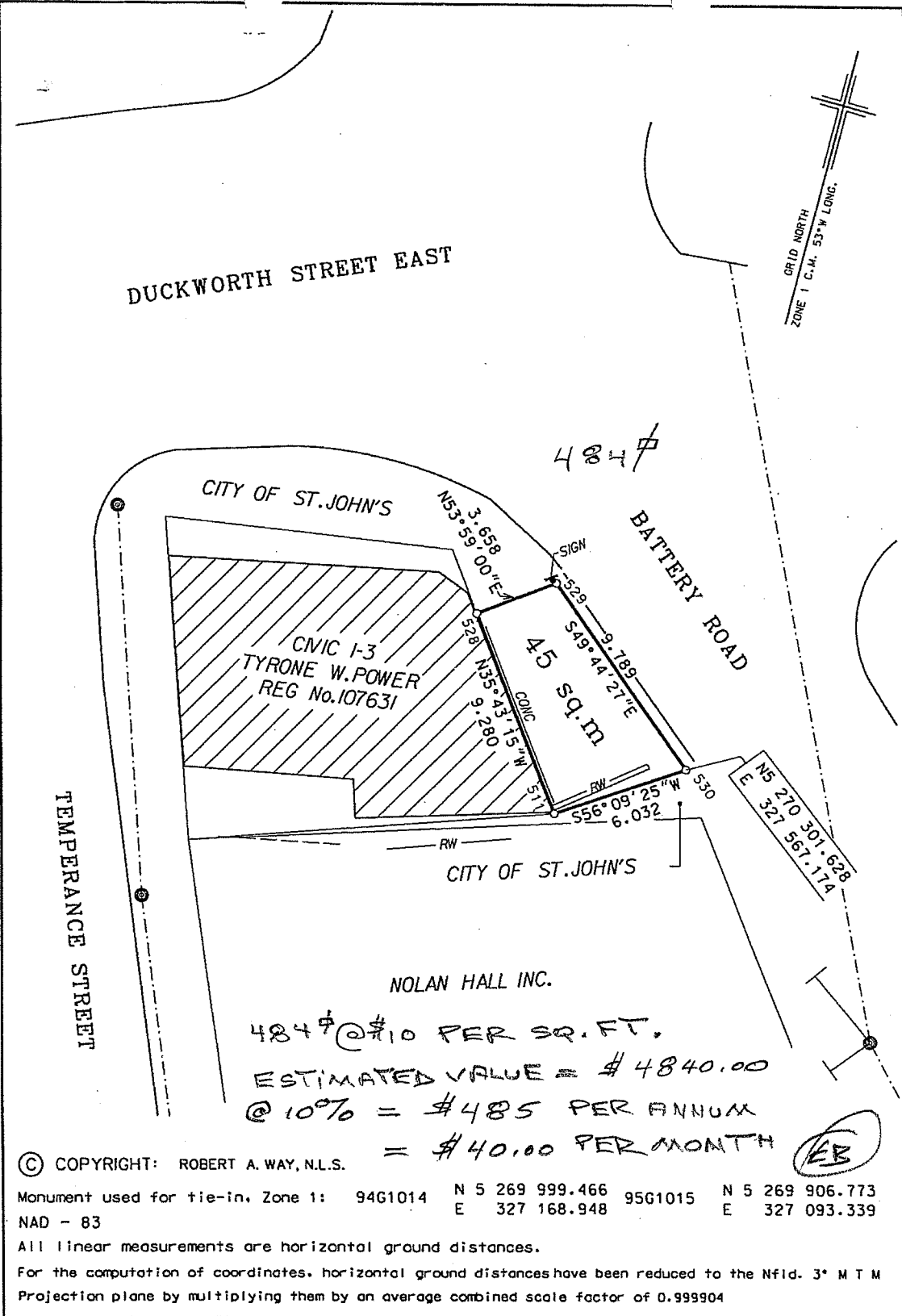
BATTERY ROAD

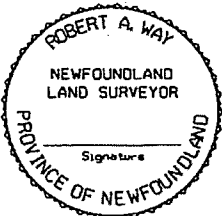
ST. JOHN'S, NL

ALL THAT piece or parcel of land, situate and being on the southern side of Battery Road, in the City of St. John's, in the Province of Newfoundland & Labrador, Canada, and being bounded and abutted as follows: THAT IS TO SAY, beginning at a point on the southern side of Battery Road, said point having coordinates N 5 270 301.628 metres and E 327 567.174 metres of the Three Degree Modified Transverse Mercator Projection NAD - 83 for the Province of Newfoundland & Labrador, THENCE by property of the City of St. John's S 56°09'25" W for a distance of 6.032 metres, THENCE by property of Tyrone W. Power N 35°43'15" W for a distance of 9.280 metres, THENCE by property of the City of St. John's N 53°59'00" E for a distance of 3.658 metres, THENCE along the southern side of Battery Road S 49°44'27" E for a distance of 9.789 metres, more or less, to the point of beginning and containing an area of 45 square metres, more or less. Which land is more particularly shown on the plan hereto attached. All bearings being referred to the above mentioned projection. All linear measurements are horizontal ground distances.

This description and accompanying plan, Job # 10956 of Brown & Way Surveys, form an integral part of the returns and are not separable.

Brown & Way Surveys



	BROWN & WAY SURVEYS Professional Surveying Services Tel: (709) 726-1040 Telecopier: (709) 726-1041 email: brownsur@nl.rogers.com	
	PROPERTY TO BE LEASED FROM THE CITY OF ST. JOHN'S	
	BATTERY ROAD	ST. JOHN'S, NL
	SCALE: 1:200	DATE: APRIL 29, 2016
	JOB NO: 10956	SURVEY:

DECISION NOTE – Regular Meeting

Title: Expropriation – Storm Sewer Easement

Date Prepared: April 12, 2018

Report to: His Worship the Mayor and Members of Council

Councillor and Role: Councillor Collins, Ward Councillor

Ward: 5

Issue:

Expropriation of an easement on privately owned land on Southside Road for the installation of a Storm Sewer.

Discussion – Background and Current Status:

This relates to a request that came from the Planning, Engineering and Regulatory Services Department (“PERS”) regarding the installation of a Storm Sewer between the dwellings of 375 and 377 Southside Road. As PERS is looking to start this project in the Spring of 2018, Expropriating this easement would be the most efficient way to do this with compensation to be determined. Both parties have consented to the City proceeding with Expropriation given the proposed start date. Compensation is being determined concurrently with the Expropriation.

Key Considerations/Implications:

1. Budget/Financial Implications:
 - Cost to expropriate is nominal.
 - Compensation for the Easements
2. Partners or Other Stakeholders:
 - N/A
3. Alignment with Strategic Directions/Adopted Plans:
 - Fiscally Responsible
 - Responsive and Progressive

ST. JOHN'S

4. Legal or Policy Implications:

- Must comply with the requirements of the Expropriations Act

5. Engagement and Communications Considerations:

- The Notice of Expropriation will be posted on the property for the information of the general public and served on the property owners who would have an interest.

6. Human Resource Implications:

- N/A

7. Procurement Implications:

- N/A

8. Information Technology Implications:

- N/A


9. Other Implications:

- N/A

Conclusion/Next Steps:

That Council resolve to expropriate the 2 parcels of land located at 375 and 377 Southside Road for the purpose of an easement to install a Storm Sewer.

Prepared by/Signature:


Andrew Woodland
Legal Counsel

Approved by/Date/Signature:


Cheryl Mullett
City Solicitor

ST. JOHN'S

TO: ANDREW HILLYARD

AND: TO WHOM IT MAY CONCERN

In this matter of Sections 96 and 101
of the **City of St. John's Act** as
amended and Sections 5 to 55 of the
Expropriation Act.

NOTICE

Notice is hereby given that an easement on the land described in Schedule “A” hereto
annexed and on the plan attached is expropriated by the City of St. John’s.

The said easement is required for the purpose of a storm sewer easement and is
expropriated for such purposes pursuant to the powers vested in the Council under Sections
96 and 101 of the *City of St. John's Act*.

The said easement is expropriated on behalf of the City of St. John's and will vest in
the City of St. John's.

Dated this _____ day of April, 2018.

MAYOR

CITY CLERK

RESOLUTION

RESOLVED that under and by virtue of the powers vested in it under Sections 96 and 101 of the *City of St. John's Act* as amended and all other powers it enabling the St. John's Municipal Council in session convened on this _____ day of _____, 2018.

HEREBY RESOLVES that an easement on the land described in Schedule “A” to this resolution and on the plan annexed thereto be expropriated by Council for the purpose of a storm sewer easement.

NEWFOUNDLAND AND LABRADOR

ST. JOHN'S

TO WIT:

AFFIDAVIT

I, _____, of St. John's aforesaid, make oath and say that I did on the _____ day of _____, 2018, personally serve _____ with a true copy of the foregoing Notice of Expropriation, at ____m., and that I did on the _____ day of _____, 2018, personally post a true and correct copy of the foregoing Notice of Expropriation in a conspicuous place on the land described in Schedule "A" attached to the foregoing Notice of Expropriation.

SWORN TO at St. John's
in the Province of Newfoundland
and Labrador, this _____
day of _____, 2018
before me:

**EASEMENT SURVEY DESCRIPTION FOR THE CITY OF ST. JOHN'S
SOUTHSIDE ROAD, ST. JOHN'S, NL
PARCEL B**

All that piece or parcel of land situated and being on the eastern side of Southside Road, in the City of St. John's, in the electoral district of Waterford Valley, in the Province of Newfoundland & Labrador and being abutted as follows, that is to say:

BEGINNING at a point, said point having NAD83 coordinates of North 5267858.932 meters and East 326182.882 meters with reference to Crown Land Monument No. 92G8005 having coordinates of North 5267917.990 meters and East 326016.399 meters and Crown Land Monument No. 92G8006 having coordinates of North 5267794.955 meters and East 325907.804 meters of the Modified Three Degree Transverse Mercator Projection for Newfoundland having a central meridian of 53 degrees west longitude;

THENCE running along Southside Road, North thirty-one degrees forty-six minutes sixteen seconds East, zero decimal seven seven six meters;

THENCE running along a brook, South fifty-five degrees fifty-eight minutes fourteen seconds East, twenty-four decimal zero five nine meters;

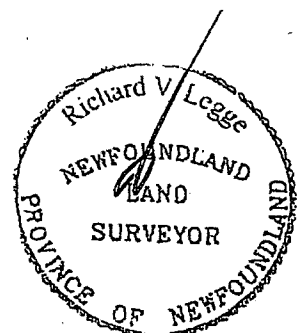
THENCE running through land belonging to Andrew Hillyard, registered in Registration # 293590 in the Registry of Deeds, in Newfoundland & Labrador, South twenty-seven degrees fifty-four minutes fifty-nine seconds West, zero decimal six nine two meters;

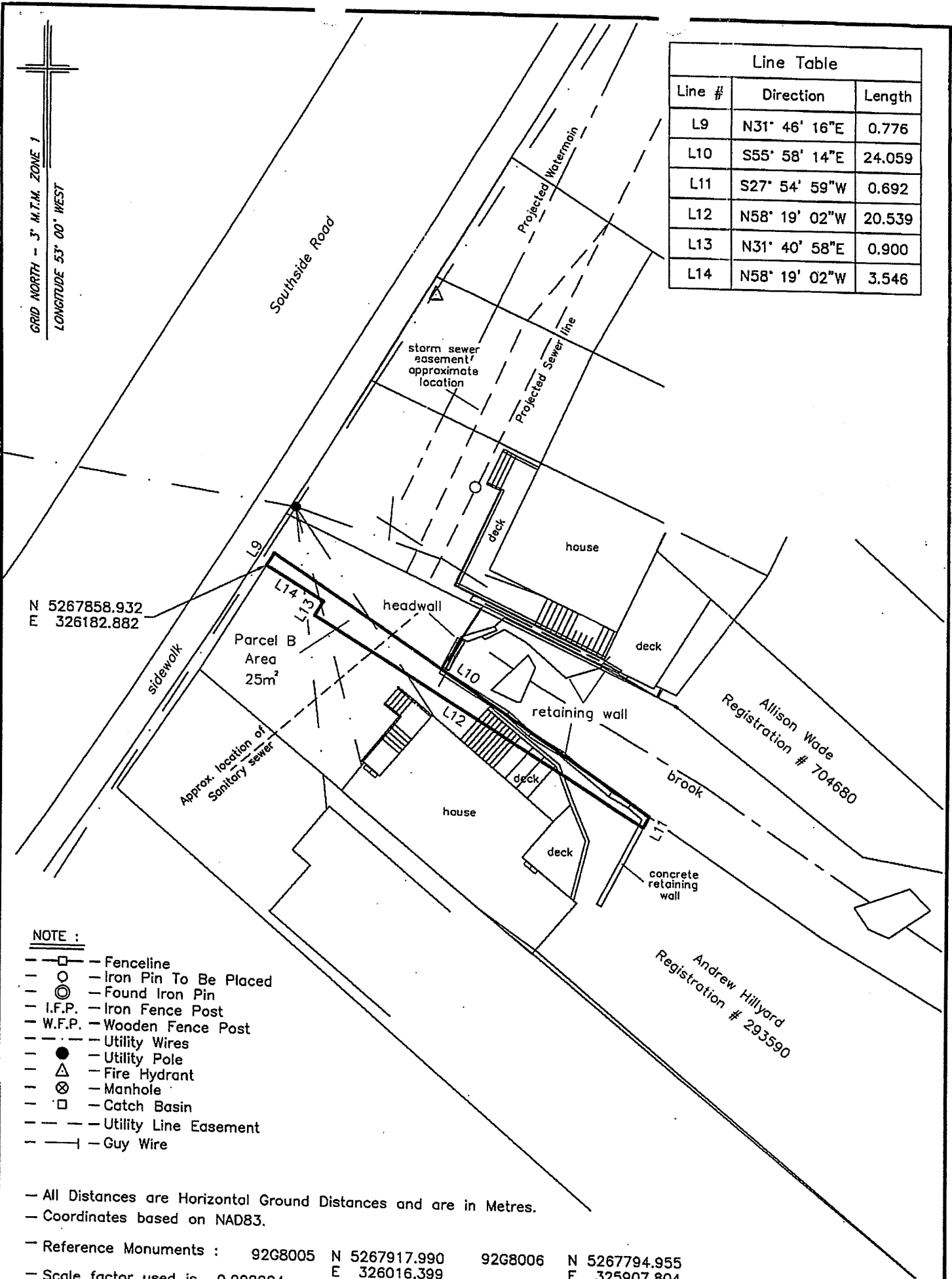
THENCE running North fifty-eight degrees nineteen minutes zero two seconds West, twenty decimal five three nine meters;

THENCE running North thirty-one degrees forty minutes fifty-eight seconds East, zero decimal nine zero zero meters;

THENCE running North fifty-eight degrees nineteen minutes zero two seconds West, three decimal five four six meters, more or less, to the point of beginning.

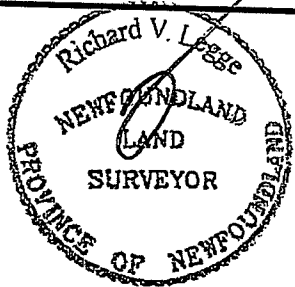
The above-described parcel of land has an area of 25 square meters, more or less, and is shown more fully delineated on the adjoining plan having job number 2017-6161 dated November 27, 2017. All bearings are referred to grid north in the above-mentioned projection. All distances are horizontal ground distances.





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LEGGE SURVEYS LIMITED	
1288 TOPSAIL ROAD, UNIT C, PARADISE, NL, A1L 1N7	
Tel: 709-782-5920 Fax: 709-782-5921	
EASEMENT SURVEY FOR THE CITY OF ST. JOHN'S	
PARCEL B SOUTHSIDE ROAD, ST. JOHN'S	
SCALE : 1 : 250	JOB No. : 2017-6161
DATE : November 27, 2017	SURVEY : G.C. \ A.O.



TO: ALLISON WADE

AND: TO WHOM IT MAY CONCERN

In this matter of Sections 96 and 101
of the **City of St. John's Act** as
amended and Sections 5 to 55 of the
Expropriation Act.

NOTICE

Notice is hereby given that an easement on the land described in Schedule "A" hereto
annexed and on the plan attached is expropriated by the City of St. John's.

The said easement is required for the purpose of a storm sewer easement and is
expropriated for such purposes pursuant to the powers vested in the Council under Sections
96 and 101 of the *City of St. John's Act*.

The said easement is expropriated on behalf of the City of St. John's and will vest in
the City of St. John's.

Dated this _____ day of April, 2018.

MAYOR

CITY CLERK

RESOLUTION

RESOLVED that under and by virtue of the powers vested in it under Sections 96 and 101 of the *City of St. John's Act* as amended and all other powers it enabling the St. John's Municipal Council in session convened on this _____ day of _____, 2018.

HEREBY RESOLVES that an easement on the land described in Schedule "A" to this resolution and on the plan annexed thereto be expropriated by Council for the purpose of a storm sewer easement.

NEWFOUNDLAND AND LABRADOR

ST. JOHN'S

TO WIT:

AFFIDAVIT

I, _____, of St. John's aforesaid, make oath and say that I did on the _____ day of _____, 2018, personally serve _____ with a true copy of the foregoing Notice of Expropriation, at ____m., and that I did on the _____ day of _____, 2018, personally post a true and correct copy of the foregoing Notice of Expropriation in a conspicuous place on the land described in Schedule "A" attached to the foregoing Notice of Expropriation.

SWORN TO at St. John's
in the Province of Newfoundland
and Labrador, this _____
day of _____, 2018
before me:

**EASEMENT SURVEY DESCRIPTION FOR THE CITY OF ST. JOHN'S
SOUTHSIDE ROAD, ST. JOHN'S, NL
PARCEL A**

All that piece or parcel of land situated and being on the eastern side of Southside Road, in the City of St. John's, in the electoral district of Waterford Valley, in the Province of Newfoundland & Labrador and being abutted as follows, that is to say:

BEGINNING at a point, said point having NAD83 coordinates of North 5267863.068 meters and East 326184.747 meters with reference to Crown Land Monument No. 92G8005 having coordinates of North 5267917.990 meters and East 326016.399 meters and Crown Land Monument No. 92G8006 having coordinates of North 5267794.955 meters and East 325907.804 meters of the Modified Three Degree Transverse Mercator Projection for Newfoundland having a central meridian of 53 degrees west longitude;

THENCE running through land belonging to Allison Wade, registered in Registration # 704680 in the Registry of Deeds, in Newfoundland & Labrador, South fifty-eight degrees nineteen minutes zero two seconds East, four decimal one three two meters;

THENCE running North thirty-one degrees forty minutes fifty-eight seconds East, zero decimal nine zero zero meters;

THENCE running South fifty-eight degrees nineteen minutes zero two seconds East, six decimal eight four eight meters;

THENCE running South sixty-three degrees fifty-nine minutes forty-three seconds East, eleven decimal seven five eight meters;

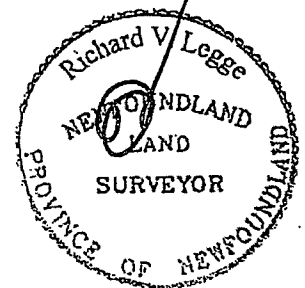
THENCE running South twenty-six degrees zero zero minutes seventeen seconds West, one decimal zero eight eight meters;

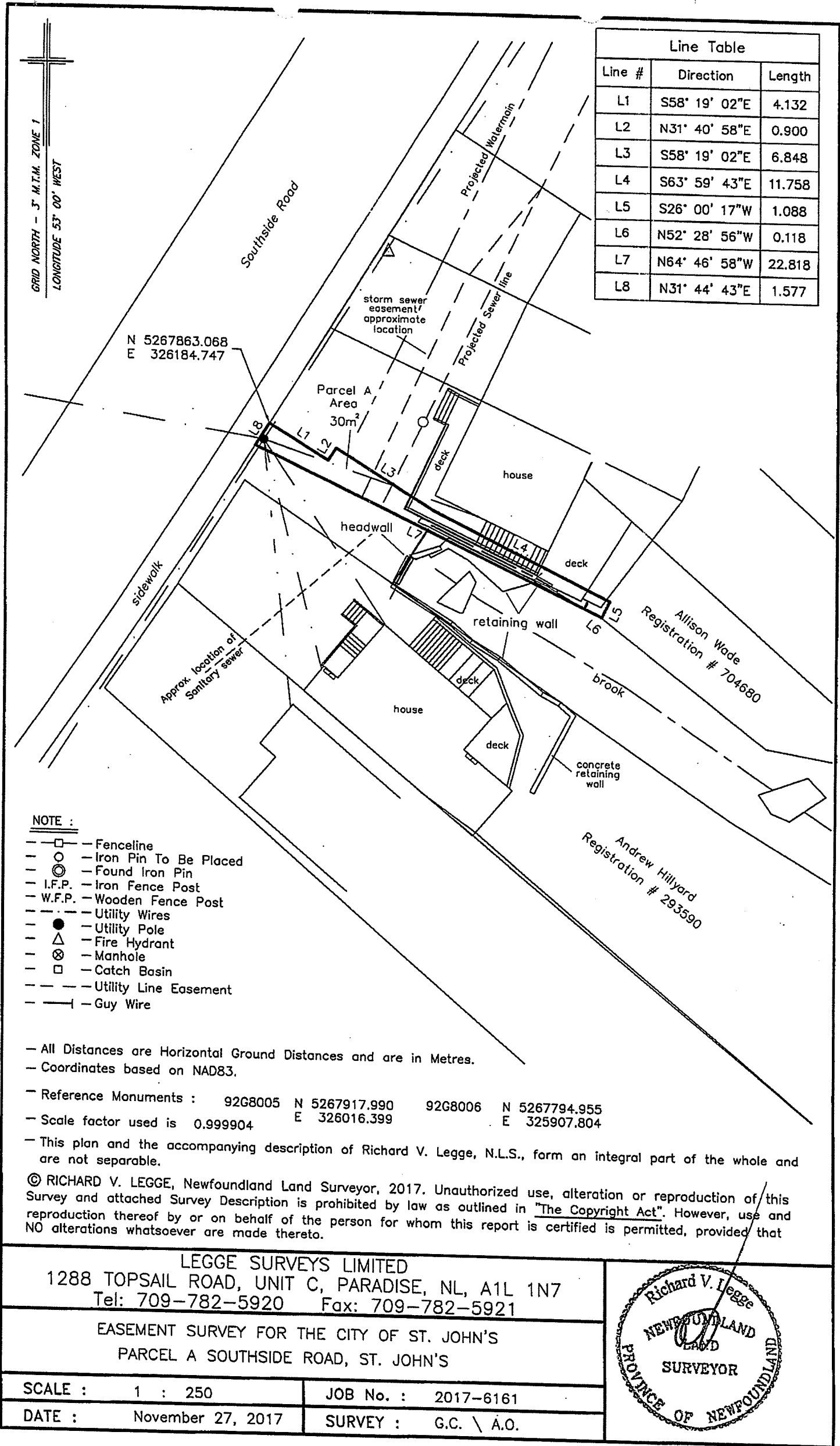
THENCE running along a brook, North fifty-two degrees twenty-eight minutes fifty-six seconds West, zero decimal one one eight meters;

THENCE running North sixty-four degrees forty-six minutes fifty-eight seconds West, twenty-two decimal eight one eight meters;

THENCE running along Southside Road, North thirty-one degrees forty-four minutes forty-three seconds East, one decimal five seven seven meters, more or less, to the point of beginning.

The above-described parcel of land has an area of 30 square meters, more or less, and is shown more fully delineated on the adjoining plan having job number 2017-6161 dated November 27, 2017. All bearings are referred to grid north in the above-mentioned projection. All distances are horizontal ground distances. Subject to a storm sewer easement, as shown on the adjoining plan.





DECISION/DIRECTION

Title: Land Acknowledgement Statement - Revision

Date Prepared: April 12, 2018

Report To: Mayor and Council – Regular Meeting of Council/April 16, 2018

Ward: N/A

Decision/Direction Required: Seeking approval to rescind Council Directive #R2018-02-19/18 and approve the amendment to the Land Acknowledgement Statement approved by Council at its Regular Meeting held February 19, 2018.

Discussion – Background and Current Status:

- As per Council Directive #R2018-02-19/18, approval was granted to read the following statement prior to the weekly Regular Meeting of Council:

"We respectfully acknowledge the lands on which the City of St. John's is situated as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of Indigenous and other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi'kmaq, Innu, Inuit, and South Inuit of this province."

- In consultation with the St. John's Native Friendship Centre and at the recommendation of a resident, the following amended statement is proposed:

"We respectfully acknowledge the Province of Newfoundland & Labrador, of which the City of St. John's is the capital City, as the ancestral homelands of the Beothuk. Today, these lands are home to a diverse population of indigenous and other peoples. We would also like to acknowledge with respect the diverse histories and cultures of the Mi'kmaq, Innu, Inuit, and Southern Inuit of this Province."

Key Considerations/Implications:

1. Budget/Financial Implications

- N/A

2. Partners or Other Stakeholders

- The St. John's Native Friendship Centre

3. Alignment with Strategic Directions/Adopted Plans

- A Culture of Cooperation
- Responsive and Progressive

4. Legal or Policy Implications

N/A

ST. JOHN'S

5. Engagement and Communications Considerations

N/A

6. Human Resource Implications

N/A

7. Procurement Implications

N/A

8. Information Technology Implications

N/A

9. Other Implications

N/A

Recommendations:

It is recommended that Council rescind its Directive #R2018-02-19/18 and approve the amended the Land Acknowledgement Statement noted above.

Prepared and Approved by: Elaine Henley, City Clerk

Attachments:

None

ST. JOHN'S